

## On the “Propaganda” of Domitian’s *Correctio Morum*

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Two thousand years of scholarship have not been kind to the Roman emperor Titus Flavius Domitianus (A.D. 51-96). Generations of historians have vilified him as one of the more blood-thirsty of the imperial rulers. Typical is one nineteenth-century author’s description of the emperor as a “suspicious and blood-thirsty crowned reprobate” (Zschokke 537). This consensus has survived even the last century of classical scholarship, when historians revised many traditional assessments of ancient Rome’s most important figures. As a case in point, Pat Southern’s recent *Domitian: Tragic Tyrant* (1997) is a relatively generous portrayal not because it questions the validity of Domitian’s age-old reputation as a ruthless tyrant, but because it attributes his tyranny to irrepressible personality traits. Whether Southern’s judgment is true or not, his focus is unfortunately all too typical of historians investigating the reign of the last Flavian emperor. Domitian’s disrepute has been so pervasive for so long that it has become a spectacle in its own right, commanding an inordinate amount of attention, and focusing research about the propriety of the emperor’s behavior.

Scholarship on what has commonly been referred to as Domitian’s moral legislation, the so-called *correctio morum* (derived from the Latin *correctio morum*, meaning “reform of morals”) has suffered accordingly. Maybe because of the important place that morality holds in discussions about Domitian’s reign, all of the works touching on the issue have been satisfied to interpret the legislation as moralizing propaganda. In the present paper I will challenge this interpretation by demonstrating how a number of the provisions in Domitian’s *correctio morum* responded

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to the political circumstances of Domitian's reign. The evidence suggests that many of the provisions identified by the second-century Roman historian Suetonius make sense not only as components of a propaganda campaign, but also as *ad hoc* responses to political realities the emperor confronted. A more nuanced understanding of the *correctio morum* may very well lead to a re-appraisal of the emperor's political skills, if not of his character.

Central to our undertaking is clarifying the meaning of the word propaganda. The term has been widely contested since World War II, when numerous atrocities prompted scholarly investigation into the propagandistic methods of persuasion that encouraged them, but even prior to that point the word assumed a number of meanings. The root of the word traces back to the Latin infinitive *propagare*, to propagate. According to Erwin W. Fellows, the word propaganda enjoyed wide usage in the context of biological reproduction until the seventeenth century, when it acquired a religious association, as a number of Popes established *collegia* and commissions *de propaganda fide* (about propagating the faith) in order to disseminate Catholic teachings and to train priests (Fellows 182). Not until the end of the nineteenth century did the word come to acquire its negative political associations, perhaps as a result of its link to Catholicism (183-4). And not until the middle of the twentieth century did it become the subject of intense investigation and debate.

In the process scholars have arrived at differing conclusions about the appropriate definition of propaganda. Mid-twentieth-century psychologists adopted overly broad definitions according to which any form of rhetoric intended to influence in some preconceived way was propaganda (Hoffer 445). Since then, definitions have moved in the opposite direction and placed stringent limitations on what can qualify as propaganda. Some of these more recent definitions go so far as to mandate that propaganda must issue from a government (Ross 18). This study will attempt to chart a middle course by adopting the definition given by Sheryl Tuttle Ross. Hereafter, propaganda will mean "an epistemically defective message used with the intention to persuade a socially significant group of people on behalf of a political organization, institution, or cause" (24). This definition preserves the word's contemporary pejorative connotations. ("Epistemically

defective” means blatantly false or selective to the point of being misleading.) It is broad enough to include non-verbal evidence of the kind the present study will analyze, but is not so broad that it includes non-political messages such as commercial advertisements or a lie told by a child to her mother.

