'TO HEAVEN ON A HOOK' (DIO 60.35.4): ENNIUS, LUCILIUS AND AN INEFFECTUAL COUNCIL OF THE GODS IN *AENEID* 10.[1]

I

'The last stanza of Horace's poem', writes Denis Feeney of Horace, *Odes* 3.3, 'declares virtually outright that he has just been 'quoting' epic matter: "desine peruicax/ referre sermones deorum et/ magna modis tenuare paruis" (70-2).'[2] A poem that recounts the doings of gods automatically demands comparison with epic, but if the *speeches* of gods are presented, all the more so. Horace's poem in fact evokes an episode within a specific epic poem, the Council of the Gods that occurred during the first book of Ennius' *Annales*. But such divine councils are a 'stock epic scene',[3] and rather more than that: they are moments when epic is at its most quintessentially epic. In simple terms, an epic poet 'may underline the significance and increase the dramatic effect' of a critical point in the narrative 'by showing us that it exercised the gods,'[4] and that analysis applies to any divine presence in a poem: if a key impulse of epic is to amplify the significance of human activity, those occasions when higher forces overtly assert

[1] This article has been a number of years in gestation, and in that time has accrued many debts, notably to Michael Reeve, Philip Hardie, Andrew Sillett, Denis Feeney, and Bob Cowan. At the end of the process the readers for *CQ* were very helpful in encouraging me to restructure and clarify my argument.

[2] D. C. Feeney, 'The reconciliations of Juno,' in S. J. Harrison, *Oxford Readings in Vergil's Aeneid* (Oxford, 1990), 339-62, at 349.

[3] P.R. Hardie, *The Last Trojan Hero* (London & New York, 2014), 27.

[4] M. L. West, *The East Face of Helicon: West Asiatic elements in early poetry and myth* (Oxford, 1997), 179.

their control of human destiny satisfy a number of fundamental preoccupations of the genre. But in the Council of the Gods we have the most developed and impressive realisation of this divine concern for mortal existence, as well as a topos that in Rome at least achieved special status within the broader field of divine machinery in epic.[5] That status is perhaps reflected in a tendency discernible in the Roman section of the tradition for such councils to fall early in the epic narrative, as if initiating the epic plot.[6] If so, however, Virgil's council at *Aen.* 10.1-

[5] A. Barchiesi, '*Senatus consultum de Lycaone*: Concili degli dèi e immaginazione politica nelle Metamorfosi di Ovidio,' *MD* 61 (2008), 117-45, at 117 and n. 1 for the *concilium deorum* as a discrete topos; and at 120 for Silius Italicus' introduction of a meeting of the actual Roman Senate in his first book in a fashion that self-consciously evokes an established tradition of divine assemblies: *concilium uocat* (*Pun.* 1.609) recalls Virg. *Aen.* 10.2 and Ov. *Met.* 1.197 (cf. Claudian, *In Rufinum* 1.28), and is 'by this time the classic formula for the epic topos of the Senate *of the gods*,' though the summoning in this case is being done, characteristically of Silius, by a human consul.

[6] There are divine councils in the first book of Ennius, *Annales*, Ovid, *Metamorphoses*, Valerius Flaccus, *Argonautica*, Statius, *Thebaid*, and Lucilius; for Silius see n. 5. The pattern in Valerius Flaccus is idiosyncratic, a report of a *concilium* of marines deities at 1.211-17, a colloquy on Olympus between Sol and Jupiter in the presence of all the gods (1.498-573), and a dispute on Olympus ending in a banquet, a Homeric touch (5.618-95): for the significance of their placement, see S. Romano Martín, *El tópico grecolatino del concilio de los dioses* (Hildesheim, 2009), 306.

That the divine council of Book 1 was the only one in the *Annales* has been clearly re-established after E. Norden, *Ennius und Lucilius* (Leipzig & Berlin, 1915), 41-53 (proposing a second council in Book 7): see O. Skutsch, *The Annals of Quintus Ennius* (Oxford, 1985), 368;

117 defies expectation by failing to be convened until the plot of the epic is very far advanced indeed, and even then, as this article will consider, achieving strikingly less than one might expect of a plenary gathering of supernatural powers at an advanced stage in an epic narrative.

The divine council has a history as long as the epic genre, punctuated by landmarks such as Claudian's influential combination in the *In Rufinum* of the epic *Concilium Deorum* and the Virgilian motif of Hellish forces driving activity in the human realm: a *concilium deforme* (Claudian, *In Rufinum* 1.28).[7] Claudian's infernal council inspired 'the many councils of devils summoned by Satan in medieval and Renaissance epics that operate with a Christian divine machinery' (one that tolerated a proliferation of demons but not of gods), finding its most celebrated expression in the 'great consult' convened by Satan in Book 2 of Milton's *Paradise Lost*.[8] Tracing the topos in the other direction, meanwhile, and always bearing in

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Romano Martín (this note), 136-40, the clinching evidence being Romulus' statement in Lucilius' council (frr. 20-22 Warmington), *uellem adfuissemus priore/ concilio*, referring to one previous council at which he was not present, and thus evidently the one in *Annales* Book 1 which sanctioned his own deification. The demonstration by J. Elliott, *Ennius and the architecture of the Annales* (Cambridge, 2013), 45-50 and 303-307 that divine interventions will have been distributed throughout the *Annales*, and not restricted to the 'mythological' early books, remains incontestable.

[7] M. Hammond, 'Concilia Deorum from Homer through Milton', *Studies in Philology* 30 (1933), 1-16; C. Schaar, *Marino and Crashaw, Sospetto d'Herode. A Commentary*, Lund Studies in English 39 (Lund, 1971), 13-15.

[8] Hardie (n. 3), 28.

mind the greater definition it achieved in Rome,[9] we find that the Homeric motif whereby 'the gods of the upper world habitually meet in assembly, presided over by their chief, and take decisions there ... is equally at home in Sumero-Akkadian, Hurro-Hittite, and Canaanite literature.'[10] It is a much shorter section of this rich and extended tradition that the present article aims to tackle, the four centuries between Ennius and Statius. But its argument is that an intervention as formative as Claudian's later proved to be was that made by C. Lucilius the satirist, itself a response to Ennius' authoritative deployment of the motif in the *Annales*.[11] My claim is that the alternative versions of the divine council offered in Ennius' epic *Annales* and Lucilius' satires define a narrowly Roman tradition boasting its own peculiar dynamic, essentially offering a polarity of outcomes for an individual, deification or condemnation, with divergent implications also for the welfare of the city of Rome. The immortal councils addressed here all continue to be held in heaven, among the Olympian not the infernal deities, but their implications for mortals often anticipate the grim and punitive consequences of the post-Claudian conference of devils.

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[9] Barchiesi (n. 5), 117 n. 1 for the variety of kinds of divine encounters in the *Iliad* and *Odyssey* that have more loosely been classified as councils.

[10] West (n. 4), 112, and cf. 177-81; Barchiesi (n. 5), 117; Romano Martín (n. 6), 21-4. Akkadian divine councils also display a tendency to migrate toward the start of a text: West (n. 4), 173-4.

[11] Ennius may have had his own models in Roman epic: J. Blänsdorf, *Fragmenta poetarum Latinorum epicorum et lyricorum praeter Ennius et Lucilium* (Berlin, 2011[4]), 49-51 (Naevius frr. 21-24) identifies a divine council in Book 2 (out of seven, the book structure a later imposition by C. Octavius Lampadio: Suet. *Gram.* 2) of Naevius' *Bellum Punicum*; for a careful discussion of the very inconclusive evidence see Romano Martín (n. 6), 125-34.

The final destination of this article is an attempt to redeem Virgil's deployment of the *concilium* topos in *Aeneid* 10, of which one scholar remarked, representatively and not unreasonably, that 'it was not worth the trouble to bring together the whole court of heaven for so little.'[12] My case in Virgil's favour will involve showing how deftly he combines in his own council the 'epic' and 'satirical' models, with their diametrically opposed characters, that he had inherited. But I shall start by describing Ennius' council and Lucilius' response to it, thereby explaining the origin of the polarity that Virgil was able to exploit, and after that I shall illustrate, as succinctly as I can, the influential afterlife of this encounter between Ennian and Lucilian models of the *concilium deorum* in subsequent Roman literature.

