

## XX.—Varro Murena

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The events of the first half of 23 B.C. are clarified by consideration of the conspiracy of Varro Murena and Caepio, and of the character and life of the former. This conspiracy occurred while Murena was consul after plans had been laid by Augustus for a revision in his powers and as a consequence of these plans.

## I

The year 23 B.C. was extremely important in the development of the Principate. Unfortunately the events of the first half of this year are not given clearly in our scanty sources. This is to be expected since these events were domestic and constitutional rather than military. Suetonius makes no claim to chronological treatment so that his references are of little help in reconstructing chronology.<sup>1</sup> Velleius, too, is confused in his account because of his semi-biographical approach to history.<sup>2</sup> The only annalistic account is to be found in Cassius Dio.<sup>3</sup> Despite Dio's many errors in the arrangement of his data his account may be used as the basis of a list of those events which are significant in a reconstruction of the first half of 23 B.C. An investigation of these events and a consideration of the character of some of the men involved may clarify some of the confusion.

The important sections of Dio's account may be summarized under five headings. 1. The consuls were Augustus (for the eleventh time) and Calpurnius Piso. 2. Augustus fell ill and anticipating death handed his signet ring to Agrippa and his imperial accounts to his colleague in the consulship, Piso. 3. On his recovery he offered to read his will to the senate to prove that he had not named a successor. 4. He resigned his consulship and was replaced by L. Sestius Quirinus. 5. Additional powers were given to Augustus including the *tribunica potestas* which from 23 was dated by Augustus from June 27 or July 1 and which numbers the years of the Principate.<sup>4</sup>

<sup>1</sup> E.g. *Aug.* 19.1; 27.5; 63.1; 66.3; 81.1; *Tib.* 8.

<sup>2</sup> 2.91-4. These four chapters contain items referring to 23 B.C.

<sup>3</sup> 53.30-32.

<sup>4</sup> For the details and a discussion of the exact date cf. M. Hammond, "The Tribunician Day during the Early Empire," *MAAR* 15 (1938) 23ff. In Dio's account

The first of these five items is only partially correct since Augustus' colleague as *consul ordinarius* was not Piso but Varro Murena. To Dio's account an important addition can be made by dating in 23 B.C. the conspiracy of Murena and Caepio—an event which Dio relates under the year 22 but is dated by most modern scholars in the preceding year.<sup>5</sup> For this event the sources are particularly scanty. The importance of the conspiracy has often been underestimated and the relative importance of the two men misunderstood. Several years ago I suggested that there might be some relation of cause and effect between the assumption of the new powers of Augustus, particularly the annual *tribunicia potestas*, and the formation of the conspiracy.<sup>6</sup> Recently Ronald Syme in a notable work on this period suggested a reversal of the explanation of cause and effect.<sup>7</sup> To amplify and explain my suggestion it is necessary to give an account of what is known of Murena and to fit this information into the events of the first half of 23 B.C.

## II

The evidence for the life and family connections of Varro Murena is fragmentary and at times inconclusive.<sup>8</sup> That he was connected with the *gens Terentia* and the *gens Licinia* is certain. His name is given in the *fasti Capitolini* as A. T[erentius A. f. . . n. Var]ro Murena.<sup>9</sup> This form of his name fits all references to him except L. Murena in a passage in Velleius,<sup>10</sup> Licinius Murena in a passage in Dio,<sup>11</sup> and Licinius in Horace.<sup>12</sup> Two explanations of this are

two important events are inserted out of place in this section of his account: the death of Marcellus, which Dio notes as being out of chronological order, and Agrippa's departure to the East, which probably did not occur until the second half of the year. For Agrippa's departure to the East after July 1, cf. M. Reinhold, *Marcus Agrippa* (Geneva, N. Y., 1933) 83f., 98, note 3.

<sup>5</sup> See below pp. 259–260.

<sup>6</sup> *CW* 32 (1938–39) 43. E. S. Shuckburgh suggested such a connection, but missed its significance because he dated the conspiracy in 22: *Augustus* (London, 1903) 163f.; cf. *id.*, *C. Suetoni Tranquilli divus Augustus* (Cambridge, 1896) 44 (*ad Aug.* 19.1).

<sup>7</sup> *The Roman Revolution* (Oxford, 1939) 333–6.

