

O tempora, o mores!

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**Gaius Verres and the Roman Art Market:
Consumption and Connoisseurship in *Verrine* II 4¹**

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The career of Gaius Verres is emblematic of Roman politics in the last century of the Roman Republic – misuse of proconsular imperium by a provincial governor, protection of the accused by friends in high positions, and the singular importance that money and luxury had for the realization of elite political ambitions. Verres used an extended term as governor (73-71 BC) to manipulate the Sicilian corn tithe and to extort property from both provincials and Roman knights.² Upon completion of his term, his victims had him brought to trial.

Verres' trial and the events leading up to it are known from Cicero's prosecution of the case in 70 BC. The text that survives as the First Verrine oration is Cicero's statement from the opening day of the proceedings. He kept it short so that he could call witnesses before the court calendar was interrupted by an unusually long set of fall games.³ The longer, Second Verrine oration, or Second Action, was never presented in court. It was published after Verres left Rome, presumably incorporating evidence given by witnesses at the trial.⁴ My paper deals with Verres' confiscation and extor-

¹ This paper was presented to the Working Group on Roman Values at the Technische Universität Dresden in November of 2001. I am grateful to Prof. Fritz-Heiner Mutschler for his invitation to join the group and for the opportunity to receive the comments of my collaborators. That early version of the paper was also delivered at the University of Pittsburgh and read by Eleanor W. Leach. I am grateful for her comments and encouragement as well as that of colleagues at the University of Pittsburgh. Special thanks are due to F.-H. Mutschler and to Andrew R. Dyck for their close reading of earlier versions of the text, their comments, bibliographical suggestions, and offprints. It has become a much better paper through their generosity, but they deserve no blame for the errors and infelicities that remain. Other debts are acknowledged in the notes.

² My discussion of *Verrine* II 4 does not distinguish between wealthy Sicilians and Roman knights living in Sicily because Verres treated the two groups with equal ruthlessness. Unless otherwise specified, the terms „provincial elite“ or „Sicilian elite“ should be understood to refer to either group or both.

³ In 70 BC the games were stretched to almost a month by the juxtaposition of Pompey's *ludi votivi* (Aug. 16-Sept. 1) with the annual *ludi Romani* (Sept. 5-19). Verres' friends hoped that the delay would force the trial into the new year with a new judge, new jury, and Verres' defense lawyer, Quintus Hortensius Hortalus, as consul. For the timing of the proceedings, see TAYLOR 108-110 and esp. FRAZEL 3-11.

⁴ Although inexperienced by comparison with Hortensius, Cicero presented his case so skillfully that Verres was forced into exile after the opening days of testimony. For the politics and conduct of the trial, see TAYLOR 98-118, esp. 109-112, MITCHELL 107-109,

tion of art objects, which is described at length in Book 4 of the Second Action. The speech has been extensively used to reconstruct the *œuvre* of individual Greek artists, but received only limited attention from historians of Roman art or historians of the Roman economy.⁵ Individual passages from the text are, in fact, cited as evidence for the Romans' disregard for art and disapproval of art consumption. I cannot do justice to the potential of Book 4 in this space. My principal concern will be the evidence it provides for the Roman art market and for the position of Verres in Roman cultural history. Unless specified, all references to the Verrines will refer to the Second Action.

In Verrem II 4 is composed of a long series of anecdotes which seem random but are in fact carefully chosen and arranged: they provide essential information about Verres and his criminal methods; they give a human face to what would otherwise be a dull catalogue of objects and victims; and they help Cicero develop an argument that goes beyond the obvious, 'What did Verres do?' His goal is to show that Verres' actions have damaged not only the residents of Sicily, but the interests and *maiestas* of the Roman people as a whole.⁶

Cicero's argument and organization of the speech can be summarized as follows: Book 4 begins with Messana, a city whose citizens were accessories to Verres' crimes; it ends symmetrically with Syracuse, the capital of the province, whose citizens, like those of other Sicilian cities, had suffered from his depredations. Both cities had delivered eulogies to honor Verres when his tenure as governor came to an end; thus, both eulogies had to be

133-49, 162, and SCHMITZ 521-31; on the importance of the trial for Cicero's own career, see BRUNT 288-89.

⁵ This speech provides so much information about Greek art in Sicily that it is widely known among modern scholars as *de signis*, but the designation is not Cicero's and the speech actually deals with a variety of object types in addition to statuary (FRAZEL 48). The historical and archaeological comparanda for the object-types in precious metal discussed by Cicero have been collected by ZIMMER (1989 and *Kunstverständnis*) and the archaeological evidence for Sicily in Verres' day by WILSON. Nevertheless, a full commentary on the text would be useful. Cicero's letters have received more attention: for discussion and bibliography, see A. LEEN, *Cicero and the Rhetoric of Art*, *AJPh* 112, 1991, 229-45 and MARVIN.

⁶ Cicero's rhetorical goals and strategy are discussed by MITCHELL 147-49, VASALY 104-30, and FRAZEL 4-13, 48-117. On this particular point, see esp. VASALY 110: '... the rhetorical problem confronting Cicero ... was not primarily a legal one. There was no difficulty in proving that Verres was guilty of the crimes with which he was charged ... Rather the problem was to make Verres' guilt matter.' Many of my ideas about *de signis* were established before I read Vasaly's account of the oration but my argument has gained from her insights throughout.

discredited and the actions of individual citizens put into perspective.⁷ After using his treatment of Messana to introduce the main themes of the oration – in what we might therefore refer to as *Section 1* (chapters 4,1-4,28) – Cicero describes the methods employed by Verres to take possession of so many art objects (*Section 2*: chapters 4,29-4,53): his use of Greek artists (Tleptolemus and Hiero) as advisors (30-33), his failure to keep accounts detailing the actual conditions of exchange (36 and *passim*), and finally, his use of capital charges to force individual sales (40-41).⁸ The remainder of the Book (*Section 3*: chapters 4,54-4,105) details the impact of Verres' actions on Rome: his inattention to his responsibilities as governor at a time of crisis (54-61), his defraudation and embarrassment of one of Rome's most prestigious client princes (61-71, esp. 68), and his defacement of monuments set up in Sicily by and for earlier Romans, especially P. Scipio (Aemilianus) Africanus and various members of the Claudii Marcelli (72-105).⁹ The book culminates with Cicero's vision of an ideal Roman stewardship for the Greek allies and their property (4,132-134), a vision that he attributes to the *maiores* rather than to himself.¹⁰

Each section of the Book focuses on a particular monument, type of monument, or locale – whatever best allows Cicero to move from one sec-

⁷ The Messanian eulogy: Verr. II 4,3; 4,15-25 *passim*; 4,150-51; and VASALY 113-14. The Syracusan eulogy: 4,140-144.

⁸ For Cicero's treatment of Verres' use of capital charges, see FRAZEL 56-63.

⁹ The examples given in this last section are intended by Cicero to describe unusually complex crimes – acts in which „all crimes are contained“ (4,60) and, as VASALY (116-17) observes, to mark the beginning of Verres' degeneration „into the archetypal tyrant, a man like the cruel despots who had ruled in Sicily before the Romans, a *contemptor deorum hominumque*“. On the most general level these monuments are symbols of the „just, stable, and profitable Roman rule that had existed before Verres' tenure of power“ (VASALY 124-27 and esp. 212). More particular examples were chosen to shame a member of the jury with a personal or family relationship to that monument into abandoning his support for Verres: Quintus Catulus (4,69-70), P. Scipio Nasica (4,79-81), C. Marcellus (4,90); on this, see VASALY 116-20 and BRUNT 277-78.

¹⁰ Cf. VASALY 119-20: „The Verrines thus create two opposed images of imperial government. On the one hand, Cicero gives ample evidence of the naked exploitation exemplified by Verres' public career, the ineluctable rights of the conqueror over the conquered, the power that ‚makes all things profane‘ (II 4,122), to use the orator's phrase. On the other hand, Cicero sets up an ideal no different from that which Vergil would later articulate in the sixth book of the *Aeneid* (851-53: *tu regere imperio populos, Romane* ...) ... Cicero's vision is clearly one in which the interests of both ruler and ruled are served. The statue of Diana that Scipio had returned to Segesta becomes, in Cicero's account, a monument to this ideal of mutual advantage, in which the subject peoples are allowed to become ‚as prosperous and as splendid as possible‘ (II 4,134) ...“

tion (or sub-section) of his argument to the next.¹¹ The art objects he describes are thus chosen for rhetorical purposes – not from a desire to create a complete record of Verres' thefts or from an interest in art *per se*.¹² In spite of this limitation for my project, the number and variety of object-types included makes *In Verrem* II 4 a useful starting point for a discussion of Roman art-acquisition in the late Republic.

The objects described by Cicero can be divided into two general categories: *singular monuments* and *luxury goods produced in series*. Monuments of the first category seem to have been attractive to Verres and his contemporaries for idiosyncratic reasons. Some are associated with artists known to Cicero's Roman audience – to cite two examples, the statues of Cupid and Herakles from the collection of the Messanian Gaius Heius, which Cicero attributes (4,4-5) to Praxiteles and Myron. Others, by unknown or unnamed artists, were famous objects of veneration, like the Diana of Segesta (4,72). My category of *singular monuments* would, thus, seem to be composed largely of what we in the modern era would call „antiquities“, „antiques/*Antiquitäten*“ or, in some cases, „fine art“.¹³ The second category is composed of *luxury objects in series*, i. e. objects produced in comparatively large numbers by skilled artisans using expensive materials.

There is no distinction between these two categories in terms of interest group or consumer – both are to be associated with the Roman elite. Nevertheless, the categories illustrate different aspects of Cicero's strategy for prosecuting Verres and changes that took place in the Roman art market in the last two centuries BC. The history of Roman Republican art has yet to be written, but the period 100-70 BC was critical to the development of cultural patterns more normally associated with the Roman Empire than with the Republic. *In Verrem* II 4 provides insights into some social and artistic aspects of this transition.

¹¹ Various organizational strategies have been visualized for the anecdotes included in Book 4. For a summary and discussion, see FRAZEL 76-82.

¹² Cicero emphasizes the fact that his account of Verres' thefts is a representative list, not a complete one (4,48-49; 4,57; 4,97; 4,105). For his use of the stolen art-objects „to contextualize ideas“, see VASALY 114, 119-20, 126, 212.

¹³ The clearest example of a contemporary monument that Cicero considers unique in artistic character and execution is the Syrian candelabrum produced for dedication in the Roman temple of Jupiter Capitolinus (4,64-65).

Heius' Cupid and The Roman Market For „Singular Monuments“

Heius' Cupid

Cicero's description of the sacrarium of Gaius Heius (4,3-28) provides a good introduction to the role of *singular monuments* in *Verrine* II 4 and in Republican culture.¹⁴ Cicero's focus on Heius' Cupid allows him to compare Verres' treatment of provincial (Greek) property with that of two earlier Romans, Lucius Mummius and Gaius Claudius Pulcher:

(4,4) There was in Heius' house a dignified chapel (*sacrarium*), handed down over time by his ancestors. It contained four very beautiful statues, of the best craftsmanship, capable of giving pleasure to not only this clever and discerning man (*istum hominem ingeniosum et intellegendem*), but truly to any of us – we whom he calls „know-nothings (*quemvis nostrum, quos iste idiotas appellat*)“. One was a marble statue of Cupid by Praxiteles – I of course learned the artists' names while conducting my inquiry. I think that the same sculptor made that similar Cupid at Thespieae – the one on whose account Thespieae is at all visited, for there is nothing else there to see ... (4,5) ... On the other side of the chapel stood a singularly well-crafted Hercules in bronze. I think that it is said to be the work of Myron – yes, certainly. And in front of these gods were little altars (*arulae*), which can attest to the sanctity of the chapel ... When any of our countrymen came to Messana, he went to see these things; they used to be open daily for viewing. The house was no more an ornament for its owner than it was for the entire city.¹⁵

Boeotian Thespieae was despoiled by Mummius in 146 BC. Thus the second Praxitelean Cupid cited by Cicero remained at Thespieae only because

¹⁴ In addition to the Cupid and Herakles, the sacrarium contained two *kanephorai* by Polykleitos, and a Bona Dea by an unknown artist. KREEB 68-69 discusses the organization of the shrine and ZIMMER, 1989, 493-531 (with previous bibliography); for Heius, see also RAUH 56-57.

¹⁵ 4,4: *Erat apud Heium sacrarium magna cum dignitate in aedibus a maioribus traditum perantiquum, in quo signa pulcherrima quattuor summo artificio, summa nobilitate, quae non modo istum hominem ingeniosum et intellegendem, verum etiam quemvis nostrum, quos iste idiotas appellat, delectare possent. Unum Cupidinis marmoreum Praxiteli – nimirum didici etiam, dum in istum inquiri, artificum nomina. Idem, opinor, artifex eiusdem modi Cupidinem fecit illum qui est Thespiis, propter quem Thespieae visuntur, nam alia visendi causa nulla est ... (4,5) ... ex altera parte Hercules egregie factus ex aere. Is dicebatur esse Myronis, ut opinor, et certe. Item ante hos deos erant arulae, quae cuius religionem sacrarii significare possent ... Messanam ut quisque nostrum venerat, haec visere solebat; omnibus haec ad visendum patebant cotidie; domus erat non domino magis ornamento quam civitati.*

Mummius had respected its religious character and left it.¹⁶ Since Heius' Cupid was also in a shrine and that shrine was also a „destination“ for contemporary Romans, the orator's comparison of the two Cupids obviously reflects badly on Verres. His second comparison (4,6) is equally negative: C. Claudius Pulcher, curule aedile in 99 BC, was Heius' guest-friend and a patron of the Messanians. While aedile he displayed Heius' Cupid – on loan from his friend – in the Roman Forum and then returned it (cf. Plin. nat. 8,19).

This discussion is typical of the approach that Cicero will take to the governor's theft of other *singular monuments* in the oration: in an earlier age, Roman generals had respected religious monuments in war, Roman magistrates had respected the rights of provincials in peace, and the Roman senate had sought to prevent the misuse of proconsular authority by passing laws against the acquisition of luxury goods by governors within their provinces.¹⁷ With a loss of scrupulousness in personal behavior (4,10) and the current laxness of the criminal courts (4,113; 4,133), these old rules and practices were now rarely upheld. In spite of the broadly political focus of Cicero's criticisms, however, the Heius-passage has been discussed primarily in terms of Cicero's attitude towards Greek art. It is often noted, for example, that, in these lines, Cicero seems to be uncertain as to who made Heius' statues or claims that he has just learned the artists' names for the trial (4,5).¹⁸ Attempts to explain Cicero's apparent ignorance of the statues' pedigrees have focused on his biography or on broader Roman ideas about art: Some commentators have suggested that Cicero was interested in art but uneducated – that he was either young or a dilettante. Others – and especially G. Becatti, whose account has been very influential – consider him knowledgeable but think that he was reluctant to reveal knowledge of or appreciation for Greek art before a Roman audience that was „still (*ancora*) full of moral prejudice against art“.¹⁹

Becatti's wording suggests that he understood Cicero's reticence to be symptomatic of an idea expressed more clearly by later authors Sallust,

¹⁶ For Mummius and his booty, see GALSTERER 860 with n. 38 and GRAVERINI 105-48.

¹⁷ Roman magistrates: 4,16; Roman generals: 4,4 (Mummius); 4,73 (Scipio Aemilianus and M. Marcellus); 4,115; 4,121; Roman Senate: 4,9-10.

¹⁸ E. g. ZIMMER, *Kunstverständnis* 868; VASALY 109; LEEN 231.