Under this definition a law can qualify as propaganda if its author proposes the law to convey a false or misleading political message. Take as an example a democratically elected legislator with little genuine concern for poor people. Leading up to his re-election campaign, he proposes a piece of legislation to reduce poverty. He does not intend his initiative to be effective at reducing poverty, but instead intends it only to boost his reputation by projecting the message that he cares about the economically disadvantaged. Per the criteria established above, his policy initiative is propaganda: it is epistemically defective in that it conveys the false message that the leader cares about the poor; it carries the intent of persuading, say, working-class voters, a socially significant group of people; and that attempted persuasion is intended to benefit the political cause of his re-election campaign.

As another example, if Domitian had only intended his moral reforms to increase his popularity with socially conservative senators by sending the message that he, like Augustus, venerated traditional morality, the *correctio morum* would have constituted a straightforward program of political propaganda. After all, Domitian routinely violated many of the moral laws he revived, something he would not have done if he had truly valued traditional Roman morality. His intended message would have been epistemically defective at the same time that it would have benefited him politically. The key to determining whether the *correctio morum* was uniformly propagandistic therefore lies in discovering whether Domitian intended to send a message by enacting the laws and, if so, whether that message was epistemically defective. While we unfortunately lack the power to divine the thoughts and intentions of historical figures, we are able to propose arguments that help us gain insight into their *possible* intentions. What follows is a series of such arguments – not conclusive assertions but rather logical suggestions for alternative interpretations of Suetonius’ account of the *correctio morum*.

With this in mind, we can now look to Domitian's "moral" legislation with an eye toward assessing whether it qualifies solely as political propaganda. In his biography of Domitian, Suetonius provides the only extant primary source which suggests that Domitian carried out a comprehensive legislation of morals, so it is worth quoting at length:

Having undertaken the correction of public morals, [Domitian] put an end to the license at the theatres, where the general public occupied the seats reserved for the knights; did away with the prevailing publication of scurrilous lampoons, in which distinguished men and women were attacked, and imposed ignominious penalties on their authors; expelled an ex-quaestor from the senate, because he was given to acting and dancing; deprived notorious women of the use of litters, as well as of the right to receive inheritances and legacies; struck the name of a Roman knight from the list of jurors, because he had taken back his wife after divorcing her and charging her with adultery; condemned several men of both orders, offenders against the Scantinian law; and the unchaste behavior of Vestal virgins, condoned even by his father and his brother, he punished severely in divers ways, at first by capital punishment, and afterwards in the ancient fashion. . . . [H]e later ordered that Cornelia, a chief-vestal who had been acquitted once but after a long interval again arraigned and found guilty, be buried alive; and her lovers were beaten to death with rods in the Comitium. (335, 337)<sup>1</sup>

According to Suetonius, Domitian's moral legislation reached into seven areas. First, Domitian enforced equestrians' reserved seating at public games and circuses. Early in the Republic, no laws regulating seating arrangements in the theaters existed, although social pressure prevented plebeians from sitting in front of senators (Valerius 397). According to Cassius Dio, each of the three classes – senatorial, equestrian, and the general public – sat apart from one another at least since A.D. 4 (VI: 451). During the reign of Claudius this arrangement became formal, with the reservation of certain seats for certain classes

(Cassius VII: 387). These accounts demonstrate that for the Romans public spectacles carried social and political significance. The seating arrangements were perhaps the clearest visible expression of Rome's complex social hierarchy, and the ability to sit at the front of the theater must have been an important status symbol for members of both the senatorial and equestrian orders (Edmondson 20). Certainly it carried enough symbolic importance to entice non-aristocrats to stake a claim to higher status by occupying the seats (Edmondson 26).<sup>2</sup> Perhaps Suetonius included this under moral legislation because the very same social pressures that regulated behavior between the different classes of the Roman social hierarchy were also responsible for encouraging moral conduct amongst all its citizens. A break down in one of these areas may have had consequences in the other.<sup>3</sup>

Second, Domitian apparently suppressed "lampoons" libelous to well-born Romans. Predictably, the emperor counted himself among the well-born, and was notoriously intolerant to any criticism. At first Domitian issued offending authors a censorial condemnation or *ignominia*, but as his reign continued, punishments became bloodier (Jones 123-4). He put to death Helvidius the Younger for authoring a work that allegedly contained veiled references to Domitian's divorce from his first wife Domitia Longina (Suetonius 343). A similar suspicion may have been responsible for the fate of Hermogenes of Tarsus, whose history also allegedly contained "indirect attacks" against the emperor. Hermogenes was executed, and all the slaves who had made copies of his history were crucified (Suetonius 341).

