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Juvenal and the Boundaries of *Libertas*

DISSERTATION

submitted in partial satisfaction of the requirements  
for the degree of

DOCTOR OF PHILOSOPHY

in Classics

UCI Tri-Campus Program with UCI, UC Riverside, and UC San Diego

by

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2014



*aviae carissimae optimaeque*

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## CURRICULUM VITAE

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### FIELD OF STUDY

Roman satire: Juvenal (1<sup>st</sup>-2<sup>nd</sup> c. CE); *libertas*, the identity of freeborn male Romans, and the principate

## ABSTRACT OF THE DISSERTATION

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by

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Doctor of Philosophy in Classics

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Roman satire confronts readers with a complex picture of contemporary Roman society. Yet despite whatever distortions, exaggerations, or other techniques of satire that are utilized in the text, a satirist uses his medium to engage with issues, events, and persons that are of a present and very real concern to him. In the case of Juvenal, a Roman satirist of the late first and early second centuries CE, an issue of primary importance in his *Satires* is that of the state of *libertas*, a sociopolitical concept that stood for both freedom and freedom of speech. Lacking ‘true,’ Republican *libertas*, Juvenal must tackle the problem of how to write satire in the mold of the genre’s inventor, Lucilius, who did possess *libertas* some two hundred years previously under the Roman Republic.

Therefore, Juvenal takes hold of the requisite *libertas* by exploiting and developing excess: the indulgence that he satirizes in fellow Romans also allows him to indulge his corpus, to go beyond the *lex operis* of Roman satire, so that with this excessiveness he can point to what is missing: *libertas*. As a corollary of this lack, Juvenal is thus able to make a case about decayed

*Romanitas* – free, elite, male Roman identity – that has transpired as a result of Rome’s sociopolitical strife and transformation into the Empire.

After placing Juvenal within the larger tradition of Roman satire, his serious impetus is restored to him through comparison with other contemporary texts that highlight the reality of Roman morals and *libertas* in the first century CE (Paul, Tacitus, Quintilian). With this done, a close examination of Juvenal’s *Satires* reveals the persistent focus on the issue of *libertas*. To gain new perspective on *libertas*, Isaiah Berlin’s two concepts of freedom are introduced to expand the conception of *libertas* and thus demonstrate the nuances of Juvenal’s argument for and production of *libertas*.

What we read then in the *Satires* is a discourse about *libertas* and *Romanitas* in the first and second centuries CE: Juvenal’s intricate and rhetorical satire is at odds with the institution of the principate and what it has consequently done to free, elite Roman men.

## **Introduction**

*“I’ll publish right or wrong. Fools are my theme, let satire be my song.”*

*– Lord Byron*

*“If freedom of speech is taken away, then dumb and silent we may be led,  
like sheep to the slaughter.”*

*– George Washington*

In modern America and Western society, we may at times take for granted our ability to access and to use our freedoms, including our freedom of speech. For Americans, the Bill of Rights ingrains the freedom of speech along with other fundamental freedoms. From our youth, we are taught about the Bill of Rights and especially, our First Amendment rights. We have the right and the ability to say, write, and think almost whatever we choose; to take away these basic freedoms is nearly unthinkable. We frequently hear news stories and court cases dealing with issues of free speech from both abroad and at home: from social media and the internet to politics and protests, we are constantly confronted by the topic of free speech, its limitations, its preservation, and its performance.

One realization of the freedom of speech that can prove to be equal parts problematic, dangerous, offensive, and provocative is the production of satire. Satire puts mankind’s worst behaviors on public display, exaggerates them, plays with irony and humor, and then excoriates its targets. Satire is the unavoidable mirror that reflects a grotesque selfie that reveals every imperfection about its subject (the audience, the observers, us) and then some. And everyone, including the mirror, bursts out laughing. Satire does all this purposefully: to keep us in check and in line with the norms of our society.

From its ancient beginnings as a formal literary genre in Rome, satire has always shown itself and its scope to be a little bit of everything; satire is predicated on its contemporary society,

culture, news, politics, and more. And so, at all times, Roman satire is about Romans and the issues, people, and events about which they were concerned.<sup>1</sup> Therefore, when we ask questions about Roman satire, we are effectively asking questions (and seeking answers) about the context and all the conditions of the author in specific and of Roman society in general – and, importantly, about how these all come into play in the text.

In the absence of a complete historical record, let alone audio and video recordings, modern libraries, and the internet, the text must be the driving force behind our inquiries into Roman satire. And yet, what makes any such inquiry certainly all the more challenging is the nature of the text of Roman satire. Genre is a major factor in considering satire: it is not meant to preserve as history, to tell a story as epic or drama, to charm as lyric, to praise as encomium, or to report as biography. Satire is problematic because, for a start, it is fraught with distortion, irony, rhetoric, parody, sensationalism, contradiction, and hyperbole. Yet, amongst all the wild claims of satire there must be reality, standards, and sincere motivation. Determining the validity of some of Roman satire's outlandish or embellished accusations is, at best, thoughtful conjecture and, at worst, harebrained assumption. But what we can do – and do well – when we approach Roman satire is to trace the threads of ideas throughout it, to examine the techniques within it, and to place it back into greater contexts.

The focus of the present study will be the Roman satirist Juvenal and his *Satires*. More specifically, I am examining how we can – even in the absence of a solid biography – reexamine the text of Juvenal and return to his satires an underlying (and serious) purpose. This purpose will be the concern for *libertas* and its implications for Roman identity.<sup>2</sup>

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<sup>1</sup> Freudenburg (2001), *Satires of Rome: Threatening Poses from Lucilius to Juvenal*, 1-4.

<sup>2</sup> For the purposes of this study, 'Roman identity' will always refer, unless otherwise stated, to the identity of freeborn, elite Roman males.

Since the turn of the millennium, scholars have started to question and point out the insufficiencies of persona theory, which was first espoused by William Anderson in the middle of the last century.<sup>3</sup> Thus, the prevailing manner of understanding Juvenal – that is, that his different books show different, shifting *personae* – needs to be revisited. This is not to say that persona theory does not make valuable contributions to the study of satire or of Juvenal, but rather that changing our perspective on the satirist and his text can add new dimensions. For even behind the masks of the *personae*, the real Juvenal must still be there – and along with him are his concerns, values, and motivations for writing the *Satires*. Even if the viewpoints of the *Satires* only reflect those of Juvenal himself and not those of a majority or of anyone else in contemporary Roman society, the views and opinions expressed are still compelling and authoritative. My goal is to locate, behind all the outrageous laughter, bitter irony, and detached condescension, the serious satirist who presents what he, at least, sees as a vital and thought-provoking study of *libertas* and its connection to Roman identity and to the social and political situation of his day.

I have taken *libertas* as the central theme of this work and as a means to unify of the text of Juvenal because of the quintessential nature of *libertas* in the production of satire. Satire is meant to take in everything around it, everything that is familiar to its audience; it is meant to distort and to exaggerate its material; it is meant to attack its targets viciously and unrepentantly; it is meant to be critical in the extreme and to inveigh against the faults of others, both public and private; it is meant to incite laughter at the ridiculous, the odd, the pathetic, and the transgressive; it is meant to flirt with the boundaries of what is acceptable speech and what crosses the line. The freedom to say or write such things strikes to the very heart of what makes satire possible. Roman satire has a fundamental necessity for *libertas*; it is this *libertas* that originally imbued

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<sup>3</sup> These scholars and their works will be incorporated into the discussion of chapter 1.

Roman satire with an outspokenness that allowed it to corral and to control what was threatening to the general order. By examining the continual presence of *libertas* within the corpus of Juvenal, my aim is to observe and explain what serious and sincere intentions the satirist has, why *libertas* is such an important contemporary sociopolitical issue, and how the *Satires* and *libertas* reflect upon Roman identity.

By choosing *libertas* as the prime focus for the entirety of the *Satires* I mean to center my argument around an idea that is fundamental to satire and its production. By moving from the variable *personae* of the satirist to his persistent interaction with *libertas*, I mean to present a new perspective on the *Satires* that foregrounds a contemporary sociopolitical issue and a fight already in progress over what it meant to be a free, elite Roman male. Rather than concentrate on *how* the satirist writes, my goal is to manifest *why* the satirist writes the way he does and what sorts of implications this has for the satirist and Rome. *Libertas* affords us, as modern readers of Juvenal, greater insight into the satirist's oft-perplexing satiric program.

Chapter 1 homes in on specific issues for Juvenal and his text by beginning with the larger picture of Roman satire and its function. After covering the malcontents of Rome who preceded Juvenal – including, who they were, when they wrote, and what brand of satire each wrote – greater attention is given to the *Satires* and their program. In examining the program and purpose of Juvenal's corpus, it is also necessary to explore the nature of the genre of satire and what function it served in Roman society. As Roman satirists are discontents, so then do their satires seek to contain what has upset them. In particular, I draw upon fragments of Lucilius, Roman satire's inventor, to demonstrate how he conceived of and used the genre as a response to the sociopolitical pressures and concerns of his own time. Jumping over Horace and Persius, the chapter closes out with the satirist who most desires to pick up the mantle of Lucilian satire:

Juvenal. With a brief look at the intervening history between Lucilius and Juvenal, it becomes clear that Juvenalian satire cannot be the exact equivalent to the Lucilian original. Satire is a dangerous activity at the end of the first and beginning of the second century CE, even after the death of Domitian. Hence, Juvenal's rendering of satire must go beyond that of his predecessors, especially Lucilius, whom he claims to be following from the start of *Satire 1*. Having briefly considered some of the ways in which Juvenal's text is transgressive with respect to the *lex operis* of satire, I posit that these necessary breakdowns can be grouped under the idea of excess; the 'old' container of satire is broken, but is done so meaningfully. Since Roman society is overrun with vices, Juvenal mimics this by reappropriating and wielding a satiric excessiveness that is meant to call the audience's attention to the big issues of the day: the state of *libertas* and of Roman identity. In this way, Juvenalian excess is able to reclaim (ironically enough) satire's power to contain.

To confirm that an earnest purpose can be found within the *Satires*, chapter 2 moves to examine texts from the middle to late first century CE concerning both morality and *libertas*. The texts that are investigated here are meant to demonstrate that if other authors of the time are able to make similar serious claims about issues that are also within Juvenal's text such as morality and the current state of *libertas*, then Juvenal's text cannot be wholly read as an exaggeration or distortion of reality. To this end, I limit myself to certain criteria when selecting an author for comparison: he must be Roman; he should be writing near or during the lifetime of Juvenal; and he should treat either the topic of morality in imperial Rome or *libertas* under the principate so that he may be compared with Juvenal. As a result, on morality, I look into the Apostle Paul's *Epistle to the Romans* and the claims he makes at the beginning of the letter concerning the sins present in Rome. And on *libertas*, I look into both Tacitus' *Dialogus de Oratoribus* and

Quintilian's *Institutio Oratoria*. The characters within this minor dialogue of Tacitus, especially Maternus, offer great insight into the contemporary state of *libertas* and the effects of the existence or absence of *libertas* among Romans. Additionally, with an understanding of the *Dialogus* as a subtle undermining of Quintilian, I then go back to the *Institutio Oratoria*, published just a few years before the *Dialogus*, and explore the possibility that Quintilian's views on *libertas* and the genre of satire are skewed by very personal and political reasons. To achieve this, we must reevaluate the *satura quidem tota nostra est* claim: what it meant, why he wrote it, and what evidence it gives us about the contemporary state of satire under the Flavian dynasty. With Juvenal's sincerity restored, we now can turn to the issue of *libertas* and the *Satires* in earnest.

Chapter 3 opens with a detailed look at *libertas*, its place in Roman society, politics, and identity, and its essential place within the genre of satire, especially with the satirists who wrote under the principate: Persius and Juvenal. As a victim of diminished *libertas*, Juvenal faces the task of finding the *libertas* he needs to write and returning it not only to Roman satire, but also to Roman identity. This chapter deals with the differentiation of *libertas* and *licentia* and why this fuzzy boundary is so useful for Roman satirists, especially Juvenal: ambiguity and ambivalence are some of the ways in which Juvenal can address the topic of *libertas* safely and theorize about it. Following this, I return to the concept of satiric excess as a recovery of satiric *libertas* and how such (self-)indulgence and excessiveness in all its many forms is able to keep the issue of *libertas* in play throughout the *Satires*. The better part of this chapter observes just how *libertas* is consistently manifested in the text and what sorts of implications those appearances have for Juvenal, the satirist, his audience, and, more generally, for Roman politics, society, and identity.

I chose to begin this introduction with two quotations – the first about satire and the other about freedom of speech – because these are the two main ideas with which my argument interfaces. Indeed, throughout this work, I have used my favorite and most fitting quotations not simply as a means of signposting the various sections, but more importantly as a way to demonstrate the persistence of these concepts, at the very least, their persistence in Western society. It is this persistence that affords the opportunity to locate this genre and this sociopolitical concept within larger contexts and thus paves the way for new insights from the field of intellectual history, specifically, Isaiah Berlin. And this is exactly where chapter 3 leads the examination and discussion of *libertas* in Juvenal. Thus, in my conclusion, Berlin’s two concepts of freedom – positive and negative liberty – offer us the ability to expand our definition and understanding of liberty. It is this expansion that allows us to access the fullness of meaning of *libertas* within Juvenal’s *Satires*. Therefore, having explained Berlin’s concepts and their corollaries, I apply this to the corpus of Juvenal in order to foreground the issue of *libertas* and draw out the sociopolitical argument that lies behind the surface of the *Satires*.

Along these lines, with the significance of *libertas* to and within the *Satires* revealed, we can grasp what is at stake in Juvenal’s Rome: *libertas* is central to Roman identity, *Romanitas*, and the satirist finds that ‘true,’ Republican *libertas* is wholly incompatible with the principate and the new identity for Roman men that has become the norm. In this way, Juvenal’s *Satires* present an aggressive sociopolitical argument to their audience about their right to *libertas* and the *Romanitas* that it engenders.

## **Chapter One: The Boundaries of Satire**

*“Man invented language to satisfy his deep need to complain.”*

*- Lily Tomlin*

### **Rome’s Genre and Its Character**

The impulse to criticize and ridicule others is certainly nothing new. And the impulse to write down that invective is similarly ancient; even the Bible offers examples of satire.<sup>1</sup> Some of the oldest archaic Greek texts preserved demonstrate the deep need not just to complain, but also to censure, to mock, to lampoon, to blame, and to parody. Among these are the mock epic *Margites*, the catalogue of women from Semonides, and the scathing verses of Archilochus and Hipponax. From classical Greece, Aristophanes provides us with biting political, social, and sexual satire in his comedies. For the Hellenistic period, Bion of Borysthenes and Menippus of Gadara stand out, though only scant bits of Bion’s wit remain.

Yet it is not until we arrive in second century BCE Rome that satire as a literary genre becomes codified with the dactylic hexameters of Lucilius. And for the purposes of this study, ‘satire’ will always refer to the genre of Latin verse satire, a genre which belonged solely to the Romans, and to four Romans in particular: Lucilius, the *inventor* of the genre, who wrote during the period of the Republic before the century of civil wars; Horace, the jocular satirist who saw the Republic become the Empire; Persius, the young and earnest moralist of the middle of the first century CE; and Juvenal, the rancorous and indignant satirist from the late first and early second centuries CE.

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<sup>1</sup> Duff (1964), *Roman Satire: Its Outlook on Social Life*, 4.

Although the spirit of satire had always existed, satire itself belonged completely to the Romans because, as a genre, it was their literary invention. And for this reason, satire is the genre which is the most quintessentially Roman. This is, of course, the claim that the Roman rhetorician Quintilian most famously espouses in *Institutio Oratoria* 10.1.93-94 as he outlines the genre and its authors:

*(93)... Satura quidem tota nostra est, in qua primus insignem laudem adeptus Lucilius quosdam ita deditos sibi adhuc habet amatores ut eum non eiusdem modo operis auctoribus sed omnibus poetis praeferre non dubitent. (94) Ego quantum ab illis, tantum ab Horatio dissentio, qui Lucilium "fluere lutulentum" et esse aliquid quod tollere possis putat. Nam et eruditio in eo mira et libertas atque inde acerbitas et abunde salis. Multum est tersior ac purus magis Horatius et, nisi labor eius amore, praecipuus. Multum et verae gloriae quamvis uno libro Persius meruit. sunt clari hodieque et qui olim nominabuntur.*

(93)... Satire indeed is wholly ours, in which Lucilius was first to obtain notable praise; he has lovers (devotees) who are so given over to him still that they do not hesitate to prefer him not only to authors of this same genre, but to all poets. (94) I differ from them as much from Horace, who thinks that Lucilius “has a muddy flow” and that there is something that you could remove. For his learning is remarkable and his freedom and from there comes his severity and abundance of wit. Horace is by far more terse and more pure and, unless I slip because of my love for him, he is the best. Persius merited much true fame although he only wrote one book. There are some who are famous today and they will be named in the future.<sup>2</sup>

The *quidem*, so often left out when evaluating Quintilian’s claim, is a significant particle. Rather than the more simply translated “indeed,” translations for *quidem* such as “however,” “at least,” or “if nothing else” offer an adversative tint to the passage and demarcate the unique place of satire in Quintilian’s list of genres.<sup>3</sup> The particle thus strengthens the originality claim because it

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<sup>2</sup> All translations are my own unless otherwise noted. I am especially grateful to Prof. Richlin for all her helpful suggestions and notes.

<sup>3</sup> These variant translations of *quidem* originate in: Freudenburg (2005), “Introduction: Roman Satire,” 2; and Hendrickson (Jan. 1927), “Satura Tota Nostra Est,” 47.

causes *satura* to stand apart from the rest of the genres he treats; satire is marked out to be a distinctly Roman literary venue.<sup>4</sup>

Satire is also importantly and completely Roman because of its performance context. Kirk Freudenburg's introduction to Roman satire in the 2005 *Cambridge Companion to Roman Satire* contains two key points as it considers Quintilian's claim. First, that Quintilian's omission of earlier writers of satire, most notably Ennius, reveals the ideal of satire as totally Roman because to include Ennius, renowned as a philhellene and *semigraecus*, would compromise his claim: the satirist's Roman identity cannot be adulterated. Second, and more importantly, Quintilian rests his claim on Lucilius' developments of the genre rather than Ennius' transference of Greek models into Latin literature. Lucilian satire, he notes, is not merely meant to be critical, but is centered around "the performance of the poet's free-speaking, rugged, and utterly Roman self."<sup>5</sup> As far as satire is concerned, the Romans have not translated and rearticulated a preexisting Greek genre, but rather Roman verse satirists are expressing themselves through an unequivocally Roman medium.

This performance of *Romanitas* produces an "ours" versus "theirs" distinction. Therefore, satire is totally Roman because it is written by a Roman about Roman society and Roman concerns; satire is a performance unavoidably steeped in the performance of Romanness and is thus, of course, totally Roman.

Catherine Keane continues this kind of reading of Quintilian and the *satura tota nostra* claim in the conclusion of her 2006 book, *Figuring Genre in Roman Satire*. She writes:

Juvenal celebrates satire's dependence on society. It is not surprising that he was beginning his *Satires* at the same time that Quintilian was deeming satire "wholly Roman" (*tota nostra*) in an account that also acknowledges the tradition's continuing evolution (*Inst.* 10.1.93-94). At the height of the Roman empire, Juvenal

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<sup>4</sup> More will be said on Quintilian and the *satura* claim in chapter 2.

<sup>5</sup> Freudenburg (2005), 4-5.

plays the part of the quintessential satirist, defining and theorizing the genre's method as well as his own culture's strategies of self-definition.

Juvenal's picture of the genre's history and of the external world are designed to justify his own work. But it is also true that throughout the tradition, the satirist figure has been carrying the same apparatus of social models. In this sense, satire was *tota Romana*, as Quintilian seems to believe. For the models adopted by the satirists are all key strategies of Roman self-definition, from Republic to Empire.<sup>6</sup>

Satire is an evolving form, changing in the hands of each satirist, but because the satirist is Roman, his satires must be, too. One of the main provinces of satire is the quotidian, that is to say, the observable society around the satirist. The everyday for a Roman satirist is the reality of Rome that he is both steeped in and recreates in his verses. Since the satirists are Romans writing about Rome, their satires are also distinctly and wholly Roman.

Each of the four principal Roman verse satirists produced and performed his satires in a specific historical milieu that is necessary to recall in order to grasp the progression and character of the genre of satire.

Lucilius (180/167-102 BCE), the inventor of *satira*, was from a wealthy, aristocratic family and was well connected in Rome, thanks to his association with Scipio Aemilianus Africanus and the Scipionic circle. A very prolific writer, Lucilius produced thirty books of satires in the last thirty years of his life. Though much of his writing is now lost to us, we do know that his satire was characterized by a witty, aristocratic banter. Lucilian satire "provided a model of what a gentleman (*nobilis*) should strive both to be and to avoid."<sup>7</sup> It was his elevated social position, especially at a time when Latin literature was "recruiting and consolidating aristocratic culture," that allowed him to "launch attacks freely against some of the most distinguished men in contemporary Rome."<sup>8</sup>

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<sup>6</sup> Keane (2006), *Figuring Genre in Roman Satire*, 140-1.

<sup>7</sup> Miller (2005a), "Introduction," 24.

<sup>8</sup> *Ibid.*, 24; Conte (1999), *Latin Literature: A History*, 113. On the biographies of Lucilius, Horace, Persius, and Juvenal also cf. Duff (1964), Knoche (1975), Coffey (1989), and Braund (1992).

Horace (65-8 BCE) was a much different satirist than Lucilius.<sup>9</sup> After meeting Caesar's assassin, Brutus, Horace joined the army of the conspirators, whom Octavian defeated at Philippi in 42 BCE. Having suffered this defeat, Horace turned his attention to writing poetry, which led to the patronage of Maecenas and his first book of *Sermones* being published in 35 BCE. The first three satires of this book are the "most Lucilian in tone" and "[after] 1.3, no living person of note is lampooned."<sup>10</sup> Although Horace clearly understood the power offered by the attacks of Lucilian satire, he also knew that "in the 30s it would have been dangerous, especially for a freedman's son, to write political lampoons."<sup>11</sup> Rather, Horace preferred to employ irony, wit, mockery, and "positive affirmation" instead of direct, personal censure; however, this should in no way undercut the seriousness of his purpose in addressing the vices of Rome.<sup>12</sup> In defining the intent and content of Horatian satire, Paul Allen Miller adds that:

What Maecenas and Octavian needed, and what Horace sought in *satira*, was a poetic form in which fundamental Roman values could be redefined for a new era. Horace produced a satire that is both politically and aesthetically disciplined, shorn of the republican excesses that, in the view of Octavian, Maecenas, and their circle, had led the republic to collapse in blood and fire.<sup>13</sup>

In writing thus, Horace proved that satire could be just as potent "without reliance upon indignation and venom" and that the truth could be told "with a smile."<sup>14</sup> Horace's career, which included a second book of *Sermones* published in 30 BCE, saw the violent upheaval and transition from Republic to Empire. This major socio-political shift must not be forgotten as it relates not just to Horatian satire, but to the whole of the Horatian corpus, especially given that Horace did not produce more satires after Octavian's return to Rome, his acquisition of the title

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<sup>9</sup> Gowers (2012), 2 calls the information presented by Horace in *Satires I* an "oblique 'autobiography'" that has "genre-specific tropes," which are used to create "a rhetoric of authority."

<sup>10</sup> Miller (2005a), 26.

<sup>11</sup> Coffey (1989), *Roman Satire*, 90-91.

<sup>12</sup> *Ibid.*, 91.

<sup>13</sup> Miller (2005a), 26.

<sup>14</sup> Duff (1964), 64.

*Augustus*, and the subsequent events that led to the formalized beginning of the principate. At least for Horace, satire ends at the dawn of the Empire.

Persius (34-62 CE) was then the first satirist to write during the Empire. And yet, this fact does not color the scholarship and reception of his satires to the extent that his family, his philosophy, and his language do. Persius's father died when he was a boy of six and consequently, Persius spent his life in the care of and caring for his female relatives, especially his mother, sister, and aunt. After coming to Rome for his education he made many important friendships and connections, including the poet Lucan, the senator Thrasea Paetus, and the lyric poet Caesius Bassus, who would publish his satires posthumously. Chief among these friendships was that of the Stoic Lucius Annaeus Cornutus, whom Persius described as "providing moral and aesthetic guidance" in his fifth satire. Persius is the only satirist "to espouse a position based on the teaching of a single philosophical school" – the Stoics.<sup>15</sup> Aside from his philosophic standpoint and "consistent moral message," the language of Persius is unique; he both "imitates" and "sharpens" what he borrows, he consciously pursues language that is "weighty" and "educated," and he employs a rhetoric that "forces us to be active participants in the creation of meaning."<sup>16</sup> The different demands that Persius and his satires place upon readers have made him less accessible in modernity; this is surely a reflection of his desire, as a satirist, to be independent and self-reliant and his own preference to reject and turn away from society and its standards.<sup>17</sup> Overall, Persius's satire "aims at the universal, closely connected as it is with the Stoic diatribe."<sup>18</sup> Although satire had become a recognized literary form by the time of Persius and although the satirist knew Lucilius and Horace well, Ulrich

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<sup>15</sup> Miller (2005a), 26.

<sup>16</sup> *Ibid.*, 27-8.

<sup>17</sup> Braund (1992), *Roman Verse Satire*, 34.

<sup>18</sup> Knoche (1975), *Roman Satire*, 135.

Knoche points out that he perhaps fits in better with “the sequence of Phoenix-Musonius-Epictetus.”<sup>19</sup> Persius made many unique contributions to Roman satire, but the lasting fixture for his successors was his “basically serious tone.”<sup>20</sup>

Juvenal, who is the focus of the present study, has a biography that is less certain than those of the preceding three satirists. The dates of his birth and death are only conjectures, but his birth is generally considered to be between 50 and 70 CE and his fifth and final book of *Satires* can be dated to after 127 CE.<sup>21</sup> The period in which Juvenal flourished – that is, published – can thus be narrowed to approximately 100 to 130 CE.<sup>22</sup> Aside from a possible reference to a hometown in *Satire 3*, a lost inscription about a local official, and references to Juvenal in Martial, the actual life of Juvenal remains somewhat of a mystery. His biography, however, is not as momentous as the contributions he made to the genre of satire; in fact, it is to Juvenal that many satirists from later periods, especially from the Elizabethan period onwards, owe a great debt.

In describing the character of Juvenalian satire, it is first important to take stock of the fact that, for Juvenal, the Empire is simply the reality of Roman life, and the principate is the only reality any Roman has known for three generations. The Republican past that nourished the genre of satire from its infancy and gave the genre its original impetus is more than a century removed from the corpus of Juvenal’s satires. And it is this same Republican past that Juvenal has so idealized in his *Satires* that is merely a page from the book of his imagination, a nostalgia based on a past that, for the satirist, is a hopeful fantasy (mostly via Lucilius) of what once was. Yet importantly, we must not forget that Juvenal’s interaction with the Empire is unprecedented

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<sup>19</sup> Knoche (1975), 135.

<sup>20</sup> *Ibid.*, 136.

<sup>21</sup> Miller (2005a), 28-9.

<sup>22</sup> Freudenburg (2005), 14.

in the genre of satire. He is the first satirist to censure an emperor, albeit a deceased one. Although Persius was the first to write under the Empire, Juvenal is the first to comment thoroughly upon it and the society that had developed around it. The satires of Persius, as observed, are consumed with Stoic philosophy and morality and engage in intricate wordplay. Whereas Persius is basically disconnected from the world around him, Juvenal, on the other hand, is thoroughly immersed in it and his satires are among our best sources on daily life and society in the late first and early second centuries CE.<sup>23</sup>

And yet, the targets of Juvenal's satires – including the emperor Domitian in *Satire 4* – are all from the recent past that the satirist can recall all too well because these characters (and caricatures) still saturate Juvenal's Rome. Juvenal has carefully chosen not to attack the living directly and he says that he will instead direct the force of his satire against the dead:

*ense velut stricto quotiens Lucilius ardens* 165  
*infremuit, rubet auditor cui frigida mens est*  
*criminibus, tacita sudant praecordia culpa...*

*...experiar quid concedatur in illos* 170  
*quorum Flaminia tegitur cinis atque Latina.*

Just as with a drawn sword, as often as Lucilius burns and bellows, so the listener, whose mind is cold with crimes, grows red, his tender heart sweats with silent blame...

I will try what may be permitted against those whose ashes are covered by the Flaminia and Latina.

(*Satire 1.165-167; 170-171*)

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<sup>23</sup> Sullivan makes a case in his article, "Ass's Ears and Attises: Persius and Nero" that Persius could very well have attacked Nero in his first satire by perhaps quoting some of Nero's poetry, which was written in the neo-Callimachean style that Persius despised. The validity of this is somewhat questionable as he freely admits that most other scholars, namely Kenney and Bramble, do not believe there to be an attack on Nero in the programmatic satire of Persius. Additionally, Sullivan notes that the source that supports this idea is unreliable (160). And finally, it is worth remembering that the text of Persius was published posthumously so that, if indeed there was an attack, the incriminating text was not for public consumption until later. At the very least, if Persius *did* intend to attack a contemporary, his not publishing while alive does indicate that he knew that this would be considered a grave offense, even *maiestas*.

Juvenal is restricted – in his own time, place, and circumstance – from attacking the living. He is not able to exercise the same freedom (*libertas*) in his satires as Lucilius once did; he can, however, preconize the crimes of his listeners – a crowd that, we must remember, consists of his fellow Romans.

And yet, the brutal honesty of satire sentences the satirist and author to an ironic punishment:

...*probitas laudatur et alget.*

Honesty is praised and then left out in the cold.

(*Satires* 1.74)

Writing satire is itself a daring endeavor and, although it is in the purview of the satirist to censure the living, perhaps especially the reigning emperor, Juvenal does not and cannot dare to do just this; he knows what would become of him, as the last half of line 74 shows.<sup>24</sup> The lack of historical record for Juvenal makes the line ring true, too, as Juvenal “was never mentioned by anyone known to us” during his own lifetime.<sup>25</sup> In fact, in another ironic twist, Christian authors are the first to appreciate Juvenal: there are strong echoes of the *Satires* in Tertullian (160-225 CE) and Lactantius (240-320 CE) was the first to quote Juvenal directly and by name.<sup>26</sup> Thus, the irony continues: since Juvenal does not dare to write bald-faced about his exact contemporaries (including the city herself), there is no honesty of his to be praised; and yet, the outcome for his text was the same as that of *probitas* – Juvenal and his *Satires* were left out in the cold.

What audaciousness Juvenal was able to write into his text, Juvenal himself says was not from his present circumstances, but rather from his angry outbursts:

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<sup>24</sup> Prosecutions for the crime of treason (*maiestas*), so rampant in the empire, along with its severe punishments (chiefly death and confiscation of property) cannot be forgotten.

<sup>25</sup> Hight (1954), *Juvenal the Satirist: A Study*, 181.

<sup>26</sup> *Ibid.*, 182-184.

*si natura negat, facit indignatio versum*

If nature denies my request, my indignation makes the verse

(*Satires* 1.79)

Juvenal has already listed several reasons why he has chosen this genre and made the corresponding programmatic claim (1.30: *difficile est saturam non scribere*; “it is difficult not to write satire” because Juvenal is done listening to other, inferior poets and he is thoroughly upset in seeing perverts and perversions), and now he is making a programmatic claim for the inspiration behind his verses. Juvenal’s *Satires* present a topsy-turvy Rome full of reasons to be angry and he has assumed the pose of “the irate declaimer whose anger renders him incoherent with rage.”<sup>27</sup>

While Juvenal’s *indignatio* supplies the authorial fuel for the hyperbolic fire of his *Satires*, it is nevertheless a real and sincere angry outburst. The hyperextension of that *indignatio* is what causes the satirist himself to become just as ridiculously excessive as the world around him in his text is.<sup>28</sup> This sort of excessiveness, too, is another tool of the satirist that he employs to mock and to criticize his reality.

The sincerity of Juvenal’s *indignatio* – and by extension, his reasons for becoming a satirist, his freedom of expression and speech as a satirist, and the moral purpose of his text – without more autobiographical information have caused great difficulty in the interpretation of his *Satires*. This difficulty essentially began from the moment the poems were published in antiquity since they were uncommented on and unmentioned for so long. Since then, scholars

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<sup>27</sup> Miller (2005a), 29. Miller also outlines here the major headings for Juvenal’s indignation: “the breakdown of traditional gender and social roles; the tide of immigrants that threatens to make Romans a minority in their own city; and the neglect of traditional patron-client relationships.”

<sup>28</sup> *Ibid.*, 29.

and readers of Juvenal have expended immense effort so that Juvenal's particular brand of satire may be better understood.

The first such scholar whom I will mention is Gilbert Highet. Highet attempted in the first part of his 1954 work, *Juvenal the Satirist*, to fill in the large lacuna of the Juvenalian biography. By reading between and into the lines of the *Satires*, Highet reconstructed a version of the life of Juvenal. In doing so, Highet traces Juvenal's *indignatio* to a presumed intense hatred of the emperor Domitian, who exiled the satirist to Egypt. Although this biography may be "ingenious," it is impossible to be certain of its validity and Highet's work has since fallen out of favor due to the high amount of conjecture in it.<sup>29</sup>

Responding to Highet a decade later was W.S. Anderson, who, along with his followers, has set the stage for studies of Roman satire in the half century since. Anderson's 1964 work, "Anger in Juvenal and Seneca" introduced persona theory to the study of satire, and especially to the study of Juvenal. In this essay, Anderson starts from an analysis of Seneca's *De Ira*, in which Seneca finds anger to be irrational. His subsequent argument focuses on how *ira* and *indignatio* were not favored by Romans and the reasons that Juvenal would not have contradicted Seneca, and thus "the speaker of Juvenal's earlier satires must be an unreliable figure, the main object of ridicule."<sup>30</sup> Anderson says that:

If in refuting the *adversarius* so far, Seneca has delivered an implicit challenge to any figure like the angry, indignant satirist, his definition of *ira* or *indignatio* constitutes direct and open disapproval of a Juvenalian satirist. Seventy years later Juvenal's audience, undoubtedly familiar with Seneca's treatise or similar ideas, would have been bound to question the ethical propriety of *indignatio* and hence the satirist's angry picture of the Roman world...

This is Seneca's answer to his *adversarius* and the ultimate reply to Juvenal's angry satirist: no sane man should seek the insanity of indignation, but should

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<sup>29</sup> Anderson (1982), "Roman Satirists and Literary Criticism," 367. All citations of this essay will be paginated according to Miller's 2005 reprint.

<sup>30</sup> Iddeng (2000), "Juvenal, Satire, and the Persona Theory: Some Critical Remarks," 115.

take as his goal something commensurate with the highest nature of man, *tranquilitas animi*. Juvenal himself recognized this and in his later satires created a new satirist in close conformity with the Senecan ideal...

[It] makes no difference whether or not Juvenal had read Seneca's treatises: the important point to establish is that popular treatises on anger were available in Juvenal's early years, that students would learn as a matter of course the moral ambiguity of indignation.<sup>31</sup>

In observing the shifting tone of Juvenal's *Satires*, Anderson has made a case for this unreliable speaker of the text to be regarded as a separate identity from the satirist himself. "[After] all," Anderson says, "Roman satire is poetry" and the poet does not have to be congruent with the speaker of the poem.<sup>32</sup>

This notion of persona originated in Alvin Kernan's 1959 book, *The Cankered Muse*, which considered persona in Jacobean satire. Kernan suggested here that indignant speakers were given "objectionable and offensive ways" in order to warn the audience to divorce itself from that very tone, and that the persona of the poem, which is a creation of the poet, can be "so distinct from the poet's biography that the two are opposites."<sup>33</sup> In Kernan, Anderson believes that he has found the correct middle ground to approaching Roman satire: as far as Juvenal is concerned, there is thus a case to be made both for understanding Juvenal's *indignatio* as sincere and as insincere. Anderson summarizes this point:

If, following Kernan, we maintain a distinction between Juvenal and the speaker he creates for the *Satires*, then we can call the speaker genuinely indignant; but we must also add that Juvenal has so portrayed him that his prejudices and exaggerations are unacceptable, and for sound poetic reasons. The *persona* is indignant, but wrong, in many cases, as, for example, in his universal denunciation of women, even the most upright; reading or listening to such

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<sup>31</sup> Anderson (1964), "Anger in Juvenal and Seneca," 127-196. Reprinted in Plaza (ed.) (2009), *Persius and Juvenal*, 361-449. Excerpts here taken from 400; 420; and 421. All citations of this essay will be paginated according to Plaza's 2009 reprint.

<sup>32</sup> *Ibid.*, 368.

<sup>33</sup> *Ibid.*, 368.

ranting, the Roman audience recognized the untruth and re-interpreted the described situations, stimulated by the Satires, more accurately.<sup>34</sup>

Yet, Anderson's argument relies heavily on the smooth transference of Seneca's rhetorical anger (*ira*) to Juvenal's satirical outbursts (*indignatio*), which he admits are not strictly the same emotions, although he does believe that "the Roman rhetoricians and moralists used them synonymously."<sup>35</sup> Anderson, however, later somewhat undercuts their synonymity when he acknowledges that "[none] of these synonyms occur in Juvenal's early satires; the satirist is not so foolish as to cut off from himself all possibility of sympathy."<sup>36</sup> There is a problem here, too, in Anderson's labeling of Juvenal with the terms "rhetorician" and "moralist": while Juvenal may indeed be both of those (or at least, borrow heavily from both of those genres), he is in fact a satirist first, and as such, he may not have to be confined to the structures and strictures of those genres.

In the fifty years since Anderson published his essay that introduced persona theory to the study of Roman satire, it has been a powerful guiding force and litmus test in scholarship. By focusing on persona theory, scholars have been reminded of the poetic fiction in Roman satire; as a result, there have been many fruitful and thought-provoking studies done that highlight the methods, themes, and devices of the satirists' texts. Attempts to challenge Anderson and persona theory have been few, but more recently, persona theory has come into question because of the interpretational problems it has left unsolved.<sup>37</sup>

In 2000, Jon W. Iddeng published an article, "Juvenal, Satire, and the Persona Theory: Some Critical Remarks," where he took aim at Anderson's school of persona theory. Iddeng

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<sup>34</sup> Anderson (1964), 368.

<sup>35</sup> *Ibid.*, 388.

<sup>36</sup> *Ibid.*, 401-402.

<sup>37</sup> Previous challenges include: Hight (1974), "Masks and Faces in Satire," 321-337; McCabe (1986), "Was Juvenal a Structuralist? A Look at Anachronisms in Literary Criticism," 78-84; Green (1989), "Juvenal Revisited," 240-255.

agrees that biography should not be read into every line, but disagrees that a complete separation of speaker and poet is necessary. He also emphasizes that the application of persona theory produces two problems: first, “[it] takes for granted that ancient authors conceived the conception of such speakers, although the sources do not support this”; it also “conditions an alternative access to ancient authors’ minds to be able to learn something about their *real* views and values, although such access is usually denied.”<sup>38</sup>

Iddeng takes on Anderson and persona theory piece by piece throughout his article. Having established that there are fundamental problems with the theory, he first addresses the issue of rationality. Here, Iddeng finds that Juvenal cannot be considered unreliable on the basis of his writing during the period of good emperors (and thus, his criticism is unwarranted in an otherwise prosperous, happy era), and not because of any internal tension in he what he says – no matter if it is illogical, improper, contradictory, or surprising in any way. Iddeng closes out this point by arguing that:

People hold strange views and do strange things, even things that seem irrational or improper in their own time. We do, the Romans did. We must also remind ourselves that logic and morality are not universally understood constants. We do not need a persona theory to deal with things we find irrational or improper.<sup>39</sup>

Additionally, Iddeng examines the “five-point programme” that Anderson (via Kernan) uses to locate the speaker’s irrational tension, which is the basis for his persona theory. In his analysis of these five points and the “logical extension of the speaker’s inconsistencies,” in which there is “the presentation of a perverse wretch who plots to create a diseased social order in conformity with his vile conception of life,” Iddeng applies Anderson and Kernan’s program to other authors of Juvenal’s time, namely, Pliny and Tacitus.<sup>40</sup> According to Iddeng’s analysis, even Pliny and

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<sup>38</sup> Iddeng (2000), 110.

<sup>39</sup> Ibid., 111.

<sup>40</sup> Anderson (1964), 363; Iddeng (2000), 111.

Tacitus would be revealed to be perverse wretches; tension, inconsistency, and irrationality, he argues, are simply part of human nature.<sup>41</sup>

Lastly here, Iddeng ponders the role of genre in relation to the program and demonstrates that the “verisimilitude” of a text functions differently for different genres:

Historians, biographers, and so alike would try to make their narratives as verisimilar as possible (but not necessarily unbiased), poets would not worry about the credibility of the narrative as such, but more of the ideas and the sentiments behind. To be able to succeed, they would use whatever rhetorical device they found fit. For a satirist this included hyperbole, irony, periphrasis, paradoxes, antithetical outbursts and so on. Since satirists do not produce forensic oratory they may utilise rhetorical tools differently according to their *lex operis*, and still create a picture that is not contradictory to their own view.<sup>42</sup>

In this way, Romans are tasked with making determinations about the veracity of the claims in any text, and educated Romans are particularly well equipped to notice rhetoric and read through and between it. Genre can, of course, influence the perception and actual amount of credibility in a text, and Iddeng asserts that poetic fiction does not concern itself as much with the sincerity of the narrative (that is, accurate and factual details, events, people, and places), but rather more with the sincerity of the ideas and sentiments (the impetuses, personal, social, cultural, political, etc.) behind those fictions.

From here, Iddeng scrutinizes the Seneca-Juvenal, *ira-indignatio* connection and contends that Anderson’s argument and proposal of persona theory has five weak points: first, that Anderson has taken for granted that Seneca’s view on *ira* was accepted and normative. Second, that Anderson has not done enough to place Seneca in his proper historical context, and so has not fully explored the motivations behind Seneca’s text. Third, Anderson does not discuss Lucilius, the inventor of Roman satire and stated model for Juvenal (*Sat.* 1.19-21). Fourth,

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<sup>41</sup> Iddeng (2000), 112-114. Iddeng also posits that there would have to be some sort of inconsistency scale for this program to succeed, but that then a maximum level of tension or inconsistency would have to be set in order to determine the writer’s sincerity. Indeed, a “Sisyphean task.”

<sup>42</sup> *Ibid.*, 115.

Iddeng looks at the “synonymous” connection Anderson conceives between *ira* and *indignatio* and maintains that there is a lack of logic, that Latin etymology (*ira/irasci* vs. *indignatio/indignari*) clearly support two distinct definitions, and that because other Roman writers approach anger differently, the Roman audience was not obliged to approach anger homogenously. And finally, Iddeng addresses “Juvenal, rhetoric, and the problem of *orator iratus*,” a point where Anderson “seemingly...ends up being brought down by his own logic”:

Anderson claims that Seneca’s claim of condemnation of anger leads to a general condemnation in the Roman audience. Appearance of anger will therefore seem ridiculous and unsympathetic. This does not go for the *orator iratus* as Seneca and thus Anderson... admits:

“True, the ‘angry orator’ achieves greater success than his calm confrere; but the key to his success lies not in being angry, but in skillfully imitating wrath... the orator... must be prepared to simulate convincingly many emotions, among them anger. By doing so, he can provoke sympathetic anger while himself retaining all his faculties, ready to resort to a different emotion at need.”<sup>43</sup>

Iddeng surmises that Juvenal’s “extended use of rhetoric” makes him an *orator iratus*, and therefore, in his *Satires*, he is “skillfully imitating wrath.”<sup>44</sup> There is no reason to think that Juvenal has lost control; he is merely deftly maneuvering through emotions, including *indignatio*, in order to elicit the desired effects and reactions from his audience and to persuade others that he is right.

In concluding his article, Iddeng stresses that he is not in any way against the idea of the speaker as a *persona*; he is instead against this speaker being “defined once and for all as an unalterable dramatic figure” or as “an untrustworthy figure in opposition to the author”; the author need not be consistent: sometimes he will share his private opinion or his personal feeling, while at other times he will choose to exaggerate.<sup>45</sup> Although Iddeng does not offer any

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<sup>43</sup> Iddeng (2000), 117-118; Anderson (1964), 405.

<sup>44</sup> *Ibid.*, 118.

<sup>45</sup> *Ibid.*, 127-128.

alternatives to persona theory, he avers that cultural and narrative theory have much to offer. He also reaffirms satire's premise and basic function, which can be overlooked by persona theory:

[A] satirist foremost would be devoted to displaying subjects, conduct and people he finds blamable and thus appropriate to satirise. Hence the Roman satire can be a valuable source to many themes and topics. Juvenal has a lot to say on social and political issues of his contemporary Rome. Much of that deserves to be taken seriously.<sup>46</sup>

Indeed, satire is meant to satirize: to find fault in others and hold it up for judgment and ridicule. Satire always has a purpose behind it, and we cannot forget to look at the *what* and the *why* in addition to the *how* of Juvenal's satires.

In addition to Iddeng, Ralph Rosen has also pointed out the difficulties and complications of persona theory in his 2007 book, *Making Mockery: The Poetics of Ancient Satire*. There, he acknowledges that persona theory "does not fully *solve* the problem of how to interpret the satirist's voice; it merely defers it and makes it more complicated."<sup>47</sup> The theatrical analogy breaks down for Rosen because the actor behind the mask, the *persona*, is always the author. Consequently, it is very difficult to avoid association between the actual satirist and his character, who claims to speak for the author. Rosen disagrees with the "objective character" that Anderson believes the poet creates and states that "any attempt at objectivity is... disingenuous on the part of the poet, part of the game to keep the audience slightly confused about what to think, but ultimately always aware that a real author is somewhere pulling the strings."<sup>48</sup> Again, Rosen finds that persona theory does not solve the problem of the satirist's self-representation because, even after dissociating the character from the poet, persona theory does not answer *why*:

In short then, "*persona* theory" does little to resolve the perennial problem of satire, namely, its fundamental didactic and moral claims. Even a decision simply to downplay such claims, and privilege the comedic aspects of satire... can only

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<sup>46</sup> Iddeng (2000), 128.

<sup>47</sup> Rosen (2007), *Making Mockery: The Poetics of Ancient Satire*, 220.

<sup>48</sup> *Ibid.*, 221.

sweep the conundrum temporarily under the rug: For eventually an audience will want to know what the *point* of all the joking is.<sup>49</sup>

For this reason, no matter whether we, as readers of Juvenal, ascribe wholly to persona theory (Anderson et al.), reject it (Iddeng), or find that it has not answered everything (Rosen), we must continue to read and examine Roman satire for the *why* behind the text, not only the point of the text itself, but also the point of whatever inquiry we set for ourselves.

Perhaps, better than persona theory, we should understand the tensions and personas of Juvenal's corpus as a form of code-switching wherein the poet moves through many circles and spheres in each of the *Satires* and must react accordingly. In code-switching then, the *personae* of Juvenal would still all express "the real Juvenal," but different facets and faces of the same poet. Code-switching personas still display a real person, "the same way that you're still you when you're sending an e-mail to your boss that's full of jargon and with proper capitalization and when you're texting to your best friend in lowercase acronyms." Acting and talking in a way that is suited for a different situation or audience could have the potential to produce comedic, ridiculous effects, although this switching may still serve an important, underlying purpose. "The point is, code-switching is apparent in all the myriad ways we interact with one another and try to feel each other out" – and Juvenal may be ceaselessly entangled in a code-switching struggle to interact with and understand an audience that does not relate to him in the same way he does not relate to them (and hence, feels compelled to satirize them).<sup>50</sup>

For comparison, a modern parallel may be found in Orson Scott Card's novel, *Ender's Game*, in which two children – Peter and Valentine – assume opposing personas (opposing both in the sense that they are at odds with each other, but also dissonant with their authors' actual identities) – Locke and Demosthenes – to write columns anonymously in order to sway public

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<sup>49</sup> Rosen (2007), 221-222.

<sup>50</sup> Demby (2013), "How Code-Switching Explains the World."

opinion and political actions. Reflecting later, Valentine ponders the following on page 231: “[The] character of Demosthenes gradually took on a life of his own. At times she found herself thinking like Demosthenes at the end of a writing session, agreeing with ideas that were supposed to be calculated poses. And sometimes she read Peter’s Locke essays and found herself annoyed at his obvious blindness to what was really going on. Perhaps it’s impossible to wear an identity without becoming what you pretend to be.” The code-switching the children have employed to be taken seriously has also led at least one of them to *become* her persona. The expectation and pressures of an audience upon an author/persona to remain in character at all times is real, in the same way actors are assumed to be the roles we have seen them inhabit. Granted, this kind of “audience pressure” is essentially impossible for us to take into account with Roman satire, although it is still an important aspect to be aware of. Context is paramount in all things.

The aim of the present study is not to question or overturn persona theory, but rather to explore one particular problem of Roman verse satire and offer up a possible answer. This problem I wish to explore is the issue that Rosen highlights: the purpose of Juvenal’s *Satires* as a whole. In addressing this, it is necessary to examine first what function satire had in Roman society, how it functioned as a ‘container’ for many things – that is, how satire acted as a force to maintain social, political, and cultural order. In order to establish that satire was a container of *mores* and to see how the satirists of ancient Rome placed boundaries on society, it will also be necessary to highlight the effects of the shifting social, cultural, and political structures of Rome – especially as the Republic transitioned to the Empire – and how these played out in the texts of the satirists; and, of course, special attention will be given to these in the case of Juvenal. Following this, I offer the suggestion that the myriad techniques and multifaceted nature of Juvenalian

satire, so affected by the time and society in which it was produced, may be grouped under the heading of excess, and also that this excess, in all its variations and possibilities, is employed by the satirist specifically to deal with a larger, serious issue behind the *Satires*.

### Satire as Container

*“Satire may be mad and anarchic, but it presupposes an admitted superiority in certain things over others; it presupposes a standard.”*

– G. K. Chesterton

Satire is, perhaps, the most multifaceted genre of literature. Even the potential etymologies of *satura* reflect its highly variable and complex nature. Chapter two of Ulrich Knoche’s seminal work, *Römische Satire*, details these etymologies in full, but the three most commonly cited etymologies for *satura* provide a starting-point for understanding the genre of satire as a container.

All three of these derivations come from Diomedes, a Latin grammarian of the 4<sup>th</sup> century CE, who made use of Aelius Stilo, Varro, Verrius Flaccus, Suetonius, and others; and all three “have in common the fact that they connect the ideas of abundance and mixture with the word *satura* and that they bring *satura* into an etymological line with the Latin adjective *satur* (full).”<sup>51</sup> The first of these derivations is the *lanx satura*, the plate filled with first offerings and usually described as being offered to the goddess Ceres; it is because the plate is full that is known as *satura*.<sup>52</sup> The next explanation that Diomedes gives derives *satura* “a *quodam genere farciminis* (‘from a certain kind of stuffing’) which was filled with many things... according to

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<sup>51</sup> Knoche (1975), 12-13; Gowers (1993) also contains a discussion on this subject.

