ROMAN MONARCHY: SUCCESSION POLICIES
AND THE LEGITIMATION OF POWER (A REVIEW ARTICLE)

Paweł Sawiński, *The Succession of Imperial Power under the Julio-Claudian Dynasty (30 BC–AD 68),* Berlin: Peter Lang, 2018, 298 pp., 28 figures, ISBN 978-3-631-75773-4, €53.90.

Oliver Hekster, *Emperors and Ancestors: Roman Rulers and the Constraints of Tradition*, Oxford: Oxford University Press, 2015 (Oxford Studies in Ancient Culture and Representation), XXXII + 395 pp., 109 figures, 5 tables, ISBN 978-0-19-873682-0, £110.00.

Many accounts of the history of ancient Rome use terms whose meaning would seem to be self-evident, such as *dynasty*, *legitimation* or *succession*. Successive studies try to explain how emperors drew up their dynastic policy, legitimated their rule or appointed successors. Unfortunately, few of them endeavour to place those terms we know well from other areas of research (such as constitutional law, theory of law and state, or sociology) in the realities of the Roman Empire, or at least attempt to use the terminological and conceptual apparatus of classic scholars such as Max Weber in analyses of that kind[1]. No doubt any such attempt would need to start by defining the political power of a Roman emperor, a concept which, while crucial to an understanding of the several centuries over which the principate lasted, has never been elucidated in a satisfactory manner. Thus most studies simply refer to the classical understanding of the term *power*, focusing on two different aspects of it: some attach particular importance to the formal aspects of the matter, and so focus on the act of holding power, while others stress the consequences of wielding power. Both those approaches consciously – or, more often, unconsciously – refer to the most classical theories of research into Roman history, which were formulated decades ago.

Theodor Mommsen tried to define the emperor's power and the principate in constitutional terms. He saw in the principate a continuation of the Republic, where the "first" citizen, while holding extraordinary power had to share it to an extent at least, with the Senate within the framework of republican institutions[2]. That formal approach had an alternative in the form of the vision of the pragmatists, who were interested not so much in the institutional foundations of Augustus' power as in the consequences of its use in specific situations: "The convenient revival of Republican institutions, the assumption of a specious title, the change in the definition of authority – all that made no difference to the source and facts of power. Domination is never the less effective for being veiled. Augustus applied all the arts of tone and nuance with the sure ease of a master. The letter of the law might circumscribe the prerogative of the First Citizen. No matter: the Princeps stood pre-eminent, in virtue of prestige and authority tremendous and not to be defined"[3].

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[1]   Historians of ancient Rome have rarely made use of the work of Max Weber, who developed a theory on the relationships between political power, legitimation and authority; see M. Sommer, *Empire of Glory: Weberian Paradigms and the Complexities of Authority in Roman Empire*, Max Weber Studies XI 2011, pp. 155–191; cf. C. Ando, *Imperial Ideology and Provincial Loyalty in the Roman Empire*, Berkeley 2000.

[2]   T. Mommsen, *Römische Kaisergeschichte*, München 1992, p. 94: "Alles, was Princeps ausführt, bewegt sich im Kreise republikanischer Ämter"; "Er [*scil*. Augustus] steht nicht über den Gesetzen, sondern die Gesetze stehen über ihm".

[3]   R. Syme, *The Roman Revolution*, Oxford 1939, pp. 2 f.

Those ideas can be seen to be continued, albeit not to the same degree, in the studies under review here. The first of those, by Paweł Sawiński (= PS), focuses on the ways in which the continuity of political power was secured and on the institutional foundations of the Roman Empire, while the other, by Oliver Hekster (= OH), attempts to define the role played in that continuity by biological, adoptive and imaginary ancestors. Thus the reader can first follow the actions which led to power being transferred, and then observe how those who came to hold that power saw the part that their predecessors had played in the process.

PS's book comprises an introduction, two principal parts and an appendix which discusses the dates when the successive emperors rose to power (or, their *dies principatus*). There are twenty-nine illustrations, featuring coins, bas-reliefs and statues. In the "Introduction", the author very briefly discusses his sources and presents an overview of the state of research on the subject. He also explains how he understands dynastic policy (p. 12: "by *succession policy* I mean primarily those deliberate actions of the princeps aimed at determining political succession and ensuring that his chosen successor would assume power smoothly. Under that term I also include any actions of the incumbent emperor taken with a view to increasing the popularity of his anticipated successors, intended to secure them support of various circles of Roman society, particularly the army and the plebs; as well as dynastic murders used by any current princeps to eliminate potential rivals in the struggle for the throne or to pave the road to succession for his envisioned successor") and why he has limited his inquiry to the Julio-Claudian dynasty (p. 11: "the enormous size of the subject matter dissuaded me from my original intention of discussing the problem as it unfolded throughout the principate"), as well as justifying his use of certain terms (such as *monarchy*, *co-regent*, or *the throne*).