Third, Domitian's moral legislation cracked down on theatrical entertainment. While the crackdown is evident in Domitian's ending "license at the theaters" and his expulsion of a Senator who loved to act, it is even more apparent in Domitian's policy forbidding "the appearance of actors on the [public] stage" (Suetonius 333). As Catherine Edwards argues, the Romans traditionally held public performers in low esteem, believing them to be of questionable sexual repute and their trade to be injurious to one's *dignitas* (dignity) and *honestas* (honor). Edwards notes that social conservatives of ancient Rome had long associated theatrical performance with the "decadent" cultures of the East (98-137). Just as Nero's self-indulgent on-stage performances epitomized Eastern decadence and scandalized the

moralists, Domitian's banishment of public theater may have been intended to signal a return to traditional Roman values.

In addition to enforcing seating arrangements, censoring "libelous" writing, and curbing public theater, Domitian also punished certain types of *stuprum*, an untranslatable word that referred to offenses against the sexual integrity of both male and female Roman citizens (Williams 99). In a fourth component of his moral program, a rigorous enforcement of the *Lex Scantinia*, Domitian punished a subset of *stuprum* encompassing certain types of male homosexual behavior. The date of the law's origin remains mysterious. In her discussion of the subject, Italian scholar Eva Cantarella mentions one of Cicero's letters, which tells of a court case in which two men accused one another of violating provisions of the law. Although the letters are ambiguous in their description of the charges, Cantarella believes that they confirm that the law was in place in the Republican period, at least one hundred years before Vespasian, Domitian's father, assumed the emperorship (107). Just how far back into the Republican period the law dates is uncertain. A piece of papyrus unearthed at Oxyrhynchus has led many scholars to push the authorship of the law back to circa 149 B.C. (110). If conjecture is correct, the parchment reads, "Scatinus proposed a plebescite on those caught engaging in sexual outrages" (qtd. in Cantarella 110). However, this interpretation of the parchment's surviving legible Latin text is controversial, and Cantarella ultimately rejects it as evidence (110). Pending further discoveries, the date of the law's origins will remain a subject of contention.

Also unclear is what the law prohibited. Scholars have proposed a variety of theories. According to some of the more popular arguments, the law may have outlawed all male homosexual behavior; it may have banned castration; it may have criminalized pederasty – that is, sexual intercourse between an adult male Roman citizen and an adolescent male Roman citizen; it may have forbidden Roman males of all ages from playing a passive role in homosexual sex; or it may have, as Craig Williams suggests, been a formal codification of all forms of *stuprum*, regardless of the sexes or ages of the individuals involved in the act (120-1). Much more can be said about the *Lex Scantinia*, but for present purposes what is important to note is that, in punishing *stuprum* of at least the male homosexual variety, the law must have carried an

association with traditional Roman morals at least until when, centuries after the law's inception, Domitian used it to sentence "many members of both Orders." Aside from Suetonius' excerpt, the details of how often and against whom Domitian used the law have become lost through time.