¹⁹ G. BECATTI, *Arte e gusto negli scrittori latini*, Florence 1931, 81-84, although Becatti was in fact not the first to make this suggestion. Cicero's letters to Atticus and others show him to have been indeed interested in art, so the discrepancy between those later letters and this early oration had already been extensively debated. COWLES (128-35) summarized the nineteenth-century literature; subsequent discussion has been collected by DESMOULIEZ 155 and VASALY 109 n. 35.

Livy, and Pliny, who attributed the destruction of Roman traditional culture to the influence of „foreign luxury“ that „engulfed“ Rome as a result of her foreign wars.²⁰ Although the question of Rome's relationship to Hellenistic culture has become more nuanced since Becatti wrote, it is still widely believed that elite Romans paid lip service to this ideal of simplicity and frugality – at least in public.²¹ Whatever the truth of this idea, *In Verrem* II 4 provides little support for it: Cicero's audience was obviously expected to know of or to even know first-hand the Cupid of Thespiae – and it was for display before a Roman audience that Heius' Cupid came to Rome a generation earlier.²² Cicero does not present the things stolen by Verres as injurious luxuries – they have meaning for their owners as religious monuments and family heirlooms.²³ It is not their consumption that is criticized, but their theft. Most importantly, the Heius-episode is the only passage in Book Four where Cicero's „ignorance of art“ is on display. Throughout the rest of the oration, artists' names roll off his tongue without difficulty and he comments insightfully on both craftsmanship and artistic achievement.²⁴

²⁰ The character of this tradition as a *topos* is discussed by A. LINTOTT, *Imperial Expansion and Moral Decline in the Roman Republic*, *Historia* 21, 1972, 626-38; GRUEN, *Culture and National Identity* 84-86, 129-30; and GRAVERINI 105-106.

²¹ For a statement of the current view of Rome's relationship to Hellenistic culture, see A. WALLACE-HADRILL, *Horti* 1 and n. 1: „The days have long since passed when scholars regarded hellenization as a slavish imitation by the Romans of the Greeks driven by the need of an inferior culture to catch up with a superior one. We now see the Romans as much more selective and purposeful in their appropriation of non-Roman ways. ‚Graecia capta‘ has been put back in its proper place since Horace; rather than seeing a symbol of Roman cultural weakness, we emphasise the ruthlessness and success with which the Roman ruling class seized Greek cultural goods from their original social and ideological contexts, and transplanted them to their own benefit into Roman contexts with new force and resonance.“ Similarly, HÖLSCHER 875. For Roman republican reticence to endorse art in public, see e. g.: R. CHEVALLIER, *L'Artiste, le collectionneur & le faussaire: pour une sociologie de l'art Romain*, Paris 1991, 108 and 183; VASALY 109; and three articles in *Collezionismo*: CORCHIA 85-87; R. BERTINI CONIDI, *Humanitas – Inhumanitas nei saccheggi di opere d'arte*, 56-57; and A. BARCHIESI, *Occhi eruditi*, 62-66.

²² Also noted by ZIMMER, *Kunstverständnis* 868.

²³ VASALY 109, 217.

²⁴ FRAZEL (69-72) emphasizes the brevity and lack of detail in Cicero's descriptions of art objects but, for all their brevity, they do show an awareness of the issues important to the connoisseur. The ancient appraisal of art was based more on craftsmanship than on art historical characteristics (ZIMMER, *Kunstverständnis* 869 and Plin. nat. 33,147). It is not surprising, then, that many of Cicero's observations as a critic have to do with quality of workmanship: 4,72-74: the bronze Diana of Segesta – „considered from very ancient times as highly sacred, but at the same time produced with singular craftsmanship“ – *cum summa atque antiquissima praeditum religione, tum singulari opere artificioque perfectum* ...; 4,103: the ivory *nikai* from the Temple of Juno, Melita – *antiquo opere ac*

I reconstruct Cicero's rhetorical strategy in this passage differently than Becatti. In my view, Cicero uses the Heius-episode to draw the audience – many of them friends or supporters of Verres – away from the governor, who, according to Cicero, prides himself on his „cleverness and sophistication“ and looks down on „the rest of us“ as „know-nothings“ – ... *signa pulcherrima ... quae non modo istum hominem ingeniosum et intellegendem, verum etiam quemvis nostrum, quos iste idiotas appellat, delectare possent.*²⁵ Cicero's choice of pronouns – the personal pronoun *nostrum* and

summa arte perfectae; 4,126: the statue of Sappho in the prytaneion, Syracuse – „a work by Silanion, so perfect, so elegant, so finely worked that it should be in a public collection rather than a private one“ – *Silanionis opus tam perfectum, tam elegans, tam elaboratum, quisquam non modo privatus sed populus potius haberet.* – Some passages in Book 4 call attention to an artistic problem and to the artist's skill in solving it: 4,74: the Diana from Segesta – „this same figure – draped in a long robe, was of great size and height, but, in spite of its dimensions, suggested the youthful grace of a maiden“ – *verum tamen inerat in illa magnitudine aetas atque habitus virginalis*; and 4,125: (a negative example) a series of reed-spears from the Temple of Minerva, Syracuse – „things without either craftsmanship or beauty, remarkable only for their incredible size, which is quite enough merely to hear of, and more than enough to see more than once“ – *in quibus neque manu factum quicquam neque pulchritudo erat ulla, sed tantum magnitudo incredibilis, de qua vel audire satis esset, nimium videre plus quam semel.* – Finally, many passages indicate that Cicero has a good knowledge of what we in the twenty-first century might call the „key works“ of art history: 4,5: the *kanephorai* in Heius' sacrum – „not large but remarkably attractive (*venustate*), who held sacred objects on their head like the Athenian maidens“ (presumably the Erectheion caryatids); 4,94: the Hercules of Agrigentum – „I do not know that I have ever seen a lovelier work – nor that my understanding of such things is equal to the number of them that I have seen“; and in 4,135 Cicero gives a long list of the (apparently) world-famous monuments to which individual cities of the Greek world laid claim. From these allusions we can perhaps infer that there was a recognized body of „great monuments“ which could be discussed and against which other monuments might be compared. – All of this should be contrasted with the kinds of information included in the accounts of Publius Servilius, which listed the statues he captured at Olympus (Lycia) in 77 BC, displayed in his triumph, and then submitted to the public treasury. Cf. Verr. II 1,57: „You see carefully stated in these records, not simply the number of the statues, but the size, type, and position of each one of them“ (*non solum numerum signorum sed etiam unius cuiusque magnitudinem, figuram, statum litteris definiri vides*).

²⁵ L. H. G. GREENWOOD (Cicero VII: The Verrine Orations II, Cambridge MA 1989 [1928] = Loeb Classical Library no. 293, 285) translates *idiotas* as „outsiders“, VASALY (112-13) as „ordinary Romans“ but in my view neither choice is really accurate: „outsiders“ implies a *social division* that is, for me, much harsher and more strongly politicized than Cicero probably intended – and it is worth remembering that Verres may not himself have been one of the ruling elite (cf. MITCHELL 140-42). The distinction implied by „ordinary Roman“ seems still too strong, and probably „americanizing“. The term „ordinary American“ is frequently used by American press and pundits to distinguish „the man on the street“ from members of the various circles of political, financial/business, or Hollywood elite but I know of no comparative Latin usage. A social

the demonstrative *iste* – pulls the audience abruptly to him and the rest of the passage underscores the difference between him/them and Verres through a burlesque – Cicero plays the „man-who-knows-nothing-about-art (*idiotas*)“ for comic effect.²⁶ The dichotomy established in this passage between „sophisticate“ and „un-sophisticate“, is an idea that Cicero will develop more extensively in the course of the oration (see *infra*).

Cicero's account of the price Verres placed on Heius' Cupid (4,12-14) is also central to his rhetorical strategy:

(4,12) ... Let us see, then, how much money it was that was able to make a man like Heius, wealthy, not greedy – put aside refinement (*ab humanitate*), piety, and religion. You [speaking to Verres] instructed him [Heius], I think, to record in his personal accounts, „All these statues by Praxiteles, Myron, and Polyclitus were sold to Verres for 6500 sesterces,“ and he did so. – Read us out the entry. [The clerk reads it.] – It amuses me to hear that *these illustrious names of artists whom these people (isti) praise to the skies* have crashed so completely in Verres' appraisal (*aestimatione*). A Cupid by Praxiteles for 1600 sesterces! This surely explains the saying, „Better buy than beg.“

(4,13) But someone may say, „What? Do you place such a high price on these things?“ I, truthfully, don't make this estimate on the basis of my own calculation and personal experience (*rationem usumque*), but what I think has to be observed is how much these things are worth in the judgment of those who pay serious attention to them: for how much [money] they are usually sold; for how much [money] these particular things could have been sold, if they had been able to be sold openly and freely; and finally, how Verres himself appraised them. Never, if he thought that Cupid to be worth [only] 400 denarii, would he have opened himself up to popular gossip and so much censure on its account. (4,14) Who of you doesn't know what the [normal] estimate placed on these things would be? Have

vocabulary exists in Latin (e. g. *boni, proletarii*) that would have allowed a similar distinction to be made precisely if that is what Cicero wanted to say. – The term *idiotas* seems to refer rather to those members of the Roman elite who were ignorant of art and of other cultural things, a distinction that was made in the late Republic. According to Gellius (13,17,3) the first book of Varro's *Rerum Humanarum* began „Praxiteles, who is famous for his artistic skill, is unknown to no one with an education.“ Thus, he [Varro] does not use [the word] *humaniori* in the usual sense for someone who is easy-going, amiable and kind ... but for someone well-read and well-educated who was familiar with Praxiteles from both books and personal investigation.“ – „Praxiteles, qui propter artificium egregium nemini est paulum modo humaniori ignotus.“ „Humaniori“ inquit non ita ut vulgo dicitur, „facili et tractabili et benivolo“, tametsi rudis litterarum sit, hoc enim cum sententia nequaquam convenit, sed „eruditori doctiorique“, qui Praxitelem, quid fuerit, et ex libris et ex historia cognoverit.

²⁶ VASALY (109) refers to this passage as „an elaborate little charade“.

we not seen not-very-large bronzes fetch 40,000 sesterces at auction? Not so? If I wanted to name persons who have paid not less or even more than that for such things, could I not do so? Since it is customary for the value of things like these to be set by the demand [for them], it is difficult to put a limit on their price without putting a limit on [men's] desire ...²⁷

Cicero's use of the demonstrative pronoun *isti* is less precise here than in the earlier passage but, since *iste* refers to Verres throughout the oration, it probably indicates those in Verres' circle.²⁸ This is a vaguely defined group of sophisticates, therefore, but one that is still grammatically separate from Cicero and his audience. The rhetorical persona that Cicero created for himself in the previous lines is also still useful: in 4,4, he played the „know-nothing“ to contrast with Verres' sophistication; in 4,12, the value placed on Heius' Cupid is so low for a Praxitelean statue that even a „know-nothing“ can see it.

In this passage, however, Cicero brings the audience along with him by a different rhetorical device. Here, rather than telling his audience what the statue is worth, he enlists their own *knowledge* of the art market to emphasize how much and in what way Heius has been cheated by Verres: if a piece such as this had been put on the market, it would have been sold at

²⁷ 4,12-14: *Videamus quanta ista pecunia fuerit quae potuerit Heium, hominem maxime locupletem, minime avarum, ab humanitate, a pietate, ab religione deducere. Ita iussisti, opinor, ipsum in tabulas referre: „Haec omnia signa Praxiteli, Myronis, Polycliti HS sex milibus quingentis Verri vendita.“ Sic rettulit. Recita. Ex Tabulis. Iuvat me haec praeclara nomina artificum, quae isti ad caelum ferunt, Verris aestimatione sic concidisse. Cupidinem Praxiteli HS MDC! Profecto hinc natum est „Malo emere quam rogare.“ (4,13) Dicet aliquis: „Quid? tu ista permagno aestimas?“ Ego vero ad meam rationem usumque meum non aestimo; verum tamen a vobis ita arbitror spectari oportere, quanti haec eorum iudicio qui studiosi sunt harum rerum aestimentur, quanti venire soleant, quanti haec ipsa si palam libereque venire possent, denique ipse Verres quanti aestimet. Numquam, si denariis CCCC Cupidem illum putasset, commisisset ut propter eum in sermonem hominum atque in tantam vituperationem veniret. (4,14) *Quis vestrum igitur nescit quanti haec aestimentur? In auctione signum aeneum non maximum HS XL' venire non vidimus? Quid? si velim nominare homines qui aut non minoris aut etiam pluris emerint, nonne possum? Etenim qui modus est in his rebus cupiditatis, idem est aestimationis; difficile et finem facere pretio, nisi libidini feceris.* DESMOULIEZ 157-61 discusses the passage in detail. To put Verres' acquisition costs into perspective: Cicero's own Megarian statues cost HS 20,400 a decade later (Att. 4,2) and this with the possibility of price inflation. MARVIN (165 n. 18) observes that, according to Varro, a farm of 200 *iugera* (about 130 acres) should produce an annual income of about HS 30,000 (Varro. rust. 3,2,15). If this amount is larger through inflation than a comparable farm income of 70 BC, it makes it even clearer what the sale-price of a coveted statue would represent in practical terms and the extent to which Heius' statuary has been undervalued.*

²⁸ Cf. 4,126: ... *ut admittatur in alicuius istorum Tusculanum.*

auction; the price „set“ for it would have been what a buyer was *willing to pay*; and, historically, prices for such works were much in excess of the amount Verres had forced Heius to accept. This device of using the listener's knowledge to involve him in the argument is a shrewd choice here because it makes it clear that, while Cicero may play the role of unsophisticate himself, he, unlike Verres, does not consider his audience „know-nothings“ at all. His wording must have discomfited Verres' lawyer, Hortensius, who was known for both his knowledge of the art market and his prodigious memory. Once, on a dare from L. Sisenna, Hortensius sat all day at an auction and at the end was able to relate, in order of sale, all the objects sold, their prices, and their buyers (Sen. Contr. 1. pr. 19, Quint. inst. 11,2,24). The subtlety of this poke at Hortensius would probably have amused the audience – regardless of their sympathies in the case – since they knew Hortensius' reputation as well. Finally, however, and whatever Cicero's strategy may have been, his choice of device assumes an audience that is familiar with the contemporary art market and has a clear sense of what a piece like Heius' Cupid would fetch.²⁹

The Roman Market for Singular Monuments

This should not be surprising because in 70 BC the Roman art market was at least a century old and the demand for monuments like Heius' Cupid was high. Contrary to what later Roman authors suggest, there was a state-endorsed market for foreign luxuries as early as 212 BC, the sack of Syracuse.³⁰ Polybius (9,10,11-13) states clearly that on this occasion, „after transferring all these objects to Rome, [the Romans] used such as came from private houses to embellish their own homes, and those that were state property for their public buildings.“³¹ The source of military booty –

²⁹ This is also the conclusion of MILES 35 and FRAZEL 111. I am grateful to M. B. Hollinshead for referring me to Miles' article and for providing me with a photocopy.

³⁰ On the spoils from Syracuse, see PAPE 33-34, F. W. WALBANK, *A Historical Commentary on Polybius II*, Oxford 1967, 134-36; GRUEN, *Culture and National Identity* 94-103. The evidence for the first-century BC art market was originally brought together by F. COARELLI, *Il commercio delle opere d'arte in età tardo-repubblicana*, *DialAr* ser. 3, vol. 1, 1983, 45-53. In recent years the discussion has focused on the goods contained in the shipwreck from Mahdia; see esp. W. GEOMINY, *Der Schiffsfund von Mahdia und seine Bedeutung für die antike Kunstgeschichte*, in: G. HELLENKEMPER-SALIES (ed.) *II*, 927-42 and B. S. RIDGWAY, *The Mahdia Wreck and the Art-Market in the Early 1st c. B.C.*, *JRA* 8, 1995, 340-47.