<sup>8</sup> Max Fluss has collected most of the data: *RE s.v.* "Terentius 92," 706–710; cf. *PIR* 3.303ff.; V. Gardthausen, *Augustus und seine Zeit* (2 vols., Leipzig, 1891–6) 2.2.392.6; W. Drumann, *Geschichte Roms*, 2nd edition by P. Groebe, 4.1 (Leipzig, 1908) 198f.

<sup>9</sup> *CIL* 1.<sup>2</sup>1.28.

<sup>10</sup> 2.91.2.

<sup>11</sup> 54.3.3.

<sup>12</sup> *Carm.* 2.10.1. For the identification of this Licinius as Murena see below p. 1263.

possible. The one usually given is that his name was originally L. Licinius Murena, but by adoption into the *gens Terentia* his name became A. Terentius Varro Murena.<sup>13</sup> The objection to this solution is that there was a man of this same name in Cicero's day who was adopted from the Licinian *gens* into the Terentian<sup>14</sup>—this man is identified with great probability by Muenzer as the father of our Murena.<sup>15</sup> If this is so, then the use of Lucius and Licinius in his name may be erroneous or he may have inherited from his father an exceptionally complicated name containing all of the elements from two family names. Exact certainty concerning the father of Varro Murena is not of great importance,<sup>16</sup> but his connection with two great senatorial families is significant. Other connections can be traced.<sup>17</sup> One sister, named Terentia, was the wife of Maecenas, a second sister of the same name seems to have been the mother of L. Seius Strabo and the grandmother of Sejanus.<sup>18</sup> Murena's brother-in-law Maecenas may have stayed at his country estate near Formiae on the journey to Brundisium in 38 B.C. made famous by Horace's account.<sup>19</sup> Horace in an *Ode* addressed to Sallustius Crispus says:<sup>20</sup>

Vivet extento Proculcius aevo  
notus in fratres animi paterni;  
illum aget penna metuente solvi  
fama superstes.

Porphyrio in a note on the first of these lines relates the following in explanation: the Roman *eques*, C. Proculcius, divided his patrimony with his brothers, Scipio<sup>21</sup> and Murena, who had been impoverished in the civil war. A passage in Dio confirms the relationship be-

<sup>13</sup> E.g. Gardthausen, *loc. cit.* (see note 8).

<sup>14</sup> Cic. *Fam.* 13.22.1; 16.12.6; Caes. *Civ.* 3.19.4.

<sup>15</sup> *RE s.v.* "Terentius 91."

<sup>16</sup> The conjectures are collected by Fluss, *loc. cit.* (see note 8) 707. E.g. that he was the son of the L. Licinius Murena who was *legatus* of Lucullus against Mithradates: Drumann-Groebe, *loc. cit.* (see note 8).

<sup>17</sup> Cf. Fluss, *loc. cit.* (see note 8) 710.

<sup>18</sup> For the Terentias cf. Stein in *RE s.v.* "Terentius 96, 98"; C. Cichorius, "Zur Familiengeschichte Seians," *H* 39 (1904) 461-471.

<sup>19</sup> *Serm.* 1.5.38: Murena praebente domum. Von Rohden and Dessau are uncertain about this identification: *PIR* 3.304. Since Murena would have been rather young at this time it may have been his father's estate.

<sup>20</sup> *Carm.* 2.2.5-8.

<sup>21</sup> Dessau (*PIR* 2.55, number 86) mentions with disapproval an emendation of Scipio to Caepio.

tween Murena and Proculeius.<sup>22</sup> This is the famous Proculeius who was an emissary to Antony and Cleopatra after Actium<sup>23</sup> and whom Augustus considered as a possible husband for Julia.<sup>24</sup> Syme's suggestion that the M. Terentius Varro who was governor of Syria about this time was the brother of Varro Murena is certainly incorrect.<sup>25</sup>

