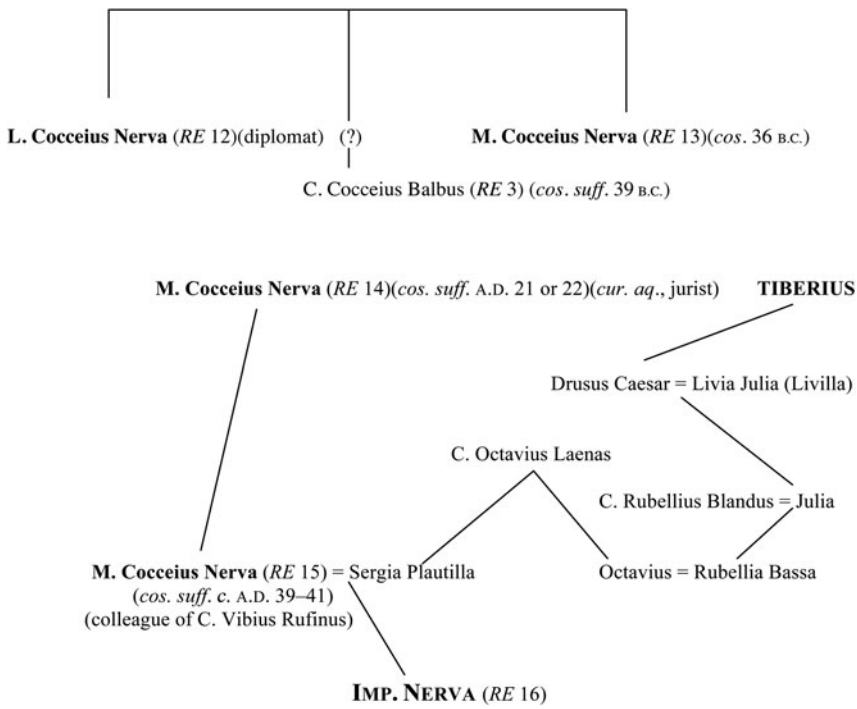
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THE ANCESTRY OF NERVA*



It will be noticed that, in the stemma above, no line of descent is marked from the first generation registered therein to the following generations. The genealogy of the Emperor Nerva is customarily traced back to the consul of 36 B.C., M. Cocceius Nerva (above, right). This short note will underline the ancient testimony found amongst

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the Pseudacroniana tracing his descent from the latter's brother, the consummate diplomat (above, left). There are ramifications. Amongst the items of interest will be the light shone upon what Dio and Eutropius (and/or their sources) understood to be Nerva's standing at the time of his accession. Before passing on to Pseudacron's datum, it might be worthwhile pausing on that point, as well as briefly contemplating the factors that actually bore upon the emperor's ancestral training.

According to Dio (67.15.5), the Emperor Nerva was most wellborn (*eugenéstatos*).[1] According to Eutropius (*Brev*. 8.1), he was 'a man in his private life temperate yet energetic'—and *nobilitatis mediae*. The latter is a term that will make a cautious reader pause; Merivale, by way of example, preferred to leave the phrase untranslated but clearly believed Eutropius was confirming that Nerva's family 'took rank among the official nobility'.[2] Did that formulation *modify* Eutropius' endorsement of Nerva's genealogy? Or was Merivale hedging? *Nobilitatis mediae* is often read as *qualifying* the lustre of Nerva's lineage (and thus as at loggerheads with Dio's observation).[3] The notes to the Leiden 1729 edition of Eutropius, provided by H. Glareanus and A. Faber (otherwise, the industrious Madame Anne Lefèvre Dacier), offer *mediocris* as a gloss and the latter provides parallels (334). The Bohn translation of the Reverend J.S. Watson (London, 1853) offers 'of noble descent, though not of the very highest rank'; H.W. Bird (Liverpool, 1993) 'of the middle nobility'. What would such a term as 'middle nobility' mean? If this reading is correct, *nobilitas* was, by the end of the first century A.D. at least, subject to grades.[4] Some will find no difficulty with that reading. Vogel-Weidemann suggests that 'a shading of the concept of *nobilitas* (*eine Nuancierung des Nobilitätsbegriffs*) eventually even allows Eutropius to recognize Galba as *antiquissimae nobilitatis senator* and to characterize Nerva, by contrast, merely as *vir ... nobilitatis mediae*'.[5] In many ways this will not be inconsistent with the traditional (that is to say, Ciceronian) understanding of the term. The achievement of *nobilitas* brought the members of certain families into a blazing light.[6] The light shone more brightly in some cases than in others. Cicero could speak, in one case, of *summa nobilitas*.[7] Gelzer, on the other hand, had attempted to give *nobilitas* a more technical force in Ciceronian Latin, and had argued that *nobilitas* in the age of Pliny and Tacitus (and thus, by implication, of Nerva) was inherited and could be claimed by descendants

[1] This is vouchsafed by the versions of both Xiphilinus and Zonaras (9.20, pp. 62–3 Dind.).

[2] C. Merivale, *A History of the Romans Under the Empire*, vol. 7 (London, 1862), 193–4; cf. 194 n. 1 for the direct citation of Eutropius.

[3] This would seem unquestionably the way in which the term is used in medieval Latin; see e.g. William of Poitiers, *Gesta Guillelmi* (edited by R.H.C. Davis and M. Chibnall [Oxford, 1998]), 158–61 (*milites uero mediae nobilitatis*)—though that label permits varying translations also.

