# THE CAMBRIDGE ANCIENT HISTORY

## VOLUME IX

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# THE CAMBRIDGE ANCIENT HISTORY

SECOND EDITION

VOLUME IX

## The Last Age of the Roman Republic, 146–43 B.C.

edited by

J. A. CROOK

*Fellow of St John's College and*
*Emeritus Professor of Ancient History, Cambridge*

ANDREW LINTOTT

*Fellow and Tutor in Ancient History,*
*Worcester College, Oxford*

The late ELIZABETH RAWSON

*Formerly Fellow and Tutor in Ancient History,*
*Corpus Christi College, Oxford*

CAMBRIDGE
UNIVERSITY PRESS

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PUBLISHED BY THE PRESS SYNDICATE OF THE UNIVERSITY OF CAMBRIDGE
The Pitt Building, Trumpington Street, Cambridge, United Kingdom

CAMBRIDGE UNIVERSITY PRESS
The Edinburgh Building, Cambridge CB2 2RU, UK
40 West 20th Street, New York, NY 10011–4211, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
Ruiz de Alarcón 13, 28014 Madrid, Spain
Dock House, The Waterfront, Cape Town 8001, South Africa

http://www.cambridge.org

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First published 1992
Seventh printing 2006

Printed in the United Kingdom at the University Press, Cambridge

*A catalogue record for this book is available from the British Library*

*Library of Congress Card no.* 75-85719

ISBN 0 521 25603 8 (hardback)

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(which are distinguished by capital letters) and within these sections each book or article has assigned to it a number which is quoted in the footnotes. In these, so as to provide a quick indication of the nature of the work referred to, the author's name and the date of publication are also included in each reference. Thus 'Syme 1952 (A 118) 100' signifies 'R. Syme, *The Roman Revolution*, 2nd edn, Oxford, 1952, p. 100', to be found in Section A of the bibliography as item 118.

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# PREFACE

Historical divisions are arbitrary, and beginnings and endings necessary but misleading. The present volume has for its main theme the process commonly known as the 'Fall of the Roman Republic', and there are good reasons for beginning the narrative of that process with the tribunate of Tiberius Gracchus in 133 B.C. But the traumas of the Republic that then began had an intelligible background, and we have explored it, as was foreshadowed in the preface to Vol. VIII², by beginning our analysis at 146 B.C., the year of the destruction of Carthage and Corinth, which the Romans regarded as the apogee of their fortunes. Indeed, especially in the chapter on Roman private law, which, beyond the Twelve Tables, has not been dealt with in any earlier volume, we have harked back unashamedly as far as seemed needful. As for an end-point, the death of Cicero on 7 December 43 B.C. was chosen in preference to the Ides of March 44, partly because symbols are as important as events, and Cicero's death symbolizes, now as it did then, the demise of the Republic, and partly because the greatest of all the pieces of luck that launched the young C. Iulius Caesar ('Octavian') on his course to domination was the death of both the consuls of 43 B.C. in the action against Antony: Octavian's usurping entry into the consulship on 19 August 43 is the second most symbolic date in the funeral annals of the Republic.

In accordance with a trend that it is now well-nigh banal to cite, somewhat less space and weight are devoted in this volume than in Vol. IX of the original *CAH* to close narrative of political and military events, and somewhat more to 'synchronic' analyses of society, institutions and ideas; but we have not banished 'l'histoire événementielle', for it would have been absurd to do so. In the first place, narrative is an entirely valid historical genre in its own right, giving its own particular satisfaction to the reader, and, in the second, a work of this character will be expected to furnish a reliable account of public events. Finally, though the time has unquestionably come to make generally available some of the fruits of the past fifty years of scholarly cultivation of the terrain of socio-economic and intellectual history, we have seen it as our task here to



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assist in building some bridges between that terrain and the political history of Rome. For a very important question, to say the least, about the last century of the Republic is how its social, economic, legal, intellectual, religious and even architectural changes or resistances to change were related to the story of political change or failure to change, and so of civil strife, dictatorship and collapse – whether helping to determine that process or responding and corresponding to it. If it is thought that by dividing our volume, accordingly, into two parts we have deepened the chasm rather than created any bridge, we plead that we have given readers the best construction-kit we could, on both sides, for building their own.

A brief survey of the narratives in Part I may help the reader to appreciate its intended structure. Andrew Lintott sets the scene in chapter 1, which has two themes. The first is a critical sketch of the evidence for the period – not an exhaustive 'conspectus of sources', which would have taken too much space and of whose likely helpfulness we were sceptical. The second is about theories: theorizing about the 'Crisis of the Roman Republic' began contemporaneously with the events, and has been done ever since, sometimes by the most eminent of political philosophers and historians; and because history is an argumentative and philosophical subject the search for underlying principles, structures and explanations is renewed in each generation, and readers may expect to learn something about the answers given in previous generations before they read on and begin to make up their own minds. Lintott continues in chapter 2 with a survey of Rome's overseas empire and its problems in the years from 146 onward: settlement and acquisition of land abroad by Roman citizens; Spain and Gaul and the rapid penetration of the West by Roman ways of dealing with things; Sicily and social unrest; the province of Africa and its relationship to the kingdom of Numidia, leading to the story of the Jugurthine War; the new province of Macedonia and the partial integration of mainland Greece with it; the beginnings of the province of Asia out of the bequeathed kingdom of Pergamum, its attempt under Aristonicus to reject the Roman yoke and its influx of Romans and Italians 'on the make'; and, finally, the nature and strength of the Roman army and the demands made on it.

Chapter 3, again by Lintott, begins the main narrative with the internal political history of Rome in the fifty years 146 to 95 B.C., prefaced by analysis of that elusive entity the 'Roman Constitution' (really the traditions on which politics normally worked) and of the nature of Roman political life – how far it was a game played only by teams of leading families, and so on. (It is here that the reader will learn why 'faction' is to play less of a role in what follows than historians have

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given it in the recent past.) Then comes the agrarian crisis of Italy and all that led up to the Gracchi, including the tribunician legislation of the years following 146; and that is followed by the central narrative of the Gracchi, Marius, and Saturninus and Glaucia. In chapter 4, E. Gabba narrates the origins of the demand of Rome's Italian *socii* for admission to Roman citizenship and the 'Social War' of 91–89 B.C. by which, in the end, they achieved their demand, after which Rome was no longer a 'city state' and its citizen population was more widespread and differently constituted – events whose consequences were, arguably, the real 'Roman Revolution'. (In fact, the integration of Italy, a theme of the first importance embracing the early Principate as well as the late Republic, will receive appropriate treatment in the new edition of Volume x.)

Chapter 5 is an account by John G. F. Hind of the principal subplot to the drama of the late Republic, one such as no human dramatist could have contrived more satisfactorily to entwine with the central political tale: the story of the last larger-than-life-sized Hellenistic monarch, Mithridates VI Eupator of Pontus, and his conflicts with Rome; this chapter takes the story down to the end of the first episode in the conflict, the Peace of Dardanus in 85 B.C.

Chapters 6 and 7 revert to internal political narrative, told by Robin Seager: in chapter 6 the rise and dictatorship of Sulla, who attempted to shore up the traditional political order but by his own precedent hastened its downfall, and in chapter 7 the rise of Pompey down to his first consulship with Crassus in 70 B.C.

In the first part of chapter 8, A. N. Sherwin-White tells the later part of the saga of Mithridates and Rome, relating the campaigns of Lucullus and his efforts to relieve the economic distress of the province of Asia, followed by the triumphant eastern progress of Pompey, which hugely extended Roman power in the East and involved Rome for the first time with Parthia and Judaea. That is the cue for Tessa Rajak to give, in the second part of the chapter, an account of the Maccabees and the Hellenization of Judaea under their rule. The third part is devoted to a final eastern subplot, told by Dorothy J. Thompson: the politics, society and culture of Egypt in the time of the later Ptolemies, now in the shadow of Rome, their story culminating in that other grandly doomed Hellenistic monarch, Cleopatra VII Thea Philopator.

The two decades of Roman internal political débâcle are consigned to T.P. Wiseman: chapter 9 the sixties B.C. and chapter 10 the fifties, that period of great complexity because there is, for once, abundant evidence, with all the politics that led to the civil war between Pompey and Julius Caesar. Caesar, from the Rubicon to the Ides of March, is taken over in chapter 11 by Elizabeth Rawson, and she continues the story in chapter 12 to the death of Cicero.

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Part II comprises seven chapters and an epilogue. The chapters work outwards, as it were, from the political story: law and administration, economy and the rise of the great conurbation of the city of Rome, and then ideas and their background, and finally religion. In accordance with the overall policy of the new *CAH*, no express account is here attempted of the *belles-lettres* of the last century of the Republic, important though the Roman achievement in literature undoubtedly is to a rounded understanding of the period: Volume II of the *Cambridge History of Classical Literature* now claims that domain. Nor will any attempt be found here to assess the intellectual and spiritual life of the non-Roman peoples of the age: the editors have sadly to report that A. Momigliano was to have contributed a final chapter that would have added substance to that aspect of the period as well as distinction to the volume. His death having deprived us of the chapter at a fairly late stage, we decided that nothing by any other hand could, or ought to, replace it.

Duncan Cloud, then, in chapter 13, handles two themes of Roman public law. The first concerns developments in the 'Roman Constitution' in the last age of the Republic, a subject about which there is, in fact, rather less to say than the reader might expect. The second theme, however, is the rapid development, from minimal beginnings, of a major system of criminal law courts, one of the striking achievements of the age, and only too appropriate to a period of such vertiginous change in political and social behaviour. In chapter 14, J. A. Crook attempts, first, to sketch the rules of law that to some degree framed and structured Roman society in the late Republic, and then to characterize the developments the law underwent and the part played by such factors as Greek philosophy in influencing those developments. Cloud and Crook have sought to evaluate and criticize Roman law as well as describe it, because its strengths and weaknesses, successes and limitations are closely relevant to many aspects of economy, society, ideas and even politics.

John Richardson begins chapter 15 by showing how administration of a territorial empire was not within the thought-world of the Romans in the earlier Republic: they thought, rather, in terms of tasks distributed amongst officials – mostly, in fact, military commands. Administration was something the Romans learnt the hard way, and the late Republic was their schooling period. The chapter continues with analysis of the powers and duties of Roman administrators and of the mechanisms set up by the Romans to meet overseas responsibilities that they only came to recognize *post hoc*: one of the links between law and politics is that the machinery set up to curb excessive power and corruption of officials could all too easily be used as the forum for the pursuit of political enmities.

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Natural transition joins C. Nicolet (chapter 16), whose theme is the expanding economy of Rome and Italy and its impact on the economies of Rome's subject states, to Nicholas Purcell, who in chapter 17 puts into the dossier the city of Rome itself, already huge in population and constituting of itself a major economic influence; and in that case, too, we come back to politics, for the Roman plebs, less and less entitled to claim itself to be the essential community of Roman citizens but more and more coherent as a new force in politics, is a crucial part of the story of the Republic's last years.

Miriam Griffin, in chapter 18, progresses from the social setting of Roman intellectual life, education, patronage, libraries and so forth, to some of its characteristic products, particularly philosophy, and then back to the social dimension, with a discussion of how much such activities meant to the Roman elite who took them up with such relish. Finally, Mary Beard, in chapter 19, intertwines the spheres of religion and politics as the Romans themselves did, replacing the stereotype of 'decline of religion in the late Republic' by a new perception of how religious and political changes belong together in a single story of change and response to change.

The brief epilogue is the joint work of all three editors.

As concerns references to evidence the contributors have followed the policy requested of them by the editors, following, in their turn, the general policy laid down for the new *CAH*: that is to say, they have not given footnotes for uncontroversial matter derived from standard sources but have indicated anything that is heterodox or in need of particular justification in their accounts. The editors have, however, seen no need to be doctrinaire, and subjects have been allowed, within reason, to determine their own treatment.

Responsibility for this preface belongs to only two of the three editors, J. A. Crook and Andrew Lintott; for their beloved colleague Elizabeth Rawson died on 10 December 1988. Fortunately for readers, that lamentable event occurred relatively late in the preparation of the volume: our colleague had shared all the planning with us, had written and revised her own contributions, edited her share of those of others, and worked on the bibliography. Insight, care, enthusiasm, scholarship and wisdom: such were the qualities of the late Martin Frederiksen referred to by his fellow-editors in the preface to Volume VIII; those, and in no lesser measure, were the qualities also of Elizabeth Rawson, and of the editorial contribution to the present volume it would be wrong to attribute no more than a third part to her.

Not as an editor, but as a collaborator after the death of Elizabeth Rawson, we have had the exceptional good fortune to secure the help of Ursula Hall. She is not to be saddled with any responsibility for defects of

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structure or content, for all such matters were settled long before she joined us; but in all the technical stages of turning the material into a book she has borne a major part, and by her close reading and wise and learned advice has deserved well indeed of the editors and of those who may read the volume.

Chapter 4 was translated by M. H. Crawford, to whom we express our grateful thanks, chapter 16 by J. A. Crook. The maps were drawn by Reg Piggott, the index compiled by Barbara Hird. Glennis Foote was our acute and vigilant sub-editor; and all the staff of the Press co-operated in the making of this book with their customary patience and dedication.

J. A. C.
A. L.

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CHAPTER 1

# THE CRISIS OF THE REPUBLIC: SOURCES AND SOURCE-PROBLEMS

ANDREW LINTOTT

By the end of the second century before Christ the Romans faced a crisis as a result of their mastery of the Mediterranean, which was made sharper by an increased political awareness resulting from their wider experience and the intellectual contacts made during the acquisition of empire. What Florus[1] regarded as the robust maturity of Rome, which was doomed to collapse into the senility of the Principate, is made a more complex and more rewarding study by Roman self-consciousness. The most penetrating assessment of the Roman rise to power before 150 B.C. was made by Polybius – a Greek familiar with Rome but still an outsider. The Roman histories which had begun to be written from *c.* 200 B.C. onwards are lost to us but for a few citations and quotations, but, even if they were to be recovered, it is doubtful if we would find anything to compare with Polybius' analysis. Before the second century had ended, however, not only had the sheer bulk of Roman historical writing increased but the material had become diversified. Sempronius Asellio, who lived in the period of the Gracchi, drew a distinction between writing mere annals, the traditional Roman narrative of events in a strict chronological framework, and histories, which interpreted by seeking causation and motive. In practice this meant that Romans no longer always wrote omnibus narratives stretching from Aeneas, or the wolf and twins, to their own day, but produced monographs on specific topics from the past or present, biographies and autobiographies. Moreover, the development of Roman intellectual life led to other forms of writing in prose – treatises, especially on oratory and law, and letters. Meanwhile, Greek interest in Rome did not cease, and one of the most influential sources for later writers whose native language was Greek was the Stoic philosopher Posidonius, who in addition to works on geography and ethnography wrote a full-scale Roman history which picked up the story where Polybius left it.[2]

The works of the Roman annalists culminated under the emperor Augustus with the work of Livy, 120 of whose 142 books dealt with

[1] Florus I, intro. 7–8. On the implicit theory see Griffin 1976 (A 42) 194ff.
[2] See *HRR*; Badian 1966 (H 4); Malitz 1983 (B 69).



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history down to the death of Cicero. However, the only products actually of the Republican period to survive are two monographs and some substantial fragments of a history by Sallust, one short biography by Cornelius Nepos and the military commentaries of Caesar. Nor have we complete books of Livy on the period after 167 B.C. The accounts of the late Republic in Livy and his predecessors, and equally the important contribution of Posidonius, can only be partially pieced together from fragments, epitomes and later derivatives. The most valuable later sources are Greek historians of the Principate. Appian, honoured with the status of procurator of the emperor in the second century A.D., wrote an account of the expansion of Roman power subdivided according to theatres of war and included a history of the civil wars and their political background. Half a century later Cassius Dio, a senator and twice consul under the Severi, compiled a gigantic annalistic history of Rome from its origins to his own time, interspersed with Thucydidean generalizations and interpretations. (We have more or less intact the section dealing with 69 B.C. onwards.) To these we must add the biographer Plutarch, who in about A.D. 100 illustrated political and moral virtue by comparing eminent Greeks with Romans of the Republic in his *Parallel Lives*. On such works is much of the narrative thread of late Republican history based.

However, by far the most important sources we possess are the works of Cicero who, although he never wrote the history of Rome his friends expected of him, has provided through his correspondence a direct insight into politics and upper-class Roman society between 67 and 43 B.C., and in his published speeches and theoretical treatises tells much of his own lifetime and the age that preceded it. This means that for the period in which he was active as a lawyer and politician, 81–43 B.C., we are in direct contact with Roman public life, while for the fifty odd years before this his works tell us of events which he either lived through or learnt of from those with first-hand experience.

There are of course problems in using Ciceronian material. In his letters to Atticus Cicero tells the truth, as he sees it, and that view may change from week to week. His own letters to other acquaintances and those of his correspondents may on occasion be dishonest, disingenuous or deliberately obscure. In speeches he sometimes risks the lie direct about a point of fact, more often he suppresses or wilfully misinterprets events to suit his case. Extreme examples are his assertions that Clodius plotted to kill Milo in 52 and that Catiline had actually concocted a preliminary conspiracy in 66, over two years before the one which he himself suppressed. His veracity at many points can, however, be checked against his other works or against the secondary sources, and modern scholars relish the occasions when his falsehoods can be

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detected. But caution is in order: we should not suppose that the material in Plutarch, Appian and Dio is sober, mainstream and value-free, providing automatically a corrective to the tendentiousness in Cicero. The writers under the Principate were as much at the mercy of their primary sources as we are, and these included both encomiastic biographies of men like Pompey, Caesar, Cato and Cicero himself, and by contrast published harangues or written invectives. Even the history of Asinius Pollio, a younger contemporary of Cicero and Caesar, whose account of the civil wars lies behind much of Appian and Plutarch and probably influences Dio as well, is likely to have been contaminated by his own support for Caesar and highly critical attitude to Cicero.[3]

There are further important shortcomings in our source-material on the late Republic. First, the evidence in inscriptions is small compared with that available for the Principate and with the contemporary literary evidence. In particular we have few public documents relating to the period between the dictatorships of Sulla and Caesar. Moreover, although we know much from archaeology about the city of Rome itself, our knowledge of urban developments in Italy and the provinces is patchy. As for rural archaeology, much is being done currently to illuminate land-tenure and the nature of agricultural establishments in Italy, but much more remains to be done. In one field the historian is well supplied. The Roman coinage of the Republic is immensely rich and it has been exhaustively analysed, not only in order to establish chronology and to interpret legends and iconography, but also to draw more general conclusions about the size and likely causes of issues. There have also been important studies of the coinages of Rome's allies.[4]

The sheer bulk of the historical tradition, even if elements in it conflict, allows us to form a clear picture of what was happening from about 70 B.C. onwards. Interpretation remains difficult. Contemporaries were arguably too close to events to see their significance; writers under Augustus, on the other hand, were too concerned with explaining and justifying the new dispensation as a reincarnation of the old and thus preferred to seek individual scapegoats rather than probe the defects of Roman society and government as a whole. I shall return to this problem. On the other hand, study of the period from the destruction of Carthage to 70 B.C. suffers from the comparative paucity of Ciceronian evidence and the fact that we cannot extract a good continuous narrative from what remains of the writers under the Principate who digested Republican sources. The decade from 80 to 70 B.C. is so thinly covered

[3] Gabba 1956 (B 38); 1957 (B 39).

[4] Crawford 1974 (B 144); 1985 (B 145); cf. e.g. M. Thompson, *The New-style Silver Coinage of Athens* (New York, 1961); A. Giovannini, *Rome et la circulation monétaire en Grèce au IIe siècle avant Jésus Christ* (Basle, 1978).

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that even a one-line fragment of Sallust's *Histories* is precious. The preceding decade which embraces the Social, Mithridatic and first civil wars, ending in Sulla's dictatorship (a period originally described by contemporaries like Sisenna, Lucullus, Lucceius and Sulla himself) is better documented from the military point of view, but the politics are tantalizingly unclear. As for the period that began the crisis of the late Republic, some great issues – the land-problem, the relations between Rome and Italy and between the Senate and the equestrian order – stand out; so do the figures of the Gracchi and that of the new man who was Rome's military saviour, C. Marius. But we know less of politics year to year than we do where the books of Livy survive and where we have rich Ciceronian evidence. In consequence vital background knowledge is lacking and the historian is liable to become too dependent on the presentation of events in the surviving source-material. He frequently finds himself served with a neatly packaged briefing, which raises more questions than it answers.

As always, Roman writing about the politics of this time is highly tendentious, but the problem is not simply one of bias. Two of the reformers who resorted to violence, L. Appuleius Saturninus and C. Servilius Glaucia, are damned by a uniformly hostile tradition, as are the political activities of Marius. On the other hand, both favourable and unfavourable accounts of the Gracchi survive. More important is the fact that the power struggle between the demagogic politicians and the bulk of the Senate is made to overshadow everything else by the sources. The merits and demerits of particular reforms are obscured in the attempt to make a moral assessment of those who subverted or defended the *status quo*. It is not easy to detect the thinking of men contemporary with the events in our secondary sources – an exception are the speeches attributed to Tiberius Gracchus by Plutarch and Appian which seem ultimately to derive from C. Gracchus' biography of his brother. Fragments of oratory (for example those of C. Gracchus and Scipio Aemilianus) preserved by the antiquarians and grammarians of the Principate are valuable.[5] Further interesting contemporary or near-contemporary comments on the late Republic may be detected in histories dealing with a different period. The senate's disavowal of the treaty made with the Spaniards in 137 (to which there is also contemporary reference in the coinage) has affected the tradition about the treaty or *sponsio* supposed to have been made by the consuls of 321. Ti. Gracchus' attitude in his conflict with his fellow-tribune Octavius received oblique comment in the annalistic accounts of the actions of his father when tribune in 187. Even the arguments about late Republican agrarian policy were transposed into early Republican history by Dionysius of

[5] *ORF*.

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Halicarnassus, so that we find denunciation of small allotments and advocacy of large farms rented out by the state in a speech ascribed to the consul of 495 B.C.[6]

A vital check on our literary evidence is provided by epigraphic documents and archaeology. A disturbing fact about the inscriptions is that the official acts that they record are ignored or obscured by our literary sources, so that we are quite unprepared for the material that they contain. On one side of the so-called 'Tabula Bembina' (bronze fragments which once belonged to Cardinal Bembo, now known to have been first owned by the dukes of Urbino) there is a *lex de repetundis*, that is a law about the recovery of property improperly seized by Romans in authority, which must be a part of the legislation of C. Gracchus. Our literary sources do indeed tell us that he changed the juries in this court, but they give us no idea of the massive reform of procedure shown on the fragments and the change in the ethos of the court that this implies. Another example is the law of 101–100 B.C. about the praetorian provinces and the administration of Rome's affairs in the East, once only known from a partial text at Delphi but now further illuminated by an inscription at Cnidus containing new material. This is totally ignored by our sources on Saturninus and Glaucia, and yet it must be a measure with which they were involved and one which gives their politics a new dimension.[7] The reverse of the bronze fragments engraved with the *lex de repetundis* has an agrarian law of 111 B.C. This law was mentioned by Appian in a brief sentence, but the text itself and its implications about earlier legislation show the inadequacies of the apparently careful account of this legislation in Appian. Two parts of this law dealt with land in North Africa and at Corinth. No other source tells us that the Romans were planning land-division at Corinth at this point. As for Africa, the extent of Roman settlement there (including the colony which literary sources tell us that C. Gracchus tried to found) cannot be appreciated without the study of this inscription together with the archaeological evidence for Roman land-division largely deriving from French air-photography.[8]

Archaeology cannot solve the problems caused by the inadequacy of literary sources, but it can at least remind us where they are inadequate. The revolt in 125 B.C. of the Latin colony on the Samnite border, Fregellae (near modern Ceprano), is dealt with by our surviving texts in a few sentences. The cause remains obscure, but current excavation has provided testimony to the prosperity of the town and the brutality of the

[6] Dion. Hal. *Ant. Rom.* VIII.73; cf. Gabba 1964 (B 41). Livy IX.1–7: cf. Crawford 1974 (B 144) no. 234; 1973 (F 39). Livy XXXVIII.56; XXXIX.5: cf. Richard, 1972 (C 122).

[7] Lintott 1983 (B 192); Sherwin-White 1982 (C 133); Hassall, Crawford and Reynolds 1974 (B 170). [8] Chevallier 1958 (E 3); Piganiol 1954 (E 22).

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repression. Seven years later the Romans founded their first colony in southern Gaul, Narbo Martius (Narbonne). Cicero at least indicates to us that the measure was controversial, but the colony might be dismissed as a mere military outpost, had it not become clear from excavation that the site was important commercially, perhaps even before the founding of the colony.[9]

The problem, then, in the period from the Gracchan reforms to the Sullan reaction is that the relative lack of source-material makes it difficult to redress the selective and tendentious formulation of issues and events in the accounts which we possess. Some fundamental aspects of this bias will be considered in the next chapter. The corrective required from the historian is not merely to be counter-suggestible in face of the tradition, but to realize that the accounts of political conflicts, though they reflect disputes which genuinely occurred, mask a great deal of agreement in the governing class about how the city, Italy and the overseas empire should be managed. This may be summed up as a more controlled and thoroughgoing exploitation of the resources of the Mediterranean. Some politicians maintained a more or less high-minded conservatism about such exploitation. On the whole, however, the competitive nature of the Roman aristocracy meant that politicians would fiercely resist the plans of rivals, when these were alive, but subsequently would not hesitate to endorse these measures and enjoy their products.

## I. ANCIENT THEORIES ABOUT THE LATE REPUBLIC

Polybius in his encomium of the Roman constitution in Book VI also portended its subsequent decay. It was not immune from the process of growth and decay according to nature, which was common to all constitutions and was in form cyclic since it started with primitive monarchy and returned to tyranny. Although the Roman Republic was stabilized by a balance between the monarchic, oligarchic and democratic elements, which prevented any part rapidly getting the upper hand, in the long run it would succumb to the luxury and ambition arising from its unchallenged empire. The greed of rich men would oppress the people and the ambition of others would exploit this discontent. Then the people would no longer wish to obey their leaders or share power with them, but seek to dominate everything of importance. The resulting freedom or democracy would be in truth mob-rule and a clear beginning of the decline to tyranny. If this was written before 146 B.C., it was a theoretical analysis which turned out to be prophetic. (Polybius had made a similar judgement on C. Flaminius, the radical tribune of 232

[9] Crawford and Keppie 1984 (B 284); Clemente 1974 (E 6) 61ff.

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who went on to be consul and censor.) However, it may have resulted from Polybius revising his work during the Gracchan period. To judge from the surviving fragments of Diodorus – in particular his characterization of C. Gracchus' ambitions according to the classic model of the demagogue and his denunciation of the greed of the equestrian order – Polybius' interpretation was followed by Posidonius. It also seems to have influenced greatly subsequent Roman accounts.[10]

Roman writers after the fall of the Republic were happy to claim that this fall was inevitable. Rome was unable to bear the burden of its own weight; the moral corruption arising from greed, luxury and ambition had no external check, especially once the threat of Carthage had been completely uprooted. Constitutional change was not seen as significant in itself – largely, no doubt, because the Romans did not think that the constitution had changed. However, for the poet Lucan and the historian Florus there was a nexus linking wealth to poverty and both of these to desires which only demagogy and ultimately civil war could satisfy. Such explanations derived not just from Polybius and any other historian who followed him but from warnings uttered by statesmen at the time. According to Posidonius, Scipio Nasica opposed the destruction of Carthage on the ground that its existence forced the Romans to rule their empire justly and honourably, while its destruction would bring civil strife to Rome and weaken the foundations of the empire as Roman magistrates could oppress their subjects without fear. Although there is controversy about the ascription of these beliefs to Nasica, there is no doubt that such ideas were in circulation in the middle of the second century.

We cannot rehearse here the question, whether the destruction of Carthage was such a critical event in the history of the Roman empire. A more ruthless attitude abroad was already to be discerned earlier in the century. Civil strife certainly became important after 146 B.C. when Rome's power was at a new height. As for luxury, greed and ambition there was no question that these abounded in the second century. Sallust schematically placed their onset after the fall of Carthage, but they were denounced before this in the works of Cato the Censor, which Sallust knew well, and in Polybius, as well as by the annalist L. Piso, a contemporary of the Gracchi. Cato inveighed against slack and high-handed magistrates, corpulence and expensive imports of pickled fish from the Black Sea. Piso pilloried the decline of sexual chastity and the acquisition of luxury furniture – sideboards and one-legged tables – corruption which began with the triumph of Manlius Vulso in 186. At the same time the psaltery- and sambuca-players had arrived with their

[10] Polyb. VI.8.1–8; 9.10–14; 57.5–9; II.21.8; Diod. XXXIV/XXXV.27–9; Walbank 1972 (B 123) 130ff; Malitz 1983 (B 69) 375.

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Asiatic dances. About 130 Scipio Aemilianus deplored mixed dancing-classes and the sexual licence which they were held to stimulate, in a speech against the legislation of Ti. Gracchus. This neatly illustrates how a connexion was made between general morality and political radicalism.[11]

Of course, greed for wealth and power were not vices suddenly discovered by the Romans in 146 or indeed in the second century. There is enough evidence from earlier times to suggest that the type of Roman idealized by later ages, the Curius and Cincinnatus – a fighting farmer of stern scruples, dedicated to the simple life and the work ethic – was, if not a myth, at least not totally representative. Yet it would indeed be a paradox to say that these vices had nothing to do with the crisis in the late Republic. Appetites expanded with the Roman empire and the strains produced by competition among the aristocracy are clearly in evidence from the early second century onwards, not least in laws against bribery (first in 181) and conspicuous extravagance in giving dinners (first in 182). One cannot completely discount the Romans' own feeling about what was wrong.

Nevertheless it is, and was, hard to explain the problems of the late Republic simply in terms of aristocratic moral failings. Was the difference to be found not so much among the men who sat in the Senate as among the legionaries? It is interesting that Sallust himself, while he talks of the greed for wealth and power in the introduction to the *Catiline*, later in that work and in his subsequent monograph, the *Jugurtha*, links the acquisition of wealth with the creation of poverty among others, as Polybius had suggested, in particular with the expulsion of peasant families from their ancestral landholdings. The sufferings of the rural population were a theme in the oratory of Tiberius Gracchus himself, probably recorded for posterity in his brother's memoir of him. The expansion of the estates of the rich and the resentment of the plebs are stated by Lucan and Florus to have been fundamental reasons for civil strife: 'hence might became the measure of right and domination of one's fatherland by force of arms respectable'. The agrarian problem also dominates the early chapters of Appian's *Civil Wars*, although here the author links it directly with the conflicts over the reforming tribunes, rather than with the civil war that eventually followed. It is only in his account of the civil wars after Caesar's murder that the desire of the soldiers to improve their economic condition through fighting is stressed.[12]

The poverty caused by the greed of the wealthy was thus accepted by a

[11] Sall. *Cat.* 10–11; *Iug.* 41; *H.* I.11–12M; Piso, fr. 34, cf. Livy XXXIX.6.7–8; Scipio Aemilianus, *ORF* no. 21, fr. 30 = Macrob. *Sat.* III.14.6–7. See Lintott 1972 (A 63).

[12] Lucan I.160–82; Florus I.47.7–13; II.1.1–2; App. *BCiv.* I.7–27; V.17.

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number of Roman writers as a cause of civil conflict in the Forum and ultimately of civil war, though this was sometimes seen more in moral than socio-economic terms. The poor, it was held, fought not so much because they were poor, but because poverty had embittered them and made them violent and greedy themselves. Moreover, the griefs of the poor were not thought to excuse their aristocratic leaders for clashes with fellow-aristocrats. In spite of his appreciation of the miseries of the plebs Sallust both in the *Catiline* and the *Histories* declared that the claim of its leaders to be defending plebeian rights was fraudulent: like the leaders of the Senate, they were using honourable pretexts to seek personal power – a judgement deriving from Thucydides' account of civil strife at Corcyra in 427 B.C. Florus writes in the same vein, when assessing the Gracchi. Their measures appeared just, but they damaged the wealth of the state and the interest of the possessing classes (themselves part of the people): in reality they and other tribunes sought domination for their office rather than protection for the rights of the people.

An exception to the general hostility of historians to the demagogic tribunes is the friendly treatment of the Gracchi to be found in both Plutarch and Appian. One explanation offered for this is that C. Gracchus' own account of his brother and himself was their ultimate source. However, apart from this the talents and romantic aura of the Gracchi (deriving from their illustrious background and their tragic deaths) made them the favourite demagogues of those in principle opposed to demagogy. Cicero cleverly exploits their names both to disparage other demagogues by comparison and to assert his own adherence to popular principles. This privileged status was not shared by men like Saturninus, Glaucia or P. Sulpicius. Perhaps only one source shows obliquely the case that might be made for radical tribunes – the *Ad Herennium*, an oratorical handbook which seems to have been written in the eighties and quotes powerful examples of popular rhetoric denouncing enemies of the plebs.[13] As for its conservative opponents, whatever historians believed about the corruption of the aristocracy, the most obstinate defenders of the *status quo* – men like L. Opimius, Metellus Numidicus and Cato Uticensis – were revered for this adherence to principle, in the same way that the hard men of the early Republic, the Appii Claudii, Papirius Cursor and Manlius Torquatus, were awesome figures in the annals of that period.

The military leaders who undertook civil war were bitterly criticized by their contemporaries and not surprisingly much of this survives in later sources. Sulla was remembered for his proscriptions (the emperor

[13] *Rhet. Her.* IV.31, 48, 68, cf. Cic. *Verr.* V.163; *Leg. Agr.* II.10, 31; *Rab. Perd.* 14; *Har. Resp.* 41–3; *Clu.* 151; *Font.* 39; *Brut.* 125–6; *De Or.* I.38.

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Septimius Severus was unusual in openly praising them in contrast to Caesar's clemency) and Sallust also indicted him for beginning the corruption of troops through slack discipline in order to secure loyal adherents in civil war. Marius' reputation never really recovered from its handling by his political opponents, not least Sulla. Pompey was treated mildly by writers under Augustus as the man who in theory represented law and order, but the pointed attacks made on him in the late Republic were not forgotten and for Lucan, Seneca and Tacitus he is as blameworthy as Caesar. As the Principate progressed, writers became less obsessed with naming the guilty men. Cassius Dio is particularly remarkable for refraining from denunciation of individuals, though he has much to say about corruption in general. However, by that time the death of the Republic seemed so remote and so natural an event that post-mortem analysis had become truly academic.

## II. MODERN INTERPRETATIONS OF THE LATE REPUBLIC

Historiography since the Renaissance has been reluctant to accept the Roman aristocracy's explanation of why it was overthrown, though it has selectively exploited specific items in that explanation. Machiavelli in his *Discorsi sopra la prima deca di T. Livio*, although he adopted Polybius' view that Rome's mixed constitution was a virtue, believed the violent conflicts between Senate and plebs that shook early Rome to have been a blessing because they created freedom. As for the conflicts that began with the Gracchi, these certainly led to a destruction of liberty, but they were an inevitable consequence of Rome's greatness. For they could only have been avoided if the Romans had renounced using the plebs in war or admitting foreigners to citizenship, and in that case Rome would never have had the power to obtain her empire. Thus militarism and multiracialism were at the root of the Republic's decline. A further awkward consequence of the extension of empire was the prolongation of military commands, which led the citizen to forget the Senate and recognize the leadership only of its own commanders. The Republic would have lasted longer if Rome had solved this problem and also that of 'la legge agraria', which, Machiavelli recognized, produced strife fatal to the Republic.[14]

Machiavelli's position is intriguingly provocative: he has in fact turned Polybius upside down. The virtue of the Roman constitution is not the stability that consists in tightly interlocked parts but the balance which comes from free play in a tumultuous conflict. Moreover, he has distanced himself from the aristocratic view of Polybius and Roman

[14] *Discorsi* (ed. A. Oxilia (London, 1955). Trans. L. J. Walker. London, 1970) I.2, 4, 5, 6, 37; III.24.

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writers. The tumults are not to be blamed on the plebs and its leaders. Rather, the Romans should not have allowed conflicts to get out of hand and they should have exercised greater control over their armies. It should be stressed that Machiavelli regarded the strife between 'i grandi' and 'la plebe' as genuine, not factitious: indeed the hostility between the two bodies transcended any specific issue.

Machiavelli had the benefit of writing at a time when the social and political organization of cities bore some resemblance to that of Republican Rome. If anything, he makes Rome look less sophisticated than it was. A little over two centuries later, similar themes are found in Montesquieu's *Considérations sur la grandeur et décadence des romains*. It is the soldiers' attachment to generals entrusted with great commands by the tribunes which in his view overthrew the Republic, while the turbulence of the city is ascribed to the increase in citizenship, which created a divided community where all did not share the old Roman values. Nevertheless he regards the urban violence in general as a necessary accompaniment to imperial success, since a brave and warlike people would not be submissive in domestic affairs.[15]

When Mommsen came to write in the nineteenth century his fundamental *Römische Geschichte*, he did not apply the standards of the German people at the time but those of contemporary British parliamentary democracy. In his analysis of politics at the time of the Gracchi he discounted the democratic element in the Roman constitution, on the ground that their assemblies were not, like a parliament, representative of the people as a whole. Moreover, he treated the conflict between the supporters of senatorial dominance, whom the Romans called *optimates*, and the *populares*, who in fact acted through the assemblies in the popular interest, as something carried on in the Roman Senate, similar to the party conflicts between Liberals and Conservatives in the British parliament. He therefore found it easy to accept Sallust's view that Roman politics was simply an unscrupulous struggle for power between members of the aristocracy, on the ground that the elections, which gave Romans office and thereby in due course a seat in the Senate, were not contested on programmes and political principles but on personality. He clearly thought that the British parliamentary system in his day was truly representative of popular feeling. If he had written after Namier, he might have been disposed to compare the Senate to the British parliament of the eighteenth century.[16]

The Roman tradition about moral corruption and the disruption of the constitution by power-seeking demagogues was therefore quite

[15] *Considérations* (*Œuvres complètes* VII, ed. R. Caillois. Paris, 1949), chs. 8, 9.

[16] Mommsen 1854–6 (A 76) vol. IV, ch. 2; L. Namier, *The Structure of Politics at the Accession of George III*, 2nd edn, (London, 1968).

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acceptable to Mommsen, except that he believed that the political system deserved to be overthrown – both because of the oppression of peasant farmers in Italy by the rich through the monopolization of the land and the extensive use of slaves and because of inefficiency and corruption in managing the empire. He believed that there ought to have been a political struggle against the nobility and the capitalist landowners but there was not in fact, or only accidentally through the medium of the demagogues. These were too preoccupied with the *status quo* or their own aspirations within the system to make effective reforms, but they pointed the way to a revolution by their monarchic ambitions, if only they had based these on the people as a whole and not on the city-mob. In his view the Roman empire under the Republic was managed by a corrupt clique of incompetent men, whom the people were powerless to control constitutionally. This regime merited and eventually underwent a complete revolution through military force, which subjected it to a monarch, who did represent the people of the empire – Caesar.

For Mommsen the collapse of the Republic ceases to be a problem. It was simply a matter of waiting for the one perennially successful department of the *res publica*, the army, to take over. Yet this view is an outsider's view with a vengeance: in disdaining to judge the Romans in context and by standards which they themselves might have endorsed, it contrasts not only with the ancient sources but with the sympathetic views of Machiavelli and Montesquieu. The analysis is still fundamental to much historical scholarship of today, though Mommsen's successors have tried to view events more from inside and forborne to make his sweeping judgements. Their attitudes to the Republic have been tempered by the fact that even Mommsen himself came to realize that his enthusiasm for the monarchy of the Caesars was misplaced.

Mommsen's followers have tended to accept that the late Republic was a fundamentally aristocratic state, in which the democratic element was bogus – an appeal to a corrupt city-mob. They have differed in their view of the monarchic ambitions of those who tried to dominate the political process. In particular Eduard Meyer argued that, while Caesar sought to be an absolute monarch, Pompey aspired to a principate, a monarchy within the existing oligarchy, which was a precedent for Augustus. Mommsen's modernizing view of the political struggle has also been rejected. The nature of aristocratic politics was above all analysed by Gelzer and Münzer. Gelzer showed the way that the aristocracy tended to monopolize office and power through family connexions and clients. Furthermore, he explained the meaning of the terms *optimates* and *populares*: the former described the majority, sometimes even the whole, of the governing class, who defended the authority of the Senate and the *status quo*; the latter were individuals or

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small groups with little or no organization or coherence over a period, who chose to work politically through the assemblies rather than to submit to majority opinion in the Senate. This view fitted the evidence better than Mommsen's parliamentary model and accounted for the monarchic style and aspirations of leading *populares*.[17]

Münzer went further in arguing on the basis of his prosopographical inquiries that the true parties in the aristocracy were small factions based on family, which struggled for supremacy with any weapon that lay to hand – manipulation of clients, demagogy and ultimately violence and civil war. Whereas Mommsen had applied Sallust's bleak judgement on the speciousness of the values of *optimates* and *populares* mainly to the *populares* and saw them as the chief aspirants to tyrannical power, Münzer believed that the *optimates* also each sought dominance for their group in a narrow oligarchy. This approach found its most eloquent expression in Syme's *The Roman Revolution*, which applied this doctrine to the last decades of the Republic and the civil wars – a period when the prevalence of force over law makes it most plausible. Politics after 49 B.C. became patently a power struggle and that conflict was to some extent foreshadowed in the non-military conflicts of the previous twenty years. Münzer's approach has also greatly influenced the work of Badian, although he takes factional conflict to have been based on much more flexible groupings than a rigid interpretation of Münzer's work would suggest.

On the other hand historians influenced more by Gelzer, for example Strasburger and L. R. Taylor, have argued that the confrontation between *optimates* and *populares* was not entirely unprincipled or devoid of ideology: what distinguished the two groups was attitudes to political method rather than political programmes. Christian Meier in his major study, *Res Publica Amissa*, suggested that the aristocracy only used the plebs to secure its own interests or to benefit small interest-groups that were unrepresentative of the people as a whole. There was a *popularis* ideology, but it was obsolescent, since the assemblies were not the people and major issues of liberty, especially the right of *provocatio* which safeguarded the citizens from arbitrary arrest and execution, were no longer in question. Such views tend to deny any important conflict within the aristocratic political system and stress its stability. Meier indeed holds that the complexity and impermanence of political groupings in conjunction with the multiplicity of ties of dependence completely rule out the clear-cut factional struggle presupposed by Münzer and to some extent by Badian. He even suggests that the patron–client relationships of the aristocracy imported a genuinely representative element into senatorial practice. The system was brought down by

[17] Meyer 1922 (C 227); Gelzer 1912 (A 40); Münzer 1920 (A 79).

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factors which the aristocracy failed to assimilate properly, the wealthy men outside the Senate in the equestrian order and the professional armies under long-serving commanders.[18]

A still more flattering view of the late Republic has been propounded by Erich Gruen in *The Last Generation of the Roman Republic*. While accepting the thesis that the essence of politics was the struggle of family factions, he argues that they were on the whole carried out within certain limits, conventionally understood rather than constitutional, since a modicum of violence was acceptable. Only civil war endangered this system and this was the product of exceptional circumstances. From the opposite point of view the author of this chapter has argued in *Violence in Republican Rome* that it was precisely because the aristocracy tolerated a modicum of violence that the genuine conflicts between the popular leaders and the rest of the aristocracy became unmanageable and spiralled upwards into civil war.

Other historians, for example Brunt and de Martino, have returned to the theme of struggle between class-interests as the unbalancing factor. However, unlike Mommsen and his followers, they believe that this was reflected in the conflict between *optimates* and *populares*. They concede that Gelzer rightly interpreted these terms and that the men did not form organized political parties, but believe that this does not exclude the representation by the *populares* of the class-interests of the common people. The motives of the demagogic leaders are irrelevant: what matters is that they could only gain influence by satisfying genuine popular discontent. Yet to an extent these historians are at one with Mommsen in believing that the only way the discontent of the poor could effectively express itself was through civil war.[19]

Most modern interpretations share the same appreciation of what actually happened and of the legal and social background against which it happened. Historians are in agreement also that political groupings were not parties in the modern sense, even if there is no sharply defined unanimity about what they really were. There is uncertainty, however, as to how far *popularis* activity can be subsumed in the aristocratic political game or should be treated as something subversive of aristocratic dominance: what in fact did *popularis* leaders think they were doing? It has at least been rightly stressed that not only Cicero but even Sallust on occasion states that the optimate and *popularis* views of politics were genuinely opposed and irreconcilable.[20] The most unanswerable questions concern the degree of plebeian self-consciousness. It is

[18] Syme 1952 (A 118); Badian 1985 (A 1); Taylor 1949 (A 120); Strasburger 1939 (A 116); Meier 1966 (A 72).

[19] Gruen 1974 (C 209); Lintott 1968 (A 62); Brunt 1971 (A 17), 1988 (A 19); de Martino 1973 (A 71).

[20] Perelli 1982 (A 90) 25–69.

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difficult to talk of class-consciousness or a broadly agreed community of interests among the poor. We may still wonder whether the plebeians did articulate grievances and demands, whether they were generally conscious of their rights and liberties as something achieved by earlier plebeian struggles and not gifts from above: might some of them even have viewed civil wars as revolutionary activities or at least deliberate blows against their oppressors?

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CHAPTER 2

# THE ROMAN EMPIRE AND ITS PROBLEMS IN THE LATE SECOND CENTURY

ANDREW LINTOTT

Traditionally, foreign affairs come first in histories of the middle Republic, domestic politics in those of the late Republic. Yet, although developments in Rome and Italy came to overshadow all else in the fifty years after the destruction of Carthage, it is wrong to write as if the Romans, as it were, changed trains in 146 B.C. In fact Rome's expansion abroad, because of the power and wealth it created for both the *res publica* and individuals and because of the accompanying problems, continued to be the main stimulus for political changes.

Polybius claimed in passages probably written between 167 and 146 that the Romans had become masters of the world with which his history dealt. This did not mean that they administered the whole area or even that they were interested in what was happening in every part, but that ultimately they expected their will to be obeyed in matters affecting their interests here.[1] It was a hegemony that even after 146 was looser than those of the great Hellenistic powers had been in their smaller spheres of influence, but as stern or sterner when Roman power was concentrated on a particular trouble spot. The methods by which this hegemony was exercised have been discussed in the previous volume. There was fighting almost every year in one part of the Mediterranean or another, but more often than not the Romans exerted power without direct recourse to arms. In the territories administered by Rome in the West the focus was the Roman magistrate or pro-magistrate in whose province the territory was. No Roman magistrates were regularly based east of the Adriatic before 148: embassies were here the chief channel of Roman control. Foreign envoys came to winter in Rome bringing complaints from the injured and self-justification from the suspect; in the spring Roman embassies left for foreign parts to investigate problems, reconcile allies and, where necessary, to coerce.

Their effectiveness was mixed. The Romans failed to save Orophernes of Cappadocia in 157 or Prusias of Bithynia in 149; they failed to obtain for Ptolemy Euergetes II the possession of Cyprus as well as Cyrene during the reign of his brother. On the other hand, though their methods

[1] Derow 1979 (B 26); Brunt 1978 (A 18); Lintott 1981 (A 64).



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were far from attractive, they kept the kingdom of Syria weak – by burning its fleet and hamstringing its elephants after the death of Antiochus IV and later by using a pretender to harass Demetrius I, who contrary to their intentions had become Antiochus' successor. Where they believed a serious threat to their security and hegemony existed, they acted ruthlessly. Carthage and Macedonia fell victim within a few years to a resumption of serious military activity, while the Achaeans, more a nuisance than a threat, paid the penalty of defiance when in too close proximity to a Roman army. Carthage was destroyed in order to eliminate a stronghold of anti-Roman feeling and a power base which could rival Rome. So too was Corinth, not so much through fear but as a deliberate act of frightfulness to mark the beginning of a new era in Greece.[2]

In consequence, the area of direct Roman administration was increased, with Punic Africa, Macedonia and parts of Greece now directly subjected to Roman magistrates. Nevertheless, it does not seem at first sight that the pattern has changed. The embassies sent by the Romans to settle the dispute in Numidia between Jugurtha and his brothers from 116 onwards resemble those sent forty years before to stop the war between Pergamum and Bithynia. In the Roman law of 101–100 engraved at Delphi and Cnidus the senior consul is instructed, as part of a campaign to put down piracy, to write to the kings in Syria, Egypt, Cyprus and Cyrene and to give a special audience to the Rhodians.[3] Yet Jugurtha died in the Mamertine prison after Roman military intervention, while the pirates were directly attacked by Roman forces in their homeland. This intervention can be explained by asserting that Roman interests were more directly involved than, for example, in Asia Minor before 150, but this increased involvement itself requires explanation.

The spread of Roman administration to Africa in 146 and to Asia in 133 onwards (to which we will return) is clearly relevant. So too is the presence of Romans and Italians as private individuals in these areas. There is solid evidence for the settlement of Romans and Italians in Sicily and Spain; the evidence for their presence in other regions of the Mediterranean is more scattered but equally important. The family of the Rammii, for example, is now attested in Thessaly in the middle of the third century and it was surely a Roman who about 200 set up the genealogy of Romulus and Remus on Chios. Perhaps the most exotic piece of evidence is an Egyptian papyrus, dated to *c.* 200–150, recording a maritime loan for a voyage to the 'Scent-Producing Land' of the Horn of Africa. Most of those involved are Greek Egyptians, but one of the

[2] *Off.* 1.35 has Cicero's verdict on Corinth. See in general Sherwin-White 1984 (D 291) ch. 2; *id.* 1977 (D 75); Accame 1946 (D 250).

[3] Hassall, Crawford and Reynolds 1974 (B 170) 202–3; cf. Sall. *Jug.* 15; 21; 25.

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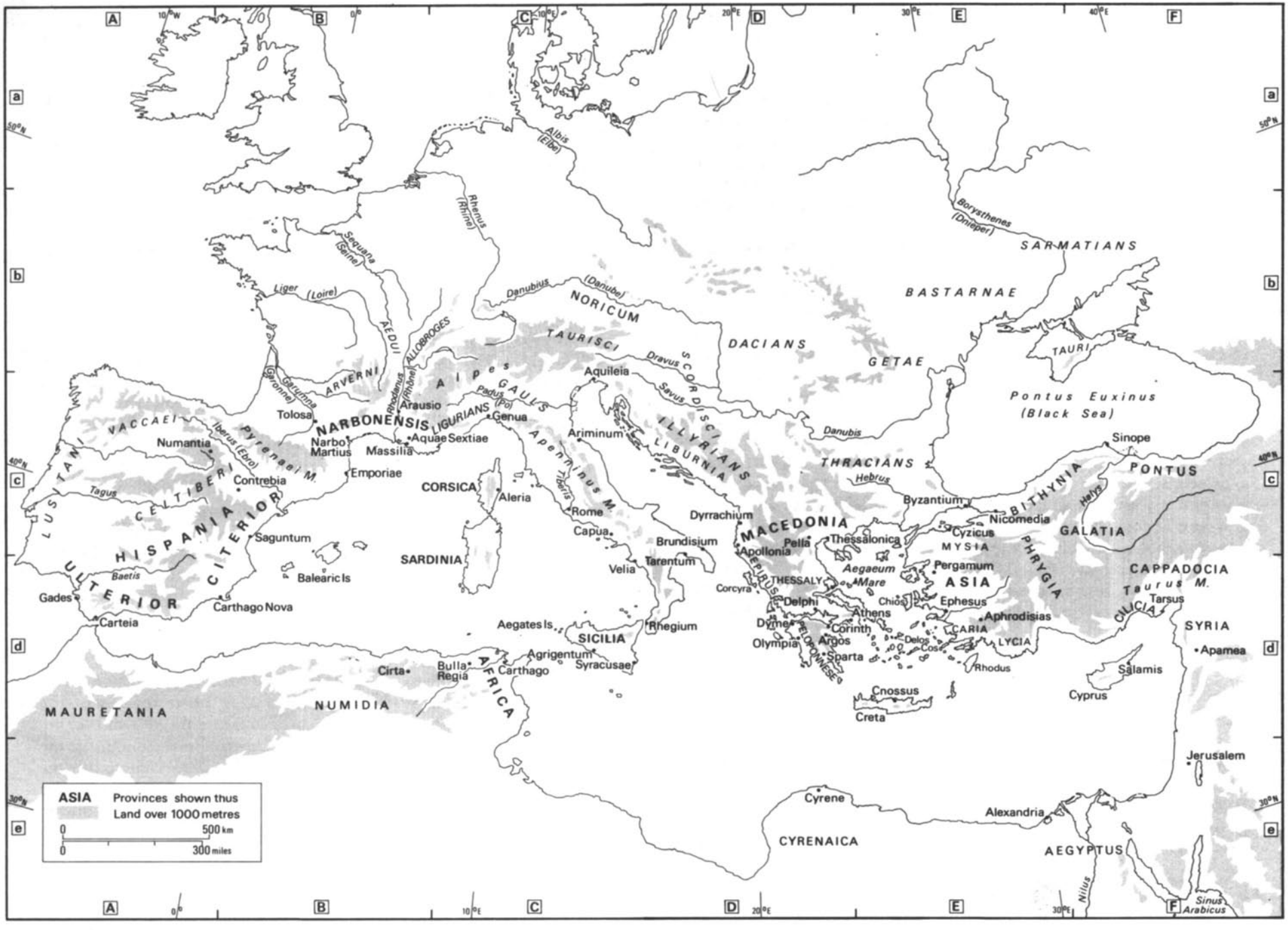


1 The Roman world about 118 B.C.

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traders is from Marseilles (Massilia), the guarantors include another Massiliot, a Carthaginian and a man from Velia in Italy, while the go-between is called Cnaeus.[4]

After 150 B.C. the evidence for the dispersion of Romans and Italians increases but the problem of quantification remains. The number of adult male Romans of Roman or Italian descent resident in Spain in 50 B.C. has been put as low as 30,000. The figures given for the massacres of Romans or Italians by Mithridates in 88 B.C. – 80,000–150,000 in Asia and 20,000 on Delos and the other Aegean islands – are likely to have been grossly inflated by pro-Roman sources (conceivably they include the slaves of Italian households). The evidence from Roman and Italian names inscribed in Greece, mainly at Delos, is sounder, but its implications uncertain. It is clear that, after Delos was assigned to Athens for administration and made a free port by Rome in 166, a number of Italians with their freedmen and slaves made Delos one of their bases for business activities or retirement. They associated in *collegia* (lodges), which maintained cults of the Lares Compitales, Mercury, Apollo and Hercules and dedicated shrines and *fora* to them. However, Delos was arguably exceptional because of its importance as a trading centre, especially for slaves. A very plausible case has been made that the Forum of the Italians – a large unpaved court with two narrow access passages, which was surrounded by small rooms and whose cult-statue had a grille to protect it – was in fact a slave-market.[5] However, even if we must renounce any attempt to measure the numbers of Roman and Italian emigrants abroad, there are two significant features of this movement, the acquisition of land abroad by Romans and Italians, particularly by men of substance, and the settlement by the community of veteran soldiers overseas, both in formal colonies and on individual plots. These will be analysed in greater detail in the regional surveys that follow.

## I. SPAIN

Spain had been one of the spoils of the Second Punic War, sufficiently important for the Romans to have increased the number of praetors to six in 197 B.C. in order to provide regular magistrates for two provinces, Citerior (Nearer) and Ulterior (Further). The two commands were separated at a point west of Carthago Nova by a boundary, which must have become more theoretical the more it extended into the partially subdued interior. Much fighting had taken place up to and including the governorship of Tiberius Gracchus (cos. 177) in 179–178. His settlement

[4] *Sammelbuch* III (1926) no. 7169.

[5] Brunt 1971 (A 16) 224–33. Cf. Val. Max. IX.2 ext. 3; Memnon, *FGrH* 434 F 22; Plut. *Sulla* 24.4; Strab. X.5.3 (486); XV.5.2 (664). Coarelli 1982 (B 276).

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of the province produced a lull until 155, when fighting was resumed against the so-called 'autonomous Lusitanians' in the west of the peninsula and spread, partly through unprovoked Roman aggression, partly through co-operation between the Spanish peoples under the leadership of Viriathus, to the Vaccaei and ultimately to the Numantines in the north. These wars, which were characterized by Roman repudiation of agreements made with the Spaniards by Fabius Aemilianus, Q. Pompeius and C. Hostilius Mancinus, ended with the siege and destruction of Numantia at the hands of Scipio Aemilianus as consul in 134. (A full account of operations up to this point is to be found in Vol. VIII, pp. 118–42.) All the Iberian peninsula except the far north-west was now subject to the Romans, at least formally. We have references to later fighting in Spain between 114 and 111 (the proconsul L. Piso Frugi being killed then), in 104–102 against the Lusitanians and from 98 to 93 against the Arevaci and Celtiberi under T. Didius (cos. 98). This last war was notorious for Didius' treacherous massacre of the whole population of Colenda, a settlement founded by his predecessor. It is significant that, as Appian remarked, these wars were not begun at times when the Romans were preoccupied in Gaul and Italy with the threat of the northern tribes.[6]

The value of Spain to the Romans, as to the Carthaginians before them, lay in its provision of auxiliary soldiers, especially cavalry and light-armed troops, grain and above all base and precious metals. Polybius stated that within a circuit of 20 stades (4 kilometres) round New Carthage there were 40,000 workers in the silver-mines, whose product was worth 25,000 denarii a day. According to Diodorus, some individual prospectors extracted a Euboic talent (6,000 denarii) in three days, and he refers to Italians who employed slave-labour and introduced more technology into the workings with elaborate underground tunnels drained by Archimedian screws. Interesting in this context is the first appearance of what we may call a Roman provincial coinage, the Iberian denarius. These are silver coins with local types and legends, but struck to the Roman denarius standard (just under 4g) and bearing the denarius sign (𐌷). They come from northern Spain, especially Osca near the Ebro and are believed to have been current from *c.* 200–150 B.C. down to Sertorius' time. It is most probable that their function was to be a convenient means for the Spaniards to pay their taxes and the Romans to pay for Spanish goods and services in return.[7] Rome had imposed general levies in goods and money on the Spaniards from 197, although

[6] App. *Hisp.* 99.428–100.437. See Lopez Melero 1984 (B 193) and Richardson 1986 (E 25) 199ff for a recently discovered inscription from Alcantara recording a surrender (*deditio*) in 104.

[7] *ILS* 8888; Polyb. XXXIV.9.8–11; Strab. III.2.10 (148); Diod. V.36–8; Richardson 1976 (E 24); Crawford 1985 (B 145) 84ff; Knapp, 1977 (B 179).

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the exactions originally would not have fallen uniformly on all subject Spaniards but only on the peoples within reach of the current Roman officials. A regular tribute was probably laid down by Ti. Gracchus (cos. 177) during his governorship in 179, but it was disregarded by some peoples and there was a reassessment in Celtiberia by M. Marcellus in 152 (the total tribute paid there was to be 3,600,000 denarii). The Spaniards were, as far as we know, the first provincials to complain about Roman injustice in these exactions (in 171): the charges included the use of military prefects to collect money, corruption in commuting grain-contributions into money and corruption in farming out a 5 per cent tax (probably a levy on sales or transit).[8]

We know little of the administration of Spain. Apart from the initial division of powers in 197, it is likely that there was a long process of giving legal recognition to Spanish communities and assigning them territory, in which the governorships of M. Cato (195), Ti. Gracchus (179–178) and M. Marcellus (152–151) were high points. We hear later of ten-man senatorial commissions assisting Scipio Aemilianus in 134 and T. Didius in the nineties. Two important linked features of the administration were Romano-Italian immigration and the creation of towns. Italica, the later birthplace of the emperors Trajan and Hadrian, was settled with Roman veterans by Scipio Africanus in 206; in 171 Carteia was founded as a Latin colony for the offspring of Roman fathers and Spanish mothers (who were not by Roman law full Roman citizens). Corduba, the creation of M. Marcellus, was probably another Latin colony, as were Palma and Pollentia, established in 123 by Q. Metellus in the Balearic islands for 3,000 Romans from Spain. Apart from full Roman citizens living in Spain, there must have been many of mixed Romano-Hispanic descent like the settlers at Carteia and the bandit-chiefs, Curius and Apuleius, who took part in the Viriathic War. Some of these were granted full Roman citizenship (perhaps after military service or a magistracy in a Latin community) and thus we find later Roman senators like Q. Varius Hybrida and L. Fabius Hispaniensis. Communities were also created for Spaniards without Roman or Latin status. About 190 L. Aemilius Paulus granted the *servi* of the Hastenses living in the *turris Lascutana* their liberty and land to occupy; Gracchus founded Gracchurris near the Ebro and later Iliturgi in Baetica; D. Brutus (cos. 138) created Valentia for Spaniards who had fought under Viriathus and also Brutobriga (see Vol. VIII², pp. 118–42).

The extent to which the demarcation of communities and the foundation or confirmation of local administrations had proceeded within fifty years of the fall of Numantia is shown by a remarkable document, which has recently come to light at Contrebia in Celtiberian

[8] App. *Hisp.* 43.179–44.183; Strab. III.4.13 (162–3); Livy XLIII.2.12.

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territory. A bronze inscription records a judicial decision by the governor, C. Valerius Flaccus, in 87 B.C. regarding a dispute over the purchase of land and water-rights involving three villages. The governor behaves like a Roman praetor in a private lawsuit, laying down a series of formulae according to which the judges, in this case the senate of Contrebia, are to judge the case. All the judges are Spanish. Yet the document is in Latin and the procedure used is a uniquely Roman one. This unparalleled piece of evidence gives a fascinating glimpse of the extent to which Roman ideas and methods were coming to prevail in Spain.[9]

## II GAUL

The southern part of Transalpine Gaul was the land-link between Italy and Spain. The Roman connexion with this area went back to their first alliance with Massilia (Marseilles), said to have been made *c.* 400 B.C. This alliance had been reinforced through co-operation during the Second Punic War, but in spite of considerable expansion in Cisalpine Gaul (Vol. VIII², pp. 107–18) – as far as Genua in the west (linked with Cremona by the Via Postumia in 148) and Aquileia in the east – there had been little Roman intervention on the far side of the Alps. In 155/4 the Massilians had asked for help against the Ligurians living in the region of Antibes and Monaco, and a Roman land-expedition led by Q. Opimius from Cisalpina secured their renewed subjection to Massilia. Excavation at native Celtic or Celto-Iberic sites on or near the south coast of France has revealed a great deal of black-glaze Campanian ware and Italian amphorae of wine and oil imported during the second century B.C. The area was thus well known to traders from Italy, though there is no sure evidence of Italians settling. The evidence of direct Roman political influence consists of two highly controversial texts: Polybius' remarks about the measuring of the later Via Domitia from Gades to the Alps may be a late addition and need not refer to events before 125 B.C., while Cicero's statement about the Roman veto on the planting of vines and olives among the Transalpine tribes comes among other assertions that have an element of folklore.[10]

Massilia's cultural influence was strong. The education she provided for leading Gauls led to their using Greek letters to write Celtic and the Greek language itself for legal purposes. She may even have purveyed agricultural and military technology. Yet her military power was by now

[9] Richardson 1983 (B 227); Birks, Rodger and Richardson 1984 (B 133). On the growth of Roman influence in Spain see Richardson 1986 (E 25) 172ff.

[10] *ILLRP* 452; Polyb. XXXIII.9–10; III.39.8; Strab. IV.1.5 (180–1); 6.3 (203); Cic. *Rep.* III.16 (accepted by Goudineau in Nicolet 1978 (A 83) II.685–9); Clemente 1974 (E 6) 19.

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relatively weak. Thus in 125 B.C. an attack on her by the Salluvii gave the Romans a reason for intervention. Fulvius Flaccus (cos. 125) and Sextius Calvinus (cos. 124) successively defeated the Ligurians, Salluvii and Vocontii and succeeded in opening a corridor of communication about a mile wide between Cisalpina and Massiliot territory, where Sextius planted a garrison at Aquae Sextiae (Aix-en-Provence) below the Celtic citadel of Entremont. Under Cn. Domitius Ahenobarbus (cos. 122) and Q. Fabius Maximus (cos. 121) these operations were extended into a conquest of southern Transalpine Gaul. The Allobroges, north of the Isère, were attacked on the ground that they were harbouring a Salluvian chief and had made war on the Aedui, who were friends of Rome. The Arverni from the Cevennes were also drawn into this conflict, no doubt because their chief Bituitus claimed supremacy over the other tribes in the area. The Gauls were comprehensively defeated at the confluence of the Rhône and the Isère (according to Roman sources, with enormous casualties) and Domitius eventually celebrated his success by riding through the new province on an elephant.[11]

As a result the Gauls as far as Toulouse were subjected to tribute; a Roman road was built along the old route from Emporiae to the Rhône; further, in 118 Domitius Ahenobarbus joined with a young orator, L. Licinius Crassus, in legislating for the foundation of the colony Narbo Martius (Narbonne), south of the Celtic settlement of Montlaurès. The subjected peoples did not rebel against Roman administration, but within a few years Roman armies suffered serious defeats by tribes from outside the province – L. Cassius by a section of the Helvetii who had migrated to Aquitania (107), M. Silanus (109), Q. Caepio and Cn. Mallius (105) at the hands of the Cimbri from beyond the Rhine at Arausio (Orange). During his campaign Caepio seized 15 million denarii-worth of uncoined silver and gold from the Celtic sacred treasuries near Tolosa (Toulouse). The area then became the base for C. Marius' defence of the empire against the Germanic tribes in 104–102, which led to the defeat of the Teutones and Ambrones near Aquae Sextiae. A by-product was the construction of the Rhône canal, whose transit-dues Marius assigned to the Massiliots as a reward for their services against the Germans.

The initial invasion could be justified by the need to protect Massilia, but the subsequent operations seem to reproduce the familiar Roman pattern of the pursuit of military glory for its own sake, while political support for the establishment of Roman power may have been furnished by Romans who had realized the economic potential of the region and wished to be able to buy land there. Fifty years after its foundation the province abounded with Roman citizens, especially businessmen. Ear-

[11] See also Livy *Per.* LXI; Val. Max. IX.6.3; Strab. IV.1.11 (185); 2.3 (191); Posidonius, Jac. *FGrH* 87 F 18; App. *Celt.* 1.7; 12.

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lier, before 85 B.C. at least, Cicero's client C. Quinctius formed a partnership there with Sex. Naevius to undertake both ranching and agriculture or arboriculture. The partnership also acquired slaves to sell in Italy, possibly in exchange for wine. There is also epigraphic and numismatic evidence for Roman immigration and influence on commerce.[12]

## III. SICILY

Agricultural exploitation is central to the history of the next province to be considered – Sicily (about events and organization in Corsica and Sardinia we have too little evidence for a worthwhile discussion). After Syracuse's defection and recapture in the Second Punic War there was no rival in Sicily to Roman administration. Though three cities had treaties with Rome and five had been declared free cities, immune from tribute, the rest paid tithes on agricultural produce according to a system once created by Hiero II of Syracuse. Some land had been confiscated – notably the rich *ager Leontinus* – and was rented out to Romans, Italians or Sicilians by the censors. We know of a colony being settled at Agrigentum (?197), presumably of ex-soldiers. Further early evidence of Italian immigration is a dedication by the 'Italicei' at the free city of Halaesa. Nevertheless the Greek part of the island was still firmly Greek, as an inscription recording the itinerary of *theoroi*, religious envoys from Delphi, shows.[13]

In our period Sicily was convulsed by two slave revolts (138/7–132 and 104–101) which are important not only in themselves but also because of the social and economic conditions that are said to have produced them. According to Posidonius,[14] the first revolt was caused by one Damophilus, a Greek owner of a large estate devoted to ranching at Henna, who provoked his slaves into killing his wife and himself as the beginning of a general uprising. The first leader was Eunus, a Syrian from Apamea with a reputation for magic and miracle-working, who assumed the royal name of Syria, Antiochus. In the south-west of Sicily near Agrigentum another leader arose, a Cilician called Cleon. Enormous numbers are ascribed to the rebels by our sources – 20,000 rising to 200,000 – though Posidonius merely puts Eunus' original force at 6,000 and Cleon's at 5,000. The slaves are said to have been partly herdsmen

[12] Road – *ILLRP* 466a. Treasure – Strab. IV.1.13 (188); Pos., *FGrH* 87 F 33. Cic. *Quinct.* 11–12. Cf. on wine A. Tchernia, 'Italian wine in Gaul at the end of the Republic', in Garnsey 1983 (G 101) 87–104; on 'monnaies à la croix' Clemente 1974 (E 6) 80–1; on inscriptions Rolland 1955 (B 235).

[13] Cic. II *Verr.* 3.13–14; 5.56; 4.123; *Phil.* II.101; *Leg.Agr.* II.57; *ILLRP* 320; Manganaro 1964 (B 197).

[14] *FGrH* 87 F 108 = Diod. XXXIV/V.2.2ff. Cf. Florus II.7.4ff. Vogt 1974 (A 123) 39–92. Second revolt – Diod. XXXVI.3ff; Florus II.7.10ff.

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and partly agricultural slaves working in chain-gangs. They received some support from the local free population, which was delighted to see the sufferings of the rich, and it was more destructive than the slaves, in that it looted and plundered recklessly, whereas the slaves did not fire or ravage the farms they hoped to use themselves. Eight commanders were involved in fighting the revolt before M. Perperna and P. Rupilius brought it to an end by recapturing Henna and Tauromenium, killing Cleon and capturing Eunus alive.

In 104 the pattern was repeated. The occasion was the attempt by the governor to implement a *senatus consultum* urging the release of citizens of allied communities, who had been forced into service as slaves in the provinces. Eight hundred men were quickly released, but Nerva then abandoned his task under pressure from the local nobility. After some sporadic outbreaks a major uprising of 2,000–6,000 men occurred at Heraclea, led by a flute-player called Salvius, who played at orgiastic religious ceremonies for women and had a reputation for divination. He was given the rank of king and the name Tryphon (held by a previous Syrian king). In the territory of Segesta and Lilybaeum the herdsmen rebelled under a Cilician shepherd, Athenion, who took a silver sceptre and purple robe and was crowned as king. As before, the free poor joined in the revolt, and their destructiveness contrasted with Athenion's care for what he thought to be his own property. Although on this occasion the towns remained secure, the slaves there were suspected of being ready to join the rebels. The praetor who succeeded Nerva in 103, L. Lucullus, defeated Tryphon and Athenion in the field, but Athenion escaped to maintain the struggle for another two years until he was killed and his supporters slowly eliminated by M'. Aquillius.

Posidonius' introduction to the first revolt has a strong moralizing tone and is carefully harmonized with his general view of decadence after the fall of Carthage deriving from the greed and lawlessness of Romans in the provinces. The rich landowners in Sicily are said to have been mostly Roman knights, who are anachronistically credited with control of the lawcourts. They neglected to clothe or feed properly the vast numbers of slaves they possessed and so turned them into brigands. In fact we do not hear specifically of any Roman slave-owners in the first revolt, although in the second revolt P. Clonius, Vettius and the Varii brothers are mentioned. Furthermore, Posidonius' picture of society in Sicily is distorted in that it neglects the Greek landowners and in particular the less wealthy proprietors who were the core of the citizen body in the Greek cities. However, it would be wrong to abandon Posidonius' view entirely and argue that these were Sicilian nationalist revolts. The oriental origins and royal aspirations of the leaders confirm what is in any case probable, that many of the slaves involved had been

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imported from the East (or their ancestors had been). Syrians were regarded as stupid, submissive and physically strong – ideal for certain agricultural tasks. Although poor Sicilians became involved, their activities were marginal and indeed contrary to the aims of the leaders of the rebels. Moreover, we have the unimpeachable evidence of a contemporary inscription, in which a magistrate operating in Italy and Sicily at the end of the first revolt claims to have rounded up and returned to their masters 917 runaway slaves of Italian owners. The success of the slaves in Sicily would have been a magnet for those working with herds or on the land in south Italy.[15]

In Sicily we see a province in which the Romans were already well established, and in which they and the rich Sicilians themselves had begun to run large estates with slave-labour both for agriculture and stock-raising. This had not eliminated traditional Greek society, but it was contributing to the tension between rich and poor, which had for centuries been a feature of Greek life, and had led to social unrest among the slaves which could spread to Italy itself.

## IV. AFRICA

After the defeat of Carthage, Scipio Aemilianus annexed to Rome what survived of Punic territory after Numidian claims had been satisfied – the land within the so-called 'royal' or 'Phoenician' trenches – while formally assigning the remaining territory to the children of king Massinissa, i.e. king Micipsa, his brothers and descendants. A ten-man commission established by a Lex Livia then arrived, and with their aid Scipio punished Rome's enemies and rewarded her friends. Carthage and other Punic cities which had remained loyal to her were destroyed, and the site of Carthage was formally consecrated; cities which had defected to Rome were granted their liberty, among them Utica, which also received additions to its territory stretching from modern Bizerta to near Carthage itself and became the residence of the Roman governor. The commission imposed tribute on all men and women who remained within Rome's new province, outside the free cities.[16] The Carthaginians, who did not flee across the border into Numidia, as some clearly did, or become members of the free cities, were apparently expected to live in villages or on individual farms.

French aerial surveys have shown that there is a gigantic system of centuriation (the characteristic orthogonal Roman land-division) with one axis running roughly north-west to south-east from near Bizerta to

[15] *ILLRP* 454. For the theory of nationalist revolts Verbrugghe 1972 (E 30) and 1974 (E 31).