But before that, a key observation about this tradition is worth more explicit elaboration. My reading of the *concilium* tradition after Ennius and Lucilius, as I have anticipated, identifies a polarity of outcomes established by the epic and satirical councils, epic (in very general terms) fulfilling its mission to extol, satire its instinct to condemn. As such, however, my approach requires a preliminary refinement, subtle but important, of Barchiesi's perceptive remarks on past efforts to draw a sharp line between the serious and the parodical in the Roman tradition of the Council of the Gods:[13]

Modern treatments have often distributed examples of the topos into two lines of development, one constituted by 'serious epic' (Ennius, Virgil, Ovid, Valerius Flaccus and Statius) and another, conversely, 'parodical' (Lucilius, Menippean Seneca, Apuleius), but it's preferable not to separate the two strands too far: the presence of Ennius in Lucilius, Lucilius in Virgil

[12] G. Boissier, *Nouvelles promenades archéologiques. Horace et Virgile* (Paris, 1907[6]), 312-3, cited by Romano Martín (n. 6), 194.

[13] A. Barchiesi, '*Senatus consultum de Lycaone*: Concili degli dèi e immaginazione politica nelle Metamorfosi di Ovidio,' *MD* 61 (2008), 117-45, at 125-6.

and Ovid, of all these models simultaneously in texts of the Menippean or Milesian tradition, and the 'liminal' character of Cicero's experiment (which leans on the epic poets but soon fell into parody) are all indications of how in Roman culture solemn and seriocomic aspects of the divine senate cannot clearly be separated.[14]

Barchiesi is unquestionably right to resist schematic division of the field into epic or satirical *concilia*, and indeed an assumption of the remainder of this article is how very fluid, dynamically so, this tradition was. But another presupposition of the argument that follows is that something key to the power of the *Concilium Deorum* as a literary topos in Rome was the lasting awareness in the later tradition of two distinct directions that the *concilium* might follow, epic or satirical. These two threads do indeed become thoroughly intertwined, but always, it seems, in full consciousness of the established proprieties: epics that allude to the satirical model do so alert to the scandal of that gesture, and satire remains aware that its version is a subversion of a normative, epic, realisation of the proceedings of the divine council.

II

[14] Cf. G. Manuwald, '*Concililia deorum*: Ein episches Motiv in der römischen Satire,' in F. Felgentreu, F. Mundt and N. Rücker (edd.), *Per attentam Caesaris aurem: Satire—die unpolitische Gattung?* (Tübingen, 2009), 46-61, at 61 on the redeployment of the Ennian/Lucilian model of the Council of the Gods in later authors 'regardless of the generic affiliation of their works'.

Lucilius' staging of a Council of the Gods in what was regarded in Antiquity as Book 1 of his satires, and was originally the first book of a second collection,[15] was a gesture of fundamental significance for the genre he was so influential in shaping, a self-conscious relaunching of satire in what would prove to be its canonical form. The question of metre was central to this development, and reinforces the inaugural status of Lucilius 1. As Gratwick remarks, a significant part of Lucilius' poetic style involved the misuse of epic form: 'Lucilius clearly enjoyed clothing his provocatively demotic language in the heroic hexameter.'[16] Gratwick's insight might indeed be expressed more forcibly.[17] The appropriation of the dactylic hexameter by satire, and satire's misapplication thereafter of the signature vehicle of heroic poetry, crystallized satire's oppositional stance to epic.[18]

Lucilius Book 1, and the *Concilium Deorum* within it (so named explicitly by Lactantius, *Div. Inst.* 4.12, though whether it filled Book 1 or shared the book with other satires

[15] The accepted account of the genesis of Lucilius' thirty-book oeuvre referred to in Antiquity remains F. Marx, *C. Lucilii reliquiae I* (Leipzig, 1904), liii-liv. The earliest collection, in iambo-trochaic metres until the hexametrical Book 30, became known as Books 26-30; Books 22-25 seem to have been in elegiacs, but are quite mysterious as very little indeed survives of them. The books in hexameters, 1-21, are referred to as an independent collection at Varro, *LL* 5.17; Lucilius' metrical choice was respected by the entire subsequent tradition of Latin verse satire with the single exception of Persius' choliambic prologue.

[16] A. S. Gratwick, 'The satires of Ennius and Lucilius,' in E. J. Kenney and W. V. Clausen (edd.), *The Cambridge History of Classical Literature, II: Latin Literature* (Cambridge, 1982), 156-71, at 170.

[17] Ll. Morgan, *Musa pedestris: metre and meaning in Roman verse* (Oxford, 2010), 317.

[18] Romano Martín (n. 6), 149.

is disputed), confirmed the exclusive adoption of hexameters in Book 30. But the provocative character of Lucilius' *Concilium Deorum* was not limited to metrical appropriation. It was also to all appearances a parody of the Council of the Gods in the first book of Ennius' *Annales*,[19] incidentally the text that had first introduced the dactylic hexameter to Roman epic. The clearest indication of its relation to Ennius may be Lucilius fr. 5 W, *consilium summis hominum de rebus habebant*,[20] a hexameter, evidently introductory, that Servius (at *Aen.* 9.227) attributes to Lucilius, but which scholars have suggested that Lucilius (and Virgil in his line, *consilium summis regni de rebus habebant*) copied from Ennius:[21] it is stylistically very epic. In short, however, Lucilius inaugurated exclusively hexametrical satire by staging an explicit challenge to Ennian epic, a challenge that took the shape of a satirical version of that most epic motif, the divine council.

The councils of Ennius and Lucilius are both of course in a catastrophically fragmentary state, and their reconstruction is much debated. But the sketches that follow capture their broad architecture in a reasonably uncontroversial way. The council in *Annales* 1, following

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[19] K. Hass, *Lucilius und der Beginn der Persönlichkeitsdichtung in Rom* (Munich, 2007), 72; Romano Martín (n. 6), 151. Juvenal's human council in *Sat.* 4 (*uocantur/ ergo in consilium proceres*, 72-3) bears a comparable relation to the epic council of Statius' *De Bello Germanico*, beside its direct debt to Lucilius: S. M. Braund, *Juvenal, Satires Book 1* (Cambridge, 1996), 271-2.

[20] See n. 6 above and pp. 00 below on the awareness of the participants at Lucilius' council of the 'previous' council in the *Annales*.

[21] F. Marx, *C. Lucilii carminum reliquiae II* (Leipzig, 1905), 5; O. Skutsch, *The Annals of Quintus Ennius* (Oxford, 1985), 779-80; P. R. Hardie, *Virgil, Aeneid IX* (Cambridge, 1998), *ad loc.*

Skutsch's explicitly 'tentative' organisation of the material,[22] fell early in Ennius' account of the foundation of Rome. After the preliminary material (evocation of the Muses, dream of Homer), Aeneas leaves Troy and comes to Italy; Ilia his daughter is impregnated by Mars, and it is at this juncture that the gods convene to discuss the future of Ilia's twins. Ilia suffers tribulations but prevails, the twins similarly; Romulus and Remus grow up, take the auspices, and come to blows: Remus is killed, Rome is founded.[23] Scrolling forward a little, but still in Book 1, Romulus after an eventful reign is deified, but that outcome, the apotheosis of Romulus (and seemingly also the concomitant death of Remus), has already been anticipated in the council. Two moments in Ovid are particularly important here, *Met.* 14.805-17 and *Fasti* 2.481-90, in both of which a hexameter line delivered by Jupiter in Ennius (also quoted by Varro, *LL.* 7.6)[24] is recalled by Mars, *unus erit quem tu tolles in caerula caeli*. Skutsch postulates that this line describing the fate of Romulus entails another on Remus's starkly opposing destiny: 'The emphatic *unus* suggests that the decision to save the twins for the present ended in some such way as *quorum tamen occidet alter*; cf. Ov. *Fast.* 2. 485'.[25]

Further illuminating analysis of Ennius' council has been done, notably Denis Feeney's discussion of the nuanced way in which Juno's position vis-à-vis the foundation of Rome must

[22] Skutsch (n. 21), 142-3, 202.

[23] The major debate in the scholarship is whether the council fell in the vicinity of the birth of the twins to Ilia, or closer to Romulus' actual foundation of Rome: see Feeney (n. 2), 356 and nn. 69 and 70 for a succinct summary of the arguments.

[24] Ennius, *Ann.* frs. 54-5 Skutsch. Skutsch (n. 21), 205: 'Hexameters cited by Varro without the name of the author belong to the *Annals* (see 7; 116 ff.; 207; 220; 487; 554), whether or not Ennius has been named before.'

