Empire of virtue? normative language and the legitimation of power in Roman North Africa

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CHAPTER III

GOVERNORS AND OFFICIALS

Where the emperor-as-symbol had a strong presence in provincial communities, the emperor-as-leader was a faraway figure. Although he could receive petitions, grant privileges and enact punishments, most emperors were content with a reactive style of ruling. Imperial interventions could have a major impact on civic life – from grand building schemes to the stripping of privileges – these interventions were exceptional. On a daily basis, the direct impact of the emperor on any given community was minimal. The same cannot be said for imperial officials, both civic and military. From the senatorial governor of Africa Proconsularis down to the *beneficiarius* on policing duty, Roman officials were the day-to-day face of imperial power. Although subordinate to the emperor, high-ranking officials nevertheless were considered powerholders in and of themselves. The decisions of governors, legates and to some extent procurators influenced communal life in everything from taxation to construction work. It is therefore not surprising to find large numbers of dedications to Roman officials, set up by both communities and private dedicators. In the current chapter, I turn my attention to the governors, legates and procurators of North Africa and the ways in which they were honoured by their provincial subjects. Although the term 'subjects' might suggest a great distance between officials and the communities they governed, this was not always the case. Some procurators, and even legates and governors, were of local extraction, though stationed elsewhere in North Africa.[514] But whether local or not, Roman officials were considered moral agents. These were men of equestrian or senatorial rank and were expected to act according to aristocratic codes of honour – although many undoubtedly did not always live up to that standard. Like emperorship, the institutional nature of the Roman administrative apparatus was rarely questioned. Questions of legitimacy focussed on individual officials and their conduct in office. And as the dedications across North Africa show, provincial elites held clear beliefs about what ideal conduct in office should look like. These beliefs were expressed in a normative language that diverged from that employed for Roman emperors, highlighting a different aspect of the relationship between provincial communities and empire.

3.1. – Blameless men: early gubernatorial virtues

North African provincials erected a considerable number of dedications to governors and legates between the second and fourth century. Dedicators in Mauretania Caesariensis turned to their procurator, while those in Africa Proconsularis turned to a proconsular governor. The latter was *de iure* in control of all civilian matters in the province, though *de facto* the legate in charge of Legio III Augusta most likely held considerable influence in the Numidian region.[515] With the creation of the province of Numidia under the Severans, the governing of the province was handed to the legate.

[514] See for example CIL VIII 16542a;16452b, a procurator in charge of Tripolitanian estates but most likely from Theveste; ILAlg-02-03, 7898 = ILS 9488 = AE 1911, 107 = AE 2013, +2143, a legate governing Numidia originating from Cuicul; ILAlg-02-03, 7895 = ILS 9489 = AE 1911, 112 = AE 1911, +123, a governor of Mauretania Caesariensis from Cuicul.

[515] Thomasson 1996: 15–18; see also Tacitus, *Histories*, 4.48.

Of the various dedications erected to Roman procurators, governors *pro consule* and legates in the African provinces of the second and third centuries, some 30 employ normative language with reference to the honorand. This includes a wide variety of dedicators, from city councils to men who enjoyed the private patronage of a governor or procurator. The former category will play a dominant role in this chapter, though I shall also include a number of examples of the latter to provide contrast and comparison.

Similar to the dedications to emperors, normative language begins to play an increasingly prominent role in dedications to imperial administrators from the later second century onwards. Although the exact words of praise may differ from the one dedication to the other, there are a number of noticeable trends. An early example is provided by a dedication to the procurator of Mauretania Caesariensis, Titus Caesernius Statius Quinctius Macedo from the year 107.[516] The dedication was erected by the Maccues, a local people, and placed in the provincial capital of Caesarea. The inscription praises Macedo as "most blameless governor" (*praeses innocentissimus*). Although the title *praeses* can be employed with honorific intentions – a source of considerable confusion during the High Empire[517] – in Macedo's example it quite clearly refers to his position as *procurator pro legato*. The praise for his blameless actions with regard to the Maccues highlights a key gubernatorial virtue that appears time and again throughout our period: *innocentia*. Macedo presents us with a particularly early example of a value that gained considerable traction later in the second century, mostly in the dedications to Severan governors and procurators. In Auzia, the Severan procurators Lucius Alfenius Senecio and Caius Octavius Pudens Caesius Honoratus were honoured for their *innocentia*, while the procurator Nunnus is lauded as "most righteousness and blameless governor" (*praeses iustissimus et innocentissimus*).[518] Marcus Aemilius Clodianus, a procurator in charge of the imperial estates in the Tripolitanian region, seems to have maintained a good relationship with the cities of Oea and Sabratha, given that both communities erected dedications to Clodianus in his (presumed) home town of Theveste.[519] The texts of both dedications praise Clodianus for his "unprecedented blamelessness" (*singularis innocentia*). A fragmented dedication from Uchi Maius appears to honour the procurator Quintus Marcius Macrinus during the reign of Severus Alexander, who was in charge of the grain supply and later the *tractus Carthaginensis*, praising him "for his singular blamelessness" ([*o*]*b* [*innoc?*]*entiam singula*[*rem*]).[520] The virtue is not limited to governors and procurators alone: from the third century onwards, we also see the appearance of a small number of *curatores rei publicae* who are praised in public dedications for their *innocentia*.[521] Finally, we may note a variation on the same concept appearing in the dedication to a *procurator a censibus*, who is praised as being "most abstentious" (*abstinentissimus*).[522]

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[516] D 9008 = AfrRom-15-01-278 = AE 1904, 150 = AE 2002, +1715 = AE 2004, +1885 = AE 2012, +1931; Thomasson 1996: 199.

[517] Slootjes 2006: 20–21 with n.22.

[518] CIL VIII 9046; CIL VIII 9049 = CIL VIII 20737 = D 1357; CIL VIII 9369.

[519] CIL VIII 16542a;16452b.

[520] Tribu p.378 = AE 2010, 1809 = AE 2012, 1885.

[521] ILAfr 44 = ILPBardo 80 = AE 1914, 207; CIL VIII 11332 = D 6836 = ILPSbeitla 41.

[522] CIL VIII 20997.

Numerous Republican and imperial literary sources use the term *innocentia* to denote uprightness and moral integrity.[523] In the above epigraphic texts, *innocentia* appears deeply tied to administrative tasks, a suggestion reinforced by its common appearance in dedications honouring civic magistrates from the late second century onwards – a point to which we shall return in the following chapter.[524] The fact that *innocentia* appears to be mostly associated with procurators is interesting. They fall into two distinct groups: praesidial procurators and procurators in charge of imperial estates. The former group acted as governors of Mauretania Caesariensis, but did not have the same rank, influence or prestige as a proconsular governor of Africa Proconsularis or the legates in charge of Legio III Augusta (and later the province of Numidia). Provincial interest in gubernatorial *innocentia* becomes clearer when we take into account the manifold tasks of the praesidial procurator. Like other governors, the praesidial procurators were saddled with a wide array of judicial, administrative and fiscal responsibilities as well as the command of local auxiliary forces. They heard court cases, inflicted corporal punishments and fines, decided in disputes within or between civic communities, quelled unrest through military intervention, received petitions of subjects in their province and kept an eye on civic finances, among other tasks. And although the taking of the census and the collecting of taxes usually fell to lower-ranking officials, civic authorities or tax-farmers well into the Severan era, they most likely cooperated closely with the praesidial procurator.[525]

Provincials across the empire were sensitive to the power of local governing officials. Eck has signalled a decided increase in the petitioning of governors across the empire during the first and second centuries, with provincials preferring to place their petitions and problems before a high-ranking Roman official rather than the local civic authorities.[526] Whether that trust was well placed is another matter altogether. The influential position of the governor within his province left considerable potential for abuse, in the form of financial mismanagement and embezzlement, overly harsh punishment of provincials or preferential treatment of favourites among the provincial elites.[527] More specific complaints range from governors who abused their right to hospitality to

[523] Salust, *The Jugurthan War*, 85.4; Cicero, *Phillipics*, 3.25-26; *De Lege Manilia* 13.36; *Ad Familiares* 111.1.; *Tusculanae Disputationes* 3.8; Velleius Paterculus, 2.29.3. In later Christian sources – notably Augustine and Tertulian – *innocentia* resurfaces with strong Christian connotations; see for example: Tertulian, *Apologeticus*, 18.2; Augustine, *Confessiones*, 2.10.

[524] See for example ILAfr 138 = AE 1989, 792 = ILPSbeitla 59; CIL VIII 5367 (p. 962) = CIL VIII 17496 = ILAlg-01, 288 = Louvre 117 = AE 2000, +68; CIL VIII 23226 = ILTun 363 = ILPSbeitla 62.