[16] Pliny *HN* v.25; App. *Pun.* 54.235–6; 135.639–41; Eumachos of Naples, *FGrH* 178 F 2; lex agraria (*Bruns* no. 11), lines 79, 81.

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near Sidi-bou-Ali, which would have been entirely within the royal trenches. This is differently oriented to another which begins just south of it and includes land first annexed in 46 B.C. The former grid is therefore of Republican date and must have been the basis of the land-distribution carried out under the Lex Rubria devised by C. Gracchus and in subsequent years. It is, however, a vast scheme, whose main axis is almost 160 km. long, and the possibility should be considered that it may in part even antedate the Lex Rubria and show that the Romans assigned land to citizens or allies in this area immediately after 146, either through sale or lease by the censors, as is attested later in the Lex agraria of 111.[17] In 125 a plague of locusts caused devastation and depopulation in Africa. Two years later C. Gracchus, perhaps seeing in this disaster the opportunity for a new settlement policy, proposed through the Lex Rubria the foundation of a colony on the site of Carthage with land-assignations in the hinterland. Six thousand men were eventually enrolled, probably more than the law envisaged. The maximum allotment was 200 *iugera* (about 50 hectares), that is, a complete Roman *centuria*. Various portents were announced and alleged to show that the refoundation of Carthage was unlucky. As a result, the Lex Rubria was repealed in 121 after street-fighting and the deaths of C. Gracchus and Fulvius Flaccus. Nevertheless, a land-commission continued to operate there, allotting land to the former colonists, resettling those who had been improperly deprived of land and supervising the execution of the sales of land carried out at Rome and the leases of the censors. How many emigrants, as opposed to absentee landlords, actually received land in Africa, we cannot tell. We know nothing of any urbanization or even the creation of *fora* as meeting-places in this period: probably many immigrants resided in the free cities. Nevertheless, from then onwards the Roman presence in Africa was much more than the small Roman administration.[18]

There were also Romans and Italians in the neighbouring kingdom of Numidia. Micipsa, who had succeeded Massinissa in 148 B.C., developed a new capital at Cirta (usually identified with Constantine), at which Carthaginians, Greeks, Romans and Italians congregated, leaving Thugga to be the city of Massinissa's temple. An additional reason for the kingdom's prosperity was the exploitation of the land in the Bagradas valley and the area of Mactar, taken from Carthage by Roman arbitration in the years preceding her final struggle (Micipsa was able to send grain to C. Gracchus when he was quaestor in Sardinia in 125–124 in spite of the locust-plague). On Micipsa's death, however, *c.* 118 a crisis arose which was to become the subject of one of Sallust's historical

[17] Lex agraria, 70ff, 82–3, 85–9; Chevallier 1958 (E 3); Piganiol 1954 (E 22) Tab.I.
[18] Oros. v.11.2–5; App. *BCiv.* 1.24.102–4; *Pun.* 136.644–5; lex agraria 52ff, esp. 60–1; *ILLRP* 475.

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monographs. Micipsa was survived by two sons of his own, Adherbal and Hiempsal, and an older adopted son fathered by his dead brother Mastarnabal, Jugurtha. Mastarnabal, like Micipsa, had been reputed for his Greek culture (he had won a chariot-victory at the Panathenaia); his son was handsome, athletic and personable and had gained a good name for himself when leading a contingent of Numidian cavalry, which Micipsa had supplied to help Scipio Aemilianus at Numantia.[19] The princes found it impossible to co-operate: Jugurtha had Hiempsal murdered and drove Adherbal out of the kingdom. Adherbal appealed to the Senate, declaring, according to Sallust, that he ruled his kingdom merely as a bailiff for the Romans. In 116 a senatorial commission of ten divided Numidia, assigning the western sector, adjoining Mauretania, to Jugurtha and the more civilized sector, including the ex-Punic territory, to Adherbal. Jugurtha exploited this division to mount a new war against Adherbal, eventually defeating him and shutting him up in his capital in 112. Adherbal sent successive appeals to Rome for help. An embassy of three young men was not permitted by Jugurtha to interview him; an embassy of three senior senators summoned Jugurtha to Utica but had no more success in stopping the siege. Finally, Adherbal surrendered on the recommendation of the Italians who were helping to defend him, but both he and they were killed by Jugurtha.

These developments led to a popular outcry and the Senate resorted to war in 111 in order to enforce Jugurtha's submission to Roman power. (Jugurtha may have anticipated that this attack would come anyhow and so his actions may not have seemed to him foolishly provocative.) After some fighting, Jugurtha came to terms with the consul Bestia: he formally surrendered himself and his kingdom to Rome, but was allowed to retain his crown at the cost of a small indemnity. Suspected of having bribed the consul and his officers, he was brought to Rome under safe conduct to testify, but this was thwarted by a tribune's veto. He then contrived the murder of Massiva, son of Micipsa's brother Gulussa, whom the Senate were considering as a rival claimant to the Numidian throne. So all dealings with him were abandoned and he was allowed to return to Africa, but the Senate accepted the necessity of a military solution. Meanwhile, Jugurtha's methods and the collusion of a number of senators with him created a political crisis at Rome (ch. 3. pp. 88ff).

Sp. Albinus, the consul who resumed the war in 110, failed to get to grips with his enemy, while his brother, whom he left in charge as a legate in the succeeding winter, was trapped by Jugurtha after an assault on his camp and was forced to make a treaty. This treaty was disowned by the Senate – a procedure now familiar from Spanish precedents. In

[19] Strab. XVII.3.13 (832); Diod. XXXIV/V.35.1; Plut. *C. Gracch.* 2.3; Sall. *Jug.* 6, 7, 21, 26; Livy *Per.* L.

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109 the war was continued with increased vigour under Q. Metellus after new recruitment and intensified military training. These were also the main features of C. Marius' programme, when he obtained from the people the command in 107. While the Romans soon came to control eastern Numidia – the area immediately west and south of the province, they found it difficult in country ideal for cavalry to reduce a highly mobile enemy, who preferred ambushes and harassment to pitched battles. Marius managed to destroy a number of Numidian strongholds in operations extending to near the Mauretanian border, but his problems were compounded when Jugurtha forged an alliance with Bocchus, king of Mauretania, at the price, according to Sallust, of a third of Numidia (this allowed Bocchus to fight for the territory as his own). The war was ended by diplomacy, especially that of L. Sulla, who in 105 persuaded Bocchus to renew his old friendship with Rome and betray Jugurtha. The Romans made no territorial acquisitions: Bocchus was confirmed in his kingdom and Jugurtha's brother, Gauda, was granted Numidia, bolstered by Marius through the settlement of Gaetulian cavalry from his army in the Bagradas valley. (This is the best explanation of the fact that Uchi Maius and Thuburnica later recorded Marius as their founder; the province was not extended along the valley as the later presence of Hiarbas at Bulla Regia shows.)[20] Roman veterans were settled in the surveyed portion of the province itself and on the island of Kerkenna after a law of Saturninus in 103.[21]

The Romans had been reluctant to embroil themselves in a Numidian War but in the end they would settle for nothing short of Jugurtha's unconditional surrender and death, because they did not trust him to conform with Roman policy. Sallust ascribed the apparent feebleness and indecision in Roman behaviour down to 110 to the corruption of leading senators by Jugurtha's bribes. Modern scholars have argued that on the contrary the Romans were following a rational policy: a war in Numidia was difficult and expensive; Roman interests were best served by a strong ruler friendly to Rome and any closer involvement in Numidian affairs was counter-productive; thus it was largely popular agitation, swelled by the complaints of businessmen like those previously killed at Cirta, which led Rome into an unnecessary conflict.[22] Although there is no reason to question the fact that Jugurtha used bribery, one cannot necessarily infer from the bribe-taking that the senators' political judgement was wrong. The Romans had no forces of their own originally stationed in Africa (indeed the protection of the province depended on Numidian military support); they had little

[20] Brunt 1971 (A 16) 577–80; cf. Gascou 1969 (B 157) 555–68. Old view Quoniam 1969 (B 222); Broughton 1929 (E 2) 19, 32.

[21] *De Vir. Ill.* 73.1; *Inscr. Ital.* XIII.3 no. 7.

[22] De Sanctis 1932 (A 104) 187ff; Syme 1964 (B 116) 174ff.

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knowledge of the remoter parts of the kingdom; their forces were ill-suited to the type of campaigning required. However, the kingdom was a dependency from which they expected obedience, and Jugurtha had humiliated Roman diplomacy more seriously than Attalus and Prusias had done in Asia Minor nearly forty years before. Above all, Roman and Italian lives and property were at stake, not merely in Cirta but in the province itself where thousands of settlers had recently acquired land. The provisions of the *lex agraria* of 111 to consolidate land-assignments in Africa into a permanent pattern coincide with the beginning of military operations against Jugurtha. Money from rents and purchases was due to the treasury; credit depended on confidence that the western frontier of the province was secure. There were clearly Romans in Africa eager to draw profits from Numidia: apart from the businessmen massacred at Cirta, we may suspect the knights in the Roman army, who were friends of Marius, of having this object in view. However, new economic exploitation was not the motive of the Roman government: the war was rather the assertion of authority and the protection of investment.

## V. MACEDONIA AND GREECE

After half a century of trying to control at arm's length events on the far side of the Adriatic, the Romans began to maintain there permanently a magistrate and troops. The story of the defeat of Andriscus and the Achaean League has been told elsewhere (Vol. VIII², pp. 319–23). Its sequel was the establishment of a new province in Macedonia in 148/7 and the addition to it of a considerable part of Greece in 146/5. Macedonia had already been made subject to tribute in 167, when it was organized as four independent republics. These regions (*merides*) were still the basis of Roman administration under the Principate, while the cities themselves were supervised now, as under the Macedonian kings, by boards of *politarchai*.[23] The border of Macedonia was extended to the river Hebrus, and this became the terminus of the Via Egnatia, which ran from two starting-points on the Adriatic, Apollonia and Dyrrachium, across the mountains to Pella and Thessalonica and then eastwards towards the Hellespont. Its construction, no doubt following the track of earlier royal routes, was undertaken sufficiently early in the province's history to be known to Polybius and a milestone of a Cn. Egnatius C. f. has been recently found near Thessalonica (conclusively disproving the odd theories about the origin of the name of the road to be found in standard reference works).[24]

[23] Livy XLV.18.6–7; 29.5–10; 30.1; Acts 16:12; Cormack 1977 (B 143); Koukouli-Chrysanthaki 1981 (B 180).

[24] Polyb. XXXIV.12.2a–8; Strab. VII.7.4 (322–3); fr. 48; *AE* (1973) no. 492; Walbank 1985 (B 254).

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One revolt by a pseudo-Philip was suppressed by a quaestor *c.* 140. Much of the efforts of the governors was devoted to fighting the Thracians to the north and east of the province and extending Roman influence in these areas. M. Cosconius fought a war *c.* 135 and received an embassy from the city of Cyzicus in Asia requesting protection. Q. Pompeius was killed fighting Gauls, probably Scordisci, in 119, but his quaestor T. Annius successfully protected the province against invasion. C. Cato was defeated in 114, but this was compensated by the victories of M. Livius Drusus (cos. 112) and M. Minucius Rufus (cos. 110). Then in 102–101 T. Didius won further victories against the Thracians, and the Cnidus fragments of the Roman law about the provinces show that a new territory, the Caenic Chersonese, east of the Hebrus had been formally annexed to the province.[25] This shows the tendency of Roman power here to expand towards the Hellespont, like that of the former Macedonian kings.

The Achaean League had revolted in 147 in reaction to Roman instructions that Sparta, Corinth, Argos and Orchomenus should be separated from it. Sympathy and support had come from Thebes and Chalcis. The settlement imposed by L. Mummius after the rebellion had been crushed was in part a reprisal, in part an effort to ensure that there should be no further uprisings. Cicero states that Mummius destroyed Corinth and subjected many cities of Achaea and Boeotia to the *imperium Romanum*. According to Pausanias, Boeotia had to pay an indemnity to Heraclea and Euboea, as did the Achaeans to Sparta. Moreover, the league councils of the Achaeans, Boeotians and Phocians were dissolved, tribute was demanded and oligarchic governments imposed.[26] Greece did not have a governor of its own until the Principate, but it is clear that in the late Republic regions of Greece were administered and taxed by the Romans. A fragment of an inscription with a proconsul's letter addressed to the Guild of Dionysiac Artists refers to a province and another area 'which they rule'. These are plausibly restored as Macedonia and Greece respectively.[27] On a newly discovered stone there are instructions by L. Mummius and Q. Fabius Maximus relating to the Dionysiac Artists in Macedonia, Boeotia and the Peloponnese.

The territory of Corinth became Roman *ager publicus* and was being surveyed with a view to sale or settlement at the time of the Lex agraria of 111. The same thing is probably true of the land of Chalcis and Thebes, cities also destroyed by Mummius. A *senatus consultum* of 78 B.C. rewarding Greek sea-captains refers to the leasing by the censors of Euboea and here in 85 Sulla gave 10,000 *iugera* as a reward to the

[25] *MRR* I, years 143, 135, 119, 112, 110, 101; Hassall, Crawford and Reynolds 1974 (B 170) 204.
[26] Paus. VII.16.9–10; Cic. II *Verr.* I.55; Accame 1946 (D 250) 16ff.
[27] Sherk 1984 (B 239) 44, cf. Dittenberger, *SIG* 683, lines 64–5.

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Mithridatic general, Archelaus. Oropus too seems to have been leased by the censors before Sulla's time. Epigraphic evidence also confirms the installation of oligarchies. In the documents of Peloponnesian cities under the new order we no longer have references to the council (*boule*) and popular assembly (*demos*) but to the magistrates and *sunedroi*. In one city, Dyme in Achaea, there was a rising against the newly appointed oligarchic government during the governorship of Fabius Maximus. The rebels had burnt the town hall with its records and proposed laws 'in defiance of the constitution given by Rome to the Achaeans' – perhaps including the cancellation of debts.[28]

After a short while the Romans abolished the indemnities and restored both the councils of the leagues and the rights of Greeks to hold land in other cities. This is perhaps attested in the epigraph of an honorific statue at Olympia set up to their commander by Achaean cavalrymen who had served under a Domitius Ahenobarbus (probably in the conquest of southern Gaul). Civic administration continued both in the regions annexed by Rome and the cities like Athens and those of the Thessalian League which were free from Roman burdens. However, intervention by the Roman governor occurred in matters affecting the free as well as the subject cities, for example in the long-running dispute over the privileges of branches of the Guild of Dionysiac Artists. The mixture of dependence and independence is well illustrated by the way that Attic tetradrachms and Macedonian tetradrachms adapted by the Romans from a type used by Philip V and Perseus became standard coinages.[29]

## VI. ASIA

In 146 between Greece and the Parthian empire centred on Iran there lay kings, cities and peoples, who were to a great extent nominally friends and allies of the Roman people, without necessarily being friends of each other. In 133 the situation changed sharply, when Attalus III of Pergamum died while still comparatively young and without an obvious natural successor and his will in favour of the Roman people came into force. The Pergamene side to the story has been told already (Vol. VIII², pp. 373–80); its implications for Roman domestic politics will be tackled in the next chapter (pp. 68, 79). Our present concern is its contribution to Roman empire-building. It is first important to notice that Tiberius Gracchus' proposal about the cities and the revenues of the kingdom implies an expectation that the windfall would be accepted (if it had not been accepted already). Through the will the royal lands became

[28] Lex agraria 96–7; Cic. *Leg. Agr.* 1.5; S.C. de Asclepiade (*Bruns* no. 41) 6, 23; Plut. *Sulla* 23.4–5; *SIG* 683, 15; 735–6, *passim*; Sherk 1984 (B 239) 43 (now probably to be dated to 145 B.C.).

[29] *SEG* 15 (1958) no. 254; Sherk 1984 (B 239); *SIG* 704–5; 729; Crawford 1985 (B 145) 115ff, 152ff.

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the public property of the Roman people, while the cities were made autonomous, freed from tribute and indeed assigned territory for revenue. A decree of Pergamum, passed before the ratification of the will was known, shows the city distributing its citizenship rapidly to soldiers, subject peoples and foreigners in the town and its associated territory, in order to forestall any protest that this provision in the will was being ignored. It seems unlikely that at the time the Pergamenes knew that Gracchus planned to legislate about the cities. In the event in spite of Gracchus' murder the will was adopted and there was a nationalist reaction under Aristonicus, a bastard son of Eumenes II.[30]

Aristonicus received support from some cities, who presumably had not profited sufficiently from the will, and from slaves, for whom he is said to have created a new city or citizenship as members of the City of the Sun (Vol. VIII², p. 379). He was resisted by the forces of neighbouring kings, including Nicomedes II of Bithynia and Mithridates V of Pontus, and the remaining cities. A Roman commission of five, sent out to settle the kingdom, was replaced by consular commanders with armies. P. Crassus (cos. 131) was defeated and died. His successor, M. Perperna, was victorious and captured Aristonicus, but he too died and the settlement of Asia fell to M'. Aquillius (cos. 129) and a senatorial commission of ten. It was a slow process, involving the reduction of a number of rebellious cities and strongholds (an inscription shows fighting in Mysia Abbaitis and probably in Caria) and the building of roads. Aquillius eventually triumphed at Rome in November 126, having become the recipient of a religious cult with a priesthood at Pergamum.[31]

The nature of his settlement is not so clear, nor was it immediately ratified, since it was still the subject of debate and legislation about the time of C. Gracchus' tribunates (124–122). Much of Greater Phrygia was originally conceded to Mithridates V of Pontus; Nicomedes II of Bithynia also hoped for concessions. The Lycian League remained autonomous allies of Rome, as did many cities in Caria and in the Pergamene kingdom proper, e.g. Pergamum, Ephesus, Laodicea-on-Lycus, Aphrodisias. Over the revenues extracted from the province there is unsolved controversy. On the one hand it is certain that Rome drew rents from the leases of the public (once royal) land, leases which may have in part been taken up by Roman citizens. For the rest it is alleged in a speech attributed by Appian to M. Antonius in 42–41 B.C.

[30] Strab. XIV.1.38 (646–8); Plut. *Ti. Gracch.* 14.1–2; *OGIS* 338; other sources in *Greenidge–Clay* 11–12, 17–18; Robinson 1954 (B 234); Vogt 1974 (A 123) 93–102.

[31] *IGRR* IV.292; *ILLRP* 455–6; Holleaux 1938 (B 174), cf. *Bull.ep.* (1963) no 220; (1984) 349–52, 384; Dakaris 1987 (B 147) 16–17 – dedication by three Cassopeans who served in war-chariots under Perperna. J. and L. Robert, *Claros* I, *Les décrets hellénistiques* (Paris, 1989).

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that the Romans had rescinded the taxes which they paid to Attalus, until demagogues arose at Rome and with them the need for tribute. This is apparently confirmed by the fragment of the speech of C. Gracchus against the Lex Aufeia, a law which seems to have been enacting Aquillius' settlement, since in this speech Gracchus claims to be increasing Rome's revenues and defending the welfare of the Roman people. Against this, an inscription partially preserving a *senatus consultum* relating to disputes in Pergamene territory refers to the farming out of the revenues of Asia and to the decision of a magistrate about land in a dispute probably involving tax-collectors (*publicani*). A consul, M'. Aquillius, is mentioned in the decree. If he is the consul of 129, then we have evidence for the collection of revenues near Pergamum before C. Gracchus, but, if he is the consul of 101, the argument collapses. It is likely in view of their general practice that from 129 the Romans at least drew revenues from transit-dues (*portoria*) in Asia and imposed an indemnity or tribute on the cities that had sided with Aristonicus, in addition to the rents on public land.[32] Then C. Gracchus enacted that the collection of direct and indirect taxes in Asia should be farmed out to *societates* of *publicani* at an auction in Rome, and it seems probable to the present writer that this formed part of a general overhaul of Asiatic taxation in the interest of increased income. The desire to extract the maximum profit from Asia was not, however, confined to so-called demagogues. When Mithridates V died, the Romans reannexed Phrygia at the expense of his son.

In the years that followed a great number of Romans and Italians migrated into Asia, even if we discount the more exaggerated figures given for those massacred on Mithridates VI's orders. Not surprisingly, there were arguments over taxation. Apart from the issue at Pergamum (mentioned above) we have epigraphic evidence of a long-running dispute between Priene and the Roman tax-collectors over the exploitation of salt-pans. Businessmen spread into neighbouring kingdoms. Nicomedes III of Bithynia complained, when asked by Marius for military aid in 104, that Romans had taken his subjects as slaves. This in turn led to greater public involvement in politics and strategy in Asia Minor. The Delphi–Cnidus law about the provinces of 101–100 was concerned not only with the elimination of piracy but with the consolidation of Roman rule in the East. The province of Asia now extended to include Lycaonia and there is a reference too to Pamphylia. Cilicia had been made a praetorian province, presumably as the centre of

[32] *IGRR* IV.1692; *ILLRP* 174–7; Reynolds 1982 (B 226) 6ff; App. *BCiv.* V.4.17; *ORF* no. 48, fr. 44; Sherk 1984 (B 239) 12; Mattingly 1972 (B 200). An inscription from Ephesus of Nero's reign shows how the Romans adapted the Attalid system of taxation, especially in relation to *portoria*, Engelmann and Knibbe 1989 (B 150).

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campaigning against the pirates. Meanwhile Didius' operations in Thrace had led to the province of Macedonia almost stretching to Byzantium.[33] Roman physical power surrounded the Aegean and was penetrating further into Asia Minor than at any previous time, further than in the aftermath of the defeat of Antiochus III at Magnesia in 190. The irony was that the submissive Seleucid and Egyptian kingdoms – the basis of Rome's indirect rule in the East – were at this time insecure, while beyond the Halys and the Euphrates new challengers to the Roman empire, Mithridates VI and the Parthians, were building up their power.

## VII. MILITARY STRENGTH AND THE EMPIRE

The foregoing survey has largely been concerned with what was from the Roman point of view the credit side of the empire – territorial expansion and public and private advantages that accrued from it. The consequent problems in Rome and Italy will be the subject of the next chapter. However, it is appropriate to consider here one particular item on the debit side of the balance sheet, the demands made on the Roman army.

Immediately after the Third Macedonian War the Romans did not have to maintain as many men under arms as in the preceding period of conquest, but this changed from 149 onwards and requirements reached a new peak in the last decade of the century with the coincidence of the Jugurthine War, the great invasions of the northern tribes and some campaigning in the East. Up to her defeat at Arausio in 105 Rome needed at least eight legions and in 101 at least twelve were probably in service, as many as at any time since the Second Punic War. The burden fell in theory on those with property (*assidui*). Those below the minimum property qualification – the *proletarii* or *capite censi* – were not normally liable for service in the legions, though they could serve in the fleet and in an emergency (*tumultus*), when the city of Rome's own safety was at stake, they had since the time of the war with Pyrrhus been drafted and armed as legionaries. Some may have gone with Scipio Aemilianus to Numantia in 134. Marius is known to have enrolled volunteers from the *capite censi*, when reinforcing the African legions in 107. He would have been doing nothing abnormal, if he had continued to recruit *capite censi* in the crisis caused by the German threat in 104 onwards, and not only volunteers but conscripts.[34]

Difficulty in recruiting soldiers is directly attested by resistance to levies for the Third Macedonian War in 171 and later and for Spanish

[33] *IPriene*, no. 111; Diod. XXXVI.3; Hassall, Crawford and Reynolds 1974 (B 170) 201–4.
[34] Brunt 1971 (A 17) 394–415, 430–1; Gabba 1976 (C 55) 2–19.

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Wars from 151 onwards. It is also indirectly attested by the reduction of the minimum property qualification from the 10,000–11,000 *asses* – attributed to the system of Servius Tullius, but in fact deriving from the Second Punic War – to the 4,000 *asses* known to Polybius. (Rich has raised serious doubts about whether the figure of 1,500 *asses* attributed to the Servian constitution in Cicero's *De Republica* can in fact be taken as the property qualification current in 129.) Scipio Aemilianus was forced to seek volunteers for his Numantine campaign in 134. C. Gracchus legislated to prevent the enlistment of under-age soldiers. In 109 the Senate felt it necessary to annul previous legislation which, it held, damaged Rome's war-effort by limiting conscription. It is not certain how far the problem arose from the numerical shortage of *assidui*: the problem was at least compounded by the reluctance to serve of those available and fit to fight.[35]

However, the recruitment problem was not all: the record of the army in the field was not beyond reproach. The early débâcles against Jugurtha may be put down to corruption and poor leadership. Yet there were a series of disasters and near-disasters in the fighting on the northern frontier – Sex. Pompeius in Macedonia in 119, C. Cato in Thrace in 114, Cn. Carbo in Norican territory in 113, M. Silanus in the Rhône valley in 109, L. Cassius on the west coast of Gaul in 107, Q. Caepio and Cn. Mallius at Arausio in 105. These failures and the patchy record of the army in Spain in the Viriathic War earlier cast doubt not only on the quality of the generals and their troops but on the tactical effectiveness of the Roman army. Apart from the change in recruitment, our sources ascribe to Marius some limited changes in military practice. The eagle became for the first time the chief legionary standard; light-armed troops ceased to use *parmulae* (small round shields); the *pilum* (a throwing spear) was fitted with a weak rivet, so that the shaft drooped from the head on impact, thus hampering the man hit and preventing the weapon from being immediately reused; soldiers were expected to carry more of their own equipment over their shoulders on a special fork-shaped carrier. No one mentions a major change in tactical organization. Yet the form of the Roman army did change fundamentally between the middle Republic, for which we have detailed evidence from Polybius and to some extent from Livy, and the time of Caesar's Gallic War, when Caesar himself provided authoritative descriptions of the army's operations. Modern scholars have tended to ascribe the decisive change to Marius, partly on account of his reputation as an innovator and of the challenge of the Germanic invasions, partly because what are on our

[35] Livy 1.43.8; Dion. Hal. *Ant. Rom.* IV.17–18; Polyb. VI.19.2; Gell. *NA* XVI.10.10; Cic. *Rep.* II.40; Plut. *C. Gracch.* 5; Asc. 68C; Rich 1983 (C 121); Hopkins 1978 (A 53) 35ff for calculations of the proportion of young adults that were required for conscription.

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evidence the last traces of the old system can be found in Sallust's *Jugurtha*.[36]

The legion known to Polybius was already a complex military machine, as sophisticated as the Hellenistic formations it defeated, and far removed from the majority of the hoplite phalanxes of the classical Greek world. It was subdivided into three ranks, which each contained ten maniples; a maniple had two centurions and 100–200 men, depending on the rank to which it belonged. The first two ranks, the *hastati* and *principes*, were equipped with body-armour and one-metre-high convex shields (*scuta*), throwing-spears (*pila*) and Spanish swords (*gladii*). The third rank of *triarii*, the heavy infantry, who were only half in number of each of the first two ranks, had the heavy thrusting-spear (*hasta*) in place of the *pilum* but were otherwise equipped in the same way. Each rank had 400 light-armed troops (*velites*) assigned to it, who had no body-armour but a helmet and carried a sword, javelins and a light shield. The youngest recruits were made *velites*; then the ranks of *hastati*, *principes* and *triarii* were filled in ascending order of age. The most experienced, the *triarii*, were understood to be the last line of defence. At the beginning of the levy 300 cavalry were recruited from Roman citizens to be associated with each legion. There was thus variation in equipment between and even within ranks, and considerable flexibility and mobility, which appeared to best advantage in hilly country and over rough ground. Furthermore the small divisions of the army made it well suited for attacks over a small front or flank-attacks. In these respects Polybius judged the legion superior to the Macedonian phalanx, which was invincible in the right position on suitable terrain but cumbersome and vulnerable from the flank and rear.[37]

By Caesar's time the system of separate ranks differentiated by age and arms had disappeared, though the names (e.g. *hastatus*) were still used to distinguish centurions. Romans were no longer recruited as light-armed troops into legions: this function was performed by allied auxiliaries organized in separate units. Similarly Roman cavalry had been entirely replaced by the allied cavalry, mainly from Gaul, Spain or Numidia, which Rome had been using since the Second Punic War. Within the legion itself the tactical unit was the cohort of about 400–500 men, which was also used independently in minor operations. It is easy to understand why the Romans substituted more effective allied cavalry and light infantry for their own, especially if they were short of manpower. The changes in the heavy infantry are a greater problem. In fact we find cohorts attested in Polybius' and Livy's accounts of Spanish campaigns before 190 and such units were used, according to Frontinus, in Spain

[36] Kromayer and Veith 1928 (A 59) 299ff, 376ff; Marquadt and Wissowa 1881–5 (A 69) II.432ff.
[37] Polyb. VI.19ff; XVIII.27–32; Livy VIII.18.3ff; Rawson 1971 (B 93) 13–31.

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later in the second century. Yet camps outside Numantia were still organized in manipular sections. The last positive evidence for the *hastati*, *principes* and *triarii* functioning as separate ranks is in Sallust's account of Metellus' battle against Jugurtha at the river Muthul, but shortly after this passage we find both Metellus and Marius using cohorts as their tactical unit. *Velites* still appear in this war and indeed are said by Frontinus to have been used by Sulla at Orchomenus in 86.[38]

It has been argued that the evidence suggests a more gradual introduction of the cohort, and that this can be explained in part by the requirements of campaigning in Spain, where a number of self-sufficient detachments were required, in part by the need to have a more solid basic unit in pitched battles when confronting the concentrated charges of Celts or Iberians; the process was then completed by Marius in order to create a suitable defence against the Cimbri. This is more convincing than simply to explain the change as a sudden response to the German threat, but perhaps is itself not quite sufficient. In one sense the formation of the legion becomes less complex and sophisticated. The challenge of the great Hellenistic armies was absent after Pydna. Meanwhile the army suffered a shortage of recruits and, more important – to judge from Marius' efforts in 107 – a shortage of experienced men re-enlisting. Instead men formerly *capite censi* were pressed into legionary service. The grading of ranks by age would in these circumstances have become inappropriate and the specialization of the *triarii* in the use of the *hasta* a luxury. The soldiers may well have become man for man poorer soldiers through lack of battle experience and this in turn may have made the maniple too small to be secure as a unit. Marius still deserves credit as a reformer, but as one who brought to a close a period of evolution, which was as much a decline in Roman fighting-power as a response to new challenges. Faced with an army which was becoming less differentiated, skilled and disciplined, Marius made a virtue of uniformity by training every legionary properly in one repertoire of skills.

[38] Sall. *Jug.* 46.7; 49.6; 54.3; 55.4; 56.4; 100.4; 105.2; Frontin. *Str.* II.3.17; Keppie 1984 (A 57) 46–50, 63ff; Bell 1965 (C 22); Schulten 1927 (B 316) III.134ff.

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# CHAPTER 3

# POLITICAL HISTORY, 146–95 B.C.

ANDREW LINTOTT

Roman morality and political harmony were at their height, wrote Sallust, between the Second and Third Punic Wars. After this came the evils that accompany prosperity – strife, greed, ambition and the pursuit of ascendancy by powerful men.[1] The inadequacies of this kind of explanation and of the precise dividing line drawn here by Sallust were discussed in chapter 1 (pp. 7–9). In spite of this there is no doubt that the razing of Carthage introduced an era of political crisis, whose antagonisms recalled the dimly remembered struggles of the early Republic and brought into question the stability of the constitution which Polybius admired.

Polybius thought that the common people were wronged through the greed of some men and given a false sense of importance through the ambitions of others. These exploited the truculence and recklessness of the poor in order to dominate the constitution and created what was in name democracy but was in fact mob-rule. Modern scholars are in general reluctant to recognize so dramatic a change, at least in Polybius' lifetime. The present writer has argued in an earlier book that the violence of the late Republic should not be regarded as the result of a sudden reversal of Roman values but the re-emergence of long-standing attitudes and conflicts, which had been temporarily suppressed by political prudence and the profits from success abroad. On the other hand, it is not excessively superficial to look to the personalities of men like the Gracchi and see in their imagination and resolve the initial moment of a new political process. However, this can only be done when we have discerned how much of the late Republic was already present in that middle period renowned in Sallust's eyes for its moderation.

## I. THE ROMAN CONSTITUTION IN THE SECOND CENTURY B.C.

Aristotle would have treated the Roman constitution either as a mixture of the basic forms of constitution (monarchy, oligarchy and democracy), as Polybius did later, or else as one of the more moderate forms of

[1] Sall. *H.* I.11M.



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democracy, close to the ill-defined border he drew between this and moderate oligarchy. The Roman body politic was not completely in the power of either rich or poor; all citizens to some extent participated in politics, but the law was sovereign, and the few offices were only available to those with a property qualification. The social basis of the constitution was in theory a class of farmers, rather than the manual workers and tradesmen in the city.[2]

In its early years the Republic was a broad oligarchy, whose hereditary aristocracy sought to justify its dominance of office and policy by appealing to assemblies of men who formed its supreme military arm – the heavily armed soldiers of the *classis*, that is, the Roman equivalent of the hoplite phalanx. The struggle of the plebeians with the patricians led not only to a change of balance in the relationships of the primitive constitution, but introduced a new element which, in spite of clever grafting, was never fully reconciled with the ethos of the dominant class. The aristocracy was opened to outsiders; the importance of the assemblies as the source of authority and of rewards and penalties was more strongly asserted; indeed the written laws passed by assemblies came to supersede aristocratic traditions even in such reserved fields as religion. All this lay within the framework of the original constitution. However, the poor also acquired their own spokesmen and magistrates (the tribunes and aediles of the plebs) and their own assembly (the *concilium plebis*). Moreover, through collective physical action and the guarantees of support that they gave to their tribunes, they achieved protection against arbitrary treatment by magistrates. This protection against summary physical punishment through execution and flogging, called *provocatio*, became enshrined in law (the first law was probably of 300 B.C.). Similarly, the existence and functions of the tribunes themselves became accepted as a constitutional fact from the time of the Twelve Tables onwards. This process culminated in the Lex Hortensia of 287 B.C., by which *plebiscita* were given the force of laws without further ratification. The tribunes thus achieved the right to legislate and prosecute in their own assemblies, and their physical inviolability (sacrosanctity), which the plebs had originally sworn to uphold, allowed them not only to defend the persons of individual citizens (*auxilium*) but to impede actions by other magistrates (*intercessio*) and so veto their taking effect.[3]

Such was the process of natural growth, which produced Rome's mixed constitution. This constitution, however, in Polybius' view, was still dominated at the time of the Second Punic War by its aristocratic element, the Senate – by contrast with Carthage, which had already passed its zenith and allowed the common people too much influence in

[2] Arist. *Pol.* 1291b–1293b; 1266a; 1279b. [3] Bleicken 1955 (F 24); Lintott 1972 (F 102).

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deliberation.[4] In fact, not only the oligarchic element in the Senate, but the monarchic element in the magistracies played an enormous part. Rome's executive in the second century B.C. was to be found in eight annually elected senior magistrates (two consuls, six praetors) supported by those ex-consuls and ex-praetors whose annual term had been prolonged in service abroad. Among junior officials, the aediles looked after the fabric of Rome itself and the administration of life there. Quaestors were assistants to senior magistrates or in some cases had independent, mainly financial, functions. There were also elected boards to administer the mint, city police-work and from time to time the distribution of land. The censors every five years reviewed the size and class-structure of the citizen body and regulated certain aspects of state income and expenditure.

The senior magistrates were granted immense discretion in the fighting of wars and the government of subject peoples, limited only by the possibility of prosecution once they left office – a real threat, but one which could be frustrated, as is shown by Servius Galba's escape from charges of brutality in 149 and the acquittals between 138 and 123 in the first four cases known to us *de repetundis* (concerning the recovery of money illegally extracted from allies).[5] The authority exercised by Roman magistrates abroad is exemplified by the fact that it was Scipio Aemilianus himself as proconsul, who after the defeat of Carthage in 146 drew the line which was to separate Roman territory from that assigned to the descendants of Massinissa (p. 27). Although senior magistrates did not have such arbitrary powers in the domestic field on account of the potential opposition of tribunes, the legal framework of political activity and the tradition of consulting the advice of the Senate, it required the initiative of a senior magistrate or a tribune to set in motion legislation or a policy in administration. The Senate could not meet without being convened by a consul, praetor or tribune, nor could the formal and informal meetings of the people required for legislation.

Voting in assemblies decided who should hold office and what laws should bind the *populus Romanus*, but this democratic sovereignty was so heavily nuanced in practice that historians have tended to react excessively and completely underrate the popular element in the constitution. The organization of the military assembly (*comitia centuriata*), which elected consuls and praetors, has been described in Vol. VIII², pp. 198–204, 337–8, 440–3). In its revised form, dating from the late third century, the knights (*equites*) and the wealthiest of the five other classes had a disproportionate influence, to the extent that in a closely contested consular election with three front-running candidates for two places the result would probably have been decided early in the returns of the third

[4] Polyb. VI.9.10–12; 10.12–14; 51.3–8. [5] Lintott, 1981 (F 104) 166–7, 173–5, 209.

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class, the fourth and fifth being effectively disfranchised. The divisions within the classes by tribes (the regional voting-districts used to form the centuries whose decisions were the component blocks in the election) favoured those with a country domicile against those from the city of Rome itself. There were thirty-one rural tribes to four urban. (The votes of freedmen were confined by 146 B.C. to the urban tribes, though this restriction had been removed for a period in the early second century.) However, this imbalance was modified to some extent by the fact that seventeen of the rural tribes had territory within a day's journey from Rome. Moreover, migration to Rome would have already entailed that many of those living there were registered in a rural tribe. The tribal assemblies – the *comitia tributa* and the *concilium plebis* – voted simply with the thirty-five tribes as their component blocks. Thus in these assemblies, where the greater part of legislation took place, there was no clear bias towards the wealthy.[6]

Nevertheless, assemblies might be unrepresentative for a more circumstantial reason – the scanty attendance of men from distant voting-districts, perhaps two-thirds of the total Roman citizen body at the time. Attendance from such areas was expected and indeed organized by politicians, in whose interest it was, for major and predictable events, like the consular elections, or an important bill. For instance, C. Marius solicited support from the country areas as well as the town before his election in 108. Votes on legislation occurring at irregular intervals during the year, however, could not be expected to command consistent support, especially as they might clash with local preoccupations. Ti. Gracchus got countrymen to come and vote for his agrarian bill, but was unable to mobilize them again to vote for his re-election to the tribunate, because it was harvest-time.[7] Politicians canvassed before elections – traditionally over three market-days (*nundinae*). Similarly they presented bills to informal gatherings (*contiones*) before formal legislation in a duly convened assembly (in 98 it was laid down that the publication of a bill must extend over at least three market-days prior to legislation). However, *contiones* were not occasions for general debate. They must have resembled rather a public meeting held by a candidate for election in contemporary democratic countries. Citizens who were not magistrates had a right to speak, but no doubt these were members of the governing class. The audience would have been usually small (*contiones* often met in the Comitium – a small open-air auditorium outside the senate-house) and there were on occasion competing *contiones* in the Forum.

Nevertheless, in the second century B.C. the assemblies decided not only on alterations in public and private law but on major policies over a

[6] Taylor 1960 (F 156); 1966 (F 157). [7] Sall. *Iug.* 73.6; App. *BCiv.* 1.14.58–9.

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wide range of issues. Such issues were citizenship, colonization and public land, finance (including taxation, coinage and interest-rates), religion, social matters, for example the restraint of conspicuous luxury in sumptuary laws, and in foreign policy the making of war, peace and treaties. Assemblies were also used to conduct political prosecutions, especially by tribunes and aediles, though the procedure was cumbersome and in capital cases according to a law of the Twelve Tables the final vote had to be held in the *comitia centuriata*. However, the *populus Romanus* did not on the whole concern itself with the details of administration, especially of war and foreign policy, and in this it differed widely from the assembly of classical Athens.

As we have noticed in chapter 1, scholars since Mommsen have been inclined to treat the assemblies as institutions manipulated by the aristocracy or at least by individual aristocrats. Of course, even the Athenian assembly fell under the sway of its leading politicians, and once it is granted that a Roman assembly had a choice between following a Fabius and following a Cornelius Scipio or between a Scipio and the rest of the aristocracy, then it has a genuine power of decision. There was, however, one particular way in which a Roman voter was subject to pressure from the aristocracy until the beginning of this historical period. The Lex Gabinia of 139 introduced for the first time secret ballot into elections; there followed a series of laws extending this right – the Lex Cassia of 137 about non-capital prosecutions, the Lex Papiria of 131 about legislation and the Lex Coelia of 107 about capital prosecutions. A notorious passage of Cicero argues that previously open voting had allowed the authority of the 'best men' to have its greatest effect. The presiding magistrate and his polling officers (*rogatores*) would have been especially well placed to exploit this, but pressure and intimidation from other quarters was possible and in fact continued after the introduction of secret voting.[8]

In the middle Republic the *fasti* show many instances of the succession of one member of a family by another in the consulship, for example the Postumii and Popillii Laenates in the years 174–172, and there are texts attesting the importance of the presidency of electoral assemblies. Yet the presiding magistrate did not always have his way, or else he had to resort to extreme measures for success. Appius Claudius (cos. 185) was alleged to have used force to get his brother elected for 184. By contrast, the pursuit of popular favour (*ambitio*) by new men led to the creation of a special judicial process for electoral bribery (*ambitus*) and made the results of elections less predictable.[9] The whole issue of patron–client

[8] Cic. *Leg.* III.34; Lintott 1968 (A 62) 69–73.

[9] Livy XXXIX.32.10–14; cf. XXXV.10.9; XXXVIII.3.5; XL.17.8; XL.19; *Per.* XLVII; Plaut. *Amph.* 62ff; *Poen.* 36ff, Rilinger 1976 (F 131).

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relationships, which have been thought to have determined the voting of the lower classes, will be considered below in the context of the working of the aristocracy. Here it is sufficient to remark that the influence of presiding magistrates and the growth of *ambitus* both contradict the notion that the votes of humble men were securely tied to the wishes of existing patrons. More generally, though popular feeling frequently expressed itself in the support of one prominent aristocratic politician or another, there was an autonomy in this, which went beyond the machinations of the politicians themselves. Scipio Aemilianus received his first consulship in 147, before the normal time, through popular demand. Those who supported Ti. Gracchus in 133 did so largely because they favoured his measures. Similarly, the humble men, who voted for ballot laws like the Lex Gabinia or earlier for Cato's *lex de provocatione*, would have done so for the most part not through personal connexions with the legislators and their backers but because the measure itself secured their allegiance. It is significant that the Leges Porciae and the Lex Cassia were both celebrated by coins bearing the type of Libertas.[10]

The extent of popular influence on politics in Rome must also be judged by reference to the power of the aristocracy, in particular the workings of the Senate. After the regular admission of plebeians to curule magistracies and the Senate in the fourth century B.C., access to high office was limited *de facto*, if not *de iure*, by a property qualification. Only those whose families came from the senatorial order, the equestrian order or perhaps the obscure order of *tribuni aerarii* (who probably had to possess the same financial status as *equites*) were in a position to apply. On late third-century figures this amounted to about 8 per cent of the total adult male citizen population. After one hundred years this proportion may well have risen through the influx of wealth from overseas. The minimum property qualification of *equites* in the late Republic, 400,000 sesterces, was modest compared with the average wealth of senators. The membership of the Senate was determined by the censors every five years. By the late second century any man who had held at least the curule aedileship had the right to become a member, unless he was in some way morally disreputable, and this privilege was extended to ex-tribunes by a Lex Atinia.

The feature of this aristocracy, which immediately catches the eye, is the core of families who maintained themselves at the centre of politics with their members regularly in high office, some patrician, like the Fabian and Cornelian *gentes*, some plebeian like the Caecilii Metelli and branches of the *gens Sempronia*. A small number of plebeian *gentes*, still

[10] Crawford 1974 (B 144) nos. 266, 270. On the democratic element in Roman politics in general see Millar 1986 (C 113); Lintott 1987 (A 65).

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important in the last years of the Republic, could boast consulships attained by their members in the late fourth or early third century (in addition to those above, examples are the Claudii Marcelli, Domitii and Licinii). In fact about half the consuls in the late third and second centuries B.C. came from ten *gentes*, though within these there were often many different branches. However, this does not mean that the Roman aristocracy was a closed group – like the mediaeval Venetian aristocracy, for example. Sallust complained that the nobility passed the consulship from hand to hand and thought that a new man sullied the dignity of the office. Yet one third of those who reached the consulship between the Second Punic War and the end of the Republic were from families with no consular members in the last three generations and of these only about 10 per cent probably had praetorian antecedents. Only one third of these consulars without consular ancestry had a consular son, whereas the sons of those with consular ancestry were more likely to maintain consular standing in their generation, especially about the time of the Second Punic War. Thus outside the leading families in the aristocracy there were many gains and losses of the status that went with high office, and it is also likely that at the fringe of the Senate its composition by families was fluid even before the admission of new recruits into Sulla's enlarged Senate from enfranchised Italian communities.[11]

The Senate was the meeting-place of the governing class and the only official location where genuine debate about politics could take place. As such, it settled matters which otherwise would have led to controversy between magistrates and between them and the rest of the governing class, such as the allocation of provinces, troops and money. Moreover, it was the only body which could be expected to make authoritative policy recommendations to magistrates, whether these were matters for executive action or to be formulated into legislative proposals before an assembly. Its decrees, though technically never more than advice to magistrates, had in Italy and elsewhere among Rome's allies the effect of mass-edicts by Roman magistrates, although the majority of the senators were not in office at the time. Indeed, these decrees were treated as more authoritative than a magistrate's decision.[12] They also were privileged, in so far as the Senate, unlike the magistrates who executed the decrees, could not be held to account for taking arbitrary decisions, even if these were contrary to the will of the *populus Romanus*.

The essence of procedure in the Senate was that the convening magistrate (consul, praetor or tribune) put forward a subject for discussion and then asked the opinion of members in order of seniority. When these had either delivered opinions at length or indicated their

[11] Sall. *Iug.* 73.6–7; Hopkins and Burton 1983 (A 54) 55ff.
[12] Polyb. VI.13.4–5; *Bruns* nos. 36ff; Sherk 1984 (B 239) esp. no. 9, lines 63ff.

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assent to a previous speaker, he selected a motion or motions for a vote from among the opinions put forward. The consequent resolution might be vetoed by tribunes, so becoming a *senatus auctoritas*, which had not the claim to obedience of an uncontested decree, *senatus consultum*. The *senatus consulta* were recorded permanently in writing in the treasury, like laws. (*Auctoritates* by contrast might also be drafted but would not be engraved on bronze.) Generally, the authority of the senior senators, the ex-consuls called to speak first, would have been decisive in debates, though there was to be one famous occasion on 5 December 63 B.C. when the fate of the Catilinarian conspirators hung on the opinions of a praetor-elect and a tribune-elect, Caesar and Cato. On many items of business a consensus would have prevailed. Yet on occasions – for example over the treatment of Carthage in 152 and in 133 over Ti. Gracchus' agrarian bill and later his attempt to get re-elected – there was major controversy between leading members.[13] It is still not clear on our evidence, however, how policy was normally formed in the Senate, or whether, as has been suggested, there was an inner ruling group which was effectively the government of Rome.

According to Sallust, the tradition of politics, factions and every kind of malpractice had arisen, when the era of concord had ended with the destruction of Carthage. He talks of two *partes*, the nobility and the *populus* or plebs – the 'few' and the 'many' of the Greek world. Although both sides are criticized for tearing the Republic apart, it is the few powerful men (the Latin *potentes* is the equivalent of Greek *dunatoi*, that is, the governing class), who take effective decisions about foreign and domestic policy, official postings, war and finance, and so reap the profits, while the poor die through war or poverty, expelled from the land by more powerful men. The nobility prevail through *factio* – a word which in its original sense is not equivalent to faction in English, but means rather the power and influence associated with wealth. Elsewhere in Sallust *factio* is said to be the depraved form of friendship, what might be termed a cabal or conspiracy, or else it is the term for the dominant class, like the English word 'establishment'. Cicero similarly uses the word for an oligarchic ruling group or junta.[14] Sometimes Sallust portrays Roman politics as a struggle between a largely coherent aristocracy in the Senate and a mass of poor men assisted by a few popular heroes. However, in his treatment of the late Republic he adopts the cynicism expressed by Thucydides in the digression on civil strife at Corcyra: politicians, although they might adopt honest-sounding programmes of defending the rights of the people or the authority of the Senate, under the pretext of the public interest strove for their own power. How far this description was fair, it would be premature to

[13] Astin 1967 (C 2); Badian, 1972 (C 16) 706ff. [14] Seager 1972 (A 109).

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decide at this point. It is, however, relevant to point out that such corrupt politics would have derived their specious appeal from the existence of genuine traditions of defending the status of the aristocracy or the rights of the people.

These traditions are frequently alluded to in Cicero's speeches and philosophical works. It is the function of the so-called good men (*boni* or *optimates*) to maintain tranquillity and respect for rank (*otium cum dignitate*). This was the preservation of the *status quo* through deference for the authority of the Senate, which in turn rested on the dignity of its members, who had been elected to high office by the people. This dignity depended in theory on merit (*virtus*), but Cicero makes it plain that wealth, which in practice gave its possessors the greatest status in the community, was also a *sine qua non*. The monopolization of the adjectives denoting virtue by the wealthy governing class of Rome – a characteristic earlier of Greek aristocracies – is first attested in the eighties B.C., but probably goes back to the second century and reflects the influence of Greek political thought on Rome. The basic ideology, however, was fundamental to the aristocracy since the early Republic. There were on the other hand dissenters, those who wanted their actions and words to be agreeable to the *populus* and legislated in the interest of the masses, the *populares*. Though Cicero was sceptical about the pretensions of such political opponents of his in his own day, he conceded that in the past at least men had genuinely sought to serve the will of the common people.[15]

It is easy to see how Mommsen was misled into likening the *optimates* and *populares* to Conservatives and Liberals in the British parliament. His successors and critics, however, were able to show that this was simply not the way Roman politics worked, chiefly by appealing to Cicero's less philosophical utterances. There were in fact no political parties in the modern sense with organizations and formulated policies. The *optimates* might embrace at some periods the whole governing class at Rome, while the *populares* were essentially individuals who might on occasion combine with or imitate others of their kind, but at bottom lacked coherence and continuity on the political scene. It is hard to link *popularis* politicians on the basis of a common programme and, although they did share a *modus operandi* – that of direct appeal to the assembly bypassing the Senate, this tactic was sometimes adopted by those of conservative outlook. Men did not usually stand for elections by appealing to policies. (Cicero, if we take as genuine the letter from his brother on canvassing, was advised to avoid political commitments.) Indeed men entered politics to fulfil personal expectations, either of maintaining their due place in Roman society or of achieving a new rank commensurate with their worth, and to assist their relatives and friends. Their *virtus* was to

[15] Ferrary 1982 (A 29); Perelli 1982 (A 90) 25ff; Balsdon 1960 (F 14).

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find expression in the offices they held and the glory they derived from their service to the state, especially in war.[16]

On what basis, then, were political alliances made among senators? In Cicero's day these were essentially viewed as personal connexions, based on kinship and friendship (*amicitia*) and cemented by exchange of political and private services (*beneficia* or *officia*). The latter was summed up in the word *gratia*, which meant both the thanks due to someone for his help and the consequent influence of the donor. Ideally political allies were intellectually and temperamentally congenial with mutual liking for one another; in practice more utilitarian relationships were to be found. There is a resemblance to British politics in the eighteenth century and many statements made about this period can be illuminatingly transferred to the politics of Rome. Charles James Fox's remark, 'Is it possible to be happy in acting with people of whom one has the worst opinions, and being on a cold footing (which must be the case) with all those whom one loves best, and with whom one passes one's life?', could have been taken straight from Cicero's treatise *On Friendship*. The late Republic and the British political scene in the eighteenth century were both worlds of small political groups constructed out of families and friendships, which could swiftly break and reform, and whose members frequently had conflicting allegiances.[17]

There are, however, important differences. Although both British and Roman politicians sought office and its rewards for themselves and their friends, there was constitutionally no 'government' by a political group in Rome. Rather, the Senate relied on a persistent consensus and the co-operation of leading magistrates for stability in policy. Nor were there at Rome the factors that promoted coherence out of the loose and shifting interplay of politicians in Britain – the basic mould of government and opposition and the large resources of patronage available to government. The nearest parallel to the latter at Rome are the posts of legates, tribunes and prefects at the disposal of great commanders, notably those available to Caesar and Pompey. The granting of these posts and advocacy in the courts were probably the two most important ways of winning friends by performing services.

On the evidence of the regular assistance afforded by friends and kinsfolk at elections and during political prosecutions and their less frequent association in political policies, Münzer and his followers have argued that, rather than large ideological parties, small family factions determined the course of Roman politics: these sought by investing their members with magistracies, commands and prestige to become *de facto* the government at Rome and to dominate the state in their own interest.

[16] Earl 1961 (B 31) ch. 3; Strasburger 1939 (A 116); Meier 1966 (A 72) 116ff; Wiseman 1985 (A 132) 1–43. [17] R. Pares, *King George III and the Politicians* (Oxford, 1953) 75.

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There are several problems with this thesis. The first is the sheer lack of evidence from the period for which we have the most detailed information (that covered by Cicero's letters) of factions of this kind. Certainly, everyone, not least Cicero, strove to acquire as many personal connexions as possible with influential men and with associations like tribes, guilds (*collegia*) and clubs (*sodalitates*), but in this they were not limited to men with whom they regularly associated. An important text from the very end of the Republic, when a cleavage had developed between the supporters of Caesar and of Pompey, contrasts party-sentiment with personal connexions. The reference to party-sentiment is itself unparalleled, and this is contrasted with the connexions (*necessitudines*) which we know from Cicero's writings to have been regarded as the important factor in other elections.[18] Secondly, even if we assume that factions of the kind presupposed by Münzer existed, though concealed by our sources, it is not plain how they would have regularly mobilized the votes needed to get members of the group into office and the measures they favoured into effect. Scipio Aemilianus was dismayed in 142, when Q. Pompeius, whom he believed to be his supporter, broke away and campaigned on his own account for the consulship against Scipio's favoured candidate, C. Laelius. Scipio and Ti. Gracchus, who were not only cousins but connected by marriage through Gracchus' sister, were at odds politically and further divided by Gracchus' marriage to the daughter of an opponent of Scipio's, Appius Claudius.

The links produced by marriages and adoptions produced such a complex network that it becomes difficult to isolate a stable unit between the microcosm of the individual politician and his intimates and the macrocosm of the *potentes* (the leading senators) viewed as a whole. An election like that of 54 B.C. could create bewildering uncertainty about allegiances. As for the belief that the type of faction envisaged could rely on a block of supporters through *clientelae*,[19] as we have seen earlier, this is not supported by the evidence about the early second century. This does not mean that patron–client relationships were unimportant. A contemporary document, the *lex de repetundis* inscribed on bronze (see p. 5) proves the contrary. This disqualifies as *patroni* (advocates) of the accuser and witnesses for the prosecution those who are in any patron–client relationship (*fides*) with the accused. It is of course on occasions when a man's political existence, if not his continued membership of the community, was at stake, that he could expect the support of friends and connexions, whatever their political views (the best example of this is the roll-call of incompatibles who supported M. Scaurus in 54).[20] However,

[18] Cic. *Comment. Pet.* 16–19, 30; *Fam.* VIII.14.1; Meier 1966 (A 72).

[19] See most recently Rouland 1979 (A 99), and for a critique of such views Brunt 1988 (A 19) 382ff.

[20] Gruen 1974 (C 209) 332–7.

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an important feature of the clauses in the *lex de repetundis* is that they refer to both present and past patron–client relationships, demonstrating both their impermanence and on the other hand the residual effect that was believed to survive a break in such a connexion. In this light such links seem less rigid and more likely to conflict with one another. The very growth of bribery is testimony to a weakening rather than a strengthening of control by the aristocracy. We may be inclined to apply what Namier wrote about Britain, contrasting aristocratic bullying with the demand for benefits from below: 'Corruption was not a shower-bath from above . . . but a waterspout springing from the rock of freedom to meet the demands of the People'.[21]

One way of meeting such arguments is to accept that groups were not rigid and their ascendancies on the whole not very effective, but to regard the faction thesis as an ideal model of the Roman political game. Even then theoretical difficulties remain. Münzer's statement, 'Every political party strives for power and a dominant position in the state',[22] is for us today a self-evident truth: it might indeed be taken as an analytic statement defining the word 'party' and distinguishing it from other political associations and pressure-groups. Yet one should not call a Roman political group a party and endow it with the characteristics implied by that word now. Roman groups did strive for office for their members, but this did not correspond to placing itself in government, as it did in eighteenth-century Britain. In order to prove that, one would have to show that voting in the Senate was regularly on group lines; and this was not even true of the last twelve months of the Republic, when battle-lines were already being drawn between Caesarian and Pompeian supporters, still less can it be asserted about the Senate's conduct in 133.

As for *optimates* and *populares*, even though they came from the same social class with its framework of individual and family connexions, this is no reason to deny the divergence of ideology highlighted by Cicero. There were standard *popularis* themes – the physical welfare of the *populus*, to be maintained by land-distribution and later that of corn; the preservation of liberty through the laws about *provocatio*, secret ballot, criminal courts and other limitations on the aristocracy. There was also in Cicero's day a recognized canon of *popularis* leaders, stretching back to C. Flaminius, tribune and author of an agrarian law in 232. On the other side men talked of the defence of law and order and of the treasury.[23] Of course, those with one ideology did on occasion borrow the political clothes of the other. An optimate like M. Livius Drusus (tribune, 91) or Cato Uticensis might pass a bill in the popular interest about grain or

[21] L. Namier, *The Structure of Politics at the Accession of George III*, 2nd edn (London, 1968) 104. On electoral bribery at Rome see Lintott 1990 (A 66).

[22] Münzer 1920 (A 79) 1.

[23] Cic. *Acad.* II.13; *Sest.*98; Sall. *Iug.* 31; *H.* I.55; III.48M.

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land for reasons of expediency, or else, like Cicero, pose as a *popularis* in order to make his political mark. The extent to which *popularis* politicians pursued their own interests more than those of the men they claimed to represent may be judged from the history that follows, but the mere possession of personal ambition does not disqualify a man from advancing the interests of others.

It is hard to pick on specific destabilizing forces in Roman politics after the Third Punic War. Conflicts between senatorial authority and the will of assemblies were not new. The tension latent between the *imperium* of the consul and senatorial *auctoritas* on one side and tribunician obstruction on the other was embedded in the constitution. Although the Romans tended to equate 'new things' with revolution, their constitution was continually altering through statutes and precedents creating new traditions, which were acceptable, if they could be reconciled with the basic ethos of society. Nevertheless, the existence of two distinct political traditions was a potential source of conflict. To this we must add an external political influence (apart from the social and economic problems to which we shall shortly turn). Just as the Romans had become self-conscious about their history under Greek influence, so they were becoming self-conscious about their constitution through Greek philosophy. Even before Polybius' history was published, Romans were discussing their politics in Greek terms. Regular contact with Greek thinkers is attested for Scipio Aemilianus, his nephew Q. Tubero, C. Laelius and Ti. Gracchus. Theoretical study may have stiffened both oligarchic and democratic sympathies in Roman politicians and made them more reluctant to compromise. More concretely, some of the political measures of the period before Sulla appear to reflect the political methods and legal procedures of Athenian democracy.[24]

## II. THE AGRARIAN PROBLEM AND THE ECONOMY

Even our ancient sources, preoccupied as they are with constitutional change and moral decline, do not neglect the economic and social conditions of the second century. Appian and Plutarch provide a generally consistent picture of the agrarian problem which was the target of Ti. Gracchus' legislation, and this account has been the core of the lengthier explanations of modern scholars. According to Appian, the Romans had exploited the territory seized during their conquest of Italy in order to reward and strengthen the farming people from whom they drew their military manpower. On cultivated land they either founded new cities, that is colonies, or they assigned, sold or rented allotments to

[24] Plut. *Aem.* 6.8–10; *Ti. Gracch.* 8.6; Cic. *Tusc.* IV.4–5; Hassall, Crawford and Reynolds 1974 (B 170) 219; Nicolet 1972 (F 124) 212ff.

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individuals; land, which had become unworked through war, they allowed to be cultivated without formal distribution by anyone who wished, in return for a rent based on produce – 10 per cent on crops, 20 per cent on fruits – or an appropriate tax on head of cattle. It should be stressed that this last category of land was still the public property of the Roman people (*ager publicus*), as indeed was rented land and even some of the land sold (the *trientabula* granted to rich men as partial repayment for loans during the Second Punic War). Our sources tell us that in practice the rich had come to monopolize the public land occupied at will, acquiring holdings by persuasion or force and farming these with the aid of chattel-slaves, rather than the free men who might be taken away for military service. Hence the rich became richer, slaves more numerous and the poor not only poorer but fewer. A law had been passed limiting holdings of public land to 500 *iugera* (125 hectares or about 300 acres), but this was disregarded. Hence Gracchus deplored not only the injustice which was being done to those who fought for Rome but the danger of replacing potential warriors with slaves, who could not be used for military service but might on the contrary rebel.[25]

Historians in this century from Tenney Frank and Rostovtzeff to Toynbee and Brunt[26] have seen the accumulation of *ager publicus* by the wealthy as but one feature of a more general change in the nature of Roman agriculture, the growth of large-scale 'capitalist' exploitation, which affected both public land and that owned by private citizens. The wealth deriving from empire through booty, commerce and the private profits of public enterprises (such as tax-contracts and the supply of the army overseas) was concentrated in the hands of the upper classes. They sought to perpetuate and increase this wealth by investment in the agriculture likely to produce the most satisfactory returns. Their guides in this were the Hellenistic writers on agriculture, especially the Carthaginian writer Mago, whose work was translated into Latin by D. Silanus, and Cato the Censor, who had written an original notebook on agriculture in Latin. Their works detailed how land could be best used to produce wine and oil for sale and to rear cattle on a large scale, primarily through employing slaves. The peasant or modest landholder, who used the labour of his family and whose farming might be disrupted by military service, was unable to compete with this large-scale and economically rational agriculture. Thus the poor man, who was dispossessed of his land, was afflicted not only by injustice and violence but, worse still, the harsh facts of economic life.

Other ancient sources tend to confirm the basic reliability of Appian's account of the condition of public land, whose ultimate sources were

[25] App. *BCiv.* 1.7.26–10.40; Plut. *Ti. Gracch.* 8; *Greenidge – Clay* 1–4; Tibiletti 1948 (C 142); 1950 (C 143). [26] Frank 1920 (A 34); Rostovtzeff 1926 (A 97); Toynbee 1965 (A 121); Brunt 1971 (A 16).

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probably the contemporary memoir of C. Gracchus on his brother's work and (with an opposite bias) the histories of C. Fannius. The existence of a law, irksome to senators, which restricted holdings of *ager publicus* to 500 *iugera* and limited grazing, is attested by a speech of Cato in 167, and in the view of many scholars it is to a legislator of this period rather than, as Varro thought, C. Licinius Stolo in the fourth century that we should attribute the limits specified. Excessive grazing on public land had led to prosecutions by aediles, while the growth of large-scale ranches in south Italy is demonstrated by the revolts of herdsmen and other slaves. The Romans would have acquired large amounts of public land there through confiscations after the Second Punic War, including areas in towns and villages. In 173 the consul L. Postumius had been sent to restrict encroachment on public land in the *ager Campanus*. Here any large-scale farming would have probably embraced the cultivation of vines, olives and cereals, perhaps with slave-gangs, as in Sicily.[27]

It is also significant that the interdicts, legal injunctions used to guarantee possession or the recovery of possession, especially when it had been lost through violence, developed in this period (the fundamental interdict, 'uti possidetis', dates from before 161). Equally there is no doubt about the availability of slaves. For example L. Aemilius Paulus, Scipio Aemilianus' father, had enslaved 150,000 men in Epirus in 168/7 and the father of Ti. Gracchus a proverbially large number from Sardinia, when consul in 177. The great slave revolts in Sicily, the first contemporary with the tribunate of Ti. Gracchus himself, have already been discussed in their provincial context (pp. 25–7). A magistrate who helped to suppress the first of these claimed to have restored 917 slaves to Italian owners. In fact there were at the same time outbreaks of rebellion by slaves in Italy itself, including one involving 4,000 slaves at Minturnae. Gracchus is said by his brother to have been inspired to propose his legislation by seeing chain-gangs of slaves in Etruria, while he was on a journey from Rome to Pisa.[28] What no ancient source tells us are the general scale and any regional variations in the growth of landholdings at the expense of the poor. Nevertheless, the pattern of events outlined by Appian seems consistent with the other evidence.

It is much more difficult to develop plausible hypotheses about the general state of Italian agriculture and its social implications. Cato's jottings are fundamental, but cannot sustain an excessive superstructure of theory. The money which flowed into private hands from Rome's conquests and the spread of Italian commerce had to be placed somewhere. Some, as we have seen, was invested in property abroad (ch.

[27] *ORF* fr. 167; Livy XLII.1–8; Tibiletti 1948 (C 142) 191ff.

[28] Lintott 1968 (A 62), 126; Polyb. XXX.15; Livy XLI.28.8; *De Vir. Ill.* 57.2; *ILLRP* 454; Oros. V.9.4f; Obseq. 27–27b; Plut. *Ti. Gracch.* 8.9.

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2, *passim*), some in silver and luxury-goods, but the bulk would have been used to buy land in Italy. Cato's work gave advice on how this should be done, not necessarily in such a way as to maximize profit, but rather so that the investment should not be squandered: if deployed rationally, it would create both material rewards and reputation for the owner. Cato's four first choices were vineyard, watered garden, osier-bed and olive-yard in that order. Grazing and cereal land follow. He does not think in vast units: 100 *iugera* of vineyard, 120 or 240 *iugera* of olives are the modules for which the optimum personnel and equipment are calculated. The economics of pasturage are not really discussed in what survives of his writings, nor the appropriate balance in making a mixed farm, though it is assumed that the owner will use the manure from his animals to fertilize his crops and fruit.[29]

In itself the idea of mixed farming is as old as Homer, and even Rostovtzeff was forced to admit that there is no real evidence for technological improvements in agriculture during the Hellenistic age. (An exception to this in Italy is the olive-mill.) What Romans would have learnt from agricultural writers was more concerned with the allocation of money and labour. Nor did this necessarily require a very large investment: the 'villa' system of farming recommended by Cato could be practised on holdings of 100–200 *iugera*, the size of allotments made in colonies such as that founded by C. Gracchus in Africa. However, a rich man could certainly have owned a number of farms of this size, large by peasant standards but small in comparison with later estates, and the evidence of the Ciceronian period suggests that this was common practice. Furthermore, heavy investment in grazing would have required much greater tracts of territory (especially since transhumance between winter and summer pastures was common) and may have been the main reason for the monopolization of *ager publicus* by the rich.[30]

At this point the very incomplete archaeological evidence provides a partial check on hypothesis. We have the remains of the 'villas' (Cato's term), which were the centre of rich men's estates. These contained wine-presses, oil-mills, storage-vats and slave-quarters, as well as reception-rooms, porticoes and peristyles for the owner. Added to this is the evidence from shipwrecks and deposits on shore of the export of wine, one of Cato's favoured crops, to the western Mediterranean. Most Republican villas are dated to the first century B.C., but a second-century origin is attested for some in Latium, Campania, the *ager Cosanus* and perhaps Samnium. However, the existence of such farms did not entail the eclipse of the smallholders in the second century. Their existence is

[29] Cato *Agr.* 1.7; 3.5; 10–11; cf. 3.2.
[30] Brunt 1971 (A 16) 371–5; Gabba and Pasquinucci 1979 (G 95).

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archaeologically attested in the *ager Cosanus*, eastern Samnium, the *ager Falernus* and Campania, and perhaps in southern Etruria (though the evidence here has come under question) and should be inferred elsewhere, given the need for the villas to recruit free labour at harvest-time. They would have also provided some local market for the villa to supplement its outlets further afield. In short, there are no good grounds for inferring a general decline of the small independent farmer in the second century, apart from what our sources tell us about the condition of the *ager publicus*. We can, however, see the beginnings of a system of agriculture, which was to lead to an immense concentration of land in a few hands by the early Principate – the *latifundia* of the elder Pliny.[31]

It is equally difficult to give more precision to Appian's statements about social conditions in Italy. We have no reason to doubt that poor farmers who lived on *ager publicus* were either landless or under pressure from great landowners, especially those whose business was cattle-raising. The problem is the extent of this phenomenon and its effect on the military might of Rome. The heads of adult males (*capita*) counted by the censors gradually declined from 337,022 in 164/3 B.C. to 317,933 in 136/5 at a time when losses of soldiers on campaign cannot have been so serious as during the preceding sixty years. The view that these figures represent only those who had sufficient property to be enrolled in the *classes* of the *comitia centuriata* is without support in the sources and is rebutted by the very fact that those below the *classes* were called *capite censi*. More probably it was the total adult male population that was counted, or at least those who performed their civic duty in registering (economic depression may well have led to a failure to register). When the considerable, though unquantifiable amount of manumission in the second century is taken into account – which should have led to an increase in the census total, if birth and survival rates of existing citizens remained stable – then it seems that a decline in population or a decline in registration had occurred. The implications for Rome's military strength, however, depend on assumptions about how many of these were *assidui*, listed in the *classes* and regularly liable for legionary service. In fact the total number of citizens counted in the middle of the second century was greater than the corresponding number before the Second Punic War. Estimates of the quantity of *assidui c.* 130 B.C. vary from 75,000 to 200,000 men. In the latter case there was no fundamental shortage of citizens for the army, in the former there was.[32] In this uncertainty it is tempting to put one's faith in Ti. Gracchus and say that

[31] Giardina and Schiavone 1981 (G 104); Rathbone 1983 (G 208); 1981 (G 207); Frederiksen, 1970–1 (B 292) (but cf. Liverani 1984 (B 308)); Garnsey 1979 (G 97); Celuzza and Regoli 1982 (B 270); Cotton 1979 (B 280).

[32] Brunt 1971 (A 16) 22–5, 75–7; Astin 1967 (C 2) 337; Rich 1983 (C 121) 294–5; cf. the table of census figures on p. 603.

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the crisis must have been grave, were it not for the probability that his view of the situation was impressionistic, based on his seeing fewer free citizens in the fields and knowing the difficulty of recruitment. It would be imprudent to envisage him doing careful calculations like a modern civil servant, especially when what we know of him suggests a man guided by a moral vision of what society in Italy should be.

Some scholars have sought to add to the agrarian crisis a crisis in Rome itself, caused by the increase in population and lack of employment there. However, the evidential foundation for this is weak. Issues of silver coin did not in fact decline in the period following the revaluing of the denarius from ten to sixteen *asses c.* 140 B.C., and indeed the higher value given to silver coinage increased the amount of money in circulation. Nor was there a significant decline in public building activity after 138. However, although there is nothing to show urban unemployment in these years, the problem of feeding the city was considerable. A recently discovered document from Thessaly shows a Q. Metellus buying grain there as aedile. The quantity was about 450,000 *modii* of wheat, which would have been about two and a half months' supply for the plebs at Rome in the late Republic but at this date should have sufficed for nearly double that time. The purchase seems to have been made in the period of spring to mid-summer before the new harvests in the West, when the price of grain was at its height. It seems more likely to be a crisis measure to deal with a sudden scarcity. Such conditions might have been created by the Sicilian slave revolt *c.* 135 B.C. or the plague of locusts which devastated Africa in 125.[33] The price of grain varied dramatically by season and region, apart from any special pressures through sudden scarcity. According to Polybius the famine-price in Italy during 211 B.C. was ten *sestertii* a *modius*, whereas strikingly low prices were to be found locally in Lusitania and Cisalpine Gaul about the middle of the second century of one *sestertius* a *modius* and about one *as* a *modius* respectively. Livy records prices of four *asses* and two *asses* for special distributions *c.* 200 B.C. These prices are low compared with those attested in the Hellenistic world about this time, which do not fall below one denarius (= four *sestertii* = ten *asses*) for an equivalent amount. What regular prices at Rome were by the middle of the second century can only be conjectured – perhaps not as much as one denarius a *modius*. Nor is it clear what effect, if any, the revaluing of the denarius had on the price of grain. The only pointer is the price C. Gracchus chose for his corn distributions – 6⅓ *asses* a *modius*.[34] This is in almost the same proportion to 4 *asses* as the rise in the value of the denarius, and perhaps indicates that

[33] Crawford 1974 (B 144) II.640ff; Coarelli 1977 (G 42) 17–18; Garnsey, Gallant and Rathbone 1984 (B 156). Cf. Cic. II *Verr.* 3.72; Oros. V.11.2–5.

[34] *Schol. Bob.* 135 St.; Asc. *Pis.* 8C; cf. *Rhet. Her.* 1.21. Garnsey and Rathbone, 1985 (C 60).

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the cost of everyday items paid for in bronze *asses* had tended to increase in proportion to the rise in the value of silver.