A fifth component of the *correctio morum* evident in the Suetonius excerpt is Domitian's enforcement of another law criminalizing *stuprum*, namely the *Lex Julia de Adulteriis Coercendis*, enacted around 18 B.C. This law actually constituted only one of a series of laws, including the *Lex Julia de Maritandis Ordinibus*, also enacted by Augustus Caesar in 18 B.C., and the *Lex Papia Poppaea*, enacted later in Augustus' reign, circa A.D. 9. These laws regulated many aspects of sexuality which had previously been the purview of the family and subject to the discretion of the *paterfamilias*, the male head of the family (McGinn 141; Rutledge 60; Williams 119-20). The *Lex Julia de Maritandis Ordinibus* curtailed marriage between different social classes, stipulating that free-born citizens could not marry disgraced categories of individuals (those found guilty of adultery, pimps, prostitutes, etc.), while senators and their male-line descendents faced the additional restriction of being unable to marry freedmen, actors, or actors' children (McGinn 72). Moreover, the law promulgated incentives for marriage and child-bearing, particularly among the aristocratic classes. All but one-tenth of the inheritance of spouses who died childless reverted to the state; whereas fathers earned exemption from public responsibilities, and noble women who had given birth to three children (and freedwomen who had given birth to four) received emancipation from male guardianship (McGinn 73, 75; Treggiari 69).

Meanwhile, the *Lex Julia de Adulteriis Coercendis* punished adultery. In typical Roman fashion, adultery was defined in such a way that a husband could legally have sex with an unmarried woman, but a wife who had sex with an unmarried man was an adulteress (McGinn 144; Rutledge 61). This, however, is not to say that a man could not become an adulterer, for a man who knowingly slept with a married woman was also subject to punishment (Rutledge 61). Both parties in an act of adultery suffered confiscation of property (or in the woman's case, dowry), and had to live the remainder of their lives in exile (Treggiari 290). Any husband who had learned of his wife's infidelity had 60

days to bring formal charges against her, lest he also pay a penalty (Rutledge 61; Treggiari 288). Domitian's renewal of the *Lex Julia de Adulteris Coercendis* resulted not just in the punishment of the knight who re-married his ex-wife, but also, according to Cassius Dio, in the punishment of many men and women (Cassius Dio VIII: 345). Domitian's prohibiting *feminae probosae* ("women of notoriously bad character") from using litters or receiving inheritances, a sixth component of the legislation, is more difficult to tie down to a particular tradition or piece of legislation. However, considering its impact on property inheritance, it was also probably part and parcel of his interpretation of, if not the text of, the Augustan divorce laws.<sup>4</sup>

If Domitian considered *stuprum* amongst the general population a big enough problem to warrant legislation, he must have considered any sexual misbehavior on the part of the Vestals to be utterly unacceptable. The Vestal Virgins (*sacerdos Vestalis*), whose job was to maintain the sacred fire of the goddess of the hearth, Vesta, were to remain chaste. Those who engaged in any sexual contact were guilty of the crime of *incestum* and, according to tradition, were to be buried alive. Domitian closely aligned himself with the goddess Vesta, so Suetonius' remark about Domitian taking adopting a stricter view of the Vestals's behavior should come as no surprise. During his reign, Domitian presided over two Vestal trials. According to Suetonius, the first trial resulted in the acquittal of the Senior Vestal Cornelia but the conviction of the three other Vestals, who were then free to choose their method of execution (Suetonius 337). A number of years later, after Domitian had assumed the censorship, he again charged Cornelia.<sup>5</sup> Presiding over the trial as *pontifex maximus*, he sentenced Cornelia to death by live burial. She was the first Vestal in almost 200 years to suffer the traditional punishment (Bauman 93). Her lovers were later clubbed to death in the Comitium (Suetonius 337).

Why would Domitian impose or, in some cases, renew these restrictions on Romans' behavior? In one of the more important contemporary works to analyze the *correctio morum*, Francesco Grelle compares Domitian's moral program to the moralizing actions of his two Flavian predecessors, noting that "[t]he moralizing of customs is a recurring motif in Flavian propaganda from the beginning of the dynasty" (my translation, 352). After all, the two prior Flavian

emperors also enacted moral legislation. Vespasian “induced the Senate to vote that any woman who formed a connection with the slave of another person should herself be treated as a bondswoman” (Suetonius 287); whereas Titus “accept[ed] the office of pontifex maximus [Chief Priest] for the purpose of keeping his hands unstained” (Suetonius 317). Both emperors seemed to express an abiding interest in upholding traditional Roman morality.