³¹ Plb. 9,10,11-13: τὸ μὲν οὖν τὸν χρυσὸν καὶ τὸν ἄργυρον ἀθροίζειν πρὸς αὐτοὺς ἴσως ἔχει τινὰ λόγον· οὐ γὰρ οἷόν τε τῶν καθόλου πραγμάτων ἀντιποιήσασθαι μὴ οὐ τοῖς μὲν ἄλλοις ἀδυναμίαν ἐνεργασαμένους, σφίσι δὲ τὴν

whether it is taken from a public or private setting – provides important insight into its function in Roman life. Objects from private houses are normally smaller, less technically accomplished, and/or less important in cultural and ideological terms than monuments from public shrines or political centers.³² Cicero observes (4,126), for example, that the Sappho from Syracuse was „so perfect, so elegant, and so finely worked that it should be in a public collection rather than a private one (*non modo privatus sed populus potius haberet*) – a sensibility close to the distinction made in the twenty-first century between „museum-quality“ antiques and „collectables“. There are also issues surrounding the public display of war booty that the decorative arts do not share. The goal of the war monument is to commemorate the masculine achievement of the victor and the emasculation and subjection of the defeated. Objects that identify the defeated or symbolize their loss – like the contents of a state temple, civic center, or king’s palace – are clearly more important in this respect than tableware from a private house – even a very wealthy one.³³

Nevertheless, and in spite of differences in quality and significance, the sale of domestic booty could produce great profits for the state if there was a market for it. In 212 BC the Romans were engaged on many fronts and the time, energy, and expense required to transport statues and paintings in bulk from Syracuse could certainly have been given to operations more central to the war effort.³⁴ These luxuries must, therefore, have been collected specifically for resale. The seizure of domestic booty seems, in fact, to have been

τοιαύτην δύνανται ἐτοιμάσαντας. τὰ δ' ἐκτὸς ὑπάρχοντα τῆς προειρημένης δυνάμεως ἢ ἐν τοῖς ἐξ ἀρχῆς τόποις ἅμα τῷ φθόνῳ καταλιπόντας ἐνδοξοτέραν ποιεῖν τὴν σφετέραν πατρίδα, μὴ γραφαῖς καὶ τύποις, ἀλλὰ σεμνότητι καὶ μεγαλοψυχία κοσμοῦντας αὐτήν. ... Ῥωμαῖοι δὲ μετακομίσαντες τὰ προειρημένα ταῖς μὲν ἰδιωτικαῖς κατασκευαῖς τοὺς αὐτῶν ἐκόσμησαν βίους, ταῖς δὲ δημοσίαις τὰ κοινὰ τῆς πόλεως.

³² The testimonia for Roman booty-taking have been collected by PAPE 6-25, GALSTERER 857-66, and discussed at length by GRUEN, *Culture and National Identity* 84-130. None of these authors, however, distinguishes, except in passing, between the looting of public buildings and that of private houses. Different kinds of domestic plunder may also have had different reception histories. Until the value of an object’s workmanship was judged to exceed that of its materials, generals were primarily interested in things that could be melted down. Cf. VICKERS 166.

³³ On the universality of war booty and its issues, see HÖLSCHER 877, 879, MILES 40-44, and especially E. HALL, *Asia Unmanned: Images of Victory in Classical Athens*, in: J. RICH, G. SHIPLEY (edd.), *War and Society in the Greek World*, London/New York 1993, 108-33, esp. 110-13.

³⁴ P. ERDKAMP, *Hunger and the Sword. Warfare and Food Supply in Roman Republican Wars, 264-30 B.C.*, Amsterdam 1998, 159 and 182-87, provides a useful analysis of the Romans’ transport and supply problems in the period after Cannae.

official policy during the war and was probably intended to help finance it: Rome’s treaty with the Aetolians (212/211 BC) gave the Romans the right to all „moveable goods“ acquired in the war against Macedon, and the defeat of Tarentum in 209 yielded „almost as many statues and paintings as had adorned Syracuse“. ³⁵ In those years the Senate was in constant need of money and only part of this was satisfied by captured bullion, loans, and taxes. Legislation passed between 215 and 205 BC suggests that wealthy Romans had assets that the Senate wanted to extract for the war effort: in 215 it passed a sumptuary measure, the Oppian laws; the following year it imposed liturgies on the elite to support naval crews; in 210 and 205 it called for voluntary contributions to supplement the state treasury. Sales of domestic booty in 211 and 209 BC were probably another vehicle for raising cash from the same group.³⁶

Generals of the post-Hannibalic war era continued to bring home domestic luxuries although it is sometimes less clear who profited. The famous second-century triumphs over the Galatians (186 BC), Macedon (168 BC), Carthage, and Corinth (146 BC), all produced immense riches and their generals became legendary for having enriched the state while taking comparatively little or no profit for themselves.³⁷ On other occasions the general benefited – or at least sought to benefit – by selling booty and/or by allowing the soldiers to sell booty for private gain, a boon that added to his popularity.³⁸ Recurring sumptuary legislation and anti-luxury rhetoric in later Roman authors were once viewed as evidence for official resistance to foreign goods but the precise meaning of this evidence is now under debate.³⁹ Whatever the outcome of that debate, however, none of the

³⁵ For the treaty with the Aetolians, see Liv. 26,24,11. GRUEN (*Hellenistic World II* 378) views the treaty’s allotment of the proceeds as one that disadvantaged the Romans but it seems to me consistent with their needs at the time. The sack of Tarentum: Liv. 27,16,7.

³⁶ For the war expenses, see FRANK 76-79; taxes and booty, id. 79-81; extraordinary measures, 81-97; naval liturgies, 86 no. 4; voluntary contributions and Oppian legislation, 88-92 no. 9.

³⁷ Cf. FRANK 209. All of these victories included masses of domestic booty that were undoubtedly sold for cash. The domestic origins of the Galatian (Liv. 39,6,7) and Macedonian (Plu. Aem. 32-33) booty is suggested by the contents of the triumphs – bronze couches, textiles, tables, and other dining paraphernalia. The destructions of Carthage and Corinth were so complete and the volumes of plunder so immense that domestic booty must have been included; Pliny (nat. 35,24) in fact describes the sale of the booty from Corinth at auction.

³⁸ For the problem of the general’s authority over booty, see PAPE 27-35 and CHURCHILL 85-116.

³⁹ For a discussion of the problem of sumptuary legislation, with bibliography, see L. DE LIGT, *Restraining the Rich, Protecting the Poor. Symbolic Aspects of Roman*

sumptuary laws extant makes reference to statues or paintings and the allowances made for clothing and silver plate are far from minimal. The *lex Fannia* of 161 BC, for example, restricted expenditures on festival fare to 120 asses per day in addition to the cost of vegetables, bread, and wine. In 1933, T. Frank interpreted this allowance as approximately one dollars-worth of meat for an entire banquet. He puts the law into clearer perspective, moreover, by noting that it allowed the elite to serve comparatively cheap banquets on 100 Roman pounds of plate.⁴⁰ Passages from later Republican or imperial authors who condemned second-century consumption are also viewed as reflections of earlier, official disapproval but the original context of their examples are seldom known and they may have had a different meaning in its original context or form. This point may be illustrated by a surviving fragment of Cato's *De signis et tabulis* („On the Subject of Statues and Paintings“): although this title might be viewed as an indication that the speech militated against the importation of art, its one extant line suggests that it was instead directed at the use of war booty by generals to gain social and political influence: *honorem emptitavere, malefacta benefactis non redemptitavere* – „they have bought honor, but not paid off their crimes with their benefactions.“ Cato's choice of vocabulary, which reflects both the ideology of the political elite and the language of commerce – especially the language of the auction-house – makes his real target clear.⁴¹

Given the quasi-structural role that the *topos* of ruinous luxury assumed in later characterizations of the second century, the early art market was very strong. Little attention has been given, however, to the way it worked or how it changed over time.⁴² The process by which booty moved from battlefield to market can be reconstructed from Polybius' account (14,7) of the siege of Utica in 203 BC: According to him, Scipio Africanus prepared for the siege by distributing booty among the soldiers and sending the merchants away „after they had made their profit.“ The victory had inspired high hopes among the soldiers for the rest of the war, so they „attached no great value to the present spoils and were willing to dispose of them to the

Legislation, in: W. JONGMAN, M. KEIJWEGT (edd.), *After the Past. Essays in Ancient History in Honour of H. W. PLEKET*, Leiden 2002, 1-12.

⁴⁰ FRANK 199.

⁴¹ GRUEN, *Culture and National Identity* 112 n. 139, quotes the fragment and gives additional bibliography.

⁴² The best account is still that of LOANE, *passim*, although her topic is generally much broader.

dealers for a low price.“⁴³ The dealers may have resold their booty through both retail and auction, but primarily by auction. In the late Republic, permanent retail venues for luxury goods seem to have included only the *forum Cuppedinis* and the eastern *Sacra Via*, although additional space may have been provided during the fairs (*mercatus*) that accompanied the three major *ludi*, or games. Fairs are historically used by communities to attract shoppers from a wider area than is accomplished by a regular market day and, to that end, they are often accompanied by spectacles like horse races, plays or displays – the activities associated with the Roman *ludi*. According to the *fasti* there were 5 days of shopping after the *ludi Apollinares* (July 14-19), 4 days after the *ludi Romani* (Sept. 20-23), and 3 days after the *ludi Plebeii* (Nov. 18-20).⁴⁴

The potential benefit that the commercial aspect of these games had for a variety of urban constituencies, helps to explain the competitiveness of the aediles in staging the performances and in decorating the Roman forum.⁴⁵ Aediles were responsible for every aspect of Roman business – the policing

⁴³ The fact that it was usual for merchants to accompany the army is confirmed by Polybius' (3,82) description of them before the battle of Lake Trasimene, following Flaminius' army with chains and fetters, apparently with the expectation of collecting slaves.

⁴⁴ Apart from the fact that a special fish market (*forum piscarium*) existed in the area north of the *Sacra Via* as early as 210 BC, the early history and organization of these markets is not clear. Varro (ling. 5,146) proposes various etymological origins for the name *Cuppedinis*, but the fact that some of his contemporaries referred to it as the *Forum Cupidinis*, or „Forum of Desire“, suggests that, by the end of the Republic, the luxury character of its merchandise was well established. For the *Forum Cuppedinis* and its commerce, see J. P. MOREL, *La topographie de l'artisanat et du commerce dans la Rome antique*, in: *L'Urbs: Espace Urbain et Histoire (Ier siècle av. J.-C.-IIIe siècle ap. J.-C.) Actes du colloque internationale Rome, 8-12 mai 1985*, Rome 1987, 137-138; Cl. DE RUYT, *Macellum, marché alimentaire des Romains*, Louvain-la-Neuve 1983, 162; and PAPI 51. In the late Republic, the *Sacra Via* was known for its gold and silversmiths and gem dealers: LOANE 88-90 and 133-34; MOREL, *op. cit.* 145-46; PAPI 51-62, esp. 54-60. – For the *mercatus*, see: FRAYN 134-35 and L. DE LIGT, *Fairs and Markets in the Roman Empire. Economic and Social Aspects of Periodic Trade in a Pre-Industrial Society*, Amsterdam 1993, 60. Nothing is known of the commodities available at these fairs, apart from the *Sigillaria*, a fair connected with the *Saturnalia* (Dec. 17-21); for references, see FRAYN 137.

⁴⁵ For aediles who decorated the forum, see RAWSON, *Intellectual Life* 194 and n. 41. ZIMMER (1989, 504) traces the practice to 309 BC when L. Papirius Cursor put up spoils from the Samnite wars in the Forum (Liv. 9,40,15-16). Since, however, that passage refers to the triumph, it may be part of a different phenomenon and tradition. For Livy's account of Papirius' triumph, see RAWSON, *The Antiquarian Tradition: Spoils and Representations of Foreign Armor*, in: W. EDER (ed.), *Staat und Staatlichkeit in der frühen römischen Republik. Akten eines Symposium 12-15 July 1988*, Stuttgart 1990, 164-66.

of roads leading to the market, the exactness of official weights and measures, and the enforcement of other market regulations. Since the guarantee of an honest market is essential to attracting and maintaining attendance, the use of more elaborate marketing techniques might be considered a natural extension of that job. If so, the success that an aedile had in producing attendance for the *mercatus* was likely to be noticed. To divide up this important charge, different groups of aediles and the urban praetor were given responsibility for individual groups of games and for a single *mercatus* (the latter indicated below with an asterisk): the curule aediles for the *ludi Romani** and *ludi Megalenses*, the plebeian aediles for the *ludi Plebei**, *Ceralia*, and *Floralia*, and the urban praetor for the *ludi Apollinares**.⁴⁶ C. Claudius Pulcher, who staged the *ludi Romani* of 99 BC, is the only official for whom there remains a record of innovation in all three areas of festival production: in addition to producing a memorable display in the forum (Verr. II 4,133), Pulcher sponsored elephants in the circus (Plin. nat. 8,19; Val. Max. 2,46) and decorated the theater *scaena* with architectural renderings so realistic that crows tried to alight on the painted roof tiles (Plin. nat. 35,23).

Much of the domestic and all of the official booty brought to Rome were probably sold at auction.⁴⁷ Auctions are the most profitable way to sell *singular monuments* because they bring all the prospective buyers together at one time and force them to compete on price. Auctions were probably preferred for sales sponsored by the state because, in addition to maximizing profits, they reduced the amount of time that booty or other merchandise had to be stored and allowed the sale to take place under the scrutiny of the public.⁴⁸ When the general and his booty returned to Rome, the responsibility for deciding what should be sold and what should be kept for

⁴⁶ EDWARDS 110 n. 40.

⁴⁷ N. RAUH (Auctioneers and the Roman Economy, *Historia* 36, 1989, 453) interprets Polybius 10,16,7 to mean that the booty collected by the soldiers was auctioned off on the battlefield (cf. also Plin. nat. 35,24, the booty from Corinth), but Polybius suggests elsewhere (14,7) that the soldiers made their own deals with the merchants at hand. There may not have been consistency of practice. LOANE (151-53) suggests that foreign goods were shipped from the war front to an auctioneer in the city, who served as distributing agent.

⁴⁸ The booty collected for the state was separated from the booty allotted to the soldiers in the aftermath of the attack (cf. Pol. 14,10, on the spoils from Utica) and carefully inventoried for transport to Rome (cf. Cic. Verr. II 1,57, on the model inventory of Servilius). The suggestion that some pieces of this booty might have been alienated by the general for personal use could result in an official inquiry and disgrace, as illustrated by the examples of L. (Cornelius) Scipio Asiaticus (Liv. 38,50,4-38,55) and M. Acilius Glabrio (Liv. 37,57,9-58,2) in the early second century.

public display was normally given to the pontiffs, although some generals made private donations of booty to towns or sanctuaries, sometimes many years after their return.⁴⁹ In the first century BC, auctions were frequently held in the *Atria Licinia*, near the *Macellum*, but other sites are known from inscription and anecdote: the effects of the proscribed were sold in the Roman Forum and Pompey's estate was sold in front of the temple of Jupiter Stator (Cic. Phil. II 26,64). A staff marked the official site of such sales or spear set in the ground.⁵⁰

A large proportion of the booty sold in the period 212-146 BC was probably antique. Plutarch (Aem. 33) notes the presence of Thericlean cups in the triumphal parade of Aemilius Paulus and Livy (32,16,17) specifies that many of the paintings and statuary collected by Flaminius at Eretria (198 BC) were also old.⁵¹ The material situation in Macedon and Eretria was probably similar to that of Syracuse, which is known in greater detail than other cities from *Verrine* II 4:⁵² prosperity and political stability had encouraged the acquisition of luxury items by a comparatively large number of private citizens and these had survived as family heirlooms, in some cases for two hundred years. The availability of such goods diminished sharply with the end of the great eastern campaigns in 146 BC.⁵³ The estate of Attalos III, sent to Rome for sale in 133 BC, created great excitement (Plin. nat. 33,149) and this was probably also true of the estate of Ptolemy Apion of Cyrene, which was sold in 97/96 BC (Liv. epit. 70).⁵⁴ The proscriptions

⁴⁹ For the administration of official booty, see PAPE 27-37 and 42-43; WAURICK 1-2; and MILES 45 n. 7. For generals and their donations, see D. BLOY, Greek War Booty at Luna and the Afterlife of Manius Acilius Glabrio, *MAAR* 43-44, 1998-99, 58-60.