It is appropriate to end this survey by returning to the social and economic factor to which the ancient sources gave most weight – the sheer wealth of the upper classes, symbolized by the probably inaccurate but paradigmatic figure which Cicero assigned to P. Licinius Crassus Mucianus (cos. 131), surnamed 'the rich', that of 25 million denarii. Such wealth provided immense opportunities for acquiring political support. The first law against bribery (*ambitus*) was passed in 181, the year after the Lex Orchia, the first sumptuary law which limited the expenditure on guests invited to dinner. The Lex Fannia followed in 161 and in 143 its provisions were extended to all Romans in Italy by the Lex Didia – a demonstration that conspicuous expenditure was not confined to the governing class.[35] The purchasing power of the rich drew to Italy slaves and luxury goods. One likely reason for the revaluing of the denarius and *sestertius* is increasing demand and a higher market price for silver through its use in cutlery, plate and other items of house-furnishing. The expenditure of the wealthy would have stimulated economic life in the cities and created employment among the free poor as well as slaves, especially in the building and retail trades. However, the price to be paid was the concentration of economic power and appetites among the few. Denunciation of extravagance and praise of old-fashioned frugality was a theme common to Cato the Censor, Scipio Aemilianus and L. Calpurnius Piso, historian and consul in 133. Such men realized the political implications of the increase of wealth, though none of them had any remedies for these that were more than palliatives.

## III. POLITICS AFTER THE FALL OF CARTHAGE

In the years immediately following the destruction of Carthage there were two conspicuous features of political life – vigorous tribunician activity and a tendency among leading men in the Republic to be 'accident-prone'.[36] In 145 a bill was proposed by C. Licinius Crassus that priesthoods should be assigned by election rather than co-option – a proposal that was rendered more attractive to the people by the tribune's turning to address the Forum at large rather than the more select gathering in the Comitium. C. Laelius, the friend of Scipio Aemilianus and praetor in that year, successfully opposed it by an appeal to tradition.

[35] Cic. *Rep.* III.17; Shatzman 1975 (A 112); Lintott 1972 (A 63) 631–2.

[36] In general source-references to the following narrative may be found in *MRR* and *Greenidge–Clay*. Those given in footnotes are selected for emphasis or because they are difficult to locate. The political history of 146–133 B.C. is well described in Astin 1967 (C 2) 97–136, 175–89. See also *CAH* VIII² 191–6.

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The following year there was the sumptuary law, the Lex Didia (see p. 59), which extended the legal limit on expenditure on banquets throughout Italy. Then in 142 Scipio conducted an especially rigorous censorship, during which he orated on the solemnity of his office. However, in the elections for the consulships of 141, his favoured candidate Laelius was defeated, after Q. Pompeius, who as a friend of Scipio's was expected to support Laelius, deserted him and canvassed on his own account. Moreover, Scipio himself was charged before the people in 140 by the tribune Ti. Claudius Asellus on account of misconduct in his censorship. For Asellus had been humiliated by Scipio through demotion from his rank in the knights. However, Asellus was unsuccessful in this, as he was in his attempt to prevent the consul Q. Servilius Caepio from setting out for his Spanish province, probably as a result of a dispute over the levy of troops. We also hear of a resolution in the Senate, promoted by the consular Appius Claudius (later Ti. Gracchus' father-in-law) that there should be only one levy a year. The same year Laelius, who had now reached the consulship, proposed an agrarian bill to deal with the monopolization of the public land by the rich, only to withdraw it in face of opposition from those whose interests he was damaging.

In 139 a tribune achieved real success. A. Gabinius passed the first law about secret ballot, establishing its use in elections. We know nothing about the circumstances in which this bill was enacted. No doubt it was presented as a blow struck for the *libertas* of the people – which indeed it was – but it may also have been argued to be a blow against corruption, since those who bribed could no longer check who voted for them, and thus it would have been acceptable to those who were afraid of demagogic canvassing, such as practised by Q. Pompeius. The year following two energetic tribunes, C. Curiatius and Sex. Licinius, created a precedent by imprisoning the consuls, because they would not allow tribunes to secure the exemption of men from conscription. Curiatius also pressed the consuls to propose special purchases of corn, similar to those made by Q. Metellus according to the document from Thessaly (p. 58). While resisting this suggestion at a public meeting, Scipio Nasica secured silence from the *contio* by saying: 'Be quiet please, citizens: I know more about the public interest than you.' Whether purchases were made or not, is unclear. The famine, however, brought the poor out on to the streets, and one of the tribunes who died in office was given a funeral by the people. There were also notable acquittals. Two ex-governors charged with taking money illegally from provincials (*de repetundis*) escaped in spite, or because, of their enmity with Scipio and perhaps with the help of bribery. Moreover, a group of state contractors (*publicani*), who had leased the pitch-works in the Silva Sila in Calabria, were

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eventually freed of charges relating to murders perpetrated by their slave-gangs. Meanwhile, on the other side of the straits of Messina the first Sicilian slave revolt was perhaps already in its early stages.

A second law about secret ballot, the Lex Cassia, relating to trials before assemblies (on non-capital charges), was passed in 137, after Scipio Aemilianus had dissuaded the tribune Antius Briso from vetoing it. It is possible that the exception for capital cases was introduced by the tribune to meet initial objections to the bill, the subject of which was more sensitive for the aristocracy than elections in that it involved their potential ruin. However, the year was more famous for the scandal over the treaty that C. Hostilius Mancinus and his quaestor Ti. Gracchus had negotiated when surrounded by the Numantines in Spain. In 140 Q. Pompeius had himself disowned an inglorious treaty he had made with the same people under less desperate circumstances. On this occasion nothing was done until Mancinus and his quaestor had returned to Rome, where both Pompeius' and Mancinus' behaviour was investigated by a tribunal presided over by a consul of 136, Furius Philus, with Scipio Aemilianus and Laelius among his advisers. Their decision, accepted by Mancinus, was to repudiate his treaty and to surrender Mancinus naked and in bonds to the Spaniards as expiation of the religious offence arising from the breach of his promise. The assembly accepted this proposal. Gracchus was not to be surrendered, in spite of the fact that he had been instrumental in making the treaty through the influence with the Spaniards he had inherited from his father. The decisions were controversial, and may have led to the deliberate rewriting of the history of the agreement made with the Samnites at the Caudine Forks in 321, which was recalled on contemporary denarii issued by Ti. Veturius, though the treatment of a praetor of Sardinia in 236 provided a more recent precedent. Scipio was suspected of favouring his relative, but Gracchus was anyhow popular with the army which he had helped to escape. He for his part was indignant that his own reputation for good faith (*fides*) among the Spaniards had been destroyed, and in Cicero's view this, combined with the fright he received from the senatorial investigation, explained his defection from the optimate cause.[37]

Meanwhile in Spain the proconsul Lepidus began a war contrary to instructions from the Senate, was ineffective and so both deprived of his command and fined when prosecuted later at Rome. As a result of the failures in Spain and the simultaneous threat of the Sicilian slave revolt Scipio was exempted in 135 from the current law forbidding re-election to the consulship by a plebiscite passed on the advice of the Senate. Nevertheless, when he became consul in 134 and was assigned Spain as

[37] Crawford 1974 (B 144) I no. 234; Crawford 1973 (F 39); Cic. *Har. Resp.* 43.

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his province, he was refused permission to conscript new troops by the Senate and granted no immediate cash. Instead he took a troop of clients and friends from Italy and contingents sent by cities and foreign kings. Among them were Ti. Gracchus' younger brother Caius, C. Marius, a man of equestrian rank from Arpinum, and the Numidian prince Jugurtha.

## IV. TIBERIUS GRACCHUS

The decade which preceded Ti. Gracchus' tribunate showed considerable ambivalence in the attitudes both of the Senate and the assemblies. On the one hand, the Senate was still the body that had presided over the defeats of Carthage, Syria and Macedon, conscious of Rome's military reputation and reluctant to appear soft; on the other hand there was a perception that Rome's resources were not unlimited and some members were prepared to admit that all was not well at home. The assemblies for their part continued to love a great general, but the people were becoming more restive than they had been for some time under the hardships caused by military service, shortages of corn and the land problem. When Ti. Gracchus became tribune in December 134, he appears to have been already regarded as a friend of the people and he was encouraged by graffiti on public buildings and monuments to recover the public land which was being held in excess of the legal limit. The issue had come to life in Laelius' consulship; more might be expected of Gracchus as a man from the core of the nobility (his father had been consul twice and censor). The proposal that he made was generous in its treatment of offenders. Existing occupiers of public land, who had no formal lease, were to be guaranteed possession without rent of 500 *iugera* (125 hectares) with an additional 250 for each child. What remained was then to be distributed to the poor by a three-man commission in allotments which could not be sold. A possessor could thus easily maintain at least one villa-estate from what once had been entirely public land. The rub lay in the commission, because holdings were to be assigned at its discretion, and this meant that the commissioners could repossess on behalf of the public the best-developed land and that which had been used as security for debts and dowries. This point would have been emphasized, if Gracchus, as Plutarch states, was provoked by opposition into including a clause demanding immediate evacuation of all land held beyond the legal limit.[38]

Vital uncertainties remain about this apparently straightforward proposal. These are first, the legal status both of the land left to existing possessors and that to be newly assigned; secondly, eligibility for the

[38] App. *BCiv.* 1.9.37; 10.39; Plut. *Ti. Gracch.* 8.10; 10.4.

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new allotments, especially whether allies could participate; thirdly, the size of the new allotments. Here the most important evidence is provided by the agrarian law of 111 B.C. engraved on one face of the so-called 'Tabula Bembina'. This law seems to have brought to an end the process of land-surveying and reallocation in Italy, which began in 133. The first ten lines, after listing various types of land and buildings which were public in 133 and since then had been in some way assigned, declare them all now to be private property and liable to be recorded in the census. They are later declared to be free of rent and tax. There is no suggestion in what survives of the text that the law is repeating an earlier provision, although it is obvious that the original public status of the land had been subject to considerable modification since 133. In particular it appears that before 111 B.C. both the prior possessors of public land, whose holding was not in excess of the legal limit, and the recipients of new allotments had been able to bequeath their property, and the rights of the new owners are recognized by the law.

Our literary sources tell us that Ti. Gracchus made the new allotments inalienable by sale in 133, though presumably they could be transmitted by inheritance, and that the right to sell them was first granted in a law passed a few years after C. Gracchus' death. C. Gracchus, moreover, had subjected the new allotments to rent. The holdings of prior possessors had also been subjected to rent after C. Gracchus' legislation by the tribune Sp. Thorius in a bill which allowed them to retain their present holdings in so far as this was legal.[39] Under Roman law public and private property are two mutually exclusive categories with no intermediate stage between them. Nevertheless the Gracchan legislation introduced categories of land with the characteristics of both public and private property, whose ultimate status raised problems of legal definition, which were only solved when the law of 111 enacted that the majority of allotments were to be private land. The present writer would conclude that no public land was made private by the land legislation before 111 (except when a straight exchange was made between public and private landholdings, as described in that text) and furthermore that no holdings of public land could properly contribute to a person's rating in the census before that date. If this is so, it excludes the interpretation of Ti. Gracchus' law as a move to increase the availability of military recruits by assigning the poor sufficient property to become *assidui* (see p. 57 above) – a policy which would in any case have been short-sighted, if his long-term aim was to promote viable family farms, which would lead to the breeding of children.

If Appian and Plutarch preserve the substance and indeed some of the phraseology of Ti. Gracchus' rhetoric, then the orator talked of the

[39] App. *BCiv.* 1.10.38; 27.122; Plut. *C. Gracch.* 9.4.

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poverty and depopulation of Italy as a whole and not just of the countryside occupied by Romans. Latins and Italian allies almost certainly suffered from the bill as holders of excessive amounts of public land, but there is no clear-cut evidence apart from Gracchus' speeches that the poor Italians were among the beneficiaries. Indeed, according to Appian and Cicero the land commission was held to have disturbed the Latins and allies by breaking treaties in its work up to 129. The only Roman public land mentioned by the law of 111 as being in the hands of Latins or allies had either been leased by the censors or been granted *en bloc* to a community for exploitation or been given to allies who before the passage of the law were in some special category (the first two kinds of land were still Roman *ager publicus* after 111). We cannot suppose that grants by the commission to individual allies, whether new recipients or prior possessors, were mentioned in a lacuna in the first ten lines, since all the land discussed there was declared private under Roman law and liable to be registered in a Roman census. Moreover, there was a legal problem about the assignation of land to allies as a private property. Except for Latins, who had the right of *nexum* or *commercium* (which allowed them to acquire property at Rome), it would have been impossible for foreigners (*peregrini*) to own Roman land, unless they were granted this right or the land was ceded by Rome to their own community. Foreigners could enjoy the use of Roman public land as lessees or possessors, but could not receive it as property which could be disposed by inheritance or sale. It appears from the Lex agraria of 111 that there were no assignations on a large scale of Roman land to allies as their private property. Gracchus may have taken the view that, while he provided for Roman citizens, the Italian communities should follow his example in their own territories. More practically, short of actually enfranchising a mass of non-Romans (which one source alleges that he promised), he had two ways of making good his rhetoric: he might exempt some public land from assignation to Romans and then either lease it to poor allies or assign it to their communities on condition that they did the same. It is not evident that he did either of these things, but it is possible that the clausula in the law of 111, referring to land exempted by C. Gracchus from distribution, deals with territory reserved for occupation by allies.[40]

A prior possessor, who had four children, was entitled to have up to 1,500 *iugera* of public land; the size of allotments to new recipients must have been on a different scale. A yardstick is provided by the law of 111 (line 14), which fixes 30 *iugera* as the maximum which can be made private by occupation and cultivation after the passage of that law. Such land

[40] Lex agraria (*Bruns* no. 11), lines 1, 3, 4, 6 and *passim*, cf. 21–2. For the view that land distribution was connected with enfranchisement, Richardson 1980 (C 123).

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would have probably been uncultivated at the time and unlikely to be immediately productive. It may be noted that at 250 *sestertii* a *iugerum* (one quarter of the price given by Columella in the first century A.D.), a lot of 30 *iugera* would have probably put a man into the next to lowest class of the *comitia centuriata*. More probably, we should allow for variations in size depending on the quality of land (10 *iugera* were later considered adequate in the fertile *ager Campanus*). Nor would the allotments have been expected to provide all the resources required by a family. It was still possible to graze animals on public pasture-land and use public woods for activities such as feeding pigs, hunting and collecting plants and berries. Furthermore, smallholders and their families could earn extra money as temporary labour especially at harvest-time, while the women could produce textiles at home.

Although Gracchus' bill was proposed at a time when military weakness and the number of slaves seemed urgent political issues, it was not an emergency measure to deal with a crisis, but one which sought to improve the social and economic conditions of Italy in the long term. There can be no question either that Gracchus hoped to further his own prospects. The career of Scipio Aemilianus and the funeral of the tribune, who died in 138, showed in their different ways the extent to which popular support could be mobilized by an adventurous and charismatic figure. However, in a world where even traditional patron–client allegiances were shifting, such support could not be relied on without limit and it is unlikely that he expected to secure a lasting dominance of Roman politics for himself and his friends. It is more plausible to see, as Plutarch did, the motive of the Gracchi as the love of glory or the fear of anonymity. The fundamental preoccupation of the Roman nobility with fame is attested in this century in the epitaphs of the Scipiones and the language of Roman comedy as well as in historical narratives.[41] In spite of the Numantine treaty, Gracchus had not become a maverick apart from the Roman aristocracy and its values. Nor was he on his own. He had originally the support of one consul of 133, the jurist P. Mucius Scaevola, and also of his father-in-law Appius Claudius (cos. 143) and the chief *pontifex* P. Licinius Crassus Mucianus (cos. 131). We hear also of younger friends of Gracchus from the senatorial order, C. Carbo and C. Cato.

The bill of 133 was not the first controversial agrarian law to be proposed at Rome. The Lex Flaminia in 232, which divided the *ager Gallicus* on the Adriatic coast into allotments, was only passed after fierce resistance from the Senate. There had been opposition too to the laws limiting the use of public land. Gracchus was, however, the first man to propose redistribution of land already held – something bound to cause

[41] Plut. *Agis et Cleom.* 2.7; Earl 1967 (A 28) 25–35. Wiseman 1985 (A 132) 1–6.

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fear among possessors, recalling the more revolutionary redistributions, which, though rare, had become a bogey in the Greek world. Both Cicero and Plutarch compared the Gracchi to the reforming kings of Sparta in the late third century, Agis IV and Cleomenes III, who sought to re-establish Spartan austerity and military might by cancelling debts and redistributing land and property according to the model of the old Lycurgan constitution. About 150 B.C. Polybius drew a parallel between the Roman and the Spartan constitution, and Romans had before this direct acquaintance with Spartan politics, especially with the tyrant Nabis, who to some extent had continued the policy of the reforming kings. The comparison between their policy and that of Gracchus was, therefore, probably in the mind of both the legislator and his opponents. Although the legislator had practical aims and his opponents practical objections, which stemmed from the damage to their own interests, the argument between them would have been conducted in part on ideological grounds. Cicero regarded land distribution as an offence against concord and equity because it infringed the principle of private property. Similar arguments were probably used in 133. Gracchus on his side took his stand also on justice, that the public land of the Roman people should belong to the Roman people and not a fraction of it.[42]

Gracchus' proposal brought him enormous public support. A contemporary historian, Sempronius Asellio, claimed that he was escorted by not less than 3,000–4,000 men; Posidonius described how men came flooding in from the countryside to support Gracchus. It is interesting that those who hoped to benefit from the bill still lived in rural Italy, presumably working as tenants or hired labourers or on inadequate holdings of their own. However, according to our chief sources, Appian and Plutarch, it was not only supporters of the bill but others, who were afraid for their land, who flocked to Rome, and this inevitably made the anticipation of the bill more tense. M. Octavius, a former friend of Gracchus and a colleague in the tribunate, was persuaded by those whose interests were threatened to veto the proposal when it was put to the assembly. Gracchus adjourned the assembly and put pressure on Octavius to give up his obstruction, in particular by threatening in an edict to veto any other public business himself and by sealing the treasury. A tribune had the power to veto anything he wanted, but it had not been the custom to veto bills in the plebian interest (for example, such obstruction had not, as far as we know, been used against Flaminius in 232). In 188 four tribunes had been dissuaded from blocking a bill granting citizenship to Fundi, Formiae and Arpinum by the argument that such privileges were essentially in the gift of the people. In 137 Scipio Aemilianus had discouraged M. Antius Briso from vetoing the

[42] Cic. *Off.* II.78–81; Plut. *Ti. Gracch.* 9.3; App. *BCiv.* I.10–11; Fraccaro 1914 (C 51) 86–9.

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Lex Cassia. However, Octavius continued his obstruction in a further assembly and this almost led to violence (indeed Plutarch alleges that the rich seized the voting urns).[43]

Gracchus was then persuaded by two senior consulars to refer the matter to the Senate. There was no constitutional requirement to do so, but it was proposed as a well-established procedure for resolving differences without a struggle. In practice the Senate made no suggestion acceptable to Gracchus in spite of his eminent friends: so he resorted to promulgating in the assembly the abrogation of Octavius' magistracy on the ground that he was betraying his office. After appealing insistently to Octavius to abandon his stand, Gracchus took the vote and Octavius' deposition was approved by the first eighteen tribes of the thirty-five. He was consequently dragged from the tribunal by Gracchus' own freedman attendants, while his friends protected him from being lynched by the crowd. A new tribune was elected in his place and at last Gracchus' bill could become law without impediment.

While the disregard of the Senate was neither contrary to law nor tradition (however much men might prefer that Senate and assemblies should work in co-operation as in the heyday of the middle Republic), the deposition of a tribune was unprecedented and its legality debatable, to the extent that T. Annius (cos. 153) challenged Gracchus by a formal legal wager (*sponsio*) to show that he had not expelled from office a colleague who was sacrosanct. A convenient example of the deposition of a curule magistrate was that of the proconsul M. Lepidus in 136, but it is doubtful whether this is relevant. The debate in 133 was between the proposition of Gracchus that a tribune's office was conditional on his obeying the people's will – a view which is found in Polybius' analysis of the Roman constitution – and Annius' contention that the inviolability of the tribune, however disruptive his behaviour, was the essential feature of his office. Gracchus' answer to this was that, while a tribune must be allowed to do appalling acts like demolishing the temple of Jupiter Capitolinus and burning the newly constructed shipyards, what he could not do was to damage the sovereignty of the plebeian assembly. This debate did not end in 133 and we find echoes of it, probably deriving from late Republican annalists, in Livy's treatment of the actions of Gracchus' father, when tribune in 187.[44]

In accordance with the agrarian bill a three-man commission was elected to pass judgement on old holdings and to assign new holdings of public land, *IIIviri agris iudicandis adsignandis*. These were originally Tiberius himself, his father-in-law Appius Claudius and his brother C.

[43] Livy XXXVIII.36.7–8; Cic. *Brut.* 97; Badian 1972 (A 4) 694ff.

[44] Plut. *Ti. Gracch.* 15.2–3 (cf. Cic. *De Or.* 1.62); Livy XXXVIII.56; XXXIX.5; Richard 1972 (C 122). On *sponsio* see Crook 1976 (F 199).

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Gracchus. In due course Ti. Gracchus was to be replaced by P. Crassus Mucianus, and then both Crassus and Appius Claudius by M. Fulvius Flaccus and C. Papirius Carbo (their names are commemorated on a number of boundary stones which survive today). However, the Senate frustrated Tiberius by refusing to give his commission tents and other equipment from public resources and granting an expense allowance of a mere six *sestertii* a day – this on the proposal of Scipio Nasica, alleged to have been the holder of a huge amount of public land. The commission needed surveyors and transport-animals, and there was also precedent for giving cash to new settlers for their initial expenses.[45] At this point the windfall of the legacy of the Pergamene kingdom (pp. 33–5 above) allowed Tiberius to propose the seizure of money immediately available from the royal treasury in order, it seems, to fund the distribution of land. He declared, furthermore, that he would produce proposals about the cities of the kingdom (which Attalus III had left free), presumably with the aim of extracting revenue for Rome. This provoked attacks on him in the Senate by Metellus Macedonicus and Q. Pompeius, in which the former denounced him for associating with the poorest criminal elements in the population and the latter suggested that the Pergamene envoy, who had called on Ti. Gracchus, had given him the purple robe and diadem from Pergamum as a future king. Thus Gracchus was already being portrayed as morally decadent and an incipient tyrant.

It was against this background that he stood for re-election to the tribunate. There was, according to Livy, an old law banning tenure of the same magistracy twice within ten years, to which exceptions had certainly been made allowing early second consulships. The most recent precedent we know for successive tribunates was that of Licinius Stolo and Sextius in the years of anarchy, which culminated in the opening of the consulship to plebeians in 367, but this story may owe something to late Republican historical elaboration. In 131 C. Carbo was to propose unsuccessfully that the plebs could elect the same man tribune as often as they wanted. If this bill had been passed, the resulting constitutional position would have been far more extreme than that arising from the single repeat of an annual magistracy, and it is hard to draw conclusions from this about the legitimacy of Ti. Gracchus' canvass. It should be remembered that there was considerable flexibility in arguments based on tradition at Rome. Recent tradition could be denounced as a corruption of the correct behaviour of remote antiquity; alternatively obedience to ancient precedents could be rejected as pedantic antiquarianism in comparison with the realistic practices of the recent past. Moreover, knowledge of the remote past depended on the biassed and insecurely founded reconstructions of recent annalists. The chief argu-

[45] Plut. *Ti. Gracch.* 13.2–3; Cic. *Leg. Agr.* II.32; Livy XL.38.6–7; App. *Syr.* 1.4.

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ment that could be used in Gracchus' defence was the accepted independence of the plebian assembly in creating its own officials.

Gracchus is said to have hoped that repetition of his magistracy would protect him from his enemies: he would remain sacrosanct and have the opportunity to mobilize popular support on his behalf. He might have argued in self-justification that his own survival in political life was the best way to guarantee the execution of his legislation. On the other hand, if there is any truth in the accounts of his new proposals, he was not intending to stand pat on what he had done but to put more controversial proposals to the plebs. According to Appian, as the election took place at harvest-time, Gracchus' rural supporters were unable to come and help him and he therefore sought the support of the urban plebs. This would have made new proposals especially desirable. A number of ideas are attributed to him, which mostly relate to what was proposed or actually enacted by his brother Caius – reduction of military service, appeal to assemblies from the sentences of judges, a mixture of knights and senators on jury panels, even the promise of citizenship to Italian allies. If these proposals were actually mentioned in his speeches and do not merely derive from apocryphal ascription by his brother or later sources, they suggest an attitude more aggressive than defensive, one which sought to exploit the powers of the tribunate and assembly even further.

There were early warnings of the violence that occurred at the election. Plutarch claims that there were conspiracies among the rich from the time of the agrarian bill. The circumstances of the deposition of Octavius would have sharpened feelings more. On the first day of the election, after two tribes had voted for Ti. Gracchus, pressure was brought on Rubrius, the presiding tribune, that Gracchus should not be accepted as a candidate. Rubrius withdrew and was replaced by Mummius, the man chosen as tribune instead of Octavius. That evening Gracchus put on mourning and commended the safety of his own son and mother to his supporters. Before dawn the following day he and his men occupied the slopes of the Capitoline hill and the centre of the Forum in preparation for the assembly. His opponents forced their way in and tried to impede the election but, according to Appian, they were driven out of the Forum with sticks and clubs. Meanwhile a Senate meeting was held in the temple of Fides (by the stairway up the western cliff of the Capitol) to discuss Gracchus' imminent re-election. The presiding consul, P. Mucius Scaevola, was urged by Scipio Nasica to defend the public interest and kill the tyrant (a gesture by Gracchus in the assembly was interpreted as a request for a diadem), but he refused to use force or kill a citizen without trial. Nasica then claimed that the consul was betraying the Roman constitution and used the formula of a

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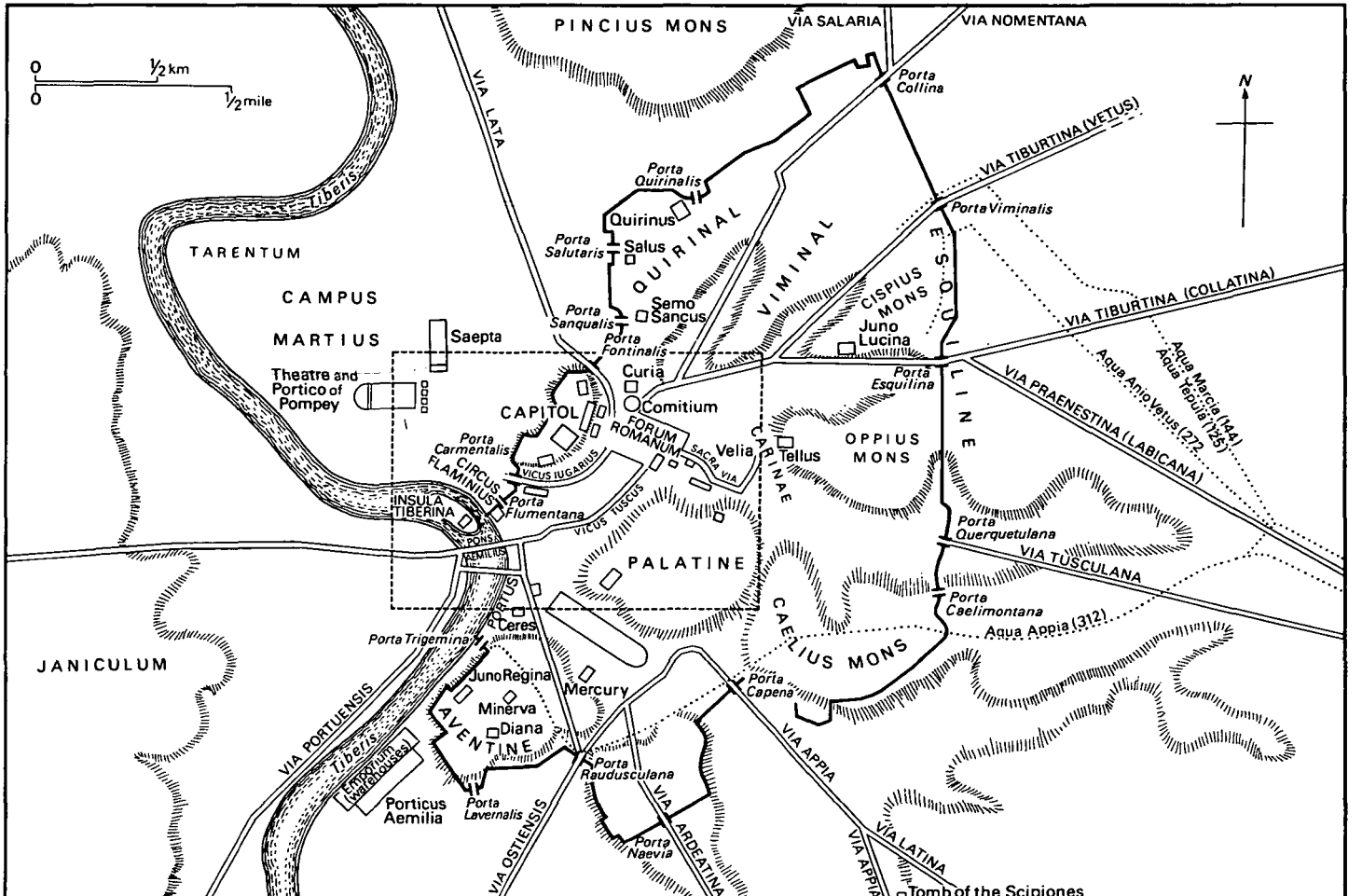


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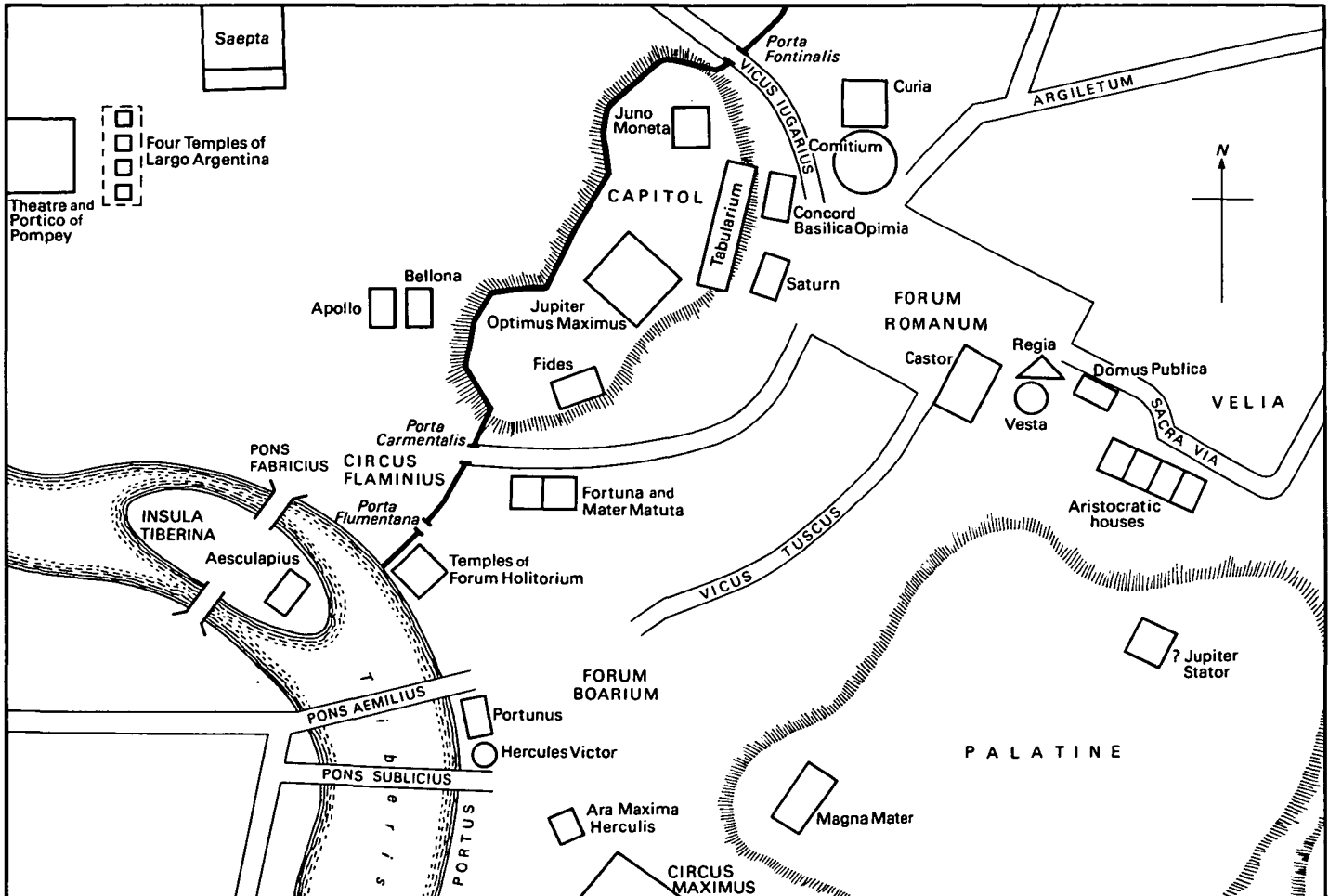


Fig. 1. Rome in the last two centuries of the Republic.

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magistrate levying soldiers in an emergency: 'anyone who wants the community secure, follow me'. He also put the hem of his toga on his head, imitating the so-called *cinctus Gabinus* used by consuls in such circumstances and by priests when sacrificing. In this garb he headed a crowd of senators and their attendants who mounted to the high point of the *area Capitolina* outside the temple of Jupiter. Here they came to grips with Gracchus and his supporters and, after clubbing many to death or throwing them down the precipice of the hill, they routed the rest. Gracchus himself was said to have been struck down by two men, one of whom was his fellow-tribune P. Satureius. The fine head of the Athenian tyrant-slayer Aristogeiton, found at the bottom of the south-west slope of the Capitol, may well be part of a monument set up later to commemorate the alleged imitation of the Athenian example.[46]

Although our ancient sources differ in assigning responsibility for the original violence in the final electoral assembly, they assume that those who struck down Gracchus did so deliberately, whether this was a deplorable criminal act or a glorious blow for liberty. A plausible attempt has been made recently to show that after the gradual escalation of violence during the tribunate, passions ran too high on the final election day and the death of Gracchus was its unpremeditated outcome. Yet, however plausible, this runs directly contrary to the language used in the Senate and the attitude it implied. It was axiomatic among the Roman upper class that potential tyrants should be killed out of hand. The historical origins of this belief lay in the expulsion of the Kings and the deaths (by execution or assassination) of the three demagogues who were alleged to have aspired to tyranny in the early Republic – Sp. Cassius, Sp. Maelius and M. Manlius Capitolinus. These examples would have been reinforced in the minds of the educated by horror stories about Greek tyrants who had begun as demagogues, such as Dionysius and Agathocles of Syracuse. Nasica appealed to this tradition of tyrannicide and then made in effect a declaration of war by using the formula of the emergency military levy. From his point of view he had good grounds for his action. Even if Gracchus' first moves had been those of a reformer within Roman tradition, his ruthless assertion of popular sovereignty in all crises gave his tribunate an ideological dimension, the more disturbing because it was combined with a desire to continue his own pre-eminence. This was a capital crime for those who believed that justice lay in the collective dominance of the Senate and of men of property.

The Senate's behaviour in the aftermath of Gracchus' death, however self-contradictory it appears, in every respect confirms the view that the killing of Gracchus was a deliberate act. The consul P. Scaevola is said by

[46] Lintott 1968 (A 62) 183; Coarelli 1969 (C 43).

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Cicero to have given *ex post facto* approval to the deed by virtue of the decrees which were then passed. The consuls of 132 were instructed to investigate and execute those who had conspired with Gracchus (C. Blossius of Cumae, a Stoic philosopher, was among those investigated and released but the rhetor Diophanes was not so lucky). When Scipio Aemilianus returned from his victory at Numantia, he was asked at a public meeting whether the killing was justified and replied that it was, if indeed Gracchus had planned to seize a tyranny. Earlier at Numantia he had quoted Homer, 'so I would have perish anyone who does such things'. However, Nasica himself was challenged in the Senate to defend his conduct with a wager (the same procedure that had been used against Gracchus by Annius) and, like Gracchus, he refused, rejecting Scaevola as an arbiter. Then, although *pontifex maximus*, he was sent as an ambassador to Pergamum, where he died.

Meanwhile the vacancy on the land commission was filled by the election of Crassus Mucianus (Scaevola's brother and C. Gracchus' father-in-law) and its work was allowed to go forward. It is unlikely that this was merely a sop to public feeling: rather it reflected the amount of support that the Lex Sempronia had in principle among the Senate, provided, no doubt, that the commissioners were thought to be sound men who would handle existing possessors of public land with care. Those who regarded its operations as fundamentally unjust would have remained disquieted. Scipio Aemilianus made a speech denouncing what is probably Gracchus' law earmarking funds from Asia for this work. In this he seems to have compared the financial exploitation of Asia with the importation of Asiatic luxury and sexual licence. There is an irony here, since Scipio had maintained good relations with Attalus III and had received presents of war-supplies from him at Numantia.[47] Boundary stones (*termini*) set up by the commissioners of 132 have been found in Campania, northern Lucania and in the *ager Gallicus* near Fanum, while those of the succeeding commission have appeared in southern Samnium near the Campanian border and recently in northern Apulia near Luceria. A tantalizing sidelight on their operations is the monument in the Val di Diano, which commemorates the achievements of a man who built a road from Rhegium to Capua, returned runaway slaves at the end of the Sicilian slave revolt (ch. 2, pp. 25–7) and, as he claimed, was the first to make herdsmen yield place to arable farmers on the public land. Although he is generally held to be Popillius Laenas, the consul of 132, a strong case has been made for identification with T. Annius, praetor *c.* 132, one of whose milestones has been found elsewhere on this road. This monument at the entrance to Lucania is in an area of centuriation near the find-spots of Gracchan *termini*. It seems that the man who

[47] *ORF* no. 21, fr. 30; Cic. *Deiot.* 19.

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commemorated himself was competing with the land commission for glory as the saviour of rural Italy.[48]

We have no clear evidence of the success or failure of the commission's resettlement programme. Appian's gloom over the fate of the poor, when its operations finally ceased, is no argument against the viability of the original allotments. The increase recorded in the census figures between 131 and 125 of some 75,000 adult males is in the writer's view best explained by new registrations (ch. 2, pp. 36–7) and is testimony to the initial attractiveness of the land-grants. Moreover, although our sources from the Principate tend to anticipate the concentration of property which had occurred by the first century A.D., there is plenty of evidence for the survival of smallholdings in this period (pp. 56–7). Indeed this is implicit in the law of 111, whose legislator thought it worthwhile to confirm new allotments as private property and to encourage the formation of 30-*iugera* private holdings in the future through the occupation and cultivation of public land.

The major difficulties faced by the commission were those of discriminating between existing public and private land and of handling non-Roman occupiers of public land. Complaints came from the wealthy possessors about the lots which were eventually adjudged theirs, but jurisdiction in disputes lay in the hands of the commission. Italian landowners objected to this jurisdiction and in 130–129 found a champion in Scipio Aemilianus. Scipio secured by a decree of the Senate the transfer of jurisdiction in such cases to the consul, but the latter left for his province. We do not know what happened in the long run. Jurisdiction in matters arising from land distribution was assigned to any consul or praetor by the law of 111 and it may be that subsequent consuls heard the allies' cases. There is certainly no reason to suppose that the commission ceased to be active in other respects in spite of the understandable obstruction by possessors.

Shortly after this intervention Scipio died mysteriously at night. Although this seems to have been ascribed to natural causes in the funeral oration, his wife (who was Ti. Gracchus' sister), C. Carbo and C. Gracchus were all suspected of murdering him. This bears witness to his identification with the opposition to Ti. Gracchus and his political programme. Cicero's statement that the death of Ti. Gracchus divided the people into two halves is an over-simplification. Scipio had opponents in the Senate like Metellus Macedonicus, who probably had sympathy with the aims of Gracchan legislation (as censor in 131 he had spoken in favour of increasing the birth-rate) but none with his political methods. There were also opponents such as C. Carbo and C. Gracchus who, following the example of Ti. Gracchus, wanted to use the

[48] *ILLRP* 467–74; 454; 454a; Pani 1977 (B 216); Wiseman 1964 (B 259); 1969 (B 260).

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assemblies under their own leadership to direct political policy. This attitude is illustrated by Carbo's successful bill requiring secret ballot in legislative assemblies and his unsuccessful bill, which was supported by C. Gracchus, that unlimited re-election to the tribunate should be allowed. If there was a consensus in practice about the agrarian problem, the way had been opened to future conflict about the balance of the constitution. A further proposal, which should be mentioned in this context, is one for the return of public horses mentioned by Cicero in *De Republica*. Scholars since the last century have assumed that the object of this proposal was to deprive senators of horses subsidized by the treasury and of membership of the centuries of knights in the *comitia centuriata*, but this is not stated in the text, nor is there confirmatory evidence elsewhere.[49] It seems more likely to be a proposal for the abolition of the public horse entirely, on the ground that there was no longer military justification for their existence, since Rome had come to depend on foreign cavalry. The bill would have abolished a class distinction, as Cicero complains, and also have saved the treasury money spent on payment for animals and fodder. Thus Cicero could suggest that the bill's authors were seeking a *largitio*, a hand-out of welfare for the people, from the money saved.

Meanwhile a spur to further radical reforms was provided by the exacerbation of some of Rome's long-standing difficulties. The Gracchan agrarian policy had already brought to the surface the problem of Rome's relations with her Italian allies (on which see Volume VIII², pp. 207–43). Fulvius Flaccus, one of the land commissioners, sought, when consul in 125, to remove the objections of the Italian upper classes to the redistribution of land by offering Roman citizenship to allies or, if they did not wish to lose their separate identities, physical protection against Roman magistrates in the form of *provocatio* – something which would have been especially desirable in view of the horrific stories about the behaviour of Romans in Italy, which were recounted by Cato the Censor and later by C. Gracchus in their speeches. The *lex de repetundis* on the 'Tabula Bembina' from Urbino (lines 78–9) made the same alternative offers to successful non-Roman prosecutors, but it seems to have excluded giving *provocatio* to magistrates in allied communities (it is not stated that these were only Latin, as Mommsen suggested). This has been linked with the possession of Roman citizenship by magistrates in Latin cities, attested as existing before the Social War of 90 B.C. However, if these men were already Roman citizens, this clause was irrelevant to them from the start. Nor is it certain that the allied magistrates were excluded from receiving *provocatio* because they possessed it already. As Gabba has argued in Vol. VIII² (pp. 241–2), the

[49] Cic. *Rep.* IV.2; Mommsen 1887–8 (A 77) III.505–6.

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legislator may have been reluctant to confer on the local magistrates the freedom from public duties which was a concomitant of the *provocatio* privilege. It is none the less conceivable that the concession of Roman citizenship to Latin magistrates was already effective in 123–122. However, the wholesale grant of Roman citizenship and *provocatio* proposed by Flaccus was a different matter. It is important to realize that if a community decided to assume the Roman citizenship, it lost its separate juridical identity and there was no way that an individual member could retain his old status as a foreigner combined with *provocatio*. The decision to choose *provocatio* rather than citizenship in response to Flaccus' offer would have had to be made by the community as a whole.

In 126, the year before Flaccus' consulship, a law of M. Iunius Pennus had excluded non-Romans from the city, either because there was a threat to public order from Italians gathering in the city to support Flaccus at the elections, or because it was suspected that Roman citizenship was being usurped. This measure cannot have lasted long. Nevertheless, Flaccus made no progress with his proposal before he left for his war against the Gauls (p. 24 above). It is tempting to connect with his failure the revolt in this year of Fregellae, a Latin colony on the border of Samnium, and, according to one source, the simultaneous revolt of Asculum, the Picene capital. Fregellae had been in 177 the focus for migration of Samnites and Paelignians. Excavation has revealed an apparently prosperous town with developed private architecture and drainage, flanked by a popular shrine dedicated to Aesculapius with an altar to Salus (Health), which specialized in curing diseases of the foot. There is, however, no evidence of spectacular monuments, such as the contemporary theatre and shrines of Samnite Pietrabbondante. We have no information about the cause of the revolt, and it may have been a response to harsh intervention by the Senate or Roman magistrates in a matter which concerned Fregellae alone. In the event Q. Numitorius Pullus betrayed his own city and it was conquered and flattened by L. Opimius, then praetor, much as Carthage had been, to the distress of the other Latins.[50]

The supply of grain to Italy had already been a problem in the previous decade (pp. 58, 60). When C. Gracchus was quaestor in Sardinia in 126, grain for his army was provided by king Micipsa of Numidia, which is remarkable in what was normally a grain-exporting province. The following year there was a plague of locusts in Africa. In the words of the poet Lucan later, 'a starving people knows not how to fear'. Apart from the misery that ensued from corn shortages for the poor, the possibility

[50] Livy XLI.8.8; *De Vir. Ill.* 65.1; Cic. *Inv. Rhet.* II.105; *Fin.* V.62; Crawford, Keppie, Patterson and Vercnocke 1984 (B 284).

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of riots was disturbing to the aristocracy.[51] Another cause for disquiet was the fact that the prognostications of the moralists about the results of the destruction of Carthage were being proved true, not only by luxury at Rome (there was yet another sumptuary law, a Lex Licinia, in 131 or later) but by the conduct of senators in Italy and the provinces. Wealth was still on a small scale by comparison with the late Republic, if we believe the story that Aemilius Lepidus was charged before the censors in 125–124 for renting a house for 6,000 *sestertii* a year. So probably was extortion. Yet after the introduction in 149 of a permanent tribunal to investigate illegal appropriations by Romans in authority to the detriment of allies, the *quaestio de repetundis*, in all the cases known to us the accused went free (a partial exception was M. Iunius Silanus, who committed suicide after being condemned by his father in a private family hearing). In particular the activities of M'. Aquillius, who had been made responsible for settling the new province of Asia after the war with Aristonicus (ch. 2. pp. 34–5) became a scandal, yet he was acquitted after his return in 126.

## V. GAIUS GRACCHUS

While quaestor in Sardinia from 126 to 124 C. Gracchus tried to distance himself conspicuously from current trends in profiteering. Micipsa's gift of grain also added to his political stature. He returned to Rome early in 124 without apparently waiting for his replacement (he could have argued that he had been forced to neglect his other office of land commissioner for too long) and immediately had to defend himself against charges of misconduct on this count and complicity in the revolt of Fregellae. Canvass for the tribunate brought him election in fourth place. He was a less appealing man than his brother, but his powerful oratory and flamboyant deportment on the platform were later regarded as the beginning of a new era in demagoguery. Once elected, he revived memories of the catastrophe of Tiberius and his supporters, not only as a personal misfortune but as a failure by the plebeians to maintain their tradition of defending their tribunes. He proposed two bills with an element of reprisal. The first, banning from future office any magistrate deposed by the people and so threatening M. Octavius, was perhaps withdrawn (or a prosecution of Octavius for flouting the law was not pressed), allegedly after representations from Gracchus' mother Cornelia. The second was generally a reinforcement of the *provocatio* legislation, which sought to prevent proceedings like those under Popillius Laenas' tribunal in 132: no capital trial of a citizen was to be held without the sanction of the assembly; furthermore any magistrate who deprived a

[51] Plut. *C. Gracch.* 2.5 (cf. Livy xxxvi.2.13); Oros. v.11.2–5; Lucan iii.58.

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man of his citizen rights without trial, that is by execution or exile, as if he were an enemy, was himself to be tried before the people. Subsequently Gracchus prosecuted Popillius Laenas on this count and drove him into exile.[52]

The flood of new legislation which followed, although it was within existing *popularis* tradition in so far as its ultimate concern was the welfare of the people (*commoda populi*), created new precedents both in the sheer quantity and in the radical nature of the proposals. Our sources tend to conceive Gracchus' legislation as an elaborate plot against the authority of the Senate, and there is truth in this inasmuch as he was subjecting magistrates and senators to new controls. Yet he showed no sign of wanting to replace the Senate in its normal functions and it is surely a distortion to see his measures merely as instrumental, designed to create sufficient public favour for him to achieve this further end. It is equally unsound to treat his earlier measures as justifiable exercises in demagoguery on the ground that they were intended to prepare the ground for the enfranchisement of the Italians. The measures were important individually as attempts to solve political problems, but also collectively, because the means chosen often recalled the procedures of Greek democracy and the total effect was to use popular sovereignty to create an administration in the popular interest. The chronology of the legislation is impossible to reconstruct with certainty, except in so far as both the *lex de repetundis* and the Italian proposal probably belong to 122. The following treatment is therefore more schematic than sequential.[53]

Gracchus developed his brother's agrarian land legislation in a new bill which exempted an important section of public land from distribution – perhaps so that it could be rented by non-Romans – and which imposed a rent on new allotments, thus emphasizing that they were still public land. Linked with this and perhaps incorporated in it were schemes for colonies in Italy (Scyllacium, Tarentum and Capua are sites mentioned) and for the building of roads. The latter, apart from their obvious functions, would have contributed to the success of farmers on allotments deep in the countryside and to the growth of *vici*, villages where houses were assigned to those who maintained the roads.[54] Through a fellow-tribune named Rubrius he also enacted that some of the land Rome owned in North Africa should be used to settle a colony with a refounded Carthage (Iunonia) as its centre and generous allotments of up to 200 *iugera* – clearly a colony provided with an upper class from the start (ch. 2, p. 28).

To improve the corn supply he introduced a measure which by virtue

[52] Lintott 1968 (A 62) 163–4.

[53] On ancient views of C. Gracchus see Nicolet 1983 (C 116). On chronology Stockton 1979 (C 137) 226–39.

[54] Lex agraria (*Bruns* no. 11), lines 11–12.

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of its intended permanence went beyond those of which we know in the Greek world. Corn was to be sold to citizens at a price of 6⅓ *asses* a *modius* (see above, p. 58), thus probably a little below the price fetched by wheat immediately after the harvest. This was made possible by the building of granaries at Rome where corn could be kept the year round after being bought when the price was low. By contrast, when he believed that corn had been improperly exacted by a praetor in Spain for despatch to Rome, he had the price of the corn sent back to the Spanish cities through a decree of the Senate. It is also possible that he proposed a limit on debt repayments as a further means of assisting the poor.[55]

It appears from an anecdote about L. Piso Frugi that the grain law was opposed because it shared out the property not of individuals but of the community as a whole: thus it was believed not unjust, as the agrarian bill of 133 had been, but rather recklessly prodigal. However, Gaius showed his concern with the revenues needed to pay for his operations by the introduction of new transit-dues and more significantly in the organization of the province of Asia. We know he spoke against a bill which would have confirmed the gift by Aquillius of part of Phrygia to Mithridates, claiming to do so in the name of the treasury and public welfare (chapter 2, p. 35). He himself passed what was probably a substitute bill about the administration of Asia, which included a new arrangement for collecting the direct taxes. These were to be farmed out to a company of tax-collectors (*societas publicanorum*) after an auction at Rome, and its representatives would collect the money in the province instead of the Roman magistrates. The *societates* had as their core a contractor (*manceps*) and partners (*socii*), who were non-senators, but these were backed by a number of guarantors and shareholders, among whom senators might have been found. The companies were unusual in being the only form of business association to which Roman law permitted a legal personality something like that of a modern company.[56] The Asian direct taxes would have been the plum contract for such companies and this probably had implications from the start throughout business circles in Rome, as it clearly did later in Cicero's day. Gaius' bill, therefore, affected the interests not only of the treasury and the common people who received benefits from it, but also of the moneyed classes, and the tax companies became the centres of important political pressure-groups.

A number of other constitutional and administrative reforms are briefly treated in our sources. By a law which was to remain valid down to 52 B.C. the Senate was required to settle the consular provinces before the election of the consuls concerned (in this epoch the elections were shortly before the end of the consular year). This would have diminished

[55] Brunt 1971 (A 17) 90. [56] Badian 1972 (A 4) 67–81. Nicolet 1971 (G 173); 1979 (G 175).

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jobbery in the allocation, although occasionally, when a new military crisis arose, these provinces had to be changed – a procedure for which the law seems to have allowed. A proposal was made to mix centuries from different classes of the *comitia centuriata*, when allotting the order in which their returns of votes were to be made: this would not have affected greatly the fundamental bias towards the wealthy in the assembly, but would have ensured that, when there were three or four candidates with similar numerical support, the chances of those who drew their support from the poorer citizens would not be prejudiced. The cynic might say that Gaius was providing for his own future. We have no evidence that this bill was in fact passed. Terms of military service were also altered: no soldier less than seventeen years old was to be conscripted and there were to be no deductions from pay for clothing and equipment supplied. It is not stated, however, that C. Gracchus had reduced the period of compulsory military service, although this seems to have occurred by 109 B.C..

There are more complex problems about Gaius' policy of eliminating corruption and the dominance of the aristocracy in the courts. The Lex Sempronia about capital trials, discussed earlier (pp. 77–8), should not be forgotten in this context: it was to be a positive stimulus towards the establishment by legislation of permanent criminal courts as well as special tribunals. A measure, later incorporated in the Lex Cornelia de sicariis et veneficis (which dealt with banditry, poisoning and murder) provided that those who conspired to secure the condemnation of a person on a capital charge should themselves be liable to a capital prosecution. This does not seem to be a reaction to Popillius' tribunal of 132 but rather to misconduct in regular courts, such as that attested in 141, when Hostilius Tubulus, who had presided as praetor over an investigation into bandits, was accused of judicial corruption and a tribunal was set up through a bill passed by P. Scaevola, later the associate of Tiberius Gracchus.[57] However, the feature of Gaius' legislation that the majority of our ancient sources choose to emphasize, usually with hostile overtones, is his transfer of judicial competence to the equestrian order (pp. 90–91), which is said to have set them at odds with the Senate and cut down the Senate's power. Most of the accounts do not explain the measure in detail; Livy mentions a proposal to add 600 from the equestrian order to the Senate, Plutarch one to add 300 equestrians to the Senate, adding that the resulting 600 were to share all judicial duties. There is no evidence of an enlarged Senate later, but it is possible that we have here garbled evidence of a genuine reform, by which non-senators were generally admitted to judicial functions, which previously, according to Polybius, were monopolized by the Senate.[58]

[57] Cic. *Fin.* II.54; IV.77; *Nat. D.* III.74; Ewins 1960 (F 47).

[58] Livy *Per.* LX; Plut. *C. Gracch.* 5.2–4; Polyb. VI.17.7; Brunt 1988 (A 19) 194–204.

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The clearest evidence of the nature of the reform that excited our literary authorities is provided by the fragments of a *lex de repetundis* (ch. 1, p. 5), which, though they contain no direct testimony to their author, can be shown to have belonged to Gaius' legislation.[59] This law not only prescribed the selection of jurors who had not been senators or minor magistrates, but inaugurated a new era of criminal procedure. It allowed Rome's allies, either in person or through delegated representatives, to prosecute Roman ex-magistrates, senators or their sons for the improper seizure of property. The jurors were to be fifty in number extracted by selection and rejection from an album of 450 men with no connexion with the Senate or the magistrates. Procedure was elaborately detailed and disobedience by members of the court was punished by fines. Successful prosecutors were also rewarded with citizenship or other privileges – *provocatio* and immunity from both conscription and public duties in their own communities (pp. 75–6). The political aspect of the law was not merely the granting of public duties as jurors to equestrians, but the granting of judicial power in cases where senators and their like were the defendants and the prosecution derived from embittered allies and subjects of Rome. This law in itself would explain the vaguer statements in our literary sources. The proposals mentioned by Livy and Plutarch, which brought together senators and equestrians, may have been Gaius' initial plans later abandoned or some more general measures affecting judges in other cases. According to Diodorus, who follows Posidonius, Gracchus regarded this judicial legislation as a sword threatening the Senate, and Cicero claims that Gracchus talked of throwing daggers into the Forum for citizens to fight duels.[60] We should not suppose from this that he planned to destroy the Senate but simply to break its monopoly of political influence. At the same time he sought to toughen public criminal procedure which in the past had been lenient to senatorial malefactors guilty of brutality and extortion in the empire. For prosecutions in the assembly and the creation of special tribunals by legislation might founder through obstruction by a tribune friendly to the defendant or appeals to the sympathy of the crowd, while the quasi-private procedure under the Lex Calpurnia de repetundis both was unsuited to complex cases and led merely to restitution for what had been lost, unlike the new law which provided that the damages should be double what had been taken.

It is a commonplace among modern authorities that the ensuing equestrian juries were venal and vindictive. This view is chiefly based on the case of P. Rutilius Rufus, condemned *c.* 92 B.C. after making the tax-collectors of Asia his enemies. However, it is worth noticing that Rutilius was condemned for receiving bribes (presumably from provin-

[59] Sherwin-White 1972 (B 240); 1982 (C 133); Lintott 1981 (A 64) 177–85.
[60] Cic. *Leg.* III.20; Diod. XXXVII.9.

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cials), which was by then actionable under the *lex de repetundis*, and there is nothing to show that he was not technically guilty on that count. In general in this court the prosecution had to originate from complaints by allies. The statistics of *repetundae* cases from the time of Gaius' legislation onwards show that about 50 per cent of all prosecutions succeeded.[61] Although an improvement from the point of view of Rome's allies on what happened before, this was not an outstanding success rate. Yet the senatorial grievance against the jurors in this period was that they condemned, not that they acquitted unjustly. A fairer conclusion might be that the personal animus of jurors against senators on trial did no more than counterbalance the tendency of other jurors to acquit those with whom they had business and social connexions.

The passing of the *lex de repetundis* probably belongs to the beginning of Gaius' second tribunate, since the text of the inscription shows that the law was passed near the beginning of the calendar year. Gaius had achieved re-election in the midst of his legislation in circumstances which are far from clear. He did not canvass but, according to Plutarch, was chosen spontaneously by the tribes themselves and the presiding magistrate ratified his election. Arguably, this re-election did not suit his plans, since he was required in Africa to supervise the founding of the new colony at Carthage during 122. His colleague in the agrarian commission, Fulvius Flaccus, was also elected tribune, while a friend, C. Fannius, became consul. One other major bill was proposed by him (or by Flaccus with his support) this year – to improve the civil rights of Latins and Italians. It is evident from our sources that the Latins were offered full Roman citizenship, but other Italians were not. The latter are said to have been offered the right to vote. Modern scholars have assumed that this is a roundabout description of a grant of Latin status (which did include the right of all Latins present at an election to vote in one of the thirty-five tribes). However, the most important features of Latin status were the private rights of intermarriage, access to Roman courts on the same terms as Romans and acquisition of land and other major items of property owned by Romans.[62] Nor should we forget the religious cults which Rome shared with Latium. By virtue of these privileges Latins had become more assimilated to Romans than they had been by the suffrage and it would be odd if our sources had missed the point. It may be suggested, therefore, against current orthodoxy that what Gaius offered Italians was merely some form of voting rights in elections and legislation, which they could enjoy if present at Rome at the time. Gaius' proposal was, consequently, modest in that it sought

[61] Lintott 1981 (F 104) 194–5, 209–12.

[62] App. *BCiv.* 1.23.99; Plut. *C. Gracch.* 5.2; 8.3; *ORF* no. 32, fr. 1. On Latin rights see Sherwin-White 1973 (F 141) 108–16; on Gracchus' re-election see Stockton 1979 (C 137) 169ff.

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only to absorb in the Roman citizen body those already closely linked by language, law and religion.

There was, however, strong opposition to the bill, in which two leading figures are named. One was the consul Fannius, who had been expected to be Gaius' supporter. The one surviving fragment of his famous speech on the subject runs, 'I suppose you imagine that, if you give citizenship to the Latins, you will still have a place in the assembly in which you are standing, and will participate in the games and festivals. Don't you realize that they will swamp everything?' The other was M. Livius Drusus, a fellow-tribune of Gaius, who is said to have sought to rival him in popular favour at the prompting of the Senate – by proposing twelve new colonies with 3,000 places each, the cancellation of the rents on the new allotments and the grant of freedom from flogging to Latins even on military service. Gaius' tribunate was apparently interrupted by his visit to the new colony in Africa, where the foundation of the town was overcast by evil omens. (It is not clear how he managed to justify his absence from the city, where as tribune he had a duty to remain: it may even be that this was sanctioned by a *senatus consultum*, which would have had the ulterior motive of removing him temporarily from the political scene.) We do not know whether the bill about the allies was abandoned, voted down or vetoed by Livius Drusus. It still seems to have been an open issue at the time of the consular elections, when Fannius expelled Latins and allies from Rome by an edict. Interestingly, Gaius produced an edict in reply, promising to use his protective powers as tribune of the plebs on behalf of those being expelled, in spite of the fact that they were not members of the Roman people, but in the event did not fulfil his promise. At all events the bill became moribund and L. Opimius, an enemy of Gracchus and previously responsible for destroying Fregellae, was elected consul. Gracchus himself was not re-elected tribune, although it is said that he had a majority of votes. This was probably because his votes were not considered until after those of ten other candidates, who had already been approved by a majority of the tribes.[63]

During 121 there was an attempt to repeal parts of his legislation. It is possible that modifications to his grain bill were proposed, but its repeal by a M. Octavius Cn. f. seems to belong to the last decade of the century, shortly before the law of Saturninus which revived the Gracchan provisions. In 121 may also fall the first post-Gracchan land law, which allowed the sale of some landholdings within the *ager publicus*, though not apparently new allotments, as most modern scholars believe (see below, pp. 86–7). Above all, the Lex Rubria about Africa was the focus

[63] Hall 1964 (F 74) at 295.

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of an attack by a tribune, Minucius, which Gracchus and Fulvius Flaccus prepared to resist by mobilizing supporters.

While Gracchus and his entourage were watching the critical assembly from a newly built stoa on the Capitol, an attendant carrying entrails from a sacrifice jeered at them and was stabbed to death with styluses. The following day a meeting of the Senate was held, to which Gracchus and Flaccus were summoned but which they did not attend, fearing a repetition of the events of 133. The Senate then voted that Opimius should defend the *res publica* and see that it came to no harm; he was also urged to overthrow the tyrants. In reaction to this Flaccus and Gracchus armed their followers and seized the shrine of Diana on the Aventine hill. Opimius raised a militia from among the people of Rome, stiffening it with a force of Cretan archers, who happened to be available near the city. He declined to negotiate with his opponents, but ordered them to submit themselves in person to the judgement of the Senate. Then, after promising its weight in gold as a reward for Gracchus' head, he marched on the Aventine from the slope of the Velia. After a struggle Flaccus and his sons were killed, while Gracchus was either killed or committed suicide, when he had fled over the wooden Pons Sublicius to the far bank of the Tiber. Opimius went on to hold an inquiry into the supporters of C. Gracchus, similar to that of 132. Many were executed after a brief investigation without the formalities of trial.[64]

Opimius was later prosecuted before the people by a tribune, P. Decius Subulo, on the ground that he had executed Roman citizens who had not been legally condemned, that is, he had violated precisely Gracchus' Lex Sempronia, which had sought to prevent capital condemnations without the sanction of the people. Opimius' whole conduct in arming forces and bringing about the deaths of Gracchus and his companions was brought into question in the case. He successfully defended himself by appealing to the decree of the Senate which urged him to save the state and by claiming that his opponents did not deserve to be treated like Roman citizens. He was on better ground defending his military measures than the killing of captured Romans in cold blood, and so the broad-based attack of the prosecution may have been self-defeating. The case was important because, by contrast with 133, the deaths had not been the result of private violence – which, even if excused in the light of Roman tradition, was not strictly a constitutional precedent – but the calculated act of a magistrate who justified himself by the trust placed in him by the Senate. Constitutionally, the Senate could pass any decree it liked, it was the magistrate who was responsible for any illegal actions he undertook. Nevertheless, the decree urging the

[64] Stockton 1979 (C 137) 195ff; Lintott 1972 (F 102) 259ff. On the career of Fulvius Flaccus, who tends to become overshadowed by C. Gracchus, Hall 1977 (C 72).

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defence of the public interest was valuable support, if he was charged with breaking the laws. Opimius' acquittal enabled the decree (usually known to modern historians as the *senatus consultum ultimum*, following an indignant phrase of Caesar's) to become an institution for emergencies, when the Senate believed that only the use of quasi-military force against citizens would save the situation. From a purely theoretical point of view there was much to be said for it. If there was violence and disorder in the city, a magistrate was unlikely to suppress it without breaching the personal immunities guaranteed by *provocatio*. However, the decree was vague and could be treated by magistrates as *carte blanche* for the most brutal reprisals. It was also clearly an instrument of class politics both then and on later occasions, in that the victims were those who had challenged the authority of the Senate by appealing to assemblies.[65]

Opimius' escape from punishment for his breach of the Lex Sempronia was complemented by the recall of Popillius Laenas from exile. The Senate's authority thus prevailed in the end, and the following period was to be denounced, in a speech attributed by Sallust to C. Memmius, the tribune of 111 B.C., as one in which the people were made a laughing-stock by the arrogant few.[66] On the other hand, the lesson that future *populares* might derive from the fate of the Gracchi was not that reverence for law and order was essential, but that they needed superior force and especially the support of magistrates with *imperium*. This was one respect in which the Gracchi influenced their successors from Saturninus to Clodius and the implications for the aristocracy were uncomfortable. It may be asked whether it was worthwhile for the Senate to purchase its renewed dominance at this price, especially as it could not erase what Gaius had done. It is true that the African bill was repealed, but many Gracchan settlers were left in Africa and other Romans were allowed to acquire territory by purchase there. Apart from the evidence of the agrarian law of 111 B.C. (p. 87), there is a boundary-stone of *c.* 120–119 from the territory of Carthage showing a new agrarian commission, including C. Carbo, who had reneged on his Gracchan affiliations by defending Opimius.[67] The Gracchan land and colony schemes in Italy were also modified and a bill about the Italians and Latins was not to be reintroduced for thirty years. Yet most of C. Gracchus' bills passed into the corpus of Roman legislation, often with far-reaching consequences. The aristocracy's reaction resembled that of a general dealing with a mutiny, who accedes to most of the demands but executes the ringleaders to preserve discipline.

As for C. Gracchus himself, he was more resourceful politically than

[65] Lintott 1968 (A 62) 149–74. [66] Sall. *Iug.* 31.2.
[67] *ILLRP* 475; Cic. *De Or.* II.106, 165, 170.

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his brother but equally a man with a vision. Although the solutions he advanced for current problems assumed the continuance of the existing political framework, within this framework the balance of power was to be changed. Both major and minor reforms were to be introduced by legislation. He wanted senatorial administrators to be bound by rules laid down by assemblies, to be liable to prosecution by their inferiors and to condemnation by men from outside the senatorial milieu. It was impossible for him to introduce Greek democracy to Rome but, just as he recalled Greek demagogues in vaunting his incorruptible devotion to the people,[68] so he saw the people as the proper reference-point in the management and exploitation of Rome's ever-increasing imperial resources.

## VI. THE ARISTOCRACY AND MARIUS

The judgement that Sallust put in the mouth of Memmius was not entirely fair. Apart from the survival of the majority of C. Gracchus' enactments, tribunician activity did not cease when he died. C. Marius, a man of equestrian family from Arpinum, who embarked on a senatorial career after his military service, passed in his tribunate of 119 a *lex tabellaria*, which sought to limit intimidation in voting assemblies by making narrower the wooden galleries which led from the waiting-enclosures to the voting-baskets. He is alleged by Plutarch also to have taken a diametrically opposed attitude by obstructing a grain bill. However, the probability is that any grain bill at this time was modifying C. Gracchus' provisions and that Plutarch has misunderstood an act whose aim was to uphold the integrity of the existing generous grain provision. The following year an important measure was carried in defiance of senatorial authority, the law proposing the foundation of a colony at Narbonne, which followed Gracchan precedent in creating a colony overseas in a position which was also of commercial importance (p. 24 above). It was vigorously supported by the young L. Licinius Crassus, later Cicero's mentor in oratory, who had also distinguished himself for successfully prosecuting C. Carbo – perhaps *de repetundis* under the procedure established by C. Gracchus. Another law which gave vent to popular feeling was the Lex Peducaea of 114 which set up a special tribunal to judge unchaste Vestal Virgins and their seducers, thus replacing the jurisdiction of the *pontifex maximus*.

The agrarian arrangements in Italy were, however, modified. One bill allowed the sale of land which had been granted from the public domain. Appian understood this to apply to the smallholdings of the new

[68] *ORF* no. 48, fr. 44.

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assignees, but the implication of the *lex agraria* of 111 is that under the earlier law only the established *possessores* were allowed this privilege.[69] Later the Lex Thoria put an end to the operations of the land commission, allowing the retention of existing holdings of public land by *possessores*, but only those, as appears from the law of 111, which did not exceed the limit of the Leges Semproniae, and subjecting them to a rent. The proceeds were to be used towards distributions, possibly to provide initial finance for the new smallholders in Italy. The agrarian law preserved on bronze (passed some time between 1 March and the harvest of 111) abolished this rent for all legitimate possession of *ager publicus* by citizens, which did not depend on a lease, and this land was now made private.[70] Thus the *status quo* was formalized. Some land, nevertheless, was to remain public, including land given to villagers who maintained the roads, land leased out by the censors (including blocks granted to Italian communities), drove-roads (*calles*) and pasture-land. It was also provided that up to 30 *iugera* of public land could be made private by a possessor who rendered it cultivable. However, the implication of the law was that as much as could be done to redistribute Roman public land in Italy had now been done. Henceforward new enterprises of this kind were to take place abroad, as the sections of the law on Africa and Corinth illustrate: in the former land is shown to be still available for purchase or rent, in the latter surveying for centuriation was taking place with a view to future assignments. Appian viewed this law as a betrayal of the aims of the Gracchi. It may have seemed so to a writer in the early Principate, when estates were vastly expanding and the number of proprietors drastically contracting, but it does not follow that the new smallholdings were unviable or immediately abandoned (pp. 56–7). The pressure of the wealthy on the land was undeniable, but it seems more likely that the power of capital only became rampant in the dislocation which followed the social and civil wars in the decade 90–80 B.C.

Nevertheless, the decade following the death of C. Gracchus was sufficiently reactionary to evoke the bitter ripostes against the nobility at the time of the Jugurthine War. Indeed, it is this period above all which prompted Sallust to declare Roman politics to be ruled by *factio paucorum*, the established power of a small number of *nobiles*. The general truth of this statement and its implications have been discussed earlier (pp. 48–52), but it is appropriate here to mention a modern interpretation of the period, which has evolved from it, namely the predominance of a 'Metellan faction'.[71] Between 123 and 109 the consulship was held by six

[69] App. *BCiv.* 1.27.121; lex agr. 15–16 (no rights for buyers of new allotments before 111), cf. 16–17 (purchase from old *possessores* recognized).

[70] Badian 1964 (C 10); Gabba 1958 (B 40) 93–5; Johannsen 1971 (B 176).

[71] Badian 1957 (C 6), followed above all by Gruen 1968 (C 68) 106–35.

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Caecilii Metelli, four sons of Q. Metellus Macedonicus (cos. 143) and two sons of L. Metellus Calvus (cos. 142). In addition P. Scipio Nasica (cos. 111) and M. Aemilius Scaurus (cos. 115 and now the *princeps senatus*), regarded by Sallust as a key figure in the domination of the nobility, were sons-in-law of Metelli. Other political associates have been detected in those who were colleagues in consulships with Metelli or were related to those who had been their colleagues, including L. Aurelius Cotta (cos. 119) and Q. Servilius Caepio (cos. 106). One may argue that this plethora of Metelli is a historical fluke caused by the reproductive capacity of the previous generation and an unusually high rate of survival of children. An already powerful family was thus bound to bulk even larger both politically and socially among the aristocracy. Yet this does not imply that the importance and the limitations of kinship links as political moments had changed. On the other hand, those who see family groupings as the driving forces in Roman politics can simply argue that the 'Metellan faction' presents in a particularly blatant form the kind of political association normally created by a much more subtle and complex network of relationships. After the doubts voiced earlier about explanations of politics in terms of a struggle between family factions, it is only necessary here to consider how far the concept of a 'Metellan faction' helps to elucidate the history of the post-Gracchan epoch. If we accept that for ten years or so the major figures were nobles hostile to Gracchan policies, whether these were consuls or senior members of the Senate, it is certainly possible that the Metellan family provided the political and social cement which made their dominance more coherent. However, in my view it does not follow that the Metelli themselves provided leadership or a political strategy, nor that those connected with them retained political cohesion in the following period, when traditional aristocratic politics were once again challenged. Sallust in the *Jugurtha* (16.2) attributed Opimius' influence in the Senate to his crushing of C. Gracchus and the plebs, not to friendship with Metelli.

The imperial aspects of the war with Jugurtha have been discussed earlier (ch. 2, pp. 28–31). Initially Jugurtha's bribes reinforced a not unreasonable reluctance to get deeply involved in Numidia, but his humiliation of Roman diplomacy and the potential threat he posed to the province of Africa led to a volte-face in Roman policy. This change came originally without any stimulus from *popularis* tribunes, but from 111 onwards, when Jugurtha's methods had become common knowledge, it was easy for the tribunes to exploit the theme of senatorial incompetence and corruption in a matter of national pride. C. Memmius, tribune in 111, passed a bill requiring a praetor, L. Cassius, to bring Jugurtha to Rome for questioning – a plan which was in the end frustrated when

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another tribune forbade him to give testimony. In 110 after Jugurtha had returned to Africa, there was further agitation by tribunes and two sought to be re-elected. The following year the consul Metellus was obstructed by tribunes, when he tried to take new forces to Africa after Albinus' defeat. Then C. Mamilius proposed that a special tribunal (*quaestio*) should be established to investigate those who had advised Jugurtha to disregard decrees of the Senate, who had received bribes, who had handed back his elephants and deserters and had made formal agreements about peace and war with enemies. The bill thus ostensibly sought to protect both the authority of the Senate and the ultimate discretion of the people in matters of peace and war. It threatened any member of the various embassies to Numidia as well as L. Bestia and Sp. Albinus, consuls in 111 and 110, together with their military advisers, especially M. Scaurus.