[25] Skutsch (n. 21), 205.

have been presented,[26] a significantly qualified agreement which did not preclude her support for Carthage against Rome in the Punic Wars, and thus for most of the rest of the *Annales*.[27] Horace, *Odes* 3.3 and the exchange between Jupiter and Juno in *Aeneid* 12 (791-842), as read by Feeney, indicate how influential that aspect of Ennius' council proved to be. But the essential upshot of Ennius' council—and I feel justified in so presenting it because it is in such essentializing terms that the later tradition seems to have conceived of it—was twofold, a divinely-sanctioned decision that Romulus should be deified, and the decision thereby entailed, that a city should be founded by Romulus—Rome. That is how the business of Ennius' council is generally encapsulated in modern scholarship: 'the founding of Rome and the promised deification of Romulus',[28] 'die Gründung Roms und die künftige Göttlichkeit des Romulus'.[29] If Skutsch and others are right to suspect that Ennius was the first to have Romulus deified, of course, then that element of the council's decision will have been especially marked.[30]

Lucilius' council is perhaps datable to around 125 B.C., thus half a century or so after Ennius.[31] A preliminary observation is that we are dealing with a divine council that is very

[26] Feeney (n. 2).

[27] Juno's refusal to allow the new foundation to be called 'Troy' may have been, judging from Hor. *Odes* 3.3 especially, her major point of principle: Feeney (n. 2), 355-60.

[28] M. Coffey, *Roman Satire* (Bristol, 1989[2]), 42-3.

[29] F. Leo, *Geschichte der römischen Literatur I: Die archaische Literatur* (Berlin, 1913), 420.

[30] Skutsch (n. 21), 205; Feeney (n. 2), 351 and n. 52 for further supporters of the idea.

[31] Gratwick (n. 16), 168.

mindful of its predecessor in Ennius.[32] A god, without doubt Romulus,[33] says and perhaps opens his speech with references to an earlier meeting:

> uellem cumprimis, fieri si forte potisset
>
> uellem concilio uestrum, quod dicitis olim,
> caelicolae, hic habitum, uellem adfuissemus priore
> concilio
>
> Lucilius frr. 19-22 Warmington

If we discern a certain tentativeness in Romulus' manner, that is only appropriate from a divine senator of very recent standing. From another god we also have

> concilio antiquo sapiens uir solus fuisti
>
> Lucilius fr. 23 Warmington

Ovid's *Metamorphoses*, in a passage already cited, similarly figures the literary tradition as a series of meetings of this council,[34] Mars referring to the *concilium* in Ennius' *Annales* in *tu mihi concilio quondam praesente deorum/ ...dixisti* (14.812-15). In the divine council of

[32] Cf. n. 6 above; Hass (n. 19), 72-3 n. 125.

[33] C. A. Cichorius, *Untersuchungen zu Lucilius* (Berlin, 1908), 221-4; Manuwald (n. 14), 52; Romano Martín (n. 6), 161.

[34] C. Connors, 'Epic allusion in Roman satire,' in K. Freudenburg (ed.), *The Cambridge Companion to Roman Satire* (Cambridge, 2005), 123-45, at 128; Barchiesi (n. 5), 119.

Thebaid 1, to which we shall return, the Statian Jupiter in turn alludes to actions taken in Ovid's *Metamorphoses.*[35] One of the things that gives the Roman tradition of the *Concilium Deorum* its individual identity, and a degree of independence from its Greek precedents, is the further character that Lucilius gave to this body, concerned as it was with Rome's interests and also composed as it was, like the literary tradition, of a sequence of separate but interrelated moments: Lucilius' divine council was explicitly a divine version of the Roman Senate,[36] as Servius' terms indicate:

totus hic locus de primo Lucilii translatus est, ubi introducuntur dii habere concilium, et agere primo de interitu Lupi cuiusdam iudicis improbi,[37] postea sententias dicere. sed hoc, quia indignum erat heroo carmine, mutauit et induxit primo loquentem Iouem de interruptis foederibus...

Serv. *ad Aen*. 10.104

We are presumably to imagine the topic for consideration put to this celestial senate by the presiding magistrate, Jupiter, who then asked other gods to give their opinions, *sententiae.* We seem to be able to distinguish speeches by Neptune, Apollo and Romulus, at least.[38] A decision was then reached.

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[35] R. Degl'Innocenti Pierini, 'Il concilio degli dei tra Lucilio e Ovidio,' *A&R* 32 (1987), 133-59 = R. Degl'Innocenti Pierini, *Tra Ovidio e Seneca* (Bologna, 1990), 13-35, at 146/29.

[36] Marx (n. 21), 3; Barchiesi (n. 5), 117-118.

[37] The persuasive emendation of *cuiusdam ducis* by F. Marx, *Studia Luciliana* (Bonn, 1882), 61-2.

[38] There is a closely-argued recent reconstruction at Romano Martín (n. 5), 155-80.

It is just possible that Ennius' council had already carried a hint of the senatorial about it: fr. 52 Skutsch, if indeed *bipatentibus* in Ennius referred to doors, and to the doors of a space in which the gods were assembled, may allude to the practice of keeping the doors of the Curia open when the Senate was sitting.[39] But there is no evidence in what survives from Ennius' council of anything to resemble the intensive imitation of senatorial procedure, and the thorough humanisation of the divine senators that accompanies it,[40] which we see in the fragments of Lucilius.[41] Ennius' gathering is of course retrospectively constructed as senatorial in the satire (a prior gathering of the body meeting in his poem), but a specific determinant of the more overtly senatorial format of Lucilius' divine *concilium* will have been the reprehensible individual who was the focus of this council's attention, L. Cornelius Lentulus Lupus.

Lupus had been consul in 156 B.C., censor from 147 (Val. Max. 6.9.10; Festus 360L), and latterly *princeps senatus* from 131 or 130 until his death in 126/5 (Acro at Hor., *Serm.* 2.1.67: the satire evidently followed his death),[42] but as a proconsul between consulship and censorship, as Valerius Maximus records, he had been convicted for extortion under an obscure *lex Caecilia de repetundis*, and that could be presented not, as Valerius does, as a paradigm of professional resilience, but as an indictment of corruption at the heart of the state. The latter was Lucilius' approach: *secuit Lucilius urbem*, writes Persius (1.114-5), *te Lupe, te Muci, et*

[39] Marx (n. 21), 3; Skutsch (n. 21), 203-4; R. Heinze, *Vom Geist der Römertums* (Stuttgart, 1960[3]), 315 and n. 8; Romano Martín (n. 6), 143.

[40] See Gratwick (n. 16), 169-70 on the contemporary linguistic mannerisms, cultural references and concerns of Lucilius' gods.

[41] N. Terzaghi, *Lucilio* (Turin, 1934), 262-3.

[42] *RE* 4.1386.68-1387.44 s. v. 'Cornelius' no. 224; *MRR* I. 501 n. 1.

genuinum fregit in illis;[43] Horace has Lupus 'overwhelmed by slanderous verses' (*famosisue Lupo cooperto uersibus,* Serm. 2.1.68) as if his treatment in Lucilius' satire was tantamount to being stoned.[44] Lupus' latter role as *princeps senatus* of course makes a divine senatorial hearing called to discuss him especially apt. What the precise nature of Lupus' shortcomings were, in Lucilius's account, is not entirely clear, but a prosecution *de repetundis*, as we know from the case of C. Verres, could extend a long way beyond strictly financial impropriety. Lupus features as a target of abuse elsewhere in Lucilius, frs. 1138-41W (preserved in Cic., *Nat.* 1.63) and 805-11W (from Book 28, via Probus at Virg., *Ecl.* 6.31): in context Cicero is by implication associating Lupus with perjury, while the passage from Lucilius Book 28 suggests judicial corruption and brutality, combined with an interest in philosophy:[45] here it is worth reminding ourselves of Marx's conjecture of *cuiusdam iudicis improbi* in the text of Servius at *Aen.* 10.104.[46] From within the *Concilium Deorum*, meanwhile, frs. 36-8W suggest attention to Lupus' physical repulsiveness, fr. 46W his interest in exotic foodstuffs.[47] Freudenburg persuasively highlights the office of censor that Lupus had in common with the target of the

[43] 'Mucius' is Q. Mucius Scaeuola Augur (cf. Juv. 1.154), whose prosecution by T. Albucius, also for extortion, Lucilius described in Book 2, frs. 53-93W. Lucilius' satire, which satirised both parties to the trial, was an important model for Horace, *Serm.* 1.7: G. C. Fiske, *Lucilius and Horace* (Hildesheim, 1966), 324-30.

[44] For the implications of *cooperto*, F. Muecke, *Horace, Satires II* (Warminster, 1993), *ad loc.*;

[45] A. Chahoud, 'The Roman satirist speaks Greek,' *Classics Ireland* 11 (2004), 1-46, at 19-21.

[46] See n. 37 above.

