The Birth of a Legend: An Intertextual Analysis of the Religious Life of Scipio Africanus

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Abstract:

Dette speciale undersøger, hvordan intertekstuel analyse af historiografien om den Mellemste Republik kan belyse både det religiøse aspekt af Scipio Africanus' liv og udviklingen af den såkaldte Scipioniske Legende. Det afdækkes, hvordan anekdoter om Scipios religiøsitet forekommer hyppigt i historieskrivningen, men ofte fremstår præget af åbenlyse og skjulte paralleller samt litterære imitationer af tidligere historiske fremstillinger.

Afhandlingen viser, at Polybios – trods sit ry som rationel historiker – fremstiller Scipio som en græsk-inspireret figur, mens Livius tegner et mere skæbnetungt portræt af Scipio som forudbestemt til storhed og fald. Specialet sporer også konturerne af en tidlig pro-Scipionisk tradition, muligvis fremmet af Scipio selv, hvor han sammenlignes med helte som Herkules og Alexander den Store via motiver som profetiske drømme, slangefødsel og guddommelig inspiration. Dette afspejler dog næppe hans faktiske religiøse praksis, som snarere synes præget af hans familiebaggrund og den begyndende hellenisering. Derimod viser udviklingen af hans legende, hvordan hans omdømme blev formet og anvendt af senere aktører som redskab til at legitimere deres autoritet.

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A few introductory notes:

- This master's thesis has made use of the large language model ChatGPT as a writing assistant and translation tool.
- Unless otherwise stated, all years mentioned refer to the period before the common era (BCE).
- Unless otherwise stated, the main sources and their translations have been accessed through the Loeb Classical Library.

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Abbreviations

Unless otherwise stated, abbreviations follow the *Oxford Classical Dictionary* conventions.[1]

Modern works

CAH	*The Cambridge Ancient History*, 2nd edn. (Cambridge 1970–2005)
FrGrHist	*Fragmente der griechischen Historiker*, ed. F. Jacoby (Berlin 1923–1958)
FrHist	*The Fragments of the Roman Historians*, ed. T. J. Cornell (Oxford 2013)
IG	*Inscriptiones Graecae*, ed. G. Hatzfeld and O. Masson (Berlin 1873–)
LTUR	*Lexicon Topographicum Urbis Romae*, ed. M. Steinby (Rome 1993–2000)
MRR	*The Magistrates of the Roman Republic*, by T. R. S. Broughton (New York 1951–1986)
RE	*Realencyclopädie der Classischen Altertumswissenschaft*, ed. A. Pauly et al. (Stuttgart 1893–1980)

Ancient sources

App.	**Appian, *Roman History***
Hann.	*Hannibalica*
Ib.	*Iberica*
Lib.	*Libyca*
Mithr.	*Mithridatica*
Pun.	*Punicorum*
Syr.	*Syriaca*
Apollod.	**Apollodorus, *Bibliotheca***
Aristot.	**Aristotle, *Oeconomica***
Arr.	**Arrian, *Anabasis Alexandri***
Aug. *De Civ.*	**Augustine, *De Civitate Dei* (City of God)**
Aur. Vict.	**Aurelianus Victor**

[1] `https://oxfordre.com/classics/page/3993`, accessed 16-04-2025.

	De Vir. Ill.	*De Viris Illustribus*[2]
	Caes.	*De Caesaribus*
Cass. Dio	**Cassius Dio, *Romaike Historia***	
Cic.	**Marcus Tullius Cicero**	
	Arch.	*Pro Archia Poeta*
	Balb.	*Pro Balbo*
	Brut.	*Brutus*
	Dom.	*De Domo Sua*
	Div.	*De Divinatione*
	Har. Resp.	*De Haruspicum Responsis*
	Leg.	*De Legibus*
	Man.	*Pro Lege Manilia*
	Nat. D.	*De Natura Deorum*
	Off.	*De Officiis*
	Orat.	*Orator*
	Rab.	*Pro Rabirio Perduellionis Reo*
	Rep.	*De Re Publica*
	Tusc.	*Tusculanae Disputationes*
	Verr.	*In Verrem*
Dion. Hal.	**Dionysius of Halicarnassus, *Antiquitates Romanae***	
Diod.	**Diodorus Siculus, *Bibliotheca historica***	
Fest.	**Festus, *De verborum significatu***	
Flor.	**Florus (Lucius Annaeus Florus), *Epitome de Tito Livio***	
Gell. NA.	**Aulus Gellius, *Noctes Atticae***	
Herod.	**Herodotus, *Historiae***	
Hor. Carm.	**Horace (Quintus Horatius Flaccus), *Carmina (Odes)***	
Just.	**Justin, *Epitoma Historiarum Philippicarum***	
Jul. Obs.	**Julius Obsequens**	
Lact.	**Lactantius, *Divinae Institutiones***	
Liv.	**Livy (Titus Livius), *Ab Urbe Condita***	
Luc. Hist. conscr.	**Lucian, *Historiarum Conscribendarum***	
Lucr.	**Lucretius, *De Rerum Natura***	
Macrob.	**Macrobius, *Saturnalia***	
Nep. Hann.	**Cornelius Nepos, *De Viris Illustribus, Hannibal***	
Oros.	**Orosius, *Historiarum Adversum Paganos***	
Ov.	**Ovid (Publius Ovidius Naso)**	
	Fast.	*Fasti*
	Met.	*Metamorphoses*

[2]Authorship uncertain

Paul. Fest.	**Paulus Diaconus, epitome of Festus' *De verborum significatu***
Plin. HN.	**Pliny the Elder, *Naturalis Historia***
Plut.	**Plutarch (Lucius Mestrius Plutarchus)**
Alex.	*Life of Alexander*
Cam.	*Life of Camillus*
Caes.	*Life of Caesar*
Cat. Mai.	*Life of Cato Maior*
Fab.	*Life of Fabius Maximus*
Flam.	*Life of Flamininus*
Mar.	*Life of Marius*
Plut. Rom.	*Life of Romulus*
Publ.	*Life of Publicola*
Pyrr.	*Life of Pyrrhus*
Mor.	*Moralia*
Quaest. Rom.	*Quaestiones Romanae*
Prisc.	**Priscian, *Institutiones Grammaticae***
Sen.	**Seneca (Lucius Annaeus Seneca)**
Ben.	*De Beneficiis*
Ep.	*Epistulae Morales ad Lucilium*
Sil. Ital.	**Silius Italicus, *Punica***
Strab.	**Strabo, *Geographica***
Suet.	**Suetonius, *De Vita Caesarum***
Aug.	*Divus Augustus*
Jul.	*Divus Julius*
Tac.	**Tacitus, *Annales***
Theoc. Id.	**Theocritus, *Idyllia***
Thuc.	**Thucydides, *Historia Belli Peloponnesiaci***
Val. Max.	**Valerius Maximus, *Facta et dicta memorabilia***
Varro	**Marcus Terentius Varro, *De Lingua Latina***
Veg.	**Vegetius, *De Re Militari***
Verg. *Aen.*	**Vergil (Publius Vergilius Maro), *Aeneis***
Xen. *Mem.*	**Xenophon, *Memorabilia***

Timeline

236	Birth
218	Battle of Ticinus
216	Elected Military Tribune; Battle of Cannae; Canusium
213	Elected as curule aedile
212	Father and uncle are killed in action in Hispania
210	Elected for Spanish command as *privatus cum imperio*
209	New Carthage
208	Battle of Baecula
206	Battle of Ilipa; Iliturgi; Sucro mutiny; Return to Rome
205	Elected consul (first time)
204	Elected for Sicilian command with option to cross to Africa
	Pleminius-affair
	Start of African campaign
203	Battle of the Great Plains
202	Battle of Zama
201	Triumph
199	Elected censor and princeps senatus
194	Elected consul (second time)
192	Roman-Seleucid War (against Antiochus)
189	Battle of Magnesia (not present)
187	Trial of the Scipios begins
185	Self-imposed exile at Liternum
183	Death and burial

Family tree

Family tree of the Cornelii Scipiones (with Scipio Africanus the Elder highlighted).[1]

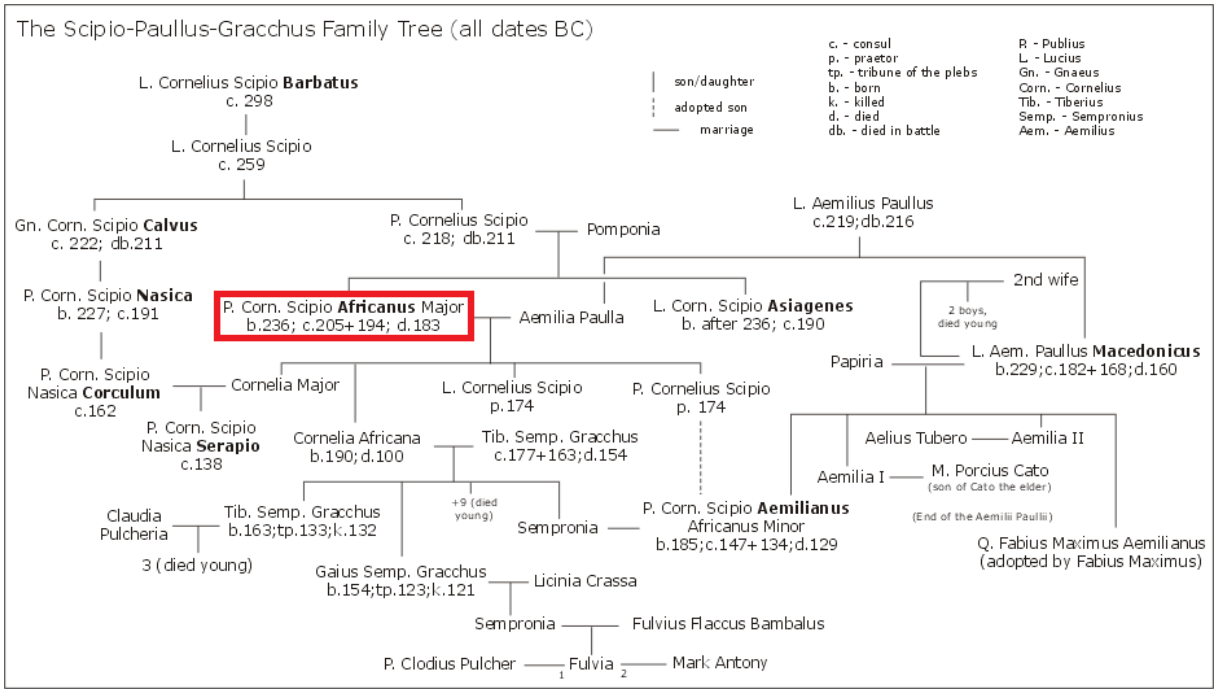

Figure 3.1 Family tree of SAG

[1] `https://upload.wikimedia.org/wikipedia/commons/8/81/SAG-famtree.png` 02-04-2025
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Adapted from Hölkeskamp 2018, p. 434-435

Introduction

The Punic Wars (264–146)[1] between Rome and Carthage have captivated military theorists,[2] and historians alike for millennia[3] - and with good reason: The very survival of both states was at stake, and over the course of the 'long century' the wars spanned, Rome was transformed from a central Italian city-state into a dominant Mediterranean power,[4] the consequences of which have echoed through history and are still felt today across Western culture, from language and law to architecture.[5]

Much of this attention has focused on the Punic general Hannibal,[6] *"Rome's Greatest Enemy"*,[7] whose sensational crossing of the Alps with elephants occupies a lasting place in the cultural memory of the West. But this sustained fascination has, to some extent, come at the expense of one of Hannibal's Roman counterparts, Scipio Africanus (236–183; cos. 205, 194),[8] who remains comparatively understudied.[9] This is unfortunate, as Scipio's achievements rival - and in some cases eclipse - those of Hannibal: His military victories secured Roman dominance in the western Mediterranean,[10] and as a noted philhellene, he played a key role in establishing a flexible alliance system in the Greek east,[11] helping to lay the groundwork for Rome's greatest phase of expansion.[12]

The studies that do exist have tended to concentrate on the political and military aspects of Scipio's life and deeds.[13] This is understandable, given the importance of warfare in Roman history and Scipio's undeniable military skill.[14] Yet this emphasis has resulted in comparatively less attention being paid to the cultural dimension, which is regrettable, since Scipio lived during a culturally turbulent period, the

[1] Caven 2015.
[2] The Battle of Cannae remains a textbook example of the double envelopment *par excellence*
[3] The Roman side has been extensively studied, and the wars remain the most closely examined period of Carthaginian history; de Lisle 2019, ch. 13
[4] Feeney 1998, pp. 85–86; Hoyos 2007, p. 64
[5] Champion 2017, p. XXI.
[6] Golding 2022, p. 32.
[7] E.g. Hoyos 2008
[8] Briscoe 2012.
[9] Golding 2022, p. 32.
[10] Gabriel 2008, p. xv–xvi.
[11] Haywood 1933, p. 85; Gabriel 2008, p. 215
[12] Haywood 1933, p. 105; Liddell-Hart 1926, p. 277; Golding 2022, p. 13
[13] Haywood 1933, p. 5; Prince 2021, p. 12; reflecting the - only recently changing, e.g., Padilla Peralta 2001, p. 6 - focus in literature on the Middle Republic.
[14] Liddell-Hart 1926, p. 279; Gabriel 2008, p. 18-23

Middle Republic, in which Rome, newly dominant in the Mediterranean, renegotiated its literature, art, education, and religion under Greek influence.[15] Scholars have even highlighted that due to his prominent position, Scipio can serve as a valuable historical prism: Examining contemporary reactions to his cultural positioning allows us to better understand broader societal trends in this period of Hellenisation.[16]

Particularly Scipio's religious activities are interesting, since he left a footprint in this area that differs markedly from his contemporaries.[17] Recent research is beginning to rethink the religious life of the Middle Republican elite,[18] but despite this, the topic of Scipio's religion has mostly appeared in brief articles,[19] asides in broader biographies,[20] or case studies of isolated incidents.[21] These selective approaches are problematic, as they risk overlooking relevant evidence and distorting our understanding of his character.[22] For this reason, the present thesis aims to offer a comprehensive study of the religious life of Scipio Africanus, which, to my knowledge, does not yet exist.

One reason for this neglect may lie in Scipio's rapid elevation in the Roman collective consciousness.[23] Due to the importance of his deeds, it quickly became a widespread belief that he was, to some degree, divinely inspired. Consequently, the surviving sources attest widely to Scipio's links to the supernatural - a complex of stories that has colloquially become known as the Scipionic Legend,[24] the existence of which makes it methodologically challenging to assess how much of Scipio's image derives from his own religious activities and how much was the product of speculations by later historians.[25] In other words, any effort to recover the historical Scipio — especially with regard to his religious life — requires separating historical fact from later legend: The layers of the legend must be peeled back before the religious life of the historical Scipio can be meaningfully assessed.[26]

One way to approach this problem is through historiographical analysis - critical examination of the written representation of the past, rather than the past itself[27] - which, for early Roman history, has seen *"something of a revival of attention"* in recent years.[28] A range of approaches have been applied to and proven especially useful for the historical writings Livy, who - along with Polybius - constitute our main source for Scipio's life: Intratextual analysis, that is, the examination of how Livy created meaning by relating elements within his history to one another, have demonstrated how he subtly criticized Scipio's behaviour,[29] presented his life as parallel to that of Hannibal,[30] and introduced elements of fate to explain

[15] Tretheway 2001, p. 295; Scullard 1970, p. 237
[16] Tretheway 2001, p. iii; e.g., elite identity in the face of Hellenisation, see Prince 2021, p. 148; religious behaviour, see Seguin 1974, p. 4
[17] Beard, North, and Price 1998, p. 84.
[18] Champion 2017, p. XIV–XV, but cf. Mackey 2022; although our understanding of this period still contains *"gaping omissions and misinterpretations"*,Champion 2017, p. XXI
[19] Namely Seguin 1974
[20] E.g. Scullard 1970, p. 235–237
[21] E.g. Wells 2010 or Richardson 2018
[22] Golding 2022, p. 32–33.
[23] Plb. 10.2.2 describes him as *"almost the most famous man of all time"*
[24] Beltramini and Rocco 2020, p. 234.
[25] Beard, North, and Price 1998, p. 84.
[26] Tretheway 2001, p. 5.
[27] Chaplin and Kraus 2009, p. 3.
[28] Smith 2018, p. 1.
[29] Beltramini and Rocco 2020, p. 238-242.
[30] Rossi 2004, p. 359 f.

Scipio's extraordinary trajectory.[31]

Similarly, intertextual analysis, that is, the critical examination of how meaning is created by Livy through the relationship of his historical writings to other texts, has shown how Livy was well aware that his work was merely the most recent contribution to a long-standing literary tradition.[32] Some scholars have noted parallels between portrayals of Scipio and Alexander the Great,[33] but this intertextual approach to historiography has yet to be widely applied to Livy's presentation of Scipio's religion and Polybius' presentation of his life more broadly. This leads me to the following research question:

How can intertextual analysis of historiography on the Middle Republic elucidate the religious life of Scipio Africanus and the development of the Scipionic Legend?

[31] See Golding 2022, p. 41-42; Liebeschuetz 2009, p. 370-371 on Liv. 22.53.6; see also Haimson Lushkov 2014, p. 126-127 on Livy's use of annalistic notices in Scipio's downfall

[32] Haimson Lushkov 2010, p. 124.

[33] Tretheway 2001, passim; Levene 2010, p. 120

Definitions

In this section, I define and discuss concepts central to understanding the research question.

5.1 Scipio Africanus

Throughout this thesis, I use the names 'Scipio' and 'Africanus' interchangeably. This follows common scholarly usage but is, strictly speaking, anachronistic: *Africanus* was an agnomen granted only after Scipio's triumph in 201.[1] In his early life, he would have been known by his *tria nomina*, Publius Cornelius Scipio. Due to Roman naming conventions, this name was shared by several relatives — including a cousin, a son-in-law, and his adopted grandson, Aemilianus, later known as Africanus the Younger.

5.2 The Middle Republic

As stated, Scipio's career fell within the Middle Republic, now seen as a discrete period by modern scholars.[2] This is, however, another anachronistic label, as a *Middle* Republic is not attested in the sources.[3] The Romans never used this periodisation, and perhaps because it is a modern construct, definitions vary widely — for example, 400–200,[4] or from the Punic Wars to the Gracchi.[5]

However, since the impact of Scipio's religious life extends beyond the Middle Republic, I follow my supervisor, Carsten Hjort Lange, in drawing on Dominik Maschek's concept of *"generationenübergreifende Perspektiven"*,[6] and choosing to *"consider the Middle and Late Republic together rather than artificially separating them"*.[7] This is not a novel approach — it has been described as *"a defensible choice, at least in a religious history of Roman warfare"* to view the Hannibalic War as the beginning of the Late Republic.[8]

[1] Liv. 30.45.6; Zon. 9.14; see Gabriel 2008, p. 1; Scullard 1970, p. 10
[2] Tretheway 2001, p. 300.
[3] Padilla Peralta 2001, p. 1.
[4] Bernard, Mignone, and Padilla Peralta 2023, p. 1–16.
[5] Santangelo and Balbo 2022, p. 1–4; Champion 2017, p. 1–2
[6] Maschek 2018, p. 17–18.
[7] Lange 2024, p. 11.
[8] Santangelo 2019a, p. 298.

I adopt this deliberately broad periodisation because my focus lies precisely on how representations of Scipio in historiography evolved diachronically.

5.3 Historiography

The dictionary defines 'historiography' simply as *"the writing of history"*.[9] In academic usage, however, this is an oversimplification: the term now refers to *"the study of the writing of history"*,[10] that is, historical scholarship's critical reflection on its own development.

This distinction works well for modern history, where a clear separation exists between sources and historical accounts. In ancient history, however, the texts that now serve as sources were themselves the historical narratives of their time. Thus, here it refers to how ancient authors constructed the past.

Several definitions of ancient historiography have been proposed — for example, as *"the art and study of the representation of the historical past, rather than that past itself"*.[11] Yet embedded in this definition is a modern conception of history as the study of past reality - a conception not shared by ancient writers. For them, *"history was not included in the disciplines that moved towards exact knowledge — truth in the philosophical sense of the term"*.[12] This is not to suggest that ancient historiography was mere invention. Ancient historians valued research and aimed to represent the past as they understood it.[13] But the results of historical studies belonged to the realm of *doxa* — opinion,[14] and as such, historiography was considered a branch of rhetoric.[15] I thus follow a distinction formulated by philologist Roberto Nicolai — as presented in John Marincola's *A Companion to Greek and Roman Historiography* (2007) — between *"history, understood as the whole of past events, and historiography, understood as a literary genre charged with the narration of events"*.[16]

Even this definition, however, requires clarification, since Scipio's lifetime overlaps with the emergence of Roman historiography itself. Before the First Punic War, the task of narrating Roman history was largely undertaken by Greek authors, while Romans preserved their past through oral traditions, patrician family records, and official documents such as the consular *fasti* and the *annales maximi*.[17] Growing interaction with the Greek East eventually exposed the Romans to a more developed historical consciousness, marked by narrative complexity and literary sophistication.[18] By the Hannibalic War, these ideas had been synthesized with annalistic traditions to form a distinctively Roman historiography. The first Roman authors began the centuries-long process of mapping Rome's past onto the grid of Greek historical tradition — in both *verse* and *prose*.[19]

[9] E.g. `https://www.merriam-webster.com/dictionary/historiography`, visited 09-04-2025
[10] Tosh 2010, p. 65.
[11] Chaplin and Kraus 2009, p. 3.
[12] Nicolai 2008, p. 15.
[13] Marincola 2008, p. 3; Lange 2021, p. 235
[14] Nicolai 2008, p. 15–16.
[15] Marincola 1997, p. 13; Cic. Leg. 1.5
[16] Nicolai 2008, p. 12.
[17] Tablets recording annual events, updated by the *pontifex maximus* until 130; see Cornell 1995, p. 9–16, Ogilvie and Drummond 1998, p. 23–24. Much about them remains uncertain; see Rich 2018, p. 21. Frier 1979 argues the version known to later sources was an 80-book Augustan republication; see also Briscoe 2009, p. 311, Bispham 2006, p. 33.
[18] Golding 2022, p. 29; Feeney 2016, p. 6
[19] Ibid., p. 238–239.

Crucially, this project was not limited to historians: *"poets, playwrights, lawyers, orators and so on were also participating in the same exercise"*.[20] The ancients, in fact, did not conceive of historians as a distinct professional category.[21] This perspective has gained increasing recognition in recent years, and the horizon of historiography is now expanding *"beyond the limits of a fixed genre to include a range of approaches to the past"*.[22] In this thesis, I follow this development, adopting a broad definition of historiography that encompasses verse, prose, and epigraphy - all of which played a role in shaping Scipio's image.

5.4 Intertextuality

The term *intertextuality* was coined by philosopher Julia Kristeva in 1969 to describe how *"any text is constructed as a mosaic of quotations; any text is the absorption and transformation of another"*.[23] The concept encompasses both deliberate allusions and broader literary influence — a spectrum of relationships between texts.[24] Underlying the use of this term in historiographical studies is the idea that historians, too, do not write in a vacuum: consciously or not, they develop their work within a broader literary and cultural context,[25] and, given its rhetorical nature, ancient historians *"manipulate factual truths for dramatic purposes"* to varying degrees to suit this context.[26]

Intertextuality and allusion are particularly powerful tools in classical studies, since — as Marincola has noted — literary imitation was central to ancient historiography: *"The idea that one should imitate one's great predecessors, and look to them for the proper way to treat almost any task is a fundamental aspect of ancient literary creation"*.[27] This did not imply literal copying. Rather, the goal of ancient historians was *mimesis*: the creative imitation of earlier works, involving incremental innovation and improvement.[28]

Which predecessors should be included? Since Roman historiography was closely tied to Greek models,[29] I consider the Greco-Roman literary tradition as a whole — defined as *"all texts which were published, copied, lodged in libraries, and put on sale during antiquity"*.[30] This approach aligns with Marincola's view that *"only with a consideration of all types of Greek and Roman historical writing will we be able to come to a better understanding of the nature of ancient historiography"*.[31]

[20] Smith 2018, p. 10–11.
[21] Marincola 1997, p. 19.
[22] Lange and Madsen 2023.
[23] Kristeva 1986, p. 37.
[24] Levene 2010, p. 82–83.
[25] Marincola 2008, p. xviii–xix; famously, this idea also underpins the works of Hayden White, who defined historiography as *"a verbal structure in the form of a narrative prose discourse that purports to be a model, or icon, of past structures and processes in the interest of explaining what they were by representing them"*, White 1973, p. ix. While foundational for understanding the literary dimensions of historiography, this definition does not suit my methodological needs, as I include a broader range of texts than strictly narrative prose.
[26] Woodman 1988, pp. 6-7, 227–230.
[27] Marincola 1997, p. 12–13.
[28] Marincola 2008, p. 14; Woodman 1979, p. 148
[29] Smith 2018, p. 7.
[30] Bispham 2006, p. 29; as opposed to the narrower definition of *"the mass of data contained in ancient texts and representing what the Romans … knew, or thought they knew, about their own past"*, Cornell 1995, p. 1
[31] Marincola 1997, p. 3.

