

Augustus and the *cursus honorum*: The Evidence for a *lex Iulia annalis*

This paper argues for the inclusion of a *lex annalis* in the list of laws issued by the emperor Augustus in his own name. There are three reasons for the absence of an Augustan *lex annalis* from modern discussions and lists (G. Rotondi [1912]) of the *leges Iuliae*: first, the law is not directly attested in any ancient source by name. The closest any text comes to alluding to a *lex annalis* is Dio's fictional record of a speech by Maecenas to Augustus, in which Maecenas recommends the proper ages for officeholders within the greater context of the administration of the Empire. Second, scholarship has failed to examine the *leges Iuliae* as a unified and discrete program of laws. Finally, the disproportionate evidence for the laws on marriage and adultery in the surviving source material has focused interest on the 'moral' reforms of the *princeps* (as in K. Galinsky [1986]) and left Augustus' administrative and constitutional laws excluded entirely from modern discussions or relegated to footnotes (as in the case of Augustus' important law on the senate in D. Kienast [1982]). This skewed perspective has made the absence of a law on the *cursus* seemingly unremarkable to the modern-eye, although the Augustan-era changes to the ages at which men could assume elected office have long been recognized.

In two parts, this paper will argue for the inclusion of a *lex annalis* in the Augustan lists and for the importance of the *princeps*' constitutional reforms through the mechanism of law. In the first section, I will briefly discuss the evidence for Augustus' changes to the ages of officeholders. Control of the *cursus* by formal *lex* was an important and long-established custom – and an effective remedy for disruptions caused by intensified electoral competition, war, and civil war – by the time of Actium. There is no evidence that Caesar issued his own *lex annalis*. Caesar himself remarks on the existence and authority of the law governing electoral age (Caes. *BC* 3.1) and, until 45 BC, the datable ages of office holders conform to a Sullan-era *lex annalis*. The

consulship had become irregular and mobbed by *suffecti* in the years of the last civil war, but normal Republican elections, division of power, and rotation of offices officially resumed in 28 BC (Syme [1986]). By the middle of the next decade (ca. 16 BC), a new, regular *cursus* emerges from the record: quaestor at 25, praetor at 30, consul at 32 for *nobiles* or the usual 42 for *novi homines*. This was a remarkable and revolutionary change that resulted in the regular election of the youngest senior magistrates in Roman history.

In the second part of the paper, I will argue that the Augustan changes were effected through law based on evidence from imperial dispensations and I will advocate for the importance of the law on the *cursus* within the emperor's other constitutional *leges*. Special dispensations were granted to the princes of the Julio-Claudian house to enter the *cursus* five-years earlier than their coevals. Tacitus, for example, reports a remission granted to the young son of Germanicus (*Ann.* 3.29). The mechanism would only have been relevant for the imperial family if a *lex* was in place from which to provide an exception. That a new, formal *lex annalis* was issued is confirmed by such dispensations, by the abrupt change in the ages at which consuls began to assume office, by the regularity the *cursus* displayed throughout the Empire, and by the tendency of Augustus to replace pre-Caesarian *leges* with new *leges Iuliae*. The more famous of the Augustan laws are those with the greatest inclusion in the surviving juristic sources, which attest to their title and remark on their content. When the Augustan reforms marginalized by modern scholarship, such as his law on the senate and the changes to the *cursus*, are considered together with the better-attested Augustan legislation, such as his law on the Roman courts, their existence, purpose, and context within the larger Augustan program – as an integral part of the *princeps*' attempt to reorder government by formal law – becomes more apparent.

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