[47] M. Puelma Piwonka, *Lucilius und Kallimachos. Zur Geschichte einer Gattung der hellenistisch-römischen Poesie* (Frankfurt am Main, 1949), 29; L. B. T. Houghton, 'The Wolf and the Dog (Horace, *Sermones* 2.2.64),' *CQ* 54 (2004), 300-304.

Apocolocyntosis, the emperor Claudius (for the parallels between Lucilius' satire and the *Apococolyntosis* see pp. 0-0 below): Lupus would represent an official charged with restoring the health, broadly defined, of Rome, but who in his person embodied its corruption.[48]

A reconstruction of the business of Lucilius' *concilium* that would command the assent of most scholars has Jupiter raising the question of the future of a degenerate Rome threatened with destruction (frs. 6-9W), and various gods speaking to the question. The destruction of Rome appears to be an explicit option, perhaps proposed by Neptune.[49] Romulus seems to have made a special point of Rome's loss of Romanness, its devotion to Eastern luxuries and the Grecification of its language (frr. 12-17W).[50] Romulus himself seems to have been represented by Lucilius as an embodiment of old-world, unpretentious *Romanitas* uncorrupted by these external influences. Skutsch reconstructs a line probably attributable to Lucilius, and probably to his Council of the Gods, *Romulus in caelo feruentia rapa uorare*, which would be a parody of Ennius, *Ann.* 110-11 Sk. (from the end of Book 1 or the start of Book 2, after Romulus' deification has been fulfilled), *Romulus in caelo cum dis genitalibus aeuom/ degit*.[51] The

[48] K. Freudenburg, 'Seneca's *Apocolocyntosis*: censors in the Afterworld,' in S. Bartsch and A. Schiesaro (edd.), *The Cambridge Companion to Seneca* (Cambridge, 2015), 93-105, at 98-105.

[49] Marx (n. 21), 17.

[50] Cichorius (n. 33), 226-9. R. Degl'Innocenti Pierini, 'Le battaglie del foro (per l'esegesi e la collocazione dei vv. 1228 ss. M. di Lucilio),' *Maia* 42 (1990), 249-55, at 253-5, argues that a jaundiced Lucilian account of life in Rome, frr. 1145-51W, is to be included among the fragments of the council, perhaps in the mouth of Romulus; cf. Romano Martín (n. 6), 164-5.

[51] O. Skutsch, 'Enniana VI,' *CQ* 14 (1964), 85-93, at 89-91 (= *Studia Enniana* [London, 1968], 103-16, at 109-112).

Lucilian Romulus, with his taste for steaming turnips even in heaven, as Connors puts it,[52] 'embodies the qualities of sturdy incorruptibility':[53] Freudenburg suggests that Romulus' taste

[52] Connors (n. 34), at 127.

[53] Connors' view is that we are being encouraged to react unsympathetically to this 'rigid version of Romanness.' But later satirists, at any rate, were far from unsympathetic to a Romulus-Quirinus figure championing resistance to non-Roman influences. The same god keeps Horace's verse appropriately Roman at Hor. *Serm.* 1.10.31-5, and Juvenal brings us particularly close to Lucilius' Romulus, alerting Quirinus to the even greater degree to which Romans have succumbed to Greek cultural and linguistic influence by his day: *rusticus ille tuus sumit trechedipna, Quirine,/ et ceromatico fert niceteria collo* (3.67-8).

This satirical theme also offers a sidelight on the question of whether the deified Romulus in Ennius was identified with Quirinus. The current consensus is against: O. Skutsch, *Studia Enniana* London, 1968), 130-137; H. D. Jocelyn, 'Romulus and the *Di Genitales* (Ennius, *Annales* 110-111 Skutsch),' in J. Diggle, J. B. Hall and H. D. Jocelyn (edd.), *Studies in Latin Literature and its Traditions in Honour of C. O. Brink* (Cambridge, 1989), 39-65, at 40 and 55: 'It was another creative spirit [than Ennius] from a later time who introduced the figure of Iulius Proculus to the story and identified the Alban founder of the city with the Sabine deity Quirinus.' But what this leaves unclear is how Ennius could have claimed Romulus had been deified in the absence of any corresponding deity who was worshipped in Rome. Certainly the satiric tradition seems to make the identification, and that combined with Ovid's version of the story (*Met.* 14.805-851) in a passage modelled on the end of *Annales* 1 offers literary testimony to similar effect.

for turnips, and his rigorous Roman principles, evoke Cato the Censor specifically.[54] Chahoud wonders if the emphasis on cultural miscegenation in Lucilius' *concilium* reflects a particular shortcoming of Lupus, a man who Lucilius in Book 28 seems to imply had unacceptably Hellenizing inclinations.[55] In any case, the devastating critique this represents of a man who had been censor, charged with maintaining the integrity of the Roman state, is evident enough.[56]

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[54] Freudenburg (n. 48), 100-101, a further potential parallel with the *Apocolocyntosis*, where Augustus, the last censor before Claudius, condemns his successor; E. H. Warmington, *Remains of old Latin III: Lucilius, the Twelve Tables* (Cambridge, Mass., 1938), at frr. 28-9 and Hass (n. 19), 72 similarly identify Apollo with Appius Claudius Pulcher. I find the equation of Romulus and Cato also in W. Richter, 'Staat, Gesellschaft und Dichtung in Rom im 3. und 2. Jahrhundert v. Chr. (Naevius, Ennius, Lucilius),' *Gymnasium* 69 (1962), 286-310, at 308. Freudenburg characterises Cato as a personal enemy of Lupus on the basis of a speech *apud censores in Lentulum* (Gell. *NA* 5.13.4; *ORF* fr. 200 Malcovati), which may have been directed at our Lentulus. Cic. *Tusc*. 3.51, written by an author extremely familiar with Lucilius, records disagreement between Cato and Lupus on the question of Carthage, but the point of the illustration there is that their political differences were pursued without personal rancour.

[55] Chahoud (n. 45), 19-21.

[56] Coffey (n. 28), 43; Freudenburg (n. 48). A physical representation of Lupus, the face that launched satire, may have survived into modern times: *RE* 4.1387.34-44. At the end of the sixteenth century, during excavation of the foundations for a house in Tivoli, near the Cathedral of S. Lorenzo and thus on the site of the ancient forum of Tibur, an inscribed bronze tablet was discovered along with a male bust. The inscription (*CIL* I².586) recorded a letter from a Roman praetor, L. Cornelius Cn. f., in which he communicated to the people of Tibur that the Roman

To summarize, while in Lucilius' council the great beneficiary of Ennius' council, Romulus, retains an exemplary status, Lupus, the structural counterpart of Ennius' Romulus in Lucilius' *concilium*—the individual about whom the whole discussion revolves—is entirely reprehensible; indeed, an embodiment of everything Rome should not be. As such, though, he is also, like Ennius' Romulus, an individual who encapsulates the city, in Lupus' case the vicious and decadent Rome of the 120s; if Freudenburg is right to see Lupus' censorship as central to his condemnation, his *censorium funus* the trigger for the divine debate,[57] no magistracy represented the essence of the city more clearly than that. The conclusion of Lucilius' council, the measure settled on by the gods as a response to Roman corruption, was

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Senate accepted their explanation of some or other action, now beyond recovery, that had brought suspicion upon them. The praetor of the inscription has been confidently identified as L. Cornelius Lentulus Lupus, who will have held the magistracy not later than 159 B.C. The bust was assumed from the time of its discovery to be linked to the inscription and thus to represent Lupus, although this cannot of course be verified. The whereabouts of both inscription and bust is now unknown: a bust identified as Lupus was sold early in the eighteenth century to Thomas Coke, later the 1st Earl of Leicester who filled Holkham Hall in Norfolk with his collection of antiquities. But the bust in question very clearly represents the emperor Nerva, and Coke was sold not a Lupus but a pup. There is a clear and succinct account of these discoveries at Tivoli, with further bibliography, at E. Buchet, *Tibur et Rome: l'intégration d'une cité latine* (Dijon, 2015), 91-100. Before its disappearance the bust was drawn by Theodor Gallaeus for *Illustrium imagines ex antiquis marmoribus, nomismatibus et gemmis expressae quae extant Romae; maior pars apud Fulvium Ursinum* (Antwerp, 1598), 50.