In Part One ("The Succession Policies of the Julio-Claudian Emperors"), PS defines the part played by family members in the succession plans of the first five Roman emperors. It can be somewhat puzzling that the narrative is not consistently constructed from the perspective of the emperors, taking instead the form of analyses of the *cursus honorum* of their potential successors (although they do not always reach a clear conclusion, as exemplified by the case of Nero Claudius Drusus) and descriptions of selected honours which they received, especially posthumously. The definition of succession policy adopted in the book did not require such analyses, but their principal sources, that is, inscriptions from the days of Augustus and Tiberius (the *Decretum Pisanum de augendis honoribus Lucii Caesaris*, the *Decretum Pisanum de honoribus Gaii Caesaris*, the *Tabula Hebana*, the *Tabula Siarensis* and the *Senatus consultum de Cn. Pisone patre*, different in nature from all the preceding ones[4]) no doubt considerably complement the picture painted by the accounts of later Roman historians, as the study shows the times of Augustus and his successors primarily through the eyes of Roman historians from the generations that followed. One can only regret that PS does not discuss the consequences of that or avail himself of literary sources of a different kind, dating from the first half of the first century CE[5].

Even though the author does discuss a number of problems in an engaging manner (such as that of "Doppelprinzipat"), he quickly returns to the mini-biographies of potential heirs, so one cannot see the broad socio-political view in its entirety (or even, in fact, compare the status of all

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[4] PS has translated these documentary sources into Polish and supplied them with commentaries; see T. Fabiszak, P. Matela, P. Sawiński (transl., comm.), *Senatus consultum de Cn. Pisone patre. Uchwała senatu rzymskiego w sprawie Gnejusza Pizona Ojca*, Poznań 1998; T. Fabiszak, M. Idczak, P. Sawiński (transl., comm.), *Tabula Siarensis. Senatus consultum de honoribus meritis Germanici Caesaris. Uchwała senatu rzymskiego w sprawie uhonorowania zasług Germanika Cezara*, Poznań 2001; T. Fabiszak, P. Sawiński (transl.), P. Sawiński, J. Wiewiorowski (comm.), *Tabula Hebana. Tablica z Heby*, Poznań 2006.

[5] See e.g. A.J. Woodman, D. West (eds.), *Poetry and Politics in the Age of Augustus*, Cambridge 1984.

the potential successors at any given time), which may have allowed one better to understand the decisions taken, or the lack thereof. Fortunately for the work as a whole, a large majority of the discussion concerns Augustus' times (with just the adoptions of 4 CE discussed on pp. 81–110), a period which seems to be particularly dear to the author, as PS is quite familiar with both the historiographical issues concerning the era and the sources dealing with it. Indeed, the greatest merit of the work in question is that all the reasoning follows from an analysis of the sources, thanks to which the author easily disproves and rules out successive theories, some of which have been repeated uncritically for years. He also easily confronts diverse media (literature, architecture, coins, art etc.) with one another, placing them in the context of current debates, a familiarity with which is demonstrated by the hefty bibliography.

PS's excellent familiarity with the works of ancient historians may also be seen by some as a weakness of the study under review, since nearly all the issues discussed are considered from a biographical perspective. Consequently, the author's reasoning focuses chiefly on details, some more important, some less so, and the psychological motives of the people involved, thus too rarely bringing up the objective conditions and causes of events resulting from a variety of factors. On the one hand, there are insightful analyses, such as that of the scope of Agrippa's power (pp. 38–40); yet, on the other, the author delves into discussions which might well make an interesting starting point for a completely different text (such as on p. 45, on the princeps being forbidden to make eye contact with corpses). While the sheer amount of source material used is often impressive, this sometimes makes it difficult for the author to articulate the distinction between actions resulting from the emperor's policies and local initiatives. Interaction between the two did of course exist; however, one does not learn PS's opinion in this regard and is left to guess how the fact that a town in Asia Minor minted coins with Agrippa's image on them after his death was relevant to the succession policy; one would rather expect a comment on Domitian's restitution coins, since those feature Agrippa among the Roman emperors[6]. It is also regrettable that PS does not analyse epigraphic material originating in the provinces[7], and in particular provincial oaths[8], which were not merely expressions of loyalty to the emperor, but reflected provincial views of the principles of dynastic succession. One such oath, coming from Conobaria in Spain and dated to 6/5 BCE, would have made a good starting point for a discussion of the position of Gaius and Lucius Caesar in relation to those of Agrippa Postumus and Tiberius[9].