According to Grelle’s interpretation, Domitian’s purpose for instituting his moral program was not a sincere concern with morality but a desire to establish his image as *princeps pudicus* (modest emperor). To this end, he linked his regime to traditional Roman values by rejecting *luxus* and *libido* (Grelle 347-52). And, in so doing, he indirectly presented his regime as a preserver of Augustan values and reforms. From such a perspective, Domitian’s moral reforms were a continuation of the legacy of propaganda established by Vespasian and Titus. The rationale behind the program would be easy to surmise. Since Augustus had used moral legislation to consolidate his power and ensure the continuation of the Julio-Claudian dynasty less than a century before, Vespasian, Titus, and, finally, Domitian must have perceived moral legislation to be an attractive political tool as they tried to establish a dynasty of their own.

The archaeological record does confirm that both Vespasian and Titus used Augustus’ name and image liberally. The similarity between Vespasian and Augustus must have been too striking for the former not to exploit. Just as Augustus had done, Vespasian aimed to establish a dynasty after a period of civil war; and, making the analogy more effective still, Vespasian’s rise to power coincided with the one-hundred-year anniversary of the Battle of Actium (Levick 73). So it was that Vespasian, two years after assuming the principate in 69, constructed a temple of Peace that harkened back to the *Ara Pacis* (Altar of Peace) that Augustus commissioned to celebrate the peace he had inaugurated after decades of civil unrest (Jones 1984: 121). He renovated a number of Augustan-era buildings such as the Theater of Marcellus, which Augustus had dedicated to his deceased nephew in 13 B.C. (Levick 74). Vespasian also issued coins bearing legends that recalled coins from the reign of Augustus (Jones 1984: 121).<sup>6</sup> And he even assumed the Augustan title *pater patria* (father of the

country) later in his reign (Suetonius 289). Titus, too, sought to use the memory of Augustus for his own ends through the issuing of coin types widely circulated under Augustus. Perhaps the most notable example was a Galba Restoration coin that portrays *Pax* holding a cornucopia with the left hand and a torch in the right. As Brian Jones shows, an identical portrayal of *Pax* exists on coins minted by both Augustus and Vespasian (1971: 122).

However, a most crucial question remains: in light of the dearth of literary evidence about Domitian's moral legislation, how can we be sure that the provisions described by Suetonius as constituting the *correctio morum* were really constitutive components of a larger unifying moral program? How can Grelle or any other modern-day scholar be confident in classifying the diverse provisions described above under one title, as though they all had the same purpose? Not a shred of extant historical evidence suggests that Domitian himself conceived of the reforms as a single set of laws or a cohesive program of moral reform. Suetonius, the only historical source for the existence of the program, stops short of employing language to suggest that Domitian considered the reforms a discrete package of innovations. His words in the original Latin, “[s]ucepta correctione morum” do imply a single action – an ongoing amendment – but we have no information to indicate that this is anything other than Suetonius' own interpretation of the events (334). Moreover, the events that Suetonius identified as a single moral program occurred over a period of years, perhaps a period as long as a decade, and included actions that Domitian undertook in his capacity as *ensor* (a position he assumed permanently in 85), but also those he performed by virtue of his authority as *imperator* and *pontifex maximus* (Jones 1992: 106; Bauman 1982: 122-3). If Domitian had intended his reforms to send a sweeping message about morality, carrying out those reforms over years instead of months could only have detracted from the impact of his message.