[4] *Nobilitas*, in its original sense of 'celebrated' or 'known', was of course ever open to such a spectrum of readings, hence the comparative and superlative forms found respectively in the *cognomen* of one branch of the Fulvii (the *Nobiliores*) and in the classical usage of *nobilissimus*—which might mean, *inter alia*, notorious.

[5] U. Vogel-Weidemann, *Die Statthalter von Africa und Asia in den Jahren 14–68 n. Chr. Eine Untersuchung zum Verhältnis Princeps und Senat* (Bonn, 1982), 32 n. 78, citing also E. Groag, 'Prosopographische Beiträge' *JÖAI* 21–22 (1922–4), B. 425–78, at 432.

[6] The classic references are Cic. *Off*. 2.44 and Sall. *Iug*. 85.23; cf. K. Welch, '*Lux* and *lumina* in Cicero's Rome: a metaphor for the *res publica* and her leaders', in K. Welch and T. Hillard (edd.), *Roman Crossings. Theory and Practice in the Roman Republic* (Swansea, 2005), 313–37, arguing that the illuminated elite reflected the light of public recognition.

[7] *Mur*. 16, though in that particular case it was a *nobilitas* that had dimmed overtime. What was required was both *memoria* and *sermo recens* (implicitly, Cic. loc. cit.), the latter feeding the former. Again, the potential for gradations is clear.

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of the pre-Augustan nobility—and his assertion (though both contested and modified) remains influential—in the sense that the underlying assumption is that one either enjoyed *nobilitas* or one did not.[8]

Are Dio and Eutropius in conflict? The analogy, though not exact, of *ex factione media consul* at Sall. *Hist*. 3.48.8M [= 3.34.8McG], where C. Cotta (*cos*. 75 B.C.) might be described as 'a consul from the heart of the *factio* [*sc*. the post-Sullan oligarchy]' may allow the reading (more in line with Dio's observation) that Nerva was 'of the core of the nobility.'[9] Thus some would see Dio and Eutropius as on the same page. Librale, elaborating upon the younger Pliny's enthusiasm at *Panegyricus* 89.1–2, suggests that Nerva invested Trajan with 'a certain nobility', citing both authors.[10] The putative Sallustian analogy does not, of course, in any way settle the reading of *nobilitatis mediae* in Eutropius, and perhaps a consideration of Nerva's actual standing, rather than the terminology adopted by historians, is apropos. It seems that the Nervae had been granted patrician rank by Octavian[11]—and this might satisfy Dio's

[8] For this meaning of *nobilis* in the Principate, see M. Gelzer, 'Die Nobilität der Kaiserzeit', *Hermes* 50 (1915), 395–415 (= *The Roman Nobility*, tr. R. Seager [Oxford, 1969], 141–61); W. Otto, 'Die Nobilität der Kaiserzeit', *Hermes* 51 (1916), 73–88 (in dissent); E. Stein, 'Kleine Beiträge zur römischen Geschichte', *Hermes* 52 (1917), 558–83, at 564–71; id., 'Zur Kontroverse über die römischen Nobilität der Kaiserzeit' (defending and modifying); E. Groag, 'Zur Ämterlaufbahn der Nobiles in der Kaiserzeit', *Strena Buliciana* (Zagreb, 1924), 253–6, at 254 (modifying). G. Barbieri, *L'Albo Senatorio da Settimo Severo a Carino (193–285)* (Rome, 1952), 474, suggests (with reference to Groag) that imperial *nobiles* were descendants of Republican *senators* (not consuls). The painstaking study by H. Hill, 'Nobilitas in the Imperial period', *Historia* 18 (1969), 230–50, opened by asserting that 'Nobody, as far as I know, has since attempted to defend Gelzer's original thesis, which is clearly indefensible on the evidence of the *Annals* alone' (232)—understandably unaware of the defence of Gelzer that would be issued in the same year by R. Seager in the introduction to his English translation of *The Roman Nobility* (xiii–xiv)—and closed by observing that the sources provide evidence of individuals (amongst them Otho, Vitellius and Titus) who acquired *nobilitas* after A.D. 14 and that 'writers of the Imperial period were familiar with the process of ennoblement' (250). Cf. Hill, op. cit., 232 nn. 9–10 (for the registration of other contributions); A. Garzetti, *Nerva* (Rome, 1950), 18–19 n. 3; R. Syme, *Tacitus* (Oxford, 1958), 654 nn. 2–4; P.A. Brunt, 'The Lex Valeria Cornelia', *JRS* 51 (1961), 71–83, at 74–5; T.D. Barnes, 'Who were the nobility of the Roman empire?', *Phoenix* 28 (1974), 444–9; and, for a history of the discussion of the Republican concept of *nobilitas* (and further bibliography), U. Vogel-Weidemann (n. 5), 23–6 and attendant notes, 26–30 and nn. (for the Augustan and post-Augustan *nobilitas*). Eutropius' datum is not an item discussed by Gelzer (the Cocceii are unregistered in his list at 150–1), who draws chiefly upon Pliny the Younger and Tacitus with a side glance at Velleius, Suetonius and the younger Seneca.