We are told that the guilty men tried to block the bill by intrigue, especially through Latins and allies.[72] Sallust's phraseology suggests that tribunes or other magistrates were bribed or blackmailed to use a veto or religious obstruction with allies acting as intermediaries. This, like the appeal of Italian possessors of public land in 129, illustrates the connexions which Italians had with the Roman aristocracy. In the event Scaurus managed to be chosen one of the presidents of the tribunal, but at least five eminent senators, including Bestia, Albinus and L. Opimius were condemned. Those who served on the tribunals are said to have been Gracchan judges, probably therefore taken from the album established by C. Gracchus' *lex de repetundis*. The political attitudes of wealthy men outside the senatorial order were becoming more obviously important in these years. It would not have been surprising if individuals of this standing had regularly an influence behind the scenes in the previous hundred years, one which only came to the fore in crises, such as the scandal of the fraudulent shippers in 212 or the argument over state contracts in 169. Military failure was bad news for those involved in finance and public contracts, even if their interests lay more at home than overseas, since the collapse of financial confidence (*fides*) was contagious. More particularly we know that Italian businessmen had suffered through involvement with Adherbal in Numidia, others were buying land in the African province, while Roman *equites* were active in the Numidian campaign as 'soldiers and businessmen'. It was their support that C. Marius, then a subordinate officer of Metellus, solicited in 108, when agitating against his commander's conduct of the war and seeking the consulship for himself.[73]

[72] Sall. *Iug.* 40.3.

[73] Livy XXV.3–4; XLIII.16, Sall. *Iug.* 21.2; 26.1; 65.4; Vell. Pat. II.11.

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## VII. MARIUS AND THE *EQUITES*

Before considering the implications of Marius' career a brief digression on the nature of the equestrian order, as it came to be understood politically, is not out of place. Fundamentally, the *equites Romani* were the men chosen by the censors, who were assigned horses at public expense with further allowances for fodder and who voted in eighteen special centuries in the *comitia centuriata*. Many of these were young men who would afterwards become senators, some were brothers or other close relatives of senators, others had no connexion with the Senate. They shared with senators the insignia of the gold ring. However, the term *equites* seems also to have been applied by writers from Polybius onwards to a far wider group who did military service on horseback. We hear of an equestrian property qualification (*census*), perhaps of 400,000 sesterces in the late Republic, whose possession did not automatically entail equestrian status. It is also stated that this status was *de facto* hereditary. Although it has been powerfully argued by Nicolet that the only proper reference of the phrase *equites Romani* is to the members of the eighteen centuries, the confused accounts of some of our sources suggest that in the late Republic an ambiguity had crept in, and it seems that one reason for that ambiguity was the application of the term *equites* to those non-senators who sat in the courts and were frequently tax-contractors, when their opposition to the Senate was being recounted.[74] If in the inscribed *lex de repetundis* of C. Gracchus the now lost positive qualification of its jurors was membership of the *equites Romani*, there would have been no ambiguity, but it is likely that this qualification was far more complex. When, therefore, following our ancient sources, we refer to a conflict between Senate and *equites*, we mean by the second term not the members of the equestrian centuries but those wealthy non-senators, who may for the most part have been members of the equestrian centuries but were not necessarily so (they may have had strictly a different status, for example that of *tribunus aerarii* which involved a similar property qualification). Those young *equites*, who were mainly sons of senators and would soon themselves become senators, should not be assumed to have had an equestrian loyalty in politics.

Although our sources derive the breach between Senate and *equites* from the judiciary legislation of C. Gracchus, the condemnations under the Lex Mamilia and the election of Marius to his first consulship in 107 are the first clear evidence of equestrian hostility to senatorial administration in this period. Marius was not only a valuable instrument of this reaction but he symbolized it. Of equestrian family by birth and a native of Arpinum like the Cicerones, he might have been content with municipal magistracies, military service and financial enterprise, perhaps

[74] Nicolet 1966 (A 80); Henderson 1963 (C 76); Wiseman 1970 (A 131).

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in the service of the *res publica*. In fact one source alleges that he was involved in tax contracts. He also had a long and distinguished military career, including service under Scipio at Numantia, and became a tribune of the soldiers. However, about the time of C. Gracchus' ascendancy he embarked on politics at Rome, becoming quaestor, tribune (p. 86) and then, after surviving charges of bribery, praetor. He was regarded by Metellus in Numidia as under his patronage while on his staff. He had connexions also with the Herennii, one of whom was formally his patron, but it is not clear whence he had derived political backing in his previous career. Marius' success in reaching the consulship cannot be entirely dissociated from previous connexions (even if our sources say nothing about them in this context), but Sallust's insistence that it depended on a wide canvass, including farm workers and labourers in the city, cannot be discounted, nor can the fact that he was assisted by *equites* who were businessmen.[75] The votes of the latter in the equestrian centuries or the first class were vital and many must have disregarded prior allegiances to vote for Marius. Their justification was no doubt that in a crisis Rome needed the best man possible (the same argument had worked in favour of Scipiones in the more recent past and for new men like Fabricius Luscinus and Curius Dentatus in the almost legendary era of the war against Pyrrhus (vol. VIII², pp. 412–13, 447–9)). It is interesting that a Hortensius originally elected consul for 108 was condemned while in office and a suffect consul replaced him. Marius on the other hand was a man of old-fashioned severity and untainted by the most recent senatorial corruption. Sallust treats the election of a new man as an epoch-making blow against the nobility. In fact men with no known consular or praetorian connexions who had reached the consulship in the last twenty years were rare compared with those in other periods but still some 15 per cent of the total. When such a man was elected, this was regarded by his noble competitors as a personal humiliation, but it would not have been taken by the nobility as a vote of no confidence, in view of the ample precedents, unless the special circumstances of the election strongly suggested this.[76]

Once elected, Marius was assigned Africa as his province by a plebiscite which thus overruled the regular procedure laid down by C. Gracchus. The assignation of Africa to Scipio Aemilianus in 147 was a recent precedent for this (the appointment of Scipio Africanus to Spain in 211 had by contrast been made after the Senate had ceded its discretion to the assembly). In turn Marius' appointment was the forerunner of a series of major commands conferred by the people ending with the fateful allocations to Caesar, Pompey and Crassus in the fifties. The Senate allowed Marius to conscript, but he evaded the opposition that

[75] Sall. *Iug.* 65; 73; Carney 1962 (C 41); Passerini 1934 (C 117) 10–32.

[76] Frequency of 'new men', Hopkins and Burton 1983 (A 54) 55ff. Definition – Brunt 1982 (C 34).

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Metellus had encountered in 109 by only recruiting volunteers, especially the time-served soldiers (*evocati*), promising them victory and booty. He also included in this levy the propertyless *capite censi* – a move criticized by later historians, on the ground that it filled the army with unprincipled men who were ideal material for aspirants to dictatorial power. This judgement was easy to make when the Republic had been destroyed, especially in the light of the period after Caesar's murder, when armies were bought and soldiers learnt to sell their services at the highest price. However, Marius showed no sign of realizing the potential for revolution in his action, nor may it have been apparent to most of his contemporaries. Critics at the time are more likely to have seized on the breach of a principle at the root of Roman society, one which it shared with classical Greek cities, whereby the defence of the community was entrusted normally to those with a considerable stake in it through property. Similarly, their commitment to the defence of Rome justified their dominance in the *comitia centuriata* which elected the highest magistrates. Thus Marius would have been charged with levying worthless men, who were more likely to damage Rome by desertion than subversion.[77]

If Marius and his contemporaries were short-sighted, they are not necessarily to be blamed. The proportion of propertyless men who were in fact recruited cannot be determined. The Romans continued to levy regularly by conscription rather than by asking for volunteers. The lure of military service is not self-evident, when an ordinary soldier was paid one denarius every three days, augmented, if he was lucky, by booty and donatives at triumphs. It is true that Marius was the first commander known to us to be closely connected with major distributions of land to his ex-soldiers. Yet at this stage land assignment was a process which required the co-operation of the Senate and other magistrates: it could not be demanded from a general. In fact Roman armies were only to be used for civil war after their scruples had been drowned in a blood-bath of fighting with their own Italian allies, and the Roman soldiers who served then were raised by wholesale conscription. It may as well be argued that civil war created the self-seeking unprincipled soldier as the converse.[78]

## VIII. GENERALS AND TRIBUNES

While Marius was conducting his long campaign in Numidia, the story elsewhere was the increasingly familiar one of defeat and corruption followed by retribution in the courts at Rome. In 107, after the defeat of

[77] Sall. *Iug.* 84.2–5; 86.1–3; Plut. *Mar.* 9.1; Gell. *NA* XVI.10.11; Gabba 1976 (C 55) 16–33.
[78] Brunt 1962 (C 30) 75–9; = 1988 (A 19) 257–65.

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L. Cassius by the Tigurini in Aquitania, C. Popillius saved the lives of the remaining soldiers at the price of a humiliating agreement. Before he was prosecuted on this count in an assembly, the tribune C. Coelius enacted that secret ballot should be used in capital trials before the people and in the event Popillius was condemned. (It should be remarked that condemnation on a capital charge in an assembly was rare – the other certain recent example was that of P. Popillius Laenas, charged by C. Gracchus in 123.) The following year the consul Q. Servilius Caepio passed a *lex de repetundis*, which provided that the jurors should be drawn from a mixed panel of senators and *equites*. It is not clear whether this was the first law of this kind since the work of C. Gracchus: this depends on whether the Lex Acilia referred to by Cicero is to be taken as part of the Gracchan legislation or a subsequent law. However, it seems clear that in any case the basic principles of Gracchus had been preserved until 106. Caepio's law may also have introduced the procedure called *divinatio*, whereby the jury selected the prosecutor from a number of applicants. L. Crassus is said to have supported the proposal with an impassioned plea to the people to save senators from the jaws of ravening beasts. This is normally taken to refer to the equestrian jurors, but it may also apply to the prosecutors, who were, as Cicero's *Brutus* shows, becoming a recognized class at this time.[79]

However, on 6 October the following year Caepio himself and Mallius, consul of that year, shared responsibility for the disastrous defeat by the Cimbri near Arausio (Orange) in the Rhône valley, while Caepio himself was alleged to have plundered gold from a sacred lake near Tolosa (Toulouse) belonging to Roman allies. Caepio was deprived of his *imperium* – perhaps at the instance of the tribune C. Norbanus, if his office began in December 105, as has been plausibly suggested. This would then have been the occasion when two tribunes, who tried to veto a bill of Norbanus, were driven by violence from the temple where the proposer stood, and the *princeps senatus*, Scaurus, was struck by a stone – the so-called *seditio Norbana*. Another tribune, L. Cassius, who was an enemy of Caepio, passed a law expelling from the Senate any man condemned in a trial before the people or deprived of his command by them. A special tribunal was later set up to investigate the matter of the gold taken from Toulouse. Caepio seems to have been condemned both by this tribunal and by the assembly. Certainly, he was thrown into prison because he had been condemned on a capital charge and only released through the intervention of the tribune L. Reginus in 104 or 103. Meanwhile another active tribune of 104, Cn. Domitius, unsuccessfully tried to prosecute M. Silanus for his earlier defeat by the Cimbri in 109. (Silanus, we are told, had wronged a Gallic client who had been a

[79] Lintott 1981 (F 104) 186–91.

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family friend of Domitius' father, the conqueror of the Arverni.) Domitius, however, did secure the adoption of a bill which put an end to the co-option of the ordinary members of the colleges of priests, substituting election by a minority (i.e. seventeen) of the tribes. He thus evaded religious objections to election by the people *en masse* by a sophism.[80]

A further law which belongs to either 104 or 101 is the *lex de repetundis* of C. Servilius Glaucia. This not only restored to the equestrian order their former monopoly of judging these cases, but introduced new procedure and changed the scope of the law. Trials henceforth in this court were compulsorily divided into two parts (a procedure called *comperendinatio*) and the previous permission for adjournment, if more than a third of the jury was undecided, was abolished. A supplementary inquiry was instituted regarding money which had been passed on by the condemned man to other people. *Divinatio* to select the prosecutor was either retained or introduced (p. 93), and, probably for the first time, the selected prosecutor was given time to search for evidence in the region where the crimes had occurred (*inquisitio*). The financial penalty was augmented by loss of status. Moreover, the law began to take into account the acceptance of freely given bribes as well as exactions under physical or moral pressure. Although this very severe law made the prosecution of misconduct by Roman magistrates more comprehensive and effective, it was contrary to the spirit of C. Gracchus' legislation, in that through *divinatio* prosecutions would tend to be assigned to Romans, rather than the injured allies, thus providing material for aspiring politicians and the new breed of professional accusers. A fragment of bronze from Tarentum containing complex provisions for rewarding those who had contributed to a successful accusation and for demanding an oath of obedience to the law, may preserve the final section of Glaucia's law.[81]

Thus the political trend visible at the outset of the Jugurthine War continued. Military humiliation and the misconduct of commanders abroad rendered the aristocracy vulnerable to attacks by tribunes, and their success in exploiting these weaknesses encouraged further *popularis* activity. At the same time the German tribes, even though they had retired north with their spoils in 105, posed a serious threat to Italy itself and a further danger near home was presented by the new Sicilian slave revolt in 104 (ch. 2, p. 26). The military situation was to give C. Marius an even greater opportunity to advance his career, while popular unrest stimulated tribunes not only to harass the aristocracy with a sort of political guerilla warfare but to reassert the pre-eminence of the assembly in a revival of politics according to the Gracchan model.

[80] Ferrary 1979 (C 49) 92–101.

[81] Lintott 1981 (F 104) 189–97; 1982 (B 191); Ferrary 1979 (C 49) 101–34.

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Thanks to the diplomacy of his legate Sulla, who persuaded king Bocchus of Mauretania to surrender Jugurtha, Marius had been able to complete his Numidian campaign by the time that the news of Arausio reached Rome. He was then elected consul for the second time in his absence. This may be simply ascribed to the wave of popular feeling that simultaneously overwhelmed Caepio, but we cannot exclude the possibility that both in 105 and 104 the Senate acquiesced in the dispensation of Marius from the law limiting re-election in order to placate the rest of the people. After his first major victory over the Teutones and Ambrones in 102 his re-election was said to have been by common consent. Moreover, there seem to have been no special political implications in his policy of recruitment and military training in 104, such as there had been in 107. *Capite censi* may well have been recruited, but this was the sort of crisis in which restrictions on recruitment and exemptions from military service were normally suspended – in Roman terminology a *tumultus*. In fact no more than six Roman legions may have been used to fight the Germans but these were supplemented by more than their equivalent in allies.[82]

Marius' absence from Rome kept him aloof from the bitterness caused by the prosecutions of 104. However, the following year he was associated with a tribune, L. Appuleius Saturninus, who secured for him the settlement of demobilized soldiers on land in Africa. When faced with an attempt by his colleague Baebius to veto the bill, Saturninus drove him away with a hail of stones, brutally cutting short any argument about the proprieties of Baebius' action. The principle of settlement in the provinces was already firmly established and the arguments used by Ti. Gracchus against Octavius (pp. 66–7) could have been applied with equal force to Baebius. He in turn might have argued that the allotments of 100 *iugera* were too generous (in spite of the precedent set by the Lex Rubria) and would have cost the treasury the rent or sale price which the land would otherwise have produced. In any event the bill was implemented and the father of Julius Caesar, who was Marius' brother-in-law, was among the land commissioners. The location of the settlements has been already discussed (ch. 2, p. 30). Another agrarian bill of the period, proposed by L. Marcius Philippus, was voted down – perhaps because it concerned Italy, where there were by now vested interests even among the poor – but left its mark by virtue of the comment by its proposer, that there were not 2,000 men at Rome who really possessed property.[83]

Saturninus joined in the harrying of incompetent magistrates. He not only prosecuted Mallius and drove him into exile but, probably in his first tribunate in 103, created a new permanent court to deal with those

[82] Brunt 1971 (A 16) 430–1, 685.

[83] Cic. *Off.* II.73. On Saturninus, Glaucia and Marius see Badian 1958 (A 1) 198–210; Ferrary 1977 (C 49).

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who damaged the majesty of the Roman people (*quaestio de maiestate*). This vague phrase came to cover a multitude of sins, and it is impossible to be sure what the original legislator intended it to mean. It certainly could be applied to the cases of treason or military incompetence by a commander, such as had been recently prosecuted before assemblies. It is also likely that it was aimed at tribunes or other magistrates, who deliberately obstructed the people's will – for example Octavius in 133 and more recently Baebius and the tribunes who had protected Caepio. Ironically, it was later interpreted as a measure against tribunes who used violence. For C. Norbanus was himself accused in this court in 95. The jurors were *equites* and the procedure was probably modelled on that of the *quaestio de repetundis*. It is possible that we have part of the text of this law on a fragment of bronze from Bantia, but other identifications of the fragment have been proposed.[84]

In 102 Saturninus supported a L. Equitius, when he claimed to be the son of Ti. Gracchus at the censorship. The censor, Metellus Numidicus, the man from whose patronage Marius had broken away, refused to register Equitius where he wished (presumably in the rural tribe of the Sempronii, as opposed to an urban tribe, where freedmen and other humble men at Rome were enrolled). Metellus would have also expelled Saturninus and Glaucia from the Senate, if his colleague Metellus Caprarius had permitted this. One source tells of the censor being blockaded on the Capitol and rescued by *equites*. This personal clash and Saturninus' dismissal from his quaestorian post by the Senate a few years earlier are cited by our authorities as explanations for Saturninus' embittered violence. Saturninus was certainly a more abrasive personality than the Gracchi, but his violence cannot be simply explained in these terms. There is also an element of political calculation: he used force to surmount swiftly hurdles which his political opponents thrust in his path, assuming that fears of popular hostility would make his opponents reluctant to risk military action in Rome and that Marius would in the last resort support him.[85]

Marius' army meanwhile defeated the Teutones and Ambrones near the Roman fort of Aquae Sextiae (Aix-en-Provence). A more serious invasion of the Cimbri through the Alpine passes was eventually repelled the following year at Vercellae (Campi Raudii) in Cisalpine Gaul. M'. Aquillius, Marius' colleague in the consulship of 101, brought to an end the Sicilian slave-war. However, new theatres of war had opened in the East. Lycaonia was detached from Cappadocia by Rome. In 102 the

[84] Ferrary 1983 (C 50) (dating law to 100); on *Bruns* no. 9 (p. 53) see Tibiletti 1953 (F 160) 57–75; Lintott 1978 (B 190).

[85] App. *BCiv.* I.28.126–7; Val. Max. IX.7.2; *De Vir. Ill.* 73; Oros. V.17.3; Cic. *Har. Resp.* 43; *Sest.* 101; *Inscr. Ital.* XIII.3, no. 16; Badian 1962 (C 8) 218–19.

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praetor M. Antonius was given as his province Cilicia and a campaign against the pirates. T. Didius made an expedition beyond the river Hebrus in Thrace and by 101 had added to the province of Macedonia an area known as the Caenic Chersonese (see below). There was also a foretaste of future trouble when an embassy from Mithridates VI of Pontus was suspected by Saturninus of trying to bribe senators and he treated them with such violence that he was afterwards charged with violating their diplomatic immunity (p. 142 below).

In 101 Glaucia, the author of the latest *lex de repetundis*, was tribune. After Marius' victory he presided over the tribunician elections, in which Saturninus was elected for the second time with the assistance of soldiers returned from the war, and a competitor A. Nunnius (or Ninnius) was killed. One somewhat confused source states that L. Equitius sought the tribunate unsuccessfully in the latter's place.[86] Marius himself was re-elected to a sixth consulship, allegedly after bribery (presumably he had distributed some of the Cimbric spoils to his soldiers, who were the electors). However, it is not clear how and on what grounds he was freed from legal restrictions on candidature this time. Glaucia himself became praetor immediately following his tribunate, something not illegal, since the tribunate was outside the normal *cursus* of offices, but distinctly unusual.

Important legislation in 100 is ascribed to Saturninus by our literary sources. However, a further item must be added either to the year 101 or 100, which reflects on his policies and the attitude of *populares* at this time. This is the law about the praetorian provinces (ch. 2, pp. 32, 35–6), now known to us from two overlapping groups of texts from Delphi and Cnidus, which has been traditionally termed the 'pirate law'. This law was a plebiscite passed after the election of Marius and L. Valerius Flaccus to the consulships of 100 but before the provincial arrangements for that year had been completed by the Senate (a task which the law claimed for itself). Most of the measures themselves are not particularly remarkable. New levies are not to be sent to Macedonia; the future governors of this province are to concern themselves with tribute-collecting and must visit the newly acquired Caenic Chersonese for at least sixty days; Cilicia is made a praetorian province and diplomacy is to be undertaken with Rhodes and the kings of the eastern Mediterranean to ensure a concerted campaign against the pirates; the governor of the province of Asia meanwhile is to secure Lycaonia and perhaps Pamphylia. However, there are also general provisions about a governor's conduct. He must not move outside his province except for the purpose of travelling to and from his tasks or for reasons of state (in this the law

[86] Livy *Per.* LXIX; App. *BCiv.* 1.28.127–8; Val. Max. IX.7.1–3; *De Vir. Ill.* 73; Flor. II.4.1 (emphasizing Saturninus' own position as C. Gracchus' political heir).

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repeated the provisions of a Lex Porcia passed apparently in the February of the same year). Any man appointed in the absence of a regular governor was to have the governor's full powers of jurisdiction until his return to Rome. The coda of the law is a series of enforcement clauses, requiring magistrates to obey the law and to swear oaths to that effect and threatening anyone who obstructs the performance of its provisions with a fine of 200,000 sesterces on each count – enough to drive many of them into exile. A special form of judicial procedure was established for the exaction of these fines.[87]

The apparently commonplace nature of the majority of its chapters should not hide from us the radical features of the law. This law and the preceding Lex Porcia are the first laws known to us to lay down general positive rules for provincial governors – something developed later in Julius Caesar's *lex de repetundis*, the legislation of Augustus and the edicts of later emperors. In this plebiscite, as in the bills of the Gracchi about Asia, a tribune deals with the details of imperial administration, which were normally left to the Senate, and directs the magistrates' activities. Finally, coercion and threats are used to enforce the law in a manner reminiscent of the Athenian democracy at the height of its power. The oaths themselves are not new. The agrarian law of 111 refers to earlier oaths required by legislators, and such requirements, in conjunction with penal clauses, exist on the bronze fragments from Bantia and Tarentum, but these fall short of the elaborate procedure we have here.[88] The law is thus radical in form and principle, if not apparently in content, in that it asserts the sovereignty of the assembly over the minutiae of Roman government. If the law belongs to early 100, it is difficult not to ascribe it to Saturninus or a friendly colleague of his; if it is a law of late 101, then the influence of Servilius Glaucia must be suspected. The law envisages the co-operation of C. Marius and it is likely that it had his blessing.

The legislation of Saturninus in 100 known to us from literary sources has a familiar appearance, recalling the Gracchi, though the land laws had the particular function of accommodating Marius' veterans. A grain law, which restored distributions to the plebs at Rome at the Gracchan price, was fiercely resisted by the younger Servilius Caepio, who was quaestor at the treasury that year. When Saturninus ignored the vetoes of tribunes, Caepio at the head of a gang broke up the apparatus required for voting. The law, however, seems eventually to have been passed and Caepio later in the year issued with a colleague coins celebrating the buying of corn according to a decree of the Senate. Saturninus' land

[87] Hassall, Crawford and Reynolds 1974 (B 170), cf. *Greenidge–Clay* 279–81 for the original Delphi text; Lintott 1976 (B 189); Ferrary 1977 (C 49).

[88] Tibiletti 1953 (F 160) 61ff; Passerini 1934 (C 117) 121ff.

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legislation included projects for founding colonies in Sicily, Achaea and Macedonia – using the looted gold from Toulouse. We also hear of a colony founded by C. Marius in Corsica. Iunonia and Narbo Martius were precedents for colonization outside Italy, but the policy was not a prerogative of *populares*, as is shown by the settlements in the Balearic Islands and the foundation of Eporedia in Cisalpina this year. In fact, the centuriation of the land of Corinth, prior to some kind of settlement, had been ordered in the final section of the agrarian law of 111, and this may have been one of the sites chosen by Saturninus.[89]

A further land bill, however, became the focus of a struggle between Saturninus and his political opponents. This proposed the distribution into allotments of land in Cisalpine Gaul, which the Cimbri had taken from its previous inhabitants. We do not know the scale or the situation of these allotments. It is therefore impossible to establish if there could have been any valid objections to the bill, such as the hostility that it would have provoked among the local inhabitants. In principle, the measure was little different from earlier laws assigning land in Cisalpina or from Flaminius' plebiscite of 232. We are told that the bill was resisted by the urban plebs on the ground that the Italians were being excessively privileged. It was only passed in the assembly after violence in which countrymen, who had served under Marius and had been specially brought into the city by Saturninus, were victorious. Although there was clearly hostility among the urban plebs towards Roman citizens from rural Italy, who would have constituted the bulk of Marius' army and the majority of likely recipients under the law, this does not entirely explain the reference to Italians. Marius must have been providing land for allies as well. We know that in one of Saturninus' bills it was laid down that Marius could create three (so the Cicero manuscripts) new Roman citizens in each colony. This would have enabled him to reward Italian allies who had served him well and also make a political gesture of good will towards Italy, something which he had done on his own account, when he had enfranchised a cohort of Umbrian auxiliary troops on the field of battle.[90]

Saturninus forced through this agrarian bill in defiance of vetoes attempted by other tribunes and of demands to adjourn the assembly because thunder had occurred. He is said to have told his aristocratic opponents that it would hail on them, if they would not keep quiet. In fact this is the first known example of religious obstruction being used against a contentious tribunician bill. It is probable that there genuinely was thunder and his opponents seized on this as a means of resisting him.

[89] *Rhet. Her.* 1.21; Crawford (B 144) no. 330; *Greenidge–Clay* 107, 111; lex agr. 96ff.

[90] App. *BCiv.* 1.29.130–30.134; Cic. *Balb.* 46, 48; Val. Max. v.2.8; *De Vir. Ill.* 73.7; Badian 1958 (A 1) 207.

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The formal, including the religious, requirements for legislation had been laid down in the Leges Aelia and Fufia before 133. Nevertheless, up to 100 B.C. a presiding magistrate was allowed considerable discretion about recognizing or ignoring reports of evil omens, although, if he chose to ignore them, he might be prosecuted later. As it happened, this controversial incident seems to have created a precedent: the reporting of genuine or fictitious portents became a common form of obstruction in the late Republic.[91] On this occasion, after the urban plebs had backed the obstructors, they were forced back by the demobilized soldiers loyal to Marius. When they resorted to using clubs, the Marians did the same and overcame them. So the responsibility for first using force rested with Saturninus' supporters, but that for first using weapons with his opponents.

After the passage of the bill the opposition found a new focus in the oath which all senators (not only the magistrates, as in the law about the praetorian provinces) were required to swear within five days on pain, according to Appian, of a fine of 500,000 sesterces and expulsion from the Senate. The old enemy of Marius and Saturninus, Metellus Numidicus, refused to swear this oath. Marius circumvented the resistance of other senators by suggesting that the obligation imposed by the oath was contingent on the validity of the law and oath-taking did not prejudge this issue. This manoeuvre seems to have been both well founded in law and politically adroit. Marius did not wish to lose a law in his own interest, but he preferred to avoid confrontation with his opponents. Saturninus tried to have Metellus removed from the Senate for refusing to swear, but other tribunes protected him. In response, Saturninus proposed a bill exiling Metellus, presumably on the ground that he was no longer obeying the laws as a citizen should (his argument would thus have been similar to that used to justify the killing of Gracchan supporters who were 'enemies'). In face of this Metellus withdrew into exile, in order, it is said, to prevent a civil war, and Saturninus had proclamation duly made by Marius that Metellus was forbidden fire and water.[92] The event brought odium on Marius among the aristocracy and among other opponents of Saturninus, which was to be exploited in due course in order to achieve Metellus' recall. In the longer term the story became a legend – initially because it was grist to the mill of historians hostile to Marius like Rutilius Rufus and Posidonius, later because perhaps of the parallels with the exile of Cicero, which the orator himself highlighted. As a result the affair overshadows the rest of Saturninus' actions in other accounts and has done much to obscure their true significance.[93]

[91] Astin 1964 (F 7).
[92] App. *BCiv.* 1.30.135–31.140; Plut. *Mar.* 29; *Greenidge–Clay* 106–7; Lintott 1972 (F 102) 245–6.
[93] Most obvious in Plut. *Mar.* 29; Malitz 1983 (B 69) 378–9.

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At the time Saturninus must have appeared unstoppable: the legislation met with no challenge and both he and L. Equitius were elected tribunes for the following year. Then, probably towards the end of the year (even if Appian's chronology may not be secure), the consular elections were held. One candidate was M. Antonius, who was still outside the city with his soldiers waiting for a triumph, another was C. Memmius, formerly an active tribune in 111 but now feared by Saturninus, a third was Glaucia, who was seeking with Saturninus' support to become consul directly after being praetor, contrary to the *lex annalis*. On the day of the election Glaucia's candidature was not accepted, Memmius was clubbed to death by Saturninus' men and the assembly was adjourned in confusion. Saturninus gathered further support from the countryside and seized the Capitol. Meanwhile the Senate passed for the second time in Roman history the *senatus consultum ultimum*, requesting the consuls, with the co-operation of the other magistrates, to defend the public interest. Marius himself probably took the view that, if anyone was to take action against Saturninus and Glaucia, it was in all their interests that he should do so.

The consuls considered employing M. Antonius' army, but decided initially to avoid the dangerous precedent of bringing a regular Roman army into the civil sector of Rome, defined by the *pomoerium*, the sacred boundary of the city. Marius distributed arms and formed a militia, with which he besieged Saturninus' men on the Capitol. They surrendered and were imprisoned in the senate-house after receiving some kind of guarantee against summary execution from Marius. But this did them no good. They were attacked by a lynch-mob and either stoned to death in the senate-house or killed while seeking sanctuary elsewhere (the details in the sources are highly coloured and often inconsistent). The dead included Saturninus and Glaucia themselves, L. Equitius, M. Saufeius, currently quaestor, and Saturninus' brother, Cn. Cornelius Dolabella.[94]

Marius gained little advantage from his attempt to preside over a disciplined restoration of law and order. After he left office, relatives of Metellus Numidicus (especially his son, later surnamed Pius) dogged his path with the sombre and dishevelled appearance which indicated mourning, and pleaded for Metellus' restoration.[95] After obstruction by P. Furius, who was in the writer's view tribune in 99, this was enacted the following year, while Furius himself was torn to pieces by a mob, when he was prosecuted by two tribunes after leaving office. One of these, however, was himself later condemned, allegedly for openly praising Saturninus. Another victim was Sex. Titius, who as tribune in 99 had

[94] App. *BCiv.* 1.32.141–33.146; *Greenidge–Clay* 108–9. A different chronology in e.g., Badian 1984 (C 17) with references to earlier discussions. See also Passerini 1934 (C 117) 281ff.

[95] Diod. XXXVI.15; Cic. *Red. Sen.* 37; *Red. Pop.* 6; App. *BCiv.* 1.33.147–8. Cf. Lintott 1968 (A 62) 16–20 on the significance of mourning.

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succeeded in passing an agrarian law, which perhaps had developed some of Saturninus' proposals. As for Saturninus' own legislation, Cicero tells us that, although not formally repealed, its validity remained in question and some of the colony foundations were simply not put into effect. However, the coin-evidence points towards the implementation of allotments in Cisalpina. In this way a clear decision on the controversy was avoided. Titius' success suggests that there was still support for radical measures and it would have been politically unwise to rescind Saturninus' acts directly. However, in 98 the consuls passed the Lex Caecilia Didia, which declared that infringements of the auspices caused by the neglect of evil omens rendered legislation invalid, entrusting decisions in such matters to the Senate. So preparations were made to frustrate the next *popularis* legislator.[96]

The political pendulum appeared to be swinging back towards senatorial dominance. After a prosecution of the younger Caepio for his violence in obstructing Saturninus had failed, C. Norbanus was also prosecuted, equally unsuccessfully, for sedition in his attacks on the elder Caepio a decade before – ironically under Saturninus' own law *de maiestate*. In 95 the consuls L. Licinius Crassus and Q. Mucius Scaevola risked the obvious offence to allied opinion by passing a law instituting trials for those who were illegally usurping Roman citizenship. This was to embitter leading Italians and bring to the fore once again the issue of granting Latins and Italians citizenship *en bloc*. There can be no doubt that there was a conflict between the 'good men', who were seeking to re-establish senatorial authority, and those loyal to Marius and the policies of Saturninus, but whether these formed two coherent 'factions', one Metellan and the other Marian, is questionable. The 'good men' themselves were divided by an especially bitter quarrel between M. Livius Drusus, the future tribune of 91, and the younger Caepio, which became a factor in the even graver division that was to result from the policies of Drusus in his tribunate.[97]

It was no coincidence that Glaucia's restoration of the *quaestio de repetundis* to equestrian jurors had not so far been challenged. *Equites* are reported to have protected Metellus Numidicus from Saturninus in 102 and to have shared in the repression of Saturninus in 100 (the members of the first group were conceivably all young aristocrats, but this does not seem to have been true of the second group). There was a precedent: according to Sallust *equites* had deserted the Gracchan cause. However interested they were in certain reforms, men of property and standing were reluctant to see the political fabric torn by sheer disorder, even if they could acquiesce in the profits of a more limited use of force, such as

[96] Lintott 1968 (A 62) 136ff; Crawford (B 145) 181–3.
[97] Badian 1957 (C 6); Gruen 1965 (C 66).

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assisted the passage of the land legislation.[98] Nevertheless, when (*c.* 92 B.C.) Rutilius Rufus was condemned for taking bribes from Greeks to the detriment of Roman tax-collectors while legate to the governor of Asia, Q. Scaevola, this renewed the old fears of senators and provided another element in the political conflict which came near to disintegrating Roman and Italian society at the end of the decade.[99]

That story will be told in the following chapter. Meanwhile, this section is appropriately closed, in the Roman fashion, by an obituary on Saturninus and Glaucia. It is futile to attempt a revaluation of them by toning down the violence in their politics. No doubt there was more used on the other side than our sources record, but we cannot completely rewrite the vulgate. It is more important to recognize that their use of violence was a reasoned reaction to the defeat of the Gracchi by force. Saturninus and Glaucia counted on being backed by a friendly consul, but Marius in the end deserted them. They were seeking not merely to implement necessary reforms but, in the tradition of C. Gracchus, to direct policy from the assembly. Since most of their measures could not appeal to more than a section of the population, they faced continual political battles which they were determined to win at all costs. The denigration they suffered after their deaths is an unconscious compliment from their aristocratic political opponents. As for the plebs, it is significant that thirty-seven years afterwards Caesar and Labienus should have sought to win popular favour by prosecuting a man involved in the deaths of Glaucia and Saturninus.[100]

[98] Sall. *Iug.* 42.1; Brunt 1965 (C 31) 118; (A 17) 90ff.

[99] *Greenidge–Clay* 125–7.

[100] Cic. *Rab. Perd.*; Suet. *Iul.* 12; Dio XXXVII.26–8.

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CHAPTER 4

# ROME AND ITALY: THE SOCIAL WAR

E. GABBA

The relationship between Rome and the Italian allies reached a turning-point with the agrarian proposal of Ti. Gracchus in 133 B.C. For, as the historical tradition represented by Book I of the *Civil Wars* of Appian reveals with great clarity, it is at this moment that there emerged an 'allied problem' with political and institutional dimensions. The resumption by the Roman state of *ager publicus* which had been occupied more or less legally by Italian as well as by Roman *possessores* probably involved a breach of the treaties which bound Rome and the allied states. Even if it is not possible to say whether the resumption of *ager publicus* affected particularly lands occupied by Italian *possessores*, it is clear that the links between the upper classes of Italy and Rome, which had become ever closer in the course of the two generations which followed the Hannibalic War, were gravely compromised.

The serious economic and social consequences of the agrarian law for the upper classes of Italy were an implicit contradiction of a policy on the part of Rome which had up to that point set out to guarantee the supremacy, viability and acceptability of the ruling classes of the communities of Italy in the context of those communities, and hence their position as representatives of the communities *vis-à-vis* Rome. The intervention of Scipio Aemilianus (ch. 3, p. 74) only succeeded in part in healing the breach; and the diminution in the importance of the agrarian problem after C. Gracchus did not mean that trust once gone could be restored. It is disputed whether the *proletarii* of the Italian communities were eligible for the distribution of the *ager publicus* which had been resumed by the agrarian commission; whether they were or not, this would have had implications for the social tensions within the Italian, and indeed Latin, communities. We have no other evidence for these tensions, but we can be sure that they will have been no less serious than those within the Roman state and we may legitimately suspect that they will have been even more serious, for a variety of reasons, notably the continued existence of local taxation, long suspended at Rome; this is indeed the impression which the Italian perspective on the crisis given by

For Rome's relations with Italy in the second century B.C. see Gabba in *CAH* VIII², ch. 7, pp. 197–243.



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Appian can and should suggest. The case of the revolt of the Latin colony of Fregellae in 125 B.C. is emblematic. The city had on various occasions been the representative of the Latin colonies at Rome; it had also undergone profound changes in the ethnic composition of the citizen body in the course of the preceding fifty years. At the moment of the violent breach with Rome, the city must simply have shattered in two; nor will it have been a question only of the 'betrayal' of the city to Rome by Q. Numitorius Pullus, i.e. by an aristocracy linked in one way or another to Rome. Every social, and indeed ethnic, group of the city must have been involved; for after the revolt it was possible to found nearby the Roman colony of Fabrateria Nova with those citizens of the Latin colony who had remained loyal.[1]

The various proposals for general grants of Roman citizenship made during the 120s B.C., to compensate for the economic loss caused by the agrarian law, were naturally directed above all at the Italian and Latin upper classes, who were the only ones who would have been able in practice to benefit from them. The proposals also contained clauses offering alternative and different benefits and privileges, also to be found in the extortion law of the Gracchan period as recognition and reward for successful prosecutors. All this is probably an indication that there did not yet exist a general awareness of the practical value of Roman citizenship as compared with the obviousness of economic loss and loss of prestige. Rome was probably also very reluctant to deprive the allied communities of their wealthy ruling classes; there was perhaps also an awareness of the difficulties which were likely to result from an extension of the functions of the Roman state consequent on an increase in the citizen body. So when the magistrates of Latin colonies were granted the right to acquire Roman citizenship, probably after 125, this was no doubt done in such a way as not to remove them from their communities.

In any case, perhaps partly as a result of the various Roman proposals for grants of citizenship,[2] but mostly as a result of the rapid deterioration in the general political situation, the allies became progressively more aware of the need to cease to be subjects and to share in the exercise of imperial power, hence to acquire Roman citizenship. On the other hand, those increased pressures ran up against growing Roman hostility to this kind of general grant. It was not simply a manifestation of proud and stubborn exclusiveness, though that of course existed and displayed itself in the unprecedented harshness of some Roman magistrates towards the allies;[3] rather it will have been the result of a not unreason-

[1] Numitorius: Cicero, *Inv. Rhet.* II.105; *Fin.* V.62; Fabrateria: Vell. Pat. I.15.4; Coarelli 1981 (B 275).

[2] App. *BCiv.* I.152. For all citations of Appian, I assume reference to my commentary, *Appiani Bellorum Civilium Liber I*, Gabba 1967 (B 40).

[3] C. Gracchus, *de legibus promulgatis*, *ORF* fr. 48, pp. 191–2 (Teanum Sidicinum, Cales, Ferentinum).

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able fear that the whole political and institutional structure of the Roman state would collapse.

Furthermore, there were continually present at Rome, in unprecedented numbers, Italians of diverse social origin and often also different political tendencies; their participation in *contiones* aroused the xenophobic feelings of the urban plebs. That body was itself growing dangerously in size and taking up a position steadily more opposed to that of the rural plebs; its feelings could be only too readily invoked by crude and vigorous demagogy.[4] The Roman government resorted to measures to expel Italians and incurred substantial odium as a result (Vol. VIII², pp. 240–2).[5]

This complex political situation can be understood if it is seen as developing against a background of growing prosperity, affecting much of the centre and south of Italy from the middle of the second century onwards; naturally there were regional variations (the Greek cities of the deep south remained in pronounced decline) and great inequalities in the impact of the changes on different social classes.[6] This growing prosperity is not incompatible with the existence of a crisis for traditional patterns of Italian agriculture, which was being transformed in response to the development of the Italian economy as a whole. The crisis naturally had grave social consequences, in terms of the decline of the independent peasant proprietor, but the process was, and is, typical of periods of rapid change.

It is the archaeological evidence above all which reveals the scale of public (above all temple) building programmes, again with regional variations, and the extent to which Italy had been influenced by Greek artistic traditions.[7] The number of sanctuaries built or rebuilt reveals the political interest of the upper classes in precisely this form of activity; in some cases, the enormous economic resources of the temples were administered by local notables involved in one form or another of business activity and, as at Praeneste, with eastern connexions.[8] At the same time, a monetary economy was spreading even to the most remote areas of the peninsula, evidence both of the commercial activities of the upper classes and of their growing wealth. There will have been rewards for the lower classes also, if only as a result of the upsurge in public building programmes, pursued in Italy as at Rome with clear awareness of their implications.

The investment of the wealth acquired by the upper classes of Italy was naturally directed for the most part to agriculture, encouraging its

[4] C. Fannius, *ORF*, fr. 4, p. 144. [5] For Lucilius 1088, see Cichorius 1908 (B 16) 208–12.

[6] Crawford 1985 (B 145) 173–87; for the environment in Italy in general, see Giardina and Schiavone 1981 (G 104) I chs. 6–20. [7] In general, see *Hellenismus*.

[8] Bodei Giglioni 1977 (G 17) 59–76; F. Coarelli, in *Les Bourgeoisies* 217–40.

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development in more modern and profitable directions, concentrating on production for the market; hence bitter hostility towards the Gracchan proposals, which for a time must have placed a question mark over the development just described. (It does not seem possible, however, to show that after the Gracchan period Rome actually increased Roman exploitation of *ager publicus* at the expense of the allies.)[9]

The widespread prosperity mentioned above derived, in the Italian communities and the Latin colonies, as at Rome, from increasing participation in the exploitation of the provinces and from the existence of the empire in general; for one practical result of this, as has been well shown, was a growth in exchange between Italy and the provinces.[10] There will have been various ways in which men participated in the process, not least what may have been an official practice of distributing booty to allied communities; the range of provenances of the dedicatory inscriptions of L. Mummius after his conquest of Greece in 146 may reflect a practice of this kind, and the existence in the Po valley of land belonging to communities in the centre and south could be interpreted as the result of grants made by the Roman state in return for services rendered.[11] Official distribution of the rewards of conquest is certainly likely, to make up for the fact that, while Roman citizens did not pay *tributum* after 167, the citizens of the allied communities did not enjoy any such privilege;[12] and the exemption from local taxation which the Roman government could grant to individual members of the allied communities in special circumstances could only have the effect of increasing the resentment of those who still had to pay.

Naturally, the principal source of riches for individual members of the allied communities was energetic participation in business activities in the provinces. It used to be held that Italians formed the dominant element among men of business in the East; that now seems less certain and careful and up-to-date analysis of the names of the traders on Delos would seem to suggest rather a predominance of Roman citizens;[13] if so, the term 'Romaioi', generally regarded as a blanket term for Romans, Latins and allies, will have been used with greater accuracy. This shift of emphasis, however, does not alter the fact of a substantial community of interest and of a shared mentality, unaffected by juridical differences. Conflicts have been alleged between men of business, whether Roman or Italian, and Roman *equites*, the latter involved above all in public building contracts and in military supply, in other words in large-scale economic and commercial activity, in the western provinces as well as

[9] Nagle 1973 (B 74). [10] Crawford 1985 (B 145) 339–40.
[11] *ILLRP* 327–30; Beloch 1926 (A 9) 624; an alternative hypothesis in Crawford 1985 (B 145) 339–40. [12] App. *BCiv.* 1.30.
[13] Wilson 1966 (A 128); Cassola 1971 (G 35); Solin 1982 (D 293).

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elsewhere. However, although such conflicts have been held to be one of the possible causes of the Social War,[14] there is no evidence that they existed.

The 'unity' of the business class outside Italy is attested by such well-known episodes as the defence of Cirta in Numidia against Jugurtha by Italian men of business.[15] And the protection afforded by the Roman government was extended indifferently to Roman citizens, Latins and Italian (or overseas) allies, as emerges at various points in the Delphi and Cnidus versions of the law about provinces of 101 (ch. 3, pp. 97–8).[16] It is indeed perhaps in terms of the advantages and privileges which the Italian allies derived from the protection of the Roman government that one should explain the acquisition of the citizenship of cities in Magna Graecia by Greek and oriental men of business, a phenomenon attested for the end of the second and the beginning of the first centuries B.C.; these were men who had business relationships with the cities concerned; and one cannot exclude the possibility that their acquisition of citizenship there was seen as a first step towards Roman citizenship.[17]

The situation characteristic of the East was probably also largely true of Sicily,[18] and above all of Cisalpine Gaul; already in the second century B.C., alongside a programme of colonization which had involved for the most part the land south of the Po, there had occurred both spontaneous Roman and Italian immigration and large-scale investment in land by the upper classes, both north and south of the Po.[19]

The fact that the Latin and Italian business classes also formed the political groups in power in the allied states could only underline the gap which existed between allies and Roman citizens in Italy. Whereas, in the provinces, the juridical distinction was at the very least of no great practical importance, in Italy the allies were ever more visibly subject to Rome and wholly unable to influence the political decisions of the ruling power, which now closely affected the economic interests of the upper

[14] Salmon 1962 (C 127).

[15] Sall. *Iug.* 26.1 cf. 21.2; 26.3; 41.1; Gabba 1976 (C 55) 85–6; for Sall. *Iug.* 64.5; 65.4; Vell Pat. II.11.2, see Gabba 1972 (C 56) 776.

[16] Delphi copy, B6: *πολῖται Ῥωμαίων σύμμαχοί τε ἐκ τῆς Ἰταλίας Λατῖνοι*; Cnidus copy, col. II, lines 6–7; cf. col. III, lines 30–4; Hassall, Crawford and Reynolds 1974 (B 170) 201–2. The phrase seems to be a poor translation of the asyndeton 'cives Romani socii Italici nominis Latini', where, as in Livy XXI.55.4; XXXVIII.35.9 there figure allies as well as Latins; *contra*, Jones 1926 (B 177) 168–9, holding that the *socii Italici* were excluded.

[17] *IDélos* 1724 (106–93 B.C.); Mancinetti Santamaria 1982 (D 281); 1983 (G 151).

[18] Fraschetti (G 74), though the interpretation of the inscription from Polla, *CIL* I², 638 = *ILLRP* 454, does not seem acceptable.

[19] For the Sasernae, whose properties are perhaps to be localized in the neighbourhood of Dertona, see Kolendo 1973 (G 139); for Cornelius Nepos in Insubria, perhaps in the neighbourhood of Ticinum, see Gabba, in *Storia di Pavia* I, (Milan, 1984) 219; for the presence of *Italiotai* in Noricum, Polyb.XXXIV.10.13; Strab.IV.6.12.

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classes among them. Traditional links between the Roman upper classes and Italian notables could not cope with the strain and will have seemed progressively more inadequate.[20] At the same time, the assimilation of the behaviour of the Italian elites to Roman norms, which had forged ahead at ever greater speed over the previous century, had gone beyond language and culture to affect the political systems and magistracies of the allied cities. (The most striking evidence of the process would be the Lex Osca Tabulae Bantinae, if we could be sure that it belonged to the turn of the second and first centuries, thus to before the Social War, even if only just.)[21] At the same time, this assimilation of the political structures of the allies to those of Rome will have prepared the way in general terms for the process of municipalization which followed the Social War.

Demand for Roman citizenship will have grown after 123, not least because of worries aroused by the clear decline in the standards of political behaviour at Rome. And it is precisely in this period that men from outside Rome acquired the right to plead in the courts there; what resulted was a growth of municipal and even Italian forensic rhetoric.[22] The development derived from the possibility under the extortion law of the Gracchan period for an ally, among others, to accuse a senator of extortion; and the new rhetoric was often identified with a *popularis* political position. It is this shift in the origins of accusers in the courts that explains both the emergence of a school of Latin rhetoric and its suppression in the 90s, in order to defend traditional avenues of social and political integration.[23]

On the other hand, the Germanic threat represented by the Cimbric invasion of the territory of the Veneti in the north-east will have revived feelings of Italian solidarity; these feelings will have extended both to the lower orders and to the Celtic and Ligurian peoples of the Po valley, like those attested by Polybius in the face of the Gallic threat a century earlier. As Caesar reveals, perhaps with some exaggeration, the Germanic threat was still felt as a real one fifty years later. The more or less legal grant of Roman citizenship by C. Marius to two cohorts of Camertes on the battlefield during the Cimbric War is a clear indication of the value by now attached to such a reward.[24] And in the closing years of the second century, during the tribunates of L. Appuleius Saturninus (103 and 100), the allied problem is represented in our tradition as inextricably linked to that of the Roman and Italian *proletarii* enrolled in the armies of Marius

[20] Wiseman 1971 (A 130). [21] *Bruns* no. 8.
[22] Cic. *Brut.* 167–72; cf. 180; 241–2; David 1983 (G 54).
[23] Gabba 1953 (C 54) 269–70; David 1979 (G 53).
[24] Cic. *Balb.* 46–7; Val. Max. v.2.8; Plut. *Mar.* 28.3.

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and to the need to reward them with land, in accordance with the promises made in 107.[25]

The Lex Appuleia of 103 provided for the distribution of 100 *iugera* a head of land in Africa to the soldiers of Marius, whether Roman or allied, while the settlements of allied soldiers at least may be connected with the African cities of imperial date which called themselves Marian.[26] There followed in 100 B.C. a more complex agrarian law (if indeed there was only one); it provided for the assignation of land in Cisalpine Gaul and overseas,[27] and hence consciously avoided touching *ager publicus* in the centre and south of the peninsula. The same law is conventionally regarded as providing for the foundation (whether in Italy or not) of citizen colonies, to which, however, allies were also admitted; to three of these in each colony Marius was authorized to grant Roman citizenship. The practice is already attested in the first half of the second century, and we know of one case in our period, T. Matrinius of Spoletium, a Latin, who was later accused before the *quaestio* concerning illegal acquisition of citizenship (established by the Lex Licinia Mucia of 95) and acquitted as a result of the intervention of Marius himself.[28] There is explicit testimony that the allies, that is the allied soldiers recruited among the lower orders, were the beneficiaries of the law along with the rural plebs, arousing as a result the hostility of the urban plebs.[29] Even if the provisions of the Lex Appuleia of 100 were not in fact put into effect, large numbers of Italian allies must none the less have acquired Roman citizenship more or less legally in this period; for the censors of 95 felt it necessary to have a law passed, the Lex Licinia Mucia, specifically to exclude from the citizen body those who had entered it illegally.[30]

It seems very likely that this provision was designed in particular to deal with allies belonging to the upper classes, the *principes Italicorum populorum* who had succeeded somehow or other in acquiring citizenship; their feelings were now so aroused that the law was later regarded as one of the principal causes of the outbreak of the Social War.[31] The *quaestio* was characterized by Cicero as *acerrima*,[32] and it was said that the

[25] The sources reveal the origin of the soldiers of Marius for the most part in the rural proletariat, Gabba 1976 (C 55) 24: the tradition in Appian will have schematized the opposition between rural and urban plebs, which emerged in the Gracchan period and came to the fore in the course of 100 B.C., but not invented it; *contra*, Schneider 1982–3 (C 131).

[26] *De Vir. Ill.* 73.1; *Inscr. Ital.* XIII, 3, no. 7 for Cerceina (but see Barnes 1971 (C 19) who suggests rather Mariana on Corsica); Brunt 1971 (A 16) 577–81.

[27] App. *BCiv.* I. 130; *De Vir. Ill.* 73.5 (colonies in Sicily, Achaea, Macedonia).

[28] Cic. *Balb.* 48; Badian 1958 (A 1) 260–1; 1970–1 (C 15) 404. [29] Gabba 1956 (B 38) 76–9.

[30] Cic. *Off.* III.47; *Balb.* 48 and 54; *Corn.*, fr. 10; Asc. 67–8C. The title of the law was 'de civibus redigundis' and no doubt referred to the reduction of those who had no right to the citizenship to their legal status as allies; there are no grounds for supposing, with *Schol.Bob.* 129, 11. 10–14 Stangl, that the law expelled anyone from Rome; or that it abolished the possibility of acquiring the citizenship *per migrationem et censum* (Cic. *Balb.* 54). [31] Asc 68C. [32] Cic. *Balb.* 48.

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law evoked general disapproval, even in Cisalpine Gaul south of the Po,[33] presumably because of the *quaestio* instituted under it. It is, however, unclear whether the celebrated remark of Cicero that *metus iudiciorum* was one of the causes of the Social War is to be regarded as referring to this *quaestio*.[34]

It has been argued that the Lex Licinia Mucia was a reaction to the census of 97, supposedly conducted with a certain openness and generosity towards the allies,[35] and attempting to satisfy the aspirations of their upper classes. The hypothesis cannot be verified. Cicero recalls an episode in which a crowd which included allies prevented M. Aemilius Scaurus from speaking and as a result of which he suggested the law to the consuls; the anecdote has some value, though one need not necessarily accept the specific occasion on which Scaurus is alleged to have been interrupted.[36]

The political conflicts of the 90s, marked *inter alia* by great political trials, involved major issues such as the nature of Roman foreign policy in the East and, in particular, the 'allied question'. This was brought suddenly to the fore once again in 91, the year of the tribunate of M. Livius Drusus; the year marked virtually the end of the long historical process which had seen a constant increase in the insistence of the allied demand 'for the Roman citizenship, in order to be partners in empire instead of subjects'.[37] The demand was thus in the first instance of a political nature and, as we have seen, had emerged and grown within the upper classes of the allies, though even among them it was not universally supported.

The political programme of Livius Drusus, worked out in agreement with a large group within the senatorial class and vigorously supported by it almost to the end, seems reasonably clear both in its totality and in its ultimate goal.[38] That was to reinforce and restore the authority of the Senate, principally by means of a law on the composition of the juries in the *quaestiones perpetuae*; these were given to the senators, but after (apparently) the injection into the Senate of 300 *equites*. The proposal

[33] Whether one accepts the standard correction of Sallust, *Hist.* 1.20, by Maurenbrecher, 'citra Padum omnibus lex ⟨in⟩ grata fuit', or whether one adopts the correction 'frustra' proposed by La Penna 1969 (B 63) 254: see Luraschi 1979 (F 105) 85–6 n.188.

[34] Cic. *Off.* II.75: 'tantum Italicum bellum propter iudiciorum metum excitatum'. One may infer from the context that Cicero is concerned to establish, in connection with the legislation of Drusus in 91, a link between the rebellion of the allies and the problem posed by the centrality of the extortion courts: Gabba 1976 (C 55) 70 and 88; *contra*, Badian 1969 (C 12) 489–90; 1970–1 (C 15) 407–8.

[35] Gabba 1976 (C 55) 179–80; Badian 1958 (A 1) 212–13; 1968 (A 3) 53; 1970–1 (C 15) 402–6; *contra*, Brunt 1965 (C 31) 106.

[36] Cic. *De Orat.* II.257; Bates 1986 (C 20) 272–3.

[37] App. *BCiv.* I.154–5; Vell. Pat. II.15.2; Just. XXXVIII.4.13.

[38] Gabba 1972 (C 56) 787–90. I here adopt the chronology of the legislation of Drusus there proposed, though this is not universally accepted: Gabba 1976 (C 55) 131–3; for the grounds on which the legislation was declared invalid, Lintott 1968 (A 62) 140–3.

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could be seen as inimical to the interests of the *equites* as a whole and was opposed by them, although its intention was in fact an even-handed reconciliation of the two opposing positions. To this ultimate goal the entire legislative activity of Drusus was apparently directed; it included also an agrarian or colonial law and probably also, as the last stage, the grant of citizenship to the allies. According to the tradition represented in Appian, concerned principally with the problem of the allies, this last proposal was really the crowning measure of Drusus.[39] It is in any case certain that on it the group which supported Drusus was not in agreement.

In general terms and in the light of our knowledge of the politics of the period after 89, it is legitimate to argue that for the upper classes of Italy the acquisition of Roman citizenship meant the direct exercise of political power and that this process was seen, and rightly seen, by the group around Drusus as a further reinforcement of a moderate political position within a Roman governing class enlarged in this way. There will naturally have been an awareness of the widespread existence, perhaps mostly at the level of the lower classes among the allies, of deeply rooted anti-Roman feeling; but presumably it was supposed that it would be possible to control it easily.

Certainly the agrarian law of Drusus, which seems to have raised a question mark over the position of the *ager publicus* still in the hands of the allied upper classes aroused opposition among some allies; that, however, did not in fact weaken the excellent relations which Drusus maintained up to the moment of his death with the Italian leaders.[40] Their hopes remained pinned on his political initiative until his murder and it was this which was the signal for the outbreak of the revolt.

Not all the allies were in agreement with the proposals of Drusus as a whole; and, according to Appian, the consuls, of whom L. Marcius Philippus in particular was bitterly hostile to Drusus, were able to bring to Rome some Etruscans and Umbrians to manifest their opposition, presumably in the course of *contiones*.[41] This passage poses problems which cannot easily be resolved, not least because of our uncertainty over the chronology of Drusus' measures. If the episode is to be placed late in 91, the protests would seem to have been directed against the agrarian law, presumably already passed; and, in addition, there would seem to have been opposition to the citizenship law, still to be voted on. Wherever their opposition was directed, the attitude of the Etruscans

[39] App. *BCiv.* 1.155 and 162.

[40] Plut. *Cat. Min.* 2.1–2. Val. Max. III.1.2; Sen. *Brev. Vit* 6.1; *De Vir. Ill.* 80.1. The 'prophecy of Vegoia', preserved in the corpus of the Agrimensores, 350 Lachmann, is related to the agrarian law of Drusus by Heurgon 1959 (C 77); for a different date, Turcan 1976 (C 146).

[41] App. *BCiv.* 1.163.

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and Umbrians is described as diverging from that of other Italian allies; and it is hard not to see the whole affair as in any case a consequence of the peculiar situation of the Etruscan and Umbrian elites within the social and economic structures of their communities. For their lower classes were largely agricultural serfs, who would as a result of the citizenship law have achieved a quite intolerable degree of juridical and political equality with their masters.[42]

The exclusive attitude of part of the Roman governing class remained unchanged; it was indeed no doubt reinforced by resentment of the growing personal prestige of Drusus among the Italian allies, which would certainly have been translated into political power if they had succeeded in obtaining the citizenship as a result of his efforts. For oligarchies cannot tolerate the emergence of one of their members possessed of power too far beyond that of the rest. An extraordinary document, probably referred to by the consul Philippus in one of his speeches against Drusus, is preserved in a fragment of Diodorus: it is an oath of loyalty to Rome and a promise of unconditional support to Drusus, as the person through whom Roman citizenship had been obtained; it must have been sworn by the Italian leaders.[43] The text seems to document an awareness of the necessity of creating religious as well as other links with the new citizens-to-be, so as to overcome traditional local loyalties. It is significant that after the Social War the cult of Capitoline Jupiter was founded in many of the new *municipia*, whereas many sanctuaries in the centre and the south, which had been the centres of tribal political and religious activities, were closed.

Naturally, however, as we have seen, the most obviously negative aspect of the programme of Drusus for the oligarchy was the unacceptable personal power which he would have achieved and which the text we have been considering reveals in the clearest possible manner; hence the hardening of the opposition. Drusus lost at the beginning of September in 91 one of his most influential supporters in the Senate, L. Licinius Crassus; the consul Philippus then managed to persuade the assembly to repeal his laws, and, shortly after, towards the middle of October, Drusus was assassinated.[44]

The death of Drusus meant the end of allied hopes and was the

[42] Gabba 1972 (C 56) 788–9; there was a similar situation at Vicetia in Transpadana after 49 B.C.: Gabba 1983 (G 91) 42–4. Differences in the structure of property and in the nature of the agrarian economy, between Umbria and inland Etruria on the one hand and coastal Etruria on the other hand, are suggested by J. Heurgon, 'L'Ombrie à l'époque des Gracques et Sylla', in *Atti I Convegno Studi Umbri 1963* (Perugia, 1964) 124–5; *contra*, Gabba, in 1979 (G 95) 36–7. When Appian then says that the Etruscans welcomed the Lex Julia de civitate, *BCiv.* I.213, he is to be understood as saying that it was welcome to the lower classes.

[43] Diod. XXXVII.11. The genuineness of the text was denied by Rose 1937 (C 124) 165–81, because of an alleged inconsistency with the normal Roman formula, but defended by Taylor 1949 (A 120) 46 and 198 (n. 67).

[44] App. *BCiv.* I.164. *Inscr. Ital.* XIII, 3, no. 74: 'in magistratu occisus est'.

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decisive factor behind the outbreak of armed revolt.[45] The allies began to plan, to exchange hostages among themselves and to form agreements for action,[46] precisely the behaviour which Rome had always managed to make impossible, by not creating any kind of confederation between her allies, but only unilateral treaties with each of them individually. Although the steps taken by the allies were secret, the Roman government soon got to hear of them, not least because in some cases they were already, towards the end of 91, organizing armed forays against Rome; one such was commanded by the Marsian leader, Q. Pompaedius (or Poppaedius) Silo, and was only by chance thwarted by a certain Caius Domitius (perhaps in fact the consul of 96, Cnaeus Domitius).[47] The Roman government entrusted the job of watching what was going on to magistrates or ex-magistrates with long-standing links with the different areas which were known to be disaffected; it may be that it was in that capacity that Domitius was able to act and it was certainly in that capacity that Q. (or C.) Servilius found himself in Picenum. When he discovered that an exchange of hostages was in progress at Asculum, he voiced threats which provoked his murder in 'an explosion of hatred against Rome', which engulfed all the many Romans in the city and immediately conferred an entirely new dimension on the revolt against Rome.[48] It was of course led by the local elites who were anxious for the Roman citizenship in order to be able to enter the Roman ruling class, but it had at the same time to deploy the anti-Roman feelings which were widespread among the masses and which, long repressed, were now given free rein.

In Rome, the outbreak of the revolt of the allies brought about a renewal of the link between the *equites* and the tribunes, which had been weakened by the events of 100, when Senate and *equites* had found themselves united in opposition to the projects of Appuleius Saturninus and his supporters. At the beginning of 90, a law of the tribune Q. Varius Hybrida set up a *quaestio extraordinaria* with *equites* as jurors, to inquire who was responsible for the events which had led to the revolt of the allies. Naturally, since it was the only *quaestio* which functioned during the war, it was also used without scruple for personal political ends;[49] not all of those condemned were friends or supporters of Drusus or his policy. Only a year later, in 89, was the nobility, encouraged by a turn for the better in the course of the war, able to get the composition of the

[45] App. *BCiv* I.169. For narratives of the war, see von Domaszewski 1924 (C 46); Haug 1947 (C 74); De Sanctis 1976 (C 129). [46] App. *BCiv*. I.170.

[47] Diod. XXXVII.13.1; Gabba 1976 (C 55) 261 n. 16. It would also be possible to date the event somewhat earlier, at the same time as the arrival of the Etruscans and Umbrians in Rome.

[48] Diod. XXXVII.13.2; cf. 12.1–3; App. *BCiv*. I.171–4; Laffi 1975 (B 303).

[49] Asc. 67–8C; Val.Max. VIII.6.4; App. *BCiv*. I.165 (wrongly dating the law before the uprising); Badian 1969 (C 12); Gabba 1976 (C 55) 133–4.

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juries in the *quaestio* 'ex lege Varia' changed; this was done by means of a law of the tribune M. Plautius Silvanus, which introduced annual election by the tribes. Senators and 'quidam ex plebe' began to serve on the juries and the *equites* lost their monopoly. Q. Varius and his colleague in the tribunate, Cn. Pomponius, were immediately condemned under the law.[50]

Before the outbreak of open hostilities, but when the allies were already under arms, towards the end of 91, there was perhaps one last attempt by the Italians to arrive at a peaceful settlement of their differences with Rome; it was, however, rejected by the Senate.[51] War was now inevitable. It took its name, the Marsian War, from the people who were the first to take up arms; when its scale was fully understood, which did not take long, it came to be called the Italian and then the Social War. The greater part of the allied peoples living along the ridge of the central and southern Apennines took part: besides the people of Asculum and other groups in Picenum, there were the Marsi, the Paeligni, the Vestini, the Marrucini (all Sabellian), the Frentani, the Hirpini, the Lucani, the Samnites, the people of Pompeii and other cities of southern Campania (all Oscan), the people of Apulia and the citizens of Venusia.[52] Other peoples were more or less forcibly brought to side with the rebels during the first year of the war: Nola and perhaps Nuceria and some cities in Apulia.[53] On the other hand, the intervention of some Etruscans and Umbrians at the end of 90 must have been limited in duration. Finally, there is some evidence for the presence of Gallic troops among the rebel armies, which suggests that help arrived also from Gallia Cisalpina.[54] All the Latin colonies remained loyal, with the exception of Venusia, whose participation in the revolt is not easy to explain except on the supposition of a marked change in the composition of the population in the course of the second century B.C., as had happened at Fregellae. In the vast majority of cases, traditional ties with Rome were too strong and had always assured the Latins a privileged position among the allies; as a result, the local aristocracies, now themselves in large measure possessed of the Roman citizenship acquired *per magistratum*, presumably had no great difficulty in keeping their communities loyal to Rome.

Naturally, even in the communities listed above, not everyone joined the revolt. We know of individual cities which did not follow the lead of the ethnic group to which they belonged, for instance Pinna among the Vestini; we also know of often violent disagreements within single

[50] Asc. 79c; Gabba 1976 (c 55) 144–6; 1972 (c 56) 791. [51] App. *BCiv.* 1.176.

[52] App. *BCiv.* 1.175; Livy *Per.* 72; Oros. v.18.8; Eutropius v.3.1; on the rebel peoples, their leaders and their eventual distributions in the tribes, see Salmon 1958 (c 126).

[53] App. *BCiv.* 1.185; 187; 190. [54] App. *BCiv.* 1.219–20.

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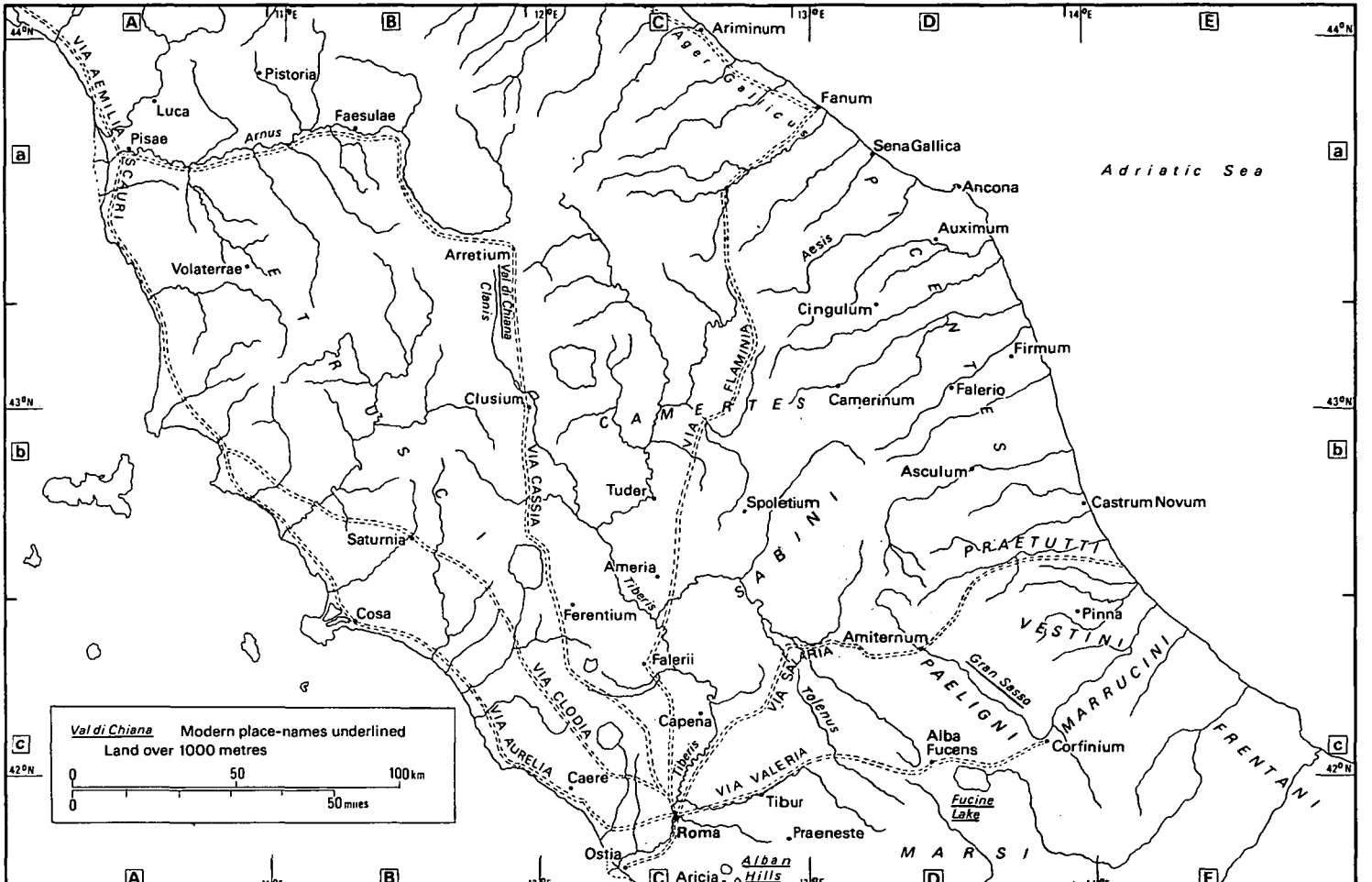


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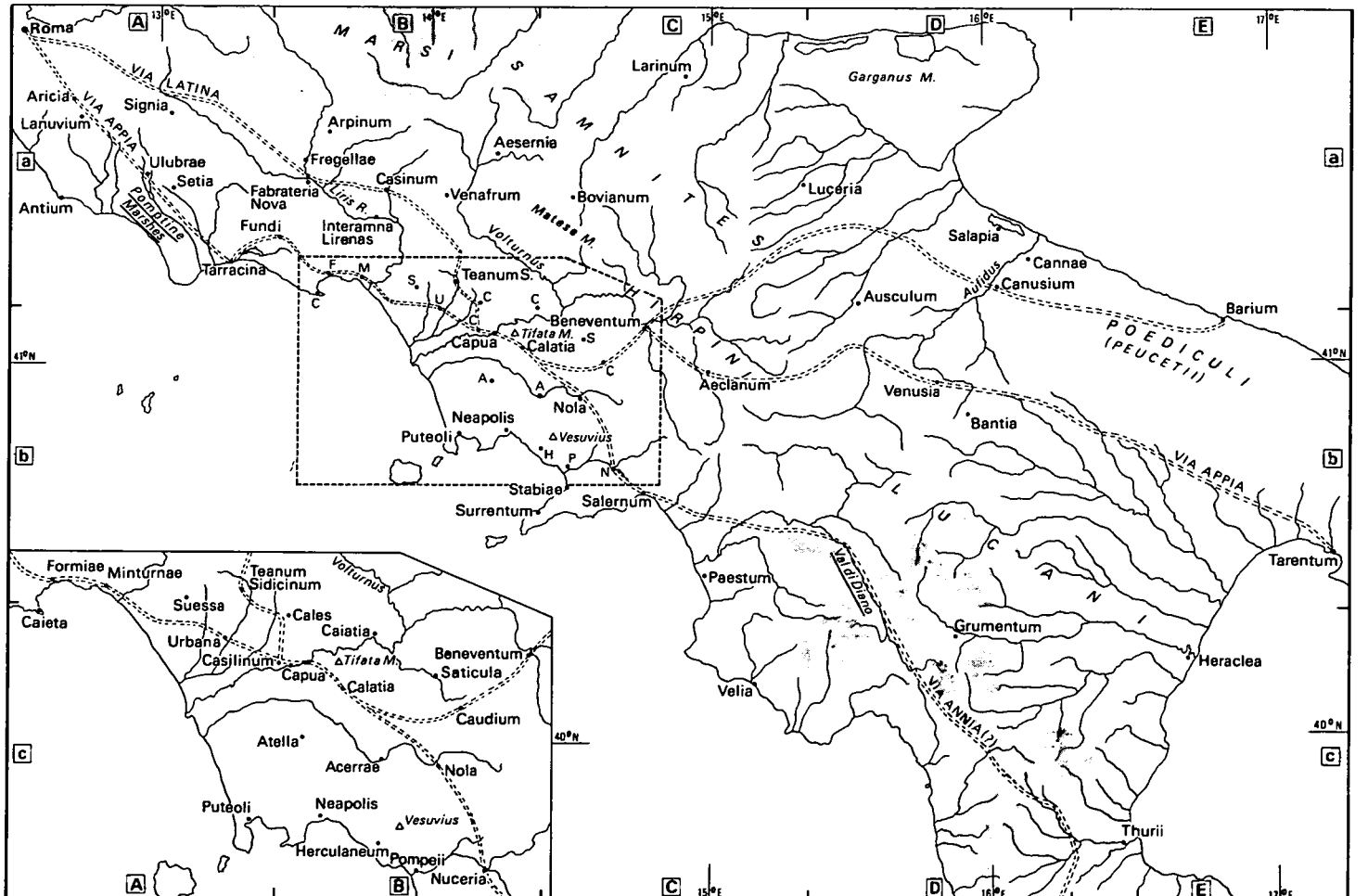


3 Central Italy

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communities and even of positions overtly favourable to Rome. But even Velleius, writing under Tiberius and a descendant of a notable of Aeclanum among the Hirpini who had fought with Sulla, shows still a clear conviction that the allied cause had been fundamentally just.[55] In general, the populations most hostile to Rome, who continued to resist longest after the end of the war, were those of the Samnite and Lucanian group, mindful of their long rivalry with Rome. It is Velleius who records the threat of Pontius Telesinus on the eve of the battle of the Colline Gate in 82, that it was necessary to destroy the lair of the 'wolves' who were the *raptores Italicae libertatis*.[56]

Even though the rebels consisted of diverse groups, they were fully aware that their cause was one and that it was necessary in consequence to organize themselves into a single people. They renamed their capital at Corfinium as Italica, a name rich in symbolism,[57] but it would be to go too far to suppose that they had at that moment a truly Italian consciousness and that they founded a unitary state with an appropriate system of government. Unity was necessary for the conduct of the war. The choice of Corfinium, the chief town of the Paeligni, was based largely on strategic considerations, since it lay at a junction on the roads which linked Picenum with the rebel areas to the south. A federal assembly was instituted, consisting of a senate with 500 members, who were the representatives of the rebel communities; although these were grouped under the umbrella of the name Italia, as appears from their coinage,[58] they must have preserved all the traditional apparatus of self-government. It is not clear whether within the senate at Corfinium there was a smaller body responsible for the conduct of the war; in any case, following the known and tried Roman model, two consuls and twelve praetors were elected each year.[59]

In 90, the two supreme commanders, who were probably also re-elected for the following year, were the Marsian leader Poppaedius Silo and the Samnite C. Papius Mutilus; the former had been in touch with Drusus and had begun the rebellion, the family of the latter had already played a leading role in the wars against Rome in the fourth century B.C.[60] The two divided the war between them: Poppaedius Silo directed operations on the northern front, in the territory of the Piceni and the Marsi, Papius Mutilus on the southern front, in Samnium, Lucania,

[55] Vell. Pat. II.15.2; 16.2; cf. Ovid, *Am.* III.15.7–10: Gabba 1976 (C 55) 346–60.