<sup>52</sup> *Ibid.*, 12-13. Knoche also points out the following substantiating items: the *lanx satura* appears in Vergil’s *Georgics* 2.194 and 2.394; the scholiast to Horace describes the plate “more accurately in the introduction to the first book of the *Satires*”, connecting it to Ceres and being stuffed full; and in the introduction to manuscripts of Juvenal, the plate is again connected to Ceres and there satire is full because “multorum vitiorum est collectio” (“it is a collection of many vices”).

the evidence of Varro.”<sup>53</sup> Although Knoche asserts that *farcimen* “cannot mean ‘sausage’ here as it does in other contexts,” the word still refers to a stuffing in a casing and so, it is still sausage-like.<sup>54</sup> The third etymology states that *satura* is derived from the *lex satura* (alternatively, *lex per saturam* or *lex in saturam*), which was “the name of an omnibus bill in which a variety of different measures were mixed together without regard to their relation to one another.”<sup>55</sup>

Knoche examines which of these three derivations is the most likely etymology for the word *satura*, having first demonstrated that *satur* is not a loan word and that the word is more simply and naturally explained as a substantive noun.<sup>56</sup> As a result, the legal definition is the least preferred because it “obviously presupposes the substantive use of *satura*”; the decision is thus between “the language of religion” or “the kitchen language of the common people.”<sup>57</sup> Knoche ultimately determines that the kitchen definition is the best because “[the] testimony of Varro clearly suggests that in the vernacular the *genus farciminis*... was generally referred to in short form and... substantively”; the tendency to abbreviate, especially with food, is well attested, and the same probability does not exist for the religious definition.<sup>58</sup> The transference of the word from its primary kitchen application to literature is “perfectly logical” when the word is applied to a collection of mixed poems, as Ennius so called his collection, *Saturae*, which show a medley of meters.<sup>59</sup>

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<sup>53</sup> Knoche (1975), 13.

<sup>54</sup> Ibid. The foods supposedly found in the *satura*, according to Varro, are “dried grapes, barley, and pinenuts sprinkled with winehoney”; I assume that the absence of meat is what makes Knoche uncomfortable with the use of the term ‘sausage,’ but other scholars have not adopted the distinction of “stuffing in a casing” versus sausage, and ‘sausage’ appears frequently, even through more contemporary scholarship. Cf. Miller (2005a), 4.

<sup>55</sup> Knoche (1975), 13; Miller (2005a), 4.

<sup>56</sup> Ibid., 14.

<sup>57</sup> Ibid., 14-15.

<sup>58</sup> Ibid., 15.

<sup>59</sup> Ibid., 16. Although Horace points to Ennius as the originator of *satura* (*Sermones* 1.10.66), Horace does not mean that Ennius originated the genre of satire. Cf. Rudd (1960), “Horace on the Origins of ‘Satura’,” 36-44. Rudd separates Ennius’ mixture of poems from Lucilius’ creation of a new literary form.

Of course, Lucilius picked up the mantle of *satura* and began a new literary tradition, which G.L. Hendrickson described as “a special type of literature created by Lucilius, dominated by a certain spirit, clothed in a certain metrical form, fixed by the usage of a series of canonical writers, and finally designated by a name specifically Latin.”<sup>60</sup> The food-literature analogy still held true even by the time of Juvenal’s *Satires* as the *nostri farrago libelli* (1.86: “the hodgepodge of my little book”) links up with *farrago*, the “coarse, nutritious ragout which was a favorite of the peasants.”<sup>61</sup>

The three derivations – sausage (*farcimen*: encased stuffing), religious offering (*lanx satura*), and legal mish-mash (*lex per saturam*) – all impart the power to contain to the genre of satire. As a stuffed-full sausage, satire fills its metrical bounds with every kind of quotidian subject and vice, and just like a sausage, the mixed contents of satire fall apart without their container and thus cannot be digested as such; similarly, the genre must *contain* and *be contained* in order for it to achieve its goals. As a religious offering, satire is thus connected to ritual and prescribed activity; the genre’s full plate is a requirement that fulfills a duty to a higher power, a requirement that benefits everyone. Hence, satire is a full plate that *contains* objects of ridicule offered up to society for the benefit of all. As a compilation of laws, satire again functions as a *container* because it holds the behaviors and actions of mankind up for scrutiny and derision; satire is meant to *contain* (that is, curtail) what is not legal, what society has deemed out-of-bounds. The goddess Ceres, who was to be the recipient of *lances saturae*, also ties the religious and legal definitions together: Ceres was *legifera* (law-bearing) and was the “patron goddess of written laws,” which were archived in her temple on the Aventine; by the time of Cicero and Ovid, this epithet of Ceres was even taken to mean that she had “invented laws and given them

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<sup>60</sup> Hendrickson (1927), 58.

<sup>61</sup> Knoche (1975), 16.

to men.”<sup>62</sup> Hence, the very origins of the word *satira* give a nod to the idea of containers and the power to contain, and the genre certainly picks up on these in its aims and motives.

Furthermore, satire is a container because the genre encompasses so much. Whereas other genres have thematic and formal qualities that defined, separated, and identified them in antiquity, the boundaries of satire are larger, almost immeasurable – and necessarily so since the subject matter of satire deals with the whole scope of human behavior. For example, Juvenal’s *farrago* is not about one subject, but about many, all in one:

*ex quo Deucalion nimbis tollentibus aequor  
navigio montem ascendit sortesque poposcit  
paulatimque anima caluerunt mollia saxa  
et maribus nudas ostendit Pyrrha puellas,  
quidquid agunt homines, votum, timor, ira, voluptas,           85  
gaudia, discursus, nostri farrago libelli est.*

From the time when Deucalion, while the storm-clouds were raising the water, climbed the mountain with his boat and asked for an oracle and little by little the soft stones grew warm with the breath of life and Pyrrha showed the naked girls to the men, whatever men do – prayer, fear, anger, pleasure, joys, their runnings to and fro – that is the *mélange* of my little book.

(*Satire* 1.81-86)

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<sup>62</sup> Virgil, *Aeneid* 4.58; Cornell (1995), *The Beginnings of Rome: Italy and Rome from the Bronze Age to the Punic Wars (c. 1000-264 BC)*, 15, 264, 450. In the brief research I have done at this juncture, it appears that there does not exist a large-scale study on the presence of Ceres in the text of Juvenal. There are some articles about Juvenal and religion, or articles that mention Ceres – Burriss (1926), “The Religious Element in the Satires of Juvenal”; Jefferis (1939), “Juvenal and Religion”; Syme (1979), “The Patria of Juvenal”; Corn (1992), “‘Thus Nature Ordains’: Juvenal’s Fourteenth Satire”; Keane (2003), “Theatre, Spectacle, and the Satirist in Juvenal” – but none that focus specifically on the place of Ceres within Juvenal’s *Satires*. A closer look at the cult, rituals, and temple of Ceres in conjunction with Juvenal would certainly be a fruitful line of study as Juvenal mentions the sphere of Ceres early on in the same breath as he mentions his inspiration behind his impulse to write satire – Lucilius: the epic battlefield metaphor of 1.19-20 (*cur tamen hoc potius libeat decurrere campo, / per quem magnus equos Auruncae flexit alumnus...*) may indeed also double as a reaping/harvesting metaphor with Juvenal benefitting from Lucilius and with Ceres giving the increase both to the nursling Lucilius and fledgling Juvenal.

This breadth within the genre of satire does not mean that it is amorphous or wildly uncontained or uncontainable. Just the contrary; as Freudenburg outlines after describing how the genre shifts and adapts in the hands of each of Rome's satirists, satire is:

...a special, generically encoded story of Rome's lost, and much lionized, Republican identity, an identity that was heavily influenced, and emblemized, by Lucilius... [Expectations] of aggressive and uncompromised speech are not just built into the genre as its defining, "Lucilian," hallmark, they are a key defining feature of the elite, male self... *libertas* ("free speech") in Rome is equivalent to, and only ever as good as, one's *libertas* ("freedom")... [Satire's] programmatic shifts, from "open," to "understated," to "cryptic," and so on, can never be purely "literary" and "apolitical" in focus and/or tone... [These] shifts... [are] the genre's unique way of staging and agonizing over a crisis in Roman identity. The "genre question" is a question of the Roman self.<sup>63</sup>

The container of satire is multifaceted, a container shaped by many sides and faces that define the area, the volume, and the text within it. The contents and the scope of satire are vast (*quidquid agunt homines*), but the genre itself is able to contain everything because the satirist contains them; the elite, male Roman contains them; Roman identity contains them; *libertas* contains them.

The angles and lenses available to readers of satire are thus manifold. Satire is spells and curses: "the primitive equivalent of the satirist had the function of driving out from society the impurities, often embodied in an individual who was made a scapegoat, in order to keep society clean and untainted." Satire is drama: a work of fiction created by an author meant to have an audience and full of characters. Satire is urban: the city is "a melting-pot of people and things... the city is where anything is possible, where any combination of people and things is imaginable." Satire is entertainment: satire has a strong element of humor and wit to it, a fact brought to light by the use of the epic meter, dactylic hexameter, in the same breath as mocking jibes and lowbrow material. Satire is a parasite: it steals and re-uses material from other sources

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<sup>63</sup> Freudenburg (2001), 3-4.

in order to achieve its goals. Satire is, as Feinberg defines it, “the playfully critical distortion of the familiar.”<sup>64</sup>

And from these angles and sides that contain satire, the satirist works to *perform* containment. The mish-mash of satire – extremes ideal and abominable, highs and lows, exaggerations, distortions both witty and inveighing, grandiose rhetoric laced with hostility – represents both the contents and the container employed by the satirist. Satire enforces and reinforces the norms, standards, and structures of Roman society. These norms, however, are frequently implied and not expressly stated; the black-and-white, oversimplified presentation by the satirist obscures the shades of mundane, quotidian grey he holds within his text and binds upon his audience.<sup>65</sup> Amy Richlin sums up the containing power of satire as such:

Satire is a genre intrinsically concerned with power; the satirist writes against those who oppress him or those whom he feels he ought to be able to oppress, depicting himself worsted by the plutocrat, general, or noble, or sneering at out-groups (foreigners, “pathic” homosexuals, women, freedmen, and so on). By expressing his hostility, the satirist asserts his own power, and makes himself and his like-minded audience feel better. At the same time, the performance of satire reinforces the desired social norms.<sup>66</sup>

In this way, satire is always bound up with the question of Roman society, Roman morality and the state of Roman *mores*: the genre acts as container and the satirist performs the containing function in order to maintain the norms of Roman society and restrain abnormalities that threaten it.<sup>67</sup>

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<sup>64</sup> The preceding section of examples and quotations have been adapted and excerpted from Braund (1992), *Roman Verse Satire*, 1-4.

<sup>65</sup> Cf. Braund (1989), “Introduction,” *Satire and Society in Ancient Rome*, 1.

<sup>66</sup> Richlin (1984), “Invective Against Women in Roman Satire,” 67.

<sup>67</sup> And by morality, we should not understand this strictly in the modern sense of the word, but rather in the broader Roman conception of *mores* (“behaviors, customs, habits”) – that is, cultural standards and social codes, both spoken (explicit) and unspoken (implicit).

In this performance and for this function, the satirist uses three modes in varying degrees: attack, entertainment, and preaching.<sup>68</sup> These modes are yet another way of identifying the container and contents of satire. But what we also must consider are the motivations the satirist has for writing; these modes are the general methods for the satirist to approach and achieve his motives. Satire was an invention of Republican Rome and, as Freudenburg has noted above, satire was concerned with and steeped in the Republican identity of Rome; this identity is imbued with the *libertas* of the elite, free male Roman. The *libertas* of the elite male Roman citizen in the Republican period afforded him the ability to speak his mind, and by extension, it gave a satirist of similar status the opportunity and the capacity to criticize what faults he observed around himself.

But what precipitated satire in the first place? Knoche draws attention to the fact that lampoons, especially centered on politics, and the political pamphlet were in existence in Rome already, in addition to farce, comedy, and parody.<sup>69</sup> It was Lucilius – after Ennius and Pacuvius – who gave to satire its aggressive character, who made satire into a weapon, who gave satire its form; Lucilius developed satire from “a medium for expressing personal feelings” to the genre that exposed “the mistakes of the people and the classes that made up the political leadership” – satire now had a “reckless candor” and “personal pungency.”<sup>70</sup> And it seems, although little remains of the vast Lucilian corpus, that Lucilius gave satire its new and permanent character specifically because of the period in which he lived.

In the middle to late second century BCE when Lucilius lived and flourished, the Republic was at a crossroads. There began a degradation of the complex system by which

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<sup>68</sup> Rudd (1986), *Themes in Roman Satire*, 1. Rudd admits that these modes can change from poem to poem and even within a single poem. These terms, he says, are “themselves very loose and flexible.”

<sup>69</sup> Knoche (1975), 31-32.

<sup>70</sup> *Ibid.*, 32.

Roman life was governed. Expansion farther outward from Rome, both on the Italian peninsula and in the Mediterranean at large, was creating several problems for the burgeoning Republic. Roman identity itself was at stake at this time: citizenship and the right to vote were being extended across Italy – most communities would gain the right to vote by the end of the second century; Romans distinguished themselves from Latins as the right to immigrate to Rome was restricted; and the Latins were also saddled with greater burdens of war with less of their benefits. Importantly, too, the wealthy, elite class was undergoing drastic changes: conquest had made them even richer and it also created wealthy commanders and soldiers; this money changed the appearance of the city itself, notably with the construction of large, private homes; increased contact with Greece and the Near East hellenized the elite class – one particular effect was the influx of Greek rhetoric that “could persuade without apparent regard for the moral value of a position.”<sup>71</sup>

Perhaps most significantly, Roman politics underwent a striking transformation. The first half of the second century saw the “high point of the domination by the state and the nobility.”<sup>72</sup> A handful of Roman families controlled offices, political and religious alike, but the senate was primarily an advisory body that relied on its prestige – “the senate lacked any specific power to command, to punish, to enact laws, or to implement policies.”<sup>73</sup> The elite were locked in an ongoing battle for fame and glory and offices, and after the Second Punic War, a more rigidly structured *cursus honorum* became the norm, thus forcing contemporaries to battle politically and socially against one another as fewer offices were available further up the ladder. What is more, “[threats] of prosecution were the sole check on the actions of officials” and when senators or former magistrates were the focus of the investigation, citizen assemblies decided verdicts; the

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<sup>71</sup> Boatwright, Gargola, and Talbert (2004), *The Romans: From Village to Empire*, 149.

<sup>72</sup> *Ibid.*, 136.

<sup>73</sup> *Ibid.*, 137.

trials “offered a natural opportunity for a prominent citizen’s rivals to try and damage his prestige.”<sup>74</sup> No longer was the elite class functioning primarily with the welfare of the Roman state in mind; in its place, individual personalities emerged and sought to gain popularity among the people rather than preference based solely among the wealthy, landowning class. Crowds, whose emotions were more easily swayed, became a locus of political power and social support. The shifting forces at work in the second century – class stratification, an ever-expanding empire, citizenship and rights issues, and population migration, to name a few – helped to refocus Roman identity around charismatic party leaders and individuals who could influence and wield the masses effectively and appropriately. The period of the senate’s dominance over other officeholders was in decline, and “this was the time that paved the way for the civil wars and dictatorships” that would consume Rome for more than a century to follow.<sup>75</sup>

One individual who rose to prominence at this time and under these conditions is none other than Scipio Aemilianus. This Scipio was the “kind of candidate that the laws sought to bar”: too young to be consul, not yet a praetor, Scipio was exploiting the confluence of circumstances during the Third Punic War in order to win the consular election for 147 BCE. He did so with the backing of widespread popular protests and a supportive tribune; he even won the right to have consular *provinciae* determined by vote rather than lot, and thus he won charge of the war against Carthage. The dual destruction of Carthage and Corinth in 146 BCE followed, Scipio earned the cognomen Africanus, and the Roman Republic became the sole superpower in the Mediterranean. But in this same moment where an individual, Scipio Aemilianus, rose to extreme, unprecedented highs and enjoyed immense popularity, the Roman Republic, on the other hand, began its decline. Scipio remained popular throughout the remainder of his career,

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<sup>74</sup> Boatwright et al. (2004), 139-140.

<sup>75</sup> Knoche (1975), 32.

though not without some notable enemies, but the transition from the elite classes maintaining the well-being of the state to the power of popularity would eventually see Augustus rise to prominence as the Roman Republic became the Roman Empire. The seeds of the downfall of the Republic had thus been sown more than a century prior to Caesar and Augustus while Rome was still embroiled in the conflict for Mediterranean supremacy with Carthage. The Gracchi would follow after Scipio Aemilianus and with them, even sharper political and social divisions would become apparent.<sup>76</sup> The more unified, group identity of the Republic was slowly replaced both in scope and focus by a more fractured, individualized identity – and an individual identity would eventually become the locus of sociopolitical power with the institution of the principate.

Hence, during a time of great transition for the Republic, Lucilius earned his title of *inventor* of satire by establishing a new, distinct direction for the genre, a direction which established satire as “a poetry of conflict, as topical ‘battle-writing,’” as poems that contained personal attack, advice, warning, commentary, or were merely entertaining.<sup>77</sup> Lucilius was also particularly suited to take up satire: he was a Roman citizen of equestrian rank, a member of the cavalry during the campaign at Numantia; he came from considerable wealth, he was a landowner, and he “owned a palace in Rome that had been originally built for Demetrius, the Seleucid prince”; his father and brother held office; he could move freely through the social circles of the nobility in Rome; satire, for him, was an expression of his rank and his personality – he is the first Roman poet to speak in his own person.<sup>78</sup> Lucilian satire, therefore, is intimately linked with the identity, values, and codes of elite, free Roman males. Additionally, his close

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<sup>76</sup> For a fuller discussion and examination of Rome after the Second Punic War through the second century BCE, cf. Chapter 5, “Italy and Empire,” in Boatwright et al. (2004), 136-165.

<sup>77</sup> Knoche (1975), 32-33.

<sup>78</sup> Cf. Miller (2005b), “Lucilius: Commentary,” 111. On fragments 589-590, Miller writes: “One of the striking things about Lucilius is he is the first upper-class Roman we hear speaking *in propria persona*.”

relationship with Scipio Aemilianus and the Scipionic Circle gave his satires some degree of personal motive.<sup>79</sup>

Although it is difficult to piece together the text of Lucilius that once was, we can surmise from the fragments some of the direction and force of his satires. This is an important starting place because later satirists would all take their cues from Lucilius. One of the programmatic statements that has been adduced from the fragments of Lucilius affirms this value and purpose of satire:

*idque tuis factis saevis et tristibus dictis  
gaudes, cum de me ista foris sermonibus differs.*

And so you enjoy your savage deeds and gloomy words,  
since you publish those terrible things about me publicly in your lectures.  
(1014-1015)<sup>80</sup>

These lines, hurled back at Lucilius from an imagined opponent, reveal the contents of his satires to be *facta saeva* and *tristia dicta*.<sup>81</sup> If these two fragments have been taken together correctly, Lucilius has shown his audience that he is on the offensive and that his words are not meant to be inconsequential; his victims will certainly have a reaction to the acerbity of his poetry. Satire, in the hands of Lucilius, also became useful for friends – both to advise them and to offer attacks against mutual enemies; these were the duties of a true friend:

*porro 'amici est bene praecipere, bene tueri' praedicant*

Hereafter, let them preach that, “it is [the duty] of a friend to instruct well, to protect well”

(611)

With this fragment, Lucilius portrays himself as this sort of friend, not only to the Scipionic Circle, but also to the Roman Republic; he is the one preaching, instructing, protecting, and

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<sup>79</sup> Miller (2005a), 34-36.

<sup>80</sup> All fragments of Lucilius will be cited according to their line numbers from Marx’s 1904-1905 edition of Lucilius, *C. Lucilii Carminum Reliquiae*, vol. 1.

<sup>81</sup> Cf. Richlin (1992), *The Garden of Priapus: Sexuality and Aggression in Roman Humor*, 171.

attacking. In doing so, he is outlining the morals, the behaviors, and the identity that he believes will preserve his version of the normal, elite, male Roman identity.

Lucilius characterizes the earnestness of the mission of his satires in locating the source of his writing:

*...ego ubi quem ex praecordiis  
ecfero versum...*

...When I bring forth this verse [it is] from my heart...  
(590)

This is yet another programmatic statement and it is likely that it is closely connected with (611) above. The contents of Lucilian satire are again shown to be of personal concern to the satirist himself; they are not random, they have a distinct motivation and purpose. This personal concern, in turn, has arisen in the satirist because he is the sort of man who knows the faults of others – and if he were not to know these faults, he would not be able to satirize those who have earned it:

*nolito tibi me male dicere posse putare  
et Musconis manum perscribere posse tagacem  
hoc etiam accipe quod dico: nam pertinet ad rem.  
quem scis scire tuas omnes maculasque notasque,  
quem sumptum facis in lustris circum oppida lustrans.*

Don't think that I am able to speak badly of you and [don't think] that I am able to write the whole report about the thievish hand of Musco; take also this thing which I say: for it pertains to the matter at hand. You know that [I am the one] who knows all your blemishes and disgraces, what expense you accrue in whorehouses as you go whoring around town.

(1030-1035)<sup>82</sup>

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<sup>82</sup> I feel I must reiterate that the fragments of Lucilius and their reconstructed order represent the best guesses of many scholars. I have taken some liberty in clustering some together at times in this chapter. Aside from this, however, I still believe that the sentiments and picture of Lucilius and his text remain firm. In accessing the fragments of Lucilius found in this chapter I have consulted Marx (1904-1905), Cichorius (1908), Knoche (1975), Rudd (1986), Braund (1992), Richlin (1992), and Miller (2005).

Public misconduct thus deserves, and rightfully earns, public censure. Lucilius points out in the first line of this fragment that the assumed status of his potential target is innocent until proven guilty, or at the very least, innocent until proven worthy of condemnation. It is not the place of the satirist to upbraid those who are living moral lives; men of good repute are beyond the reach of satire's scope and grasp.

Rather, satire exposes those "rotten people who deserve to be exposed":

*hic in stercore humi fabulisque fimo atque sucerdis*

this guy in the dung on the ground, and the little goat-turds, the shit, and the pig-manure

(1018)<sup>83</sup>

The transgressors who wallow in the muck neither will be allowed to taint the refined manners and delights of the upper crust, nor will they escape the public shaming that their brazen crimes have warranted:

*Apollonst numen, qui te antiquis non sinet  
deliciis maculam atque ignominiam inponere.*

There is the god Apollo, who will not allow you to place blemish and shame among our venerable manners.

(895-896)

Lucilius has made satire the vehicle for placing public shame where that shame is due. The tainted contents of satire – obscenities, sexuality, excreta, crimes, aberrations, and such – are meant to tarnish the offenders, to mark them out and separate them from the good men of the Republic and for the good of the men of the Republic.<sup>84</sup> Satire locates, excises, quarantines, and contains the cancers that plague Rome.

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<sup>83</sup> Rudd (1986), 7.

<sup>84</sup> Satirists thus took upon themselves one of the duties of the censors – the infliction of *nota*. As a result of the crisis of the first century BCE, the office was abolished and the emperor took on censorial power; some emperors – including Claudius, Vespasian, Titus, and Domitian – also took on the name of censor.

To this end, Lucilius will do what he sees as fitting since he is a good man from the nobility. He refuses to be silent; he employs his *libertas*:

*quapropter certum est facere contra, ac persequi  
et nomen deferre hominis*

And that's why it's settled that I do the opposite, that I both prosecute and indict  
the name of the man

(920-921)

Lucilius is determined and he firmly establishes the direction and aim of his satire as he declares that he will do the opposite and he will use his text as a means to punish men who transgress the values of the Republic. And he will do so in a direct and fierce way: by naming the men whom his text prosecutes and indicts. As a result, Lucilius reminds his audience that the satirist has at his disposal the ultimate tool and weapon for containing society and preserving its norms: his *libertas*. The outspokenness and freedom with which Lucilius writes is not only his badge of honor as a proud, normal, elite Roman male, but it also serves as the means by which he can normalize the anomalous and threatening behaviors that he observes all around him, the immoral behaviors that endanger Rome herself.

With thirty books of satires published and only scant bits surviving into modernity, we can only generalize that one of the broad characteristics and important functions of the satires of Lucilius was their focus on morality. And yet, the broad, moral character and normalizing intentions of Lucilius are apparent in some of the longest preserved fragments. In fragment (484-489), Lucilius attacks people who are superstitious and who cannot separate fiction from reality. These people are those who think, like *pueri infantes* (486: babies, that is, children who have not yet developed the ability to talk, and thus do not know any better), that there is a heart inside every bronze statue (488: *credunt signis cor inesse in aenis*). Roman men cannot be like foolish children who do not know better; superstitions interfere with the clear thinking that good men

need to preserve the Republic. Lucilius even deflects claims that he is *inlitteratus* (“ignorant”) and an *idiota* (“uneducated man”) in fragment (649). A lack of soundness of mind in noble men would hinder the ability of the state to function, and when he observes it, Lucilius criticizes it. The judgment of Lucilius is in no way impaired internally, and as a result, he uses that ability externally to function properly as a satirist.

Another behavior that Lucilius lashes out at is the cannibalizing behaviors found in the forum where Romans ambush each other:

*nunc vero a mani ad noctem, festo atque profesto  
totus item pariterque die populusque patresque  
iactare indu foro se omnes, decedere nusquam,  
uni se atque eidem studio omnes dedere et arti,  
verba dare ut caute possint, pugnare dolose,  
blanditia certare, 'bonum' simulare 'virum' se,  
insidias facere, ut si hostes sint omnibus omnes.*

But now from morning to night, on holidays and business days alike the whole people are together, both the common people and the senators, they all brag about themselves in the forum, and they never stop, they have all given themselves over to one and the same aim and artifice, to cheat as they might without risk, to fight cunningly, to compete in flattery, to pretend that they are “good men,” to lay traps, as if everyone is enemies with everyone else.

(1228-1234)

Clearly, the interests of the state have been put on hold and instead everyone enjoys being out for himself. The mixing of common and noble reflects the breakdown of class separation in Rome, the popularity given by the people having become an important development of second century BCE Roman politics. Honesty is absent here as everyone deceives each other in their individual quests for personal gain. There are no *boni viri*, just fakes. The adversative beginning to the excerpt, *nunc vero*, also hints that Lucilius is contrasting what once was with the present, and he is lamenting the degradation of Roman morals therein. Preserving good behaviors and morals is central to Lucilius here as these are at the core of the Roman identity he supports. The “good

men” of Rome in times past cared not for deception and personal gain, but for the concern of the Republic. The one and the same zeal, which the men of Rome used to have, was for the success of the whole rather than that of the individual – but Lucilius is witness to the demise of this zeal and its gradual disappearance from Roman identity.

And when a man is not good and does not conform to the proper identity for a Roman male, Lucilius uses his *libertas* to attack:

*multis indu locis sermonibus concelebrarunt  
quae quondam populi risu res pectora rumpit.  
calvus Palantino quidam vir non bonus bello...*

In many places they spread the story in conversations, an affair which once split the sides of the people with laughter. A certain bald man was not a good [man] in the Palantine war...<sup>85</sup>

(970-972)

Miller points out in his commentary that “[this] fragment is a good example of satire’s socially regulatory function in disciplining deviance through ridicule” and that it “represents the mainstream of republican *libertas*.”<sup>86</sup> Thus, when men do not conform to the behaviors and identity expected of them, Lucilius takes it upon himself to spread the report and make people laugh. This is not a laughing *with*, but of course, a laughing *at*: derisive laughter is one way that the satirist can achieve his goal of neutralizing and normalizing immoral behaviors.

Lucilius also used his satire to make examples of other men by specifically naming them and referencing their bad behavior:

*Quintus Opimius ille, Iugurtini pater huius,  
et formosus homo fuit et famosus, utrumque  
primo adulescens, posterius dare rectius sese.*

That Quintus Opimius, father of this Jugurthine, was both a handsome and notorious man, and he [was] at first as a young man both these things, [but] later

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<sup>85</sup> Calvus may not mean “bald” and may in fact be a cognomen, but no real Calvus has been identified; cf. Miller (2005b), 113.

<sup>86</sup> Ibid., 112.

he behaved himself.

(418-420)

In this fragment, Lucilius emphasizes how immorality can earn a Roman man a bad reputation. The lines are both instructive and condemning: Quintus Opimius serves as an example to the audience – his bad behavior in youth was just as well known as his good behavior after he grew up. But this contrasts starkly with his son, “this Jugurthine,” Lucius Opimius: Lucius, consul in 121 BCE, “was bribed by Jugurtha in 116 and condemned in 110 before being sent into exile.”<sup>87</sup> Whereas his father grew out of his youthful folly, Lucius did not and was punished for it. Lucilius links behavior with the crime – and no less, a crime that betrayed the state – and then broadcasts the offense and the transgressor via his satire to contain both.

As a final proof of how Lucilius uses his *libertas* to contain and to define behaviors and male identity in Rome, we have the longest surviving fragment on *virtus*:

*virtus, Albine, est, pretium persolvere verum  
quis in versamur, quis vivamus rebus, potesse,  
virtus est homini scire id quod quaeque habeat res,  
virtus, scire, homini rectum, utile quid sit, honestum,  
quae bona, quae mala item, quid inutile, turpe, inhonestum,  
virtus, quaerendae finem re scire modumque,  
virtus, divitiis pretium persolvere posse,  
virtus, id dare quod re ipsa debetur honori,  
hostem esse atque inimicum hominum morumque malorum,  
contra defensorem hominum morumque bonorum,  
hos magni facere, his bene velle, his vivere amicum,  
commoda praeterea patriai prima putare,  
deinde parentum, tertia iam postremaque nostra.*

*Virtus*, Albinus, is being able to pay the true price in the transactions which we deal, in the situations in which we live; *virtus* is knowing what each transaction holds for a man; *virtus* is knowing what is right, what is useful, [and] what is worthy for a man; [it is knowing] what things are good, likewise what things are bad, what is useless, base, and dishonorable; *virtus* is knowing the end and the limit of seeking a possession; *virtus* is being able to pay the price with [our own] riches; *virtus* is giving that which is owed to honor in this very situation; [*virtus* is] being an enemy publicly and personally of bad men and bad behavior, but on

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<sup>87</sup> Miller (2005b), 116.

the other hand a defender of good men and good behavior, holding these [good men] in esteem, wishing them well, and living as a friend to them; [*virtus* is] moreover considering the interests of the fatherland first, then [those interests of] our parents, and even now thirdly and lastly our own [interests].  
(1326-1338)

*Virtus* – manliness, courage, virtue – is a quality that good Roman men must possess. The description here provides a list of examples of its characteristics, that is, how *virtus* may be identified. The more usual negative registers of satire – ridicule, lampoon, invective – are replaced by a positive one here to reinforce “one of Roman ideology’s most central terms.”<sup>88</sup> Regardless of whether Albinus is ironically the target of this advice, the *virtus* fragment is a strong prescription for the sorts of behaviors that are acceptable and accepted for Roman males.<sup>89</sup> The three characteristics of *virtus* that are perhaps the most important are: the paying of debts (that is, wealth and status), knowledge that contains goodness and restrains wickedness, and the primacy of the fatherland.<sup>90</sup> Through these, *virtus* defines Roman identity and thus defines the Roman male: an elite, wealthy man who knows the difference between good and bad and who puts the Roman state above his own interests. And in his defined role as *hostes... malorum, defensorem... bonorum*, the good Roman male will exercise his *libertas* to achieve the end-goal of preserving the norms – which is exactly what Lucilius does.<sup>91</sup>

For the satirist, the norms – of identity, of society, of the nobility, of *virtus* – are always at stake, and he must therefore strive to contain them and the people who transgress them through his writing.

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<sup>88</sup> Miller (2005b), 117.

<sup>89</sup> Cf. Braund (1992), 12.

<sup>90</sup> The paying of debts was a significant issue in the third century BCE as Plautus attests.

<sup>91</sup> We could add to this discussion of *virtus*/manliness the discussion of sexual satire in Lucilius from Richlin (1992). Thus, on 171: “The use of *cinaedus* as an insult in Lucilius’ satire (32, 1058, 1140), makes it clear that he perceives men as either virile/good or effeminate/bad, so that the identification of his own writing as virile/good and his victims as effeminate/bad is natural. Likewise he portrays the hero Scipio as powerful and angry as opposed to the impudent *cinaedus* in his entourage (1138-42).”

Freedom is free speech, and free speech is freedom; when the sociopolitical and cultural structures of Rome begin to degrade in the second century BCE, the anger of Lucilius springs forth and makes use of satire to reinforce social norms, to preserve Roman identity and *libertas*, and to correct those deviations that jeopardize the entire system.<sup>92</sup>

### **Juvenalian Excess and Indulgence**

*“You can’t make up anything anymore. The world itself is a satire.  
All you’re doing is recording it.”*

*– Art Buchwald*

By the time Juvenal begins to write his *Satires* at the end of the first century and beginning of the second century CE, the world of Rome is far removed from the world of Rome that Lucilius once knew and wrote about. More than the simple fact that almost three centuries separate these satirists, Rome had undergone wave after wave of serious political, social, and cultural upheaval. In brief, those centuries saw such figures and major events as: the Social War (91-87 BCE); the extension of Roman citizenship throughout Italy (90-89 BCE); Sulla’s dictatorship and proscriptions (82-81 BCE); Catiline’s conspiracy (63-62 BCE); the First Triumvirate (60-59 BCE); Caesar’s crossing of the Rubicon (49 BCE); the assassination of Caesar (44 BCE); Octavian’s defeat of Antony and Cleopatra at Actium (31 BCE); Augustus’ constitutional settlements (27 and 23 BCE); the introduction of the *leges Iuliae*, the moral legislation of Augustus concerning marriage and adultery (18-17 BCE); the reigns of Caligula (37-41 CE) and Nero (54-68 CE); the year of the four emperors (69 CE); the granting of Latin rights to Spain (74 CE); the assassination of Domitian and accession of Nerva (96 CE). In this period, the borders of the Empire extended farther and farther as more provinces were added.

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<sup>92</sup> Freedom and freedom of speech are, however, not equal for everyone.

The once-powerful elites of Rome saw their influence decrease as broad popular opinion and military might were able to make an emperor. The individual, the *princeps* – nominally the first among equals (*primus inter pares*) – always remained separate from the rest; the increased sacrosanctity of this leading individual is mirrored in the rise and spread of imperial cult. The Republic that Lucilius had once staunchly defended was long gone by the time Juvenal was writing; the Empire had firmly replaced the Republic after a century of civil strife.<sup>93</sup>

In Juvenal's own lifetime, the principate had survived the rocky transition from the Julio-Claudians through to the Flavians coming then to Nerva, Trajan, and Hadrian. What had not survived this transition was the satiric entitlement to *libertas*. The rise of the cult of personality, with roots going back to Scipio Aemilianus and the Gracchi – and essentially synonymous with the imperial cult, gave the individual a new, privileged status. As a result, this elevated status made the invective and censure typical of the genre of satire tantamount to criminal activity. Satire, the container of Roman identity, is itself contained and neutered as it nearly amounts to *maiestas*, treason – an offense that transgressed political, social, and religious boundaries as its definition had bloated under the empire (namely, during the reigns of Tiberius and Domitian) and accusations rampantly swelled.<sup>94</sup> With the charismatic emperor holding supreme power in all spheres – political, cultural, social, religious – an individual, rather than the Roman state, the Roman Senate, and the sum of its parts, became the focus and locus of Roman identity.<sup>95</sup> And

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<sup>93</sup> Although the Republic was a distant memory, imperial authors, including Juvenal, no less fiercely remembered it. Cf. Gowing (2005), *Empire and Memory: The Representation of the Roman Republic in Imperial Culture*, 2: “Romans attached a heightened importance to memory, which manifests itself in almost every aspect of their existence, from celebrations of the dead to oratory to law, suffusing and animating their heart, their buildings, and their literature. For Romans, the past wholly defined the present, and to forget – to disconnect with – the past, at either the level of the individual or the state, risked the loss of identity and even extinction.”

<sup>94</sup> Juvenal's satire is concerned with this crime, or being labeled as such; we can find several examples in which friends become informants, *delatores*, who turn in others; c.f. *Satires* 1.33, 3.116, 4.48, and 10.70.

<sup>95</sup> Indeed, more can (and should) be said here about imperial cult, the cult of personality, and the charismatic authority wielded by the emperor. The idea of charismatic authority originates from Max

yet, Lucilian satire was successful in the Republic because its benefit was for the state, for the identity of the Roman whole, because it *contained* identity by its assaults on individual flaws; however, with the state superseded by the individual – and a specific individual is the proper target of thriving and constructive satire – Juvenalian satire, so nostalgic for Lucilius and the Republic, would have to evolve in order to succeed.<sup>96</sup>

That satire was a threatening and dangerous activity to undertake should come as no surprise. Writing satire is by no means safe as it exposes the cracks, highlights the blemishes, searches out the flaws, and excoriates them all – even when those defects might be found within the satirist himself, or perhaps worse, the emperor and those closest to him; *errare humanum est*, after all.<sup>97</sup> Juvenal himself makes no secret of the fact that satire is not a safe literary enterprise; epic is the safer alternative. As Freudenburg notes:

[Epic] is the hole one can speak into without saying anything, and a place to hide from the totalitarian monster. “Write about Tigellinus” the interlocutor warns at [*Satires* 1.155], “and you’ll go up in flames, a human torch with a nail right through your throat.” “It is safe and sanctioned (*securus licet*)” he adds at [1.162], “to send Aeneas into battle against savage Turnus. And nobody gets upset when Achilles gets shot down, or when the search party goes looking for Hylas once he has tumbled in after his jug.” The point is clear. The only ones who get hurt in epic are the heroes of the story...<sup>98</sup>

But the safe route is not the one that Juvenal wishes to pursue; he has listened long enough, just as the opening of the first satire clearly protests: *semper ego auditor tantum?* Having been

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Weber’s tripartite classification of authority in his 1922 work, *Wirtschaft und Gesellschaft*. The way in which charisma is defined, cultivated, legitimized, and routinized has been discussed by many sociologists since, the point being that exceptional individuals can exercise a power that is based on and legitimized by its singular, extraordinary status; once legitimized, it attracts more followers, which, in turn, inspires obedience. When this authority challenges the other, more traditional types of authority, its revolutionary character must be routinized – e.g., the principate becomes a formal government.

<sup>96</sup> In contrast, Persius looked back to Horace in his *Satires*.

<sup>97</sup> And, of course, emperors were not deified until after their deaths when they were determined to be worthy of such an honor. Suetonius has the useful line from Vespasian’s death-bed – *vae, inquit, puto, deus fio* (“Alas, he said, I think I am becoming a god!” *Divi Vespasiani* 23) – that underscores the fact that emperor was *humanus* while living and only *divus* in death.

<sup>98</sup> Freudenburg (2001), 211.

painfully forced to hear and withstand the “same old, self-indulgent, ‘safe’ noise” of epic for so long, Juvenal begins writing with that complaint – a “moment of liberation” – meant to begin to free the satirist and the genre of satire from the fetters with which Rome has wrongly held them prisoner.<sup>99</sup>

In spite of this desire to liberate satire, Juvenal’s programmatic satire still runs into a critical problem, which Freudenburg refers to as the “time-warp.”<sup>100</sup> Although for other writers of the time (namely, Pliny and Tacitus) talking about and obsessing over the past “makes a certain generic sense,” Juvenal’s text presents the problem of satire stuck in the past – and for satire to qualify as “relevant and socially useful,” his text lacks a more direct link to the present with which satire “must engage.”<sup>101</sup> This problem comes into focus with the concession of the final two lines of the first satire where Juvenal backs down from being the second Lucilius and instead shifts his attention (and his attacks) away from the living to the dead. This retrospection, unheard of in the genre and seemingly transgressive to satire’s aims, has rightly troubled scholars and they have “taken this as their cue to rescue Juvenal” – an approach that locates “the worst of Rome’s contemporary evils” in the past, or that senses “the biggest threat to Rome in the early days of Trajan’s reign is that the past should not repeat itself by not having been thoroughly beaten to death.”<sup>102</sup> While it may be true that these poems “come too late” and “[flaunt]... their failure to address the present,” it is also true that this all-too-obvious crack, this self-defeat is, just as Freudenburg calls it, “a meaningful obstacle.”<sup>103</sup>

For Juvenal’s brand of satire to succeed, he must break the mold: just as he refuses at the beginning of the poem only to listen to the continual songs of epic, he also chooses not to listen

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<sup>99</sup> Freudenburg (2001), 209; 212.

<sup>100</sup> Ibid., 234.

<sup>101</sup> Ibid., 234-235; 237.

<sup>102</sup> Ibid., 235.

<sup>103</sup> Ibid., 237.

entirely to the Lucilian *lex operis* he has thus far espoused. Juvenal breaks the old boundaries of satire by ending the first satire beyond the walls of the city, beyond the confines of the present, beyond the container that was Lucilius. Republican Rome and Lucilian satire may be the structural ideals and predecessors for Juvenal, but Juvenal must also contend with a Rome that has gone beyond what came before. And so, just as other writers of his time played a retroactive game “to invent themselves after-the-fall,” Juvenal plays the game to reinvent both the writing of satire and the writer of satire. Juvenalian satire goes on the lam both to escape criminal prosecution in the present and to regain control of satire’s containing function, its *libertas*, by delving into the (albeit, recent) past.

Furthermore, by going beyond satire’s old time, space, and subject matter confines (i.e., the present city and its current, living inhabitants), Juvenal exemplifies the self-indulgence shown by the epic poets he rails against at the outset of his first satire. Just as Rome’s borders have been erased as the city came to encompass the known world around it, so Juvenal erases the old borders of satire and aims for those dead and buried beyond the city’s walls. Likewise, Juvenal’s *indignatio* – not simply indignation, but his intemperance, his annoyance that is provoked by what he perceives as unfair treatment – is aroused because he has been an *auditor* for so long; however, the only way in which he can get anyone to listen to him is by sinking to the level of those around him through his angry outbursts (at least initially) and by playing the literary game of his time: if you can’t beat them, join them – and then beat them at their own game, if possible. This *indignatio* troubled Anderson and led him, in part, to conceive of persona theory because an educated writer like Juvenal would have known, if not directly of Seneca, of “the moral ambiguity of indignation.”<sup>104</sup> However, I would assert that this ambiguity is exactly what Juvenal and his satirist – for we can still recognize that the poet and the speaker do not

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<sup>104</sup> Cf. page 12, above.

always have to be in complete agreement – wish to exploit; ambiguity allows for the questioning of standards, especially those concerning morality and *libertas*.<sup>105</sup>

All this is to say that the contradictory, perplexing nature of Juvenal should be understood through the concepts of self-indulgence and excess. Juvenal's indulgent, excessive satire consciously lacks restraint and self-control, and this is highlighted by the satirist's *indignatio*. As a result, the satirist can steep in, revel in, and humor himself and his readers with Rome's own indulgence in itself and particularly, the self (that is, the individual, the emperor). Juvenal's satiric indulgence and excessiveness is a redrafting of both Lucilian *ira* and Horatian self-indulgent excess.<sup>106</sup> In order to reclaim satire's containing function, Juvenal employs the most extreme of measures through indulgence and excess that break down the genre of satire.<sup>107</sup> Juvenal understood that, because the Republic and Lucilian satire fell to the prevailing forces of the principate and the ensuing distaste for criticizing the political individual, the very genre of satire would have to be reinvented; if the province which satire used to contain was now unsustainable, Juvenal indulged himself and his text with the engorged society and identity of Rome. The power of (self-)indulgence and excess for Juvenal then is the power to redefine satire and to find anew the space within which the satirist may criticize freely; indulgence and excess will become a means to draw attention to, discuss, and recover his rightful *libertas*.

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<sup>105</sup> This will be discussed more in chapter 3.

<sup>106</sup> Jones (2009), 43 suggests that "Lucilian *ira*" was re-written by Horace "as self-indulgent excess that provides little public benefit." If Horace could re-write Lucilian satire in such a way, then it should be wholly possible for Juvenal likewise to re-write Lucilian *ira* as self-indulgent excess; however, Juvenal's excesses most certainly are intended to benefit the public by foregrounding the hot-button issue of *libertas*. He would thus acknowledge how satire must be written under the principate (Horatian self-indulgent excess), while also aiming to effect change (Lucilian *ira*).

<sup>107</sup> Cf. page 17, above, where Rosen highlights that the dramatic analogy of persona theory breaks down; indulgence and excess are my way of focusing this idea of Juvenal's 'breaking out' from the normal bounds of satire's *lex operis*. These allow the satirist to be more concerned with ideas than credibility, as Iddeng rightly asserts (cf. page 15, above), while still being serious about contemporary sociopolitical issues.

Now that Juvenal is no longer a listener, his voice and his concerns must be taken seriously if his shake-up of the genre of satire via indulgence and excess has any hope of reviving the spirit and goals of satire. In this way, Juvenal takes up the mantle of indulgence and excess so that his moralizing and normative program can take aim at the power structures of Rome.

Juvenal's use of indulgence and excess shows that he is not only playing the same literary game as his Trajanic counterparts, but he is also implying that it is necessitated by a trickle-down effect: since the behavior of social betters is what really matters and they are responsible for setting the proper example, then it follows that, with the emperor (and by extension, those in his court) as the pinnacle of Roman society, he is responsible for any and all vices.<sup>108</sup> By opening himself and his satire up to such indulgence and excess, Juvenal – exercising a Roman male's and, more importantly, a satirist's right to *libertas* – is again broadening and redefining the scope of satire so that it may once again perform its rightful neutralizing, normalizing, and containing function. Indulgence and excess may taint Juvenal and problematize his writing satire, but the obstacles they place in front of its audience are purposeful and meaningful for they are also what give his satire the legitimacy to make its moral claims.

Hence, the way in which we read the moral and didactic claims of Juvenal's *Satires* is directly influenced by the way in which the satirist constructed his text. Juvenal clearly has a predecessor in mind whom he would like to emulate: Lucilius. Juvenal not only plainly understands his genre and how it functions, but he also recognizes that it has the ability to adapt

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<sup>108</sup> Cf. Edwards (1993), *The Politics of Immorality in Ancient Rome*, 24: "Roman moralists of the late republic and early principate seem to have found the vices of the poor uninteresting. The urban poor of their own day they considered naturally lacking in virtue. This is an oversimplification, of course, but even Juvenal's criticism of the *plebs* for being obsessed with bread and circuses implies that their social betters were to blame (10.77-81). The elite had the duty of setting the rest of society an example. It was their behavior that mattered."

and morph – even when those mutations are unprecedented. And Juvenal is motivated by his present and recent past to confront a problem that is at the very crux of the authoring of satire: his own *libertas*. This issue then calls into question the *libertas* that is a part of a (male) Roman's self and the state of the genre of satire – which is to say, how a satirist can reinforce his own power and the desired social norms.<sup>109</sup> To that end, we must first restore to Juvenal what all satirists must have behind all their criticisms, distortions, and jokes: an earnest and serious purpose.

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<sup>109</sup> cf. page 25, note 65.

## **Chapter 2: Morality and *Libertas* under the Principate**

*“Satire is exaggeration and distortion to make a point.”*

*- Oliver Stone*

In order to reclaim the serious intentions of Juvenal and his text (or at the least, to provide another angle from which to view the *Satires*) it is necessary that we resituate the author in a fuller context. Because satire always has an impetus and always has a purpose, it is therefore impossible to divorce the text and its author from the larger scope of society, culture, politics, and history. Undeniably, “satire remains rooted in the experience of history”; and because it is “‘both critic and representative’ of history,” satire cannot be solely examined from a position of pure formalism, and we must take into account how “the genre must invariably engage with profound shifts in the cultural ethos in a dialogic manner.”<sup>1</sup>

While studying the literary devices, techniques, and *personae* of Juvenal’s corpus afford many insights into the text and the time period, my aim is to explore the bigger picture behind the *Satires*: why does Juvenal have to reinvent satire as he does in his milieu? And with his distinct brand of satire, is Juvenal calling his audience’s attention to some greater, contemporary problem in particular? By answering these questions, I hope to reveal one of the major driving forces for the entirety of the *Satires*, which will allow us to appreciate anew the oft-perplexing poetry of Juvenal.

To that end, we must have some texts of that period for comparison in regard to two crucial components of the writing of satire: (im)morality and *libertas*. Just as previous satirists

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<sup>1</sup> Jones (2009), “‘People Have to Watch What They Say’: What Horace, Juvenal and 9/11 Can Tell Us About Satire and History,” 38; 27. Here, Jones cites the first quote coming from Knight (2004), *The Literature of Satire*, 50.

had the raw material for writing satire ([im]morality), and in their own times and ways had a certain ability then to ridicule and upbraid what they observed (*libertas*), so must Juvenal. It cannot be stressed enough that all satire has a serious origin and purpose behind it, even as it mocks, distorts, exaggerates, lampoons, plays, and ridicules.

To examine the topic of morality at Rome, we must find a Roman author who, like Juvenal, would also be critical of the decline of virtue, but whose position as a serious moralist and critic of Rome is not in doubt. His Roman identity is important and essential because he must have as similar as possible of an understanding of Roman society to Juvenal. Although writing at a time that would more closely align with the satirist's childhood, the apostle Paul sent his epistle Πρὸς Ῥωμαίους sometime in the mid to late 50s CE, and in that timeframe, late 55 to early 57 represents the most plausible dating.<sup>2</sup> This situates the epistle during the early reign of Nero – significant if not only for the fact of Nero's eventual reputation for *luxuria* and tyranny, but also for the fact of his reputation as the first persecutor of Christians, including some later sources adding that he killed the apostles Peter and Paul.<sup>3</sup>

And then, on the topic of *libertas*, our attention can turn to two authors who are contemporaries of Juvenal, both of whom exemplify the state of free speech in Rome in the late first and early second centuries CE. The first of these is the great historian Tacitus, whose *Dialogus de Oratoribus* provides us with some excellent commentary on the topic of *libertas* and politics during and after the Flavian emperors. This text was most likely published in the early

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<sup>2</sup> Bruce (1983), *The Epistle of Paul to the Romans: An Introduction and a Commentary*, 12; Dunn (1988), *Romans 9-16*, xliii.

<sup>3</sup> On Nero's *luxuria*: cf. Tacitus' portrayal of the emperor's excessive spending in *Annals* I.16; also cf. Kragelund (2000), "Nero's Luxuria, in Tacitus and in the Octavia," 494-515. On Nero and Christians: cf. Tacitus, *Annals* XV.44, Suetonius, *Lives of the Twelve Caesars*, *Life of Nero* chapter 16; later Christian writers Tertullian, Lactantius, and Sulpicius Severus also give accounts of Nero's persecution of Christians.

years of the second century CE during the reign of Trajan.<sup>4</sup> This date is important because it firmly situates the text during the time of the Five Good Emperors, a quieter and prosperous time governed by more moderate policies than the harsh, autocratic rule of Domitian. It follows then that with political and civil tranquility should also come the return of a *libertas* that is no longer overly threatening to a paranoid emperor. This dialogue, however, contradicts that view and affirms that true *libertas* does not exist in Rome and essentially cannot exist under the Empire. To complement our understanding of *libertas* for this era it is also necessary to look back to Quintilian's *Institutio Oratoria*, which was published in the year 95 CE, a year before the assassination of Domitian. In examining both Quintilian's views of Domitian and his view of satire, we can see *libertas* and satire not merely suppressed, but even subverted.

Once we can firmly say that Juvenal is both a moralist and socio-political commentator who has a stake in restoring *libertas*, then Juvenal must be taken seriously – in spite of what distortions or exaggerations the satirist may have chosen to write into his poems. With this accomplished, we will then be able to revisit the subject of excess within the *Satires* and gauge what intentions Juvenal may have.