⁵⁰ For the location of Roman auctions, see E. TORTORICI, *Atria Licinia*, in: *LTUR* I, 1993, 132, and LOANE 152-53.

⁵¹ Livy (32,16,17) on Eretria: „There was hardly much gold and silver money, but more statues and paintings of ancient workmanship and ornaments of that sort were found there than the size or the other resources of the city [would have led one to expect].“ For Thericlean cups, see ZIMMER 1989, 509-10 (end 5th century BC).

⁵² On Syracuse, see 4,46: „I believe that when Sicily was flush with wealth and prosperity, there was, in the island, a huge production of [art objects]. Before Verres, there was no house of even moderate wealth in which there was not – even if otherwise without silver – a large serving tray (*patella*) with embossed scenes and images of the gods, an offering dish (*patera*) that the women used in religious ritual, and a censer (*turibulum*). All of these were old (*antiquo opere*) and of the finest craftsmanship (*summo artificio facta*) ...“ On the increasing luxury of Hellenistic private houses, see HÖLSCHER 882. On the situation in Sicily, see WILSON 144-45, 152.

⁵³ For the financial exhaustion of Greece after 146: HÖLSCHER 880.

⁵⁴ Testimonia for Attalos' estate: FRANK 239-41. A silver bowl from Civitá Castellana has been attributed to the Attalid estate on the basis of the Pergamene style of

brought large Roman estates to the market in the late 80s, but confiscated goods created dilemmas for some Roman buyers: when Pompey's estate was sold, for example, only Antony bid (Cic. Phil. II 26,64-65). There must have been a small, unpredictable supply of antiques available throughout this period: smaller properties were sold when individuals needed money or to satisfy the provisions of wills; piracy must have provided merchandise in the same way that it provided slaves; but this was all „small potatoes“.⁵⁵ The easy availability of „good“ antiques that characterized the Roman market in the early second century seems no longer to have prevailed a century later and elite consumers were almost certainly ready for the monuments that Verres' thefts or those of his contemporaries brought to the market.⁵⁶ This being the case, it is not surprising to find that „Old Masters“ were highlighted in contemporary display: according to Pliny (nat. 35,130), Q. Hortensius kept a painting of the Argonauts by Kydias – one for which he had paid 144,000 sesterces – in a temple built specially for it (*eique aedem fecit*) at his Tusculan villa; a statue attributed by inscription to Praxiteles was given particular visibility on Delos in the House of the Herms (Maison de l'Hermès); and whatever the religious status of Heius' *sacrarium*, it was clearly noteworthy to have such a large collection of „documented originals“. One cannot doubt but that the use of an architecturally defined space

its acanthus ornament: HENIG 140 and STRONG 109 and pl. 31A. For the financial impact of the annexation of Cyrene: CRAWFORD 187.

⁵⁵ Cicero's own life and writings provide good examples of both sources: In 47 BC, while waiting at Brundisium for Caesar's return to Italy, the orator wrote to Atticus asking him to sell whatever of his possessions he could – plate, textiles, or furniture – and to put the money away against future need (Cic. Att. 11,25,3 [231]). In 45 he was prepared to sell other possessions (silver plate, fabrics, estates) to purchase land on which to build his daughter's monument: *ibid.* 12,33,3 (262) and N. K. RAUH, Finance and Estate Sales in Republican Rome, *Aevum* 63, 1989, 61 with n. 75. Piracy: The extravagant lifestyle of the pirates is noted by Plutarch (Pomp. 24) and, at Verr. II 1,46, Cicero describes a pirate ship loaded with stolen statues.

⁵⁶ My reconstruction of this development is deliberately sketched in broad strokes – Sulla's sack of Athens probably yielded some new merchandise (cf. GALSTERER 861 and n. 46), although I suspect that this yield came primarily from the army and from the merchants in Sulla's train. Since Sulla needed immediate cash to pay troops and meet other expenses, his primary targets were sanctuaries and other institutions that still had significant stores of gold and silver that could be melted down and recast as coin (FRANK 232). It is also clear that Athens recovered to some extent industrially from the Sullan sack; workshops were operating in the first century as Cicero's correspondence with Atticus makes clear (GALSTERER 861). My point is that the quantity and character of the goods available to the Romans from war changed over the course of the last two centuries BC in response to a variety of factors. Instead of treating the impact of foreign booty on Roman culture as an historical constant that elicited a standard response, it must be assessed separately for the period under discussion.

to display Heius' statues called attention to their value as much as to their religious associations.⁵⁷

Verres' Production Of Luxury Goods

Cicero's Treatment of Verres' Workshops

The second type of object described in *Verrine* II 4 is what I call *luxury objects produced in series* – in other words, objects made of expensive materials by skilled artisans and designers but produced in comparatively large numbers.⁵⁸ In Book 4, Cicero refers to a number of different types of decorative objects produced by Verres during his governorship – luxury tableware (4,54), candelabra (4,60), clothing (4,103), dining couches, and purple textiles for the couches (4,58-59). The longest and most detailed discussion, however, is given to dinnerware and purple cloth. Sicilian households had a lot of old silver, but much of it seems to have had too little decoration to interest the first-century consumer. A lot of it was also made for cult use and this may have made it less attractive than vessel shapes suitable for dining.⁵⁹

⁵⁷ For the House of the Herms, see KREEB 38-39 and RAUH 219-23. For the character of Heius' *sacrarium*, see KREEB 68 and ZIMMER 1989, 496-504.

⁵⁸ Given similarities in quality, old silver plate was more prized than new and the *Verrines* refer to a number of pieces by famous silversmiths or pieces with illustrious pedigrees that were confiscated by Verres or purchased by him in a forced sale: see, for example, the embossed *hydriae* by Boethus that were stolen from Pamphilus of Lilybaeum (4,32), the chased silver cups by Mentor that were owned by Diodorus of Melita (4,38), and the royal *phalerae* – apparently parade ornament for horses – that were owned by Phylarchus of Centuripe (4,29). Such objects belong to my category of „singular monuments“ and will not be discussed here. For discussion and bibliography, see ZIMMER 1989, 509-511.

⁵⁹ The ornament collected by Verres came primarily from serving platters (*patellae*) and censers (*turibula*); this ornament was reattached to *pocula* – cups – and *scaphia* – cups or other vessels shaped like boats. I know of no extant *scaphia* in precious metal but the conceit is an old one. Analogies between wine and the sea, sailing and communal dining, were a standard part of Greek sympotic culture and some early terracotta examples are illustrated by F. LISSARRAGUE, *The Aesthetics of the Greek Banquet: Images of Wine and Ritual*, Princeton 1990 [1987], 107-22, esp. 110-12. – Some actual examples of Sicilian silver are known from the 4th-2nd c.: 1) Metropolitan Museum of Art, New York, inv. nn. 1981.11.15-22 and 1982.11.7-13, a treasure that was excavated clandestinely, probably at Morgantina: M. BELL III, *La provenienza ritrovata: cercando il contesto di antichità trafugate*, *BdA suppl. to n. 101*, 1997 [2000], 31-41, with bibliography n. 2. The treasure can be dated stylistically to the second half of the third century BC and is suggested by BELL (38) to have been brought from Syracuse just

In spite of these negatives, Verres seems to have seen opportunity. He identified good pieces of plate at dinner parties and his Greek assistants, Tleptolemus and Hiero, searched out other examples along the route of his entourage.⁶⁰ He also ordered the magistrates of Sicilian towns to collect silver from their citizens for inspection by him or the two Greeks. When suitable pieces were found, their embossed or engraved decoration was stripped off and taken to the governor's workshop in Syracuse where it was attached to new gold vessels (4,54):⁶¹

Having gathered together this mass of embossed work, *so that he left not a single one behind for anyone*, he set up a large workshop in the governor's palace (*regia*) at Syracuse. He ordered all artisans, engravers, and metal smiths to be brought together, in addition to the large number [of artisans] he had in his own service. He penned them up – the whole crowd of them, and their work for him didn't stop for eight continuous months, although every vessel they produced was made of gold. The emblemata that he had torn from servers (*patellis*) and censers (*turibulis*) he now attached so ingeniously to golden cups (*in aureis poculis*), and so cleverly to golden vessels shaped like boats (*in scaphiis aureis*), that one would have supposed them to have been conceived for that purpose. *And the governor himself, who says that it was his vigilance that kept the peace in Sicily*

before that city was sacked by Marcellus in 212 BC; Morgantina was destroyed the following year and the treasure was presumably buried at that time. The 14-15 pieces that make up the treasure include 9 intended for use in the symposium, 3 for ritual, and 2-3 of uncertain function (BELL 33-34). 2) A treasure from Paternò, now in the former West Berlin, Staatl. Mus., Antikenabteilung inv. nn. 30 199, 30 481, 30 200, 30 038: A. OLIVER JR., *Silver for the Gods: 800 Years of Greek and Roman Silver*, Toledo Museum of Art, 8 Oct.-20 Nov. 1977, 58-61, 65. BELL (ibid. 39, n. 7) notes that although this group of silver is earlier than the Morgantina silver in terms of its manufacture, it was apparently buried later and has inscriptions referring to its Roman owners of the 2nd-1st BC, the Lollii of Aetna (cf. Verr. II 3,61-63). – I am grateful to Malcolm Bell III for these references.

⁶⁰ Tleptolemus and Hiero had met Verres in Asia (4,13-30) and moved with him to Sicily where they ferreted things of value out of private and public collections and made report to Verres on their technical quality and design. According to Cicero (4,31), „the one prayer of those whose silver plate was demanded [by Verres] was that it might fail to gain the approval of Hiero and Tleptolemus.“

⁶¹ The original vessels were returned to their owners bare. Verres was not the only Roman to refashion antiques into more serviceable shapes. According to Pliny (nat. 34,7) fashionable people (*elegantiores*) of his own day (?) sometimes converted Corinthian vessels into dishes for food, lamps, or wash basins (*esculenta, lucernas, trulleos*).

[during this period], used to sit in this workshop for the better part of the day, wearing a brown tunic and a Greek mantle.⁶²

It is obvious that Cicero's picture of Verres' workshop was intended to reveal something about the governor's character but it is not entirely clear what that is. Most scholars agree that Verres' workshop and costume were inappropriate to his position as governor.⁶³ Some, however, take Verres' appearance as *déclassé* – inappropriate for his social class as well.⁶⁴

It is certainly true that, at its most obvious level, Cicero's sketch was intended to emphasize the amount of time and attention Verres' gave to craft production at the expense of his official duties. Verres' term as governor had been extended because the war against Spartacus (73-71 BC) demanded the services of his successor, Q. Arrius, and because it was feared that the slave revolt would spread to Sicily. The picture of the governor in his workshop discredited his claim that it was due to his oversight that Sicily had remained secure during the recent crisis.⁶⁵ On the other hand, other Romans had workshops, as did at least two Hellenistic kings, and Cato wore a tunic when he worked alongside his slaves on the farm.⁶⁶ Oversight of work in workman's dress was not a negative image for a Roman where it was appropriate. Nevertheless, I think that the social dimension of the passage, which

⁶² 4,54: *Posteaquam tantam multitudinem collegerat emblematum ut ne unum quidem cuiquam reliquisset, instituit officinam Syracusis in regia maximam. Palam artifices omnes, caelatores ac vasculares, convocari iubet, et ipse suos complures habebat. Eos concludit, magnam hominum multitudinem. Menses octo continuos his opus non defuit, cum vas nullum fieret nisi aureum. Tum illa, ex patellis et turibulis quae evellerat, ita scite in aureis poculis illigabat, ita apte in scaphiis aureis includebat, ut ea ad illam rem nata esse diceret; ipse tamen praetor, qui sua vigilantia pacem in Sicilia dicit fuisse, in hac officina maiorem partem diei cum tunica pulla sedere solebat et pallio.*

⁶³ Cf. e. g. ZIMMER 1989, 516; id., *Kunstverständnis* 869 and NISBET 5. For dress symbolism in Ciceronian rhetoric, see A. R. DYCK, *Dressing to Kill: Attire as a Proof and Means of Characterization in Cicero's Speeches*, *Arethusa* 34, 2000, 122-29 (with bibliography).

⁶⁴ NISBET 5.

⁶⁵ For Cicero's intent in this passage, see also 4,60: „I am simply relating what this man did in his province as praetor, lest he seem to someone to have been too lacking in energy, or to have failed to use his official power, when he had it, to outfit and ornament himself sufficiently“ – *facio quid iste in provincia praetor egerit, ne qui forte negligens nimium fuisse videatur; neque se satis, cum potestatem habuerit, instruxisse et ornasse.*

⁶⁶ Plu. Cato 3. Verres seems to have had this workshop of skilled artisans for several years. In Asia in 79 BC, he seized a valuable collection of plate and a group of *artifices* from the estate of Dolabella's previous quaestor, Gaius Malleolus (Verr. II 1,91-92). It was probably these artisans who examined the silver plate borrowed from the Syrian prince in 73 (II 4,63). For Hellenistic and Roman workshops, see ZIMMER 1989, 515-17; *Kunstverständnis* 869-70.

culminates Cicero's long anecdotal account of the stolen silver, is more subtle than commentators have noted. At 4,45, Cicero says to the jury that it is *superbia* for a governor in his province to say to a man of character, wealth, and position, „Sell me your figured silver.“ According to Cicero, this is as good as saying, „You are not worthy to have such possessions; they are suited only to people of my station – *meae dignitatis*.“⁶⁷ Personal dignity was critical to a Roman – it was ostensibly to protect his *dignitas* that Caesar crossed the Rubicon in 49 BC, precipitating Civil War (Caes. bell. civ. 1,9,2). *Superbia* is by contrast an attribute of the tyrant, who enhances his dignity at the expense of other *boni*. At 4,51 Cicero confirms his characterization of Verres as tyrant with a vivid description of the governor lounging in his litter while silver is brought for his inspection.⁶⁸

Verres' tyrannical nature is also seen in his exploitation of the Sicilian elite. According to Cicero (4,58), there was „not one wealthy house in Sicily where the governor did not set up a weaving establishment (*textrina*)“ to produce luxury textiles. He gives several examples, especially that of Lamia (4,58-59), a Segestan lady of wealth and rank (*perdives et nobilis*), who had her house full of looms for three years making purple fabric with dye that Verres supplied. Looms were not out of place in an aristocratic house: in Asconius' description of Clodius' attack on M. Aemilius Lepidus in 52 BC, Clodius' thugs are said to have broken into Lepidus' atrium, thrown down his ancestral masks, broken the symbolic marriage bed of his wife, and „torn up the cloth that was being woven on looms in the atrium according to ancient custom“. ⁶⁹ On the other hand, the weaving overseen by Lepidus' wife was probably for family consumption or social display. By forcing wealthy provincials to serve as *institores* (overseers) for his own textile production – a position usually occupied by freedmen or slaves – Verres

⁶⁷ 4,45: *Superbum est enim, iudices, et non ferendum dicere praetorem in provincia homini honesto, locupleti, splendido „Vende mihi vasa caelata.“ Hoc est enim dicere „Non es dignus tu qui habeas quae tam bene facta sunt; meae dignitatis ista sunt.“*

⁶⁸ For Verres as tyrant, see also ZIMMER 1989, 515-16 and VASALY 117 (with additional bibliography).