To entertain a different interpretation of the *correctio morum*, we must take the provisions and subject them to due scrutiny. Let us begin, then, with the enforcement of the special seating arrangements of equestrians at the games and circuses. As noted, Domitian put an end to non-equestrians occupying the seats of the equestrians at *ludi* (games). Grelle would characterize this reform as one of Domitian's

paternalistic efforts to “restore the natural order in human relationships” (Grelle 352). Nevertheless, the enforcement of seating arrangements may also have been a token of Domitian’s appreciation for the loyalty and hard work of the equestrian class in his administration.

The equestrians played an unprecedented role in Domitian’s administration, which may have contributed to the Senate’s disdain for the *princes*. Domitian appointed Cornelius Fuscus to overall commander of the Dacian War, a position that a senator of consular rank would normally expect to hold. Moreover, around the year 87, Domitian appointed the equestrian C. Minicius Italus to the highly lucrative proconsulship of Asia, another post traditionally filled by a senator (but vacant after Domitian had the senator executed). Domitian’s reign coincided with equestrians assuming at least seven new posts. If we extrapolate from Domitian’s letter to Laberius Maximus, Domitian respected the equestrians for their *pietas* (loyalty) and *fides* (faithfulness). Contrary to the account rendered by Suetonius and unquestioned by Grelle, the revived enforcement of reserved equestrian seating at games may have been the result of Domitian’s desire to convey a genuine respect reflected in his policies as emperor. If this was the case, the first provision identified by Suetonius was neither epistemically defective nor propagandistic.<sup>7</sup>

If Domitian’s enforcement of equestrian seating arrangements may have been rooted in pragmatic politics, what about the vigorous renewal and enforcement of laws suppressing *stuprum* (the divorce laws, the *lex Scantinia*, etc.) and “lampoons” which, since Domitian was often the target, tended to include charges of *maiestas* (treason)? The fact that both provisions seem to have exclusively targeted the aristocracy – the senators and equestrians or “men of both Orders” who also happened to be responsible for the bulk of the literary output – suggests two possible motivations in addition to the projection of an austere Augustan-Flavian image. The first is surveillance and control of potential enemies in the Roman elite<sup>8</sup>; and the second, increased confiscations to shore up a dwindling imperial treasury.

When looking at the prosecutions we know about, it is difficult not to see a distinctive pattern: an enemy of Domitian was much more likely than a friend to be guilty of writing the wrong things or of engaging in sexual misconduct. Rutledge notes in his study on *delatores*

(informants) that even in the early stages of Domitian's principate, before his purported transformation into a tyrant, Domitian used such accusations as pretext to prosecute senatorial opponents (130). As we are not left with many details regarding the prosecution of senators, we can only conjecture about the motivations that underlay the prosecutions for libel or for violating the Julian or Scantinian laws. Nevertheless, the deaths of Helvidius Priscus the Younger and of Hermogenes of Tarsus, mentioned above, stand out as possible examples of Domitian eliminating threats to his power. Another victim may have been Junius Rusticus, who had close connections with the emperor's enemies (including Helvidius Priscus), and who faced prosecution for writing biographies of Helvidius and Paetus (Suetonius 343).

If the consequences these aristocrats suffered resulted only from the content of their writings, the last place one would expect to find defiant criticism of the emperor's moral legislation is in his own court, among writers and poets benefiting from his own patronage. As they were confidants of the *princeps*, one would expect any disloyal writings to trigger punishment of even greater severity to set an example. Nevertheless, it is here, in Martial's world of double entendre and poetic irony, where we can tease out rich examples of criticism. In Book VI of the *Epigrams*, Martial jests:

Since the Julian law, Faustinas, was re-enacted for the peoples,  
and Chastity was commanded to enter our homes, 'tis the  
thirtieth day—perhaps less, at least no more—and Telesilla is  
now marrying her tenth husband. She who marries so often  
does not marry; she is adulteress by form and law; by a more  
straightforward prostitute I am offended less. (6.7.1-6)