### **The State of Roman Morality: Paul's *Epistle to the Romans***

*“Morality, like art, means drawing a line someplace.”*

*- Oscar Wilde*

Although Paul may seem on the surface to be an out-of-place choice to serve as an honest broker on the subject of Roman morality, he does possess important qualities that allow him to

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<sup>4</sup> Mayer (2001), *Tacitus: Dialogus de Oratoribus*, 25.

write about Rome in this way: Paul was, in fact, born free *and* born a Roman citizen.<sup>5</sup> Paul declares these things in the book of *Acts* when he is held by centurions and informed that he will be scourged:

<sup>25</sup> ὡς δὲ προέτειναν αὐτὸν τοῖς ἰμᾶσιν, εἶπεν πρὸς τὸν ἑκατόναρχον ὁ Παῦλος, Εἰ ἄνθρωπον Ῥωμαῖον καὶ ἀκατάκριτον ἔξεστιν ὑμῖν μαστίζειν; <sup>26</sup> ἀκούσας δὲ ὁ ἑκατοντάρχης προσελθὼν τῷ χιλιάρχῳ ἀπήγγειλεν λέγων, Τί μέλλεις ποιεῖν; ὁ γὰρ ἄνθρωπος οὗτος Ῥωμαῖός ἐστιν. <sup>27</sup> προσελθὼν δὲ ὁ χιλιάρχος εἶπεν αὐτῷ, Λέγε μοι, σὺ Ῥωμαῖός εἶ; ὁ δὲ ἔφη, Ναί. <sup>28</sup> ἀπεκρίθη δὲ ὁ χιλιάρχος, Ἐγὼ πολλοῦ κεφαλαίου τὴν πολιτείαν ταύτην ἐκτησάμην. ὁ δὲ Παῦλος ἔφη, Ἐγὼ δὲ καὶ γεγέννημαι.

And when they bound him with the thongs, Paul said to the centurion, “If I am a Roman man and uncondemned is it lawful for you to beat [me] with a whip?” And when the captain had heard [that] he went and reported it to the military tribune saying, “What are you going to do? For this man is a Roman.” And the military tribune came to him and said, “Tell me, are you a Roman?” And he said, “Yes.” And the military tribune responded, “I acquired this citizenship for a great sum of money.” But Paul said, “But I was born [a citizen].”

(Πράξεις Ἀποστόλων [*Acts*] 22:25-28)<sup>6</sup>

And we have no reason to doubt that Paul’s citizenship is certain as the town in which he was born was granted the rights of citizenship. Other ancient authors confirm this: Pliny the Elder says in *Naturalis Historia* 5.92 that Tarsus was “*liberam urbem*”; Appian states in *De Bello Civile* 5.1.7 that Antony “*Ταρσέας ἐλευθέρους ἠφίει*” (“set Tarsus free”); and Cassius Dio adds that Tarsus loved Caesar and Augustus so much that they even changed the name of their city to Juliopolis (*Historia Romana* 47.26.2: *Adeo Caesari priori, et eius gratia etiam posteriori, favebant Tarsenses, ut urbem suam pro Tarso Juliopolin vocaverint*). Therefore, Paul, as a free Roman male, has the right to be claimed as a Roman moralist and his epistle presents us with a

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<sup>5</sup> It should be noted that the diatribe in Paul’s letter does not have to be specifically limited to Rome and its inhabitants and is, in fact, broader, relating to the whole of civilization and humankind. He does not stand here as a direct witness of behaviors in Rome, but his letter is rather meant to be fresh fodder for comparison with Juvenal.

<sup>6</sup> All New Testament Greek presented here will be taken from Goodrich and Lukaszewski (eds.), *A Reader’s Greek New Testament* (2004).

fair choice for understanding, at least in part, the state of Roman morality in the middle of the first century CE.

In all fairness, however, it is necessary to make mention of the direction and occasion for Paul to write this epistle. Concerning to whom the epistle is directed, Adam Clarke remarks that:

Though this epistle is directed to the Romans, yet we are not to suppose that Romans, in the proper sense of the word, are meant; but rather those who dwelt at Rome, and composed the Christian Church in that city: that there were among these Romans, properly such, that is heathens who had been converted to the Christian faith, there can be no doubt.<sup>7</sup>

Indeed, Paul himself identifies his audiences at *Romans* 1:7 as “all those in Rome, beloved of God, called [to be] saints” (πᾶσιν τοῖς οὖσιν ἐν Ῥώμῃ ἀγαπητοῖς θεοῦ, κλητοῖς ἁγίοις). Although this letter may not have been intended for a broader audience in Rome, it does not prevent Paul from addressing issues at-large in Rome, within and outside of the church, or Roman citizens in general. The occasion on which the letter was written does reveal that Paul did not obtain firsthand the information he has concerning Rome and the church there. Rather, Paul, who does intend to visit Rome as soon as possible (*Romans* 1:10-11), has been informed of all the events and dilemmas at Rome by others, namely, those expelled by the emperor Claudius. The likeliest main sources for Paul are a husband and wife, Aquila and Priscilla, who meet Paul in Corinth, the most probable location where Paul wrote the epistle:

<sup>1</sup> Μετὰ ταῦτα χωρισθεὶς ἐκ τῶν Ἀθηνῶν ἦλθεν εἰς Κόρινθον. <sup>2</sup> καὶ εὐρών τινα Ἰουδαῖον ὀνόματι Ἀκύλαν, Ποντικὸν τῷ γένει προσφάτως ἀπὸ τῆς Ἰταλίας καὶ Πρίσκιλλαν γυναῖκα αὐτοῦ, διὰ τὸ διατεταχέναι Κλαύδιον χωρίζεσθαι πάντας τοὺς Ἰουδαίους ἀπὸ τῆς Ῥώμης, προσῆλθεν αὐτοῖς.

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<sup>7</sup> Clarke (1831), “Romans: Introduction,” 3. Cf. Burton (1895), “Paul’s Letter to the Romans,” 367-373.

After these things, having departed from Athens, he [Paul] came into Corinth. And having found a certain Jew named Aquila, born in Pontus [who had come] from Italy recently, and his wife Priscilla, because Claudius had commanded all the Jews to depart from Rome, he came to them.

(Acts 18:1-2)<sup>8</sup>

At the close of the epistle Paul makes mention of this couple again, who have returned to Rome after either the death of Claudius or the annulling of the edict. When he does send his greetings to them (*Rom.* 16:3) he calls them συναεργούς μου ἐν Χριστῷ (“my fellow workers in Christ”) and the next verse mentions that he and all the churches of the Gentiles owe them thanks for saving the apostle’s life. What follows from there is a list of persons (*Rom.* 16:5-15) whom Paul also wishes to greet and it may rightly be inferred that, like Aquila and Priscilla, Paul gleaned information about Rome and the current state of affairs there from, at least, some of them.<sup>9</sup>

The place that this letter holds among the Pauline epistles is also noteworthy. Paul’s epistle to the Romans is the last surviving letter we have from the apostle; it is also the longest and “most complete statement about Christian religion.”<sup>10</sup> In other words, *Romans* not only

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<sup>8</sup> That Aquila and Priscilla are here referred to as “Jews” need not trouble us: while Jew can also refer to a race of people (Paul, too, is Jewish by birth), Christianity was also still in its infancy, especially so in Rome where the church had not been founded by Peter or Paul, and Paul had not yet had the opportunity to visit. The church in Rome also consisted both of Jewish Christians and Gentile Christians. As a result of all these factors, it stands to reason that other Romans – and even the Latin language – would not yet have found a separate label for the Jews who had now converted to Christianity because they themselves were still in the process of defining themselves and their new religion. It could also have been the case that Romans did not distinguish between the ‘one God’ of the Jews and the Christians and consequently did not distinguish them linguistically yet. On the edict of Claudius that expelled all Jews, perhaps, too, newly converted Jewish Christians, because of the instigations of a certain “Chrestus” cf. Suetonius, *Lives of the Twelve Caesars*, *Claudius* XXV.4.4 and Tacitus, *Annales* 15.44.

<sup>9</sup> This list includes the following persons, who appear to be in the church that is in the house of Aquila and Priscilla: Epaphroditus, called the first fruits of Asia (some mss. read Achaia) in Christ; Mary; Andronicus and Junia, whom Paul says are fellow countrymen that were in Christ before him; Amplias; Urbanus, a fellow worker; Stachys; Apelles; the household of Aristobulus; Herodion, a countryman; the household of Narcissus; Tryphena and Tryphosa; Persis; Rufus and his mother; Asyncritus, Phlegon, Hermas, Patrobas, Hermes, and the brothers with them; Philologus and Julia, Nereus and his sister, Olympas, and the saints with them. In all, there are twenty-six persons mentioned in addition to Aquila and Priscilla – and likely many more left unmentioned. It would be unwise to assume that Paul had never met at least some of these persons and from them gained a fuller picture of the Roman capital.

<sup>10</sup> Betz (1991), “Christianity as Religion: Paul’s Attempt at Definition in Romans,” 317.

comes several years after Claudius' edict (ca. 49 CE), but it also presents a mature Paul who is very well acquainted with the times and the Empire because of his previous missionary journeys. One of the undertakings at the heart of the epistle is the need to define Christianity, to set it apart both from other religions and from the world around it.

The first part of the doctrinal section of the epistle offers Paul's best description of the faults present in Rome, first the faults of the Gentiles and then those of the Jews. In the latter half of the first chapter Paul begins at *Rom.* 1:18 by taking up the anger of God (ὀργή θεοῦ) and unleashing it against the Gentiles because of their ungodliness and unrighteousness (ἐπὶ πᾶσαν ἀσέβειαν καὶ ἀδικίαν). What follows through the end of the chapter is Paul's inveighing against a catalogue of immorality:

<sup>19</sup> διότι τὸ γνωστὸν τοῦ θεοῦ φανερόν ἐστιν ἐν αὐτοῖς · ὁ θεὸς γὰρ αὐτοῖς ἐφάνερωσεν. <sup>20</sup> τὰ γὰρ ἀόρατα αὐτοῦ ἀπὸ κτίσεως κόσμου τοῖς ποιήμασιν νοούμενα καθορᾶται, ἧ τε ἀίδιος αὐτοῦ δύναμις καὶ θειότης, εἰς τὸ εἶναι αὐτοὺς ἀναπολογήτους, <sup>21</sup> διότι γνόντες τὸν θεὸν οὐχ ὡς θεὸν ἐδόξασαν ἢ ἠγαπήθησαν, ἀλλ' ἔματαιώθησαν ἐν τοῖς διαλογισμοῖς αὐτῶν καὶ ἐσκοτίσθη ἡ ἀσύνετος αὐτῶν καρδιά. <sup>22</sup> φάσκοντες εἶναι σοφοὶ ἐμωράνθησαν <sup>23</sup> καὶ ἥλλαξαν τὴν δόξαν τοῦ ἀφθάρτου θεοῦ ἐν ὁμοιώματι εἰκόνης φθαρτοῦ ἀνθρώπου καὶ πετεινῶν καὶ τετραπόδων καὶ ἔρπετων. <sup>24</sup> Διὸ παρέδωκεν αὐτοὺς ὁ θεὸς ἐν ταῖς ἐπιθυμίαις τῶν καρδιῶν αὐτῶν εἰς ἀκαθαρσίαν τοῦ ἀτιμάζεσθαι τὰ σώματα αὐτῶν ἐν αὐτοῖς · <sup>25</sup> οἵτινες μετήλλαξαν τὴν ἀλήθειαν τοῦ θεοῦ ἐν τῷ ψεύδει καὶ ἐσεβάσθησαν καὶ ἐλάτρευσαν τῇ κτίσει παρὰ τὸν κτίσαντα, ὅς ἐστιν εὐλογητὸς εἰς τοὺς αἰῶνας, ἀμήν. <sup>26</sup> διὰ τοῦτο παρέδωκεν αὐτοὺς ὁ θεὸς εἰς πάθη ἀτιμίας, αἵ τε γὰρ θήλειαι αὐτῶν μετήλλαξαν τὴν φυσικὴν χρῆσιν εἰς τὴν παρὰ φύσιν, <sup>27</sup> ὁμοίως τε καὶ οἱ ἄρσενες ἀφέντες τὴν φυσικὴν χρῆσιν τῆς θηλείας ἐξεκαύθησαν ἐν τῇ ὀρέξει αὐτῶν εἰς ἀλλήλους, ἄρσενες ἐν ἄρσεσιν τὴν ἀσχημοσύνην κατεργαζόμενοι καὶ τὴν ἀντιμισθίαν ἣν ἔδει τῆς πλάνης αὐτῶν ἐν ἑαυτοῖς ἀπολαμβάνοντες. <sup>28</sup> καὶ καθὼς οὐκ ἐδοκίμασαν τὸν θεὸν ἔχειν ἐν ἐπιγνώσει, παρέδωκεν αὐτοῖς ὁ θεὸς εἰς ἀδόκιμον νοῦν, ποιεῖν τὰ μὴ καθήκοντα, <sup>29</sup> πεπληρωμένους πάσῃ ἀδικίᾳ πονηρία πλεονεξία κακία, μεστοὺς φθόνου φόνου ἔριδος δόλου κακοηθείας, ψιθυριστὰς <sup>30</sup> καταλάλους θεοστυγεῖς ὑβριστὰς ὑπερηφάνους ἀλαζόνας, ἐφευρετὰς κακῶν, γονεῦσιν ἀπειθεῖς, <sup>31</sup> ἀσυνέτους ἀσυνθέτους ἀστόργους ἀνελεήμονας ·

Because the knowledge of God is visible among them: for God has shown [it] to them. For the unseen things of Him are seen from the creation of the world and understood by the things that are made, even His eternal power and divinity so that they are inexcusable, because although they knew God, they did not worship

him as God nor give thanks, but they became futile in their thoughts and their foolish heart grew dark. Proclaiming to be wise, they became foolish and they changed the worship of the incorruptible God into the likeness of an image of corruptible man and of birds and four-footed animals and creeping things. Therefore God gave them over in the desires of their hearts to [the] uncleanness of dishonoring their bodies among themselves: whoever exchanged the truth of God for the lie and worshipped and served the creation instead of the Creator, who is [to be] praised forever, amen. Because of this God gave them over to [the] suffering of shame, for even their women exchanged the natural use of for the one against nature. Likewise also the males, having left behind the natural use of the female, were inflamed in their longing for one another, men among men committing the shameful deed and receiving in themselves the penalty which was necessary for their error. And even as they decided not to have God in their knowledge, God gave them over to a base mind, to do the things that are not proper, being filled with all unrighteousness, wickedness, greediness, malice, full of jealousy, murder, strife, deceit, evil-mindedness, [they are] gossipers, slanderers, haters of God, violent, arrogant, boasters, inventors of evil things, disobedient to parents, senseless, disloyal, unloving, unmerciful.

*(Romans 1:19-31)*

Paul leaves nothing unsaid and paints a bad picture of the Gentiles at Rome, these even being the Gentiles who are recent converts to Christianity. Paul's sources on these immoral activities date from the 40s CE before Claudius' edict until he wrote the letter somewhere between 55 and 57 CE. During those years Paul would have had plenty of time to meet the expelled Jewish and Gentile Christians from Rome and discuss with them the circumstances and problems they were encountering back in Rome. Paul is presenting this catalogue to the Roman congregation in order to expose the multitude of faults found amongst them, faults that are not conducive to the church and should only belong to the inhabitants of Rome (and, by extension, Rome herself). The list demonstrates that both the moral fabric of the new church and of the city in which the church is located is in grave danger of being ripped apart. Paul's claims against the immorality of the Gentiles must be taken seriously by the congregation and by the readers of this epistle.

The appeal that Paul begins with in verses 19-21 is centered around the *δύναμις* of God. Power was a language that was accessible and understood well by Romans. The Roman Empire

was replete with hierarchies, structures, and rules of power. The emperor was at the head of all Roman institutions, the *princeps*; he was the model, leader, and judge for all others. In the emperor, there was supreme power. And in the Empire, there was similarly a supreme power as Rome's borders had swelled and made the state the sole superpower in the Mediterranean; and, of course, Rome's military was unmatched. Romans understood this power and the power of their citizenship. Likewise, the Romans addressed by Paul would hear this δύναμις and respond to its supreme authority and what this power had to offer them. Paul has already declared that the δύναμις of God has the power to save believers (*Rom.* 1:16: δύναμις γὰρ θεοῦ ἐστὶν εἰς σωτηρίαν παντὶ τῷ πιστεύοντι). It is this δύναμις that Paul can also rely on to support the moral claims he makes – and Paul's status as a moralist is not in doubt here.<sup>11</sup>

Although Paul does not elaborate more on these vices, it is clear that these faults present a clear danger to the fledgling church. Apart from the God of the Christians handing over the pagan Romans to these depravities, the list reads like a condensed version of Juvenal's *Satires*. The sexual immorality that Paul describes as παρὰ φύσιν is similar to the sexual immorality that Juvenal finds in Rome, especially in the sexual satires, *Sat.* 2, 6, and 9. In *Sat.* 2.8-9, Juvenal asks *quis enim non vicus abundant tristibus obscenis?* (“for what street isn't full of grim perverts?”); the *tristibus obscenis* runs parallel with the men burning with their passions for one another and suffering in shame from *Romans*.

In *Sat.* 6.320-323, during the debauched rites of the all-female Bona Dea, Saufeia wins a gyration contest over prostitutes and then admires Medullina; the two are victorious over the *lenonum ancillas* and their virtue is equal to their pedigree (323: *virtus natalibus aequa*). In other words, these aristocratic women are revealed to be even more scandalous, more lascivious, and more vulgar than the women who sell their bodies: Rome's elite are themselves the biggest

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<sup>11</sup> On δύναμις, see also Betz's remarks on power as an epithet of God in Judaism, 322.

prostitutes and hypocrites, and they are fully given over to the sort of wickedness that Paul has already decried. In both texts, the corporeal immorality is a staining, shameful pollution that degrades the whole; the ailments of Rome and the decay of morals are undermining both traditional - that is, Republican, for Juvenal – Roman values and the body that, according to Paul, serves as a temple for the Holy Spirit.<sup>12</sup>

In addition to these brief examples of parallel criticisms of sexual immorality, we can add other instances in which Paul’s catalogue of immorality among the Gentiles aligns with Juvenal’s *Satires*. On the subject of murder we can look to the noble woman who poisons her husband and then surpasses Lucusta, the professional poisoner who is accused of helping Agrippina murder Claudius, by becoming a shameless black widow-for-hire (*Sat.* 1.69-73).<sup>13</sup> Concerning greediness, we have the satirist proclaiming, “let wealth prevail... since among us [i.e., Romans] the grandeur of riches is the most sacred” (*Sat.* 1.110, 112-113: *vincant divitiae... quandoquidem inter nos sanctissima divitiarum / maiestas*). The *maiestas* here – so cleverly delayed until after the enjambment – may even have the dual meaning, in its legal sense, of the crime of treason; thus, this sort of treason – greed – is perpetuated and sanctified (money, *Pecunia* is even personified and deified in line 113), and its “grandeur” is nothing more than immorality feigning to be virtue. Likewise, it is the money, not the real character or virtue of a person, that talks in *Satire* 5: Virro would instantly become your friend (133-134: *quantus / ex nihilo, quantus fieres Virronis amicus!*), if you happened to have enough money to be of equestrian rank (132-133: *quadringenta tibi si quis dues aut similis dis / et melior fatis donaret homuncio*) because money is what gives you honor and makes you a brother (136-137: *o nummi,*

<sup>12</sup> 1 Corinthians 6:19-20: <sup>19</sup> ἢ οὐκ οἴδατε ὅτι τὸ σῶμα ὑμῶν ναὸς τοῦ ἐν ὑμῖν ἁγίου πνεύματος ἐστὶν οὗ ἔχετε ἀπὸ θεοῦ, καὶ οὐκ ἐστὲ ἐαυτῶν;<sup>20</sup> ἠγοράσθητε γὰρ τιμῆς· δοξάσατε δὴ τὸν θεὸν ἐν τῷ σώματι ὑμῶν. (“Or do you not know that your body is a temple of the Holy Spirit in you, whom you have from God, and [that] you are not your own? For you were bought at a price: therefore glorify God in your bodies.”)

<sup>13</sup> Braund (1996), *Juvenal: Satires, Book I*, 91-92.

*vobis hunc praestat honorem, / vos estis frater*). Additionally, Juvenal revisits greed in *Satire 14* where he says that it is a learned trait that has been forced upon the younger generation (108-109: *solam / inviti quoque avaritiam exercere iubentur*); this eventually leads to them being taught to have an insatiable lust for more (125: *mox acquirendi docet insatiabile votum*). For deceit, we can turn to the example of the Greeks in Rome from *Satire 3*, who are the most experienced in flattery and are more believable in their pretenses than even the best actors (86; 92-96: *quid quod adulandi gens prudentissima... haec eadem licet et nobis laudare, sed illis / creditur. an melior, cum Thaida sustinet aut cum / uxorem comoedus agit aut Dorida nullo / cultam palliolo? mulier nempe ipsa videtur, / non persona, loqui*). Regarding disloyalty and disobedience to parents, *Satire 8* deals with nobles who dishonor their forefathers on account of their wicked actions, actions that shine a light on their shame (135-139: *quod si praecipitem rapit ambitio atque libido / ...incipit ipsorum contra te stare parentum / nobilitas claramque facem praeferre pudendis*).

The congregation to which Paul is writing in Rome is not only composed of Gentiles, of course, but also of Jews. The differences and friction between these groups is one of the major reasons Paul is writing the epistle to these Romans; it has become necessary to clarify the doctrine of Christianity to this church so that it might be strengthened. Therefore, Paul, once he has finished listing the guilt of the Gentiles, proceeds to lay bare the guilt of the Jews to show that they are just as guilty and are not untouched by sin. Perhaps the main stumbling block, the ethnic Jews in Rome are boasting of their status as one of God's chosen people and neglecting to keep or teach the law:

<sup>17</sup> Εἰ δὲ σὺ Ἰουδαῖος ἐπονομάζη καὶ ἐπαναπαύῃ νόμῳ καὶ καυχᾶσαι ἐν θεῷ <sup>18</sup> καὶ γινώσκεις τὸ θέλημα καὶ δοκιμάζεις τὰ διαφέροντα κατηγούμενος ἐκ τοῦ νόμου, <sup>19</sup> πέποιθάς τε σεαυτὸν ὀδηγὸν εἶναι τυφλῶν, φῶς τῶν ἐν σκότει, <sup>20</sup> παιδευτὴν ἀφρόνων, διδάσκαλον νηπίων, ἔχοντα τὴν μὀρφωσιν τῆς γνώσεως καὶ τῆς

ἀληθείας ἐν τῷ νόμῳ· <sup>21</sup> ὁ οὖν διδάσκων ἕτερον σεαυτὸν οὐ διδάσκεις; ὁ κηρύσσων μὴ κλέπτειν κλέπτεις; <sup>22</sup> ὁ λέγων μὴ μοιχεύειν μοιχεύεις; ὁ βδελυσσόμενος τὰ εἰδῶλα ἱεροσυλεῖς; <sup>23</sup> ὃς ἐν νόμῳ καυχᾶσαι, διὰ τῆς παραβάσεως τοῦ νόμου τὸν θεὸν ἀτιμάζεις; <sup>24</sup> τὸ γὰρ ὄνομα τοῦ θεοῦ δι' ὑμᾶς βλασφημεῖται ἐν τοῖς ἔθνεσιν, καθὼς γέγραπται.

And if you call yourself a Jew and take comfort in the law and you boast about yourself in God and you know His will and you approve the things that are superior being instructed out of the law, and you have persuaded yourself to be a leader of the blind, a light for those in darkness, an instructor of the foolish, a teacher of children, having the appearance of knowledge and of truth in the law: and so you who teach another, do you teach yourself? You who preach not to steal, do you steal? You who say not to commit adultery, do you commit adultery? You who detest idols, do you rob temples? You boast about yourself in the law, but do you dishonor God through the transgression of the law? For just as it is written, **the name of God is blasphemed through you among the Gentiles.**  
(Romans 2:17-24)<sup>14</sup>

Paul here reveals the arrogant and hypocritical behavior of the Jewish Christians: they hold themselves in high esteem and do not judge themselves by the same standards with which they judge others solely because they themselves are Jewish. And it is because of this type of behavior that their religion and people have a bad reputation throughout the world. This hypocrisy finds a good parallel in *Satire 2*: in that text, which uses the same rhetorical strategy, the pathic men punish shameful deeds when, in fact, they are well known for their shameful behavior (2.9-10: *castigas turpia, cum sis / inter Socraticos notissima fossa cinaedos?*); and just as God is blasphemed by the Jews, these Romans do dishonor to their ancestors (2.153-157), who immediately seek purification when a shameful hypocrite like this goes down to the Underworld (2.157-158: *cuperent lustrari, si qua darentur / sulphura cum taedis et si foret umida laurus*).

Paul continues on to address one especially trivial point that the Jews have been using as a means to feel superior: circumcision. Again, their hypocrisy becomes evident as Paul discredits the obsolete custom of the old Mosaic covenant:

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<sup>14</sup> Cf. Isaiah 52:5 and Ezekiel 36:22.

25 περιτομή μὲν γὰρ ὠφελεῖ ἐὰν νόμον πράσσης· ἐὰν δὲ παραβάτης νόμου ᾖς, ἡ περιτομή σου ἀκροβυστία γέγονεν. 26 ἐὰν οὖν ἡ ἀκροβυστία τὰ δικαιώματα τοῦ νόμου φυλάσσει, οὐχ ἡ ἀκροβυστία αὐτοῦ εἰς περιτομὴν λογισθήσεται; 27 καὶ κρινεῖ ἡ ἐκ φύσεως ἀκροβυστία τὸν νόμον τελοῦσα σὲ τὸν διὰ γράμματος καὶ περιτομῆς παραβάτην νόμου. 28 οὐ γὰρ ὁ ἐν τῷ φανερῷ Ἰουδαῖός ἐστιν οὐδὲ ἡ ἐν τῷ φανερῷ ἐν σαρκὶ περιτομή, 29 ἀλλ' ὁ ἐν τῷ κρυπτῷ Ἰουδαῖος, καὶ περιτομὴ καρδίας ἐν πνεύματι οὐ γράμματι, οὗ ὁ ἔπαινος οὐκ ἐξ ἀνθρώπων ἀλλ' ἐκ τοῦ θεοῦ.

For circumcision is profitable if you practice the law: and if you are a transgressor of the law, your circumcision has become uncircumcision. And so if the uncircumcised keeps the requirements of the law, then doesn't his uncircumcision count as circumcision? And the naturally uncircumcised who fulfills the law will judge you who are a transgressor of the law by the letter and circumcision. For he is not outwardly a Jew nor is circumcision outwardly in the flesh, but he is a Jew inwardly, and his circumcision is of the heart in the Spirit not in the letter, whose praise is not from men, but from God.

(Romans 2:25-29)

Paul avers that the covenant of circumcision that God made with Abraham in *Genesis* 17 is no longer required: the old covenant marked the Jews as God's chosen people and as separate and apart from other nations and peoples, but the new covenant is for the Jew and the Gentile alike (cf. *Rom.* 1:16). The Jews have assumed an “aura of magical efficacy” in regards to circumcision and have disregarded its “conditional nature”: outward appearances do not automatically equate to the actual, inward practice of keeping the law.<sup>15</sup> This sort of disconnect between φανερός and κρυπτός immediately lends itself to comparison with Juvenal's *sententia* at *Sat.* 2.8: *frontis nulla fides* – “appearances are deceiving.” There, the alliteration of *f* conveys a similar kind of criticism and disgust for such hypocrisy.<sup>16</sup> Juvenal even goes further in *Satire* 14 as he locates a similar superiority and exclusivity among Jews:

*quidam sortiti metuentem sabbata patrem  
nil praeter nubes et caeli numen adorant,  
nec distare putant humana carne suillam,  
qua pater abstinuit, mox et praeputia ponunt;  
Romanas autem soliti contemnere leges*

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<sup>15</sup> Betz (1991), 326.

<sup>16</sup> Braund (1996), 123.

*Iudaicum ediscunt et servant ac metuunt ius,  
tradidit arcano quodcumque volumine Moyses:  
non monstrare vias eadem nisi sacra colenti,  
quaesitum ad fontem solos deducere verpos.*

Some men have been allotted a father who keeps the Sabbath and they worship nothing except the clouds and the god of heaven, and they do not think that pork, from which their father abstained, is different from human flesh, and soon enough they discard their foreskins; moreover they are accustomed to spurn Roman laws, but they commit to memory and preserve and fear the Jewish law, all that Moses handed down in his esoteric volume: they do not show the way [to anyone] except to someone who worships these same sacred things, and they bring only circumcised men to that sought-after fountain.

(14.96-104)

Here and throughout Juvenal's *Satires*, Jews and their beliefs, which are acquired at birth, are portrayed as bizarre to Romans: the Jewish deity is, quite literally, nebulous and this lack of tangible form is "strange to those used to deities represented by anthropomorphic images."<sup>17</sup> The separateness of the Jews is emphasized by their standing apart, their abstention, and their changed genitalia. The Roman male, an inviolable whole, is violated by circumcision, and the emperor Hadrian would later even prohibit circumcision (*Historia Augusta* 14.2: ...*vetabantur mutilare genitalia*). And though they are in the habit of neglecting Roman laws, the Jews know every last letter of their own law, which they pass down from one generation to the next, but this Mosaic law is kept private (*arcano*) from non-Jews. Even if others are curious and wish to learn about Judaism, because they were not born Jewish (96: *sortiti*), the way is closed to them; circumcision, a mutilation of the male genitalia and non-starter for Romans, provides exclusive entry into that religion and to that source of salvation. Through Juvenal's satirical account, one fact from Paul's criticism of the Jews still remains clear: Jews are using their custom of

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<sup>17</sup> Courtney (1980), *A Commentary on the Satires of Juvenal*, 571. Here Courtney also notes the reason why the God of the Jews is so murky to the Romans: "In Hellenistic and later Hebrew literature the proper name of 'God' YHWA is avoided except in prayers, and 'Heaven' is a frequent synonym for it... this led to the attribution to the Jews of the worship of the sky... *nubes* satirically underlines the nebulous nature of such a god."

circumcision to claim superiority through difference, and on these grounds, they still seek to keep all others out of their religion.<sup>18</sup>

Paul's criticisms of the immorality that has been found among those in the congregation at Rome are threats that the apostle takes seriously. His epistle is a blunt evaluation of the faults and vices both of the Jews and the Gentiles. From Paul's perspective, this kind of immoral activity and these kinds of misconceptions and hypocrisies make those he is addressing "hardly different from corrupt paganism," that is to say, the religion of Rome.<sup>19</sup> And in the greater scope of *Romans*, this exposition and uncovering of guilt is a necessary first step in the presentation of Christian doctrine: having done this, Paul can then display a new righteousness and salvation that is available through faith to everyone – and everyone is in need of it because all have sinned. The remainder of the epistle accomplishes this, and Paul gives the best definition of Christianity as a religion, while also describing all the concomitant duties expected of the congregants. The consideration of *Romans* alongside the *Satires* of Juvenal should demonstrate that the claims of immorality Juvenal hurls against the inhabitants of Rome do have, in fact, a basis in reality and that his moralizing program is an important and sincere component of his satire.

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<sup>18</sup> The term *verpos* to indicate circumcision is also obscene. Cf. The discussion of *verpa* in Adams (1982), *The Latin Sexual Vocabulary*, 13: "*Verpa*... indicated a *mentula* with foreskin drawn back as a result of erection, or, perhaps, excessive sexual activity, or, in the case of the Jews, circumcision (the Jews were also considered to be well-endowed and lustful: Mart. 7.35.4, 7.55.6ff.). Given the sense of *verpa* and *verpus*, it is not surprising that they are often used when the performance of a sexual act is at issue... It was an aggressive homosexual act which seems to have been most appropriately performed by a *verpa*, rather than a *fututio*. This tendency to specialisation is probably due to the fact that *verpa* was not a neutral technical term, but an emotive and highly offensive word."

<sup>19</sup> Betz (1991), 326.

**The State of *Libertas*: Tacitus' *Dialogus de Oratoribus* and Quintilian's discussion of satire in the *Institutio Oratoria***

“If liberty means anything at all,  
it means the right to tell people what they do not want to hear.”

- George Orwell

In the shadow of his great historical works, the *Annals* and the *Histories*, Tacitus had already written three smaller works: the *Agricola*, the *Germania*, and the *Dialogus de Oratoribus*. In fact, as Roland Mayer notes, “No author in antiquity ever mentioned the existence of any of Tacitus’ minor writings; he passed into the literary consciousness solely as an historian.”<sup>20</sup> In these three works, Tacitus employs different genres: the *Agricola*, published in 98 CE, is a biography that eulogizes his father-in-law, a great Roman general who had military success in Britain; the *Germania*, published immediately after the *Agricola*, is an ethnography about the peoples of Germany; but the *Dialogus*, published about 102 CE (a date determined by its dedication to the consul, Fabius Iustus), is a dialogue written in a Ciceronian style.<sup>21</sup> Indeed, this different style and format, along with the fact that Tacitus’ name does not appear in the manuscript for the *Dialogus*, has led some scholars to question its authenticity; however, it is now the consensus, supported by linguistic evidence, that the *Dialogus* is an authentic work of Tacitus.<sup>22</sup>

The *Dialogus* is, in Mayer’s estimation, “one of the most brilliant literary performances to come down to us from antiquity.”<sup>23</sup> The work provides us with critical insights into Roman oratory, politics, society, and perhaps most important, the state of *libertas* (“freedom of speech”)

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<sup>20</sup> Mayer (2001), *Tacitus: Dialogus de Oratoribus*, 18-19.

<sup>21</sup> Cf. Barnes (1986), “The Significance of Tacitus’ *Dialogus de Oratoribus*,” 225-244 in which he argues that the *Dialogus* was published in 102, but most likely written earlier, probably in 97 CE.

<sup>22</sup> For a fuller discussion concerning the transmission and authenticity of the *Dialogus*, cf. Mayer (2001), 18-22 (“Authenticity”) and 47-50 (“The Transmission of the Text”).

<sup>23</sup> Mayer (2001), 2.

in the last quarter of the first century CE. Tacitus opens the work with a question that outlines the state and problem of contemporary oratory:

*saepe ex me requiris, Iuste Fabi, cur, cum priora saecula tot eminentium oratorum ingenii gloriaque floruerint, nostra potissimum aetas deserta et laude eloquentiae orbata vix nomen ipsum oratoris retineat; neque enim ita appellamus nisi antiquos, horum autem temporum disertis causidici et advocati et patroni et quidvis potius quam oratores vocantur.*

You often ask me, Fabius Iustus, why, although the previous generations flourished with the talents and glory of so many outstanding orators, our lifetime above all, barren and deprived of the praise of eloquence, scarcely retains the very name of orator; for we do not call [anyone] so unless [they are] ancient, however the accomplished speaker of these times are called professional pleaders and supporters and patrons and anything rather than orators.

*(Dialogus 1.1)*

The state of oratory in the latter half of the first century CE is clear and unquestioned: it is in decline – the title of orator is even falling out of common usage because no one has the eloquence of previous ages.<sup>24</sup> In answer to this, what follows then, as Tacitus says, is a discussion on this very topic that he recalls from his youth; the topic is too important for Tacitus himself to try to answer and so, instead, he does not need talent to give an answer, only a good memory of the *disertissimorum hominum sermo* (*Dialogus* 1.2-1.4).

Tacitus then takes to setting the occasion for the *Dialogus* (2.1):

*nam postero die quam Curiatius Maternus Catonem recitaverat, cum offendisse potentium animos diceretur, tamquam in eo tragoediae argumento sui oblitus tantum Catonem cogitasset, eaque de re per Urbem frequens sermo haberetur, venerunt ad eum M. Aper et Iulius Secundus, celeberrima tum ingenia fori nostri...*

Well then, on the day after Curiatius Maternus had recited his *Cato*, when it was being said that he had offended the minds of powerful men on the grounds that in the plot of that tragedy he had forgotten his own situation and had only the character Cato in mind, and concerning this matter there was a lot of talk

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<sup>24</sup> Bartsch (1994), *Actors in the Audience: Theatricality and Doublespeak from Nero to Hadrian*, 98: "...Tacitus plunges us into his account of a dialogue that, despite its marked temporal remove from the author's own day, is nonetheless meant to throw some light on why 'our generation in particular' might be bereft of eloquence."

throughout the City, M. Aper and Iulius Secundus came to him, [who were] at that time the most celebrated talents of our law court...

The drama that Maternus has composed is a *praetexta*, a play that has Roman history as its source material. His protagonist is most likely the younger Cato, “Julius Caesar’s implacable rival and the paladin of *libertas*.”<sup>25</sup> The public recitation of this play has caused a bit of an uproar among social elites because Cato has called to mind Helvidius Priscus, the son-in-law of Thrasea Paetus who had learned from this senator to cling to *libertas*:

*quaestorius adhuc a Paeto Thrasea gener delectus e moribus soceri nihil aeque ac libertatem hausit, civis, senator, maritus, gener, amicus, cunctis vitae officiis aequabilis, opum contemptor, recti pervicax, constans adversus metus.*

While still an ex-quaestor he was chosen [to be his] son-in-law by Thrasea Paetus and from the behavior of his father-in-law he derived nothing so much as the idea of freedom. As citizen, senator, husband, son-in-law, friend, he was unruffled by all of life’s duties, a despiser of riches, a steadfast [defender] of right, standing firm against fear.

(Tacitus, *Histories* IV.5)

That this connection between Cato and Helvidius Priscus has been made by a Roman audience is not surprising: traditionally, drama was a medium through which authority was criticized, and so audiences, some out of sympathy, others out of malice, sought to detect any potential references.<sup>26</sup> Aper and Secundus have come to Maternus concerned for their friend’s safety because they do not wish to see him end up the same way that Helvidius Priscus had: the risk that Maternus faces is palpable because Helvidius, “a persistent critic of the regime, had recently been relegated, and perhaps even now executed by the connivance of Titus.”<sup>27</sup>

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<sup>25</sup> Mayer (2001), 92.

<sup>26</sup> *Ibid.*, 92. *Delatores* (“informers”) were always on the prowl and Helvidius Priscus even attempted to prosecute one notorious informer to Nero, Epirus Marcellus; Helvidius failed in all three of his attempts. Cf. *Dialogus* 5.7. For more Helvidius Priscus’ opposition and *libertas*, cf. Wirszubski (1950), 147-150.

<sup>27</sup> *Ibid.*, 92. Mayer also notes here that the younger Helvidius Priscus was executed by Domitian in about the year 93 and, via Sherman-White, notes on Plin. *Epp.* 2.18.5 and 3.9.26, that “Roman society at this time was fussy in the extreme about *offensae*.”

We must also detect in the background of the *Dialogus* a link between the text, *libertas*, and the genre of satire. The Cato-Helvidius Priscus relationship draws attention to Thrasea Paetus, whom, as previously mentioned, the satirist Persius was a close friend of. Both are concerned with the state of *libertas* in their respective ways: Thrasea Paetus in the Senate and Persius in the genre of satire.<sup>28</sup> Satire always considers *libertas* to be an essential element because the term is multivalent, having both a sociopolitical value and an identification with Republican *libertas*.<sup>29</sup> That Maternus' *Cato* has so rankled some high-ranking men is a clear indication of the state of *libertas* both in 75-76 CE, the likely date of his recitation, and even a quarter-century later when Tacitus wrote and published the *Dialogus*.

After Aper and Secundus express their initial concerns, Maternus indicates that he is moving on from his *Cato* to write *Thyestes*. Aper then disagrees strongly with Maternus' choice and attempts to dissuade him from poetry and convince him to return to his law career. Yet, Maternus, tired of this long-standing debate with his friend, seizes on the presence of Secundus and makes him serve as a judge:

*qui me vel in futurum vetet versus facere, vel, quod iam pridem opto, sua quoque auctoritate compellat, ut omissis forensium causarum angustiis, in quibus mihi satis superque sudatum est, sanctiorem illam et augustiorem eloquentiam colam.*

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<sup>28</sup> Suetonius' *Vita Auli Persi Flacci* says that Persius was a great favorite of Thrasea Paetus (*idem decem fere annis summe dilectus a Paeto Thrasea est*). This relationship aligns Persius with Thrasea Paetus and the Stoic opposition; the connection here is based on *libertas* and is not meant to link Thrasea Paetus directly with the genre of satire. For more on Thrasea Paetus' disapproval and his *libertas*, cf. Wirszubski (1950), 138-143.

<sup>29</sup> Cortés Tovar (2005), "*Libertas* en la Sátira: de Horacio a Juvenal," 785. More fully, Cortés Tovar states: "*Libertas* en el sentido de "libertad de expresión" para criticar a todo el que se lo mereciera por vicioso o delincuente, referida a la Antigua Comedia Atica y a Lucilio... Tal *libertas* fue considerada por todos los satíricos romanos elemento esencial del género y punto de obligada discusión en sus programas. La libertad para censurar a sus conciudadanos sin ocultar su nombre, como lo habían hecho sus ilustres antecesores, constituye preocupación principal de Horacio, Persio, y Juvenal, que conocían y tenían en cuenta las limitaciones sociales y legales a su uso abusivo... el término *libertas* no aparece en los textos programáticos de los dos últimos.. Esto se debe probablemente a su multivalencia, especialmente a su valor político y su identificación con la *libertas* republicana."

[Secundus will be the judge] who will either forbid me in the future to do this [i.e., write poetry], or, what I have been hoping for a long time, by his own authority he may even compel [me] to forget the confines of court cases having been forgotten, in which I have labored enough and more than enough, and to devote [myself] to that grander and simpler eloquence.

(*Dialogus* 4.2)

Thus begins the dialogue proper as Aper, having accepted Secundus as judge, takes to rebutting Maternus' position (5.3-10).

In his first speech, Aper focuses on the usefulness of oratory as opposed to poetry and the pleasure and prestige given by *oratoria eloquentia* (6.1). He uses his own career, as well as those of Eprius Marcellus and Vibius Crispus, to illustrate the success, wealth, and influence that comes from being an eloquent speaker (7-8). Next, Aper takes to denigrating poetry; according to him, poetry has no honor, does not have any benefits, produces only brief pleasure, and makes its author dependent on others (benefactors and audiences) rather than earning a living with the fruits of his *ingenium* (9). Aper replaces the pursuit of *libertas* with the quest for *liberalitas*: poets must rely on the generosity of others whereas orators can rely on their own generosity. Aper is offended by the fact that Maternus is skilled in both oratory and poetry, but has chosen the path with less renown (10). He concludes by claiming that law cases are enough; and there, if you have to offend the powerful in defense of a friend, your loyalty is approved and your free speech is excused.<sup>30</sup> Hence, Aper has neutered the broader powers of true Republican *libertas*.

Maternus rejects Aper's position and claims that his own fame is from his poetry not his speeches: *hodie si quid in nobis notitiae ac nominis est, magis arbitror carminum quam orationum gloria partum* (11.2). Poetry's priority and pure eloquence from the golden age gives

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<sup>30</sup> *Dialogus* 10.8: *Nobis satis sit privatas et nostri saeculi controversias tueri, in quibus [expressis] si quando necesse sit pro periclitante amico potentiorum aures offendere, et probata sit fides et libertas excusata.* ("It is enough for us to look at private disputes from our own generation, in which if it is ever necessary to offend the ears of more powerful men on behalf of an endangered friend, and then the loyalty may be approved and the *libertas* excused.")

its superiority over oratory; Maternus implies that oratory has more nefarious uses: to exonerate criminals, and worse still, to harm the innocent – certainly, an insult aimed at Aper whose exemplary orators were *delatores* (12.3).<sup>31</sup> Maternus concludes his rebuttal of Aper by demonstrating the emptiness of the oratorical profession. Maternus is following his own inclinations: he will not be entangled in subservient flattery (13.4), and he will not be caught up in the hazardous forum with its treacherous fame (13.5), even if his actions lead him to his demise (13.6).<sup>32</sup>

The arrival of Messalla prompts a second set of speeches that debates the question of superiority between ancient and contemporary orators. Aper believes that contemporary, or “modern,” orators are better because they must evolve with the present times, and this evolution includes their style so that the orators do not bore their listeners (18-19). He goes on to reason that the present-day style is more polished and beautiful because poetic skill is required of the orator (20.5):

*exigitur enim iam ab oratore etiam poeticus decor, non Accii aut Pacuvii veterino inquinatus, sed ex Horatii et Vergilii et Lucani sacrario prolatus.*

For poetic grace is even now demanded even from the orator, [a grace] having not been polluted by the filth of Accius or Pacuvius, but one that has been brought forth from the shrine of Horace and Vergil and Lucan.

As Aper continues and finishes out his speech (22-23), he proceeds to mock the entire class of men who prefer the ancient style and authors (23.2):

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<sup>31</sup> *Dialogus* 12.3: *Ceterum felix illud et, ut more nostro loquar, aureum saeculum, et oratorum et criminum inops, poetis et vatibus abundabat, qui bene facta canerent, non qui male admissa defenderent.* (“But that happy age and, as I may say by our custom, golden generation, lacked both orators and crimes, but was abundant with poets and prophets, who sang of deeds well done, and who did not defend those deeds wickedly admitted.”)

<sup>32</sup> Bartsch (1994), 104-105 discusses how Maternus at *Dialogus* 13.6 is giving “an unwitting prophecy” about his death as a consequence of his “literary defiance” and the offense he has given to people in power.

*sed vobis utique versantur ante oculos isti, qui Lucilium pro Horatio et Lucretium pro Vergilio legunt, quibus eloquentia Aufidii Bassi aut Servilii Noniani ex comparatione Sisennae aut Varronis sordet, qui rhetorum nostrorum commentarios fastidiunt, oderunt, Calvi mirantur.*

But certainly these deplorable men pass before your eyes, the ones who read Lucilius instead of Horace and Lucretius instead of Vergil, for whom the eloquence of Aufidius Bassus or Servilius Nonianus is soiled in comparison to Sisenna or Varro, who disdain and hate the treatises of our rhetors, but they marvel at [those] of Calvus.

Here again, in clearer terms this time, we see the clear preference for modern literature over ancient literature. Aper denigrates those who do not recognize the supremacy of contemporary writers; each author of the Republican period has been superseded by generic equivalents from the Imperial period: Horace for Lucilius in satire; Vergil for Lucretius in epic hexameters; Aufidius Bassus and Servilius Nonianus for Sisenna and Varro in history. The earlier, subtler distaste for Republican critics of the Empire has come into sharper focus as Aper wraps up his speech. Those who prefer the ancient to the modern are at risk of not having an audience or being tolerated (23.3: *non auditores sequuntur, non populus audit, vix denique litigator perpetitur*).

Aper, at last, concludes by charging Messalla with imitation of the ancients (although, his imitation is of the most prosperous things) and by maintaining that Secundus and Maternus are capable of great oratory because they conform to the model of the current age, especially in that they have grace of composition (*compositionis decor*) and straightforwardness in their thoughts (*sententiarum planitas*), and, perhaps most importantly for Aper, because they refrain from exercising their *libertas* (*libertatem temperatis*). Aper is unconcerned that such restraint may be incorrect because he believes that, even if their judgments have been hindered by the current ill will and envy, their truth will survive into posterity (23.5). This is simply the price of being famous while living: future generations will be able to appreciate them properly.

Maternus then invites Messalla to rebut Aper and demonstrate the superiority of ancient oratory, and also to locate the cause of present oratory's decline (24). Messalla starts with an affirmation that, although the orators of the past may have differed from one another, the age of Cicero was still the best for oratory (25.2: *eminentiorum illorum temporum eloquentiam fuisse*). He asserts that, even if the oratory was on occasion rougher and less matured, it is still to be preferred to contemporary oratory, which has devolved into a baser form: a speech that is clothed in a *hirta toga* is better than one that stands out in the colored clothes of prostitutes (26.1: *fucatis et meretriciis vestibus insignire*); Gaius Gracchus and Lucius Crassus are superior to the excessive flourishes of Maecenas and the jangling of Gallio.<sup>33</sup> Oratory has defiled itself with lascivious words, trivial thoughts, and too great a freedom (*licentia*) in its composition (26.2).<sup>34</sup>

Before Messalla can continue with his examples that demonstrate the decline of eloquence, Maternus briefly interrupts the speaker to remind him of the need to give reasons as to why the ancient orators were better. It is at this point that Maternus gives us one of the most important statements about the current state of *libertas*:

*'Perge' inquit Maternus 'et cum de antiquis loquaris, utere antiqua libertate, a qua vel magis degeneravimus quam ab eloquentia.'*

“Go on,” said Maternus, “and when you speak about the ancients, use the ancient *libertas*, from which we have fallen away even more than [we have fallen away] from eloquence.”

(*Dialogus* 27.2)

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<sup>33</sup> It is interesting to note that Gallio, a friend of Seneca the Elder, was present at the trial of the Apostle Paul; cf. *Acts* 18:12: Γαλλίωνος δὲ ἀνθυπάτου ὄντος τῆς Ἀχαΐας κατεπέστησαν ὁμοθυμαδὸν οἱ Ἰουδαῖοι τῷ Παύλῳ καὶ ἤγαγον αὐτὸν ἐπὶ τὸ βῆμα (“And when Gallio was governor of Achaëa, the Jews attacked Paul together and led him to the judicial bench”). Although slight, this factoid should bolster the case for including Paul in our discussion of morality and *libertas* in respect to Rome and its socio-political climate; the apostle is inextricably bound up in these issues – he even shares a fate similar to that of Helvidius Priscus.

<sup>34</sup> The differentiation of *libertas* and *licentia* here is of particular importance. *Licentia* crosses the line; it is improper, excessive, and too free. The implication is that the *libertas* of older oratory is to be preferred because it does not overstep its bounds; Messalla is thus in favor of Republican (ancient) *libertas* and not Imperial (contemporary) *licentia*. More will be said on the distinction between *libertas* and *licentia* in chapter 3.

If the current state of oratory is not in doubt from the very beginning of the *Dialogus* – that is, that oratory has greatly declined from previous generations, then Maternus makes it clear here that the current state of *libertas* is even further degenerated. The very fact that Maternus encourages Messalla to use *antiqua libertas* also suggests that such freedom of speech is obsolete, passé, or illicit; for *libertas* to have any currency, therefore, it must be the old-fashioned kind, which is no longer in existence.<sup>35</sup> The word *libertas* on its own has lost its potency and Maternus describes it in this way to recapture its former value and efficacy. The greater demise of *libertas*, too, points to its more important place at the heart of the problems in Imperial Rome.

The interruption over, Messalla offers his perspective on the deterioration of oratory, and his argument is one that is oft recited by nostalgic generations:

*quis enim ignorat et eloquentiam et ceteras artis descivisse ab illa vetere gloria non inopia hominum, sed desidia iuventutis et neglegentia parentum et inscientia praecipientium et oblivione moris antiqui? quae mala primum in urbe nata, mox per Italiam fusa, iam in provincias manant.*

For who does not know that both eloquence and the other arts have degenerated from that former glory not by the incapacity of men, but by the laziness of youth and the negligence of parents and the lack of knowledge in teachers and the forgetting of the ancient custom? These bad things were first born in the city, and soon were spread throughout Italy, and even now they flow into the provinces.

*(Dialogus 28.2)*

Messalla's arguments center on the upbringing and education of youth: the failure to keep the old customs and the breakdown of the education system have prevented the nurturing of new orators of equal skill and merit to the ancients.<sup>36</sup> On the one hand, their ancestors exercises sternness and discipline in the raising of children; the supervision and guidance of mothers gave rise to great

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<sup>35</sup> Cf. Bartsch (1994), 112 where she remarks that Maternus' call for *antiqua libertas* can "provide a striking enough comment on the oppressive climate of Vespasian's reign."

<sup>36</sup> Cf. Juvenal, *Satires* 2 and 14 in which Romans are teaching bad morals to the rest of the world (2.163-170) and parents are teaching their children the vices of greed and miserliness from birth (14.119-125).

sons (28.3-6). But on the other hand, children are now passed off to slaves and Greeks who corrupt their minds; Rome's immorality is so prevalent that Messalla thinks it to be conceived coevally with the child (29.1-3; *huius urbis vitia paene in utero matris concipi mihi videntur*). And these vices – namely, theatre, gladiatorial combat, and horse-racing – fill their minds so that *bonae artes* have no place.

