

Andrea Balbo, Pierangelo Buongiorno, Ermanno Malaspina (eds.), *Rappresentazione e uso dei senatus consulta nelle fonti letterarie della repubblica e del primo principato / Darstellung und Gebrauch der senatus consulta in den literarischen Quellen der Republik und der frühen Kaiserzeit (Acta Senatus, Reihe B: Studien und Materialien, Bd. 3)*, Franz Steiner Verlag, Stuttgart 2018, 530 pp.; ISBN 978-3-515-11944-3

Pierangelo Buongiorno, Giusto Traina (eds.), *Rappresentazione e uso dei senatus consulta nelle fonti letterarie del principato / Darstellung und Gebrauch der senatus consulta in den literarischen Quellen der Kaiserzeit (Acta Senatus, Reihe B: Studien und Materialien, Bd. 6)*, Franz Steiner Verlag, Stuttgart 2019, 292 pp.; ISBN 978-3-515-12232-0

Pierangelo Buongiorno, Sebastian Lohsse, Francesco Verrico (eds.), *Miscellanea senatoria (Acta Senatus, Reihe B: Studien und Materialien, Bd. 4)*, Franz Steiner Verlag, Stuttgart 2019, 281 pp.; ISBN 978-3-515-12133-0

Numerous studies have been devoted to the political role as well as the structure and political role of the Roman Senate in various periods of the history of Rome, and additionally to its legislative activities. Yet historians, and historians of Roman law, are usually interested in specific legal acts or a certain type of them, and less often in the legislative work of the Senate as a whole. This does not mean that scholars have ignored the need to collate and study its effects. In the past, both individuals and groups of researchers have made efforts to do this. The results of their work have been tangible, but have been far from meeting expectations. Many reasons for this state of affairs can be identified, the most important of them probably being the preponderance of various types of sources containing data on the Senate's legislative activity. Compiling and analysing

this data requires a great deal of time and resources. The lack of the latter in particular has meant that many projects have inherently been either too narrow in chronological terms or limited in subject matter.¹ Compared to previous research, the PaRoS project (= *Palingenesie der römischen Senatsbeschlüsse (509 v. Chr.–284 n. Chr.)*), which began in 2015, seems especially ambitious. Its objective is to create a corpus of *senatus consulta* adopted in the designated timeframe. This is to comprise both their contents and extensive commentary. The production of this corpus is accompanied by a series of academic conferences and volumes of studies. For the publication of both the corpus and the companion materials and studies, two separate series of publications have been created, published by Franz Steiner Verlag. The first is to consist of the successive volumes of the corpus of source texts, and the second of materials and studies. The first volume in the former series awaits publication, while the latter already comprises a rather substantial collection. It is especially worth focusing on three of them which have recently been published, as they are connected by shared characteristics.

The first two are the fruits of conferences held at the University of Münster in 2015 and 2016. The subject of both was presentation of the results of studies on written texts from the period of the Republic and Early Empire, quoting the complete texts or extracts from the Senate's decrees, or various types of references and allusions to them. The scholars participating in these conferences analysed in detail both various types of literary works and historical ones.

The volume *Rappresentazione e uso dei senatus consulta nelle fonti letterarie della repubblica e del primo principato / Darstellung und Gebrauch der senatus consulta in den literarischen Quellen der Republik und der frühen Kaiserzeit* includes 12 articles (some of which are the length of a short monograph) presented at the conference in 2015. In them, representatives of several academic disciplines (historians, historians of Roman law, philologists) analyse either all the works of a selected author, one work, or even just a part of it, in terms of the way the writer used the senate decrees and the objectives it was meant to serve. Among the authors of the Republican period, the works of Polybius (M. T. Schettino, "Polybe et les actes officiels du Sénat Romain," pp. 13–35), Cicero (G. Manuwald, "*senatus me auctore decrevit* (Cic. *Phil.* 6.1): On the Use and Functions of Senate Decrees in Cicero's Political Speeches," pp. 37–56; Chr. Lehne-Gstreinthalter, "Senatsbeschlüsse in Ciceros forensichen Reden," pp. 57–78; A. Balbo, "I *senatus consulta* nell'epistolario ciceroniano. Presenza, caratteristiche dei riferimenti e prime riflessioni interpretative," pp. 79–132), Caesar (L. Fezzi, "Le decisioni senatorie nel *corpus cesariano*," pp. 133–154) and Sallust (L. Piazzini, "Il *senatus consultum ultimum* in Sallustio, *Bellum Catilinae* 29," pp. 155–190) are analysed in this way. The studies of authors who were active during the rule of Augustus and his successors comprises analyses of the texts of Diodorus Siculus (A. Storchi, "Nel segno del molteplice. Originalità e ricchezza del lessico, varietà della materia trattata e della struttura narrativa nelle delibere senatorie della *Biblioteca Storica* di Diodoro Siculo," pp. 191–257), Livy (F. Cavaggioni, "L'attività deliberativa del senato nell'opera di Tito Livio: note di lettura