⁶⁹ ... *telas quae ex vetere more in atrio texebantur ...?* (Asconius 43c = 37-8 KS = Stangl p. 38 no. 13 = H. I. FLOWER, *Ancestor Masks and Aristocratic Power in Roman Culture*, Oxford 1996, 194-96, with further discussion by LOANE 69). There is other evidence for weaving as an occupation of elite women: Plutarch (Ant. 10) says that Antony's wife Fulvia was a woman who took no interest in weaving or in managing a household; Livia and her household, on the other hand, produced the cloth for Augustus' togas at home (Suet. Aug. 73). Loom weights have been found in at least one atrium house (I 10.8) at Pompeii, but the social status of the owners is disputed (WALLACE-HADRILL, *Houses and Society* 88, with bibliography).

reduced these elite to the same level as the artisans he had locked up (*eos concludit*) in the *regia*.

Thus, in Sections One and Two of the oration, Verres' pursuit of art goes beyond the extortion of art and skilled labor to the extortion of status itself. His insatiability and his disregard for his elite victims are underscored throughout these sections with three kinds of recurring images: 1) how rich Sicily had once been in personal wealth and how little of that wealth now remained,⁷⁰ 2) Verres himself, characterized by a series of unattractive metaphors,⁷¹ and 3) the phrase used in Cicero's description of Verres' workshop, „leaving nothing behind for anyone else“. ⁷² The image of the governor in workman's tunic and Greek mantle – tyrant and chief *institor* in the province – stands in shocking contrast to the social role that a Roman proconsul was intended to play.⁷³

Luxury Goods and Roman Elite Society in the First Century BC

Only sporadic evidence exists for the history of luxury production in Republican Italy, but Verres' manufacture of silver plate may represent a moment of transition in that history.⁷⁴ According to Pliny (nat. 33,143), silver tableware was so rare in the third century BC that a Carthaginian embassy to Rome found the same set in every household – a set that was ostensibly moved from house to house when the Carthaginians were enter-

⁷⁰ This idea appears in a series of passages marked by the use of *tot* and *tam*: 4,1 (*nego in Sicilia tota, tam locupleti, tam vetere provincia, tot oppidis, tot familiis tam copiosis, ullum argenteum vas ...*), 4,7 (*tot praetores, tot consules in Sicilia ... quorum nemo sibi tam vehemens, tam potens, tam nobilis visus est ...*), 4,43 (*... tot annos in Sicilia negotiaretur, a te solo ita esse contemptum ...*), 4,44 (*... nemo inventus est tam amens ...*), with a longer variant of the idea at 4,46-48.

⁷¹ I. e. as a merchant with the authority of a Roman praetor (4,8), a pirate (4,21-22; 4,95), a monstrous portent (4,47: *prodigium* and *monstrum*), a „broom“ (*everriculum*) that had „swept“ the province clean, and a pig (*verrinus*), whose huge imprint could still be seen (both, 4,53; for the image of Verres as hog, see also 4,95). For the word-play on Verres as Broom and Pig, see A. CORBEILL, *Controlling Laughter. Political Humor in the Late Roman Republic*, Princeton 1996, 91-95.

⁷² Cf. 4,2 (*nihil ... quod ad oculos animumque acciderit ... reliquisset*), 4,7 (*nullum ... reliquit*), 4,8 (*nihil cuiquam relinqueret*), 4,36 (*nihil cuiquam quod suum dici vellet relictum*), 4,54 (*ut ne unum quidem cuiquam reliquisset*).

⁷³ Cf. BRAUND 15-16.

⁷⁴ Luxury productions of various sorts and media would each have had their own history but the evidence does not exist or has not been synthesized in a way that would allow me to create a synthetic picture of their development. My account will deal primarily with the production of silver plate, which is discussed with unusual detail by Pliny (nat. 33,139-57) and summarized by STRONG 123-24.

tained. In the second century it became fashionable for Romans to have silver (id. 33,148-50) and the *lex Fannia* of 161 BC shows that many of them had at least 100 lbs. of it. Q. Fabius Maximus Allobrogicus had 1000 lbs. of silver in 121 and Livius Drusus had 10,000 lbs. in 91 BC (id. 33,141), exceptional cases, certainly, but illustrative of a trend. By the time of Pompey the Great, demand was so great and differences in quality so widely appreciated that luxury tableware was being produced by famous silversmiths in workshops in Rome (id. 33,156-57), a development comparable to contemporary production of painting and statuary.

What was Verres' place in this development? It is generally assumed that his amassing of luxury goods was for personal use or for that of friends.⁷⁵ I think, however, that Verres was an art dealer, so let me present two arguments against the traditional view: First, in Book one (1,22), Cicero refers to Verres as a dealer in statues and painted tablets – *mercator signorum tabularumque pictarum*; and in 4,4 he reproaches the jury with the fact that „we have sent a merchant (*mercatores*) to our province, with the authority and insignia of a governor, to buy up all the statues and pictures, all the gold and silver plate, all the gems and ivories, and leave nothing there for anyone.“⁷⁶ Obviously, Cicero's use of the word *mercator* is presented as if it were metaphorical, but at 4,47 he also says of Verres, „would it not seem to you that his goal was to satisfy not just the desires of one man – that man's own eyes – but also the acquisition-frenzy (*insanias*) of all the greediest men [in Rome] when he returned?“⁷⁷ In any event, Cicero's choice of the word *mercator* does not undermine my case.

⁷⁵ Cicero's text supports this impression. Cf. Verr. II 1,57: „the things that you surreptitiously took from the most sacred shrines we see only under your roof and those of your friends“ – *tu quae ex fanis religiosissimis per scelus et latrocinium abstulisti, ea nos videre nisi in tuis amicorumque tuorum tectis non possumus*. Location may not, however, mean permanence (see infra).

⁷⁶ Verr. II 1,60: „It would appear that he was sent out to Achaia and Asia and Pamphylia, at the national expense and with the title of assistant governor, in order to engage in the statue and picture trade“ – *mercator signorum tabularumque pictarum missus est*; 4,8: *mercatores in provinciam cum imperio ac securibus misimus, omnia qui signa, tabulas pictas, omne argentum, aurum, ebur, gemmas coemeret, nihil cuiquam relinqueret*.

⁷⁷ 4,47: *Nonne vobis id egisse videtur ut non unius libidinem, non suos oculos, sed omnium cupidissimorum insanias, cum Romam revertisset, expleret?* The allusion here is to Verres' passion for acquisition – „what Verres' friends (4,1) call a foolish weakness (*morbum et insaniam*) and to Cicero's constant reference to the senses of sight and sound as inciting Verres' greed (e. g. 4,2) „nowhere in Sicily ... has he left behind any object ... that his eyes coveted (*nihil apud Siculum ... quod ad oculos animumque acciderit ... reliquisse*).“

Secondly, and even more than the label of *mercator*, it is the scale and focus of Verres' collecting and production activity that suggest commercial motives. Some of Cicero's characterizations of Verres' craft production are purely rhetorical: i. e. the number of persons whose rings the governor stripped from their fingers was „unimaginable“ (4,57) and to indicate the vastness of his furniture manufacture, Cicero asks broadly (4,60), „were any bronze-clad couches or lamp-stands made during (his) tenure in Syracuse for anyone but him?“ Other examples are sufficiently precise to bring his production into practical perspective: Verres had enough gold cups made to furnish half a dozen *abacus* or sideboards (4,57) and his Sicilian notables produced enough purple coverlets to upholster thirty couches „for each of his dining rooms (*conclavia*), both in Rome and in his country houses (4,58)“.

The image of six *abacus* full of silver was clearly intended to suggest an extraordinary amount of silver but our ability to visualize it is limited by the absence of well-documented comparanda. Six *abacus* certainly held more silver than the ca. 22 pieces laid out on a presentation table in a fresco from the tomb of C. Vestorius Priscus in Pompeii. Six *abacus* would also have contained the large hoards from Boscoreale (109 pieces) and the House of Menander at Pompeii (118 pieces).⁷⁸ On the other hand, since at 23.5 kg. or ca. 72 Roman lbs. the Menander treasure was smaller than the 100 lbs. of silver allowed by the *lex Fannia* or the collections of Allobrogicus and Livius Drusus, much larger collections than these must have existed in Verres' day.⁷⁹ Clearer insight into its size and function may be gotten by comparing what is known of Verres' production with the kinds of pieces these surviving collections contain. The tableware produced in Verres' shop seems to have consisted largely if not entirely of drinking cups – *pocula* and

⁷⁸ Evidence for the size and, to a lesser extent, for the display of silver services at Pompeii has been discussed by PAINTER 2-3 and 23-24: the atria of two Pompeian houses (III 2.1a and I 6.11) and the north corridor of the House of Menander evidently contained wooden cupboards like the ones that held Sisenna's silver plate in Verr. II 4,33. For a longer discussion of wooden storage chests in the Roman house (*abacus* or *armaria*), see P. M. ALLISON, Labels for Ladles: Interpreting the Material Culture of Roman Households, in: P. M. ALLISON (ed.), The Archaeology of Household Activities, London 1999, 60-61. Tomb of Vestorius Priscus: S.T.A.M. MOLS, E. M. MOORMANN, *Ex parvo crevit*. Proposta per una lettura iconografica della Tomba di Vestorius Priscus fuori Porta Vesuvio a Pompei, RSP 6, 1993-94, 30-32 (figs. 22-23), 44.

⁷⁹ By the late 80s BC, silver dishes were being produced that weighed 100 lbs. apiece (Plin. nat. 33,145). Thus, the quality of a collection was not necessarily determined by its size: the weight of the silver gave it a fluctuating baseline value and other qualities like workmanship, design, or artist added to that value. On the vagaries of fashion in silver production, see Plin. nat. 33,139-40. On the „celebrities“ of silver production, id. 33,154-57.

scaphia – while surviving hoards of domestic silver show that a normal household collection contained a mix of drinking silver, eating silver, toilet silver, and show plate. The typical domestic service also contained a smaller number of drinking cups – eight pairs in the House of the Menander collection and the same number at the Pisanella villa at Boscoreale.⁸⁰ Although not definitive, these comparisons make it seem likely that Verres' cups were not for use in his household.

The number of purple couch covers produced for Verres also exceeded normal domestic requirements. A room large enough to hold 30 couches (*triakontaklinoi*) was enormous: the three large dining rooms in the Macedonian palace at Vergina had space for 30 couches each and this was apparently the maximum size imaginable for a permanent dining structure.⁸¹ Although it is conceivable that some of Verres' villas – or those of his wealthier contemporaries – were large enough to include *triakontaklinoi*, few Romans are likely to have built them.⁸² In Rome, townhouse space was limited by the topography and congestion of the city and no one entertained so many people on a regular basis in the country. Travelers stopped overnight; friends came for short visits – a large *oecus* like the Room of the Mysteries at Pompeii probably gives some idea of the permanent accommodations made for large dinner parties in either city or country.⁸³ More importantly, however, *triakontaklinoi* were too large for a Roman style of dining. The ethos of the Roman *triclinium*, in contrast with that of the Greek, was to create a „small group of intimates, closely packed together“. Thus, Cicero's statement, that Verres' enormous textile production was for his *conclavia* – a generic word for rooms used for a variety of everyday

⁸⁰ PAINTER 14-25 has surveyed the surviving domestic hoards from Boscoreale, the House of Menander, Hildesheim, and elsewhere.

⁸¹ The Vergina palace is illustrated by R. GINOUES, *La Macédoine*, Paris 1993, 85; LA ROCCA 13, fig. 8. The banqueting tent of Ptolemy Philadelphus, (*Athen. deip.* 5,196), contained 130 couches, but this underscores the fact that such an immense number of guests was unusual – even for kings – and was normally accommodated by temporary structures.

⁸² For *triakontaklinoi* in general, see DUNBABIN 88 and n. 22. DUNBABIN (92) knows of no existing Roman townhouse or villa that adapts „any recognizable form of the Greek domestic dining room, square or broad, as we have seen it so far.“

⁸³ Banquets involving large numbers of people were held outdoors or in the *atrium* (D'ARMS, *Performing Culture* 307; Verr. II 4,33, Sisenna's party), or in more than one *triclinium* (D'ARMS, *Performing Culture* 309). The congestion of the city and the spatial limitations on the Roman townhouse have been emphasized by LA ROCCA 7 to explain the development of the enormous suburban *horti* in late Republican Rome. On social life in the Roman villa, see J.D'ARMS, *Bay of Naples* 48-52. For the numbers of guests at Roman dinner parties, see DUNBABIN 89 and 92 (nine), PAINTER 39-41.

functions – was probably sarcastic and was probably intended to underscore the un-Roman scale of his production.⁸⁴

Why should Verres' output have been so large? He was wealthy and may have owned many properties, but they were not standing empty when he went to Sicily and the objects that he owned appear to have been first-rate.⁸⁵ His silver collection is described by Cicero (4,62) as „exceedingly large and beautiful even before he began to produce gold cups in the *regia*“ – *plurima et pulcherrima vasa argentea – nam haec aurea nondum fecerat*. At the time of his trial, his atrium (Verr. II 1,61) and peristyle (II 1,50-51) contained statues from the Samian Heraion that he had acquired a decade earlier during his quaestorship with Dolabella.⁸⁶ These were sold just before the trial, apparently to hide the fact that he had no receipts for their purchase (II 1,61). Nevertheless, he took other treasures with him into exile at Massalia, where they made him a target for Antony's proscriptions in 43 BC (Plin. nat. 34,6). This anecdotal evidence suggests that Verres' personal preference was for temple-quality monuments – old and of exceptional craftsmanship or of distinctive provenance – which he held for a long time. If this is true, his massive, almost undifferentiated acquisition of lesser statuary and recently manufactured plate is not likely to have been for his personal use.⁸⁷ It was an entrepreneurial enterprise, parallel to his manipulation of the Sicilian corn tithe, and both intended to raise cash or enhance political friendships.⁸⁸

⁸⁴ For the difference in ethos between Greek and Roman dining, see DUNBABIN 89, 98. On the associations of the term *conclavel/conclavia*: E. W. LEACH, *Oecus on Ibycus: Investigating the Vocabulary of the Roman House*, in: S. E. BON and R. JONES (edd.), *Sequence and Space in Pompeii*, Oxford 1997, 64-67.

⁸⁵ Cf. 4,36: „Even before you became praetor, your town house was full of beautiful statues, many more were placed in your country houses, many more stored in the houses of your friends, many more presented as gifts to other people ...“

⁸⁶ Cf. also II 1,19 and 51; 1,21 and 57.

⁸⁷ There are only a few instances in which Cicero's language suggests that Verres was acquiring a particular object for himself and all of them could be interpreted as rhetorical. Cf. 4,6-7: Verres' privations, treated as a broad phenomenon (... *tot domus locupletissimus istius domus una capiet?*); 4,32: the two embossed cups of Pamphilus of Lilybaeum that were judged by Tleptolemus and Hiero to be „unworthy of Verres' collection“ (... *non dignum quod in suo argento Verres haberet* ...); 4,75: the Diana of Segesta kindles Verres' heart with unreasoning desire – presumably to own it, although this is never specified; 4,97: the *hydriae* dedicated by Scipio Aemilianus at Engyion that Cicero implies were intended for Verres' house (... *hostium spolia, monumenta imperatorum, decora atque ornamenta fanorum posthac his praeclaris nominibus amissis in instrumento atque in supellectile C. Verris nominabuntur*).