Garthwaite, who has written extensively on Martial's works, has interpreted this epigram to be a veiled mockery of Domitian's moral legislation. According to him, the passage suggests that the moral laws were ineffective as evident in Telesilla's large number of spouses. Furthermore, it indicates that, by stiffening the penalty for adultery, Domitian discouraged marriage and encouraged prostitution (15). Of course, Martial may not have intended this critical message.<sup>9</sup> And even

if he had, Domitian may not have decoded its subtle irony. Even so, that Domitian would execute Senators for writing biographies, while not at least questioning the tone of Martial's "praise," indicates that such prosecutions served as a mechanism to dispose of inconvenient opposition (Fredrick 221), and perhaps only secondarily acted as a propaganda tool to bolster the emperor's questionable image as a purveyor of morality.

In addition to serving as a pretext for eliminating perceived threats to imperial power, Domitian's renewed punishment of *stuprum* and *maiestas* may have been the consequence of economic necessity. When Domitian first came to power in 81, he increased the purity at which coins were minted. But, from all contemporaneous accounts, Domitian engaged in a massive building program that reduced his administration to dire financial straits.<sup>10</sup> In 85, as a result, he debased currency to the Neronian level of 64, adopted a stricter policy of tax collection, and engaged in widespread confiscations of property. Suetonius, for instance, asserts that a shortage of economic resources moved Domitian to resort to "robbery" in which "[t]he property of the living and the dead was seized everywhere on any charge brought by any accuser" (345).

Although Suetonius fails to link this practice and the confiscation typically meted out for violations of the *stuprum* and *maiestas* laws, a connection is plausible. If Suetonius' narrative elsewhere is accurate, the confiscations ensued after Domitian reduced expenditures by "lighten[ing] the military expenses" but later relented after realizing that his policy was exposing his frontiers "to the attacks of the barbarians" (345). What could better serve as a reminder of the dangers of barbarian unrest than the Pannonian War, when the Suebians, the Chatti, and Quadi threatened the prospect of war? This occurred in 89, which coincides with the renewal of the *lex Julia* divorce laws (Garthwaite 14). If the timing is not coincidental, then Domitian did not renew the *lex Julia* and the *lex Scantinia* solely to broadcast epistemically defective morality messages to the Roman populace. He did so at least in part to reinvigorate the economy. Since an intention to promulgate a misleading message may have been absent from these parts of the moral legislation, they might not qualify as propaganda.<sup>11</sup>

Lastly, we turn to the banishment of public theatrical entertainment, which also may have been rooted in political concerns aside from propagandistic moralizing.<sup>12</sup> While the theater may have been the epicenter of immorality in the minds of Roman conservatives, little doubt exists that it was also a breeding ground for defiance of political authority. In 59 B.C., Cicero wrote to his friend Atticus, “Popular sentiment has been most manifest in the theaters and the shows” (191). Some plays, particularly Roman tragedies, were composed with contemporary politics in mind. Even when that was not the case, the political context in which a play was to be performed could imbue the performance with enormous political meaning. After the assassination of Julius Caesar, for instance, those responsible for selecting plays for the *ludi Apollinares* were sensitive to the obvious allusions to contemporary politics evident in putting on a performance of Accius’ *Brutus*.

Even if we make the reasonable assumption that Domitian would never have permitted public performances that so much as hinted at a negative portrayal of him, we must remember that actors often improvised to interject political meaning into otherwise apolitical performances. In a performance during the *ludi Apollinares* of 59 B.C., the actor Diphilus interjected lines that were apparently intended as invective against Pompey. Not only did the audience catch onto the pointed attack, they loved it enough to ask for numerous encores (Cicero 191). Such incidents usually referred to politicians sitting in the audience, but not always – as in the example about Pompey. Clearly, prohibiting certain plays from being performed was not enough to drain the political energy out of Roman theater. Might the emperor who from an early age exhibited “distrust and its attendant alienation” (Southern 123) have forbidden public theater out of a sincere concern that such performances were fomenting intense displeasure with his administration? Such a state of affairs is not inconceivable.