In this sentiment, we can detect an irritation similar to one that Juvenal would later aver more famously:

...nam qui dabat olim  
imperium, fasces, legiones, omnia, nunc se  
continet atque duas tantum res anxius optat,  
panem et circenses. 80

For what once gave power, *fasces*, legions, everything, now restricts itself and only anxiously wishes for two things: bread and circuses.

(*Satires* 10.78-81)

Immorality is linked directly with the entire decline of Rome, but especially with the demise of education and oratory and the deterioration of the crucial component of *libertas*. Rome has become obsessed with the trivial and with spectacles; the people have turned their backs on the original virtues that allowed their state to rise to dominance. The lofty, the significant, and the powerful have been reduced to the frivolous and the inconsequential; Rome may be *containing* herself in limiting what she wishes for, but these wishes also conversely and ironically represent the unbridled and *uncontained* immorality that is corrupting her and her inhabitants.

The broad training that allowed Cicero to be conversant, eloquent, and persuasive on many topics does not exist anymore (30). What the ancients realized, according to Messalla, is that they needed not to practice rhetoric in schools and in *fictis controversiis*, but rather that they had to be knowledgeable about the subjects which an orator must discuss: good and evil, honor and shame, justice and injustice (31.1). No orator is complete until he can be described as *qui*

*cognovit naturam humanam et vim virtutum pravitatemque vitiorum* (31.2: “he who knows human nature and the value of virtues and the depravity of vices”). The alliteration here catches the ears of listeners in order to highlight the importance of this knowledge for orators.<sup>37</sup> This repetition is the crux of Messalla’s argument about the training of orators: their education is a serious one laden with weighty moral topics that are practical, not theoretical. In contrast, these topics are neglected by contemporary speakers, and in turn, this neglect causes the state of oratory to be reduced to one of the *sordidissimis artificiis* (32.4).

Before the lacuna and Maternus’ final speech, Messalla concludes – at Maternus’ request – by explaining the differences in practical training between the ancient orators and those contemporary ones (33-35): whereas young men used to follow around a distinguished orator in order to gain experience, nowadays they sit in schools where their skills are not improved by listening to other young men and ignorant teachers.

After the lacuna, we find ourselves in Maternus’ speech that is already in progress. His argument at this point maintains that orators with greater eloquence are found more readily when there is political disorder (36.2: *perturbatione... licentia... mixtis omnibus et moderatore uno carentibus*).<sup>38</sup> Even if the Republic was destroying itself, this chaos cultivated eloquence because that is how rewards, honors, offices, and riches were attained; thus, in the less politically organized state, the *cursus honorum* was a good motivator for orators to develop their skills and natural talents, which were put to use more often. Eloquence was simply a necessary trait for a Roman man who hoped to be effectual in public life (36.6: *quin immo sibi ipsi persuaserant*

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<sup>37</sup> On alliteration as a preferred device of Tacitus, cf. Ross (1878), *Tacitus and Bracciolini*, 117: “no writer is so fond of alliteration as Tacitus”; cf. also, Peterson (1914), *Dialogus, Agricola, Germania*, 159: “Tacitus is prone to tickle the ears of Romans with [alliteration]”; and Renz (1905), *Alliterationen bei Tacitus*.

<sup>38</sup> The lack of this ‘single moderator’ (*unus moderator*) that results in greater eloquence could be a reference to the emperor; he has therefore ‘restrained’ eloquence and *libertas*.

*neminem sine eloquentia aut adsequi posse in civitate aut tueri conspicuum et eminentem locum*). And in fact, no one rose to prominence without oratorical skill (37.3: *nec quemquam illis temporibus magnam potentiam sine aliqua eloquentia consecutum*); Maternus lists several great men of the late Republic – Pompey, Crassus, the Lentuli, the Metelli, the Luculli, and the Curios – all of whom possessed an eloquence that allowed them to advance politically. Maternus goes on to say these sorts of weightier issues – crimes, vices, corruption, murder – produce better eloquence because they furnish more raw material for the orators to work with. Accordingly, Maternus reinforces this point:

*Crescit enim cum amplitudine rerum vis ingenii, nec quisquam claram et illustrem orationem efficere potest nisi qui causam parem invenit.*

Indeed the power of genius grows with the broad scope of things, and it is not possible for anyone to produce a famous and distinguished oration except he who has found a proportionate cause.

*(Dialogus 37.5)*

Genius has a direct correlation with gravity: as they both increase so does the likelihood of oratory and eloquence that will be renowned. The proviso that Maternus adds, however, explains that, even with *ingenium* and *amplitudo*, oratory is still dependent on having a worthy cause to expound upon. This is, of course, Tacitus giving a nod to his *Dialogus*; although the *Dialogus* is not a speech, it does contain speeches. Tacitus has found his *causa par* to write about. The text thus claims that Tacitus possesses *vis ingenii* and that the *Dialogus* deals with significant issues of his own day. Maternus finishes this point off with a comparison of war and oratory; just as war produces better soldiers than peace, so, too, does eloquence operate (37.7-8).

The courts, Maternus continues, provided excellent opportunities for the exercise of eloquence, until:

*...longa temporum quies et continuum populi otium et assidua senatus tranquillitas et maxime principis disciplina ipsam quoque eloquentiam sicut omnia alia pacaverat.*

...the long peace of the times and the continual leisure of the people and the constant tranquility of the senate and especially the discipline of the emperor had subdued even that very eloquence just as all other things [had been subdued].  
(*Dialogus* 38.2)

Hence, the quelling of the persistent political strife that plagued the Republic through the order imposed on the state by the *princeps* also caused the suppression of eloquence. By extension then, *libertas*, which Maternus has already said at 27.2 has fallen off more than eloquence, must have been nearly, if not entirely, subjugated by the rise of the Empire and the order it instilled.

Again, Maternus emphasizes that eloquence and *libertas* do not appear to have any place in their contemporary society because the emperor has calmed the stormy seas of Roman politics; therefore, the state does not give rise to great orators anymore. Eloquence originates from contention and license:

*non de otiosa et quieta re loquimur et quae probitate et modestia gaudeat, sed est magna illa et notabilis eloquentia alumna licentiae, quam stulti libertatem vocitant, comes seditionum, effrenati populi incitamentum, sine obsequio, sine severitate, contumax, temeraria, arrogans, quae in bene constitutis civitatibus non oritur.*

We are not speaking of a peaceful and quiet state and one which rejoices in honesty and modesty, but that great and remarkable eloquence is the nursling of license, which fools are accustomed to name *libertas*, the companion of seditions, the instigator of an unrestrained people, without compliance, without strictness, defiant, reckless, arrogant, which does not arise in well-ordered states.  
(*Dialogus* 40.2)

Fools call *licentia* by the name of *libertas* because they are confusing the two concepts: *licentia* is a “common word in political contexts to describe unrestrained freedom,” whereas *libertas* is the freedom of speech given to free, male Roman citizens; *licentia* here again, as before in 36.2, represents the disordered state where greater eloquence can arise; it may also represent an

immoral – hence, socially – disordered state.<sup>39</sup> *Libertas*, however, rightly should not disappear even when the *licentia* of the former state (that is, political upheaval and uncertainty) is restrained by the principate. Although eloquence and *libertas* can go hand in hand, they are not the same concept, and Maternus does not conflate the terms. Neither does he conflate *libertas* and *licentia*: fools mistake the latter for the former, but their confusion misunderstands that *libertas* can rein in *licentia*; and in truth, although one kind of *licentia* has disappeared, the other still exists and thus precipitates *libertas*. The consistent conclusion that should be drawn from Maternus is simply that he understands why eloquence has diminished, but he nevertheless laments the loss of *libertas* as the collateral damage from the formation of the principate.<sup>40</sup> Only one individual remains who has access to true *libertas*: the emperor.

Maternus thus concludes the final speech before the men bid farewell by saying that the orator is unnecessary among innocent people, just as a doctor is not needed among healthy people (41.3). The analogy is extended to show that medical progress is not made when people are healthy and oratorical honor becomes *obscurior* (“more reserved”) when people obey their ruler. The need for public contest and contention is simply obsolete when the one wisest individual makes the decisions (41.4).<sup>41</sup> Achievement in eloquence, in Maternus’ opinion, is

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<sup>39</sup> Mayer (2001), 199.

<sup>40</sup> Cf. Bartsch (1994), 111: “Maternus’ description of Vespasian’s régime comes in the borrowed language of Cicero’s praise of the republic... [In] drawing on the *Brutus*, Tacitus deploys a work that is framed by its author’s lament over the lost opportunities for eloquence that have attended Julius Caesar’s dictatorship at Rome. It is a work in which Cicero openly mourns the death of Roman oratory since the passing of republican liberty – a liberty [which], we might say, the oppressed call license.”

<sup>41</sup> I would not necessarily read the complete approval of the *princeps* and Rome’s changed political structure in Maternus statement that the individual making decisions for the whole is *sapientissimus*. The dialogue, taking place in about 75 CE, occurs under the reign of Vespasian, the first of the Flavian emperors. I believe it would be right to compare this description of the *princeps* alongside Sihler’s evaluation of Quintilian’s flattery of Domitian as *sanctissimus censor* that will be discussed below. In short, the superlative would thus be the normal description for the emperor and Maternus would simply be following conventional nomenclature; his approval is not definitively implied. Rather, his conformance to such convention could be understood as another example of the limitations being placed on his *libertas* by the existence of the principate.

more historically determined, and he does believe that, had they been born in an earlier time, they would have achieved greater eloquence.<sup>42</sup> His final statement is that (oratorical) fame and (political) peace cannot exist simultaneously; everyone should enjoy the good that does exist in their own generation and not disparage the good of another generation (41.5: *quoniam nemo eodem tempore adsequi potest magnam famam et magnam quietem, bono saeculi sui quisque citra obtrectationem alterius utatur*).

In Maternus' estimate, the oratorical profession is a "dead end"; oratory "must become reconciled to its reduced status" under the principate.<sup>43</sup> For those who are still "ambitious for lasting fame," however, a career different from oratory must be pursued; Mayer details the answer that Maternus leaves implicit in his speech in this way:

A man can still be of use to his fellow citizens through the correct use of his skills, in this case verbal. Not oratory now, but poetry, and not exclusively fictional poetry... but a poetry founded upon Roman historical experience. That validates Maternus' change of vocation. He is still in the thick of public affairs... but now he comments by implication through the imaginative re-creation of the tragic past.<sup>44</sup>

This sort of re-creation is the 'time-warp' to which Freudenburg has referred in Juvenal's first satire: the authors of the late first and early second centuries CE were caught up in a program that focused solely on the recent past and they made sure to portray the age as traumatic.<sup>45</sup>

Consequently, these authors are always reaching back into the past in order to come to terms with all such trauma in the present – a present which may also be somewhat traumatic and even directly referred to through such a retrospective program.

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<sup>42</sup> The implication, perhaps, is that they cannot achieve eloquence not only because the principate has quelled political unrest and because the emperor is obeyed, but more importantly, because they do not possess the requisite *libertas* at their current juncture in history.

<sup>43</sup> Mayer (2001), 17-18.

<sup>44</sup> *Ibid.*, 18.

<sup>45</sup> Freudenburg (2001), 234, also cf. the preceding section of his chapter, "Remembered Monsters: Time Warp and Martyr Tales in Trajan's Rome," 215ff.

While this obsession makes sense for the genres of Tacitus and Pliny, the program of Juvenal presents readers of satire with the task of comprehending his version of the game. As previously stated, Juvenal is playing the game to reinvent his genre and its writer, a reinvention that will allow him (as we shall see more fully in the next chapter) to draw attention to, in various ways, the issue of *libertas*. Whereas Maternus writes about tragic heroes, which also serves as a model for Tacitus himself to follow in his writing of history, Juvenal could instead be casting himself as the tragic hero behind the *Satires*. Just as Maternus has offended people of high rank with his historical tragedy, Juvenal – if he were noticed – risks offending them similarly, or even more greatly. Both figures, however, stake a firm claim that they will not be dissuaded from their course of action and they both posit that it is also the correct course given the recent history of Rome’s (relatively) new sociopolitical order.

Barnes goes further in his assessment of the purpose of the *Dialogus* and claims that the real subject of the text is “what literary genres are worthwhile in the conditions of the late first century.”<sup>46</sup> This question, he argues, should be linked with the dating of the text and the historical characters found in the *Dialogus*. For Tacitus, there is no uncertainty that oratory has already been pronounced dead; the opening question of the text is not a novel one, but his answer must have been surprising given that Quintilian had recently published his *Institutio Oratoria* that does not view Roman oratory to be dead or even in decline, but rather to be flourishing.<sup>47</sup> Tacitus strongly rejects such a claim and his choice of genre allows him “not to refute Quintilian in detail, but to expose his underlying assumptions as ridiculous”; this generic choice further allows Tacitus to set his text in the mid-70s CE and this time warp grants him some impunity

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<sup>46</sup> Barnes (1986), 232.

<sup>47</sup> *Ibid.*, 234. Cf. *Institutio Oratoria* 10.1.122.

from the view that he is attacking Quintilian.<sup>48</sup> Set in the past, the *Dialogus* has no need of mentioning Quintilian because Tacitus is only, at least for all intents and purposes, reporting the conversation he heard as a young man; hence, “Tacitus could insinuate that Quintilian’s pursuit of the Ciceronian ideal of oratory was as mistaken in the 70s as it was at the time of writing.”<sup>49</sup> The *Dialogus* is thus a stern refutation of the grandiose claims concerning oratory that Quintilian has recently made.

In dating the text, Barnes follows Murgia and positions the *Dialogus* in 97 CE as the first of the three lesser works so that Tacitus’ choice to write history makes the most sense in his successive works.<sup>50</sup> If the date of 97 CE is to be granted, then Barnes argues that we must look into the historical personages behind the *Dialogus*, and especially examine the central character, Curiatius Maternus. Citing a fragmentary inscription from the base of statue, Barnes via Alföldy and Halfmann identifies a Maternus who was a general of Domitian, a rival of Trajan, a governor of Syria, and someone who had a “real chance of succeeding Nerva on the imperial throne.”<sup>51</sup> Depending on the date of his governorship, and if there were two Materni – the second one being the adopted son of the Curiatius Maternus found in the *Dialogus* and nearly the same age as him, then the death of Maternus a short half dozen years before the *Dialogus* (as opposed to a death shortly after the conclusion of the text) would make Maternus into a very relevant and buzzworthy figure. Barnes posits, amid his responses to criticisms from other scholars, that Maternus could have been governor in Syria around 90 CE; his tenure though was perhaps quite short once he was accused of treason in 91 CE, a crime that led to his execution or suicide.<sup>52</sup> The

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<sup>48</sup> Barnes (1986), 235-236.

<sup>49</sup> Ibid.

<sup>50</sup> Murgia (1977), “The Minor Works of Tacitus: A Study in Textual Criticism,” 323-343.

<sup>51</sup> Barnes (1986), 240-241. Cf. Alföldy and Halfmann (1973), “M. Cornelius Nigrinus Curiatius Maternus, General Domitians und Rivale Trajans,” 331-373.

<sup>52</sup> Barnes (1986), 241-243.

tragedies that Maternus defends authoring in the *Dialogus* could have been a major charge brought against him to demonstrate that “he had long been disloyal to the imperial house.”<sup>53</sup> The consequence of Barnes’ hypothesis adds a potent revelation to our understanding of Maternus and the *Dialogus*:

...Maternus becomes a hero and a martyr for freedom of speech, and his words correspondingly acquire weight and authority. When Maternus commends poetry over oratory and insists on the impossibility of Ciceronian oratory under the conditions of his own day, the moral force of his examples silences all doubts. Moreover, a famous passage at the end of the *Dialogus* gains a chilling force and cogency which far transcend the irony which some scholars have detected in it (41.4)... If the emperor is a Nerva or a Trajan, then Maternus’ confidence seems reasonable. But the real Maternus was the victim of a tyrant who did not practice clemency but encouraged accusers, and the Senate of Domitian agreed with remarkable speed and unanimity on condemnations rather than acquittals.<sup>54</sup>

Barnes places the issue of *libertas* front-and-center with this interpretation of the figure of Maternus. The conjectured fate of the real Maternus forces us to re-examine the aim of his speeches in the *Dialogus*. The time-warp game not only undercuts the presumed and established authority of Quintilian, but it also demonstrates that the issue of *libertas* under the principate remained a constant problem and sticking point – and at that, a problem that was not limited to the genre of satire: it was a broader issue for some, if not most, levels of Roman society and Roman culture. Maternus subtly advocates for *libertas* as he bemoans the loss of eloquence. With the power of the individual now formally institutionalized in the Empire, the place of *libertas* within Roman society faces an even more uncertain fate than eloquence. Whereas eloquence must deal with its reduced scope, *libertas* is still struggling to adapt; it is viewed as a

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<sup>53</sup> Barnes (1986), 243.

<sup>54</sup> *Ibid.*, 243. Bartsch (1994), 125 agrees with this depiction of Maternus: “Maternus the poet can be nothing other than a paradigm for the loss of freedom which he talks about in such positive terms in his final speech... Tacitus makes of this figure an exemplum of the lost *libertas* of the principate and of its replacement by a different kind of discourse.”

relic of the Republic, a tool that allowed free male citizens of the day to speak freely and criticize each other as they sorted out affairs of state and grappled with Roman identity.<sup>55</sup>

While Maternus rehashed the past in tragedies and Tacitus did so in history, Juvenal, on the other hand, put his wit into satire, and *Satire 1* opens with a renewed call for *libertas* (1.1-21). Juvenal has had enough of the contemporary brand of tragedy; the satirist's voice breaks the silence of his place among the listening audience: *semper ego auditor tantum?* ("Must I always be a listener?"). The answer, of course, is a resounding no, and the denigration of tragic recitations indicates the satirist's desire to change the current landscape of literature and his refusal to be a part of contemporary literary trends. He has heard the same thing from every poet (1.14), but because he has had the proper training, he knows he can join in the game – and that, at the very least, his paper will not be suffering any worse a fate (1.15-18: *stulta est clementia... periturae parcere chartae*). The mantle that Juvenal aspires to take up is that of Lucilian satire with its concomitant *libertas*; this is the ideal that he strives for, but cannot ever fully achieve given his milieu. As a result, just as the eloquence of Ciceronian oratory must evolve, so, too, must the genre of satire and its writer. Juvenal's *Satires*, we shall see, put forward a futile but impassioned argument that demanded a restoration of *libertas* to the satirist and to his genre. The satirist, as his own tragic hero, relives the traumatic past, in addition to his present, through his time-warped satires. Juvenal wrestles with the problem of *libertas* in spite of the death of Domitian and the optimism of the new times because he cannot trust any emperor, who is, in effect, an extension of the same authoritarian political order. Juvenal does not believe

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<sup>55</sup> Cf. Bartsch (1994), 110: "...both Maternus and Cicero are agreed on one crucial fact: great oratory goes hand in hand with conditions of political freedom (be it named peace or discord) and flourishes in the absence of absolute rule."

that true *libertas* can exist when it is dependent on the arbitrary whims of the emperors and he does not trust that their liberal beginnings will last; Juvenal is testing the boundaries of *libertas*.<sup>56</sup>

In this way the programs of Tacitus and Juvenal clearly run counter to the views of Quintilian and seek to rebut him. They oppose Quintilian because he, quite notably, has not suffered the same traumatic past that these Trajanic authors have. As Tacitus says at *Agricola* 3, these authors came through the reign of Domitian in silence (*per silentium venimus*). Quintilian, however, “spoke with the voice of the Roman establishment.”<sup>57</sup>

Juvenal, in fact, highlights the position Quintilian holds in *Satire* 7; he ironically holds it up as a case of remarkable good luck. Many professions – poets, historians, lawyers, rhetoricians – are suffering because money and leisure are required to do them well; they suffer because now they all rely on the same, single patron: the emperor:

*et spes et ratio studiorum in Caesare tantum;  
solus enim tristes hac tempestate Camenas  
respexit, cum iam celebres notique poetae  
balneolum Gabiis, Romae conducere furnos  
temptarent, nec foedum alii nec turpe putarent* 5  
*praecones fieri, cum desertis Aganippes  
vallibus esuriens migraret in atria Clio.*

Both the hope and rationale of studies [depend] on Caesar only; for he alone cares for the sad Muses in this climate, when already celebrated and renowned poets try to rent a tiny bathhouse in Gabii, or a bake-oven in Rome, and others think it is neither disgraceful nor shameful to become auctioneers, when hungry Clio, the vales of Aganippe deserted, departs for auction-rooms.

(*Satires* 7.1-7)

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<sup>56</sup> Cortés Tovar (2005), 793: “Aunque Juvenal publicó sus sátiras bajo Trajano y Adriano, no encontramos en su obra el optimismo de Plinio o el de Tácito, que alaba la *libertas* y *felicitas* de los nuevos tiempos en la *Vida de Agrícola* 3.1-2. ¿Por qué, si tras la muerte de Domiciano se respiraba una atmósfera que permitía expresarse liberalmente, Juvenal no recupera la seguridad y habla abiertamente de *libertas*? Quizás porque no consideraba verdadera libertad la que dependía de las arbitrarias concesiones de los emperadores, ni confiaba en que los inicios liberales con los que se abrían sus mandatos pudieran perdurar. Juvenal, a diferencia a Persio, sí escribió sátira política contra la tiranía imperial y vió su obra como seguidora de Lucilio, pero se vió obligado a elegir sus víctimas entre los emperadores del pasado y esta limitación es una prueba de que la *libertas* política vigente no garantizaba la *libertas verborum*.”

<sup>57</sup> Barnes (1986), 235.

The exalted Muses have been brought low; poets are taking up dishonorable careers; one of the Muses, accompanying her poet, has to seek out the auction-house or starve. The aforementioned arbitrariness and caprice of the emperor comes into focus: the emperor is the ultimate patron – thus, he is also both literary critic-in-chief and censor; however, this individual has let literary pursuits deteriorate to quite a sorry state. The *spes* at the beginning of the poem is bitterly ironic.

In contrast, Quintilian finds himself in a much different state:

*'unde igitur tot  
Quintilianus habet saltus?' exempla novorum  
fatorum transi. felix et pulcher et acer, 190  
felix et sapiens et nobilis et generosus  
adpositam nigrae lunam subtexit alutae,  
felix orator quoque maximus et iaculator  
et, si perfrixit, cantat bene.*

“So where does Quintilian get so many pastures from?” Pass over examples of unusual fates. The lucky man is both beautiful and keen, the lucky man is wise and noble and generous, he has a moon sewn on his black leather shoe, the lucky man is also the greatest speaker and javelin-thrower, and he sings well, if he doesn’t have a cold.

(*Satires* 7. 188-194)

The rare and strange example of Quintilian stands far apart from the current fate of the other professions. All the qualities Juvenal lists that define Quintilian as *felix* attribute to him an aura of perfection so unreal that the satirist says you simply have to ignore his example because it is so atypical and exceptional. And yet, if the satirist had, in actuality, wanted his readers to pass over this example, he could also have not included it to begin with. Quintilian is receiving false praise, a sort of backhanded compliment; he is targeted in the satire because his station conspicuously separates him from everyone else. His rewards come from the emperor – case in point, the affixed moon indicating that the emperor has granted him the rank of patrician – and

he is clearly the lapdog of the *princeps*.<sup>58</sup> In line 194, *(ni)si perfrixit* should also remind us that, although Quintilian will not catch a cold given his comfortable situation, the satirist is indeed catching a cold because that is exactly where he has been left: *probitas laudatur et alget* (1.74: “honesty is praised and left out in the cold”).

Now that Quintilian has been thoroughly disproved and undermined by Tacitus and Juvenal, as he has essentially been labeled a traitor to other writers and speakers (a twist on Domitian’s use of the charge of *maiestas*), it follows then that we must review what Quintilian has to say about satire and call his motives into question. Specifically, a more complete inquiry of Quintilian’s claim that *satura quidem tota nostra est* (*Institutio Oratoria* 10.1.93) – “Indeed satire is wholly ours [i.e. Roman]” – can offer insight as to *why* Quintilian wrote this and how this claim can further inform us about the state of *libertas* under the principate.

First, let us begin with a review of who Quintilian was. On the life of Marcus Fabius Quintilianus we have writings from the author himself, Martial, Juvenal, Pliny’s letters, Ausonius, and Jerome.<sup>59</sup> We know that he was a Spaniard-Roman from Calagurris on the Ebro river, his father and perhaps also grandfather being *rhetores*.<sup>60</sup> The exact date of his birth is unknown, though reasonably posited to be around 40 CE as “it is clear that he was studying rhetoric in Rome about AD 57.”<sup>61</sup> In 59, Quintilian returned to Spain, his education complete, to practice law, as was common.<sup>62</sup> The next important and secure date is 68 when Jerome writes “M. Fabius Quintilianus is brought to Rome by Galba.”<sup>63</sup> On this, Sihler observes that:

Quintilian, whose ideals and convictions shrank from the Neronian capital, as

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<sup>58</sup> Cf. Courtney (1980), 374.

<sup>59</sup> Sihler (1920), “Quintilian of Calagurris,” 207.

<sup>60</sup> *Ibid.*, 205, 207; Kennedy (1969), *Quintilian*, 15.

<sup>61</sup> Kennedy (1969), 15. Note that this would mean that Quintilian was studying in Rome, and thus an adolescent, at the same time that the apostle Paul wrote his epistle to the Roman church.

<sup>62</sup> *Ibid.*, 18.

<sup>63</sup> *Ibid.*; Sihler (1920), 207.

long as it was Neronian, perhaps deemed it opportune, favored, as he was, by the good will of the new princeps, to open his school in the centre of affairs, in the new era expected under the stern and severe Galba. But after the swift passing of his patron and of Otho and Vitellius, Quintilian seems to have maintained himself under the Flavian dynasty. That he held the fiscal chair of Rhetoric to 88, or so, we know, though we are not able to say that the imperial stipend began in 68.<sup>64</sup>

What should stand out here is Quintilian's ability to "maintain himself under the Flavian dynasty" – no small feat given the political upheaval of 69 CE, with the civil strife that led to the Year of the Four Emperors. A good deal of social and political deftness, no doubt, must have helped Quintilian navigate this period. As for the date of Quintilian's appointment to the state professorship, Kennedy sets it at 71, "immediately after Titus' triumphal return from the capture of Jerusalem."<sup>65</sup> After twenty years of teaching, around 90 CE, Quintilian retired.<sup>66</sup>

Shortly before this in 88, Quintilian had begun writing the *Institutio Oratoria*, the work in which he discussed the genre of satire and makes his well-known pronouncement. Sihler says that the work "is both a farewell to a profession as well as a survey of the same."<sup>67</sup> The publication for *Institutio Oratoria* was perhaps in 94, but certainly by 95 CE; Quintilian "would not have written the ultra-devotional passages referring to Domitian *after* September 18, 96."<sup>68</sup>

With this, we have before us a basic outline of the author, his life, and his major extant work.<sup>69</sup> Our attention now turns to his discussion of satire at *Institutio Oratoria* 10.1.93-95:

(93)... *Satura quidem tota nostra est, in qua primus insignem laudem adeptus Lucilius quosdam ita deditos sibi adhuc habet amatores ut eum non eiusdem modo operis auctoribus sed omnibus poetis praeferre non dubitent. (94) Ego quantum ab illis, tantum ab Horatio dissentio, qui Lucilium "fluere lutulentum" et esse aliquid quod tollere possis putat. Nam et eruditio in eo mira et libertas atque*

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<sup>64</sup> Sihler (1920), 207

<sup>65</sup> Kennedy (1969), 19 and "Chronology," ix.

<sup>66</sup> *Ibid.*, 24.

<sup>67</sup> Sihler (1920), 207-208.

<sup>68</sup> Kennedy (1969), 26-28; Sihler (1920), 208.

<sup>69</sup> His other known work, *De Causis Corruptae Eloquentiae* is now lost to us; cf. Barnes (1986), 235: this work "seems, on the available evidence, to have been less a conventional lament over literary decline than a practical guide to avoiding corrupt eloquence, that is, a manual for speaking well."

*inde acerbitas et abunde salis. Multum est tersior ac purus magis Horatius et, nisi labor eius amore, praecipuus. Multum et verae gloriae quamvis uno libro Persius meruit. sunt clari hodieque et qui olim nominabuntur. (95) Alterum illud etiam prius saturae genus, sed non sola carminum varietate mixtum condidit Terentius Varro, vir Romanorum eruditissimus.*

(93)... Satire indeed is wholly ours, in which Lucilius was first to obtain notable praise; he has lovers (devotees) who are so given over to him still that they do not hesitate to prefer him not only to authors of this same genre, but to all poets. (94) I differ from them as much from Horace, who thinks that Lucilius “has a muddy flow” and that there is something that you could remove. For his learning is remarkable and his freedom and from there comes his severity and abundance of wit. Horace is by far more terse and more pure and, unless I slip because of my love for him, he is the best. Persius merited much true fame although he only wrote one book. There are some who are famous today and they will be named in the future. (95) There is also that other older genre of satire, but Terentius Varro, the most educated of Romans, composed it mixed not only with a variety of poems [but also prose; that is to say, Menippean satire].

Quintilian’s Latin is fairly direct. The grammar and syntax are not complex. His style aims for clarity; this is, after all, a manual for the teaching of oratory and rhetoric; the instruction must be comprehensible.

It should cause some surprise, then, that a statement as clear-cut as *satura quidem tota nostra est* has caused so much debate. The first impression the text gives is that Quintilian – and by extension, Romans – saw satire as a genre that was completely their own, a Roman original. It is here we begin the work of deciphering the *satura* claim and its implications.

G.L. Hendrickson begins his 1927 article, “Satura Tota Nostra Est,” arguing that “satire” has broader applications, especially as a mode or tone in literature. He aptly points out that the bulk of satirical material is Greek, not Roman, though it is the Roman sources which have left the greatest impact. He then moves on to a discussion of Quintilian’s claim that *satura quidem tota nostra est*:

We cannot here resort to the easiest resolution of the paradox by simply declaring the statement untrue, and inspired either by patriotic pride or limited vision. Quintilian was above all things conscientious and honest: he sometimes, as in

comedy, depreciates Roman literature unduly, and certainly he was well enough read in Greek to recognize its satire, as in fact he does in commenting on Attic comedy. His statement therefore presents a problem to investigate, for on the face of it, as naturally understood and ordinarily translated, it is very obvious that satire is by no means wholly Roman...

What then does he mean, and do we translate him correctly when we render "Satire is wholly ours"? Apparently, yes; but we create a dilemma like this: either Quintilian did not know Greek satire, or he did not speak the truth; and neither of these alternatives is acceptable.<sup>70</sup>

For Hendrickson, the solution is found by disentangling *satire* and *satura* and understanding how the latter was used in antiquity; *satura* did not become stable in meaning until the Flavian period and it still had not accrued any meaning outside of the conception of the genre.<sup>71</sup> Hendrickson finally concludes that when Quintilian writes *satura tota nostra est*:

...he means that the special type of literature created by Lucilius, dominated by a certain spirit, clothed in a certain metrical form, fixed by the usage of a series of canonical writers, and finally designated by a name specifically Latin, is Roman and not Greek. And in this sense the correctness of his statement requires no qualification. His words do not in the least mean that he denies "satire," as we use the word, to Aristophanes for example. He recognizes it of course, but he could not yet think of applying to his manner or spirit the name of "satire." He has in fine no consciousness of saying what we understand by such a translation (though it is apparently verbatim) as "satire is wholly ours." The confusion of our rendering lies in the fact that we do not in consciousness differentiate between the word as a *verbum proprium*, concrete and specific, and the same word inflated by metaphorical shift to embrace a multitude of ideas which are related to the Roman meaning only by likeness.<sup>72</sup>

With this article, Hendrickson underlines how to understand Quintilian via an understanding of the Latin of Quintilian apart from the wider use of satire outside of classical Latin literature. His argument is cogent and tidy and solves the paradox of Quintilian's claim; he fails, however, to refute Rennie or question why Quintilian would write this.

The job of refuting Rennie fell then to C.A. van Rooy. His 1955 article, "Quintilian X 1,93 Once More," opposes Rennie's 1922 article by demonstrating that Quintilian meant the

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<sup>70</sup> Hendrickson (Jan. 1927), "Satura Tota Nostra Est," 47, 56.

<sup>71</sup> Ibid., 57-58.

<sup>72</sup> Ibid., 58-59.

genre of satire when he uses the word *satura*. Therefore, Rennie's stance that Quintilian means the Romans are superior in satire cannot stand because Rennie's point is not what is meant when Quintilian discusses genres of literature throughout book ten of *Institutio Oratoria*.

van Rooy goes on to offer a translation in the spirit of Rennie's argument – "(the genre) satire, on the other hand, is wholly our own, but entirely in our favour (on our side)" – only to undercut Rennie's arguments even more and show his interpretation to be implausible, since the Romans need not compete in a field in which they have no competitors.<sup>73</sup>

van Rooy breaks down the structure of Quintilian as he goes through the genres, asserting that the placement of *satura* away from lyric poetry and Old Comedy demonstrates a break with the tradition in which Romans all agreed upon the influences of these genres upon satire while also creating an independent genre of satire unparalleled in Greek literature.<sup>74</sup>

His attention then turns to the delineating of a *proprium opus* in Rome that defines satire as satire; Quintilian's listing of writers of satire, without any Greek equivalents, is the final proof for van Rooy that Quintilian had no conception of Greek satirical writings. He completes his argument for Roman satire's originality by preferring the translation, "satire is a wholly Roman achievement" – a finished product as a *proprium opus*.<sup>75</sup>

While van Rooy closes the door on the idea that Quintilian is claiming Roman superiority in satire and strengthens the originality argument, gaps begin to emerge in the scholarly debate. In particular, van Rooy fails to acknowledge the continuing evolution of *satura* as Quintilian was writing. In doing so, he misses what Quintilian explicitly states at the end of 10.1.94: *sunt clari*

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<sup>73</sup> van Rooy (1955), "Quintilian X 1, 93 Once More," 307.

<sup>74</sup> *Ibid.*, 308. Curiously, it escapes van Rooy's attention that Menippus of Gadara, a Greek of the 3<sup>rd</sup> century BC, wrote his – tragically lost – Menippean satires that were the model for Varro's Menippean satires. This hole goes unexplained by van Rooy.

<sup>75</sup> This "achievement" is not the same as Rennie's "achievement." For Rennie, the achievement is a contest; for van Rooy, the achievement is of an original, fixed form.

*hodieque et qui olim nominabuntur*. The genre of satire evolves with each satirist and van Rooy's claim of a "finished product" is impossible. van Rooy also breaks incorrectly with Rennie and Hendrickson by arguing against Greek *satirical* writings. He misses the implied reference to Menippus' *prius saturae genus* that Quintilian clearly construes as "an older kind of *satura*."

After van Rooy, Niall Rudd's 1960 article, "Horace on the Origins of *Satura*" accepts Hendrickson's conclusion on Quintilian and van Rooy is mentioned as a further reference in a note.<sup>76</sup> The first chapter of J. Wight Duff's book *Roman Satire: Its Outlook on Social Life* acknowledges that Roman *satura* and its Greek precedents are intertwined inextricably and there is no reason to try and disentangle them. He notes the universality of "the spirit of satire" while still firmly stating that Quintilian's claim is for the invention of the genre; "the Greeks never developed this separate form of literature" thus making it *tota Romana*.<sup>77</sup>

Rudd, Duff, and Charles Witke in 1970, make room for Horace's remark on the origin of *satura*, as well; Horace claims Lucilius hangs entirely (*omnis pendet*) on Greek Old Comedy.<sup>78</sup> Rudd (as previously noted) and Duff (implicitly) both come down on the side of Hendrickson for the interpretation of Quintilian as a Roman invention (in the sense of "special type of literature created by Lucilius, dominated by a certain spirit, clothed in a certain metrical form, fixed by the usage of a series of canonical writers, and finally designated by a name specifically Latin"). Witke diplomatically gives both interpretations – originality and Roman superiority in the face of no comparable Greek competition.

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<sup>76</sup> Rudd (Spring 1960), "Horace on the Origins of *Satura*," 44.

<sup>77</sup> Duff (1964), 20-21. I shall again remark that Duff's universal "spirit of satire" further refutes van Rooy's claim for an absence of the concept of Greek *satirical* writings for Quintilian. This is simply not the case, as it is the name and (more) fixed form of Roman satire that is wholly Roman, not the entire concept of the *satiric* in Greek authors.

<sup>78</sup> Rudd (1960), 36; Duff (1964), 20; Witke (1970) *Latin Satire: The Structure of Persuasion*, 20; Horace, *Serm.* I.4.1-9.

Ulrich Knoche asserts:

Quintilian with complete confidence claims verse satire as a unique creation of the Romans, and he specifically excludes the Greeks: *satura... tota nostra est* ("Satire... is totally ours.") are the words he uses, with just the same comprehension of genre which Horace had so clearly expressed much earlier.<sup>79</sup>

Knoche's work, at the time considered the "most valuable general study of Roman satire that we have," codifies the position of Quintilian's claim; that is, satire is an original Roman creation.<sup>80</sup> It is Knoche's "complete confidence" that allows him to support Quintilian's own confidence; he highlights this confidence by underlining the fact that Quintilian knew Horace and was thereby able to judge the genre appropriately since he had full knowledge of the Greek satirical precedents as Horace did.

In 1992, we have two works that mention Quintilian's claim. First, Amy Richlin's *Garden of Priapus* succinctly states that "Romans believe satire as a genre to be quintessentially Roman."<sup>81</sup> Second, Susan Braund's *Roman Verse Satire* again takes the diplomatic route and mentions both the originality and superiority interpretations; however, she does conclude with a firm backing of the originality claim:

In assessing these interpretations, it is crucial to bear in mind the context of Quintilian's comments. In this part of his *Institutio Oratoria* he is prescribing the ideal components of the school syllabus, with a view to selecting the very best elements of Greek and Latin literature for a Roman school-child to read and study. He divides up the material into Greek authors and Roman authors and proceeds through a genre-by-genre evaluation of the relative merits of different authors. When he reaches satire, he mentions no Greek original of Roman verse satire, nor are we aware of the existence of any such. Of course, there are satirical passages in Greek authors writing in other genres, but there was no Greek satire in the form used by Lucilius, Horace, and Persius. Thus it seems that the first interpretation of Quintilian's statement is correct: Quintilian is indeed claiming originality... for the Romans in the genre of Roman satire.<sup>82</sup>

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<sup>79</sup> Knoche (1975), 4.

<sup>80</sup> Ibid., "Translator's Preface," vii.

<sup>81</sup> Richlin (1992), 64.

<sup>82</sup> Braund (1992), *Roman Verse Satire*, 8-9.

Braund's careful diction here also corrects the problems of van Rooy from before. She is specific in her mention of no Greek original for Roman *verse* satire. This separates out the Menippean variety of satire and makes it clear that *satura*, in and of itself and not the *prius saturae genus*, is the codified hexameter form penned first by Lucilius. In doing so, she aligns her argument with Hendrickson, adding to the strength of the originality claim because in this more narrow, specific sense, Lucilius did originate Roman satire.<sup>83</sup>

Scholarship of the last decade has continued in its support of the originality claim, though it has also added the new angle of performativity. An odd, but pointed reference to Quintilian occurs in Robert Ketterer's 2003 article, "Why Early Opera is Roman and not Greek." A note on page two states that "[the] claim is an overstatement, as there were of course Greek precedents... But tradition regarded the Roman Lucilius as inventor of the genre."<sup>84</sup> Ketterer's pronouncement preserves Lucilian originality while again reminding us that the *satirical*, although not fully developed lexically or in literature, was still present among the Greeks.

For two other scholars, Kirk Freudenburg and Catherine Keane, satire is totally Roman as a result of its performance context. The genre is not transferred from Greek to Latin. Lucilian satire is not merely meant to be critical, but is a performance of male Roman identity.<sup>85</sup> The performance of satire distinguishes what is Roman from what is not. Every component of satire is thoroughly Roman – author, setting, style, motivations, and concerns – so the performance of

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<sup>83</sup> It is important to remember though that Lucilius did not always write in hexameters and that Ennius wrote satires, as well.

<sup>84</sup> Ketterer (March 2003), "Why Early Opera is Roman and not Greek," 1-14. I should also like to point out here the dual meaning of the word *inventor* as we should understand it, most likely, in the context of Lucilius as the inventor of Roman satire. *Invenio* from which the agent noun *inventor* is derived means both "to come upon, find" and "to invent, devise." A consideration of Lucilius as *inventor* should then keep in mind both meanings – he is the one who devised the name, form, and tone of Roman satire, but he is also a writer who merely came upon satire (or perhaps better put, *satirical* writings).

<sup>85</sup> *Ibid.*, 5.

the genre is likewise completely Roman.<sup>86</sup>

In this brief survey we have examined what Quintilian says and how he says this in his claim that *satira quidem tota nostra est*. In sum, what Quintilian means in 10.1.93 of the *Institutio Oratoria* is indeed that satire is an original Roman creation; he does not mean that Romans are superior as there was no Greek equivalent. Rightly, there is no denial of Greek *satirical* precedents; the form of *satira* known and practiced by the Romans was their own invention. *Satura* is also totally Roman because its subject matter was Rome and its writer Roman. This additional point was perhaps presaged by W. Peterson in his 1903 edition of book ten of the *Institutio Oratoria*. In his commentary on *tota nostra* Peterson states that “[the] claim made by Quintilian springs from the consciousness that satire was pre-eminently the national organ of public opinion at Rome.”<sup>87</sup> Satire has a reflexive nature and the satirists play both the role of observer of society and culture and are simultaneously inextricable from that same society and culture; this makes the satire of Rome wholly Roman.

Yet, this is as far as any previous scholarship on Quintilian’s *satira* claim has gone. Scholars have worked out the meaning of *Institutio Oratoria* 10.1.93-95 over the last century and a carefully defined scope of and consensus about Roman originality has emerged. Thanks to Hendrickson, we have also become more aware of the lexical problems of satire versus *satira* and these words must be used judiciously so as to avoid anachronism and confusion. And still, it

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<sup>86</sup> Cf. Keane (2006), *Figuring Genre in Roman Satire*, 140-141. I would also like to take stock here of interesting points made by Hendrickson and Freudenburg who both translate the *quidem* of the claim differently than the more common “indeed.” Although he does not use it in his title, Hendrickson translates the *quidem* in the claim as “however” on page 47. Freudenburg on page 2 translates it as “at least/if nothing else.” What both these variant translations offer is an adversative tint to the passage. These nuances color the Latin to show how *satira* has a different, unique place among Quintilian’s list of genres. The *quidem*, so often left out when examining the claim, is a particle then that strengthens the originality claim because it causes *satira* to stand apart from the rest of the genres; it is marked out to be a distinctly Roman venue.

<sup>87</sup> Peterson (1903), *Quintiliani Institutionis Oratoriae Liber X*, 61.

remains to be asked: *why* did Quintilian write this?

Quintilian's lifetime was filled with political and civil commotion the likes of which had not been seen since the reign of Augustus: Nero's tyrannical rule and demise, the Year of the Four Emperors, the beginning of the Flavian dynasty (with the balance of power shifting from the senate to the military), and the end of the Flavians with the harsh, autocratic reign of Domitian. Through all this, Quintilian not only survived, he thrived. He came to Rome with Galba in 68 AD and rose to the rank of state professor; he came out the other side of the bloody year of 69 CE seemingly unscathed and just two years later received a salary of one hundred thousand sesterces.<sup>88</sup>

If Martial had received such a 'patronage,' his capacity for historical accuracy would be even more doubted than it is has been already, as in R.P. Saller's article, "Martial on Patronage and Literature."<sup>89</sup> Writers were an integral part of controlling public opinion and although Vespasian was "not especially interested in the arts... he was interested in education as a means of creating an intelligent and responsible ruling class, and Quintilian would have appealed to him."<sup>90</sup> It should not be any less doubted, then, that some of Quintilian's opinions and writings were bought.

Therefore, Quintilian must then be understood as a part of the larger campaign of Flavian propaganda that necessarily coincided with the accession of Vespasian.<sup>91</sup>

This propaganda was necessitated by the circumstances of the day: Vespasian and his sons came from "peasant stock," they were not of the Julio-Claudians, they had no pedigree; Vespasian's claim to the principate in the reactionary post-Neronian period, and the positioning

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<sup>88</sup> Suetonius, *The Life of Vespasian* 18.

<sup>89</sup> Saller (1983), "Martial on Patronage and Literature," 246-257.

<sup>90</sup> Kennedy (1969), 19.

<sup>91</sup> Cf. Charlesworth (1937), "Flaviana," 54-62; Ferrill (1965), "Otho, Vitellius, and the Propaganda of Vespasian," 267-269.

of his sons as rightful successors like the Julio-Claudian emperors, had to be solidified.<sup>92</sup>

Understanding Quintilian as propaganda should thus shift our perception of the author. He may be plain-spoken and straightforward, but he is writing this text under the reign of Domitian, and Quintilian extolled the *iudicia coelestia* of the *sanctissimus censor* – for “it was simply impossible to refer to the last of the Flavians at all, in any publication, in any other way.”<sup>93</sup> If Quintilian was anything, he was “ultra-devotional” to his patron; he does not appear to have been conflicted about being a mouthpiece for the emperor.<sup>94</sup>

Now, our question now has a more specific aim: what propaganda is contained in Quintilian’s *satura* claim and what purpose did it serve?

That the claim ‘satire indeed is wholly ours’ has a definite suggestion of patriotism is obvious. Even if other genres were imported to Rome from Greece, the Romans had originated satire – as we have seen, there should not be any doubt that this is what Quintilian meant. The invention of the genre of satire afforded Romans the opportunity to criticize themselves, especially in the political realm. This is the particular spirit with which Lucilius endowed Roman satire during the Republic.<sup>95</sup> Through Lucilius, the genre utilized the *libertas* inherent to free, male Roman citizens and then took aim at some of the day’s most prominent men. And yet, this tolerance for mockery of the highest officials of the Roman Republic did not (and could not) persist in the genre.

In the introduction to his translation of Horace and Persius’ satires, Rudd notes that

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<sup>92</sup> Charlesworth (1937), 54-56.

<sup>93</sup> Sihler (1920), 208.

<sup>94</sup> *Ibid.*, 207-208; cf. Ferrill (1965). Also cf. Bartsch (1994), 133: “Appointed to his chair of rhetoric by the emperor Vespasian, Quintilian continued to draw an imperial salary at his post under Vespasian’s son Domitian, whose adopted sons he tutored and to whom he directed flattering words at *Inst.* 4.praef.2-5 and 10.1.91-92.” Such praise of Domitian so closely placed to the *satura* claim should indeed make us reexamine the later claim and question Quintilian’s motives.

<sup>95</sup> Cf. Raschke (1987), “‘Arma pro amico’: Lucilian Satire at the Crisis of the Roman Republic,” 299-318 for a discussion of the function and targets of Lucilian satire.

“Horace was not primarily concerned to attack contemporary individuals. Those whom he did attack were seldom people of any importance in society.”<sup>96</sup> Differences in personal backgrounds aside, this is a marked change from Lucilius. Horace does not attack those in power, as Lucilius did before him. Horace’s lifetime saw the political upheaval that resulted in the end of the Republic and the beginning of the principate with Augustus as the first emperor – the shift in power and Rome’s political structure accounts, to a large extent, for how Horace alters the genre of satire. When an individual supersedes and holds sway over the whole of the state, individualized attacks become politically dangerous because they can be interpreted to be veiled jabs at the head of Roman politics and society.<sup>97</sup>

At an historical moment so politically charged and with such a radical shift of power, we may think it only natural for the Lucilian brand of satire to criticize the most powerful men – it makes for good political commentary; Horatian satire at the dawn of the Empire, however, does not attempt such personal attacks – the *libertas* of Lucilius, just like his genre, has also been altered. In effect, a freedom to criticize is preserved with the condition that those who are criticized are not prominent men of Rome, least of all the emperor. Consequently, “satire is subjected to repression” in moments of conflict and crisis – and the principate is a conflict that does not disappear for Roman satirist.<sup>98</sup> It is to this end that the Flavian propaganda of

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<sup>96</sup> Rudd (1981), *Horace, Satires and Epistles; Persius, Satires*, “Introduction,” 17.

<sup>97</sup> Satire is always going to be dangerous because it is meant, at least in part, to attack. And even beyond satire, we have seen that Maternus’ dramas show that the production of poetry under the principate is an occupation fraught with hazard and the continual threat of offending those in power. Cf. Bartsch (1994), 102: “...this practice is unambiguously political, anti-imperial, and dangerous to the author.”

<sup>98</sup> Jones (2009), 27. Also, on 40-41, Jones remarks that there was a “pronounced cultural shock” as a result of Rome’s sociopolitical transformation and that this was “accompanied by an anxious awareness among the higher and aspiring classes of both their vanishing *libertas* (freedom) and Octavian’s growing *auctoritas* (power).” He continues and adds, “Instead of a response to the emperor’s urbanity, Horace’s generic geniality and propriety, Dryden argues, were just as likely a response to Augustus’s unnerving consolidation of power and, more specifically, to his censorious edict against lampoons and satires (the *famosos libellis* or ‘defamatory little books’) whose authors cannot be identified... In short, Dryden

Quintilian's *satura* claim directs itself.

Claiming that 'satire indeed is wholly ours' is simply the first patriotic step of the *satura* claim. Any praise of Lucilius is mere lip service that is meant to mark out that satirist as a relic of the past; Horace has superseded him. And once Lucilian satire is overruled by Horatian satire, of which Quintilian freely admits his love (*nisi labor eius amore*), he names Horace the best satirist (*praecipuus*). By extension, Quintilian could be advocating a brand of satire that gives the emperor immunity and indemnity.<sup>99</sup>

Horace himself comically defends his brand of satire after refusing to write about the *Caesaris invicti res* (II.1.11: "the deeds of unconquered/unconquerable Augustus"). This satire is an imaginary dialogue between the satirist and Trebatius Testa, "a famous lawyer of Cicero's time, whose legal advice on the subject of satiric writing Horace is professedly anxious to secure."<sup>100</sup> The satirist says he is armed only for defense, not offense, and will not give up writing (II.1.39-41; 59). After his interlocutor warns him of the possibility of being left in the cold by his friends (II.1.60-62) and reminds him of the law forbidding *mala carmina* (in a reference to the Twelve Tables), Horace makes a pun and asks what will happen if he writes *bona carmina*; to this, Trebatius responds that the case will be dismissed with laughter.<sup>101</sup> This satire serves as a commentary on the "very real restriction upon the freedom of speech traditional in satire"; and the *mala/bona* pun at the close of the poem conveys a "serious anxiety" about "the

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imagines that Horace's gentle comedic satires may have been born out of fearful necessity rather than personal style or cultural urbanity." (On why Dryden makes for a good critic of Roman satire, cf. 39-40.)

<sup>99</sup> We may even detect in Quintilian's diction a nod toward the *princeps* when he names Horace *praecipuus*; the two words at their root share similar meanings. The *princeps* is 'taken first,' the *praecipuus* is 'taken before others': both privilege an individual over the whole. Likewise, the Flavians – especially Domitian – are given the same privileged spot that Horace gave to Augustus, who was now deified and worshipped, just as Domitian was promoting his own cult while alive.

<sup>100</sup> Fairclough (1978), *Horace: Satires, Epistles, and Ars Poetica*, 124.

<sup>101</sup> The pun on *mala* concerns *libelous* poems and poems of *bad quality*. The dismissal of a case by laughter is also a reference to Aristophanes' *Wasps*, line 1251ff.

legal conditions under which satire could be produced in the Augustan age.”<sup>102</sup> This satire makes clear that it is imperative not to offend or criticize the emperor.