[525] Eck 2000: 283–288.

[526] Eck 2000: 288–289.

[527] For a concise overview of the responsibilities of governors in North Africa during the Principate, see Dondin-Payre 1990: 337–344. As an aside, it can be noted that the potential for abuse was not limited to governors but stretched down the administrative ladder, from fiscal procurators to common soldiers. Herodian offers an illustrative example in recounting how the actions of one overly zealous fiscal procurator in Africa Proconsularis formed the incentive for the Gordian uprising of 238. The procurator "used to exact absolutely savage sentences and confiscations from the people, hoping his name would be favourably noted by Maximinus", leading to considerable anger among the local elite. The procurator was murdered by a number of prominent locals, which ultimately led to the proclamation of Gordian I and II as emperors and the downfall of Maximinus. Herodian, *History of the Empire*, 7.4.2-6; Brunt 1966: 483. See also Tacitus, *Agricola*, 15.2-3 on the avarice of procurators.

visit the local hot springs[528], the extortion of gifts from provincials by the governor Bassus of Bithynia[529], and governor Flaccus of Egypt who displayed clear signs of favouritism towards his Greek subjects and provoked ethnic violence against the Jews of Alexandria.[530] This is not to suggest that corrupt governors went wholly unpunished for their crimes, or that there were no repercussions to overt corrupt behaviour. Maladministration could lead to severe rioting and unrest, which in the case of the Egyptian governor Flaccus directly contributed to his downfall. And after a governor's tenure, there could be judicial repercussions for gubernatorial mismanagement as provincials tried to have injustices redressed, going so far as petitioning emperors and bringing their cases for the Senate.[531] But with the high costs involved in legal actions and the governor's close connections in the upper-echelons of Roman society, the odds were nevertheless firmly stacked in the governor's favour. Exactly this potential for abuse – and the difficulty of redressing injustice – explains *innocentia*'s appeal as a virtue praised in the praesidial procurators. "Blamelessness'' directly refers to good governance, fair treatment of provincial subjects and integrity in administrative tasks. But we may go one step further and suggest that it was also in the governor's interest to at least appear as *innocens* towards his provincial subjects, in order to prevent impressions of corruption and mismanagement and by extension further troubles during and after tenure.

The question remains how the *curatores rei publicae* and the non-praesidial procurators fit into this narrative, given that their offices were of a very different nature to that of the praesidial procurator. In Sufetula, the *curator rei publicae* Lucius Caelius Plautius Catullinus was treated to excessive praise by the city's *curiae*.[532] Catullinus earned his honours through his management of the grain supply (*frumentariae res*), possibly lowering the price of grain or procuring additional supplies. According to the *curiae* Catullinus acted with "remarkable clemency" (*insignem eius clementiam*), "outstanding innocence" (*praestantia innocentia* [sic]) and as "a man of outstanding excellence in all virtues" (*prestantiam* [sic] *singularem omnium virtutum viro*). The praise of integrity in *curatores rei publicae*, responsible for the fiscal health of public finances in various communities[533], is an obvious choice, but the context of the inscription seems to suggest that *innocentia* can also be understood here as upright behaviour in a more general sense.

Of a somewhat different nature are the dedications to Marcus Aemilius Clodianus and Quintus Marcius Macrinus, both procurators in charge of the imperial estates in Africa and both honoured with dedications. As noted above, Clodianus was praised for his *innocentia* by the people of Sabratha

[528] One of the complaints in a petition by the villagers of Scaptopara and Griseia from 238, which furthermore notes that complaints about the abuse of hospitality by lower-ranking officials fell on deaf ears with the local governors, CIL III 12336 = IGBR-04, 2236 = IGRRP-01, 674 = Freis 142 = Chiron-1994-415 = Petition p.84 = AE 1892, 40 = AE 1994, 1552 = AE 1995, 1373 = AE 2010, +1106 = AE 2012, +50 = AE 2014, +85a.

[529] See Pliny the Younger, *Letters* 4.9, where the central argument in the case against the former governor Bithynia, Julius Bassus, was that he either accepted or extorted gifts from his subjects.

[530] See for example Philo, *Flaccus*, 43, 73-74. For a rhetorical analysis of the portrait of Flaccus in this oration, see Yoder 2014: 93–128.

[531] For the legal framework in the early principate, see Brunt 1961: 189–206.

[532] CIL VIII 11332 = D 6836 = ILPSbeitla 41.

[533] On the increasingly important role of the *curatores* within civic life, see Lepelley 1996: 215–217.

and Oea in his (presumed) hometown of Theveste, while Macrinus was honoured for the same virtue by the city of Uchi Maius. The jurisdiction of these procurators was limited and in Africa mostly revolved around settling disputes between tenant-farmers (*coloni*) and their overseers (*conductores*).[534] Again, there was considerable opportunity for the unlawful exploitation of the *coloni*, both by the *conductores* and by the procurator in charge turning a blind eye to the complaints of the farmers – the motivation behind a petition from the *coloni* to Commodus.[535] The dedications to Clodianus and Macrinus were not set up by *coloni* but rather by civic communities, which technically fell well outside the jurisdiction of a procurator of the imperial estates. Yet, the lack of jurisdiction pertaining to local towns does not mean a lack of contact. In the case of Macrinus in particular, we are dealing with a man who straddles the boundaries between local involvement and an imperial career. Macrinus may have originated from Uchi Maius; a *congiarium* he paid for is explicitly mentioned in the text. His generosity may have provided additional incentive to erect a statue in his honour, but this is unlikely to be the sole motivation, given the strong association between the virtue of *innocentia* and administrative tasks, both on a provincial and on a civic level. Although there is little direct evidence for the relation of both men with the communities that honoured them, we might hypothesize a different type of official contact. Cities occasionally clashed with the imperial administration over *munera*.[536] The tenant farmers of the imperial estates were officially exempt from mandatory labour duties in neighbouring communities, but this did not stop hard-pressed communities from trying to exploit their labour. The procurators of imperial estates played a key role in this context. Even if they were not particularly high-ranking administrators, these procurators were not powerless either. Both Macrinus and Clodianus would have been provided with a small military force to safeguard imperial interests.[537] In the case of our procurators, a conflict over *munera* may have been resolved amicably with 'impartial' interference from the procurator, motivating the city council of Uchi Maius and the peoples of Sabratha and Oea to erect the honours.

3.1.1. – Clemency and justice

Innocentia is perhaps the most common 'occupational virtue' praised in officials, but provincials employed a wider normative vocabulary to praise their superiors. Praesidial procurators and proconsular governors were expected to fulfil a range of judicial duties, both in criminal and civil cases. Surprisingly, the praise of gubernatorial *iusititia*, *clementia* and broader virtues denoting mild-mannerliness in judgments such as *moderatio* or *mansuetudo* are rare. Two dedications from Caesarea praise the governor for his *iustitia*; one of which may have been set up by a private dedicator rather than by a community.[538] *Clementia* appears once during the Severan era, on a statue base set up by the city council of Cuicul to Tiberia Claudia Subatiana Aquilina and Tiberia

[534] Brunt 1966: 485.

[535] CIL VIII 10570, = CIL VIII 14464 = D 6870 = Freis 110 = ILTun 1237 = Petition p.7 = Louvre 174 = Alumnus 1035 = Chiron-1978-470 = AE 2015, +1797; Kehoe 1988: 123–127.

[536] A type of dispute discussed in the fifth-century tract on land surveying by Agennius Urbicus; the relevant passage however is believed to be derived from Frontinus. See Campbell 2000: 42–43, with n.59; Kehoe 1988: 74, 222.

[537] Fuhrmann 2011: 194–199.

[538] CIL VIII 9367 = CIL VIII 20995 = AE 1939, +163 = AE 1982, +968; *possibly set up by private dedicator*: CIL VIII 9369 (p. 1983).

Claudia Digna Subatia Saturnina, daughters of the legate of Numidia, Tiberius Claudius Subatianus Proculus. Although the base is dedicated to both girls, it supported only a single statue while in the inscription it is their father who receives most praise. The council praises Proculus as a "good man" (*homo bonus*), a "most merciful governor" (*praeses clementissimus*) and notes that the dedication was set up "because of his remarkable excellence with regard to his fatherland" (*ob insignem eius in patriam suam praestantiam*).[539] Again we have a blurring of lines between 'imperial official' and 'member of the local elite'. As legate-governor of Numidia, Proculus held jurisdiction over Cuicul and may have intervened on behalf of the city or ruled in its favour, as suggested by the praise of both his *clementia* and his contributions to the *patria*. Nevertheless, it is also possible that Proculus was simply honoured for qualities typical of the model governor and model citizen.