[56] Vell. Pat. II.27.2. [57] Strab. V.4.2; Vell.Pat. II.16.4; Diod. XXXVII.2.6–7.

[58] Sydenham 1952 (B 247) nos. 617–24 (Italia); 625–8 (Viteliu). Some coins bore the names of the two commanders Q. Silo and C. Papius Mutilus (*embratur* on nos. 640–1). On nos. 619–21 there is an oath-taking scene with eight or six soldiers, on no. 628 the Sabellian bull goring the Rome wolf.

[59] Diod. XXXVII.2.4; Strab. V.4.2; Sherwin-White 1973 (F 141) 147; Meyer 1958 (C 112) 74–9.

[60] Gabba 1958 (B 40) 132–4. For family continuity between the time of the Samnite Wars and the Social War, see de Sanctis 1909 (A 103) 207ff.

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Apulia and Campania. Each had under his orders six commanders responsible for particular sectors. In total, the rebels were in a position to field an army of about 100,000 men, including cavalry and infantry, in addition to the troops which were necessary to guard the cities under their control and whose numbers cannot readily be calculated.[61] The whole military structure which the Italian allies had placed at the disposal of Rome was now mobilized in the cause of the rebellion. Their experience, their military skill, their knowledge of tactics, strategy, logistics, all these they owed to the wars fought alongside Rome.

The strategy of the rebels, which they had certainly planned beforehand, was to take the offensive on all fronts; its central aim was the elimination of the Latin colonies and in general the enclaves of Roman territory within the zone controlled by themselves; for only in this way could it become entirely self-contained. The routes which the Romans had followed as they penetrated into enemy territory in the course of the conquest of Italy thus acquired once again a military relevance which had seemed to have disappeared for ever; the difference was that in this case they could be used in the opposite direction also, against Rome, provided the rebels could overcome the obstacles represented by the fortified Latin colonies. Those ancient towns on the skirts of the Apennines thus recovered their traditional function. And while in the fourth and third centuries the Italian peoples had fought and lost, for the most part without ever uniting, the battle might seem now to be more equal, because the enemies of Rome were at one. But the forces of the ruling city were enormously superior.

The troops which Rome had at her disposal at the outset were at least equal to those of the rebels. Levies were also undertaken among Roman citizens in Gallia Cisalpina.[62] Many of the allies remained loyal; the fact that Rome controlled not only Capua, which had the Roman citizenship, but also central Campania as a whole, turned out to be crucial, not least for reasons of logistics and supply. The Romans could also count on forces supplied by allies outside Italy, such as Numidia and some eastern communities, and by the provinces, Spain, Sicily and Gallia Cisalpina.[63] It is clear that Rome's reserves, based on her position as an imperial power, were far superior to those of the rebels and that their effect would have been felt fairly rapidly, even if before long the war with Mithridates, which broke out at the end of 89, was to put an end to the arrival of reinforcements from the East. Still, the rebels could always attempt to conquer and maintain control over the whole of central and southern Italy and on this basis impose a compromise solution; it may even be that

[61] App. *BCiv.* 1.177. [62] Appian. *BCiv.* 1.177; Plutarch, *Sert.* 4.1.

[63] Cic. *Leg. Agr.* 11.90; App. *BCiv.*1.188–9; 220; *ILS* 8888 (Spain); Cicero, *II Verr.* 2.5; 5.8 (Sicily); SC de Asclepiade (*RGDE* no. 22), 1.7; Memnon *FGrH* 434 F 21 (the eastern provinces).

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this was their aim. The fragment of a speech preserved in *Ad Herennium* IV.13, and perhaps delivered in a case arising out of the Lex Varia, is interesting in this context; the Roman politician concerned noted with some exaggeration the disparity of the forces in the field and the impossibility of an allied victory; and the only explanation he could find for the Italian attempt was to suppose the complicity of politicians in Rome.

The Roman consuls of 90, L. Iulius Caesar and P. Rutilius Lupus, probably only had at their disposal forces at the level normal for Roman magistrates; nor indeed at the moment of their election had the war been foreseeable. But they had access to *legati* of considerable experience, first and foremost C. Marius and L. Cornelius Sulla; other generals of distinction emerged in the course of the war, such as Cn. Pompeius Strabo, Q. Sertorius, Q. Caecilius Metellus Pius.[64]

Perhaps already at the end of 91 or, if not, at the beginning of 90, P. Vettius Scato, the praetor of the Paeligni, moved from the area of Corfinium to invest the Latin colony of Aesernia, where many Roman refugees from Apulia had taken shelter.[65] He succeeded in defeating the consul, L. Caesar, but not in capturing the colony; the rebels were forced to undertake a siege, which turned out to be lengthy. At about the same time, Marius Egnatius the Samnite succeeded in capturing Venafrum, a Roman *praefectura*, and thereby prevented the despatch of reinforcements from Campania to Aesernia.[66] In Lucania, M. Lamponius, the praetor of the Lucani, after a mixture of successes and reverses, captured Grumentum, perhaps also a Latin colony.[67] The colony of Alba Fucens was also attacked, but not captured, although P. Praesenteius, a Marsian, defeated P. Perperna as he attempted to move up to the relief of the city.[68]

But the rebels won their most important victories in Campania and in Picenum. Moving up from the south, Papius Mutilus seized Nola and without hesitation enlisted his Roman prisoners after killing their officers. Advancing along the coast, he captured Herculaneum, Stabiae, Surrentum and the citizen colony of Salernum, here also enlisting prisoners as well as slaves.[69] But although he gained control of the area around Nuceria, he was unable to take the fortress of Acerrae, which blocked the road to Capua, the principal Roman base on the southern front. Meanwhile, in the first few months of the year, in the vicinity of Falerio in Picenum, C. Vidacilius of Asculum, T. Lafrenius, the praetor of the Piceni, and P. Ventidius had managed to defeat Cn. Pompeius Strabo and force him to take refuge in the Latin colony of Firmum.[70] The

[64] For lists of the legates in 90 and 89, *MRR* II, 28 ff and 36 ff.
[65] App. *BCiv.* I.182; Livy *Per.* 72.
[66] App. *BCiv.* I.183; for the war in Samnium, see Salmon 1967 (A 101) 340–68.
[67] App. *BCiv.* I.184. [68] App. *BCiv.* I.183; Livy *Per.* 72. [69] App. *BCiv.* I.185–6.
[70] App. *BCiv.* I.204.

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way was thus open for Vidacilius to make a swift move down into Apulia, where Canusium, the Latin colony of Venusia and other cities went over to him or were captured; he too enlisted Romans of the lower orders and slaves.[71] The Italian armies were coming to resemble the armies on one side in a civil war.

Aesernia and Acerrae continued to resist. The consul L. Caesar, perhaps from a base at Teanum and crossing the range of the Matese, attempted to relieve Aesernia, but was decisively defeated at the crossing of the Volturnus by the Samnite Marius Egnatius and had to fall back on Acerrae. Another attempt by Sulla to relieve Aesernia also failed, though it did succeed in re-supplying the city. Finally, however, even this Latin colony was forced to surrender.[72]

Before Acerrae, the armies of L. Caesar, reinforced by Gallic and Numidian auxiliaries, and of Papius Mutilus, in touch with Vidacilius in Apulia by means of the Via Appia past Aeclanum and Venusia, fought a series of indecisive engagements.[73] Acerrae was in fact the keystone of the Roman defence, since it ensured the maintenance of links between Capua and the great Latin colony of Beneventum, firmly in Roman hands. On this front, stalemate had been reached, which suggests that the rebel offensive in Campania had run out of steam, despite its initial successes.

There had also been fierce fighting on the central front against the Marsi, astride the Via Valeria, which linked Rome with the capital of the rebels at Italica-Corfinium. A measure of the importance of this area is the presence of C. Marius, along with the consul Rutilius. Alba continued to resist and on 11 June 90 a great battle was fought in the valley of the River Tolenus between the two Roman generals and Vettius Scato. Rutilius fell into an ambush at the crossing of the river and was killed, but Marius won a decisive victory and drove back the enemy with heavy losses.[74] Not long afterwards, towards July, Q. Servilius Caepio, who had succeeded Rutilius, along with some of his men, was the victim of a trick played by the enemy commander-in-chief himself, Q. Poppaedius Silo, who had pretended to surrender. Similar episodes were no doubt not infrequent.[75] Marius took over the command of the whole front and moved energetically forward. There was a major battle on hilly ground covered with vineyards, probably to the south of the Fucine Lake; L. Cornelius Sulla managed to turn the flank of the enemy and the Marsi were defeated. Among the dead was Herius Asinius, the

[71] App. *BCiv.* 1.190.

[72] App. *BCiv.* 1.199; Oros. v.18.16; Front. *Str.* 1.5.17; Livy *Per.* 73. The dedication to Victory by two Samnite magistrates in the sanctuary at Pietrabbondante is no doubt to be related to these successes in Samnium, La Regina 1980 (B 307) 175.

[73] App. *BCiv.* 1.188–9.

[74] App. *BCiv.* 1.191–5; Ovid *Fast.* VI. 563; Oros. v.18.11–13; Livy *Per.* 73.

[75] App. *BCiv.* 1.196–8.

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praetor of the Marrucini.[76] Although the Marsi were by no means subdued, the Roman strategy of opening a route to the Adriatic to split the enemy in two was now apparent. Success came only in the following year; but in this area the initiative now lay with the Roman generals, who were in a position to mount offensives from the powerful bases under their control.

It was probably in the same general period that Sex. Iulius Caesar set off for the north to relieve Firmum, after a victory perhaps over the Paeligni.[77] As we have seen, Pompeius Strabo had retreated there, where he had then been blockaded by T. Lafrenius. The siege lasted for some considerable time; but a city so powerfully fortified and in such a naturally strong position was virtually impregnable. Towards the end of the year, perhaps in October, learning of the approach of Sex. Caesar, Pompeius Strabo mounted two sorties. The army of T. Lafrenius was caught between them and routed, Lafrenius himself was killed; the rebel army took refuge in Asculum, which was now in its turn besieged by Strabo.[78] The whole northern rebel front was in a state of collapse; towards December, T. Vidacilius returned from Apulia to bring help to his own city and succeeded in entering it before the siege lines were complete.[79] The siege was entrusted by the Romans to Sex. Caesar.

Just as the fortunes of war appeared to be turning in favour of the Romans, rebel movements began in some Etruscan and Umbrian communities, presumably not the same ones as had opposed Drusus the year before and taken the side of Philippus. Even if the disturbances were soon suppressed, there was for a moment the risk that a completely new front was about to be opened along the coast north of Rome.[80]

At the end to the first year of the war, the failure of the rebel cause was already clear. It was perhaps in a moment of desperation in this phase of the war that the Italians brought themselves to think the impossible and open negotiations with Mithridates VI of Pontus, whom some of their leaders will have got to know in the course of their business activities in the eastern provinces. The king was invited to come to Italy in support of the rebels; his reply was, not surprisingly, evasive.[81]

At Rome, on the other hand, it must have become clear to everyone, even the most rigid, that, whatever the outcome of the war in purely military terms, there was no alternative to granting the Roman citizenship to the allies, now that the Romans were faced with an armed demand for it. In the course of a parley, one of the allied leaders had repeated yet again that the rebels, or at any rate their leaders, were fighting in order to

[76] App. *BCiv.* I.201–3 (confused). [77] App. *BCiv.* I.210; 205.

[78] App. *BCiv.* I.205–6; Livy *Per.* 74; Laffi 1975 (B 303) xxii–xxxiii. [79] App. *BCiv.* I.207–8.

[80] Sisenna, frr. 94–5 *HRR*, App. *BCiv.* I.211; Livy *Per.* 74; Oros. V.18.17.

[81] Posidonius *FGrH* 87 F 36; Diod. XXXVII.2.11: Gabba 1976 (C 55) 88–9. Two of the coins of the rebels are normally related to these events: Sydenham 1952 (B 247) nos. 632 and 643.

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be admitted to a share in the Roman citizenship, not to bring about its end.[82] In other words, even among the allies, it was realized that there was no other possible outcome to the war, even if they had boosted their morale by appeals to the notion of Italian independence. A complete parting of the ways certainly did not now seem possible, if indeed it ever had. The pointlessness of the war and the tragic role of the Roman conservatives in provoking it were now clear to everyone.

It was for reasons such as these, towards October 90, that the Roman Senate, encouraged by the shift of the war in their favour, took the initiative by granting Roman citizenship to those allies who had remained loyal, in the first instance the Latin colonies and the other Latin communities, and to those who had laid down their arms or were prepared to lay them down within a specified period; the time allowed was no doubt not long – Velleius uses the word 'maturius'; it may be that the condition was met principally by the Etruscans and Umbrians. Such were the terms of the Lex Iulia de civitate, proposed by the consul L. Iulius Caesar on the basis of a decree of the Senate.[83]

Late as this measure was, it none the less removed the principal *raison d'être* of the insurrection, even if it was unable to undo all the terrible effects of the foolish and exclusive attitude which had prevailed up to that point; in particular, it was impossible to put an end to the war which was now in full swing. The terms of the law were no doubt complex; in the first place, it provided that it was for the allied communities themselves freely to decide whether or not to accept the offer of Roman citizenship; we hear indeed of occasional hesitations, as in the case of Neapolis and of Heraclea in Lucania.[84] Further, the law laid down certain basic rules governing the incorporation of the new citizens in the Roman citizen body; at any rate for a time, they were to be placed in a number of tribes additional to the original thirty-five, perhaps eight in number. The plan was for these tribes to vote after the others so that their political influence would be limited.[85] The provision was probably regarded as transitional, until it might be possible to deal with the complex process of more or less tripling the size of the citizen body; for such a process was bound to have widespread implications at a local level as well as in the centre. And the Roman state was indeed to be transformed as a result of the process. Italy became the territory of the city of Rome as a result of

[82] Cic. *Phil.* XII.27.

[83] App. *BCiv.* I.212–14; Vell. Pat. II.16.4; Gabba 1976 (C 55) 89–96; Taylor 1960 (F 156) 101–3; Sherwin-White 1973 (F 141) 150–3; Galsterer 1976 (A 38) 187–204; Luraschi 1978 (C 102).

[84] Cic. *Balb.* 21.

[85] App. *BCiv.* I.214–15; Vell. Pat. II.20.2. It may even be that the Lex Iulia to which the decree of Pompeius Strabo refers (*ILS* 8888) is different from the Lex Iulia de civitate. It is hard to know what the relationship is between the Lex Iulia and the Lex Calpurnia mentioned by Sisenna, fr. 120 *HRR*, cf. fr. 17 *HRR*.

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this law and its successors; but the political and administrative articulation of that territory involved a complete rethinking of the structure of the Roman state and of how it functioned. In the immediate crisis the passage of the law helped the Roman war effort, not least because it created divisions and hence weaknesses within the allied communities;[86] only the most intransigent elements could now wish the war to continue.

The rebellion in Etruria and Umbria mentioned above must have been planned in association with the Marsi. The latter, in ignorance of the speed with which the movement had been suppressed, set out in the depths of winter from the basin of the Fucine Lake across the wilds of Gran Sasso; it was probably in January of 89, in the consulship of Cn. Pompeius Strabo and L. Porcius Cato. The intention was no doubt to mount a massive combined operation, first to raise the siege of Asculum and then to descend into Umbria. The Marsi were led by Vettius Scato. But the strategy devised by the two consuls to meet the threat succeeded, perhaps by reason of their numerical superiority. Perhaps not far from Asculum Strabo defeated the Marsi, who were forced to undertake a disastrous retreat across the snow-covered mountains. Cato had meanwhile taken over the command from C. Marius (we do not know why he was excluded from the command in the second year of the war, since his age should have been outweighed by his experience). He attacked the Marsi in the area of the Fucine Lake and defeated them, dying however perhaps as a result of treachery.[87] In any case the victory of Strabo was decisive; the siege of Asculum could now take its course without any possibility of relief from outside and the Romans were finally in a position to attack the central nucleus of the rebels from the north. The Marsi were finally forced to surrender; Corfinium was captured and the seat of the Italici transferred to Bovianum; the Vestini submitted, having failed to force the people of Pinna to abandon their alliance with Rome; likewise the Marrucini, perhaps after a final attempt at resistance.[88]

Towards the end of the summer of 89 the rebellion in the northern and central areas was for all practical purposes over, from Picenum to the borders of Samnium; only Asculum still held out, urged on by the heroic energy of Vidacilius.

In the south also, in 89, the Romans moved over to the offensive, under the able leadership of Sulla. His army, with Cicero in its ranks, had been reinforced by a legion of loyal Hirpini, raised by Minatius Magius of Aeclanum; he was also supported by a fleet. While he was besieging Pompeii, L. Cluentius came to its relief and won a short-lived success before being defeated between Nola and Pompeii. The Roman siege of Nola was to continue for a long time still, while that of Pompeii now

[86] App. *BCiv.* I.213. [87] App. *BCiv.* I.216–17; Laffi 1975 (B 303) xxx–xxxii.
[88] App. *BCiv.* I.227; Diod XXXVII.2.9.

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came rapidly to an end. Stabiae fell on 30 April and Herculaneum on 11 June.[89] Sulla was now in a position to move against the Hirpini and attack Aeclanum, where the anti-Roman party now evidently had the upper hand. Lucanian reinforcements under Lamponius and Ti. Cleppius were slow to arrive; the city, inadequately protected by a wooden palisade (stone walls were only built after the war), surrendered and the whole area of the Hirpini followed suit; it was let off lightly by Sulla,[90] who lost no time in attacking the heart of Samnium. He set off on a long circular march, which brought him into the north of the region, contrary to the expectations of Papius Mutilus, who was defeated not far from Aesernia, escaping thither with a few of his troops.[91] Sulla moved on to Bovianum, whither the rebel government had been transferred, and managed to take it after a short, but bitter, struggle. The capital was moved once again, this time to Aesernia. All these victories over the Samnites will have taken place between July and September of 89; towards October of that year, Sulla went to Rome to stand in the elections for the consulship, succeeding along with Q. Pompeius Rufus.[92]

A consequence of the victories of Pompeius Strabo over the peoples along the coast of the Adriatic was the defeat or submission of the peoples of Apulia. After a phase of the war which remains obscure to us, but which saw the defeat and death of the Samnite Marius Egnatius, operations were conducted for the Romans by C. Cosconius. He came down the coast from the north, took Salapia and Cannae and besieged Canusium; a first encounter with the Samnite Trebatius resulted in defeat; but soon after he won a victory on the River Aufidus and Trebatius took refuge in Canusium. The people of Larinum surrendered immediately, along with Ausculum, the Poediculi and then Venusia, this last to the praetor Q. Caecilius Metellus; Metellus then went on to complete the submission of Iapygia with a victory over Q. Poppaedius Silo, who had retreated to that area after the collapse of the northern front. The rebel leader died in the battle.[93]

A few minor strongholds still held out, along with Asculum, defended by Vidacilius. The uselessness of the struggle should have been apparent; but he took steps to bring about the deaths of his political enemies as an act of revenge and then committed suicide; the surrender of the city followed soon after, in November 89. The well-known decree of Pompeius Strabo granting the Roman citizenship to a troop of Spanish

[89] App. *BCiv.* i.227; Cic. *Div.* 1.72; Plut. *Cic.* 3.2 (Cicero in the army of Sulla); Vell. Pat. II.16.2 (Minatius Magius); Pliny *HN* III.70 (Stabiae); Ovid *Fast.* VI.567–8 (Herculaneum).

[90] App. *BCiv.* 1.222–3; Diod. XXXVII.2.11. [91] App. *BCiv.* 1.223–4.

[92] App. *BCiv.* 1.223–5; La Regina 1966 (B 187); also in 1980 (B 307) 30–3.

[93] App. *BCiv.* 1.227–30; Livy *Per.* 75.

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horsemen is dated 17 November; his triumph fell on 25 December.[94] With the fall of Asculum, where the rebellion had begun two years earlier, the military failure of the allies was complete; but the victors had in fact had to recognize and accept precisely those demands of the allies for which they had fought and lost.

During 89, another law dealing with the citizenship had been passed, the Lex Plautia Papiria, in order to carry to completion the incorporation of the allies into the Roman state. It was proposed by the tribunes M. Plautius Silvanus, who had earlier succeeded in putting an end to the activities of the 'quaestio ex lege Varia', and C. Papirius Carbo. Much is uncertain, but it is likely that various references in our sources are to be ascribed to this law; they are located close to the end of the war and relate to the acceptance in general of the allies into the Roman citizenship, with a few particular exceptions, notably the Samnites and the Lucanians.[95] Only one clause is specifically attributed to the Lex Plautia Papiria (and some think that that is all it contained); it provided for the extension of Roman citizenship to those who were *adscripti* in an allied community, i.e. had received its citizenship in an honorary capacity, were domiciled in Italy at the moment of the passage of the law, and made application to the urban praetor within sixty days.[96] It is likely, however, that while this provision covered *adscripti* in allied communities domiciled in Italy and was cited by Cicero precisely in this context, other chapters dealt with a more general grant of citizenship, leaving out only the Samnites and Lucanians who were still intransigently under arms. (It is above all because of them that the Social War merged into the civil war that followed.) Meanwhile, the Lex Plautia Papiria probably left the detailed application of its provisions to be settled by decrees of the Senate, some of which are mentioned in the historical tradition; the reason was no doubt that that was the only way to organize the rapid acquisition of the right to vote by the new citizens.

Still within 89, an equally important law emanating from the consul Pompeius Strabo organized the incorporation of the allied communities north of the Po, and perhaps also of some Ligurian tribes south of the river. Some of the peoples involved had taken part in the Social War on one side or the other, as we have seen. All of them were granted the status of Latin colonies, without any introduction of colonists from outside; and they were all granted the right for their magistrates to acquire the Roman citizenship. The process by which local institutions were moulded into Roman ones was a long one and it was certainly not complete by 49, when all these communities received full Roman citizenship. It is possible that the Lex Pompeia also provided that some

[94] App. *BCiv.* 1.209–10; *ILS* 8888; *Inscr. Ital.* XIII.1. pp. 85 and 563.

[95] App. *BCiv.* 1.231; Vell. Pat. II.17.1 and 20.2; *Schol.Bob.* 175 st.

[96] Cic. *Arch.* 7.

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of the less civilized tribes of the Alpine foothills should be attributed to the nearest cities of the plain. It is in any case clear that the Lex Pompeia set on foot in Transpadane Gaul a process of Romanization and urbanization which succeeded in grafting itself on to the existing structures of Celtic society.[97]

One problem demands particular attention. The extension of the Roman citizenship to the whole of Italy, from the straits of Messina to the Po, meant a complete transformation of the territorial organization of the Roman state, and its reorganization on the basis of the *municipia*, the internal subdivisions of the Roman state, into which the former Latin colonies and allied communities were now transformed. The Roman state in fact ceased to be a city state and became a state made up of numerous *municipia*, at any rate as far as the organization of its territory was concerned; political institutions remained for all practical purposes unchanged.

It is generally believed, probably rightly, that general rules were laid down for the government and administration of the new *municipia*, perhaps based on earlier constitutions prescribed for Latin colonies. For example, criteria for the inclusion of the new citizen-communities in the tribes, once their concentration in a number of supplementary tribes had been abandoned, will have been laid down, or at least indicated or suggested; those criteria will have been influenced by local political considerations. In many cases, the territories of the new *municipia* will also have been fixed; that will have been a complex process, since it is clear that in some cases existing tribal communities were split into more than one *municipium*, perhaps sometimes as a punishment; that process will have been particularly common in Transpadane Gaul. There will also have been general criteria for the selection of the urban seats of government of the *municipia*; and a process of urbanization will have begun even where it had not occurred or even begun before.[98] Paradoxically, the destruction wrought by the Social War will have favoured this development. In some cases, specially in Transpadane Gaul, the grant of Roman or Latin citizenship will have involved survey and division of the land, indispensable for the definition of the social structure of the new community.[99] We know that envoys of the Roman government were entrusted with the constitution of the new *municipia*;[100] they will often have been people who already had a local reputation and power base, though of course perceived as politically reliable by Rome; in some cases, in their capacity as envoys of Rome, they will have formed part of the

[97] Asc. 2–3C; Pliny *HN* III.138; it seems to me that the episode at Milan recorded by Frontinus, *St.* 1.9.3. is to be placed in the context of these activities of Strabo, Gabba 1984 (C 59).

[98] Gabba 1983 (C 58) on Vit. 1.4.11–12. [99] Gabba 1985 (G 94) 279–83

[100] Note, for example, Caes. *BCiv.* 1.15.2, on Labienus at Cingulum.

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first college of local magistrates, nominated by the central power or by its representatives, not elected.[101] In some cases, such envoys were authorized to modify, at their discretion and in the light of local conditions and without reference to Rome, the text of the municipal charter, based on the general rules laid down in measures passed through the Roman assemblies.[102]

It took a long time to incorporate everyone into the structure of the Roman state, from 89 to the age of Caesar; but the general outlines of the process to be followed must have been fixed immediately after the Social War; and it cannot be excluded that it was precisely the Lex Plautia Papiria (or some other law passed not long afterwards, perhaps under Sulla) which included the provisions relevant to the process, just as the earlier Lex Iulia had already included some provisions governing the actual exercise of the right to vote.[103]

[101] Cicero, *Clu.* 25; Lex municipii Tarentini 7–14 (*Bruns* no. 27).

[102] Tabula Heracleensis, 159–60 (*Bruns* no. 18); Gabba 1985 (G 94) 279–83. Similarities even between the fragmentary texts in our possession of municipal and colonial charters in the first century B.C. suggest common models at least for some elements.

[103] Galsterer 1976 (G 96) insists rather on the spontaneous aspects of the process.

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CHAPTER 5

# MITHRIDATES

JOHN G. F. HIND

Mithridates VI Eupator 'the Great' was to become a byword for his hatred of Rome and his atrocities in Asia. At the end of his life, in 63 B.C., rumour had it that he was still planning to march on Italy, like an eastern Hannibal, via Scythia, Thrace and the Illyrians. Many myths arose about him during his fifty-seven-year reign and his more than forty years of confrontation with Rome. By the end of the Roman Empire he was one of her few former enemies, alongside Pyrrhus, Hannibal and Cleopatra, to be canonized among the eighty notable ancient Romans.[1] As one who died aged sixty-nine (some said seventy or seventy-two), he almost qualified to be one of the 'Macrobioi', the 'long-lived', of the ancient world. During all but his first thirteen years of life he ruled a kingdom, Pontus, which took its name from the 'Deep Sea' itself. It lay almost beyond the world known to Rome, and had beneath its sway Thracians, Scythians, Sarmatians, the Cimmerian Bosporus and Colchis, the legendary land of gold, poisons and witchcraft. The king himself was immensely gifted as well as resourceful. He was said to speak twenty-two, twenty-five, fifty languages; and during his 'heroic' first seven years as king, as a fugitive in the interior of Pontus, he had trained his physique to great endurance and to a high resistance to poisons:

> He gathered all that springs to birth
> From the many-venomed earth;
> First a little, thence to more,
> He sampled all her killing store;
> . . .
> – I tell the tale that I heard told.
> Mithridates, he died old.[2]

He bore a noble Persian name, and his family claimed descent from either Darius himself or one of his associates in the rebellion against the Median

[1] *De Vir. Ill.* 76. See already Cic. *Mur.* 32 and a couple of generations later Vell. Pat. II.18, cf. 40 on his international standing.

[2] A. E. Housman, *A Shropshire Lad*, 62. Languages: Val. Max. VIII.7; Pliny *HN* VII.88; XXV.6; Gell. *NA* XVII.17; Poisons: Just. XXXVII.3; App. *Mith.* 111; Pliny *HN* XXV.2.5.



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Magi. Small wonder that, in Persian-Parthian fashion, he claimed at the height of his success to be 'Great King' and 'King of Kings'.

The extant ancient sources for Mithridates and his kingdom are numerous, and varied in length and detail.[3] Some fifty ancient writers contribute, ranging from fragments of works by his courtiers and by contemporary scholars to late Roman *breviaria* and *vitae* which derive much of their material from the now lost books of Livy. Our fullest sources are works of the first and second centuries A.D. Plutarch's *Life of Sulla* and Appian's *Mithridatica* provide overlapping narratives in Greek, and Strabo's *Geography* and Memnon's local history of Heraclea on the Black Sea add circumstantial detail about Pontus and about events in the Mithridatic Wars. Latin sources offer less, though Justin's *Epitome of the World History of Pompeius Trogus* (first century B.C.) traces the rise of Pontus under Mithridates' father and the growth of tension in Asia between Mithridates and the Roman governors. But it was the speeches of Cicero – *pro Flacco*, *pro Murena*, *pro lege Manilia* – that moulded posterity's view of the monarch as the recidivist enemy of Rome and perpetrator of the Asiatic atrocities.

## I. THE DYNASTY

Mithridates was reckoned sixteenth in descent from Darius (though the claim may have been manufactured in the first century B.C.).[4] The direct line can be traced only from the fourth century. A Mithridates inherited from his father Ariobarzanes (*c.* 362–337) a little fief at Cius, and perhaps Myrlea, to the west of Bithynia on the Propontis, as a dependency of Darius III, the last Achaemenid king of Persia. He lost, then recovered, his position, and eventually was 'liberated' by Alexander the Great. For a time he was a vassal of Antigonus Monophthalmus, but was killed by him for treating with Cassander in 302 B.C.[5]

The son of Mithridates of Cius, also a Mithridates, later surnamed Ktistes, 'founder', escaped eastwards. With six horsemen he entered Paphlagonia, first reaching Cimiata in the Amnias valley; later he moved further east to Amasia in Pontic Cappadocia. If this second move took place in 297 B.C. it would help to explain the era of Pontus, which dated from that year (though it may have been a court fiction of later Mithridatid date designed to give Pontus an era equal to that of Bithynia).[6] After the defeat and death of Lysimachus at Corupedium, in

[3] Sources chronologically arranged: *Greenidge–Clay*, 55f. Discussion of the sources: Reinach 1890 (D 55) 417–55; Sherwin-White 1984 (D 291) 116–18; McGing 1986 (D 35) 176–9. Footnote references are not given to the main narratives. [4] Meyer 1878 (D 38) 31–8.

[5] For the dynasty at Cius: McGing 1986 (D 35) 13–15.

[6] Pontic era: Diehl 1938 (D 12) 1850; Robert 1937 (B 229) 231; Perl 1968 (D 53) 299; Bickermann 1980 (A 11) 72.

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the wake of successes won by the northern states of Cius, Tium and Bithynia, this Mithridates warred against Seleucus I and secured his independence. In 281/0 B.C. he took the title 'King' of a state which comprised eastern Paphlagonia and northern Cappadocia,[7] and along with Nicomedes of Bithynia he settled Gaulish tribes in parts of eastern Phrygia, which came to be known as Galatia. In 279 Amastris, a coastal city on the western border of Paphlagonia, was acquired for him by his son from its ruler Eumenes. Mithridates' kingdom now reached to the river Sangarius in the west; well might he be called 'Founder' and be our choice as the first Mithridates of the dynasty which was to number six of that name, and eight kings overall, in 218 years down to the death of Eupator, 281–63 B.C.[8]

The next kings, Ariobarzanes (266–*c.* 250) and Mithridates (*c.* 250–189) had respectively a short and a very long reign, if the latter was not actually two kings (Mithridates II and III). The former added Amisus on the Black Sea to the kingdom; the latter formed a marriage alliance with Seleucus II by taking Seleucus' sister Laodice as his wife and receiving as her dowry Phrygia Maior. However he failed in an attempt to take Sinope by siege.

Pharnaces, king *c.* 189–*c.* 159, pressed upon the coastal cities and his neighbours to the west more ambitiously than his predecessors. He was successful in overmastering Sinope, *c.* 182 B.C., holding on to it even after a war with Eumenes of Pergamum and Ariarathes of Cappadocia, though he had to submit to the loss of some recent gains in Paphlagonia and Galatia; a Roman senatorial commission acted as 'honest broker' between the kings in these years after the Roman defeat of Antiochus III at Apamea. The commissioners were careful to rein back Pharnaces from western Asia Minor, barring him from the small city of Tium, but they were neglectful of the more remote Sinope. Pharnaces then took Cotyora and Cerasus (Pharnacia), former colonies of Sinope even further east, and he secured the overlordship of Armenia Minor, with its city of Trapezus, when the king, another Mithridates, handed it over to him.[9] His strengthened hold on his own coastline was matched by a vigorous policy embracing all the shores of the Black Sea: he had treaties with Odessus on the west (Bulgarian) coast and with Chersonesus in the south Crimea.[10] Towards the end of his life Pharnaces cemented a friendship

[7] Syncellus 523.5.

[8] Sources for Mithridates of Cius and Mithridates Ktistes probably go back to Hieronymus of Cardia (App. *Mith.* 8). Rostovtzeff thought Mithridates of Cius was the first of the Pontic dynasty, *CAH* IX[1] 217–18, but the prevailing view treats Ktistes as the first: Reinach, 1890 (D 55) 7–8; Molyev 1985 (D 43); McGing 1986 (D 35) 15–19; 1986 (D 34) 250–3; Molyev 1983 (D 42A).

[9] It reverted to independence later, but the pantomime of 'voluntary submission' was to be repeated under Mithridates the Great.

[10] Strab. XII.3.11, 16; Polyb. XXIII.9; XXIV.1.14; XXV.2; XXVII.17.

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with the Seleucids by marrying Nysa, a daughter or granddaughter of Antiochus III. On his death, *c.* 159, Pontus was an important power in Asia Minor, though a combination of local kings could still counter it and it could not stand up to Roman diplomacy or threats of force.[11]

Under the successors of Pharnaces, Mithridates Philopator Philadelphus, perhaps his younger brother, and Mithridates Euergetes, probably his son, the kingdom prospered through calculated docility to Rome. The former is known from an inscription on the Capitol, where alliance with the Roman people is mentioned:[12] also a king Mithridates is said to have aided Attalus II of Pergamum against Prusias II of Bithynia in 155/4 B.C., and may well have been Philopator Philadelphus. There are also splendid portrait coins, whose reverses have legends in his own name and that of his sister Laodice, and show statues of Perseus and of Zeus and Hera, hinting at the dynasty's Persian origins and the elevated position of the brother–sister rulers.[13] On any reckoning Philopator's reign can only have been short (*c.* 159 to 151/0).

He was succeeded by Mithridates Euergetes, who had another Laodice as his queen, the mother of Mithridates the Great. He helped Rome in the Third Punic War, *c.* 149, and, after the death of Attalus III, helped Rome again during the revolt of Aristonicus (ch. 2, p. 34).[14] Rome dispensed bounty, in the form of other people's property, to her allies in the Asian war: to Mithridates were allowed the long-claimed lands of Phrygia Maior (a huge bribe having been paid, it was said, to the Roman commander, M'. Aquillius). Euergetes also secured, separately, Inner Paphlagonia, as heir of its king, Pylaemenes, and Galatia: both had been targets for the ambitions of Pharnaces. And when he married his daughter, yet another Laodice, to Ariarathes VI of Cappadocia he gained an interest there too, even 'invading it as though it were a foreign country' (although the circumstances are unclear).[15] During this time, some eleven years before his father's death, Mithridates Eupator was born, at Sinope.

Whether at the instance of some pro-Roman faction disturbed at his over-mighty role among his neighbours, or as a result of a palace plot, Euergetes was assassinated at Sinope.[16] Pontus thereupon, from *c.* 121/0,

[11] *IOSPE* I 402; Minns 1913 (D 39) no. 172; Sherk 1984 (B 239) 30; Kolobova 1949 (D 27); Molyev 1976 (D 41) 12–17; Burstein 1980 (D 256) 1–12; McGing 1986 (D 35) 24–34.

[12] *OGIS* 375; Mellor 1978 (B 202).

[13] Polyb. XXXIII.12; Habicht 1956 (D 269) 101–10; coins: Waddington 1925 (B 253) 13, no. 7; Seltman 1955 (B 237) Pl.LVI, 10 and LVII, 1; Kraay–Hirmer 1966 (B 182) 376–7 and Pl.210.

[14] App. *Mith.*10 makes Euergetes the first king of Pontus to be a 'Friend of the Roman People': if he is not identical with Philopator Philadelphus that must be a mistake. It is just possible that they are identical and that Mithridates V was Chrestus, Eupator's brother (see below). For Euergetes: Reinach 1890 (D 55) 42–7; Geyer 1932 (D 16) no. 11; Magie 1950 (A 67) 194f; Thompson 1961 (B 249) 422f (but dating the Mithridates–Aristion coins too early).

[15] App. *Mith.*10; Just. XXXVII.1.4; XXXVIII.5.4. [16] Strab. X.4.10; Memnon *FGrH* 434 22.2F.

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underwent a period of weakness, with Laodice ruling in the name of her two sons Eupator and Chrestus, both minors. She pursued a philo-Roman policy, but from a far weaker position than her husband. In 119 or 116 Rome withdrew Phrygia Maior from Laodice's Pontus, thus nullifying the fruits of the bribe to Aquillius and nurturing resentment among Pontic patriots for the future.[17] Soon it became clear that Laodice sided with her younger son, Chrestus: indeed, for a few years he may have been regarded as the reigning Mithridates, and Laodice may have ruled through him. Eupator is now said to have escaped from a suspicious riding accident; and the great romantic episode now follows (perhaps part of the later Mithridates-myth): he retired secretly to the mountains of eastern Pontus and Armenia Minor, moving ever on from day to day, building up his resistance to poisons and his physical endurance, and getting to know many of the peoples of Pontus and their languages. The period was said to have lasted seven years, though the figure may be conventional, even magical, and represent the ideal education of an Iranian prince.[18] Finally, *c.* 113 (according to the date most scholars have deduced from Appian and Justin: perhaps in fact a few years earlier) Eupator returned to Sinope and overturned affairs at the court, throwing Laodice into prison, but allowing his brother to continue as a colleague without the title of king[19] for some while, before in the end, at an unknown date (though after 115), he was put to death.

## II. THE KINGDOM

The proper name of Mithridates Eupator's kingdom was 'Cappadocia by the Euxine' or 'Cappadocia by Pontus', in distinction to the inland region of 'Cappadocia by Taurus' or 'Greater Cappadocia'.[20] This coastal, northern region grew to be much the more prosperous, possessing fertile areas in the major river valleys behind the coast (Amnias, Iris, Lycus) while politically centred on the Greek cities of the southern shore of the Black Sea, first Amastris and then Amisus and Sinope.[21] To the west lay relatively minor states, Paphlagonia, Tium and the strong city state of Heraclea. Inland to the south-west were Phrygia Maior and Phrygia Epictetus and the three tribes of the Gauls. Directly south lay the related and extensive, but economically weak, kingdom of (Greater) Cappadocia. Eastward was Armenia Minor, and along the coast beyond Trapezus were the principalities of the Colchians; and around the further shores of the Black Sea were Greek cities struggling to maintain their independence against Thracians, Getae and Scythians.

[17] *OGIS* 436. Date: Glew 1977 (D 18) 388f; Sherwin-White 1977 (D 75) 70; 1984 (D 291) 96.
[18] Widengren 1960 (D 83). [19] *IDélos* 1560–1. [20] Polyb. V.43.1; Strab. XII.1.4.
[21] Magie 1950 (A 67) 177–86; McGing 1986 (D 35) 2–10.

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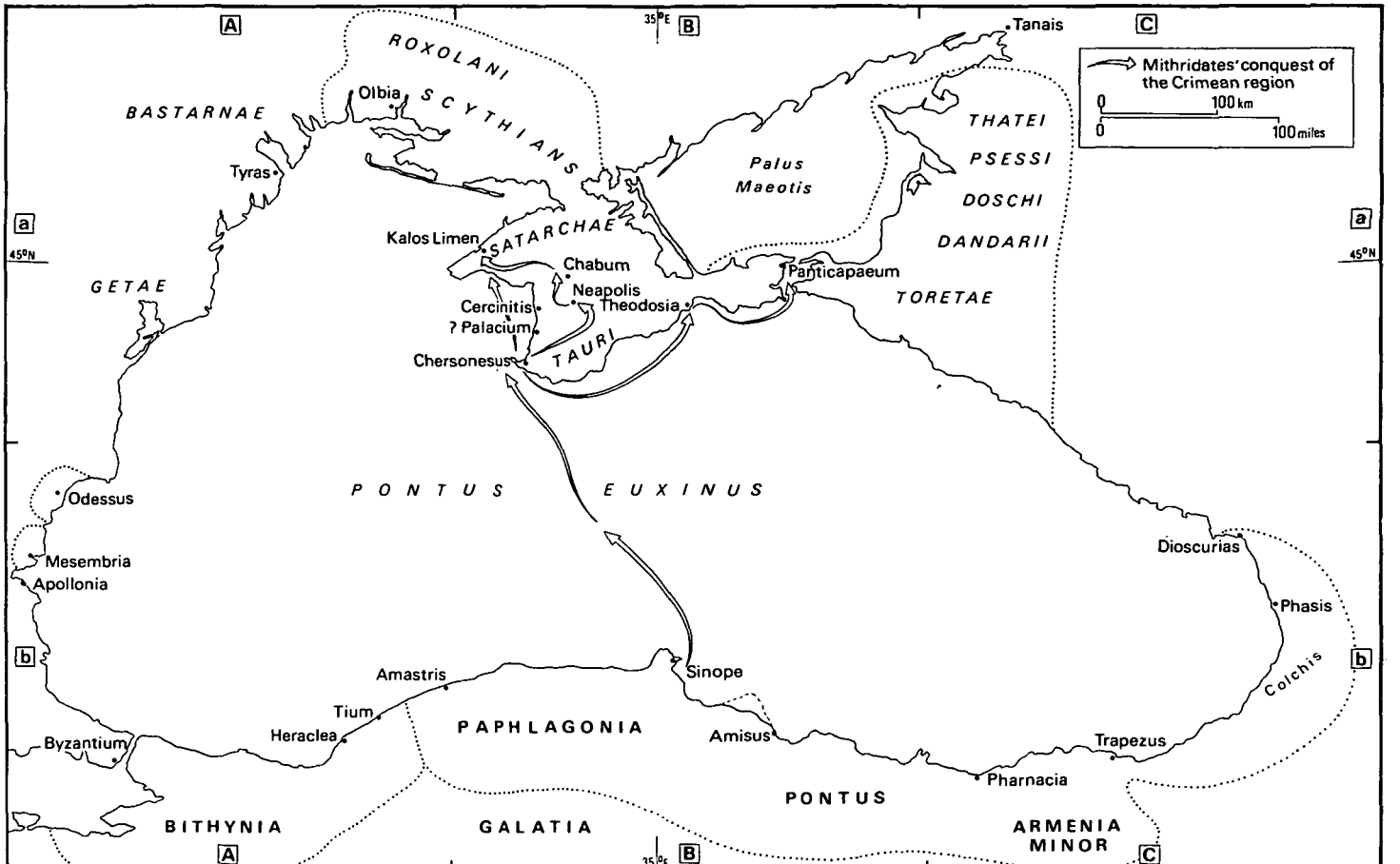


4 The Pontic Area

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Only Armenia Maior, in the wider arc of Anatolia, might have been a rival to Pontus, and its period of greatness was still to come, under king Tigranes, *c.* 83–65 B.C.; this coincided with Mithridates Eupator's own collapse at the end of the first war with Rome and lasted until the end of their joint resistance in the third war. Since the Peace of Apamea Rome had been the 'Cloud in the West', which Hellenistic kings had to keep a weather eye on. It had loomed closer with the annexation of Pergamum as the 'province of Asia' after 129 and Rome's further intervention in the form of consular appointments to Cilicia and Lycaonia, certainly by 102 and possibly as early as 116.[22] Mithridates Euergetes had been very circumspect in his dealings with Rome, and so was Eupator, who waited twenty-three years before being pushed into war with Rome.

Mithridates' ancestral kingdom was not large, but had economic, military and naval potential.[23] Pontus is a land of east–west mountain ranges and river valleys. The latter, running parallel to the shore of the Black Sea at a distance of 110 to 160 kilometres, were the heartland of the kingdom; as for the mountains, south of Cotyora and Cerasus they reach 3,000 metres and further east toward Trabzon and Rize 4,000.[24] There was a north–south route from Amisus to Tarsus via Amasia and Zela in Pontus and Mazaca and Tyana in Cappadocia – an ancient route that linked the Black Sea with the Mediterranean, mentioned by Herodotus.[25] The only other real north–south route ran from Trapezus in Colchis south-west over the Zigana Pass and then south-eastwards into the valley of the river Acampsis: it was the path taken – in reverse – by Xenophon in the *Anabasis*.[26]

Pontus was rich in minerals. Iron and silver were mined near the coast south of Pharnacia, the fabled source of 'Chalybian steel'. Studies of the mineral resources of modern Turkey have stressed the concentration of metalworking in north-eastern Pontus. There are also copper, lead, zinc, arsenic, and ruddle (for painting ships), found especially inland of Sinope.[27]

The climate of the Pontic coast is much less harsh than that of inland Cappadocia, and it is the best-watered part of Asia Minor, the Pontine mountains in the east ensuring that more of the precipitation is deposited at that end of the coastal strip. The consequence is a splendid forest growth, ever denser towards the east – oaks, alders, beeches, chestnuts

[22] Syme 1939 (D 294); Sherwin-White 1976 (D 74); 1984 (D 291) 97–101.

[23] Geography: Ramsay 1890 (A 94); Anderson, Cumont and Grégoire 1910 (B 131); Maximova 1956 (D 37) 13–31, Weimert 1984 (D 82).

[24] G. Williams, *Eastern Turkey* (London, 1972); Calder and Bean 1958 (D 257).

[25] Hdt. 1.72. [26] Other routes: Munro 1901 (D 45); Winfield 1977 (D 85).

[27] C. W. Ryan, *A Guide to the known Minerals of Turkey* (Ankara, 1960); P. de Jesus, *Prehistoric Mining and Metallurgy in Anatolia*, *BAR* S.74, 1980; R. F. Tylecote, 'Ironsands from the Black Sea', *AS* 31 (1981) 187–9.

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and walnuts, with above them coniferous forests and below them many species of fruit tree, including the cherry, which takes its name from Cerasus, the plum, pear, apricot and apple. The region was famed for ship-timbers, and the fleet of classical Sinope, the very large Pontic fleet of the Mithridatids, and the later Roman Black Sea fleet based at Trapezus, all had a ready supply. Olive-growing produced a vigorous trade in Sinopian oil and a pottery industry making amphorae in which to export it. On some of the coastal plains, e.g. Themiscyra, and in the Iris–Lycus valleys horses were grazed in great numbers and sheep and cattle pastured.[28]

The organization of Pontus as observable under its last two kings, Mithridates the Great and his son Pharnaces II, reflects the geographical, climatic and ethnic facts and the historical traditions of the region. On the Black Sea coast the Greek cities had councils, assemblies and magistracies, some by long tradition, such as Sinope and Amisus, others as a result of re-foundation on the Greek pattern, such as Amastris (by Amastris the daughter of Oxyathres) in the late fourth century or Pharnacia (by Pharnaces I). Sinope and Amisus were chosen by Pharnaces I, Euergetes and Mithridates the Great to be their capitals and were adorned with public buildings accordingly: Sinope was also the site of the tombs of these later Mithridatids.[29] The major inland centres were much more Paphlagonian or Cappadocian in character, with an Iranian aristocracy going back three or four hundred years. The most important were in the fertile Iris–Lycus valleys. Amasia on the river Iris was the old capital from before the time of Pharnaces I and the resting-place of four earlier kings, with an uncompleted fifth tomb perhaps intended for Pharnaces.[30] The region to the west of Amasia was called Chiliocomum, 'The Thousand Villages', which gives a hint as to the source of the city's wealth. Strabo was proud of his Amasian origin.[31] But there were other rich areas: Phanaroea east of Amasia, on the river Lycus, Dazimonitis to the south on the upper Iris, and Phazimonitis north of Amasia between the Halys and the Iris. In the time of Mithridates Eupator Pontus was divided into eparchies, perhaps governed by *strategoi*, and there may have been subdivisions called hyparchies. Nobles of Iranian ancestry ruled some localities from their castles: the villages under their control could be very numerous for, while Chiliocomum's thousand is unlikely to have been literal, L. Murena, in his brief campaign into Pontus, is reported to have overrun four hundred 'villages'. The political centre of the economic heart of Pontus was clearly Amasia. Its central area was garrisoned under a *phrourarchos*, usually a eunuch, in charge of entry into

[28] Strab. XII.3.11–40.

[29] Rostovtzeff 1932 (D 61) 212–13; 219–20; Möll 1984 (D 44); Olshausen and Biller 1984 (D 51); Robinson 1906 (D 56); 1905 (B 233).

[30] Rostovtzeff 1932 (D 61) 218.

[31] Strab. XII.3.39–41; Lomouri 1979 (D 31).

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the citadel:[32] there was a royal palace and a temple to Zeus Stratios, a Hellenized form of the Iranian Ahuramazda, chief protector of the dynasty.

In addition to the royal towns, forts and treasuries and the castles of the Pontic nobility, another major characteristic of inland Pontus, as of southern Cappadocia, was the temple estates, drawing revenue from huge areas. Ameria, near Cabira, was a 'comopolis', a 'village-city', dedicated to the divinity Mēn Pharnacou: near Pontic Comana was another temple-town dedicated to the goddess Ma; and to the south-west, near Zela, was a temple of the Iranian Anaitis. They were served by priests, temple slaves or serfs: many of the females were temple prostitutes. Comana channelled trade to and from Armenia: Strabo calls it an *emporion*, and it was bustling with soldiers and merchants, not the least of its attractions being the temple establishment of 6,000 sacred slaves.

The chief deities of Pontus all have a syncretistic (mixed) aspect to them. There were Paphlagonian (at Sinope) and Cappadocian (former Hittite?) native elements, overlaid by 'magian' and other Iranian elements dating from the Achaemenid Persian period. These had been reinterpreted in Greek guise and with Greek names during the period of formation of Pontus as a kingdom. Hence Ahuramazda (Persian 'Sun') was addressed as Zeus Stratios at Amasia. Mēn at Ameria, the great moon-god, was given the Iranian title Pharnacou. Ma of Comana was equated with Rhea/Cybele, the 'Great Mother'. In view of the important role played by the cults of Zeus Stratios and Mēn Pharnacou in the official ritual of the Pontic dynasty, it is not unreasonable to connect these sun and moon deities with the 'star and crescent' badge of Pontus and its ruling family.[33]

## III. MITHRIDATES' BLACK SEA EMPIRE

With the accession of Mithridates Eupator a period of vigorous assertiveness began. He championed Hellenic and Iranian elements alike against a Roman influence which, even in the province of Asia, had roots only fifteen years deep; but his anti-Roman sentiment, fuelled by the retraction of the grant of Phrygia Maior, was probably not yet as overriding as his Iranian and Seleucid pride. His ambition was to achieve great things amongst his regal peers. Among his friends from childhood were an elite group of *syntrophoi*: for his wider ventures beyond Pontus he needed the help of such a trusted set, some of whom were Greeks from Sinope and Amisus.

Mithridates' first move, probably, was to accept a hegemony over

[32] *OGIS* 365; Anderson, Cumont and Grégoire 1910 (B 131) nos. 66; 94; 95a; 200; 228.

[33] Strab. XII.3.32–7; XII.3.31; App. *Mith.* 66, 70.

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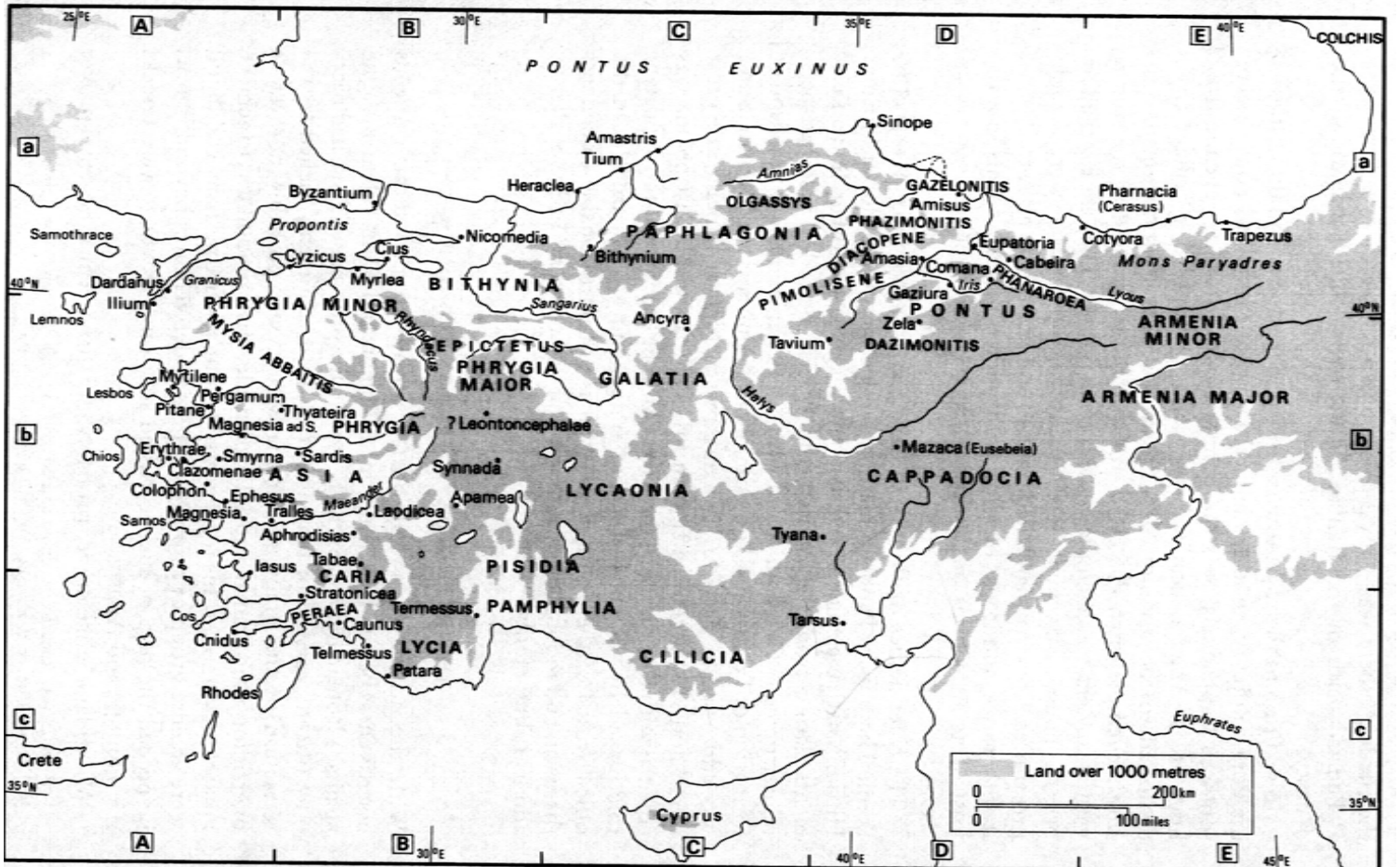


5 Asia Minor

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Armenia Minor from its king, Antipater, perhaps *c.* 115–114 B.C. (though some scholars think as late as 106): and the next gain will have been Colchis. Only Strabo and Memnon mention the annexation, and they give no date, Strabo merely linking it with Armenia Minor and Memnon making it fall to Mithridates early in his career of expansion: some date it before, and some after, the campaigns in the Crimea.[34] It was certainly subject to Mithridates by 89, for it was mentioned as one of his possessions in Pelopidas' speech on behalf of his master to the Roman generals at the start of the first Roman war. The land was a useful addition, with alluvial gold, honey, wax, flax, hemp and timber; it was also the western end of an important trade route to the Caspian, up the Phasis and down the Cyrus rivers, and a vital land and coastal sailing link with the Cimmerian Bosporus. Mithridates' domination of Colchis was the long-term end of the process of economic and cultural penetration of the eastern shore of the Black Sea achieved by Greek cities such as Sinope as early as the fifth century B.C.; and now those well-tried connexions, plus the growing reputation of Mithridates and his generals, attracted an appeal from Chersonesus, across the narrow waist of the Black Sea.

Chersonesus appealed, at some date between 114 and 110 B.C. (perhaps 113),[35] to Mithridates as its only source of aid. Sinope was now the capital of Pontus, while Heraclea, the mother-city of Chersonesus, was no longer equal to the task of sending troops against her colony's enemies, the Scythians and the Tauri of the steppeland and piedmont parts of the Crimea. The call was answered with an expedition of 6,000 Pontic troops under Mithridates' general Diophantus,[36] and subsequently with two further expeditions; after several major campaigns against the Scythians in the steppelands north of Chersonesus and the crushing of a rebellion by one Saumacus in Panticapaeum on the Bosporus, Mithridates was master of all the Crimean region. He later developed links in the north-west and west of the Black Sea, where we hear of military aid to Olbia and Apollonia. Thus, in a decade or so, Mithridates had converted the whole of the Sea (Pontus) into a lake dependent on the kingdom (Pontus), and had unified politically the complementary economic elements of the various shores, which had been tending towards a unity for 300 years.[37] Only the mountainous

[34] Strab. XI.2.17,18; XII.3.1; Memnon *FGrH* 34 223F. Colchis before Crimea: most lately Molyev 1976 (D 41) 24–8; Shelov 1980 (D 71). First coins of Eupator from Dioscurias dated *c.* 105–90 B.C., Dundua and Lordkipanidze (D 14); Todua 1990 (D 77B) 48–59.

[35] Date: Niese 1887 (D 48); Vinogradov (D 78) 644–5. Some prefer 111/10 B.C. Tauri and Scythians: Leskov 1965 (D 28); Savelya (D 66); Sheglov (D 68); Solomonnik 1952 (D 77A) 116–17; Schultz 1971 (D 67); Vysotskaya 1972 (D 80); 1975 (D 81).

[36] The main sources for all these campaigns are Strab. VII.3.17; 4.3 and 7 the great 'Diophantus-Inscription', *IOSPE* I.352; *SEG* XXX, 963. See Minns 1913 (D 39) 582–91; Molyev 1976 (D 41) 28–43; *CAH* VI², ch. 11.

[37] *IOSPE* I.226; *IGBulg* I².392; Shelov 1985 (D 72), and 1986 (D 73) 36–42; Vinogradov 1989 (D 78A) 257–62.

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Caucasus coast, with its unruly piratical tribes, the Achaei, Heniochi and Zygi, remained outside Mithridates' bidding, but even they normally let him pass if he was on his way through with an army. Still independent, to the west and in the direction of the Roman province of Asia, were Heraclea Pontica and the kingdom of Bithynia, centred on the Propontis.

Prolific coinages are an index of the prosperity of Mithridates' kingdom at this time. The bronze coins are of a number of standard types, some referring to the dynasty, such as the head of Perseus, and most having on the obverse heads of the major Greek deities and their attributes. They were struck in some thirteen mint centres in Paphlagonia and Pontus, and one or two related types were struck also on the Bosporus between *c.* 110 and 70 B.C. They are frequently found on sites in Colchis and in the cities to the north of the Black Sea.[38] From 96/5 (the first dated issues, year 202) silver drachms and tetradrachms and gold staters were struck in the name of Mithridates Eupator. On the obverse his portrait is done in a realistic style with hair following the contours of the head: on the reverse Pegasus stoops to drink and the eight-rayed sun-star points to Persian ancestry. A few years later a more idealizing head of the king appears (*c.* 92–89), with wilder hair: perhaps an attempt to hint at him as the New Dionysus.[39]

## IV. KINGS AND ROMANS IN WESTERN ANATOLIA, 108–89 B.C.

In the last decade of the second century B.C. Mithridates, still in his late twenties and early thirties, was compared by his court flatterers to Alexander and to Dionysus, though he had not won his northern empire in person but presided over it from his capital at Sinope. He had also studiously avoided confrontation with Rome; and the Romans at that time were disinclined to involve themselves beyond the province of Asia because the Jugurthan and Cimbric Wars and the raids by the Scordisci from the north-east kept them fully in play in Europe. Rome's attitude, however, gradually changed after Mithridates' acquisition of his Black Sea empire and after they had watched his interventions in states only just beyond the Roman province, during the years 114–101 B.C.[40]

Shortly after his Black Sea conquests, perhaps in 109/8 he travelled incognito through Bithynia and even into the province of Asia,

[38] Head 1911 (B 171); 502; 505; Imhoof-Blumer 1912 (B 175); Golenko 1965 (B 162); 1969 (B 163); Karyshovsky 1965 (B 178); Mattingly 1979 (D 283) 1513–15; McGing 1986 (D 35) 94–6; Golenko 1973 (B 164); Shelov 1983 (D 71B); 1982 (D 71A).

[39] Head 1911 (B 171) 501–2; Seltman 1955 (B 237) Pl. 57, 2 and 3; Kraay–Hirmer 1966 (B 182) Pl. 211; Price 1968 (B 221); McGing 1986 (D 35) 97–9.

[40] Just. XXXVII.3.4–5. Appian *Mith.* 13 makes Nicomedes' envoys play on Rome's fear of a powerful Asiatic king getting a foothold in Europe, just as in the case of Antiochus III.

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gathering information; not surprisingly he was subsequently believed to have been spying out the land for his wars against Rome, though these were twenty years later.

In 108–107 Mithridates and Nicomedes of Bithynia saw a narrow window of opportunity and marched into Paphlagonia and partitioned it.[41] A Roman embassy ordered them to restore its freedom, but was fobbed off with royal speeches of justification, while Mithridates proceeded to occupy a piece of Galatia as well, which his father was supposed to have inherited from former rulers, and Nicomedes, far from restoring Paphlagonia to its king, installed his own son instead as a puppet ruler: the embassy, having no brief to deal with the veiled or open defiance of the kings, returned to Rome.[42]

Cappadocia is a longer tale. Mithridates had occupied himself with its affairs already, earlier, because his father had intervened there and his sister Laodice was still there as queen of Ariarathes VI, who had ruled since 130 B.C. Some time after 116 Ariarathes was murdered by a Cappadocian noble named Gordius (later, Mithridates was rumoured to have been behind the murder), and his two young sons succeeded to his throne under the tutelage of their mother: some fourteen years passed under that regime,[43] until in about 102 B.C. Nicomedes, no loyal partner in the annexation game, saw fit to send a garrison into Cappadocia and induce Laodice to marry him. Mithridates reacted sharply, expelled the garrisons, and handed the kingdom back to one of his nephews, Ariarathes VII Philometor. Soon, however, we hear that Mithridates was promoting the return of Gordius to Cappadocia and inciting him to add the son's murder to the father's. Ariarathes, warned of the plot, turned to all-out war against his erstwhile benefactor, levying a large Cappadocian army and adding troops from neighbouring kings. Mithridates is said to have invaded Cappadocia with 80,000 infantry, 10,000 cavalry and 600 scythed chariots – hugely exaggerated figures, no doubt, but in any case a battlefield parley and the assassination of the young king removed the need for an engagement (*c.* 101). Mithridates installed his own son as Ariarathes IX, and Gordius was made regent, for the boy was only eight.[44] This puppet regime seems to have lasted some four or five years.

About the time of the battle, or a little before, an embassy from Mithridates went to Rome, apparently attempting to bribe senators to ratify his presence in Paphlagonia and Galatia since 107/6 and to counter

[41] Waddington, Babelon and Reinach 1925 (B 253) 231 no. 40, dated year 190 of the Bithynian era; the palm on the reverse may refer to the victory in Paphlagonia. Paphlagonia: Liebmann-Frankfort 1968 (D 276) 160–3; Olshausen 1972 (D 49) 810–11. [42] Just. XXXVII.4; XXXVIII.7.

[43] Chronology of Cappadocian kings 130–85 B.C. and their regnal years on coins: Mørkholm 1979 (B 208); Coarelli 1982 (B 142). [44] Just. XXXVIII.1.

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the more recent claims of Nicomedes and Laodice to joint control of Cappadocia. That is the occasion on which Appuleius Saturninus is said to have been rude to the Pontic envoys and to have been impeached – perhaps really for attacking the king's Roman patrons.[45] And soon C. Marius was to show a predatory interest in the region:[46] he travelled to Asia in 99 or 98, and, in the short way Roman statesmen adopted with foreign kings, is said to have admonished Mithridates 'either to be greater than the Romans or to obey them'.[47]

In about 97 the Cappadocians rebelled against the cruelty of Mithridates' proxy rulers, and called in the brother of the former king from the province of Asia, where he was being educated. Mithridates moved promptly, defeated him and chased him from the kingdom, and the young man died of an illness – at which point Nicomedes played another card in the game, taking up the claims of another young man, said to be a third brother. He sent this pretender, and his wife Laodice, Mithridates' sister, to Rome to testify that her former husband had recognized three legitimate sons. Mithridates counteracted by sending Gordius to Rome to claim that *his* Cappadocian king was a son of the earlier Ariarathes (V) who had aided Rome in the war against Aristonicus. The Senate found all this too tiresome to attempt to unravel, and reacted by ordering Mithridates out of Cappadocia and – perhaps more unexpectedly – Nicomedes out of Paphlagonia:[48] both peoples were to be 'autonomous' and free from taxation. Mithridates did withdraw (and perhaps stepped back from his portion of Paphlagonia at the same time – at least in 89 B.C. he claimed to have done so), and the Cappadocian nobility chose themselves a king, one Ariobarzanes. It was Sulla, the current governor of Cilicia who, on instructions from the Senate, went with a few troops from his province plus some Asiatic levies, and actually established Ariobarzanes in power.[49]

On the other hand, two major developments tipped the balance of power in Asia Minor in favour of Mithridates. In 96 or 95 Tigranes I, 'The Great', succeeded to the throne of Armenia and was happy to ally himself with Mithridates by marrying his daughter Cleopatra:[50] and in 94 Nicomedes of Bithynia died, leaving his kingdom to his son Nicomedes

[45] Diod. XXXVI.15; Badian 1958 (A 1) 287.

[46] Marius' designs: Luce 1970 (C 101). Badian dates them to 98 B.C. 1959 (D 3) 173; Sherwin-White to 99, 1984 (D 291) 108–9.

[47] Plut. *Mar.* 31.2–3.

[48] Aemilius Scaurus was accused of taking bribes, perhaps in connexion with this diplomacy in 97/6 B.C., Val. Max. III.7.8; Ascon. 21C; Badian 1956 (D 2) 120f; 1959 (D 3) 172–3; Marshall 1976 (D 282).

[49] Dated by scholars at 93/2 B.C., 97/6, 95/4. Vell. Pat. II.15.3, Val. Max. V.7 ext. 2, and the Cappadocian regnal years are the main sources. J. Rich, reviewing McGing 1986 (D 35), *JRS* 77 (1987) 244, warns against undue confidence in conclusions from the coinage.

[50] Tigranes' accession date only approximate: Badian 1964 (A 2) 167–8, 176 n. 49. Tigranes as overlord of kings: App. *Syr.* 48; Plut. *Luc.* 21.

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IV. In 91/0, Rome being in any case distracted by the Social War, Mithridates urged his new son-in-law to walk into Cappadocia, again using Gordius as agent. At the first appearance of Tigranes' generals Ariobarzanes fled to Rome: Mithridates was rid of a hostile king on his borders without himself making a move. But then, much more provocatively, he expelled the young Nicomedes from Bithynia, after an initial assassination attempt had failed. When the Senate found time it ruled that both the exiled kings were to be restored, and M'. Aquillius, cos. 101, the son of the organizer of the province of Asia, was appointed to lead a commission, along with Manlius Maltinus,[51] to deal with the troublesome monarchs of Pontus and Armenia. So far, in Bithynia Mithridates claimed to be acting for a half-brother of Nicomedes called Socrates Chrestus – in which he probably had as much, or little, right as the older Nicomedes had had in Paphlagonia or he himself in Cappadocia:[52] but that gained him no credit at Rome, even though he still disclaimed direct aggression in Bithynia.

## V. THREATS AND BLUFFS

Mithridates was at the height of his power, secure in his alliance with Armenia and in the friendship or even (so his ambassador Pelopidas claimed) alliance of the Arsacid king of Parthia, another 'Mithridates the Great'. With Tigranes he had a division-of-spoils compact: Pontus was to take any conquered cities or territory, Armenia all captives and movables. He called for contingents from his Black Sea dependants and – more hopefully than realistically – from the Cimbri, already a spent force in Gaul: certainly, also, from the nearer Gauls, the Galatians. Far beyond his normal range of activity, he sent to the kings of Syria and Egypt, perhaps rather to secure their friendly neutrality than their active aid. And Memnon says he approached the Medians and Iberians. Rome, by contrast, was still in trouble with the Italians and had to maintain large forces in the Alpine region, Macedonia, Gaul and Spain: no more than five legions could be made available against Mithridates, and then only after much delay.[53]

Yet, after all the impressive preparation, Mithridates again retired from Bithynia in response to Rome's demand: he even had his own Bithynian puppet-ruler, Socrates, put to death.[54] Further, when Aquillius and his colleagues directed a small force drawn from the troops of the province of Asia under Cassius, plus some others from Phrygia and Galatia, towards Armenian-occupied Cappadocia, Tigranes also retreated.

[51] Better, perhaps, Mancinus. There was a third, but his name is garbled, *MRR* II p. 39, n. 19.
[52] Just. XXXVII.4; XXXVIII.2. Bithynia under Nicomedes IV: Vitucci 1953 (D 79) 107–10.
[53] Sherwin-White 1984 (D 291) 126–8. [54] Just. XXXVIII.5.

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But now the Roman protégés in Bithynia and Cappadocia were faced with the bill to the Roman commissioners for their restoration and the repayment of their debts, and neither could do so. The commissioners, making Roman foreign policy on the spot, urged their protégés to recoup their losses and pay their debts by invading Mithridates' own kingdom. Ariobarzanes declined, knowing the vulnerability of his own kingdom to the power of Pontus, but Nicomedes reluctantly drove into Pontic territory as far as Amastris, and, as an economic measure, closed the exit of the Black Sea to ships from Pontus. That pressure put on their clients by the Roman commissioners was the disastrous and fatal miscalculation: they had misread the signs, and had made up their minds that Mithridates was a craven spirit, branded as such by twenty years of backing away from Rome.[55] Mithridates did retire into his own territory, but it was to be for the last time, before he struck back hard at the Roman province. He complained, through his general and envoy Pelopidas, about Nicomedes' action. Rebuffed, he sent his son Ariarathes, fast, into Cappadocia and drove Ariobarzanes out yet again. A second time Pelopidas was sent to the Roman commissioners, and proudly listed the peoples of Mithridates' empire and his allies, adding that even Rome's provinces of Asia, Achaea and Africa might be vulnerable.[56] Those words were taken by Aquillius and his colleagues as threat of war. They had Pelopidas put under close arrest and then sent him back to his master with orders not to return. The First Mithridatic War (or Mithridates' first Roman war) was under way – without, it must be said, the ratification of the Senate and People of Rome.