PS emphasises his belief that Augustus intended to make a family member his successor. His daughter Julia, who in the course of her successive marriages gave birth to Gaius and Lucius, played a key role in his plans[10]. However, that strategy collapsed as the two brothers, both of whom Augustus had adopted, died, so the princeps had to decide to appoint Tiberius as his successor. Still, in the author's opinion the fact that Tiberius was simultaneously required to adopt Germanicus indicates that he wanted a blood relative of his to become princeps after Tiberius'

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[6] H. KOMNICK, *Die Restitutionsmünzen der frühen Kaiserzeit. Aspekte der Kaiserlegitimation*, Berlin–New York 2001, pp. 90–96.

[7] See e.g. F. HURLET, *Les collègues du prince sous Auguste et Tibère: de la légalité républicaine à la légitimité dynastique*, Rome 1997, pp. 573–600.

[8] P. HERMANN, *Der römische Kaisereid. Untersuchungen zu seiner Herkunft und Entwicklung*, Göttingen 1968.

[9] J. GONZÁLEZ, *The First Oath pro salute Augusti Found in Baetica*, ZPE LXXII 1988, pp. 113–127.

[10] PS agrees here with an author he otherwise criticises, Beth SEVERY (*Augustus and the Family at the Birth of the Roman Empire*, New York–London 2003, pp. 62–78), in whose opinion, "A search for political successor to Augustus in this period [*scil.* 25–17 BCE], however, proves unfruitful and anachronistic, since many of these actions were motivated by a desire to consolidate Augustus' hold on power, rather than transmit it to an heir" (p. 62).

death. The main points of Augustus' succession policy were promoting the potential successors in public through accelerated *cursus honorum*, high-prestige military commands[11], and placing their images on coins. Initially, similar steps were taken by Tiberius; however, after 23 CE, that emperor took no further measures to appoint a successor, and Caligula remained similarly passive in the matter. It was only Claudius who returned to the first emperor's policies, foregoing them as he married Agrippina the Younger and adopted Lucius Domitius (Nero). The latter had no interest in any kind of succession policy after his accession.

In Part Two ("The Princeps is Dead, Long Live the Princeps: The New Emperors Taking Over"), PS discusses the way Tiberius, Caligula, Claudius and Nero succeeded their predecessors, confirming a pattern for the new ruler's investiture and indicating the actors involved in its implementation, that is, the Praetorian Guard, the Senate, and the *plebs urbana*. The first stage (for all save Tiberius), was a praetorian acclamation accompanied by an oath of loyalty sworn to the new ruler's name. That choice was then approved (by means of a *senatus consultum*) by the Senate, which granted the new princeps a package of specific powers (from Caligula's time on, probably as a seed of the later *leges de imperio*). The third and final stage of the investiture consisted in the people adopting a *lex* sanctioning the decree of the Senate. Even though the author's reasoning is based on only four cases, his argument is punctuated with interesting observations and analyses concerning the significance of the emperors' last wills, titulatures and *recusationes imperii*, as well as the assassination of potential rival candidates. PS also brings up the issues of the legitimation of imperial power in Part Two, although it is more of a side project. He does not, however, expound on them in depth; in particular, he does not clarify how they relate to succession policy. At any rate, in discussing Claudius' position, he omits his *consecratio* of Livia, which could certainly have helped the reader understand the subject.

In the "Conclusions", drawing on Tacitus' *Histories* I 15–16 (Galba's speech delivered during his adoption of Lucius Calpurnius Piso), PS stresses how diametrically different the situation was after the last ruler from the Julio-Claudian dynasty died, and that the dynastic principle Augustus supposedly followed (when choosing successors exclusively from among members of his own *domus*) went against the practice of picking the best candidate through adoption, where it was personal merit that mattered most, rather than birth[12]. Still, one cannot help noting that the principle in question held, in general terms, until the end of the 1st century CE, as the first emperor to be adopted from outside his predecessor's family was Trajan. Moreover, a son's succession by birth had hardly become less attractive by that point in time, as indicated by the words addressed by Pliny the Younger in the name of the senators to none other than Trajan – "men will more readily forgive a ruler for a son who proves unworthy than for a successor who was a bad choice"[13] – or by a passage from Suetonius which has Vespasian say that either his sons will succeed him or he will have no successor[14]. But to return to the Julio-Claudian dynasty – it should also be observed that over the course of nearly a hundred years, a successor was officially appointed only twice: successfully in Tiberius' case and fruitlessly in 22 CE (in the case of Nero Claudius Drusus), which may make one wonder whether "succession policy" is actually a helpful term when analysing the Roman Empire.