[9] Even this is not unproblematic. Others have wished to read Sallust's *ex factione media* as 'belonging to the moderate section of the nobility' or even 'from the middle faction' (see the commentary of P. McGushin, *Sallust. The Histories: Volume II* [Oxford, 1994], 89). The rhetorical context of the Sallustian phrase (the tribune C. Licinius Macer's vitriolic denunciation of the *dominatio paucorum*, the *opes nobilitatis*, the *factio noxiorum*) favours the translation in the text above (i.e. that the target of Macer's hostile gaze was 'The Nobility' as M.I. Henderson phrases it in her 'Review of H.H. Scullard, *Roman Politics, 220–150 B.C.*', *JRS* 42 [1952], 114–16, at 115)—with McGushin (cited above) in accord.

[10] D. Librale, 'L'*Eis Basiléa* dello pseudo-Aristide e l'ideologia traianea', *ANRW* 2.34.2 (Berlin, 1993), 1271–313, at 1277: 'Del [suo padre adottivo (i.e. Nerva)], [Traiano] era palese una certa nobilità di natali: *nobilitatis mediae* lo definisce Eutropio, εὐγενέστατος καὶ ἐπιεικέστατος lo chiama Cassio Dione'. Librale traces these illustrious origins back to his 'great-grandfather, the consul of 36' ('console nel 36 a.C. il bisnonno M. Cocceio Nerva').

[11] 'That the family had at some time been granted patrician rank is shown by Nerva's early appointment as salius Palatinus': R.P. Long Den, 'Nerva and Trajan', in S.A. Cook, F.E. Adcock and M.P. Charlesworth (edd.), *CAH*, vol. 11 (Cambridge, 1936[1]), 188–222, at 188–9 (discussing Nerva's origins and distinctions); 189 n. 1 (citing *nobilitatis mediae*). On the patrician standing of Nerva, Syme (n. 8), 1–2; E.T. Salmon, *Augustus the Patrician* (Toronto, 1974), 3–33, at 22–3 (= A.J. Dunston

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language.[12] That is to say, such an elevation in itself might merit the claim that Nerva had been wellborn.

How much kudos did the patriciate now carry? In the Flavian period it was worth singing (see Stat. *Silv.* 5.2.28, carolling Crispinus' *luna patricia*, the ivory crescent found on the strapwork of patrician shoes).[13] The demographic deterioration of patrician numbers (by the end of the Free Republic only fourteen families remained) had *required* (or so it could be argued) intervention—on four occasions (see n. 11);[14] patricians had an integral role to play—they were 'indispensable for the perpetuation of traditional institutions.'[15] For a patrician himself there was surely an advantage, Salmon presuming that he 'would enjoy substantial, practical advantages … with incalculable enhancement

[ed.], *Essays on Roman Culture: The Todd Memorial Lectures* [Toronto, 1976]), following Syme.

Elevations to the patriciate had now become a quasi-familiar phenomenon. Caesar had enrolled new patricians by right of the *lex Cassia* (45 B.C.); Augustus by right of the *lex Saenia* (30 B.C.) in 29; Claudius and Vespasian by right of the extended powers of the imperial censorship; T. Mommsen, *Res Gestae Divi Augusti ex monumentis Ancyrano et Apolloniensi* (Berlin, 1883[2]), II 1 (on p. 34); *Römisches Staatsrecht*, vol. 2 (Leipzig, 1887[3]), 1100–1 [1046–7]; P. Willems and J. Willems, *Le Droit Public Romain* (Louvain, 1910[7]), 386. We know of about twenty families elevated to the patriciate by Augustus, seventeen families elevated by Claudius and more than twenty families elevated by Vespasian; cf. W. Eck, *Senatoren von Vespasian bis Hadrian. Prosopographische Untersuchungen mit Einschluss der Jahres- und Provinzialfasten der Statthalter* (*Vestigia* 13) (Munich, 1970), 108–9; Vogel-Weidemann (n. 5), 22; and R.J.A. Talbert, *The Senate of Imperial Rome* (Princeton, NJ, 1984), 30.

On Augustus' awards of patrician status, see H.C. Heiter, *De Patriciis Gentibus Quae Imperii Romani Saeculis I, II, III Fuerint* (Diss., Berlin, 1909), 41–55; R. Syme, *The Roman Revolution* (Oxford, 1939), 382 and nn. 8–9; J. Scheid, *Res Gestae Divi Augusti. Haut faits du divin Auguste* (Paris, 2007), 39; cf. Salmon, op. cit., 16. Augustus might have preferred to emphasize the action undertaken on the instruction of the people and the senate (*RG* 8.1), although it is possible that the Cocceii went through in his more irregular creation of new patricians in 33 (Dio 49.43.6); cf. Syme, op. cit., 382 n. 8. Mommsen, loc. cit., had inferred that the account of the creation of patricians in 33 was apocryphal—largely on the grounds of its omission at *RG* 8.1 (and was followed by Salmon, op. cit., 5). Syme countered with the suggestion that this earlier elevation of certain families to the patriciate had occurred in a period of 'irregularities' and that it was considered by Augustus best passed over in silence.

[12] Long Den (n. 11) allows that Nerva was 'nobly-born' but avers, presumably disdainful of the sanction provided by a triumviral appointment, that 'on neither side was he descended from the Republican nobility' (alluding to Eutropius' phrase)—and sees the family's distinction arising from more recent connections (to wit, a link with the Julio-Claudian dynasty), achievements and imperially bestowed patriciate status. In the second edition of *CAH*, M. Griffin, 'Nerva to Hadrian', *CAH*, vol. 11 (Cambridge, 2000[2]), 84–130, at 84, chooses to leave Eutropius' troublesome phrase to one side, but allow that Nerva was 'of high birth', providing the evidence for his patrician standing (*ILS* 273 = E.M. Smallwood [ed.], *Documents Illustrating the Principates of Nerva, Trajan and Hadrian* [Cambridge, 1966], no. 90): 'He was descended from a triumviral consul and imperial jurists and related, through a maternal uncle, to Iulia, the granddaughter of Tiberius.' (85)

[13] Cf. B. Gibson, *Statius* Silvae *5* (Oxford, 2006), 195.