## VI. MITHRIDATES' CONQUEST OF ASIA, 89–88 B.C.

Much of the action probably took place in the campaigning season of 89, Mithridates taking advantage of the war still raging between Rome and the *socii*.[57] Some of the *socii* appealed to him when he was at the height of his success and in control of Asia, but it was already too late for him to give effective aid. His victories in the field in western Pontus and Bithynia, and his occupation of Phrygia, Bithynia and some cities of Ionia, may be assigned to 89. His organization of the coast of Asia (Magnesia, Ephesus, Mytilene), the conquest of outlying areas to north and south (Paphlagonia, Caria, Lycia and Pamphylia), and the massacre

[55] Luce 1970 (C 101) 186f; *contra*, Sherwin-White 1984 (D 291) 119–20. Economic interests of Mancinus (if the name is right): Harris 1979 (A 47) 90; 98 n. 1; 100.

[56] Aristion (Athenion) is alleged to have claimed that Carthaginians were negotiating with Mithridates in 88 B.C. (Ath. V.214A), perhaps actually Numidians.

[57] Historians used to give 88 B.C., based on App. *Mith.* 17 (Olympic year 173); Cic. *De Imp. Cn. Pomp.* 7, for all down to the Asiatic massacre. But see Badian 1976 (D 4) 109–10; Sherwin-White 1977 (D 75) 74 n. 86; 1980 (D 77) 1979–95; 1984 (D 291) 112; 121–7; McGing 1986 (D 35) 108–9.

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of the Italians, may reasonably be thought to belong to the spring and summer of 88; and in the autumn he was drawn into the unsuccessful siege of Rhodes, which he had to break off by the early winter. Appian's narrative at this point perhaps reflects the experiences of P. Rutilius Rufus who wrote a history in Greek, while in exile from Rome. During Mithridates' advance and occupation of Asia he fled from Mytilene to find safety with the Smyrnaeans.[58]

M'. Aquillius set about raising troops from Bithynia, exiled Cappadocians, Paphlagonians and Galatians. C. Cassius, the governor of Asia, had his own forces, and Q. Oppius, probably praetor in 89, had another army, mainly of allied troops, on the borders of Lycaonia. Each Roman contingent is said to have comprised 40,000 men.[59] In addition, Nicomedes had a national levy estimated at 50,000 infantry and 6,00 cavalry. The dispositions were defensive, guarding four routes from Pontus into Bithynia and Asia, though these bases, in a semicircle round Pontus and its puppet-regime of Cappadocia, might well turn into launching-points for offensives. Nicomedes was to be based in eastern Paphlagonia, that portion recently ceded by Mithridates; Cassius was to guard the boundary of Bithynia and Galatia; Aquillius stood on Mithridates' line of march into Bithynia, and Oppius was by the foothills of Cappadocia.[60] To strengthen further Nicomedes' hold on the key to the Black Sea, a fleet was posted at Byzantium under Minucius Felix and Popillius Laenas. Total numbers were 176,000 men, not counting the fleet. Against that, Mithridates is said to have had 250,000 infantry and 40,000 cavalry: Memnon says he left Amasia and entered Paphlagonia with an invasion force of 150,000. All the figures are suspicious multiples of 10,000, and undoubtedly exaggerated; Mithridates' fleet, however, did have the potential to dominate the eastern Mediterranean, for he had 300 decked ships plus 100 with two banks of oars; he also had a terror-weapon against enemy infantry in the shape of 130 scythed chariots.

Nicomedes made the first move in the war, from Bithynium (later Claudiopolis) through Paphlagonia into western Pontus, and the first battle took place on a plain by the river Amnias. The Pontic generals, Archelaus and Neoptolemus (brothers, who came perhaps from Sinope or Amisus) caused panic among Nicomedes' infantry with the scythed chariots, and Nicomedes' camp was captured and he fled to the Roman armies, while as yet Mithridates' main arm, the Pontic infantry phalanx, had not even been in action. After the battle Mithridates adopted a magnanimous stance, recalling that of Alexander, by dismissing

[58] The end of App. *Mith.* 21 (see also *BCiv.* 1.55) probably marks the end of the campaigning season. Rutilius: Cic. *Rab. Post.* 27; Dio fr. 97.4; Athen. IV.66; Sherwin-White 1984 (D 291) 117–18.

[59] There were only a few actual Roman citizens in these armies; *FGrH* 434 22.6 F Memnon; Just. XXXVIII.3.8.

[60] Magie 1950 (A 67) II 1093 n. 57 and 1101 n. 26.

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prisoners to their homes. It was a pose he was to hold on to on several occasions during the following months, and he could afford it, for in this one day he had destroyed the largest of the armies and the power of his main rival in Asia Minor.

Nicomedes joined M'. Aquillius, who guarded the line of approach from Paphlagonia into Bithynia. Mithridates' army crossed Mount Scorobas into eastern Bithynia; and when a mere 100 of Mithridates' allied Sarmatian cavalry met a regiment of 800 Bithynian horse, Nicomedes' men were again defeated, and he retreated further to join Cassius. The Pontic generals now came upon the nearest of the Roman-led armies, that of Aquillius, at a stronghold called Protopachium in eastern Bithynia. In the Roman defeat that followed Aquillius lost about a quarter of his alleged 40,000 men; 300, probably Asiatic Greeks, who were captured and led before Mithridates, were set free; Aquillius' camp was taken; and Aquillius fled by night back to Pergamum, the seat of the governor of Asia. Further south, Cassius had taken in Nicomedes, and perhaps had the other commissioners with him: they occupied a fortress in Phrygia called Leontoncephalae, thus falling back into the *provincia* too, if not so far. There they spent some time drilling their ill-assorted troops, but gave up in disgust and retreated even further, Nicomedes betaking himself to Pergamum, having given up hope of retaining Bithynia. Although Cassius still had his army he obviously had little faith in it, in spite of help from Chaeremon of Nysa; he fell back to the Aegean coast and crossed to Rhodes. The Roman fleet that was sealing the Bosporus straits dispersed after the news of Mithridates' victories, and the latter's 400 ships had free passage into the Propontis and the Aegean.

The king in person now made a progress through Bithynia, and moved on to occupy Phrygia, Mysia to the north of Pergamum, and the nearby Roman-administered areas. The take-over proceeded quietly and quickly: officers were despatched to receive the submission of outlying Lycia and Pamphylia, and of Ionia, where the chief Greek cities of Roman Asia lay. Caria, at least, offered more resistance. Oppius had fallen back into the city of Laodicea, where he had time to seek, and obtain, reinforcements from Aphrodisias;[61] so at Laodicea Mithridates met his first threat of organized resistance since entering the Roman province – which he met by proclaiming an amnesty to the citizens if they would surrender Oppius. The Laodiceans handed Oppius over in mock formality, preceded by his lictors, and Mithridates kept him in his entourage in some style as a captured Roman general and later set him free, whereupon Oppius made his way to Cos. Cassius was safe in Rhodes. Aquillius, the main culprit, suffered the worst fate. He, too, abandoned the mainland of Asia for Lesbos, but was handed over by the

[61] Chaeremon: *SIG* 741; Aphrodisias: Reynolds 1982 (B 226) 1–4; 11–20 nos. 2 and 3.

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citizens of Mytilene. Mithridates had him tied to an ass and put him up to public ridicule, wearing a placard; and eventually, hauled back to Pergamum, he was to die through having molten gold poured down his throat, in mockery of the avarice that had brought on the war.[62]

Mithridates' campaign in Asia Minor had been totally successful. Four armies had either been defeated or had disintegrated. Rome's forty-year-old administration of Asia had collapsed. Many cities welcomed Mithridates, especially tax-paying communities and those where Roman and Italian money-lenders had been most active. Mithridates set about appointing satraps in western Asia, underlining his claims to a Persian heritage, and *episcopi*, 'overseers', in many cities. In a bid for popularity he remitted taxes for a five-year period and cancelled debts owed by states and private persons: being now in control of the wealth of Bithynia and the revenues of Asia he was able to make an early and impressive show of that *philanthropia* which was an important part of his programme and befitted the son of Euergetes.[63] One can understand the current of good will in certain cities, Delos, even Chios and Rhodes, on which he might hope to capitalize. On the other hand, cities that had privileged status in relation to Rome, such as Ilium, Chios, Rhodes and the Lycian cities, might be expected, in spite of all, to stick to Rome and their own interest. At Stratonicea near the coast of Caria Mithridates placed a garrison and imposed a fine, showing something of the iron fist he had so far kept hidden in Asia. His generals were delegated to deal with outlying areas, to the far south in Lycia and to the north in Mithridates' rear, where Pylaemenes may have been acting as a focus of resistance in his homeland of Paphlagonia. At Magnesia (probably the Carian one on the Maeander) resistance was offered, and Archelaus was wounded. Tabae in Caria and Patara and Telmessus in Lycia subsequently recorded their loyalty to Rome: Termessus also, remote on the western extremity of Pamphylia, stayed firm and some Pamphylian cities supplied ships to Lucullus in 86/5 B.C. Sanctuary was offered to Romans on Cos for a while, but soon Mithridates took that island over also. There he gained a hostage, in a son of Ptolemy Alexander, and Egyptian treasures, possibly including 800 talents raised by Jews for the Jerusalem Temple.[64]

Meanwhile, perhaps in the autumn of 89, news of Mithridates'

[62] App. *Mith.* 21; Pliny *HN* XXXIII.48. But McGing 1980 (D 32) argues for confusion of father, cos. 129 B.C., with son. Gran. Lic. (XXXV. p. 27 Flemisch; *Greenidge–Clay* 187) describes Sulla asking for the return of Aquillius in 85 B.C.

[63] Diod. XXXVII.26, Just. XXXVIII.3. *Philanthropia*: Glew 1977 (D 17); McGing 1986 (D 35) 109–10. Mithridates' letter: Welles 1934 (B 258) 295, nos. 73–4; his repair of earthquake damage at Apamea: Strabo XII.8.18.

[64] Mithridates' Athenian supporters adorned Delos with a Heroön, Gross 1954 (D 21); Bruneau–Ducat 1965 (B 265) 140. See also *I Délos* 2039. Victories of Mithridates at Chios and Rhodes in equestrian games (not in person): Robert 1960 (B 231) 345, n. 4.

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victories, and the collapse of Roman rule in Asia, reached Rome, still preoccupied with internal dissensions and the severe war against the allies. Senate and People declared war on Mithridates,[65] but steps to deal with the eastern crisis were implemented only slowly (ch. 6, pp. 166–73). When the command against Mithridates was given to L. Cornelius Sulla it took him some eighteen months to assemble five legions and to feel secure enough about the political situation he was leaving behind him in Rome (and he was, of course, wrong about that). And financially, Rome was in dire straits: the so-called 'Treasures of Numa' were in part sold off to support the coming war.

And now occurred the high point of horror, probably in the first half of 88: the 'Asiatic (or 'Ephesian') Vespers', in which 80,000 (less credibly 150,000) Roman and Italian expatriates were massacred in the cities of Asia.[66] Mithridates wrote secretly to all regional satraps and overseers of cities that, on the thirtieth day after the day of writing, they should have all Italian residents in their communities killed, along with their wives and children and any freedmen of Italian birth, and have their corpses cast out unburied. Mithridates offered freedom to slaves who killed or informed on their Italian masters, and relief of half their debt to any who dealt similarly with their creditors. His treasury would share the property of the victims half-and-half with their assassins or informers. The response from many Greek cities was enthusiastic, displaying as much their hatred of the Roman and Italian expatriates as their fear of Mithridates: Ephesus, temporarily his residence, Pergamum, Adramyttium, Tralles and Caunus were all the scene of atrocities. Mithridates' order was surely a calculated response to the news of Rome's declaration of war: besides exploiting the widespread unpopularity of the westerners, it ensured that no city that did his bidding now could ever hope to be received back into Roman allegiance. Many of the Asian cities were by now under 'tyrants', such as Philopoemen, *episcopus* at Ephesus; others are known at Adramyttium, Apollonis, Colophon and Tralles. The social divisions characteristic of the ancient city helped to produce these changes of local regime, to which Mithridates' present power in Asia was the spur. It was now the time for pro-Roman councillors and their sympathizers among the well-to-do to suffer for their real or perceived abuses; and Rome's own representatives, the governors and the *publicani*, were held responsible for the prevailing climate of

[65] Keaveney 1982 (C 87) 56–76; 1987 (C 94) 144. The last occasion on which the Roman assembly passed a vote for war? Rich 1976 (A 95) 14; 17; *contra*, Harris 1979 (A 47) 263.

[66] Sarikakis 1976 (D 65). Badian 1976 (D 4) 110–11, dates the massacre somewhat before the middle of 88, Sherwin-White 1980 (D 77) puts it in winter 89/88. The numbers probably exaggerated: Dio fr. 109.8, believed that the mutual pogroms of Marius and Sulla were far worse. Magie 1950 (A 67) I 216; Brunt 1971 (A 16) 224–7.

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aggressive greed (*pleonexia*) and acquisitiveness (*philokerdia*), and for encouraging the evils of malicious litigation.[67]

Mithridates was now master of all western Asia Minor. He was hailed as the preserver of Asia, and a new era was proclaimed, upon the liberation of the cities from Rome, which lasted from 88 to 85 B.C. A short but splendid series of tetradrachms was issued from Pergamum,[68] and now, too, Mithridates could claim his Hellenistic and Iranian titles as overlord: *megas*, 'Great' and *basileus basileon*, 'King of Kings'. The latest holder of that Persian title, Mithridates II of Parthia, had died, and our Mithridates was now king over many vassals.[69]

## VII. OVERREACH

It was tempting to push further into the Aegean and into Macedonia and Greece: it was also politic, and not obviously overreach, to strike into Europe before Rome collected a consular army under competent commanders: C. Sentius, the Roman commander in Macedonia, with only two legions, was kept fully occupied by Thracian tribes. Mithridates had large, victorious armies and command of the sea; all that was needed was an invitation to intervene, and that was to be forthcoming from anti-Roman parties at Athens, and to elicit first moral backing and then military support for pro-Mithridatic tyrants at Delos and Athens. But first he must deal with Rhodes, his only possible remaining challenger in the Aegean and the main remaining haven for Romans and Italians.[70]

In autumn 88, knowing what must come, the Rhodians strengthened their walls, constructed artillery against besiegers, and called in aid from the Lycians and the Telmessians. On Mithridates' approach they withdrew inside the harbour, closed their gates, and prepared to fight from the walls. Mithridates tried to enter the harbour but failed, and sat to await the arrival of his main-line infantry. When intervening skirmishes brought some advantage to them the Rhodians grew bolder: on two occasions sections of their fleet came off best, and then, when Mithridates' expected land forces set sail from Caunus they were scattered by a storm, and the Rhodians capitalized on the confusion to capture, ram and burn scattered ships and took 400 prisoners. Mithri-

[67] *Orac. Sibyll.* III.350–5; Cic. *De Imp. Cn. Pomp.* 7; *Flac.* 60–1; Diod. XXXVII.5; Just. XXXVIII.7.8; App. *Mith.* 16; 21; 56. Dio fr. 101. Tyrants: Strab. XIII.1.66; XIV.1.42; App. *Mith.* 48: Plut. *Luc.* 3.4.

[68] For coins dated by the new Asiatic era of Pergamum see Reinach 1888 (B 224) 195; Kraay–Hirmer 1966 (B 182) 377, no. 774.

[69] Golenko and Karyszkovski 1972 (B 165) 29 n. 2; Karyshkovsky 1985 (D 25) 572–9; Yailenko 1985 (B 261) 617–19; Vinogradov, Molyev and Tolstikov 1985 (B 252) 596–9.

[70] Diod. XXXVII.28; Reinach 1890 (D 55) 144–7; Magie 1950 (A 67) I 218–19.

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dates, while preparing for another naval engagement, pressed on with the investment of the city. He had a structure built, on two ships fixed alongside, which served as a huge bridge fitted with catapults, to assist the scaling of the walls. It was nicknamed *sambuca*, probably after a triangular four-stringed instrument favoured by Rhodian musicians.[71] The huge device caused great alarm amongst the Rhodians, but in the event it collapsed under its own weight. Finally, Mithridates gave up the attempt to take the city and sailed off to the mainland, where he laid siege to Patara in Lycia, but failed to take that, either. Psychological warfare at once exploited the dent in his prestige resulting from the two failed sieges: religious propaganda began to be heard. The goddess Isis had been observed hurling fire from her temple upon the *sambuca*, and at Patara Mithridates had had a dream warning him not to cut down the sacred trees in the grove of Latona to make siege engines. He left Pelopidas to pursue the war against the Lycians, and applied himself to raising more troops in Asia Minor. He also conducted trials of people accused of plotting against him or considered to have pro-Roman sympathies – a further presage of the growth of opposition.

## VIII. ATHENS, DELOS AND ACHAEA

Athens had not remained unaffected by the stirring events in Asia, and an envoy to Mithridates was found in the politician Aristion,[72] whose return was received with rejoicing at Athens by anti-Roman elements (in, perhaps, late spring, 88 B.C.). According to Athenaeus they were the 'mob' and according to Pausanias the 'turbulent element', but the apologia for Athens in Velleius and Plutarch, that the city was compelled by force to collaborate with Mithridates' generals, rings very hollow.[73] Aristion had himself elected *strategos epi ton hoplon*, 'magistrate in charge of the arms', and appointed colleagues and archons: some opposing aristocrats were killed and their property confiscated.[74] Philo, head of the Academy, escaped to Rome, with other important persons.[75]

A naval adventure was staged by this regime to try to seize Delos, the old possession of Athens, and install one Apellicon (another philosopher, said to be Peripatetic) as puppet-ruler in Aristion's interest, but it

[71] Marsden 1971 (A 70) 90–4; 1969 (A 70) 108–9.

[72] So named on the coins and in all literary sources except Athenaeus (from Posidonius), who calls him Athenion and makes him a Peripatetic. An old, unresolved crux.

[73] Strab. IX.1.20; Ath. V.212C; 213C; Paus. I.20.5; Vell. Pat. II.23; Plut. *Sulla* 12. Aristion coupled with Nabis and Catiline: Plut. *Mor.* 809C.

[74] But some upper-class support for Aristion: Dow 1947 (D 13); Laffranque 1962 (B 61).

[75] Cic. *Brut.* 306. Epicureans and Peripatetics may have hated the Athenian and the Roman establishment: Zeller 1923 (H 138) III 1, 386; Badian 1976 (D 4) 514–15; Candiloro 1965 (D 258) 158–71; Deininger 1971 (D 10) 245.

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failed, because a Roman prefect, Orbius, with a few ships, plus the strong Italian merchant presence, was able to stiffen resolve there.[76] However, the naval fortress of the Piraeus, the ship-sheds with their space for hundreds of warships, and the actual navy of Athens, were on offer to Mithridates. Before long, the fleet of Mithridates' general Archelaus took Delos with overwhelming force and restored it and other strong points to Athens' control: there were put to death some 20,000 opponents of what was becoming known as the 'Cappadocian Faction' in the Aegean.[77] The sacred treasure of Delos was sent under guard to Athens to bolster the prestige of Aristion's regime, and 2,000 troops were sent to ensure its security.[78] The time of Archelaus' naval advance was probably late summer to autumn of 88. Part of his fleet made for Piraeus, but a contingent under Metrophanes split from it after Delos, destined for the ports of central Greece.

The states of southern and central Greece reacted variously. The Achaeans and the Spartans went over to Mithridates easily, as did Boeotia, except for Thespiae, which had to be besieged. Metrophanes' army had less success on Euboea, at the stronghold of Demetrias, and against the Magnesians, who resisted firmly. One reason for that was the presence of Bruttius Sura,[79] a legate of C. Sentius, the governor of Macedonia. He played a vital role in holding up the Pontic advance during the autumn and winter of 88/7, buying time for the arrival of Sulla's consular army, which eventually arrived in Greece in spring 87. With his small force Bruttius made naval raids on the island of Sciathus and perhaps on Piraeus itself. He ruthlessly crucified recaptured slaves and cut off the hands of the free-born, as an earnest of Rome's reaction to rebellious Greeks. He won a small naval victory, in which two Pontic ships were captured and their crews put to death; and receiving another 1,000 infantry and cavalry he fought a series of actions over three days near Chaeronea in which he came off on equal terms with the joint forces of Aristion and Archelaus – but his run of success was halted when Spartans and Achaeans turned up to their aid. Archelaus, whose forces were probably not yet as large as they were to become, pulled back to Athens and Piraeus, retaining Euboea as a safe base for his army and sheltering behind the protecting fleet. Bruttius Sura's reward for his services from Sulla's quaestor L. Lucullus, in the vanguard of the approaching army, was to be brusquely ordered back to Macedonia to join Sentius and leave the business of Mithridates to the new appointee.

[76] Strab. x.5.4; Ath. v.214D. The Pontic general Menophanes on Delos: Paus. III.23.5.

[77] The 'Kappadokizontes', App. *Mith.* 53 and 61. Mithridates was 'the Cappadocian', Cic. *Flac.* 61; Ath. v.215B.

[78] Coin hoards on Delos reflecting its fate at this time: Hackens and Lévy 1965 (B 295).

[79] Brettius in the Greek literary sources, Braitios in the inscriptions, *IG* IX.2.613; Plassart 1949 (B 219) 831.

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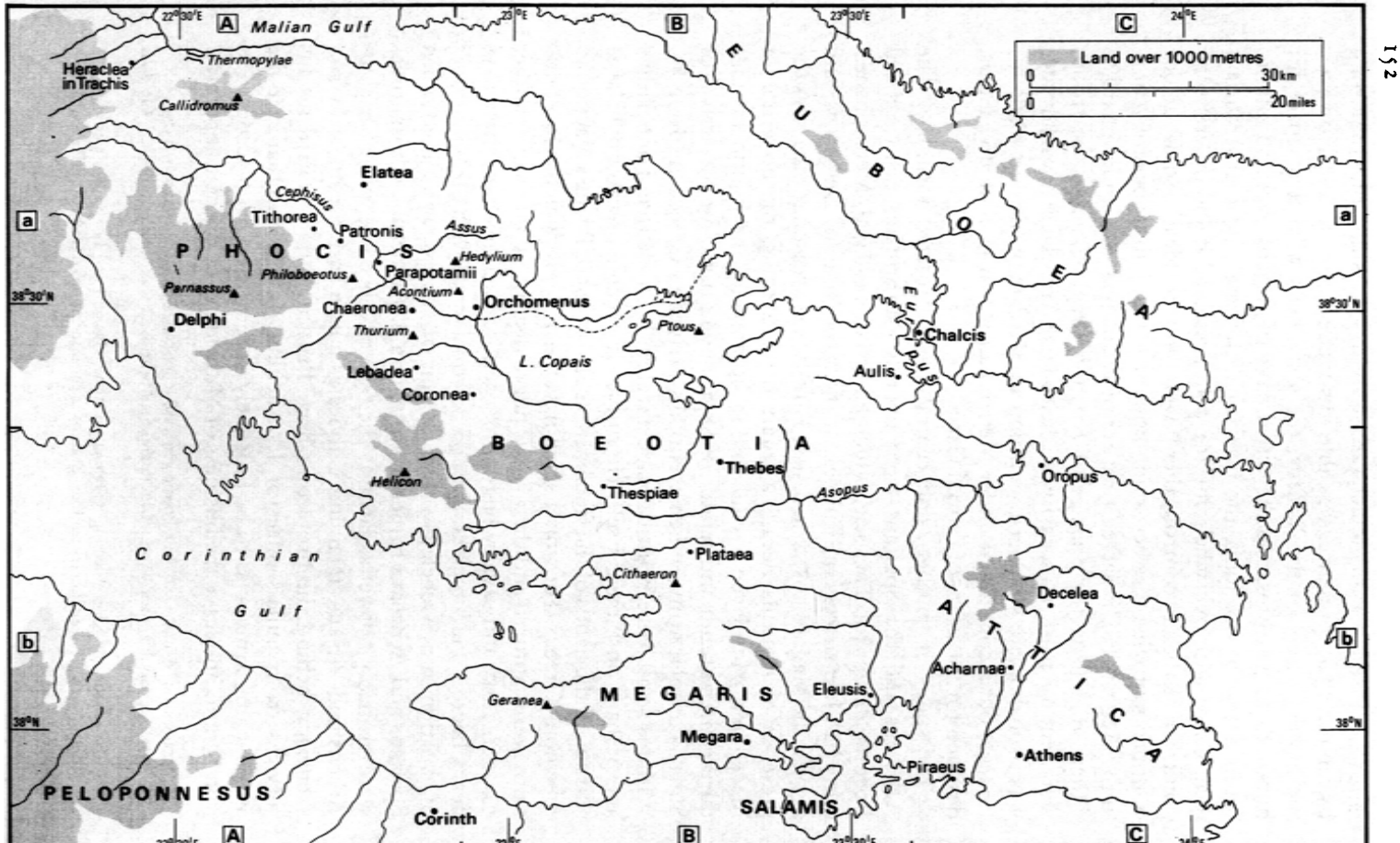


6 Central Greece

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## IX. THE SIEGES OF ATHENS AND PIRAEUS

Early in 87 B.C. Sulla with his five legions left Italy for Greece. He is first found in Thessaly, summoning provisions, reinforcements and money from Thessaly and Aetolia. He approached Attica through Boeotia, where most of the cities, headed by Thebes, returned to Roman allegiance; and on his arrival he was faced with conducting two sieges independently but simultaneously. Aristion and his supporters were shut up in the city of Athens from autumn 87 until 1 March 86, and in their redoubt on the Acropolis for several weeks after that. Separate from them, no longer linked to the city by the Long Walls,[80] was Piraeus, easily provisioned from the sea and so the obvious place for Archelaus to keep his garrison of Pontic troops. (The two main sources, Plutarch and Appian, oddly concentrate each on a different one of these related, but separate, sieges.) Sulla's greater effort and personal participation were directed against the strategically more important Piraeus. Twice he retired to Eleusis and Megara, largely because of lack of timber and other materials for siege engines: twice, unsuccessfully, Archelaus, himself closely beleaguered, tried to get supplies through to Athens city, where some of the defenders were reduced, it was said, to cannibalism. The Pontic troops in Piraeus were better off, because supplies, and reinforcements, arrived from Mithridates; but, to offset that, a Pontic army was defeated, with the loss of 1,500 men, by a northern detachment of Sulla's forces near Chalcis, just as Archelaus' intended aid to Athens was being cut off. The siege of Piraeus settled into a tough phase of building, mining, countermining and fighting in underground tunnels; the besieged kept Sulla at bay, and when he returned to Eleusis in the winter he had to protect his camp against cavalry raids.

Mithridates' command of the sea was still undisputed, and so was his ability to supply his strongpoints in Euboea and Piraeus. Sulla had no navy, to speak of, but he had control over north-west and central Greece, where it was in his interest to provoke a major land battle. The impasse lasted into the spring of 86. In an attempt to break it Sulla sent Lucullus, early in winter 87, to collect a fleet from naval powers as far away as Syria and Egypt, the Rhodians being in no position to help. For his part, Mithridates, contrariwise, determined to win land superiority in Greece, and sent a great army, under his son Arcathias, overland into Greece via Thrace and Macedonia. The small Roman army in Macedonia was overcome, and by spring 86 Arcathias' army, probably the largest ever sent by Mithridates even after it had left garrisons at Philippi and Amphipolis, was in Magnesia in north-east Greece. It was the trump

[80] In ruins at this time and used to refurbish the fortifications of the city and the port, Livy XXXI.26; Paus. I.2.2.

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card to win the war in Greece for Mithridates while Sulla's forces were divided between Athens, Piraeus and garrison duty opposite Euboea and in other towns in central Greece.

The besiegers of Athens city now had a lucky break. Indiscreet talk within informed them of a weak point in the defences, by the Heptachalcum between the western and Dipylon gates, and an attack was directed there. The Athenians were sapped also by dire famine, and the tyrant Aristion had become more and more unpopular and isolated. On 1 March they surrendered the main city to Sulla's troops: Aristion and his followers went up to the Acropolis, burning the Odeum in order to deny its materials to Sulla's forces. There was much destruction in the main city, though total burning was forbidden by Sulla in recognition of Athens' glorious past; and when the followers of Aristion finally gave up the Acropolis, many weeks later, at about the time of the battle of Chaeronea, they were summarily executed. Some forty pounds of gold and six hundred of silver fell into the hands of Sulla's legate, Curio.

Meanwhile, the siege of Piraeus was being pressed ever harder by Sulla: the groves of the Academy and Lyceum were cut for siege timbers and he took the temple treasures of Epidaurus, Delphi and Olympia.[81] Archelaus conducted a stout defence, but after losing 2,000 troops in a battle outside the *enceinte*, where he had ventured, he finally came to the decision to evacuate and, sailing off northwards, made contact with the northern army, flushed with successes in Thrace and Macedonia but commanded no longer by Arcathias, who had died of illness at Tisaeum in Magnesia; in fact, when the armies met at Thermopylae the overall command passed to Archelaus. Piraeus, abandoned, was destroyed by Sulla, and the arsenal of Philo burnt.

## X. THE BATTLES IN BOEOTIA

The summer that followed the sieges of Athens and Piraeus saw two major battles, close to one another in both space and time. Our sources are Plutarch and Appian, with Plutarch, a native of Chaeronea, offering the fuller account of the battle in his city's territory. Both sources give only a brief sketch of the second battle, fought some weeks later at Orchomenus.[82] Chronology, strategy, numbers, tactics are all subject to doubts and variant interpretations. Chaeronea was fought in the early summer at about the same time as the surrender of the Acropolis, and Orchomenus in the high summer, before the autumn rains.[83] The total of

[81] H. A. Thompson 1934 (B 320) 394; 1937 (B 321) 223–4; D. B. Thompson 1937 (B 319) 411; Young 1951 (B 324) 155; 183; 262–3; Ervin 1958 (B 289). Temple treasures: Paus. IX.7.5.

[82] Sulla's memoirs were amongst the material available to Plutarch and Appian.

[83] Reinach 1890 (D 55) 168–76; Ormerod. *CAH* IX[1] 244–54; Sherwin-White 1984 (D 291) 139–40.

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the original Pontic army is given by Appian as 120,000 men: Memnon is much more modest, saying 60,000, but the late writers Eutropius and Orosius agree with the higher estimate, and that some 110,000 were lost at Chaeronea.[84] Weeks later, with a new army of 80,000 incorporated into his surviving force, Archelaus lost almost the whole army at Orchomenus – a further 90,000 (i.e. he had no effective army left). Sulla's calculation, in 85 B.C., of Mithridates' total losses was 160,000, more modest than the implications of Plutarch and Appian. In any case, all the figures are exaggerated, because units were counted at their paper sizes – and casualties probably likewise reckoned by corps lost rather than corpses counted. Numbers on the Roman side were apparently minimized by Sulla: he seems to have reported that he had at Chaeronea only 15,000 infantry and 1,500 cavalry, of whom only fourteen or fifteen were missing, and two of those turned up by the evening! But others may have been engaged separately at Thurium and by the city of Chaeronea itself. It is usually believed that most of Sulla's five legions were at Chaeronea at least in the wider sense, which would make some 30,000 Romans, to which must be added some Macedonians and local Greeks: Appian says that the forces of Archelaus outnumbered the Romans by three to one, which would make Sulla's total army at Chaeronea about 40,000.[85]

One respect in which the Pontic forces most undoubtedly outnumbered the Roman was cavalry, and Archelaus' strategy was determined by the nature of his now very large army, whose cavalry contingent required plains, such as those of Macedonia and Thessaly, or, at the most southerly, those of Phocis and Boeotia. If he did lose control of the plains of central Greece he had in mind a retreat eastwards to Aulis and, from there, the crossing into Euboea, under the protection of the fleet. But at the time when the two armies were coming close to contact Archelaus was actually moving into Phocis, in a dangerous move to cut off an isolated Roman brigade to his north.

Sulla's strategy had taken him out of Attica. He was criticized in his own camp for transferring the war to central Greece, but in reality he had no option. He had an army which he believed could beat that of Pontus in the field, but the land of Attica was poor, and exhausted by his long presence there during the sieges: his troops needed the relative prosperity of Boeotia and Phocis for supplies. Most urgent of all was the need to link up with the brigade, of some 6,000 men, commanded by Hortensius, which was stranded in Thessaly and likely to be cut off by Archelaus. Hortensius did manage to join Sulla by crossing one of the passes unnoticed by the Pontic commanders, and met Sulla's main force at Patronis. It was a welcome addition: Hortensius was a vigorous and

[84] Eutropius v.6.3; Oros. VI.2.5. [85] App. *Mith.* 41; *BCiv.* I.79.

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resourceful officer, and Sulla's men were spared the panic that might have been caused by the loss of their comrades in a separate engagement.

The first actions and counteractions of the two armies now took place on the plain of Elatea at Philoboeotus.[86] The Pontic generals offered battle, but Sulla declined several times because of their superiority in numbers, and kept his men digging earthworks. However, after the three days thus occupied, his troops besought him for something more interesting to do, so he set them the task of seizing an isolated steep hill, the acropolis of Parapotamii, to the south of Archelaus' camp. The successful Roman occupation of this strongpoint at once made Archelaus' position in the plain of Elatea impossible, so he struck camp and moved south-eastwards towards Chaeronea, in the direction of Aulis, Chalcis and the coast. The folk of Chaeronea begged for Roman help for their city, and Sulla sent his legate Gabinius with a legion, which reached the city even before the deputation got back. Sulla likewise moved south-eastwards across the river Assus and settled near Mt Hedylium, while Archelaus' position was between Mt Hedylium and Mt Acontium. Archelaus' move had in fact been a disastrous one: he was in an area that was rocky and cramped and gave no scope to his cavalry. It was the sign for Sulla now to work for a decisive engagement.

For one day Sulla waited, and then, leaving another legate, Murena, with a legion and two cohorts to face Archelaus, moved towards Chaeronea. Through Gabinius he got two citizens of Chaeronea to lead a small contingent of his men along a hill-track to a part of Thurium hill above the point where the Pontic detachment already stood; and then he drew up his own battle-line on the plain, with himself on the right and Murena on the left. Presently the men of Chaeronea and Sulla's detachment surmounted the track over Thurium and appeared above the Pontic troops: they caused great panic, and Archelaus' men rushed down the hill, badly upsetting the dispositions of the main force below. When Archelaus at last got his battle-line drawn up he sent into attack a cavalry force, which had little effect, and then the weapons of terror, the scythed chariots. But scythed chariots were only practically effective at a gallop or canter, and without momentum were easily neutralized. Sulla's men allowed the slowly lumbering things to pass through open lanes in the ranks; they jogged harmlessly by, to Roman jeers, and their crews were despatched by javelins from behind. When the main battle-lines joined, the Pontic phalanx yielded only slowly and there was much tactical movement; but ultimately the Romans pushed the phalanx back to the river Cephisus and towards Mt Acontium. Archelaus' troops were killed in huge numbers on the plain, and even more in the flight across the

[86] Hammond 1938 (D 23) with differences in detail from Kromayer 1907 (A 58) 353f, followed by Ormerod *CAH* IX[1] 249–52.

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stony ground to their camp, because at first he excluded them, trying to rally them to fight, and only as a last resort admitted the survivors. Archelaus made off eastwards to the coast with, it was said, only 10,000 left of his great army.

Sulla was master of the field, even though he still had no means of finishing Archelaus off because of his continuing lack of a fleet: he had demonstrated his, and Rome's, superiority to the mightiest army Mithridates could assemble, led by a first-rate general. From the field he dashed with some light troops to the coast to try to deny Archelaus the crossing of the Euripus, but failed; so he marched back to central Greece to deal harshly with the Thebans, handing over half their territory to the sanctuaries to recompense the gods for the moneys he had taken himself for his sieges. In Athens, he took over from Curio the recent followers of Aristion; them he executed, Aristion he kept alive for the moment, and the Athenians in general were graciously allowed their liberty.[87] Meanwhile, Archelaus, from his base at Chalcis, was far from inactive: his fleet raided up and down the coasts of Greece, reaching Zacynthus, and destroyed some of the transports conveying the advance guard of the new Roman army under Flaccus sent by the government of Cinna.

From his base in southern Greece Sulla heard that Flaccus' army had landed and was on its way eastwards, nominally against the armies of Pontus but in fact to supersede him if he did not co-operate. He set off towards Thessaly to meet them, but, while at Melitaea in Phthiotis, heard that the lands behind him, Boeotia particularly, were being ravaged by a reassembled Mithridatic army – the rump of Archelaus' army plus a brigade of 80,000 led by Dorylaus, freshly arrived in Chalcis. So he turned south to fight his second great battle of the summer; and it was Archelaus who opted for a deciding battle on the same scale as at Chaeronea,[88] and chose the ground, by Orchomenus some 10 kilometres east of Chaeronea in the largest plain in Boeotia, eminently suited to his cavalry. Less favourably, however, the river Cephisus debouched into Lake Copais and its marshes and the short but navigable river Melas flowed by Orchomenus and also lost itself in the marshes.

Sulla accepted the challenge, a strategy that might at first have seemed an error. But he now put to good use the entrenching skills he had made the troops practise before Chaeronea. First, they dug a series of three-metre-wide ditches across the plain to contain the Pontic cavalry and hem Archelaus' troops in to the eastern, marshy end of the plain. The two armies drew their battle-lines quite close to each other. Archelaus' cavalry charged in force to sweep away the digging-parties, and nearly

[87] Gran. Lic. 24F (*Greenidge–Clay* p. 182); Paus. 1.20.5: Strab. IX.1.20.

[88] Mommsen assigned Orchomenus to 85 B.C., but see Magie 1950 (A 67) II 1107 n. 47; Sherwin-White 1984 (D 291) 140 n. 32.

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succeeded.[89] All depended, for Sulla, on containing those cavalry: he seized his sword (or a standard) and rallied his men on foot,[90] and two cohorts from the right wing, and his own escort, stabilized the danger area. After that turning-point the Romans won a decisive victory, even against a renewed cavalry attack. Meanwhile, Sulla's trenches had hemmed in Archelaus' main army so narrowly that in the closing phases of the action some Pontic archers had no room to draw bow and were reduced to stabbing with their arrows. Archelaus' men spent the night pent up in their fortifications together with the dead and wounded; and next day Sulla resumed the process of penning them in with entrenchments now no more than 200 metres from the camp. In a battle outside the camp to try to break this final investment the Pontic troops were defeated, and the camp fell. There followed total disaster for Archelaus' men: they were pursued and slaughtered, they lost their way in the marshes and were drowned. The commander himself hid in the marshes for two days, and then escaped in a boat, making his way to Chalcis.

All that Archelaus was able to collect from the wreckage of Mithridates' armies in Europe was a scattered detachment or two that had not been at Orchomenus. Sulla now turned to ravaging Boeotia, especially the coastal towns opposite Euboea, in revenge for their continual changes of sides: he then intended to turn once more northwards to Thessaly, to confront Flaccus. Before he left Boeotia, however, he learnt that Archelaus wanted an interview with him. Archelaus was treating from much the weaker position, to be sure, and although Mithridates had probably authorized these diplomatic moves his general could not be sure of their reception by the king. In the event Sulla and Archelaus reached a cordial agreement on terms, which were indeed then not fully acceptable to Mithridates, but which his deteriorating position in Asia over 86 and 85 B.C. was eventually to force him to underwrite. The terms were that Mithridates was to give up Asia and Paphlagonia and to hand back Bithynia to Nicomedes and Cappadocia to Ariobarzanes. He was to hand over seventy (or eighty) ships fully equipped to Sulla, plus a war indemnity of 2,000 (or 3,000) talents. In return Sulla would guarantee Mithridates his rule in Pontus and the rest of his territories, and secure for him the status of an ally of Rome. These terms remained on offer for some months, but Sulla did not waver in the demands he made. Meanwhile, Archelaus became his personal friend and stayed in his camp, was promised 2,500 hectares of land in Euboea, and was spoken of as a 'friend and ally of the Roman people' – a fate notably better than that of his personal enemy Aristion, who had now been executed by poison. Sulla marched north to Thessaly to winter, build ships, and await the arrival of Lucullus' fleet garnered from Cyprus, Phoenicia and Pamphy-

[89] Frontin. *Str.* II.3.17; Plut. *Sulla* 21. [90] Frontin. *Str.* II.8.12; Amm. Marc. XVI.12.41.

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lia: the seventy ships of Archelaus in Greece were detained as the first part of Sulla's demands or as the core of an invasion fleet if Mithridates should fail to accept the terms.

## XI. REACTION IN ASIA, 86 B.C.

After Chaeronea, Mithridates met with increasing unrest amongst his new subject-allies of Asia. He had already harboured suspicions: sixty nobles from the cantons of Galatia had been lodged in Pergamum as hostages: now, they and their families were killed, some arrested by a stratagem and some slaughtered at an evening banquet. Three survivors fled to organize rebellion in Galatia. In Ionia, Mithridates resolved to deal finally with Chios, whose citizens he had suspected of disloyalty ever since some Chiots had collided with his flagship at the siege of Rhodes. What now followed was a warning to all the states of Asia of what would happen if Mithridates held them suspect. He had already demanded the confiscation of the property of Chiots who had fled to Sulla: now his general Zenobius seized the walls, disarmed the citizens and sent the children of the most prominent to Erythrae as hostages. In a bitter letter he listed his grievances against the Chiots and imposed a fine of 2,000 talents. They collected temple ornaments and the women's jewellery and paid up, but were accused of delivering short measure. They were led out of the theatre where they had been assembled, men, women and children, to be deported by ship to Mithridates' power base on the Black Sea. (This Achaemenid-style deportation was actually aborted by the people of Heraclea Pontica, who freed many of the Chiots when they reached the Black Sea.) The Ephesians then openly revolted, cancelling debts and taking other measures to maintain political unity, though they should have been a stronghold of the 'Cappadocian Faction', and other cities as far north as Smyrna and south as Tralles followed suit. Mithridates sent an army to reduce those in revolt – Colophon, Ephesus, Hypaepa, Metropolis, Sardis – and take terrible vengeance on those captured. In an attempt to stave off further desertions he proclaimed freedom for cities still loyal, cancellation of debts, citizenship for resident foreigners and freedom to slaves;[91] but defections continued. Four former supporters in Smyrna and on Lesbos formed a conspiracy, which one of them betrayed to Mithridates: the king himself is said to have overheard the final session at which the plot was hatched, hiding under a couch. The conspirators were tortured and executed. Further inquiries implicated another eighty

[91] Chiots: Ath. VI.266; revolt: App. *Mith.*48; Oros. VI.2.8. Ephesus: *SIG* 742. Mithridates is not likely to have sympathized with the lower orders beyond his political interest: de Ste Croix 1981 (A 100) 525; Magie 1950 (A 67) I 222–6; McGing 1986 (D 35) 126–30. Nor did the whole of the lower orders support him: Bernhardt 1985 (A 10) 33–64.

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citizens of Pergamum, and denunciations spread into other cities. The total killed in this witch hunt for Roman sympathizers was 1,600. (On the other hand, the following year those who had sided with the 'Cappadocians' were killed, committed suicide, or fled to Mithridates in Pontus.) Some time late in 86 or early in 85 Cos and Cnidus defected from Mithridates, on the appearance of Lucullus with a fleet: Rhodes added its ships to those of Lucullus, and, sailing up the coast of Ionia, they drove the 'Cappadocian Faction' out of Colophon and Chios. Mithridates' cherished mastery of the sea was now under challenge.

The wild card in the Roman pack was the consular army of Flaccus, sent by Sulla's enemies in Rome. It had marched across Epirus and Macedonia and Thrace to Byzantium, but Flaccus had acquired a reputation for greed, harshness and unfairness, and there were desertions and indiscipline. C. Flavius Fimbria, usually thought to have been Flaccus' *legatus*,[92] seized the fasces and drove Flaccus off, with the support of the troops: the repulsed commander hid ignominiously in a house and then fled to Chalcedon and on to Nicomedia, where he found refuge within the walls, but Fimbria pursued him even there and had him dragged out of a well, where he was hiding, and beheaded. Fimbria appointed himself commander of the consul's army, and was in due time recognized as such by Cinna's regime in Rome: they needed a vigorous commander – and they had got one.

From such unpromising beginnings this Roman army, now under a competent, however literally 'self-made' general, began to have successes in Bithynia, though descending to the shocking despoliation of cities such as Nicomedia and Cyzicus as well. Fimbria's army fought several battles against Mithridates' generals, including a resounding one on the river Rhyndacus against a quartet of them. Mithridates' son escaped from that action to join him at Pergamum, but Fimbria's speed was such that the king himself had to leave in haste for the coast at Pitane. There, Fimbria almost encircled him with earthworks, leaving only the coastal side as an exit for him. Lucullus was off the coast with his fleet at the time, but refused to help corner Mithridates and hand the credit for completing the war to Sulla's adversaries; so Mithridates escaped by sea, later to attend his conference with Sulla. Fimbria rampaged through parts of Asia, punishing the 'Cappadocian Faction' and devastating the territory of any city that shut its gates to him. At Ilium, he treacherously burnt down the town and slaughtered its inhabitants, even though he had been admitted.

To Mithridates an agreement with Sulla, who now had a fleet to

[92] Plut. *Luc.* 2–3; Diod. XXXVIII.8; Livy *Per.* LXXX; Plut. *Mar.* 43; Magie 1950 (A 67) I 226–8; Bulst 1964 (C 35) 319–20. Fimbria's status: commonly said to have been *praefectus equitum* and *legatus*; according to Appian a *privatus* on Flaccus' staff; perhaps ex-quaestor, Lintott 1971 (C 100).

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pursue him into Asia, was preferable to the humiliations he was now undergoing. There was a go-between of standing in Archelaus, and terms had been on the table for about a year, to get used to. The hostility of Fimbria's army to Sulla might yet be used as a bargaining counter; so might the still large Mithridatic fleet, and Sulla's starved financial situation.[93]

## XII. THE TREATY OF DARDANUS, THE FATE OF ASIA AND THE FELICITY OF SULLA

The summit meeting between Sulla and Mithridates took place at Dardanus in the Troad, probably in autumn 85 B.C.[94] It opened with complaints by Mithridates about Roman dealings with him over western Asia Minor before 89; Sulla replied with a speech going back to his own dispositions in Cappadocia when he was commander in Cilicia, but concluding with the contemporary fact of the collapse of Mithridates' adventure in Greece with the loss of 160,000 men. Sulla insisted on the terms already adumbrated in his talks with Archelaus; Mithridates was compelled to consent, and Sulla welcomed him to the formal cessation of hostilities with a kiss of friendship. If he was to pay 2,000 talents indemnity,[95] it was after all only the sum demanded as reparations from Chios alone by his general Zenobius. He was to evacuate the part of Paphlagonia in dispute; the kings of Bithynia and Cappadocia were to get back their kingdoms, and Sulla's legate, Curio, was to see to that, once Fimbria had been eliminated. Prisoners were to receive their freedom and deserters to be handed over for punishment. Seventy ships and 500 archers were to be handed over. In return, Mithridates was confirmed as king in his own prosperous and untouched kingdom, and his Black Sea empire was intact. No king, not even Antiochus the Great, had emerged so little scathed after a full-scale war with Rome.

Mithridates sailed away through the Bosporus to his Pontic fastness with another twenty years of opposition to Rome ahead of him, for all that he was now an 'ally of the Roman people'. Fortunately for him, Rome's war with the allies in Italy had been superseded by civil war, and Sulla had western preoccupations: he was prepared to insist on his terms, but not to load them with provocations that might goad the king into further present resistance.[96] As for Fimbria, his legions submitted on Sulla's approach, and after an assassination attempt on Sulla had failed

[93] For the speech given to Mithridates by Sallust: Raditsa 1969–70 (D 54).

[94] Date: Reinach 1890 (D 55) 190–206; Ormerod *CAH* IX[1] 256; Magie 1950 (A 67) I 229–31; II 1110, n. 58; Liebmann-Frankfort 1968 (D 276) 183f; Sherwin-White 1984 (D 291) 143–8.

[95] So Plut. *Sulla* 22. 5, but 3,000 Memnon *FGrH* 434 F 25.

[96] Florus 1.40; Badian 1970 (C 13) 19; Keaveney 1982 (C 87) 104–5; 122–7; 1987 (C 94) 117–61; Sherwin-White 1984 (D 291) 144–8; McGing 1986 (D 35) 130.

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and a proffered conference had been declined, he committed suicide. His legions, in fact, were left behind in Asia to become its garrison under Murena.

The settlement of the cities of Asia – reparations, rewards, administrative and financial arrangements for the future – was set in hand. Sulla took his time over it, not leaving Ephesus until 84. Even then he dallied in Athens, being initiated into the Eleusinian Mysteries and appropriating the libraries of his tyrant opponents, before sailing to Italy with his by then enormous fleet of 1,200 ships and arriving in Rome in the spring of 83. The collaborating cities, and the 'Cappadocian Faction' in the others, were now to pay heavily.[97] Some eight or nine cities were rewarded with keeping their own government and with the title of 'Friend of the Roman People': Chios, Rhodes, the Carian cities Stratonicea, Aphrodisias and Tabae, some Lycian cities, Magnesia-on-the-Maeander, and Ilium far away to the north-west. All had resisted Mithridates. Rhodes even received back control of her Peraea, the mainland coast opposite the island, which she had forfeited in the aftermath of the Third Macedonian War.[98] Such exceptions made the reparations forced on the other cities all the more harsh. Sulla's troops were quartered on the errant cities over the winter: each legionary was to receive four tetradrachms a day, and centurions fifty drachmas. Slaves freed by Mithridates had to be returned to their masters. If cities resisted this harsh treatment, a massacre of free men and slaves followed. Communities were sold into slavery and city walls pulled down. Sulla called the representatives of the cities to Ephesus and delivered a harangue justifying Rome's policy towards them since the time of Antiochus III and the revolt of Aristonicus; he finished by reimposing the unpaid taxes of the last five years. The appalling total of 20,000 talents was to be paid (perhaps 8,000 indemnity and 2,400 arrears of tax annually since 89 B.C.): coming on the top of the billeting and the destruction of private and public fortunes, it was crippling, far into the future.[99] Loans had to be sought at high interest, theatres, gymnasia, harbours and city walls had to be mortgaged. Although Sulla's quaestor Lucullus is said to have been scrupulously honest, the communities of Asia were in a parlous state for years, and some of the arrangements were

[97] Memnon *FGrH* 434 F 25 says the cities that had supported Mithridates were given an 'amnesty', but it did not let them off the burdens. Most hardly treated were Adramyttium, Clazomenae, Ephesus, Miletus, Mytilene, Pergamum, Tralles and perhaps Phocaea, with Caunus suffering because of unwillingness to be subject to Rhodes, Keaveney 1982 (C 87) 110–12; 114–15.

[98] Chios: *SIG* 785; Rhodes: Strab. XIV.2.3; App. *Mith.* 61; *BCiv.* V.7; Stratonicea: *OGIS* 441; Tabae: *OGIS* 442; Aphrodisias: Reynolds 1982 (B 226) 1–4; Lycians: *ILLRP* 174–5; Magnesia: Strab. XIII.3.35: Ilium: App. *Mith.* 53.

[99] Asia was organized into forty-four regions, Cassiod. *Chron.* (*Greenidge–Clay* p. 191), perhaps for direct tax-gathering, the Asian *publicani* having been wiped out: Brunt 1956 (D 254).

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being endorsed or revised by the Senate for some time afterwards.[100] Nor were all recalcitrancies immediately suppressed: as late as 81/80 Mytilene was still defiant and had to be eventually subdued by Minucius Thermus.[101]

The destruction of cities, the financial ruin of those that survived, the liberations of slaves and the proclamations requiring their re-enslavement, the removal of the fleets that had controlled the Aegean, first that of Mithridates, then that of Sulla, all led to a great increase in pirate activity. The pirate squadrons progressed from taking ships to assaulting forts, harbours and even cities, among which were the island of Samos, Clazomenae in Ionia and Iasus in Caria. They are said to have robbed the temple of the Cabiri on Samothrace of treasure worth 1,000 talents at a time when Sulla himself was on the island.[102] Even so, he may not have realized the scale of the monster he had helped to conjure up and the threat it was to pose throughout the Mediterranean down to 67 B.C.

Mithridates had been lucky to get the treaty he did and to win Sulla's support for his status as 'king and friend of Rome'. However, the outlook for him and for Pontus in the future was uncertain. At Rome, many thought the terms of the peace were not fair punishment for Mithridates' crimes: they had, after all, been granted by a political faction, that of Sulla, albeit the dominant one at the moment. There was nothing to prevent future Roman provocation designed to push Mithridates into another war in which he could be made to pay more adequately for the first one. The relative weakness of the Pontic field armies had been thoroughly exposed by Sulla's five legions, and even quite small forces like Bruttius Sura's, and renegade armies, like that of Fimbria, had been able to defeat Mithridates' generals. Those revelations made such a provocation all the more likely, and within two years Murena was invading Pontus in response to a call from Archelaus.[103] In the mean time, between 83 and 80, Mithridates was to be kept busy with revolts in his Black Sea empire, in Colchis, and among the tribes north and east of the Cimmerian Bosporus.

Sulla, by contrast, was everywhere victorious, having recovered all Mithridates' conquests in less than three years. Even his image and propaganda outdid Mithridates, though in terms more appropriate to the Republican than the Iranian tradition. His byname among the Greeks, after he had been induced to dedicate a double-headed axe to Aphrodite of Aphrodisias in Caria, was 'Epaphroditus', and a counter to Mithridates' identification with Dionysus. From the date of his triumph

[100] Magie 1950 (A 67) I 232–40; Brunt 1956 (D 254). Sherwin-White 1984 (D 291) 148; 244f.
[101] Mattingly 1979 (D 283) 1494 with n. 10. [102] App. *Mith.* 63.
[103] He argued that the Peace of Dardanus had not been ratified: App. *Mith.* 64; Glew 1981 (D 19).

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he took officially (he had had it unofficially for a long time) the *cognomen* 'Felix', 'The Fortunate', an answer to Mithridates' names of 'Megas' and 'Basileus Basileon'.[104] And if Mithridates had his 'historians in the service of, and writing to please, barbarian kings',[105] so did Sulla have his partisan writers, and his own *commentarii*, to influence contemporaries and posterity. *His* next business was with his enemies at Rome.

[104] Vell. Pat. II.24; App. *BCiv.* I.76; Balsdon 1951 (C 18).

[105] Dion. Hal. *Ant. Rom.* I.4.3.

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# CHAPTER 6

# SULLA

ROBIN SEAGER

## I. SULLA, SULPICIUS AND MARIUS, 88 B.C.

As the year 89 drew to its close, the predominant feeling at Rome may well have been one of relief. The fall of Asculum meant that the Social War was to all intents and purposes won, though isolated pockets of resistance lingered. Yet even the most cursory essay in divination should have revealed grave causes for concern about the future. The war had been bitterly contested, and resentment was bound to simmer. Rome's concessions had been churlish and grudging. It seems that not all the Italians had yet been enfranchised, and the confinement of those who had within a minority of tribes made it clear that the Romans were determined to limit to the best of their ability the value of the prize that their allies had wrested from them. Thus the Italian question had by no means been settled: the struggle for even the most nominal equality still had much of its course to run, though the Italians could take comfort from the knowledge that there were still men at Rome who, for whatever motive, were prepared to champion their interests.

Nor did the manner in which the outbreak of war had been exploited in pursuit of private enmities give any grounds for hope that in internal affairs a spirit of conciliation would now prevail. The murder of Livius Drusus had gone unpunished, and the contentious operations of the *quaestio Variana* had inflicted wounds that were still unhealed. The war had enforced a temporary lull in political infighting, but now that it was over revival of the feuds of 90 could only exacerbate an already delicate situation and diminish further the always remote likelihood of a unified and statesmanlike approach to the problems of Italy. It could be safely predicted that the times would continue interesting and that the new citizens would have a large part to play.

The consulship of 88, to which Sulla was elected in the last weeks of 89, together with his friend Q. Pompeius Rufus, might have seemed no more than the just, if not inevitable, reward for his military achievements during the foregoing year. Yet it seems that he encountered competition from an unusual source: C. Iulius Caesar Strabo, aedile in 90, who had not held the praetorship, but nevertheless wanted to stand for the



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consulship. Unfortunately the date of Strabo's attempt cannot be regarded as absolutely certain: it is just possible that he tried to stand in 88 for 87. But the most natural reading of Cicero's accounts of the opposition to Strabo by the tribunes P. Sulpicius and P. Antistius suggests that it belongs to the beginning of their term of office, in December 89.[1] If this is correct, then it deserves to be stressed that Strabo would be standing in direct competition with Sulla: since both were patricians, both could not be elected. That fact may give a clue to one of Strabo's motives for seeking the consulship at this precise time. He had been on bad terms with Sulla for nearly a decade, and it would no doubt have pleased him to keep his enemy out.[2] But that was not the only attraction of a consulship in 88. To be singled out as a special case by securing exemption from the normal *cursus* would of course be a worthwhile achievement in any year – that seems to have been the only motive for the ill-judged attempt of Q. Lucretius Afella under Sulla.[3] But it may well already have been apparent that to hold the office in this particular year might bring a further prize: a command against Mithridates.

It has been said that Strabo could not have hoped for the command, even if he gained the consulship, because of his relative youth and lack of military experience.[4] That need not be the case. Custom still demanded that major military commands should be assigned to consuls: the means adopted to give Marius control in both the Jugurthine and Cimbric Wars bear witness to the strength of the practice. At this point it would hardly have been possible to predict such a drastic interference with tradition as Sulpicius was soon to essay. If therefore Strabo could obtain the consulship, he might indeed get the command as well, a golden opportunity for glory and profit. The prospect of the Mithridatic command also probably explains the interest of another unusual would-be candidate at the elections of 89: Cn. Pompeius Strabo, consul in that year, but eager to hold office again without a break.[5] However, it seems unlikely that either Strabo was allowed to stand.[6] At all events, Sulla and Pompeius Rufus were elected, and shortly afterwards Sulla's daughter was married to Pompeius' son. More attention was attracted by Sulla's own new marriage. He divorced his wife Cloelia on the grounds of her sterility and married Metella, widow of M. Scaurus. Some of the nobility are said to have disapproved of Sulla's presumption, but the Metelli were always ready to establish ties with men of talent who lacked other

[1] Cic. *Har. Resp.* 43; *Brut.* 226. Badian 1969 (C 12) 481ff; Katz 1977 (C 82); Keaveney 1979 (C 85); *contra*, Mitchell 1975 (C 114) 201; Lintott 1971 (C 99) 449ff.

[2] Keaveney 1979 (C 85) 454. [3] For the form of the name see Badian *JRS* 1967, 227f.

[4] Luce 1970 (C 101) 191; Keaveney 1979 (C 85) 453; *contra*, Katz 1977 (C 82) 471ff.

[5] Vell. Pat. II.21.1, Katz 1976 (C 80) 329 n. 6; *contra*, Keaveney 1978 (C 84) 240.

[6] For Caesar, see Katz 1977 (C 82) 62; *contra*, Mitchell 1975 (C 114) 199.

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advantages: Scaurus himself had been a case in point, and the young Pompey would one day be another.

It is chiefly the opposition of Sulpicius that lends importance to Caesar Strabo's ambitions. P. Sulpicius (he probably did not bear the *cognomen* Rufus)[7] was not only an orator of some distinction but already known as an associate of Livius Drusus, C. Cotta and Pompeius Rufus, apparently pledged to press on with the integration of the Italians into the Roman commonwealth which Drusus had tried to initiate in 91. By 88 that meant in practical terms the distribution of the new citizens throughout all the thirty-five tribes instead of trying to restrict the value of their votes by assigning them to only a limited number of tribes voting last, whether old or freshly created. It is reasonable to suppose that Sulpicius intended from the first to introduce a measure to that effect, and his stand against Strabo's request for a dispensation may be interpreted in that light. His action benefited Sulla more than anyone else, but also Sulla's running-mate Pompeius Rufus. Rufus was already a close friend of Sulpicius, and Sulla's political views may have been known to coincide at least in part with those of Livius Drusus.[8] Sulpicius will therefore have hoped to secure at worst the benevolent neutrality, if not the active support, of two consuls for whom his programme might have some attractions in itself and who were also in his debt for services rendered in the cause of their election.

More puzzling is Sulpicius' other recorded early action: the veto of a bill which recalled exiles on the ground that they had not been allowed to plead their case, even though he later introduced a law himself in favour of the same exiles. The identity of these exiles has been much discussed, and no solution is free from objections and difficulties. Perhaps the most likely suggestion is that they were the victims of the *quaestio Variana*.[9] If so, a further puzzle ensues: why should Sulpicius veto a measure which would have brought back to Rome the surviving supporters of Livius Drusus, men who were his friends and shared his political ideals, not least among them C. Cotta? Certainty is impossible, but it may be that once again Sulpicius was concerned to secure the good will of Sulla, who may have been opposed to such a move, particularly if the anonymous proposal against which Sulpicius interposed his veto had the backing of Marius.[10] Sulpicius might well have thought it worthwhile to leave his friends in exile a while longer if that sacrifice would help to win him Sulla's support for the fair distribution of the new citizens. Indeed, some at least of his friends might even have agreed with him.

But if Sulpicius' calculations had run along these lines, he was to be

[7] Mattingly 1975 (C 111). [8] Gabba 1973 (C 55) 385ff.
[9] Keaveney 1979 (C 85) 455ff; *contra*, Badian 1969 (C 12) 487ff, Lintott 1971 (C 99) 453.
[10] Porrà 1973 (C 118) 23f.

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cruelly disappointed. Sulla may have shared Livius Drusus' views on the need to restore the authority of the Senate, but he had no commitment to the cause of the Italians. When Sulpicius introduced a bill to distribute both the new citizens and also freedmen throughout the thirty-five tribes, he met vigorous opposition not only from the old citizens but also from Sulla and even from Pompeius Rufus. From Sulpicius' standpoint this must have seemed an inexcusable betrayal, and the violence of his reaction is not hard to understand. If he was to have any hope of carrying out his programme now that Sulla and Rufus had let him down, he had urgent need of a fresh source of support. He did not have far to look. The command against Mithridates had been allotted to Sulla (which may mean that Rufus too had coveted it). But there was still one potential rival in the field: Marius, who was not only eager to have the command but might take particular pleasure in securing it at the expense of Sulla. That Marius and Sulpicius should be drawn together seems almost inevitable, though there is now no way of telling which took the initiative in forming their alliance. There can, however, be little doubt about its terms. Marius would lend all the support he could muster, much of it equestrian, to Sulpicius' proposal on the voting rights of the Italians, and in return Sulpicius would promulgate a bill depriving Sulla of the command against Mithridates and assigning it instead to Marius – constitutionally a much more dramatic step than Marius' acquisition of the command against Jugurtha, when he had been at least a consul in office. But for the moment this part of the bargain remained a closely guarded secret.

In addition to his distribution bill, Sulpicius also brought in other measures, one limiting the debts that senators might incur and one which, reversing his earlier attitude, provided for the recall of the exiles on the ground that they had been expelled by force. This may have been in part a favour to Marius, if Marius had indeed supported the previous proposal which Sulpicius had vetoed, but regardless of Marius' views on the subject Sulpicius must have felt that since his break with Sulla he no longer had any reason not to try to restore his friends. Surprisingly, he offered nothing to the urban plebs that might have made it more amenable to his Italian bill, and so it continued to resist him. Sulpicius' clash with Caesar Strabo had ended ominously in violence on the streets, and he showed no hesitation now. He is said to have surrounded himself with a private army 3,000-strong and a bodyguard of 600 *equites*, whom he called his 'anti-Senate'.[11] If this is true, he will surely have meant that they would serve to protect him against any such use of force by the Senate as had brought about the deaths of the Gracchi and Saturninus, not as an alternative council of state. The consuls must have feared that,

[11] Accepted: Keaveney 1983 (C 91) 54; *contra*, e.g. Badian 1969 (C 12) 485.

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despite the widespread hostility to the bill, Sulpicius would succeed in intimidating the voters, and so they tried to block its passage by declaring a suspension of public business (*iustitium*) or a special holiday (*feriae imperativae*).[12]

The rioting worsened, and Sulpicius led a band of armed supporters into a meeting summoned by the consuls. He denounced the suspension of business as illegal and demanded its immediate withdrawal, so that voting on the bill could proceed. The consuls refused, Sulpicius threatened their lives, and fighting broke out, in which Rufus' son, who had been foolishly provocative, was one of numerous casualties. Rufus himself escaped, while Sulla was forced to take refuge in the house of Marius, though he later denied this humiliating fact in his memoirs. Clearly the two men must have come to some arrangement. Sulla was for the moment in a desperately weak position and must have agreed to lift the ban on public business and allow Sulpicius' legislation to go forward. Marius need have offered little in return: perhaps no more than a promise that Sulla's life would then be safe. It would be interesting to know whether Sulla expressed an intention of returning to the siege of Nola (unfinished business from the Social War on which he had been engaged until Sulpicius' activities had forced him to return to Rome) and whether Marius agreed to let him go. If the plan to deprive Sulla of the Mithridatic command had already been revealed, then Marius would surely have hesitated to allow him to rejoin his army, but it had not. So when Sulla left Rome, with Marius' blessing or not, he will have done so simply because he thought that Nola would be the safest place for him.

The ban on public business was duly raised, and Sulla withdrew to Campania. His headquarters were probably at Capua, which he visited on his way to Nola.[13] Sulpicius was now able to enact his laws without further effective opposition – the old citizens must have been cowed by the threat of fresh violence – and Sulla found out that Marius had tricked him, for the bill to transfer the Mithridatic command was now published and passed, though Sulla, unlike Pompeius Rufus, whose treachery in Sulpicius' eyes had been greater, was not stripped of his consulship.[14] So Sulla was presented with a choice. He could acknowledge the law as valid. To do so would mean total humiliation at the hands of his opponents, the end of his political career and perhaps even further danger to his life. Or he could attempt to reverse it and regain his command. He can hardly have been in any doubt. Like Caesar he was an outsider in politics, totally self-centred in pursuit of his ambitions, always ready to break the rules of the political game to achieve his objective. But unlike Caesar he had strong views, already well defined by

[12] Cf. Keaveney 1983 (c 91) 57. [13] Keaveney 1983 (c 91) 59.
[14] But see Keaveney 1983 (c 91) 60f.

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88, on what remedies were needed to set the Roman state to rights, and perhaps a belief that he was divinely appointed for the task. One of his basic constitutional convictions was that tribunician legislation in defiance of the Senate and the consuls should not be permitted. This coincidence of political principle and personal advantage was extremely convenient, but no less genuine for that. If Sulla hesitated it can only have been because he was not sure how his army would react. That the mass of senatorial and popular opinion would be wholly against him if he marched on Rome he must have known, but if his men were prepared to follow him the disapproval of others would be of no practical importance, and once he had succeeded he would then be able to impose his own interpretation on events.

He sounded out the army with some caution, complaining of the behaviour of Marius and Sulpicius towards him and implanting in the men the suspicion, surely false, that if Marius secured the command he would levy other troops and leave them behind, so that they would lose their share of the handsome profits of an easy war against effete orientals. Whether or not they believed this tale, the troops understood what was expected of them and urged him to lead them to Rome. Sulla's officers on the other hand, when they realized what was afoot, all returned to the city, with the exception of his quaestor, almost certainly L. Lucullus.[15] Sulla also had the support of Pompeius Rufus, whom he still treated as his colleague, though it is unclear whether Rufus joined him before he left Nola or at a later point on the march. When military tribunes sent by Marius to take over the army arrived in the camp, they were stoned to death by the troops. Any nagging hesitation that Sulla may have felt was eased by proofs of divine approval. These will have meant much to him, for there is no reason to doubt the depth and sincerity of his religious beliefs, even if some of the signs he recorded in his memoirs may be regarded with suspicion.[16] First the soothsayer Postumius promised him success, then a dream sent by the goddess Ma-Bellona revealed that he would strike down his enemies.

So the march on Rome began. Not only Sulpicius and Marius but the Senate and people as a whole were appalled at Sulla's action. It will have needed little pressure to persuade the Senate to send a series of embassies to try to halt the advance. But Sulla was confident now. When the first senatorial embassy asked him why he was marching against his fatherland, he boldly replied that he was coming to free it from tyrants. His soldiers went further, manhandling and insulting the envoys. Two further delegations were given a similar answer by Sulla, and he sent through them an invitation to the Senate, Sulpicius and Marius to meet him outside the city in the Campus Martius. It is true that Sulla promised

[15] Badian 1964 (A 2) 220; Levick 1982 (C 97). [16] Keaveney 1983 (H 68).

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to abide by any agreement reached at such a meeting, but the implied estimate of his own importance in relation to the organs of the state is perhaps more revealing. A final embassy, inspired by Sulpicius and Marius in the hope of gaining time, asked Sulla not to come within five Roman miles of the city until the Senate had had time to deliberate further on the matter. Sulla and Rufus duly promised to make camp, but continued their march as soon as the envoys had left.

The result of the attack on Rome could never be in doubt, for the defenders had no regular troops at their disposal. What is striking is the fierceness of the resistance Sulla encountered. The people, though unarmed, pelted his soldiers from the roof-tops until he threatened to fire their houses, while his men almost broke when they were finally confronted by Marius' makeshift forces – only Sulla's personal daring shamed them into making a stand. But when Sulla summoned the detachment he had kept in reserve, Marius was driven back to the temple of Tellus, and after a proclamation offering freedom to any slave who would join his cause had failed to bear fruit he was forced to take to flight.

Sulla stationed troops all over the city, while he and Rufus remained vigilant throughout the night to ensure that no incidents disturbed the peace. On the following day he summoned the Senate and caused it to give official sanction to his private quarrel by declaring Marius, his son, Sulpicius and nine others who had fled with them to be enemies of the state on the grounds that they had stirred up sedition, fought against the consuls and offered freedom to slaves. The decree of the Senate was then reinforced by a law. For Sulla this unprecedented step had obvious advantages. It identified his cause, completely and instantly, with that of law and order and the *res publica* itself and retrospectively justified the march on Rome; it enabled him to condemn his enemies to death without delay in a situation where the *senatus consultum ultimum* would have been out of place; and by depriving them of their citizenship it appeared to rule out any subsequent complaint about the violation of their rights. But its constitutional implications were highly disquieting: it meant that men could be pronounced guilty of crimes against the state and sentenced to death without any semblance of trial. This fact may have weighed at least as much as their connexion by marriage with Q. Mucius Scaevola the augur, who flatly refused to admit that a man with Marius' record of service to the state could be called an enemy of Rome.[17] Of the twelve men outlawed, although the pursuit was keen, only Sulpicius was killed, betrayed by a slave. Marius, after a series of romantic adventures, made his way to safety in Africa, where he was joined by several others of the exiles, including his son.[18]

[17] Val. Max. III.8.5; Bauman 1973 (C 21); Katz 1975 (C 79).

[18] Carney 1961 (C 39) 112ff.

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All the measures enacted by Sulpicius after the original suspension of public business by the consuls were now declared invalid because they had been passed by force. Thus Sulla was restored to the Mithridatic command and Pompeius to his consulship, and the distribution of the enfranchised Italians throughout all the tribes was annulled. Had Sulla had the wisdom and generosity to re-enact that law in his own name, much subsequent turmoil and bloodshed might have been avoided. Instead, he brought in laws of a very different nature. Only Appian records these constitutional measures and his account is far from clear, but there is no reason to dismiss the legislation of 88, shortlived as it was, as a mere retrojection of that of the dictatorship.[19] Sulla's overall objective at least is already clear: to prevent any magistrate, especially a tribune, from acting in concert with the people in disregard or defiance of the wishes of the Senate, and in general to strengthen the Senate and restore its predominance in the state, a task which was certainly urgent, as its poor showing when confronted first with Sulpicius, then with Sulla himself had made abundantly clear. Therefore Sulla enacted that no proposal should be brought before the people without the prior approval of the Senate, that the *comitia centuriata* should be restored to their 'Servian' form (see Vol. VII², pp. 199ff) by the removal of the tribal element from the voting procedure (this seems more likely than the alternative interpretation that Sulla abolished the legislative powers of the *comitia tributa*), so that, as Appian ingenuously puts it, voting would be controlled by the rich and wise, not by the poor and headstrong, and that 300 of the best men should be enrolled in the Senate.[20] Other measures, of which no details are unfortunately given, were taken to curtail the tribunician power; these may or may not have prefigured exactly those that were introduced in the dictatorship. Sulla was also aware of the financial crisis caused by the Social War and aggravated by the loss of Asia to Mithridates. He passed a law to remit a tenth of existing debts and fix interest rates for the future. Finally, he is said to have founded colonies, and, though no settlements appear in fact to have been made, he may well have intended to do so. Nobody knew better than he that it would be prudent to demobilize and disperse the armies of the Social War, and he may also have hoped to decrease the numbers of the urban plebs.

Though Sulla is not accused of passing these laws by force, the presence of his troops in the city must have done much to ensure that they were accepted without opposition, though it is also surely true that many senators, however much they disapproved of Sulla as an individual and of the march on Rome, will have found his legislation entirely acceptable. But it was vital to the credibility of his posture as liberator

[19] Keaveney 1983 (C 91) 81ff. [20] Gabba 1958 (B 40) 171f.