¹ A description of these projects can be found in several articles published in one of the earlier volumes in this series; see S. Lohsse, S. Marino, P. Buongiorno (eds.), *Texte wiederherstellen, Kontexte rekonstruieren. Internationale Tagung über Methoden zur Erstellung einer Palingenesie, Münster, 23.–24. April 2015 (Acta Senatus, Reihe B, vol. 2)*, Stuttgart 2017.

ad AUC XXI–XXX,” pp. 259–345), Velleius Paterculus (E. Cowan, “Velleius Paterculus and the Senate,” pp. 407–428), Valerius Maximus (S. Marino, “Uso e rappresentazione dei *senatus consulta nei Facta et dicta memorabilia* di Valerio Massimo,” pp. 347–406), Pliny the Younger (E. Malaspina, “*Ex senatus consultis plebeisque scitis saeva exercentur et publice iubentur vetata privatim* (ep. 95, 30),” pp. 429–454), and Roman poets from the period from Augustus to Nero (C. Cascione, “Appunti sul senato romano nella poesia latina fino a Lucano,” pp. 455–494). It might seem that the reason why these authors were chosen is not sufficiently clear, but it is their texts that contain allusions and commentaries referring to the political role of the Senate in the Republican period. The authors of the articles, using the research methods peculiar to their parent disciplines, analyse an array of diverse issues associated with the use of the Senate’s decrees by various Roman authors. As a result, they identify a number of decrees which were overlooked in previous studies.

Rappresentazione e uso dei senatus consulta nelle fonti letterarie del principato / Darstellung und Gebrauch der senatus consulta in den literarischen Quellen der Kaiserzeit is a similar publication. Its ten articles were presented at the next conference, which took place in 2016. The authors focus on various types of works of Roman authors writing during the rule of the Flavian and Antonine dynasties (with certain exceptions to this rule). These include historical (A. Galimberti, “Significato e uso dei *senatus consulta* nelle *Antichità Giudaiche* di Flavio Giuseppe,” pp. 31–43; O. Devillers, “Aspects de la représentation de l’activité du Sénat chez Tacite. Remarques autor de l’évocation des sénatus-consultes,” pp. 97–115; C. Letta, “Conoscenza e criteri di utilizzazione dei *senatus consulta* nella *Storia Romana* di Cassio Dione,” pp. 189–244; F. Nasti, “I *senatus consulta* nella *Storia Augusta*. Provvedimenti senatori e opere giurisdizionali,” pp. 245–275), biographical (G. Traina, “Plutarco e il senato: alcune osservazioni,” pp. 45–52; D. Pausch, “Die *senatus consulta* bei Sueton zwischen historischer Authentizität und narrativer Funktionalisierung,” pp. 143–164), encyclopaedic (A. Vial-Logeay, “Entre action et image. Quelques remarques sur la présence du sénat dans *l’Histoire naturelle* de Pline l’Ancien,” pp. 13–30), rhetorical (H.-D. Spengler, “Senatsbeschlüsse in der kaiserzeitlichen römischen Rhetorik – Seneca rethor und Quintilian,” pp. 165–187) and epistolographic (M. Haake, “How to do Things with *senatus consulta*. Die Autorität des Rechtsdokuments und die Stimme des Autors im Briefcorpus des Jüngeren Plinius,” pp. 117–142) works.

In these studies, we find an answer to the question of how, and to what end, ancient authors, who did not always belong to senatorial circles and sometimes lacked extensive knowledge of the procedures used in the Senate, made use of the decrees of the Senate in their works. They also show that these works provide a large amount of data shedding light on the way the Senate operated under the emperors, the subject of its deliberations, the ideological aspects of the Senate’s decrees, the methods used to archive them and the access to them, as well as numerous other issues which usually escape the attention of both general historians and historians of Roman law. The reason for this is perhaps a lack of awareness of the fact that the contents of some of these works are important for research purposes.

The third volume contains just five articles concerning selected problems, divided by subject matter into three thematic groups.

The first of them, titled “Palingenesi,” contains only one, very lengthy text, by Clément Bur and Thibault Lanfranchi (“Sénat et senatus-consultes à l’époque royale: essai de mise au point,” pp. 11–136). At first glance, the topic of the authors’ investigation seems to make little sense, as they are interested in the decisions which were made, according to Roman historiographical tradition, by the senators of the regal period, when the Senate had no impact on matters of state. The authors also point to the question of the way the role of the Senate in the regal period was perceived by later generations of Romans, as well as, for example, the presence of elements of its political legacy in the republican period.² They conclude that the sources we have available do not allow us to evaluate either the actual role of the Senate in the regal period or its relationship with the rulers. It is also difficult to determine its place in the structure of government, its operating method and the number of senators. A very important component of this article is a corpus of decrees of the Senate of the regal period numbering 44 documents, which the authors obtained from written and epigraphical sources (pp. 64–130). Scholars are yet to recognise the importance of these documents for the history of political life in Rome at the outset of its statehood.³