⁸⁸ Verres also extorted race horses and breeding mares from the provincial elite; cf. Verr. II 1,28 (Sicilian stud mares) and 1,49 (gifts of horses to Verres in Asia). Racing was

It is not difficult to understand why Verres wanted money and friends. The reasons are often cited in relation to other political elites: It was expensive to be elected to office; praetors had to extort money from their provinces to recoup their election expenses and to cover the bribes necessary for acquittal when they were inevitably brought to trial.⁸⁹ It is surprising to find Verres raising money – or offering bribes – with „art“, but Cicero suggests (II 1,58) that the idea came to him in 74 BC, when, as urban praetor, he displayed statuary from Asia in the Roman Forum and saw the enthusiastic response of the wealthy and powerful.⁹⁰

The 70s BC marked the beginning of a long, rapid upswing in the elite standard of living at Rome. In this environment, the novelty and quality of Verres' imported statuary would have had a definite appeal. In a famous passage, Pliny (nat. 36,109-110) describes what appears to be an inflationary spiral of material expectation and consumption:

„In the consulship of M. Lepidus and Q. Catulus (78 BC), as is agreed among our most precise authorities, there was no more beautiful house at Rome than that of Lepidus himself. But ... within thirty-five years the same place was not even rated as the hundredth most beautiful house. Whoever wishes to may compute from this estimate the value of the vast mass of marble, the paintings, the regal expenses – the value, in fact, of a hundred houses which competed with the most beautiful and praiseworthy [houses of their time] and afterward were surpassed by innumerable others right up to the present day.“⁹¹

a big business in Rome in the first century, and the Roman elite provided the horses for the games: M. JUNKELMANN, *On the Starting Line with Ben Hur: Chariot-Racing in the Circus Maximus*, in: E. KÖHNE, C. EWIGLEBEN, R. JACKSON (edd.), *Gladiators and Caesars. The Power of Spectacle in Ancient Rome*, Berkeley 2000, 88-89; A. HYLAND, *Equus. The Horse in the Roman World*, London 1990, 203-208. I am grateful to Sarah Cantor for these insights into the profitability of horse racing for the Roman elite.

⁸⁹ On the Roman need for money and influence, see BRUNT 280-81 and EDWARDS 183-84, and bibliography in her n. 26. For Verres' gifts to prominent Romans, probably as a precaution against indictment, see MITCHELL 139 and PALMER 111-115.

⁹⁰ Verr. II 1,58: *Quo quidem tempore, iudices, iste spem maximam reliquorum quoque peccatorum nactus est; vidit enim eos qui iudiciorum dominos se dici volebant harum cupiditatum esse servos* – „it was at that very time that he realized [what] the greatest potential advantage for the rest [of his plunder] and offenses would be: for he saw that those who wanted to be called the masters of the juries were themselves slaves to desire for these [very luxuries].“

⁹¹ *M. Lepido Q. Catulo cos., ut constat inter diligentissimos auctores, domus pulchrior non fuit Romae quam Lepidi ipsius, at, Hercules, intra annos XXXV eadem centesimum locum non optinuit. Computet in hac aestimatione qui volet marmorum molem, opera pictorum, impendia regalia et cum pulcherrima laudatissimaque certantes centum domus posteaque ab innumerabilibus aliis in hunc diem victas.*

The impetus for this development has been ascribed, in very general terms, to the „competition for offices, wealth, and prestige ... characteristic of the late Republic“, but I suspect that it had a more precise origin in the social and economic instability of the Sullan and post-Sullan eras – in Sulla's proscriptions (82-81 BC) and in his increase in the size of the Senate, from 300 to 600 members.⁹² In Republican Italy, public office had specific property requirements and a more general expectation of visibility and decorum.⁹³ Senators or other elites who lived in rented accommodations were targets for invective; those who had houses were expected to furnish them adequately (cf. Vitruv. 6,5,2) and to entertain with appropriate display.⁹⁴ The competition to excel at hospitality was particularly noticeable at festivals when, according to Gellius (2,24,2), the leading citizens used to „interchange“, or to act as host to each other in rotation – *principes civitatis, qui ludis Megalensibus antiquo ritu mutitarent*. Although Gellius specifies the practice only for the Megalesian games, a similar custom seems to have been attached to the *ludi Romani* and *plebei*, the *Saturnalia* and other occasions (id. 2,24,3). Cicero (4,33) describes such a dinner party hosted by L. Sisenna, with all his silver plate on display (*argentum expositum in aedibus*)

⁹² P. ZANKER, *Pompeii: Public and Private Life*, Cambridge MA 1998, 140 attributed the origins of the phenomenon described by Pliny to the opening up of Roman politics and society to wealthy *municipites* and merchants after the Social War (91-89 BC). EDWARDS (61) and LA ROCCA (8) ascribe it less precisely to the enormous increase in wealth that accompanied Roman expansion in the Republic and to competitive displays of wealth and taste. – There is obviously a great deal of overlap between these events and trends so this focus on the proscriptions may seem to split hairs. The Social War was roughly contemporary with the proscriptions, and many of Sulla's supporters were *equites* or from the *municipia* (WISEMAN 6-7). The social display of wealth can be documented at an earlier date in Roman history than the governorship of Verres. Nevertheless, if we are to better understand the cultural history of the late Republic, the impact of these individual events and trends must ultimately be problemmatized. I think that the social and economic shock of the proscriptions had a particular impact on contemporary *metropolitan culture*, to which the outcome of the Social War and earlier consumption patterns were distinctly secondary. For the disruptive effect of the proscriptions on contemporary Roman society, see L. CANFORA, *Proscrizioni e dissesto sociale nella Repubblica Romana*, in: A. GIARDINA, G. SCHIAVONE (edd.) III, 219-21. He (209) estimates the number killed in Sulla's proscriptions as 4700, at least half of which were among the former elite. FRANK (336-41) summarizes the evidence from this period for confiscations and sales. WISEMAN (6-12) provides a useful history of size fluctuations in the Senate in the later first century BC.

⁹³ According to Suet. Aug. 41, Augustus increased the property qualification for senators from 800,000 HS to 1,200,000 HS.

⁹⁴ Cicero's picture of Piso (66-67) shows that a relentlessly frugal lifestyle created as unattractive a picture in court as a lavish one.

and the house full of distinguished guests „as befitted a man of his rank“ – *pro dignitate L. Sisennae domus esset plena hominum honestissimorum.*

Consumption was thus essential to the establishment of political credentials and to the maintenance of social standing. The proscriptions put the household treasures of former elites on the market and made openings in Roman politics and society for Sulla's supporters, many of them *equites* or *municipes*, who were then forced to acquire the trappings of Roman elite status. At the same time, moreover, the Roman currency seems to have been losing either value or liquidity. Given the multiple dangers and uncertainties of this period, investing in liquid assets that would hold or increase their value made excellent economic sense.⁹⁵

The inflationary development described by Pliny is also assumed to have been an elite phenomenon, and this is probably true if the term „elite“ is broadly defined.⁹⁶ There is anecdotal evidence to show that the Roman elites did act as „style-setters“ in late Republican Rome: J. D'Arms' reconstruction of the banquets of Q. Caecilius Metellus Pius, consul with Sulla in 80 BC, shows that „he lived lavishly and that his tastes were understood and copied when he was entertained by his officers in Spain“ (74 BC); Cicero (off. 1,140) regrets that Lucullus' villas were more copied than his good character.⁹⁷ On the other hand, the Sullan „power-elite“ was not limited to *nobiles* like Metellus and Lucullus. The lifestyle of Sulla's freedman, Chrysogonus, was equally lavish (Cic. S. Rosc. 46,133-135):⁹⁸

⁹⁵ On the currency: CRAWFORD 175-94, 240-44 and C. NICOLET, Commerce and Money, in: J. CROOK, A. LINTOTT, E. RAWSON (edd.), The Cambridge Ancient History² IX, Cambridge 1994, 633-34. CRAWFORD (185-94 and fig. 74) argues against an actual debasement of the coinage but instead that the crises of the 80-70s produced various *ad hoc* solutions to a progressive loss of liquidity. For the regard for plate as a liquid asset, see also PAINTER 26-27.

⁹⁶ Increase in luxury as an elite phenomenon: TREGGIARI 240; SCHATZMAN 94-99; WALLACE-HADRILL, Houses and Society 143.

⁹⁷ Metellus Pius: SHATZMAN 266; LA ROCCA 18; D'ARMS, Performing Culture 309-311.

⁹⁸ Chrysogonus: TREGGIARI 183-84. WALLACE-HADRILL (Horti 2) has also observed that the concept of ‚elite‘, ‚ruling class‘, or ‚upper class‘ in late Republican and early Imperial society is probably not sufficiently differentiated, but he visualizes various intersecting „circles“ of elites at a national, regional, or local level, and within the national circle (3-4), groups of „power elite“ and „elites detached from public service“ whose modes of self-display might be somewhat different. The social distinctions that I call attention to here are different, involving members of a „power elite“ who are outsiders to „traditional elite“ circles, but who nevertheless exerted a great deal of influence on contemporary social life.

Here you have [him] coming down from his fine house on the Palatine: he has for his enjoyment a pleasant suburban house, a number of farms all of them excellent and accessible; a house crammed with Delian and Corinthian vessels, among them that self-cooker (*authepsa*), bought recently at so high a price that passers-by, who heard the auctioneer crying out the bids, thought that an estate was being sold. Can you imagine the quantities of embossed silver, coverlets, pictures, statues, and marble that he possesses? As much stuff, of course as one person can heap up in a single house, of the things taken from many illustrious families at a time of turmoil and violence ... But what am I to say about his vast household of slaves and the variety of their technical skill? I say nothing about common trades, such as those of cooks, bakers, litter-bearers; to charm his mind and ears, he has so many artists, that the whole neighbourhood rings daily with the sound of vocal music, stringed instruments, and flutes, and with the noise of banquets by night. When a man leads such a life, gentlemen, can you imagine his daily expenses, his lavish displays, and his banquets? Quite respectable, I suppose, in such a house, if that can be called a house rather than a manufactory of wickedness and a lodging-house of every sort of crime ... And look at the man himself. You see how, with hair carefully arranged and reeking with perfume, *he struts round the forum with a crowd of togati (magna caterva togatorum)*. You see, gentlemen, what contempt he has for everyone, as if he considers no one more important than he is (*ut hominem prae se neminem putet*), and as if he thinks that only he is powerful and rich (*ut se solum beatum, solum potentem putet*).⁹⁹

Although Sullans of all stripes were ready to flaunt their success in the new regime, the spectacle created by an *arriviste* like Chrysogonus was probably more disruptive to Roman society than that of a *nobilis* like Metellus.¹⁰⁰ His power attracted even freeborn Romans to him, as Cicero's phrase *caterva togatorum* makes clear. His lifestyle, a visual symbol of his wealth and power, must have wreaked havoc with traditional ideas about visibility and

⁹⁹ S. Rosc. 46,133-135: *Alter tibi descendit de Palatio et aedibus suis; habet animi causa rus amoenum et suburbanum, plura praeterea praedia neque tamen ullum nisi praeclarum et propinquum; domus referta vasis Corinthiis et Deliacis, in quibus est authepsa illa, quam tanto pretio nuper mercatus est, ut, qui praetereuntes praeconem enuntiare audiebant, fundum venire arbitrentur. Quid praeterea caelati argenti, quid stragulae vestis, quid pictarum tabularum, quid signorum, quid marmoris apud illum putatis esse? Tantum scilicet, quantum e multis splendidisque familiis in turba et rapinis coacervari una in domo potuit ... (135) ... Ipse vero quem ad modum compto et delibuto capillo passim per forum volitet cum magna caterva togatorum, videtis, iudices, videtis, ut omnes despiciat, ut hominem prae se neminem putet, ut se solum beatum, solum potentem putet.*

¹⁰⁰ This phenomenon is more frequently noted for the early Empire; cf. EDWARDS 153-55 with bibliography.

social class and created a benchmark for luxury that others – especially traditional elites with social images to defend – found difficult to ignore. The result of this new social situation may be seen in Lucullus' reply to criticism of his Tusculan villa (cf. Cic. leg. 3,30-31): he had two neighbors, Lucullus said, an *equus Romanus* and a freedman. If men of lower rank had magnificent villas, he ought to be able to have one too.¹⁰¹ By the time *De Legibus* was written, in the late 50s, this pattern of competitive consumption was already in its third decade and soon to gain momentum from an even larger Senate and a new wave of proscriptions.¹⁰²

I suspect that some *nobiles*, like Verres, played an important role in this environment of acquisition and elite social display. They understood what possessions and what level of quality were required by contemporary Roman society and they had political connections that enabled them to address the demand. Verres is not the only Roman of rank to see the possibilities. Crassus bought properties and upgraded them; the same is true of a certain Damasippus, possibly Junius Damasippus, the son of a Roman praetor.¹⁰³ Atticus mediated books and furniture for fashionable properties; the Cossutii engaged in a range of activities – architecture, sculpture, and slaves.¹⁰⁴

¹⁰¹ Cicero is critical of Lucullus' response to the situation: „Don't you realize, Lucullus, that even *their* aspirations [i. e. those of men of lower rank] are your responsibility? The abuses of the leading men (*principes*) are bad enough; but what is worse is the way they have so many imitators. History shows that the leading men in society have always dictated its character. Whenever there has been a transformation of morals and manners (*mutatio morum*) among the social leaders, the same transformation has followed among the people (*populus*).“ WALLACE-HADRILL (Houses and Society 143) cites this passage to argue that the increase in luxury was an elite phenomenon, but the passage shows only that that is what Cicero would like for it to be.

¹⁰² The Senate was enlarged by Caesar to 900 and by the Triumvirs to over 1000 (WISEMAN 8) and there was a second round of proscriptions under Antony, Lepidus, and Octavian in 43-42 BC.

¹⁰³ Crassus bought both proscribed properties (Plu. Crassus 6,6) and burning houses, which were subsequently saved and rehabilitated by his slave architects and builders (ibid. 2,1-6); cf. TREGGIARI 133. According to A. M. WARD (Marcus Crassus and the Late Roman Republic, Columbia MO 1977, 71-72), many of these properties were sold to Sulla's new senators. Damasippus speculated in both real estate and art, but his social position is disputed: RAWSON (Ciceronian Aristocracy 101) and WISEMAN (81) identify him as Junius Damasippus, probably the son of the praetor of 82 BC; TREGGIARI (105 n. 7) thinks that he was probably a freedman.