Whereas *iustitia* or *innocentia* praised in governors and other officials seem to refer to their judicial and administrative responsibilities, civic dedicators were also keen to praise gubernatorial *munificentia*. Governors and legates could act as patrons to communities and are explicitly addressed as such in honorific dedications. As Erkelenz has argued at length, gubernatorial honours were awarded for actions during the governor's tenure, rather than as a result of his high societal rank and influence; actions that need not be limited to administrative tasks or judicial verdicts.[540] Thus, a mid-second-century governor of Africa Proconsularis is praised as a *patronus optimus* in Thubursicu Numidarum, a roughly contemporary military official is honoured for his *liberalitas* in Lepcis Magna, while a legate of the legion is lauded as a *patronus coloniae bene merens* in Cuicul.[541] The judicial and administrative responsibilities of a governor were unique to his station, and were praised with specific normative terms. Munificence, however, was not limited to imperial officials. The language of gubernatorial munificence is almost identical to the language employed for wealthy benefactors of local extraction.[542] Roughly coinciding with the rise in the number of dedications to governors, local benefactors appear with increasing prominence in the epigraphic record from the mid-second century onwards, as does the normative language of munificence. Given that munificent governors formed but a small minority within this broader development, dedicators either did not develop a normative register specific to gubernatorial munificence, or felt that there was no need to linguistically differentiate the munificence of imperial officials from that of local benefactors.

The patronage of cities also brings us to the patronage of individuals. A considerable number of second- and early third-century dedications to imperial officials were erected by private agents. The majority of these were erected by military personnel, and will be treated in more detail in the last chapter. Civilian dedications appear to be relatively rare, which may not be particularly surprising given the relatively restricted access to and position of the governor within his province. It should,

[539] ILAlg-02-03, 7898 = ILS 9488 = AE 1911, 107 = AE 2013, +2143.

[540] Erkelenz 2003: 172–188. Commendable actions could range from successful military operations to interventions on behalf of the city to avoid ruinous financial burdens being imposed by the imperial government, see Erkelenz 2003: 192–197. Even the completion of a term of office without major mismanagement could be a cause for celebration, see Brunt 1961: 222.

[541] ILAlg-01, 1283 = AE 1917/18, 60 = AE 1919, +46 = AE 1967, +536; IRT 552; ILAlg-02-03, 7917 = ILAlg-02-03, 7918.

[542] For a more extensive treatment of the language of munificence in praise of local benefactors, see the following chapter.

however, be noted that a number of inscriptions are simply too damaged to determine the dedicator.[543] In the few extant civilian dedications, munificence appears to be the prime motivation behind the honours. One is the provincial quaestor Lucius Terentius Aquila Grattianus, who served under the governor of Africa Proconsularis. Grattianus is honoured by his *amici* for his *aequitas*.[544] And in a badly damaged inscription from Cuicul, a local lawyer seems to have erected a dedication to the Numidian legate, praising him as an exceptional (*rarissimus*) governor and a patron.[545]

Innocentia and, to a lesser extent, munificent virtues appear to have been the primary modes of praise for Antonine and Severan governors, at least where communities are concerned. Both express broader provincial ideals of official behaviour, from generous support to communities (or individuals) in need to scrupulousness in office. Governors and legates were in part bound by the same normative beliefs that formed the basis of legitimate imperial power. The imperial benevolence, justice or piety propagated in decrees, on coinage or in panegyrics must implicitly also include the officials responsible for the day-to-day running of the empire. But beyond such generalities, the words of praise employed for imperial officials appear very different than those for contemporary emperors. Although we should not draw too distinct a line between 'personal' and 'occupational' virtues, it is nevertheless noteworthy that virtues closely related to the governor's character make few appearances. Governors were not honoured as *felicissimus*, were not praised for their *pietas* or *virtus* and were not awarded with honorific titles such as *conservator*; *indulgentia* does not appear even where governors are praised for their munificence. And despite the legate's command of Legio III Augusta, martial virtues are missing. This suggests a differentiation in the virtue lexicon, with some virtues being the sole prerogative of the emperor while others could be employed more widely. It is noteworthy that *innocentia* appears both in dedications to governors and local civic magistrates, but not emperors: despite its wholly positive meaning, it was evidently considered to be unsuitable for imperial praise.

The occurrence of virtues in African dedications to imperial officials shows only partial overlap with contemporary dedications to governors from elsewhere in the empire. Erkelenz singles out *optimus*, *iustitia* and *merentia* as particularly prominent in dedications to governors from across the Latin West ranging from the late first century B.C. to the third century A.D.[546] Although we saw examples of *iustitia* and munificent virtues, these were not particularly prominent. We find some local contextualisation in the works of Apuleius. The *Florida*, the collection of rhetorical works attributed to Apuleius, preserves two honorific speeches to local governors, the proconsuls Severianus Honorinus and Scipio Orfitus. Both men seem to have been addressed in the presence of the Carthaginian city council and chronological hints in the *Florida* suggests that both speeches date to the 160s.[547] In his speech to Severianus Honorinus, Apuleius addresses the governor in deliberately

[543] See for example BCTH-1954-135 = AE 1957, 78; CIL VIII 7073 = ILAlg-02-01, 660; CIL VIII 9357 (p. 1983).
[544] CIL VIII 60 (p. 924, 979) = CIL VIII 11139. Thomasson 1996: 132 notes the impossibility of dating the inscription but suggests a date in the second half of the second century or the third century.
[545] CIL VIII 8327 = ILAlg-02-03, 7911 = AfrRom-16-04-2136 = AE 2006, +1808.
[546] Erkelenz 2003: 172–173.
[547] Lee 2005: 5.

affectionate tones, praising his goodness (*bonitas*) and moderation (*moderatio*).[548] The latter is the source for Honorinus' dignity (*gravitas*), austerity (*austeritas*), steadfastness (*constantia*) and gentle energy (*blandus vigor*).[549] Apuleius also refers to the popular trope of the good governor, who is loved rather than feared.[550] In the speech to Scipio Orfitus gentleness and moderation are again key values. Apuleius praises Orfitus' generosity (*indulgentia*), his "moderate wishes and gentle corrections" (*temperatum desiderium et moderatum remedium*) and his "noble modesty" (*generosa modestia*).[551]

It is unclear how much importance we should attach to the dating of Apuleius' speeches. The speeches seem to predate the increase in honorific language in epigraphy at the end of the second century. It is unlikely that Apuleius was the only orator active in the genre of encomium in North Africa in the second century. If his style is any indication of the kind of encomium usually delivered to governors, the praise of virtues must have played an important role in the relationships between African communities and their governors well before it appears in epigraphic texts. Apuleius' extensive praise is furthermore far removed from the much shorter and more sober praise evident in many inscriptions. As always, the limited preservation of both the literary and epigraphic record make comparisons hazardous. Although the speeches of Apuleius show some overlap with virtues such as *innocentia* or *clementia* in their stress on moderation and kindness, it is not a perfect fit. The context of the oration may provide for some answers: for Apuleius, facing the governor personally during his tenure, even the suggestion of corruption may have been considered inappropriate.

The 'imperial' virtue of *indulgentia* praised in the governor Orfitus merits some further comment. As noted in the previous chapter, *indulgentia* had strong suggestions of paternal authority and perhaps this may be the effect Apuleius intended. In the text preceding the praise of the governor's *indulgentia*, Apuleius speaks of the nature and ideal use of the human voice, eventually leading to a comparison of blackbirds to children, nightingales to youths and swans to the elderly. The orator continues:

> *Enimvero qui pueris et adulescentibus et senibus utile carmen prompturus est, in mediis milibus hominum canat, ita ut hoc meum de virtutibus Orfiti carmen est, serum quidem fortasse, sed serium, nec minus gratum quam utile Carthaginiensium pueris et iuvenibus et senibus, quos indulgentia sua praecipuus omnium proconsul sublevavit temperatoque desiderio et moderato remedio dedit pueris saturitatem, iuvenibus hilaritatem, senibus securitatem*.
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> "And yet one who hopes to produce a song useful to children, youths, and old men should sing before humans in their thousands, as is this song of mine about Orfitus' virtues—tardy perhaps, but yet heartfelt, and as pleasing as it is profitable for the

[548] Apuleius, *Florida*, 9.34-35.
[549] Apuleius, *Florida*, 9.35.
[550] Apuleius, *Florida*, 9.36.
[551] Apuleius, *Florida*, 17.20, 22.