Quintilian’s *satura* claim should be reevaluated with the understanding that, at least to some extent, the patronage and favor that Quintilian receives from emperors compromise his text and its assumed authority. Just as his appraisal of Horace sets that satirist apart as *praecipuus*, Quintilian is himself *praecipuus*: he is taken before all the other authors of his time by an individual who is himself *princeps*. Separate and uninvolved in the same sort of time-warp games and concerns that preoccupy other authors in the late first and early second century CE, Quintilian offers a different angle from which we can view the issue of *libertas*.

In this reading of Quintilian’s *satura* claim, Horace is held up as the better model for satire – a genre that should possess some degree of *libertas* – because his brand of satire has privileged the emperor as above criticism; therefore, true Republican *libertas* does not and cannot have a place in Horatian satire. Domitian, who fancied himself as a new Augustus, no doubt needed to restrict public criticism of himself as he faced growing opposition to his rule in his final years, perhaps not coincidentally the same years Quintilian was writing and publishing the *Institutio Oratoria*. It should come as no surprise to us that the preference for toothless, apolitical satire comparable to Horace was a very pointed bit of propaganda on Quintilian’s and, by extension, Domitian’s part: a freedom to criticize was nominally retained – though heavily restricted – just as Augustus had nominally retained the Republic although he held the reins of power as emperor.<sup>103</sup>

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<sup>102</sup> Fiske (1920), *Lucilius and Horace: A Study in the Classical Theory of Imitation*, 370.

<sup>103</sup> Cf. Jones (2009), 43: “Horace files down Lucilius’s satiric teeth by suggesting, on more than occasion, that Lucilian liberty of speech strays beyond acceptable cultural boundaries. While his distaste for Lucilius is admittedly in harmony with Octavian’s program of moral restraint, in his *Epistle to Augustus* Horace extends his distaste for Lucilian poetic excess to satire in general, which was ‘rightfully’ subjected

The propaganda of Quintilian is perhaps a shrewd card played by Domitian to appease his critics in an attempt to obviate any negative opinions directed towards the principate via satire, that *tota Romana* genre whose original, Lucilian, and Republican *libertas* could speak the uncomfortable truths about contemporary Roman society.

The original *libertas* of satire had fallen out of favor, a consequence precipitated by the changed political structure of Rome. Furthermore, Quintilian must be somewhat suspect given his extraordinary status under the Flavian emperors. And, if this suspicion is followed to its logical end, then a grim depiction of *libertas* emerges: this fundamental right not only of the satirist, but also of the free male Roman citizen has basically become extinct. *Libertas* threatens the individual and that capability is entirely untenable in the face of the expanding power of the principate. Satire is threatening when an individual *is* the state.<sup>104</sup>

Whereas Tacitus, like Juvenal, is concerned by the demise of *libertas*, Quintilian is subtly spreading imperial propaganda. Whether he meant to protect his job, the emperor, or even actually agreed with what he wrote, the subtext of the *satura* claim is discernible.

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Through these authors – Paul, Tacitus, and Quintilian – we have the ability to reconsider two major issues that authors of the first and second centuries CE confronted. Nostalgia for a

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to legal restraint for the benefit of society after threatening the *honestas domos* (the nobile families), with its destructive “bloody tooth” (*cruento dente: Ep. II.1.139-155*).”

<sup>104</sup> Cf. Jones (2009), 44-45 on Horace, *Sat. II.1.18-20*: a ‘floppy’ Horace writes with a ‘floppy’ *stilus* “in order to protect both himself and his vulnerable nation.” Horace’s impotence here serves as a marker of his loss of masculinity and his loss of *libertas*. “In the end, the satirist and the jurist, the artist and the watchdog of culture, agree on stability rather than iconoclasm, encapsulated by the famous punning revision of satire from poorly written, illegal, immoral, and destabilizing *mala carmina* to *bona carmina*, that is, well-written, socially beneficial didactic satire that will please Caesar and harmonize with the satirist’s own agenda for social stability (Horace, *Sat. 2.1.82-4*).” Cf. Wirzubski (1950), 132-133: “The moment, however, an imperial decree, edict, or instruction acquired the force of a *lex*, the Roman People was exposed to domination. It is true that the Princeps was not yet exempted from all laws; on the other hand, there were no effective means of coercing him to obey the laws. But a power which is *de facto* above the law is a grave menace to freedom; and the menace was all the graver for the technical legitimacy of that power.”

long-gone golden age was not a novel concept for the Romans, but such retrospective desire for what-once-was reveals the decline that a civilization may see in itself. Juvenal sorely misses the great men and good morals of a distant yesteryear, and Paul helps us to confirm that Juvenal's criticisms are not so far-fetched or unwarranted. The backwards gaze of Tacitus and other Trajanic authors lays bare the trauma of the previous generation. While they do not exhibit any nostalgic feelings or desire to return to the recent past, we can observe through Tacitus, Quintilian, and Juvenal that, in the late first and early second centuries CE, a greater issue at stake was the loss of *libertas*, the freedom of speech that existed in the more distant past – a past that existed before the Republic became the Empire, and a past that valued the good of the whole over the penchants and predilections of an individual. With the individual as the representative of the Roman state, criticism of this individual, as well as criticism that could be extended from him to other high ranking officials or vice versa, imposed upon *libertas* and demanded that it be curtailed. Juvenal's program takes Rome's current conditions, immorality, and satiric *libertas* seriously.<sup>105</sup> It is with all this in mind that we may explore Juvenal and his *Satires* from a new perspective.

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<sup>105</sup> Cf. Knoche (1975), 151: "...Juvenal's poetry represents the epitome of serious satire.... Since he pillories social conditions more than individual men, Juvenal always begins from the concrete."

### **Chapter 3: Juvenal and the Boundaries of *Libertas***

*“A state which suppresses free expression of opinion and which subjects to terrible punishment - yes, any and all - morally justified criticism and all proposals for improvement by characterizing them as ‘Preparation for High Treason’ breaks an unwritten law, a law which has always lived in the sound instincts of the people and which must always remain.”*

- Kurt Huber

Professor Kurt Huber vehemently opposed Adolf Hitler and the Third Reich. Through his students, he came into contact with and joined the resistance group known as the White Rose (*die Weiße Rose*). As a result of his work with this group, including the writing of their last leaflet, Huber was arrested and stripped of all his titles and degrees. The cursory trial that followed was only for show. On April 19, 1943, Huber gave a final, impassioned speech before the People’s Court in Nazi Germany. At the end of the sham trial, the Chief Justice of the Court, Roland Freisler, sentenced Huber to death and he was executed by guillotine on July 13, 1943.<sup>1</sup> The quote at the beginning of this chapter is from that final speech and stands here as an enduring reminder of a freedom that has translated through the centuries in Western civilization: *freie Meinungsäußerung, libertas*, freedom of speech.



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<sup>1</sup> English quote and information from: Scholl (1983), *The White Rose: Munich 1942-1943*, trans. Schultz, 63. The original German quote from the original 1952 edition of *Die Weiße Rose* is as follows (92): “*Ein Staat, der jegliche freie Meinungsäußerung unterbindet und jede, aber auch jede sittlich berechtigte Kritik, der jeden Verbesserungsvorschlag als ‚Vorbereitung zum Hochverrat‘ unter die furchtbarsten Strafen stellt, bricht ein ungeschriebenes Recht, das im gesunden Volksempfinden noch immer lebendig war und lebendig bleiben muß.*”

## ***Libertas* and Satire**

*“The right to speak out is also the duty to the speak out.”*

– *Vladimir Posner*

Examinations of *libertas* are central to the study of the genre of satire. And, as the distance between Lucilius and his successors increases, some attention must always be paid to the contemporary state of *libertas*: the crucible in which satire was born and then reborn through Horace, Persius, and Juvenal was never and could never be the same. A satirist writes satire always from a unique perspective with specific targets in mind. As Rome evolved, satire must also have had to evolve to fit the conditions of that period – socially, politically, culturally, or otherwise.

In this way, satirists, satire (including the production of satire), and *libertas* can all be understood to belong to the broader field of intellectual history. And with this in mind, later on, concepts of freedom – via Isaiah Berlin – and their purpose in Juvenal’s text will emerge as a new way of looking at the satirist and his work. But first, it is necessary to examine the larger scope of *libertas*: its meaning and its place in relation to Roman identity, satire, the satirists, and *licentia*. With that context, the extent to which *libertas* is employed by Juvenal can come into focus. And to pick up this thread, we will return to the subject of excess, which, as a tool of *libertas*, Juvenal uses to (over)indulge his satire and in turn, to question and push the boundaries of *libertas*.

By focusing on *libertas* I am aiming for the heart of Juvenalian satire: the conditions of its production, its motivations, and its purposes. Rather than concentrate specifically on other themes, techniques, or satiric *personae* (and the problems inherent to persona theory), my goal is to explore *libertas* as a sine qua non of satire, and because of this essentiality, to understand how

Juvenal, lacking but striving for Lucilian *libertas*, both is able to produce his own and what this production says about his milieu. In doing this, we can find within Juvenal a consistent and unifying issue for his corpus, and at that, an issue which has significant and far-reaching consequences for the identity of free, elite Roman males in imperial Rome's sociopolitical landscape.

*Libertas* is not a concept that has only one definition. In fact, its two primary definitions are inextricably intertwined: *libertas* represents both freedom – a social and political status that defines the elite Roman male citizen – and freedom of speech. Freudenburg highlights this equivalence and refines the understanding of these concepts as such:

...the same word covers for the Romans what are for us two distinct (though intersecting) semantic territories, and there is no *Oxford Latin Dictionary* at hand to tell them to keep “freedom” in column 1 at a clear distance from “free speech” in column 7... Put differently, “freedom” for the elite Roman male (the only ones who ever really had it in full) is not something he merely “possesses,” it is something that he “does.” It exists in performance, that is, in the day-to-day events, situations, and rituals that generally were thought to mark a man as “free.” Public invective, as an exercise in “freedom” / “free speech,” ranks among the most important of these status-generating/status-demonstrating rituals. Not only does it define its target as a deviant, but, more importantly, it identifies the speaker as someone with the requisite *auctoritas* to criticize and degrade another free, noble citizen. He is himself a free, self-standing subject, with full access to the ritual that defines him as such, and full freedom to use the aggressive voice that it gives him against one of his peers.<sup>2</sup>

This astute insight into the concept of *libertas* from Freudenburg is a good reminder that our clinical and far-removed dissections of Latin literature and language are, at least at times, too incisive. Whereas we may be able to see a firm distinction between the ideas of freedom and free speech, there did not exist such a firm division for Romans. *Libertas* denoted a status and a concomitant action: to be free was also to (be able to) speak freely and to speak freely was a requirement of being free. To have true *libertas* then is both to be and to do as a Roman male

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<sup>2</sup> Freudenburg (2001), 3; 49.

ought. Rightly understood, *libertas* does not distinguish or separate out the status from the action.

The right to *libertas* – at least in its purest form – was restricted to the elite Roman male. Some degree of *libertas* did belong to the lower classes, but it always came with the risk of retribution.<sup>3</sup> Nevertheless, the right was an ancient and acknowledged right that had firm roots planted by the time of the Republic. Furthermore, it is during the Republic that *libertas* specifically flourished because of the nature of the social and political system. While the right “always existed in a realm constrained by law and political alliance,” the “essence of republican *libertas*” could be found in the constant struggle for political power and social prestige that defined the structure of Rome and its leading men.<sup>4</sup>

And it is within such a reality that *libertas* existed; it is a right that is present on a daily basis, a normal part of the social code. With *libertas*, the elite Roman male is able to identify himself as such because his status is defined and distinguished by this “authoritative exercise of autonomy.”<sup>5</sup> This autonomy was, by necessity, a key feature of Republican politics and society because elite males constantly had to jockey for position and hence, a right to speak freely would be a means of setting themselves apart from their peers. Such differentiation gave Roman men a way to identify themselves as individuals within the context of the larger structures of the state and within the confines of broader standards of society and culture. Thus, identity could be individualized, but at the same time, this type of individual identity did not threaten or supplant the overarching identities contained within Roman politics and culture.

At least during the Republic, elite Roman men would also not shrink from utilizing the power inherent in *libertas* because the right to make verbal attacks directed toward social peers

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<sup>3</sup> Miller (2005a), 11.

<sup>4</sup> Ibid., 11-12.

<sup>5</sup> Habinek (2005), “Satire as Aristocratic Play,” 178-179.

was, as we have seen, the embodiment of Republican society and politics. In this, *libertas* is accordingly understood as “the ability to speak freely without fear of undue reprisals.”<sup>6</sup> And *libertas* must exist in a system without unwarranted revenge in order to function correctly because it is a “tool of social discipline” – and this tool is given form specifically in the genre of satire.<sup>7</sup>

Of course, *libertas* should not be misunderstood as *carte blanche* to criticize and to defame. According to Pliny the Elder, laws against defamation were on the books from the time of the Twelve Tables; and until Sulla’s revisions, a defamation conviction was punishable by death.<sup>8</sup> Later, during the Julio-Claudian period and early principate, *libertas* became heavily suppressed and charges of *maiestas* and literary treason became common. Writings that were deemed offensive were burned; their authors were fined, exiled, or even died as punishment for their works.<sup>9</sup> *Libertas*, by no means, came with any sort of guarantee of impunity. Although a right to *libertas* existed as a fundamental part of the elite Roman male’s identity (and as the fundamental characteristic of the genre of satire), that right did have some original limitations to it; and later, those limitations were transformed into crimes against the state, that is to say, crimes against the emperor himself. When the individual (that is, the emperor) became greater than the sum of Roman society’s parts (that is, elite, male Roman citizens), *libertas* – at least, in its most pure form – could no longer exist within that whole sum. The right to *libertas* existed in

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<sup>6</sup> Connors (2005), “Epic Allusion in Roman Satire,” 129.

<sup>7</sup> Miller (2005a), 12.

<sup>8</sup> Ibid., 11. Pliny Maior, *Historia Naturalis* 28.4.17-18: *non et legum ipsarum in duodecim tabulis verba sunt: qui fruges excantassit, alibi: qui malum carmen incantassit?*

<sup>9</sup> McHugh (2004), “Historiography and Freedom of Speech,” 391; 406-407. In her appendix on these final two pages, McHugh provides a wonderful table that outlines crimes that show a suppression of free speech in the Julio-Claudian period; the table includes the defendants, dates, offenses, punishments, and sources. Notable examples from these pages include: Titus Labienus whose works against the principate were all burned (6-8 CE); Aelius Saturninus, who recited “improper verses about Tiberius” and was convicted of *maiestas* (23 CE); and Aulus Cremutius Cordus, who was accused of literary treason for lauding Brutus and Cassius in his *Annals* and not giving enough praise to Caesar and Augustus – he committed suicide before his final sentencing and all his works were burned (25 CE).

and followed the locus of Roman sociopolitical power and cultural identity; thus, the rise of the principate and the rise of the individual within Rome by necessity precipitated the demise of anything that could be described as true *libertas*.<sup>10</sup>

It is in these legal and political shifts that we can understand not only how the right to *libertas* changed from the height of the Republic to the height of the Empire, but also how the genre of satire – and hence, the satirists – changed.

When Roman verse satire originated with Lucilius, his *libertas* was not impeded by any external circumstance, but rather “he had that much freedom to draw on *in himself*, whenever he liked.”<sup>11</sup> As Freudenburg notes through Horace’s *Sermones* 1.4, the satire of Lucilius is:

...an exact mirror image of the poet’s swaggering, late-republican, elite-male self: politically engaged, hyper-confident, unchecked, not niggling over details, prolific... He never had to erase anything on his page. As in life, so in his writings, Lucilius never had to take back anything he said or did. He did not own an eraser, and he was *proud* of it! And he performs that freedom to live and speak as he pleases, without apologies, by writing the way he writes – taking nothing back.<sup>12</sup>

Satire, the genre that Lucilius became *inventor* of, was well-suited to the author specifically because he was the possessor and performer of *libertas*; and even more to the point, he was the possessor and performer of a *libertas* that was allowed to him because of his rank. Thus, the *genus* (“social class”) of Lucilius allows him to write in the *genus* (“genre”) of satire.<sup>13</sup> From this, we can again understand just how deeply interconnected Roman identity is with the genre of satire; and one of the major ways in which that identity is defined and displayed is the use of *libertas*. Birthright gave Lucilius access to satire and satire identified the satirist as a highborn

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<sup>10</sup> Cf. Wirszubski (1950), *Libertas as a Political Idea*, 1: “*Libertas* therefore consists in the capacity for the possession of rights, and the absence of subjection.” Also, on 4: “...the amount of freedom a Roman citizen possesses depends upon the entire political structure of the Roman State.”

<sup>11</sup> Freudenburg (2001), 48.

<sup>12</sup> *Ibid.*, 49-50.

<sup>13</sup> *Ibid.*, 48-49. Cf. Gruen (1992), *Culture and National Identity in Republic Rome*, 278-279 on Lucilius and his family’s place among the elite of Rome, thus giving him a birthright to satire.

man; status and (written) performance are one and the same and the presence of one always implies the presence of the other. Lucilius is, then, the “champion of *libertas*” that stands as the prime example not simply for the successive satirists that would take up the mantle of satire, but more importantly as a paragon of (male) Roman identity, an identity which is firmly predicated on the possession and performance of a *libertas* that is not hindered internally or externally.<sup>14</sup>

The satirists who follow Lucilius thus become “victims of the decline of *libertas*.”<sup>15</sup> And the demise of *libertas* sets in quite quickly as the ongoing political crisis of the first century BCE leads to the disintegration of the Republic and the rise of the Empire. Horace plainly recognizes this fact in *Sermones* 1.4.103-105 where he asks forgiveness if he has spoken too freely (*liberius*): the habit – that is, the performance of *libertas* – has been learned from his father, but his father – and thus, Horace’s inherited social status – was a *libertus*, a freedman, whose freedom was “severely compromised”; in this way alone, regardless of the political upheaval, the *libertas* of Horace could in no way have been equivalent to that of Lucilius. Even when Horace is able rightly to claim an equal status – that of *equus* – as Lucilius, the different social and political contexts of the two satirists still clearly mark out Lucilian *libertas* to be greater than Horatian *libertas*.<sup>16</sup> “Inherited expectations” – genetic, generic, and sociopolitical – are an

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<sup>14</sup> Keane (2006), 46.

<sup>15</sup> *Ibid.*, 9.

<sup>16</sup> Freudenburg (2001), 50-51. Freudenburg adds on these pages that Horace himself makes plain the difference in *libertas* between himself and Lucilius in *Sermones* II.1. There Horace says that Lucilius is *melioris* (2.1.29), which Freudenburg, preferring Porphyry to other scholars, underlines is not merely Horace’s deference to “an older authority figure,” but more aptly understood as Lucilius being better with respect to his *genus* and *ingenium*. I would also add to this *Sermones* II.7.4-5 where the slave Davus is encouraged to enjoy the *libertas* of December just as their ancestors wanted (*age, libertate Decembri / quando ita maiores voluerunt, utere*). Keane (2006), on page 91, notes that this satire “entangles Horace in law” and that the Saturnalia is an occasion for “temporary liberation” – even for free men with their burdens. Horace’s “anticipation” for a *libertas* that is restricted by the law – in this case, a holiday – could very well indicate the satirist’s own desired to be liberated from a restricted *libertas*. Just as Davus is going to have the chance to experience *libertas*, no matter how well he knows what that truly is, Horace, too, will have the opportunity to be released from the normal legal restraints on *libertas* that are voided by the topsy-turvy celebration of the Saturnalia. And in being freed from such restraints, Horace will also



in even the smallest mishmash. Once his master has turned this man around, with the spin of the top he exits: Marcus Dama. Hey! Are you refusing to lend money although Marcus gives security? Are you going pale at Marcus the judge? Marcus said it, and so it is. Sign the papers, Marcus. This is pure *libertas*, the caps give this to us. “So is anyone else free, besides the man who is permitted to live his life as he pleases? I am allowed to live as I wish, so am I not freer than Brutus?” “You have deduced incorrectly,” says the Stoic, his ear cleaned out by vinegar [biting wit], “I’ll accept what is left, remove that ‘allowed’ and ‘as I wish’.” After I return as my own, freed by the praetor’s rod, why is it not permitted for me – whatever my will commands – except what the rubrics of Masurius forbids?” Learn [the answer], but let your anger leave your wrinkled grimace and nose, while I tear those old wives’ tales away from your heart. It was not in the praetor’s power to give to fools the smallest duties of affairs and it is not his power to give permission for the use of fleeting life; you will fit a harp on a tall oaf more quickly. Reason stands against it and jabbers into your secret ear, that it should not be permitted to do that which anyone will spoil by doing. The common law of men and nature contains this as right, so that the man crippled by ignorance should refrain from the forbidden acts.

(*Satire 5.73-99*)

After the first pronouncement that *libertas* is essential, Persius then proceeds to show the artificiality and emptiness that has come to characterize freedom – and hence, he demonstrates why (true) *libertas* is now a must. The manumission of a slave is thus used to demonstrate that freedom is more than a civil status.

Dama, a slave, is made a citizen by manumission, a ceremony that somehow, magically and ridiculously, turns him into a proper Roman: the slave “Dama” becomes the citizen “Marcus Dama.” The argument here depends on Persius’ contempt for freed slaves: although, as a citizen, Dama now has the right to give security on a loan, serve as a judge, or witness documents, to the *eques* Persius the idea that a freed slave has *fides* is a joke. So the purity of his *libertas* (82: *mera*) is ironic, as is indicated by the earlier reference to stale wine (78: *vappa*). The civil status of “free person” is not the real freedom that the Stoic philosopher seeks.

That the *vappa* would be so instantly transformed into *mera* underscores the lack of true *libertas*, first for Dama, but more importantly for all other citizens, and especially the satirist,

since the right – so integral to male Roman identity – is handed out injudiciously. The Stoic identifies this and points out that what true *libertas* entails is not the power to live with the status of Roman citizen – that is, to be allowed to have and perform *libertas* – but simply to live. *Libertas* is taken hold of by a man without having to be told to do so. Persius even elevates *libertas* above the realm and power of men and defines it through the *publica lex hominum* and *natura* as *fas*. These forces, along with *ratio*, are to be followed “in lieu of state law.”<sup>18</sup>

The satirist’s right to *libertas* is reflected in Persius’ first satire, 1.8-9: *a, si fas dicere – sed fas / tum cum* (“ah, if it were right to say it – but it is right then when...”).<sup>19</sup> Persius knows that he should have the right to *libertas* and he also knows that *libertas* would give him access to that containing function that is rightly part of, though currently denied to, satire. This is a prime example of the demise of *libertas*: a satirist who has been almost completely silenced – and the satirist must, therefore, find new ways to express and perform his satire and his *libertas*.

By the time Juvenal is writing satire, Roman identity and morals are in the worst condition; the satirist’s fears have been realized and he claims that “Roman morals have reached a nadir in his time.”<sup>20</sup> All this comes to a head near the end of Juvenal’s first satire:

*nil erit ulterius quod nostris moribus addat  
posteritas, eadem facient cupientque minores,  
omne in praecipiti vitium stetit. utere velis, 150  
totos pande sinus. dices hic forsitan 'unde  
ingenium par materiae? unde illa priorum  
scribendi quodcumque animo flagrante liberet  
simplicitas? "cuius non audeo dicere nomen?*

There will be nothing further which posterity may add to our customs, the younger generations will do and desire the same things; all vice stands on the precipice. Use the sails, spread out the sails entirely. Perhaps you may say here, “From where [will arise] the talent equal to the subject? From where [will arise]

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<sup>18</sup> Keane (2006), 94.

<sup>19</sup> Cf. Keane (2006), 94-95.

<sup>20</sup> Ibid., 130.

that frankness of men long ago for writing whatever pleases when their soul is on fire? Whose name do I not even dare to speak?"

(Satire 1.148-153)

The exasperated satirist who has claimed all Roman history and all human activity as his subject has now arrived at the terrible conclusion that his time will forevermore be the worst and lowest point; every last bit of virtue has disappeared from Roman identity. The comparative *ulterius* joined with the subject *nil* is the bleakest pronouncement for *posteritas* and the *minores*.<sup>21</sup> The tragedy that the poet foresees is augmented by the contrast with the *priorum*: the true nature of Roman men is irrevocably lost to the past; the present and future generations have hopelessly gone astray as a result of this loss.

The problems still persist once the questions are asked of Juvenal. Both of the main questions ask the satirist to locate the source, respectively, of *ingenium* and of *simplicitas*. Both, of course, find their rhetorical answer in the satirist, Juvenal, himself.

Although little is known of the satirist's real biography, he does not seem to have any qualms about equating his social class with that of Lucilius.<sup>22</sup> He does not flinch when he

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<sup>21</sup> The comparatives should also recall the earlier comparatives at 1.87-88 in the section where Juvenal outlines the material for his project (1.81-88): *ex quo Deucalion nimbis tollentibus aequor / navigio montem ascendit sortesque poposcit / paulatimque anima caluerunt mollia saxa / et maribus nudas ostendit Pyrrha puellas, / quidquid agunt homines, votum, timor, ira, voluptas, / gaudia, discursus, nostri farrago libelli est. / et quando uberius vitiorum copia? quando / maior avaritiae patuit sinus?* The satirist lets his audience know that everything – from the time of Deucalion and Pyrrha onward and all their habits – will be under his satiric microscope and included in his book's medley. The comparatives then give explanation *why* he is writing satire now: the crisis of Roman identity has reached its peak and the poet has no choice but to step up and say whatever he can. The abundance of vices has never been more plentiful, the purse of greed has never been opened more widely.

<sup>22</sup> Here, I read *ingenium* in the broadest of senses: not just talent or ability, but an *ingenium* that is predicated on something natural that has been born into the satirist or that the satirist has been born into – an extension of the 'nature, innate quality' definition of *ingenium* that sees his talent also as something inborn. Just as *libertas* is simultaneously status and performance and *genus* is social class and genre, in this passage where Juvenal pushes the reader toward that conception of old Roman and satiric *libertas* without naming it, the satirist transfers this concurrence of status and performance and implicitly applies it to *ingenium*. Thus, the satirist feels, at any rate, to have a comparable *ingenium* – that is, both status and ability to perform – to that of Lucilius. His inborn talent/ability also reflects upon his inborn nature/status.

pronounces that he intends to cover the same ground as Lucilius (1.19-21).<sup>23</sup> His assertions that he will not be a listener, but write instead and also that he will not write tragedies or epic, convey the sense that he is schooled well enough to do so and perhaps even has the means to support himself while he does so (1.1-18; 162-164).<sup>24</sup> The scope and breadth of the first satire as a whole reveal the wealth of knowledge, exempla, and history that the satirist has at his disposal; because he is Roman, he is very familiar with Roman customs and behaviors, both from the present and past. He understands the far-reaching power of the emperor and the curtailing of *libertas* that has occurred under the principate, along with the punishments that await those who transgress these imperial restrictions (1.155-157).<sup>25</sup>

After seeking the source of *simplicitas*, the satirist adds another question: *cuius non audeo dicere nomen?* (153: “Whose name do I not dare to say?”). To invoke the right to *libertas* directly would be too dangerous and would single Juvenal out – most likely with detrimental effect to himself and his writings. While it may be that *simplicitas* is here directly equivalent to *libertas*, the built-in ambiguity of its real name could very well be what might save Juvenal and his satire should they face imperial scrutiny.<sup>26</sup> He has, after all, played a bit of bait-and-switch by using the enjambment of lines 152-153 to his advantage. The first meaning is the reading that has

<sup>23</sup> Sat. 1.19-21: *cur tamen hoc potius libeat decurrere campo, / per quem magnus equos Auruncae flexit / alumnus, / si vacat ac placidi rationem admittitis, edam.*

<sup>24</sup> Sat 1.1-2; 15-18: *semper ego auditor tantum? numquamne reponam / vexatus totiens rauci Theseide / Cordi? ...et nos ergo manum ferulae subduximus, et nos / consilium dedimus Sullae, privatus ut altum / dormiret. stulta est clementia, cum tot ubique / vatibus occuras, periturae parcere chartae.*

Sat. 1.162-164: *securus licet Aenean Rutulumque ferocem / commitas, nulli gravis est percussus Achilles / aut multum quaesitus Hylas urnamque secutus.*

<sup>25</sup> Sat. 1.155-157: *pone Tigellinum, taeda lucebis in illa / qua stantes ardent qui fixo gutture fumant, / et / latum media sulcum deducit harena.* Cf. McHugh (2004), n. 9 above for examples of punishments for *maiestas* and literary treason.

<sup>26</sup> Cf. Cortés Tovar (2005), 792-793: “Sustituye *libertas* por *simplicitas*, cuyo sentido matiza con *liberet*, un término con el que ha afirmado ya su libertad de expresión más de una vez a lo largo del poema. El interlocutor le recuerda el peligro de los delatores y la tortura a la que puede ser sometido y el satírico se afirma en su opción por la sátira luciliana con la evasiva de que probará a ver si se le permite censurar *nominatim* a los muertos.” On the *cuius nomen* question of line 153, the more favored reading of this line refers to the problem of *onomasti komoidein*; cf. n. 28 below.

been provided in the translation above; the reading is straightforward and reasserts the privilege of the “men from long ago” who had the true *libertas* to write whatever pleased them and to attack whatever pleased them. This leads into the game that the satirist plays by offering up *liberet* in place of *libertas* as he chooses rather to substitute *simplicitas* on the other side of the enjambment. Any expectation that the satirist will directly mention such Republican *libertas* has been ironically and playfully undermined by the inclusion of *simplicitas*: this frankness or simplicity is false since Juvenal is allowed neither to be frank or simple, but instead plays with the root *liber* and the meaning of ‘free.’ A final reinterpretation of *liberet* might see the *quodcumque* clause of that questions translated as: “whatever frankness may free from their burning soul.”<sup>27</sup> Reading the line this way not only displays the rhetorical brilliance of Juvenal, but also – and more importantly – reveals more of the satirist’s true intention: the simple and frank truth that Juvenal wishes to free from his burning soul is a claim to that ancient *libertas* that stands at the very core of the definition of what it means, for him, to be a free Roman male. The ambiguity is just the cover that satirist needs in order to succeed in his objective.<sup>28</sup>

*Ambiguitas sententiae* is the advice that Quintilian gives to writers of the late first century

CE at *Institutio Oratoria* 9.2.67:

*quamlibet enim apertum, quod modo et aliter intellegi possit, in illos tyrannos bene dixeris, quia periculum tantum, non etiam offensa vitatur. quod si ambiguitate sententiae possit eludi, nemo non illi furto favit.*

<sup>27</sup> This reading requires the verb *liberet* be read ambiguously as either *libēret*, which scans, and *libĕret*, which does not; the enjambment inclusion of *simplicitas* is key to this interpretation because it suggests that the former reading is spoken directly, while the latter is spoken openly. Cf. Ahl (1984), “The Art of Safe Criticism in Greece and Rome,” 193.

<sup>28</sup> Cf. Bartsch (1994), 101: “...ambiguity may be consciously exploited by an author who is reluctant to commit himself to any one meaning for his text.” It is this type of approach that can allow the satirist to break “free of the constraints of imperial control over meaning.” Thus, a consciously excessive text that breaks down and can thwart attempts at determining meaning suits Juvenal perfectly because it gives him the ability to produce a new *libertas* for his satire and the opportunity to discuss both why such production has been necessitated by the Empire and what the lack of real, Republican *libertas* means for contemporary Romans.

For we may speak against tyrants in question as openly as we please without loss of effect, provided always that what we say is open to a different interpretation, since it is only danger to ourselves and not offence to them, that we have to avoid. And if the danger can be avoided by any ambiguity of expression, the speaker's cleverness will meet with universal approval.

(Trans. McHugh)<sup>29</sup>

The ambiguity that Juvenal inserts with the second question concerning the source for the unspoken name of *simplicitas* is the confusion between the naming of an equivalent concept – that is, *libertas* – and the pointing of the finger at someone else, perhaps another satirist who possesses a *simplicitas* that Juvenal does not: the confusion is enough to divert the watchful eye of the principate and save the satirist from revealing the true name of *simplicitas* and himself as the true source for that virtue.<sup>30</sup> The silence that becomes palpable at this point in the satire – both from the unanswered questions and the lack of names – fits with the imperial conditions under which Juvenal was writing; the satirist may speak openly, but not directly.<sup>31</sup>

What is highly ironic in these questions thus becomes apparent: the undermining and obfuscation that the satirist employs reveal the argument he is making implicitly about the program for his satire. At a time when Roman identity is facing its greatest crisis and is plagued by the height of immorality, that is the time when a great talent should spring forth, the second coming of Lucilius, to wield the *simplicitas priorum* and therein write satires about *quodcumque*

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<sup>29</sup> McHugh (2004), 404-405. This advice is what McHugh posits allowed Tacitus to succeed and survive politically. His digression at *Annals* 4.32-33 may be simply his complaining that his predecessors had better, more interesting topics to write about. But, as McHugh demonstrates is the actual case, Tacitus is complaining about the “political restrictions placed upon him by his contemporary situation... Although his speech is restricted, Tacitus is able to speak freely through the use of figured speech... In writing the speech for Cremutius Cordus, Tacitus corrects his predecessor's failed use of figured speech and shows others how to avoid his fate.”

<sup>30</sup> It could also be argued that the *cuius non audeo dicere nomen?* question could also be playing with the right of satire to contain by naming its victims, especially in the ultra-personal style of Lucilius. The satirist could imply with such a question both that he *is* willing to name names *and* that he *is not* willing to call out anyone explicitly by name. Whether he means to imply that *libertas* is equivalent to *simplicitas*, that there is someone who is using Republican *libertas* during the principate of the late first and early second centuries CE, or that he may or may not start name-dropping are all irrelevant, of course: the polysemous confusion is what allows Juvenal to display his rhetorical brilliance and thus, his *libertas*.

<sup>31</sup> Cf. Ahl (1984), 193-194.

*animo flagrante liberet*. Accordingly, Juvenal is making an argument and a case for a return to the Republican *libertas* that gave birth to his genre and perhaps more significantly, for a return to the Roman identity, so defined by that *libertas*, that had once made Rome and its men so great.

This is the “large-scale social change” that Juvenal is upset with, as opposed to immorality in general.<sup>32</sup> The real immorality that Juvenal observes and then targets with his brand of satire is what he perceives to be the complete loss of Roman identity and *libertas*. If the genre question for satire is always a question of the Roman self, then Juvenal’s satire seeks to explore how the demise of *libertas* as a consequence of social and political change has destroyed Roman (male) identity.

When the emperor becomes the locus of Roman identity and denies free, elite males access to their ancient *libertas*, there is no longer a place in Rome for dissident voices; these are the voices of the elite Roman men who built the city up to be the superpower it had become and who had been able to do so because of their social and political struggles with one another as each jockeyed for office, rank, and status within the group and the whole of Rome; during the Republic, no one stood out or above the others to the same degree that the emperor would in the future. And in those struggles, they had the right to live and to speak freely, to have and to perform *libertas*. This is simply not an option under the principate, and this is the conundrum that satire faces even after a ‘new’ *libertas* is restored during the reigns of Nerva, Trajan, and Hadrian. *Libertas* could not be restored by a political figure who, as an individual, embodied *Romanitas* and who represented the Roman state – politically, culturally, and socially; when an

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<sup>32</sup> Keane (2006), 128-129.

individual *is* the state, there is only one voice and that is the only voice that could truly possess *libertas*.<sup>33</sup>

Juvenalian satire has as its mission, at least in part, the decentralization of *libertas* and the return of Roman identity to the many instead of its concentration in the one who claims to be among equals, but still elevates himself to be first (*primus inter pares*). Juvenal has no need for any new *libertas*: the original, Republican style of *libertas* is what he would like to employ in his satire; he does not need it gifted to him (for that recently given new *libertas* is but a shadow of true *libertas*), he needs only to locate it within himself and then to use it, albeit cleverly and craftily, to make his larger argument.

### **The Fine Line Between *Libertas* and *Licentia***

*...rara temporum felicitate ubi sentire quae velis et quae sentias dicere licet.*

“...because of the rare luck of our times where it is permitted to think what you wish and to say what you think.”

- Tacitus, *Histories* I.1<sup>34</sup>

A discussion of *libertas* is, of course, not complete without an examination of *licentia*. *Licentia*, like *libertas*, means ‘freedom, liberty’; however, the two terms are in no way ever to mean the same thing. *Libertas* is the right to and performance of free speech/freedom by a Roman male. *Licentia* is excessive license: it is outspokenness that is *too* free and *too* frank.

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<sup>33</sup> This *libertas* conforms to the notion of *libertas* as “sovereign independence and autonomy, the prominent feature of which is ‘suae leges’, a term equivalent to the Greek *autonomia*”; however, the capriciousness of the emperor must mutate *libertas* into *licentia* because “the necessary prerequisite of *libertas* in the renouncement of self-willed actions; consequently, genuine *libertas* can only be enjoyed under the law only.” (Wirszubski (1950), 4; 6).

<sup>34</sup> The full sentence reads: *quod si vita suppeditet, principatum divi Nervae et imperium Traiani, uberiorem securioremque materiam, senectuti seposui, rara temporum felicitate ubi sentire quae velis et quae sentias dicere licet* (“But if my life lasts long enough, I have set aside for old age the principate of divine Nerva and the rule of Trajan, a richer and safer subject, because of the rare luck of our times where it is permitted to think what you wish and to say what you think.”).

Such *licentia* goes beyond the normal limits of *libertas*, it transgresses what is considered lawful, rightful speech and crosses over into forbidden, offensive speech. In short, *licentia* is what occurs when free speech is taken too far, and that ‘too far’ is dangerous because it threatens the core structures of Roman society and culture as a result of its excesses.

“*Licentia*, ‘license,’ has negative connotations for the Romans, in contrast to *libertas*, which implies recognition of law’s positive value.”<sup>35</sup> Within his exercise of *libertas*, a Roman male acknowledges and (re)affirms the legal and socio-cultural boundaries: his use of *libertas* reinforces the power of his status and of his words to keep a certain status quo in which men’s free speech serves as a check and balance on other men’s free speech – not simply for individual achievement, but more importantly for the overall glory and benefit of the state. What *licentia* then manifests is the destruction of those unspoken normalized limits of *libertas*. *Licentia* is disorderliness, it is a threat to the system because it reveals the weakness of the law – and specifically, *libertas* – to curb and to contain what has been deemed unacceptable.

The slippage between *libertas* and *licentia* makes the exercise of *libertas* all the more difficult for satirists. The fine line between the two concepts is problematic because determining how far is *too* far is never strictly defined. There are no comprehensive guidelines that delineate when free speech has been abused or when it has overstepped propriety. The verdict on *libertas* or *licentia* has no distinct judge either.<sup>36</sup>

On whether *libertas* has crossed over into *licentia* there are many factors to be taken into consideration. For Braund, “*libertas* is used to denote an exercise of freedom of which the speaker approves, while *licentia* denotes an exercise of freedom of which the speaker does not

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<sup>35</sup> Keane (2006), 155, n. 18.

<sup>36</sup> In more modern terms, we might say that, concerning the judgment of whether something falls under *libertas* or *licentia*, there is a sort of ‘I’ll know it when I hear it’ rule.

approve.”<sup>37</sup> The determination of which side the speaker (or satirist) ends up on is left with the speaker himself; satirists in particular exploit this “dynamic tension... by reviving the threat of *licentia* in order to assert their exercise of *libertas*.”<sup>38</sup> And yet, “*licentia* was in the eye of the beholder.”<sup>39</sup> Although the speaker may have his own ideas about whether or not his speech is protected *libertas* that is meant to give honest criticism, his is but one perspective on the matter. The knowing satirist exploits this ambivalence:

Typically, the satirist claims a moral superiority that is located in *libertas*, namely, speaking the often unpalatable truth about society, while fending off criticisms that he is indulging in *licentia*, namely exploiting his platform to give offense. This means that satire can elicit approval for its brave honesty or disapproval for its offensiveness, depending on your point of view.<sup>40</sup>

Hence, where *libertas* ends and where *licentia* begins is always up for debate, both within the speaker himself and within his audience. The important attribute that distinguishes *licentia* is its offensiveness: it represents speech that is not useful, productive, or reasoned, but rather speech that is employed specifically and solely for its power to insult, provoke, attack, and abuse. Thus, whereas *libertas* maintains some bit of usefulness at all times (to the whole, the individual, or both), *licentia* is only injurious.

In the complex of *libertas* and *licentia*, there are also degrees of freedom for Roman men. Excepting the obvious differences between social classes, understanding and maneuvering with *libertas* was a delicate business. That degrees of freedom existed is evident in *Ad Familiares* 12.16 where Cicero is being addressed by Gaius Trebonius:

...in quibus versiculis si tibi quibusdam verbis εὐθρορημονέστερος videbor,  
turpitude personae eius, in quam liberius invehimur, nos vindicabit...

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<sup>37</sup> Braund (2004b), “*Libertas* or *Licentia*?: Freedom and Criticism in Roman Satire,” 409.

<sup>38</sup> *Ibid.*, 410.

<sup>39</sup> Miller (2005a), 12.

<sup>40</sup> Braund (2004b), 410.

...In these little verses if I seem to you *plus franc* with certain words, the baseness of this person, against whom we inveigh rather freely, will vindicate us...

Miller highlights this part of the letter as proof that the comparative *liberius* denotes degrees of freedom, just as there are degrees of adjectives and adverbs. The adverb here “refers to the freedom of speech one aristocrat had to assail another in the traditional politics of competitive élites that characterized the Roman republic” – in this case, Trebonius’ attack on Marc Antony.<sup>41</sup> That Trebonius can inveigh ‘*rather* freely,’ instead of ‘freely’ or ‘most freely,’ implies “the possibility of tipping over into *licentia*” since there is only so much freedom afforded to the speaker, and this is a fact that he is more than aware of.<sup>42</sup> To this, I would also add that the switch into Greek in order to express his outspokenness, his direct words, is noteworthy. The Greek word encapsulates a concept akin, if not identical, to *licentia*, but Trebonius does not use the Latin term. Instead, to offer more separation between himself and such an excess, the author places the term in a foreign language, and at that, an ‘Eastern’ language whose peoples are characterized for their indulgences in things that are strictly non-Roman, and hence, immoral. If Trebonius appears to be speaking in a way that is unbecoming of a Roman male, he ‘vindicates’ himself by announcing his *libertas* and his right to speak *liberius*.

This is confirmed in the same letter by Trebonius’ later pivot to Lucilius and the *libertas* utilized by the satirist as a means to attack deserving Romans, a *libertas* to which Trebonius claims to have equal access and of which he consciously possesses the skill to make use:

*deinde qui magis hoc Lucilio licuerit assumere libertatis quam nobis? quum, etiamsi odio pari fuerit in eos, quos laesit, tamen certe non magis dignos habuerit, in quos tanta libertate verborum incurreret.*

Then why would it be more permitted to Lucilius to take up this *libertas* than us? Since, although he had an equal hatred against those, whom he attacked,

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<sup>41</sup> Miller (2005a), 9-10.

<sup>42</sup> Ibid., 10. Cf. Corbeill (1996), *Controlling Laughter: Political Humor in the Late Roman Republic*, 16-20; 105-106.

nevertheless certainly he did not have men who were any more worthy [of deserving such hatred] to assail with such a *libertas* of words.

Holding an equal stature to the satirist, Trebonius declares his right and his ability to wield the *libertas* of Lucilius. He has a just cause and deserving targets, but of course since *libertas* is bound up in a mixture of the political, the legal, and the aesthetic, Trebonius must also respect his milieu. The author's claim to *libertas* – Lucilian *libertas*, no less – is in and of itself a meaningful assertion as it demonstrates Trebonius' awareness of how *libertas* and *licentia* are determined. He knows very well that his intentions are for rightful *libertas*, but he also comprehends that there may be some in his audience who mistake his *libertas* for *licentia*. Thus, Trebonius has demonstrated, both for Cicero and for posterity, the essential slippage between these two concepts of 'free' speech: authorial intention and actual reception can produce differing opinions about which type of speech – *libertas* or *licentia* – has been exercised.

Just as *libertas* experiences redefinition diachronically, so must *licentia* also be reimagined and explained. As an example of this, we can turn to the satirist Horace, whom we should recall flourished in the very next generation after Cicero and thus will serve to show just how quickly definitions can change.<sup>43</sup> In a letter to Augustus (*Epistles* 2.1), Horace writes his own version of history to describe the adulteration of Republican *libertas*, whose sole product was eventually *licentia*. Here, *libertas* is seen to be playing amiably, but freely accepting of the Fescennine *licentia* and rustic insults (2.1.145-148). *Libertas*, one of the defining attributes of the elite Roman male and essential to the Republic and its politics, is turned into a dalliance that willingly, even lovingly, accepts abuse. Horace has altered *libertas* and turned it into a victim that endures and basically consents to receiving abuse; true *libertas* appears to have gone silent –

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<sup>43</sup> Cf. Rudd (1989), *Horace: Epistles Book II and the Letter to the Pisones ('Ars Poetica')*, for the dating of the letter to 12 BCE, a date which is well after the First and Second Settlements (27 and 23 BCE) and the granting of consular authority (19 BCE).

a quality so antithetical to the concept of *libertas* that such a suggestion should immediately be dismissed. Although the conditions and circumstances for *libertas* may have changed by Horace's time, receptive and loving silence does not square with the right to and necessary performance of *libertas*. This "fanciful reconstruction" is necessary for "Horace's own satirical practice and his need to redefine *libertas*" expressly because of to whom the letter is addressed.<sup>44</sup> Lucilian *libertas* – Republican *libertas* – is a threat to Augustus and the evolving principate, as it is now considered to be *libertas* tainted in the extreme by *licentia*. On the other hand, Horace makes the case that his satiric *libertas* is not a threat to Augustus: this is the *libertas* that has in reality accepted a more silent and restrained function; the *libertas* of Horatian satire does not direct its criticisms at the powerful. Hence, the line between *libertas* and *licentia* is a moving target that each Roman satirist had to confront as a part of his writing satire.

To demonstrate further the fineness of this line between *libertas* and *licentia*, Braund illustrates the complexities of free speech and excesses in contemporary America with the example, after Rosen and Baines, of Eminem and his song, "White America."<sup>45</sup> Through this example, Braund is able to show just how perplexing and indeterminable the distinction between free speech and excess, between *libertas* and *licentia*, truly is. Eminem, like Juvenal, never clearly demarcates when, or if, he has crossed that line – though certainly any average American would have an opinion about the lyrics to this particular song and could very well tell you whether he believes it to be simply an exercise of free speech, or an abuse of that right meant to harm with its misogyny and homophobia. Thus, by complicating the exercise of *libertas* and "conceding to his detractors that *libertas* might shade into *licentia* at times, maybe depending

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<sup>44</sup> Miller (2005a), 12.

<sup>45</sup> Braund (2004b), 410-413 and n. 3. Lyrics for the song are also included on these pages.

upon who is listening,” Braund stresses that Eminem is testing the limits of free speech and seeking to find out just how far it really can go.<sup>46</sup>

And for ancient Rome, this question is one that “satire, of all the genres of Latin literature, is best situated to pose and respond to, because, like Eminem’s lyrics, satire continually concerns itself with limits.”<sup>47</sup> With the decline of traditional *libertas* and the shift in Roman identity to the principate, boundaries – moral, ethical, cultural – in imperial Rome were hard to pin down and relied heavily on the whims of the emperor. Free speech no longer came with the guarantees and safeguards of the Republic, but was instead another subject of the emperor. Satire’s original function – and by extension, the original function of *libertas* – was to “[police] the boundaries of acceptable behavior by criticizing those who exceed those boundaries”; however, this function appears necessarily more like *licentia* when the criticisms must, consequently, be directed towards (or at least, near) the individual who now represents the Roman state and all its boundaries. Satire knows that it “all too easily oversteps the mark in its criticisms”: satirists use this to their advantage in order to contain, control, and correct.<sup>48</sup> To wield this power, to walk this fine line between *libertas* and *licentia*, is therefore how Roman satirists under the principate redefine and reimagine *libertas*, how they test and push its limits – all for the sake reclaiming (or more often, attempting to reclaim) that original function of satire.

Horace does so by avoiding personal attacks and expanding the comical and ironic elements of the genre; he turns over “the final decision on *libertas-licentia* to the audience” in *Epistle 2.1*. Persius does so by shifting the focus to a more philosophical (Stoic), inward-seeking satire. And both, in connecting the exercise of free speech back to Greek literature and specifically, Greek Old Comedy, “may reveal a lack of confidence about satire’s right to speak

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<sup>46</sup> Braund (2004b), 412.

<sup>47</sup> Ibid., 412-413.

<sup>48</sup> Ibid., 413.

out in the old Italian way.”<sup>49</sup> Yet Juvenal, hell-bent on becoming a second Lucilius, refuses to go out as quietly as these two predecessors. Juvenal is, on the other hand, rather focused on finding a new strategy, a new paradigm that will allow him to lay hold of and brandish the *libertas* of Lucilius. While he still must contend with the principate and its authoritative, totalitarian threat, he still aims to stake his claim to *libertas* – and at that, a *libertas* that is (once again) potentially threatening to those in power. Thus, when Juvenal, more directly than Horace and Persius, though in common to all three satirists, wishes to expound upon *libertas* and “theorize about free speech, ...all kinds of ambivalences and complications about the source and exercise of *libertas* and *licentia*” must be employed.<sup>50</sup>

For Braund, when satire is at its most self-aware, when it crosses over into metasatire, those are the instances in which readers can find satirists playing with the tension between *libertas* and *licentia* most. Through use of *apologiae* and moments of metasatire, Braund points to how satire and satirists “explore the freedoms and constraints on free speech,” and this is “not to resolve that tension” between *libertas* and *licentia*, but rather “to replay it, over and over.”<sup>51</sup> Metasatire “[presents] images of what the satirist is generally supposed or feared to be like – an unscrupulous individual who will savagely slander people behind their backs.” For Juvenal, Braund turns to the ninth satire and the figure of Naevolus, who becomes “a demonstration of how *not* to be a satirist,” since his *libertas* is revealed by the interlocutor’s irony to be *licentia*.<sup>52</sup> Hence, Juvenal’s assertions must be the opposite: he should not have to write behind people’s backs; true *libertas* is not unscrupulous, but rather stands on principles; and the good satirist

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<sup>49</sup> Braund (2004b), 418.

<sup>50</sup> *Ibid.*, 418.

<sup>51</sup> *Ibid.*, 421; 426.

<sup>52</sup> *Ibid.*, 426.

knows the boundary between *libertas* and *licentia* (and how to tiptoe cleverly and deftly along it), and thus, he should be able to criticize accordingly.

Juvenal's awareness of *libertas* and *licentia* is then a necessary realization, both for the satirist and for his audience, because it expresses the underlying process by which Juvenal believes *libertas* should be regulated: this is, of course, a return to the Republican *libertas* that was monitored and kept in check not by the individual, but by the collective whole (but that whole for Romans is still limited to free, elite Roman males). Braund refers to this strategy as "education in the broadest sense, with the aim of encouraging people into attitudes of humaneness and tolerance and showing society's collective censure and disapproval" – and Juvenal's satire and *libertas* are, at least in my estimation, aiming to educate his audience by applying pressure on them to recall their ancient identity and its boundaries.<sup>53</sup> To do so, the satirist must then use his genre, his *libertas* to evince and affirm his own freedoms – or at the very least, build a case for his *libertas* and freedoms. On the other hand, what Juvenal therefore rejects through his exercise of *libertas* is the other strategy contemporaneously utilized to deal with the difficulties generated by free speech: that is, legal coercion, in the form of censorship and punishment, dictated for the satirists following Lucilius by a new sociopolitical order no longer appreciative of Republican *libertas* and its place within and focus on the whole, an order whose individual head consumes Roman identity, including *libertas*, and capriciously determines its boundaries. In short, the emperor's newly established legal authority in the first century BCE denies the audience – the Roman people – their collective ability to define *libertas* and *licentia* for themselves and denies Roman satirists their ability to wield properly a true *libertas* that (at least, from the perspective of the satirist) criticizes, but mends the fabric of Roman society; social and peer pressure, as effects of satire, work to keep the masses normalized.