[57] Freudenburg (n. 48), 101.

that Lupus should be punished by death (fr. 46W), and it is an appropriate death, a hanging judge handed down a concomitantly harsh sentence; also the death of a glutton at dinner.[58]

There is much to debate in that or any other reconstruction, and ultimately no alternative to weighing the analyses of the fragments in the extensive scholarship,[59] but what is clear enough is that in Lucilius' Council of the Gods we are dealing with a systematic reversal of the terms of Ennius' council. Whereas Ennius countenances the foundation of Rome and the elevation to divinity of an embodiment of the great new city, Romulus, in Lucilius Rome is so corrupt as to be under threat of extinction, and instead of a deified founder we have, it seems, a physically repulsive and morally depraved criminal whose just deserts are not apotheosis but condemnation, and punishment in the shape of a straightforward, human death, the polar opposite of deification. Manuwald states the contrast as between 'the honouring of a benefactor

[58] Manuwald (n. 14), 52-3; Romano Martín (n. 6), 177-9. The gods may also have emphasised their warning with an admonitory storm (frs. 39-41W): Marx (n. 21), 19-21; *contra*, Cichorius (n. 33), 224-6.

[59] The fragments of Lucilius Book 1 are collected in Marx (n. 15), 3-6; N. Terzaghi, *C. Lucilii saturarum reliquiae* (Florence, 1934), 3-6; E.H. Warmington, *Remains of Old Latin III: Lucilius, the Twelve Tables* (Cambridge, Mass., 1938), 2-18; F. Charpin, *Lucilius, Satires I* (Paris, 1978), 90-98; W. Krenkel, *Lucilius, Satiren* (Leiden, 1970), I. 104-125. There are detailed discussions of the fragments of Lucilius Book 1 in Marx (n. 37), 54-67; Marx (n. 21), 1-28; Cichorius (n. 33), 219-32; P. Moeller, *Deos consiliantes qua ratione Lucilius in libro primo aliique effinxerint* (Jena, 1912); Terzaghi (n. 41), 261-79; J. Michelfeit, 'Zum Aufbau des ersten Buches des Lucilius,' *Hermes* 93 (1965), 113-28; Romano Martín (n. 6), 149-80. Briefer accounts of the episode include Coffey (n. 28), 42-3, Gratwick (n. 16), 169-70, Connors, art. cit (n. 34), 125-9, and Manuwald (n. 14), 49-55.

of the Roman people' and 'the elimination of an unworthy citizen.'[60] Presumably scapegoating is in play in Lucilius, the embodiment of the community's ills expelled in an act of purification.[61] Horace's formulation of Lucilius' attack on Lupus at *Serm.* 2.1.68 as a kind of poetic stoning might suggest as much, since stoning is classically the act of a collective, the people as a whole taking revenge on a single perceived malefactor.[62]

I simplify here, but only, I think, in a way that literary history is itself inclined to simplify the sum of earlier contributions.[63] What I believe the later tradition will have seen in Ennius' *Concilium Deorum* and Lucilius' response to it was epic and satire enacting in a paradigmatic way their quintessential generic impulses, to praise and to blame (Dio Chrysostom defines a similar polarity between Homer and Archilochus at *Or.* 33.11), to elevate and to degrade, to raise to divinity and to reduce to the sub-human status of a executed criminal. A familiar moment at Juvenal 10.58-67 might illustrate the dynamic. As Sejanus falls from near-supreme power to criminalized corpse, 'dragged by the hook' (66), an honorific statue (the most aggrandizing form of statue possible, a chariot team) is converted into the most tawdry of domestic utensils, chamber pots. Here also satire performs its archetypal function, countering and subverting praise and its cultural expressions, epic poetry above all.

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[60] Manuwald (n. 14), 53; cf. Romano Martín (n. 6), 243

[61] Cf. Connors (n. 34), 141.

[62] A. S. Pease, 'Notes on stoning among the Greeks and Romans,' *TAPhA* 38 (1907), 5-18; E. Cantarella, *I supplizi capitali in Grecia e a Roma* (Milan, 1991), 326-9; D. Fehling, *Ethologische Überlegungen auf dem Gebiet der Altertumskunde* (Munich, 1974), 59-79.

[63] Thus D. P. Fowler, 'Deviant focalisation in Virgil's *Aeneid*,' *PCPhS* 36 (1990), 42-63 at 56 on 'the practice whereby poets retrospectively make their predecessors less complex and more monolithic to enable their own rebellion.'

III

My argument is that this dynamic polarity of divine councils established by Ennius and Lucilius, the laudatory and the punitive, shapes in large part the history of the topos for the next two centuries. The clearest illustration of the influence it exerted, and a concrete example of the dynamic in play in later literature, is to be found in Seneca's *Apocolocyntosis*. A close relationship has long been suspected between the *Apocolocyntosis* and Lucilius, and *Apoc.* 9.5 is not coincidentally where the halfline *feruentia rapa uorare* is preserved.[64] Most obviously, as in Lucilius, we have a *concilium deorum* in this text, characterised as a Senate, and the upshot of its consultation is the punishment by death of a high-status malefactor. But I would suggest that the debt of the *Apocolocyntosis* to Lucilius runs deeper still, and that the dynamic that I have identified as existing between the Ennian and Lucilian divine councils is restaged by Seneca's Menippean satire in the context of Julio-Claudian imperial succession.

Ennius had talked of apotheosis, Lucilius of a death sentence. The *Apocolocyntosis* is, familiarly, a satirical response to the apotheosis conferred on Claudius by the Senate after his death in A.D. 54 (Tac. *Ann.* 12.69; 13.2). On the (secure) assumption that we can identify the work we have with the one mentioned by Dio (60.35.2-4), we have preserved by the Greek

[64] Cichorius (n. 33), 220; Cf. Moeller (n. 59), 62-3; Coffey (n. 28), 175; Gratwick (n. 16), 634; Freudenburg (n. 48), 98-105; Hass (n. 19), 72-3 n. 125; Romano Martín (n. 6), 293-7. P. T. Eden, *Seneca, Apocolocyntosis* (Cambridge, 1984), 17 comments that '[d]irect influence of Lucilius on Seneca might be postulated, were it not that features shared among other 'councils of the gods', including the *Apoc.*, are used as guidance for the reconstruction [of Lucilius' *concilium*],' but significantly overstates the dangers of circularity.

historian a neat analysis of the manner in which the satire inverts the terms of the official treatment of the dead emperor:

Ἀγριππῖνα δὲ καὶ ὁ Νέρων πενθεῖν προσεποιοῦντο ὃν ἀπεκτόνεσαν, ἔς τε τὸν οὐρανὸν ἀνήγαγον ὃν ἐκ τοῦ συμποσίου φοράδην ἐξενηνόχεσαν. ὅθενπερ Λούκιος Ἰούνιος Γαλλίων ὁ τοῦ Σενέκα ἀδελφὸς ἀστειότατόν τι ἀπεφθέγξατο. συνέθηκε μὲν γὰρ καὶ ὁ Σενέκας σύγγραμμα, ἀποκολοκύντωσιν αὐτὸ ὥσπερ τινὰ ἀθανάτισιν ὀνομάσας· ἐκεῖνος δὲ ἐν βραχυτάτῳ πολλὰ εἰπὼν ἀπομνημονεύεται. ἐπειδὴ γὰρ τοὺς ἐν τῷ δεσμωτηρίῳ θανατουμένους ἀγκίστροις τισὶ μεγάλοις οἱ δήμιοι ἕς τε τὴν ἀγορὰν ἀνεῖλκον κἀντεῦθεν ἐς τὸν ποταμὸν ἔσυρον, ἔφη τὸν Κλαύδιον ἀγκίστρῳ ἐς τὸν οὐρανὸν ἀνενεχθῆναι.

Gallio's witticism that 'Claudius had been dragged to heaven on a hook,' sharing imagery as it does with Juvenal's account of the fall of Sejanus (cf. also Juv. 6.622-3, *descendere… in caelum*), is best understood as a gloss on his own brother's satire,[65] which recounted the transformation of a deified figure into a condemned criminal. That is certainly a fair summary of the text we have, which, led by the words of Augustus (partly fulfilling the role of Lucilius' Romulus as newly-appointed senator),[66] indicts Claudius 'as an arbitrary judicial murderer'[67] who deserves punishment himself. At *Apoc.* 14.1-3, for example, Aeacus condemns Claudius with a version of an eye for an eye, αἴκε πάθοι τά τ' ἔρεξε δίκη κ' ἰθεῖα γένοιτο,[68] a ruling that Claudius finds unfair but not, given his own enormities in the judicial arena, unfamiliar.

[65] Eden (n. 64), 1 n. 1.

[66] Manuwald (n. 14), 60.

[67] Eden (n. 64), 115, a further potential point of contact between Claudius and Lupus: Claudius is above all a judicial villain, an unjust judge himself deserving condemnation: see p. 0 above.

[68] Eden (n. 64), for the origin of the proverb.