[14] Salmon (n. 11), 10–11, on the near extinction of the old patriciate.

[15] Salmon (n. 11), 8–14: 'The patricians were an integral part of the Roman state … at the very heart of the Roman community … indispensable' (the case being so strongly stated for the purpose of the argument); cf. R.M. Ogilvie and I. Richmond, *Cornelii Taciti De Vita Agricolae* (Oxford, 1967), 158 [= H. Furneaux – J.G.C. Anderson, *Cornelii Taciti De Vita Agricolae* (Oxford, 1922[2]), 59–60]; M. Reinhold, *From Republic to Principate. An Historical Commentary on Cassius Dio's* Roman History *Books 49–52 (36–29 B.C.)* (Atlanta, GA., 1988), 212 (characterizing the emperor-chosen patricians as an elite group forming the highest stratum of the nobility); W. Eck, *The Age of Augustus* (Oxford, 2007 [*Augustus und seine Zeit* (Munich, 1998)]), 49, 83; and A.E. Cooley, *Res Gestae Divi Augusti. Text, Translation, and Commentary* (Cambridge, 2009), 138. For further references to scholarship on the ongoing importance of the patriciate, see Gibson (n. 13), 183 n. 41; cf. 293 (on 5.2.130).

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of his personal prestige (*auctoritas*)'.[16] Syme implicitly agreed—to a point, but was ready to qualify the thought with the well-taken observation that, in the *Annales*, Tacitus nowhere specifies any individual senator as a patrician.[17] The Nervae, however, had perhaps—as a result of the Octavian adlection—been newly equipped with an impressive lineage (or have had an ancient family claim publicly acknowledged). Trojan descent?[18] We might legitimately wonder how strong that currency was.[19] Certainly Claudius attempted to associate the newly adlected in A.D. 48 with prestige: '… Caesar [*sc*. Claudius] enrolled (*adscivit*) within the body of patricians all senators of exceptionally long-standing (*vetustissimum quemque ex senatu*) or those of distinguished parentage (*quibus clari parentes fuerunt*)'[20]—a program redounding upon those already elevated? Did patrician status invest recipients with a certain level of nobility (to bring us back to the question at hand)? Syme, who had earlier endorsed Stein's modification of Gelzer's definition of imperial age *nobilitas* (to the effect that *nobilitas* fell to those descended from men who had won the consulship before A.D. 14),[21] seems to us to avoid a constraining definition in *Augustan Aristocracy*—though a number of his chapter titles presuppose a consensus of understanding.[22] Perhaps the issue is taken as decided; in his fourth paper therein, he speaks of 'descendants of the Republican aristocracy' (defined as those so descended—*and perhaps patricians*). With reference to that older elite, he pronounces: 'In certain respects the definition was vulnerable. Patricians cannot be excluded; and marginal cases occur, with families collateral or of ancient praetorian rank. Any curule office qualified, so it has been argued.'[23] The practical consequences of patrician status? Moderns who have directed their attention to the actual role of patricians in political life, have focussed upon the diminishing nature of that role[24]—but some for a paradoxical reason. Their prestige

[16] Salmon (n. 11), 8.

[17] R. Syme, *The Augustan Aristocracy* (Oxford, 1986), 52. For Syme's implicit agreement with Salmon, see Syme, op. cit., 4 (where the revived patriciate is registered as 'decus ac robur' in a renascent Republic); cf. Syme (n. 8), 570.

[18] P. Toohey, 'Politics, prejudice, and Trojan genealogies: Varro, Hyginus, and Horace', *Arethusa* 17 (1984), 5–28, argues that Julius Hyginus produced his work on the Trojan genealogies (the *de familiis Troianis*) in response to the *lex Saenia* of 29—and Octavian's creation of new patrician families.

[19] Did these claims prompt a certain scepticism? Juvenal, *Sat*. 1.102 has 'the Trojan-born' (*Troiugenae*) lining up at a *salutatio* amongst an otherwise motley crowd, the *praeco* calling forth the praetor first, then the tribune, with a Syrian-born freedman arguing the toss (complaining that his earlier arrival entitles him to precedence and that his new wealth outstrips the empty symbols of his rivals' rank). The word *Troiugena* was not coined by Juvenal; it had long meant simply Trojan (see e.g. Catull. 64.356) or a descendant of the same (Liv. 25.12.5)—but it is surely redeployed here with acerbic irony. A gifted pedigree offered a status undercut by harsh reality. The intentional incongruity is underlined at *Sat*. 11.95, where the luxurious tortoise-shell head-rest adorning the collective couch of these *Troiugenae* is labelled *clarum* and *nobile*. (Unsurprisingly the tag turns up in *Sat*. 8.181—what avails a lineage?)

[20] Tac. *Ann*. 11.25; cf. *Hist*. 2.37. For a discussion of Tacitus' use of such terms as *claritudo generis, clara familia, claritas natalium* (referring 'almost exclusively to members of a consular family'), see Vogel-Weidemann (n. 5), 23, esp. n. 19. There can be no doubt, Vogel-Weidemann observes, that Tacitus' reference to *clari parentes* at 11.25 gives the impression of a certain exclusivity. At the same time, she notes the *noua generis claritudo* at *Ann*. 14.47. On Claudius' adlection of numerous individuals to the patriciate and imperial augmentation of the patriciate more generally, see now S.J.V. Malloch, *The Annals of Tacitus: Book 11* (Cambridge, 2013), 381–4.