While PS looks for the institutional foundations of political power and the universal principles of transmitting it under the Julio-Claudian dynasty, interpreting all sources in the light of the

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[11] PS wrote on the subject before, in his study *Specjalni wysłannicy cesarscy w okresie od Augusta do Tyberiusza. Studium nad początkami pryncypatu* ["The Special Imperial Envoys in the Times of Augustus and Tiberius. The Study on the Beginnings of the Principate"], Poznań 2005.

[12] Tac. *Hist.* 1.15–16; see Y. KLAASSEN, *Contested Successions. The Transmission of Imperial Power in Tacitus' Histories and Annales*, PhD diss., University of Nijmegen 2014.

[13] Plin. *Pan.* 7, 7.

[14] Suet. *Vesp.* 25.

emperors' self-presentation, OH, in his book dealing with emperors' ancestry, sees the Empire (and the Roman emperor) in a way that is certainly much more nuanced. He approaches it as a dynamic ideological construct, forever redefined by re-interpretations of Roman tradition and by the diverse expectations of many actors, expressed in a variety of media[15]. Even so, he is not interested in all categories of sources (with literary sources, for instance, merely serving as reference points for some of the problems discussed); rather, he only pays attention to specific types of sources – imperial coinage, inscriptions, state monuments and portraits. Particular emphasis is placed on the differences between topics imposed by Rome (that is, by the emperor) and expectations expressed by local communities. In other words, OH is interested in how dynastic succession was portrayed, and how that portrayal changed under the influence of Rome's interaction with the provinces.

OH's study comprises two principal parts preceded by an introduction and followed by a conclusion, complemented by chronological tables, family trees and a bibliography. The work is splendidly illustrated: over a hundred black-and-white photographs let the reader peruse many of the sources on which the author's reasoning is based. The first chapter ("Introduction to Dynastic Rule") outlines the methodological scope of the study: it brings closer the problems of the principle of dynastic rule in the context of succession under the principate, analyses the meaning of kinship in Roman political life and explores how those issues were presented to the public; these problems are discussed in this book over a period from the reign of Augustus to the death of Constantine (31 BCE–337 CE)[16].

Part One ("Family Ties") opens with Chapter Two ("Running in the Family"), which describes the role and importance of ancestors, especially fathers (biological and adoptive) to the men who acceded to the throne and to the legitimation of their power. None of the emperors of the Julio-Claudian dynasty inherited his power from his natural father, so they publicly pointed to both their adoptive fathers (thus Tiberius and Nero) and their fathers by birth (thus Caligula and Claudius). After Nero's death, the *domus augusta* became *domus deserta*, with the model emperor Augustus as a reference point; then under the Flavii, biological kinship was particularly stressed, especially by Titus, the first emperor to take over from his biological father; meanwhile, Trajan showcased both his adoptive and his biological father. In the 2nd and 3rd centuries, Marcus Aurelius and Septimius Severus were important as fathers, but the institutionalisation of the Empire weakened the significance of the emperors' links to their predecessors.

In Chapter Three ("Your Mother's Son"), the author analyses the role of female ancestors. Like Chapter Two, this one discusses coinage, comparing its accounts with those of other media. OH stresses the role of Augustus, who created the imperial family, in making the images of women public at the time of "adoptive" emperors. Both Plotina and the two Faustinas held an important place in the visual communication of successive emperors. However, the depiction of women became vitally important under the Severi, as exemplified by Julia Domna, Julia Soaemias and Julia Avita Mammaea. As OH aptly notes, "Ultimately, imperial sons commemorated their fathers much less than fathers proclaimed their sons. This was a reversal from Republican practice. Imperial mothers, on the other hand, seem to have gained more importance over time within the construction of emperorship" (p. 109).

In the chapter which follows ("We Go Way Back"), the author analyses epigraphic sources, confronting them with selected literary ones and focusing on the first two "founding fathers": Augustus and Nerva. However, if the importance of the former (and occasionally, of Julius Caesar) to many emperors in the 1st century seems obvious, Nerva's role as that of an imperial ancestor, which he played for nearly one hundred and twenty years, is worth highlighting. From Augustus'

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[15] For the precursor of this approach, see P. Burke, *The Fabrication of Louis XIV*, London 1992.