Eden, as noted, is peculiarly resistant to the notion of the *Apocolocyntosis*' debt to Lucilius,[69] but it is fair to say he is isolated in that view. It is perfectly appropriate to adduce parallels in Lucian, as Eden does, themselves presumably indebted to Menippean Satire, the *Icaromenippus* and the *Council of the Gods*, but what neither of these texts displays is a key motif that the *Apocolocyntosis* shares with Lucilius, namely the single criminal individual who is in some sense representative of the sorry condition of the state as a whole.[70] But I would further suggest that the most important debt that Seneca's satire owes to Lucilius' engagement with Ennius is its essential project of reversing a narrative of apotheosis. Lucilius took Ennius' deification of Romulus and turned it into a condemnation of Lupus; Seneca overturns the apotheosis of Claudius and consigns him to a criminal's death. The major difference is that, while Lucilius' correction of an apotheosis was done within a literary exchange, albeit one with important implications for the contemporary condition of Rome, the *Apocolocyntosis* contradicts by means of a literary text the measures undertaken by the Roman Senate in A.D. 54.

If the *Apocolocyntosis* is the text that preserves the force of my proposed polarity most explicitly, there is further evidence for its persistence in the divine councils of Ovid's *Metamorphoses* and Statius' *Thebaid*, and in aspects also, perhaps, of the composition and reception of Cicero's epic poetry. Degl'Innocenti Pierini has argued convincingly for an extended allusion to Lucilius' *concilium* in Ovid's council in *Metamorphoses* 1, starting from the observation of a shared metaphor from the medical arena used to describe the crisis to which

[69] See n. 64 above.

[70] Freudenburg (n. 48).

Jupiter is in each case responding.[71] In both Lucilius and Ovid a council is called in conditions of crisis,[72] in both there is a strong contemporary charge to the scene in heaven,[73] and both poets introduce a representative personage who 'constitutes a symbol of the degeneration of morals and of the spreading *nefas,*'[74] and is dealt with vengefully: it is thus the punishment of criminality, involving an individual representative of the broader community, which is on the agenda in each instance. Tellingly also, both villains, Lupus and Lycaon, have lupine associations, allowing the criminality of the object of divine vengeance to shade into bestiality.[75] All I would add to Degl'Innocenti Pierini's perceptive analysis is some consideration of the implications of Ovid's evocation of the Lucilian council at this point of *Met.* 1, where both those earlier authors had set their divine councils and thereby in some sense characterized their work. The assumption here, as anticipated, is that an epic cannot collude with satire without consequences, and the message communicated by this allusion about Ovid's poem seems both bold and apt in metaliterary terms. It is highly appropriate that an epic which hazards its generic status as determinedly as the *Metamorphoses* adopts for its inaugural, authoritative divine intervention a version strongly hinting at the Lucilian paradigm; in other words, that a poem of instability and dissolution, a poem programmatically at odds with

[71] Degl'Innocenti Pierini (n. 35); Romano Martín (n. 6), 254-5. On Ovid's council in the tradition of the satirical *concilium deorum*, see also the suggestive survey in Connors (n. 34), 140-44.

[72] Degl'Innocenti Pierini (n. 35), 142.

[73] Manuwald (n. 14), 57; Barchiesi (n. 5).

[74] Degl'Innocenti Pierini (n. 35), 143.

[75] Degl'Innocenti Pierini (n. 35), 145.

conventional epic, follows not the constructive Ennian model, but the satirical model that talks of crisis, corruption, imminent disaster and condemnation.[76]

The implications are not so different in the *concilium deorum* in the first book of the *Thebaid* (197-311).[77] This is another assembly with punitive consequences (*nunc geminas punire domos ... descendo*, *Theb.* 1.224-5), subtly suggestive of a senate,[78] and one self-consciously indebted to Ovid as well as to Virgil and Homer, but offering a creative variation on the tradition in that it replaces the individual focus of both Ennian and Lucilian councils with two victims: Argos and Thebes, and ultimately Polynices and Eteocles. The dualism of the *Thebaid* is one of the poem's most persistent features,[79] enacted as much at the level of the divine protagonists as the mortal: Schubert illustrates it by the parallel gathering of Dis in the Underworld at 8.21-126 (the upshot of which is not punishment but clemency), 'a pendant to the divine council in Book 1.'[80] Statius thus achieves a brilliantly original twist on a long tradition, but still seems to betray a continuing awareness of the power, it might be said, of not imitating Ennius: like the *Metamorphoses*, Statius' epic communicates its bold originality by

[76] For much fuller discussions of Ovid's *concilium* see, alongside Degl'Innocenti Pierini (n. 35), Barchiesi (n. 5), which focuses especially on respects in which Ovid's episode, in the description of its location, its judicial character, and the character of Lycaon's conspiracy and its punishment, carries echoes of the Roman Senate, especially in its Augustan instantiation.

[77] Cf. Barchiesi (n. 5), 121, discussing Statius' *concilium* as a creative distillation of those of his predecessors Virgil and Ovid.

[78] Romano Martín (n. 6), 336-7.

[79] D. C. Feeney, *The Gods in epic* (Oxford, 1991), 350; W. Schubert, *Jupiter in den Epen der Flavierzeit* (Frankfurt, 1984), 128-30.

[80] Schubert (n. 79), 128.

opting for the satirical, not the epic, model of divine motivation. What the punitive council of *Thebaid* 1 launches is of course another 'Lucilian' narrative of crisis and doom.

Potentially parallel to Ovid's and Statius' embrace of the dystopian version of the council is Cic. *Ad Q. fr.* 3.1.24, not poetry so much as commentary on his own poetry. The *De Temporibus Suis* to which Cicero here refers was composed, although never necessarily completed, in the aftermath of his exile, and celebrated his recovery from that misfortune:[81]

Gabinius a. d. iv Kal. Octobr. noctu in urbem introiuit, et hodie h. viii, cum edicto C. Alfi de maiestate eum adesse oporteret, concursu magno et odio uniuersi populi paene afflictus est. nihil illo turpius. proximus est tamen Piso. itaque mirificum embolium cogito in secundum librum meorum temporum includere, dicentem Apollinem in concilio deorum, qualis reditus duorum imperatorum futurus esset, quorum alter exercitum perdidisset, alter uendidisset.

(My analysis is indebted to Harrison.)[82] From *Ad Q. fr.* 2.8.1 we understand that there was a speech of Jupiter at the end of the second book (out of a total of three) of this poem, seemingly in a *concilium deorum* 'called to sanction the return of Cicero to Rome.'[83] Harrison compares this council with the divine assembly of *Odyssey* 1.22-95, similarly concerned with a homecoming. What Cicero says here at *Ad Q. fr.* 3.1.24, meanwhile, is probably not a serious statement of his intentions for the poem, but a whimsical notion of what might go into it. It is Goldberg's suggestion that when Cicero fantasizes about adding an episode in which he can

[81] The testimonia are conveniently collected in E. Courtney, *The Fragmentary Latin Poets* (Oxford, 1993), 173-4.

[82] S. J. Harrison, 'Cicero's *De Temporibus Suis*: The Evidence Reconsidered,' *Hermes* 118 (1990), 455-63.

[83] Harrison (n. 82), 457.

exact revenge on A. Gabinius and L. Calpurnius Piso Caesoninus, the consuls who had acquiesced in his exile, it is the model of Lucilius that asserts itself: Cicero imagines a speech given by Apollo, a god who featured in Lucilius' council (frr. 24-32W) but not apparently in Ennius's, which condemns the two reprobate *imperatores*.[84] The implied contrast with this unfriendly reception are the various celebratory welcomes which a returning general might usually expect, up to the glorifying *reditus* represented by the triumph. The reversal Cicero entertains is thus characteristically satirical.