[21] Syme (n. 8), 654. See n. 8 also for Stein.

[22] 'The *Nobilitas*', '*Nobiles* in Horace', '*Nobiles* in Velleius'.

[23] Syme (n. 17), 50–1.

[24] B. Jones, 'The diminishing role of the patricians, A.D. 70-96', *Athenaeum* 62 (1984), 635–40 (see the first footnote for a bibliography).

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meant that a suspicious emperor might keep them from real power. They might be a threat. Whatever the reason, Jones' survey shows that, under Domitian, patricians 'were rigorously excluded from positions of any significance.'[25]

The present modest study—which concerns itself from this point only with Nerva's line of descent (and in particular with the evidence of the scholia)—might suggest that his claim to nobility was *not* based upon direct descent from a consul of the 'pre-Augustan' period *or* from any consul who held the office before A.D. 14. It is to be explained either by patrician standing or earlier gentile achievement—or by the fact that the notion of ennoblement continued into the period after the death of Augustus, and that Nerva derived nobility through his grandfather who reached the (suffect) consulship under Tiberius and his father who reached the consulship under Caligula.[26] Did that mean that Eutropius felt compelled to modify his acclamation of Nerva's 'nobility' (within, as we have seen, an essentially positive appraisal)?[27] We turn to the question of his precise lineage.

His father (*RE* 15) had been a suffect consul *c*. A.D. 39–41; his grandfather was M. Cocceius Nerva (*RE* 14), a noted jurist, suffect consul in either A.D. 21 or 22, and a *curator aquarum* from 24 until his death in 33.[28] Frontinus (*Aq*. 2.102) affirms that the *curator* was the jurist and the grandfather of Nerva, and Frontinus has credibility on this score—for two reasons. He was an informed source on the post (which he held); and he owed his elevation to that office to Nerva.[29] This man [*sc*. Nerva's

[25] Jones (n. 24), 640.

[26] For the last of those options, cf. Hill (n. 8), 250: 'Our examination of the ancient evidence suggests, therefore, that three Emperors, Otho, Vitellius and Titus, and a number of others … acquired *nobilitas* after 14 A.D.'; with regard to Hill's assertion that writers of the Imperial period were familiar with the process of ennoblement, see, in particular, his emphasis on the evidence of Velleius Paterculus (232).

This is not to say that an appreciation of 'Republican' nobility did not persist. Pliny the Younger was still sensitive vis-à-vis his prickly grandfather-in-law, L. Calpurnius Fabatus (*PIR*^{2} C 263). Pliny makes bold to suggest that any son or sons of his own (they were never to be born), the prospective great-grandchildren of Fabatus, would enjoy a relatively easy road to *honores*, having been bequeathed (through Fabatus) a well-established ancestry (*non subitas imagines*). As A.N. Sherwin-White, *The Letters of Pliny. A Historical and Social Commentary* (Oxford, 1966), 459 put it: 'The concept of Republican *nobilitas* dies hard. The *novus* is still ashamed of himself'.

Alexander Severus had a stemma published demonstrating his descent from the Metelli (SHA, *Alex. Sev.* 44.3. In that age, the Metelli were remembered amongst exemplary models; SHA, *Alex. Sev.* 8.5).

[27] Positive context: *uir in priuata uita moderatus et strenuus, nobilitatis mediae*. He was *aequissimus* and *ciuilissimus* (loc. cit.).

[28] On Nerva as jurisconsult, see R.A. Bauman, *Lawyers and Politics in the Early Roman Empire* (Munich, 1989), 68–73. The emperor's father was also known as a jurist, but was not in the same league—even if something of a prodigy, practising at the age of seventeen, or a little later than that (*Dig*. 3.1.1.3; tentatively put into perspective by Bauman, op. cit., 53–4). On the latter as jurist and politician, Bauman, op. cit., 119–20, 126–7.

[29] On Frontinus' preferment by Nerva, see Frontin. *Aq*. 1.1 and 2.102.17; cf. M. Peachin, *Frontinus and the* Curae *of the* Curator Aquarum (Stuttgart, 2004), 48–50. On Frontinus' treatise being very much in alignment with Nerva's imperial program, Peachin, op. cit., *passim*, but see esp. 79–81, 139–43. When he comes to Nerva's grandfather in the list of previous *curatores*, Frontinus pauses —uniquely—for a short biographical note, underlining the man's standing in legal circles; cf. R.H. Rodgers, *Frontinus De Aquaeductu Urbis Romae* (Cambridge, 2004), 276. Perhaps a brief registration of the man's *scientia* was intended to distance him from the other *curatores* whom Frontinus has introduced collectively with reference to their sloth—or, at least lack of initiative (*inertia ac segnitia*; 2.101.2), on which curious passage (possibly, Rodgers suggests, an allusion to political caution), op. cit., 274–5 (on 101.2 and 102.1); Peachin, op. cit., 77 (and n. 84). The point is that the genealogical datum provided here by Frontinus was not casual or careless.