Murena was born in 56 B.C. or earlier since he was consul in 23 B.C.<sup>26</sup> He was then about the same age as Augustus, or a little younger. As stated above, he lost his estate in the civil war and was aided by Proculeius. He seems to have been in the East at some time, whether on official business or not cannot be ascertained. At least he became very friendly with the Peripatetic philosopher, Athenaeus from Seleuceia on the Calycadnus, who was with him in 23 B.C. and probably accompanied him back to Rome earlier.<sup>27</sup> A bi-lingual inscription from Lanuvium referring either to him or his father may, if it refers to him, reflect a stay in the East, since it refers to a Varro Murena who was patron of the city Ptolemais in Cyrene.<sup>28</sup> Another inscription found near Rome may refer to his aedileship (or that of his father).<sup>29</sup> In Vitruvius a passage which is probably corrupt may refer to his aedileship.<sup>30</sup>

In 25 B.C. Murena, having presumably served his praetorship, was sent by Augustus against the Salassi, a marauding tribe at the foot of the Alps in the extreme northwest of Italy.<sup>31</sup> The campaign was not a major one nor dangerous. However, Murena carried it out with efficiency and dispatch. He invaded from many points

<sup>22</sup> 54.3.5. The exact relationship is not certain. They may have been step-brothers or even cousins. For *frater* as an equivalent of *patruelis* cf. Cic. *Fin.* 5.1.1; *Att.* 1.5.1.

<sup>23</sup> Plu. *Ant.* 77-79.

<sup>24</sup> Tac. *Ann.* 4.40.8. For Proculeius cf. *PIR* 3.100, number 736; A. Stein, *Der roemische Ritterstand* (Munich, 1927) 429f.

<sup>25</sup> *Op. cit.* (see note 7) 334, 338. For this Varro cf. Fluss in *RE s.v.* "Terentius 86."

<sup>26</sup> Fluss is too definite in citing 56 as the date of his birth: *loc. cit.* (see note 8) 707.

<sup>27</sup> Str. 14.670.

<sup>28</sup> A. Terentio A. f. Varr. | Murenæ | Ptolemaiei Cyrenens. | patrono, . . . *CIL* 12.2.1.772; 14.2109; Dessau *ILS* 897. Cf. Fluss, *loc. cit.* (see note 8) 709.

<sup>29</sup> *CIL* 1.2.2.2514; 6.1324; Dessau *ILS* 6075; Varro Murena, | L. Trebellius aed. cur. | . . .

<sup>30</sup> 2.8.9: . . . ad ornatum aedilitatis Varronis et Murenæ . . . Krohn prints this without marking but surely the *et* should be bracketed: *Vitruvii de Architectura*, ed. F. Krohn (Leipzig, 1912).

<sup>31</sup> D.C. 53.25.3-5; Str. 4.205-206. The only hint of his official position is in Str. 4.206 where he is called *σπαρηγός*: for this as the equivalent of *praetor* cf. R. Cagnat, *Cours d'épigraphie Latine* (4th ed., Paris, 1914) 103.

to prevent the Salassi from joining forces and forced them to come to terms. Pretending that a fine was their only punishment he sent soldiers out to arrest all men of military age (8,000 according to Strabo) and sold them into slavery.<sup>32</sup> On the site of his camp the city of Augusta Praetoria (Aosta) was founded shortly thereafter.

It was probably about this time that Murena was elected to the college of augurs, an election which Horace celebrates.<sup>33</sup> His elevation to the consulship for 23 B.C. was undoubtedly due in part to his relationship to Maecenas and Proculeius, but also in part to his efficiency in the conduct of the campaign against the Salassi. The fragmentary reference in the *fasti Capitolini* proves that Augustus and Varro Murena were *consules ordinarii* for 23 B.C., and that Cn. Calpurnius Piso was *consul suffectus* replacing Varro Murena after his death. L. Sestius Quirinus was the second *consul suffectus* replacing Augustus when he resigned. In the *fasti Capitolini* for 23 B.C. is the following statement: [Imp(erator)] Caesar Divi f. C. n. Augustus XI | abd(icavit). In eius loc(o) fact[u]s est | [L. Sestius P. f. L. n.] Quirin[us] | A. T[erentius A. f. . . n. Var]ro Murena | [in mag(istratu) mort(uus)] est. In e(ius) l(oco) f(actus) e(st) | [Cn. Calpurn]ius Cn. f. Cn. n. Pis[o]. | [Imp(erator) Caesar Divi f. C. n. Augustus postquam consu]latu se abdicavit, tr[ib(unicia) pot(estas) annua f(acta) e(st)].<sup>34</sup> The evidence of this inscription is far stronger than the omission of mention of Varro Murena as consul in Dio and in the other consular *fasti*.<sup>35</sup> The omission of his name in official lists was part of a set policy not to mention him after his disgrace. This passage proves also that the conspiracy