5.5 The Scipionic Legend

The germ of the legend likely existed during Scipio's own lifetime,[32] and by the mid-second century — when Polybius wrote — it was widely believed that Scipio claimed some measure of divine inspiration. Over time, sensational elements were added, and the fully developed legend told of Scipio as the son of Jupiter, who — disguised as a snake — impregnated Scipio's mother. As a demigod, he communed with the gods, whose guidance brought Roman victory, and he ascended to heaven after death.[33]

While various scholars have proposed definitions, the Scipionic Legend is perhaps most aptly described as *"a complex of stories about Scipio's link to the supernatural widely testified to by the sources"*,[34] to which I would add the qualification: *"... which accrued over time"*. This highlights two key features: first, there is no canon — the legend is not unified, but a composite of distinct narrative strands;[35] second, it developed gradually, growing more sensational with each stage of transmission.[36] The tale grew in the telling, as it were.

The emergence of the Scipionic Legend is a rare phenomenon in Republican history.[37] Between Rome's mythical prehistory and the Principate, few other figures gained a comparable reputation for miraculous deeds aided by the divine.[38] This helps explain why Scipio remains a compelling subject of historiographical study — and why a definition is in order.

5.6 Religion

The term 'religion' is anachronistic in the Roman context. In modern usage, it evokes *religio animi* — a personal and internalized belief system, typical of the Abrahamic traditions.[39] This framework makes it difficult to discuss ancient religion without invoking terms like *faith* or *belief systems*, which risk misrepresenting the Roman context.[40] The Romans paid extraordinary attention to the divine,[41] but orthopraxy — correct ritual observance aimed at maintaining *pax deorum*, the peace of the gods — rather than belief, was at the heart of their religion. Theirs was a religion of *"savoir faire"* rather than *"savoir penser"*.[42]

The conceptual framework for articulating Roman religion was still taking shape in the Middle Republic. *Theologia* — philosophical reasoning about the gods — emerged only in the second century,[43] and the notion of a unified *Roman religion* was the product of Late Republican thinkers such as Varro

[32] Tretheway 2001, p. 6.
[33] ibid., p. 5; Scullard 1970, p. 22–23
[34] Beltramini and Rocco 2020, p. 234; see also definitions in Scullard 1970, p. 22–23 and Prince 2021, p. 12.
[35] Haywood 1933, p. 29.
[36] Tretheway 2001, p. 6.
[37] Scullard 1970, p. 25.
[38] Tretheway 2001, p. 184 notes that Fabius' wisdom, according to Plut. *Fab.* 17, was considered divinely inspired after Cannae, though this may not reflect contemporary belief. See also Davies 2004, p. 109–110 on Camillus in Liv. 5.19.2, and Feeney 1998, p. 109 on Romulus, who was apotheosized as Quirinus.
[39] Price 1984, p. 10–11.
[40] North 1998, p. 609.
[41] Champion 2017, p. XV gathers examples: Val. Max. 1.1.8–9; Gell. *NA.* 14.7.9; Cic. *Har. Resp.* 9.19; Plb. 6.56.6–13; cf. Dion. Hal. 2.19.2–3, 21.1–2, 63.1–3; Sall. *BC* 12.3; Sall. *Iug.* 14.19; Cic. *Nat. D.* 2.3.8; Cic. *Div.* 1.28
[42] Ibid., p. IX–X.
[43] Rüpke 2006a, p. 215.

and Cicero, the earliest surviving author to define religion as *"the worship of the gods"*.[44] Before this, the Romans had no direct equivalent to the modern term,[45] and *religio* may have meant something closer to *"respect for one's ancestors"*.[46]

Moreover, the Romans had no concept of religion as a distinct domain;[47] religious practice permeated all aspects of life — public and private.[48] I exclude the latter from this study because it is scarcely visible in the sources — likely a result of ancient historians prioritizing public ritual associated with state institutions.[49]

My focus lies instead on how religion suffused the Roman state. All political acts took place within a religious framework,[50] and priesthoods and magistracies were often held by the same aristocrats.[51] This inextricable link between religious and political authority is perhaps the most difficult aspect for modern readers to grasp,[52] yet it extended into the military sphere as well. Political office brought military command,[53] and commanders were often vested with religious authority.[54] It is precisely in Scipio's navigation of this entanglement that my interest lies.

We now recognize that religion itself is a modern construct, which helps explain the variety of definitions in modern scholarship.[55] Duncan MacRae, for example, defines ancient religion as *"things involving the gods or other superhuman beings and the technologies for interacting with such beings"*.[56] This includes private practices and is too broad for my purposes. Clifford Ando's definition — *"the sum total of current cult practice"*[57] — better reflects Roman orthopraxy but excludes key themes such as fate and fortune, especially relevant in Livy.

David Levene offers a narrower definition: *"the state cult and the views of the philosophical schools"*.[58] I adopt this, modifying 'state cult' to avoid misleading connotations, since some public rites were not state funded,[59] conversion was not required,[60] and impiety was not illegal.[61] I therefore prefer the term 'civic cult', referring to religious practices embedded in the political and military life of the Roman state.[62]

Accordingly, *the religious life of Scipio Africanus* is used with full awareness of its anachronistic implications, to refer to aspects of his life involving the civic cult, the gods, or ideas of fate and fortune.

[44] Cic. *Nat. D.* 2.8
[45] Feeney 1998, p. 1; Gradel 2004, p. 4
[46] Levene 1993, p. 23.
[47] Wells 2010, p. 229.
[48] North 1998, p. 599; a distinction we should be wary of perpetuating, see MacRae 2016, p. 14; for an overview of private cults, see North 2000, p. 10–11; Feeney 1998, p. 84.
[49] Levene 1993, p. 2; North 2000, p. 10–11
[50] North 1998, p. 590.
[51] Cic. *Dom.* 1.1
[52] Champion 2017, p. XVI–XVII, though it is well recognized in the scholarship; Beard 2015, p. 283 for general discussion; Seguin 1974, p. 3 for Scipio.
[53] Warfare is, after all, a continuation of policy by other means.
[54] Rüpke 2019, p. 257; North 1998, p. 600; Champion 2017, p. 55 for examples from the Hannibalic War.
[55] Gradel 2004, p. 3.
[56] MacRae 2016, p. 14.
[57] Ando 2003, p. 2.
[58] Levene 1993, p. 2.
[59] Rüpke 2006a, p. 232–233.
[60] Beard 2015, p. 205–207.
[61] Wells 2010, p. 230.
[62] As used, for example, by ibid.

Stand der Forschung

In this section, I discuss key works on relevant topics.

6.1 Scipio Africanus

6.1.1 Early studies

As so often, Theodor Mommsen was among the first to present a coherent image of Scipio from the sources.[1] From the outset, the question of Scipio's personal belief emerged, and his larger-than-life self-presentation — provocative and dramatic — was taken as evidence that he truly believed in his divine inspiration.[2] This view was developed by Gaetano De Sanctis in his *Storia dei Romani* (1916–1923),[3] and Eduard Meyer in *Untersuchungen zur Geschichte des zweiten punischen Krieges* (1924),[4] both of whom firmly endorsed the idea that Scipio was convinced of his divine mission. By this point, the pendulum of scholarly opinion had swung decisively toward belief.[5]

6.1.2 Monographs

This was the context when B. H. Liddell Hart, a leading twentieth-century military historian, published the first biography of Scipio, *A Greater than Napoleon – Scipio Africanus* (1926), which received positive reviews at the time.[6] While the book barely addresses religion, it remains useful for its concise overview of Scipio's life. However, historical scholarship has advanced considerably in the past century, and the biography is now considered *"not an especially scholarly work"*.[7] Hart's handling of the sources appears problematic: he relies almost exclusively on Polybius and Livy, dismissing other accounts as *"less trustworthy"*;[8] his portrayal of Scipio is overly idealized;[9] and the work is shaped by Hart's experience as

[1] RE IV.1, p. 1462–1463, following Mommsen 1854-1885, vol. 2, p. 632
[2] ibid., vol. 3, p. 157; Davies 2004, p. 129
[3] E.g. DeSanctis 1916-1923, vol. 3.2, p. 452; De Sanctis regarded the very existence of the legend as proof of Scipio's belief, Golding 2022, p. 33–34
[4] Meyer 1924, p. 433 ff.
[5] Haywood 1933, p. 35.
[6] Spaulding 1928; Rogers 1929
[7] Golding 2022, p. 34.
[8] Liddell-Hart 1926, p. 3–4.
[9] Ibid., p. 6–7, 275–276.

a First World War veteran.[10] Military history has also generally fallen out of favour, giving the modern reader the impression of an *"unbalanced"* disposition.[11]

Liddell Hart's work prompted the ancient historian Richard Haywood to publish *Studies on Scipio Africanus* (1933), a valuable but not comprehensive collection of essays.[12] Though Haywood partly echoes Liddell's dismissal of so-called *"unreliable"* sources,[13] he addresses many shortcomings by focusing on Scipio's post-Zama career, arguing that his role in shaping foreign policy in the East was as significant as his military achievements.[14] Haywood also engages with the question of religion, rightly noting that the 'Scipio the mystic' thesis clashes with modern understandings: Scipio could not have acted so effectively based solely on dreams and omens.[15] Instead, he suggests that *"Scipio probably was religious in the manner of his day, but not a mystic"*; while Scipio may have had a personal relationship with the gods, Haywood found no evidence that he used religion to signal divine favour for political ends.[16] This more measured view gained traction in later scholarship.[17]

Like Haywood, Howard Hayes Scullard was motivated by Liddell Hart's shortcomings to pursue his own study.[18] His first work, *Scipio Africanus in the Second Punic War* (1929),[19] was later combined with material from *Roman Politics* (1951)[20] to produce his definitive biography, *Scipio Africanus: Soldier and Politician* (1970). For many years, this remained *"the best-known full-length treatment of Scipio"*,[21] and with good reason: Scullard compared a broad range of literary sources and attempted to resolve contradictions.[22]

But no work is without flaws. Scullard was criticized for relying too heavily on Polybius,[23] and some accused him of repackaging earlier material that already felt dated. I would add that the division of Scipio's life into separate military and political chapters[24] seems artificial, given the deep interconnectedness of these spheres. The first half also contains long digressions on military history[25] that strike modern readers as *"obscurum per obscurius"*.[26] While the book has also been faulted for its limited treatment of social and cultural contexts,[27] I find that it succeeds in situating Scipio within the religious framework of his time.[28]

After Scullard, the bibliography on Scipio remained limited for many years.[29] This changed with

[10] E.g. ibid., p. 36, 45
[11] Gabriel 2008, p. xi.
[12] Ibid., p. xii.
[13] E.g. Haywood 1933, p. 21 on Valerius Maximus
[14] Ibid., p. 5.
[15] Ibid., p. 35.
[16] Ibid., p. 30–31.
[17] Prince 2021, p. 12.
[18] Gabriel 2008, p. xii.
[19] Scullard 1929b.
[20] Scullard 1929a.
[21] Tretheway 2001, p. 2.
[22] But cf. Gabriel 2008, p. xii
[23] Gruen 1972, p. 377–378.
[24] Scullard 1970, p. 28.
[25] E.g. ibid., p. 33
[26] Errington 1971.
[27] Tretheway 2001, p. 3.
[28] Esp. Scullard 1970, p. 235–237
[29] Tretheway 2001, p. 2.

the publication of *Scipio Africanus* (2007) by Russian historian Alexander Acimovic,[30] the first new biography in decades. However, its scholarly quality is such that it *"cannot be recommended either for the general reader or for the student of ancient history"*.[31] I have therefore not relied on it.

Retired military officer Richard A. Gabriel's self-proclaimed *"new military biography"*,[32] *Scipio Africanus: Rome's Greatest General* (2008), is of considerably higher quality. The monograph deserves credit for its overview of the ancient sources,[33] but treats Scipio's religion as an afterthought. Gabriel even appears to contradict himself: he first echoes Haywood's view that Scipio was *"a pious man by Roman standards"* but then shifts tone, suggesting Scipio would only visit temples for material help,[34] ultimately dismissing his behavior as *"religious hypocrisy"*.[35] Though the book offers a concise summary of Scipio's military career, it thus contributes little to the religious dimension explored in this study.

6.1.3 Dissertations and articles

These are the main monographs on Scipio Africanus — and they are relatively few.[36] To my knowledge, he has also been the subject of two doctoral theses in the new millennium. Kenneth Tretheway's *The Image of Scipio Africanus, 235–201 BC* (2001) examines Scipio's self-presentation during his rise to prominence, shedding valuable light on the shifting cultural environment of the Middle Republic.[37] Unfortunately, Tretheway ends his analysis with Scipio's triumph in 201,[38] leaving no room for the latter half of his career. Like the earlier works, the thesis also devotes space to battle narratives that add little to its aims.[39]

Stephanie Golding's thesis, *Livy's Portrayal of Scipio Africanus as a Complex Exemplum* (2023), reflects a more recent historiographical approach. Despite some citation issues,[40] the study convincingly argues that while Scipio has traditionally been seen as Livy's *"ideal Roman"*,[41] the text also contains subtle critiques of his conduct.[42] These include his actions in religious matters, which are particularly relevant.

Select analyses of specific incidents[43] or aspects of Scipio's character[44] can be found in various journal articles. Most relevant to this thesis is French historian Roger Seguin's *La religion de Scipion l'Africain* (1974), which shares this study's aim of examining Scipio's religion.[45] Naturally, the article format limits

[30] Acimovic 2007.
[31] Jacobs 2008.
[32] Gabriel 2008, p. xiii.
[33] ibid., p. xiii; but cf. Shapiro 2010, p. 687
[34] Echoing Warde Fowler, see below.
[35] Gabriel 2008, p. 4–5.
[36] Ibid., p. xi.
[37] Golding 2022, p. 34.
[38] Tretheway 2001, p. 4.
[39] E.g. ibid., p. 259–270 on the Battle of Zama
[40] Golding 2022, p. 45 refers incorrectly to Liv. 22.43 instead of 22.53. ibid., p. 159 n. 581 attributes an argument to Burck 2009, p. 293, which is actually on p. 295. Golding 2022, p. 178 n. 650 cites Liv. 38.46.1–7, where 38.56.1–7 is correct, etc.
[41] Ibid., p. 10.
[42] This theme is also touched upon in Scott 1986; see also Levene 1993, p. 72–74
[43] E.g. Botha 1980
[44] E.g. Beltramini and Rocco 2020
[45] Seguin 1974, p. 4; for a useful overview of relevant literature, see Beltramini and Rocco 2020, p. 234 n. 23

its scope. Also valuable is F. W. Walbank's *The Scipionic Legend* (1967), though his reading of Livy now appears dated in light of more recent scholarship.[46]

6.2 Polybius and Livy

Turning to literature on our main sources, Walbank's *A Historical Commentary on Polybius*[47] — despite its age — still *"remains indispensable"*.[48] Among more recent contributions, Craige B. Champion's *Cultural Politics in Polybius's Histories* (2004) stands out. Focusing on the *"ideological presuppositions and predispositions of Polybius's different audiences"*, Champion explores how Polybius positioned himself politically and culturally to help the Greek world accommodate Roman rule.[49] The book has been praised as *"a truly original and interesting reading of an under-appreciated work of historical literature"*,[50] drawing on wide scholarship and engaging with religion and Scipio.[51]

Polybius features prominently in modern biographies of Scipio, whereas Livy receives comparatively less attention.[52] This may reflect the persistence of a long-standing view of Livy as *"a transcriber rather than an original thinker"*.[53] This reductive view has been rejected, and Livy's historical and literary value is now widely recognized.[54]

Much scholarly debate surrounds Livy's use of sources,[55] their reliability,[56] and that of early Roman historiography more broadly.[57] I follow A. J. Woodman, who — with Marincola[58] — argues that ancient historians, often more than is acknowledged, working with a cyclical view of history, employed *"substantive imitation"*: filling gaps in knowledge by *"giving substance to a poorly documented incident by the imitating of one which is much better documented"*.[59] Thus, while Greco-Roman historiography generally — and Livy specifically — preserves substantial historical content, we must remain alert to places where literary convention shapes the narrative.

I have consulted the overview of Livian scholarship in *Oxford Readings in Classical Studies* (2009), an anthology that surveys key works with which *"every student of Livy should be acquainted"*.[60] Most relevant is the reprint of W. Liebeschuetz's article *The Religious Position of Livy's History* (1967),[61] which examines Livy's engagement with philosophical ideas such as morality, rationalism, skepticism, Stoicism, and fate. The Second Punic War, and Scipio in particular, receive only limited attention.

[46] Golding 2022, p. 33–34.
[47] Walbank 1957-1979.
[48] FrHist 1.113–114
[49] Champion 2004, p. 4 ff.
[50] Burton 2004.
[51] See also Moore 2020, esp. ch. 3 and 4
[52] E.g. Scullard 1970, p. 11 ff.
[53] Golding 2022, p. 17; Haimson-Lushkov 2017, p. 31; originating with Heinrich Nissen in the nineteenth century, e.g. *"Livius ist kein Plagiator aber noch weniger ein Taschenspieler unter den Historikern"*, Nissen 1863, p. 75 ff. for critique, see Oakley 2009, p. 450; Levene 2010, p. 36–37, 242
[54] See Golding 2022, p. 35–36 on Burck, Luce, and Miles; Ogilvie, Oakley, and Briscoe all include substantial material on religion, see Liebeschuetz 2009, p. 377
[55] Oakley 2009, p. 450–451.
[56] See Golding 2022, p. 20–21 on Wiseman and Woodman contra Lendon
[57] Cornell 1995 contra Forsythe 2005
[58] Marincola 1997, p. 12–19.
[59] Woodman 1979, p. 152–153.
[60] Rossi 2010, p. 616.
[61] Liebeschuetz 1967.

For the purposes of this study, the most important scholar of Livy is David Levene, who has written extensively on religion in Livy's history.[62] His work investigates *"Livian belief and skepticism"* through detailed analysis of religious material,[63] notably highlighting *"the freedom with which Livy handled religious episodes for literary effect"*.[64] This remains a relatively recent insight, not yet fully integrated into interpretations of Scipio. Equally relevant is Levene's monograph on the Hannibalic War, which explores intertextuality and allusion in Livy's account.[65]

6.3 General Roman religion

Jason P. Davies' *Rome's Religious History: Livy, Tacitus and Ammianus on their Gods* (2009)[66] also addresses religion in Livy, though it may be more valuable for understanding Roman religion broadly. Another foundational work that remains unsurpassed is *Religions of Rome* (1998) by Mary Beard, John North, and Simon Price,[67] each of whom has also made significant individual contributions.[68]

6.3.1 Belief

In recent years, a central question in the study of Roman religion has been the role of belief. This reflects a continued move away from earlier scholarly assumptions that cast Roman religion as a system in decline – barren of emotional depth or genuine conviction. According to this view, while early Roman religion may have featured *"an admirable piety, linked to an agricultural and communal life, with simple forms of worship"*, contact with Greek ideas during the Middle Republic led to growing skepticism. Educated elites were thought to have become *"estranged from their religious traditions, maintaining them only for the purpose of political exploitation, to fox their opponents and bamboozle the plebs"*.[69] Such assumptions are deeply embedded in Roman studies: Gibbon famously claimed that *"a profession of belief in religion convicted anyone who made it, at any time or place, of being either a knavish hypocrite or a guileless fool"*.[70] They also permeate major twentieth-century works.[71] For decades, this view of Roman religion as devoid of meaning imposed a teleological bent on the field, casting it not as an object of serious inquiry, but as a mere prelude to Christianity.[72]

Most famously, Price challenged the validity of judging Roman religion by Christian standards in *Rituals and Power: The Roman Imperial Cult in Asia Minor* (1985), questioning the consensus that Roman nobles were uniformly skeptical. He argued that the skepticism found in the sources reflects the views of a small group of literate, self-consciously intellectual elites, not necessarily representative of the wider aristocracy.[73] While Price has been criticised for retaining elements of a Christian interpretive

[62] Levene 1993; see also Kajanto 1957
[63] Horsfall 1998.
[64] Liebeschuetz 1995.
[65] Levene 2010, ch. 2.
[66] Davies 2004.
[67] Beard, North, and Price 1998.
[68] E.g. North 1998; North 2000
[69] Feeney 1998, p. 3.
[70] See Toynbee 1965, p. 411
[71] E.g. Fowler 1911, p. 331; Syme 1939, p. 256; Latte 1960, p. 262–272
[72] Phillips 1997, p. 129.
[73] Price 1984, p. 7–10; Feeney 1998, p. 3–4 on Jocelyn 1966

framework,[74] his argument remains influential.

More recent studies of Roman religion's communal dynamics have further dismantled the view that *"aristocrats corrupted a once pristine religious system by manipulating it for their own purposes"*.[75] In *The Peace of the Gods: Elite Religious Practices in the Middle Roman Republic* (2017), Champion critiques this claim — that skeptical elites used religion to control nonelites — a view he aptly terms *"elite instrumentalism"*.[76] His work has been called *"a very substantial contribution to the understanding of pre-Augustan Roman religion"*.[77] Nevertheless, the elite instrumentalist model remains widespread, even in recent scholarship.[78]

6.4 The Middle Republic

Champion's work forms part of a broader resurgence in scholarly interest in the Middle Republic. This revival, led by American scholars such as Seth Bernard and Dan-el Padilla Peralta,[79] is marked by renewed focus on material culture.[80] While religion is acknowledged as a *"lacuna"* in their collaborative volume *Making the Middle Republic: New Approaches to Rome and Italy c.400–200 BCE*,[81] Peralta's *Divine Institutions: Religions and Community in the Middle Roman Republic* (2020) places it at the centre. Hailed as *"an indispensable read for anyone interested in Roman history and ancient religion"*,[82] the book uses temple construction to explore how religion helped cohere Republican society during a time of transition.[83] In this light, the present thesis offers a complementary return to the literary sources that inevitably frame our reading of the material record.

6.5 War

Finally, I should address the scholarship on the intersection of war and Roman religion. Of Rome's war-related rituals, none has received more scholarly attention than the *triumph*.[84] This and related rituals have been explored by John Rich,[85] whose work significantly advances the study of religion and warfare.[86] Most influential, however, is Jörg Rüpke's *Domi militiae* (1990),[87] described by Santangelo as *"a go-to discussion of any aspect of the intersection between religion and warfare in Rome"*.[88] A more debated section concerns the relationship between *imperium* and *auspicium*,[89] further developed by Frederik Vervaet and central to understanding Scipio's interaction with the civic cult during wartime.[90]

[74] E.g. Mellor 1986, p. 297; Gradel 2004, p. 7 n. 6 on Price's use of the undefined term 'religion'
[75] Wells 2010, p. 229; MacRae 2016, p. 15
[76] Champion 2017, p. X.
[77] Santangelo 2019b, p. 309.
[78] E.g. Farney 2023, p. 69; Sanchez 2021
[79] See also Santangelo and Balbo 2022 and Lange 2024. Lange's work also extends to relevant topics such as historiography,Lange 2021 and the Roman war ritual of the triumph.Lange 2016
[80] Bernard, Mignone, and Padilla Peralta 2023, p. 6.
[81] Ibid., p. 266.
[82] Vukovic 2021, p. 527.
[83] Padilla Peralta 2001, p. 2.
[84] E.g. Versnel 1970; Beard 2009. On Rome in victory, see also Weinstock 1957; Fears 1981
[85] Rich 2013.
[86] Rich 2011; Rich 1993
[87] Cited in the English translation, Rüpke 2019
[88] Santangelo 2019a, p. 281.
[89] Ibid., p. 285.
[90] Vervaet 2014. See also Albrecht 2020, p. 74 ff. for Scipio's wartime religiosity

Source Material

This chapter presents and discusses the sources used to answer my research question.

7.1 General Remarks

Because Scipio's life coincides with the birth of Roman historiography,[1] our evidence is fragmentary. A prime example is Scipio's memoirs, which he is thought to have written in Greek,[2] but which were already lost by the Late Republic.[3] We must therefore rely on a combination of scarce contemporary and more detailed but later sources.[4] Fortunately, Roman interest in exemplary individuals means that biographical material from this period is comparatively well preserved.[5] This is the case for Scipio in Polybius and Livy, our two principal sources, to whom we now turn.

