AN EXAMINATION OF VENIA IN SENeca'S
DE CLEMENTIA
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Reading Seneca's philosophical writings in extenso is likely to give the impression that their author is a humane man, whose values sit remarkably well with the more or less conventional Christian morality most of us have inherited (as an ideal even if not for practice). This is, no doubt, part of the reason why Seneca's denigration of 'misericordia' and 'venia' in De Clementia II seems to shock some scholars. But, in the case of 'venia', the shock element is strengthened by the fact that it receives a favourable valuation in Book I of the same work (given the apparent synonymy for Seneca of veniam dare and ignoscere).

This seeming about-face on 'venia' has produced a number of 'solutions' which can only be described as draconian. Among them are the hypotheses that what we know as De Clem. II is an abandoned draft for Book I (transmitted to us by accident);2 that it is only a rough draft of Seneca's projected Book II, which was abandoned by him due to some failure of inspiration or for political reasons;3 that what we have was written not by Seneca but by some unknown imitator or un disciple maladroit.4 We would also regard as draconian views attributing either disregard for consistency or conceptual confusion to the author.

Although in such cases we may be forced in the end to adopt some drastic explanation, we should wait until we are forced to it. In the case of Seneca's apparently disparate views on the morality and desirability of granting 'venia', we do not believe that any draconian solution is forced on us. We shall argue for an entirely new solution, founded on a careful clarification of the Senecan concept of 'venia' in De Clem. II — which is itself something of a departure in work on this area.

1 In the case of crucial notions, we use italics (e.g. venia) to refer to words, while quotation (e.g. 'venia') is used in referring to the concept or an act etc. falling under it.
2 Bernard Mortureux, Recherches sur le De Clementia de Sénèque (Collection Latomus, vol 128, 1973) p.82, attributes this view to P. Valette (Mélanges P. Thomas, 1930).
4 Canvassed without attribution by Mortureux, Recherches ... (1973), p.83.
Our working hypothesis is that Seneca did write *De Clem.* II, that he meant to say just what he does say there (faults in transmission of the text apart); and that he was neither cynically inconsistent nor wildly confused.

To avoid being entirely ad hoc, draconian solutions to the problem of disparate valuations of 'venia' have to be founded on other differences between the two Books of *De Clementia.* We shall show that these differences are not only quite explicable but expectable, given Seneca's prospectus for the whole of *De Clementia* in I.iii.1.

First, there is a difference of style. After the opening eulogy to Nero in II.i and II.ii, the open palm of the rhetorician is hardly seen again until the last few lines of II.vii. [We note parenthetically that the relapse into highly figurative language in II.vii.4-5 *could* be interpreted as a sign that Seneca ran out of argumentative energy or that he wished for some reason to terminate the writing of Book II here, but that is a matter to be taken up elsewhere.] The style of Book II certainly differs from Book I — and also from other works, such as *De Ira* in which favourable valuations of 'venia' occur several times. Although II.iii-vii has been described as having the strict form (and even the 'pedantry') of a school-room exposition, it can also be seen simply as a serious attempt to argue a philosophical case in a careful manner.

Second, and not unconnectedly, the argument in Book II is carried on in a much more abstract way, with less use of anecdote and illustration than elsewhere.

Third, while Book I is devoted to talking about what a 'rex' or 'princeps' should do, the subject of Book II is the 'sapiens' and what he would do. That is, there is a shift from talk about the actual world of practical politics to the ideal world of the Sage.

These three points of difference between the two books are all of a piece, or, at least, they are quite consistent with one another. Argument about what an ideal moral agent, the 'sapiens', would do is likely to be more abstract than discussion of something nearer the hurly-burly of political life, and lends itself to a tighter, drier type of argumentation. On the other side, argument about the proper conduct of kings and princes lends itself to extensive illustrative anecdote to drive home the points, and to a more admonitory and expansive style. But, as well, a careful perusal of Seneca's prospectus in *De Clem.* I.iii.1 indicates that the three differences noted between Books I and II are what the reader should expect.