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and champion of law and order that the army should remain no longer than was absolutely necessary. So, once his laws had been passed, he sent it back to Capua. But as soon as the threat had been removed opposition made itself felt. Friends of the exiles began to agitate on their behalf and there were rumours of plots against the lives of Sulla and Pompeius. Nevertheless, Sulla knew that it would destroy his image if he interfered too blatantly with the elections, and so he brought no improper pressure to bear. The results gave further proof of his unpopularity. His nephew, Sex. Nonius Sufenas, failed to gain the tribunate, and although Sulla was able to prevent the election of Q. Sertorius, he could not keep out the nephew of Marius, M. Marius Gratidianus. His candidate for the consulship, P. Servilius Vatia, was also rejected, though he had just obtained a triumph from his unknown praetorian province. The consuls elected, who may have been friends, were Cn. Octavius, who had no ties with Sulla but was thought to be opposed to reform, and L. Cornelius Cinna, whose success apparently gave hope to the friends of the exiles, though he had no connexion with Marius and at the time of his election there was nothing to suggest that he would take up the cause of the new citizens.[21] Perhaps before agreeing to announce the result of the election, Sulla had taken the curious step of binding both consuls designate by an oath to uphold his arrangements. He can hardly have hoped that this would prove an effective restraint, but it would at least serve to put Cinna in the wrong before gods and men if he tampered with Sulla's laws and give Sulla religious and moral grounds for any eventual reprisals he might feel moved to make.

By now considerations of his own security, his promises to his troops, and the requirements of the Mithridatic War all made it imperative that Sulla leave Italy without further delay. However, he was concerned for the safety of Pompeius Rufus. He therefore brought a measure before Senate and People to give his colleague Italy as his province with the troops at present commanded by Pompeius Strabo. An attempt to recall Strabo was frustrated by the veto of a tribune, C. Herennius,[22] but Rufus nevertheless went out to take over the army. Shortly after his arrival he was set upon and killed by the troops, who were almost certainly acting on Strabo's orders. Strabo rebuked them, but took no further disciplinary action, and no more attempts were made to relieve him of command.

## II. *CINNANUM TEMPUS*, 87–84 B.C.

Cinna's first act, perhaps even before he took office, was to prompt a tribune of 87, M. Vergilius or Verginius, to institute a prosecution

[21] Katz 1976 (C 81) 505ff; Keaveney 1983 (C 91) 76ff.
[22] Sall. *H.* II.21, Badian 1955 (C 5) 107f; *contra*, Twyman 1979 (C 148) 187ff.

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against Sulla. His aim will have been not to drive Sulla out of Italy – Sulla was going of his own accord – but to prevent his departure by stripping him of his *imperium* and securing his condemnation.[23] The ploy failed: no doubt men remembered only too well the last attempt to deprive Sulla of his command, and he was able to ignore the tribune's summons and depart for the Mithridatic War, leaving a detachment under Ap. Claudius to continue the siege of Nola. For what it was worth, Cinna had proved that Sulla's respect for law and order did not weigh against his own advantage, but now he turned to the more serious matter of an attack on those aspects of Sulla's legislation that seemed most vulnerable.

However, if Appian can be believed, it was the friends of the exiles who first encouraged the newly enfranchised Italians to renew their agitation for fair distribution throughout the thirty-five tribes, while a substantial bribe was needed to interest Cinna in their cause. Whatever the truth of that matter, once Cinna had declared himself in favour of the new citizens, matters rapidly came to a head. Octavius predictably took the opposite side, and both parties armed themselves with daggers. When Cinna promulgated bills providing for the distribution of the new citizens and freedmen and for the recall of the exiles, Octavius persuaded a majority of tribunes to veto.[24] This provoked the new citizens to riot against the tribunes, and it is possible that the *senatus consultum ultimum* was passed. Octavius led his supporters down the Via Sacra into the Forum and separated the two sides, though he kept out of Cinna's way. But then, allegedly on their own initiative, Octavius' men turned on the new citizens, many of whom were killed. The swiftness and vigour of Octavius' action had taken Cinna by surprise. He had expected that his superior numbers would carry the day. After an abortive offer of freedom to the slaves he left the city and at once began a tour of the neighbouring towns, among them Tibur and Praeneste, in order to acquire men and money for an attempt to recover his position by force of arms. He was joined by several of his leading supporters, among them Q. Sertorius and two tribunes, C. Milonius and Marius Gratidianus. Eventually he had with him no less than six of the tribunes of the year, though it is unclear exactly when individual sympathizers left the city: some tribunes may have disapproved of Cinna's treatment at the hands of the Senate more than they disliked his proposals, and so changed sides.

The Senate promptly took it upon itself first to deprive Cinna of his consulship, then to declare him a *hostis*, on the ground that in a state of emergency – which suggests that the *senatus consultum ultimum* was in

[23] Keaveney 1983 (C 91) 85f; *contra*, Bennett 1923 (C 24) 7.
[24] Accepted by Katz 1976 (C 81) 49f; *contra*, Gabba 1958 (B 40) 182.

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force – he had, though consul, abandoned Rome and offered freedom to the slaves. In his place was elected L. Cornelius Merula, the *flamen Dialis*, though he later claimed that he had not wanted to stand. He had, perhaps significantly, no connexion with Sulla, while the taboos that surrounded his priestly office meant that in effect Octavius was left as virtual sole consul.[25] Though Merula was presumably elected by an assembly, the Senate's decree against Cinna was never confirmed by a law.[26]

Meanwhile Cinna had reached his destination, Nola, where the force left by Sulla was carrying on the siege. He bribed first the officers at Capua, then the troops, and made a dramatic appearance before them. He presented himself in his consular regalia, but then cast aside his fasces and, apparently treating the army as an assembly, addressed the men in true *popularis* fashion: his consulship had been their gift, for they, the people, had elected him, but now the Senate, by deposing him without the people's assent, had set the people's authority at naught and made a mockery of the institution of popular elections. His appeal soon had the desired effect. The soldiers raised him up, set him on his curule chair, restored his fasces and declared that he was still consul. They promised to follow wherever he led, and their officers took the oath of loyalty to Cinna before administering it to the men under their command. From Nola Cinna continued his visits to Italian towns, claiming that his sufferings had been the result of his efforts on their behalf. He succeeded in collecting a considerable sum of money and recruiting large numbers of men, while more supporters came from Rome to join him. Octavius and Merula began to fortify the city and tried to raise troops from those towns which remained loyal and from Cisalpine Gaul. They also summoned Pompeius Strabo, who still retained command of his army but had as yet taken no part in the events of 87, to come to the assistance of his country.

By this time news of the impending conflict had come to Marius in Africa, and he saw an opportunity to bring about his own return. Landing in Etruria, he offered his services to Cinna, who acknowledged him as proconsul and sent him the appropriate insignia. But Marius scrupulously refused to use them. He went from city to city, recalling his past achievements and promising to put through the distribution of the new citizens. By the time he reached Cinna's camp he had assembled 6,000 men, many of them slaves liberated from *ergastula*. Sertorius was allegedly reluctant to accept Marius as an ally, but when Cinna revealed that he had invited Marius to join them he gave way.

Strabo had encamped outside the Colline Gate, but he took no further action. His critics claimed that, if he had exerted himself, he could have nipped Cinna's enterprise in the bud. But Strabo's chief concern

[25] Cf. Katz 1979 (c 83). [26] Bennett 1923 (c 24) 8ff; Bauman 1973 (c 21) 286ff.

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remained a second consulship, and he was not prepared to commit himself until he had sounded out both sides. Cinna divided his forces into three: the main body under himself and Cn. Papirius Carbo near the Colline Gate, a detachment under Sertorius on the left bank of the Tiber upriver from the city, and one downstream under Marius outside the Porta Ostiensis. His objective was to starve Rome into submission. Bridges were built across the Tiber both above and below the city to cut off the supply of food, while Marius, helped by the treachery of an officer of the garrison, Valerius, captured and sacked the port of Ostia. Cinna also sent a force north, probably commanded by Marius Gratidianus, which seized Ariminum to cut off any help that might come from Cisalpine Gaul. By now Strabo had failed to receive any suitable promises from Cinna and Marius, and so he at last took the field, fighting an indecisive engagement against Sertorius in the neighbourhood of the Janiculum. Desperate for support, the Senate now passed a decree granting citizenship to all those who had surrendered but not yet received enfranchisement. It was hoped that this belatedly opportunistic move would produce massive reinforcements, but though many men were promised, barely sixteen cohorts were raised. Octavius and Merula had only one more potential ally on whom they could call: Q. Caecilius Metellus Pius, praetor in 89, who was still in the field against the Samnites. They therefore instructed Pius to make peace with the Samnites on any terms that were consistent with the dignity of Rome and to come to the relief of the city. But the Samnites demanded citizenship not only for themselves but for all who had deserted to them, the return of all prisoners and deserters in Roman hands, and the return of all booty taken by the Romans, while refusing to surrender any booty they themselves had acquired. Metellus was reluctant to agree to such shameful terms and the Senate backed him up in his refusal. Marius and Cinna at once seized their opportunity, made all the concessions demanded by the Samnites and so secured their support.

Further treachery now gave the besiegers a chance to take the city. A military tribune, Ap. Claudius, opened the gates of the Janiculum to Marius, who let in Cinna and his men. However, the attackers were driven back across the Tiber by Octavius, who was reinforced by six cohorts from Strabo's army, and Milonius, Cinna's cavalry commander, was killed. The victory might well have been more conclusive, but Strabo prevented Octavius from following up his success. He did not want the war settled before the consular elections, for then his services would lose their market value. The arrival of Pius, a plausible candidate for a consulship of 86, had revived Strabo's interest in a possible deal with Cinna, with whom he renewed negotiations behind Octavius' back. However, Cinna may have responded with an attempt to suborn his

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army and arrange the murder of Strabo and his son, if a curious story in Plutarch has any basis in fact.[27] But the armies of Octavius and Strabo were now devastated by a plague, of which Strabo himself was the most distinguished victim. As he lay dying his tent was struck by lightning during a storm. The shock rendered Strabo unconscious, but when the Senate sent out C. Cassius, perhaps the consul of 96, to assume command of his army, the indignity briefly restored him to his senses. However, he died a few days later and his troops were eventually taken over by Octavius. Strabo had never been popular, and his recent conduct had aroused still greater dislike. There were serious disturbances at his funeral and his body was pulled from its bier and dragged through the mud, until the tribunes and some other senators intervened to rescue it from the fury of the mob.

The attackers now developed their plan of cutting off all Rome's potential sources of food. Marius set about gaining control of those towns in which corn was stored; he captured Antium, Aricia, Lanuvium and other places, some of which were betrayed to him. Then he and Cinna advanced along the Via Appia in the hope of forcing a decision before the defenders could find a fresh source of supply. They halted some 20 kilometres from Rome, probably in the neighbourhood of Aricia.[28] Octavius, Metellus and P. Licinius Crassus (probably the consul of 97 rather than his son) took up their position on the Alban Mount. Morale was becoming increasingly bad. Dissatisfied with Octavius' leadership, the troops had offered Metellus the command, and his refusal, though proper, had prompted numerous desertions. Of the generals, Crassus was still eager to fight, but the army's lack of enthusiasm led Metellus to try negotiations with Cinna, whom he agreed to acknowledge as consul, though Octavius on the one side and Marius on the other ensured that they came to nothing. Thereupon Metellus abandoned the resistance and withdrew to Africa. Cinna again offered freedom to slaves in the city who were prepared to join him, and this time there were many takers. The Senate, afraid that a famine would lead to riots, sent envoys to Cinna to negotiate for peace. Cinna's opening gambit was to ask whether they came to him as consul or as a private citizen. On this point, surprisingly perhaps, the legates had no instructions, and so they returned to the city, from which more and more deserters, free men as well as slaves, now came to join Cinna and Marius as they continued to advance, without waiting for the envoys to return, until they were encamped outside the walls.

The Senate thought it wrong that Merula should be deprived of his consulship when he had done no wrong, but Merula, perhaps in the hope of saving his life, insisted that he had never wanted office and abdicated

[27] Plut. *Pomp.* 3, see Keaveney 1982 (C 88) 112f. [28] Bennett 1923 (C 24) 20off.

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of his own accord, even offering to act as a mediator. Another embassy was sent to Cinna with orders to address him as consul, and it was as consul, on his tribunal, that Cinna received the envoys. All they asked was for him to swear that when he entered the city there would be no killing. Cinna, however, refused to take such an oath. He did give a promise that he would not willingly be the cause of any man's death, but disquietingly suggested that Octavius keep out of the way. Throughout these exchanges Marius stood beside Cinna's chair, grimly and ominously silent. Finally the envoys invited Cinna and Marius to enter the city, but Marius with a bitter smile refused, saying that as an exile he had no right to do so. So Cinna went in alone and promulgated a law, either on his own account or through the agency of the tribunes, recalling not only Marius but all the exiles, though it is said that Marius waited only until three or four tribes had voted before entering along with his personal bodyguard of freed slaves, the Bardyaei.

His friends advised Octavius to flee, but, mindful perhaps of the judgement he had passed on Cinna, he replied that while he was consul he would never leave the city and took his seat on his curule chair on the Janiculum. Attacked by a squadron of cavalry led by C. Marcius Censorinus, he still refused to run for it and so was killed there. His head was brought to Cinna and displayed before the rostra: he was the first consul to suffer such a fate. His death inaugurated a purge of opponents and personal enemies for which it is clear that Cinna was to blame as much as Marius.[29] Against most there was no pretence of legal proceedings: C. and L. Caesar, P. Crassus and his elder son, and M. Antonius were among those hunted down without ceremony, though Antonius' eloquence almost saved him at the last. In all this the particular vindictiveness of Marius is evidenced only twice, by his alleged eagerness to kill Antonius with his own hands and his refusal of clemency to Q. Ancharius. The unfortunate Merula and Marius' old rival Q. Lutatius Catulus received the semblance of a trial before the people: both committed suicide without waiting for the verdict. Merula was replaced as *flamen Dialis* by the young C. Iulius Caesar, who was to marry Cinna's daughter in 84. The appointment invites those with benefit of hindsight to fascinating if pointless speculation; however, it seems that he was never inaugurated. It is probable that there were few other victims apart from those whose names are recorded. We simply do not know why several of them were killed: opposition to Cinna or participation in the defence of Rome will presumably account for those who were not marked out by Marius as old enemies or false friends. None, significantly, can be certainly linked with Sulla in any way.[30] Other opponents, according to Appian, were removed from office. It was probably at this

[29] Bennett 1923 (C 24) 31. [30] Bennett 1923 (C 24) 32; Keaveney 1984 (C 93) 115ff.

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time that Ap. Claudius, commander of the troops at Nola who had restored Cinna to his consulship, was summoned by a tribune and, when he failed to appear, was deprived of his *imperium* and exiled, and, although there is no evidence, Metellus Pius must surely have been treated in similar fashion.

Comprehensive measures were taken against Sulla himself. He was declared a *hostis*,[31] and stripped of his priesthood (not an augurate, perhaps a pontificate),[32] his property was confiscated, his house destroyed and his legislation rescinded. His wife Metella and their children, however, escaped from the city to join Sulla in Greece. Meanwhile the freed slaves who had formed a significant element in the forces of Marius and Cinna, especially the Bardyaei, were exploiting the licence given them to plunder and kill. But eventually, after several warnings from Cinna, they were surrounded by Gallic troops, perhaps commanded by Sertorius, and wiped out. The roles assigned to Cinna and Sertorius in the taking and implementation of this decision and its placing before or after Marius' death depend on the readiness or reluctance of the sources to exculpate Cinna at Marius' expense and their attitude to Sertorius: to uncover the truth from behind these veils of prejudice is hardly possible.

Marius and Cinna became consuls for 86, so that Marius at last attained the seventh consulship, which, he claimed, had been foretold him. The procedure employed is unclear. Hostile sources say that there were no elections at all, either this year or in the subsequent years of Cinna's tenure of power. It is, however, more likely that elections were held at which only two candidates were allowed to present themselves.[33] The fulfilment of his destiny does not seem to have made the old and embittered Marius more amenable: on the first day of his consulship he caused one Sex. Lucilius or Licinius, tribune in 87, to be thrown from the Tarpeian Rock. He was looking forward to the Mithridatic command, but within a fortnight he was dead, perhaps of pneumonia. His funeral was enlivened by an attempt on the life of Q. Mucius Scaevola the *pontifex maximus*, made by Marius' quaestor, C. Flavius Fimbria.[34]

Thus began the so-called 'domination of Cinna', assessment of which is rendered painfully difficult by the way in which our scrappy sources are pervaded by the insidious influence of Sulla's own version of events, diffused without competition after his victory.[35] Detailed attempts have been made to determine the attitude of contemporaries to Cinna and his rule.[36] Certain general observations may be made here. From the first

[31] Bennett 1923 (C 24) 29; Bauman 1973 (C 21) 290ff; *contra*, Bulst 1964 (C 35) 319; Hackl 1982 (C 71) 236. [32] Badian 1968 (C 11) 38f; Keaveney 1982 (C 90).

[33] Bennett 1923 (C 24) 37, see *App BCiv.* 1.77.354 on 85.

[34] For Fimbria's office, cf. Lintott 1971 (C 100). [35] Badian 1964 (A 2) 206ff.

[36] Badian 1964 (A 2) 216ff. 1964 (B 2); Keaveney 1984 (C 93) 118ff.

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many senators must have had mixed feelings about Sulla. Though they may have approved of the laws he passed when he got there, they viewed the march on Rome with unmitigated horror. The desire to avoid a repetition of the events of 88 and 87 will have inspired many to shun both extremes and to hope for a reconciliation. But to remain in Rome under Cinna's regime and even to hold office need indicate neither wholehearted support for Cinna nor a special dislike or fear of Sulla. Those who did not feel personally threatened had no need to leave Rome, those who wished to attend the Senate or stand for office had to stay there, and the temptation to join Sulla at a time when his plans and prospects were still uncertain must have been slight. However, there must have been resentment among those whose ambition had kept them in the city at the promotion block caused by the repeated tenure of the consulship by Cinna and Carbo. There is certainly nothing to suggest that Sulla ever thought of treating all those who stayed at home as enemies, as the Pompeians were to do in 49. In 86 the *Sullani* were still in essence Sulla's officers. A certain number of refugees came to join him in Greece, but it was not yet known that Sulla would bring the Mithridatic War to a premature close and return to Italy in arms. Therefore not all of those who found it necessary to get out of Rome chose Sulla's camp as their refuge. The most noteworthy of those who went elsewhere were Metellus Pius, who found a haven in Africa thanks to the connexions of his father Numidicus, and the young M. Crassus, who secured shelter in Spain, where his family had ties.

Our knowledge of the events of these years is slight and hardly allows a coherent estimate of the policy of the regime, if indeed it had one.[37] Despite Cinna's attempt in 87 to revive Sulpicius' distribution bill he seems to have felt no urgency about putting it into practice: the number of citizens counted at the census of 86 was only 463,000, so the vast mass of enfranchised Italians cannot have been registered. The censors were L. Marcius Philippus and M. Perperna. Philippus achieved notoriety by excluding from the Senate his own uncle, the exiled Ap. Claudius. Other recorded measures were aimed at easing the economic crisis. In 86 the consul suffect L. Flaccus introduced a law, inevitably criticized by conservative sources, remitting three-quarters of existing debts, while either in this year or the next the praetors, supported by the tribunes, devised an edict to restore financial stability by reasserting the official rate of exchange between the denarius and the *as*, which had been subject to recent unofficial fluctuation.[38] One praetor, Marius Gratidianus, then anticipated his colleagues and the tribunes by publishing the measure and claiming the credit for it. His hope was to win sufficient popularity to bring him to the consulship, but in this he was disappointed, though he

[37] Cf. Bennett 1923 (C 24) 62ff. [38] Crawford 1968 (C 45).

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did indeed become a popular hero and statues of him were erected throughout the city.

The young Pompey was also in the news in 86. His home had been sacked in the capture of Rome in 87 (perhaps a tribute to his father's unpopularity) and now he was brought to trial on an embezzlement charge in respect of items from the booty of Asculum which Strabo had diverted to his private use. But now that Strabo was dead, his son seemed worth cultivating, and Pompey was able to mobilize impressive support. He was defended by the censor L. Philippus, Cinna's associate Cn. Carbo and the rising orator Q. Hortensius, while the president of the court, P. Antistius, betrothed his daughter to the defendant during the proceedings. It is hardly surprising that the blame was shifted on to a freedman and Pompey triumphantly acquitted.

But the most important problem, for both Cinna and the Senate, was what to do about Sulla. L. Flaccus had succeeded Marius not only in the consulship but also in the Mithridatic command. Since Sulla had been declared a *hostis*, he could no longer be regarded as the representative of the Senate and People of Rome. Formally, therefore, Flaccus was being sent out, not to succeed Sulla, but to take over command of an army which for some time had had no legitimate commander. For Sulla, of course, the appointment of Flaccus was a straightforward attempt by his enemies to deprive him of his command, the validity of which remained in his eyes unimpaired, and no doubt he was right about the intentions of Cinna and Carbo. But the terms of reference of Flaccus' mission, as recorded by Memnon, show that there were already those at Rome – L. Valerius Flaccus, consul in 100, appointed *princeps senatus* by Philippus and Perperna, was to emerge as the most prominent – who felt that it was necessary, if not actually desirable, to come to some arrangement with Sulla. Flaccus had instructions to sound out Sulla in the hope that he would be prepared to co-operate or, failing that, at least agree to fight Mithridates first. It must surely follow from this that Flaccus had authority from the Senate to reinstate Sulla not only as a citizen but also as proconsul if he proved amenable.

It was unfortunate for Flaccus that he had inherited from Marius not only his command but his political aide Fimbria, as his quaestor. Fimbria assassinated him and brought this initiative to an abortive close, and it was not long before Fimbria himself lost his army to Sulla and was driven to suicide. However, in the meantime he had succeeded in blockading Mithridates himself at Pitane, with every hope of capturing the king had not Lucullus, who was in command of Sulla's fleet, refused to lend him any assistance. The ancient sources, saturated though they are in Sulla's own apologetics, condemn both Lucullus' unwillingness to help Fimbria and Sulla's peace with Mithridates at Dardanus as betrayals

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of Roman interests and opportunities, made because Sulla was more concerned to free his hands for a civil war against his enemies at Rome than with finishing off the most dangerous enemy of the state. This view was shared at the time by Sulla's own troops, despite the lengths to which he had always gone to secure their favour. Modern scholars have been inclined to make excuses for Lucullus and Sulla.[39] It is true that when the peace of Dardanus was made there was no prospect of an immediate successful conclusion to the war: Mithridates was still at large with considerable forces at his disposal, and, as subsequent events were to show, no Mithridatic war could be regarded as over as long as the king himself was on the loose. But if Lucullus had co-operated with Fimbria at Pitane, Mithridates would probably have been a prisoner. It is also true that Sulla was in no hurry, that he spent eighteen months arranging the affairs of Asia and Greece and cosseting his health before he invaded Italy. But that in itself is not enough to absolve him of the charge of being more concerned with revenge on opponents in Italy than with Mithridates. Precipitate haste would have been foolish in embarking upon so momentous an enterprise, and the months of administration in Asia and Greece were also a time of military, naval and financial preparation for the war to come.[40] The reorganization of the war-torn provinces was necessary and could hardly be neglected: if it had been, Sulla would have laid himself even more open to the accusation of neglecting Rome's interests in order to pursue a private feud. No doubt he thought of this, and he may also have reckoned that delay, punctuated by suitably phrased missives from himself, would help to spread dissension and despondency among his potential opponents at home.

As his colleague in the consulship of 85 Cinna had chosen Cn. Carbo. Once Sulla's actions had put it beyond doubt that he proposed to return to Italy in arms, the consuls wasted no time in beginning their military preparations and their propaganda campaign. They set about collecting money, troops and corn from all over Italy, courted the upper classes in the Italian towns, on whose attitude much would depend, and canvassed the support of the new citizens in general, claiming that the threat they now faced was the consequence of their devotion to the Italian cause. This had a certain plausibility, despite the fact that Sulpicius' proposal had still not been put into practice. For all the upheavals of subsequent years could be seen as stemming from the original clash in 88 between Sulpicius and Sulla, which had indeed arisen over the Italian question. No doubt the consuls also warned the Italians that, if Sulla gained control, they would certainly have no hope of fair distribution and might even lose their citizenship as well. That too, given Sulla's stand in 88,

[39] Bennett 1923 (C 24) 52; Sherwin-White 1984 (D 291) 142ff; *contra*, Badian 1964 (A 2) 225; 1970 (C 13) 19; Bulst 1964 (C 35) 321. [40] Pozzi 1913/14 (C 119) 644ff.

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might well sound convincing. It would therefore be prudent for Sulla to try to persuade the Italians that they had nothing to fear, that he was not opposed to their legitimate aspirations, and of this Sulla proved well aware.

He had already written to the Senate, probably after the death of Fimbria. The contents of this letter are unknown, but the sending of it of course implied that Sulla considered himself to be a legitimate proconsul, not a public enemy. Probably late in 85 he wrote again. First he recited his achievements in the Jugurthine and Cimbric Wars, in Cilicia and in the Social War, in his consulship and most recently against Mithridates, and stressed that he had harboured the refugees driven out of Rome by Cinna. Then he complained of the treatment he had received from his enemies in return for these services, and promised that he would come to take vengeance on the perpetrators in the name of his murdered friends, his family and the whole city. But, he went on, he bore no grudge against the mass of citizens, old or new. The similarity of form and content between this letter and that written by Caesar at the outset of his civil war is immediately striking. The inclusion among his achievements of the acts of his consulship, the Mithridatic War, and his succour of the refugees implied the validity of those acts and of his standing as proconsul and the invalidity both of his proclamation as a *hostis* and of all the other measures taken against him. (This conviction that his position as proconsul was unimpaired by the acts of his mortal enemies and acceptable to the gods who showed their favour by granting him victories is also vigorously advertised on Sulla's coinage.)[41] The identification of his cause with that of the state, already implied by the point about the refugees, was reinforced by the terms in which he formulated his threat of vengeance. The final clause was nicely judged to create dissension between those who had played an active part in opposition to Sulla and support of Marius and Cinna and those who had merely acquiesced in what had gone on but might have feared that they would be judged guilty by association. It also constituted Sulla's first step towards undermining the potentially solid support of the new citizens for Cinna and Carbo in defence of their hard-won privileges.

The immediate response was all Sulla could have hoped for. The *princeps senatus* L. Flaccus took the lead in proposing that an embassy be sent to Sulla to try to reconcile him with his enemies and to encourage him, if he felt the need of guarantees of his safety, to write again to the Senate. This proposal clearly represents an effort, not merely to avoid a renewal of civil war, but, somewhat unrealistically, to assert the corporate authority of the Senate over any individual, whether Cinna and Carbo on the one hand or Sulla on the other. For the offer to provide

[41] Crawford 1964 (B 146) 148; Keaveney 1982 (C 87) 118f; 1982 (C 90) 154ff.

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guarantees of Sulla's safety must, to be meaningful, imply that Sulla should disband his forces on reaching Italy like any other proconsul. It is unlikely that Cinna and Carbo opposed the motion, for such a course would have irrevocably branded them as the instigators of conflict. Nor were they strong enough to run the risk of offending C. Flaccus, brother of the suffect consul of 86, who was in command of an army in Gaul. There is thus no need to postpone Flaccus' proposal until after the elections and the consuls' departure from Rome.[42]

As an earnest of good will and a further attempt to establish its control the Senate instructed Cinna and Carbo to stop their preparations for war until a reply came from Sulla. The consuls agreed to do so, but in fact at once arranged their re-election for 84, so as not to have to return again to Rome for the elections, then went on with their recruiting drive. It was their intention to meet Sulla in Greece, whether on purely military grounds or to spare Italy the horrors of renewed civil war and deprive Sulla of the opportunity to put into practice his protestations of good will towards the new citizens. So they began to concentrate their forces at Ancona in order to ship them across to Liburnia. The first contingent was transported safely, but the second was hit by a storm, which caused the loss of several ships, and the survivors dispersed to their homes, saying that they did not want to fight against fellow-citizens. What followed is not entirely clear. According to Appian the troops still at Ancona, when they heard the news, refused to embark. Cinna called an assembly but was met with disobedience, and his efforts to impose discipline only caused an escalation of violence, which culminated in his death. Thus the mutiny and the assassination of Cinna arose entirely from the men's reluctance to fight and Cinna's attempt to force them to do so. Plutarch offers a story with a very different emphasis. He records that Pompey was in Cinna's camp, but, in fear of his life because of false accusations brought against him, secretly withdrew to a place of safety. His disappearance provoked a rumour that Cinna had had him done away with, and this inspired the mutiny which ended in Cinna's death. That Pompey should have appeared in Cinna's camp is hardly surprising, nor perhaps that, seeing which way the wind was blowing, he should quickly have decided to dissociate himself from Cinna, perhaps after tampering with the wavering loyalty of the troops. But it is hard to see why Cinna's men should be much concerned about Pompey's fate, and Plutarch's account of the outbreak of the mutiny must exaggerate his importance.[43]

Both the brevity and the partial nature of Cinna's 'domination' make it difficult to pass any confident judgement on him as a man or as a politician. He was aware of the potential of the appeal to an army that had

[42] As Gabba 1958 (B 40) 208. [43] Bennett 1923 (C 24) 61; Keaveney 1982 (C 88) 116.

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just been demonstrated by Sulla and showed some acuteness in exploiting a *popularis* line of argument when making his histrionic approach to the troops at Nola. But there is nothing in the evidence, such as it is, to suggest that he had any awareness of the political problems that confronted the Republic or any solutions to offer. His attitude to the major political issue of the day, the distribution of the new citizens, was clearly based entirely on self-interest: he took up their cause in order to gain support and once he was in power became decidedly lukewarm. We know little of the functioning of Senate, magistrates and courts. The Senate clearly met and discussed matters of moment. It was prepared to defy Cinna and Carbo and try to make them comply with its wishes, though equally Cinna and Carbo ignored the Senate's instructions when they felt so inclined. There are few traces of activity, corrupt or otherwise, in the courts, but, once the initial wave of killings and expulsions was over, there is equally little sign of extra-legal persecutions. Cinna appears, as far as we can tell, to have given no thought to his own position in the state, his only apparent aim to hold the consulship year after year, his only object in holding it the enjoyment of power for its own sake and for survival. From a purely senatorial point of view the killings of 87 were worse than anything that had gone before, though they pale into insignificance when compared with the slaughter that Sulla was soon to unleash.

After Cinna's death Carbo abandoned the plan of facing Sulla outside Italy and brought back the men who had already crossed to Liburnia. He was reluctant to return to Rome, but was forced to do so by the tribunes, who threatened to deprive him of his *imperium* unless he arranged for the election of a suffect consul. So Carbo visited the city, but the first day fixed for the election proved ill-omened and on the second lightning struck the temples of Luna and Ceres. The augurs decreed a further postponement, and eventually Carbo held office without a colleague till the end of the year.

Also some time after the death of Cinna envoys came from Sulla bearing his eagerly awaited reply to the Senate's overtures. Our sources differ as to its content and tone. Appian makes Sulla bluntly reject both the Senate's suggestions. To the appeal for reconciliation he replied that he himself could never be friends with those who had committed such crimes, but that he would not hold it against the state should it choose to grant them protection. As for the offer of guarantees, he pointed out that because of the loyalty of his army he had no need of such assurances and indeed was better placed to offer them not only to the refugees but to the Senate itself: in other words, he had no intention of disbanding his army. For himself he demanded the annulment of the *hostis* declaration and the restoration of his property, his priesthood and all his other honours. The

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*Epitome* of Livy on the other hand offers a version much more favourable to Sulla: he promised to obey the Senate, provided only that the citizens expelled by Cinna who had taken refuge with him were restored, while nothing is said of any personal demands on his part. The version of Appian is surely to be preferred. Sulla's conception of himself as the equal of the state and his contempt for the Senate's efforts to cut him down to size seem wholly in character. The most he was prepared to do was to give the Senate the chance to repudiate his enemies and choose his side well in advance of the confrontation he was determined to force.

The Epitomator claims that the Senate was in favour of accepting Sulla's terms, but was prevented by Carbo and those who, like him, saw in war the only chance of their own survival. Appian says that the envoys returned from Brundisium to Sulla when they learned that Cinna was dead and that opinion at Rome was hostile to Sulla. This need not mean that they themselves never went to Rome to deliver their message to the Senate, a course of action which would clearly have put Sulla in the wrong. If Appian's words refer to their reception at Rome, this would be compatible with a division of opinion in the Senate, though if Appian's version of Sulla's letter is correct, Carbo may have had quite substantial support.[44]

The coinage of these years has as its principal themes not only peace and economic recovery but also the unity of Italy and the harmony of Italy and Rome.[45] But in reality Carbo was already worried about the loyalty of the Italians. Their patience had been sorely tried by Cinna's failure to keep his promise to distribute them through all the tribes and they might now be tempted by the guarantees offered by Sulla: the attitude of Cinna's troops at Ancona had been highly disquieting. So, after the rejection of Sulla's embassy, Carbo planned to take hostages from all the towns of Italy to make sure of their support. But the Senate, clearly eager to prove to Sulla that it was not committed to Carbo's cause, opposed this step, though Carbo seems to have tried to go ahead with the scheme regardless.[46] The Senate did pass a decree which at last provided for the distribution of the new citizens throughout the thirty-five tribes. Whether this was done at Carbo's instigation or to steal his thunder is unfortunately unclear. However, it was almost certainly Carbo who somewhat later proposed a second decree extending the same privilege to freedmen, as Sulpicius had originally intended. The Senate also voted that all armies should be disbanded. Carbo may well have supported this decree, which might serve to put Sulla in the wrong by branding him as the aggressor, but many of those who voted in favour

[44] Cf. Pozzi 1913/14 (C 119) 651; Ensslin 1926 (B 33) 446; Frier 1971 (C 53) 593f.
[45] Rowland 1966 (B 236); Crawford 1964 (B 146) 148.
[46] Cf. Val. Max. VI.2.10.

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may still have cherished the futile hope that the Senate could even now assert its authority over the rival generals without a resort to force.

## III. THE CIVIL WAR, 83–81 B.C.

In the spring of 83 Sulla crossed to Brundisium with an army that consisted in essence of the five legions with which he had fought the Mithridatic War, a force much smaller than that which his opponents could hope to muster, but experienced, used to working together and totally devoted to their general. Not surprisingly Brundisium welcomed the invaders and was rewarded in due course by exemption from customs duties. Once Sulla had committed himself, support began to arrive. M. Crassus is said to have joined him even before he crossed to Italy. When he heard the news of Cinna's death, Crassus had raised an army in Spain and made his way to Africa to link up with Metellus Pius, though the two men soon quarrelled. Pius had tried to secure control of Africa, but had been driven out by the governor, C. Fabius Hadrianus. He may then have taken refuge in Liguria before bringing his forces to Sulla soon after his landing. He still considered himself a proconsul and was acknowledged as such by Sulla: his accession brought Sulla considerable prestige. More dramatic was the arrival of Pompey. After Cinna's death he had remained on his estates in Picenum, but now he raised a legion from among his clients and set out to join Sulla. It is impossible to determine exactly when and where they met, but Sulla treated the young man with exceptional respect, laying on a guard of honour, rising to greet him and addressing him as *imperator*. Pompey was then sent back to Picenum to use his influence in the region in a further recruiting drive, while Crassus was sent to raise troops among the Marsi. Nor was it only exiles and other sympathizers who came to Sulla. Renegade supporters of Cinna and Carbo were to form an increasingly prominent element in his following.[47] The first to be mentioned is one of the most remarkable: P. Cornelius Cethegus, one of the twelve *hostes* of 88, who now threw himself on Sulla's mercy and offered his considerable, if dubious, talents to the cause. He was welcomed, as somewhat later was C. Verres, who had been Carbo's quaestor in 84 and was still serving under him, but went over to Sulla, bringing with him Carbo's military chest.

Feeling in Rome and Italy was predominantly hostile to Sulla. The memory of his march on Rome in 88 and his reputation as an implacable hater reinforced disapproval with fear. So, when the consuls L. Cornelius Scipio and C. Norbanus (representatives of the nobility on the one

[47] Keaveney 1984 (C 93) 142f.

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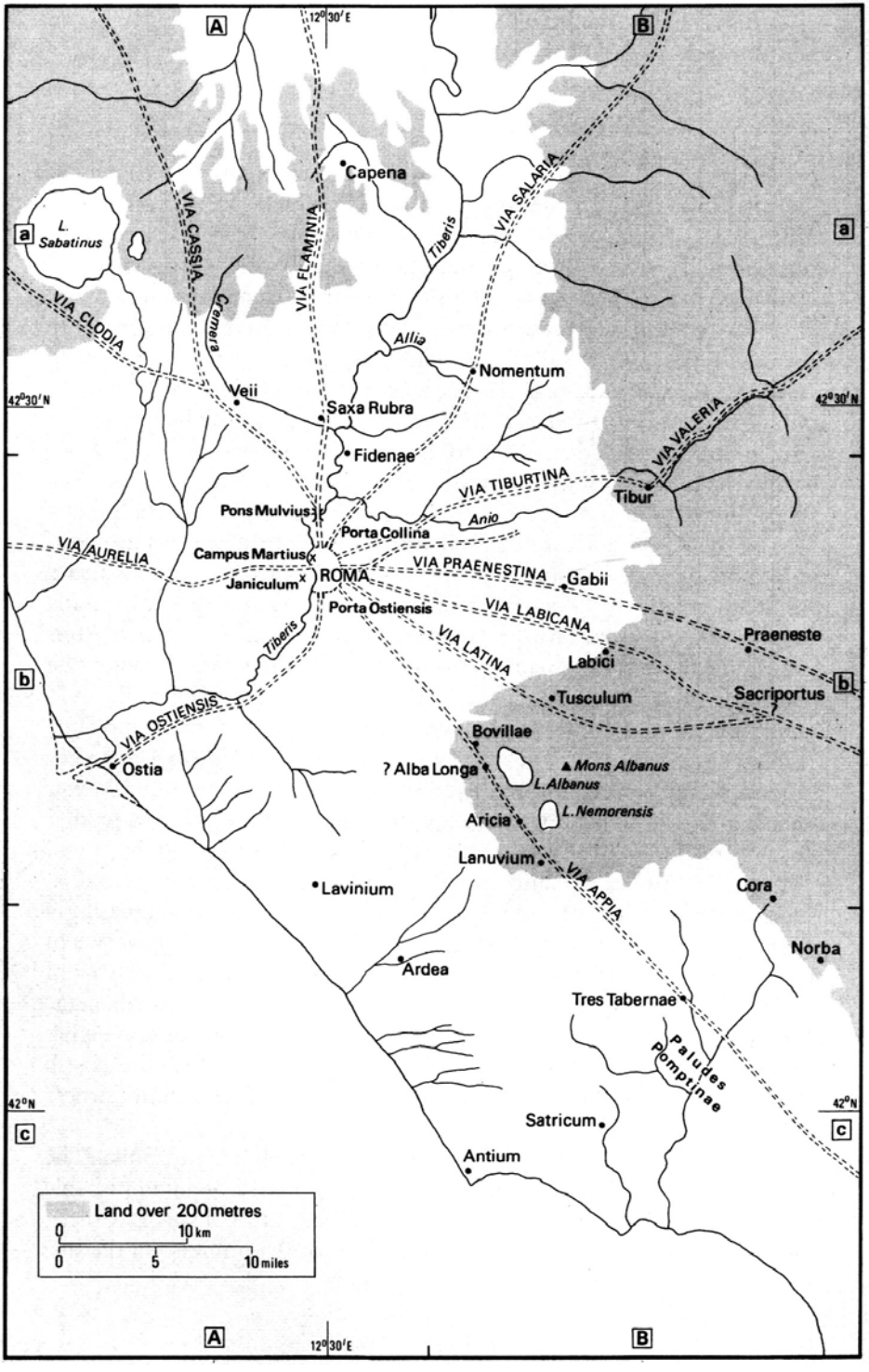


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hand, Italy on the other), strengthened by the passing of the *senatus consultum ultimum*, sent men all over Italy to collect troops, supplies and money, they received considerable support. It was clear that the first major theatre of war would be Campania, which may help to explain the proposal of a tribune, M. Iunius Brutus, to establish a colony at Capua.[48]

After the battle of Chaeronea the oracle of Trophonius at Lebadea had prophesied that Sulla would rout his enemies when he returned to Italy and, despite an unfavourable omen at Dyrrachium, he now received further signs of divine favour. The seer Postumius descried a promise of victory in a sacrifice made by Sulla at Tarentum, while on his march a slave, inspired by Ma-Bellona, also foretold his success, with a warning that, if he did not hurry, the Capitol would be destroyed by fire, as indeed it was on 6 July. At first Sulla was able to advance quickly. His generosity to his troops in Asia had been such that he was able not only to declare but to enforce a ban on looting. From Brundisium he followed the Via Appia, probably as far as Caudium. There he made a detour by way of Saticula and Calatia before heading for his first objective, Capua. Only now did he encounter opposition. The consuls had taken the dangerous step of dividing their forces to block his possible lines of advance, and Sulla found Norbanus stationed near Casilinum to defend the crossing of the Volturnus and the junction of the Viae Appia and Latina. Before resorting to battle Sulla tried negotiations, but his envoys were mistreated by Norbanus. No doubt Sulla's principal motives were to strengthen his image as a man of peace who had been driven to war by the intransigence of his enemies and, as always in his diplomatic manoeuvres, to undermine their precarious solidarity and spread dissension in their ranks. But if his offer had been accepted he would surely have been pleased. He might then have been able to gain control of Rome without having to fight for it, and it need not be supposed that he would have allowed himself to be cheated of his revenge on that account, even though he would have had to devise a somewhat different pretext. The armies clashed near the foot of Mount Tifata. Norbanus suffered heavy losses and was forced to withdraw to Capua.

Rather than waste time on a blockade, Sulla continued up the Via Latina towards Teanum Sidicinum, where the other consul Scipio was established. Morale in Scipio's army was already low and Sulla tried to undermine it further by again sending envoys to negotiate in the hope that battle would prove unnecessary. Unlike Norbanus, Scipio was prepared to listen. He may well have believed, however optimistically, that real advantages might accrue from a negotiated peace. Thousands of citizen lives would be saved, and although any agreement would leave Sulla master of Rome, he would have less excuse to indulge in violence

[48] Gabba 1973 (c 55) 151ff.

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than if he came to the city as the victor in a long and bitter war, especially as he would find there more men who might try to restrain him than if his leading opponents were all already dead or in exile. So Scipio and Sulla met between Cales and Teanum and actually came to an agreement. Its contents are known only from Cicero's vague description in the *Twelfth Philippic*, which makes it clear at least that they were very wide-ranging: they covered the authority of the Senate, the votes of the people and the right of citizenship. That Sulla took it on himself to lay down the law on such matters demonstrates yet again his opinion of his own importance. It is likely that he agreed to stand by his recent acquiescence in the distribution of the Italians throughout all the tribes on condition that the measures he had passed in 88 to restore the predominance of the Senate and reform voting in the popular assemblies were acknowledged as valid. Scipio then sent a message to Norbanus at Capua to try to secure his assent. Unfortunately, from his point of view, he chose as his envoy Sertorius, who did not trust Sulla, had been against negotiating in the first place, and thought that there was greater hope of safety in carrying on the war. So on his way to Capua he turned aside and broke the truce arranged by Sulla and Scipio by seizing the town of Suessa, which had already gone over to Sulla. Sulla at once protested, and Scipio, despite his innocence, had no choice but to declare their agreement at an end and return Sulla's hostages.

For Sulla the collapse of the negotiations brought both diplomatic and practical advantages. His claim to be the champion of peace received a considerable boost and he could now maintain that his opponents had placed themselves wholly in the wrong. Indeed, he even used their continued resistance from this moment on as a formal justification for the blood-bath that followed the fighting. Moreover, Scipio's already unenthusiastic army had welcomed the prospect of peace and placed the blame on the consul when it receded. They made it clear that if Sulla approached their camp they would not resist but come over. So Sulla made as if to attack, but instead sent in his troops with orders to fraternize. This move was completely successful, and by the time Sulla himself entered the camp he found only the unfortunate Scipio and his son still there. He tried to persuade them too to change sides, but when they refused let them go. Sulla tried to repeat his trick by sending a second embassy to Norbanus, who was still at Capua, but the consul made no reply, so Sulla continued his advance, while Norbanus, it seems, abandoned Capua and retreated to Praeneste.

Meanwhile Carbo had based himself at Ariminum, the key to Cisalpine Gaul. He had already suffered a defeat in a cavalry engagement against Pompey in Picenum, where Pompey's attempts at recruiting had been much more successful than those of Carbo's emissaries: he had

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raised a further two legions. It was probably now, rather than when he first joined Sulla, that three enemy commanders attacked Pompey as he made his way back to Sulla: C. Carrinas, L. Iunius Brutus Damasippus, whom he routed, and a third whose identity is uncertain, perhaps C. Coelius Antipater.[49] Pompey also encountered the consul Scipio, who had acquired another army, but who now suffered the humiliation of seeing his troops desert for a second time. Later in the year Carbo visited Rome to hold the consular elections. While he was there he caused Metellus Pius and all other senators who were with Sulla to be declared *hostes*. The consuls elected were drawn from the hard core of the resistance to Sulla, the political heirs of Marius and Cinna, between whom and Sulla there was such a degree of mutual hatred that they had no choice but to fight to the last. Carbo himself was consul for the third time, and to try to exploit the magic of a name he took as his colleague C. Marius, son of the great man, who was only twenty-six.

Both sides devoted the remainder of 83 to recruiting and other preparations for the crucial campaign of 82. After his escapade at Suessa, Sertorius had raised a considerable force in the old Marian stronghold of Etruria, but he made himself unpopular at Rome by his criticisms of the inertia and incompetence that had marked the resistance to Sulla so far. He also disapproved of the choice of Marius as consul, perhaps because he had been hoping to be Carbo's colleague himself. So at the end of the year he left Italy to try to assume control of his praetorian province, Hispania Citerior. Sulla followed up his earlier assurances to the Italians by making a series of formal agreements with Italic peoples, in which he guaranteed that he would not deprive them of their citizenship nor interfere with their distribution throughout the tribes. It is probable, however, that no treaty was made with the Samnites, not because Sulla nursed an atavistic racial hatred or because he cherished any devious scheme to disguise a civil war fought to satisfy a private grudge as a struggle for national survival against Rome's oldest enemy, but because he denied the validity of the terms made by Marius and Cinna in 87 and so did not recognize the Samnites as Roman citizens.[50]

Bad weather had prevented any fighting in Italy over the winter, but the year began badly for Sulla's opponents in other theatres of war. The governor of Africa, Fabius Hadrianus, perished in a rising at Utica and the praetor Q. Antonius Balbus lost Sardinia and his life to L. Philippus, who had thrown in his lot with Sulla. When the campaign in Italy began in the spring, Sulla divided his forces. He himself continued his march towards Rome and Etruria, while Metellus headed north to tie Carbo down at Ariminum and try to gain control of Cisalpine Gaul. He enjoyed

[49] Tuplin 1979 (C 145); *contra*, Keaveney 1982 (C 88) 118f.
[50] Pozzi 1913/14 (C 119) 668, better than Salmon 1964 (C 128) 74ff.

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an immediate success, defeating the praetor C. Carrinas in a battle on the Aesis. Carrinas suffered heavy casualties and withdrew, probably to Spoletium, while the whole region went over to Pius. Carbo now advanced in person against Metellus and contrived to surround him, but news soon came of a major defeat inflicted by Sulla on Marius, and so Carbo judged it prudent to return to Ariminum. On the way his rearguard suffered at the hands of Pompey, whom Sulla had sent to help Metellus.

Sulla had proceeded along the Via Latina and made contact with the consul Marius near Signia. The decisive battle took place at Sacriportus (the exact site is unknown, but it probably lay close to the junction of the Viae Latina and Labicana). Encouraged by yet another favourable dream, Sulla himself was at first eager to fight, but his men were exhausted, it was raining hard, and his officers at last persuaded him to make camp. Marius seized the opportunity to attack, but first his left wing began to give ground and then a substantial part of his force deserted. The remainder fled to Praeneste, with Sulla's men hot on their heels. Only the first arrivals got in safely before the gates were closed. Marius himself had to be hauled up on a rope. Sulla took many prisoners and put all the Samnites among them to death. According to Appian he announced as his reason that the Samnites had always been enemies of Rome. Whatever his exact words, the underlying implication must have been that Sulla did not acknowledge the Samnites as citizens. If he rejected, as he surely must have done, the validity of their agreement with Marius and Cinna, then logically they must have been for him still belligerents in the Social War – which may be what he actually said. This vindictive act was to have drastic consequences, for it provoked a massive rising in Sulla's rear which came close to depriving him of ultimate victory.

Sulla left another renegade, Q. Lucretius Afella, to besiege Praeneste, from which Marius sent a message to Rome instructing the urban praetor Brutus Damasippus to put to death any leading men whom he suspected of sympathy for Sulla. Damasippus summoned a meeting of the Senate, at which four men lost their lives. Pompey's father-in-law P. Antistius and C. Papirius Carbo Arvina were killed in the building, L. Domitius Ahenobarbus, consul in 94, and Q. Scaevola the *pontifex maximus*, the most distinguished of the victims, as they were trying to escape. The bodies were thrown into the Tiber.[51] Sulla sent detachments down all the roads to Rome – the Latina, Labicana and Praenestina – and it became clear that Damasippus' murders had done nothing to strengthen resistance, for the city at once opened its gates rather than face a

[51] After Sacriportus: Pozzi 1913/14 (C 119) 669; Keaveney 1982 (C 87) 138f; *contra*, Hackl 1982 (C 71) 251.

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blockade. When Sulla himself arrived on the Campus Martius he found that all his opponents had fled. They were promptly declared *hostes* and their property was confiscated. Sulla probably did not enter the city – though the Senate would surely have granted him a dispensation – but summoned an assembly, to which he apologized for the present disturbances and promised that they would soon be brought to an end and the affairs of Rome put in order. Leaving a garrison of veterans behind, he set off without further delay to meet Carbo in Etruria.

Things had continued to go well for Sulla elsewhere.[52] Carbo had suffered a second defeat at the hands of Metellus, while Pompey had beaten Marcius Censorinus near Sena Gallica. But when news came of the siege of Praeneste Carbo's first priority inevitably became the relief of his colleague. With considerable skill he succeeded in withdrawing his forces from further confrontation with Metellus and established his base at Clusium. Norbanus was left at Ariminum to try to hold down Metellus. But Pius was able to ship his army to Ravenna and occupied the surrounding plain before making for Faventia, while Pompey now moved to rejoin Sulla. Meanwhile in the south Neapolis was betrayed to Sulla.

Sulla himself advanced along the Via Cassia towards Clusium, while another detachment took the Via Clodia to Saturnia. Both were successful: Sulla's cavalry defeated Carbo's on the Clanis, while the other force won a battle at Saturnia. A protracted clash between Sulla and Carbo before Clusium ended indecisively, but elsewhere his generals enjoyed consistent good fortune. Pompey and Crassus, who had occupied Tuder early in the year, defeated Carrinas near Spoletium and shut him up in the town. However, Carbo sent a force to relieve him and though Sulla inflicted some damage on it in an ambush it achieved its objective. But more important was the failure of a force of eight legions commanded by Censorinus, which Carbo sent to raise the siege of Praeneste. Pompey ambushed it in a defile and penned the survivors on a hill. Censorinus himself escaped and made his way back to Carbo, but his army blamed him for falling into Pompey's trap: the majority of the men dispersed to their homes, while one legion made its own way back to Ariminum.

But at this point help came for Praeneste from an unexpected quarter. Sulla's treatment of his Samnite prisoners after Sacriportus had provoked a rising of the Samnites, who were joined by the Lucanians, and a combined Samnite and Lucanian force, led by the Samnite C. Pontius Telesinus, the Lucanian M. Lamponius and the Capuan Gutta, set out for Praeneste. Sulla was in no doubt about the urgency of this threat. He at once left Carbo to his own devices at Clusium and hurried to protect

[52] Pozzi 1913/14 (C 119) 670ff; Keaveney 1982 (C 88) 121ff.

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Afella. It is impossible to determine from Appian's vague description exactly where or how Sulla disposed his forces, but he prevented the Italian army from making its way past Afella's position and effecting a junction with Carbo's forces to the north.[53] In alarm Marius made an attempt to break out, but this too failed.

In the north things went from bad to worse. Metellus had encamped at Faventia, where he was rashly attacked by Norbanus late in the day on extremely unsuitable ground. Norbanus was heavily defeated, and there followed the now familiar pattern of desertions and dispersals. Among those who went over to Metellus was a legion of Lucanians commanded by P. Albinovanus, another of the twelve *hostes* of 88. Albinovanus came to an arrangement with Pius to betray his fellow-commanders in exchange for an amnesty. He invited Norbanus and others to a banquet, at which all the guests were murdered. Norbanus had prudently stayed away and made his escape to Rhodes, where he later committed suicide when tracked down by Sulla's bounty-hunters. Albinovanus then surrendered Ariminum and the whole of Cisalpine Gaul went over to Pius, while M. Lucullus, who had been besieged by one Quinctius at Fidentia, made a successful sortie and defeated his opponent.[54]

Carbo sent a second force, this time of only two legions under Damasippus, to relieve Praeneste, but again Sulla blocked its path and it too could find no way past. At this and the collapse of resistance in the north Carbo seems suddenly to have lost his nerve. He abandoned his army at Clusium, intending to withdraw to Africa. A serious defeat at the hands of Pompey produced further dispersals, but Carrinas, Censorinus and Damasippus made a last effort to relieve Praeneste from the north, in conjunction with the Samnites who were trying once more to break through from the south. This attempt too failed, and so it was decided to try a diversion by marching on Rome itself, which now lay almost empty of both men and supplies, in the hope of drawing Sulla out of his impregnable position. By the early morning of 1 November the Italian force had reached a point just over a Roman mile from the Colline Gate. But although Telesinus may have made a speech urging his men to destroy the wolf in its lair, he made no attempt to take the city. No doubt, whatever his ultimate intentions may have been, he realized that it would be not only pointless but dangerous to allow his men to be distracted by the delights of sacking Rome while Sulla was still in the field. So the Samnites and their allies waited for Sulla to appear.

Sulla had sent a squadron of cavalry ahead while he himself hurried in full force down the Via Praenestina. About noon he encamped near the temple of Venus Erycina. The battle began in late afternoon, against the advice of some of Sulla's officers, who thought that the men were too

[53] Lewis 1971 (C 98). [54] Gabba 1958 (B 40) 244f.

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tired. The right wing, commanded by Crassus, won an easy victory, but the left, under Sulla's own command, broke. Sulla risked his life in trying to rally his forces but they fled, despite his despairing prayers to Apollo, towards the city. Sulla was forced to take refuge in his camp, and some of his men rode for Praeneste to tell Afella to abandon the siege, though Afella refused to panic. But when Sulla's fleeing troops reached the gates of Rome the veterans dropped the portcullis, compelling them to stand and fight. The battle continued well into the night, as slowly but surely Sulla's men gained the upper hand, until finally they captured the Samnite camp. Telesinus himself was found among the dead, but Lamponius, Censorinus and Carrinas escaped. Later still messengers came from Crassus, who had pursued the enemy as far as Antemnae, and Sulla learned for the first time of his success.[55] Censorinus and Carrinas were soon captured and killed, and their heads were sent by Sulla to Afella at Praeneste, along with those of Telesinus, Damasippus, who had also fallen in the battle, and Marius Gratidianus, who was tortured and killed by L. Catilina at the tomb of Catulus, whom he had prosecuted after Cinna's capture of Rome. To all intents and purposes the civil war in Italy was over, though Praeneste had not yet fallen and a few other towns still held out – Norba fell early in 81, but Nola not until 80, Aesernia and Volaterrae only in 79 – and Sulla's enemies still held Sicily, Africa and Spain.[56]

When he learned of Crassus' success, Sulla went at once to Antemnae. There 3,000 of the survivors offered to surrender, and Sulla promised them safe-conduct if they killed those in the town who still favoured resistance. They did so, but when they emerged they were brought to Rome and penned in the Villa Publica along with the prisoners taken at the Colline Gate. There all were massacred by Sulla's troops, within earshot of the Senate, which Sulla had summoned in the temple of Bellona nearby to receive his report on the Mithridatic War. After his speech in the Senate Sulla addressed the people. He promised that things would change for the better if men obeyed him, but also made it clear that he would take revenge on any man of the rank of military tribune or above who had aided his enemies in any way since the day that L. Scipio had broken the truce.

Then Sulla set out for Praeneste. There Afella's display of the heads taken at the Colline Gate had proved that further resistance was useless, and the city surrendered. Confusion reigns in the sources as to the fate of Marius: either he was captured and killed while trying to escape, or he committed suicide, whether alone or in a pact with Telesinus' younger brother. His head was sent by Afella to Sulla. Some prisoners of senatorial rank were put to death at once by Afella, but the bulk of the

[55] Keaveney 1982 (C 87) 144ff. [56] Aesernia: Keaveney–Strachan 1981 (B 52).

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men taken was reserved to await the judgement of Sulla. His solution was to divide the prisoners into three groups: Romans, Praenestines and Samnites. The Romans were pardoned, the Samnites slaughtered, the Praenestines, apart from a few that Sulla felt had served his cause, met the same fate.[57]

To recover the vital corn-producing provinces of Sicily and Africa Sulla chose Pompey. The young man had already received one reward: a marriage alliance with Sulla.[58] The bride was Sulla's stepdaughter Aemilia, daughter of M. Scaurus. She was already married to M'. Acilius Glabrio and pregnant, but Glabrio was persuaded to divorce her while Pompey divorced the luckless Antistia. Yet the scheme came to nothing, for Aemilia shortly died in labour. Pompey's position was for the first time placed on a legal footing: he was granted praetorian *imperium* by the Senate. After his initial flight to Africa Carbo had decided to join forces with the governor of Sicily, M. Perperna. He established himself on the island of Cossyra and sent M. Brutus, praetor in 88, on a reconnaissance to Lilybaeum. Brutus, however, was surrounded by Pompey's fleet and committed suicide. Carbo himself then tried to land in Sicily, but found that Perperna had already left the island. He tried to escape to Egypt, but was captured at Cossyra and brought to Pompey, who had him put to death. The description of Carbo as still consul at the time of his death, whether legally accurate or not, places it before the end of 82. Pompey was later accused of ingratitude, since Carbo had defended him in 86, but Carbo's name had figured on the first proscription list, so although the proscriptions had not yet been legalized Pompey had little choice. Their previous connexion would merely have made it more essential for Pompey to give this proof of loyalty to Sulla. With his legate and brother-in-law C. Memmius, Pompey then devoted himself to the reorganization of the island and seized the opportunity to form numerous *clientelae*, his most noteworthy protégé being Sthenius of Himera.

In Sicily Pompey received a letter from Sulla to inform him that a further decree of the Senate had empowered him to proceed to Africa, where another refugee, Cn. Domitius Ahenobarbus, had secured the support of Hiarbas of Numidia. Leaving Memmius in charge of Sicily, Pompey invaded Africa and according to Plutarch took only forty days to capture Domitius and his camp, put Hiarbas to death and replace him with the more reliable Hiempsal, achievements for which he was saluted as *imperator*. Domitius too was executed: again his proscription provided the justification, but again there were repercussions later. In Sulla's eyes Pompey had now served his purpose. He wrote again, ordering Pompey to disband his army except for one legion, with which he should wait till

[57] Keaveney 1982 (c 87) 149.
[58] Plut. *Pomp.* 9.1ff; *Sulla* 33.3; though cf. Keaveney 1982 (c 88) 132.

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his successor arrived. But Pompey wanted a triumph, and although he was in no position to offer a serious military challenge to Sulla, he calculated that he could afford to risk being awkward. His troops, no doubt suitably primed, refused to go home unless Pompey came with them, and so he brought them back to Italy in person. Once he realized that Pompey was not in revolt, Sulla stifled his resentment and even made a point of addressing him as Magnus, a name just given him by his troops in Africa. But now Pompey demanded his triumph. Sulla, angry at his presumption, refused on a technicality: Pompey was not yet a senator. Pompey persisted, impudently warning Sulla that more men worshipped the rising than the setting sun. Sulla gave way, and on 12 March 81 Pompey achieved the first great landmark of his extraordinary career: a triumph at the age of twenty-four while he was still an *eques*.[59]

## IV. SULLA'S DICTATORSHIP AND ITS AFTERMATH, 82–78 B.C.

Sulla's treatment of his prisoners, savage though it was, was at least governed by rational considerations of a kind. But from the moment of his capture of Rome his supporters had run riot not only in the city but all over Italy, killing for profit, pleasure or personal vengeance anyone they pleased. Indeed the proscriptions, Sulla's most notorious legacy to Rome, were instituted as a response to protests against the arbitrary nature of these killings, though the details of the exchanges between Sulla and his critics remain uncertain. Even so loyal and distinguished an adherent of Sulla as Q. Catulus is said to have enquired whether anyone was to be left alive, but the first list was issued by Sulla after a plea that, if he would not reveal whom he proposed to spare, he would at least make known whom he had decided to punish, though it is not clear whether this request was made in spontaneous anger by a young and not easily identified C. Metellus or in prearrangement with Sulla by one Fursidius or Fufidius.

Those named on the lists were condemned to death without trial, their property was confiscated, and their descendants were barred from standing for office for two generations, though they were still liable to the duties of their station. Rewards were promised to those who killed the proscribed or gave information which led to their capture, penalties imposed on anyone who concealed or otherwise helped them. The first list was published before the fall of Praeneste, perhaps on the day after that meeting of the Senate which had been shocked by the slaughter of the prisoners. Its length is a matter of dispute: Appian speaks of 40 senators and some 1,600 *equites*, though the latter figure may represent the eventual total, while Plutarch and Orosius agree that the first list

[59] Badian 1955 (c 5); Seager 1979 (c 258) 12 n. 46; *contra*, Twyman 1979 (c 148).

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contained 80 names. It was swiftly followed by two more, each containing some 220 names according to Plutarch. At first there was no indication of how long the lists would remain open; only later did Sulla announce that no names would be added after 1 June 81. Two consuls and two consulars were named on the first list: Carbo, Marius, Norbanus and L. Scipio, who had taken refuge at Massilia; so too was Sertorius. It seems that Scipio was deprived of his augurate and the vacant position in the college filled by Sulla himself.[60] Also proscribed, though somewhat later, was the young Julius Caesar, who refused to divorce Cinna's daughter when ordered to do so by Sulla. In consequence he lost his position as *flamen Dialis* designate, but was eventually pardoned by Sulla on the intercession of Mam. Lepidus, C. Cotta and the Vestal Virgins. Nor was the witch hunt confined to Rome. Agents both Roman and Italian visited every region, and in the towns of Italy just as in Rome itself the proscriptions were exploited by unscrupulous men to gain wealth and get rid of their political adversaries. Crassus is said to have earned Sulla's lasting displeasure by proscribing a man in Bruttium solely in order to secure his estate, while the activities of Oppianicus at Larinum and the Roscii at Ameria (of which later speeches by Cicero inform us) are no doubt typical of what went on all over the country.

If Sulla seriously intended the institution of the proscriptions to clarify and stabilize a totally confused situation, he failed completely, but it is hard to believe that he cared. The published lists were frequently tampered with, while in the carrying out of executions and the claiming of rewards, cases of mistaken and falsified identity were not uncommon. The criteria of guilt were never properly applied. Despite his disapproval of some who enriched themselves, Sulla himself seems to have been easily persuaded by his satellites to add names to the lists to satisfy personal grudges or greed for rich men's property and auctioned off confiscated goods to his favourites at prices well below the market value. Many such abuses must also have taken place without his knowledge; Cicero's insistence that Sulla had no part in his freedman Chrysogonus' machinations against Roscius is probably true. It was in any case inevitable that the rich should be the principal victims. Sulla was not concerned with pursuing the rank and file who had fought against him but only those who, thanks to their wealth or social standing, had played a more conspicuous part in the resistance, that is members of the senatorial and equestrian orders. However, the fact that the number of *equites* proscribed was twenty times greater than the total of senators was not a consequence of any special hatred of the order on Sulla's part, but a simple reflection of the relative numbers of senators and *equites* involved in the conflict.

[60] Badian 1968 (C 11) 38.

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Even the dead had not escaped Sulla's vengeance: he had ordered the remains of the great Marius to be disinterred and scattered. But with his thirst for revenge eased if not yet slaked he took thought for his own position in the state. In November 82 the Senate decreed that all his acts, both as consul and proconsul, should be ratified. It also voted him a gilt equestrian statue, to be set before the rostra, the first time such an honour had been vouchsafed to a Roman citizen. The inscription read, according to Appian, 'Cornelio Sullae Imperatori Felici'; however, it may be that the last two words should be reversed. If so, this suggests that this decree of the Senate was the same that conferred on him officially the *agnomen* Felix, the formal assumption of which should probably be placed after the fall of Praeneste rather than after his triumph.[61] His adoption of the Greek surname Epaphroditos, which he had used during the Mithridatic War and after, was also perhaps approved at this time.

Sulla knew perfectly well what he wanted, the obsolete office of the dictatorship; but he proposed to make use of it in an unprecedented way which, by accident or design, had more in common with the functions of the *Xviri*, who were believed to have drawn up the Twelve Tables (Vol. VII², pp. 113ff), than with those of any previous dictator.[62] First he instructed the Senate to appoint an *interrex*, for both consuls had been proscribed and both were now dead. The Senate's choice fell on its *princeps*, L. Flaccus, though it is hard to believe that many were so sanguine as to hope, as Appian suggests, that he would arrange for consular elections to be held. Next Sulla wrote putting his own views to Flaccus: he thought that in the present situation the appointment of a dictator would be beneficial, not for the traditional brief fixed period but until stable government had been restored throughout the empire, and that he himself would be an eminently suitable candidate. So Flaccus promulgated a law. By its terms Sulla was to be made dictator indefinitely to put the state in order and draft laws. Any measure he might take was ratified in advance; whether or not he submitted his proposals to the people for formal validation was entirely up to him. In particular he was to have the right to condemn citizens to death without trial. The people had no choice and the law was duly passed. Flaccus nominated Sulla as dictator, and Sulla in turn named Flaccus as his *magister equitum*.[63] It perhaps needs to be emphasized that Sulla was not appointed dictator for life. The definition of his mission, broad though it was, constituted in itself a kind of time-limit, albeit an inevitably vague one. It was taken for granted that when Sulla had completed that mission according to his lights he would lay down his dictatorship, and there is

[61] Balsdon 1951 (C 18) 4f; Gabba 1958 (B 40) 263; *contra*, Keaveney 1983 (H 68) 45 n. 6.
[62] Bellen 1975 (C 23) 560ff; Keaveney 1982 (C 87) 162.
[63] Cic. *Att.* IX.15.2; Gabba 1958 (B 40) 341f.

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nothing but the anachronistic surprise of later sources to suggest that Sulla himself considered for a moment the possibility of trying to retain his power for life. A minor puzzle concerns the number of his lictors. It is said that he had twenty-four and that this was unprecedented. The figure need not be doubted, but the comment may well be incorrect.[64]

Sulla promptly held elections for the consulships of 81. M. Tullius Decula and Cn. Cornelius Dolabella were elected. It is unfortunately unclear whether it was at these elections that Q. Lucretius Afella tried to stand, although he had held no previous public office, basing his claim on his services to Sulla at Praeneste. It is perhaps more likely that Afella stood now, while his success at Praeneste was still fresh in men's minds and before Sulla's law on observance of the regular *cursus* had been passed, than that he tried in deliberate defiance of Sulla's rules to stand against the formidable combination of Sulla himself and Metellus Pius for the consulship of 80.[65] But even now Sulla would not allow such irregularity. He warned Afella to withdraw, but when he persisted had him killed and made it clear to the people that no protests would be tolerated. Then on 27 and 28 January 81 Sulla celebrated his triumph over Mithridates. On the second day the treasures taken by Marius from Rome to Praeneste were exhibited, while the restored exiles marched in the procession, saluting Sulla as their saviour and father. The implication is clear: those Romans who had fought against Sulla were traitors who had by so doing given aid to the national enemy Mithridates. In view of Sulla's own dealings with Mithridates the irony could hardly be bettered.

But even before this Sulla may have begun on the great work of reform. His first law was probably that which, retrospectively and till 1 June, authorized the proscriptions. On a more constructive level his aim, broadly speaking, was to restore the predominance of the Senate, which since 133 had been subjected to intermittent challenge and gradual erosion. But to do this he had to reconstruct the Senate itself, which had been depleted to about half its normal strength of 300 first by the Social and civil wars, then by Sulla's own proscriptions. Sulla began by bringing the numbers up to 300, probably using the traditional criterion of distinguished service in war, which might explain the hostile tradition that he put common soldiers in the Senate, then he enrolled some 300 further members. (It is possible that each tribe was allowed to nominate eight or nine.)[66] These came from the equestrian order; the obvious and only other qualification will have been loyalty to Sulla. It has been claimed that Sulla was hostile to the *equites* and wanted to leave the order weak and leaderless by creaming off its best men into the Senate. There is

[64] Livy *Per.* LXXXIX; Marino 1973–4 (C 104) 420f; Keaveney 1983 (C 92) 193 n. 58.
[65] *Contra*, Gabba 1958 (B 40) 276f; Keaveney 1982 (C 87) 198f.
[66] Gabba 1958 (B 40) 343ff; 1973 (C 55) 159ff, 409ff.

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no warrant for this. The structure of Roman society was simply such that the equestrian order was the only conceivable source of new senators on such a large scale. To keep the Senate up to strength in future Sulla increased the number of quaestors elected each year from eight to twenty and enacted that they should automatically enter the Senate at the end of their year of office instead of waiting for enrolment at the next census. There is, however, no evidence that Sulla was hostile to the censorship as an institution, wanted to abolish it, or sought to weaken it by this measure.

Sulla also acted to suppress those forces which had undermined the authority of the Senate over the previous fifty years. Outstanding among these had been the tribunate, and Sulla set out to render it politically harmless. The tribunes were deprived of the power to introduce legislation.[67] The right of veto remained, without restriction, if Caesar is to be believed, as he probably should be.[68] To ensure that the tribunate became, as Velleius puts it, a shadow without substance, Sulla also enacted that any man who held it should be debarred from tenure of any further public office. Thus, he hoped, men of talent and ambition would shun the tribunate, so that any future agitation for the restoration of its powers would prove ineffective. He also wished to establish the Senate's control over other magistrates, indeed over all individuals. To this end he revived the *lex annalis*, enforcing the proper order of the *cursus* – quaestorship, praetorship, consulship – and laying down minimum ages for election to each office: probably twenty-nine for the quaestorship, thirty-nine for the praetorship and forty-two for the consulship.[69] To prevent such inordinate accumulations of power and *auctoritas* as had recently been achieved, most dramatically by Marius but also to a lesser extent by Cinna and Carbo, Sulla resurrected another old rule, which required an interval of ten years before the iteration of any office.

But it was clear that in the future the greatest threat to senatorial control must come from a contumacious proconsul backed by an army, like Sulla's more loyal to its commander than to the state. Sulla understood the problem and did his best. He certainly did not lay down that consuls or praetors must remain in Rome until the end of their year of office.[70] Nor is it likely that the increase in the number of praetorships to eight was intended to make it possible to replace all provincial governors at the end of each year. There might quite often be cogent military or administrative grounds for prorogation, but even when no such grounds existed governors often remained in their provinces for

[67] Keaveney 1982 (C 87) 186 n. 3; *contra*, Gabba 1958 (B 40) 273f.
[68] Caes. *BCiv.* 1.5.1; 7.3; see Lintott 1978 (B 190) 127.
[69] Fraccaro 1956–7 (A 33) II 225ff; Gabba 1958 (B 40) 342f.
[70] Balsdon 1939 (C 167) 58ff; Giovannini 1983 (F 62) 75ff, 91ff.

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two years or longer. In any case such a system could work only if every magistrate were compelled by law to take a province at the end of his year of office, but in fact there was no compulsion, nor even indeed any pressure. What Sulla did do, through the medium of his law of *maiestas*, was to limit strictly the action which a governor could take without authority from the Senate or People. He could not on his own initiative leave his province, lead his army outside it, enter a foreign kingdom or make war, and he must leave his province within thirty days of his successor's arrival. Of these provisions only the last was perhaps new, and it is clear that they were meant to be interpreted in the light of common sense, not in a fashion so literal as to make effective frontier defence impossible. But such legal safeguards would be of use only as long as the Senate was in reality stronger than any individual governor. Once a commander came upon the scene with the ambition to seize supreme power for himself and the military strength to give him a fair chance of success, then the fear of prosecution if he failed would no longer restrain him. Indeed the threat of political extinction in the courts might even help to drive him into open revolt.

But if the seeds of such a revolt had been sown in the eighties, when the young Caesar learned, like Sulla, to despise the Senate as it then was, it must be said that Sulla's new Senate was to show itself no more deserving of respect. Its members lacked the individual authority, the practical experience, the public spirit and above all the moral self-confidence to make a success of the mammoth task of social and political regeneration that lay before them. Many can have felt little commitment to the preservation of Sulla's work. The *Sullani* had come from various backgrounds and had joined Sulla for differing reasons. Both the extent of their personal loyalty to Sulla and the degree to which they shared his political views must have varied enormously. Essentially they had had only two things in common: an enemy and a leader. When both these factors ceased to operate, their natural diversity reasserted itself. A small core of aristocrats – Catulus, Hortensius, the Luculli and others – remained totally dedicated to Sulla's ideals, but the gulf between them and the mass of senators grew progressively wider, while all alike, haunted by the fear of a new Sulla, were trapped in a sterile conformism which exalted mediocrity and looked on talent with resentful suspicion.[71]

The Senate had also been weakened by its contest with the equestrian order for control of the *quaestiones*, especially the extortion court. Sulla's views on this subject were predictable: the juries were from now on to be drawn entirely from the Senate. In addition he revised and extended the whole system of standing courts in a reform which was to prove the most

[71] Meier 1966 (A 72) 243, 257, 265; Badian 1970 (C 13) 29ff, Keaveney 1984 (C 93) 146ff.