7.2 Polybius

Polybius of Megalopolis (c. 200–118)[6] was a Greek historian with family ties to the Achaean League. After the Battle of Pydna in 168, he was among the Greeks deported to Rome, where he gained influence through his friendship with Scipio Aemilianus, whom he accompanied at the siege of Carthage in 146. That same year, after the destruction of Corinth, he helped mediate the Roman resettlement of Greece. In Rome, Polybius became convinced that Hellas was destined to submit to Roman power,[7] and his bicultural experience made him *"a uniquely qualified universal historian of the unification of the Mediterranean basin under Rome's aegis"*.[8] He therefore composed *The Histories*, a forty-book account of the years 264–146. The first five books survive intact; the remainder are fragmentary.[9]

[1] Tretheway 2001, p. 300.
[2] Liddell-Hart 1926, p. 272–273; see also Candau 2011, p. 121 on Polybius' allusions in 10.2.1–10.9.3 (= FGrHist 232)
[3] Cic. *Off.* 3.4 noted that *"no literary monuments of his genius"* survived; see also 3.1.1; Cic. *Brut.* 77; Plut. *Mor.* 196b
[4] Tretheway 2001, p. 301; Bernard, Mignone, and Padilla Peralta 2023, p. 6; Rich 2013, p. 542–543
[5] Tretheway 2001, p. 301–302.
[6] Following FrHist, 1.113-114; Ogilvie and Drummond 1998, p. 2–3
[7] Scullard 1970, p. 12.
[8] Champion 2004, p. 18.
[9] Golding 2022, p. 30; information on religious practices is known to have been lost, see e.g. Hornblower 2024, p. 230 on book 6; Haywood 1933, p. 31 doubts that Scipio appears in the missing parts

7.2.1 Historiographical style

Polybius wrote not to entertain, but to instruct. He therefore stressed the need for explanation in historical writing,[10] and presented his work as a political and military manual for the Roman elite, intended also to *"give men examples of how to endure the changing fortunes of life"*.[11] For such lessons to be meaningful, however, history had to reflect reality. Polybius thus maintained that historians should possess direct experience — through professional expertise or firsthand observation — and visit relevant locations.[12]

To the same end, Polybius practiced source criticism and aimed at strict impartiality.[13] Aware of the challenge this posed, he discussed methodology more than any other ancient historian.[14] These high standards make him the best source for general biographical studies of Scipio.[15] His value is further enhanced by being the earliest surviving source to treat Scipio in any detail,[16] a temporal proximity he exploited by drawing on eyewitness testimony and insisting on direct enquiry.[17]

But Polybius is not beyond criticism.[18] His closeness to events is a double-edged sword: Much of our knowledge of Scipio comes through Polybius' ties to his descendants,[19] and while Polybius often subjected his enemies to intense scrutiny, his political and personal allies sometimes receive *"near-hagiographical treatment"*.[20] Scullard thus argues that Polybius' *"intense admiration"* of Scipio led to an overly flattering portrayal - *"little better than a caricature"*.[21]

7.2.2 Polybius' sources

Laelius and Masinissa

Among the eyewitnesses Polybius had access to was Laelius, Scipio's close companion, *"who from his youth up to the end had participated in his every word and deed"*, and whose assessment of Scipio Polybius openly follows.[22] Laelius' reliability as a source remains debated: his closeness to Scipio gave him both deep insight and a strong incentive to embellish.[23] Polybius also interviewed Massinissa, Rome's Numidian ally during the later stages of the Second Punic War,[24] though how much this influenced his account of Scipio is unclear.[25]

[10] Rich 2018, p. 30.
[11] Scullard 1970, p. 12–13; Champion 2004, p. 21; Golding 2022, p. 31
[12] Plb. 12.25g; Scullard 1970, p. 13; Golding 2022, p. 32
[13] Champion 2004, p. 23; Toynbee 1965, vol. 2 p. 472 n. 2 described him as *"almost superhumanly objective"*
[14] Champion 2004, p. 22; e.g. Plb. 10.11.4, 16.14.6–10; Scullard 1970, p. 13
[15] Gabriel 2008, p. xiv–xv.
[16] The relevant sections were likely written between 168–150, see Tretheway 2001, p. 6–7
[17] Scullard 1970, p. 16; e.g. Plb. 4.2.2–3, 12.4c.2–5
[18] Gabriel 2008, p. xiv–xv.
[19] Scullard 1970, p. 11.
[20] Prince 2021, p. 16.
[21] Scullard 1970, p. 13, 23.
[22] Plb. 10.3.2
[23] E.g. Scullard 1970, p. 16–17; cf. Richardson 2018, p. 468 on Laelius' honesty; Haywood 1933, p. 35–39 follows Hanlon's razor, suggesting meaning may have been lost in translation between Laelius, the old Roman, and Polybius, the younger Greek
[24] Plb. 37.10, an example of Polybius' friends receiving eulogistic treatment
[25] Scullard 1970, p. 18; Prince 2021, p. 15

The Letter

Polybius' friendship with Scipio Aemilianus gave him access not only to the royal Macedonian library in Rome,[26] but more importantly to the Scipionic family archives. These preserved the deeds of prominent family members[27] and included *"the only account of Scipio's military exploits that can be traced to his own hand"*:[28] a letter written in Greek by Scipio to Philip V of Macedon, now lost.[29]

Cato and *Cunctator*

Polybius may also have had access to the works of Scipio's contemporaries, including Cato the Elder. His *Origines* — possibly the first history written entirely in Latin — devoted its fifth book to the Hannibalic War,[30] though the work is now largely lost.[31] The extent of Polybius' use of Cato remains uncertain. Cato's well-known animosity toward Scipio, along with his *"conservatism and anti-Hellenism"*,[32] suggests that his influence, if present, may have shaped a more negative portrayal. A similar case applies to Fabius Maximus 'Cunctator', a political rival of Scipio whose writings are also lost.[33]

Plautus and Ennius

Early material available to Polybius included the work of poets. Plautus' Amphitruo may have contained Scipionic themes, but since we have no *"key to easy identifications"*,[34] any connection to the historical Scipio remains too speculative to warrant inclusion.[35]

It is much more certain that Ennius influenced Polybius. A personal friend and near contemporary of Scipio, Ennius wrote several poetic works praising him.[36] His main work, the *Annales*, written in the epic tradition of Naevius,[37] became the canonical Roman epic until Virgil.[38] It cast Scipio in a Homeric mold, likely as a function of genre, since other Romans—Cato, Fabius, and Marcellus—were treated similarly,[39] but the *Annales* likely only appeared after Scipio's death.[40]

However, Ennius' Scipio – a panegyric published during Scipio's lifetime, and likely the poem Horace referred to when he wrote that Scipio owed his lasting fame to the *"Calabrian Muse"*, Ennius[41] – is sometimes thought to have shaped his contemporary reputation.[42] The poem likely sought to elevate

[26] Haywood 1933, p. 10–11.
[27] Golding 2022, p. 23–24.
[28] Gabriel 2008, p. xiii.
[29] Plb. 10.9.3; Scullard 1970, p. 11; Walbank 1957-1979, vol. 2, p. 204
[30] Scullard 1970, p. 15.
[31] Ibid., p. 15–16.
[32] Golding 2022, p. 28.
[33] Haywood 1933, p. 11.
[34] Galinsky 1966, p. 231.
[35] For commentary, see Leigh 2004, whose *"eloquent insistence that we continue to examine and reexamine the relation between history and literature"*, McCarthy 2006, p. 199, I have found inspiring, e.g. p. 1, 22-23
[36] Tretheway 2001, p. 56; Haywood 1933, p. 11
[37] NB: Skutsch 1985 is the standard reference for citing fragments of the *Annales*, with Elliott 2013 for commentary, but I cite from Vahlen 1903, since it includes the *Varia*
[38] Tretheway 2001, p. 58.
[39] Cic. *pro Arch.* 9.22; ibid., p. 59–61; Haywood 1933, p. 20–21
[40] Tretheway 2001, p. 58.
[41] Hor. *Carm.* 4.8.15–20
[42] Tretheway 2001, p. 62–64.

Scipio beyond mortal status,[43] which was hardly standard Roman practice at the time.[44] But Ennius, of Greek and Oscan descent, only acquired Roman citizenship late in life.[45] Today, nine fragments survive – five via Cicero[46] – and while the poem would have been available to Polybius, the extent of his use remains uncertain.[47]

Pictor

Polybius also read Fabius Pictor,[48] the first Roman to write narrative history.[49] Pictor composed a chauvinistic local history of Roman deeds and identity in Greek,[50] which Polybius frequently criticized for bias and partiality.[51] Nonetheless, he seems to have been Polybius' main source for the Punic Wars, alongside Philinus for broader Romano-Carthaginian matters.[52]

Polybius also drew on the Greek historians Chaereas, Silenus, and Sosylus. Little is known about Chaereas,[53] but Silenus and Sosylus accompanied Hannibal in the field *"quamdiu Fortuna passa est"*.[54] Sosylus even served as Hannibal's Greek tutor.[55] Nevertheless, Polybius dismissed their work: Chaereas and Sosylus, he claimed, *"rank in authority ... not with history, but with the common gossip of a barber's shop"*.[56] He also criticized Silenus for introducing *"gods and the sons of gods into the sober history of the facts"* to explain Hannibal's crossing of the Alps.[57]

Others

Many other sources have been proposed for Polybius: Scipio's son,[58] the second-century annalists, a Xenophon *"who cannot be dated"*, Albinus,[59] Eumachus of Naples, Mnesiptolemus, Zeno, and Antisthenes. However, speculation about Polybius' use of them is unproductive.[60] Rather, we should accept that Polybius had access to *"a fairly large number of Greek historians of the early and middle second century who discussed Scipio"*,[61] and that the richness of his sources ought not to be underestimated.[62]

[43] See Walbank 1967, p. 56 n. 14, following Elter 1907, p. 34
[44] Walbank 1967, p. 56–57.
[45] Gell. *NA*. 17.17.1: *"Quintus Ennius tria corda habere sese dicebat, quod loqui Graece et Osce et Latine sciret"*; Feeney 2016, p. 67, 188
[46] Tretheway 2001, p. 63.
[47] Scullard 1970, p. 16.
[48] Plb. 3.8 on Pictor's reliability.
[49] Ogilvie and Drummond 1998, p. 5; Bispham 2006, p. 32
[50] Ibid., p. 30.
[51] Plb. 1.14.1–3, 1.15.12 (= FrHist 1 (T5), 2.37); Plb. 3.9.1–5 with Golding 2022, p. 23
[52] Ogilvie and Drummond 1998, p. 2.
[53] Tretheway 2001, p. 7–8.
[54] Nep. *Hann.* 13.3
[55] Walbank 1967, p. 62.
[56] Plb. 3.20.5; Scullard 1970, p. 14–15
[57] Plb. 3.47.8; Walbank 1967, p. 62; Scullard 1970, p. 14–15
[58] See Cic. *Brut.* 77.
[59] Whom Plb. 39.1 also disparages
[60] Tretheway 2001, p. 7–8.
[61] Haywood 1933, p. 10–11.
[62] Prince 2021, p. 15.

7.2.3 Religion in Polybius

Polybius, being a Greek, interpreted Roman *religio* not as a native, but through the lens of skepticism shaped by rationalist traditions.[63] As a result, he openly avoided myth in favor of historical fact,[64] and religion plays only a minor role in his work. For example, he largely omits the consuls' religious duties, despite their centrality to Roman public life.[65] This is clearly relevant when studying Scipio, a two-time consul.

However, describing Polybius as an outright skeptic would be an oversimplification. His treatment of religion is marked by contradiction: He famously presents Roman religion as an elite tool for social control, instilled in the masses to maintain civic order,[66] yet immediately afterwards, he praises the Roman aristocracy's sincere fear of the gods as a factor in their moral integrity — especially compared to the Greeks.[67] The Roman elite thus appear simultaneously as genuine believers and pragmatic manipulators.[68] A similar ambiguity surrounds Polybius' use of Τύχη, fortune, whose role in his history remains elusive and inconsistently articulated,[69] perhaps reflecting that Polybius held no *"precisely defined and consistently held belief"* on such matters.[70]

7.3 Livy

We now turn to Livy, the other major source for Scipio's life. Titus Livius (59 – 17 CE)[71] was a historian from Patavium in northern Italy. He came to Rome during the late Republic and lived through the civil wars.[72] A contemporary of Nepos, Varro, Horace, and Virgil,[73] he began his main work around 27, placing him in the late Roman literary Golden Age. His *Ab Urbe Condita* originally comprised 142 books, spanning Rome's history from its foundation to the last first century. Only Books 1–10 and 21–45 survive, covering 753–292 and 218–167.

7.3.1 Historiographical style

Like Polybius, Livy provides extensive material on Scipio's life.[74] But unlike Polybius, who valued practical experience, Livy held no military or political office,[75] and wrote not for an elite readership but for a broad Italian and Roman public,[76] many of whom remembered the Republic and were acutely aware that power had been centralized in a single man.[77] Some scholars have seen Livy's history as subtly

[63] Champion 2017, p. 10; Gabriel 2008, p. xiv–xv; Walbank 1957-1979, vol. 1, p. 741–742
[64] Plb. 9.2; Farney 2023, p. 53–54
[65] Beck et al. 2011, p. 97; on *"rationalistic exclusion of religious material"* see Levene 1993, p. 34 n. 160; Champion 2017, p. 102 on Polybius' famous description of the Roman camp not mentioning its religious functions
[66] Plb. 6.56.6–12.
[67] Plb. 6.56.13–14.
[68] See Beard, North, and Price 1998, p. 108; North 2000, p. 30.
[69] Walbank 1957-1979, vol. 1, p. 16.
[70] Scullard 1970, p. 13.
[71] Following FrHist, 1.82-83
[72] Golding 2022, p. 36–37.
[73] Ibid., p. 22.
[74] Books 22–38, ibid., p. 10
[75] ibid., p. 19; earning him the label of an *"armchair historian"*, originating with Nissen, see Haimson-Lushkov 2017, p. 31 n. 2
[76] Golding 2022, p. 36–37.
[77] Ibid., p. 15, 31.

critiquing this erosion of *libertas*, even in his portrayal of Scipio,[78] though it may be a stretch to call the work an instrument of reform.[79]

In this respect, Livy can be seen as a Late Republican writer; in others, he was very much an Augustan.[80] He was on good terms with Augustus,[81] during whose reign Livy composed most of his work. Like many of his contemporaries, Livy was deeply concerned with morality,[82] and he states at the outset that one of his chief aims was to provide moral *exempla* for imitation.[83] Recent scholarship has increasingly recognized that, like Polybius, Livy was not afraid to criticize his subjects – albeit more subtly. To present Rome's forefathers as meaningful *exempla*, not idealized icons, he had to show them *"warts and all"*.[84]

Livy was concerned with literary effect. He aimed to craft an artistic, coherent narrative with recurring themes and both literary and historical coherence – a good read.[85] This marks a key difference from Polybius: Livy, in epic form, embeds his judgment within the narrative itself, while Polybius adopts an overt authorial stance, explaining in the first person how he arrives at his conclusions – Livy constructs artistically, whereas Polybius analyses scientifically.[86] The contrast is productive, as Livy often provides color, context, and details that are difficult to find elsewhere.[87]

7.3.2 Livy's sources

Scullard noted that *"a wide and rich tradition of varying historical accuracy filtered through to Livy"*.[88] Accordingly, the authority of his statements depends on the reliability of his sources.[89]

Polybius

First and foremost, much ink has been spilled over the extent to which Livy used Polybius as a source.[90] It is beyond dispute that Livy drew on Polybius from the end of Book 30 – at Scipio's triumph – onwards.[91] Before this point, scholarly opinion diverges. Levene argues that Polybius *"directly or indirectly"* served as Livy's source as early as Book 21,[92] while others, such as Scullard, maintain that Livy relied on an intermediary and only turned to Polybius after Book 30.[93] Golding cautions that "the differences in the respective texts are too great for us to be certain that Livy directly followed Polybius".[94] This is

[78] Ibid., p. 15.
[79] E.g., Liebeschuetz 2009, p. 410
[80] Bispham 2006, p. 36.
[81] Tac. *Ann.* 4.34.3
[82] Ogilvie and Drummond 1998, p. 9.
[83] Liv. 1.pr.10–11; on history as ethical instruction in antiquity, see ibid., p. 25
[84] Golding 2022, p. 19; e.g. Beltramini and Rocco 2020
[85] Ogilvie and Drummond 1998, p. 26.
[86] Scullard 1970, p. 27.
[87] Gabriel 2008, p. xiv.
[88] Scullard 1970, p. 27.
[89] Cornell 1995, p. 6.
[90] Levene 2010, p. 126–163 for full discussion.
[91] Liv. 30.45.5 is the first explicit citation
[92] Levene 2010, p. 136–144.
[93] Scullard 1970, p. 25
[94] Golding 2022, p. 30.

particularly relevant in the case of Scipio, where Livy's literary style may have produced a portrait that, though informed by Polybius, is no longer recognizably his.[95]

The Annalists

By the time Livy was writing, he had a number of Roman predecessors who had composed histories from the foundation of the city. These earlier writers are conventionally grouped under the label *"the annalistic tradition"*, as they structured their narratives year by year, mirroring the format of early Roman records.[96] Livy adopted this annalistic structure of *domi militiaeque*,[97] *"the alternating pattern of domestic and foreign material used to mark off the consular year"*,[98] likely following their example. So who were these predecessors?

Like Polybius, Livy used material from Fabius Pictor, though less critically.[99] He also drew on other second-century annalists of varying reliability. Among these was L. Cincius Alimentus, who wrote from Rome's origins to the Second Punic War and claimed to have interviewed Hannibal.[100] Livy also consulted G. Acilius and A. Postumius Albinus,[101] known as the *Graeci annales* for their Hellenizing tone; their works survive only in fragments.[102]

The first-century annalists were Livy's main sources and the *"annalists par excellence"*, though their works are fragmentary and poorly understood.[103] Four stand out: Q. Claudius Quadrigarius, Valerius Antias, C. Licinius Macer, and Q. Aelius Tubero,[104] mostly known through Livy's citations.[105] Macer and Tubero appear only in the first decade[106] and are irrelevant to Scipio. Quadrigarius, though prone to error,[107] is relatively sober.[108] Antias, by contrast, is widely regarded as the least reliable annalist.[109] Though possibly a better researcher than often credited,[110] Livy mainly cites him to distance himself — especially in passages on Scipio, where Antias' political bias may have coloured the account.[111] Finally, L. Coelius Antipater — who introduced monographic historiography in Rome[112] — is Livy's most-cited source for the Hannibalic War[113] and is generally regarded as reliable.[114]

[95] Beltramini and Rocco 2020, p. 236.
[96] Cornell 1995, p. 4–5.
[97] Rich 2018, p. 19; Bispham 2006, p. 33; there is no consensus on whether this makes Livy an annalist, see Cornell 1995, p. 4–5 contra Ogilvie and Drummond 1998, p. 9
[98] Haimson Lushkov 2014, p. 102.
[99] Liv. 33.10.10 calls him *"an authority worthy of credence on all matters of Roman history"*
[100] FrHist 2, 1.179-183; Golding 2022, p. 23
[101] Ibid., p. 23.
[102] Cic. *Div.* 1.43; FrHist 7, 1.225; 4, 1.186; cf. Plb. 39.1
[103] Cornell 1995, p. 6.
[104] Ogilvie and Drummond 1998, p. 7.
[105] Golding 2022, p. 25.
[106] Rich 2018, p. 18–19; for an overview of Livy's citations, see FrHist 1.84
[107] FrHist 24, 1.291
[108] Golding 2022, p. 24–25.
[109] Ibid., p. 26–27.
[110] Rich 2009, p. 139–140.
[111] Golding 2022, p. 26–27; but cf. Cornell 1986, p. 73–78
[112] FrHist 15, 1.257
[113] Levene 2010, p. 126–127.
[114] Golding 2022, p. 29; Scullard 1970, p. 26

Antiquarians

Livy also drew on authors who collected material systematically rather than chronologically, often for its intrinsic interest rather than to answer historical questions.[115] Notable examples include Cicero and Varro.[116] Though traditionally labeled as antiquarians, some scholars now consider this category anachronistic[117] — a concern that applies broadly to any attempt at classification within the diverse landscape of Roman historiography.[118]

7.3.3 Religion in Livy

Any discussion of religion in Livy entails a discussion of *"the ideas and practices of his contemporaries"*,[119] as he wrote after what has been termed the 'textualization' of Roman religion. This was a broad effort to systematize Roman religious culture through writing – a process in which the aforementioned antiquarians played a key role.[120] The Roman literate elite left their mark – consciously or not – as this project required a delimitation of religious ideas, institutions, and practices: the full diversity of Roman religious life could not be captured in any single, coherent text.[121]

Roman religion was also textualized in response to Eastern influences, as the expansion of the Middle Republic brought Greek ideas and people[122] into Rome.[123] In turn, Roman authors reinforced their traditions by writing against philosophies such as Stoicism and skepticism – most notably in Cicero's *De Natura Deorum*, *De Divinatione*, and the lost *De Fato*.[124] Since ritual, not belief, defined Roman religion, these philosophies posed no existential threat.[125] Nonetheless, Livy was clearly familiar with such ideas.

Late Republican authors could sidestep the tension between Roman religion and Greek philosophy by avoiding the topic altogether. Livy, writing under Augustus, could not: the religious revival was central to Augustan ideology.[126] His history includes numerous religious details and, by accident of transmission, is preserved for the entirety of Scipio's adult life and the decades following his death,[127] making it an especially valuable source in this regard.

Livy's resolution of this tension is ingenious. True to his literary artistry, he employs a technique of 'show, don't tell': religious meaning is conveyed through narrative, *"as in a novel, rather than through explicit editorializing as in modern histories"*.[128] He does so through a variant of *"causal overdetermination"*, a Greek literary trope found as early as Homer, in which both natural and supernatural causes are presented as independently sufficient to explain events.[129] This allows Livy to credit the gods without

[115] Momigliano 1950, p. 286–287.
[116] Cornell 1995, p. 18; Ogilvie and Drummond 1998, p. 10 f. Bispham 2006, p. 31 on their biases
[117] MacRae 2018, p. 137 f.
[118] Marincola 2008, p. 8.
[119] Levene 1993, p. 1.
[120] E.g. Aug. *De Civ. D.* 7.2 (= Varro fr. 229C); ibid., p. 2 on Cicero.
[121] MacRae 2016, p. 28–31.
[122] Including, of course, Polybius.
[123] Champion 2017, p. 70; Dion. Hal. 2.19.3; Plb. 31.24.6–7
[124] Levene 1993, p. 11–14.
[125] ibid., p. 10–11; contra the outdated views in Fowler 1911 and Toynbee 1965, p. 406
[126] Levene 1993, p. 12.
[127] 218–167; see Rich 2013, p. 542–543.
[128] Feeney 2007, p. 138–140.
[129] Levene 1993, p. 27.

undermining human agency — a strategy of great narrative effect, and one that likely explains its later adoption as a hallmark of Roman historiography.[130] Livy's version of this technique is distinctive. Unlike Cicero, who lays out arguments for both belief and skepticism without taking a position, Livy does something more paradoxical: he presents both natural and supernatural explanations, overtly denying the supernatural while covertly showing it to shape events. In the Hannibalic War, this takes the form of a narrative rhythm — religious neglect, defeat, expiation, and victory[131] — even as Livy maintains his denial of divine causality. The result is *"a carefully balanced amalgam of contradictory positions"* that invites interpretation by leaving the reader to decide whether the gods were truly involved.[132]

We should thus understand that religious and skeptical worldviews coexist in Livy's narrative — by historiographical design. The upshot is that identifying Livy's personal religion, in order to account for it analytically, is futile: *"the search for the 'belief of Livy' is illusory"*.[133] This is Levene's view, now widely accepted in the scholarship and one to which I subscribe — though not universally shared.[134]

7.4 Other sources

A number of later sources offer additional detail, though they have traditionally been dismissed as derivative of Polybius or Livy and not taken seriously.[135] Yet we should never reject any source for early Roman history too readily.[136] Appian, for instance, includes details not found elsewhere; Plutarch, although his *Lives* of Epaminondas and Scipio are lost,[137] preserves more religious material than Polybius.[138] Authors often dismissed as *"professional manglers of earlier 'serious' writers"*, such as Diodorus Siculus, or poets like Silius Italicus, can still be valuable for anecdotal details.[139] Moreover, the later composition of these works gave their authors the benefit of hindsight, allowing them in some cases to identify broader historical developments that earlier writers may have missed.[140]

[130] Levene 1993, p. 30; see also North 2000, p. 77.
[131] Feeney 2007, p. 139.
[132] Levene 1993, p. 25–29.
[133] Ibid., p. 30.
[134] E.g. Liebeschuetz 1995, p. 315: *"It is misleading to suggest that Livy invited his readers to a joint enterprise of critical research. The play left to the judgement and imagination of the reader is surely much less than that"*; see also Kajanto 1957, p. 28–29 contra Levene 1993, p. 21 on whether Livy altered religious content; North 2000, p. 9 and Levene 1993, p. 16 f. on the wider debate over Livy's personal belief; note also the risk of circularity in Levene's model, which draws on Africanus, e.g. ibid., p. 61–62.
[135] Liddell-Hart 1926, p. 3–4; Haywood 1933, p. 21
[136] Vervaet 2014, p. 15–16.
[137] Prince 2021, p. 19.
[138] Levene 1993, p. 34.
[139] Bispham 2006, p. 37; Ogilvie and Drummond 1998, p. 3; Gabriel 2008, p. xiii
[140] Lange 2021, p. 214.