> children, youths, and old men of Carthage. All of these this proconsul without peer has supported by his generosity, and by his moderate wishes and gentle correction he has brought abundance to children, joyfulness to the young, security to the old."[552]

Orfitus generosity, as well as his moderation and gentleness, are placed in direct connection to three distinct societal groups that were in need of his aid – an impression underlined by Apuleius' use of the verb *sublevo*. Conspicuously absent from this list are the adult male citizens of Carthage, who also made up the majority of the city council. We may speculate that any suggestion of the adult citizens of Carthage, and members of the city council specifically, depending on the generosity of Orfitus was considered unbecoming. Rather, by associating Orfitus' *indulgentia* with 'weaker' age groups, Apuleius may have sought to portray Orfitus as a gentle *pater familias* who generously supports both his 'children' and his elderly subjects in need of aid. Within this carefully constructed literary fiction, the presence of *indulgentia* not only underlined the exceptional nature of Orfitus, but also stressed the ideal qualities of a good governor from a provincial perspective.

The options available to Apuleius were not always available to those working in the epigraphic medium. The images and inscriptions dedicated to governors shared the same public space with local benefactors and emperors, and were subject to longstanding epigraphic traditions. Among these epigraphic traditions was a clear preference to honour men of equestrian or senatorial rank with relatively short dedications, that highlighted a few key virtues rather than a lengthy *cursus honorum* or honorific formulae.[553] Epigraphic texts were furthermore commemorative, erected after a governor's tenure in office and, ostensibly at least, intended to last. Orations such as those in the *Florida* were performed before incumbent governors and could comment directly on current gubernatorial policies and actions. Epigraphic texts on the other hand were of little to no value in addressing the actions of an incumbent governor, thus making the extensive praise of gubernatorial actions obsolete. Perhaps we should rather envision oratory and epigraphic praise working in tandem. Whereas incumbent governors could be honoured extensively by local orators during their time in office, epigraphic texts served as a final acknowledgement of excellent behaviour in office, while also presenting an example to future governors. *Innocentia*, with its broader suggestion of excellent and exemplary behaviour while in office, served as a suitable stand-in for a variety of praiseworthy qualities that better served the commemorative nature of the epigraphic medium.

Although these considerations may go some way towards explaining why provincials opted for *innocentia* or other virtues from a rhetorical point of view, it does not answer the underlying question of why dedicators chose to honour their governors for their virtues at all. Beetham's idea of consent is again valuable here, in a similar way to dedications to the emperor. By erecting dedications to their praesidial procurators, proconsular governors or legates, provincials assented to existing power relationships between themselves and the representatives of imperial rule. This aspect of consent is underlined by the fact that most dedications were either erected in name of

[552] Apuleius, *Florida*, 17.18-21, translation Jones 2017. Lee 2005: 167 suggests that the indulgence in question may have connected to lenient taxation.
[553] Erkelenz 2005: 90–91.

the community or by the city council acting as a representative of the community. Although this had fairly prosaic reasons – governors were more likely to interact with a city's governing bodies than individual members of the municipal elite – the impression was nevertheless one of communal consent and unanimous approval. In this sense, dedications to governors are not markedly different from communal dedications to emperors. Yet there was also a crucial difference: the governor was a far closer figure than the emperor, during his tenure and after. Augustus forbade the erection of statues to governors within sixty days after their departure, a ruling which seems to have been upheld throughout our period.[554] Yet this ruling did not prevent former governors from receiving honours in their own communities. Some officials were drawn from the African elite and had their statues erected in their hometowns, a permanent reminder to their local compatriots of their excellence in office. Although a large number of dedications to Roman officials were erected during the second and early third centuries, not all governors were honoured equally or in similarly praising terms. *Innocentia* in particular also carried within it an implicit tension, suggesting that some governors at least *could* be corrupt. The praise of gubernatorial virtues, and gubernatorial honours in general, gave a measure of agency to provincials in their power relationship with imperial officials. It cast the elite representatives of civic communities not just as moral agents, but as moral arbiters. And unlike dedications to the emperor, current and future governors were far more likely to be confronted with these dedications and the ideals of good governance they contained. It is precisely this dual role of normative language in dedications – evaluating the previous governor while also setting an example for future governors – that would grow increasingly important in the changing ideological landscape of Late Antiquity.

3.2. – A man of all virtues: governors in Late Antiquity

Although there are a number of surviving dedications to fourth century officials across North Africa, I propose to turn our attention once again to Lepcis Magna. The city offers a unique and well-studied ensemble of dedications from across the fourth century, which allows for a more detailed case study of honorific language in the changing world of Late Antiquity. Thirteen governors and three former governors are honoured with either marble plaques or statue bases.[555] The splitting up of provinces into smaller units and the expansion of the state apparatus led to a proliferation of governors and other officials in North Africa. Lepcis Magna likely became the capital of the newly formed province of Tripolitania, governed by a man of equestrian rank (*vir perfectissimus*) under the now-formalised title of *praeses*. The *praeses* dealt solely with civic and judicial matters; military responsibilities fell to the *comes Africae*, a position usually filled by men of senatorial rank (*viri spectabiles*).[556] These administrative changes were reflected in the civic landscape. Like their imperial counterparts, the dedications to fourth-century governors found their home in the Forum Severianum. The dedication to Flavius Archontius Nilus from the years 355-360, found near the entrance to the Severan basilica, offers a particularly prominent example:

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[554] Cassius Dio, 56.25.6.

[555] IRT 529, 562, 563, 565, 566, 569, 570, 571, 574, 575, 576, 577, 610; see also the erased text of statue base 611, dedicated to an unknown figure but similar to other dedications to governors in its superlative use of virtues.

[556] Mattingly 1995: 172.

Nilii Nili[*i ...*] *Vigiliis atque consilio domi forisque praestanti integritate praecipuo iustitia et iudiciorum moderatione perpenso instauratori moenium publicorum ordinis ci(vi)umque omnium salutis providentissimo custodi veritatis honestatis et fidei amicissimo Flavio Archontio Nilo v(iro) p(erfectissimo) comiti et praesidi prov(inciae) Trip(olitanae) patrono optimo ob infinita eius beneficia quibus vel separatim vel cum omni provincia sublevati ac recreati Lepcimagnenses gratulamur uno consensu ordinis viri secundam statuam decreverunt eamque propter praecipuum eius meritum singularemque praestantiam in Severiano foro ad sempiternam prosperitatis memoriam constituendam curaverunt*

"(In honour) of Nilius. Of Nilius. To one who is outstanding in vigilance and good counsel at home and abroad, exceptional in integrity, balanced in justice and in the carefully weighed moderation of his judgments, rebuilder of the city walls, most provident guardian of the security of the city council and of all citizens, strongly attached to truth, rectitude, and good faith, Flavius Archontius Nilus, excellent man [i.e. of equestrian rank], *comes* and *praeses* of the province of Tripolitania, our very good patron, on account of his innumerable benefactions by which we, the citizens of Lepcis Magna, separately or in common with the whole province, have been raised and revived, we offer our thanks; with every member of the city council in agreement they have decreed a second statue to the man which, in view of his outstanding merits and unexampled excellence they took care (to set up) in the Severan forum, with a view to establishing an enduring memory of his favourable influence."[557]

Immediately notable are the elaborate honorific formulae and the extensive praise of virtues that mark a clear contrast with the much sparser style of earlier dedications. The dedication lays heavy emphasis on the personal qualities of Nilus: *integritas*, *iustitia*, *moderatio*, his attachment to *veritas*, *honestas* and *fides*, and his general *praestantia*. Nilus acted as *praeses* and as *comes*, a pairing of functions that gave Nilus both administrative and military responsibilities.[558] The latter are reflected in the martial overtones that appear in *vigilia*, *providentia* and by more general expressions of praise such as *ordinis ci(vi)umque omnium salutis* (...) *custodi*.

When comparing the various dedications to fourth-century governors from Lepcis Magna, a select number of virtues noticeably jump out. *Moderatio* (nine dedications), *integritas* (eight dedications) and *iustitia* (eight dedications) appear regularly as praiseworthy qualities in numerous governors. Occasionally, these virtues are paired. Flavius Archontius Nilus was honoured as *iudiciorum moderatione perpenso*; his *moderatio* was explicitly tied to his execution of *iustitia*. The dedications

[557] IRT 562, translation Reynold & Ward-Perkins 2009.