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grandfather] was a close friend of Tiberius, retiring with him to Campania in 26 (the only consular senator in the emperor's retinue),[30] and causing Tiberius much distress when he decided—in perfect health—not to go on living.[31]

In a preceding generation, bringing the family to prominence, were the affable L. Cocceius Nerva (*RE* 12), friend to both Antony and Octavian, and thus entrusted with delicate missions in 40 and in 37 B.C.,[32] and his brother M. Cocceius Nerva (*RE* 13), who owed his safety, probably after the Perusine war, to the former's charm.[33] The latter went on to be a governor of Antonian Asia in 38–37 B.C. and consul in 36. Some would add a third brother, C. Cocceius Balbus (*RE* 3) (*cos. suff.* 39).[34] These three men are the individuals found at the top of the opening stemma. M. Cocceius Nerva (*cos*. 36), the family's first *consul ordinarius*, is usually identified as the great-grandfather (or great-great-grandfather) of the emperor. Syme suggested that M. Cocceius, the *curator aquarum* (and grandfather of the emperor), 'may be the son, not the grandson, of the man who inaugurated the rank of his family', adding, in the attendant note, '[i]n *PIR*^{2} C 1225 a son of the consul of 36 B.C.'.[35] Jörs had certainly made the latter assertion in the *Real-Encyclopädie*,[36] followed by Klebs in the first edition of the *Prosopographia*,[37] but Stein, in the second edition, suggested that the *curator* and *cos. suffectus* of *c*. A.D. 21 was the grandson of the man who brought *nobilitas* to the family.[38] These differences of judgement are not of the essence here, but we shall return to them in the penultimate paragraph.

Whichever of the two options outlined above was adopted (that is to say, whether or not an extra generation was believed to have existed within the gap provided in the stemma above), the line of descent was not questioned; the emperor was believed to have descended from M. Cocceius (*cos*. 36 B.C.).[39] But there is a fly in the ointment.

[30] Tac. *Ann*. 4.58; cf. Dig. 1.2.2.48 (*Caesari familiarissimus*); Bauman (n. 28), 70–1.

[31] Tac. *Ann*. 6.26.1; cf. Dio 58.21.4–5; and Bauman (n. 28), 71–2 (proclaiming Dio the 'better informed', but then going on to suggest that Tacitus was reticent). The connection was further confirmed when the man's son (the Emperor Nerva's father) married into a family with close connections by descent from Tiberius (on this, see E. Groag, 'Prosopographische Beiträge', *JÖAI* 21-2 [Vienna, 1922–4], 425–78, esp. 425–36)—although the marriage of Tiberius' granddaughter into that family [see our opening stemma] had, at the time, elicited the sorrow of those whose judgement Tacitus felt compelled to record (*Ann*. 6.27). The standing of the Rubellian family was questionable on the grounds that a grandfather had been an *eques*. The point is not irrelevant to the present discussion.

[32] Liv. 127, frr. 51–2 Weissenborn; Hor. *Sat*. 1.5.27–8 and 31–2; App. *B Civ*. 5.60.251–64.273; Porph. *ad Hor. Serm*. 1.5.27; Pseudacron, ad loc. Cf. E. Groag, 'Cocceius 12', *RE* 4, col. 130 (corrected at *RE Suppl*. 7, col. 90); T.P. Wiseman, *New Men in the Roman Senate 139 B.C.–14 A.D.* (Oxford, 1971), 225 (no. 125).

[33] App. *B Civ*. 5.61.256; cf. T.R.S. Broughton, *Magistrates of the Roman Republic* (Atlanta, GA., 1952), 2.373; E. Gabba, *Appiani Bellorum Civilium Liber Quintus* (Florence, 1970), 102. There were Cocceii (or, at least, one) who required magnanimity, having been embraced *ex aduersariorum castris*: Sen. *Clem*. 1.10.1.

[34] This was a reconstruction of Groag (*RE Suppl*. 1, cols. 323–4 [on *RE* 3 and *RE* 12]). Cf. (cautiously) *PIR*^{2} C 1223; T.P. Wiseman (n. 32), 225 (no. 124) (rightly querying his senatorial status); Syme (n. 17), 48 n. 109; E. Bispham, *From Asculum to Actium: The Municipalization of Italy from the Social War to Augustus* (Oxford, 2007), 299 (and n. 47 for further references).

[35] Syme (n. 8), 223.

[36] 'Cocceius 14' *(RE* 4, cols. 131–2).

[37] *PIR*^{1} C 972, on M. Cocceius Nerva, the *consul suffectus* before 24: *filius ut videtur M. Nervae consulis a. 718 = 36.*

[38] *PIR*^{2} C 1225: *Nepos videtur M. Coccei Nervae consulis anno 36 a.C.*

[39] See e.g. L. Biondi, 'Intorno un frammento marmoreo di fasti consolari', *Dissertazioni della Pontificia Accademia romana di archeologia* 6 (1835), 271–376, Part 1, 1 'Cocceio', 278–91, at 279; B. Borghesi, 'Osservazioni numismatiche, Decade IX Osservazione V²', in id., *Œuvres*

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Commenting on the appearance in Horace's *Satires* (1.5.27) of L. Cocceius (*RE* 12), Porphyrio adds the information that he was grandfather of the emperor. This item was easily brushed aside as 'erroneous' by Groag (*RE* 12 and *PIR*^{2} C 1223);[40] the grandfather is established (as we saw above) as M. Cocceius Nerva, *curator* and jurist. But one of the parallel contributions to be found in the *Pseudacronis scholia in Horatium*, not self-evidently absurd, was also brushed aside (relegated to parentheses)—perhaps because it was considered to be derived from a faulty source (and transmitted in its own faulty fashion).[41] It identifies L. Cocceius (*RE* 12) as the *great*-grandfather of the emperor: *Cocceius Nerua proauus Neruae fuit, qui inperauit Romae*.[42] That, at least, is possible in generational terms.[43] And although at least one of the later scholiasts whose marginalia formed part of what would become Pseudacron had access to (and occasionally cited) Porphyrio, this datum could have come directly from a common source (perhaps someone like Q. Terentius Scaurus who was of Hadrianic date), because *proauus* is an unlikely mistake to have been made by someone copying *auus*.[44] It is possible that this line of descent was merely a piece of speculation on the part of the original source of the information; but it is also possible it was informed.