The second part (“Forme e techniche”) comprises two texts. U. Laffi (“Clausole di autoprotezione e clausole di autolimitazione cautelare nei testi di senatusconsulti di età tardorepubblicana,” pp. 139–155) addresses an element present in the decrees of the Senate that has received little attention—clauses designed to prevent abuse of the decrees they contained. The reason why this legal wording has not been covered at length by scholars is the paucity of surviving documents in which it is present. However, the few examples that are known lead to the conclusion that the Senate, which had exclusive legislative competence in most political affairs, was aware of the possibility of abuse in certain circumstances of the resolutions contained in the decrees and attempted to prevent them by including specific legal wording in these decrees. E. Todisco (“Il contributo di Varrone alla conoscenza delle procedure di funzionamento del Senato,” pp. 157–188), meanwhile, focuses on Aulus Gellius’ (*NA* 14.7.1–11) relation on Varro’s work written in 70 BCE on the request of Pompey, who was then elected as consul. Varro uses it to present to the politician, unfamiliar with the formal aspects of the consulate, the rules of operation of the Senate and the procedures adopted in its operation, along with his own remarks. This short work has not survived, and we only know its content from Varro’s letters to one Oppianus, about whom we know nothing. The author also used Gellius’ work to consider whether and how Varro’s ideas were reflected in the political life of Rome in the final decades of the existence of the Republic.

The third part (“Contenuti”), like the second, also contains two articles. Their authors analyse the circumstances and objectives of selected *senatus consulta*. M. Facella (“Cicerone e il *senatus consultum* su Ariobarzane III di Cappadocia,” pp. 191–213) focuses

² “Le Sénat royal faisait partie de ces institutions dont la tradition gardait un souvenir, romançant certains aspects, rajoutant des récits étiologiques au fil des siècles et des évolutions du système politico-social romain, mais conservant une trace des particularités de cette époque, tel l’*interregnum* ou l’*auctoritas patrum*” (p. 37).

³ “S’il ne faut pas plaquer les procédures républicaines sur le Sénat de l’époque royale, il n’en demeure donc pas moins que ses avis, sans être à proprement parler des *senatus-consultes*, jouaient certainement un rôle important dans la vie civique. Les quarante-quatre « *senatus-consultes* » que nous avons recensés en constituent des traces significatives jusqu’alors négligées” (p. 63).

on the Senate decree recognising Ariobarzanes III as ruler of Cappadocia and entrusting him to the care of Cicero, at the time fulfilling the duties of the governor of the province of Cilicia (51–50 BCE) (cf. Cic., *ad fam.* 15.2.8; also p. 200). The author is interested in the political context of this decree, the role of Cicero and other senators in its creation and the reasons why the Senate passed it. Based on references surviving in sources, she concludes that the main reason for Rome's involvement on the side of Ariobarzanes III in his struggle for power with his brother was his financial obligations towards certain influential members of the Senate. It was concerns at losing the money they had lent to Ariobarzanes that led them to protect their interests by convincing the Senate of the need to offer greater support to the pretender to the throne of Cappadocia. This resolution is exceptional because a clause concerning Rome's granting of allied military support was not even found in the friendship treaties which Rome concluded with other political partners. In the last article, F. Arcaria ("*Senatus consulta de servis fugitivis investigandis*," pp. 215–269) conducts an analysis of the Senate decrees from the imperial period concerning fugitive slaves in the works of Ulpian (cf. *Dig.* 11.4.1–3). He examines views casting doubt on the authenticity of some of these decrees. In the cited fragments of Ulpian's works, he also identifies some six different documents, which were passed by the Senate (in the 1st century CE and in the Antonine period) or were the effect of the legislative activity of several emperors (Antoninus Pius, Marcus Aurelius and Commodus) (p. 238). He also delineates the territorial range contained in these decrees, their mutual connections and the rules of implementation of these laws.

By analysing various types of works written by Roman authors at the time of the Republic and Early Empire, the scholars acquired a large amount of data that not only considerably increase our knowledge on the legislative activity of the Roman Senate in these periods, but particularly add new documents to the number of its decrees that we know of. Although the content of many of these works has already been analysed a number of times, the search for these documents has demonstrated that previous researchers either did not notice them or failed to adequately recognise and interpret them. The authors of the studies published in the volumes discussed here demonstrate convincingly how various circumstances influenced the content and nature of the decrees adopted by the senate. Familiarity with them frequently also casts fresh light on the broader political and social context in which these decrees were passed. The presence of historians, historians of Roman law and philologists among the authors means that their application of the research methods used in their own disciplines has resulted in extremely interesting and fruitful results, which will have an impact on the further research and directions in which studies are conducted. These books, like those previously published in the same series, deserve to be recommended to all scholars of Roman history. Irrespective of the future corpus of *senatus consulta*, for which they provide solid foundations, they constitute an extremely valuable contribution to studies on the role of the Roman Senate, its legislative activity and political significance in various periods of the history of Rome.

Edward Dąbrowa

 <http://orcid.org/0000-0002-9324-9096>

Jagiellonian University in Kraków