[558] A similar dual function was held by Flavius Nepotianus, whose Lepcitan dedication employs similarly martial language, noting that the honorand is *cultori rei etiam militaris peritissimo armis consili(i)sq(ue)* ("very knowledgeable also in military affairs, experienced in arms and councils of war"), and deserved the honours "because he wore down the arrogance of the barbarians by the exercise of military skill; because he provided permanent defence and protection of the frontier even for future times and secure against every hostile invader" (*quod barbarorum insolentiam exercitio scientiae militaris adtriberit quod limitis defensionem tuitionemq(ue) perpetuam futuris etia(m) temporibus munitam securamq(ue) ab omni hostile oncursione praestiterit*). See IRT 565, translation Reynold & Ward-Perkins 2009.

to Flavius Victorinus and Laenatius Romulus likewise suggests that *moderatio* and *iustitia* were intertwined virtues for the citizens of Lepcis.[559] But the semantic range of *moderatio* appears to have been wider, since the virtue also appears separate from *iustitia*. *Integritas* likewise appears combined with *iustitia* (*iustitia et integritati praecipuus*[560]), but more often stands on its own. These three key virtues are closely followed by *merentia*, which appears six times; *fides*, which appears on five occasions; *honestas* which appears four times; *benignitas*, *aequitas* and *innocentia* which appear in three dedications each. Other virtues – including *prudentia* and *providentia*, appear only in exceptional cases but are nevertheless indicative of the ethical profile of the ideal late antique governor.[561]

The proliferation of virtues fits neatly into a well-attested epigraphic trend, in which governors and other officials were gradually honoured in ever more elaborate phrases from the late third century onwards.[562] Yet the regularity with which *iustitia*, *integritas* and *moderatio* appear in dedications, as well as the motivation behind the sharp increase of normative language in inscriptions, bears contextualisation. The normative beliefs behind the power relationship between imperial bureaucrats and provincials appear to have shifted, with a much greater emphasis on administrative virtues as well as a greater emphasis on the recognition of those virtues in the display of consent. An answer is to be sought in the fundamental changes of the fourth-century state, which brought governors in much closer vicinity to their provincial subjects. In the second and third century the effective reach of the empire had strong communicative and administrative limitations, further circumscribed by a host of local customs. Although provincial elites could not completely disregard imperial commands – especially when backed with military force – they could obstruct, delay or ignore within a reasonable margin.[563] On a local level, city councils were in charge of public order in their communities and occasionally oversaw local taxation. These responsibilities, together with the limited capacity of the ancient state to check and verify archival data, left ample room for manipulation.[564] With the tetrarchy's administrative and financial reforms, this situation changed. Old civic privileges were suspended and census-taking was reintroduced after disappearing in the second half of the third century.[565] The exact nature of Diocletian's tax reforms is a point of contention.[566] What does seem clear is that the tetrarchy made a concerted effort to streamline taxation on a universal scale, while still accounting for local customs, weights and sizes. After 312, fifteen-year census cycles were introduced, placing the imperial tax administration on a more stable

[559] Flavius Victorinus: *moderatione iu[dici]*, IRT 570; Laenatius Romulus: *moderationem iudiciorum*, IRT 574.
[560] IRT 565
[561] *Prudentia*: IRT 566; *providentia*: IRT 562, 563.
[562] See for example: Ševčenko 1968: 30–33; Christol 1983; Salomies 1994: 69–70; Smith 1999: 174–175; Horster 1998: 51–53; Salomies 2000; on the changes in Roman bureaucratic language in the fourth century: MacMullen 1990.
[563] Kelly 2004: 108–110.
[564] Corbier 2005: 370–373; Kelly 2004: 117–120.
[565] Corbier 2005: 370–371; Carrié 2005: 282.
[566] For a concise discussion, see Corbier 2005: 376–381.

footing.[567] These financial reforms went hand in hand with reforms that saw the division of the empire in new administrative units, overseen by a vastly expanded bureaucracy.[568]

Local elites still played a major role in the collection of taxes and the maintaining of public order. In several North African communities, *duumviri* were responsible for undertaking the local census. The practice persisted until the age of Constantine, after which the responsibility fell more and more on the shoulders of appointed curators.[569] Despite their continued importance local elites now dealt with an expanded Roman state based on a far more universalist footing, at least when compared to the ad hoc proliferation of judicial privileges and tax exemptions that characterized the early empire. Governors were responsible for the collection of taxes in their province and had multiple officers in their staff directly responsible for the oversight of tax collection in cash and kind.[570] Although the late Roman state was far from omnipotent – as evinced by the archive of the *strategos* Apollinarius[571] – it was capable of more systemic interference in local fiscal matters and civic politics.[572] The proliferation of dedications to local governors in Lepcis Magna is in itself a strong sign of their increased importance in local civic life. Although it is not quite certain that the governor had his seat in Lepcis Magna, the city's historic prominence in the region and the epigraphic evidence do seem to suggest that this was the case. The interference of governors in Lepcitan civic life was in itself nothing new. Note for example the erection of the arch to Augusta Salutaris by the first-century governor Marsus, as discussed in the previous chapter. But interventions by governors were rather piecemeal in nature throughout much of Lepcis' history. Although governors and their staff could and did travel throughout their province, Lepcis was part of the large and densely urbanized Africa Proconsularis, leaving limited opportunity for officials to get directly involved with the community. In the fourth century, with the creation of Tripolitania, governors would spend considerably more time in Lepcis, aided by an expanded staff of about a hundred notables, who were likely permanently positioned in Lepcis Magna and often had local origins.[573]

Although the bureaucratic apparatus expanded, this does not mean that it was necessarily more accessible to the average citizens of Lepcis Magna. Administrative fees were a common occurrence in Late Antiquity.[574] This in spite of the sometimes vehement wording of imperial edicts, such as that of Constantine in 331:

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[567] Harries 2012: 59–64.

[568] Kelly 2004: 110–111. Estimates of the size of the late antique bureaucracy place it at a two- to threefold increase in comparison with preceding centuries. See Jones 1964: 341–342 n.44; Heather 1997: 189–190; MacMullen 1988: 144; cited in Kelly 2004: 111 n.10.

[569] Carrié 2005: 282–283.

[570] Slootjes 2006: 34–37.

[571] See in general Adams 2010.

[572] Whitby 2016: 137.

[573] Kelly 2004: 145; Slootjes 2006: 28–29.

[574] See Kaser 1996: 557–558. For a North African example, see also CILVIII 17896 = Tyche-2007-151 = AE 1948, +00118 = AE 1949, 00133 = AE 1956, 00134 = AE 1978, +00892, an inscription from Thamugadi regulating the charges of judicial services of the governor. On the prices mentioned in these and similar edicts, see Jones 1964: 497; Slootjes 2006: 67; Dillon 2012: 139–146.

> *Cessent iam nunc rapaces officialium manus, cessent, inquam: nam nisi moniti cessaverint, gladiis praecidentur. Non sit venale iudicis velum, non ingressus redempti, non infame licitationibus secretarium, non visio ipsa praesidis cum pretio.*
>
> "Let the rapacious hands of the *officiales* now cease, let them cease, I say: for if, now warned, they do not cease, they will be cut off by swords. Let not the curtain of the judge be for sale, let not access (to him) be bought, let not his private chamber be notorious for bidding, let not sight of the governor himself come at a price."[575]

For MacMullen, the language and repetition of these edicts is a sign of the limited ability of the late Roman state to curb systemic abuses of power, despite the occasional checks on individual cases of (financial) misconduct.[576] Kelly on the other hand argues that the imperial decrees were a way for imperial power to undermine the bargaining position of local bureaucrats[577], while Dillon suggests that given the harsh punishments involved, governors will most likely have made some effort to keep their *officiales* in check, at least in the first years after they were promulgated.[578] In either scenario, however, the legislation betrays a common suspicion that governors and their staff exploited provincial subjects for their personal gain; a sentiment also found in other late antique sources.[579] Whether such behaviour was common is another matter altogether, but clearly it formed part of the familiar conception of gubernatorial behaviour.

It is against this background of more direct interference in civic politics and anxiety over official corruption that we must read the importance of *iustitia*, *integritas* and *moderatio*. All three virtues are related to the key responsibilities of a governor while in office: court cases, fiscal affairs and maintaining provincial order. Despite the attempts of Constantine and others to curb litigation fees, such fees eventually became a legal practice in the course of the fourth century, barring many from seeking justice. Although it was easier for members of the city council and other high-ranking locals to get in touch with the governor, some cases were tried in secret or otherwise non-public settings.[580] The difficulty of obtaining access to the governor was compounded by the possibility of a corrupted judicial process, where money, gifts or influence were suspected of buying a favourable judgement.[581] In fiscal matters, governors could press local decurions to pay back outstanding debts, force them to take up local curial duties and demand the early collection of local taxes.[582] Also of note here is that late antique governors undertook construction projects with public funds of the

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[575] *Codex Theodosianus* 1.16.7, translation Dillon 2012: 140.

[576] MacMullen 1988: 148–170.

[577] Kelly 2004: 139–142, 156–157.

[578] Dillon 2012: 145–146.

[579] The venality of governors is a common complaint in Libanius, see for example *Orations* 2.42, 4.28, 48.11, see also 33.38-39 where the governor's household is complicit. See also Synesius, *Letters*, 79.3 where the governor Andronicus is accused of a similar practice; Zosimus, *New History*, 5.2, where one Lucianus gains office through financial means (but turns out to be a virtuous governor).