Early modern scholars, if noticing Pseudacron, would presumably not entertain the possibility further because of their conviction that the filiation of the Emperor

complètes de Bartolomeo Borghesi (Paris, 1862), 1.433–6, at 434; Long Den (n. 11), 189; Garzetti (n. 8), 18–20; Syme (n. 8), 627; Bauman (n. 28), 68–9; Griffin (n. 12), 85; and J.D. Grainger, *Nerva and the Roman Succession Crisis of* A.D. *96–99* (London, 2003), xiv ('The Descent of Nerva'), 28, 133 n. 3.

[40] 'Cocceius 12' (*RE* 4, col. 130); cf. Garzetti (n. 8), 20 n. 5.

[41] It is appropriate to use here the impersonal pronoun for this collection of scholia. For the explicit dismissal of the scholia, see also Biondi (n. 39), 288–9; Borghesi (n. 39), 434; and A. Bianchi, 'L. Cocceius Nerva', in S. Mariotti (ed.), *Enciclopedia Oraziana* (Rome, 1966), vol. 1, 694–5. We thank Patrick Tansey for drawing these items to our attention.

[42] O. Keller, *Pseudacronis Scholia in Horatium vetustiora* II (Leipzig, 1904), on Hor. *Sat*. 1.5.27 (*Γ′bfV*). Perhaps the item was thought undercut by variant contributions in these same manuscripts (and some others [*cζ*]) which conformed to the faulty testimony of Porphyrio (loc. cit.). For a detailed discussion of variants and the formation of this text—but one which does not discuss the item in hand, see G. Noske, *Quaestiones Pseudacroneae* (Diss., Munich, 1969). For useful discussions of the scholia and the complicated nexus between the component parts that would lead to the creation of 'Pseudacro', see also R.G.M. Nisbet and M. Hubbard, *A Commentary on Horace* Odes *Book 1* (Oxford, 1970), xlvii–li; M.J. McGann's review of Noske, op. cit., *CR* 22 (1972), 110; K. Friis-Jensen, 'Medieval commentaries on Horace', in N. Mann and B. Munk Olsen (edd.), *Medieval and Renaissance Scholarship: Proceedings of the Second European Science Foundation Workshop on the Classical Tradition in the Middle Ages and the Renaissance* (Leiden, 1997), 51–73, esp. 51–2; and the useful opening comments by J. Zetzel (on the problems faced) in his review of A. Kalinina, *Der Horazkommentar des Pomponius Porphyrio: Untersuchungen zu seiner Terminologie und Textgeschichte* (*Palingenesia* 91) (Stuttgart, 2007) in *BMCR* 2009.02.06. Cf. our earlier contribution, 'Late antique memories of Republican political polemic: Pseudo-Acro *ad* Hor. *Sat*. 2.1.67 and a *dictum Macedonici*', *CQ* 62 (2012), 816–26.

[43] Bispham (n. 34), 299–300 offers a detailed set of calculations, though based on the assumption of relatively standard generations which must remain the stuff of plausible speculation. Bispham works backwards from the birthdate of the emperor 'between AD 30–35', and 'assuming thirty years per generation' calculates that his father was born *c.* A.D. 1–5 'which is not unreasonable for a consul *c.* AD 40'; 'if twenty-five years was the generational interval, he will have been born *c.* AD 5–10.' Bispham thus calculates that the emperor's grandfather (*RE* 14) would have been born *c.* 30–25 B.C. (or 25–20) and that he held his consulship 'later in life' (not the only jurist to await a late consulship). If this man was born of the generation that tops our family tree, he will have been born (relatively) late in his father's life. That is neither impossible nor implausible—though Bispham is troubled by the gap (see further below).

[44] For Q. Terentius Scaurus, *RE* 5A, cols. 674–5.

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Nerva's grandfather was known to be M.f., attested epigraphically.[45] *PIR* gives *CIL* 6.1539 (and its supplement 31674) and 9005 (*ILS* 1795).[46] The latter provides no filiation. *CIL* 6.1539 is a large-lettered inscription, now under cover of the portico of the Chiesa di San Giuseppe dei Falegnami but once forming a conspicuous advertisement on the external face of the *Carcer Tullianum* and commemorating renovations. It read, if we may trust early modern observers:

C · VIBIVS · C · F · RVFINVS · M · COCCEIVS · M · F · NERVA · COS · EX · S · C ·

The relevant section (which included Nerva's filiation) was lost to a decorative Christian architrave which adorned the modern entrance to the prison itself.[47] But the suffect consulship of C. Vibius (and thus of this Nerva, his colleague) is to be dated to *c.* A.D. 40.[48] This restoration of the Tullianum was undertaken by the emperor's father, not his grandfather. That is to say, no ancient evidence affirms specifically the filiation of Nerva's grandfather in contradiction of Pseudacron.