In relation to his earlier poem, *De Consulatu Suo*,[85] Cicero did not entertain any satirical fantasies that we are aware of, and the Council of the Gods that he seems to have placed in the first book was one to which Cicero was summoned and which 'gave Cicero sanction to save Rome.'[86] But it is interesting to read this council through the distorting lens of the pseudo-Sallustian *Invectiva*, which takes Cicero's self-glorifying claims of being a new Romulus (*Inv. in Cic.* 4.7) and twists them into an indictment of his crimes against the city. When Cicero is turned from the city's *custos* into a *carnifex,* exploiting the difficulties of the city to enhance

[84] S. Goldberg, *Epic in Republican Rome* (Oxford, 1995), 166; Manuwald (n. 14), 56. Gabinius was tried for *maiestas* and then *de repetundis*, in each case related to a bribe he took to restore Ptolemy Auletes; that Piso's time in Macedonia could also be mined for material for invective is well enough established by Cicero's own *In Pisonem.*

[85] Courtney (n. 81), 156-173

[86] Harrison (n. 82), 462. Courtney (n. 81), following Quintilian's suggestion (11.1.24) of Greek models for Cicero's episode, suggests the account of the dream of Hannibal, probably attributable to the historian Silenus (*FGrHist* 175 fr. 3), in which he was summoned to a divine council (Cic. *Div.* 1.49; Dio *apud* Zonaras 8.22.9).

his own glory, and bringing division rather than protection (2.3), a satirical reflex to correct an act of panegyrical elevation is identifiable not unlike that of Lucilius.[87]

IV

The most subtle exploration of this bifurcated tradition that I am proposing, nevertheless, can be claimed by Virgil. The divine council of *Aeneid* 10 is a remarkable intervention in that tradition in many respects, not least by virtue of how overdue it is within the poem: there is only one gathering of gods in the *Aeneid* that can qualify as a full *concilium* (identified as such in the conventional way, *Aen.* 10.2),[88] but the reader has to wait until nine books have passed for a scene more typically found closer to the start of a text. By this point in the plot, it is fair to say, the suspense has been sufficiently built up that we expect this set

[87] There is a temptation, especially given the peculiarly political resonance of the Roman *concilium deorum,* on which see Manuwald (n. 14), 49; Barchiesi (n. 5), 124-5, to ponder the impact of this epic/satirical choice between deification and condemnation on political oratory. Cicero's *Catilinarians* trade in a dichotomy between a saviour figure, a new Romulus, Cicero himself, and a criminal, Catiline, for example at *Cat*. 1.33, and a comparable polarity is discernible at *Planc*. 95 and *Mil*. 80. In the former Laterensis has accused Cicero, in his praise of Plancius, of making an arch (or maybe a citadel, or altar) out of a sewer, and worshipping a tombstone like a god; in the latter Cicero contrasts the divine honours awarded tyrannicides in Greece with the threat of execution (*supplicium*) faced by his client. For discussion of these passages, and analysis of Cicero's contribution to the development of the language of apotheosis in Rome, see S. Cole, *Cicero and the rise of deification at Rome* (Cambridge, 2013).

[88] Barchiesi (n. 5), 120, and n. 5 above.

piece to deliver a decisive outcome. The *concilium deorum* is, as already discussed, the most authoritative expression of the providential view that is available to an epic poet (definitive decisions are what it is all about), and that we finally experience it as the poem's hero returns with renewed determination and resources to the field of battle hardly diminishes that readerly anticipation. Nor does the manner in which the scene is presented to us: Jupiter in his first speech (6-15) is terse, imperious and resolute.

In the event, however, what is most arresting about Virgil's *concilium deorum* is how utterly *inconclusive* it turns out to be. After the speeches of Venus and Juno, Jupiter announces no decisive action (*Aen*. 10.100-117), but rather resigns the role of dictating events to *fata*, although what kind of comprehensible causal mechanism *rex Iuppiter omnibus idem./ fata uiam inuenient* describes it is hard to say. There are ways of softening the oddity of this passage, for example in the characterization of Jupiter, his 'rhetorical trickery' in Harrison's account, his 'very human, not to say bureaucratic, manoeuvre' of hinting that Fate is not really his responsibility, his 'undoubtedly bogus plea of impartiality.'[89] (Lyne is more scathing still: 'a combination of teasing opacity, disingenuousness, and, I think, mendacity.')[90] But even if one seeks an understanding of Virgil's *concilium* primarily in the psychology of its participants (rather than, as I am inclined to do, in the impact that the poet is seeking to have upon his reader), this is still a *concilium* that opens with a bang, and in its style of presentation meets the readership's confident expectations as it does so, and ends with a whimper. Although the whimper, it is important to emphasize, is still dressed up as a bang: Klingner is right, for example, to identify a degree of 'majesty' in Virgil's realisation of Jupiter greater than anything

[89] E. L. Harrison, 'The Structure of the Aeneid: observations on the links between the books,' *ANRW* 31.1, 359-93, at 390.

[90] R. O. A. M. Lyne, *Further Voices in Vergil's Aeneid* (Oxford, 1987), 89.

to be found in Homer,[91] and that majesty persists into his second speech even as he renounces any responsibility for future events. An awed silence attends his vacuous words; the oath that confirms he will do nothing has a dire solemnity, and a seismic impact (cf. Hom., *Il.* 1.530).

It would very much seem that Virgil is deliberately setting out to confuse, disappoint and disturb his readers, readers who by this stage in the *Aeneid* are demanding some firm direction to the plot. One reader, Sebastiano Timpanaro, has described the passage as 'forse il piu 'imbarazzato' e inconcludente *concilium deorum* di tutta l'epica antica';[92] Barchiesi talks of the contrast with Ovid's dynamic Jove in *Metamorphoses* 1: 'The divine councils of Homer and Virgil pale by comparison: in Virgil in particular, the only council of the gods on the fates of the Trojans and of Italy ends with a complete and utter stalemate,' adding the crucial observation that it has absolutely no impact on the larger plot.[93]

We can perhaps make this point another way. Harrison's edition of *Aeneid* 10 has much to say about Virgil's Homeric models at this point. In structural terms, the divine assembly at *Iliad* 20.4-30, undertaken as the hero returns to battle (there is an obvious parallel between *Aen.* 10 and *Il.* 20, too) and yielding no very specific policy (Zeus expresses his impartiality, and the gods are encouraged to support whichever side they will, δίχα θυμὸν ἔχοντες, 20.32) is a key point of reference. But in detail and expression *Il.* 8.1-40 and 4.1-72 are equally important,[94] and when Harrison asserts that Jupiter's 'decision is couched in the words of Zeus'

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[91] F. Klingner, *Virgil: Bucolica, Georgica, Aeneis* (Zurich, 1967), 568.

[92] S. Timpanaro, 'Quanti concilii degli dei negli 'Annali' di Ennio?', *GIF* 41 (1989), 209-31, at 228 = *Nuovi contributi di filologia e storia della lingua Latina* (Bologna, 1994), 203-25, at 222.

[93] Barchiesi (n. 5), 137.

[94] A. La Penna, 'Concilium,' in *Enciclopedia virgiliana* (Rome, 1984), I. 868-70, at 869.

from *Iliad* 4 (*Aen*. 10.104 *accipite ergo animis atque haec mea figite dicta* ~ *Iliad* 4.39 ἀλλο δέ τοι ἐρέω, σὺ δ' ἐνὶ φρεσὶ βάλλεο σῇσιν; also borrowed from *Iliad* 4 is 'Jupiter's indignation at Juno's attempts to thwart his plans'),[95] one of the things that we are obliged to do is contrast the world-changing outcomes of the Iliadic dialogue that follows Zeus' statement with the striking lack of any decisive outcome from Virgil's. Most suggestively of all, it is in the divine assembly of *Iliad* 4 that Hera offers for destruction, in exchange for Zeus' beloved Troy, three cities dearest to her heart, 'Argos and Sparta and Mycenae of the wide ways,' (51-4). This moment is of high relevance for another divine encounter in the *Aeneid*: when Jupiter foretells to Venus, *ueniet lustris labentibus aetas/ cum domus Assaraci Pthiam clarasque Mycenas/ seruitio premet ac uictis dominabitur Argis* (Aen. 1.283-5), it is, as Feeney writes, in 'poetic fulfilment of the pledge [Juno] had made to Zeus' in *Iliad* 4.[96] In other words, Virgil at this critical moment in the council of *Aeneid* 10 evokes Rome's history of progressive world domination, encompassing the full sweep of time from the fall of Troy to the conquest of Greece. No issue is of more interest to the *Aeneid*—yet *this* council will do nothing whatsoever to advance the Roman mission.

But the concern of this article is with a dynamic peculiar to the Roman literary tradition of the *concilium deorum*. What makes the divine council of *Aeneid* 10 relevant to this discussion is a pattern of allusion within it to both Ennius' and Lucilius' councils. The implications of this allusion, however, parallel and complement the conclusions we have drawn from Virgil's Homeric models.

[95] S. J. Harrison, *Vergil, Aeneid 10* (Oxford, 1991), 59.

[96] Feeney (n. 2), 341.