[16] OH makes extensive use of L. Claes, *Kinship and Coins: Ancestors and Family on Roman Imperial Coinage under the Principate*, PhD diss., University of Nijmegen 2013, a dissertation he supervised.

day on, the imperial family (the *domus augusta* or *domus divina*) was central; from Nerva's, it was chiefly the living members of that family.

Part Two of the book ("Claiming Kinship") deals with genealogies of a particular kind, with Chapter Five ("Some Have Ancestors Thrust Upon Them") concerned with fictitious imperial genealogies from the 3rd and 4th centuries CE. In 195 CE, Septimius Severus was the first to present himself as a son of Marcus Aurelius, and thus a brother of Commodus. Although Elagabalus and Severus Alexander painted themselves as sons of Caracalla, and Decius as a descendant of Trajan, over time emperors simply began to draw on the "good" emperors. Constantine and his successors consistently used biological, adoptive and fictional ancestors alike. So did many senatorial families.

Family trees included not just fictional kin, but also gods and heroes (Chapter Six, "Sons of Gods and Heroes"). Under the Julio-Claudian dynasty, Venus Genetrix and Aeneas featured in various media, but their presence never equalled that of Augustus. With Nero's death, divine progenitors became less significant. Even though Minerva took the place of Venus for a while under Domitian, eventually gods came to be depicted simply as the emperors' companions (*comites*). For Commodus, that role was fulfilled by Hercules, but Sol, Neptune, Apollo, and Mars appeared with a similar function, even though Jupiter never did. From the 1st century CE onwards, the most important form of legitimation was membership of the *domus divina*, as well as being a *princeps a diis electus*. In OH's opinion, references to gods were merely a way to "introduce the princeps into the local religious imagery" (p. 267), as demonstrated for example by the emperors' status in Egypt.

The final chapter ("The Tetrarchs: Divine Brothers and Fictive Fathers") concentrates on the relationships within the college of Augusti and Caesares (the Tetrarchy), whose members were not connected by any blood ties. The reign of four men deviated from the three hundred years of tradition which drew on kinship and belonging to the *domus augusta* as well as on women's support. Under the new system, those were replaced by references to gods (Jupiter and Hercules), but this setup did not last, as members of the dynasty descended from Constantine invoked kinship, real and imaginary, again.

OH's study is filled with surprising interpretations, important remarks, and inspiring conclusions, but its greatest merit, particularly when compared to PS's book, lies in looking at the image of emperors and their predecessors with the long-term perspective in mind. This lets one see the differences between the messages formulated by successive rulers and the provinces and notice the development or disappearance of certain attitudes, but also shows that while Augustus and Tiberius both stressed their ancestry (the one as *divi filius*, the other as *divi Augusti filius*), relationships of that kind gradually receded into the background, at least in coin emissions. Only Titus, Commodus and Caracalla, who were biological sons of their predecessors, made their fathers a leitmotif of their coinage (pp. 55 f., 62–64). For the others, usually adopted sons, their relationship with their fathers (at least as expressed in numismatic sources) was not crucial to their public image; additionally, such ties were stressed in the East much more often than in the western part of the Roman Empire. OH may be right to see the reasons for this in the tendency to draw on the traditions of the monarchies of the Hellenistic period, but it could simply mean adjusting the message to the expectations of the audience, because "the emperor was, to a large extent, what people expected their emperor to be" (p. 223).

OH's analyses also make it possible to draw more general conclusions regarding both the forms taken by succession policy and the legitimation of political power. Meandering as it did between autocracy and institutionalism, the Roman monarchy rarely based its image on emphasising dynastic continuity; neither did it particularly showcase potential successors. In spite of PS's arguments, it remains an open question whether, even in the case of Augustus' reign, we should speak not of the succession of a specific candidate, but rather of the building of a strong familial support structure ensuring the smooth transmission of power[17]. There are good reasons why coins where the reverse shows the incumbent emperor together with a son appear only under the

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[17]   Severy, *op. cit.* (n. 10), pp. 62–78.

Antonines (p. 86)[18], and why their fathers' images were not the most important part of emperors' self-presentation or an explanation for their accession. Thus in the Roman Empire we have a situation not encountered in other monarchic states. In almost all monarchies, descent is the main factor guaranteeing the legitimacy of power. Why, then, did emperors so rarely invoke family ties to justify their position? Or did an emperor's power need no legitimation, as MOMMSEN once claimed[19]?