<sup>32</sup> Dio (53.25.4) says that only the men of military age were sold; Strabo (*loc. cit.*) says that all were sold. Since an inscription found at Aosta which dates not later than 20 B.C. was set up by the Salassi to Augustus, we may assume that not all of the Salassi were sold (Dessau *ILS* 6753). For Augusta Praetoria cf. Huelsen in *RE s.v.* "Augusta 17."

<sup>33</sup> *Carm.* 3.19. This identification is accepted in A. Kiessling (ed.), *Q. Horatius Flaccus, Oden und Epoden*, 7th ed., by R. Heinze (Berlin, 1930) 336 (intro. to 3.19). G. Howe says that the augurate was held before 23: *Fasti sacerdotum p. R. publicorum aetatis Imperatoriae* (Leipzig, 1904) 27, number V.8.

<sup>34</sup> *CIL* 1.<sup>21</sup>.28 (fragments XXXVIII–XL). Cf. W. Liebenam, *Fasti consulares imperii Romani* (Bonn, 1909) 7.

<sup>35</sup> D.C. 53.30.1. cf. H. Dessau, *Geschichte der roemischen Kaiserzeit* 1 (Berlin, 1924) 50; cf. the digest of consuls in *CIL* 1.<sup>21</sup>.162f. In the *fasti feriarum Latinarum* the reading 731/23 is: [Imp. Caesare XI C]n. Pisone cos. (*CIL* 1.<sup>21</sup>.58). Cf. also the recently discovered list of Augustan consuls published by G. Mancini, *BCAR* 63 (1935) 40f.

of Murena and Caepio occurred while Murena was consul, i.e., early in 23.<sup>36</sup> Early in this same year occurred a curious incident treated by Dio immediately before his account of the conspiracy.<sup>37</sup> M. Primus, governor of Macedonia, was tried at a *quaestio de maiestate* before a praetor because he had (allegedly) made war on the Odrysae without authorization. Primus alleged the instructions of Augustus or of Marcellus, but Augustus appeared to deny the excuse of Primus. Murena was the advocate for Primus and treated the witness, Augustus, with disrespect. Dio implies that Primus was condemned.<sup>38</sup> Nothing further is known of him.

The most elaborate account of the conspiracy is in Dio, but details can be added from other scattered references. After a brief account of the conspiracy as it appears in the sources, the background will be analyzed and an attempt made to solve some of the problems in the sources.

Dio's account is as follows. After the trial of Primus a plot was formed against Augustus in which Fannius Caepio was the leader. Murena was said to have been a participant, perhaps by the enemies his outspokenness had made. Caepio and Murena were convicted *in absentia* as though about to flee and were slain afterwards. Murena's relationship to Maecenas and Proculeius did not aid him, although a few of the jury voted for the conspirators. Caepio's father manumitted a slave who had aided his flight and crucified one who had deserted him. Augustus finally was criticised only because he allowed sacrifices as though for a victory.<sup>39</sup> Velleius' account is brief and rather different: "Nevertheless there were those who hated this happy state: to be sure L. Murena and Fannius Caepio . . . when they had planned to kill Caesar, seized by public authority, suffered justly that which they had wished to do by violence."<sup>40</sup> A little later Velleius dates the death of Marcellus about the time of this conspiracy and about three years before that

<sup>36</sup> This chronology is accepted by most of the scholars who have had occasion to treat the material with any detail: e.g. Fluss, *loc. cit.* (see note 8); Gardthausen, *loc. cit.* (see note 8); Syme, *loc. cit.* (see note 7), etc.

<sup>37</sup> D.C. 54.3.2-4. For the dating see below p. 262.

<sup>38</sup> For the significance of this trial in Roman constitutional history, cf. M. Hammond, *The Augustan Principate* (Cambridge, 1933) 39, 42, 174f. (there dated in 22 B.C.).

<sup>39</sup> 54.3.4-8.