Methodology

This section outlines the methodology used to answer my research question.

8.1 Aims

As defined in the chapter on terminology, this study critically examines how ancient historians constructed episodes from Scipio Africanus' life involving civic cult, divine reference, or philosophical ideas such as fate and fortune. It combines traditional historiographical scrutiny with an intertextual approach to assess how these episodes were shaped by earlier texts and literary conventions. The hope is that, by examining each literary tessera in the mosaic of Scipio's religious life in turn, we can distinguish between fictional accretions and material based on the historical figure.[1]

8.2 Approach

The first step has been to survey the source material for religious episodes from just before Scipio's birth to shortly after his death. Each episode is then evaluated through three guiding questions, adapted from a framework proposed by Christopher Smith for assessing Roman historiography.[2] These have been modified to suit the needs of this intertextual study, since neither Woodman nor Marincola provides a prescriptive model:

1. What are the sources behind our sources?
2. Does the material reflect Scipio's historical context, or that of the author?
3. In case of the latter, to what extent is it shaped by intertextuality to serve the literary aims of the author?

[1] Haywood 1933, p. 29.
[2] Smith 2018, p. 1.

These questions are intended to disentangle different layers of tradition. The first concerns transmission: identifying the origins of each account helps assess its reliability, since tracing how specific details survived is essential before treating them as historical data.[3]

The second question is standard in historical method, but especially important in the case of Scipio because of the existence of the so-called Scipionic Legend — a blend of fact and fiction that accrued over time.[4] Different layers of tradition were shaped to suit the values or needs of later periods, so it is essential to ask whether a detail reflects Scipio's own time or the context in which the historian was writing.[5]

The third question concerns the extent to which the material is shaped by intertextuality to serve the literary aims of the author. I focus on comparison (overt parallels to other figures), allusion (covert or suggestive parallels), and literary imitation. These techniques may be used not only for stylistic or rhetorical purposes, but also to construct meaning or to mask gaps in historical knowledge. Identifying such strategies can help us clarify how earlier traditions were reworked — and, in doing so, distinguish literary embellishment from material more likely rooted in the historical Scipio.

To some extent, such an approach is almost a prerequisite: Roman knowledge of their early past cannot be separated from their invention of it, as the very act of writing history imposed interpretation and construction.[6] Thus, any modern study of early Roman history must begin with a critical dissection of the literary tradition — *"history without historiography will never see the past as it actually was"*.[7] Yet this approach is not without pitfalls. Chief among them is the risk of misidentification: of seeing intertextuality where none was intended, or failing to recognize it where it is present — the danger of false positives and false negatives, as it were.

Regarding the former: as Levene has pointed out, events may resemble earlier ones not because of literary imitation, but because they arise from comparable underlying trends and structural forces — or from the deliberate choice of historical actors to model themselves on the past. *"In practice events in real life may show striking resemblances to other historical events, and people in real life may deliberately choose to model their behaviour or public image on earlier figures"*.[8] This makes it essential to distinguish genuinely recurring historical patterns from representations that merely echo earlier accounts.[9] A historical episode that resembles a prior one is not, by that fact alone, necessarily ahistorical.

Regarding the latter: both Marincola and Levene emphasize that imitation can take many forms,[10] and correctly identifying these requires considerable interpretive care. I make no claim to certainty in this regard. However, to minimize the risk of false negatives, I follow what Levene terms a 'conservative' rather than a 'radical' intertextual approach.[11] Rather than tracing vague or diffuse resonances, I focus

[3] Ogilvie and Drummond 1998, p. 28–29; Bispham 2006, p. 46
[4] Tretheway 2001, p. 5; Golding 2022, p. 31; Walbank 1967, p. 54
[5] E.g. Scullard 1970, p. 234; RE IV.1, p. 1462; Seguin 1974, p. 4
[6] Smith 2018, p. 7–8.
[7] Lange 2021, p. 220.
[8] Levene 2010, p. 85.
[9] Ibid., p. 86.
[10] Marincola 1997, p. 15–19; Levene 2010, p. 85
[11] Ibid., p. 84.

on instances where intertextual meaning can plausibly be attributed to authorial intention.

8.3 Limits

Finally, a note on scope. This study does not attempt to recover Scipio's personal beliefs about the gods. Though long debated, recent scholarship emphasizes that such inner convictions are epistemologically inaccessible — even private writings offer no guarantee of authenticity.[12] Since this period predates Roman engagement with Greek scepticism, I follow North's advice: *"the safest starting point ... is to regard belief in the gods as virtually universal among the Romans"*.[13]

Nor does this thesis attempt to provide a full biography of Scipio Africanus. Aspects of his life that have been central to broader Scipionic scholarship may receive little attention here, as the focus remains narrowly on religious episodes and their historiographical presentation.

[12] Beard, North, and Price 1998, p. 78–79.
[13] North 2000, p. 78.

I: Italia

9.1 Scipios Schlangenzeugung

The first religious element appears even before Scipio's birth. Aulus Gellius recounts a story — also attested in Livy — concerning his conception:

> *"The tale which in Grecian history is told of Olympias, wife of king Philip and mother of Alexander, is also recorded of the mother of that Publius Scipio ... Africanus. Both Gaius Oppius and Julius Hyginus ... declare that his mother was for a long time thought to be barren, and that Publius Scipio, her husband, had also given up hope of offspring; that afterwards, in her own room and bed, when she was lying alone in the absence of her husband and had fallen asleep, of a sudden a huge serpent was seen lying by her side ... not many days after ... the woman began to experience the indications and sensation of conception. Afterwards, in the tenth month, she gave birth to that Publius Scipio who conquered Hannibal and the Carthaginians in Africa in the Second Punic War".*[1]

Oppius wrote a now-fragmentary biography of Scipio and was a contemporary and friend of Caesar, though he *"remains a surprisingly obscure figure"*.[2] Hyginus, a freedman of Augustus, had a prolific literary output.[3] These are assumed to be Livy's sources, since Gellius explicitly cites them and Livy's version closely parallels his: both link the tale to Alexander the Great, attribute its revival to Scipio's later deeds, and present it as a rumor rather than historical fact.[4] Oppius and Hyginus provide the earliest surviving references to Scipio's serpent conception,[5] which raises a key question: Did the story originate in the Late Republic, or had it already circulated earlier — perhaps even during Scipio's lifetime?

Polybius — despite wide access to sources — does not mention the story, not even to dismiss it, but

[1] Gell. *NA*. 6.1.2-4
[2] FrHist 40 (F1-3), 2.777; 1.380
[3] FrHist 63, 1.474-475
[4] Liv. 26.19.5–7, a skeptical stance consistent with his general approach to religion
[5] Ogden 2009, p. 43.

his silence may reflect his previously discussed attitude toward religion.[6] Drawing on Gellius' themes of fertility and lineage, Tretheway proposes an earlier Roman variant in which Scipio's father remained human, while the serpent — the household Genius — appeared as a portent of significant birth.[7] This is appealing, as snakes commonly symbolized household *genii* and auspicious omens in Roman religion,[8] and, as we shall see, there is precedent for birth omens emerging during the lifetimes of major figures in ancient historiography.[9]

The identification of the serpent with Jupiter appears to be a later accretion. Explicit divine parentage is absent from earlier Roman tales, and the versions by Oppius and Hyginus coincide with the earliest Roman accounts of similar myths about Alexander the Great[10] and Octavian.[11] Daniel Ogden argues that although Octavian claimed descent from Apollo, he may have adopted a conception myth during the Second Triumvirate as a form of *imitatio Alexandri*, borrowing Alexander's snake-siring to legitimize his rule.[12] The divine paternity element may then have entered Scipio's story through conflation or as part of triumviral propaganda aimed at fabricating a Roman precedent. This is plausible, as a claim to divine parentage would have been out of place in the Republican context of Scipio's lifetime.

Another suggestion is that Hyginus included the tale in his *De familiis Traianis*, drawing on an earlier source who invented it to construct legendary ancestry for Scipio's family. This would push the Iovian element further back into the Late Republic, a period when *"legendary genealogies"* were a major concern for patrician families.[13]

Either model is supported by the story's growing divine embellishment over time. In Gellius and Livy, the identification with Jupiter remains implicit — not so in later versions.[14] In one version, the serpent even surrounds Scipio in bed,[15] evoking the unmistakable Herculean motif of the infant and the serpent.[16] Such tropes were common in the Hellenistic East,[17] and increasingly attached to Roman figures from the Late Republic onward.[18] So widespread were such tales that they earned a German label: *"Schlangenzeugungen"*.[19]

Summing up, our main source for Scipio's Schlangenzeugung is Livy, who draws on Oppius and

[6]However, Walbank 1967, p. 63 sees *"a distinct possibility"* that it is implied in Plb. 10.5.5.

[7]Tretheway 2001, p. 5, 11–12; cf. Meyer 1924, p. 435 n. 2 on the Roman trope of *"der Zeugung eines Heros durch den Dämon des Herdes"*

[8]Tretheway 2001, p. 11–12 n. 11; Rüpke 2006b, p. 53–70; Verg. *Aen.* 5.84–96; Plin. *HN.* 29.22; Cic. *Div.* 1.36; Jul. Obs. 58; Dumezil 1970, p. 361: *"the Genius is frequently represented as a serpent, and in this form he often shows up in the conjugal bed"*; see also the caduceus and snake symbolism of Asclepius, Ogden 2009, p. 45, Liv. Per.11

[9]See the section on Dionysius I of Syracuse below

[10]Just. 9.5.9; 11.11.2–5.

[11]Ogden 2009, p. 31.

[12]Ibid., p. 41, 46.

[13]Farney 2023, p. 52; Wiseman 1974, p. 162 remarks on the Cornelii, however, that Scipio's *"was a personal, not a family, legend"*; see also Plut. *Fab.* 1 on the Herculean lineage of the Fabii with Tretheway 2001, p. 184-185; contra Rüpke 2006a, p. 222

[14]E.g. Cass. Dio. 16.57.39 with Haywood 1933, p. 32; Val. Max. 1.2.2 says Scipio was *"thought to have been begot by Jove"* but mentions no snake; Sil. Ital. 13.637–647 has the ghost of Pomponia reveal to Scipio the secret of his Iovian conception — though this is poetic elaboration.

[15]Aur. Vict. *De Vir. Ill.* 49.1–3; Ogden 2009, p. 48.

[16]Theoc. *Id.* 24.11; Apollod. *Lib.* 2.4.8; Diod. 4.10.1; Tretheway 2001, p. 68.

[17]Plut. *Alex.* 2–3 (= FGrHist 241 (F28)); Just. 15.4.2–10 (Seleucus); Paus. 2.10.3, 4.14.7–8 (Aratus); Ogden 2009, p. 31, 46.

[18]Suet. *Div. Aug.* 94 (= FGrHist 617, F2); Tac. Ann. 11.11.5–6 (Nero); Aur. Vict. *Caes.* 40.17 (Galerius); ibid., p. 39, 44, 48.

[19]Ibid., p. 32.

Hyginus. The tale of a serpent as a birth omen may reflect an older Roman tradition — possibly one that circulated during Scipio's lifetime — but its identification with Jupiter likely only arose in the Late Republican or triumviral period.

9.2 The temple visits

We hear little about Scipio's early life, except that he received a Greek education in line with aristocratic norms.[20] The next relevant account comes from Livy, who states that from the time Scipio assumed the *toga virilis*,[21] he visited the temple of Jupiter Capitolinus daily, passing time in seclusion before conducting *"any business - public or private"*.[22]

The sources for Scipio's temple visits are much the same as for his Schlangenzeugung: Polybius is silent, and Livy closely follows Gellius, who cites Oppius and Hyginus.[23] A range of later sources also recount the anecdote,[24] and while most are so similar they are *"clearly drawing upon a similar tradition"*, likely Livy,[25] a few add that Scipio arrived before dawn — and even then, the temple guard dogs would not bark at him.[26]

Modern scholarship has traditionally challenged the historicity of Scipio's temple visits, arguing that contemplative prayer was inconsistent with Roman religious practice in the Middle Republic. This view traces back to Fowler, who accepted the visits but dismissed prayer, writing: *"The idea of Scipio conforming his life to the will of any of these numina would, of course, be absolutely strange to him ... The help which he sought from them was not moral help, but material"*.[27] Haywood argues similarly,[28] but we should be cautious about drawing conclusions from modern assumptions about what ought — or ought not — to be present in Roman religion.[29] As scholarship has moved away from viewing the Roman elite as skeptics and their gods as abstract, unanthropomorphic numina,[30] this rationale for rejecting the temple visits has weakened.

This view was already expressed by Walbank,[31] and Tretheway has shown that, given the easy identification of Roman and Greek gods in Plautine comedy, and the development of rituals like the *lectisternium*[32] and *supplicatio*, there is no reason a Roman of Scipio's day could not have had a more personal relationship with the gods.[33] He therefore accepts the story — as does much of more recent scholarship.[34]

But accepting the temple visits overlooks a practical issue raised by Meyer: *"Alle großen Taten*

[20] On the high esteem of Greek culture in Rome at this time see Gabriel 2008, p. 3, 207; Haywood 1933, p. 63-64; contra Gruen 1992, p. 53-54; Plut. *Cat. Mai.* 20.3-5
[21] At approximately seventeen years of age; see McDonnell 2006, p. 175–184; Golden 2012
[22] Liv. 26.19.5
[23] Gell. *NA*. 6.1.6; Haywood 1933, p. 24–25
[24] Val. Max. 1.2.2; App. *Ib.* 23; Cass. Dio 16.38–9.
[25] Farney 2023, p. 53–54, Walbank 1967, p. 55
[26] E.g. Aur. Vict. *De Vir. Ill.* 1.49.
[27] Fowler 1911, p. 364–365; cf. Haywood 1933, p. 42
[28] ibid., p. 25; still echoed in recent scholarship, e.g. Gabriel 2008, p. 4–5
[29] North 1998, p. 605–606; especially before its textualization
[30] Feeney 2007, p. 76; North 2000, p. 15–17
[31] Walbank 1967, p. 64.
[32] Held since 399, Liv. 5.13.6
[33] Tretheway 2001, p. 29–30.
[34] E.g., Scullard 1970, p. 21

Scipios sind fern von Rom vollbracht, für die Entschlüsse, die seinen Ruhm begründen, konnte er sich also unmöglich beim Juppiter auf dem Capitol Rat erholen".[35] Even if this practice continued when Scipio was in Rome, the idea that he began it at seventeen on the off chance that it would foster a rumour later seems implausible and bears the hallmarks of elite instrumentalism. Yet this is precisely the reasoning offered by Harriet Flower, who accepts the story on the grounds that Scipio was cultivating an image: *"Such a practice of temple visits fits in with what we know of Scipio's relations with his soldiers, whom he tried to impress with an image of himself as a general specially favoured by the gods and in some way larger than life"*.[36] I am thus more inclined to reject the historicity of the temple visits.

But where, then, does the story come from? Haywood argues from Polybius' silence that it is a Greek historiographical import from the Sullan era: *"We can imagine how the visits to the temple were suggested by Alexander's famous visit to the temple of Ammon"*.[37] The argument that the story stems from a pro-Scipionic tradition seeking to liken Scipio to Alexander is strong, especially since it is almost always told as a couplet with the Schlangenzeugung.[38] The tale also develops similar panegyrical embellishments over time: French Hellenist André Aymard notes that the hour before dawn is *"l'heure du héros"*, and that ancient hagiography abounds with animals showing reverent awe around θεῖοι ἄνδρες, suggesting the behaviour of the temple dogs might reflect *"stupeur respectueuse"* rather than mere familiarity.[39] Haywood's dating, however, is unconvincing. Given Polybius' stance on religion, his silence is no compelling reason to believe the story postdates him.[40] It may well be older, although we cannot be certain.

In summary: The sources are the same as for the Schlangenzeugung. While the story of the temple visits is unlikely to be historical for practical reasons, it appears to be a Greek historiographical import and may derive from a pro-Scipionic tradition predating Polybius.

9.3 Ticinus

A hint of the pro-Scipionic tradition appears in Polybius' claim that, at age seventeen, Scipio saved his father at the battle of Ticinus:

> *"When he caught sight of his father in the battle, surrounded by the enemy … he is said with reckless daring to have charged the encircling force alone … Publius Scipio, thus unexpectedly delivered, was the first to salute his son in the hearing of all as his preserver"*.[41]

Although this was the most widespread version in antiquity,[42] an alternative tradition exists. Livy

[35] Meyer 1924, p. 438.
[36] Flower 1996, p. 50; Liddell-Hart 1926, p. 17–18
[37] E.g., Arr. *Anab.* 3.3; Curt. *Hist.* 4.7; Plut. *Alex.* 27.5; Haywood 1933, p. 27 suggests Oppius and rules out Claudius or Valerius Antias.
[38] All surviving sources except App. *Ib.* 23 identify Scipio's temple visits as the key behavioural pattern that gained him the reputation of being sired by Jupiter
[39] Aymard 1953, p. 116 on Orpheus and wild animals, Domitian and fish, birds hailing emperors; cf. Farney 2023, p. 53–54.
[40] Tretheway 2001, p. 28 n. 34.
[41] Plb. 10.3.4-6
[42] According to Liv. 21.46.10; and indeed found in Val. Max. 5.4.2; Sen. *Ben.* 3.33.1; Sil. Ital. 4.456; Flor. 1.22.10; Oros. 4.14.6; Aur. Vict. *De Vir. Ill.* 49.4; Plin. *HN.* 16.14; Serv. *Aen.* 10.800.

notes that *"Coelius transfers the glory of saving the consul to a slave of Ligurian origin"*.[43] This is the version accepted by most modern scholars,[44] since Cicero reports that Coelius — who, as we have seen, merits serious consideration — followed Silenus,[45] whose sensationalising tendencies this more restrained version contradicts, lending it further credibility.

The cited version of Ticinus, then, is likely a pre-Polybian invention from a pro-Scipionic tradition, designed to showcase Scipio's virtues by likening him to Aeneas, who saved his father from Troy in a display of *pietas*.[46] Whether the result of substantive imitation by a historian less informed on Scipio's youth or of more cynical invention, it is easy to see why the story gained traction – it has strong narrative appeal and would have been a natural inclusion for any historian who – like Livy – sought a satisfying explanation for Scipio's extraordinary trajectory. Cassius Dio, for example, would later introduce Scipio as *"the general who had saved his wounded father"*.[47]

In summary, Polybius' version of Ticinus is less likely to be historical than Coelius', and hints at a pro-Scipionic tradition that predates him.

9.4 Canusium

The next relevant anecdote comes from Livy, who recounts that after Cannae, Roman survivors regrouped at Canusium, where Scipio confronted nobles considering flight and forced them to swear an oath:

> *"young Scipio, the general destined to end this war ... held his naked sword over the heads of the conspirators and uttered these words: "I solemnly swear that I will not abandon the Republic of Rome, nor will I suffer any other Roman citizen to do so; if I knowingly break my oath, then do thou, O Jupiter Optimus Maximus, visit me, my home, my family, and my estate with utter destruction. I require ... all who are here present to take this oath. Whoever will not swear let him know that this sword is drawn against him"*.[48]

The story appears in a wide range of sources postdating Livy,[49] but Livy's own sources are unclear, complicating assessment. Polybius, for example, does not mention the episode, and on this basis its historicity has sometimes been rejected,[50] though *"perhaps without good reason"*.[51] Material culture

[43] Liv. 21.46.7 (= FrHist 15 (F12), 2.393); see also Macrob. *Sat.* 1.11.26.

[44] See Tretheway 2001, p. 17 n. 18; e.g. Beck 2005, p. 335. Contra Scullard 1970, p. 29, who argues that the slave version may have emerged from an anti-Scipionic tradition - perhaps originating with Cato or the Cunctator - given the political hostility Scipio faced in his later career. Polybius does name Laelius as his source, but it is unlikely that Laelius knew Scipio at this early point; see Gruen 1972, p. 378.

[45] Cic. *Div.* 1.24.

[46] Verg. *Aen.* 2.632–33; Ov. *Met.* 15.441. *Pietas* had a religious dimension but primarily *"pertained to human interaction, in particular children's behavior toward their parents or clients' behavior toward their patrons"*, see Rüpke 2006a, p. 216. The connection is made explicit in Sil. Ital. 4.454, 17.396–98; Tretheway 2001, p. 74.

[47] Cass. Dio 16.57.38.

[48] Liv. 22.53.6-12

[49] Val. Max. 5.6.7; Sil. Ital. 10.426–448; Cass. Dio 15.57.28 (= Zon. 9.2); Aur. Vict. *De Vir. Ill.* 1.49.5–6; Oros. 4.16.6.

[50] E.g. Meyer 1924, p. 429–430 n. 2.

[51] Ridley 1975, p. 164; Tretheway 2001, p. 24; MRR, vol. 1, p. 253 n. 5.

supports Scipio's presence after Cannae,[52] and Ronald T. Ridley has argued in *Was Scipio Africanus at Cannae?* (1975) that Polybius omitted this *"impetuous overawing of the conspirators"* to preserve Scipio's image as a careful planner.[53] He similarly attributes Livy's silence on Scipio at Cannae to the disgrace of the defeat.[54] For these reasons, scholars now generally accept Scipio's presence at both Cannae and Canusium.[55]

For this study, the key issue is whether Scipio's invocation of Jupiter was historical. The evidence suggests otherwise. Except for Italicus, no later source accepts this version. In these later accounts, as Ridley notes, *"Scipio's part is growing and details are disappearing"* - and the gods disappear with them.[56] He this element as a sprout from the existing literary branch linking Scipio with Jupiter Capitolinus.[57] Italicus confirms this by expanding the oath to the whole Capitoline triad.[58]

We must also not overlook that the oath is forced. In Roman religion, oaths had to be sworn voluntarily to be binding. Coerced oaths, therefore, are a literary device often used by Livy and others as implicit critique.[59] While the wording may be authentic - Jupiter was commonly invoked in vows[60] - the episode itself likely reflects Livy inserting an oath scene found in a lost source into the confusion after Cannae to reinforce Scipio's connection to Jupiter and signals his narrative arc.

This may seem like overinterpretation, but in this very scene Livy describes Scipio as *"fatalis dux huiusce belli"* – the leader ordained by *fatum* for this war, a title otherwise reserved for Camillus.[61] As Liebeschuetz has shown, *fatum* in Livy often connotes doom as much as destiny – *"inevitable destruction"*.[62] This duality is still reflected in the modern term 'fatalistic', which retains the etymological sense of both inevitability and foreboding. With this in mind, the passage plausibly foreshadows both Scipio's rise and his fall.

To sum up: Scipio was likely present at both Cannae and Canusium, and may even have played a role in stopping a treasonous conspiracy. The forced oath to Jupiter, however, was likely introduced by a lost source and used by Livy as a literary device to reinforce Scipio's association with Jupiter and foreshadow his trajectory.

9.5 Dream of aedileship

While their father was serving in Spain, Scipio's brother stood for one of the two aedileships. Polybius tells us that despite his *"exceedingly young"*, Scipio also chose to run:

[52] Gabriel 2008, p. 11. CIL I^2 37 (= IX 4854) confirms the claim in Liv. 22.53.1–2 that Scipio was a military tribune; see Beck 2005, p. 328; Ridley 1975, p. 161. On the disputed identification of Scipio on the so-called 'Canusium coin', see Robinson 1956, p. 42–43; Scullard 1970, pp. 30, 249–251 n. 18; Walbank 1967, p. 55; contra Ridley 1975, p. 164; Tretheway 2001, p. 24 n. 30.
[53] Ridley 1975, p. 165.
[54] Ibid., p. 165.
[55] E.g. Scullard reversed his earlier view: Scullard 1929b, p. 38; cf. Scullard 1970, p. 30.
[56] Ridley 1975, p. 162.
[57] Ibid., p. 165.
[58] Sil. Ital. 10.426–448
[59] E.g. Liv. 10.38; Plut. *Publ.* 4.1; Rüpke 2019, p. 82.
[60] E.g. Liv. 1.24.8 on Jupiter Feretrius. On Livy's language here, see Cic. *Rab. perd.* 20; ibid., p. 73.
[61] Liv. 5.19.2; Davies 2004, pp. 109–110. But cf. Liebeschuetz 2009, p. 370 on Aeneas.
[62] ibid., p. 370; cf. Levene 1993, pp. 31–32.