One final consideration needs, however, to be factored in (and it has been alluded to above). Had the consul of 36 B.C. been the Emperor Nerva's great-grandfather, he would have been in his fifties, possibly his late fifties, when he fathered Nerva's grandfather. A similar case of late paternity would apply if L. Cocceius were the emperor's great-grandfather. This is not impossible, but worthy of note. Bispham's calculations have been registered above (n. 43); he is convinced that there *must* have been a 'silent generation' between the consul of 36 B.C. and the jurist (*sc.* Nerva's grandfather).[49] That is more than plausible, though it need not be inserted into that particular line of descent.[50] The scholiast may be using *proauus* in a general sense that would cover *abauus* (great-great-grandfather). That would not be surprising and parallel usages are easy enough to find.[51]

[45] This was certainly the case with the learned Biondi (n. 39), 279 and Borghesi (n. 39), 433. Both supplied the reading that we offer below (and which we take in good faith as authentic).

[46] Cf. Groag, 'Cocceius 14' (*RE* 4, cols. 131–2).

[47] This can be seen in an engraving in F. Cancellieri, *Notizie del Carcere Tulliano* (Rome, 1788), reproduced by P. Fortini et al., *Carcer Tullianum. Il carcere Mamertino al Foro Romano* (Rome, 1998), 32 fig. 28. A careful line drawing in the latter (30–1 fig. 26) depicts the inscription as it is presently seen (giving the impression that no patronymic was attached to this Nerva's name), but it is clear (from personal observation) that the relevant blocks are restored, and in the cautious avoidance of a patronymic must offer an incorrect reconstruction.

[48] A. Degrassi, *I Fasti Consolari dell'Impero Romano* (Rome, 1952), 11; cf. F. Coarelli, 'Carcer', in M. Steinby (ed.), *LTUR*, vol. 1 (Rome, 1993), 236.

[49] Others have also thought this likely; see Garzetti (n. 8), 20; Bispham (n. 34), 299 n. 53 for references. Bispham supplies two candidates to fill the gap (300, and see his stemma on 301): a Lucius Cocceius (L.?) f. Nerva (born *c.* 75–60) and M. Cocceius M. f. Nerva (born *c.* 60–55), neither of whom enjoyed historical significance or survived in historical testimonia.

[50] Obviously, given our hypothesis, we are obliged to disagree with Bispham's speculation (n. 34) that only M. Cocceius Nerva (*cos.* 36 B.C.), amongst the three brothers, might have carried the *cognomen* (300).

[51] *OLD* and *OLD*^{2} s.v. *proauus* 2, for examples. For *proauus* used more loosely as 'ancestor', see also *TLL* 10.2.1444.5–7; the first of many citations there (to Cic. *Fam.* 3.11.5) is more than enough to establish the point. Cf. D.R. Shackleton Bailey, *Cicero Epistulae ad Familiares* (Cambridge, 1977), 380 (on 74 [III.11] 5) on the usage. Thus, the source material available to the earliest commentators on Horace may not have been of the most rigorous kind in its use of technical vocabulary with regard to kinship. We are grateful to the anonymous reader for drawing our attention to, by way of example, the imprecise manner in which Velleius Paterculus uses the terms *atauus* (for *abauus*), *auus* (for *proauus*), *nepos* (for *pronepos*) and *auunculus* (for *magnus auunculus*) at 1.2.1 (cf. 2.16.1), 1.8.5, 2.16.2, 59.5 (cf. 60.2) respectively. For a fuller discussion of this, see M. Elefante, *Velleius Paterculus Ad M. Vinicium consulem libri duo* (Hildesheim, 1997), 158; cf. 243. Elefante is surely

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Indeed, the word is used in just this sense in the commentary on Hor. *Carm*. 2.3.21.[52]

Porphyrio (or whoever transmitted him) was clearly in error (L. Cocceius was *not* the grandfather of Nerva), but it may be time to reinstate the evidence of Pseudacron. Did Nerva trace his ancestry back to one who had, like his friend Maecenas, remained content with equestrian status,[53] wealthy and of great service to powerful friends?[54] If so, Nerva's nobility, if it is to be technically explained, derived from either his patrician status or from a nobility inherited by his grandfather through association with an uncle's (or perhaps grand-uncle's) achievement:[55] an interesting case of collateral ennoblement. Or it was won by Nerva's grandfather himself, a case of post-Augustan ennoblement?

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right to resist the call of G.V. Sumner, 'The truth about Velleius Paterculus. Prolegomena', *HSPh* 74 (1970), 257–97, at 259 and n. 9, to 'correct' Velleius' text at 2.16.1.

[52] If from nowhere else, the scholiast would have picked this up as standard Horatian usage, e.g. from *Ars P.* 270, a line on which the Pseudacronic commentary also pauses.

[53] To which status Groag returns Cocceius the diplomat in *RE Suppl*. 7, col. 90, correcting the earlier confusion, at *RE* 4, col. 130 ('Cocceius 12'), with the suffect consul of 39 (C. Cocceius Balbus): 'Vielmehr wird er, wie sein Verhandlungspartner Maecenas, im Ritterstande verblieben sein.'

[54] Horace (*Sat*. 1.5.50–1) refers to his *plenissima uilla* above Caudium. His valuable service has been alluded to above.

[55] Or possibly the achievement of two (grand-?) uncles, if C. Cocceius Balbus (*cos. suff.* 39) is to be allowed the fraternity tentatively awarded in the family tree above.

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