<sup>40</sup> 2.91.2: erant tamen haec qui hunc felicissimum statum odissent: quippe L. Murena et Fannius Caepio . . . cum iniissent occidendi Caesaris consilia, oppressi auctoritate publica, quod vi facere voluerant, iure passi sunt.

of Egnatius,<sup>41</sup> which was in 19 B.C.<sup>42</sup> Macrobius tells in detail the story of Caepio's faithful slave, relating that Caepio escaped as far as Naples.<sup>43</sup> Seneca twice mentions Murena and Caepio in lists of conspirators against Augustus.<sup>44</sup> From Strabo it is learned that Murena's friend, the Peripatetic philosopher Athenaeus, accompanied him in flight but was released as guiltless when captured.<sup>45</sup> Suetonius lists them with other conspirators against Augustus.<sup>46</sup> In addition, three passages in Suetonius give supplementary details. The only time Augustus ever interceded for a defendant in court was for Castricius who had informed him concerning the conspiracy of Murena.<sup>47</sup> Again, Augustus was annoyed with Maecenas because he had betrayed to his wife Terentia the secret of the discovery of this conspiracy.<sup>48</sup> Tiberius, at the time quaestor, "accused Fannius Caepio who had conspired with Varro Murena against Augustus before a jury on a charge of high treason and had him condemned."<sup>49</sup> When Tacitus is listing the unfavorable reactions about the character of Augustus he speaks of "Varros killed at Rome."<sup>50</sup>

In the account drawn from the sources there are indications of inadequate comprehension of the true meaning of the conspiracy. Dio's statement that Caepio was the leader is extremely unlikely.<sup>51</sup> We know nothing of Caepio beyond what is given above.<sup>52</sup> However, a glance at the two men shows that Murena as consul and a member by blood and adoption of two senatorial families could

<sup>41</sup> 2.93.1. Since Marcellus' death occurred after Agrippa's departure to the east, and Agrippa probably did not leave before July 1, the date of Marcellus' death would be in the second half of 23 B.C. See above, note 4.

<sup>42</sup> Cf. Groag in *RE s.v.* "Egnatius 36."

<sup>43</sup> *Sat.* 1.11.21.

<sup>44</sup> *Brev. vit.* 4.5; *Clem.* 1.9.6. It is for rhetorical reasons that Seneca names them separately as though they had conspired independently; cf. Fluss, *loc. cit.* (see note 8) 708.

<sup>45</sup> 14.670.

<sup>46</sup> *Aug.* 19.1.

<sup>47</sup> *Aug.* 56.4. Castricius is otherwise unknown.

<sup>48</sup> *Aug.* 66.3.

<sup>49</sup> *Tib.* 8: . . . Fannium Caepionem, qui cum Varrone Murena in Augustum conspiraverat, reum maiestatis apud iudices fecit et condemnavit. Velleius (2.94.3) sets Tiberius' quaestorship in this year and adds that he relieved an acute grain shortage at Rome and Ostia; it was in the following year that Augustus accepted the *cura annonae* (D.C. 54.1.1-4; *Res gestae* 1.5.33-35).

<sup>50</sup> *Ann.* 1.10.3: . . . interfectos Romae Varrones. . . .

<sup>51</sup> 54.3.4.

<sup>52</sup> P. 260.

not have been his inferior in such an enterprise whether the purpose of the conspiracy was to replace Augustus with a new *princeps* or to restore the republic. It is not satisfactory to assume with Dio that the conspiracy was formed because of feeling against the verdict in the trial of Primus.<sup>53</sup> Surely a man in Murena's position needed a stronger reason than that unless more was involved in the trial than appears on the surface. Velleius' suggestion that he hated the new state of affairs is closer to the truth.<sup>54</sup> Since this was the year in which added powers were given to Augustus, it seems likely that there is some connection between these and the conspiracy. The most important of these powers was the *imperium proconsulare*, but the most striking from the point of view of a contemporary (i.e. Murena) was probably the *tribunicia potestas* which Tacitus called *summi fastigii vocabulum*.<sup>55</sup> There is no need to discuss the various theories involved in these powers which were not wholly new but merely the final steps in the establishment of tight control of the state.<sup>56</sup> Augustus before his revision of the state in 27 B.C. is pictured by Dio as holding a long discussion with Maecenas and Agrippa.<sup>57</sup> This conference may well have been an invention of the historian, but it does reflect Augustus' slow and careful approach to innovations. In the present instance it does not seem fanciful to assume that he consulted his advisors beforehand about the revision of his powers. These advisors would probably include among others Maecenas, Agrippa, Marcellus, and his colleague the consul Varro Murena. Murena was probably opposed to the changes but made no strong protest at the time. If the trial of Primus took place soon after this, the action of Murena at that trial may be explained since it is hard to account for Murena's open hostility to Augustus in any other way than as a test of Augustus' reaction to restrictions put on one consul by the other. If Augustus could not be restrained by a consular colleague, then with the added protection of the full *tribunicia potestas* liberty in the city of Rome would be seriously impaired for the senatorial class. Whereas the settlement of 27 B.C. may have seemed a "restoration of the republic" to Murena, this change now seemed to abrogate that