[580] A practice banned by the *Codex Theodosianus* 1.16.9, see Slootjes 2006: 53–54.

[581] Harries 1999: 153–157 provides an overview of the ancient sources.

[582] Such seem to be the crimes of Tisamenus in Libanius, *Orations*, 33.13-19. For governors collecting communal debts the evidence is of a relatively early date; see also Pliny the Younger, *Letters*, 10.17a.

community, as noted in the previous chapter. Reason for Menander Rhetor to gather the "encouragement of city development" under the header of gubernatorial justice.[583] And in maintaining order, governors could act harshly, from violently suppressing disorder to leaving prisoners to waste away without a trial.[584] References to corrupt officials are abundant in fourth-century sources, but this does not necessarily imply that imperial officials were more venal or cruel than in previous centuries.[585] As Harries points out, late antique sources should be taken with a pinch of salt.[586] Neither should we envision late antique North African communities as oppressed by a rapacious imperial bureaucracy; archaeological data shows continued vitality and even prosperity in the fourth century.[587] Yet the fourth century nevertheless also saw a number of new political crises that had the potential to further exacerbate the damage of official corruption. Perhaps the most egregious case is that of the *comes Africae* Romanus, treated at length by Ammianus Marcellinus.[588] In the early 360s, the territory of Lepcis was raided by the Austuriani, a nearby tribe. The Lepcitans sought the help of the *comes Africae* Romanus, who refused to commit troops. The city instead sent an embassy to Valentinian in the hope of an imperial intervention. Romanus used his influence at court to have people speak in his favour; an investigation was promised but delayed. Further raids by the Austuriani followed, and the emperor sent the tribune Palladius to investigate, who was promptly bribed by the agents of Romanus. Palladius testified against the Lepcitan ambassadors before Valentinian. Both a number of Lepcitan ambassadors as well as the *praeses* Ruricius – who reported on the raids – were put to death for their 'false' testimony while Romanus remained in office. The truth of the case only came to light some years later, when incriminating evidence against Romanus and Palladius was produced before emperor Gratian.

The Romanus case was extreme, but nevertheless reflects the dangers of late antique gubernatorial abuse and corruption for provincials. With increased stakes also came an increasingly vocal challenge. Harries has argued for a 'culture of criticism' in Late Antiquity, in which both emperor and subjects join in highly rhetorical condemnation of corrupt official behaviour in decrees, acclamations, orations, literature and other forms of expression.[589] Such criticism highlighted the supremacy of the emperor and gave legitimacy to his claim to rule by universal consensus and in service of his subject.[590] The contemporary praise of virtues acted as the mirror image of this culture of criticism, highlighting the ideal qualities of good governors and praising them in a similarly lavish rhetorical style. Although the exact meaning of *iustitia*, *integritas* and *moderatio* for a fourth-century Lepcitan audience may be impossible to trace, we can nevertheless be fairly certain of the general modes of conduct to which they refer: a fair system of justice without excessive fees or long waiting times; uprightness in handling fiscal matters, without an eye towards personal gain;

[583] Cited and discussed in Roueché 1998: 33.
[584] The latter forms the main charge in Libanius, *Orations*, 45.
[585] Fuhrmann 2011: 177–181.
[586] Harries 1999: 157–158.
[587] The argument of Lepelley 1992.
[588] Ammianus Marcellinus, *Rerum Gestarum*, 28.6.1-30, see also Warmington 1956; Mattingly 1995: 182.
[589] Harries 1999: 97; Slootjes 2006: 176–177.
[590] Harries 1999: 97.

moderation in tax collection, punishment of (fiscal) maladministration and the recalling of public debts. This was the ideal image of a governor, at least as envisioned by the Lepcitan elite.

Though they appear less often than *iustitia*, *moderatio* or *integritas*, virtues such as *fides* and *benignitas*, *aequitas*, *innocentia* nevertheless tie in seamlessly with this trinity of gubernatorial virtues and offer further indications of what Lepcitans expected of their governors. Like the other virtues mentioned above, *fides* is multifarious in meaning. In the case of IRT 569, governor Flavius Victor Calpurnius is praised as more affectionate towards the city of Lepcis Magna than its own citizens and as "outstanding in reliability and devotion" (*inclita fide devotione*). When Nilus is praised for his *fides* on the other hand, the virtue is grouped together with *veritas* and *honestas*, suggesting the personal quality of trustworthiness. Flavius Ortygius, *comes et dux* for the province of Tripolitania in the reign of Honorius and Theodosius II, is honoured by the city council for his "labour and reliability shown" (*labore(m) fidemque exhibitam*, IRT 480) in suppressing the Austuriani; the *comes et praeses* Flavius Nepotianus had demonstrated his *fides* in the proper application of justice (*iuridicendo fide*, IRT 565). The various contexts of *fides* display a Lepcitan desire for a governor who not only showed devotion to his post and his subjects, but who was also of trustworthy and reliable character. As such, *fides* is closely related to *integritas* but also suggests a bond of good faith and trust between provincials and their official. The same sense of trust and scrupulous behaviour also appears in *innocentia*, which retains much of its original meaning from the second century, though its importance as the gubernatorial virtue *par excellence* had been superseded. Still, the proconsul Titus Claudius Aurelius Aristobulus is honoured as a man of "unblemished integrity" (*innocentis integritatis*, IRT 522), closely associating *innocentia* with *integritas*; the same combination is also found in the dedication to an unknown *praeses* of the fourth century (IRT 610). Governor Magnius Asper Flavianus on the other hand is praised as a "high priest of innocence" (*antistiti innocentiae*, IRT 575) and the praise of his blamelessness appear alongside personal virtues such as *mansuetudo*, *benignitas* and *patientia*, each of which emphasizes Flavianus' soft and mild character towards his provincial subjects.

Benignitas has some overlap in meaning with *innocentia*, suggesting upstanding and incorrupt(ible) behaviour, though it usually appears as a noun rather than an adjective. *Benignitas* appears throughout a variety of authors as an important quality of a statesman and an aristocrat, in line with *liberalitas*, *munificentia* and other virtues concerned with generosity and magnanimity.[591] Although associated with matters of state since the Late Republic, it is fairly uncommon before the fourth century.[592] In the dedication to Flavius Nepotianus, *benignitas* is coupled with *moderatio* (*moderatione ac benignitate praestantissimo*, IRT 565). The dedication to Magnius Asper Flavianus, mentioned above, connotes *benignitas* with *mansuetudo*, *patientia* and *innocentia*. In both cases,

[591] See for example *De Officiis* I.14, II.15; see also *De Finibus* 5.23.65 with *benignitas* as one of the cornerstones of justice, the foundational virtue of human society. For Pliny, see *Epistulae* 3.11.8, 3.15.1, 6.21.6, 7.28.2; as an imperial quality: *Panegyricus* 3, 21, 25, 32; Fronto, *Ad Amicos* 1.3, 2.4; *Ad M. Caes.*2.15. For a later, Christian interpretation with a much stronger focus on softness and kindness: Jerome, *Commentarii in epistolam Pauli apostoli ad Galatas*, 5.22. *Benignitas* as a quality of Christ: Augustinus, *De Civitate Dei* 9.15.

[592] An exception is the second-century procurator Lucius Alfenus Senecio, who was praised by the city council of Cuicul for his kindness in services rendered to the city (*quod promptissima benignitate sua utilitates coloniae suae splendidissime iuvit*), see ILAlg-02-03, 7895 = D 9489 = AE 1911, 112 = AE 1911, +123.

the emphasis seems to be on *benignitas* as a personal quality denoting kindness and a soft-hearted character, rather than an explicit link with generosity or liberality. Possibly, the intention of the Lepcitan dedicators was to praise the mildness of a governor's verdicts and his sympathetic disposition towards the city: the dedication to Nepotianus also praises the governor for his benevolence in fairly dispensing justice. This association with a soft and lenient character does not necessarily stand in contrast to *benignitas*' association with munificence; rather, the former can act as the source of the latter. The two are directly linked in a dedication to the unknown *praeses* which, besides praising his *integritas* and *innocentia*, also honours the governor as a *patrono benign(o)* (IRT 610), though it is unknown which, if any, benefactions the governor bestowed upon the city. Lastly there is *aequitas*, which repeats the by now familiar theme of the fair and even-handed governor. *Aequitas* appears throughout Roman legal history as a principle of judicial 'fairness', and this is the way the term is most often employed in both Roman literature[593] and our epigraphic evidence. The *comes et dux* Flavius Macedonius Patricius is honoured as a man of "admirable equity" (*aequitati miravili*, IRT 529); Caius Valerius Vibianus as a "man of singular equity and benevolent vigour" (*singularis aequitatis et beniboli vicoris*, IRT 577); and an unknown *praeses* as a governor of "absolute equity" (*totius aequitatis*, IRT 610). Given the general importance of the judicial activities of the governor and the concern with just and incorrupt tenure on display throughout these dedications, *aequitas* easily fits in with virtues such as *iustitia*, *integritas* and *innocentia*.