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5 Mortureux, op. cit., pp. 77 and 82.
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The prospectus announces that the whole subject is to be divided into three parts. The first will be about *manumissio*, a term which we must here take as meaning ‘remission of punishment’. The second part will show *naturam clementiae habitumque*, and will properly distinguish certain vices which may resemble virtues, so that we may tell them apart. The third part, presumably corresponding to the missing Book III, will inquire how ‘clementia’ is to be adopted and cultivated. There can hardly be any doubt that, in general terms, the descriptions of the first two parts fit Books I and II (*pace* Préchac). But we must say more than that to make good our claim that from this prospectus one might expect the differences between the two Books to be just as they are.

First, we have the use of *manumissio*, in *prima erit manumissionis*, which has appeared so unusual to some critics as to lead them to ingenious emendations. We believe that these are more ingenious than necessary, since the text can be taken as it stands in either of two satisfactory ways. One possibility is to take the expression rather directly, so that *manumissio* means discharge (from, e.g., punishment) under someone’s (and, here, obviously Nero’s) powers. While nothing hangs on the separation of the words, we note that manuscript N (Vaticano-Palatinus 1547) does read *manumissionis*. Alternatively, we can take the expression as a somewhat complex metaphor, founded on the familiar concept of manumission: ‘Manumission was the master’s gift of freedom to his slave, raising him from the status of chattel to liberty and citizenship ...’.7

It requires no feat of the imagination to see the ‘rex’ or ‘princeps’ as the master who by his good rule and ‘clementia’ will either restore liberty and the reality of citizenship to his subjects or maintain it for them; and we can see manumission as a metaphor for the granting of life by the exercise of ‘clementia’. Furthermore, in I.iii.2, immediately after the prospectus, Seneca embarks on a long discourse on the benefits which a ruler’s power alone is able to bestow on his subjects and which bind together subjects as beneficiaries and rulers as bestowers.

Manumission was a part of Roman social and legal life, and thus belonged to the politically real world, as did the judicial powers of the ‘princeps’. Both the direct and the metaphorical readings of *manumissionis* will therefore lead us to expect the same things about that part of *De Clementia* whose content is signalled by the word — that it will treat the actual practices and policies which rulers in the real world should adopt; that the remission of

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punishment will be discussed as a benefit to be conferred with prudence, with an eye on the advantage of subject and ruler alike; and that the treatment will be tied to the Roman political world by extensive use of illustrative anecdotes drawn from Roman history. The concreteness and the expansiveness of the discussion in Book I is, in short, to be expected whichever way we read the unemended *manumissionis*.

Second, whereas the first part of the work was characterised by the short formula *prima erit manumissionis*, the second part is described more precisely and in more detail. We are told that it will show *naturam clementiae habitumque*, and then that certain vices which can easily be mistaken for virtues will be distinguished so that that mistake can be avoided. The idea of virtue-like vices is not uncommon in Roman writers. But Seneca has a particularly sharp perception of both the fact that there are *vitia virtutes imitantia* and of the problem of recognising them for what they are.

This specification signals both that the second part of the work is going to examine certain concepts and that this examination is to aim at great precision. Seneca proposes not only to talk about 'clementia' but to show precisely what it is; and further to give a precise enough delineation of certain other concepts, which turn out to be 'venia' and 'misericordia', to reveal them as vices and prevent confusion about their nature. In other words, the prospectus in I.iii.1 should lead us to expect an abstract and tightly argued piece here in contrast to the expansively anecdotal Book I.

It is hardly surprising that, if the discussion is made to involve how someone ought to act (morally, not just prudentially), that person turns out to be an ideal rational moral agent — viz., the 'sapiens' — rather than a 'rex' or a 'princeps'.