¹⁰⁴ Titus Pomponius Atticus: TREGGIARI 119; GALSTERER 861; E. NARDUCCI, M. LABATE, *Mobilità dei modelli etnici e relativismo dei valori: il 'personaggio' di Attico*, in: GIARDINA, SCHIAVONE III, 127-82. There has been, to my knowledge, no attempt to look at Atticus' procurement of furniture and books as „a business“ and it is certainly true that they may represent *beneficia* (mutual favors) or *gratia* (obligations for favors

These activities were often undertaken as partnerships, like Verres' relationship with the Greek artists Tleptolemus and Hiero. Verres' association with the two Greeks is presented by Cicero as sordid, but many other such relationships are attested: Crassus had his workshop of trained slaves (Plu. 2,3-4); Lucullus had a close personal connection with Arkesilaos, one of the most famous sculptors of the day; Aulus Gabinius (cos. 58 BC) had in his service Antiochus Gabinius, a freedman and pupil of Sopolis, a well-known contemporary painter; Avianus Euander, freedman of C. Avianus Flaccus, had business dealings with Cicero and C. Memmius and lived for a time in the latter's *sacrarium*.¹⁰⁵ Although the legal basis for these partnerships may have varied from case to case, relationships based upon Roman money and Greek technical expertise were too common and visible to have actually been considered scandalous.¹⁰⁶

There is a parallel between such activities, as I reconstruct them, and those of the French *marchandes merciers*, who made the rue St. Honoré the center of the *commerce de luxe* in eighteenth-century Paris.¹⁰⁷ Although their social positions and the society to which the French merchants belonged were very different, a comparison of their roles as agents of luxury to that of Verres and his elite contemporaries may help us to understand the impact that these activities – both procurement and production – may have had on Roman art and society in the late Republic. Carolyn Sargentson's investigation of the account-books left by the Parisian luxury

received) rather than a *service* in the modern sense. N. RAUH, *Cicero's Business Friendships: Economics and Politics in the Late Roman Republic*, *Aevum* 60, 1986, 7-12 goes farther than most in considering these activities as an aspect of Atticus' business dealings. O. PERLWITZ (Titus Pomponius Atticus: Untersuchungen zur Person eines einflußreichen Ritters in der ausgehenden römischen Republik, Stuttgart 1992) deals only with Atticus' financial activities. For the Cossutii: TREGGIARI 138; GALSTERER 861 and bibliog. n. 52. For other possible examples, see WISEMAN 81 and Appendix IV (pp. 198-99).

¹⁰⁵ Arkesilaos is described by Pliny (nat. 35,155) as *L. Luculli familiarem*. He worked for Lucullus as a sculptor, producing a statue of Felicitas that was left incomplete by the deaths of both of them (ibid. 35,155-156). Since this was at the end of their lives, however, there must have been other aspects to their association of which we know nothing. Antiochus Gabinius: Cic. Att. 4,18,4 (92). Sopolis: Plin. nat. 35,147-148 and TREGGIARI 136. C. Avianus Euander: ZIMMER 1989, 505-506; GALSTERER 861 and bibliog. n. 52. TREGGIARI 97-99 has collected examples of other elites operating in the luxury trade with their freedmen.

¹⁰⁶ The negative emphasis placed on Verres' relationship with Tleptolemus and Hiero may be intended to call attention to the power that Verres allowed the Kibyran artisans to exercise over the provincials in appropriating decorative objects, a power that they exploited at Verres' own expense: cf. Verr. II 4,32 and BRAUND 21-22.

¹⁰⁷ SARGENTSON 18-20.

merchants shows that they acted as importers of luxury objects, as designers, as retail outlets for city workshops, and that they often supplied those same workshops with materials and labor.¹⁰⁸ From the account-books it has been possible for Sargentson to reconstruct a development within the Parisian luxury market, two stages of which are of interest here: the first stage (ca. 1700) is characterized by the merchants' importation of objects from the Orient – objects made popular decades earlier by the French court. At this date, for example, a late 17th century Japanese lacquer cabinet might be placed intact on a French giltwood stand.¹⁰⁹ In a second stage, ca. 1720-50, imported objects were taken apart and reassembled as objects that were better suited to French social life. At this stage of commercial development, a large lacquer panel from a Japanese cabinet might be incorporated into a piece of furniture of distinctly western type, like a commode or armoire; a covered dish might be created from three separate and completely unrelated pieces of Japanese porcelain held together by French silver mounts; or a Chinese vase might be turned into a coffee urn. The Parisian account books show that imported ceramics became more valuable when refashioned with silver or gilt bronze and when they were recast into vessel shapes with greater utility in a western context.¹¹⁰

The similarity between this commercial process and Verres' use of old silver to make new gold-and-silver cups is striking and makes one ask, obviously, if the motives behind these two productions were not the same. What is perhaps more important about the model, however, is Sargentson's observation that

„if markets were formed in part through demand, the mercers could be argued to have shaped that demand in this specialist market place through their control over the design, price and classification of oriental imports ... Through changing their form and setting, the mercers were able to produce from [a few] basic object types, a range of highly differentiated goods. The mercers sat, it seems, between suppliers of goods and local finishing trades, and this position enabled them to produce considerable trading profits. *Their strategy within the marketplace, of looking towards both suppliers and consumers but essentially pursuing their own business interests, perhaps raises the question of the usefulness of the ,demand or*

¹⁰⁸ SARGENTSON 2.

¹⁰⁹ SARGENTSON 79-82, pl. 46. French merchants purchased such objects at auction as they came off the ships at French ports (eadem 62-64 passim).

¹¹⁰ SARGENTSON 68-73, pls. 11-12; 85-90.

supply' question within this [i. e. the luxury] sector of the Parisian economy." [italics mine].¹¹¹

The only model that modern scholarship has considered for the operation of the luxury trade in the late Republic is the supply-and-demand model offered by Cicero's correspondence with Atticus, wherein merchandise is sought from a well-known supply center and selection and quality are monitored by a middleman-consultant on the site.¹¹² While the parallels I draw between the Roman and French situations might not prove tenable if the evidence were available to scrutinize them more closely, the comparison at least shows that other theoretical models exist. The parallels also suggest that, while historians of ancient art have tended to regard artists and patron-consumers as the only possible catalysts to artistic and cultural change, the contribution of the businessman, who seldom leaves a trace in the art historical record, may have been equally important.

A further insight provided by the French parallel is that the Parisian luxury merchants operated within an atmosphere of quasi-social exchange. Sargentson observes that, to be successful, the merchants depended upon „a connoisseurship that guaranteed the quality of the merchandise and upon a close relationship with their clientele."¹¹³ If, as I think, this was also Verres' strategy, his social and political position gave him distinct advantages: as a *nobilis*, he had direct access to the elite consumer; as a Roman official who had been entrusted with a rich province, appropriate merchandise was easily obtained.¹¹⁴ The practical effect of this exchange may be perhaps most easily seen in the care given by luxury merchants of both periods to the sales environment. In the 17th and 18th centuries, as in antiquity, buyers typically went to a workshop to buy furniture or other luxuries. In the 18th century, however, some high-end merchants began to attract customers to shops that sold a variety of merchandise, turning them into a sort of salon.¹¹⁵ Ideas about merchandising were less sophisticated in Republican Rome, but Verres may also have perceived the benefits of an attractive sales environ-

¹¹¹ SARGENTSON 90.

¹¹² For the influence of this model, see e. g. GALSTERER 861 and F. COARELLI, *DialArch* 3.1, 1983, 45-53.

¹¹³ SARGENTSON p. 5. Other instances of this could be cited from other periods, particularly the well-known cases of Bernard Berenson and Joseph Duveen; cf. C. SIMPSON, *Partnership: the Secret Association of Bernard Berenson and Joseph Duveen*, London 1987.

¹¹⁴ For Verres' career and connections, see MITCHELL 138-42; ZIMMER, *Kunstverständnis* 868.

¹¹⁵ SARGENTSON 65-66, (as in the painting of the shop of the merchant Gersaint by A. Watteau, 1720-21, Sargentson color plate 9).

ment. Rather than housing his stock in a warehouse or shop, a practice that would almost certainly have been noted by Cicero, he seems to have „deposited“ individual objects in his properties or those of friends. In 4,36, Cicero says to Verres,

Even before you became praetor, your town house was full of beautiful statues, many more were placed (*posita*) in your country-houses, many more stored (*deposita*) in the houses of your friends, many more presented as gifts (*data atque donata*) to other people ...¹¹⁶

My evidence for this is only this one passage but, in it, Cicero makes a clear distinction between a gift and an object placed with someone on a temporary basis.¹¹⁷ I doubt that the expense of storage space was an issue for Verres; he and his friends got the use of these things until they were sold and the objects received a „patina of ownership“ – and perhaps in some cases a more polite history – that may have made them more broadly saleable.¹¹⁸

As urban praetor (74 BC), Verres also seems to have given an extraordinary amount of attention to the areas around the Forum that were associated with luxury retail. He embellished the Forum and Comitium with monuments brought from Asia, presumably for the *ludi Apollinares*. He refurbished the *Vicus Tuscus*, the Temple of Castor, and perhaps also the street that led from the *Sacra Via* to the *forum cuppedinis*.¹¹⁹ R. E. A.

¹¹⁶ 4,36: *Domus plena signorum pulcherrimorum iam ante praeturam, multa ad villas tuas posita, multa deposita apud amicos, multa aliis data atque donata ...*

¹¹⁷ This puts Cicero's accusation of Verres at Verr. II 1,57 – „the things that you surreptitiously took from the most sacred shrines we see only under your roof and those of your friends“ – into a different perspective. Cicero's account of Verres' crimes in II 1 represent a quick overview. In II 4, where the character and motives of the defendant are placed under closer scrutiny, the actual status of these objects comes more to the fore.

¹¹⁸ Issues of storage and display are different for those involved in the luxury trade than they are for other kinds of commodities. SARGENTSON's examination of trade cards attached to some pieces of 18th century furniture (p. 48) show that a piece sold by French merchant Dominique Daquerre did not sell for six years, so such pieces had to be housed and displayed until they were sold. This explains why much of the ancient (cf. TREGGIARI 98) and early modern luxury production was by commission and the principle commercial site was the workshop or auction house. If I have interpreted this passage correctly, Verres may have been something of a pioneer with respect to marketing.

¹¹⁹ For a survey of Verres' building activities as urban praetor, see PALMER 116-118. Verres let the contract for the work on the Temple of Castor on September 13, with a specified completion date of December 1 (Verr. II 1,148). This project, and presumably the work on the *Vicus Tuscus*, which must have been blocked or damaged by the construction, was therefore initiated after the *ludi Apollinares* were completed on July 19. The aediles responsible for the *ludi Romani* (Sept. 20-23) and especially the *ludi Plebeii*

Palmer has called attention to a Roman imperial inscription that refers to a *vicus statuae Verris*. He argues that this street, which appears flanked with shops on the Forma Urbis, took its name from a statue of Verres as urban praetor and from the fact that Verres built a shrine of Venus and Cupid on the Velia, facing the forum and street.¹²⁰ The location of this shrine suggests that the *vicus statuae Verris* and its shops, which were perhaps also new at the time, were intended to increase the permanent retail facilities in this area.

Cicero's Prosecution of Verres and *In Verrem* II 4,132-134

It is notable that Cicero does not attack Verres for trading in art, which means either that my reconstruction is wrong or that such activities were not regarded negatively. There were certainly some in the audience who had received art from Verres. Others may have engaged in such activities themselves, presumably with less notoriety.¹²¹ Since it was widely assumed that Verres' social and political connections would protect him in the trial (cf. Verr. I 18-19), an important part of Cicero's strategy seems to have been to discredit the governor in the eyes of his elite friends and art-clients, a strategy that targeted three separate aspects of his identity – his political and administrative achievements, his elite standing, and the reputation that he had created for himself as an art expert. With regard to political image, Verres' actions are characterized throughout Book 4 as „un-Roman“: In addition to acting like a pirate (4,21-22; 4,95), a tyrant (4,51 and passim), a „broom“ and a „pig“ (4,53), he is „womanish“, like the Greek heroine Eriphyle (4,39) who was greedy for a necklace, regardless of its cost. At the end of the oration (4,132-134), he is again shown – this time by contrast with Greek ethnic stereotypes – to be „un-Roman“ in his attachment to

(Nov. 18-20) must have been annoyed by the disruption Verres' construction caused between the forum and the circus during their staging of those later games. The date of Verres' shrine of Venus and Cupid is not specified; PALMER (133) proposes a date between 74 and 71 BC.

¹²⁰ PALMER 111-36, esp. 111-118 and 131-33 with figs. 2 and 4.

¹²¹ Verres' lawyer, Hortensius, had certainly received gifts from Verres; cf. Plu. Cic. 7,8 and Quint. inst. 6,3,98. PALMER (114-15) suggests that Pompey received a statue of Herakles as well.

things, which a „true Roman” considers, of little value.¹²² With regard to social standing, Cicero’s choice of the term *mercator* for Verres implies a lower class of merchant – one who scrambles like a shopkeeper or door-to-door salesman to make his profit. This image is juxtaposed with others that are similar: Verres as *institor* and the governor’s broom-like efficiency in clearing the island of its treasures – like an industrious street-sweeper or rag-picker.¹²³ Finally, with regard to his reputation for artistic expertise, Cicero tries to show that Verres is not a true connoisseur of art – he is just a pretender. The orator’s development of this last idea is subtle and culminates in chapters 132-134, Cicero’s vision for Roman stewardship of the Greek provinces and allies. Since these chapters are often cited as an illustration of Roman condescension towards Greeks and towards art in general, they need to be examined in any case.¹²⁴ The last lines give a clear sense of the passage as a whole:

... (4,134) It is indeed quite astonishing *how much a Greek enjoys these things of which we think so little*. Because of this, our forefathers (*maiores*) were ready to let them keep as many of such things as possible: to let our [Greek] allies keep them, so that they might enjoy the utmost splendor and prosperity as members of our empire; and even to leave them in the hands of those [Greeks] whom we made our subjects and tributaries so that *those things, which are pleasing to them and trifling to us*, might cheer and console them in their state of subjection.¹²⁵

If taken at face value, this passage is condescending: in lines 132-134 Cicero emphasizes the difference in the value placed on art objects by

¹²² For the susceptibility of women to luxury and the use of gender characterizations in invective, see EDWARDS 80; M. WYKE, *Women in the Mirror: the Rhetoric of Adornment in the Roman World*, in: L. ARCHER, S. FISCHLER, M. WYKE (edd.), *Women in Ancient Societies: An Illusion of the Night*, Hampshire 1994, 134-48, esp. 135-41. For Verres as „un-Roman”, see DYCK 123.

¹²³ For Cicero’s attitude to *mercatura*, see off. 1,150 and A. DYCK, *A Commentary on Cicero, De Officiis*, Ann Arbor 1996, 333-36. I am grateful to A. Dyck for bringing this passage to my attention. Prejudices against *institores*: J.-J. AUBERT, *Business Managers in Ancient Rome. A Social and Economic Study of Institores, 200 B.C.-A.D. 250*, Leiden 1994, 16-24, 28-30.

¹²⁴ For II 4,132-34 as an illustration of Roman condescension against Greeks and/or art: Cf. e. g. DESMOULIEZ 163-65; GRUEN, *Hellenistic World I* 265 and n. 91; VASALY 109-110, 217; GALSTERER 857.

¹²⁵ 4,134: *Etenim mirandum in modum Graeci rebus istis quas nos contemnimus delectantur. Itaque maiores nostri facile patiebantur haec esse apud illos quam plurima: apud socios, ut imperio nostro quam ornatissimi florentissimique essent; apud eos autem quos vectigales aut stipendiarios fecerant tamen haec relinquebant, ut illi, quibus haec iucunda sunt quae nobis levia videntur, haberent haec oblectamenta et solacia servitutis.*

Greeks and Romans by repeating the point three times, using roughly the same vocabulary each time for emphasis.¹²⁶ Yet, if condescension was his intent, one has to be struck by the inconsistency of the sentiments expressed here with his characterization of the Sicilian Greeks elsewhere in the oration. As noted by both Vasaly and Schmitz, in the Verrines he treats his Greek witnesses with respect and takes pains to make them appear as much „like Romans” as he can.¹²⁷ Viewed in this perspective, one wonders if the tone he intended for this passage was not one of irony rather than of condescension.