The concern for fair judgement, moderation and integrity is also in evidence in dedications to other Roman officials. Beyond the statues of governors, the Forum Severianum also housed statues dedicated to *agentes vices*, officials to which the governors of Tripolitania were officially beholden.[594] The dedication to an unknown *agens vices* (IRT 558) thanks the honorand for the moderation of his judgements (*moderatione iudicior(um)*) while the *agens vices* Caeclius Severus (IRT 519) is praised for his manifold virtues (*omnium virtutum*) and his goodness (*supra documenta bonitatis insigni adque magnifico*), though his dedication was set up specifically for his moderation in judgements (*ob multiformem iudiciorum eius in se moderationem*). Although governors were responsible for judicial and fiscal matters on a provincial level, in exceptional circumstances a case might be brought before the *agens vices*, for example in cases where the impartiality of the governor may have been in question, or which involved a highly complex legal situation.[595] Despite the higher rank of the *agentes*, the dedications betray many of the same concerns for fair judgement as with lower-ranking governors.

The repetition of virtues such as *moderatio* or *iustitia* may give the impression of a fixed corpus. Yet an important feature of fourth-century Lepcitan epigraphy is its rhetorical variety.[596] The praise of *iustitia* for example is expressed in a great number of ways: *laudavilis iustitiae* (IRT 522), *per gradus et merita gloriar(um) optionorim* [sic] *iustitiae [...] exhibuit* (IRT 526), *praecipuo iustitia* (IRT 562, IRT 563), *iustitia et integritati praecipuo* (IRT 565), *benivoli vigoris iustitiae singularis* (IRT 570), *te*[*n*]*aci*

[593] Schiemann 2006; Wallace-Hadrill 1981b: 24–31.

[594] On the *agentes vices* in Tripolitania, see Mattingly 1995: 172.

[595] Kaser 1996: 535–536, who also notes that the exact legal circumstances were never set down in law.

[596] A trait shared with contemporary honorific inscriptions from throughout the empire, see Salomies 1994; Salomies 2000.

iustitia[*e*] (IRT 571). Even within a dedication a single virtue may be highlighted in many different ways. Flavius Vivus Benedictus is not only steadfast in justice (*te*[*n*]*aci iustitia*[*e*]), but also an interpreter of the law ([*in*]*terpraeti iur*[*is*]), a defender of the innocent ([*i*]*nnoce*[*n*]*tium* [*f*]*autori*) and a scourge of criminals (*noxiorum omnium* [*pe*]*rcussori*).[597] And, as discussed above, governors could be honoured for a far wider range of virtues than just *iustitia*, *integritas* or *modestia*. In addition to repeated virtues such as *fides*, *aequitas* or *innocentia*, many dedications also make use of singular terms of praise that do not appear elsewhere in the epigraphic record of Lepcis: "most salubrious foresight" (*provisionesque saluberrimas*, IRT 574), "vigorous mildness" (*vigoratae laenitatis* [sic], IRT 610) or "absolute goodness" (*totius bonitatis*, IRT 566). At the same time, typical features of late antique honorific language elsewhere in the empire – most notably the praise of eloquence and literary talent – are not present in the Lepcitan dedications.[598] The coupling of virtuous adjectives and nouns, the variety of terms to express the same virtue and the inclusion of new or recherché expressions of praise: all give the strong impression of an epigraphic tradition that placed heavy emphasis on the public display of unique, personalized virtues that nevertheless fall within the wider normative beliefs of what constituted good governance. Those wider normative beliefs appear to have been shared to some extent across North Africa. Lepcis Magna is exceptional in the large number of preserved dedications to governors, but dotted across North Africa other examples can be found. Many of the same virtues also appear in neighbouring Sabratha for example, where governors are also honoured for their *integritas*, *iustitia* and *moderatio*.[599] In Calama, too, a local governor is honoured for his *iusitia* and *moderatio*.[600] Further west, in Bulla Regia, we also find governors honoured for their *iustitia* and their *integritas*, while in Cirta a Constantinian governor is honoured rather lavishly for his *continentia*, *patientia*, *fortitudo*, *aequitas*, *integritas* and *liberalitas*.[601]

Like their second-century counterparts, fourth-century Lepcitan dedications are expressions of consent to contemporary power relationships between governors and provincials. They state in unequivocal terms that the honorands meet the requirements of both legitimate and good governance. But these late antique dedications nevertheless also betray tensions in the power relationships between the civic institutions of Lepcis Magna and the imperial officials to which they were subordinate. Whereas contemporary dedications to the emperors are almost invariably presented as dedicated by "the Lepcitans", dedications to governors are more likely to publicize the active involvement of both the city council and the people. The dedication to Flavius Nepotianus for example was set up by the *ordo civitatis Lepcimag(nensis) cum populo* ("the council of the city of Lepcis Magna with the people", IRT 565); that of Laenatius Romulus *sufragio quietissimi populi et dec[r]eto s(plendidissimi) o(rdinis)* ("in accordance with a vote by the most peaceful people and by a decree of the most splendid council", IRT 574). In the dedication to Nicomachus Flavianus the voting process for the honours is emphasized (*votis omnibus conlocavit*), in the case of Bassus

[597] IRT 571.

[598] For the praise of these qualities in Greek dedications, see Ševčenko 1968: 32.

[599] See IRT 101, 103, possibly 104.

[600] CIL VIII 5348 = CIL VIII 17490 = ILAlg-01, 271 = D 1228 = AE 1926, +119.

[601] CIL VIII 25524 = AE 1906, 141; AE 2002, 1676 = AE 2012, +1872. *Cirta*: CIL VIII 7012 (p. 1847) = ILAlg-02-01, 589 = D 1235; CIL VIII 7013 (p. 1847) = ILAlg-02-01, 590 = D 1236.

Cerialis the honours are awarded *ex decreto* and the dedication to Caecilius Severus was set up *ex decreto et sufragio*. In the dedication to the unknown *agens vices*, the city council and the people likewise play an active role in expressing their zeal to commemorate the deeds of the *agens vices* (*ut incomparabilium beneficiorum eius memoria etiam ad posteros mitteretur*), and by awarding the same official with a gift of friendship (*hospitalem tesseram*).

The city council of Lepcis seems to have presented itself differently when working in different honorific registers. When commemorating the emperor, the city of Lepcis presented itself as a community within the empire, free from dissent and unified by its praise for the emperor and his military successes. In the case of governors, however, dedicators more often tend to identify themselves as civic institutions rather than as *Lepcitani*. The inclusion of the city council and the people of Lepcis in honorific dedications to governors is as much an ideological statement as it is a factual assertion of the continued existence of municipal institutions. Through honorific dedications the city council of Lepcis Magna asserted its authority as a decision-making body at the heart of Lepcitan life.[602] The fourth century may even have seen a resilient Lepcitan elite taking a more active part in local politics, as argued by Tantillo and La Rocca.[603] Some dedications furthermore explicitly mention a *suffragium*, employing the rhetoric of public voting.[604] The inclusion of these procedural elements – often lacking in for example contemporary Greek dedications – is not simply a formality, but emphasized civic participation, zeal and harmony. They also imply a possibility of choice. That this implication was not accidental is suggested by the occasional reference to the specific deeds of various governors in the inscriptions. Flavius Archontius Nilus, for example, is praised as a *instaurator moenium*, a reference to his activity in building or restoring the city's walls. Other governors too were thanked after specific benefactions to the city, such as Decimius Hilarianus Hesperius who spoke on behalf of the city before the imperial court or Flavius Nepotianus who defended the city against barbarian incursions.[605]

The vast majority of Lepcitan governors likely would have never seen their own statue. Augustus' ruling on gubernatorial statues mentioned earlier in this chapter was upheld by a late antique law from 398, which threatened governors with severe financial punishments if they were to accept statues in their honour during their time in office.[606] As noted above, the effect of a honorary dedication on the current behaviour of a governor was therefore limited: other forms of public expression – such as orations or acclamations – were preferred to influence an incumbent governor. Yet the potential of a statue could nevertheless form a powerful tool for provincials. The late antique

[602] This is expressed not only in the wording of inscriptions, but also in rhetorical style: Lepcitan dedications usually include the traditional phrasing of *quod*, *ob*, *ab* and *ut*, in contrast to contemporary Greek dedications which often prefer verse. See for example IRT 562, 563, 565, 566, 569. On this basis, Horster has described these dedications as having a "Dekretcharakter", see Horster 1998: 52.