To take stock, we have attempted to show that the disparate valuations of granting 'venia' in *De Clem.* I and II cannot be explained away by using other differences between the two Books to argue that they are, e.g., by different hands, or differ radically in status. We have seen that those other differences are what we should expect, and that they do not require an explanation which will at the same time elide the difference in valuation of 'venia'.

So we are left with a situation in which we have to confront the apparently contradictory valuations of 'venia' head-on, and explain them, if we can, by other means. We now turn to that task, via a consideration of the sparseness of Seneca's exculpatory vocabulary.

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8 For clear examples, see Cicero, *De Part. Or.* XXIII.81 and Juvenal, *Sat.* XIV. 109 et seq.; and elsewhere in Seneca himself, *Ep. Mor.* XLV.7. The idea is also to be found in Sallust, *Cat.* XI.1.
The vocabulary of exculpation consists of those words and phrases used to discharge people from blame, censure or penalty which might be incurred as a result of some deed they have done, and to state that they have been so discharged. However, we do not include in the vocabulary of exculpation those expressions which are used to discharge people by acquittal — i.e., because they did not do the deed at all, or because they did it but it was not wrong at all. By extension, we treat as terms of acquittal those used to describe someone’s being freed of a high degree of blame, censure or penalty because his action did not merit that much blame, etc.

The English vocabulary of exculpation is quite well-stocked with both verbs and nouns of exculpation. On the verb side, we have *forgive, pardon, excuse, condone, let off, overlook*, etc. We take *forgive, pardon, excuse* to be the central verbs in this family, partly to keep the present task within bounds, partly because the actions of forgiving, pardoning and excusing all have a positive moral flavour (or at least lack the rather negative flavour of condoning), and are also more specific actions than letting off or overlooking.

Both these aspects are reflected in the fact that all three verbs, *forgive, pardon, excuse*, work happily in explicit performative utterances of the form: ‘I (hereby) forgive (pardon, excuse) you for doing X.’ That is, saying that you forgive is the standard way of forgiving. Saying is doing in the case of verbs which work well in explicit performatives.

Similarly, we take the central English nouns of exculpation to be *forgiveness, pardon, excuse*.

When we turn to the Latin vocabulary of exculpation, we find again quite a large stock of verbs, including *concedere, condonare, excusare, ignoscere* and the verbal expression *veniam dare*. The surprise comes when we look at the nouns. There is of course *venia*, which is not a derivative of any exculpatory verb. The only verb in our list which gives rise to a decent noun of exculpation is *excusare*, from which we have *excusatio*.

It is true that each of *concedere, condonare* and *ignoscere* gives us an abstract noun — but *concessio* is not exculpatory, *condonatio* is recorded only once and is not exculpatory there, and *ignoscentia*, which is a noun of exculpation, is late and rare. So there are only two nouns to consider here — *venia* and *excusatio*.

When we focus on Seneca’s exculpatory vocabulary, the list is reduced further, even if we take in the whole Senecan corpus. Seneca does, of course, have the exculpatory noun *venia* and the exculpatory verbs *ignoscere* and
veniam dare (with some variations on dare). But some of the other words mentioned do not occur in his works at all; and some which do are used only in their non-exculpatory senses (e.g., concedere). However Seneca does use both excusatio and excusare as terms of exculpation. The noun has two occurrences in De Ira (II.x.2 and 3), which seem to be properly exculpatory uses — an impression reinforced by the proximity of occurrences of both venia and ignoscere. excusatio here means 'an excuse' in the sense of 'a ground for not being an object of anger'. Much the same can be said of an occurrence of excusare in De Ira III.xxv.3. We can characterise all these three occurrences of the verb and its noun in De Ira as being exculpatory in a rather broad and general sense (like the English verb to let off). But two occurrences of excusare at De Ben. II.xii.1 and IV.xxxix.4 are straightforwardly exculpatory, having the sense of the English verb to excuse.