The Ennian character of Virgil's council consists in clear stylistic and verbal similarities to the *Annales*, in the case of one word (*bipatentibus*, *Aen.* 10.5) traceable with all likelihood to Book 1 (fr. 52 Sk.),[97] but discernible throughout, albeit similarities 'of expression rather than content.'[98] As for its debt to Lucilius, we have the electrifying assertion of Servius at *Aen.* 10.104 that *totus hic locus de primo Luciliii translatus est libro*. There is a bit more than Servius' word to go on for Lucilius' presence. Virgil's *concilium*, like Lucilius', follows the procedures of the Senate, albeit in a more restrained and dignified way than the satirist. Harrison's careful delineating of senatorial hints within an overwhelmingly epic environment identifies suggestions of *relatio* (report of the matter in hand by the presiding magistrate) followed by *interrogatio sententiae* (asking senators for opinions), and *discessio* (voting division).[99] Servius *auctus* at 117 also relates the last line and a half to the escorting (presumably by other senators, out of the Senate) of the (presiding) magistrate.[100] Relevant in addition is Heinze's acute observation, cited by Moeller, of the unusual extent to which Jupiter is characterized at 116-117, the only time in the poem that he is realised as a physical

[97] Skutsch (n. 21), 203-4

[98] Harrison (n. 95), 57: see his notes at 10.2, 4, 5. 6-15, 6-7, 8, 34-4, 37-8, 45-6, 52-3, 54-5, 65-6, 91, 96-7, 100, 101, 101-2, 104, and 116-7. Cf. E. Norden, *Ennius und Vergilius* (Leipzig, 1915), 45, 48; see also N. Goldschmidt, *Shaggy crowns: Ennius' Annales and Virgil's Aeneid* (Oxford, 2013), 127-31 and n. 89 for the Ennian character of the council, especially Jupiter within it.

[99] Harrison (n. 95), at 10.1-117.

[100] Barchiesi (n. 5), 122 n. 1 seems to be closest to Servius' sense. Cf. Michelfeit, art. cit (n. 59), at 114-115; Moeller, op. cit (n. 59), 59.

personage, actively engaged with his social environment,[101] a subtle demotion of the father of the gods that itself hints at the mode of satire.

That Servius was essentially correct in his claim, and Virgil's passage is indeed indebted to Lucilius, is now well enough accepted.[102] But Marx,[103] followed by Norden,[104] while accepting the essential validity of Servius' information, argued that Virgil could not have imitated Lucilius ('an epic poet neither could nor should take anything from a writer of satires'), and that what Servius was seeing was a common debt to Ennius on the part of both Lucilius and Virgil, undoubtedly an elegant solution. Wigodsky accepts that Virgil borrowed from Lucilius, but still I think fails to confront fully the scandal of an epic alluding to a satire: according to Wigodsky, Virgil essentially cherrypicked from Lucilius such material as could be turned to 'serious' use.[105]

My point here is to insist once again that for an epic to model itself on a satire, especially an epic at its most epic in a gathering of divine forces, *does* necessarily carry a charge. To put that another way, Marx's statement of the proprieties of epic borrowing from satire (which owes something to Servius, *sed hoc quia indignum erat heroo carmine mutauit…*) is in fact as a principle hard to fault. But Virgil was alive to the potential of such impropriety. Here in his

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[101] R. Heinze, *Virgils epische Technik* (Leipzig, 1903), 286-7; Moeller (n. 59), 59; Barchiesi (n. 5), 122 n. 1.

[102] See, for example, Freudenburg (n. 48), 100.

[103] Marx (n. 21), 3.

[104] E. Norden, *Ennius und Vergilius* (Leipzig, 1915), 48.

[105] M. Wigodsky, *Vergil and early Latin poetry* (Wiesbaden, 1972), 107: 'Vergil could have found in [Lucilius'] parody details not present in any of the earlier serious treatments [of the divine council], but capable of serious use.'

Council of the Gods he seems to have deliberately engineered the collision of antithetical models, alluding to Ennius' and Lucilius' council simultaneously. If Virgil's council is a singularly indecisive event in plot terms, it is in these formal terms also hamstrung, both Ennian and Lucilian, formal terms that of course entail something much more than a collision between epic and satire. What a council modelled on Ennius promises is the foundation of Rome and the deification of its founder, while a Lucilian council casts doubt over the entire Roman enterprise, and criminalizes its representative. But what of a council that entertains both outcomes? There will be an apotheosis, we might conclude, but there will also be a scapegoating; or perhaps, if our attention is on Aeneas' destiny, there will *either* be a deification *or* a condemnation, but this council is not ruling which.[106]

[106] A comparable dilemma, again hinging on an allusion to Lucilius, is perhaps posed in *Aen.* 9 when the introductory line of Lucilius' council (*consilium summis hominum de rebus habebant*, fr. 5 W) is redeployed to describe the Trojan council that will sanction the mission of Nisus and Euryalus (*consilium summis regni de rebus habebant*, *Aen.* 9.227). 'Behind both Lucilius and V. may lie Ennius,' Hardie (n. 21) sensibly remarks: the Lucilian line has an obviously epic structure and vocabulary. But here also it seems reasonable to suppose that if an Augustan poet imitated a line used by two celebrated authors, Ennius and Lucilius, an allusion was designed that incorporated both predecessor texts. Foundation or destruction of an entity closely identified with the city of Rome is undoubtedly at issue in *Aeneid* 9, and the Nisus and Euryalus episode ends with a notoriously ambivalent promise to the *dead* youths, after their futile mission, of *immortal* fame (9.446-9). An allusion that encompassed Lucilius as well as Ennius would certainly strike an appropriately ambiguous and disquieting note at the opening of this episode.

Apotheosis and criminalization are concepts with a very clear resonance in the later books of the *Aeneid*, as are the foundation and destruction of cities. In the event, the hints provided by this double allusion might be understood to be realised in its denouement, the contrasting fates of two individuals, Aeneas and Turnus, one of whom will succeed, ensure the foundation of Rome and be deified (both outcomes predicted to Venus by Jupiter at 1.258-60, *cernes urbem et promissa Lavini/ moenia, sublimemque feres ad sidera caeli/ magnanimum Aenean*; Aeneas' deification is also broached alongside the dominant issue of the settlement of the newcomers in Latium in the other passage closely related to the council, the 'reconciliation' of Juno and Jupiter at 12.791-842),[107] while the other will die and be defined as a criminal as he does so (*Aen.* 12.949).

But we are some way from the resolution of this poem at the start of Book 10, and if we respond to this indecisive council in the way that I think the poet is encouraging us to, it is with anxiety that the outcomes we have been trained to expect from this action may not in fact be realised. If we take Jupiter at his word here, and at the same time read Virgil's allusive messages dispassionately, we honestly cannot be confident what the upshot will be, an Ennian foundation or a Lucilian crisis. What makes this a stunningly bold strategy on Virgil's part is all there in the tepid responses of Boissier and Timpanaro:[108] the poet has deliberately stoked expectations of a decisive piece of divine machinery, but in the event had it offer only further questions; he has staged the most impressive set piece that the epic genre could muster, and let it come to nothing. To some degree this simply answers the needs of an epic poem still three books away from its conclusion, a strategy to render compellingly indeterminate what might

[107] For the rich interrelationships between these three divine encounters, see especially Feeney (n. 2).

[108] See pp. 00 and 00.

have been deadeningly predictable in the last books of a national epic. But that indeterminacy of outcome also dramatically destabilizes the morality of the conflict between Aeneas and Turnus. There is no guidance from the gods, just two contrasting fates, unassigned to individuals.

Now, a divine council that fails so abjectly to specify the fates of two individuals is a departure from Ennius in particular. The unlucky twin Remus could also be defined as a criminal in the language of his brother in Ennius (fr. 94-5 Sk.), *nec pol homo quisquam faciet impune animatus/ hoc nec tu: nam mi calido dabis sanguine poenas*, and this suggests that the establishment of a polarity between deification and criminalization must be credited first to Ennius (who was the first to deify Romulus, it appears).[109] But between Ennius and Virgil Lucilius had clarified that dichotomy by elaborating the figure of the criminal and tying his criminality to the condition of an imperilled Rome, relaunching the dissident literary mode of satire on the back of it. The perennial power of the Council of the Gods as a poetic motif in Rome thus owes not a little to these two key interventions at formative stages of classical Roman literature, and in literary works especially important in Roman self-fashioning: Zetzel reminds us that, if Ennius was the early writer most often named by Cicero, Lucilius came second.[110] Between them they framed the terms of this topos for two centuries, and incidentally lent Virgil the means to make his own counterintuitively potent contribution to the tradition.

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[109] See p. 0 and n. 30 above. On Romulus and Remus as models for Aeneas and Turnus, see W. S. M. Nicoll, 'The death of Turnus,' *CQ* 51 (2001), 190-200.

[110] J. E. G. Zetzel, 'The influence of Cicero on Ennius,' in W. Fitzgerald and E. Gowers (edd.), *Ennius perennis: the Annals and beyond* (Cambridge, 2007), 1-16, at 3.