[603] Tantillo 2010b: 32–37; La Rocca 2010: 91–95. For contrasting opinions on the continued vitality of Lepcis Magna in the fourth century, see Mattingly 1995: 185, Di Vita 1990: 492 and Caputo 1987: 49.

[604] A Constantinian decree curtails the rights of African communities to choose the candidates for local magistracies but otherwise leaves the act of municipal voting intact; *Codex Theodosianus* 12.5.1, Dossey 2010: 18. This may suggest that public voting on honours was similarly left intact.

[605] IRT 529, 565.

[606] Codex Justinianus 1.24.1; Horster 1998: 57.

culture of criticism not only encouraged vocal criticism of official behaviour, but also entailed that the recognition and praise of virtue grew in importance as a form of political leverage. Honours not only had intrinsic value but also served to advance careers. The imperial court took note of the honours awarded to various governors and officials: a statue in a prominent city could be a helpful tool of advancement in the imperial administration.[607] Even when taking into account that a large proportion of the epigraphic material has been lost, it is clear that not all governors were awarded statues. The possibility of withholding such public honours from a governor was one of the ways in which cities could influence their officials, although prominent and prestigious cities were perhaps more successful in this respect than their smaller, less prestigious counterparts. But when it was awarded, a statue was a source of continued honour. As worded by Gregory of Nazianus: "there is glory in the cities for good governors and an image to be seen by the people in the future."[608]

The purpose of dedications was two-fold for the inhabitants of Lepcis Magna: not only did they provide an incentive for good governance, they also set a standard for future governors to follow. The vast majority of dedications to fourth-century governors come from the Forum Severianum. Unlike for example Aphrodisias – with six preserved statues of governors with corresponding bases in situ[609] – few of the preserved statue bases in Lepcis were found in their original locations and even less is known of honorific statues.[610] The majority of statue bases seem to have been placed in the southern portico of the forum, close to the main monumental entrance to the complex from the Severan 'Colonnaded Street', and the eastern portico, adjacent to the Severan basilica.[611] The porticoes leading up to the basilica were not only an appropriate setting in the sense that they formed a suitably monumental space for honorary dedications, but they also formed part of the spatial setting in which the governor performed his activities. Our limited knowledge of the original placement of these sculptures – both because of the deprivation of the forum area post-antiquity and poorly documented early excavations – makes any detailed case study impossible, yet some general remarks can be made. The basilica adjacent to the forum may have been used for the administration of justice in the fourth century, which may explain the placement of governor's statues along the southern and eastern portico.[612] Where other Lepcitan locations, such as the Forum Vetus or the theatre, gained an increasingly museum-like quality, the Forum Severianum was an evolving space with a high rate of re-use, instigated and regulated by local magistrates and the city council.[613] Although it is possible that the forum may have been associated with Septimius Severus and Lepcis' glory days by the city's fourth-century inhabitants, such an association is not evident from the dedicatory activities. Second- and third-century dedications in particular seem to have been re-appropriated on a large scale. The result was a forum space that was dominated by relatively recent dedications. On a deeper level, the Forum Severianum formed a 'virtue-landscape'

[607] Slootjes 2006: 153.
[608] Gregory of Nazianus, *Carmen* II.2.7.17; translation and commentary by Slootjes 2006: 121.
[609] Smith 1999.
[610] For the problem of re-use, see Bigi and Tantillo 2010: 269–271 and below.
[611] Though Tantillo rightfully warns that we should not attempt to read a strict hierarchy of space in the distribution of the statue bases in the Forum Severianum: the statues of governors seem to intermingle with those of emperors and local elites alike, see Tantillo 2010a: 178.
[612] Tantillo 2010b: 31.
[613] Tantillo 2010a: 178–181, Bigi and Tantillo 2010: 294.

where the expectations of fourth-century Lepcis Magna resonated strongly. Acting governors would have been confronted with the best practices of their predecessors and by extension the wishes and expectations of the city. Whether governors acted on those expectations was another matter, but honorific statues nevertheless formed a persistent reminder of the possible rewards of virtuous behaviour.

The bombastic style of the inscriptions, the continuous repetition of virtues such as *iustitia* or *integritas* and the frequent re-use of statues has led some to question whether such praise – in Lepcis and elsewhere in the empire – was genuine or meaningful; similarly, a frequently heard complaint is that these dedications are vague and say little of the governor's actions while in office.[614] I would argue that the consistent praise of virtues such as justice, integrity and mildness of character was not simply a rhetorical gloss but reflected shared beliefs about the basic qualities of good governance. Such virtues retained a certain level of ambivalence – a governor's *iustitia* could show in many different kinds of verdicts – but nevertheless the motivation behind the choice of virtues and their connection to the honorand's tenure as governor was clear. Although there is overlap between the types of virtues praised and the florid style may seem uniform to a modern audience, the ancient intention seems to have been quite the opposite: the persistent diversity and the deployment of unique recherché terms clearly expresses a desire to differentiate dedications. On the one hand, individual governors were idealized and their actions abstracted to fit an epigraphic and ideological tradition of praise – a tradition that in the fourth century placed ever greater emphasis on the public display of virtue. On the other hand, each dedication claimed to represent the unique character of a single governor and occasionally hinted at their specific actions and backgrounds. One way to resolve this tension was through the use of variation and descriptive *clausulae*[615], which employed a wide vocabulary of virtues and honorific terms to give the impression of individual character while at the same time staying close to an established epigraphic tradition. The tension between formalism and diversity is not new to the fourth century, nor is it unique to Lepcis Magna. It does, however, allow us to better appreciate the ambiguity and nuance inherent in such dedications. Lepcis' fourth-century dedications are not set within "una sfera atemporale, quasi metafisica"[616], nor are they part of a "make-believe world"[617]. They were important formulations of consent to existing administrative power structures. They formed a potentially powerful bargaining chip between the community and the governor whilst also acting as an avenue for civic self-representation.

Similarly, the re-use of honorific sculpture hints both at the desire to fit honorific dedications in a traditional mould and the apparent need – expressed in the re-sculpting of heads and other body parts – to differentiate various honorands. Though the Lepcitan city council tended to re-use second- and third-century bases, it was not unheard of to re-use even relatively recent dedications: one of the dedications to Flavius Archontius Nilus (IRT 562) was re-used within twenty years to

[614] Ševčenko 1968: 31; Salomies 1994: 69–70; Slootjes 2006: 152; Tantillo 2010a: 191–192.
[615] See further Salomies 1994: 99–106.
[616] Tantillo 2010a: 192.
[617] Ševčenko 1968: 31.

honour the *agens vices* Nicomachus Flavianus (IRT 475), despite the inscription's vow to establish "an enduring memory" of Nilus.[618] Though this may again lead to questions concerning the genuineness of the dedications[619], it would be wrong to see honorific dedications as any less potent because of re-use. The re-use of sculpture may in itself be a distinguishing mark of honour, with a contemporary governor or benefactor occupying the place of a venerated figure of the city's past.[620] The value of honorific inscriptions was to some extent ephemeral. The explicit vow of the Lepcitan city council to eternalize the memory of Nilus was in that sense as much part of the highly stylized rhetoric as the praise of his virtues. For city councils, the thought of retaining countless dedications to governors of decades past may have held little appeal. Not only did such statues potentially take up prime, prestigious locations that could be used for new dedications, the re-use of the statue also saved costs. City councils may conceivably have waited until the honorand in question had passed away, or until his bond with the city had weakened over the years. This is not to suggest that honorific statues had lost their value either to the community or the honorands. Rather, large numbers of honorific statues dedicated to governors in Lepcis Magna served as a display of virtue and excellence for successive governors to follow; a display that was not diminished by the occasional re-use of older statues.

Throughout this chapter I have argued that normative language was deeply intertwined with governance and politics on a provincial level, reflecting the concerns of provincials and acting as a possible avenue to influence the behaviour of powerful officials. There was very little chance of emperors ever seeing the many dedications erected in their honour, but governors and other officials came in direct contact with their provincial subjects and were faced with the dedications praising their virtuous predecessors, often in a normative language that was distinctly different from that used for emperors. Both the intertwined nature of normative language and local politics, as well as the guiding role of normative language to express expected standards of behaviour, become even clearer when the normative language in question was applied to a host of influential figures within the community itself, as we shall see in the following chapter.

[618] On re-use in Lepcis Magna, see in general Bigi and Tantillo 2010.
[619] Slootjes 2006: 152.
[620] Bigi and Tantillo 2010: 300–301.