Even though the total Senecan exculpatory vocabulary is so limited, Seneca uses only part of it in De Clementia. Neither excusatio nor excusare occurs there. We find only venia, ignoscere and veniam dare. Furthermore, the two verbal expressions, ignoscere and veniam dare are Senecan synonyms. This point can be established from the details of De Clem. II.vi-vii. but it is shown most clearly by De Ira II.x.2:

Ne singulis irascaris, universis ignoscendum est, generi humano venia tribuenda est.

So Seneca works with a very small exculpatory vocabulary indeed, especially in De Clementia.

We have omitted clementia from the Senecan exculpatory vocabulary because we think it belongs properly to his vocabulary of acquittal. Our reasons for this classification are derived from De Clem. II, in which Seneca will exhibit naturam clementiae habitumque. In II.vii.3 we find:

Clementia ... ut, quos dimittit, nihil aliud illos pati debuisse pronuntiet. That a penalty remitted through an exercise of 'clementia' is a penalty that the person did not deserve to suffer marks it as a concept of acquittal rather than of exculpation. This point is underlined by the reiterated contrasts with 'venia' which is undoubtedly exculpatory.

We have to admit, however, that there are a few passages which might appear to support the idea that clementia is an exculpatory term in Seneca. In these passages the alignment of clementia with an exculpatory term could suggest that an exercise of 'clementia' is itself an exculpatory act.

De Ira II.xxxiv.2: Illud quoque occurrat, quantum nobis commendationis allatura sit clementiae fama, quam multos venia amicos utiles fecerit.

De Ben. III.xxvii.4: Honeste fecit Caesar, quod ignorit, quod liberalitatem clementiae adiecit.
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De Clem. I.ii.2: Non tamen vulgo ignoscere decet; .... Nec promiscuam habere ac vulgarem clementiam oportet nec abscisam; nam tam omnibus ignoscere crudelitas quam nulli.

De Clem. I.ix.6: [Livia advises Augustus on how to deal with Cinna.] 'Severitate nihil adhuc profecisti; .... Nunc tempta, quomodo tibi cedat clementia; ignosce L. Cinnae. Depressus est; iam nocere tibi non potest, prodesse famae tuae potest."

These passages do not draw any distinction between letting someone off a deserved penalty and an undeserved penalty. In each case, 'going easy on' offenders is commended or recommended as having favourable practical effects; and, as a result, any real difference between 'clementia' and 'venia' is blurred (bearing in mind that ignoscere is synonymous with veniam dare). This is most striking in De Clem. I.ix.6 where Livia's utterance virtually says that 'ignoscere Cinnae' is 'temptare clementiam', even though China's fault is not denied.

All the quoted remarks are clearly those of a prudential adviser rather than of a moralist — all are aimed at how to win friends and influence people (quite explicitly in the De Ira passage). It is only when Seneca firmly wears the mantle of the moralist in De Clem. II that the distinction between letting people off deserved and undeserved penalties comes to prominence.

III

We return now to De Clementia and the problems about 'venia'. There are two questions to address. What exactly is Seneca's concept of 'venia' in De Clem. II? And how are we to explain his valuations of granting 'venia' there and in De Clem. I? The clue to answering these questions lies in the sparseness of Seneca's exculpatory vocabulary, which we have taken some pains to exhibit.

The Latin exculpatory vocabulary as a whole is relatively sparse (especially in nouns) compared with the richness of English. This may tempt us to think that English has more expressive power in this area, and that we distinguish more exculpatory concepts than the Romans did — especially if one notes that the English nouns, such as forgiveness, pardon, excuse, are far from being synonyms. And since Seneca's exculpatory vocabulary is much smaller than that of Latin as a whole, we may be tempted to say that he distinguished very few exculpatory concepts indeed.