<sup>53</sup> *Loc. cit.*

<sup>54</sup> 2.91.2.

<sup>55</sup> *Ann.* 3.56.2.

<sup>56</sup> Cf. particularly Hammond, *op. cit.* (see note 38), chapters 4 and 8.

<sup>57</sup> 52.1-41.

"restoration."<sup>58</sup> This assumed sequence of events would give to Murena a compelling reason for quick action. Murena's character fits this interpretation. He had had a normal and successful career. Velleius says that "barring this evil deed (the conspiracy) Murena could seem a good man."<sup>59</sup> Velleius' characterization is inconsistent with Dio's description of his immoderate outspokenness, but Dio seems to be generalizing from the single instance of his action at the trial of Primus.<sup>60</sup>

In considering Murena's character one other source is interesting. The famous *Ode* by Horace on *aurea mediocritas* is addressed to Licinius.<sup>61</sup> Identification of this man as Murena involves some difficulties. If such an identification is made, the publication of the first three books of the *Odes* was probably early in 23 before the conspiracy, since the friendly attitude toward Murena would have been unwise after his execution.<sup>62</sup> However, Horace was guilty at least of tactlessness in addressing Murena by an unusual (or incorrect) *nomen* and taxing him with a lack of *aurea mediocritas*.<sup>63</sup> Although not absolutely certain, it seems likely that this *Ode* is addressed to Murena. However, an implication of a lack of *aurea mediocritas* is by no means the same as the charge of immoderate outspokenness. Any man who aspired to and held high office obviously departs from the golden mean.

Some further points in the conspiracy are of interest. Dio says that both men were tried (*in absentia*) and Velleius agrees, but Suetonius speaks only of the prosecution of Caepio.<sup>64</sup> This can be

<sup>58</sup> *Res gestae* 6.34; D.C. 53.3-10. Cf. McDermott *CW* 32 (1938-39) 42f.

<sup>59</sup> 2.92.2: . . . nam Murena sine hoc facinore potuit videri bonus. . . .

<sup>60</sup> D.C. 54.3.3-4. Cf. Cichorius, *loc. cit.* (see note 18) 467, note 1. Suetonius (*Gram.* 9) tells an incident in which Orbilius attacked Murena in court, jesting about his physical deformity (M. was hunchbacked), but does not say that Murena made any answer. For other jests in similar bad taste about Galba, the father of the emperor, cf. Macrobian *Sat.* 2.4.8; 2.6.4.

<sup>61</sup> *Carm.* 2.10.

<sup>62</sup> J. W. Duff, *A Literary History of Rome* (2nd ed., New York, 1910) 518f. Duff dates the publication in 23, and assumes that *Carm.* 2.10 and 3.19 are addressed to Murena. However, he places the execution of Murena in 22 B.C. The reference to Marcellus in *Carm.* 1.12.45-46 is undoubtedly before his death in 23.

<sup>63</sup> This is the view in Kiessling-Heinze where Licinius is not identified as Murena. The further statement that omission of mention of his consulship is significant overlooks the fact that to mention his consulship would have meant revision immediately before publication. In some MSS. the name *Licinius Murena* is given in the title of the poem. Kiessling-Heinze, *op. cit.* (see note 33) 198-9 (intro. to *Carm.* 2.10).