Taken as a whole, *In Verrem* II 4 seems to ask a question – what does it mean to be refined, or to be a connoisseur – and to answer that question by comparing Verres’ behavior with that of older Romans who are agreed to be well-educated (*doctus*), refined (*humanus*), and otherwise exemplary (*nobilis*). Cicero begins the Book (4,4) by stating that Verres is clever and discerning about art (*ingeniosus et intellegens*) – at least by comparison with Cicero and his listeners – but doubts about his discernment are quickly introduced: At 4,32, he is deceived by his Greek assistants who solicit a bribe from a potential victim, pocket the bribe, and report to Verres that the cups he had wanted from the victim were „not worthy of him”. This, Cicero observes, shows that, although Verres „is eager to gain a splendid reputation for being perceptive about these things” (*at ita studiosus est huius praeclarae existimationis, ut putetur in hisce rebus intellegens esse ...*), he is actually dependent upon „the eyes [of his assistants]”. A few lines later (4,46), Cicero assures the jury that the governor was only interested in the craftsmanship of the objects he took, not their monetary value (*ut intellegatis in homine intellegentiam esse, non avaritiam, artificii cupidum, non argenti fuisse*). Since, on the other hand, this apology appears within his long description of the stolen and mutilated silver, it rings sarcastic and thin.

At the end of the oration, Cicero negates even these hollow endorsements: In 4,124 (an account of the Minerva-temple at Syracuse) he reverses his statement of 4,46:

„and with this [spoliation of the temple, Verres] showed that he is attracted not only by the craftsmanship [of the door bosses] but by their value and by their potential for profit” (*et tamen indicavit se non solum artificio sed etiam pretio quaestue duci*).

In 4,126, he returns to his initial comparison of Verres with himself and his listeners, but now with obvious sarcasm:

¹²⁶ For the third instance, see supra 4,132: *intellegere possumus haec illis acerbissima videri quae forsitan nobis levia et contemnenda esse videantur.*

¹²⁷ VASALY 126-27, 205-17, esp. 215-17; SCHMITZ passim, esp. 525-27, 531.

„to this work of Silanion – so perfect, so elegant, so refined – no individual or even a nation would have a better claim than Verres, that most elegant and learned man (*homo elegantissimus atque eruditissimus*) ... One of us, however – [we] who are not as grand (*beati*) or able to be as refined (*delicati*) as he is – when one of us wants to see something of this sort, let him go to the temple of Felicitas, the monumentum Catuli, the porticus Metelli; let him apply for admission to the Tuscan villa of one of Verres' circle, or look at the decorated Forum – if Verres gives something of his treasures to the aediles [to display].“

The passage then lapses into pure invective: Verres is nothing but a laborer (*operarii*), who is better suited by his birth and education to „carry“ a statue (*ad ferenda*) than to „carry it away“ (*quam ad auferenda*) – and Cicero follows with an immediate proof thereof: in removing the Sappho from the prytaneion of Syracuse, Verres left behind its base with a Greek inscription. This *eruditus homo et Graeculus*, the one who „evaluates these things with greater subtlety [than the rest of us] and who alone understands them“, would certainly also have carried off the base, Cicero opines, „if he actually knew a single word of Greek“. ¹²⁸ Having thus brought his characterization of Verres full-circle, Cicero uses his statement at 4,132-34 to return the discussion to a higher, more statesmanlike level for the close.

It is notable that, in this lengthy characterization of Verres' expertise, the governor is never called a connoisseur. The Latin term for refinement – what we might call connoisseurship – is *humanitas*, a word with a broad range but one that is clearly used in this particular sense by Varro (ling. 8,31):

We wish to have not only dishes for eating but also ones beautiful in form and made by an artist, because the first are suitable for a human being (*homini*), the second for a person of refinement (*humanitati*). [Similarly,] any cup is all right for a thirsty man (*sitienti homini*), [but the same cup] will not do for a man of refinement (*humanitati*) unless it is beautiful. ¹²⁹

Verres is characterized by Cicero as *elegans* and *intellegens* but the term *humanus* is reserved for G. Heius (briefly, at 4,12), P. Scipio Aemilianus (4,98) and M. Marcellus (4,120). Scipio, who returned statuary and other treasures stolen by the Carthaginians to their original Sicilian owners, is the

¹²⁸ On the negative associations of manual labor, see WISEMAN 76, 84-85. For Cicero's use of *auferre* in Book 4, see FRAZEL 50-51.

¹²⁹ *volumus ... non solum vasa ad victum habilia, sed etiam figura bella atque ab artifice <ficta> quod aliud homini, aliud humanitati satis est; quodvis sitienti homini poculum idoneum, humanitati <ni>si bellum parum ...* I owe this reference to F.-H. Mutschler.

perfect foil for Verres. ¹³⁰ He is *doctissimus atque humanissimus* and clearly superior to the governor – who is characterized by Cicero, in the same passage (4,98), as *sine bona arte, sine humanitate, sine ingenio, sine litteris*. He is also superior to Verres' shallow friends, who, like Verres, only want to be considered men of taste (*qui se elegantes dici volunt*). Scipio's understanding of art comes from the realization that it only has meaning within a setting that invests it with meaning. ¹³¹

For because (Scipio) understood how beautiful these things were (i. e. the spoils returned from Carthage to Henna), he considered them unsuitable for private consumption (*hominem luxuriam*) but rather for the adornment of shrines and towns (*fanorum et oppidorum*), so that they would be monuments with meaning (*monumenta religiosa*) for generations to come. ¹³²

Marcellus, remembered by every Roman for his brutal sack of Syracuse, was a greater challenge for Cicero to draw upon as an *exemplum*, but the orator asserts the general's claim to that status with great subtlety of language (4,120-121). ¹³³

With regard to the ornaments of (Syracuse), [Marcellus] held [both] to his calculation (*ratio*) of [the proceeds of] victory and to [his calculation of the requirements of] refined/civilized behavior (*humanitatis*). [The proceeds] of victory he considered to be the carrying off of many things to Rome, which were capable of decorating that city; [the stipulation] of civilized behavior [he reckoned] to be to not despoil (Syracuse) completely, especially since he wanted to preserve [that city as a city]. In [the re-

¹³⁰ FERRARY 578-88. FERRARY (582-85) argues that Scipio modeled his action after Alexander the Great, who returned monuments stolen by the Persians to their original Greek settings and that Scipio (587-88) presented himself as the protector and avenger of the Greeks.

¹³¹ On this, see also D. KINNEY's discussion of Cicero's contrast of *spolia* (military spoils) and *spoliatio* (denudement): Rape or Restitution of the Past? Interpreting *Spolia*, in: S. C. SCOTT (ed.), *The Art of Interpreting*, University Park, PA 1995, 53-54 (= Papers in Art History from the Pennsylvania State University IX).

¹³² 4,98: *Nam quia quam pulchra essent intellegebat, idcirco existimabat ea non ad hominum luxuriam, sed ad ornatum fanorum atque oppidorum esse facta, ut posteris monumenta religiosa esse videantur.* Cicero's reference to these *ornamenta* as adorning both shrines and towns indicates that *religiosa* should have a broader meaning than „religious“.

¹³³ FERRARY 576 observes that Cicero minimizes the pillage of Syracuse in order to place Marcellus in opposition to Verres in his actions. (Cicero is more straightforward at II 2,4.) For Cicero's depiction of Marcellus, see FERRARY 573-78 and FRAZEL 92-96.

sulting] division of the spoils, the victory of Marcellus sought no more for the Roman people than his humanity reserved for the Syracusans.¹³⁴

Thus Marcellus' understanding of art is similar to Scipio's – if it is removed as spoils, it should function as a commemoration of victory; if allowed to remain in its original setting, it serves as a touchstone for the community to whom it belongs. Lines 4,132-34 draw upon and extend these ideas of art, meaning, and connoisseurship to the Roman *maiores* as a collective: their policy of allowing the allies and subject Greeks to keep their monuments was based on a clearer understanding of what gives an object value than Verres' pretended sophistication.¹³⁵ This passage does not deny the importance of art – it reflects on what it is to be a Roman connoisseur in a world of subject peoples.

Conclusion: The Roman Luxury Market and Roman Art in the First Century BC

In the first century BC, Verres' taste for „Old Masters“ and that of his target-consumer seem to have been fairly conservative. Although we know nothing of their *style*, the kinds of objects he seized and manufactured were already staples of the luxury trade a century earlier. On the other hand, the contemporary luxury market was more dynamic and innovative than Cicero's oration suggests. In addition to traditional *desiderata* like statuary, paintings, textiles, and plate, many consumers of the period seem to have been attracted to technical innovations – like Chrysogonus' *authepsa* – or to exotic imports that few other elites could be expected to possess.¹³⁶ Since ways were ultimately found to produce or import many of those novelties more cheaply, a constant desire for „the new“ came to co-exist with a desire for traditional display objects in the luxury market of the last century BC. Elite Romans were not blind to the opportunities presented by either

¹³⁴ 4,120-21: *In ornatu urbis habuit victoriae rationem, habuit humanitatis; victoriae putabat esse multa Romam deportare quae ornamento urbi esse possent, humanitatis non plane exspoliare urbem, praesertim quam conservare voluisset. In hac partitione ornatus non plus victoria Marcelli populo Romano appetivit quam humanitas Syracusanis reservavit.*

¹³⁵ For Cicero's presentation of the *maiores* as the creators of a *weltumfassendes imperium Romanum*, see H. ROLOFF, *Maiores bei Cicero*, Diss. Göttingen 1938, 114-28. Since this process began with the acquisition of Sicily (Verr. II 2,2-3; ROLOFF 116), chaps. 4,132-34 may be part of a broader thread that runs through the Second Action. – I owe this reference and a photocopy of the text to A. Dyck.

¹³⁶ On *authepsae*, devices for heating water to mix with wine, see K. M. D. DUNBABIN, *Wine and Water at the Roman Convivium*, JRA 6, 1993, 120-29.

market: C. Sergius Orata is remembered for his invention of artificial fishponds and *balneae pensiles* – a product variously identified as hypocausts or showers. Atticus and Varro published books with images of famous people, using a technique for inserting actual images into texts that was invented by Varro.¹³⁷ Pompey's eastern campaigns and his reorganization of the Levant made a myriad of new imports available to his contemporaries: emeralds, pearls, new gem stones in assorted colors (sard, carnelian, onyx, amethyst, garnet, et al.), sideboards for the display of gems, myrrh bowls and drinking cups, silver mirrors, new botanical specimens, et al.¹³⁸ This phenomenon is too large and varied to be considered here but the volume of luxuries that became available in this period had an impact on every level of Roman society and established the basis for new patterns of consumption that were to continue into the imperial period.¹³⁹

The relationship between material display and social rank had particular consequences for Roman leaders of the late Republic and early Empire. Recognizing the difficulties posed by escalating consumption as status-signifier, super-elites Pompey and Augustus adopted a different formula: They chose to live in comparatively small town houses, strategically-situated, and they invested ostentatiously in public works.¹⁴⁰ The old, ineffective rhetoric discouraging consumption received a new, more emotive packaging from Augustan poets, with strong pressure on elites from Agrippa to „nationalize“ significant pieces from their art collections.¹⁴¹ Ironically,

¹³⁷ C. Sergius Orata: Plin. nat. 9,168; RAWSON, *Ciceronian Aristocracy* 11-101 (shower baths?), D'ARMS, *Bay of Naples* 18-20 (openings in the floor for the circulation of hot air). Atticus' and Varro's books: Plin. nat. 35,11. Pliny does not say that these books were a money-making venture but his description of Varro as having „by some happy discovery, inserted into his books images of 700 famous men“ (... *benignissimo invento insertis voluminum suorum fecunditati etiam septingentorum inlustrium aliquo modo imaginibus* ...) and thereby „to have not only bestowed immortality but to have sent it throughout all lands so that his subjects could be everywhere, like the gods“ (... *quando immortalitatem non solum dedit, verum etiam in omnes terras misit, ut praesentes esse ubique ceu di possent*) suggests that this was more than a domestic project.

¹³⁸ Introduction of pearls and gems by Pompey: Plin. nat. 37,12-14; FRANK 353; HENIG 153. Dining cups and bowls of myrrh, etc.: nat. 37,18; D'ARMS, *Performing Culture* 312. New varieties of trees: K. GLEASON, *The Garden Portico of Pompey the Great*, Expedition 32.2, 1990, 4-13; ead., *Porticus Pompeiana: A New Perspective on the First Public Park of Ancient Rome*, Journal of Garden History 14, 1994, 13-27.

¹³⁹ See A. WALLACE-HADRILL's remarks on luxury and social status in the early Empire: Pliny the Elder and Man's *Unnatural History*, G&R 37, 1990, 90-92.

¹⁴⁰ Pompey's house: Plu. 40,5; Augustus' house: Suet. Aug. 72,1-3.

¹⁴¹ The public reception of Augustan imagery has been identified as a phenomenon by P. ZANKER, *The Power of Images in the Age of Augustus*, Ann Arbor 1990, esp. 79-100 and 265-95. The imperial family set themselves up as examples for simple living and the

however, and in spite of the Augustan rhetoric of simplicity, the amount of commercial space devoted to luxury retail seems to have actually *increased* in the late Republic and/or under the Augustan Principate: Both Pompey's gardens and the *Saepta Julia*, refurbished by Augustus and Agrippa in 32 and 26 BC respectively, housed luxury vendors. Agrippa's *porticus Argonautorum* was the focus of the *Sigillaria* – a *mercatus* held at the time of the Saturnalia – and a well-appointed new gallery of shops in the Velabrum (the *Horrea Agrippiana*) seems to have specialized in fine clothes.¹⁴² Since the public-works model of self-representation was not attractive to lesser Augustan elites – at least on the limited scale that Augustus allowed¹⁴³ – investment in good properties, important art works appropriately displayed, and ostentatious hospitality remained the normal attributes of elite social standing. The emphasis on retail in Augustan public building suggests that the imperial *fiscus*, like Verres, saw no reason not to profit from this demand.

Abbreviations

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 P. A. Brunt, Patronage and Politics in the 'Verrines', *Chiron* 10, 1980, 273-89.
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 Collezionismo = Il collezionismo nel mondo romano dall'età degli Scipioni a Cicerone, Arezzo 2001 (= Maecenas 1).

donation of art to the public: the porticos of Livia and Octavia and the precincts of Apollo Palatinus and Mars Ultor all contained significant art; and the porticus of Livia was in fact built on the site of a luxurious house that had belonged to Vedius Pollo (Ovid, *Fast.* 6,639-48 and EDWARDS 165-65). The Augustan family villas contained only „natural“ marvels (cf. Suet. *Aug.* 72).

¹⁴² Pompey's gardens, *Porticus Argonautorum* and *Sigillarium*: App. BC 27,118; *Juv.* 6,153-54; FRAYN 138-39 and HASELBERGER 207 and 236-7, s.v. *Porticus Pompeiana* and *Stoa of Poseidon*. *Saepta Julia*: HASELBERGER 219 (s. v.); *Horrea Agrippiana*: L. RICHARDSON jr., *A New Topographical Dictionary of Ancient Rome*, Baltimore 1992, 192 (s. v.), PAPI 49, and HASELBERGER 140 (s. v.). The importation of marble for statuary and luxury building also increased with imperial control of the quarries: C. FANT, *The Roman Emperors in the Marble Business: Capitalists, Middlemen or Philanthropists?*, in: N. HERZ and M. WAELKENS (edd.) *Classical Marble: Geochemistry, Technology, Trade*, Kluwer 1988, 147-57.

¹⁴³ This was almost certainly the point: see W. ECK, *Senatorial Self-Expression*, in: F. MILLAR and E. SEGAL (edd.), *Caesar Augustus: Seven Aspects*, Oxford 1984, 129-67, esp. 138-43.

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