> *"Seeing that his mother was visiting the temples and sacrificing to the gods on behalf of his brother … he told her that he had twice dreamt that both he and his brother had been elected aediles and were going up from the forum to their house, when she met them at the door and kissed them. … She was affected by this, as a woman would be, and exclaimed, 'Would I might see that day' or something similar. 'Then would you like us to try, mother?' he said. Upon her consenting … he begged her to get a white toga ready for him at once. … The people, owing to the unexpectedness of the sight and his previous popularity, received him with enthusiastic surprise … and both appeared at their house elected aediles."*[63]

Polybius then explains how this episode gave rise to the rumour that *"Publius communed with the gods not only in his sleep, but still more in reality and by day"*.[64] He insists, however, that Scipio never had prophetic dreams about the aedileship—these were clever fabrications used to win election and project an image of divine inspiration.[65] The passage concludes with a critique of historians who invoke the gods without necessity.[66]

Scullard argues that the anecdote came from Laelius because it follows Ticinus, for which he is cited.[67] But errors in the account make this attribution doubtful: Polybius gets the year wrong,[68] names the wrong colleague,[69] and misidentifies Lucius as his elder,[70] suggesting that the story is not historical and arose only once memories had faded.[71] Walbank's view is more convincing: Polybius likely drew it from a historian in the tradition he criticizes—perhaps Silenus, Ennius, or another contemporary Greek.[72]

He may have done so with the express purpose of reframing it to show that Scipio's success could be credited to secular means. This becomes clear when the aedileship story is read in the context of Polybius' character sketch, which immediately precedes it.[73] There, drawing on conversations with Laelius,[74] Polybius writes that Scipio *"made the men under his command more sanguine and more ready to face perilous enterprises by instilling into them the belief that his projects were divinely inspired"*,[75] though his inner circle knew him as *"shrewd and discreet, with a mind always concentrated on the object he had in view"*.[76] He dismisses earlier accounts that credit Scipio's success to fortune and divine signs as *"very wide of the truth"*.[77] Setting aside that Polybius—no more than a modern historian—could have known the content of Scipio's dreams, the story thus fits seamlessly into his broader narrative. It reinforces his carefully crafted portrait of Scipio.

[63] Plb. 10.4.4–5.3
[64] Plb. 10.5.4
[65] Plb. 10.5.6–7
[66] Plb. 10.5.8; Haywood 1933, p. 33
[67] Scullard 1970, p. 17.
[68] 217 instead of 213; MRR 1.340.
[69] Cf. Liv. 25.2.6.
[70] Haywood 1933, p. 41; Walbank 1967, p. 60.
[71] Tretheway 2001, pp. 21–24.
[72] Walbank 1957-1979, vol. 2, p. 197.
[73] See also Tretheway 2001, p. 22–23 on its placement before New Carthage.
[74] Liddell-Hart 1926, p. 25.
[75] Plb. 10.2.12; cf. Haywood 1933, p. 42
[76] Plb. 10.3.1; cf. Gabriel 2008, p. 5
[77] Plb. 10.2.3–5; Scullard 1970, p. 18

In either case, Polybius' presentation may be explained by his already discussed Greek perspective. As a rationalist admirer, he preferred to attribute Scipio's success to worldly causes rather than the favour of Τύχη.[78] This reflects the Greek idea that luck detracts from merit—unlike the Roman belief that divine aid implies *felicitas*, a mark of worth.[79]

Some modern historians have read Polybius' account as a critique, casting Scipio as a charlatan,[80] but this overlooks that Polybius compares Scipio to Lycurgus, the legendary Spartan lawgiver who used religion in the same way.[81] A rationalist Greek like Polybius would have regarded Lycurgus as wise rather than deceptive, and given the ancillary role of belief in Roman religion, ancient readers may not have viewed such instrumental use of religion as negatively as modern scholars do.[82]

The aedileship story is likely ahistorical and was probably not current during Scipio's early life. Polybius seems to have borrowed it from a Greek tradition portraying Scipio as a favourite of Τύχη, reframing it through the model of Lycurgus to show that his success could be explained in secular terms.

[78] Plb. 10.2.7; Haywood 1933, pp. 12–13, 23

[79] Beard, North, and Price 1998, p. 86; Vervaet 2014, p. 296

[80] E.g. Scullard 1970, p. 25: *"Scipio emerges as a trickster, who, knowing the widespread belief in his supernatural powers, in which he himself disbelieved, used it to trade on the superstitions of the credulous"*

[81] E.g. Plut. *Lyc.* 13.6

[82] Beltramini and Rocco 2020, p. 236.

II: Hispania

We turn now to Scipio's life as an adult, beginning with his first major campaign.

10.1 Salius

In 211 Scipio's father and uncle were killed in action.[1] Before then, Scipio must have been elected as *Salius*, a 'dancing' priests of Mars.[2] We can infer this from later references to Scipio holding this office,[3] which was for life and required both parents to be alive at the time of election.[4] Of course Romans priesthoods were only part-time obligations,[5] but this is not the type of information Polybius - and especially Livy - usually omits.

10.2 Pleasure and Virtue

After the death of his relatives, Scipio considered assuming their command in Spain to avenge them. As he weighed the dangers, Silius Italicus recounts that he was visited by the allegorical figures of Virtue and Pleasure:

> *"As he sat beneath the green shadow of a baytree ... two figures, far exceeding mortal stature, flew down from the sky and stood to right and left of him: Virtue was on one side, and Pleasure, the enemy of Virtue, on the other... Then Pleasure spoke first, confident in what she could promise: 'This is madness, my son, to use up all the flower of your age in war. You deserve better things...'".*[6]

It is unmistakable that Silius Italicus is reworking the story of Hercules, who was famously visited by Ἀρετή and Κακία in his youth.[7] As in the serpent story from Late Antiquity, Scipio is again cast

[1] Liv. 25.36.14
[2] Hornblower 2024, p. 229-230; Rüpke 2019, p. 25-26
[3] Plb. 21.13.10; Livy 37.33.7
[4] MRR 1.277; Dion. Hal. 2.71
[5] Rüpke 2006a, p. 227; Cic. *Dom.* 1
[6] Sil. Ital. 15.12
[7] Xen. *Mem.* 2.1.21–33

in Herculean terms. Italicus' appropriation is so direct that the episode hardly reads as the origin of a new poetic tradition. Had the comparison been novel, it is unlikely a poet would introduce it by simply transplanting a canonical Herculean scene onto Scipio. The story is therefore unlikely to be contemporary with Scipio himself. Instead, it represents first-century CE poetry building on an existing historiographical tradition of likening him to Hercules - likely originating with Ennius, to whom we shall return.

10.3 Election for the Spanish Command

Livy reports that Scipio ran for the Spanish command and was elected due to his bravery and the reluctance of others to stand:

> *"No man ventured to accept the command for Spain, when suddenly Publius Cornelius, son of that Publius Cornelius who had fallen in Spain, ... declared that he was a candidate, and took his place on higher ground from which he could be seen. All faces were turned towards him, and then by their shouts of approval they at once predicted a fortunate and auspicious command."*[8]

While Scipio was certainly elected, Polybius does not mention the episode.[9] However, Livy's account is suspiciously similar to his description of Aemilianus' election to the Spanish command in 151,[10] prompting extensive debate over the 'real' reasons for Scipio's appointment.[11] Only Cassius Dio attributes the election to Scipio's scrupulous piety,[12] though he ties this to the temple visits discussed above, seemingly conflating separate traditions.

10.4 Livy's character assessment

At this point, Livy presents his longest character assessment of any historical figure,[13] claiming that Scipio won over the people - during the election and more generally - by acting as though divinely inspired:

> *"He generally spoke and acted as though he were guided either by visions of the night or by some divine inspiration, whether it was that he was really open to superstitious influences or that he claimed oracular sanction for his commands and counsels in order to secure prompt adoption... The belief in these marvels was never scoffed at by him... it was strengthened by deliberate policy... in refusing to deny or to admit that anything of the kind ever occurred".*[14]

[8] Liv. 26.18.5-9; so too App. *Ib.* 18
[9] Beltramini and Rocco 2020, p. 234-236.
[10] Plb. 35.4; Tretheway 2001, p. 81
[11] Gabriel 2008, p. 14; Haywood 1933, p. 50-53; Tretheway 2001, p. 81-85; Beck 2005, p. 336
[12] Cass. Dio. 16.57.38 (= Zon. 9.7); Sil. Ital. 15.138-141 has Jupiter confirm the election with thunderclaps and a serpent gliding across the sky.
[13] Beltramini and Rocco 2020, p. 238.
[14] Liv. 26.19

Due to the similarties, Livy has likely modelled this passage on Polybius.[15] It is adapted to suit his literary aims, however: Livy positions his assessment at the start of book 26 - the beginning of a new pentad and Rome's turning point in the Second Punic War - aligning it with his earlier portrayal of Scipio as the fatalis dux.[16] Whereas Polybius dismisses Scipio's supposed belief in his own divine inspiration as a later fabrication - Livy leaves the question more open.[17] This aligns with Livy's broader approach to religion.

Livy also suggests that Scipio may have been seized by *"quadam superstitione animi"*, a certain inner superstition. Livy is likely drawing on the conceptual framework of Cicero, who made the distinction between *religio* (proper worship) and *superstitio* (*"groundless fear of the gods"* or excessive religiosity leading to non-compliance with the *mos maiorum*).[18]

Cicero explicitly dismisses as superstition prophetic dreams of exactly the kind Livy's sources would have ascribed to Scipio.[19] Specifically, Livy may be critiquing Scipio's *"inappropriate management of possibly genuine religious phenomena"*:[20] The correct republican course of action was to consider dreams of this kind a portent to be reported to the senate for expiation,[21] but in the tradition against which Polybius was also reacting, Scipio was both recipient and interpreter of his *"visions of the night"*. Thus, contained within Livy's this choice of words may the critique that *"even if Scipio did believe in the visions, he was deluded"* due to the way he handled them.[22]

Livy draws on Polybius for his character assessment of Scipio, but whereas Polybius rejects the idea of divine belief outright, Livy leaves it open – consistent with his broader religious outlook. He also appears to critique his sources' presentation of Scipio's handling of dreams as superstitious.

10.5 Arrival in Spain

Scipio won the election despite being a *privatus*, that is, not a magistrate. He then crossed to Spain by sea with a sizeable force.[23] Appian reports that upon his arrival:

> *"The report spread immediately through all Spain ... that Scipio the son of Scipio had been sent to them as a general, by divine providence"*.[24]

This appears to be an extension upon Livy's tradition linking Scipio's career to *fatum*. Haywood, however, suggests that both authors may have drawn on a common source, such as Coelius or another annalist, who - like Livy - was open to the idea that Scipio believed himself divinely inspired.[25]

[15] Beltramini and Rocco 2020, p. 233.
[16] Botha 1980, p. 69-70.
[17] Scullard 1970, p. 26, Liv. 26.19.8-9: *"alia vera, alia adsimulata"*
[18] Cic. *Nat. D.* 1.117, *Div.* 1.7; Beltramini and Rocco 2020, p. 240-241; cf. Levene 1993, p. 9 on *superstitio* at Liv. 4.30.9 and 10.39.2
[19] Cic. *Div.* 2.147-148
[20] Davies 2004, p. 129.
[21] E.g. Liv. 2.36-37; Cic. Div. 1.55 (= FrHist 1 (F14), 2.85)
[22] Levene 1993, p. 19.
[23] Liv. 26.19.10
[24] App. *Ib.* 19
[25] See Haywood 1933, pp. 32-33 on App. *Ib.* 19, 23, and 26.

10.6 Inaugural address

At the campaign's outset, Scipio addresses his men in a lengthy speech. Themes of *pietas*, revenge, and divine favour feature prominently.[26] Scipio claims Fortuna has entrusted him with command and assures the troops that, with the gods' favour, the tide is turning.[27] These initially seem like rhetorical flourishes, but Scipio soon claims insight into Rome's past and future which – unless we grant him supernatural foresight – cannot be historical.[28] He states that *fatum* has given Romans the lot of being *"first defeated and then victorious"* in great wars[29] before declaring:

> *"Now the immortal gods, who are protectors of the Roman empire … by auguries, auspices and even visions in the night are likewise forecasting only joy and success. My own mind as well, heretofore my greatest soothsayer, foresees that Spain is ours, that soon all the Carthaginians, banished from here, will cover seas and lands with their disgraceful flight. What the mind of itself divines undeluded reasoning also suggests".*[30]

Polybius is likely Livy's source.[31] But his version is shorter and contains none of the extensive religious elements, suggesting either he ommitted them or they were introduced by Livy or his source.

It seems most likely that the religious elements are Livian additions. Livy often modifies or expands speeches from his sources for artistic purposes.[32] This does not mean his speeches are entirely unhistorical, but he approaches them in the manner of Thucydides or Cassius Dio, largely adhering to Lucian's principle that a speech should reflect the speaker's character, suit the occasion, and remain lucid,[33] while also using speeches to develop themes important to him.[34]

Thus, while a speech likely took place and Livy may have aimed at a psychologically credible portrayal of Scipio,[35] the narrative is, as we have seen, shaped by the overarching theme of Scipio as *fatalis dux*. In this light, the religious content reads as Livian *vaticinium ex eventu*, designed to reinforce Scipio's image as a seer.[36] Livy does have Scipio add, toward the end, that *"what the mind of itself divines undeluded reasoning also suggests"*, but this appears as the expected secular alternative within Livy's characteristic causal overdeterminism.[37]

Scipio's inaugural address in Livy is modelled on Polybius. While the occasion and perhaps the general outline is historical, Livy has added a strong religious dimension to develop his theme of Scipio as the *fatalix dux*.

[26] Tretheway 2001, p. 134; App. *Ib.* 18–19 even has Scipio perform a *lustratio*; Sil. Ital. 15.204–207
[27] Liv. 26.41.4–6; Botha 1980, p. 70
[28] Levene 1993, p. 61–62.
[29] Liv. 26.41.9
[30] Liv. 26.41.4-20
[31] Plb. 10.6.2 f.; cf. the footnotes in Frank Gardner Moore's Loeb translation
[32] Walsh 1961, p. 235.
[33] Luc. *Hist. conscr.* 58
[34] Rich 1990, p. 11–12; cf. Walsh 1961, p. 221 on the tradition of composed speeches in ancient historiography, traceable to Herodotus; Botha 1980 for a rhetorical analysis of this speech
[35] Walsh 1961, p. 219–220.
[36] Botha 1980, p. 72–73.
[37] Contra Davies 2004, p. 109–110, 130–131; Golding 2022, p. 73

10.7 New Carthage

Scipio opened his Spanish campaign with a bold move. Three Carthaginian armies, which outnumbered the Romans if united, were spread too far from their main stronghold at New Carthage. Seizing the opportunity, Scipio launched a surprise assault, a daring operation that remains one of the most discussed episodes of his career.[38]

Polybius reports that Scipio first studied the city's strategic position, learning from local fishermen that *"the whole lagoon was shallow and in most parts fordable, and that usually the water in it receded every day towards evening"*.[39] He then converged his naval and land forces on the city, and Polybius has him addressing his soldiers the night before the attack:

> *"He told them that it was Neptune who had first suggested this plan to him, appearing to him in his sleep, and promising that when the time for the action came he would render such conspicuous aid that his intervention would be manifest to the whole army"*.[40]

Scipio blockaded the harbor with his fleet[41] and launched a frontal assault in the morning. The attack broke the *"steel edge"* of the garrison outside the walls but was repelled at the fortifications.[42] His troops withdrew to regroup while he awaited the falling tide,[43] then renewed the assault in the evening. As the main attack resumed, he sent a flanking force to ford the lagoon. In Livy, this is when Scipio invokes divine support: *"He bade his men follow the guidance of Neptune and make their way through the middle of the lagoon up to the walls"*.[44] This likely reflects Livy shifting Polybius' speech for rhetorical effect,[45] in line with his general tendencies. Polybius recounts that the tide began to ebb as the men crossed, and *"it struck the whole army that it was the work of some god"*.[46] The flanking force's success secured a Roman victory and the fall of the city.[47]

Many modern scholars[48] have noted practical issues in Polybius' account of New Carthage: the Mediterranean is nearly tideless; if fishermen knew of the ebb, why didn't the defenders? And if Scipio expected the tide to fall in the evening, why begin with a morning assault? Such questions have prompted a flood of competing theories about the 'real' course of events.[49]

The ancients may have recognized these issues as well, which could explain the differing versions of

[38] See Tretheway 2001, p. 36 n. 45 for an overview of the literature; Sil. Ital. 15.180-200 has Scipio receive the idea in a dream from the ghost of his father, a further development on the themes of nocturnal visions and *pietas*
[39] Plb. 10.8.7
[40] Plb. 10.11.7-9
[41] App. *Ib.* 20
[42] Plb. 10.12
[43] Plb. 10.14.1
[44] Liv. 26.45.9
[45] Walbank 1967, p. 67; see also Plb. 12.25b.1 on the historical accuracy of his speeches
[46] Plb. 10.14.11
[47] Richardson 2018, p. 458.
[48] E.g. Scullard 1970, p. 53
[49] Lovejoy 1972, p. 110–111 suggests wind; Scullard 1929b, p. 79–80, volcanic activity; Lillo and Lillo 1988, p. 477–480, sluice gates tied to fish farming; contra Hoyos 1992, p. 124 ff. and Richardson 2018, p. 458 ff. who calculates displaced water volume; Lowe 2000, p. 39–52 argues the lagoon was a shallow salt flat; Gabriel 2008, p. 95 n. 27

the assault in Livy and Appian, the latter largely following Livy.[50] While Livy clearly used Polybius,[51] he also drew on other sources — possibly from the annalistic tradition[52] — and deviates from Polybius in places, for instance by amplifying the ebb with the addition of *"a strong northerly wind"*.[53]

Polybius' sources for New Carthage are often assumed to include Laelius[54] and Scipio's letter to Philip.[55] He also visited the site.[56] Such high-quality sources sit uneasily with the factual errors in his account, which run counter to his usual standards. This has lead modern scholars to suggest that his version of the battle itself was derived from a historian of the tradition against which he was reacting - possibly Silenus.[57] This view gains plausibility from the fact that Polybius names his sources only for the preparations, not the battle itself.[58] His critique of those who credit Scipio's success at New Carthage to *"the gods and to chance"*[59] echoes his broader polemic against writers who portray Scipio as merely *"favoured by fortune"*, suggesting this was a key narrative he aimed to challenge.[60]

What we have, then, is likely Polybius' rationalization of the historiographical tradition as he encountered it in the mid-second century,[61] in which *"the success of the enterprise was attributed to divine direction given to Scipio through a dream"*.[62]

Why did this become the dominant version before Polybius? Given the strong parallels to Alexander, the most plausible explanation is that the entire story of the ebb - and the preceding dream -originated with earlier historians who, with poorer access to sources, employed substantive imitation.[63] During the siege of Tyre, Alexander is said to have dreamed of Hercules foretelling the city's fall.[64] The ebb itself parallels Alexander's crossing at Phaselis.[65] Livy continues the same tradition by supplementing Polybius to bring Scipio closer to Alexander, even echoing Alexander's speech before Tyre when he has Scipio declare, *"in that single city you will have taken the whole of Spain"*.[66,67]

It is easy to see why the battle of New Carthage had become legendary by Polybius' time: it dealt a decisive blow to the Carthaginian war effort in a key theatre and followed perhaps the worst sequence of defeats in Roman history. Walbank sees this as the seed of the entire Scipionic Legend.[68] I argue that early Roman historiography elevated the story by mapping it onto Greek narrative conventions. If

[50] Liv. 26.42–46; on App. *Ib.* 18–22 as a rationalization, see Richardson 2018, p. 462–464
[51] See Walbank 1967, p. 61 on a contradiction in Plb. 10.9.7 and 11.1–3 reproduced in Liv. 26.42.6–9
[52] ibid., p. 61; Hoyos 1992, p. 127–128
[53] Liv. 26.45.8
[54] Perhaps even in written form: Liv. 26.51.2 notes that Scipio *"sent Laelius to Rome to report the victory"*
[55] Tretheway 2001, p. 38-39.
[56] Walbank 1967, p. 62.
[57] E.g. Richardson 2018, p. 465; Walbank 1967, p. 62 rules out Sosylus since Scipio is portrayed positively
[58] Plb. 10.93.3, 10.12.1
[59] Plb. 10.9.2
[60] Plb. 10.9.2; cf. 10.2.5; Tretheway 2001, p. 23
[61] Walbank 1967, p. 59–60; Scullard 1970, p. 18; Laqueur 1921, p. 135 ff. contra Richardson 2018, p. 467–70, who dismisses both Laelius and Scipio's letter. I am more inclined to follow Haywood 1933, p. 35–37
[62] Tretheway 2001, p. 10; Scullard 1970, p. 53
[63] Contra ibid., p. 54; Walbank 1967, p. 66 argues Polybius was too competent for the ebb to be fictitious, but this amounts to begging the question.
[64] Plut. *Alex.* 24.5–8; Curt. 4.2.17; for such motifs in Greek historiography, see Lieshout 1980, p. 255–256 on dreams in Herodotus.
[65] Arr. *Anab.* 1.26.1–2; Strabo 14.3.9; Eustat. *ad Il.* 13.29 = (FGrHist 124 (F31)); cf. Tretheway 2001, p. 46–47 n. 55; Plut. *Them.* 14; Thuc. 2.84.2–3 on wind in Greek military historiography.
[66] Liv. 26.42.3; cf. Arr. *Anab.* 2.17.3; Levene 2010, p. 119–122
[67] Ibid., p. 122.
[68] Walbank 1967, p. 68; see also Haywood 1933, p. 39

the dream and the ebb reflect historiographical tradition rather than fact, Polybius' account can also be explained without accusing any source of outright lying, a charge often made in modern scholarship.[69]

Of course, this model does not require us to dismiss Scipio's invocation of Neptune as unhistorical.[70] It is often overlooked that, according to Polybius, *"the whole lagoon was shallow and in most parts fordable"*, making the crossing possible even without the ebb.[71] The navy also played so prominent a role in the assault that Scipio awarded *coronae murales* to both a centurion and a marine.[72] This two-pronged attack could well have inspired a speech on the eve of battle invoking Neptune.[73]

In sum, Polybius' version of New Carthage is the result of trying to fit the round peg of Laelius' testimony and Scipio's strategic outline in the letter to Philip into the square hole of a literary tradition that, by the mid-second century, treated the dream and the ebb as historical fact. That tradition likely emerged from earlier historians modelling Scipio on Alexander—a pattern Livy continued. Polybius handled the material skillfully, but the inevitable result was factual inconsistencies that both ancient and modern historians have worked hard to explain away.

10.8 Badia and Baecula

After New Carthage, Scipio thanks to the gods in customary fashion.[74] The next episode is from Plutarch:

> *"While he was besieging the city of Baria, in which was visible a temple of Venus … he ordered that … he purposed two days hence to hear litigants in this temple of Venus. And so he did, as he had foretold, after the city had been taken"*.[75]

Similar stories appear in other sources,[76] but the anecdote is attested only in imperial authors and is likely a later accretion to the legend.[77] A related version in Cassius Dio concerns Baecula: *"he had made a prediction, either through divine inspiration or by some chance information, that he would encamp in the enemy's country."*[78] The motif of fulfilled prophecy remains, along with the ambiguity surrounding Scipio's divine inspiration. The close resemblance of these stories to Alexander's prophecy at Tyre[79] suggest they stem from the same tradition as New Carthage.

[69] E.g. Richardson 2018, p. 459; and Tretheway 2001, p. 39 ff. on Meyer 1924 and Laqueur 1921
[70] As argued by Meyer 1924, p. 438 ff.
[71] Plb. 10.7.6; Scullard 1970, p. 57–58
[72] Liv. 26.48.5–13; on the religious dimension of the mural crown, see Rüpke 2019, p. 216
[73] Prince 2021, p. 76.
[74] Liv. 26.48.3
[75] Plut. *Mor.* 196b3
[76] Val. Max. 3.7.1b says Badia; Gell. *NA.* 6.1.8–11 omits the city name.
[77] Tretheway 2001, p. 149–150.
[78] Cass. Dio. 16.57.48
[79] Plut. *Alex.* 25.1–3

10.9 Victory in Spain

After the battle of Baecula, the Iberians wished to crown Scipio king, but he refused and instead had them hail him as *imperator*.[80] He then fought what was perhaps the most brilliant battle of his career at Ilipa, which secured Roman dominance in Spain and ultimately expelled the Carthaginians.[81] The final challenge was subduing the Iberian tribes that had supported Carthage - chiefly at Iliturgi.[82] With that, the Roman conquest of Spain was complete.

Scipio then held lavish gladiatorial contests at New Carthage, along with *"funeral games with all the pomp which the resources of the province and the camp could furnish"*, in honour of his father and uncle.[83] Italicus portrays him leading the ritual and reciting *"the glories of the dead"* with tears in his eyes.[84] This may reflect genuine emotion, but we should also consider the thematic importance of *pietas* in the *Punica*.