Such a temptation can spring only from a naive picture of a more or less perfect match between words and concepts. But to have such a picture is to forget that full-scale ambiguity is virtually the life-blood of natural languages (as opposed to more or less artificial technical languages).
All that the difference in size of the two vocabularies shows is that it is very likely that the Latin exculpatory terms were more ambiguous than the English ones. That is, it is likely that the handful of Latin exculpatory words were used to express roughly the same exculpatory concepts as we manage with a richer vocabulary. Furthermore, there is no reason to believe that a competent speaker of Latin was less able to distinguish the senses of an ambiguous word than is a competent speaker of English, or less able to tell in a given context which sense is intended. We would not ordinarily suppose that any of us would be unable to distinguish the senses of *pardon* in: ‘I beg your pardon’ and ‘A pardon is granted on the advice of the Home Secretary’. We should therefore not suppose that Seneca was less able to say precisely what he wished with his exculpatory vocabulary than we are with ours, or that his readers would not have been able to understand just what he was saying. If it turns out, after investigation, that Seneca simply did not distinguish things which we do distinguish, then we have to accept that. But we should not start out with any such assumption, just because he has less words in some part of his vocabulary than we have.

However, comparison of the two different-sized vocabularies can be made to do some useful work. If we suppose that the two vocabularies are used to perform roughly the same range of exculpatory jobs, then the richer vocabulary can be taken to provide a more detailed *surface* map of the relevant conceptual area than does the sparser one. Since we approach the matter from the position of being competent users of the more detailed surface map, we can use that map as a guide to locating the distinctions unmarked on the Latin surface.

Being competent users of our own map is not just a matter of knowing the *words* in our exculpatory vocabulary. It involves knowing how to use them, knowing the conditions of their use so that we can correctly identify a certain act as being one of, say, *forgiving* rather than of *pardoning*. Success in identifying the distinctions unmarked on the Latin surface map will depend on being able to match some of these conditions of use with identifiable conditions of use of some Latin words. Only when we have tried to do this can we say whether Seneca really does have contradictory valuations of ‘venia’ in different places. Not trying to do it is to succumb to the temptations of a one word/one concept picture.

**IV**

This is not an appropriate place to lay out the fully-detailed map of English exculpatory terms, or to carry through the detailed analysis its construction would require. But some brief, and hence dogmatic, reminders
are necessary so that major functional differences are not overlooked. (The exculpatory terms are not a good patch for lexicographers, who regularly confuse and conflate them — see any reputable English dictionary.) We shall attend only to central uses and ignore attenuated and peripheral cases.

To forgive, pardon or excuse someone for some wrongdoing involves remitting some penalty or sanction (including moral censure) which his wrongdoing would otherwise bring on his head. Whenever exculpations are performed with a good will, the intention of the act is to restore or maintain good relations between the exculpator and the wrongdoer.

Forgiving involves the total remission of penalties or sanctions, including moral censure. [Even persisting in moral censure when all other penalties are remitted impairs forgiving. Consider the defectiveness of the utterance: ‘I forgive you for doing A, but I still think you a moral louse for doing it’.]

But in pardoning and excusing, the remission may be only partial. In British law, a pardon granted to a convicted criminal may be either ‘free’ or ‘conditional’, the latter not being a total remission; and in some states of the U.S.A. a pardoned criminal is debarred from holding public office. Similarly with excusing. We may excuse a student for having written a poor essay without giving him a better mark than the essay deserves.

Pardoning is appropriate when the wrongdoer’s act is legally wrong or wrong in some similarly institutionalised way. Pardoning can only be carried out by a suitably authorised person. If an unauthorised person attempts to pardon you for some institutional wrong, no remission will result, since the attempt simply misfires. Similarly, no remission of an institutional penalty or sanction occurs if anyone forgives you for it. Generally, where pardoning works, forgiving is powerless. [In contrast to forgiveness, continuing moral censure will not make a pardon, once granted, defective.] Forgiving is particularly, though not only, appropriate where the wrongdoer’s act is morally wrong. Excusing is appropriate in rather more general and variable cases of wrongdoing, so that it shades into pardoning at the semi-institutional end, and into forgiving at the other, where we find transgressions of a minor kind, such as non-extreme rudeness. It is also appropriate in cases of breaches of custom, wrongs performed out of ignorance or ineptitude, or poor performance of duties.

