CHAPTER SIX
CIVIC PATRONAGE IN ROMAN LAW

In AD 11–12, Dio reports in vague terms that Augustus forbade peregrine communities to confer public honors on their governors.¹ Though the motivation for the reform is not mentioned by the historian, it is probable that the emperor had determined to regulate more closely the formal connections between peregrine communities and their governors. Specifically, the relationships should not be conditioned by the award of public honors. The epigraphical record indicates not only that the regulation covered a wide variety of honors (including patrocinium publicum), but also that it was respected to some degree at least through the reign of Trajan. As will be demonstrated below, the legal changes represent one aspect of a more general attempt to re-define the expectations and rituals associated with connections like that of civic patronage.

The legal evidence for the regulation of patrocinium publicum falls into three categories. First, there is the literary evidence including statements in the works of Cicero, Dio, Pliny, and Tacitus that refer to edicts and consulta. The language is, unfortunately, often obscure and usually imprecise. Second, there is the epigraphical evidence including:

- actual municipal charters which define how a patron is to be coopted (e.g., c. 61 of Lex Malacitana)
- contracts and decrees involving client communities and their patrons (e.g., tabulae patronatus)
- deductions made from patterns in epigraphical evidence, patterns which suggest that some kind of general regulation existed.

The legal evidence is central to our understanding of the working of patronage and not merely because it demonstrates its continuing importance. It is in large part through these charters and imperial decrees that Augustus and his successors channeled the energies and ambitions of the elite into activities that enhanced the cities of the empire and did so without generating

¹ The date of the edict is not certain. Eilers believes it must be 11, but the other events in this section of Dio (quoted below) do not lend themselves to precision.
a threat to the cities themselves or to the Princeps. In a very real sense, the evidence discussed here represents the means by which Augustus promoted urbanization and did so altering the expectations associated with civic benefaction and patronage. The dynasts of the Late Republic had attempted to use clients to fight their wars in the forum and on the field of battle; Augustus, to judge by his actions, hoped to restructure the expectations of the local and imperial elites to serve the needs of the empire. To secure that goal, he also had to provide the members of the elite with appropriate (but non-threatening) opportunities to distinguish themselves.

Because municipal patronage is closely associated with the conferral of other public honors (e.g., as may be seen in the CWS, over 70% of the epigraphical references to *patrocinium publicum* occur on statue bases and similar monuments) and because the literary evidence is not specific about what precisely is being regulated, it is essential, to consider *patrocinium publicum* in the context of the regulation of other public honors.

Of the many honors conferred by communities, *patrocinium publicum* occupies a special place in Roman law. Other public honors, like statues and their placement, may have been funded and authorized by municipal decrees (*pecunia publica* and *locus datus decreto decurionum* are but two of the many *formulae* employed for this purpose), but their allocation is not specifically regulated in the charters. The very fact that the adoption of patrons was specifically mentioned in the Julian and in the Flavian municipal charters demonstrates the continuing political sensitivity of the institution well into the Principate. We are not working with a formality as innocuous as extending the ‘keys of the city’ (as one commentator writes).

6.1. *The Regulations of the Central Government*

That honorary monuments and indeed monuments in a variety of forms and materials (stone, metal, wood) stood on the *fora* and public places of the cities of the Roman Empire is well known. The purpose of these dedications to beings both human and divine is immediately apparent: The communities used the monuments to memorialize individual and collective achieve-