Although the preceding discussion suggests that five of the provisions mentioned by Suetonius may not have been “propaganda,” two provisions of the *correctio morum* are difficult to explain without attributing some sort of propagandistic motive to Domitian. Those are the prohibition on the use of litters by *feminae probosae*, which neither would have allowed Domitian to destroy political enemies nor permit

him to increase imperial revenue, and the reprimanding of the Vestal Virgins. The prosecution of the Vestals can be linked to Domitian's campaign to revive traditional Roman religion. Such a campaign is borne out in coinage: many of Domitian's coins bear the images of Minerva and Jupiter, whereas very few of Vespasian's do (Jones 1971: 251). However, there is no compelling reason to believe that this campaign or the prohibition on the use of litters had to accompany the other provisions of the *correctio morum*. And, at any rate, the fact that Titus and Vespasian before him were content to let the Vestals commit *incestum* raises serious questions about a definitive continuation of morality-based propaganda from the first two Flavians to the last.

When considering primary materials, then, we should keep in mind that history is an ongoing dialogue among people of both the past and the present – all of whom are fallible and bring to the discussion their own interests and ideologies. This maxim applies especially to the case of Domitian, whose reign is known to us only after being filtered through the hostile perspective of the senatorial class that, as K. H. Waters argues, hated Domitian every bit as much as it had the power to convey that hate through literature (50). So when Suetonius attempts to render the history of his youth in understandable, organized terms, we cannot fault him for colligating potentially unrelated phenomena. Nor, considering that Suetonius was a close friend of several Senators (50), can we fault him for synthesizing information in a way that might lead readers of his biography to suggest that Domitian was a hypocrite.<sup>13</sup> We can, however, question why generations of scholars have not thought to offer differing interpretations. As we have seen, alternative interpretations of a number of provisions of Domitian's "moral" legislation cast doubt on the view that the *correctio morum* was just the latest segment of an unbroken line of propaganda originating with Vespasian. A number of important questions do remain. But in the final analysis, the imperial initiatives commonly grouped together under the title *correctio morum* may not be as propagandistic as previous scholars have argued.

## Notes

1. In the interest of appealing to a broader readership, this essay forgoes using the *Oxford Classical Dictionary's* parenthetical abbreviations for citing ancient works.

2. M. Reinhold (1971) discusses the usurpation of status symbols in the ancient world.

3. For a detailed study on the importance of shaming and social pressures in constraining Roman citizens' conduct, see Robert A. Kaster (2005).

4. McGinn has observed that the term *probrum* usually occurs in ancient sources in conjunction with accusations of adultery. Thus *Feminae probosae* in the Suetonius passage probably refers to adulteresses and not prostitutes who by definition were dishonorable and thus not likely to view the label as derogatory. See McGinn (106-16) for further discussion.

5. Some disagreement exists regarding the dates of the two trials. Bauman (1996) dates them to 83 and 89 respectively.

6. For in-depth analysis of the similarities between Augustan and Vespasianic coinage, see Harold Mattingly (1930).

7. Discussion of the importance of equestrians in Domitian's administration is drawn from Pat Southern (1997: 50-1) and Jones (1992: 178-9).

8. This view is shared by David Fredrick (2003).

9. See Johnson (1997).

10. See Jones (1992: 79-98).

11. Syme (1930) argues that Domitian left Nerva a surplus, a conclusion that Sutherland (1935) disputes. Syme's argument has little bearing on the present one, however, since massive confiscations of aristocratic property may have helped to create the surplus.

12. The following discussion about the political dimensions of Roman theater is drawn from Edwards (116-7).

13. Considering that Suetonius enumerated the flaws in Domitian's character throughout his biography, exaggerating the moral nature of Domitian's legislation could serve to underscore Domitian's disreputability as a hypocrite.

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