Quite commonly, when we forgive, pardon or excuse someone, it is because some feature of the person or the circumstances (e.g., his deprived background, or the fact that temptation was put in his way) ‘gives him an excuse’ for acting as he did. But it is not necessary for him to have an excuse,
or for us to have a reason of that sort, for our exculpatory act to be non-defective. We may simply feel sorry for him, or exculpate him on a whim. This is less common in the case of pardoning, which is more trammeled by institutional rules than the other two acts, but all three exculpatory acts may spring from the heart rather than the head.

Before returning to Seneca, we add a few sketchy remarks about ‘mercy’ and how it stands to the exculpatory notions. We restrict ourselves to mercy as shown to a wrongdoer, with respect to his wrongdoing — thus leaving out, inter alia, mercy shown to a sufferer by putting him out of his misery.

Showing mercy, thus restricted, involves the remission of a penalty, but it is a concept of acquittal rather than of exculpation. The central exculpatory verbs fit well into explicit performative formulae, but not so for show/extend/exercise mercy. Furthermore, we may forgive, pardon or excuse without any reason, simply to remit a penalty. But to exercise mercy towards an offender cannot be simply to remit a penalty. The remission must be to achieve a better match between the penalty and what the offender deserves. It is, or is very like, an exercise in dispensing justice, and therefore it must be subject to rational justification.

V

Our remarks about the workings of the exculpatory terms in English provide us with a map (of salient features) against which we hope to unravel whatever ambiguities there are in Seneca’s use of venial/ignoscere. (We shall use this barbarous shorthand to cover the fact that ignoscere is synonymous with veniam dare, so that venia is the noun which corresponds semantically with ignoscere.)

We begin by trying to clarify venial/ignoscere in De Clem. II. All the occurrences of the two words are in II.vii, apart from one ignoscere in II.v.2, where the context shows that it has precisely whatever sense it has in II.vii. In II.vii.1, Seneca defines ‘venia’ as the remission of a deserved penalty: Venia est poenae meritae remissio. This account is repeated in vii.3 with substitution of debitae for meritae.

Seneca does not here place any conditions on the remission other than its being remission of a penalty that is deserved or due, and we cannot be sure from this alone whether he thinks the remission must be total or may be only partial. However, the ways in which he contrasts ‘venia/ignoscere’ with ‘clementia’ do cast light on the point.

In vii.3, ‘venia/ignoscere’ is explicitly contrasted with ‘clementia’, in terms of the implicit judgements made by agents granting them. If you grant
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'venia/ignoscere', you judge to be worthy of punishment one whom you do not punish. And, in vii.2 it has already been said that you admit that you have omitted something which you ought to have done. On the other hand, 'clementia' declares (and therefore the merciful man presumably judges) that those it lets off deserved to suffer nothing different.

Furthermore, in vii.2-3, in stressing how different in nature 'clementia' is from 'venia/ignoscere', the examples of exercising 'clementia' include partial as well as total remissions. At the end of the examples, which appear to have been selected to stress variety, Seneca remarks: \( \text{Haec omnia non veniae, sed clementiae opera sunt.} \) While these words might seem in conflict with his earlier suggestion that these are ways in which a 'sapiens' will do exactly what he would do if he were to forgive, there is in fact an important difference. In each case of the exercise of 'clementia', Seneca includes the wise man's reason for remitting a penalty. So from the point of view of the suppliant, the outcome may be the same; but it is not literally true that the wise man \text{idem faciet, quod si ignosceret.} \)

Seneca explicitly draws our attention to the importance of reasons in the wise man's exercise of 'clementia' when he goes on:

\( \text{Clementia liberum arbitrium habet; non sub formula, sed ex aequo et bono iudicat; et absolvere illi licet et, quanti vult, taxare litem.} \)

This emphasises not only the connection of 'clementia' with justice, but also, by implication from the context, that it differs from 'venia/ignoscere' both in the role played by reasons and in being able to offer partial remissions of penalty. The contrast being drawn implies that 'poenae meritae remissio' (II.vii.1) is to be taken as total and unconditional remission. Since total remission is characteristic of forgiving, we now have strong grounds for saying that 'venia', in \text{De Clem. II,} is best interpreted as 'forgiveness'.

It might be objected that this interpretation does not sit well with Seneca's language in Book II, and in II.vii in particular. Occurrences of words such as \text{iudicare, punire} and \text{poena} may suggest that Seneca is thinking of 'venia/ignoscere' in an institutional context such as a lawcourt. If he is, 'venia' would be better interpreted as 'pardon'.

In addition, there is a known juridical expression, \text{sub formula}, in II.vii.3, as well as \text{formula excidat} in II.iii.1.

But to take from these expressions that Seneca has a lawcourt context in mind, is simple-minded, since it neglects the fact that, in Book II, his focus shifts from what a 'rex' or 'princeps' should do (presumably in his judicial role) to what a 'sapiens' would do. This is a shift from the politico-legal
context to the moral context; and from judgements handed down by an institutionally authorised person to judgements made by an agent whose authority is not institutional but moral.

This shift of focus makes it impossible to take *indicare* as meaning to hand down a judgement in court; or *poena* as a punishment imposed by an authority; or *punire* as to punish. Seneca may be construed as using an extended legal metaphor to say something outside the legal context. We can mark what that something is by taking the words in their known non-legal senses — for example, *indicare* as to judge (but in an ordinary extra-legal sense), *poena* as penalty and *punire* as to penalise.

Nor do the two juridical expressions give colour to the idea that Seneca is thinking of an institutional setting in *De Clem.* II. One has only to consider how they occur to see this. In vii.3 it is clear that either *sub formula* is being used to do the kind of job we do in ordinary speech by *according to the letter of the law*, in which there is no literal reference to the law, and it is just part of Seneca’s legal metaphor; or it has its juridical force (say, according to the specification of the case to be tried), and Seneca is saying explicitly that true ‘clementia’ does not proceed according to such specifications.

*formula excidat* in iii.1 is equally harmless to our interpretation. The case which might be lost is not a lawsuit, but the ‘case for’ the adequacy of Seneca’s definitions of ‘clementia’. The use of the juridical expression is clearly metaphorical. This is an old point, whose history runs back at least to Calvin’s commentary on the *De Clementia*.

With this possible objection disposed of, we re-affirm that in *De Clem.* II, *venia* means forgiveness, and both *ignoscere* and *veniam dare* mean to forgive. So it is forgiveness and forgiving to which Seneca there gives such an unfavourable valuation.

**VI**

We turn now to ‘venia/ignoscere’ in *De Clem.* I, where the valuation placed on it is never unfavourable, and is usually definitely favourable. There is only one occurrence of *venia*, but nine of *ignoscere*. Seneca fails to give a definitely favourable valuation in only two of these ten cases, and in those two the worst that could be said is that no particular valuation is evident. These two cases are *venia* in vi.2, and *ignoscere* in vii.3.

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9 Cf. Mortureux, op. cit. p.78.
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The differences in valuation of 'venia/ignoscere' in the two Books of De Clementia will amount to some kind of contradiction only if the different valuations are applied to the same exculpatory acts. We have already noted the paucity of exculpatory terms in De Clementia, and the likelihood that they must be ambiguous, covering a wide range of exculpatory concepts. Therefore, before reaching any conclusion on how the two Books stand to one another in this respect, we need to review the occurrences of venia/ignoscere in Book I to see what exculpatory concepts are involved there.