<sup>64</sup> D.C. 53.3.5; Vell. 2.91.2; Suet. *Tib.* 8.

explained in this way. In the trial most emphasis was surely laid by the prosecutor Tiberius (undoubtedly by order of Augustus) on Caepio so that the disloyalty of Murena, a prominent man and the other consul, should not be stressed. This would account for Dio's naming of Caepio as the leader, and for the doubt about Murena's guilt.<sup>65</sup>

Finally, two interconnected questions may be asked. Was there any prospect of success for the conspirators and did Augustus consider the conspiracy dangerous? The general attitude in the sources seems to answer these in the negative. Looking back at the stability of the regime of Augustus the threat from Murena seemed unimportant. However in 23 the position of Augustus was not without danger. Even in 14 A.D. there were still many who disapproved of his rule.<sup>66</sup> When Dio tells us that Maecenas in 21 B.C. told Augustus that Agrippa had grown so great that he must either marry Julia or be eliminated, the story may be apocryphal but it does represent the true background of the situation.<sup>67</sup> Dissatisfied elements among the aristocrats would surely have flocked to Murena after a successful revolution. But for success some military aid would have been necessary: this Murena could have obtained or hoped to obtain from the detachments which had served under him when he went against the Salassi. These had not been numerous but had at least been powerful enough to seize 8,000 Salassi of military age.<sup>68</sup>

The best evidence for assessing this conspiracy as a serious one is to be found in the various measures taken by Augustus at the time of the conspiracy or shortly thereafter. Four are minor but significant items: the prosecution was entrusted to Tiberius, a member of the imperial family; <sup>69</sup> mercy was not granted even at the request of Maecenas and Proculeius; <sup>70</sup> the suppression of the conspiracy was celebrated as if it were a victory; <sup>71</sup> and the obscure informer Castricius was given a unique favor.<sup>72</sup> Furthermore, it is certain that about this time the influence of Maecenas waned. The popular

<sup>65</sup> 54.3.4.

<sup>66</sup> Tac. *Ann.* 1.10.

<sup>67</sup> 54.6.5. Cf. Reinhold, *op. cit.* (see note 4) 67f., 86f.

<sup>68</sup> Str. 4.206.

<sup>69</sup> Suet. *Tib.* 8.

<sup>70</sup> D.C. 54.3.5.

<sup>71</sup> *Ibid.* 54.3.8.

<sup>72</sup> Suet. *Aug.* 56.4.

explanation is that Terentia, the wife of Maecenas, became the mistress of Augustus, but it seems more likely that Suetonius is correct in assigning the cause of the breach to Maecenas' revelation of his discovery of the conspiracy to Terentia.<sup>73</sup> Certain further conjectures can be made. As noted above, some of the difficulties seem to be due to a suppression of data about the conspiracy, especially about Murena's part in it.<sup>74</sup> The illness of Augustus occurred in 23 between the time of the conspiracy and before his resignation from the consulship: since it followed the conspiracy it may have been brought on, at least in part, by the realization of danger and treachery. Finally, while ill Augustus handed his signet ring to Agrippa and his accounts to the consul Piso.<sup>75</sup> The danger of the conspiracy may well have caused him to favor the general Agrippa over his youthful favorite Marcellus. This slight to Marcellus was a cause of wonder at the time.<sup>76</sup>

### III

In conclusion, this is the summary of the significant events in the first half of the year 23 B.C. as developed in this paper. 1. Augustus and Murena entered office as consuls on the first of January. 2. Augustus in council with his private advisors decided on new powers as a basis for his rule. 3. The trial of M. Primus occurred at which Augustus and Murena clashed. 4. Murena and Caepio formed a conspiracy which was detected and crushed. 5. Augustus fell ill and indicated his wish for Agrippa to succeed him. 6. After his recovery he resigned the consulship and received new powers about the first of July.

<sup>73</sup> *Ibid.* 66.3. Cf. McDermott, *CW* 32 (1938-39) 43; Shero *CJ* 37 (1941-42) 93. Dio gives the rumor of Terentia's infidelity (54.19.3; 55.7.5), but Suetonius never mentions it. The Terentilla mentioned by Suetonius can hardly be Terentia (*Aug.* 79.2).

<sup>74</sup> See above p. 264.

<sup>75</sup> D.C. 53.30.2.

<sup>76</sup> *Ibid.*