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<sup>53</sup> Braund (2004b), 409.

## The Exercise of *Libertas*

*“Genuine bravery for a writer... is about speaking out with a different voice, risking the wrath of the state and offending everyone, for the sake of the truth, and the writer’s conscience.”*

- Murong Xuecun

The task of redefining and then exercising *libertas* at the height of Roman imperial power is rightly daunting. What Juvenal must contend with is the fact that “at the beginning of the second century CE, the satirist and his *libertas* have been reduced to parody”; every inflated, grand high has an equally pathetic deflation – his is the “satire of contradiction.”<sup>54</sup> And so, to advance his case and exercise the *libertas* necessary for satire, Juvenal moves in an ironic, seemingly contradictory, direction: excess. It is with this complicated and indulgent excessiveness that Juvenal may blur the lines of *libertas* and *licentia* not only so that he can bring his audience’s attention to the contemporary issue of *libertas*, but also so that he can push and question the boundaries of *libertas*. In short, Juvenal’s satiric indulgences and excesses are a manifestation of his (satiric) *libertas*.<sup>55</sup>

It must again be explained here why indulgence and excess may appear an ill-conceived means to achieve the goal of regaining and theorizing about *libertas*. Juvenal’s Rome may be characterized by its aggregate excessiveness, which, as we have seen, gave the satirist his earnest and serious impetus. And yet, similar to the time-warp of his Trajanic counterparts, Juvenal is

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<sup>54</sup> Miller (2005a), 13.

<sup>55</sup> Cf. Bartsch (1994), 118-119. In the absence of *libertas*, “Maternus... has merely found a new medium for the old functions of republican free speech... this ‘false playwright’s’ true interest was neither poetry nor drama ‘but the only refuge possible for freedom of speech’” (internal quotes from Duret [1972]). And thus, “the imperial poet... is the closest approximation to the republican orator” and “the *Dialogus* is about this transition of political comment from one realm to another: it is about how the conditions of the principate have encouraged the indirect medium of poetry to take over from the forthright voice of oratory.” The Empire has changed the conditions for and of *libertas*. In order to discuss the issue of contemporary *libertas*, Juvenal must similarly find a new medium that can transfer to his *Satires* the powers of Republican *libertas*; his satires thus display an indulgent, excessive spirit that he borrows from Roman orators and moralists, as well as from the Roman populace who engage in such excesses.

reappropriating such excess to serve his purpose, which is the realization of an ideal Roman male identity distinguished above all by *libertas*.

‘Excess’ covers, for Juvenal and his satires, three overlapping spheres. Each of these, mentioned briefly at the end of the first chapter, plays a part in how Juvenal exercises the newfound *libertas* with which he begins writing at *Satires* 1.1. The first kind of excess is the vice of over-indulgence, or self-indulgence. That this kind of excess exists in the *Satires* is clear because of the contradictions that the text presents to its audience. Sigmund Fredericks comments on this as he notes the different characteristics of the *Satires*:

Juvenal pretends to be a plain, simple, and honest man who tells the blunt truth, yet the artistry of the rhetoric is noticeable at once. He purports to describe the world as it really is, but at the same time feels free to indulge in exaggeration and sensationalism as it suits his purpose. Actually, his so-called objectivity involves a rhetorical artificiality which distorts reality in the worst way.

...Juvenal thrives on rhetorical exaggeration, overstatement, and distortion of the truth, and his bias for epideictic or demonstrative forms of rhetoric is patent. He produces example upon example of corruption and wrongdoing and concentrates on apotropaic rhetoric. Even in those satires which employ some elements of proreptic argumentation, there remains an underlying irony, inasmuch as Juvenal is satisfied with emphasizing the negative examples and playing down or even undermining the positive.<sup>56</sup>

The hyperbole and distortions are thus so extreme – even by the standards of Roman satire – that the satirist must be engaging in an overly indulgent rhetorical display. Here, excess is a form of *libertas* because it demonstrates the willingness of the author to go beyond, to speak rather freely (*liberius*); he stakes an impressive, unprecedented claim to *libertas* by taking satire’s normal freedom for distortion and pushing it to the extreme, and at that, an extreme which never yields to its readers just how fictitious it truly is. As previously demonstrated, Juvenal is a serious satirist with an earnest purpose and he is motivated by actual circumstances to write satire; the

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<sup>56</sup> Fredericks (1974), “Juvenal: A Return to Invective,” 166-167. This list of techniques are all, in my opinion, overindulgent or self-indulgent in some respect, and so fit in under the umbrella of excess.

threats to *libertas* and Roman morals and identity are very much real threats, not merely ones exaggerated by him. Extreme distortions are a form of *libertas* wherein the satirist speaks freely by going beyond the normal, or previous, bounds of his craft. The excessiveness and immoderation of his rhetoric is deliberate. Thus, we may characterize the satirist's techniques and rhetoric as overly indulgent as a result of their extremity.

The second kind of excess is closely related to this first sort because it, too, represents an extreme: that is, the extreme intemperance of the satirist characterized by indignation or angry outbursts brought about by the unfairness and injustice of a lessened *libertas*. Juvenal says as much in the first satire where, because *natura* has denied him, he will rely on *indignatio* to make his verses (1.79-80).

This, however, is not the anger (*ira*) about which Seneca cautions. *Ira* is described in length by the Stoic philosopher at the beginning of his treatise concerning the emotion. Seneca is concerned with the alleviation of anger (I.1: *ut scriberem quemadmodum posset ira leniri*) and the emotion thereafter is described in myriad ways:

*ceteris enim aliquid quieti placidique inest, hic totus concitatus et in impetu est, doloris armorum, sanguinis suppliciorum minime humana furens cupiditate, dum alteri noceat sui neglegens, in ipsa inruens tela et ultionis secum ultorem tracturae avidus. 2. quidam itaque e sapientibus viris iram dixerunt brevem insaniam; aequae enim inpotens sui est, decoris oblita, necessitudinum immemor, in quod coepit pertinax et intenta, rationi consiliisque praeclusa, vanis agitata causis, ad dispectum aequi verique inhabilis, ruinis simillima quae super id quod oppressere franguntur. ut scias autem non esse sanos quos ira possedit, ipsum illorum habitum intueri; nam ut furentium certa indicia sunt audax et minax vultus, tristis frons, torua facies, citatus gradus, inquietae manus, color versus, crebra et vehementius acta suspiria, ita irascentium eadem signa sunt: flagrant ac micant oculi, multus ore toto rubor exaestuante ab imis praecordiis sanguine, labra quatiuntur, dentes comprimuntur, horrent ac surriguntur capilli, spiritus coactus ac stridens, articulorum se ipsos torquentium sonus, gemitus mugitusque et parum explanatis vocibus sermo praeruptus et conplosae saepius manus et pulsata humus pedibus et totum concitum corpus magnasque irae minas agens, foeda visu et horrenda facies depravantium se atque intumescentium — nescias utrum magis detestabile vitium sit an deforme.*

*...Aristotelis finitio non multum a nostra abest; ait enim iram esse cupiditatem doloris reponendi.*

For in the other [emotion]s there is something of calm and peace, but this emotion is wholly violent and it is on the attack, raging with a very barely human desire for the pain of weapons and the blood of punishment, as long as it hurts another, not caring about itself, rushing itself on the spear and greedy for revenge that will drag down the avenger with it. And so some wise men have said that anger is brief insanity; for it equally is powerless over itself, forgetful of decency, heedless of obligations, stubborn and intense about what it begins, closed off to reason and counsel, agitated by vain reasons, not fit to discover the fair and true, very similar to collapsed houses which fall to pieces on top of whatever they have flattened. However so that you may know that those whom anger possesses are not sane look at the very appearance of those men; for just as the certain signs of mad men are a bold and threatening face, a sad brow, a savage appearance, an excited step, restless hands, a changed color, frequent and more vigorous breaths, such are the same signs of angry men; their eyes blaze and flash, their whole face is very red with all the blood surging up from the depths of their heart, their lips quiver, their teeth are clenched, their hairs bristle and stand on end, their breaths are forced and grating, there is the sound of their joints twisting themselves, there are groans and bellows and they break out into speech with a voice that is barely intelligible, and rather often they strike their hands together, they strike the ground with their feet, their whole body is worked up and they make great threats of anger, the appearance of those distorting themselves and becoming swollen is a disgraceful and dreadful thing to behold – you would not know whether the vice is more abominable or shameful.

...Aristotle's definition is not far off from mine; for he says that anger is the desire to repay suffering.

*(De Ira I.1-4; III.3)*

Upon first reading the text, many parallel descriptions from Juvenal's first satire about the satirist's state of mind while writing and his reasons for writing are readily apparent: Juvenal does want some form of revenge (1.1-2; 4: *reponam / vexatus... inpune*); Juvenal rages stubbornly and seeks the right to attack and punish (any of his catalogues, e.g. his first list of 'criminals' 1.22-44; 1.52: *haec ego non agitem?*); the satirist is burning with anger (1.45: *siccum iecur ardeat ira*); he may be attempting something that will bring himself down, too (1.73-74: *aude aliquid brevibus Gyaris et carcere dignum, / si vis esse aliquid*); his sexual descriptions

may cross over into indecency (1.39: *vetulae vesica*; 1.41: *mensuram inguinis*; 1.84: *maribus nudas ostendit Pyrrha puellas*); we may even say that his ‘breaths’ are ‘forced’ when the satirist displays alliteration (1.99: *agnitus accipies*; 1.101: *da praetori, da deinde tribuno*; 1.107-109: *custodit.. / conductas Corvinus... possideo plus / Pallante*; 1.156: *fixo gutture fumant*); he makes mention of the weapons he desires to take up (1.165-170: *ense velut stricto... Lucilius ardens / infremuit... galeatum*); and he does make a threat, although it is deflated (1.170-171: *experiar quid concedatur in illos / quorum Flaminia tegitur cinis atque Latina*).

However it may seem that Juvenal has crossed over into *ira* rather than *indignatio*, the satirist does make clear that Seneca’s *ira* – which ought to be alleviated and is not a proper position for a Roman, even a satirist, to take up – is not the same as his own *indignatio*. For one, Juvenal’s extreme rhetorical stance – that is, excess – does not fail in its self-awareness and it always demonstrates control with its brilliance and flourishes: the *Satires* begin with self-recognition (1.1: *semper ego auditor*); the satirist will make his case – and will be witty, polysemous, and contradictory all at the same time (1.19-21: *cur tamen hoc potius... / si vacat ac placidi rationem admittitis, edam*).<sup>57</sup> Juvenal is not writing for ‘vain reasons’ and he is seeking out something fitting and true: the satirist’s catalogues in the first satire elucidate that there is indeed good reason for him to be writing (1.30: *difficile est saturam non scribere*); he seeks to discover the *aequus* and *verus* – that is, in his view, Rome’s more glorious past and its sociopolitical norms – by pointing out the faults of present Roman society (1.87: *et quando*

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<sup>57</sup> Cf. Braund’s 1996 commentary on the first book of Juvenal’s *Satires* for these lines, 80-81: “**placidi**: nom. pl. or gen. sing.? If nom. pl., the speaker asks that his audience be calm..., and flatters them with the hint that they are indeed calm and perhaps asks them to listen in a ‘well-disposed’ frame of mind... If gen. sing., ‘hear the reasoning of a calm man’, the speaker describes himself as calm, implied by *rationem* too... Of course, he is anything but calm, but this does not stop him making claims which he contradicts, here and throughout the poem... **rationem**: *ratio* has a wide range of meanings; most obviously here ‘my account’ or ‘justification’ for writing satire; but it also attributes to the speaker *ratio* in the sense of ‘reason(ableness)’, a suggestion which quickly proves to be false.”

*uberior vitiorum copia?*; 1.147-149: *nil erit ulterius quod nostris moribus addat / posteritas, eadem facient cupientque minores, / omne in praecipiti vitium stetit*); and concomitant with the *aequus* and *verus* is the need for the talent and *libertas* to ameliorate Rome (1.149-153: *utere velis... / unde ingenium par materiae? unde illa priorum / scribendi quodcumque animo flagrante liberet / simplicitas?*). The exaggerations and distortions of the *Satires*, too, may appear to be some outward sign of *ira*; however, they are primarily a reflection of the targets of the satire, not the satirist himself. The *ira* belongs to them. They are the disgraceful and dreadful thing to behold. The tension between *ira* and *indignatio* is, ultimately, of the satirist's own making: to flirt with *ira* purposely is to toy with the boundary between *libertas* and *licentia*, between what he is and is not allowed to say.

In fact, Juvenal explicitly separates out his *indignatio* from *ira* when he locates where *ira* truly comes from: it is the reaction of the listener to his guilt laid bare by *libertas*. Satire is not about repaying suffering, but rather – insofar as Juvenal mainly portrays the genre of satire as he begins to write – it is about the fight for *libertas* and what that *libertas* is meant to effect. He will use *indignatio*, but he will be repaid with *ira*:

*ense velut stricto quotiens Lucilius ardens* 165  
*infremuit, rubet auditor cui frigida mens est*  
*criminibus, tacita sudant praecordia culpa.*  
*inde ira et lacrimae.*

Whenever Lucilius burns and bellows, as if with drawn sword, the listener whose mind is cold with crimes grows red, his tender heart sweats with silent blame. From there [comes] anger and tears.

(*Satires* 1.165-168)

Lucilius, that great wielder and paragon of Republican *libertas*, shames the listener and it is he, not the satirist, who lashes out with *ira*.<sup>58</sup> Here, too, it is vital that Juvenal is no longer a listener:

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<sup>58</sup> Cf. Braund (1996), 110. The repayment of *ira* then causes grief (*lacrimae*) for the satirist, and the satirist is very aware that this will be his return. The struggle for *libertas* is always uphill.

his liberation from silence distances himself from his audience, their crimes, and their *ira*. The liberation, the *indignatio*, and the excess are all necessary if the satirist is to complete his task.

And so this *indignatio*, rather than *ira*, is an angry outburst that cannot and should not be contained, and Juvenal does not try to contain it, but revels in it and its extremity. As anyone who has ever been in a heated argument or debate can vouch, such a feeling of *indignatio* pushes the speaker to the very edge of *libertas* – and perhaps sometimes even over into the purely deleterious *licentia*, but it is here on the fringes of *libertas*, with this excessiveness and this *indignatio*, where Juvenal locates his voice and his satire. At its very root, *indignatio* is being made to feel less worthy, but the satirist's angry outburst at the loss of his original *libertas*, his original and more worthy status as satirist (in the model of Lucilius), declares that he will not tolerate this unfair treatment, this lack of *libertas* and reduced status (*indignus*) with which he finds himself saddled under the principate.

The bathetic addition of Cluvienus in the same breath as the satirist's *ego* at *Satires* 1.80 underscores just how little *libertas* he truly has: on all accounts, there is no poet by the name of Cluvienus, and so the equation of the satirist with this quite literal nobody demonstrates how much the satirist and his verses amount to. The parodic self-deprecation, brought on by his *indignatio*, is meant to make the satirist appear ineffectual and silenced, though in fact, this is an angry outburst from Juvenal meant to reclaim *libertas* by any means possible (1.80: *qualemcumque potest*). Consequently, he will scour through human history to make his satire and to make his point (1.81-86: *ex quo Deucalion... quidquid agunt homines... nostri farrago libelli est*), although this, too, will be deflated by the bathos of the satire's final threat to attack the dead rather than the living (1.170-171). Nevertheless, his omission of the contemporary

should direct the reader's attention back to the satirist's overarching theme and purpose: the lack of *libertas* that *does* exist in contemporary Roman society.

The final kind of excess, and perhaps most important kind, is the literal inability to contain or restrain, this inability being akin to the powerlessness the satirist feels in the face of rampant immorality and an unreliable, fickle sociopolitical system. The seeming impenetrability of Juvenal's text - whether it be because of Freudenburg's time-warp game, his penchant to indulge in extremes of hyperbolic distortion or anger, the purposeful polysemy of words, or the varied and sometimes contradictory moral and philosophical positions he carves out - can all be subsumed into this category of excess that fails to contain and restrain the satirist himself and vice versa. While satire and the satirist aim to contain the society around them, Juvenal's own excessiveness and indulgences arise from the failure of *libertas* and satire to do just that in an era where Lucilian *libertas* and satire are verboten. And again, Juvenal revels in such excess because it affords him the ability to ridicule and criticize anew because it allows his satire to go beyond the genre's normal boundaries. This revelation of the deterioration of the old generic boundaries in the same way extends to encompass the murkiness of all of Rome's old sociopolitical and cultural boundaries under the new order of the principate. Juvenal thus indulges in this excess not only because it frees him, his *libertas*, and his satire, but more importantly because it then calls into question where the boundaries exist in contemporary Roman society, as well as who should set them and who should monitor and enforce them. The gaps that such excess reveals are the gaps that Juvenal steps in to exploit and therein demonstrate the need for a return to Lucilian satire and Republican *libertas*.

To sum up, excessiveness takes on many forms throughout the *Satires*, but these may be broadly categorized as (self-)indulgence, intemperate indignation, and uncontainability (or,

perhaps, unsustainability). Together, they form a means for Juvenal to direct his audience's attention to the 'big picture' program of the *Satires*: the fight for *libertas* and hence, the struggle to produce satire. An examination of the *Satires* from the perspective of *libertas* thus allows a reconciliation of all of Juvenal's techniques and themes, and it gives an overarching program and purpose to all five books. This, of course, does not diminish the value of more narrowly focused inquiries into Juvenal's corpus, but rather this lens is meant to add another dimension to the overall complex amalgamation that is his *Satires*. Such excess is the ideal means for Juvenal to address the larger issue of *libertas* in Roman society and satire because of its multivalent and complicated nature.<sup>59</sup>

To this end, we can trace the range of poses the satirist takes in his books and provide a brief catalog of specific examples within the *Satires*, before we return to this conceptualization of excess in order to demonstrate the satirist's consistent focus on *libertas*.

In Books I and II, excessiveness is seen in its most straightforward form, the hallmark of Juvenalian satire: *indignatio*. Here, we can observe the satirist as an "irate conservative, hostile to all forms of social change... whose anger renders him incoherent with rage."<sup>60</sup> The satirist is not simply upset, he is livid, incensed, and fuming: his outbursts are every bit as excessive and uncontained as the immorality that he is condemning. Even the causes of his extreme indignation betray this excess: "the breakdown of traditional gender and social roles; the tide of immigrants that threatens to make Romans a minority in their own city; and the neglect of traditional patron-client relationships."<sup>61</sup> In a society where the public and the private, the male and the female, and the structures and strictures are all tainted or falling to pieces, the satirist's *indignatio* and the extremes with which it presents the reader are meant to highlight his willingness to speak freely.

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<sup>59</sup> Cf. n. 44, above.

<sup>60</sup> Miller (2005a), 29.

<sup>61</sup> Ibid.

Regardless of exaggerations and distortions, the satirist will be just as uncontained as the society about which he is writing; excess is liberating, both for himself and for his satire. “It is the impression of incoherence which is of prime importance” in these books because this is a reflection of the satirist’s excessiveness as he attempts to reclaim his rightful *libertas*.<sup>62</sup> And even when the satirist parodies and pillories his targets – himself included – we must be aware of his *libertas*, or lack thereof. The angry speaker of the first two books is, fittingly, ridiculous so that the “tension between claim and practice” is palpable; such tension is essential so that an audience may perceive *what* is causing the tension, and that *what* is a struggle to possess and perform *libertas*.<sup>63</sup> The “consciously excessive” self-presentation of the satirist calls attention to what the satirist lacks: all sorts of distraction, distortion, and overindulgence are employed in an over-the-top fashion to make up for what the satirist is conscious of – a lack of *libertas* from Roman satire that reveals the loss of a thoroughly Roman (free, male, elite, Republican) identity.<sup>64</sup> Excess defies the *lex operis* of satire in order to attain the *libertas* that *is* within – and necessary for – the genre.

Book III, as Braund has demonstrated, reveals a shift in the satirist’s primary mode towards irony. *Indignatio* and other techniques from the first two books are not abandoned, but rather become secondary to irony. Juvenal becomes a “much more detached moral critic” and these satires “have the appearance of a more limited audience which results in a more personal, even intimate, frame of reference.”<sup>65</sup> The satirist is no longer a one-sided indignant extremist, but comes across as “fair-minded and even-handed.”<sup>66</sup> The irony of Book III is meant not to “alienate us with extremes,” but rather to “[beguile] us with reasonableness”; irony allows for

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<sup>62</sup> Braund (1988), *Beyond Anger: A Study of Juvenal’s Third Book of Satires*, 9.

<sup>63</sup> *Ibid.*, 23. Cf. Miller (2005a), 29.

<sup>64</sup> Miller (2005a), 30.

<sup>65</sup> Fredericks (1974), 152; Braund (1988), 180.

<sup>66</sup> Braund (1988), 181.

greater complexity and subtlety so that the satires become “explorations of the satirical possibilities of duplicity.”<sup>67</sup> Hence, this irony is, in a manner of speaking, another manifestation of self-indulgence: the satirist revels in his invitation to admit both points of view only to undermine one of them.<sup>68</sup> The more “ironic distance [separates] satire from its subject,” the more satire is separated from *libertas*, and thus, the possibility of an ideal Roman identity – masculine, free-speaking, elite, Republican, marked by interpersonal struggle for the glory of the whole – slips further away.<sup>69</sup>

Book IV takes a markedly philosophic turn as the satirist begins to write “universal satire” and he employs a “Democritean smile.”<sup>70</sup> The move towards the universal recalls Horatian satire, but again reminds the reader that this is distinctly not the satire of Lucilius; the satirist is further detached, further retreated into himself, and laughing, but not delivering strong personal attacks.<sup>71</sup> The retreat is especially telling because this is a literal indulging of, or in, the self: the Democritean satirist locates his goal within himself and seemingly abandons the struggle for a broader return to *libertas*.<sup>72</sup> Such self-indulgence is a form of Juvenal’s satiric excess. On this thrust, we must also figure in the increased use of irony in Juvenal’s later books, and here, two points are important to note. First, that it is difficult to determine if the surviving fragments of Democritus really do present a “*systematic* moral theory;” at times, Democritus even appears to contradict himself, alternately saying to avoid speaking of evil deeds (fr. 190),

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<sup>67</sup> Braund (1988), 183.

<sup>68</sup> *Ibid.*, 183.

<sup>69</sup> Miller (2005a), 30.

<sup>70</sup> Fredericks (1974), 155; Freudenburg (2001), 11.

<sup>71</sup> Braund (1988), 184.

<sup>72</sup> Cf. Anderson (1964), “Anger in Juvenal and Seneca,” 423; 429; 432-433. Anderson links Democritus very closely with Seneca’s portrayal of the philosopher and the popular antithesis of Democritus and Heraclitus, including the assumption that “Democritus serenely removed himself from the trivial things which most men think so serious, and consequently, from his vantage-point above the storm of human folly, could laugh at the seemingly serious” (423).

but that it is just to do what must be done (fr. 256), that frankness is the sign of liberty (fr. 226), and that it is necessary to avenge injustices according to your ability (fr. 261).<sup>73</sup> Second, the ‘more reasonable’ Democritean satirist of Book IV does not remain aloof in the *tranquillitas* he appears to espouse, but ironically employs the philosopher because such a “figure usually becomes a participant in the action and is observed as well as observer (thus the satirist doubles his opportunities for satire).”<sup>74</sup> In this way, Juvenal’s satire oversteps its expected bounds as the satirist becomes inextricably entangled with his work. We may compare this to the satirist’s decision to stay in Rome at the end of the third satire: even though his *indignatio* has cooled, the Democritean satirist still does not try to seek *tranquillitas* by leaving the city or ceasing to write satire. His satires still have a motivation and they still have a purpose; any retreat into the self should be understood also as an inward turn meant, for the satirist, to locate and conjure the powers of *libertas* within himself. The indulgent solution to retreat into the self – as if such *tranquillitas* could wholly satisfy the satirist – should once again reveal, at least by implication, what is lacking and what is causing the cloud of error that “still hangs over mankind.”<sup>75</sup> And this *erroris nebula* (*Satire* 10.4) can be found again with the deficiency of *libertas*.

In Juvenal’s fifth and final book, the satirist continues further in his retreat into himself and the *Satires* “[come] to an end with the attempt to construct the internal *libertas* of the sage;” such *libertas* “is a freedom shielded both from his internal anger and from the external vicissitudes of an authoritarian political universe in which the values of Lucilius no longer have any purchase.”<sup>76</sup> The speaker of Book V can be characterized by his “hard-nosed and cynical

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<sup>73</sup> Barnes (1987), *Early Greek Philosophy*, 263. Fragments of Democritus are numbered according to Diels and Krantz (1961), *Die Fragmente der Vorsokratiker*, 10<sup>th</sup> ed.

<sup>74</sup> Braund (1988), 273 n. 27. We might also compare this to Braund (2004b) and the idea of metasatire, 413ff.

<sup>75</sup> Braund (1988), 189.

<sup>76</sup> Miller (2005a), 30.

realism towards his contemporaries and his attitude of superior detachment” and the satirist gives the impression that he is returning to a new type of Lucilian speaker.<sup>77</sup> That Cynicism is the appropriate final turn for the satirist to take in this book is evidenced by the fact that *parrhesia* was one of the “indispensable preliminaries” to practicing such philosophy.<sup>78</sup> The cynical detachment the satirist employs breaks free of and goes beyond his own indignant mold. While still condemning folly, the satirist has retreated to move forward: he has constructed an internal *libertas* that has allowed him to regain, or perhaps rediscover – even if it is still limited and threatened by “the sheer stupidity and viciousness of human desire, both within the satirist and without” – some degree of Lucilian satire.<sup>79</sup>

Thus, Juvenal’s focus on *libertas* is consistent throughout the *Satires*, even as the satirist’s methods and modes shift and evolve. Having looked at each individual book as a whole,

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<sup>77</sup> Braund (1988), 195-196.

<sup>78</sup> Branham and Goulet-Cazé (1996), “Introduction: Was Cynicism a Philosophy?” 27: “The Cynic, missionary and ‘doctor’ of souls, headed out on the road to spread his message. The therapy he recommended was highly unusual: it was based, in the first instance, on frankness and freedom of speech (*parrhesia*), which often led to withering retorts and reprimands, and on laughter—fearless laughter that shook the interlocutor and forced him to react. Finally, it was based upon provocation, particularly in the form of “shamelessness,” which Diogenes used not as an end in itself, but as a pedagogical instrument intended—here again—to shock his interlocutors out of their complacency. Diogenes’ practice sought to make others become aware of the incoherencies of civilized life when compared with ‘natural life’ and to make them abandon their false shame. These were the indispensable preliminaries to any pretensions to practice philosophy.” Cf. also Navia (1996), *Classical Cynicism: A Critical Study*, 140 where both *parrhesia* and indifference to the vicissitudes of life are given as tenets of Cynicism.

<sup>79</sup> Miller (2005a), 30. I would also add on this score a comparison with Braund (1988), on 197, where she notes that there are “reminiscences of Persius in Book III, a marked flavour of Horace in Book IV, and a possible allusion to Lucilius in Book V.” Such reverse chronological progression, I would argue, seems to indicate that the satirist, having moved on from the *indignatio* of Books I and II, is tracing his way back to the source of satire, the time when true *libertas* existed. As he does so, he also takes on elements of Hellenistic diatribe as his *Satires* become more philosophically inclined. Hence, Juvenal retreats into the self – and in the process breaks down the borders of the genre of satire – in order to find within himself, in the first place, the *libertas* he seeks. In doing so, perhaps the satirist is offering himself and his works to his audience as model for discovering a natural right to *libertas* that cannot be controlled, even by an authoritarian political system. This appears to fall in line with Cynic principle; cf. Long (1996), “The Socratic Tradition: Diogenes, Crates, and Hellenistic Ethics” in Branham and Goulet-Cazé, 34-35.

it is now expedient to delve into the individual satires more closely so that we may examine specific examples that support this take on excess and *libertas*.<sup>80</sup>

As we have seen before, *Satire 1* opens with the satirist breaking free from silence, a moment of protrepsis in which he indulges himself to take up a new way of life, but then acknowledges that his audience – or, at least, his fellow poets – have already given up on such an option; instead, they have chosen the safer route afforded by other genres. The satirist deprecates and parodies both himself and his indulgent rhetoric as he notes that he, too, has been through school, done his assignment on Sulla, and recognizes that paper – even, perhaps, the very paper he is using – is being wasted (1.15-18). The rhetoric at the opening of this satire is also indulgent on other levels, as well: we can find epideixis in his contrast of the higher genres of poetry with satire – his explanation for writing in his chosen genre is a mixture of ceremony and play, fact and fiction, that is meant to appeal to the cultural identity and values of his Roman (male) audience. Just as he will no longer listen, the satirist is attempting to ward off his audience from their crimes and lead them back to the *libertas* that he is trying to hold onto for himself.

The satirist's self-indulgence continues throughout *Satire 1* with his exaggerated and sensational catalogues of transgressors, which, in turn, fuel his *indignatio*. From the eunuch (1.22) and the lawyer Matho (1.32) to the gigolos (1.40), murderous wives (1.69-72), and *sportula* parasites (1.95ff.), the satire is riddled with Romans who display vices publicly and unrepentantly. The over-the-top descriptions and rage the satirist conjures up because of these characters is a function of his excessiveness and his *libertas*: it is the right and the necessity of the free Roman male to use his status, his *libertas*, to decry such people. As the crimes of Rome

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<sup>80</sup> Of course, the examples contained in this chapter are meant, by no means, to be an exhaustive catalogue of every instance in which the satirist draws upon excessive or (self-)indulgent language or makes reference to *libertas* in his *Satires*. The selection of examples are therefore meant only to highlight the consistent motivation of *libertas* within Juvenal's corpus.

become so great as to border on, or become, uncontrollable, so, too, the satirist's techniques and text burst forth with similar excesses; the overindulgence and overcompensation underscore, by negative definition, the powers of *libertas* that the satirist lacks.

The contradictions in his positions and his potential effectiveness (that is, his actual impotence) as a satirist – and, by extension, a free Roman male who should possess *libertas* – are all meant to draw the audience's attention to the function the speaker aims to serve, but falls short of, not for lack of want or trying, but rather because of the current state of Rome. We can see this most clearly near the end of *Satire* 1 when the satirist claims that his frankness (*simplicitas* = *libertas*) should not need forgiveness and recalls the example of P. Mucius Scaevola from Lucilius (1.154: *quid refert dictis ignoscat Mucius an non?*).<sup>81</sup> Proper *libertas*, of course, should not need forgiveness because it is a normal function and performance of Roman male identity meant to keep the whole in check by attack on the individual; however, this claim is undercut immediately by the refutation in the lines that follow:

*pone Tigillinum, taeda lucebis in illa  
qua stantes ardent qui fixo gutture fumant,* 155  
*et latum media sulcum deducit harena.*

Display Tigillinus, you will shine in that torch where standing men burn who smoke after their throats have been pierced through, and [where] it ploughs a wide trough in the middle of the arena.

(1.154-156)

Any attempt at claiming true Lucilian *libertas* will see the satirist meet a swift, gruesome death on the arena floor – an example to others who would try for such *libertas*, just as Tigillinus is an example for the satirist.<sup>82</sup> The dysfunction of Rome that the satirist observes stems from a

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<sup>81</sup> Cf. Braund (1996), 108 on line 154: “Almost certainly a reworking of lines of Lucilius, since Mucius is an object of his attack... P. Mucius Scaevola, an eminent Roman politician (tribune of the plebs 141 BC, consul 133 BC)...”

<sup>82</sup> Such a punishment should not be construed as grossly exaggerated recalling the historical precedents cited by McHugh (2004), 406-407.

deflated male identity that lacks *libertas*. The satirist's excesses mirror the loss of boundaries and structure that *libertas* formerly provided and thus, everything in between his refusal to listen any longer and his futile attempts against the dead is meant to direct the audience's attention to the larger underlying problem with the contemporary state of *libertas*, a topic that will drive his *Satires*.

*Satire 2* begins with the satirist's wish to go beyond the boundaries of the known world in order to escape hypocritical perverts:

*ultra Sauromatas fugere hinc libet et glaciale  
Oceanum, quotiens aliquid de moribus audent  
qui Curios simulant et Bacchanalia vivunt.*

I want to escape from here beyond the Sauromatae and the icy Ocean, whenever they dare [to speak] something concerning morals, those who pretend [to be] Curii and live in Bacchanalian orgies.

(2.1-3)

Here, we see a more literal instance of excess: Rome's (self-)indulgences have become so great that they have overtaken and infected the known world; the only hope that the satirist sees to free himself from them is to go even farther. The distance and boundaries that the satirist longs to overcome are not only the hypocrites around him, but also the constraints placed upon his writing. In order to be effective and not be lumped in with the other hypocrites, the satirist would need to go farther in a literal sense and to go further in a literary sense. He must break out of his generic bounds and political restrictions via excess in order to regain some shred of *libertas*. And this *libertas* has been necessitated by the *sententia* of line 8: *frontis nulla fides*, that is, appearances are deceiving. What *libertas* does so well, what its correct sociopolitical function is, is the laying bare of faults and the reprimanding of individuals for the good of the whole. Appearances may be deceiving, but true *libertas* cannot be.

This satire connects this notion of *libertas* closely with both the sexual and political identity of Roman men. The hypocrites, perverts, and effeminates of *Satire 2* are meant to stress further the real lack of *libertas* that the satirist (and also Roman society as a whole) is faced with. As a prime example of this, the satirist highlights the disconnect between outward masculinity and hidden perversion:

*hispida membra quidem et durae per bracchia saetae  
promittunt atrocem animum, sed podice levi  
caeduntur tumidae medico ridente mariscae.*

Indeed the hairy limbs and hard bristles all over your arms promise a fierce spirit, but from your smooth anus the swollen hemorrhoids are hacked off by the laughing doctor.

(2.11-13)

Although the men appear virile and full of machismo, the doctor – the satirist who sees them laid bare for what they truly are – laughs while his scalpel makes his incisions into their tumid, effeminizing vices. But what was promised by their appearance is significant: the *atrox animus* is a reference to Cato the Younger, a politician remembered not only for his fierce opposition to Julius Caesar, but also for his integrity.<sup>83</sup> The line recalls Horace, *Odes* 2.1.21-24 where Cato stands alone against the power of Caesar:

*audire magnos iam videor duces,  
non indecoro pulvere sordidos,  
et cuncta terrarum subacta  
praeter atrocem animum Catonis.*

I seem now to hear great leaders, filthy with not shameful dust, and the whole world subdued except for the fierce spirit of Cato.

Cato, the subject of Maternus' controversial drama in the *Dialogus*, is a paragon of Roman identity, according to the satirist; his stubbornness in the face of the dictatorial power of Caesar (and by extension, the oncoming principate) is praised by Juvenal implicitly. The promise of the

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<sup>83</sup> On the reference to Cato, cf. Braund (1996), 124.

*atrox animus* is left unfulfilled not only by the hypocritical perverts, but even by the satirist himself, because it is no longer possible to preclude the principate and the resultant degradation of male identity and *libertas*.

Hence, instances in which masculinity is subverted or lost are markers for the loss of *libertas*.<sup>84</sup> The adulteress Laronia parodies the earlier reference to Cato when she calls out a hypocrite and mockingly refers to him as a third Cato who has luckily now fallen from the sky to reform Rome (2.38-40). In fact, Laronia's speech seems to assume the force of male *libertas* as she freely includes the homosexual hypocrites Hispo and Hister by name. Laronia's affectation of *libertas* is doubling damning for Roman men: although a criminal herself, she is able to identify worse crimes among the hypocrites and reveals the current dysfunction of Roman morals; more importantly, her speech further humiliates the men by further stripping them of any possible *libertas*. Laronia smiles (2.38: *subridens*) just as the doctor laughs because they both see the real cancer plaguing Roman men.

The exempla continue with chiffon-clothed Creticus (2.67) and the all-male Bona Dea (2.88). The satirist completes the mocking of these hypocrites when he encourages them to indulge themselves in the removal of extra flesh: their genitals (2.115-116: *quid tamen expectant, Phrygio quos tempus erat iam / more supervacuum cultris abrumpere carnem?*).<sup>85</sup> The loss of their *libertas* and their male identity has reached the point where their maleness and their potency are nonexistent; and just like Cybele's priests (or, rather, priestesses), we may be able to interpret this situation as one of their own making because of their concession and acquiescence to the principate. The loss of *libertas* is completed by the image at the end of the satire as the

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<sup>84</sup> This conception of subversion would accord well with the overall theme of *Satire 2* as social inversion. Cf. Nappa (1998), "'Praetextati Mores:?' Juvenal's Second Satire," 90-108.

<sup>85</sup> Certainly, a ripe comparison is available with Catullus *c.* 63 with Attis' removal of his genitals as he then becomes (at least, grammatically) a woman.

Armenian boy takes the morals of a Roman citizen boy back to Artaxata from Rome (2.170: *sic praetextatos referunt Artaxata mores*). This foreigner has not learned the ways of men – that is, *libertas* – from Roman men; and rather than the Near East contaminating Rome, it is Rome contaminating the world.

Similar to *Satire 2*, *Satire 3* opens with another wish from the satirist to leave the boundaries of the city (3.5) while Umbricius is doing just that by moving to Cumae (3.2).

Umbricius offers this as his justification for leaving:

*hic tunc Umbricius 'quando artibus' inquit 'honestis  
nullus in urbe locus, nulla emolumenta laborum,  
res hodie minor est here quam fuit atque eadem cras  
deteret exiguis aliquid...*

Here Umbricius then said, ‘Since there is no place in the city for honest skills/characters, no rewards for labors, [and] business/my means is less today than it was yesterday and this same business tomorrow will wear away something from the tiny bits...’

(3.21-24)

The lament here is one of powerlessness, and powerlessness is the lack of manliness: his skills, or his character, are outcasts though they are “fitting [for] a man of high rank,” and even if they did have a place, they still are not fruitful; just like his business, Umbricius’ very identity is being worn down.<sup>86</sup> Thus, since what defines Umbricius is being taken away, his escape from Rome is a journey to reclaim the definition, the boundaries, of his identity; the excesses that surround him in the city are a sort of infectious disease, and the satirist is exploiting these as a way to portray the loss of sociopolitical and cultural definition and hence, the loss of *libertas*. The satirist takes this to its sensational extremes with a declaration against what Rome has become at 3.60-61: *non possum ferre, Quirites, / Graecem urbem* (“I cannot bear, my fellow citizens, a Greek city”). The enjambment hides no surprise, but emphasizes the sharp contrast

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<sup>86</sup> Braund (1996), 177.

between Roman and Greek: the satirist, through Umbricius, bemoans the displacement of the Roman in favor of the Greek. In effect, Rome herself has been colonized by the Greece and the Near East. The “extravaganza of xenophobia” in Umbricius’ complaint is also taken to exaggerated heights by his claim to be “quintessentially *Roman*” in lines 84-85:<sup>87</sup>

*usque adeo nihil est quod nostra infantia caelum  
hausit Aventini baca nutrita Sabina?* 85

Does it count for nothing that my infancy drank up the Aventine sky [and was] suckled by the Sabine berry?

Again, we can read here a powerlessness and loss of identity: both Umbricius’ rank and native status have lost their cachet; and if status and performance are inextricably intertwined, then we must deduce that he has lost his *libertas*. Furthermore, Roman *libertas* appears to have lost its very credibility compared to Greek flattery and acting (3.86ff.).

The exaggeration of the complaint climaxes with a return to his original claim:

*non est Romano cuiquam locus hic, ubi regnat  
Protogenes aliquis vel Diphilus aut Hermarchus, 120  
qui gentis vitio numquam partitur amicum,  
solus habet. nam cum facilem stillavit in aurem  
exiguum de naturae patriaeque veneno,  
limine summoveor, perierunt tempora longi  
servitii; nusquam minor est iactura clientis. 125*

There is no place here for any Roman man, when some Protogenes or Diphilus or Hermarchus rules, who by the vice of his people never shares a friend, but has [him for himself] alone. For when he has dropped a tiny bit of nature’s and his homeland’s poison into his [new friend’s] ready ear, I am pushed from the door, my times of long servitude have perished; nowhere is the casting off of a client less [of a concern].

(3.119-125)

The relationship between city and citizen has been destroyed because of the poison and vices of the foreigners. The patron-client relationship to which Umbricius refers is also between city and citizen and hence, explains his decision to leave. His skills and services that are given to his

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<sup>87</sup> Braund (1996), 183; 189.

patron are performances of *libertas* that define and structure the city, but Rome has chosen an excessiveness that is vice-ridden for herself instead.

As Umbricius' complaints spiral on in this vein, former boundaries continue to be under attack. In this way, the onslaught is deteriorating the fabric of society once held together by its systems and structures, which, of course, prominently included *libertas*. Slaves take the place of freeborn sons – rightful possessors of *libertas* (3.131-132). Money is what affords faith, not status or its performance (3.143-144). Theater seating has become a means to humiliate some highborn Romans (3.153-159). Most of Italy has abandoned the toga (3.171-172).

The powerless of Umbricius and *libertas* is further assaulted with the parodic and mocking depiction of an after-dinner attack by an inebriated thug.<sup>88</sup> Umbricius' rhetorical question and declaration of powerlessness make clear he is not in control and that his status no longer affords him the privileges it once did (3.291-292: *nam quid agas, cum te furiosus cogat, et idem / fortior?*). We should read into this and the silence that follows the madman's string of questions that the assault is a metaphor for the principate, the aggressor being the emperor himself; he is the madman who alone is afforded *libertas*. Standing up to this aggressor makes no difference and still results in both physical and legal beatings (3.298-299). And thus, Umbricius – and every Roman male – has been beaten into submission and he is barely left with his teeth; his former *libertas* has been exchanged for the *libertas pauperis*, that is, no *libertas* at all (3.299-301). Therefore, it is because of this strange, new powerlessness that Umbricius waxes nostalgic for the times when *libertas* existed, and how much better Rome was (3.312-314). But with that recognition complete, he takes his leave from the city (3.315ff.).

And, of course, the contradiction of the satirist should be noted in this satire. Although he has decried the vices all around him, the satirist does not avail himself of the chance to leave

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<sup>88</sup> Parallels here to Plautus' *Amphitruo* with Mercurius' assault of Sosia are clear; cf. Braund (1996), 225.

Rome like Umbricius. The satirist needs the city and its vices – its indulgent excessiveness– to write his satire. The city and the satirist are just as inextricable as status and performance are within *libertas*. Juvenal is relying on the excesses of Rome to inform his writing so that he may expose his audience to their lack of *libertas*.

The attacks in *Satire 4* fall in with the claim staked at the end of *Satire 1*: they are attacks against the past, here represented by Domitian and his *consilium*. The excessive nature of Juvenal’s satire is demonstrated in this poem by the central strategy of parody: the bulk of the poem is a “mock-epic narrative describing how Domitian summons his *consilium* to advise him what to do with the enormous turbot which has been presented to him”; the poem is a “parody of epic language; of a lost epic poem by Statius; and of the *consilium*.”<sup>89</sup> Within this satire, the connection between excess and *libertas* is made clear from the beginning by the attacks on Crispinus’ excesses; the exaggerated descriptions of his vices display both epideictic and apotropaic rhetoric meant to shame the immediate target, Crispinus, while also angling for the bigger fish, so to speak – the emperor, Domitian, himself:

*ecce iterum Crispinus, et est mihi saepe vocandus  
ad partes, monstrum nulla virtute redemptum  
a vitiis, aegrae solaque libidine fortes  
deliciae, viduas tantum aspernatus adulter.  
quid refert igitur, quantis iumenta fatiget* 5  
*porticibus, quanta nemorum vectetur in umbra,  
iugera quot vicina foro, quas emerit aedes  
[nemo malus felix, minime corruptor et idem]  
incestus, cum quo nuper vittata iacebat  
sanguine adhuc vivo terram subitura sacerdos?* 10

*sed nunc de factis levioribus. et tamen alter  
si fecisset idem caderet sub iudice morum...*

*qualis tunc epulas ipsum glutuisse putamus  
induperatorem, cum tot sestertia, partem*

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<sup>89</sup> Braund (1996), 243.

*exiguam et modicae sumptam de margine cenae,  
purpureus magni ructarit scurra Palati...*

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Behold again Crispinus, and indeed I must often call [him] to play his part, a monster with no virtue to redeem him from his vices, a feeble darling, strong in his lust alone, an adulterer who rejected only unmarried women, and so what does it matter how long the colonnades are in which he wearies his beasts, how great the shade of the groves in which he is driven, how many acres next to the forum, [or] what houses he has bought – no one [who is] bad is happy, least of all a seducer and polluted as well! – with whom a Vestal Virgin recently lay, who will go beneath the earth with still living blood?

But now concerning more trivial deeds. And yet if someone else had this same thing he would have been convicted by the censor (the judge of morals)...

What sorts of banquets then must we think that the emperor himself gobbled down, when the purple-clad clown of the great Palatine has belched up so many thousands' dollars worth, a very small part and side-dish at a an everyday meal [for him]...

(4.1-12; 28-31)

The attack on Crispinus includes various spheres of Roman life and culture – sexual, social, economic, and political. His deeds, even the lesser ones – including the buying of the fish, which the satirist also mocks (4.15-24) – deserve conviction by the *iudex morum*, but the censor of the time, Domitian, has proven ineffectual and capricious; the emperor is even more disgraceful than Crispinus, just as the size of the fish he bought pales in comparison with the enormity of the emperor's ordinary meal. Therefore, if the emperor is so terribly ill-suited to be *iudex morum*, then there must be a better judge implied; and this must be a figure who is properly endowed with the power to judge morals – someone who has *libertas*, or at least someone who should have true *libertas*: not simply the satirist, but rather if it were possible, all good and free Roman men. The language of size throughout the satire not only conveys the enormity of the vices and dysfunction at Rome, but also betrays the corresponding paucity, or complete lack, of available *libertas*.

Still, the vices of Crispinus show that there is something afoul in Roman society, and his appearance in the catalogue of the *consilium* only serves to reinforce the persistent underlying idea that the satirist's ideal for male Roman identity has died:

*et matutino sudans Crispinus amomo  
quantum vix redolent duo funera...*

...and Crispinus, sweating from the perfume [applied] that morning as much as two funerals scarcely reeked...

(4.108-109)

The excessiveness has reached such a point that Crispinus is wearing as much perfume as a corpse at a funeral; the perfume is necessitated, however, not by the literal “smell of putrefaction” present for a funeral, but by the symbolic death of his male identity.<sup>90</sup> And here, the symbolism is even worse than the vices at the beginning of the satire because Crispinus is being counted among Domitian's *consilium*: he has become subservient, but not to Rome, not to a proper *iudex morum*, not to *libertas*, but to a farcical and fickle political leader. Adding quickly that *libertas* has been distorted to this extent, the satirist catalogues the next advisor, Pompeius, whose slight whisper could cause death (4.109-110); all informers in the *Satires* represent an awful, warped version of free speech.<sup>91</sup> Informers do not wish to cure, edify, or warn for the greater good, but rather their speech is a mockery of *libertas* abused merely for selfish, personal gain.

*Satire 5* begins with rhetoric that is both protreptic and humiliating:

*si te propositi nondum pudet atque eadem est mens,  
ut bona summa putes aliena vivere quadra,*

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<sup>90</sup> Cf. Braund (1996), 259.

<sup>91</sup> Cf. Bartsch (1994), 108: “So Aper describes contemporary oratory as the province of the informers, and the emperor as in their debt – nor, as it seems, was he exaggerating. As Michael Winterbottom observes wryly of of Aper's selected pair, ‘Marcellus became proconsul of Asia, for three years, then, for a second time, consul, in 74. Vibius Crispus governed Africa and Tarraconensis, besides his *cura aquarum*... The *delatores* were now not merely powerful – they had long been that. Now they were positively members of the Establishment.’”

*si potes illa pati quae nec Sarmentus iniquas  
 Caesaris ad mensas nec vilis Gabba tulisset,  
 quamvis iurato metuam tibi credere testi. 5  
 ventre nihil novi frugalius; hoc tamen ipsum  
 defecisse puta, quod inani sufficit alvo:  
 nulla crepido vacat? nusquam pons et tegetis pars  
 dimidia brevior? tantine iniuria cenae,  
 tam ieiuna fames, cum possit honestius illic 10  
 et tremere et sordes farris mordere canini?*

If you are not yet ashamed of your plan and you are of the same mind, that you think it is the highest good to live off another's table, if you can bear those things which not even Sarmentus or worthless Gabba suffered at the inequitable table of Caesar, I would be afraid to trust you as a witness even though you were under oath. I know of nothing less excessive than a belly; nevertheless, suppose you lack this very thing, which is sufficient for an empty stomach: is no sidewalk open? Nowhere a bridge and less than half a part of a mat? Is the insult of a dinner worth so much, is your craving so hungry, when it could more respectfully tremble there and gnaw on the trashed bits of dog bread?

(5.1-11)

The satirist opens with an unrelenting attack on the as-yet unnamed Trebius in the “vocabulary of ethical discussion” that not only “emphasizes the humiliating treatment to which Trebius exposes himself,” but also serves, from the perspective of the satirist, to humiliate him further.<sup>92</sup> The indignant speaker gives him a thrashing with his questions in a brutal attempt to show him that there are better ways to live, even ones that may seem less desirable. The humiliation is also exaggerated in two significant ways that connect with *libertas*. First, the speaker says that Trebius has sunk so low that his words have lost their credit; even if he were to speak, his *libertas* is nonexistent. Secondly, in asking if the dinner is really worth the insult, the speaker brings respectability (*honestius*) – that is, social status – to the forefront. We should recall that Umbicius left Rome because there was no longer a place for his respectable skills (3.21); Trebius is still in the city and serves as proof of just how unfair Caesar's table truly is: the rich man

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<sup>92</sup> Braund (1996), 276.

(5.161: *rex*) Virro is a metonym for the emperor.<sup>93</sup> Although it is a paradoxical suggestion that being a beggar garners more respect than the lowly *cliens* he currently is, the argument holds true because the freedom to beg also frees Trebius from living off another's table – that is, the principate – and thus restores his independent status.<sup>94</sup> His liberated status must then also come with the necessary performance of that status: the restoration of his freedom of speech. Hence, the patron-client relationships and food of *Satire 5* are a commentary on contemporary *libertas*.

At dinner, *libertas* is completely shut up:

*duceris planta velut ictus ab Hercule Cacus* 125  
*et ponere foris, si quid temptaueris umquam*  
*hiscere tamquam habeas tria nomina...*

...*plurima sunt quae* 130  
*non audent homines pertusa dicere laena.*

You will be dragged by your feet and dumped outside just as [when] Cacus was struck by Hercules, if you were ever tempted to try to say anything as if you have three names...

...There are very many things which men do not dare to speak when they have holes in their coats.

(5.125-127; 130-131)

In a bitter and ironic twist, Trebius is free and should have the right to speak, but to do so would mean facing exile from the dinner. This exclusion would no doubt certainly lead to further injustice, namely, being pushed away from the door, the same fate that Umbricius suffered (3.124). And the satirist completes this image of silenced *libertas* by showing that the men's cloaks have been damaged. The damage to the cloaks is similar to the damage inflicted upon their status and the performance of that status: the men are left holding their tongues even though

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<sup>93</sup> Greeks referred to the *princeps* as *basileus* at this time; following this regal thread back to Latin also gives the emperor a most hated name, *rex*. The introduction of *rex* signifies the opposite of *libertas*, and such a relationship “is considered to be analogous to the relation between master and slaves.” Such *regnum* was “a derogatory term of political invective.” (Wirszubski (1950), 5; 87)

<sup>94</sup> Cf. Braund (1996), 278.

they have very many things to say; thus, they willingly accept more abuse and the further degradation of their status and *libertas*, again harkening back to Umbricius' complaint about why he must leave the city (3.21-24).