In summary, we find no case in De Clem. I in which venia/ignoscere is plausibly interpreted as 'forgiveness/forgiving'. In running briefly through the separate cases, we shall bear in mind that Seneca is addressing Nero as 'princeps'; and also that in his judicial capacity the 'princeps' was not bound to follow normal courtroom procedures, so that detection of an institutional setting does not demand evidence that Seneca was thinking of a normal courtroom.

The sole occurrence of venia in Book I, at vi.2, is in a passage in which it is clear that Seneca is thinking of some kind of institutional context, or at least one in which persons are ranked in relations of authority over one another. The most plausible reading of ad dandam veniam is as 'granting pardon' or 'excusing'.

We now run over the nine occurrences of ignoscere in summary fashion. Note that, whenever Seneca's valuation is definitely favourable (i.e., in all except vii.3), the stated or implied justification for the exculpation is prudential or pragmatic, never moral. This makes it less likely that the exculpatory act is forgiving.

ii.2 (two occurrences): Context is institutional, in that Nero is advised how to conduct himself in his judicial role — being neither too lenient nor too harsh. The exculpations referred to in both cases are non-specific and could cover the whole range from pardoning, through excusing, to merely not penalising. Forgiving is not appropriate in this context.

vii.3: Little implied about either valuation or context. Valuation probably on the favourable side of neutral; context is institutional only by being generally about rulers and their subjects. The exculpation is non-specific, but nothing suggests that Seneca is referring to forgiving.

ix.6: Livia advises Augustus, qua princeps, on how to deal with Cinna, using the words ignoscere L. Cinnae. Though Livia speaks as Augustus's wife, the setting is institutional, involving an exercise of the judicial powers of the 'princeps'. Probably not an exhortation to grant a formal pardon — rather to use his discretionary powers to let Cinna off (in some way). But institutional aspects make forgiving inappropriate.
x.1 (two occurrences): *Ignovit abavus tuus victis; nam si non ignovisset, quibus imperasset?* Setting is historically institutional, involving exercise of imperial powers by Augustus towards opponents. Since some of the opponents listed by Seneca are known supporters of Brutus and Cassius, pardon may be intended; but it could equally be more diffuse exculpation.

x.4: Also about the exculpations of Augustus. Immediately preceding sentences in x.3 make it clear that the remissions involved were substantial but not total. The exculpation cannot be forgiveness — probably pardon.

xvi.3: Context clearly institutional, concerned with certain military deserters. The exculpation is almost certainly pardon.

xxiv.1: Context again one in which Nero is urged to exercise the imperial powers leniently. Use of *supplicia* in the immediately following Senecan remark, *non minus principi turpia sunt multa supplicia quam medico multa funera*, suggests that pardon is intended.

This survey settles the matter. We have now unravelled the ambiguities of *venia/ignoscere* sufficiently to show that the terms have different references in the two Books of *De Clementia*. The exculpatory acts which Seneca generally recommends in *De Clem. I* are simply not the same exculpatory acts as those which he rejects so unequivocally in *De Clem. II*. While it is true that forgiving, pardoning, excusing and so on belong to the same general family of exculpatory acts, it does not follow from that alone that there is any inconsistency in regarding one member of that family as morally indefensible and another as defensible. Still less does it follow that it is inconsistent to say that one exculpatory act is *morally* indefensible while others are *prudentially* (or pragmatically) both defensible and desirable.

Therefore, taking into account what we have shown about the ambiguities of *venial/ignoscere*, together with the different purposes of the two surviving Books of *De Clementia*, we find Seneca not guilty of inconsistency, hypocrisy or even carelessness in this respect. Indeed, such charges could only be brought against him by someone who viewed Seneca's meagre exculpatory vocabulary in an uncritical and unpenetrating manner. Nor do we need, on this account, to resort to draconian solutions, such as those which diminish Seneca's authorship of *De Clem. II*.

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