10.10 Triumph denied

Upon returning to Rome, Scipio reported his successes to the Senate outside the *pomerium*, at the temple of Bellona. Livy writes that Scipio *"was not without hope that a triumph might be accorded to him"*, but did not press the matter, as it was understood that no one had yet received a triumph without holding a magistracy.[85] The request was denied on that basis, though informal celebrations followed: Scipio entered the city on foot, deposited a large sum of silver in the treasury, and sacrificed a hecatomb on the Capitol *"which he had vowed to Jupiter in Spain"*.[86]

Livy's source is uncertain, as no relevant *fasti* survive,[87] and his account contrasts with Polybius, who says Scipio brought home *"a splendid triumph and a glorious victory"*,[88] and with Appian, who claims he celebrated a full triumph after Spain.[89] Yet Livy's version is more credible: Polybius likely refers only to 'materials worthy of a triumph,' while Appian probably conflates this episode with Scipio's later career.[90]

By Livy's time, Roman historiography included many similar disputes over triumphs,[91] which might suggest Scipio's case was modeled on these. More likely, these episodes reflect recurring tensions in the Republic's political-religious system. The triumph was never automatic — it required consensus between general and Senate.[92] This, then, might be a case of a genuinely recurring historical pattern.

[80] Plb. 10.40.4–5; Liv. 27.19.4. Much has been written about this *imperatoris appellatio*, traditionally the first step toward a triumph; see Lange 2016, p. 6, Develin 1977, p. 110 n. 1, and Tretheway 2001, p. 151 n. 68 for an overview.
[81] Liv. 28.12–17; for a possible religious reading, see Scullard 1970, p. 93
[82] Liv. 28.19–20. App. *Ib.* 32 and Zon. 9.10 echo Arr. *Anab.* 6.9–11; Plut. *Alex.* 63
[83] Liv. 28.21; for Hellenistic precedents, see Prince 2021, p. 69–70
[84] Sil. Ital. 16.311; Gabriel 2008, p. 6
[85] Liv. 28.38.2–4
[86] Liv. 28.38.7
[87] Richardson 1975, p. 52.
[88] Plb. 10.33.7
[89] App. *Ib.* 38
[90] Richardson 1975, p. 52.
[91] E.g., Marcellus after Sicily: Liv. 26.21.2–4; Aemilius Paullus after Pydna: Plut. *Aem.* 30–32; Caesar after Spain: Suet. *Div. Iul.* 18.2; Plut. *Caes.* 13.
[92] Lange 2016, p. 40.

Scipio's denial likely reflected the same political-religious considerations that typically shaped triumphal decisions. In this case, the lack of precedent was the central issue.[93] The Senate always had to decide whether the vows made to Jupiter by the magistrate prior to his departure on campaign had been kept, but as Scipio was no magistrate, he had made no vows.[94] Opposition from the Fabii and Scipio's own reluctance to expend political capital with consular elections approaching will likely also have played a role.[95]

Livy records that Scipio was denied a triumph at the end of his Spanish campaign. While the episode resembles others in Republican history, this likely reflects structural patterns within Rome's political-religious system, not literary imitation.

[93] Lange 2016, p. 35–36.
[94] Rich 2013, p. 545–547, 555; cf. Vervaet 2014, p. 294
[95] Beck 2005, p. 344.

III: Sicilia

We turn now to Sicily, where Scipio prepared his invasion of Africa.

11.1 Saguntine Ambassadors

Owing to his popularity after the Spanish campaign, Livy has Scipio easily elected consul.[1] His election is immediately followed by a visit from ten ambassadors from Saguntum, who offer thanks to the Roman Senate for their war effort in Spain:

> *"For these things — and we could not hope or pray for greater things from the immortal gods — the senate and people of Saguntum have sent us, ten ambassadors, to you to express our thanks... To Jupiter greatest and best, defender of the Capitoline citadel, we have been bidden not merely to render thanks for all this but with your permission to carry this gift of a golden wreath also to the Capitol on account of your victory".*[2]

Livy's source is Coelius,[3] and there is no reason to doubt the historicity of the visit, especially since the Saguntines later erected a monument to Scipio.[4] Some have read the speech as evidence that Spain had become Scipio's personal sphere of influence,[5] but this overstates his role: a closer reading shows consistent use of plural forms (*vos*, *vobis*, etc.), indicating the address is directed to the Senate collectively. What may be more suspicious is the timing of the embassy: Livy places it at the start of the consular year, possibly to foreshadow Hannibal's defeat at the hands of the new consul, and to recall the impiety with which the war began—at Saguntum.[6]

[1] Liv. 28.38; Plb. 11.33.7
[2] Liv. 28.39.12-15
[3] Moore's Loeb translation of Liv. 28.39, n. 2
[4] CIL I^2, 3836
[5] Scullard 1970, p. 167; Prince 2021, p. 85–86
[6] Levene 1993, p. 67.

11.2 Allotment of Sicily

Scipio's consular colleague, as pontifex maximus, was bound by religious obligations and could not leave Italy.[7] The question of Scipio's provincial command sparked a heated Senate debate: Fabius urged allotting him Italy, consistent with his own long-standing strategic outlook, while Scipio pushed for an invasion of Africa.[8]

The speech generally presents Scipio as reckless and Fabius as wise,[9] and it is thus commonly assumed that Livy followed Antias.[10] This may also reflect influence from Fabius' lost memoirs. Livy has Scipio invoke the gods,[11] and even predict the future: *"I shall have Hannibal as the antagonist you assign me, Quintus Fabius; but I shall draw him after me, not let him hold me back. In his own land will I compel him to fight, and Carthage is to be the reward of victory"*.[12] The historicity of these words is doubtful, as they align closely with Livy's recurring literary theme of Scipio as the fatalis dux.

11.3 Dionysius I and Agathocles

The Senate reached a compromise favourable to Scipio: he was granted command of Sicily and thirty warships, along with permission to invade Africa if he deemed it in the state's interest.[13] He proceeded to the island and began preparations. Polybius' account of this phase is mostly lost,[14] though he later notes:

> *"Publius Scipio ... when some one asked him whom he thought the greatest statesmen combining courage and wisdom, replied 'Agathocles and Dionysius the Sicilians'"*.[15]

Scipio's commendation of Agathocles - relocated by Livy, likely for rhetorical effect, to the debate with Fabius—probably stemmed from Agathocles' bold invasion of North Africa during a war with Carthage, by which he *'diverted the war to the country from which it had come'*.[16] The strategic parallels are clear.

Tretheway has pointed out notable religious parallels.[17] Both Sicilians seem to have practiced elite religious instrumentalism. Agathocles, for instance, released owls before a battle to recreate a famous omen from Salamis when morale was low,[18] while Dionysius I claimed an omen from Demeter instructing him to raise funds by collecting women's ornaments—then, after sacrificing to the goddess, transferred them to his own treasury.[19] This is precisely the elite instrumentalism Polybius attributes to Scipio Africanus.

[7] Yet another example of the interconnectedness of religion and politics.
[8] Liv. 28.40–44
[9] Contra Botha 1980, p. 78
[10] Golding 2022, p. 108–109, following Scullard 1929a, p. 250
[11] Liv. 28.44.7
[12] Liv. 28.44.9
[13] Liv. 28.48.9
[14] Liddell-Hart 1926, p. 109.
[15] Plb. 15.35.6
[16] Liv. 28.43.21; Diod. 20.3.3; Just. 22.5
[17] Tretheway 2001, p. 203 ff.
[18] Diod. 20.11.3–5; cf. Plut. Them. 12.1
[19] Aristot. *Econ.* 2.1349a

Interestingly, it was even said that when his mother *'was carrying this same Dionysius in her womb, she dreamed that she had been delivered of an infant satyr'*, supposedly a good omen.[20] The parallels to Scipio's Schlangenzeugung are clear, though it is notable that this story from the classical period contains no claim of divine parentage.

However, Tretheway takes these similarities to suggest that Scipio consciously modelled his conduct in Sicily after the two tyrants to curry favour with the locals.[21] This inference is questionable: admiration for historical *exempla* does not imply deliberate imitation. It is also precisely the kind of instrumentalization of religion we should treat with caution. Moreover, Scipio's supposed comment is exceedingly brief, and Polybius gives neither context nor source, casting doubt on its historicity. It reads more like an incidental remark included to support Polybius' portrait of Scipio as a strategic manipulator of religion.

11.4 The Pleminius affair

Livy writes that during Scipio's time in Sicily, his philhellenic leanings were on display.[22] He thus came under suspicion of excessive Hellinism - strolling about the gymnasium in sandals and *"giving his attention to books in Greek and physical exercise"* while his army decayed.[23] It is difficult to separate historiographical imitation from historical pattern: Maintaining discipline in overly comfortable conditions is a known challenge, but the strong parallels to Alexander in Babylon[24] and Hannibal in Capua[25] suggest Livy framed the episode as a moral lesson on the general's duty to combat *luxuria*.

More serious was the accusation of Scipio's involvement in the Pleminius affair – a complex scandal centered on one of his subordinates, whom he had appointed to govern the recently recaptured Calabrian city of Locri.[26] The local population, suffering abuses from the Roman garrison, sent envoys to the Senate accusing Pleminius of:

> *"spoliation even of sacred things; and not only were other temples violated, but even the treasures of Proserpine, which had never been touched through all ages"*.[27]

The historicity of the affair is beyond dispute, but the question of Livy's sources deserves attention given the political stakes.[28] While it is unclear whether Livy used Polybius, his portrayal of Fabius as Scipio's accuser suggests reliance on Antias. Plutarch reports a version in which Scipio is also charged with mishandling state funds,[29] while Appian does not blame him at all.[30] This points to the existence

[20] Cic. *Div.* 1.39
[21] Tretheway 2001, p. 202–203 on ruler cult on Sicily
[22] The games he held after Spain were, for example, accompanied by the sending of an embassy with a golden wreath to the Pythian Apollo at Delphi; Liv. 28.45.12–13, following Pictor at Liv. 23.11.3; Haywood 1933, p. 59–60
[23] Liv. 29.19.11; Plut. *Cat. Mai.* 3.5
[24] Curt. 5.1.36–39
[25] Liv. 23.18.10–16; Tretheway 2001, p. 204 n. 43
[26] Beck 2005, p. 347.
[27] Liv. 29.8.8-11; see also Diod. 27.4.1-3; Cass. Dio. 17.62
[28] Beck 2005, p. 348.
[29] Plut. *Cat. Mai.* 3.5–8
[30] App. *Hann.* 55

of both pro- and anti-Scipionic traditions — unsurprising, given that Flaminius and Cato were among the accusers.[31]

Among the various accusations, the religious violations seem to have been taken most seriously by the Romans.[32] This is perhaps surprising, as earlier in the war the plundering of religious sites in southern Italy and Sicily had gone unpunished.[33] The difference likely lies in the changed military context: preparations for the invasion of Africa were underway, and religious anxiety was high. The Senate was accepting an unusual number of prodigies, and the Magna Mater was brought to Rome on the advice of the Sibylline books and the Delphic oracle.[34] Maintaining the *pax deorum* was already seen as a military necessity,[35] so what might earlier have been dismissed as the *"legitimate right of the conquerors"* now appeared to threaten the war effort.[36]

But what of Scipio? In Livy's version, the Locrians initially complained to him, and he reinstated Pleminius. They later chose not to pursue legal action against Scipio himself, as he *"was such a man as they would rather have their friend than their enemy"* — suggesting he escaped censure not due to innocence, but influence. Yet Livy adds that the Locrians *"were convinced that the many and horrid acts ... were done neither by the orders nor with the approval of Publius Scipio"*.[37] His support of a religious offender could thus be seen as a blemish on his record, but Livy — in characteristically ambivalent fashion — avoids taking a clear position.[38]

On Sicily, Scipio faced charges of excessive Hellenism, likely shaped by Livy into a moral parable. He was also implicated in the Pleminius affair, though accounts vary and are politically charged. Characteristically, Livy avoids taking a clear stance.

11.5 Departure for Africa

Scipio was acquitted of all charges, and once preparations were complete, a grand departure ceremony was held at Lilybaeum. After casting entrails into the sea, he delivered one of the longest speeches in Livy's history:[39]

> *"Ye gods and goddesses who inhabit seas and lands, I pray and beseech you that whatever under my authority has been done, is being done, and shall henceforth be done, may prosper for me, for the Roman people and the commons, for allies and Latins who by land, by sea, and by rivers follow the lead, authority and auspices of the Roman people and of myself..."*.[40]

[31] Tretheway 2001, p. 215–218.
[32] Scullard 1970, p. 112–113; Davies 2004, p. 133–134
[33] See Wells 2010, p. 232 on Marcellus in Syracuse and Fabius in Tarentum.
[34] Liv. 29.10–14; Sil. Ital. 17.46–47; Cic. *Har. Resp.* 27; Ov. *Fast.* 4.263; with Levene 1993, p. 70; cf. Orlin 2010, p. 79 for a contrasting view.
[35] Rüpke 2019, p. 69–70.
[36] Wells 2010, p. 235
[37] Liv. 29.21.9–10
[38] Levene 1993, p. 72–74.
[39] Hickson-Hahn 1997, p. 150.
[40] Liv. 29.27.2-4; in what seems a later accretion, App. *Pun.* 13 has Scipio sacrifice to Jupiter and Neptune specifically

It has been suggested that Livy, following Greek historiographical tradition, gives the departure scene special prominence and models it on Thucydides.[41] Even so, Livy draws on multiple sources and explicitly names Coelius,[42] placing the basic historicity of the ceremony beyond doubt. The wording of the prayer, however, is another matter. Livy records it in what has been described as a *"rather legalistic tone"*, emphasizing meticulous repetition.[43] This legal style may reflect the textualization of Roman religion; it was likely adopted deliberately by authors like Cicero and Varro to frame religious data as primordial rules.[44] Thus, although the prayer may seem archaic, there is no certainty it reflects actual practice. Frances Hickson-Hahn, who has closely analyzed the prayer, also notes that while its structure is traditional, the wording resembles the thanksgiving prayers of victorious generals at triumphs.[45] This teleological element fits with the portrayal of Scipio as the *fatalis dux*. She also observes that despite its formulaic style, Livy gives Scipio vocabulary *"not previously attested in prose prayers, but appearing in poetic prayers"*, possibly indicating Ennian influence.[46]

Before crossing to Africa, Scipio is shown sacrificing and praying in a stylized departure ceremony. In the words of Hickson-Hahn: *"The speaker and occasion are historical. The language represents the influence of technical and literary sources as well as the creative artistry of Livy himself"*.[47]

[41] Tretheway 2001, p. 224; Rodgers 1986, p. 338 ff. Thuc. 6.30.1–32.2; on Roman departure rites, see Rüpke 2019, p. 127
[42] Liv. 29.25.3
[43] Hickson-Hahn 1997, p. 151–152; North 1998, p. 592; Alderink and Martin 1997, p. 123 f.
[44] MacRae 2016, p. 42–44.
[45] Hickson-Hahn 1997, p. 150–151.
[46] Ibid., p. 152–153 n. 6.
[47] Ibid., p. 151–152.

IV: Africa

We turn now to the African campaign, for which Scipio is most famous.

12.1 Promontorium Pulchri

At the end of an uneventful crossing, Livy remarks:

> *"When he caught sight of land Scipio offered a prayer that this first view of Africa might bring good to himself and to the republic... Scipio enquired the name of the nearest headland, and on learning that it was called* Pulchri promunturium *he remarked, 'I accept the omen, steer for it'".*[1]

This likely relies on the grammatical form: Pulchri is genitive, likely referring to Pulcher, a common epithet of Apollo.[2] For the crossing itself, Livy again claims to have consulted multiple sources, among which only Coelius (or possibly Quadrigarius) reports a dramatic storm.[3] In light of this, and given Scipio's receptiveness to omens elsewhere, there is no compelling reason to doubt the historicity of this episode.

12.2 The serpent guide

Explicitly religious episodes are scarce during the African campaign. Cassius Dio, however, recounts that some days after Scipio's arrival in Africa, as his soldiers were setting up camp:

> *"a great serpent came gliding along beside it on the road leading to Carthage. Scipio, owing to the tradition about his father, felt encouraged by this portent, and with renewed zeal devastated the country and made assaults upon the cities".*[4]

[1] Liv. 29.27.9-12
[2] Seguin 1974, p. 7; Liv. 30.24.8 even calls it *Apollinis promunturium*
[3] Liv. 29.27.13–15 (= FrHist 15 (F37), 2.407); Richardson 2018, p. 471
[4] Cass. Dio. 17.63

This is by no means impossible, but Dio gives no source and even mentions *"the tradition about his father"*, which we have already visited. The story also resembles that of Alexander, who was guided by desert snakes to the temple of Ammon.[5] Thus, this reads like a later accretion to the Scipionic Legend - particularly given the presence of serpentine imagery in earlier narratives.

12.3 *Arma cremare*

The next episode takes place near Utica. Polybius tells us that Scipio invited the Carthaginians to negotiate, stalling for time while he gathered intelligence on the enemy camps.[6] Then, under cover of night, he set fire to both the Carthaginian and Numidian camps, killing most of their inhabitants in the process. Livy reports that in the aftermath:

> *"A great number of arms were captured, and all of these the general-in-command dedicated to Vulcan and burned".*[7]

This reads like something out of a Homeric epic[8], and Livy gives no source, while Polybius and Appian do not mention the ritual at all. This might suggest it never took place. However, what Livy describes is the Roman war ritual arma cremare — the burning of enemy arms after victory as a dedication to one or more gods — which is well attested in sources down to the Sullan era.[9] There is thus no reason to doubt the historicity of the ritual.

12.4 Armistice and war resumed

Scipio pursued the enemy and won a major victory at the Battle of the Great Plains. This prompted the Carthaginians to recall Hannibal from Italy and send an embassy to Scipio, *"partly as a genuine peace move, partly to play for time".*[10]

Scipio offered terms that were initially accepted, but their harshness soon turned Carthaginian public opinion.[11] A starving populace persuaded the Carthaginian senate to intercept Roman supply ships bound for Scipio's army — a clear breach of the armistice.[12] When Scipio sent envoys to demand restitution, they were dismissed without reply in the popular assembly. Hardliners later arranged to have them ambushed, ensuring the resumption of hostilities.[13]

Livy reports that Scipio, hosting Carthaginian envoys at the time, distinguished himself by contrast:

[5] Arr. *Anab.* 3.3; Tretheway 2001, p. 13
[6] Plb. 14.2; on Scipio's bad faith negotiations, see Scullard 1970, p. 126
[7] Liv. 30.6.9
[8] E.g., Patroclus' funeral pyre, Hom. *Il.* 23.160–194
[9] Liv. 1.37.5, 8.16, 8.30.8–9, 10.29.18, 23.46.5, 30.6.9, 38.23.10, 41.12.6, 45.33.1–2; App. *Ib.* 59, *Pun.* 48, 133, *Syr.* 42, *Mithr.* 45; Plut. *Mar.* 22; Rüpke 2019, p. 205–207; recipients include Vulcan, Mars, Minerva, and Lua Mater, Rich 2013, p. 550
[10] Scullard 1970, p. 134.
[11] Plb. 15.2.2; App. *Pun.* 34; Diod. 27.1
[12] Liv. 30.24.5–12
[13] Plb. 15.2.5-13

> *"Scipio informed these men that, although not only the sanctity of an armistice had been violated by the Carthaginians, but also the law of nations in regard to his envoys, nevertheless he would not in their case do anything unworthy of the established usages of the Roman people or of his own character. Whereupon he dismissed the envoys and made preparations for war".*[14]

Livy is likely following Polybius,[15] whose account is generally accepted: It agrees with the Rylands papyrus uncovered in 1938 that the Roman senate initially ratified the terms of the armistice,[16] and is further supported by the appearance of the stolen cargo in the peace negotiations after Zama.[17]

The phrase *"the sanctity of an armistice"* reflects the Roman view that treaty violation was a religious offense: agreements between states were sealed by oaths sanctioned by the gods. Breaching them constituted an affront to *"the divine guarantors of those oaths"*,[18] Accordingly, the job of seeking redress fell to the *fetiales*, priests responsible for managing Rome's external relations in accordance with sacred law.[19]

Consequently, in Graeco-Roman historiography, the treatment of ambassadors often reflected the religious and moral character of their host. A well-known parallel appears in Herodotus, where Xerxes rebukes the Spartans for killing Persian heralds, declaring *"that he would not act like the Lacedaemonians, who, by killing the heralds, had broken the laws which all men hold in common"*.[20]

Thus, while Polybius' general outline of events surrounding the armistice is reliable, the anecdote about Scipio's treatment of envoys is likely a Polybian addition reflecting pro-Scipionic bias — and its moral emphasis makes it an unsurprising inclusion in Livy.

12.5 Zama

When hostilities resumed, Scipio *"went round the towns, no longer receiving the submission of those which offered to surrender, but taking them all by assault and selling the inhabitants as slaves"*.[21] This escalation forced the Carthaginians into open battle at Zama.

Before the battle, Polybius — and Livy, who follows him — report that the two generals met.[22] While such a meeting is not inherently implausible, the words exchanged are clearly literary inventions, resembling more a Homeric dialogue than a practical negotiation.[23] Polybius reflects on *Fortuna* and

[14] Liv. 30.25.10
[15] Plb. 15.4.5–12
[16] Liv. 30.23; App. *Lib.* 35; Cass. Dio 17.74 (= Zon. 9.13) says the *patres* rejected the terms; contra Plb. 15.4.8; see Eckstein 1987, p. 250 ff. Walbank 1957-1979, vol. 2, p. 442; Scullard 1970, p. 270 n. 103
[17] Plb. 15.18.3; Liv. 30.37.6; Tretheway 2001, p. 250
[18] Liv. 21.40.11 actually has Scipio's father articulate this after Hannibal's attack on Saguntum; Levene 1993, p. 7, 44; ibid., p. 7
[19] See Varro 850L; Rich 2011, p. 191; Rüpke 2019, p. 106–107 on *rerum repetitio*; North 2000, p. 27
[20] Herod. 7.133–136
[21] Plb. 15.4.1–2, perhaps showing his shift from diplomat to *ultor*, avenger of violated sacred norms; contra Golding 2022, p. 145
[22] Plb. 15.6-7 cf. Liv. 30.30-31; App. *Pun.* 39
[23] Tretheway 2001, p. 256.

fatum — themes Livy expands in portraying Scipio as the *fatalis dux* seemingly able to divine the gods' will: *"They guided the former war to a just and righteous issue, and they are doing and will do the same with this one".*[24]

A similar dynamic shapes the speeches before the battle.[25] Livy has Scipio declare that *"not Africa and Italy only — the whole world will be the prize of victory".*[26] Such teleology is unsurprising in Livy, but it is also present in Polybius.[27] Perhaps his aim of explaining Rome's ascent may have led him to overestimate what Scipio could have known of Zama's significance at the time.[28] Livy also reports that Scipio drew an omen and declared that the gods had granted the same auspices as those at the Aegates.[29] This may be a Livian invention to create narrative symmetry, as no other source mentions omens.[30] Still, in keeping with his dual approach, Livy adds a secular rationale: Scipio points to Carthaginian losses in Spain and Africa, along with their earlier peace overtures as evidence of strategic weakness.[31]

The battle itself is largely devoid of religious content in our main sources. Only Silius Italicus introduces a divine dimension, casting the conflict in Homeric terms: Juno, favouring Carthage, pleads with Jupiter to intervene, but he is restrained by fate. The episode closely imitates the death of Sarpedon in the Iliad,[32] and represents a clear later accretion to the Scipionic legend.

12.6 Triumph

After the Roman victory at Zama, Livy reports that *"all the temples in the city were opened"* for three days of *supplicatio*, while Scipio oversaw the conclusion of the final peace on the advice of ten *fetiales.*[33] Although Polybius omits the rituals carried out by these priests, their alignment with earlier precedents suggests that Livy's account is broadly credible.[34]

Scipio then crossed to Sicily and took the overland route to Rome. Appian supplies a description of his triumph:

> *"The form of the triumph (which the Romans continue to employ) was as follows: ... Trumpeters led the advance and wagons laden with spoils... Next came a lot of incense bearers, and after them the general himself ... wearing a crown of gold and precious stones, and dressed ...*

[24] Liv. 30.31.5; Levene 1993, p. 75; Davies 2004, p. 123; see Rossi 2004, p. 360-362 for a different reading
[25] On pre-battle speeches, see Rüpke 2019, p. 153
[26] Liv. 30.32.2
[27] Plb. 15.10.2; and App. *Pun.* 42
[28] Tretheway 2001, p. 257–258.
[29] Liv. 30.32.9
[30] Plb. 1.60; Diod. 24.11.1–2; Oros. 4.9.5–6
[31] Levene 1993, p. 75.
[32] Sil. Ital. 17.340–618; cf. Hom. *Il.* 16.431–461
[33] Liv. 30.40.4; 30.43.4
[34] But cf. Rich 2011, p. 188, 234 and esp. Rich 2013, p. 562 on the annalistic overestimation of the *fetiales* and their connection to the ideal of *bellum iustum*, e.g. Cic. *Rep.* 2.31; *Leg.* 2.21; *Off.* 1.34–38. On the *supplicatio*, see Lange 2016, p. 6; Rüpke 2019, p. 222–223; and Beck 2005, p. 353 on its co-occurrence with the ten-man commission. On the specific rites, see Rich 2013, p. 559; Rüpke 2019, p. 101–105 for the *sagmina*, sacred herbs gathered from the Capitoline; and ibid., p. 114–116 on *lapis silex*, a flint knife used during oath-taking to Jupiter Lapis. This practice is well attested: Liv. 1.24.3–9; 21.45.8; Serv. *Aen.* 1.62, 8.641; Paul. Fest. 266.16–18L. Plb. 3.25.6–26.1 even mentions it in the context of the Pyrrhic Wars, citing *"bronze tablets beside the temple of Jupiter Capitolinus"*.