PS's work would seem to deny the above. In his view, an emperor's power rested on three institutional supports: *tribunicia potestas*, *imperium proconsulare maius* (both of which were to be granted successors in advance), and *auctoritas* (which he does not define). This way of conceptualising an emperor's position is widely accepted[20] and seems to be a compromise, in that it tries to take into account both the formal and the informal aspects of political power. An influential interpretation of the principate as a system based on *auctoritas* was put forward by Karl GALINSKY[21], but most likely it was not "a principal concept" of the Empire, as is indicated by its absence from the public messages created by successive emperors, but also particularly by a new interpretation of a passage from Augustus' autobiography (*RGDA* 34, 4), which serves as a starting point for that elaborate theory. As Gregory ROWE argued, it had been misunderstood before and the expression "a]uctoritate [omnibus praestiti" referred not to any poorly defined concept or term (MOMMSEN), but rather to a specific event: Augustus attaining the position of *princeps senatus* in 28 BCE[22]. Furthermore, looking at the matter from the constitutionalist point of view, one should stress that if on 16 March 37 CE, as Suetonius would have it, Caligula was accorded *ius arbitriumque omnium rerum*[23], and from that point on at least, emperors were *de iure* above the law, they needed to hold no offices, let alone draw on unclear terms[24].

Based on these and other premises, the first coherent theory of the Roman monarchy since MOMMSEN and Anton VON PREMERSTEIN[25] was proposed some decades ago by Egon FLAIG[26], who has consistently maintained it to this day[27]. In the opinion of FLAIG, and of Paul

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[18] Still, during the Early Empire only Maxentius, the son of the tetrarch Maximian, was omitted in imperial succession, while Helvius Pertinax, who reigned for three months in 193 CE, refrained from appointing his son (also Pertinax) as his successor and from promoting him on coins.

[19] T. MOMMSEN, *Römisches Staatsrecht*, vol. II, Leipzig ³1887–1888, p. 884.

[20] J. FRANÇOIS, J. SCHEID (eds.), *Les structures de l'Empire Romain, Rome et l'intégration de l'Empire (44 av. J.-C.–260 ap. J.-C)*, vol. I, Paris 2010.

[21] K. GALINSKY, *Augustan Culture: An Interpretive Introduction*, Princeton 1996, pp. 10–41.

[22] G. ROWE, *Reconsidering the Auctoritas of Augustus*, JRS CIII 2013, pp. 1–15.

[23] Suet. *Calig.* 14, 1. One should probably see in that act a prototype for the later collected *leges de imperio*: Tac. *Hist*. IV 3, 2; *CIL* VI 930; see P.A. BRUNT, *Lex de imperio Vespasiani*, JRS LXVII 1977, pp. 95–116.

[24] See *Inst*. II 17. 8: "princeps legibus solutus est"; *Dig*. I 4, 1: "quod principi placuit, legis habet vigorem"; see J. BÉRANGER, *Recherches sur l'aspect idéologique du principat*, Bâle 1953, pp. 55 f., and 68 f.

[25] A. VON PREMERSTEIN, *Vom Werden und Wesen des Prinzipats*, München 1937.

[26] E. FLAIG, *Den Kaiser herausfordern. Die Usurpation im Römischen Reich*, Frankfurt–New York 1992. OH presents his views on pp. 11 f., concluding: "It may not have been a dynastic principle, but it still meant that Roman imperial succession was a dynastic matter". PS fails to notice FLAIG's position altogether.

[27] E. FLAIG, *A Coerent Model to Understand the Roman Principate: 'Acceptance' instead of 'Legitimacy' and the Problem of Usurpation*, in: J.-L. FERRARY, J. SCHEID (eds.), *Il princeps romano, autocrate o magistrate? Fattori giuridici e fattori sociali del potere imperiale da Augusto a Commodo*, Pavia 2015, pp. 81–100; IDEM, *How the Emperor Nero Lost Acceptance in Rome*, in:

Veyne[28], whose position Flaig develops, the Roman Empire was a military dictatorship devoid of classical legitimacy and characterised by an *Akzeptanzsystem*. Political power in the Empire rested on "acceptance" and on a dynamic relationship between the emperor, the Senate, the army and the *plebs urbana*. Flaig built his theory by distinguishing between "the legitimation of a system of government" and "the legitimacy of a ruler". He believes the monarchic system in Rome was fully legitimated socially, but the emperor was not, as there was no procedure that would have legitimated his power. No action taken by the Senate, the people or the army – neither a *senatus consultum*, nor a *lex de imperio*, nor even an imperatorial acclamation – granted the right to rule. As soon as a rival candidate appeared, it was ultimately the confrontation between the armies backing them that decided who would be the emperor. After an emperor's death, there was a "considerable chance" a son of his would succeed him, but it does not follow that a "dynastic principle" existed. When emperors fell, their sons died too, which never happened in other monarchies of that type (such as the Danish, French or Ottoman monarchy). Nor was an emperor ever removed as a result of an institutional procedure; they were violently replaced instead (through usurpation). Two in three Augusti and Caesares were assassinated, and it took until Theodosius II for an emperor's power to be transmitted to the third generation.

None of the approaches to the principate outlined above (be it Mommsen's, Syme's or Flaig's) fully defines the emperor's standing. The picture painted by the constitutionalists ignores the fact that a new emperor was an *imperator* hailed by the army[29], whose choice would then only be sanctioned, first by the Senate, and secondly by the people. Had the emperor been, as Mommsen saw it, a "magistrate", there would have had to be formal criteria to become one, as in the case of other magistracies. Why were there no clear principles to follow when appointing a new emperor? The pragmatic approach inherited from *The Roman Revolution*, on the other hand, fails to explain why Augustus and his successors went to so much trouble to frame their reigns as part of the institutional tradition of the Republic. The legal foundations of their power must have meant much more than a mere camouflage for autocracy. There was a reason why emperors who ignored those rules, such as Caligula or Caracalla, lost their lives quickly. The Restitution of the Republic was more than a catchword. Then there is Flaig's approach, which definitely overestimates the emperors' communication. The failures of Nero, Commodus and the "military emperors" of the 3rd century that he chose as material for his analysis can hardly be explained solely by the loss of connection to one of the major social groups. Self-presentation never outweighed the realities of everyday life. After all, why was everybody able to submit to Diocletian after years of chaos?

In investigating the issues associated with an emperor's power, such as its legitimation and transmission, one must take into account a great many aspects. The legitimation of power is a complex term, even in David Beetham's classic framework. Most importantly, it is not limited just to the actions of those in power[30], as desired by Mommsen, Syme, and above all Flaig. Their error is repeated by all those interpreters of the principate who try to describe the Roman political system either by relegating it to a single dimension, setting the Roman reality in the heavy interpretative

B.C. Ewald, C.F. Noreña (eds.), *The Emperor and Rome: Space, Representation, and Ritual*, Cambridge 2011 [= YClSt XXXV], pp. 277–288.

[28] P. Veyne, *Le pain et le cirque. Sociologie historique d'un pluralisme politique*, Paris 1976, pp. 589–729.

[29] See A. Pabst, *Comitia Imperii. Ideelle Grundlagen des römischen Kaisertums*, Darmstadt 1997, pp. 155 f.

[30] D. Beetham, *The Legitimation of Power*, London 1991. Seen from that perspective, the rant of J.E. Lendon (*The Legitimacy of the Roman Emperor: Against Weberian Legitimacy and Imperial "Strategies of Legitimation"*, in: A. Kolb (ed.), *Herrschaftsstrukturen und Herrrschaftspraxis. Konzepte, Prinzipien und Strategien der Administration im römischen Kaiserreich*, Berlin 2006, pp. 53–63), misses the point entirely.

framework of well-known and better-defined political systems, or by calling upon sociological theories, which shift the discussion into completely new territory. In order to efficiently grasp the multi-dimensional nature of the principate, legitimation and succession, one must reconcile oneself to its specific complexity[31] as well as having at one's disposal tools capable of analysing that complexity, as power can be legitimated on a variety of levels: those of rules, convictions and behaviour. The government has legitimacy if it follows certain rules; those rules are justified by the convictions of both those in power and those being ruled, and manifest signs exist of those being ruled accepting the specific set-up of power.

One cannot help observing that the interpretation of ruling (*Herrschaft*) put forward once by Max WEBER essentially pointed in the same direction. This is not the place to discuss the intricacies of his theory, but the reader would be advised to bear in mind that WEBER was fully aware that, on the one hand, no system of rule could be described one-dimensionally, and that, on the other, the "pure types" (*reine Typen*) he distinguished were meant not to define reality, but to help analyse it[32]; to explain rather than describe it. Let us try, following Michael SOMMER, cited above[33], to see if WEBER's categories, by now almost a hundred years old, might not still hold more interpretative power than the ever more numerous studies which in their attempts to understand the principate focus on a single aspect of it (such as "propaganda", "self-presentation" or "communication"), ignoring the multidimensionality of Roman reality.