With Trebius' *libertas* already disintegrated, we return to the inequitable table to see the inequity of *libertas* played out in terms of food. The best is saved for one person, the host who has power over his subject-guests, and the scraps are thrown out to the rest:

*vilibus ancipites fungi ponentur amicis,  
boletus domino, sed quales Claudius edit  
ante illum uxoris, post quem nihil amplius edit.  
Virro sibi et reliquis Virronibus illa iubebit  
poma dari, quorum solo pascaris odore, 150  
qualia perpetuus Phaeacum autumnus habebat,  
credere quae possis subrepta sororibus Afris:  
tu scabie frueris mali, quod in aggere rodit  
qui tegitur parma et galea metuensque flagelli  
discit ab hirsuta iaculum torquere capella. 155*

Fungi of dubious quality are placed before worthless friends, the best kind of mushroom [is given] to the master, but the sort of one Claudius ate before that one his wife [gave him], after which he didn't eat any more. Virro will order those apples be given to himself and to the other Virros, whose scent alone you could feed on, the sort [of apples] the endless autumn of Phaeacia had, the ones that you could believe were stolen from the African sisters: you will enjoy a scabby apple, [the sort] which [a creature] gnaws on the embankment, [a creature] who is covered by a shield and helmet and, fearing the whip, he learns to throw a spear from a hairy she-goat.

(5.146-155)

By extending the reading of this passage, the dinner scene portrayed here can bear a metonymous relation to Roman society: the emperor is the host; he has his 'other Virros' who receive preferential treatment; everyone else is relegated to endure whatever he fancies. And substituting food for *libertas*: the emperor has *libertas*; his cronies receive the next best form of *libertas*; and every other Roman man is given something so disgusting that it counts for nothing, essentially. The emperor-host's food/*libertas* is described in both historical and mythological language that

bestows divine, exotic, and tantalizing qualities on them; the food/*libertas* is elevated so far above the humiliated clients that there is almost no hope given to them of ever achieving or earning them.

But it is the tantalizing quality that sticks out most, albeit for very different reasons, to the satirist and the hopeful, humiliated client:

*tu tibi liber homo et regis conviva videris:  
captum te nidore suae putat ille culinae,  
nec male coniectat; quis enim tam nudus, ut illum  
bis ferat, Etruscum puero si contigit aurum  
vel nodus tantum et signum de paupere loro? 165  
spes bene cenandi vos decipit. 'ecce dabit iam  
semesum leporem atque aliquid de clunibus apri,  
ad nos iam veniet minor attilis.' inde parato  
intactoque omnes et stricto pane tacetis.  
ille sapit, qui te sic utitur. omnia ferre 170  
si potes, et debes. pulsandum vertice raso  
praebebis quandoque caput nec dura timebis  
flagra pati, his epulis et tali dignus amico.*

You seem to yourself a free man and the guest of a king: he thinks that you have been captured by the smell of his kitchen, and he is not far wrong; for who is so stripped that he would bear that man a second time, if as a child he wore the Tuscan gold or just the knot and sign [made] from poor man's leather? The hope of eating well deceives you. 'Look, he will now give half of a hare and some pork rump, the lesser bit of the fattened bird will come to us now.' That's why all of you are silent, with your bread untouched, drawn, and readied. He has good taste/sense, [that man] who is using you like that. If you can endure everything, then you deserve to. Someday you'll provide your shaven head to be beaten and you will not fear suffering the harsh whip, worthy of such a banquet and such a friend.

(5.161-173)

Trebius is completely deluded about his freedom and the possibility for social climbing, which is symbolized by his hope for better food – and it is important to note that he is not alone in this hope. Any autonomy Trebius might possess he has willingly turned over to Virro, and he thinks

incorrectly that he is still master of himself.<sup>95</sup> Trebius has traded in his *libertas* for an illusive *spes* (perhaps even a hope for a better, increased *libertas*), but the emperor-host knows and laughs at this futility as the scornful *nec male coniectat* of line 163 makes clear. The Roman dream of marked social progress and climbing, like the old *cursus honorum* of the Republic, makes Trebius and the others believe in the possibility of *spes bene cenandi*, but it is all a lie that only the satirist appears to be able to see through. What is more, this hope has rendered the clients silent, proof that they have surrendered every last bit of their *libertas*: they cannot have status, if they cannot perform that status. Juvenal concludes the poem and Book I on this note: because the citizen-clients have given up their *libertas*, they deserve the humiliation, degradation, and disappointment. Their vices that have erased the old boundaries of *libertas* are mirrored in Juvenal's mocking, irony, and exaggerations; both of the perspectives of the satire – the client and the satirist – reveal the same conclusion (the satirist's) to the audience: the loss of *libertas* has corrupted Rome and the source of that corruption can be traced back to the friend they depended on too willingly and are now worthy of: the emperor.

*Satire 6* provides a plethora of examples of excess as the satirist wields his *indignatio* and sensationalism against that of women who are acting like men. The breaking down of gender boundaries in this poem exhibits, again, the bloated uncontainability of Roman society. When women usurp male behaviors, as far as the satirist is concerned, the only possible result is the deterioration of the *mores* and customs that defined Roman society, and specifically, Roman male identity. One type of woman who exercises too much freedom is the woman who is involved in public life and sticks her nose everywhere:

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<sup>95</sup> Cf. Braund (1996), 301 on lines 156-173. Cf also. Morford (1977), "Juvenal's Fifth Satire," 219-245; his argument concerns (219) Juvenal's aim of "[dissuading] Trebius from the parasite's life, and [describing] for his audience the breakdown in social intercourse between Roman citizens as a result of the corruption of money." I would relate these aims more allegorically as a means for the satirist to reveal the sociopolitical flaws of contemporary Rome.

*sed cantet potius quam totam pervolet urbem  
 audax et coetus possit quae ferre virorum  
 cumque paludatis ducibus praesente marito  
 ipsa loqui recta facie siccisque mamillis.  
 haec eadem novit quid toto fiat in orbe...* 400

But let her sing rather than let her flit about the whole city presumptuously and, as one who could undertake the social intercourse of men and herself may speak with the cloaked generals in her husband's presence with the proper face and dry tits, this is the same woman [who] knows what is happening in the whole world... (6.398-402)

This exemplum displays a woman who has bucked her maternal role and assumed the role of her husband. Importantly, all three actions of this woman involve speech, and at that, not *libertas*, but rather *licentia*: her flitting about town is, most likely, to deal in gossip, which the satirist later elaborates (6.403-406);<sup>96</sup> the undertaking of *coetus* is especially embarrassing because it not only refers to the public and social business of men, but can also imply that she has taken over the male role in sexual intercourse – whether that is with her husband or with other lovers (or both) the satirist does not say; and she is furthermore able to hold her own while speaking to military officers, and again, the man faces more humiliation because he is silent. Each of these demonstrates that her husband, a stand-in for the male population of Rome at-large has completely lost his *libertas*. Ostensibly, he does nothing to try to regain it and he is unfazed by his own silence and his wife's excessive, transgressive behavior.

Among other types of women are those who abuse their neighbors, who are lusty athletes, or who are drunkards (6.413-433), Juvenal also includes women who act inappropriately because they take on the role of literary critic:

*illa tamen grauior, quae cum discumbere coepit  
 laudat Vergilium, periturae ignoscit Elissae,  
 committit vates et comparat, inde Maronem* 435

<sup>96</sup> On *pervolo* as an indication of rumors and gossip, cf. Ovid, *Fasti* VI.527: *Rumor, ut est velox, agitatis pervolat alis...*

*atque alia parte in trutina suspendit Homerum.  
 cedunt grammatici, vincuntur rhetores, omnis  
 turba tacet, nec causidicus nec praeco loquetur,  
 altera nec mulier. verborum tanta cadit vis, 440  
 tot pariter pelues ac tintinnabula dicas  
 pulsari. iam nemo tubas, nemo aera fatiget:  
 una laboranti poterit succurrere Lunae.  
 inponit finem sapiens et rebus honestis...*

*...odi  
 hanc ego quae repetit voluitque Palaemonis artem  
 seruata semper lege et ratione loquendi  
 ignotosque mihi tenet antiquaria versus  
 nec curanda viris. opicae castiget amicae 455  
 verba: soloecismum liceat fecisse marito.*

Nevertheless that woman is worse, who when she begins to recline [at dinner] praises Vergil, she forgives the about-to-perish Elissa, she compares and contrasts poets, from there she hangs Maro on the scales and [hangs] Homer on the other side. The professors yield, the rhetoricians are defeated, the entire crowd is silent, neither lawyer nor auctioneer will speak, nor another woman, as such a great force of words falls [from her] that you would say that so many bells and dishes are struck together, that no one should exhaust the trumpet or the cymbal: she will be able to help the laboring Moon by herself. The wise man puts a limit even on respectable things...

...I hate this woman who repeats and recites the handbook of Palaemon, the law and the rule of speaking always preserved, and she, a female antiquarian, masters lines unknown to me and things that are not a care for men. Let her chastise the words of a boorish friend; let her permit her husband to make a grammatical mistake.

(6.434-444; 451-456)

Again, the woman has taken over the role of the men and they do nothing to prevent her from commandeering their *libertas*. She has now clearly overstepped into *licentia* because the boundary is recognized, but immediately disregarded by the woman's torrent of words; in this way, her speech is both excessive in regard to its content and its amount. This woman also humiliates her husband even more because when he does try to speak (a performance of *libertas* perhaps), she overruns him and forces him back into silence with her overbearing corrections. Hence, this woman's transgressive and excessive behavior is again a crime against *libertas*, but

the crime goes unpunished because *libertas* must first exist before she could be said to be appropriating it from free Roman men.

All of this excessiveness demonstrates just how ineffectual and nonexistent former social and cultural boundaries had become in Rome, especially those in relation to *libertas*. Rome is so swollen with vice that the satirist cannot help himself from picking up on this excess as a means to parody and sensationalize, to express his *indignatio*, and to show the uncontainable nature of contemporary Roman society. And it is because such excess has crossed over into Juvenal's writing that he must defend himself and the techniques of his particular brand of satire:

*fingimus haec altum satura sumentem coturnum  
scilicet, et finem egressi legemque priorum* 635  
*grande Sophocleo carmen bacchamur hiatu,  
montibus ignotum Rutulis caeloque Latino?  
nos utinam vani. sed clamat Pontia 'feci,  
confiteor, puerisque meis aconita paravi,  
quae deprensa patent; facinus tamen ipsa peregi.'* 640

Of course, I am making these things up, as my satire puts on the tall boots of tragedy, and I have crossed the boundary and law of my predecessors as I am ranting a grand song with Sophoclean gape, a song unknown to the Rutulian hills and Latin sky? Would that I were untrustworthy. But Pontia shouts, 'I did it, I confess, and I prepared the aconite for my children, things which, having been discovered, are well known; nevertheless, I myself committed the crime.'

(6.634-640)

The satirist's alleged transgression of the *finis* and *lex* of his genre means that he is flirting with his satiric *libertas* crossing over into *licentia*, unwelcome poetic license. Yet, he flirts with this boundary – and confesses to it through Pontia, “a woman notorious in the first century A.D. for poisoning her own children,” and hence, a mock-satirist, or rather, a licentious satirist – in order to toy with his audience.<sup>97</sup> This joking, in effect, accomplishes the satirist's wish to be untrustworthy: his audience is now unsure of where the generic boundaries are, depending on whether this is an apology or a confession from the satirist. Similarly blurred then is the

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<sup>97</sup> Richlin (1986), *Juvenal: Satura VI*, 79.

boundary between *libertas* and *licentia*: can it be *licentia* if the satirist admits the fault, or is his satiric *libertas* merely becoming reflexive and putting him back in line with the *lex operis* of satire? The ambivalences in these lines are meant to foist uncomfortable questions and unknowns upon the audience: that is how Juvenal wields their own and his own excessiveness to reveal the distressing truth about the state of *libertas*. With the formerly clear(er) boundaries of gender roles, generic constraints, and the believability of the speaker (and author) now called into question, *libertas* would be the proper means to set them all aright; however, since *libertas* has already been mutilated, the satirist forces his audience to confront their inability to contain the cancerous vices, their self-indulgent excessiveness and their loss of *libertas*, that will continue to fester and swell under the principate.

The topic of *Satire 7* picks up right where *Satire 5* ended with its reintroduction of *spes*, which is here the hope of an imperial patronage that permits the scholars and writers to perform their function:

*et spes et ratio studiorum in Caesare tantum;*  
*solus enim tristes hac tempestate Camenas*  
*respexit, cum iam celebres notique poetae*  
*balneolum Gabiis, Romae conducere furnos*  
*temptarent, nec foedum alii nec turpe putarent* 5  
*praecones fieri, cum desertis Aganippes*  
*vallibus esuriens migraret in atria Clio.*  
*nam si Pieria quadrans tibi nullus in umbra*  
*ostendatur, ames nomen victumque Machaerae*  
*et vendas potius commissa quod auctio vendit* 10  
*stantibus, oenophorum, tripedes, armaria, cistas,*  
*Alcithoen Pacci, Thebas et Terea Fausti.*  
*hoc satius quam si dicas sub iudice 'vidi'*  
*quod non vidisti; faciant equites Asiani,*  
*altera quos nudo traducit gallica talo.* 16  
*nemo tamen studiis indignum ferre laborem*  
*cogetur posthac, nectit quicumque canoris*  
*eloquium vocale modis laurumque momordit.*  
*hoc agite, o iuvenes. circumspicit et stimulat vos* 20  
*materiamque sibi ducis indulgentia quaerit.*

*si qua aliunde putas rerum expectanda tuarum  
 praesidia atque ideo croceae membrana tabellae  
 impletur, lignorum aliquid posce ocius et quae  
 componis dona Veneris, Telesine, marito,* 25  
*aut clude et positos tinea pertunde libellos.  
 frange miser calamum vigilataque proelia dele,  
 qui facis in parva sublimia carmina cella,  
 ut dignus venias hederis et imagine macra.  
 spes nulla ulterior; didicit iam dives avarus* 30  
*tantum admirari, tantum laudare disertos,  
 ut pueri Iunonis avem. sed defluit aetas  
 et pelagi patiens et cassidis atque ligonis.  
 taedia tunc subeunt animos, tunc seque suamque  
 Terpsichoren odit facunda et nuda senectus.* 35

Both the hope and rationale of studies [depend] on Caesar only; for he alone cares for the sad Muses in this climate, when already celebrated and renowned poets try to rent a tiny bathhouse in Gabii, or a bake-oven in Rome, and others think it is neither disgraceful nor shameful to become auctioneers, when hungry Clio, the vales of Aganippe deserted, departs for auction-rooms. For if there isn't the slightest bit of money in the Pierian shade, you must find a way to love the name and living of the auctioneer and you must sell rather what the beleaguered auction sells to the bystanders: wine-jars, three-legged tables, bookcases, boxes, the *Alcithoë* of Paccius, the *Thebes* and *Tereus* of Faustus. This is better than if you said in the presence of a judge 'I saw' what you did not see; let the Asian equestrians do that, whom that other low shoe displays with their bare ankles. Nobody, however, in the future will be forced to bear the labor unworthy of his learning, not a one who weaves the vocal eloquence with the melodious measures and chews the laurel. Be diligent, young men, our leader's leniency/kindness is looking around and is urging you all on and seeks for itself a theme. But if you suppose you can expect any support for your work from anywhere else and that's why your yellow page of parchment is filled up, quickly demand some wood and whatever you compose, Telesinus, give to Venus' husband, or close those little books and set them aside for the burrowing worm. Break your pen, you wretch, and destroy those battles you lost sleep over, you who are making sublime poems in your small little cell, so that you may come forward, worthy of the ivy and thin bust. There is no hope beyond [this]; the greedy rich man has learned already only to admire, and only to praise intellectuals, as children [do with] Juno's bird. But a time of life tolerant of the sea and of the helmet and of the hoe disappears, then weariness enters the heart, [and] then naked and eloquent old age hates itself and its Terpsichore.

(7.1-35)

*Spes*, as in *Satire 5*, is synonymous with the plight of contemporary *libertas*. The hope in both satires is the hope for a functional relationship with the principate wherein poets and elite, free

Roman men – and, of course, especially the satirist – will be able to retain their proper, rightful *libertas*; however, in both satires the positivity that *spes* may express is bitterly ironic: such *libertas* is simply not possible in an authoritarian state. Any *spes* must be heavily scrutinized and treated with skepticism for it will, invariably, turn out to have a tragic and ironic twist to it. The emperor is too fickle a figure and too capricious an individual to be relied upon to apply standards consistently, let alone fulfill the hopes of so many literary professionals. Most importantly, the hope of patronage that the satirist envisions for himself is not even monetary: the higher genres necessitate patronage, but “the implicit converse is that patronage is not needed to write lowly poetry such as satire,” as is hinted at by the speaker in 7.59-62.<sup>98</sup> From this, we can understand that the satirist’s poverty and lack of patronage signify one and the same problem: the loss of *libertas* – this has been his core motivation from *Satire 1* onward, but now he is adding the harsh, ironic reality of *spes* to his satirical attacks.

Additionally, *Satire 7*, the opening poem of Book III, affords Juvenal the opportunity to revisit his program. The satirist includes a new *recusatio* and *apologia*; a seemingly calm statement replaces the marked *indignatio* of *Satire 1* with its angry questions.<sup>99</sup> But again, the heavy overlay of irony must be taken into account in order to grasp the satirist’s continued use of excess as a means of alluding to the overarching question of contemporary *libertas*.<sup>100</sup>

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<sup>98</sup> Braund (1988), 24-25. Braund states on 25 that “the speaker’s ‘poverty’ and lack of patronage is a *justification* for his writing satire and nothing else” [emphasis added]. I would argue that this ‘reason’ for writing satire misses the larger issue, or ‘purpose,’ for writing satire that Juvenal has steadily been focusing on throughout his *Satires*. The loss of *libertas* is too central to the genre of satire and Roman identity to overlook or discount.

<sup>99</sup> *Ibid.*, 24-26.

<sup>100</sup> Bartsch (1994) goes beyond irony and focuses on doublespeak in her assessment of Tacitus’ *Dialogus* and Juvenal *Satire 7*, 145-146: “...it seems clear that what is going on in *Satire 7*, as in Tacitus’ *Dialogus*, is not merely irony, but doublespeak, meant to have different meanings for different audiences; both works borrow the very language of imperial ideology to enact this doublespeak: the poet speaks in the language and format of poems to an imperial patron to criticize the kind of patronage that necessitates such an address even as Tacitus’ Maternus parrots the ideas of peace, morality, order, and the *sapientissimus et unus* to show up the lack of *libertas* that forces him to do so.”

In the past, scholars have, in varying degrees, seen the opening of *Satire 7* as more positive than the previous satires, but I would argue that a bleaker view, more in line with Books I and II, is still what should be recognized.<sup>101</sup> The positive element that this opening presents the audience is thoroughly untrustworthy because of the text's ironic tone. We have already seen that the *spes* the poem so boldly declares from the start is unrealistic and is, again, a means for bemoaning his lack of *libertas*. To this, we can add other components of excess: the first of these deals with the satirist's technique of "simultaneously asserting a truth and questioning his own assertion by parody, exaggeration, and self-ridicule."<sup>102</sup> This technique is precisely what we observe at the beginning of the poem: the satirist states that there is hope, but then completely eviscerates that same hope by reducing poets to auctioneers, informers, and foreigners who still bear the marks of their former slavery.<sup>103</sup> This sort of irony, along with its hyperbolic and denigrating fixtures, creates ambivalence – both for the satirist and for his audience – about just

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<sup>101</sup> Braund (1988), 26; 207. Braund discusses in her notes for page 26 two earlier viewpoints that both affirm the positivity of the satirist in III.7: Lindo (1974), "The Evolution of Juvenal's Later Satires," 25 and Anderson (1962), "The Programs of Juvenal's Later Books," 155 [Braund cites this from his collected *Essays on Roman Satire* (1982)]. Lindo, as Braund correctly remarks, has an "over-literal biographical interpretation" about the satirist's contemporary situation, which the former saw as improved due to the "discussion of the optimum conditions for poetic production." Braund critiques Anderson's appraisal of *Satire 7*'s program by noting that the satirist cannot be considered hopeful and that his "'lapses' into pessimism are too long and sustained to be properly described as such." Braund herself says the following on page 26: "Most obviously, a positive indication of the possibility of gaining patronage is given at the very opening of the poem (1-3a). Admittedly, this positive element is soon swamped by a sea of gloom – but its existence is undeniable." My critique of this view follows in the main text.

<sup>102</sup> Wiesen (1973), "Juvenal and the Intellectuals," 466. I particularly agree with Wiesen's position as he argues that Juvenal cannot be completely "facetious." Bracketing this excerpt, he says: "Juvenal's σπουδογέλοιοι is more complex than that of any previous satirist... In spite of the humorous tone of Juvenal's opening words, one can hardly deny that he, like many other of the Silver Age who seriously considered the state of culture, was convinced that the life had gone out of Roman letters, that the well springs of inspiration had run dry, that poetry had become meaningless because it turned its back on themes real, current, and human." Cf. Courtney (1980), 349.

<sup>103</sup> Cf. Courtney (1980), 352 on lines 14 and 16.

how positive the situation truly is; and that ambivalence is quite necessary in order for Juvenal to theorize and philosophize about the state of *libertas*.<sup>104</sup>

Another component of excessiveness can be located in the lines after the evisceration of hope, along with its gloomy employment prospects, when the satirist turns toward the future, signaled by *posthac* (7.17). This turn is commonly seen to refer to the accession of Hadrian so that the hope from which the satirist begins is plausible due to the new emperor's appreciation and support for the literary arts.<sup>105</sup> And yet, it is that very turn to the future that is exactly the ironic twist that so easily can escape his audience's detection: the future is just as removed from the present as the past is at the close of *Satire 1*. This is a variation on the time-warp game that saw the satirist attack figures from the recent past. Just as the past lies outside the present, outside of the satirist's ability to contain it, so, too, the future is uncontainable and unpredictable. The glimmer of hope that is perceived in this *posthac* must be tempered by the negative implication of the preceding line: if, in the future, an intellectual will not have to bear something *indignus*, something unworthy and unbecoming of his skill and learning, then the opposite must still be true in the present – the intellectual and his labors are still (*adhuc*) considered *indignus*. Furthermore, if that unworthiness is nevertheless the case, then the satirist must still be suffering from some form of *indignatio*; it may no longer be as pronounced as in Books I and II, but it must still exist to some degree. Hence, the program presented by *Satire 7* carries on the satirist's excesses and the continual motivation of lost *libertas*.

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<sup>104</sup> Cf. Braund (2004b), 418: “[When] satirists theorize about free speech, they build in all kinds of ambivalences and complications...” Bartsch (1994), 143 also calls the ambiguity of the poem “deliberate,” especially in relation to which emperor it could be addressing. I would argue that a specific addressee is not as important as the idea that ambiguity, which allows for a discussion of *libertas*, is moreso directed at the principate itself.

<sup>105</sup> Cf. Courtney (1980), 349.

A brief foray into *Satire 8* affords us the chance to see irony at work again. The indignant question – *stemmata quid faciunt?* (8.1: “What are good pedigrees?”) – that opens the satire leads to the satire’s central argument in line 20: *nobilitas sola est atque unica virtus* (“Virtue is the one and only nobility”). Although “for the first time Juvenal shows an interest in giving some positive advice,” the satirist goes about this in, for the most part, a negative fashion by offering “negative examples which show [Ponticus, the addressee] how he should not behave.”<sup>106</sup> The satire’s epilogue (8.231-268), including the example that immediately precedes it (Nero: 8.211-230) and the coda that caps off the satire (8.269-275), features a “chronological regression” that extends all the way back to the very foundation of Rome; it is there, finally, at the end of the poem that the satirist “demolishes the question which opened the poem: *stemmata* do not do anything (269-71) and anyway lofty birth cannot be claimed by anyone (272-5).”<sup>107</sup> Thus, the satirist has been ambivalent toward the ‘noble’ examples throughout, and he has been ironically offering them up only to end with the repeated, though more forceful, pronouncement that nobility is extinct.<sup>108</sup> The satirist’s examples in this chronological regression end with Nero, the last emperor of the Julio-Claudian dynasty, within whose lifetime and reign died both the chance for an end to imperial power, evidenced by the ensuing struggle in the Year of the Four Emperors, as well as what was, in all likelihood, the final generation of Romans who had any sort of firsthand experience or knowledge of Republican *libertas*. Additionally, the regression may reveal an exaggerated inevitability “that the corruption of the nobility goes right back to the origins of Rome” since “everyone, ultimately, traces his or her ancestry back to Romulus’ *asylum*... revealing their true nature: all nobles are descended from shepherds – and criminals”;

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<sup>106</sup> Courtney (1980), 383.

<sup>107</sup> Braund (1988), 76.

<sup>108</sup> Cf. *Ibid.*, 121-122 on how the satirist is ambivalent about being a moralist.

but in this hyperbole we should also locate the irony that the *libertas* that was won by the nobility from monarchy was then given away by the nobility to the principate.<sup>109</sup>

On *virtus* as nobility, a final point should also be added to the discussion and for that we must recall Lucilius' *virtus* fragment.<sup>110</sup> In that fragment, Lucilius contends that man defined by *virtus* is a man who puts the interest of the state first and that he can achieve this by being an 'enemy of evil' and 'defender of good.' The exercise of *libertas* is thus needed to succeed in this respect. In Juvenal, the satirist's assertion that it is *virtus* alone that is nobility could then also imply that *nobilitas* needs *virtus* – that is, that it needs *libertas* – in order to survive. The noble families in *Satire 8* are therefore extinct as a direct result of the loss of *libertas* under the principate.

*Satire 9* returns to the destruction of boundaries and the loss of *libertas* and the male Roman identity with a dialogue between the satirist and Naevolus, "a bisexual gigolo" who has a multitude of grievances against his patron.<sup>111</sup> Just as in the other sexual satires, 2 and 6, in addition to the patron-client theme of earlier satires, notably 5, this satire implicitly connects the sexual with the sociopolitical, and thus, excess with *libertas*. A new reading of the dialogue with this in mind allows for the possibility of interpreting the distorted Naevolus-patron relationship as representative of the distorted citizen-emperor relationship. The grievances about his patron that Naevolus reveals to his interlocutor demonstrate the utter lack of any sort of boundaries; no functional social or sexual code appears to exist: Naevolus is bisexual – his status and identity are thus easily mutable, for better or worse; Naevolus does not consider self-supporting

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<sup>109</sup> Courtney (1980), 383; Braund (1988), 121. On the hyperbole of *Satire 8*, we might also add the suggestion at 133 that Ponticus trace his lineage back to Prometheus. Such overstatement is then ironic and deflating because Prometheus garnered something beneficial for humanity (cf. 15.84-87), which would add another layer of disgrace to the loss of *libertas* by the nobility. Cf. Fredericks (1971), "Rhetoric and Morality in Juvenal's 8<sup>th</sup> Satire," 125-126.

<sup>110</sup> Chapter 1, 35-37 (q.v.).

<sup>111</sup> Courtney (1980), 424.

employment, but instead parasitically gloms onto others – hence, blurring any individuality or independent identity; Naevolus makes his patron a father – similar to *Satire 8*, proving the uselessness of family trees and lack of both inherited nobility and the nobility of *virtus*; the speaker himself does not even maintain single-minded condemnation, but his ironic, ambivalent approach “does not lack a certain genuine compassion for Naevolus,” even if that pity, too, is undermined and the audience is not truly meant to sympathize with Naevolus.<sup>112</sup> The lack of such boundaries is analogous to the actual lack of *libertas* in contemporary Rome. The citizen-client, Naevolus, has allowed the patron-emperor to overrun and undervalue him; Naevolus, a sort of metonym for the Roman male, realizes – although only to a certain extent – that he is destitute and bereft of something which he is owed, but he is afraid that he has gone too far in telling his interlocutor this when the satirist inquires about his patron’s rationale.<sup>113</sup> The advice that the satirist offers to Naevolus is thus better understood as ironic:

*vivendum recte, cum propter plurima, tum est his  
 praecipue causis, ut linguas mancipiorum* 120  
*contemnas; nam lingua mali pars pessima servi.*

It is necessary to live properly, both on account of very many reasons, and for these reasons especially, so that you may avoid the tongues of slaves; for the tongue is the worst part of a bad slave.

(9.118-121)<sup>114</sup>

The satirist has not ridiculed Naevolus for his indiscretion, but is rather praising him in disguise. He recognizes that this gigolo does not need advice about future wealth because it will not materialize; instead, he is presenting the power of *libertas* to Naevolus in terms he is familiar

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<sup>112</sup> Courtney (1980), 427. Also cf. Braund (1988), 142: “The irony in *Satire 9* is obvious (to everyone but Naevolus, of course) and is a clear signal from Juvenal that we should not sympathize with Naevolus’ complaint.”

<sup>113</sup> This analogy can only be extended so far because the citizen does not penetrate the emperor as Naevolus does with Virro.

<sup>114</sup> On the reconstruction of these lines, and therein the deletion of the duplicate variant line 119 by Pithoeus, see Courtney (1980), 439-440.

with, though Naevolus fails to connect the dots. The slave's tongue – here, a stand-in for a Roman male's *libertas* – is not meant to be his worst feature; it is his best. Free speech is what maintains order and keeps others in check. The patron-emperor has every reason to fear the client-citizen's tongue: restored *libertas* would equate to, at the very least, a neutered authoritarian – in effect, the end of the principate.<sup>115</sup>

The irony is double-edged as Naevolus misses the satirist's meaning and thinks the satirist's advice has been too general; he wants a suggestion for what to do given that his time has been wasted and his hopes have been frustrated (9.124-126). He immediately falls back on a self-indulgent excessiveness, which affords him the ability to be ignorant (9.126-129). Again, the satirist makes another attempt at advice with lines 133-134: *altera maior / spes superest* (“Another greater hope remains”). For the distorted patron-client relationship, the advice is that even though “the patron has cheated the hopes of Naevolus, ...there are more perverts who are less mean and offer better hope.”<sup>116</sup> In the context of a distorted emperor-citizen relationship, however, the advice transforms into the suggestion, similar to *Satire 3*, to leave Rome: in this equation, there are, according to the satirist then, perhaps more favorable places to live where *libertas* is not a *spes*, but a reality. But again, an ironic misunderstanding leads Naevolus back into voluntary ignorance where he relies still on another to support him and grant him a future

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<sup>115</sup> Cf. Braund (1988), 170: “Indirectly and obliquely, perhaps, *Satire 9* can be seen as an allegory of the procedure of satire. Satire archetypically claims a certain freedom of speech (*libertas*), a freedom which can incur danger. How then to administer criticism? By attacking an object which cannot respond or by ensuring that the attack does not reach its object. This is essentially what Juvenal was saying in the closing section of *Satire 1* (150-171). Naevolus' position is very similar to that of the archetypal satirist. He has an invective to deliver, but because he is fearful of the consequences, he delivers it not directly to the victim (= the patron) but to a (supposedly) disinterested audience (= the speaker), whom he then attempts to bind to secrecy. But just as the satirist's secret is *not* safe with the audience of his poems, so Naevolus' secret is not safe with the speaker.”

<sup>116</sup> Courtney (1980), 442. Cf. also his discussion of lines 133-134a *ibid.*

wealth that will, at last, be deemed sufficient (9.135-146). Naevolus completes this tragic irony as he bemoans:

*quando ego pauper ero? votum miserabile, nec spes  
his saltem; nam cum pro me Fortuna vocatur,  
adfixit ceras illa de nave petitas* 150  
*quae Siculos cantus effugit remige surdo.'*

‘...When will I be poor? It is a wretched prayer, and [there is] not even hope for these things; for when Fortune is summoned on my behalf, she sticks wax [in her ears] obtained from that ship which escaped the Sicilian songs with a deaf oarsman.’

(9.147-151)

Naevolus, and hence, freeborn Roman men, fail to realize in their destitution (monetary for Naevolus, *libertas* for Romans) that their hopes have been misplaced. *Spes* is similarly sought from a patron in *Satire 5* and the emperor in *Satire 7*, and in the case of *libertas*, all three satires end with the same conclusion: there is no hope. If there is any glimmer of hope from the satirist, it is that Naevolus has, at the very least, recognized his penury; however, this, too, is double-edged irony because he still seeks an external solution – Naevolus from his patron and from Fortune, Romans from the emperor – when, in fact, the implication is that the solution is to be found internally. *Libertas* does not need to be granted; it is properly a right and a status both held and performed by all free Roman men. Therefore, almost as final proof of the need for an internal solution, the satirist does not respond; he has made his attempts and so, he, too, will redirect his focus inwardly. His silence is thus a mark of the changed satirist that Books IV and V of the *Satires* epitomize.<sup>117</sup>

In that regard, the satirist begins to indulge in himself in *Satire 10* as he begins:

*Omnibus in terris, quae sunt a Gadibus usque  
Auroram et Gangen, pauci dinoscere possunt  
vera bona atque illis multum diversa, remota*

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<sup>117</sup> Cf. Richlin (1992), 201: “The earlier satires treat the struggle for power rather than the problems of impotence.”

*erroris nebula. quid enim ratione timemus  
aut cupimus? quid tam dextro pede concipis ut te  
conatus non paeniteat votique peracti?* 5

In all the lands, those which exist from Cadiz all the way to the rising sun (Aurora) and to the Ganges, few men are able to tell the difference between the truly good things and the ones that are far different from those, with the cloud of error [having been] pulled back. For what do we reasonably fear or want? What do you undertake with such a good omen that you do not regret trying to accomplish your wish?

(10.1-6)

The satirist emerges in this book with the assertion that most men are ignorant of what is best for them, but the implication of this is that the satirist *does* know what things are in their best interest.<sup>118</sup> He separates himself and his discerning intellect from those around him while simultaneously involving himself: his indignant questions cannot be answered readily by his audience and so they compel him to offer a response. To that end, the satirist undertakes the task of removing the *erroris nebula* that is clouding the judgment of his audience and he offers up two possible philosophical models, one of which he quickly dismisses:

*iamne igitur laudas quod de sapientibus alter  
ridebat, quotiens a limine moverat unum  
protuleratque pedem, flebat contrarius auctor?  
sed facilis cuivis rigidi censura cachinni:  
mirandum est unde ille oculis suffecerit umor...* 30

*...tum quoque materiam risus invenit ad omnis  
occursus hominum, cuius prudentia monstrat  
summos posse viros et magna exempla daturos  
vervecum in patria crassoque sub aere nasci. 50  
ridebat curas nec non et gaudia volgi,  
interdum et lacrimas, cum Fortunae ipse minaci  
mandaret laqueum mediumque ostenderet unguem.*

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<sup>118</sup> Cf. Lucilius, frag. 484-489 where *pueri infantes* are ignorant people overcome by superstitions: they do not know better, but Lucilius can readily identify their backwards thinking. There also seems to be criticism in these lines about how these people understand the gods, which could fit in well with *Satire* 10, as well. Lactantius preserves this fragment; see Warmington (1938), *Remains of Old Latin, Vol. III*, 166-167.

And so now, in light of what I have said, which of the philosophers do you praise: the one who used to laugh, whenever he had gone out the door and taken one step forward, [or] the opposite teacher [who] used to weep? But the censure of harsh laughter is easy for anyone: so you have to wonder from where the other one supplied the moisture to his eyes...

...In his time, he also found material for laughter at every gathering of men, and by his prudence he demonstrates that the best men, who will also provide great models, are able to be born in that thick climate and in the land of morons. He used to laugh not only at the worries, but also the joys of the people, and sometimes even their tears, although he himself demanded a noose for threatening Fortune and showed [her] his middle finger.

(10.28-32; 47-53)

Democritus, named in line 34, is clearly the model that the satirist prefers; Heraclitus, his opposite, goes unnamed and the satirist does not develop his philosophy, but instead professes astonishment that Heraclitus could conjure up the moisture required for all his weeping. In tracing the example of Democritus, the satirist concludes that this philosopher had the right idea: he found a way to laugh at everything, and he also managed to be born even under the most unfavorable conditions amongst idiots and still be preeminent, a *magnum exemplum* (which, undoubtedly, the satirist and Juvenal identify with very closely). What is more, Democritus is not passive or needy, he takes action against *minax Fortuna* and flips her off, a gesture that was “held out from the clenched hand like a phallus from the scrotum [taunting] a man as a pathic.”<sup>119</sup> Democritus and the satirist are thus asserting and performing their masculinity, their *libertas*. The satirist has reemerged from his silence and inward reflection that saw him silent at the end of *Satire 9* and he, at last, has found a suitable answer to Naevolus’ complaint.

On the subject of Democritus, I would also add to the discussion these two fragments that appear to serve as a possible model for Juvenal’s Democritean satirist:

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<sup>119</sup> Courtney (1980), 459. On the rudeness of the middle finger and what it signifies, cf. Martial 2.28.1-2: *Rideto multum qui te, Sextille, cinaedum / dixerit et digitum porrigito medium*. (“Laugh a bunch, Sextillus, at the guy who will call you a *cinaedus* and stick out your middle finger”). And cf. also Isidore, *Etymologies* XI.71: *Tertius impudicus, quod plerumque per eum probri insectatio exprimitur*. (“The third finger [is called] lewd, because often the criticism of [sexual] disgrace/misconduct is expressed by it”).

(83): ἀμαρτίας αἰτία ἢ ἀμαθίη τοῦ κρέσσονος.

The cause of error is the ignorance of [what is] better.

(231): εὐγνώμων ὁ μὴ λυπεόμενος ἐφ' οἷσιν οὐκ ἔχει, ἀλλὰ χαίρων ἐφ' οἷσιν ἔχει.

The sensible man is the one who does not grieve on account of the things which he does not possess, but the one who rejoices on account of the things which he does possess.<sup>120</sup>

The first of these two fragments clearly has a relative in the *erroris nebula* of 10.4. Both Democritus and the satirist are in agreement that their audience is painfully unaware of exactly what are *vera bona* and what is τὸ κρέσσον. The second fragment connects with the satirist's rebuff of Fortune at 10.52-53. Both Democritus and the satirist identify the sensible man as someone who does not rely on an external force to provide them with some form of contentment.

This point ties in well with the long list of negative advice in *Satire* 10 as the satirist lists all the things for which there is no use praying (10.56-345: *potentia*, eloquence, glory, a long life, beauty). All these wishes are examples of things that men desire to be given to them and they also cannot be sustained indefinitely. To ask for them is to ask for the destruction of some barrier, and hence, they all represent forms of excess. Alternatively, the satirist's positive advice (10.346-366) reinforces the internal focus of the satirist: the successful prayer is for something internal, and it is luckily something, as the satirist concludes, that can be granted not by Fortune, but by the man himself:

*ut tamen et poscas aliquid voveasque sacellis*  
*exta et candiduli divina thymatula porci,* 355  
*orandum est ut sit mens sana in corpore sano.*  
*fortem posce animum mortis terrore carentem,*  
*qui spatium vitae extremum inter munera ponat*  
*naturae, qui ferre queat quoscumque labores,*  
*nesciat irasci, cupiat nihil et potiores* 360

<sup>120</sup> Again, another interesting possible translation to note: εὐγνώμων as 'indulgent;' hence, 'the indulgent man' is perhaps, in a possibly ironic reading, one and the same as 'the sensible man.' The satirist that has retreated into himself, an act of (here, satiric) self-indulgence, is both.







The historical figures presented here were all censors at one point and as such, they were all responsible for the *mores* of the Roman people. The supervision of *mores* depends on the ability to identify and contain them via *libertas*. The office of censor was no longer in existence, but some emperors, including all three Flavians, had taken on the title; however, the satirist views himself as the better censor. Hence, the austerity of the satirist's proffered dinner means that he invites his addressee not to a mere meal but to a better way of life, one which is modeled on Republican values, not the least of which was *libertas*.

*Satire* 12 and Book IV conclude with the comparison between a legacy-hunter (*captator*) and a friend. The *captator* proves to be a disingenuous figure whose actions and promises are exaggerated in the worst way (12.101-104; 115-120; 127). The poem ends with "a series of ironic wishes, in effect curses, which set up an opposition between greed and love or friendship" for the *captator* Pacuvius:

*vivat Pacuvius quaeso vel Nestora totum,  
possideat quantum rapuit Nero, montibus aurum  
exaequet, nec amet quemquam nec ametur ab ullo.* 130

May Pacuvius live, I pray, as long as Nestor's lifetime, that he have as much as Nero stole, [enough] gold to rival the mountains, and that he not love anyone and that he be loved by no one.

(12.128-130)

And so, here, the satirist "[turns] from irony to seriousness" in a ring composition that caps off Book IV. As Braund observes, "Pacuvius demonstrates that the cloud of error, *erroris nebula*, mentioned at the start of the Book (10.4) still hangs over mankind." Thus, the internal *libertas* that the satirist offers in *Satire* 10, which will allow for recognition of *vera bona*, has yet to catch on with his audience; Pacuvius is representative of Romans who persist in ignorantly seeking those things which are *multum diversa* (10.3).



*ten, o delicias, extra communia censes  
ponendum, quia tu gallinae filius albae,  
nos viles pulli nati infelicibus ovis?  
rem pateris modicam et mediocri bile ferendam,  
si flectas oculos maiora ad crimina.*

140

But if you see all the courts occupied by a similar complaint, if, after the documents have been read ten times by the other party, they say that the handwriting is false and the documents are meaningless, whom their own handwriting convicts along with the princely gem of sardonyxes, which is kept in an ivory box, then do you think (what a diva!) that you must be put in a special category, because you are the son of a white hen, [while] we are born worthless chicks from unlucky eggs? You're [only] suffering a modest setback, to be endured with ordinary anger, if you turn your eyes to the bigger crimes.

(13.135-144)

The satirist here is completely unmoved by what he clearly sees as whining on Calvinus' part. Calvinus does not have the right to anything more than a modest amount of anger because he really has not suffered. The satirist, on the other hand, who has experienced suffering and knows how to recognize it, savagely diminishes his addressee's claim of supposed superiority; *delicias* further deprecates Calvinus because the term is not affectionate, but ironic, as if it is sadly adorable that he thinks so highly of himself. The indignant question regarding their births paradoxically denigrates Calvinus and elevates the satirist. Overall, because the satirist recognizes the absurdity of Calvinus' loss, he is able to detach himself from the banality around him and thus demonstrate his own superiority. This superiority is additionally punctuated by the suggestion to Calvinus that he might pay more attention to the greater wrongs of the world – and certainly, for the satirist, the loss of *libertas* is at the top of that list.<sup>129</sup> Hence, it is not enough for the satirist to stake out a superior position, he must also show his audience that their contentment is unwarranted and their anger misdirected.

The end of *Satire* 13 may also well include a reference to the principate at 13.236 as the “nature of evil men” is described as “fickle and shifting, as a rule” (*mobilis et varia est ferme*

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<sup>129</sup> *Crimina* should certainly recall Aper's *delatores* from the *Dialogus*.

*natura malorum*). The lines that follow paint a picture of men who are bold in their crimes and who give no thought to right or wrong; they are also stuck with these character traits because, as the satirist's indignant question at 13.240-241 makes clear, nobody is successful at stopping his own errors.<sup>130</sup>

And yet, although these wicked, fickle men do eventually meet with punishment and their demise, the exultation of the addressee – that the figure has not joined the ranks of the gods (lines 247-249; clearly a reference to the deification of emperors) – is fundamentally misplaced so that the satirist is again expressing irony and holding the addressee in contempt. The audience needs to turn their eyes toward the *maiora crimina*: just because one emperor has died, the institution of the principate is not doomed and hence, *libertas* cannot return. Just as the satirist points out at the end of *Satire* 10 that Romans have the ability within themselves to solve their problems and likewise, to make gods (and emperors) for themselves, the satirist is again making the case that the people – that is, at least, the people's representative, the Senate – could have the power to reject not only an emperor's deification, but also his accession to the principate. The reclamation and performance of *libertas* is key to this goal, however; the construction of internal *libertas* by the satirist, as well as his cynical retreat and superiority, could very well be a response to the fact that the hopeful *posthac* of 7.17 has yet to come to any fruition, if it ever will at all.

The theme of *Satire* 14 is that children learn their bad behaviors and morals from their parents (14.1-3), which is punctuated at line 38 by the satirist's call to “stay away from things that are to be condemned” (*abstineas igitur damnandis*). The “one powerful reason” (39: *una*

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<sup>130</sup> Line 236 is bracketed by Jahn on the grounds that it is incompatible with line 240 as there the nature of wicked men is described as *fixa* (fixed) and *mutari nescia* (ignorant of how to be changed); however, I would argue that the two are not in as much conflict as first appears. I take the lines to mean that wicked men have a fickle nature, but that they are stuck in this fickleness and are simply unaware of how their nature could be changed from that capriciousness.

*potens ratio*) for this abstention is so that the next generation does not reproduce these crimes (39-40: *ne crimina nostra sequantur / ex nobis geniti*). Here, the satirist's superior position is easily marked out by his position as "an intellectual and a philosopher," and "his 'expertise' is underlined by the fact that parental example is a topic treated often by educational writers."<sup>131</sup> To this end, the satirist puts forward some pointed examples from the late Republic:

...*et Catilinam*  
*quocumque in populo videas, quocumque sub axe,*  
*sed nec Brutus erit Bruti nec avunculus usquam.*

...And you may see a Catiline in any population, in any corner of the world, but there will neither be a Brutus nor an uncle of Brutus anywhere.  
(14.41-43)

These historical figures – Catiline, Brutus, and Cato the Younger – not only display the intellectual command of the satirist, as well as his rhetorical training, but they also serve as commentary on contemporary Rome. Catiline, of course, recalls his conspiracy to overthrow the Republic; there are Catilines everywhere, according to the satirist, and this is meant to show, by contrast, that there are not defenders of the Republic and its values, like Cato and Brutus, everywhere. Similarly, without any men like Brutus or Cato the Younger, the Republican period, for which the satirist feels a great deal of nostalgia, also meets its demise.

Significantly, Cato the Younger (cf. 2.12) and Brutus both provide examples of *libertas* used to defy the dictatorial power of Julius Caesar, the forerunner to the principate. The example of Brutus, however, is more striking due to his action – tyrannicide – to save the Republic; he is an "uncommon *exemplum*" due to the "uncomfortable precedent" of his actions.<sup>132</sup> I would suggest that, in a satire on the influence of parents, we might detect a radical, though far-fetched, solution to the principate and the lack of *libertas* being proposed by the cynical, introverted

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<sup>131</sup> Braund (1988), 191. Cf. Courtney (1980), 562.

<sup>132</sup> Courtney (1980), 566.

satirist: when the parent proves tyrannical, the child has the right to deal with him as is fitting. Such a suggestion of assassination would elicit conflicting reactions: the audience is lured into sympathizing with Brutus and into mourning his loss, but this bereavement comes with the implication that contemporary imperial power ought to be rejected.<sup>133</sup> The importance of the example then is that the tension created by the satirist causes the audience to question imperial power and why such men as Cato the Younger and Brutus are no longer able to exist; that is, the audience must confront and discover both what they are lacking and why. Hence, the discussion of greed and miserliness that occupies the greater part of *Satire* 14 may be read as an example of the bad lessons that Romans have unwittingly learned, ignorantly accepted, and tragically perpetuated, which is to say that in their submission to the principate they have unknowingly given up their right to *libertas*.

The topic of murder recurs in *Satire* 15 with its retelling of the conflict between Ombi and Tentyra, a conflict which sees the winner cannibalize the loser (15.77-83). Yet, according to the satirist, the only one who can rejoice is the fire because it was not violated by the corpse; and the satirist congratulates Prometheus, who stole fire for humanity, on this account (15.84-87). After the satirist congratulates the fire, he tries, in all fairness, to find an example that will justify the atrocity, although none is found (15.93-102; 113-115).<sup>134</sup> The story presented in *Satire* 15 is a sensational account of a society (Egyptian) quite literally cannibalizing itself, a theme that accords well with Book V's focus on crime. The Roman equivalent of such cannibalism has

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<sup>133</sup> Cf. Braund (2004a), *Juvenal and Persius*, "Introduction," 24: "Juvenal... has set up a tension between his first person approach, which tends to draw the audience into sympathy with the opinions expressed, and the audience's realisation that the things they are assenting to are morally dubious or even reprehensible."

<sup>134</sup> Braund (1988), 194-195.

already been witnessed in Lucilius; Juvenal is merely using the Egyptian analogy to demonstrate the horrific, seemingly alien nature of the crime, which nevertheless already exists in the city.<sup>135</sup>

Additionally, the sparing of fire, a gift from Prometheus that benefited humanity, ties in well with the “advocation of a positive quality, namely, *humanitas*,” which is a theme “peculiar to Book V” and particularly developed in the second half of the poem.<sup>136</sup> On that score, one notable instance of *humanitas* occurs in lines 148-150:

*principio indulsit communis conditor illis  
tantum animas, nobis animum quoque, mutuus ut nos  
adfectus petere auxilium et praestare iuberet...* 150

In the beginning the common creator granted to them [that is, the animals] only breath, but to us he also granted a soul, so that our mutual affection would compel us to seek and to offer help...

Just as the fire was given to humanity for their benefit, the soul was also granted to us in order to make us interdependent, in need of each other’s help – the opposite of cannibalizing. Instead of a society eating itself, humans are supposed to edify one another by using what is naturally ours. Therefore, like Prometheus, the satirist is snatching (back) the fire of *libertas* to save the society that is cannibalizing itself.

The conclusion of the satire contains a bleak, ironic verdict, ostensibly about the Egyptians, but symbolically about contemporary Romans: there is a serious lack of harmony and of structure in societies that exist with the powerful harming the weaker; the excessive desires of these societies have led to the most outrageous crimes and their own destruction. It is for this reason that the satirist views *humanitas*, which includes the seeking and offering of help (via *libertas*), positively; *humanitas*, like *libertas*, is a constructive force.

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<sup>135</sup> Cf. Lucilius, frag. 1228-1234.

<sup>136</sup> Braund (1988), 195: “...*humanitas*, a quality which includes pity (thus *ignoscere* 105, *mollissima corda* 131, *lacrimas* 133), a sense of community (thus *mutuus*... *adfectus* 149-50) and concord (thus *Concordia* 159).” Cf. Fredericks (1976), “Juvenal’s Fifteenth Satire,” 174-189; Singleton (1983), “Juvenal’s Fifteenth Satire: A Reading,” 198-207.

On the other hand, Braund reminds us that the satirist's cynicism is still ever-present in Book V as *Satires* 13, 14, and 15 all feature "a comparison with the past to condemn... contemporaries (13.38-59, 14.156-209, 15.147-60)."<sup>137</sup> These examples, I would contend, not only "convey the speaker's hard-nosed and cynical realism towards his contemporaries and his attitude of superior detachment," but also bolster the argument that these satires are meant as didactic allegories on the subject of the lack of *libertas* in contemporary Rome.<sup>138</sup> The satirist always has his own time and his own serious motivations in mind, even when he is treating other topics.