> *in a purple toga embroidered with golden stars... When Scipio arrived at the Capitol ... he entertained his friends at a banquet in the temple".*[35]

If Appian's description is accurate, Scipio would have been the first triumphator to wear the *toga picta*, a claim that has generated much discussion.[36] As with the triumphal ritual more generally, however, the origins of the triumphator's garb are exceedingly uncertain, making diachronic developments difficult to trace.[37]

Further, Appian seems to describe the standard formula for a triumph as practiced in his own time — *"which the Romans continue to employ"*. Scholars have therefore suggested his account is a composite, blending later practice with known earlier triumphs.[38] This is supported by his lack of sources and the brevity of Polybius and Livy, whose conciseness may reflect either a lack of information or that the triumph followed standard Roman form.[39] In this light, the *coena triumphalis* likely represents a later addition to the Scipionic legend, perhaps arising from his link to the site.[40]

More certain is that this triumph marked the occasion when Scipio received the agnomen Africanus.[41] Though the procession may have followed traditional form, both Polybius and Livy report that it was accompanied by games that clearly did not.[42] These fulfilled a religious function by honoring Scipio's vows made in Africa, but their extraordinary scale gave them a political resonance — and likely helped inspire the increasingly elaborate spectacles of the Late Republic.[43]

Scipio's triumph likely followed traditional forms, despite Appian's possibly anachronistic account of his attire and banquet. He certainly received the agnomen Africanus and staged games whose scale helped shape later Republican practice.

12.7 Other honors

Livy also paraphrases a speech from Tiberius Sempronius Gracchus,[44] describing a series of honors turned down by Scipio at the time of his triumph:

> *"he said that the people had once been rebuked by Scipio because they wished to make him perpetual consul and dictator; that he forbade statues to himself to be erected in the Comitium, on the Rostra, in the Curia, on the Capitoline, in the cell of Jupiter; that he prevented also a decree that his image in triumphal dress should appear to be coming out of the temple of Jupiter Optimus Maximus".*[45]

[35] App. *Pun.* 66; see also Sil. Ital. 17.625-650
[36] Warren 1970, p. 63–64; e.g. Versnel 1970, p. 56; Holliday 1997, p. 132 ff. see Prince 2021, p. 107–109, esp. n. 415 for an overview of the literature.
[37] See Beard 2009, p. 229–231 on Flor. 1.5.6; Dion. Hal. 3.61.1.
[38] Prince 2021, p. 105.
[39] ibid., p. 104; but cf. Burck 2009, p. 295
[40] Read in the context of Liv. 45.39.13, it may even be a jab at Scipio's feigned religiosity.
[41] Liv. 30.45.6; Zon. 9.14
[42] Liv. 31.49.4–5; Plb. 16.24.7
[43] Tretheway 2001, p. 278; Cic. *Off.* 2.16–17; Plut. *Caes.* 5.8f.
[44] Not to be confused with his famous eponymous son
[45] Liv. 38.56.11-13; Val. Max. 4.1.6; App. *Ib.* 23

The authenticity of this speech is doubtful, as Livy himself remarks.[46] Cicero also knew of no extant speeches of Gracchus.[47] Most modern scholars thus follow Mommsen[48] in viewing it as derived from an anti-Caesarian pamphlet *"which attacked Caesar with the fiction about Scipio's refusal of the same honours"*.[49]

The reference to perpetual consulship or dictatorship is clearly anachronistic, a Late Republican fabrication meant to establish precedent. But the pamphlet gained credibility from honors that were likely real and still visible when it circulated: Valerius Maximus notes that Scipio's imago stood in the *cella Iovis* and was brought out for Cornelian funerals.[50] Most scholars interpret this as a wax ancestor mask,[51] and De Sanctis plausibly dated its placement to the Late Republican rebuilding of the temple after it burned in 83 — possibly by Sulla, seeking to establish precedent for his own honors.[52]

Similarly, a fragment from Ennius' *Scipio* suggests that a statue and column were erected:

> *"What a great statue the Roman people will make,*
> *what a great column to speak of your deeds!"*[53]

Cicero noted the column was already dilapidated, suggesting it had long stood.[54] It may have been erected after Scipio's triumph, as another fragment from the same poem addresses him as *Scipio Invicte*.[55] Interestingly, *Invictus* was an epithet of Hercules, and, along with *Victor*, gained popularity after the campaigns of Alexander.[56] The poem may thus reflect contemporary efforts to link Scipio with heroic or divine figures.[57] This is certainly very pro-Scipionic, and it stands to reason that if this was Ennius' approach in the *Scipio*, a similar strategy may have been adopted in the *Annales* – suggesting that this poem marks the beginning of a broader literary tradition celebrating Scipio in heroic or semi-divine terms.

Livy reports that Scipio refused extravagant honors after his triumph. While some were likely later inventions, others, namely monuments and poetry linking him to Alexander and Hercules, were probably real.

[46] Liv. 38.56.5

[47] Cic. *Brut.* 77-79

[48] Mommsen 1879, vol. 2, p. 502–510.

[49] Weinstock 1971, p. 36; so also Walbank 1967, p. 55-56; Tretheway 2001, p. 280-282; Gabba 1975, p. 13; contra Liddell-Hart 1926, p. 201; Haywood 1933, p. 15-16; and Meyer 1924, p. 434, who even suggests that Scipio's *"göttlicher Ursprung"* was posthumously *"offiziell von der Familie und vom Staat anerkannt"*.

[50] Val. Max. 8.15.1; App. *Ib.* 23

[51] Flower 1996, p. 48–52, following Plb. 6.53.4–10; Plin. *HN.* 35.6; Sall. *Iug.* 4.5; cf. Farney 2023, p. 55. Contra Roscher 1902-1909, vol. 2, p. 730 and Weinstock 1971, p. 35–36, who argue for a statue, the latter imagining it processed with the gods in the *pompa circensis*.

[52] De Sanctis 1936, p. 190; followed by Walbank 1967, p. 55. Cf. Flower 1996, p. 52, who doubts this on the grounds that Sulla was not a direct descendant. But political utility may have outweighed lineage.

[53] SHA *Clod.* 7.7 (= Varia, *Scipio* fr. 2, Vahlen 1903, p. 212)

[54] Cic. *Verr.* 2.4.82; on the statue see Weinstock 1957, p. 222

[55] Cic. *Orat.* 45 (= Varia, *Scipio* fr. 3, Vahlen 1903, p. 213); see also Tretheway 2001, p. 62 n. 78 on the *Scipio* predating the *Annales*.

[56] Wojciechowski 2013, p. 105; Weinstock 1957, p. 213

[57] Possible poetic allusions to divine aid have been suggested but remain highly speculative. See Macrob. *Sat.* 6.2.26 (= Varia, *Scipio* fr. 6, Vahlen 1903, p. 214) for Ennius; Tretheway 2001, p. 69–70; Walbank 1967, p. 58 for Plautus.

V: Asia

We now turn to the fifth and final part of the analysis. Although this section occupies a small part of the overall study, it covers the latter half of Scipio's adult life. This imbalance is not due to the lesser importance of his actions in this period,[1] but to the limitations of the surviving sources. Polybius becomes fragmented and increasingly terse on Scipio, who recedes from the narrative as he ceases to play a central role in Rome's expansion across the Mediterranean. Livy is similarly vague—perhaps reflecting his own sources, but also because he tends to sideline figures who have reached their peak.[2] As Levene notes, religion also plays a smaller role in Livy's fourth decade.[3] The lack of religious detail in this phase should therefore be seen as a product of narrative focus, not of diminished ritual activity by Scipio.

13.1 Second consulship

In 199, two years after his triumph, Scipio was elected *censor* and named *princeps senatus*, arguably reaching his political peak.[4] His career then appears to stall,[5] as he did not attain a second consulship until 194.[6]

Polybius does not mention Scipio's second consulship. This may be due to fragmentation, or it may suggest that Livy relied on an annalistic source, ultimately the *annales maximi*, for the record of magistrates. Ayelet Haimson-Lushkov notes that Livy frames Scipio's second consulship in a religious context:

> *"The 'sacred spring' had been celebrated in the previous year... Since the pontiff had announced... to the senate, that this had not been properly performed... the Fathers voted that it should be celebrated anew".*[7]

[1] Haywood 1933, p. 85; but cf. Beck 2005, p. 358 on Scipio's political prominence
[2] Golding 2022, p. 160-163.
[3] Levene 1993, p. 102-103.
[4] Scullard 1970, p. 180.
[5] ibid., p. 191; cf. Gruen 1972, p. 379
[6] Liv. 34.44.4; MRR 1.342; CIL I^2 37 = IX 4854
[7] Liv. 34.44.1–2

The *ver sacrum* was a Roman vow dedicating all beings born in a given spring to the gods.[8] The only historical instance followed Rome's defeat at Lake Trasimene, amid fear and religious crisis.[9] Its fulfillment was delayed nearly twenty years and carried out the year before Scipio's consulship — resulting in the exile, not sacrifice, of those born that spring.[10]

Livy implies Scipio was re-elected consul for his religious zeal — as though only he could repay the divine debt.[11] While not without precedent,[12] this is almost certainly a narrative construct: the election coincided with the end of the ten-year waiting period after his first consulship.[13] In other words, he was re-elected as soon as legally eligible – a result of Republican procedure and political timing rather than religious motivation.

13.2 A legendary meeting

Scipio's second consulship was relatively uneventful.[14] Livy opens it with vague *"favourable and good omens"*, whose historicity need not be doubted.[15] Afterward, Scipio briefly returned to Africa as an envoy,[16] and an inscription records a visit to the Greek East: in 193, he was crowned with Apollo's laurel on Delos for benefactions to the island and its sanctuary.[17] It was also during this journey that he is said to have met Hannibal at the court of Antiochus III.[18] The source chain is weak: Livy follows *"Claudius, from the Greek history of Acilius"*, and expresses doubt himself.[19] Most scholars dismiss the encounter as legend.[20]

13.3 Arch of Scipio

Around the time of Scipio's return to Rome, war broke out with Antiochus. Scipio was not given command but served under his brother as a legate.[21] Livy tells us:

> *"Publius Cornelius Scipio Africanus, before he left the City, constructed an arch on the Capitoline, facing the street by which one climbs the Capitoline, with seven statues of bronze and two equestrian figures and two marble basins before the arch"*.[22]

Despite being Livy's longest description of a monument, very little is actually known about the

[8] Fest. 519L; Strabo 5.4; Dion. Hal. 1.16; Beck et al. 2011, p. 112
[9] Liv. 22.9–10
[10] Liv. 33.44.1–2
[11] Haimson Lushkov 2014, p. 118.
[12] See Tretheway 2001, p. 91–92 on the election of Fabius as dictator.
[13] Scullard 1970, p. 195.
[14] Beck 2005, p. 358
[15] Liv. 36.1–3; Levene 1993, p. 87
[16] Liv. 34.62; Zon. 9.18; cf. App. *Pun.* 67; RE IV.1, p. 1468-1469; Beck 2005, p. 359
[17] IG 11.712; see also Holleaux 1913, p. 92–94; Haywood 1933, p. 59–60
[18] Liv. 35.14 (= FrHist 7 (F4), 2.277); Plut. *Pyrr.* 8.2; *Flam.* 21.3–4; App. *Syr.* 9–10; Zon. 9.18
[19] Haimson Lushkov 2014, p. 108.
[20] Scullard 1970, p. 198; Gabriel 2008, p. 216; Haimson Lushkov 2014, p. 106; but cf. Holleaux 1913, p. 75–98 on other possible meetings
[21] Liv. 37.1
[22] Liv. 37.3.7

arch.[23] The structure is now lost, and all attempts to reconstruct it have proven fruitless.[24] However, Livy immediately precedes his mention of the arch with religious omens,[25] and it has therefore been argued that Scipio built the arch primarily for religious purposes — to secure divine favour ahead of the campaign.[26] This merits consideration: the arch was constructed *ex manubis*, funded by war spoils, a common practice for religious structures.[27] Under this reading, the seven *signa aurata* and two *labra* may have depicted gods.[28] Some have also seen the arch's placement *in Capitolium* as evidence of Scipio's personal devotion to Jupiter Capitolinus,[29] since space was central to Roman religion,[30] meaning location may have been as significant as form.[31]

But we must take care not to overemphasize the religious angle. The precise location of the arch is uncertain,[32] and the phrase *"in Capitolium"* may simply indicate a placement allowing the triumphal procession to pass beneath it.[33] The prevailing view today is that the seven statues represented prominent members of the Cornelian *gens*, not gods.[34] This interpretation fits the broader second-century *"atmosphere of political competition and honorific monument building"*,[35] which also produced structures such as the *fornices Stertinii* and the *fornix Fabianus*.[36] It is true, however, that the arch was completed before the new war, in 190 — eleven years after Scipio's triumph. But early Republican arches may have been only loosely tied to triumphs,[37] and the delay may simply reflect the time required to construct what was likely one of the most impressive monuments of its time. It is even possible the process was accelerated to ensure completion before the Scipios' departure.[38]

To summarize: While Livy couches the construction of the *fornix Scipionis* in omens, there is no evidence that its purpose was any more or less religious than that of other contemporary arches.

13.4 A crossing delayed

The only relevant episode from the war against Antiochus comes at the very start of the campaign in Asia Minor. Polybius, followed by Livy,[39] reports that Scipio's army was delayed at the Hellespont due to a religious festival:

"The real reason why both the army remained in its first camp and Scipio was apart from it

[23] Ridley 2014, p. 23; for an overview of the literature, see p. 11
[24] E.g. ibid., p. 20–21 on numismatics
[25] Liv. 37.3.2–4; Haimson Lushkov 2014, p. 123
[26] Noack 1926, p. 162.
[27] Haimson Lushkov 2014, p. 125; Padilla Peralta 2001, p. 89–90; Rüpke 2019, p. 216–220; Orlin 1997, p. 116 ff.
[28] RE VIIA.1, p. 474-476; Kontokosta 2013, p. 19; for other interpretations (e.g. the kings of Rome or planets), see Ridley 2014, p. 17
[29] ibid., p. 15; Golding 2022, p. 165
[30] MacRae 2016, p. 33.
[31] Lange 2016, p. 196.
[32] Kontokosta 2013, p. 15; or even its overall form — Nilsson 1932, p. 132–139 suggests the *fornix* Livy refers to may have been a pillar rather than an arch; see also Plin. *HN*. 34.27
[33] Lange 2016, p. 196.
[34] LTUR 2.266–267; Kontokosta 2013, p. 19; Scullard 1970, p. 202; Ridley 2014, p. 17; note also that Scipio's supposed aversion to statues in Liv. 38.56.12–13 derives from Gracchus' Late Republican *falsum*
[35] Kontokosta 2013, p. 19–20.
[36] Liv. 33.27.4; Lange 2016, p. 196; but cf. Ridley 2014, p. 13
[37] Lange 2016, p. 196.
[38] Ridley 2014, p. 22.
[39] Liv. 37.33.6–7; not mentioned by Diod. 29.7–8; App. *Syr.* 29

was that the latter was one of the Salii... one of the three colleges whose duty it is to perform the principal sacrifices. No matter where they happen to be, it is forbidden for them to change their residence for thirty days during the celebration... Just as his army was crossing, he was caught by this period... The consequence was that he was separated from his army and stopped behind in Europe, while the legions after crossing remained inactive... awaiting his arrival."[40]

Polybius gives no indication of his source. Even so, the episode is significant because it runs counter to his usual portrayal of Scipio: elsewhere, Scipio appears as a figure of elite instrumentalism. Here, that trait is absent, and Polybius even describes religious considerations as *"the real reason"* for the delay.[41]

Parallels exist in Greek historiography, most notably the Spartan delay at Marathon due to the *Carneia*, as described by Herodotus.[42] Alexander likewise preceded his crossing into Asia with extensive sacrifices.[43] This episode, however, is unlikely to be a Greek historiographical import: the timing aligns with the seasonal duties of the Salian priests,[44] and while from a modern perspective such a delay might seem to subordinate military aims to ritual observance, raising doubts about its historicity, this would not have appeared unusual to the Romans, who regarded ritual as essential to military success - a way of securing divine favour.[45] Indeed, many Roman precedents show military operations delayed or constrained by religious obligations.[46] Far from undermining its plausibility, the delay at the Hellespont reflects a broader Roman pattern in which religion framed — and at times limited — military action. Scipio may have understood his priestly duties in precisely these terms.[47]

That said, the delay may also have served strategic aims - such as buying time for Antiochus to reconsider,[48] or allowing Scipio to consolidate his forces.[49] As Scullard quipped, *"Belief in God and keeping one's powder dry are not necessarily mutually exclusive activities"*.[50] The episode reflects a Roman mindset in which piety was not a hindrance but a condition for military success.

Against his usual tendencies, Polybius reports that Scipio delayed at the Hellespont due to a religious festival. Rather than being a case of literary imitation, this likely reflects a genuinely recurring historical pattern of ancients employing ritual to secure divine favour before undertaking military risk.

[40] Plb. 21.13.10–14
[41] Champion 2017, p. 200.
[42] Herod. 6.106–107; see also Diod. 13.41
[43] Arr. *Anab.* 1.11; Plut. *Alex.* 15
[44] North 2000, p. 48; Rich 2013, p. 543–544 on the *armilustrum*; but cf. Rüpke 2019, p. 23–28 on Varro 6.22; and Walbank 1957-1979, vol. 3, p. 105–6; Gabriel 2008, p. 222 n. 76
[45] Rüpke 2019, p. 69.
[46] E.g. Liv. 22.18.8, 23.19.3, 27.16.13–16, 27.25.7, 45.12.9–12; Val. Max. 3.2.9; Plb. 3.94.9; Cic. *Nat. D.* 2.23.61; commentary in Rich 2013, p. 547; Champion 2017, pp. 55, 72, 109; Beck et al. 2011, pp. 101–102; Toynbee 1965, p. 409
[47] Champion 2017, p. 201; Liddell-Hart 1926, p. 230
[48] Scullard 1970, p. 205; Gabriel 2008, p. 222
[49] Champion 2017, p. 198.
[50] Scullard 1970, p. 25; Gabriel 2008, p. 4–5

13.5 The trial of the Scipios

Livy reports that Scipio missed the decisive battle at Magnesia due to illness.[51] After the war, the Scipio brothers returned to Rome, where Lucius triumphed and received the agnomen *Asiaticus*.[52] But in 187, they fell into political disfavour: legal proceedings, led by Cato,[53] were initiated against Lucius, accused of misappropriating public funds.

The 'trial of the Scipios' *"constitutes one of the most complex and perplexing problems in Roman Republican history"*, and scholars have long debated its chronology, content, and participants.[54] I will not revisit these issues here, since this study focuses on a single anecdote: Livy recounts that when the accusers turned to Africanus, he was allowed to speak on the second day of his trial — coincidentally, the anniversary of Zama.[55] He declined to defend himself:

> *"On this day, tribunes of the people, and you, citizens, I fought well and successfully in pitched battle with Hannibal and the Carthaginians in Africa. Therefore, since it is meet on this day to refrain from trials and quarrels, I shall proceed at once from here to the Capitoline to offer homage to Jupiter Optimus Maximus and Juno and Minerva and the other gods who preside over the Capitoline and the citadel, and I shall give thanks to them... Scipio visited all the temples of the gods, not only on the Capitoline but through the whole City, with the Roman people in attendance upon him. This day was rendered almost more famous by the general applause of men and by the true estimate of his greatness than that on which he rode into the City in triumph".*[56]

According to Livy, *"this was the last day of glory to shine on Publius Scipio"*,[57] after which he withdrew from public life, retiring to his country estate at Liternum.

Livy's version is well attested in later sources.[58] Yet his own sources are notoriously problematic. He claims to follow Antias for the trial,[59] though it remains unclear where that account ends and Livy's own shaping — or that of other sources[60] — begins.[61] The narrative also appears to be supplemented by a patchwork of divergent *"scanty, isolated notices"*, leading to demonstrable inaccuracies,[62] and Livy even acknowledges that the sources scarcely agree on anything from the trial through to Scipio's death.[63]

For the excerpt, Livy appears at least partly to rely on Polybius, who likewise reports that Scipio waived his defense.[64] But Polybius makes no mention of either the Capitol or the anniversary of Zama

[51] Liv. 37.37.6–9; Beck 2005, p. 362
[52] Liv. Per.37
[53] Beck 2005, p. 364.
[54] Gruen 1995, p. 59, 73; FrHist, 25 (F49–52), 3.352
[55] 184, see ibid., p. 82–85; Haimson Lushkov 2010, p. 103 n. 24; contra 187 in FrHist, 25 (F49–52), 3.355
[56] Liv. 38.51.7-10
[57] Liv. 38.52.1
[58] Gell. *NA*. 4.18.3–6; Val. Max. 3.7.lG; App. *Syr.* 40; Aur. Vict. *De Vir. Ill.* 49
[59] Liv. 38.50.5
[60] E.g. Liv. 38.56.3–9 likely follows Quadrigarius: FrHist 24, 1.291
[61] Haimson-Lushkov 2017, p. 104; FrHist, 25 (F49–52), 3.356
[62] Haywood 1933, p. 86; Beck 2005, p. 363
[63] Liv. 38.56.1–6
[64] Plb. 23.14.3, followed by Diod. 29.21

— elements that raise suspicion. It strains belief that Scipio's opponents would have been so politically tone-deaf as to schedule his trial on the anniversary of his greatest victory.[65] Nor would invoking religion to avoid prosecution have been seen as pious; such manipulation of ritual for political ends was considered impiety.[66] With this in mind, it seems likely that Livy's account is an embellishment of Polybius' version[67] — yet another accretion to the Scipionic Legend. However, the confused sources make it impossible to say whether the tradition originated with Livy or with a source pursuing their own literary agenda.

As for Scipio's self-imposed exile, this was likely exaggerated for rhetorical effect. When the trial was set to resume, Livy reports that Lucius apologized for his brother's absence due to ill health[68] — the second such mention in short succession. Given that Scipio died around 183, only a few years later and still in his early fifties, illness seems the more plausible cause of his retirement from public life. But this would hardly serve as a fitting conclusion for one of Rome's greatest heroes. It is perhaps no coincidence, then, that Livy's account mirrors the story of Camillus, who likewise *"went into exile after offering up a prayer to the immortal gods"* following accusations of misappropriating public funds after the fall of Veii.[69]

The sources for the Scipionic trial are confused and contradictory. The tradition of Scipio visiting the temples instead of mounting a defense is likely an embellishment on Polybius, modeling Scipio on Camillus to give one of Rome's great heroes a literarily satisfying end.

13.6 Ascension

The sources disagree on both the timing of Scipio's early death and the location of his burial.[70] Livy records that Scipio wished to be buried at Liternum,[71] and claims to have visited the site,[72] where Valerius Maximus likewise says he read Scipio's epitaph,[73] allegedly composed by Ennius.[74] Livy also notes, however, that in the Scipionic family tomb, he saw statues of Scipio, Lucius — and even one of *"the poet Quintus Ennius"*.[75] The latter may have been erected decades later, at the time of Ennius' death,[76] possibly on Scipio's own orders, suggesting that Scipio recognized the role of Ennius in magnifying his glory.[77] Yet Scipio was probably not buried in the family tomb: his name does not appear among the inscriptions at the Scipionic sepulcher, making Liternum the more likely location of his grave.[78]

An Ennian fragment describes how Scipio ascended to heaven after death:

[65] Richardson 2018, p. 465 even calls it *"a story that no one would seriously want to accept as historical"*
[66] Levene 1993, p. 7.
[67] Wiseman 1979, p. 36–37 n. 48; Gruen 1995, p. 85, who even dismisses the entire trial against Publius as a phantom — an embellishment on the trial of his brother; contra FrHist, 25 (F49–52), 3.355: *"Polybius' language clearly indicates that a prosecution had been launched against Africanus"*.
[68] Liv. 38.52.3
[69] Liv. 5.32; Plut. *Cam.* 11–13
[70] Liv. 38.56.2–4.
[71] Liv. 38.53.8; so too Strabo 5.4.4
[72] Liv. 38.56.4; cf. Sen. *Ep.* 86.1–2. Plin. *HN.* 16.234 even tells us that *"a snake is said to keep guard over Africanus's shade"* — yet another *genius loci*; echoing Verg. Aen. 5.84-96
[73] Val. Max. 5.3.2b; preserved in Sen. *Epist.* 108.32; Cic. *De leg.* 1.57
[74] Cic. *De leg.* 2.57
[75] Liv. 38.56.4
[76] Plin. *NH* 7.114; Cic. *pro Arch.* 22
[77] Tretheway 2001, p. 56 n. 65 for full discussion
[78] RE IV.1, p. 1470; CIL VI, 1284–1294

> *"In Ennius, Africanus thus speaks: If it is permitted any one to ascend to the regions of the gods above, the greatest gate of heaven is open to me alone".*[79]

The fragment is preserved through Lactantius, who quotes from the section *Somnium Scipionis*, Scipio's Dream,[80] in Cicero's *De Republica*. Here, Scipio is portrayed as an immortal spirit dwelling among the gods as a reward for the services he has rendered to the state. While Cicero likely used the imagery as a literary device,[81] Ennius was likely attempting to elevate Scipio to the stature of Romulus, whose well-known apotheosis[82] was canonized by the same Ennius, who claimed Romulus now lived *"in caelo cum dis genitalibus".*[83] The fragment thus suggests a form of religious veneration of Scipio in his own lifetime,[84] though there is no evidence this developed into an institutionalized cult akin to Quirinus.[85]

In *Tusculan Disputations*, Cicero pointed out how Ennius' model for both was Hercules,[86] who famously was divinized after his death.[87] This connection is also made explicit in *De Republica*, when Cicero adds to the above lines quoted by Lactantius: *"Quite true, Africanus, for that same gate stood open to Hercules".*[88]

Scipio clearly recognized the role of Ennius in shaping his legacy. By comparing him to Hercules and Romulus, the poet conferred a status that bordered on religious veneration — a portrayal further developed by Cicero as a literary device.