WEBER distinguished between three types of legitimate rule: rational, traditional and charismatic. In the case of the first type, those being governed obey a legally established, impersonal order and its representatives. The purest example of this type is a bureaucracy; however, the Roman Empire was not such an order, at least not in the modern sense of the word. The Empire was governed by a few hundred officials assisted by minor officers and private individuals who shouldered some tasks of the state. The professionalisation of government was accompanied by its legalisation, one of whose important traces is the *lex de imperio Vespasiani*; that in turn reinforced the institutionalisation of the principate[34]. Strong personal ties between the emperor and magistrates, and between magistrates, their colleagues and assistants, as well as between the emperor and his subjects, all depicted so vividly by Fergus MILLAR[35], were gradually replaced with legal regulation and procedure (*Vergesellschaftung*).

With traditional rule, obedience is shown through reverence and, within customary limits, to a ruler indicated by tradition. In Rome, those limits were defined by the *mos maiorum* – the codified and tradition-hardened principles of institutions, codes of conduct, hierarchies, and human relationships[36]. Socially, those complemented religion (*religio*); ideologically, they connected the polity of citizens to the gods. They sanctioned the unrestricted power that the *pater familias* had over his family members, the relationships between friends (*amici*), the interaction between the patron (*patronus*) and client (*cliens*), as well as the rules of political competition. Even as the institutionalisation of the Empire went ahead, law never fully replaced tradition. There were reasons why great Romans

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[31] L. OLSZEWSKI, *Władza, religia i charyzma w świecie rzymskim* (an unpublished paper in the materials of a symposium in honour of Professor Lesław MORAWIECKI).

[32] M. WEBER, *Die drei reinen Typen der Legitimen Herrschaft*, in: IDEM, *Soziologie, weltgeschichtliche Analysen, Politik*, ed. by J. WINCKELMANN (ed.), Stuttgart 1956, pp. 151–166.

[33] SOMMER, *op. cit.* (n. 1), pp. 162–180.

[34] P. EICH, *Zur Metamorphose des politischen Systems in der römischen Kaiserzeit. Die Enstehung einer "personalen Bürokratie" im langen dritten Jahrhundert*, Berlin 2005.

[35] F. MILLAR, *The Emperor in the Roman World, 31 BC–AD 337*, London 1977.

[36] B. LINKE, M. STEMMLER (eds.), *Mos maiorum. Untersuchungen zu den Formen der Identitätsstiftung und Stabilisierung in der römischen Republik*, Stuttgart 2000.

worthy of imitation carried on being present in the public discourse as *exempla*, enabling the contin-ued renewal of the idealised past[37].

With the third type of rule, obedience is given to a charismatic leader through the personal belief that the leader is a hero or model. In the setting of the Republic, charisma probably cor-responded to *felicitas*, an essential attribute, not just of all commanders, but also of emperors. A "good" princeps had *virtus*, most often linked to victories and military success, while *providentia* and *pietas* expressed an important religious aspect of his power, with *aequitas* and *liberalitas* refer-ring to guaranteeing the quality of the coin minted by him and to his generosity. Imperial benefits were also of importance; those were *pax*, *concordia*, *fortuna*, and *salus*. *Felicitas* captured the relationship between luck and material wealth, but the most important among them was *victoria*, quickly transformed from an attribute of the emperor into an imperial benefit[38].

To the legions, Augustus and the successive emperors were *imperatores*, supreme military commanders who, regardless of their personal aptitude, guaranteed victory, riches and prosperity. No wonder the triumph was restricted to the family of the princeps, becoming an obligatory part of each emperor's biography. They each had charisma, not just in the eyes of the legions, but also in the eyes of millions of inhabitants of the Empire, Italy and Rome. The military facet of "charisma" on which Augustus founded the principate proved nearly fatal to the Empire. In the 3rd century, a landslide of usurpers plunged the Empire into chaos, from which it only extricated itself when emperors began to identify themselves with powerful deities. Emperors discovering "divine laws" brought about an alliance between the Empire and Christianity, opening a brand new chapter in the history of legitimation, one which would require an entire book to do it justice.

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[37] M.B. Roller, *Models from the Past in Roman Culture: A World of Exempla*, Cambridge 2018.

[38] C. Noreña, *Imperial Ideals in the Roman West: Representation, Circulation, Power*, Cambridge 2011.