The incompleteness of *Satire* 16 makes the poem more difficult to discuss with any certainty. If we can assume that it follows the themes of Book V, then the one thing that must be commented upon is the topic of the satire in relation to the possibility of its connection with contemporary Rome. Indeed, Courtney has already shown that there is a correlation between the two:

The whole poem is an interesting document of the alienation of the *togati* (8) or *pagani* (33) from the army, which became ever more pronounced in the late Empire and has been regarded by some scholars as a main cause of its decline and fall. Some emperors, like Vespasian and Trajan, were themselves military men and inclined to favour soldiers; others felt the need to buy the support of the army, which was the instrument of repression used by unpopular emperors. Hence assaults and extortions by soldiers could easily go unpunished (cf. on 10 sqq.) and increase civilians' dislike of them. I have concluded... that evidence linking Juvenal with the army is fallacious, and in this poem he fully identifies with the civilians (28, 37, 47); indeed he seems to criticize Hadrian directly (15).<sup>139</sup>

Thus, the *Satires* end with Juvenal's motivation of the lack of proper *libertas* still intact. Any hopes he had for Hadrian (7.17: *posthac*; end of 13) restoring *libertas* have clearly been lost. His evolving modes eventually lead him to focus internally and to detach; however, his inner Cynic

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<sup>137</sup> Braund (1988), 195.

<sup>138</sup> *Ibid.*, 195.

<sup>139</sup> Courtney (1980), 613.

still strives to correct the errors he observes in others and takes on many different forms to persuade his audience.

## Conclusion

### **The Conception of *Libertas***

*“As for me, my literary theory, like my politics, is based chiefly upon one main idea, to wit, the idea of freedom. I am, in brief, a libertarian of the most extreme variety, and know of no human right that is one-tenth as valuable as the simple right to utter what seems (at the moment) to be the truth.”*

– H.L. Mencken

From these examples, it is clear that Juvenal and his *Satires* contain a larger discourse on *libertas* at the height of Roman imperial power. And *libertas* was by no means, of course, a simple, single-definition idea in ancient Rome; dictionaries and encyclopedias bear witness to that fact. The *Satires* make plain that the author himself is dealing with shifting social, political, cultural, and historical forces that are, in turn, having a profound impact on his interaction with the very idea of ‘*libertas*.’

In this way, *libertas* must be understood not as an abstract, but as something more concrete and connected to the real world and its inhabitants. By putting this idea back into its proper context, by associating the author with his text, as well as the text and its author with society, we may attempt to uncover “the fullness of meaning” of such an idea as *libertas*; intellectual history is an appropriate framework for such inquiry because it “tries to recover the thought of the past in its complexity.”<sup>1</sup> And so much complexity is evident in Juvenal’s *Satires*

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<sup>1</sup> Collini (2008), “Intellectual History.” Cf. Kramer (2004), “Intellectual History and Philosophy,” 83: “...intellectual historians never doubted that ideas and languages strongly influenced the “real world” of human societies. They thus sought to understand how ideas shaped human lives at the same time that they were studying how life experiences influenced ideas.” Also, on 86 on the influence of 19<sup>th</sup> century hermeneutic criticism in Germany and its corollary: “...the hermeneutic understanding of an author’s ideas must include analysis of how the author was embedded in a specific cultural context and language... ‘This was the mission of intellectual and cultural history,’ Kelley explains, ‘a system of scholarly inquiry which joined forces with hermeneutics in the reading of the great book of culture – following the ‘descent of ideas’ into a context accessible to intellectual and cultural historians... intellectual historians insist that ideas always represent some kind of interaction or exchange with the language and cultural world in which they are expressed.”

that an exploration of the interplay between the text, its author, and contemporary Roman society can provide new insight and stimulate more discussion about the boundaries of *libertas*.

To facilitate this, I propose approaching Juvenal and his *Satires* with an expanded conception of *libertas* that makes use of the two concepts of freedom which Isaiah Berlin expounded. Before applying these concepts to Juvenal fully, it is first necessary to define the scope and implications of these two concepts of liberty.<sup>2</sup> With this done, a more nuanced reading of *libertas* in Juvenal's *Satires* can be achieved.

As has been shown, the *Satires* are steeped in the issues of the contemporary state of *libertas* and of how the lack of *libertas* presented an ongoing problem for the satirist. *Libertas* was an essential component for the genre of satire and the satirist: it denoted a status and the right to perform that freedom of speech in social and, especially, political spheres to the extent that – at least, in its original Lucilian and idealized form – it allowed the satirist to contain, to correct, and to maintain order. More broadly, *libertas* was also a central feature of the identity of the elite, free, male Roman: during the Republic, *libertas* was a critical part of the sociopolitical system that allowed men to distinguish themselves while they jockeyed for position; we might even say, *libertas* is, ironically, the selfsame trait that led to the eventual rise of the individual and the principate. In this way, *libertas* encompassed politics, morality, literature, identity, and society.

Through comparisons with other authors, it is clear that Juvenal and his *Satires* had motivations and aims derived from actual, contemporary circumstances. His concern with the

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<sup>2</sup> Citations of Berlin will be from *Isaiah Berlin: Liberty*, ed. Hardy (2002); Berlin's collection, *Four Essays on Liberty*, was originally published in 1969. N.B.: Liberty and freedom, following Berlin, will be used interchangeably ("Two Concepts of Liberty," 169; cf. Carter, Ian (Spring 2012), "Positive and Negative Liberty": "Although some attempts have been made to distinguish between liberty and freedom..., generally speaking these have not caught on. Neither can they be translated into other European languages, which contain only the one term, either of Latin or Germanic origin (e.g. liberté, Freiheit), where English contains both.").

behavior of others in addition to his persistent focus on *libertas* surely makes him both a satirist and a moralist. And as Berlin observes, “[almost] every moralist in human history has praised freedom” – and Juvenal is certainly such a moralist.<sup>3</sup> To understand *libertas* in Juvenal’s *Satires* thus requires that we frame the issue using the expanded context of “what has long been the central question of politics – the question of obedience and coercion.”<sup>4</sup>

On this score, Berlin’s two concepts of liberty come into play. The first of these is negative freedom and helps to answer the question: “What is the area within which the subject – a person or a group of persons – is or should be left to do or be what he is able to do or be, without interference by other persons?”<sup>5</sup> Berlin elaborates:

Political liberty in this sense is simply the area within which a man can act unobstructed by others. If I am prevented by others from doing what I could otherwise do, I am to that degree unfree; and if this area is contracted by other men beyond a certain minimum, I can be described as being coerced, or, it may be, enslaved... Coercion implies the deliberate interference of other human beings within the area in which I could otherwise act. You lack political liberty or freedom only if you are prevented from attaining a goal by human beings.<sup>6</sup>

Negative freedom thus signifies an absence of something; it is a lack of external constraints.

When someone is prohibited from doing something he is capable of, as Berlin says, he is coerced or enslaved; however, it is also important to note that the prohibition must be deliberate and not circumstantial or natural.<sup>7</sup> Hence, Juvenal and his satirist lack negative freedom due to the

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<sup>3</sup> Berlin (2002b), “Two Concepts of Liberty,” 168.

<sup>4</sup> Ibid., 168. In more detail: “Political theory is a branch of moral philosophy, which starts from the discovery, or application, of moral notions in the sphere of political relations... I do mean that to understand such movements or conflicts [between human beings] is, above all, to understand the ideas or attitudes to life involved in them, which alone make such movements a part of human history, and not mere natural events. Political words and notions and acts are not intelligible save in the context of the issues that divide the men who use them. Consequently our own attitudes and activities are likely to remain obscure to us, unless we understand the dominant issues of our own world.”

<sup>5</sup> Ibid., 169.

<sup>6</sup> Ibid.

<sup>7</sup> Berlin adds on 170: “The criterion for oppression is the part that I believe to be played by other human beings, directly or indirectly, with or without the intention of doing so, in frustrating my wishes.” He also gives a much more specific rendering of the conditions of negative freedom on 177, n.1 where he

authoritarian government of the principate. *Libertas*, in its Lucilian and Republican form, is not afforded to the author; there is also a clear threat from the principate that acts as a form of enslavement for Juvenal.<sup>8</sup> A lack of negative liberty explains why the program of *Satire 1* is limited to attacks on the dead (1.170-171) and why he cannot even mention the name *libertas* (1.153); among other examples, it can even be used to explain why Umbricius is leaving the city (3.21-24; 119-125) and to describe the coercion in patron-client relationships (*Satires 5* and *7*).

Still, an authoritarian government does not necessarily entail the infringement of negative liberty. Even though coercion is bad and non-interference is good, some degree of freedom may still be limited by the law: “liberty in [the negative] sense is principally concerned with the area of control, not its source.”<sup>9</sup> Negative freedom is impinged upon when “a certain minimum area of personal freedom” is violated; and as a result, “the individual will find himself in an area too narrow for even that minimum development of his natural faculties which alone makes it possible to pursue, and even to conceive, the various ends which men hold good or right or sacred.”<sup>10</sup> The deflation that the satirist experiences at the end of *Satire 1* is the inhibition of his ability to perform Lucilian satire with its Republican *libertas*, for which the satirist is nostalgic. Accordingly, the satirist reappropriates (self-)indulgence and excess for his satiric *libertas* as a new means to his end: for if “[it] follows that a frontier must be drawn between the area of

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underscores the fact that a simple alternative of choices does not imply liberty and he offers the example of betrayal under threat of torture in a totalitarian state. Hence, the “extent of my freedom” depends on: “(a) how many possibilities are open to me...; (b) how easy or difficult each of these possibilities is to actualise; (c) how important in my plan of life, given my character and circumstances, these possibilities are when compared with each other; (d) how far they are closed and opened by deliberate human acts; (e) what value not merely the agent, but the general sentiment of the society in which he lives, puts on the various possibilities... Total patterns of life must be compared directly as wholes...”

<sup>8</sup> Cf. McHugh (2004), 406-407. At this point, it is also necessary to say that ‘enslavement’ here does not mean literal or actual enslavement; this enslavement is oppression, suppression, and a denial of rights. Cf. Wirszubski (1950), 1: “...the term ‘*persona sui iuris*’, which signifies the status of complete personal freedom, implies that to be free means to be capable of possessing rights of one’s own, and this is possible only if one is not subjected to someone else’s dominium (or *patria potestas*).”

<sup>9</sup> Berlin (2002b), 171; 175-177.

<sup>10</sup> *Ibid.*, 171.

private life and that of public authority,” then the satirist’s excesses help to blur these boundaries by adopting indulgence and excess while encroaching as a moralizing figure; the resulting paradox is meant to illustrate the loss of negative freedom to his audience.<sup>11</sup> Since the satirist views *libertas* as a right and as an identity that should exist beyond the sphere of social control (that is, that it should not be curtailed or need to be ‘granted anew’ by the principate), he works within the narrow parameters of his circumstance in order to attempt to achieve a “liberty *from*”; that is, he is endeavoring to escape the restrictions and threats that have been placed on *libertas* by imperial power.<sup>12</sup>

The second kind of liberty is positive freedom and it helps to answer the question: “What, or who, is the source of control or interference that can determine someone to do, or be, this rather than that?”<sup>13</sup> Hence, positive freedom is not a liberty *from*, but “freedom to – to lead one prescribed form of life”; and Berlin further explains the concept as such:

The ‘positive’ sense of the word ‘liberty’ derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not other men’s, acts of will. I wish to be a subject, not an object; to be moved by reasons, by conscious purposes, which are my own, not by causes which affect

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<sup>11</sup> Berlin (2002b), 171; cf. Berlin (2002a), “Five Essays on Liberty: Introduction,” 30: “political liberty... is... an area bounded by frontiers.”

<sup>12</sup> *Ibid.*, 174. Berlin adds on 174-175: “The defence of liberty consists in the ‘negative’ goal of warding off interference. To threaten a man with persecution unless he submits to a life in which he exercises no choices of his goals; to block before him every door but one, no matter how noble the prospect upon which it opens, or how benevolent the motives of those who arrange this, is to sin against the truth that he is a man, a being with a life of his own to live.” Cf. also on 211: “...no society is free unless it is governed by at any rate two interrelated principles: first, that no power, but only rights, can be regarded as absolute, so that all men, whether power governs them, have an absolute right to refuse to behave inhumanly; and, second, that there are frontiers, not artificially drawn, within which men should be inviolable, these frontiers being defined in terms of rules so long and widely accepted that their observance has entered into the very conception of what it is to be a normal human being, and therefore, also of what it is to act inhumanly or insanely; rules of which it would be absurd to say, for example, that they could be abrogated by some formal procedure on the part of some court or sovereign body... The freedom of a society, or a class or a group, in this sense of freedom, is measured by the strength of these barriers, and the number and importance of the paths which they keep open for their members – if not for all, for at any rate a great number of them.”

<sup>13</sup> *Ibid.*, 169.

me, as it were, from outside. I wish to be somebody, not nobody; a doer – deciding, not being decided for, self-directed and not acted upon by external nature or by other men as if I were a thing, or an animal, or a slave incapable of playing a human role, that is, conceiving of goals and policies of my own and realising them... I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for my choices and able to explain them by reference to my own ideas and purposes. I feel free to the degree that I believe this to be true, and enslaved to the degree that I am made to realise that it is not.<sup>14</sup>

Positive freedom is thus the freedom to do whatever you want and can do or be; again, the wish and the action must be, on some level, possible.<sup>15</sup> Whereas negative freedom focuses on the factors that are external (e.g., government, other people), positive freedom concentrates on internal factors (e.g., autonomy).<sup>16</sup> One example of positive freedom in the *Satires* would be the satirist's positive advice at the end of *Satire* 10. There, in lines 363-366, the satirist reveals the futility of prayer because he has shown that, whatever you desire, you yourself are able to give to yourself (363: *ipse tibi possis dare*). Furthermore, the satirist adds that the gods (or, at the very least, Fortuna) are not really the ones with all the power because it is men who have made the gods and placed them in heaven (365-366: *nos te / nos facimus, Fortuna, deam caeloque locamus*). In this way, the satirist focuses on the positive freedom both of himself and of his audience: they should not feel limited by the gods, but realize they can grant their own desires through their own faculties.

Along with positive liberty and its focus on internal constraints also comes the problem of two selves as reason and desires clash within the self. A man may be “divided against himself” and as a result, this leads to a “splitting of the personality in two: the transcendent,

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<sup>14</sup> Berlin (2002b), 178.

<sup>15</sup> Berlin (2002a), 35 details this point more fully: “The freedom of which I speak is opportunity for action, rather than the action itself. If, although I enjoy the right to walk through open doors, I prefer not to do so, but to sit still and vegetate, I am not thereby rendered less free.”

<sup>16</sup> *Ibid.*, 36 adds: “I wish to determine myself, and not be directed by others, no matter how wise and benevolent; my conduct derives an irreplaceable value from the sole fact that it is my own, and not imposed upon me. “

dominant controller, and the empirical bundle of desires and passions to be disciplined and brought to heel.”<sup>17</sup> Importantly, as Berlin continues, “[this] demonstrates... that conceptions of freedom directly derive from views of what constitutes a self, a person, a man.”<sup>18</sup> And yet, this ‘higher’ self is not always synonymous with an individual, but it can be understood in a larger context, “as a social ‘whole’ of which the individual is an element or aspect: a tribe, a race, a Church, a State”; in this broader sense, the self, seeking positive freedom, must impose “its collective, or ‘organic,’ single will upon its recalcitrant ‘members’.”<sup>19</sup> The danger with this is authoritarianism and the coercion of men who are too “blind or ignorant or corrupt” to realize what is in their best interest; the ‘higher’ self, knowing what is best, can thus “ignore the actual wishes of men or societies, to bully, oppress, [and] torture them.”<sup>20</sup> Berlin describes this as a “monstrous impersonation, which consists in equating what X would choose if he were something he is not, or at least not yet, with what X actually seeks and chooses” and this impersonation, he points out, “is at the heart of all political theories of self-realisation.”<sup>21</sup>

Therefore, positive liberty is very much bound up with the question of identity, of the self, and of the desires and ends of self-direction. And for ancient Rome, when considering forms of positive liberty, we definitely must take into account this notion of the self as a social whole as opposing elements of Roman society understood what was in Rome’s best interest in very different ways. Hence, the motivation, means, and aim of any sociopolitical self-realization will be informative with respect to the resulting benefits (perceived and/or actual), as well as the net effects it has on liberty (again, perceived and/or actual). Furthermore, with “[enough] manipulation,” as Berlin recognizes, “freedom can be made to mean whatever the manipulator

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<sup>17</sup> Berlin (2002b), 181.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid., 179.

<sup>20</sup> Ibid., 179-180.

<sup>21</sup> Ibid., 180.

wishes.”<sup>22</sup> And so, as a result of the two selves, there are two ways of achieving liberty, that is, “the desire to be self-directed – directed by one’s ‘true’ self”; Berlin identifies the first as “self-abnegation in order to attain independence”; the other possibility is “self-realisation, or total self-identification with a specific principle or ideal in order to attain the selfsame end.”<sup>23</sup>

With the tactic of self-abnegation, the self recognizes the ability and desire for self-direction, but also recognizes that it is not its own master and is oppressed by outside forces. In response to this, self-abnegation entails that:

I must liberate myself from the desires that I know I cannot realise. I wish to be master of my kingdom, but my frontiers are long and insecure, therefore I contract them in order to reduce or eliminate the vulnerable area... I determine myself not to desire what is unattainable... It is as if I had performed a strategic retreat into an inner citadel... I have withdrawn into myself; there, and there alone, I am secure. It is as if I were to say: ‘I have a wound in my leg. There are two methods of freeing myself from pain. One is to heal the wound. But if the cure is too difficult or uncertain, there is another method. I can get rid of the wound by cutting off my leg...’<sup>24</sup>

Thus, self-abnegation involves the removal of desires internally, rather than the removal of external strictures; liberty is achieved because this contraction, this “noble detachment,” is still self-directed.<sup>25</sup> Such “self-emancipation... [escapes] the yoke of society or public opinion, by some process of deliberate self-transformation,” which allows the self to be “isolated, independent, on [society’s] edges, no longer vulnerable to its weapons”; the separation of the self from the rest of society exhibits a willful, determined self: no obstacles can block its path when it

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<sup>22</sup> Berlin (2002b), 181.

<sup>23</sup> Ibid., 181. Self-abnegation achieves a certain kind of liberty in the negative sense, self-realization of liberty in positive sense. Since self-abnegation achieves a form of negative liberty by the removal of obstacles not from the area being controlled, or the desire that is being oppressed, but rather by the expurgation of such desire, I also see this as an achievement of positive liberty as the liberty is attained through conscious action.

<sup>24</sup> Ibid., 182.

<sup>25</sup> Berlin (2002a), 31.

abandons the path.<sup>26</sup> When an individual, “the rational sage,” makes such an escape into “the inner fortress of his true self,” it is worthy to note that this occurs because the “external world has proved exceptionally arid, cruel, or unjust”; and with so many “avenues of action blocked to him, the temptation to withdraw into himself may become irresistible.”<sup>27</sup> Such a reality, of course did exist for Juvenal, and Berlin even remarks that this was the case in post-Republican Rome.<sup>28</sup> There is, however, a drawback to self-abnegation. The elimination of desires may increase happiness or security, but it does not correspond to an increase in civil or political liberty; this is why social reformers and tyrants are also incapable of increasing such liberty by these means.<sup>29</sup>

Alternatively, the approach of self-realization relies on “the use of critical reason” to achieve freedom.<sup>30</sup> Enslavement and coercion are conquered by analysis and understanding; self-realization recognizes that:

I am free if, and only if, I plan my life in accordance with my own will; plans entail rules; a rule does not oppress me or enslave me if I impose it on myself consciously, or accept it freely, having understood it, whether it was invented by me or by others, provided that it is rational... Knowledge liberates not by offering us more open possibilities amongst which we can make our choice, but by preserving us from the frustration of attempting the impossible... I am a rational being; whatever I can demonstrate to myself as being necessary, as incapable of being otherwise in a rational society... I cannot, being rational, wish to sweep out of my way.<sup>31</sup>

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<sup>26</sup> Berlin (2002b), 182. Additionally, on 183: “Freedom is obedience, but, in Rousseau’s words, ‘obedience to a law which we prescribe to ourselves’, and no man can enslave himself.”

<sup>27</sup> *Ibid.*, 185-186.

<sup>28</sup> *Ibid.*, 186.

<sup>29</sup> Berlin (2002a), 32. On the social reformer, cf. (2002b) on 184: “But to manipulate men, to propel them towards goals which you – the social reformer – see, but they may not, is to deny their human essence, to treat them as objects without wills of their own, and therefore to degrade them.” On the tyrant, 186: “If the tyrant (or ‘hidden persuader’) manages to condition his subjects (or customers) into losing their original wishes and embracing (‘internalising’) the form of life he has invented for them, he will, on this definition, have succeeded in liberating them... But what he has created is the very antithesis of political freedom.”

<sup>30</sup> Berlin (2002b), 187.

<sup>31</sup> *Ibid.*, 190.

Here, two significant items stand out: whereas self-abnegation removes obstacles, self-realization overcomes them with rationality; by arriving at this enlightened state, the focus is not on how I am confined, but on what my reasoned, positive powers may accomplish.<sup>32</sup> Liberty is earned through an awareness that pursues the best course of action. Self-realization does not feel limited by obstacles, but takes full advantage of the opportunities that are already available; if something is necessary, I can direct myself towards that same end.

On the whole, “the rise and fall of the two concepts” of liberty relate to a specific moment and the dangers that “[threaten] a group or society most.”<sup>33</sup> Freedom is a highly complex issue whose “fundamental sense... is freedom from chains, from imprisonment, from enslavement by others”; when we seek freedom, we seek the removal of obstacles, or “to curb interference, exploitation, enslavement by men whose ends are theirs, not one’s own.”<sup>34</sup> And as Berlin concludes, “[freedom], at least in its political sense, is coterminous with the absence of bullying or domination.”<sup>35</sup> And yet, the problem of securing freedom, or any increase in liberty, does not have a single solution nor are there any set guidelines; the ends of positive and negative freedom may be so helplessly incompatible that, in the absence of “clear-cut solutions,” choices must be made and the rational decisions are those made “in light of general ideals, the overall pattern of life pursued by a man or a group or a society.”<sup>36</sup> Therefore, in order to come to an

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<sup>32</sup> Cf. Berlin (2002a), 36: “Nevertheless, despite such heroic efforts to transcend or dissolve the conflicts and resistance of others, if I do not wish to be deceived, I shall recognise the fact that total harmony with others is incompatible with self-identity; that if I am not to be dependent on others in every respect, I shall need some area within which I am not, and can count on not being, freely interfered with by them.” Also (2002b), 190: “To want unnecessary laws to be other than they are is to be prey to an irrational desire...”

<sup>33</sup> Ibid., 39.

<sup>34</sup> Ibid., 48.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid., 42. Cf. Berlin’s example of the institution of uniform primary and secondary education that demonstrates a discrimination “between liberty and the conditions of its exercise,” 45-47; and from this, in particular, on 46: “...when... values genuinely clash, choices must be made... Useless freedoms should be made usable, but they are not identical with the conditions indispensable for their utility... In their zeal to create social and economic conditions in which alone freedom is of genuine value, men tend

understanding of liberty – in all its forms – it is necessary that we take stock of both the restrictions on freedom and especially the methods by which an individual or larger whole contends with these restrictions, for in these restrictions and methods are the choices that represent the ideals and goals of that individual or society.

With Berlin's two concepts of liberty we are thus able to apply a fuller meaning to the conception of *libertas* within Juvenal and his *Satires*. As a result, we will be able to draw new boundaries of *libertas* for the author and his text.

We begin again with the concept of negative liberty. Clearly, Juvenal and his satirist lacked this form of liberty. The principate simply did not allow for such a freedom to exist and placed obstacles and deterrents in the path of those who would seek to utilize such *libertas*. The area that should be left unobstructed for Roman men – or, at the very least, for Juvenal in his capacity as a satirist – is *libertas*, but this is directly interfered with by imperial power. Book I of the *Satires* alone patently demonstrates such interference with negative liberty: *libertas* should not need forgiveness and should not end in punishment (1.150-157); the compulsion to other genres and away from satire (1.1-18; 162-164); the corruption of the provinces by *praetextati mores* (2.170); the aggression against and subsequent silence of free men (3.286-301); the lack of a true *iudex morum* (4.11-12); the silencing of free men as result of a threat of violence (5.125-127; 130-131); and the inequitable table of the host who sardonically denies the delusional hopes of his guests (5.146-173). What Juvenal and his satirist might otherwise achieve is not an option

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to forget freedom itself; and if it is remembered, it is liable to be pushed aside to make room for these other values with which the reformers or revolutionaries have become preoccupied.” Also, on 47: “When these rules or principles conflict in concrete cases, to be rational is to follow the course of conduct which least obstructs the general pattern of life in which we believe... But even those who are aware of the complex texture of experience, of what is not reducible to generalisation or capable of computation, can, in the end, justify their decisions only by their coherence with some overall pattern of a desirable form of personal or social life, of which they become fully conscious only, it may be, when faced with the need to resolve conflicts of this kind.”

under the principate. *Libertas* is not a right that can be granted anew because this still indicates that interference exists. For Republican and Lucilian *libertas* to exist, it must exist in a state where its status and performance are not questioned or compromised in the slightest way; any interference is coercion and assimilation to a servile condition. In light of their lack of negative freedom, Juvenal and his satirist must therefore locate some sort of *libertas* as *libertas* was a prerequisite of writing satire from its inception by Lucilius.

Accordingly, with negative liberty no longer an option under the principate, Juvenal and his satirist turn toward positive liberty. Juvenal answers positive liberty's question by becoming a satirist (in the sense both of a literary profession and of a multifaceted speaker within his poems). That positive freedom is taken on by the satirist is evident from the very beginning of the *Satires*: the satirist's initial question if he must always be a listener is, in actuality, a declaration of his own power and freedom; his words – whether we imagine them being spoken or written – establish that he will not hinder himself from writing satire, but that he is in control. His determination not to write other genres of poetry is further proof of his positive liberty because he is determining for *himself* to write satire and to be a satirist (1.1-21).

Beyond this programmatic assertion and claim to positive liberty, Juvenal and his satirist must continue to find a means to exercise positive liberty throughout the *Satires*. Herein lies the importance of the adoption of excess in its myriad forms. What Juvenal finds in contemporary Rome with its lack of negative liberty is an excess of positive liberty: the populace revels and indulges in their immorality; traditional, Republican obstacles and sociopolitical codes – that is, what the satirist values as the correct standards, morals, and sociopolitical structure – are no longer in force with the result that Romans are now free to choose and to enjoy vice-riddled lives for themselves. In turn, this has, of course, led to the degradation of the identity of the elite, free

Roman male as it was understood, respected, and preserved during the Republic, which is to say, the era of Lucilius. As such excessiveness and (self-)indulgences are permissible under the principate, Juvenal and his satirist reappropriate excess as a means of acquiring their own version of *libertas*, which is necessary to write satire. In doing so, this reappropriation is able to keep the focus of the *Satires* on the lack of true *libertas* that the satirist is experiencing; the negative vice is transformed through the powers of satire into a positive virtue. This fits well with Feinberg's definition of satire as "the playfully critical distortion of the familiar": excess is the familiar, quotidian condition of imperial Roman society, and Juvenal and his satirist twist this in order to play and to criticize that same society, thus exposing the *libertas* that Roman men not only lack, but are also actively deprived of.<sup>37</sup> In this way, the excessive, complicated nature of the *Satires* is wholly essential for the success of Juvenal's brand of satire: by deliberately choosing to reappropriate excess, the satirist takes hold of his positive liberty for the purposes of showing the extent of his newfound, individual *libertas*; excessiveness and positive liberty highlight the real lack of negative liberty.

Furthermore, the reappropriation of excess via positive liberty is significant because, in taking on the vice of Roman society, Juvenal and his satirist exhibit a divided self. In this case, that self represents the larger whole of Roman society, and Juvenal and his satirist aim to assume the role of the 'higher' self within that whole. This is an important contrast as the 'higher' self usually represents a form of authoritarianism and therefore, the 'higher' self in this equation, which Juvenal and his satirist are in conflict with, is the emperor himself. This accords well with his title as *princeps*: the emperor quite literally does make himself (or his 'self') to be of higher importance than the rest of Rome's collective whole; whereas there were many *principes* in the

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<sup>37</sup> Feinberg (1963), *The Satirist: His Temperament, Motivation, and Influence*, 7; cited by Braund (1992), 4.

Republic, now the emperor is the only one. Consequently, this struggle between Juvenal and the principate to be the dominant self is a struggle for Roman identity. It is the means by which each self achieves self-realization that becomes the decisive factor in determining how each self affects the actual freedom of Romans, as well as their identity.

Before exploring self-realization further, it is first expedient at this point to discuss self-abnegation as a method for Juvenal and his satirist within the text. The *Satires* as a whole illustrate an evolving process of self-abnegation. From *Satire 1*, the satirist recognizes the ultimate futility of the desire for negative freedom and contracts the boundaries of his liberty as necessary: as negative liberty is unavailable, so he pursues positive liberty through excess. Such contraction also explains why the satirist will only be attempting what he can against the dead (1.170-171). His retreat into the inner citadel, of course, becomes more apparent in later books as the satirist's ironic detachment and cynical superiority take precedence over the more pronounced *indignatio* of Books I and II. It is in those later books that the satirist offers up solutions that are focused internally: the satirist's final silence at the end of *Satire 9*; the advice to recognize your own capability in *Satire 10*; knowing the measure of yourself in *Satire 11*; and the Democritean and Cynic satirists in Books IV and V who give up anger and set themselves apart from the rest of Roman society so that they may ridicule from the sidelines and achieve a self-satisfying superiority. Thus, by the end of the *Satires*, the satirist is no longer vulnerable to the external reality that lacks negative liberty, but has found a security in himself; however, his overall liberty has not been increased as such.

But again, because of the conflict about freedom and identity that is taking place between the satirist and the principate, the solution of self-realization deals with the greater stakes of sociopolitical freedom and Roman identity. It is also through positive freedom and self-

realization that Juvenal and his satirist are able to justify the overarching purpose for continuing to write satire.

Reason is central to self-realization in order to overcome coercion or enslavement. To be sure, it is only “by becoming conscious and acting appropriately” that self-realization can take shape.<sup>38</sup> And with this in mind, we can revisit the self-abnegation of *Satire 1* to reveal its dual purpose: at the same time as the satirist contracts the boundaries of his *libertas* for the sake of security, he is also demonstrating a willful, suitable action. The satirist becomes, quite literally, conscious as he wakes up from listening and begins to speak. He sets in motion a plan for himself, and he also explains his rationale (and rationality) for pursuing it (1.19-21). Any rules, including his contracted borders, are boundaries he also willfully places upon himself; he does not allow these constraints to oppress him, but he accepts them, and understands them even though he may disagree with some of them. Although some constraints may not be rational in the sense of what makes the best sense to the satirist, they do conform to “the necessities of things,” that is the reality of Rome’s social and political climate in the late first and early second centuries CE.<sup>39</sup> Hence, Juvenal’s self-abnegation does not limit the satirist from achieving greater liberty (that is, a working form of *libertas* via excess and positive liberty), but also allows him to achieve the self-realization that will, in turn, support his broader, underlying sociopolitical assertions.

In similar fashion to the evolution of self-abnegation throughout the *Satires*, self-realization develops progressively, as well. Whereas the satirist begins with limited reason in *Satires 1* and 2, *Satire 3* uncovers the growing understanding of the satirist. Unlike Umbricius, the satirist does not avail himself of the opportunity to leave Rome. Instead, he stays behind,

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<sup>38</sup> Berlin (2002b), 190.

<sup>39</sup> *Ibid.*

ostensibly to continue writing satires (3.321-322). The satirist has made a conscious decision to impose this life upon himself; he does not leave because he deems his literary production rational and conforming to his own necessities, and therefore he cannot push it aside; and the satirist and his newfound *libertas* cannot exist without the excessive (self-)indulgences of the city, which he uses both as fodder for and as a means to write his satire. The satirist is thus bound to what he satirizes: he and his subject matter are inseparable. And, of course, all this is essential because he is compelled by his circumstances and surroundings to write satire; he has already shown why he must write satire, but now he accepts and understands his connection to the city and to excess, thus further removing himself from any enslavement or coercion.

The satirist's use of critical reason continues to expand with the development of the patron-client relationships and the motif of *spes* in *Satires* 5 and 7. There, the hope for improvement in Roman social and political relationships is presented with bitter irony because such hope is futile. The satirist commands this knowledge and is therein able to liberate himself more because, unlike those who seek patronage and its injurious side effects, his understanding prevents and preserves him from the frustration that those clients repeatedly and unceasingly are met with. This realization does not require that the satirist consequently be deterred from his writing; on the contrary, the satirist's reasoning demonstrates the necessity of exposing the falseness of this hope for others – his knowledge can help to liberate others from their frustrations.

By Books IV and V, the satirist reveals the extent of his analysis and understanding, in addition to the resulting freedom they have given him. While most men are ignorant of what they truly need in *Satire* 10, the satirist proves that he knows not only what they should pray for, but more importantly that they can give this to themselves because there is significant power within

the individual and within the society as an organic whole to determine whatever they might will. The satirist's invitation to dinner in *Satire* 11 comes with an altogether different kind of *spes* that invites his guest into his thinking, which is marked out especially by the maxims concerning self-knowledge (11.27 and 11.35). In *Satire* 13, the satirist is able to put Calvinus' loss in context, which therefore allows him to direct the reader's attention towards greater crimes. The discussion of avarice in *Satire* 14 underlines the ignorance of almost all Romans because they have accepted and perpetuated this vice. And finally, the satirist's analysis of the cannibalizing battle between the Egyptians in *Satire* 15 displays both rationality – as he explores and justifies very different instances of cannibalism – and understanding – as he recognizes the importance of *humanitas* and also the dangers of self-destructive crime arising from a lack of harmony. Overall, it is such awareness, recognition, and rational progression that, in turn, affords the satirist greater freedom from the coercion of the principate and the enslavement of crime and ignorance.

Perhaps most importantly, the satirist's self-realization sets him – including his satires, their motivation, purpose, and *libertas* – apart from the self-realization perpetrated by the principate. Both the satirist and the principate have performed their own kind of self-realization, but they have done so in disparate ways and to achieve different ends. Political self-realization, as previously noted, is an “impersonation, which consists in equating what X would choose if he were something he is not, or at least not yet, with what X actually seeks and chooses.”<sup>40</sup> In the case of Juvenal, the coercion that the satirist accomplishes with his audience is one for their own good and, although they are presently too blind to see this, the satirist's intention is for their benefit and edification – the ultimate benefit being the conferral of an awareness of their own powers, including how to wield *libertas* and why it is important to do so. The higher self of the *Satires* is aiming to correct and put the immoral empirical self in order. Conversely, the reason

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<sup>40</sup> Berlin (2002b), 180.

presented for the establishment of the principate by Augustus is a supposed understanding of the Republic (e.g., his constitutional settlements), Roman society's distaste for kings, and the exhaustion after a century of intense political struggles. With the free acceptance of these things (at least primarily, their acceptance by the Senate), the institution and continuation of the principate makes the claim that it is not oppressive, but is concerned with the greater good; however, coercion still exists when there are those who recognize and reject such imposition.<sup>41</sup> The self-realization of the Empire is meant to preserve Roman society, but in reality, it further fractures the identity of its (male) citizenry and deprives them of their *libertas* in the alleged name of the greater good. The political self-realization sought after by Juvenal is meant to increase the liberty of his audience while, in comparison, the political self-realization of the principate does not seek to accomplish any attendant increase in the scope of Roman liberty.

All of this is reinforced by a final point from Berlin:

Perhaps the chief value for liberals of political – 'positive' – rights, of participating in the government, is as a means for protecting what they hold to be an ultimate value, namely individual – 'negative' – liberty.<sup>42</sup>

Herein lies the difference for Juvenal and his satirist as opposed to the principate in the matter of *libertas* and political self-realization. Having been denied negative liberty, Juvenal and his satirist employ a strategy of positive liberty that features excess as a means to regain, at the very least, the *libertas* needed to write satire. Such focus on positive rights – that is, the power of the individual to effect change within the state – is ultimately meant as a means to fight for the fundamental sociopolitical characteristic of male Roman identity: Republican, or Lucilian, *libertas*. The principate, on the contrary, does not build upon the positive liberty it provides

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<sup>41</sup> Cf. Berlin (2002b), 180-181: "It is another thing to say that if it is for my good, then I am not being coerced, for I have willed it, whether I know this or not, and am free (or 'truly' free) even while my poor earthly body and foolish mind bitterly reject it, and struggle against it with the greatest desperation against those who seek, however benevolently, to impose it."

<sup>42</sup> *Ibid.*, 211.

Roman society: participation in the government is not necessary and is even threatening when that government is concerned solely with the protection of its own individual liberty and authority.

As a result of opening up the conception of *libertas* with Berlin's two concepts of liberty, we are able to consider Juvenal, his satirist, and his *Satires* from a new perspective. The *Satires* focus on the issue of the contemporary state of *libertas* in Rome. As an extension of this, we have observed Juvenal and his satirist fighting not only for the *libertas* necessary to write satire, but also for its conception and its crucial place in male Roman identity. The satirist's excesses are connected to his positive liberty and functions as his satiric *libertas* because he has been denied 'true' *libertas*. And the self-realization of the satirist conveys the driving principle behind the *Satires*, that is, the reclamation of sociopolitical power – and especially, *libertas* – from the principate. It is also through this self-realization that the satirist is able to contrast himself with the principate and make his case for an idealized, Republican identity for free, elite Roman men.

Juvenal's *Satires* oblige his audience to push the boundaries of *libertas* further than ever before. For it is there that the satirist performs his function and it is there, with *libertas* pushed so far – as if it were being pushed to the edge of, or even over into, *licentia* – that the satirist is able to make his claims about freedom and freedom of speech; that is, status and the performance of that status. The boundaries of *libertas* are stretched to new extremes as a direct result of Juvenal's distended, uninhibited Rome: his satirist must match these extremes if he will ever have any hope of containing that swollen society.

## ***Libertas and Romanitas***

*“He knew at once that he wanted... to say that in an open society no ideas or beliefs could be ring-fenced and given immunity from challenges of all sorts, philosophical, satirical, profound, superficial, gleeful, irreverent, or smart. All liberty required was that the space for discourse itself be protected. Liberty lay in the argument itself, not the resolution of that argument, in the ability to quarrel, even with the most cherished beliefs of others; a free society was not placid, but turbulent. The bazaar of conflicting views was the place where freedom rang.”*

– Salman Rushdie, *Joseph Anton: A Memoir*

One of the most crucial arguments that Juvenal’s *Satires* as a whole consistently present to their audience thus concerns the importance of *libertas*. And such *libertas*, or lack thereof, furthermore contains an argument about the state of Roman identity, *Romanitas*. With this term, we can understand a “definition of Roman identity and encouragement to conform to that definition.”<sup>43</sup> Hence, just as the genre of satire needs *libertas*, so Roman society and identity also have need of both satire and *libertas*; as the *Satires* make a case for the indispensability of *libertas*, they also make a case for their author’s nostalgic version of *Romanitas* and all its corollaries.

*Romanitas* is a multifaceted concept, of which *libertas* is only one – albeit essential – component: it contained and was comprised of many different aspects and virtues, including, more generally, Roman morality. The qualities that defined *Romanitas* were all “masculine prerogatives, because they belong to the public spheres of action, in military, judicial, religious, and social matters”; the almost sole focus and concern of *Romanitas* was the formation of the ideal Roman man.<sup>44</sup> And so if we trace the issue of *libertas* throughout Juvenal’s corpus, then we must undoubtedly also find that a case is also being made for the identity of Roman men.

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<sup>43</sup> Braund (2002), *Latin Literature*, 70.

<sup>44</sup> *Ibid.*, 83.

In this way, studying *libertas* is both central to examining Roman satire and to the broader topic of Roman identity. It is with *libertas* that the genre of satire is able to act as a container and exert a containing force on anything that should threaten traditional, societal, or cultural order. Although Lucilius was endowed with ‘true’ *libertas*, his successors are all confronted by the glaring lack of it, and as a result, they must all cope with this trauma. Additionally, it is with *libertas* that free, elite Roman men were able to contend with one another socially and politically. The right to *libertas* allowed them to define themselves as individuals within the normal workings of the Republic. Yet, *libertas* under the principate was a relic of Republican Rome, and was thus a passé part of the *mos maiorum*. Juvenal especially strove for this nostalgic ideal within his *Satires* because he recognized the prime function and power of *libertas* for the genre of satire, as well as the sort of sociopolitical and cultural identity proper *libertas* engendered among the Roman men of the far-distant yesteryear.

Therefore, in order for Juvenal to stake his claim – not only as a Roman man, but most especially as a Roman satirist – to petition for morality and to contain Roman identity, he (and his satirist) must possess *libertas*. The present study has endeavored to demonstrate how Juvenal was able to claim the requisite *libertas* in order to write serious, purposeful satire under the principate. Regardless of the existence or nonexistence of the *persona*, there was most certainly an author; and while an author does not always have to be in agreement with every voice and every thing he embodies through his writing, there is at all times an authorial voice to be located within the *Satires*. This voice, though complex and difficult to interpret at times, reveals what was significant to Juvenal, the Roman author of the late first and early second centuries CE. In fact, this much is clear for all satirists of any period: satire is produced at a given moment for specific reasons, because of specific motivations, and always has specific targets in mind.

Continuing from this understanding that satire has specific points of reference in relation to its direction, to its impetus, and to its milieu, we must put a satirist into context so that we can comprehend the seriousness and the real issues that lie beneath the surface of satire's "playfully critical distortion of the familiar."<sup>45</sup> Modern examples of satire provide us with many parallels that demonstrate that – no matter how snarky, outlandish, twisted, backwards, or offensive – satirists write from a unique, but specific perspective meant to lampoon, to incite laughter, and, just perhaps, to force us to take a long, hard look at ourselves, our own lives, and the choices we make. From parodies on *Saturday Night Live*, to Mikhail Bulgakov's satirizing of Soviet Russia (*The Master and Margarita*), and from Stephen Colbert's right-wing character on *The Colbert Report* and the satirical news of *The Onion*, to Jennifer Saunders' masterful creations of modern excesses and shallow concerns ('Edina' and 'Patsy') on *Absolutely Fabulous*, satire – and especially, Juvenalian satire – is alive and well.<sup>46</sup>

In these examples and others, it would be obviously foolish to think that these literary and television inventions were created in isolation or by pure innovation; the authors of satire respond to the day-to-day reality in which they live. And so it was for Juvenal: his moralizing and satirizing program came into being as a response to his contemporary Roman society. When he criticizes the choices of elite men and others, when he disagrees with trends in society and politics, when he is ambivalent, ironic, indignant, or excessive, when he tries to fashion himself in the mold of Lucilian satire and Republican *libertas*, Juvenal and his satirist are very much concerned with morality, identity, and liberty.<sup>47</sup>

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<sup>45</sup> Feinberg (1963), 7.

<sup>46</sup> Interestingly, Bulgakov's book was not published until 1967, nearly thirty years after his death in 1940. Another famous title of his, *The Heart of a Dog*, was written in 1925, but was not formally published until 1987 and up until then had only circulated secretly from reader to reader (*samizdat*).

<sup>47</sup> And so it was also for Tacitus, Pliny Minor, and Martial: these authors all responded to the daily realities of life under the principate.

Therefore, when a close reading of Juvenal's *Satires* exhibits that the text consistently relates to the contemporary state of *libertas* and the satirist's lack therein, it follows that exploring how he produces *libertas* for himself will be able to inform further our understanding of his text and his take on Rome. Such self-production of *libertas*, though it may appear novel, should not surprise the reader because in imperial times "masculine identity was an achieved state"; and if *libertas* is a part of that identity, then it, too, must be realized in some way.<sup>48</sup> Furthermore, if such identity and *libertas* must be attained, then clearly we are discussing a Roman society in which the existence of a second Lucilius is patently impossible: Lucilius did not have to achieve his *libertas*, it just was; Juvenal, on the other hand, must acquire his own – by whatever means he deems necessary – through the *Satires*.<sup>49</sup>

This is why an expansion of our conception of *libertas* is so vital to increase our understanding and appreciation of Juvenal and his *Satires*. Rather than be overly narrow and try to parse *libertas* and separate out the status of freedom and the performance of freedom (of speech), adding to the conception of *libertas* affords greater insight into the workings of freedom, its boundaries, and into how such liberty is achieved even under the most adverse conditions. By considering *libertas*, satire, and Roman identity as more broadly belonging to the field of intellectual history, we also can set them within larger contexts: namely, Roman sociopolitical struggles and the transition from Republic to Empire and all their consequences. And as a result, we are furthermore able to utilize the concepts of negative and positive liberty and their development throughout the *Satires* in our reading of the text.

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<sup>48</sup> Gleason (1995), *Making Men: Sophists and Self-Presentation in Ancient Rome*, 159.

<sup>49</sup> It must be noted that the *libertas* enjoyed by Lucilius was not available to all; other Republican writers, such as Plautus and Naevius, certainly did not have access to the *libertas* of the freeborn, elite Roman man.

Facing the absence of negative liberty and ‘true’ *libertas* then, Juvenal creates his own *libertas* by exploiting the excess already present in Roman society and incorporating it into his positive liberty. The *Satires* are highly reflexive and reflective. Juvenal and his satirist perform exactly as satirists should: they take the world around them as the raw material, the stimulus, and the power to satirize. In doing so, positive liberty and excess become the means through which Juvenal is able to claim his own *libertas* and therefore write satire. Furthermore, this positive liberty professes a self-realization that set the *Satires* in opposition to the principate: whereas Juvenal’s appeals to reason are intended to demonstrate the lack of *libertas* and the degradation of Roman identity to his audience, the principate’s rationale involves sociopolitical peace – the *Pax Romana*.

In fact, it is the *Pax Romana* that we may wish to reinterpret – from the perspective of satire and the satirist – as the ultimate death knell for *libertas* and the Republican identity of free, elite Roman men.<sup>50</sup> Augustus’ deft political maneuvering and recognition of the need to appease the senate certainly did create a long period of relative peace and stability for the new Empire out of the civil strife that had plagued Rome for so long; this peace can appear, in retrospect, as an inevitability that makes the formation of the principate simply a *fait accompli*. Yet, the removal of sociopolitical competition and contention from the lives of elite Roman men effectively nullified their ability to access and use *libertas*; and so, if *libertas* is not performed, then Roman men do not truly have *libertas* (both freedom and freedom of speech) – status is performance and performance is status. Without *libertas*, Roman male identity, as it had existed up to that point, suffered. While rivalries and rhetoric were still present, these were activities for leisured gentlemen and were reduced to the level of spectacle.<sup>51</sup> The “immense security of the *Pax*

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<sup>50</sup> Cf. *Dialogus* 40-41: the empire has no need for *libertas* when men are subservient to the emperor.

<sup>51</sup> Gleason (1995), 159.

*Romana*” may have allowed aristocrats the opportunity “to challenge each other’s masculinity,” but it did not allow them to challenge the principate: to do so would be to upset the new sociopolitical order and the peace so desired by a populace who were weary from so much fighting, both amongst themselves and throughout the Mediterranean.<sup>52</sup>

When Augustus becomes the father of the principate and sets up his familial succession, he essentially appropriates the model of the Roman family – so important socially, politically, and religiously – for Rome as a whole; where many families had been in charge, Augustus makes one family supreme. The emperor is *paterfamilias* for all Rome; everyone else, in effect, becomes his client, depending on him and bending to his *auctoritas*.<sup>53</sup> The new political order builds off the old, but in doing so, transforms into the tyranny of paternalism.

Even under a “benevolent reformer,” paternalism treats “men as if they were not free, but human material” that can be molded according to one person, rather than by their own wills and purposes.<sup>54</sup> Here again is the crucial distinction between the self-realization of the *Satires* and the self-realization of the principate: the *Satires* exert pressure on Roman society and attempt to shape readers for their own good in that the *Satires* seek to illustrate an argument about *libertas* and Roman identity and thereby argue for positive liberty as a means to protect negative liberty (an attempt to increase overall liberty); the principate, on the other hand, has determined that the removal of interpersonal sociopolitical struggles, which so characterized the Republic – and the performances of *libertas* that goes along with them – should no longer exist so that freedom

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<sup>52</sup> Gleason (1995), 162.

<sup>53</sup> Cf. Wells (1997), *The Roman Empire*, 58-59.

<sup>54</sup> Berlin (2002b), 183. Also here: “For if the essence of men is that they are autonomous beings – authors of values, of ends in themselves, the ultimate authority of which consists precisely in the fact that they are willed freely – then nothing is worse than to treat them as if they were not autonomous, but natural objects, played on by causal influences, creatures at the mercy of external stimuli, whose choices can be manipulated by their rulers, whether by threats of force or offers of rewards. To treat men in this way is to treat them as if they were not self-determined.”

(from risky wars and civil strife) may be achieved for the state (an overall net loss of liberty). But this ‘freedom’ has been chosen for Romans, not by Romans: the principate has become the ‘real’ self, and even if there are those who struggle against the new order, they are deemed part of the empirical self, which must bend its will.<sup>55</sup> Thus, the paternalism of the principate fails to recognize the self-direction of the ingredients in its overall social pattern; when there are those individuals or groups who feel “unrecognised or insufficiently respected,” then they will desire “the emancipation of [their] entire class, community, or nation, or race, or profession.”<sup>56</sup> One such group who must feel insufficiently respected is the satirists and hence, at least in the case of Juvenal, *libertas* is desired and sought after.

Such paternalism also preys on the fundamental way in which male Roman identity, *Romanitas*, was learned. The ideal way for *Romanitas* to be imparted was from father to son.<sup>57</sup>

Pliny describes how sons formerly used to learn from their elders:

*erat autem antiquitus institutum, ut a maioribus natu non auribus modo verum etiam oculis disceremus, quae facienda mox ipsi ac per vices quasdam tradenda minoribus haberemus. inde adulescentuli statim castrensibus stipendiis imbuebantur ut imperare parendo, duces agere dum sequuntur adsuescerent... suus cuique parens pro magistro, aut cui parens non erat maximus quisque et vetustissimus pro parente... quod fidissimum percipiendi genus — exemplis docebantur.*

But it was the ancient custom that we might learn from our elders not only with our ears but also with our eyes, [that] we might grasp the things which soon we would have to do and, in turn, which would have to be handed down to those younger. Hence, very young boys were at once instructed while they were serving in the camps so that by obeying they might become accustomed to command [and] while they follow they might become accustomed to behave as leaders... Each had his own parent for a teacher, or if he did not have a parent, whoever was oldest and most experienced in place of a parent... they were taught by examples, which is the most reliable kind of learning.

(*Letters* VIII.4-6)

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<sup>55</sup> Cf. Berlin (2002b), 180-181.

<sup>56</sup> *Ibid.*, 203.

<sup>57</sup> Braund (2002), 84-85.

This was the way men of Rome used to learn during the Republic when they had to climb the ranks of the *cursus honorum*.<sup>58</sup> The primary authority figures of the Republic were fathers and ancestors.<sup>59</sup> Under the principate, however, the emperor replaced the father. Again, whereas there were many fathers during the Republic, the Empire had only one father figure. Although the “essence of *Romanitas*” for free men is conformity to “doing things the way they had always been done,” that is, the *mos maiorum*, the shift in sociopolitical power that occurred as a result of the transition from Republic to Empire changed *Romanitas* by altering the standards of conformity and the seat of power.

Consequently, what the *Satires* present in their nostalgic claims for *libertas* and Roman identity is the *Romanitas* of the Republic as opposed to that of the Empire. Taken as a whole, the *Satires* look back to the Republic and its many political fathers and also to Lucilius, the father of satire. The consistent, underlying argument for *libertas* defines Juvenal’s text as a serious response to the crisis of upper-class Roman male identity, the lack of *libertas*, and the firmly institutionalized power of the principate.

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<sup>58</sup> Gibson and Morello (2012), *Reading the Letters of Pliny the Younger: An Introduction*, 133.

<sup>59</sup> Cf. Braund (2002), 86.

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