[79] Lact. *Inst. Div.* 18.3 (= Varia, *Epigrammata* fr. 4, Vahlen 1903, p. 216); cf. Sen. *Ep.* 108.32-34
[80] Cic. *Rep.* 6.9.9-6.26.29
[81] Contra Tretheway 2001, p. 72, who sees evidence of how *"Hellenistic notions about the translation of outstanding human beings to heaven were being more widely accepted in Rome"* by the Late Republic.
[82] Dion. Hal. 2.56; Liv. 1.16; Plut. *Rom.* 27, who explicitly compares the two: *"Scipio's dead body lay exposed for all to see ... whereas Romulus disappeared suddenly."*
[83] Serv. Aen. 6.673 = fr. lxii Skutsch, with discussion on p. 259–262; see also Cic. *Orat.* 3.154; CIL IV 3135, 7353, 8568, 8995.
[84] FrHist 40 (F1–2), 3.483
[85] But cf. Elliott 2013, p. 178–180.
[86] Cic. *Tusc.* 1.28; Tretheway 2001, p. 64
[87] Diod. 4.38; Ov. *Met.* 9.229 f.; Cic. *Nat. D.* 2.62; Hor. *Carm.* 4.8
[88] Cic. *Rep.* fr. 3

Discussion

Taking stock, several interesting findings emerge that merit discussion.

I found more intertextuality in Livy than in Polybius, which is somewhat surprising given Levene's comment that *"Livy ... unlike Polybius ... preferred to keep such allusions covert"*.[1] However, scholars have identified intertextuality in both authors elsewhere in Scipio's life — for example, with Sallust,[2] Xenophon,[3] and Homer,[4] — so this may simply reflect Polybius' disinterest in religion.

In these allusions and comparisons, Scipio is often modelled on Hercules and, more frequently, on Alexander. This raises the simple question: Why them? Some scholars suggest that Ennius' comparisons responded to Carthaginian portrayals of Hannibal as a new Hercules[5] — a literary bid for divine favour in the Hannibalic War.[6] Setting aside that this would require dating the *Scipio* earlier, we must recall that *"the existing grid of Greek tradition was the fundamental starting point"* for early Roman historiography.[7] Here, Hercules and Alexander were the heroes par excellence.[8] A simpler explanation, then, is that the Herculean comparisons for both Hannibal and Scipio emerged from shared historiographical conventions within the same cultural *koine*: this was the template for heroizing panegyrics.

While there can be no doubt that Scipio appreciated and - given their close relationship - possibly even encouraged these comparisons from Ennius, we might also ask whether he deliberately modelled his behaviour to invite them. Levene has argued that he consciously practiced *imitatio Alexandri*,[9] but as Gruen has noted, for republican-minded Romans of the Middle Republic, *"identification with Alexander could be more liability than advantage"* due to the political connotations of divine monarchy.[10] Moreover,

[1] Levene 2010, p. 90–91.
[2] Hannibal at Liv. 21.4 mirroring Catiline: Rossi 2004, p. 376–378. See also his speech after Zama at 30.44.7–8: *"No great country can live in peace for long. If it lacks an enemy abroad, it finds one at home"*
[3] Scipio after New Carthage: Levene 2010, p. 92–93
[4] The Battle of Zama: ibid., p. 89–90
[5] Tretheway 2001, p. 69; Walbank 1967, p. 55 on Nep. *Hann.* 3.4 and Liv. 21.41.7; Cic. *Div.* 1.49–50 (= FrHist 15 (F8), 2.391)
[6] A favour clearly contested; see Beard, North, and Price 1998, p. 82 on the *exorata* of Juno in Serv. *Aen.* 22.841
[7] Feeney 2016, p. 238; Smith 2018, p. 7; Leigh 2004, p. 23
[8] Tretheway 2001, p. 64.
[9] Levene 1993, p. 18–20; Levene 2010, p. 120; so too Tretheway 2001, p. 30–31 on temple visits; cf. Scullard 1970, p. 237; Golding 2022, p. 61, who avoid taking a stance
[10] Gruen 1998, p. 178–183.

the extension of these parallels into the religious sphere would require attributing to Scipio a level of elite instrumentalism not generally attested in the Middle Republic,[11] if we are to consider the behaviour historical. We might allow that Scipio was uniquely willing to risk impiety for political gain—but this still fails to explain the inconsistencies surrounding the temple visits, or the fact that the prophetic dreams attributed to him actually came true. Nor does it account for his conduct at the Hellespont, which suggests genuine piety. It is therefore more plausible that Scipio's resemblance to Alexander reflects historiographical construction rather than historical reality.

Another result of its Greek blueprint is that early Roman historiography often took the form of epic or poetry. As Denis Feeney has shown, Naevius, Ennius - and later Vergil - cast the Punic Wars as *"a struggle between two divine systems centering on Carthage's Juno and Rome's Jupiter"*.[12] Given the porous boundaries between genres, this narrative framing likely carried over into prose historiography, where - even in Livy's time - *"intermingling human actions with divine"* remained standard.[13] Considering that Romans believed their state's success stemmed from exceptional piety,[14] it follows that a tradition would arise attributing extraordinary religious behaviour to one of the key figures credited with that success. Thus, while an early pro-Scipionic tradition shaped by Ennius accounts for much of what survives, later sources likely also contributed their own layers of idealisation to one of Rome's most celebrated figures.

Here, then, may lie the reason why the dominant tradition encountered by Polybius cast Scipio in the image of Alexander, and why *"all other writers"* depicted him as a favorite of the gods whose success stemmed from dreams and omens.[15] This tradition was a product of emerging Roman historiography rather than the actions of the historical Scipio.

This layer of providential historiography separating Scipio's lifetime from Polybius – who may have been the first to approach Scipio historically in the modern sense[16] – complicates the assessment of individual anecdotes in Scipio's religious life. It is only with great difficulty – if at all – that literary imitation, allusion, and comparison can be distinguished from genuinely recurring historical patterns. Scipio's relationship with Jupiter serves as a case in point.

While the analysis showed Scipio engaging with Jupiter, Neptune, Apollo, and Vulcan, modern scholarship often assumes a special connection between him and Jupiter Optimus Maximus Capitolinus.[17] This view, however, rests on individual pieces of evidence which - when examined in turn - all postdate Polybius[18] and cannot be securely traced to Scipio's lifetime: the Schlangenzeugung, his temple visits, and the placement of his imago in the *cella Iovis*.

It is therefore entirely plausible that this narrative first arose in later historiography - whether due

[11] Champion 2017, p. xiii–xiv.
[12] Feeney 2007, p. 133; Feeney 1984, p. 180
[13] Liv. 1.pr.7
[14] Cic. *Har. Resp.* 19
[15] Plb. 10.2.5; 10.7.2
[16] Plb. 9.1–2 (echoing Thuc. 1.22.4) hints at this: Polybius writes a history of *"actual events"* rather than myth, and must forgo the reader's entertainment – *delectatio lectoris*, Woodman 1979, p. 154.
[17] E.g., Farney 2023, p. 53; Tretheway 2001, p. 76; MacRae 2016, p. 25
[18] Beltramini and Rocco 2020, p. 234 n. 23.

to Hercules' direct and Alexander's indirect descent from Zeus;[19] because Scipio's role in the *Annales* as the victorious general of a city favored by Jupiter encouraged later associations; because his family remained prominently visible in Capitoline monuments for generations;[20] or through some combination of these factors.

As we have seen, however, the silence of the sources is not compelling grounds for ruling out historicity. The relationship may well have been historical - perhaps a personalization of a family connection to Jupiter.[21] The point remains: the evidence is insufficient to determine with certainty which aspects of Scipio's religious life are genuinely historical and which are later literary constructs. This aligns with the conclusion of Beard, North, and Price: *"We can scarcely know anything at all about the religious experience or thoughts of any single individual of the period; even amongst the elite, our picture is oblique and inferential".*[22]

Of course, this does not mean we can say nothing at all about Scipio's religious life. The broad outline remains: Even if we dispense with prophetic dreams and divine ancestry, it is clear that Scipio, at least to some extent, promoted an image of himself as divinely favoured. In Scullard's words: *"A pure rationalist ... would scarcely have gained such a romantic halo".*[23] In general terms, this seems to have involved a marked willingness to call upon specific gods for specific circumstances[24] and to act simultaneously as recipient, interpreter, and expiator of religious omens.[25]

While this behaviour certainly fell outside the norms of Roman religious practice, it aligns more closely with forms of religiosity common in the Greek world.[26] This is likely no coincidence: the third century marked Rome's first direct and sustained encounter with Hellenic culture, prompting profound transformations and a diversification of Roman religion.[27] These elements of Scipio's religiosity may simply reflect this broader cultural influence. As a known philhellene, he may have been unusually early in adopting such ideas and incorporating them into his religious practice. He may stand out precisely because he was an early forerunner of Rome's Hellenization in religious matters.

Interestingly, Greek culture appears to have been embraced by Scipio's family as a whole. Cicero noted that a Capitoline statue of Lucius showed him wearing not only a cloak but also Greek slippers.[28] Scipio's son wrote a history in Greek,[29] while his daughter *"was an exceptionally well-educated woman and later employed Greek tutors for the instruction of her famous sons, the Gracchi".*[30] These features

[19]Plut. *Alex.* 2–3, 26–27; Arr. *Anab.* 3.3–4.

[20]Besides Scipio's *fornix*, Lucius displayed paintings in the Temple of Jupiter, Plin. *HN.* 35.22); Cic. *Ad Att.* 6.1.17 even mocks the abundance of Scipionic statues on the Capitoline by the Late Republic, Kontokosta 2013, p. 28.

[21]See Farney 2023, pp. 56–58 on Iovian numismatics, Scipionic *flamines Diales*, and Lucr. 3.1034; Cic. *Balb.* 34; Verg. *Aen.* 6.842; Val. Max. 3.5.1; Sil. Ital. 7.106; contra Macrob. *Sat.* 1.16.7 on the possible Iovian etymology of the name 'Scipio'. On Scipio's father and uncle, the *duo fulmina belli*, see Gabriel 2008, p. 51; see also Farney 1999, p. 251.

[22]Beard, North, and Price 1998, vol. 1, p. 78.

[23]Scullard 1970, p. 24–25; see also Champion 2017, p. 117; Seguin 1974, p. 5

[24]Feeney 1998, p. 81, 87.

[25]Davies 2004, p. 126–127 esp. n. 89.

[26]Kragelund 2001, p. 78–81.

[27]Orlin 2009, pp. 83–84; MacRae 2016, p. 19; Beard, North, and Price 1998, p. 73; North 1998, p. 624; Greek rites were introduced, Gabriel 2008, p. 207; the Pleminius affair demonstrates how the religious landscape of Magna Graecia was being incorporated into the orbis terrarum, Wells 2010, p. 236; Rüpke 2019, p. 53

[28]Cic. *Rab.* 27; Val. Max. 3.6.2; Scullard 1970, p. 203, 287 n. 166

[29]Cic. *Brut.* 77

[30]Scullard 1970, p. 238; see also Haywood 1933, p. 21–22; cf. Walbank 1967, p. 56 on her letter concerning parental

may therefore reflect broader family practices more than Scipio's personal idiosyncrasies.

Another example of the same pattern is Scipio's relationship with the institutions of the Roman civic cult. It is surprising that he only ever became a Salius, while his peers typically completed the full *"Ochsentour"* of major Roman priesthoods.[31] This pattern seems typical of the Cornelii, whose political-religious influence appears to have been more political than religious - insofar as such a distinction can even be maintained. Unmatched in political magistracies, they were relative outsiders to the sacerdotal institutions.[32] To a large extent, then, Scipio's religious practices reflected those of his family more broadly.[33] This should hardly surprise us, however, given the Roman esteem for the *mos maiorum* and the communal nature of religion.[34] Still, it is worth asking whether it was this very distance from the civic cult that allowed members of the Scipionic family - like Scipio - to practice religion in ways that lay outside established norms.

Within the Republican political-religious order, authority was deliberately diffuse.[35] A figure like Scipio doubtless posed a threat to this structure. In this light, Polybius' portrayal of his religiosity as feigned — modeled on Lycurgus, Agathocles, and Dionysius I — may in fact reflect a pro-Scipionic bias, serving an exculpatory function.[36] Some scholars have argued that Scipio's handling of omens and prodigies, as a relative outsider to the civic cult, amounted to a usurpation of sacerdotal authority that disturbed the senatorial aristocracy and contributed to his political downfall.[37] Yet we should be cautious not to overstate the case. Scipio's methods were, above all, politically effective: he attained the highest offices, was acquitted of religious wrongdoing in the Pleminius affair, and faced no religious charges in his own trial — though Cato surely would have raised them if he could.[38] This suggests that although Scipio's religious practices were innovative, he managed to strike a balance that remained acceptable to his contemporaries.[39]

A major reason Scipio's religious practices remained within acceptable bounds may lie in the war itself. As seen in the importation of Magna Mater and consultations of the Delphic oracles, the tense years of the Hannibalic War created a climate of fear and religious anxiety, in which Greek ideas were increasingly embraced to secure divine favor.[40] This generated an *"exploratory religious atmosphere"*[41] which temporarily expanded the boundaries of acceptable religious practice, allowing Scipio's more Hellenized approach to flourish. Perhaps this also helps explain why he fell out of political favor once the

divinisation; on the religious display of his wife Aemilia, see Plb. 31.26.2–28.9 with Tretheway 2001, p. 285; on his mother, Haywood 1933, p. 43 n. 55 following Münzer 1920, contra Scullard 1970, p. 28

[31] Beck 2005, p. 366; Seguin 1974, p. 6. Orlin 1997, p. 66–70 also calls it *"perplexing"* that Scipio never vowed a manubial temple; but cf. CIL VI, 12897; Ov. Fast. 6.193 on his grandfather's vow to Tempestates. This may also reflect economic considerations, Rüpke 2006a, p. 220

[32] Seguin 1974, pp. 7–8; Beck 2005, p. 366; but cf. Macrob. *Sat.* 1.16.7 on their religious holiday, Farney 2023, p. 50

[33] Prince 2021, p. 30.

[34] North 1998, p. 589; Golding 2022, pp. 12–13

[35] North 1998, p. 584, 589–590; Wells 2010, p. 229; Beard 1990, p. 17–48; Champion 2017, p. 34; Beck et al. 2011, p. 99

[36] Davies 2004, p. 129 on Livy

[37] ibid., p. 132–136; Seguin 1974, p. 4

[38] On religious issues in the earlier trials, see Scullard 1970, pp. 212–217 and Prisc. 2.367.14 with Haywood 1933, p. 104; but cf. Ruebel 1977, p. 173 contra Fears 1981, pp. 782–783, Miano 2013, p. 165 on Cato–Scipio religious antagonism as a literary construct

[39] Tretheway 2001, pp. 1–2, 308; Liebeschuetz 1995, p. 315

[40] Golding 2022, p. 73 following Toynbee 1965; Scullard 1970; see Beck et al. 2011, p. 102; Leigh 2004, p. 2 on the *Ludi Apollinares*

[41] Tretheway 2001, p. 1; more generally, see Stek 2009, p. 4; Rüpke 2019, p. 57

defining war of his time had ended.

More than simply accommodating Scipio's unprecedented assumption of religious authority, the war seems to have thrust it upon him: His Spanish command, though unremarked by ancient sources, in hindsight represented a constitutional development: Traditionally, Roman warfare was entrusted to the highest magistrates,[42] but Scipio, having held neither the praetorship nor consulship, became the first *privatus cum imperio*.[43] *Imperium* – the authority to command within defined limits – was almost invariably paired with *auspicium*, the right to lead the rituals divining the will of the gods.[44] This was true for Scipio as well,[45] meaning he was the first private citizen to be granted not only the executive authority of the state, but also the right to consult the gods on its behalf.

Similarly, he was the first *privatus* to be hailed *imperator*,[46] and the first to benefit from a suspension of the *Annuitätsprinzip*: the Senate prorogued his *imperium auspiciumque* during the Spanish campaign *"donec revocati ab senatu forent"*,[47] and subsequently extended it an exceptional number of times.[48] He was also likely among the first commanders to whom soldiers swore the *iusiurandum* directly, rather than to one another.[49] The role of the war in enabling and shaping Scipio's religious life should therefore not be underestimated.

Whatever the underlying reasons, the breaks with precedent these developments represented had long-term consequences: From the Middle Republic onwards, prorogation became the norm.[50] Rüpke sees the *imperatoris appellatio* of a *privatus* as symptomatic of a broader shift in Roman thinking about military success - from the office's authority to the individual's personal *virtus* and *felicitas*,[51] the divinely inspired good fortune that was taken to reflect the general's merit.[52] The very notion that a *privatus* could wield *imperium* would later underpin the emperors' claims to military command.[53] But neither Scipio nor his contemporaries could of course have foreseen these constitutional consequences of what were military necessities at the time.[54]

[42]North 1998, p. 600.
[43]Scullard 1970, p. 32.
[44]Cic. *Div.* 1.28; Liv. 4.2.5; Val. Max. 2.1.1; Rüpke 2006a, p. 229. We should thus speak of *imperium auspiciumque*, see Vervaet 2014, ch. 1, p. 17 ff. Rüpke 2019, p. 45
[45]Liv. 28.16.14; highlighted in Scipio's speech at Sucro, 28.27.3–10; Vervaet 2014, p. 22
[46]Recall that this was the main issue of contention surrounding Scipio's denied trial.
[47]Liv. 27.7.17; Beck 2005, p. 342.
[48]ibid., p. 355 notes that by the time of his triumph, Scipio had enjoyed ten years of uninterrupted consular *imperium* without reelection due to prorogations; MRR, 1.280, 287, 291, 296, 299, 308, 312, 315, 317, 320...
[49]This voluntary oath not to break ranks supplemented the *sacramentum*, the primary military oath which rendered a violator *sacer*, forfeit to the gods (Cic. *Off.* 1.36; Plut. *Quaest. Rom.* 39; Plb. 6.21.1; Liv. 3.20.3–6; Veg. 2.5; Fest. 422L; Rüpke 2019, p. 79). According to Liv. 22.38.1–6, in 216 the *iusiurandum* became mandatory and was administered by military tribunes to be sworn to the commander; see also ibid., p. 77, contra Golding 2022, p. 103.
[50]On promagistrates, *imperium*, and *auspicium*, see Cic. *Div.* 2.76; Cic. *Nat. D.* 2.9; Rich 2013, p. 548.
[51]Rüpke 2019, p. 214; Combês 1966, p. 215.
[52]Beard, North, and Price 1998, p. 86; Cic. *Man.* 47.
[53]Gabriel 2008, p. 16; Scullard 1970, p. 32; Golding 2022, p. 51.
[54]Scullard 1970, p. 81.

Conclusion

This thesis has examined how intertextual analysis of Middle Republican historiography can shed light on the religious life of Scipio Africanus and the development of his legend.

First, I have shown that when viewed in isolation, the anecdotes that in the aggregate constitute our sources for Scipio's religious life are numerous in Middle Republican historiography. However, they display intertextuality — and have perhaps been shaped by it — to a degree not fully acknowledged in existing scholarship.

This holds true for the two main sources on Scipio's life. Polybius compares him to elite instrumentalist Greek figures. This is usually interpreted as an attempt to explain his success without invoking the gods, in line with Polybius' broader approach to religion. However, it may also reflect an effort to frame his divine inspiration as practical wisdom rather than a dangerous precedent within Rome's political-religious system, thereby revealing a pro-Scipionic bias. Livy, by contrast, models Scipio partly on Camillus and presents him as the *fatalis dux* — the fated leader of the Hannibalic War — endowing him with prophetic qualities to account for both his meteoric rise and eventual fall.

The tradition of modelling Scipio on earlier heroic figures can be traced back to the earliest historiographical accounts composed during his lifetime. Polybius reacts strongly against the tendency of early Greek historians to introduce divine interventions to explain Scipio's success — particularly evident in the account of New Carthage, where a dream is introduced through the modelling of Scipio on Alexander, possibly as substantive imitation of the siege of Tyre.

The same tradition also owes much to Ennius, who sought to elevate Scipio to semi-divine status through panegyrical comparisons to Hercules, just as he would later canonize the apotheosis of Romulus. Given his relationship with the poet, it stands to reason that Scipio not only appreciated but perhaps even encouraged this portrayal, lending weight to the idea that he actively presented himself as divinely inspired.

These elements — prophetic dreams and Herculean parallels — point to the Greek blueprint under-

lying early Roman historiography, in which Scipio's deeds were first recorded. If the seed of the Scipionic Legend was literary, this is likely where it first took root. It was later cultivated in the Late Republic in Cicero's philosophical dialogue, by families seeking to claim divine descent, and reached full bloom in the poetry of the Principate.

While the intertextual approach has deepened our understanding of the development of the Scipionic Legend, it has also complicated, rather than clarified, our view of the religious life of the historical Scipio. This study has shown that allusion, comparison, and imitation shape nearly every literary presentation of episodes from his life — revealing how little access we truly have to the historical figure behind the legend, and leaving us perhaps even less certain than if we had not pursued this method at all.

While in some cases — such as the Schlangenzeugung or Scipio's dream of aedileship — we can trace individual traditions to a period earlier than Polybius, we are ultimately confronted with the opacity of the earliest Scipionic historiography. The historical accuracy of this lost material can only be guessed at, as it was providential and heroizing in nature, full of comparisons to Alexander and Hercules — the first draft of the Scipionic Legend.

Consequently, for individual episodes, literary imitation can be separated from genuinely recurring historical patterns only with difficulty — if at all. A few cases, such as Scipio's denied triumph or his delay at the Hellespont may tentatively be assessed as historical, but for the most part, we must be content to speak only of the broader outline of Scipio's religious life.

We cannot answer the question of Scipio's personal belief, but he appears to have been willing to invoke specific gods for particular situations and to act as recipient, interpreter, and expiator of religious omens to a degree that exceeded Middle Republican norms. At the same time, he remained something of an outsider to the sacerdotal institutions of the Roman civic cult. This behaviour was shaped largely by his family background, as the Scipiones were early adopters of cultural Hellenization and its application to religious practice.

This behaviour was likely not as far outside the norms as one might assume: despite his reputation in historiography, Scipio was never prosecuted on explicitly religious grounds, and although anti-Scipionic traditions have been uncovered, they rarely addressed his religious conduct — suggesting it remained broadly acceptable within contemporary norms. This may point to the beginning of a broader diversification in religious practice during the Middle Republic. However, we must not overlook the role of the Hannibalic War in fostering an experimental religious climate and thrusting upon him an unprecedented degree of religious authority.

Because Scipio's religious positioning proved so politically effective in a time of crisis, the example he set — whether historical, like his election as the first *privatus cum imperio*, or literary, like the portrayal of a special relationship with Jupiter Capitolinus — continued to echo through the late Republic and into the Principate. Later statesmen drew on his precedents and elements of his legend — especially the notion of a privileged relationship with a divine patron — to frame their own authority.

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Appendix: Obligatorisk formidlende abstract

Dette speciale handler om den romerske general Scipio Africanus, som besejrede Hannibal i den anden puniske krig. Det undersøger, hvordan kilderne til Scipios liv blev formet i samspil med andre historiske fortællinger – altså hvordan gamle forfattere genbrugte, sammenlignede og tilpassede tidligere historier for at skabe et særligt billede af ham. Scipio blev ofte fremstillet som udvalgt af guderne og sammenlignet med helte som Alexander den Store og Herkules. Specialet viser, at disse fortællinger siger mere om forholdet mellem religion, magt og historiefortælling i Rom end om Scipios faktiske liv.