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durable aspect of his work, surviving into the early Principate (ch. 13, pp. 512–30).

In dealing with the popular assemblies and the people in general, apart from abolishing tribunician legislation, Sulla stood by his promise to uphold the citizenship and voting rights of the new citizens, though freedmen were again confined to the four urban tribes. He enfranchised many of the slaves of his victims, allegedly more than 10,000 in number. Since Appian stresses that they were picked for their youth and strength, they were presumably intended not only to vote themselves but to exercise persuasion on their fellow-voters. However, they are never heard of again and there is nothing to suggest that they were ever called upon to fulfil their corporate function. Clearly no man inherited their loyalty after Sulla's death. Like any good Roman conservative Sulla saw the distribution of cheap corn to the people as a demoralizing drain on the treasury, and so distributions were abolished. He also deprived the people of the share in the choice of priests given to it by the Lex Domitia of 104. He restored the old system of co-option and increased the membership of the major priestly colleges to fifteen. The Sibylline books had been destroyed when the Capitol was burned in 83 and Sulla gave orders that the collection should be reconstructed.

He also passed various sumptuary restrictions. Gambling was prohibited except for bets on certain kinds of athletic contest. Price controls were imposed on exotic foods and limits placed on permitted expenditure for everyday meals, festive banquets, funerals and monuments to the dead, though these were much higher than those permitted by the Lex Licinia of the late second century. Such measures were always fashionable with reformers and always futile. Indeed Sulla himself was accused of breaking his own laws with his spending on public feasts and on Metella's funeral.

Sulla's treatment of Italy was guided by two considerations: the need to find land for his veterans – Appian says as many as twenty-three legions were settled – and the attitude of the Italian peoples in the recent war.[72] Some areas, such as Apulia, Calabria and Picenum, had largely favoured Sulla from the first. But the greater part had been hostile: Campania, Latium, and especially Etruria and Umbria. But even in regions that were predominantly hostile some communities will have been well disposed to Sulla, while within individual communities the allegiance of the leading families will not always have been unanimous. It is possible that a few of the towns where Sulla settled his men were not being punished for resistance but simply revived after the ravages of war, but the vast majority had been hostile and received colonists or other settlers to punish their recent indiscretions and secure their future

[72] Keaveney 1982 (c 89) 511ff.

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loyalty. The penal element is particularly clear in places where the older community was reduced to an inferior status, as for instance at Clusium, Nola, Pompeii and Faesulae. Essentially three modes of settlement were employed: viritane allotments in existing colonies and *municipia*, the addition of a colony to an already existing *municipium*, and the establishment of a colony accompanied by the downgrading of the original inhabitants. The method chosen in individual cases perhaps reflected the degree of guilt of the community concerned. The exact number of Sulla's colonies cannot be determined, nor can it be said with confidence of several of the towns where Sullan settlements are known whether or not these had colonial status. However, Praeneste, Faesulae, Clusium, Arretium, Nola, Pompeii and Urbana may be regarded as certain, together with Sulla's one colony outside Italy, Aleria in Corsica. In at least two cases, Volaterrae and Arretium, Sulla not only confiscated land (though some of it at least was never settled, so that the former owners remained in illegal occupation until formally restored by Caesar in 59) but also deprived the people of their citizenship. However, even before Sulla's death the courts refused to uphold the latter measure.

Some areas which had been hostile were physically and economically unsuited to the development of urban communities, for instance Bruttium, Lucania and some parts of Samnium. Here, and elsewhere too, Sulla's supporters were allowed to amass large estates. Apart from such grants, would-be latifundists were often able to acquire land illegally from the veterans, though their allotments were supposed to be inalienable. Not all of them had an interest in farming, some were cheated when land was distributed, some inevitably received bad land, others were put off by the climate of ill will that must have greeted them in many areas. Some will have preferred to rejoin the army, for which there was ample opportunity in the next decade, for even those who had been longest in Sulla's service had got used to a life of luxury in Asia and may have found the prospect of hard work unappealing. For the dispossessed, on the other hand, there were few opportunities. Some made their way to Spain to join Sertorius, some remained on the land as tenants or labourers, some drifted to the towns, some took to brigandage. In a sense Sulla's arrangements stabilized the tenure of land in Italy for a generation, simply because they were so far-reaching that any serious attempt to overturn them, however well intentioned, would have engendered total confusion, and so such attempts were always resisted even by men like Cicero, who had no love of Sullan *possessores*. But the settlement of the veterans, though meant to bring security and guard against a *coup d'état*, created widespread friction and unrest which increased the likelihood of an attempted *coup*. Sulla was only very recently dead when trouble between the colonists and the dispossessed

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gave Lepidus his opportunity (ch. 7, pp. 208–10), while by the time of Catiline (ch. 9, pp. 346–60) the colonists themselves were ripe for trouble.

To commemorate his victories Sulla instituted games in 81, the *ludi Victoriae Sullanae*, which ran from 26 October to 1 November, the anniversary of the battle of the Colline Gate. To coincide with this first celebration he dedicated a tenth of his booty to Hercules and feasted the Roman people on a lavish scale. At some point he also extended the *pomoerium* (the sacral boundary of Rome); his justification was an adjustment of the boundary between Italy and Cisalpine Gaul. But during the games his wife Metella fell ill. Sulla was by now an augur, and to avoid pollution he had her removed from his house before she died and also divorced her.

The consular elections of 81 may have taken place in July, as became the custom after Sulla, so that the consuls designate came to play a leading part in senatorial debates in the second half of the year. Sulla himself stood and was elected, together with his most distinguished supporter, Metellus Pius. His candidature may perhaps have contravened his own *lex annalis*, since he had been consul less than ten years previously. However, we do not know when the law was passed and no doubt the Senate would have granted him a dispensation in case of need. Before entering office as consul he resigned the dictatorship, though the exact date remains controversial. It would probably be generally agreed that he laid it down at the end of 81.[73] It is, however, possible that he resigned somewhat earlier. The famous occasion when he dismissed his lictors and walked about the Forum as a private citizen, challenging anyone who wanted to call him to account, must surely be the day on which he gave up supreme power, not merely the last day of his consulship in 80. But if Sulla did this on the last day of 81, when he and everyone else knew perfectly well that on the next morning he would once more hold *imperium* and be attended by lictors, the challenge would be curiously hollow. It is therefore tempting to believe that Sulla, who understood the theatre, gave up his dictatorship long enough before the end of 81 for his gesture to have at least some dramatic force.

Whenever precisely it occurred, Sulla's resignation of the dictatorship and his appearance as consul with Pius might be read as indications that the crisis was over and that political and social life should now return to normal. In this year the trial of Sex. Roscius of Ameria gave the young Cicero the chance to preach an eloquent sermon on this text.[74] He was critical of the lawlessness and violence that had been rife immediately after Sulla's victory, but his real concern was for the future. It was not

[73] Badian 1970 (C 14) 8ff; Keaveney 1980 (C 86) 158; *contra*, Twyman 1976 (B 117) 77ff, 271ff (mid-80).

[74] Buchheit 1975 (B 7); Seager 1982 (B 106); *contra*, Kinsey 1980 (B 56); 1982 (B 57) 39f.

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only men like Sulla's freedman Chrysogonus who had taken advantage of the troubled times to increase their fortunes by dubious means; too many of the nobility had been tempted to do the same. Cicero had probably been briefed by Roscius' noble patrons, but he exploited the freedom of speech enjoyed by a new man to lecture the nobles on their social and political duties: unless they devoted themselves to the restoration of traditional values and took up once more their inherited burden of public service, Sulla's victory would not have been worth winning. Cicero was taking no serious risk: neither Sulla nor any self-respecting noble could do other than agree with virtually every word he said. But his closing diatribe highlights the political and moral expectations that decent men might entertain of those whom Sulla had cast as the leading figures in his republic, expectations that were all too soon to be proved vain.

In 80 Sulla married again for the last time. His new wife Valeria, a relative of the orator Hortensius, had picked him up at a gladiatorial show. It was also probably in this year that a wife to replace Aemilia was found for Pompey. Again she was drawn from the circle of the Metelli: Mucia, half-sister of Q. Metellus Celer, consul in 60, and Q. Metellus Nepos, consul in 57. Both the consuls of 80 were allocated provinces. Pius received Hispania Ulterior, which had fallen into the hands of Sertorius. After his original flight from Italy Sertorius had been driven out of Spain by C. Annius Luscus. But in 80, after various adventures in Africa, he was invited to return by the Lusitani and lead them in revolt, and he soon inflicted a defeat on L. Fufidius, the governor of Ulterior. This one last pocket of external resistance clearly needed to be nipped in the bud, and so Pius was sent to regain control of the country. Sulla's province was Cisalpine Gaul, but he preferred not to take it. Instead he moved to a villa near Puteoli, spending his time in hunting, fishing, drinking with old friends from the world of the theatre and writing his memoirs.

The consular elections for 79 had brought to office loyal friends of Sulla, P. Servilius Vatia and Ap. Claudius Pulcher, who thus received compensation for his sufferings under Cinna. But the elections for 78 were a different matter, and the course of events makes clear what perhaps needs emphasis, that Sulla's resignation of absolute power did not betoken a total loss of interest in politics. He was still prepared to intervene in matters on which he had strong views, though now he could no longer be sure of getting his way. Of the consular candidates for 78 he supported the claims of Q. Catulus and perhaps Mam. Lepidus, but looked with disfavour on M. Lepidus, a renegade Marian who had enriched himself in the proscriptions and narrowly escaped prosecution for extortion after his governorship of Sicily in 80. Catulus safely secured

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election, but Mamercus failed, while M. Lepidus came top of the poll, thanks in part to the support of Pompey, with whom Sulla quarrelled fiercely, cutting the young man out of his will. It is unlikely that Pompey had any specific end in mind beyond the possibility that Lepidus, if elected, might create some kind of disturbance. Any emergency might give Pompey a chance to further his extraordinary career, whereas for him stability could only mean stagnation.

If such was Pompey's hope it was amply fulfilled, though it is unclear when Lepidus started to agitate for the repeal of some of Sulla's measures. The fullest source is the speech put into his mouth by Sallust, in which Lepidus is already consul, yet speaks as if Sulla were not only alive but still retained supreme power. Yet Lepidus had not long been in office when Sulla died. While dealing with a dispute in the affairs of Puteoli he suffered a massive haemorrhage, probably brought on by acute liver failure, the result of a lifetime of hard drinking, and he died the next day.[75]

The consuls had quarrelled constantly ever since taking office, but the question of Sulla's funeral divided them still more bitterly. Catulus was in favour of the unprecedented honour of a state funeral, Lepidus argued against. On this issue Pompey supported Catulus, and the partisans of Sulla carried the day. Sulla's body was brought to Rome on a golden bier with an ever-growing escort of veterans and others. At the ceremony farewell tributes were paid by the priestly colleges, the Senate and magistrates, the equestrian order, the veterans and the people. The funeral oration was probably delivered by Hortensius, or perhaps by L. Philippus – Sulla's son Faustus was too young – and the body was cremated. Even in death Sulla was lucky: the rain which had threatened all day held off until all was over. He himself had asked for burial, according to the custom of the Cornelii, but Philippus had judged it prudent to ignore his wishes, for fear that if he were buried his remains might one day suffer the same fate as he had meted out to those of Marius. On his tomb in the Campus Martius was inscribed the epitaph he had composed for himself: no friend ever outstripped him in doing good, no enemy in doing harm.

[75] Keaveney–Madden 1982 (c 95) 94f.

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CHAPTER 7

# THE RISE OF POMPEY

ROBIN SEAGER

## I. THE REVOLT OF LEPIDUS, 78–77 B.C.

Catulus and Lepidus quarrelled again as they left Sulla's funeral, and Lepidus soon stepped up his agitation. He promised to rescind Sulla's acts, to recall those who had been driven into exile and to restore their lands to those who had been dispossessed to make way for Sulla's veterans. He may also have succeeded in passing a law reviving distributions of cheap corn. Another issue promptly raised and constantly debated in the years that followed was the tribunate. It seems, though the text of Licinianus is uncertain, that the tribunes of 78 asked the consuls to restore the tribunician power, but that Lepidus was the first to refuse and surprisingly convinced a majority of those present that such a measure would serve no useful purpose. If so, then he later changed his mind and championed the tribunate, allegedly in the interests of concord.

These squabbles may have been enough to inspire the consul Catulus to introduce his law against public violence, though it may equally have been a response to the more serious disturbances that soon arose.[1] The simmering discontent created by Sulla's expropriations in many parts of the Italian countryside boiled over in one of the worst-hit areas, Etruria. The Sullan colonists at Faesulae were attacked by men who had lost their land and in some cases their citizen rights as well. The Senate was sufficiently alarmed to send both consuls to suppress the rising. What happened next is obscure, but Lepidus seems to have put himself at the head of the insurgents and clashed with Catulus, who was prepared to use force to resist him. But instead of giving Catulus firm backing the Senate imposed an oath to keep the peace on both consuls and, to placate Lepidus and get him out of Italy, took the dangerous step of assigning him Transalpine Gaul, perhaps with Cisalpina too, since we find that the latter province was occupied in 77 by Lepidus' legate M. Iunius Brutus. No doubt many senators could not face the prospect of another civil war that might culminate in another capture of Rome and the loss of their

[1] Lintott 1968 (A 62) 111ff.



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newly restored authority. But then, feeling that it had humoured Lepidus enough, the Senate summoned him to Rome to hold the consular elections. Instead Lepidus marched on the city at the head of the insurgents and issued a demand for an immediate second consulship. As a would-be new Sulla he was not impressive. It was true that he had hereditary ties in Cisalpine Gaul and needed to be suppressed before he could gain control there and perhaps establish a link with Sertorius, but the actual task of suppression should not have seemed forbidding: his makeshift forces, though numerous, presented no serious threat. Yet so haunted was the Senate by the spectre of civil war that despite his contumacy and his military weakness some senators were still in favour of coming to terms.

There were no consuls to give the Senate a lead, for though the year had turned the elections had still not been held. It was left to L. Philippus to rally opinion and propose the *senatus consultum ultimum*, under which Catulus as proconsul was charged with putting down his erstwhile colleague. The Senate also appointed a second commander to help Catulus in this task: Pompey, whose probable calculation of his own advantage was thus proved correct. His exact position is uncertain. His *imperium* was once more praetorian, but whether he was officially Catulus' legate or formally independent cannot be decided.[2]

As Lepidus continued his march on Rome, Catulus and Pompey occupied the Mulvian Bridge and the Janiculum, a battle was fought, and Lepidus retreated. Only at this late stage was he declared a *hostis*, a further proof of the Senate's conciliatory mood and perhaps of its reluctance to resort to the devices that had been so abused in the previous decade. Lepidus made his way to Etruria, pursued by Catulus, while Pompey headed for Cisalpine Gaul, where he besieged M. Brutus at Mutina. Brutus, perhaps deserted by his troops, surrendered and was shortly afterwards put to death. The exact circumstances are obscure: the version most charitable to Pompey was that Brutus was killed while trying to escape. As in the cases of Carbo and Domitius there may have been formal justification: it is not unlikely that Brutus had been declared a *hostis* at the same time as Lepidus. But this killing too was remembered against the 'adulescentulus carnifex', to use the phrase of the orator from Formiae, Helvius Mancia. After the execution of Brutus Pompey drove the remnants of his forces as far as Liguria, where Lepidus' son Scipio was captured and killed at Alba Pompeia. He then returned to Etruria in time to join Catulus in the final battle against Lepidus at Cosa. Defeated once more, Lepidus sought refuge in Sardinia, where he shortly afterwards fell ill and died. Those of his men who did not disperse were taken to Spain by Perperna.

[2] Seager 1979 (C 258) 15f; Helvius Mancia: Val. Max. VI.2.8.

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Now that the rising was safely subdued Catulus ordered Pompey to disband his troops, but Pompey refused. The object of his contumacy was limited and specific. He was not threatening civil war to make himself dictator, he merely wanted to be sent to Spain, where for two years Metellus Pius had been making little headway against Sertorius. It is probable that Pius had already asked for support; the only question was who should be sent to assist him. Consuls had at last been elected for 77: Mam. Lepidus, in whose favour another loyal Sullan, C. Scribonius Curio, had stood down, and D. Brutus. Both, however, had declared their unwillingness to go to Spain. This refusal should not be taken as a sign of sympathy for Lepidus or Sertorius himself; they simply had no wish to undertake a difficult, dangerous and unrewarding war.[3] But it put the Senate in a quandary, for several other potential commanders were already engaged elsewhere: Servilius Vatia in Cilicia against the pirates, Ap. Claudius in Macedonia and C. Cosconius in Illyricum. As Pompey no doubt knew, there was no candidate more likely than himself, indeed there was none at all. It was his old protector L. Philippus who took the lead in pointing out to the Senate that it had no choice and proposed that Pompey be sent to Spain 'non pro consule' as he put it 'sed pro consulibus'.

## II. POLITICS AT ROME, 77–71 B.C.

The young Caesar had returned to Rome from service in Cilicia under Servilius Vatia as soon as he heard of Sulla's death. Unlike his brother-in-law L. Cinna, who was one of those forced to take refuge with Sertorius, he had prudently avoided involvement with Lepidus. But in 77 he prosecuted Cn. Cornelius Dolabella, consul in 81 under Sulla's dictatorship, who had returned from his province of Macedonia to celebrate a triumph. Dolabella could command distinguished advocates – Hortensius and C. Cotta, Caesar's uncle by marriage – and Caesar not surprisingly failed to win his case. But his efforts put him in the public eye and gained him the good will of the Greeks, who turned to him again in the following year for help against another Sullan exploiter, C. Antonius. The case was heard by M. Lucullus, the peregrine praetor, who found in favour of the Greeks, though Antonius escaped by summoning the tribunes to his aid. Lucullus' edict (concerning the delicts that he would permit to be prosecuted before him) bears witness to the disturbed conditions still prevalent in the Italian countryside, for he found it necessary to include an action against crimes committed by armed bands of slaves.

The dominant political theme of the decade was to be the campaign to

[3] Seager 1979 (C 258) 17.

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restore the tribunician power. After the abortive approach made by the tribunes of 78 to Lepidus and Catulus, nothing is heard of any agitation in 77, when the upheaval caused by Lepidus may have pushed the matter into the background. But in 76 a tribune, Cn. or L. Sicinius, raised the question of tribunician rights again. However, he had to face vigorous opposition from one of the consuls of the year, C. Curio, who more than made up for the notorious inertia of his colleague Cn. Octavius. What happened to Sicinius is far from clear: in the words put by Sallust into the mouth of Licinius Macer, Curio hounded him to destruction, whatever that may mean. Q. Opimius, a tribune of 75, somehow offended against Sulla's ordinances in the exercise of his veto and, perhaps more importantly, uttered sentiments unwelcome to distinguished men. On laying down his office he was prosecuted by Catulus and Hortensius and suffered a ruinous fine.

The consuls of 75 were L. Octavius, as lifeless as his namesake in the previous year, and C. Cotta, the former friend of Livius Drusus, an ambitious man with a brother standing for the consulship of 74, who was ready not only to spend money but also to pass laws that had popular appeal in order to win support. It was perhaps this motive, rather than fear, as Sallust makes Macer claim, that led Cotta to betray his position at the heart of the oligarchy and introduce a law, strongly disapproved of by the rest of the nobility, which once again allowed holders of the tribunate to stand for higher office. Cicero tried in 65 for reasons of his own to minimize the importance of the step, suggesting that it gave the tribunes a little dignity but no more power. Strictly speaking this was true, but it was plain that the removal of the ban would encourage men of talent to stand for the tribunate, so that the pressure for the restoration of its legislative powers would increase until it finally achieved its object.

Cotta also had other pressing matters to think about. There was a shortage of corn and prices were high. At one point an angry mob attacked the consuls, who were escorting Q. Metellus, later consul in 69 and now a candidate for the praetorship, down the Via Sacra, and forced them to take refuge in Octavius' house, which was fortunately close at hand. It is worth noting that Metellus failed to gain election.[4] In a speech put into his mouth by Sallust Cotta admitted his desire for popularity and insisted on his devotion to the people which had recalled him from exile. He also catalogued the problems that faced the Republic. In Spain both Pompey and Pius were clamouring for reinforcements, supplies and money, while on the other side of the Roman world armies were needed not only in Macedonia but also, because of the growing threat from Mithridates, in Cilicia and Asia, and Rome's economic difficulties meant

[4] Seager 1970 (B 103); 1972 (B 104). For the consuls exercising censorial functions and letting contracts, Cic. II *Verr.* 3.18; Engelmann and Knibbe 1989 (B 150) 25, line 73.

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that she was less able than before to police the seas and guard the corn supply against enemies and pirates. This gloomy picture is largely justified. Servilius celebrated a triumph in 75, but despite his considerable achievement piracy was still a menace, while the problems of Sertorius and Mithridates remained unsolved.

The gravity of the situation in Spain was underlined by a letter of complaint from Pompey, which probably reached Rome at the beginning of 74. Sallust preserves a version. Pompey claimed that despite his repeated appeals his army had been reduced to starvation by lack of support from home. Spain and Gaul had been bled dry and his personal resources of cash and credit were exhausted. The letter ended with an oracular warning: unless help was forthcoming from the Senate, his army and with it the whole Spanish War would shift to Italy. This should not be taken as a veiled threat to join forces with Sertorius and invade Italy, but rather as a hint that he might be driven out of Spain and chased home by Sertorius. Of this there was no real possibility. Despite the relative lack of success enjoyed so far by Pius and Pompey, Sertorius was never in a position to mount an invasion of Italy even if he wanted to. Nevertheless, the letter produced the desired effect. New efforts were made to supply the men and materials needed for Spain; the consuls L. Lucullus and M. Cotta were prominent among those who exerted themselves. There is, however, no reason to assume that until now Pompey had been deliberately starved of supplies and reinforcements by men who resented his premature and irregular rise to prominence. However disquietingly abnormal his career, he was pursuing it at this time in the service of Sulla's Senate against Sulla's and the Senate's enemies, and not only he but the irreproachable Metellus had complained about the problems they had encountered in Spain. Nor can Lucullus and Cotta have been afraid that Pompey would come back from Spain to stake a claim to the command in any war against Mithridates that might be imminent. If he had just proved unable to cope with Sertorius, he would hardly seem a plausible candidate for immediate re-employment on an even more difficult mission. Lucullus and Cotta will simply have wanted to improve the situation in Spain and leave themselves free to exploit developments in the East.[5]

It is unfortunately unclear just when in 74 the consuls saw the chance to secure for themselves commands against Mithridates. The king had probably always intended to make a fresh attempt to drive the Romans out of Asia Minor. The conduct of Murena, Sulla's reaction to it and Rome's refusal to ratify the Peace of Dardanus will have given him in his own eyes at least ample excuse, and he may well have believed, rightly or wrongly, that Servilius' operations in Cilicia were directed as much

[5] Seager 1979 (C 258) 19.

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against himself as against the pirates (see ch. 8, p. 232). In 75 C. Cotta had received Cisalpine Gaul as his province, Octavius Cilicia. Lucullus too was allocated Cisalpine Gaul; we do not know what province was originally assigned to M. Cotta. But when Octavius died early in 74 Lucullus resorted to sordid intrigue with the mysteriously influential P. Cethegus and his mistress Praecia to secure Cilicia for himself. Then something happened to cause a further dramatic revision of provincial appointments. Lucullus was given Asia as well as Cilicia and M. Cotta's province, whatever it was, was changed to Bithynia, whose king Nicomedes had died during 75. Moreover, a third important command was created for the praetor M. Antonius to deal with piracy. (Pirates had recently even captured Caesar, though he soon made them pay for their presumption.)[6] Antonius' appointment was to last for three years and to cover the whole coastline of the Mediterranean and its islands up to a distance of eighty kilometres from the sea; his *imperium* was to be equal with that of any governor with whom he might come into contact. However, his detractors were to say that Antonius caused greater devastation than the pirates.

The stimulus for these developments cannot have been Mithridates' invasion of Bithynia, which did not take place until spring 73, though the king may have made some ominous moves in 74. The most important factor was probably news of his pact with Sertorius, which is likely to have been concluded in summer 74.[7] Both Mithridates and Sertorius had already received assistance from the pirates, and their agreement must have made it seem at Rome as if all her major enemies were now combining to pose a single unified threat that spanned the Mediterranean. The Roman response, if viewed as a whole, reflects this reaction: a stepping-up of the war effort in Spain, a drive against piracy not merely in one isolated centre but over the whole Mediterranean, and action to protect Rome's most valuable province, Asia, and the obvious prime target for invasion, Bithynia, against any new initiative by Mithridates.

The tribunician power was again a cause of agitation in 74, but in this year it became somewhat fortuitously linked with another matter of which nothing had yet been heard since Sulla's legislation on the subject – senatorial control of the courts. The cause of the tribunes was taken up by L. Quinctius, but like Sicinius before him he found consular opposition too effective to be broken. Lucullus for the moment gained the upper hand and put a stop to Quinctius' efforts, though the tribune never forgave his adversary and was able to secure revenge some years later. But Quinctius was also exercised by another issue: bribery in the courts, as exemplified at the prosecution by Cluentius of Oppianicus for attempted murder, one of the high spots of that lurid tale of the

[6] Ward 1977 (C 151). [7] McGing 1984 (D 33) 17f; Sherwin-White 1984 (D 291) 162ff.

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traditional rustic virtues so deviously narrated in Cicero's *pro Cluentio*. Quinctius defended Oppianicus, who was nevertheless condemned. The tribune decided that his client must therefore be the innocent victim of bribery – in fact it seems highly likely that substantial sums had been expended by both parties – and mounted a violent campaign against the president of the court, C. Iunius, and corrupt senatorial courts in general. From this point on the themes of the tribunate and the courts seem to have been linked in the public mind, though at this stage Quinctius' involvement was all that they had in common.

In 73 another tribune carried on the work of agitation, C. Licinius Macer, orator and historian. The speech ascribed to him by Sallust contains predictable complaints against domineering consuls and exhortations to the people to stand up for its rights. More importantly, for the first time the name of Pompey is brought into conjunction with the question of the tribunate. Macer allegedly made two claims. First, he said that those who wished to keep the tribunes powerless were putting forward the implausible excuse for delay that they could not come to any decision until Pompey returned. If this argument was really being used as a delaying tactic it must have caused a great deal of exasperation, since to claim that the Senate could not pronounce on the matter in the absence of one young man who was not even a senator was patently absurd. But Macer also claimed to know that when he did come home Pompey would use such influence as he had in favour of the restoration of tribunician power. It is hard to know whether Macer was telling the truth. It is not impossible that Pompey had already decided the line he was going to take on this issue and had made his views known to Macer with permission to publish, but there is no evidence now or later for any political link between the two men. It is therefore perhaps more likely that this was a cunning move by Macer made on his own initiative. By taking Pompey's name in vain, he could create in the people expectations of Pompey's support which Pompey, whatever his wishes, could not then disappoint without running the risk of a loss of popularity.

The year 73 also provided evidence of continuing problems with the corn supply. The governor of Sicily, C. Verres, was instructed first by a decree of the Senate, then by a law passed by the consuls, M. Lucullus and C. Cassius Longinus, to buy corn at a fair price in Sicily, over and above the regular annual tribute, for shipment to Italy. The law also provided for the sale of corn at a moderate fixed price (such provision had been abolished by Sulla). The model was a law of C. Gracchus, but the provenance of the present measure made it possible for the popular tribune Macer to attack it as a miserly sop designed only to lull the plebs into acceptance of its servitude.

It was the conduct of Verres in Sicily that brought to the attention of

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the Senate in 72 another of the subjects that was to come to the fore in 70, the misbehaviour of provincial governors. One of Verres' many victims was Sthenius of Himera (Thermae), who had secured the patronage of Pompey in 82 and had other protectors at Rome. Though the whole story of Verres makes it painfully clear that Roman patrons did as little for their provincial clients as was humanly possible,[8] Sthenius' case was taken up by the consuls of the year, L. Gellius Publicola and Cn. Cornelius Lentulus Clodianus. Both of these men appear to have been well disposed towards Pompey: they legislated to empower Pompey and Pius to make grants of Roman citizenship in Spain as a reward for services rendered. The best-known beneficiary of this measure was L. Cornelius Balbus of Gades. Lentulus also passed a law, consistent with his stance as censor two years later, demanding full payment to the treasury by those who had bought up confiscated property, many of whom had been granted remissions by Sulla of all or part of the price.

Sthenius' case was raised again by a tribune of 71, M. Lollius Palicanus, who may with some plausibility be regarded as an adherent of Pompey. He came from Picenum, Pompey's home territory, his sister or daughter married A. Gabinius, and his candidature for the consulship in 67 was ruthlessly blocked by the consul C. Calpurnius Piso, a committed opponent of Pompey. Palicanus also spoke on the subject of the tribunician power, while evidence that is unfortunately not reliable names him as the originator of the tripartite division of the juries that was brought in by L. Cotta in the following year. Whatever the truth of this last matter, it can at least be said that by the time of Pompey's return from Spain the restoration of the tribunician power, the composition of juries and the conduct of provincial governors had all emerged as issues on which action was needed and which for various reasons were closely linked in men's minds.

## III. THE WARS AGAINST SERTORIUS AND SPARTACUS, 79–71 B.C.

Sertorius' defeat of Fufidius in 80 (ch. 6, p. 206) made it clear that he deserved to be taken seriously. Hispania Ulterior was assigned to Sulla's colleague in the consulship of 80, Metellus Pius; the governor of Citerior was M. Domitius Calvinus. Pius' plan seems to have been to crush Sertorius between himself and Calvinus, but Sertorius sent a force under L. Hirtuleius to prevent Calvinus' approach, and the proconsul was defeated and killed. Hirtuleius is described as quaestor of Sertorius; perhaps he had been legitimately appointed in 83, or perhaps Sertorius had already begun the practice of bestowing Roman titles on his

[8] Brunt 1980 (C 33).

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subordinates. The campaign was fought in southern Lusitania, between the Guadiana and the Tagus, towards and beyond which Metellus advanced from his base at Metellinum on the Guadiana. But the only other conspicuous success of the year belonged to Sertorius, who defeated and killed Pius' legate L. Thorius Balbus in the neighbourhood of Consabura. It is probable that the earliest negotiations between Sertorius and Mithridates belong to 79, though for the moment nothing came of them.[9]

For 78 Pius chose a different line of advance, operating to the west and south-west and besieging Lacobriga. He summoned assistance from the governor of Transalpine Gaul, L. Manlius, but Hirtuleius was again equal to his task of protecting Sertorius' rear: Manlius was defeated and forced to return to Gaul. This second year of failure led Pius to ask for reinforcement. In 77 Sertorius and Hirtuleius changed positions. Hirtuleius was deputed to defend Lusitania and keep Metellus contained, while Sertorius mounted an invasion of Citerior, advancing along a line from Consabura to Bilbilis by way of Segobriga, Caraca and Segontia. In the Ebro basin, in addition to his capital Osca, Sertorius controlled the strategic centres of Calagurris and Ilerda. This campaign brought him to the height of his power: only the south remained outside his domain. He had also in the course of the year received considerable reinforcements led by M. Perperna, who had escaped from the collapse of Lepidus' rising first to Sardinia and then to Spain, bringing with him a substantial number of troops. It is said that on his arrival Perperna wanted to maintain his independence and refused to join Sertorius until his men compelled him to do so. On the other side Metellus' request for help produced a result that he can hardly have expected, though there is nothing to suggest that he was displeased at the outcome. The consuls of 77 had no desire to go to Spain, whereas Pompey was eager for further employment and, thanks to the backing of L. Philippus in the Senate, secured a proconsular command to assist Metellus. But Pompey had to deal with rebellious tribes in Gaul and was forced to winter at Narbo, arriving in Spain only in the spring of 76.[10]

To oppose him Sertorius sent Perperna to cover the coastal region between Saguntum and Tarraco. Hirtuleius was again instructed to tie Metellus down in Lusitania and prevent his moving to meet Pompey, while Sertorius kept himself in reserve on the upper Ebro to intervene as developments might dictate. Pompey enjoyed some initial success, winning over the Indigetes and Lacetani, then advancing southwards. His aim was to gain control of the east coast as a springboard for expansion inland. Once Perperna had failed to stop him from crossing

[9] Scardigli 1971 (C 130) 252ff; Glew 1981 (D 19) 126; *contra*, Sherwin-White 1984 (D 291) 161.
[10] Gelzer 1949 (C 200) 47; Gabba 1958 (B 40) 301; *contra*, Grispo 1952 (E 18) 202 (autumn 77).

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the Ebro, it was inevitable that action would be concentrated around Valentia, the next major obstacle for Pompey, since Saguntum and Lauro just to the north were hostile to Sertorius. This determined Sertorius' next move: an attempt to seize Lauro in order to block Pompey's route to Valentia. It brought him a brilliant success. Pompey lost 10,000 men, including his legate D. Laelius, and had to endure the humiliation of watching while Sertorius sacked and destroyed the city. This victory was, however, offset shortly afterwards when Metellus inflicted a crushing defeat on Hirtuleius at Italica. It is not clear whether in abandoning his original course of avoiding a pitched battle Hirtuleius acted on his own initiative or on instructions from Sertorius. Possibly Metellus had shown signs of marching east to assist Pompey and Hirtuleius had felt desperate measures were called for to prevent him. But though Pius' victory left him free to do so, instead he headed further north to Catalonia. After the débâcle at Lauro Pompey had withdrawn beyond the Ebro, so that Sertorius and Perperna were free to move to Lusitania to try to repair the situation there, while C. Herennius was left to guard Valentia.

After an incursion into Celtiberia during the winter of 76/5 Pompey again set out to subdue the east coast, drawing Sertorius and Perperna to confront him, while Pius marched against Hirtuleius, who remained in Lusitania. Despite his experience of the previous year, and probably despite clear orders from Sertorius, Hirtuleius came to meet him and a battle was fought at Segovia. The result was catastrophic for Sertorius. Though Pius himself was wounded, Hirtuleius and his brother were killed and the rebel forces overwhelmingly defeated. Again Pius, as in the previous year, was free to make for the east coast. There Pompey had scored an initial success, defeating Perperna and Herennius, who was killed, outside Valentia and taking the city. Over-confidence and the desire to beat Sertorius without waiting for Pius to arrive made him then attack the enemy leader near the Sucro. The result of the battle was inconclusive, though Pompey himself was lucky to escape with his life. Before further action was possible, Metellus appeared with news of the death of Hirtuleius. Despite the fact that both his opponents were now arrayed against him Sertorius felt the need to fight again to restore morale. The battle took place near Segontia.[11] Again it was indecisive: Sertorius himself defeated Pompey, whose brother-in-law C. Memmius was killed, but Perperna failed yet again, this time against Pius. Sertorius withdrew to Clunia, where he was blockaded for a time, though not without inflicting some losses on the besiegers. Then his opponents withdrew for the winter, Pius to Gaul, Pompey north of the Ebro, where he once again mounted an expedition into the hinterland.

[11] App. *BCiv.* 1.110.515 with Gabba *ad loc.*

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Over the winter of 75/4 both sides engaged in negotiations of one kind and another. Both Pompey and Pius had already complained more than once in letters to Rome that they needed more men, more money and more supplies, but during the winter Pompey wrote again in terms alarming enough to galvanize the consuls into action. It is also probably to this winter that the renewal of Sertorius' dealings with Mithridates should be assigned, with agreement being reached in the summer of 74. The pact itself has nothing surprising about it. More than once in Rome's recent civil wars the participants had sought the aid of foreigners: Marius and Cinna that of the Samnites in 87, Sulla that of Mithridates in 85, Domitius that of Hiarbas in 81. Ancient and modern authorities alike differ vehemently over one point alone: whether Sertorius was prepared to concede to Mithridates not only Bithynia and Cappadocia but also the Roman province of Asia.[12] The conflicting traditions about Sertorius are so tendentious that we cannot now be certain whether or not he would have thought such a concession compatible with the dignity of Rome or his own. But it need not be supposed that Mithridates would have insisted on the cession of Asia before agreeing to a treaty. From his point of view Sertorius' function was to keep the Romans busy well away from Asia Minor. If his own enterprises there were successful he would have no need to abide by any agreement with Sertorius, whatever might have happened in Spain in the mean time. It is noteworthy that the king also sent an envoy to Pompey, though what he hoped to gain is by no means clear.

Mithridates agreed to send ships and money in exchange for military advisers, but by the time they arrived in 73 it was too late, for already in 74 the tide had begun to turn. Pompey and Metellus changed their tactics, abandoning the attempt to bring the enemy to battle in favour of a policy of reducing his strongholds. Both generals operated in Celtiberia: Pompey was forced by Sertorius to raise the siege of Pallantia but took Cauca, while Pius secured Bilbilis and Segobriga. At the end of the season they combined against Calagurris, but without success. In 73 Pompey operated again in Celtiberia, this time alone. By now the falling-away of Sertorius' Spanish support was even more marked, and he responded with harsh reprisals. By the end of the year almost all the towns of Celtiberia, the Ebro valley and the eastern seaboard had gone over: only Ilerda, Osca, Calagurris, Tarraco and Sertorius' port of Dianium remained loyal.

But it was his Roman officers who finally hastened Sertorius' inevitable end. The motives of the conspirators headed by Perperna are hard to disentangle from the moralizing and propaganda of our sources, but it seems likely that the setting of a price on Sertorius' head by Pius may

[12] Cf. Berve 1929 (C 26) 203ff; Gelzer 1962–4 (A 41) II, 139ff.

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have encouraged his assassins to hope at least for amnesty if not rewards. Sertorius' murder marked the virtual end of resistance. A few towns held out to the bitter end: in Celtiberia Uxama and Clunia, in the Ebro basin Calagurris and Osca, and on the coast Valentia. But almost nobody was ready to fight for Perperna, who was quickly defeated by Pompey and put to death, despite his attempt to buy his life with Sertorius' papers, which Pompey wisely destroyed unread in the interests of concord.

Both in antiquity and in more recent times Sertorius has provoked the most disparate reactions.[13] In consequence nothing can be said with confidence and any statement about his character and intentions must be regarded as conjectural. Like others who escaped from the collapse of the resistance to Sulla in Italy, he tried to carry on the struggle elsewhere by exploiting local backing. He brought with him to Spain relatively few Roman and Italian supporters, though he acquired more with the arrival of Perperna, and he seems to have made no great appeal to Romans and Italians settled in the peninsula. From first to last the backbone of his following was formed by the native tribesmen who had invited him to lead them. Their goal must surely have been to liberate themselves from Roman domination, not merely to contribute to a change of government at Rome in the highly speculative hope that Sertorius and any other surviving opponents of Sulla might prove less ruthless in the exploitation of the provinces than the *Sullani*. Yet the liberation of Spain from the Roman yoke cannot have been any part of Sertorius' plans. It must therefore be true in some degree that, whatever his ultimate purpose, Sertorius was cheating his Spanish followers and using them for selfish ends. What that ultimate purpose was remains obscure. Sertorius appointed his officers to magistracies with Roman titles, he provided for the education in Roman style of the Spanish princelings he gathered as hostages at his capital of Osca, and he established, probably after the arrival of Perperna, a body which he called the senate, in which Mithridates' demand for the surrender of Asia was debated. These facts in themselves are hardly surprising. Sertorius, like the Italians in the Social War, knew only the Roman political and military system. It was natural, if not inevitable, that he should take it as his model when trying to impose some order on the situation in which he found himself. It is possible, though this is far less certain, that Sertorius conceived of his entourage as a genuine alternative to Rome, a Rome-in-exile. But even if that is so, it is still impossible to discover what Sertorius conceived of as the ultimate solution to this schism. Despite certain alarmist rumours put about at Rome he cannot have hoped to emulate Hannibal and mount an invasion of Italy. For that his forces were never strong enough, and his Spanish troops would not have followed him in an

[13] Cf. Schulten 1926 (C 131A); Treves 1932 (C 144); Gabba 1973 (C 55) 287ff, 427ff.

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enterprise which, regardless of its prospects of success, was completely irrelevant to their own aspirations. It may well be that for some time before the end the war had become for Sertorius an end in itself, beyond which he no longer looked. It was perhaps the realization of this, more than jealousy and Sertorius' increasingly cantankerous behaviour, that finally turned his officers against him. As for the Spaniards, once they understood that he had never had anything to offer them as a politician and now had nothing more to offer as a leader, most of them abandoned both him and the struggle. Those who carried on were fighting, not for anything that Sertorius had ever stood for, but for the freedom which had inspired them to rebel in the first place.

No details are known of Pompey's settlement of Spain, but it seems to have been characterized by the same shrewd blend of humanity and self-interest as he had shown already in Sicily and was to display in 67 when dealing with the pirates. Caesar attests that he acquired many clients in Citerior and bound the cities and tribes to him by his benefactions. Some of Sertorius' men were relocated in Aquitania at Lugdunum Convenarum, and Pompey may also have founded one city in Spain itself, Pompaelo. High in the Pyrenees he set up a trophy, on which he did not mention Sertorius but claimed to have reduced 876 towns from the Alps to the boundaries of Hispania Ulterior.[14]

It was fortunate for Rome that Pompey and Metellus got the upper hand in Spain so decisively in 73, for that year saw the outbreak of a serious upheaval in Italy itself, the slave insurrection led by Spartacus. The origins of the rising must have seemed trivial enough: a mere seventy-four gladiators escaped from a school in Capua under the leadership of the Thracian Spartacus, a former Roman auxiliary, and two Gauls, Crixus and Oenomaus, and occupied a position on Vesuvius. They must have quickly gained considerable support, for though at first only makeshift forces were sent against them, Spartacus and Crixus were able to deal with them with ease. The first victim was a praetor, C. Claudius Glaber, who tried to blockade the slaves on Vesuvius. They broke out, took him in the rear, stormed his camp and put his army to flight. It may have been in this engagement that Oenomaus was killed. Two more praetors, L. Cossinius and P. Varinius, Varinius' legate Furius and his quaestor C. Thoranius also suffered defeats. The numbers of the insurgents increased with alarming speed, swollen by both slaves and free herdsmen, until Spartacus is reported to have had 70,000 men, for whom he was keen to provide proper weapons and armour. At this point dissension arose as to what they should do. Spartacus saw that the best and ultimately the only useful course was to head north out of Italy before Rome mustered a serious force against them and then to disperse

[14] Pliny *HN* III.18; VII.96; Strab. III.4.10 (161); IV.2.1 (190).

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and seek freedom in their various homelands. But the German and Gallic element led by Crixus was seduced by the prospect of plunder and carried the day. Hence the latter part of 73 and the beginning of 72 were spent in spreading devastation all over southern Italy.[15]

Inevitably the growth of the insurrection provoked a reaction at Rome. Both consuls of 72, L. Publicola and Lentulus Clodianus, took the field with two legions each. The sources disagree as to whether the year's one success, the destruction of Crixus and his entire force near Mount Garganus, was won by Gellius or the praetor Q. Arrius. Since both men were defeated together by Spartacus, who had already inflicted a reverse on Clodianus, it may be that they should also share the credit for Crixus' annihilation. Spartacus had been pursuing his original plan and heading north, with Lentulus trying to block his path and Gellius pursuing him. He got as far as Cisalpine Gaul, where he defeated the proconsul C. Cassius Longinus, but for some reason he turned back and headed for Rome. Both consuls faced him in Picenum and were again defeated. However, Spartacus thought better of an attempt on Rome itself and instead occupied Thurii, in the far south. He then inflicted yet another defeat on a Roman commander, perhaps the praetor Cn. Manlius.

The consuls were now relieved of their command by a decree of the Senate, and a special command with proconsular *imperium* was conferred on M. Crassus, the victor of the Colline Gate, who had held the praetorship in the previous year.[16] Crassus took over the consuls' forces and recruited six new legions. His legate Mummius joined battle with Spartacus in defiance of Crassus' orders and was heavily defeated. To restore discipline Crassus revived the obsolete punishment of decimation (the execution of every tenth man), then he himself inflicted a first defeat on Spartacus and drove him southwards through Bruttium till he reached the sea. Spartacus hoped to cross to Sicily, but the pirates who had promised to provide him with transport let him down and a second attempt using boats and rafts which the slaves had built for themselves was thwarted either by Verres or the current in the straits. Over the winter Crassus cut off his enemy with a triple barrier of ditch, wall and stockade, probably on the promontory of Scyllaeum.[17] Twice Spartacus tried to break out, but both times he was thrown back with heavy losses.

Despite these successes a decision was taken at Rome (whether by the Senate alone or by the People is uncertain) to summon not only Pompey from Spain but also M. Lucullus, who had been campaigning in Thrace, to lend assistance to Crassus. It is unlikely, despite Plutarch's assertion to the contrary, that Crassus himself had asked for them to be recalled: he

[15] Gabba 1967 (B 40) 321.
[16] Marshall 1976 (C 226) 26ff; Ward 1977 (C 280) 83ff.
[17] Ward 1977 (C 280) 89 n. 20.

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seems to have been eager to finish the war unaided. Spartacus tried to negotiate but Crassus of course refused, so Spartacus tried for a third time to break the blockade. This time he was successful and made for Brundisium with Crassus in pursuit. While his legate L. Quinctius held off Spartacus, Crassus twice defeated a breakaway group under Cannicus and Castus. On learning that M. Lucullus had arrived at Brundisium, Spartacus turned back into Bruttium and defeated Quinctius and the quaestor Cn. Tremellius Scrofa at Petelia. Then came the final confrontation with Crassus, in which Spartacus was killed, though his body was never found. Crassus ruthlessly pursued the survivors into the hills and eventually lined the Via Appia from Capua to Rome with 6,000 crucified prisoners. Five thousand fugitives from the battle who were trying to escape northwards fell in with the returning Pompey and were annihilated, an incident which prompted Pompey to write to the Senate that, although Crassus had defeated the slaves in a battle, it was he who had finally brought the war to an end.

## IV. THE FIRST CONSULSHIP OF POMPEY AND CRASSUS, 70 B.C.

Both Pompey and Crassus now looked for their rewards. The war against Sertorius had been declared a *bellum externum*; thus Pompey and Pius could legitimately lay claim to triumphs. Crassus too coveted a triumph, but the suppression of a slave revolt merited only an ovation. However, Crassus' achievement was signalled by the special distinction of a laurel wreath instead of the customary myrtle. This honour was as much as he had a right to expect, but nevertheless he was jealous of Pompey's Spanish triumph. The unfriendly rivalry between the two men, which should not be underestimated,[18] probably went back to the time of Sulla, when Pompey, at least until the quarrel over Lepidus' election, had been shown every sign of favour, whereas Crassus, despite his services, had been disregarded. Yet it is said that Crassus sought Pompey's support when both men decided to stand for the consulship of 70. Though both had conspicuous military success on which to base their claims, their positions were in every other respect quite different. Crassus was of the proper age and had fulfilled all formal requirements, Pompey was still far too young and had held no public office. Nevertheless the Senate passed a decree which exempted him from the provisions of the *lex annalis*. It may seem that, apart from his personal dislike of Pompey, Crassus had no need to canvass his support since his own election could be seen as inevitable. However, he may have calculated that one consulship was bound to go to Pompey once his dispensation

[18] Ward 1977 (C 280) 97ff; *contra*, Marshall 1977 (C 226) 34ff.

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had been granted and decided that there was no harm in a gesture to make doubly sure that he himself secured the other place.

There is no reason to suppose that either Crassus or Pompey extorted their consulships by the threat of force from a reluctant Senate or people. The summons to lend assistance against Spartacus had of course meant that Pompey had had every right to retain his army instead of disbanding it as soon as he set foot in Italy, as Metellus very properly did when he returned to celebrate his own triumph, probably shortly after Pompey's. It is true that Pompey kept his men together until his triumph, which was held on 29 December 71, saying that he was waiting for Pius, and that Crassus used Pompey's behaviour as an excuse to do likewise. So both men still had troops at their disposal when Pompey was given the right to stand and when the elections were held. But neither will have needed to resort to the threat of violence. Crassus had a strong and legitimate claim, and a consulship, however irregular, must have seemed not only to the mass of the people but to many senators no more than a just reward for Pompey's achievements. Even those to whom so drastic a breach of Sulla's regulations seemed distasteful or even positively dangerous will have realized that no lesser acknowledgment of Pompey's services to the state was practicable. A man who had commanded a proconsular army for the past seven years and was about to triumph for the second time could hardly be invited to stand for the quaestorship or even the praetorship. They might at least draw comfort from the reflection that, although Pompey had made his meteoric rise in defiance of Sulla's enactments, he had at least done so in defending Sulla's Senate against the last of Sulla's enemies. It is plausible that even within the Senate Pompey's consulship and its inevitability inspired general agreement and even fairly widespread approval.

Pompey's inexperience of public office was underlined when he asked his friend the learned M. Varro, who had served under him in Spain, to write him a short handbook on senatorial procedure. Nevertheless it was clear that he would not be inactive as consul. In his first public speech as consul designate he promised to restore the tribunician power and to take measures to check abuses in provincial government and the corruption of the courts.

The tribunate was dealt with first. It was the only matter in which Pompey and Crassus co-operated during their year of office, passing a joint law to restore the tribunes' legislative powers.[19] Both men will no doubt have hoped to profit in the future from laws introduced by tribunes, and neither will have been prepared to stand by and see the other gain all the popular favour that the introduction of the bill would bring to its author. There appears to have been no opposition: the

[19] Seager 1979 (C 258) 24 n. 91; *contra*, McDermott 1977 (C 103).

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change must have appeared inevitable. However, the experience of some of the tribunes of the sixties makes it clear that certain prominent senators would rather have seen Sulla's curbs on the tribunate maintained and were prepared to show their resentment when the chance arose.[20] Apart from this single instance, where their separate interests dictated a brief collaboration, Pompey and Crassus continued on bad terms throughout the year. At his triumph Pompey had vowed lavish games in celebration of his victories, perhaps in a spirit of rivalry with the *ludi Victoriae Sullanae*. Crassus, not to be outdone, imitated another piece of Sullan ostentation: he dedicated a tithe of his property to Hercules, entertained the people at a gigantic banquet and distributed a three-month supply of corn.

For the first time since 86 censors were elected. The successful candidates were the consuls of 72, L. Gellius and Lentulus Clodianus, despite their failures in the war against Spartacus. They showed themselves enthusiastic supporters of the fashionable drive against corruption, expelling from the Senate no less than sixty-four of its members, including a consul of the previous year, Lentulus Sura, and C. Antonius, Cicero's eventual colleague in the consulship of 63, while among those who received the stigma of a censorial *nota* were some of the jurors at the trial of Oppianicus in 74. They counted 910,000 citizens, almost double the number recorded at the previous census: the long struggle of the Italians for equal rights was, in theory at least, over at last. They also pandered to Pompey's vanity by reviving the obsolete ceremony of the *transvectio equitum*, a review of the cavalry, in the course of which Pompey was able to boast that he had not merely performed the military service required of him by law, but had performed it under his own command.

Despite the concern expressed by Pompey before he took office, no legislative measures were taken to combat extortion in the provinces, while he clearly found reform of the courts a much less urgent matter than restoring the tribunician power. He took no direct action on the jury question and it was not until the autumn that a praetor, L. Cotta, brother of the consuls of 75 and 74, brought in a law to divide the juries into three equal groups: senators, *equites* and *tribuni aerarii*. (This last, whatever its origins, was by now a purely honorific title, whose holders possessed wealth similar to that of *equites*.) The language of Plutarch suggests that Pompey gave the bill no active support. By the time Cotta passed his law the case of C. Verres had been heard. Cicero more than once suggests that Verres' trial was the Senate's last chance to retain control of the courts, for an honest verdict by a senatorial jury might stave off otherwise inevitable legislation. That is highly unlikely, nor

[20] Seager 1969 (C 257). See below, ch. 9.

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indeed is it probable that the condemnation of Verres mollified the critics of senatorial juries enough to prevent total transfer to the *equites*. Cicero several times speaks in the *Verrines* as if that were the prospect which faced the Senate, and no doubt there was talk along those lines in the spring and summer of 70. But whether there was ever a formal proposal for transfer, which was subsequently moderated, is extremely doubtful; Cicero may for rhetorical effect have deliberately misrepresented and exaggerated the effects of the Lex Aurelia in its final form, as if its provisions were tantamount to total transfer, as certain later sources do through sheer incompetence.[21] Despite our sources' tendency to treat the two non-senatorial orders as one, such records as survive of the voting of the three groups of jurors show no evidence of the *equites* and *tribuni aerarii* acting as a solid block in opposition to the senators. Indeed Cotta's solution seems to have worked very well. Control of the courts, which had been a bone of contention since the time of C. Gracchus, ceased to be an issue in the remaining decades of the Republic. Plainly most of those concerned found the Lex Aurelia acceptable, perhaps because the changes brought about by the upheavals of the Social and civil wars and Sulla's reconstruction of the Senate had created a community of background and outlook between the orders that would have been politically and socially out of the question before Sulla. Once again, however, some die-hards in the Senate would have preferred to see Sulla's arrangements upheld and in consequence harboured a grudge against Cotta.[22]

The trial of Verres itself has sometimes been seen as a confrontation between Pompey and the Metelli. This view cannot be maintained.[23] Cicero never lists the prosecution of Verres among his services to Pompey, and he had cogent enough reasons of his own for taking the case. He had made friends in Sicily during his quaestorship and, as at the trial of Roscius, the apathy of more distinguished patrons gave him a golden opportunity to show off his talents. To the pleasure of display was added the challenge of a direct contest with Hortensius, with a reward, if Cicero was successful, of Verres' praetorian standing in the Senate. The degree of Pompey's interest in the trial is debatable. He should have been concerned to protect his Sicilian clients, if only to preserve his credibility as a patron, and he had publicly condemned corruption in provincial government. But he certainly played no active part in the proceedings. It is not unreasonable to suppose that he was pleased by the outcome of the trial, but even more pleased that it had come about without potentially invidious effort on his own part.

The Metelli and their friends did their best for Verres. Hortensius,

[21] Seager 1979 (c 258) 25; Brunt 1980 (c 33) 286; *contra*, Bruhns 1976 (c 28) 266.
[22] Seager 1969 (c 257) 682ff. [23] Seager 1979 (c 258) 25f; Brunt 1980 (c 33) 280ff.

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who was probably an accessory after the fact of Verres' extortions, undertook the defence assisted by L. Sisenna. L. Metellus, Verres' successor in Sicily, did his best to hinder Cicero's investigations, bullied and threatened his witnesses, tried to suppress damning evidence and wrote to Pompey and Crassus on Verres' behalf. Every effort was made, first to substitute for Cicero a collusive prosecutor, Q. Caecilius Niger, then to put off the trial till 69, when Hortensius would be consul with Q. Metellus and the third brother, M. Metellus, would be praetor and assigned by happy chance to the presidency of the extortion court. Indeed, when C. Curio, the consul of 76, heard the results of the elections, he congratulated Verres on his acquittal! Yet it is hard to believe that, apart from the blow to Hortensius' professional pride, Verres' distinguished friends were greatly distressed by the verdict. Their motive for supporting Verres in the first place must have been financial: with three brothers all in line for office in rapid succession, even the Metelli must have felt the strain on their resources. They felt obliged to try to save him, but once the attempt had been made and failed they probably reflected that his disappearance from the scene was no great loss.

The spirit of conciliation which Pompey had shown in Spain at the end of the Sertorian War was further evidenced during 70 when a tribune, Plautius or Plotius, probably with Pompey's blessing, passed a law granting amnesty to the supporters of Lepidus, including those who had gone to Spain to join Sertorius.[24] Perhaps the only failure of the year, from Pompey's point of view, was his failure to obtain grants of land for his veterans. The same tribune proposed a bill to provide allotments for the men who had served in Spain under Pompey and Pius, but if the bill was passed it was never put into effect, and it may have been dropped on the ground that the treasury could not bear the expense.

It has been claimed that the restoration of tribunician power and the reform of the courts did not undermine the Sullan settlement to any great degree.[25] As far as the courts are concerned that is probably true, but the tribunate is another matter. Sulla had seen it as a major disruptive force, and both the bitter resistance to its restoration before 70 and the persistence of resentment afterwards indicate that leading men still shared this view. Nor were they mistaken. The fabric of the state might be merely shaken by a Gracchus, a Sulpicius or in time to come a Clodius. But the exploitation of the tribunate by Pompey, Caesar and Crassus was to do much to further that excessive growth of individual power which the oligarchy saw, with some justification, as the greatest threat to its collective predominance.

For the future Pompey himself could look forward to the dignity that

[24] Date: Taylor 1941 (C 140) 121 n. 32. [25] Gruen 1974 (C 209) 23ff.

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every consular enjoyed, but perhaps to less power than a number of his peers. The very speed of his rise and its exclusively military nature had meant that he had had neither time nor opportunity to develop the intricate web of relationships that a man who had reached the consulship by more conventional paths would have built up over the years. In Spain Pompey had acquired some useful supporters: M. Varro, the military man L. Afranius, who was probably praetor in 71, and C. Cornelius. But he had also had some ill fortune: D. Laelius was killed at Lauro, though his son preserved the connexion, and Pompey's brother-in-law C. Memmius died at the Turia. Lollius Palicanus gained a praetorship for 69, but otherwise no known friends of Pompey appear in the *fasti*. For the moment he could only bide his time. He had declared that he had no intention of taking a province, and Crassus had followed suit. An ordinary governorship would merely have detracted from his glory – he seems already to have established as his guiding principle that nothing about his career must be ordinary. Only when circumstances created the chance of another major command would Pompey return to the stage. The ground had been prepared by the restoration of the tribunician power, and Pompey could afford to be patient till the time was ripe to use it. At the end of 70 he allowed himself the gesture of a public reconciliation with Crassus, after Crassus had taken the initiative with flattering words, whose double edge will have been apparent to others, though it may have been turned by the shield of Pompey's conceit.

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CHAPTER 8*a*

# LUCULLUS, POMPEY AND THE EAST

A. N. SHERWIN-WHITE

## I. PRELIMINARY OPERATIONS: MURENA AND SERVILIUS

Mithridates might have accepted what the Peace of Dardanus seemed to offer – the recognition of his independence within his kingdom and freedom of action to the north and west, in the regions of his Crimean, Sarmatian and sub-Caucasian territories. The Peace required his withdrawal from the Roman dependencies south and west of the Halys in Bithynia, Paphlagonia, Galatia and Cappadocia, though he retained the coastal zone of Paphlagonia that his father Euergetes had acquired. So too a century earlier the Seleucids were left free by the Peace of Apamea in their activities 'beyond Taurus'. But in 83–82 B.C. Licinius Murena, left by Sulla to re-establish the Roman province of Asia, intervened against Mithridates, first in Cappadocia, where the king was attempting to restrict the territorial recovery of the restored Ariobarzanes, and then in western Pontus, where Murena carried out two extensive raids on the pretext that the military preparations of Mithridates for the recovery of the rebellious Greek cities of the Crimea were in fact aimed against Rome. After suffering the devastations of two great raids without resistance, when Murena appeared for the third time despite the intervention of a Roman arbiter who gave ambiguous advice, Mithri-

The principal sources for the campaigns and other activities of Lucullus and Pompey in the East are the *Mithridatica* of the historian Appian, the *Historia Romana* of Cassius Dio, and Plutarch's biographies of the two proconsuls. The local historian Memnon provides an independent account of the campaigns of Lucullus, including a lengthy internal history of the misfortunes of Heraclea and Sinope. All are relatively late works, written between the late first and early third centuries A.D., and except for Memnon derived ultimately, so far as can be judged, from the now fragmentary *Histories* III–V of Sallust, the lost books 93–102 of Livy, and the little-known histories of Pompey written by his contemporaries Posidonius and Theophanes. Much particular information about Mithridates and Tigranes is preserved by the geographer Strabo, who devoted about half of his twelfth book to the kingdom of Pontus, and also related the fortunes of many Greek cities of the Anatolian region, which are independently illuminated by a number of lengthy epigraphical documents. Of various brief epitomators Velleius Paterculus alone provides an independent survey of events, dating from *c.* A.D. 14. Finally the actions of Pompey and Gabinius in southern Syria are recounted mainly in the *Jewish Antiquities* and the *Jewish War* of Josephus, written in the Flavian period. Thus apart from civic inscriptions and sporadic information in speeches of Cicero, notably his *De Imperio Cn. Pompeii*, the surviving sources were written in the Principate. For the first decade they are collected in *Greenidge–Clay*.



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dates led his army out and inflicted a series of defeats on Murena's forces, which he pursued through northern Galatia to the borders of Phrygia. An emissary of Sulla himself now arrived who put an end to the fighting and secured the evacuation of Cappadocian territory by Mithridates. Murena withdrew to hold an unearned triumphal celebration in Rome.

This affair reveals the existence of contrary policies at Rome. While Sulla was determined to maintain no more than the former protectorates beyond the borders of Asia in Cappadocia, Galatia and Bithynia, and to recognize Mithridates as a Roman vassal, his own man was bent on renewing war with Mithridates, and after Sulla's death a majority within the Senate connived at a refusal to ratify the Peace of Dardanus, of which Murena had denied the very existence on the grounds that it was not formulated in a written text. Yet Mithridates tried hard through his emissaries to secure the ratification of the Peace. When his agents failed to secure a hearing by the Senate in 78 he realized that powerful men were keen to renew a war that offered the prospect of vast enrichment. But he respected the Peace for the long period, in a king's reign, of eight years after his troubles with Murena.

After the withdrawal of Murena it was decided at Rome to restore Roman control over Pamphylia, Pisidia and Lycaonia, which had seen no Roman proconsul since 89 B.C. A permanent province was now established in the southern region, which was still known as 'Cilicia', though it contained no Cilician territory, because the suppression of pirates, known to have Cilicia as their main base, fell to the proconsuls. But the first enemy was Zenocoetes, who held maritime strongholds on the Lycian coast to the west of Pamphylia such as Olympus, Phaselis and their mountainous hinterland. The first effective proconsul was the consular P. Servilius, who operated with a considerable fleet of unknown composition and a force of five legions. In his first two years (78–77) he drove the light vessels of the pirates out of Pamphylian waters after a considerable but unlocated naval battle, and captured the strongholds of Zenocoetes by a series of land assaults.[1] He then set about the reconquest of mountainous Pisidia and the adjacent region of Isauria, which lies between the westernmost chain of Taurus and the open plateau of Lycaonia.

Through Pisidia and Isauria there passed the sole useful route for wheeled transport from Pamphylia to Iconium in western Lycaonia, on the main route from Apamea to Cappadocia. After the laborious capture of the central strongholds of Isaura Vetus and Isaura Nova, and the subjection of the Orondeis people around Misthion and Pappa to the north, beyond Lake Caralis, Servilius completed his conquest by

[1] Land assaults, cf. Strab. XIV.5.7 (671) with Cic. II *Verr.* 1.56, 4.21, *Leg. Agr.* 1.5, 2.50, Sall. *H.* II fr. 81–4, Florus 1.41.5.

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constructing a military highway along his main route, to be identified with the imperial road known from the late *Itineraries* which led from Side in Pamphylia by Pappa to Iconium. He thus opened for the first time, as the sources record, the direct route from the military region of Pamphylia to the confines of Cappadocia. There is no evidence whatever that his campaign into Isauria was conducted from the north, as has been supposed, through southern Phrygia, which was in the province of Asia, by Apamea and Philomelium. This campaign had nothing to do with the suppression of piracy: it opened up a new approach to Pontus from the south through Lycaonia and Cappadocia.[2] The threat of Mithridates mattered more to the Romans than the activities of pirates in the eastern Mediterranean, against whom a naval command was eventually established in 74 at the praetorian level. Mithridates was now faced by a dual threat from the Roman commanders in Asia and Cilicia. When war seemed likely in 74 the consul L. Lucullus secured the province of Cilicia rather than Bithynia, which was now available, because it was regarded as the centre of action against Mithridates, who rightly claimed that 'the Romans were awaiting an opportunity to attack him again'.[3]

## II. THE OPENING OF THE THIRD WAR

Mithridates did not propose to fight his third war with Rome single-handed. He rebuilt his fleet, shattered by the surrender of 70 major vessels to Sulla: some 150 warships can be traced in the operations against Lucullus, out of an alleged strength of 400 ships of all types. He also made an agreement with the Cilician pirates, whose power had not yet been broken, and secured their active assistance in the first two years of the war. Further, before the war began he secured the advice of a military commission from the Roman forces that were maintaining themselves under C. Sertorius in Spain against the central Roman government (ch. 7, pp. 213 and 219). With this help he reorganized some part of the Pontic infantry on the Roman legionary pattern, armed with the heavy Roman spear and stabbing sword, and secured the aid of Roman military commanders in the field.

The immediate cause of the war was the Roman annexation of Bithynia. Nicomedes at his death, probably late in 75, having no legitimate heirs, left his kingdom to Rome, following the pattern of Attalus III in Asia and Ptolemy Apion in Cyrenaica. The Senate accepted the inheritance after rejecting the claims of a bastard son of Nicomedes to

[2] Strab. XII.6.2 (568), Oros. V.23.22; on Isaura Nova, Sall. *H.* II fr. 87 with Cic. *Leg. Agr.* 1.5, 2.50, and the inscription commemorating Servilius' payment of his vow (*AE* 1977 n. 816). Festus *Brev.* 11 improbably links the Isauri with Cilician pirates (*ibid.* 12.3). Military road, cf. Oros. V.23.22 with Eutropius VI.3, Festus *Brev.* 11. Cf. Ormerod 1924 (A 88) 214ff; Magie 1950 (A 67) II. 1169–74 nn. 21–5.

[3] App. *Mith.* 70.

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the kingdom, and instructed the propraetor of Asia to take over the new province. In the early summer of 74 the news arrived of the death of the proconsul of Cilicia, who had recently arrived in succession to P. Servilius. In the following months there was a remarkable rearrangement of the consular commands for 74–73, originally made the previous year under the provisions of the Sullan Lex Cornelia. L. Licinius Lucullus gained Cilicia together with Asia in the place of Gallia Cisalpina, previously assigned to him, in expectation of war with Mithridates, and his colleague M. Aurelius Cotta secured Bithynia (ch. 7, p. 213). At this moment Mithridates had made no hostile move: Cotta had to argue during the senatorial debate on the new commands that the war with Mithridates had not ended in 82 but had merely been interrupted. Later in 74 the consuls were commissioned for war. Lucullus was instructed to take command of the legions in Asia and Cilicia, together with a legion from Italy, and in the words of Cicero 'to pursue Mithridates'. Cotta was left to hold the naval command in Bithynia, using the existing provincial flotillas, together with an unspecified military force, against the threat of the Pontic fleet.[4]

What action of Mithridates prompted these decisions is not clear. It is likely that he mobilized the great forces that he used in the first campaign during the summer of 74, and gave the Senate grounds for the despatch of the consuls, and it is also possible that Mithridates established advanced forces in eastern Paphlagonia before his westward march. The ambiguities of the principal historical sources have led to much debate about the moment when the consuls left Italy and when the war began, about whether they departed in the late summer of 74 and were immediately involved in the battle of Chalcedon and the siege of Cyzicus, or whether these campaigns took place in 73. But the neglected evidence of a passage in Cicero's speech *pro Cluentio*, the earliest of all relevant documents, solves the problem. Lucullus was present in Rome as consul late in November 74, when he was involved in the aftermath of the affair known as the *causa Iuniana*, which the tribune Quinctius investigated about the end of the tribunician year. Hence Lucullus cannot have arrived in Asia and mobilized his forces much before the end of the first quarter of 73.[5] Appian, the principal source, places the advance of Mithridates into Bithynia 'in the beginning of spring'. Though he gives no indication of the year it can only be 73.[6]

At that time Lucullus, after a training programme, mustered his five

[4] Plut. *Luc.* 6.1, 5–6, Cic. *Mur.* 33; Sall. *H.*II.71, on whose chronology see Bloch 1961 (B 6) esp. 70.

[5] Cic. *Clu.* 90, 108, with 136–7. Lucullus operates straightaway from a base in Asia (Plut. *Luc.* 7.1); he never reached Cilicia. For the former controversy over the initial date see Magie 1950 (A 67) II.1127 n. 47, 1204 n. 5, and *MRR* II 106–8. Cf. Vell. Pat. II.33.1, 'ex consulatu sortitus Asiam', though *sortitus* is inaccurate.

[6] App. *Mith.* 70.

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legions in northern Phrygia near the Sangarius river, for an invasion of Pontus, presumably through Galatia to the lower Halys, the route that he followed in the next year. Mithridates anticipated him by marching rapidly through Paphlagonia into Bithynia in nine days, met with his fleet and defeated Cotta in a naval battle off Chalcedon, destroying the Roman fleet and driving Cotta with whatever land forces he had behind the walls of the city. Thence Mithridates marched westwards with the intention of capturing Cyzicus, the great port on the northern coast of Asia in the Propontis. Lucullus abandoned his planned invasion and turned westwards to the relief of Cotta, meeting only the rearguard of Mithridates at Otryae in the Bithynian lowlands, between Nicaea and Prusa.[7] After a successful engagement Lucullus pressed on to Cyzicus, where he found Mithridates vigorously organizing the investment of the city. He required Cyzicus, with its double harbour on either side of the peninsula in which the city stands, as the supply base for the large army with which he intended to destroy the Roman forces in Asia, as he had done in the first war. The sources may exaggerate when they give figures of 12,000 to 16,000 cavalry and up to 150,000 infantry for the Pontic army, twice or thrice the number that fought against Sulla at Chaeronea. But there is no doubt that they greatly outnumbered the forces of Lucullus.[8]

While Mithridates invested Cyzicus by land and sea, Lucullus occupied a strong defensive position with his five legions on high ground from which he could threaten the enemy's communications, in a strategy of siege and countersiege. He avoided a general engagement, and in a telling phrase attributed to Lucullus by Plutarch, he 'stamped on the stomach of Mithridates'.[9] Though the king controlled the sea with his naval forces he lacked an adequate maritime base for the supply of his large army. Cyzicus under its civic leaders, aided by a small Roman force that managed to enter the city across the sea channel, courageously held out against all the efforts of Mithridates. The king used every device of siegecraft, with assaults by land and sea, by ships and machines, and by tunnels, to take the city. But he was eventually compelled by the approach of winter first to dismiss most of his cavalry eastwards through Bithynia, and later, as supply difficulties increased, to withdraw his infantry westwards to the small harbour of Lampsacus for evacuation by sea.

Lucullus, harrying both attempts at the river crossings, inflicted heavy losses, taking at the Rhyndacus river (it is said) some 6,000 horses and

[7] For Otryae or Otroia cf. Strab. XII.4.7 (566) and Plut. *Luc.* 8.6. who sufficiently clarify the location.

[8] Numbers: Strab. XII.8.11 (575), Plut. *Luc.*7.5, Memnon (*FGrH* 2 B 434) F 27. 2–3; App. *Mith.* 69.

[9] Plut. *Luc.* 11.2.

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15,000 men, and inflicting losses of the same scale on the infantry at the Granicus crossing. Mithridates, supported by his fleet, withdrew the remnants of his forces to Nicomedia in eastern Bithynia. Lucullus meanwhile had taken command of the ships that he secured from the Asian cities after the destruction of the fleet of Cotta at Chalcedon. When the Pontic forces were withdrawn from Lampsacus he was able in the spring of 72 to destroy the squadrons left to block his passage through the Hellespont, off Lemnos. The legates Triarius and Barba, likewise provided with a flotilla from Asia, sailed through the Propontis and rapidly captured Apamea, Prusa and Nicaea. Mithridates promptly withdrew from Nicomedia and passed through the Bosporus to Sinope in Pontus, but paused at the free-state of Heraclea, where he left a force of some 4,000 men to delay the Roman advance.

In the previous summer forces had been sent by Mithridates into Lycaonia and southern Asia to stir up the troublesome Isaurians and Pisidians, but they were driven out by the active Galatian tetrarch Deiotarus. The two proconsuls were now able to gather their forces at Nicomedia, where they debated the new situation with their legates. Despite suggestions that a diplomatic settlement could be arranged, the decision was taken to advance into Pontus and to destroy the power of Mithridates, while Triarius was despatched with a fleet that now numbered seventy ships to deal with the last Pontic naval force that survived in the southern Aegean. Total victory, with the consequent extension of provincial rule, was the objective.

Lucullus had utterly defeated Mithridates in the campaign of Cyzicus without ever risking a pitched battle against his united forces. The contrast with the method of Sulla's double annihilation of the Pontic forces in Boeotia is remarkable. It suggests that the calculations of Mithridates about his advantages in warfare based on mainland Anatolia were not ill founded. Only an exceptional military genius could have foreseen the strategy of Lucullus, who entirely neglected the usual Roman preference for pitched battles and quick results. Mithridates' mistake lay not in the initial attempt to capture Cyzicus but in his persistence with the siege when the method of his enemy was revealed. But the only alternative to an advance into Asia was to remain on the defensive at Nicomedia in Bithynia, where he would not have been waging war against the heartland of Roman power in the East. If he took Cyzicus his land forces could combine with his naval power to exclude the Romans from the whole Propontic area. But sea-power had its limitations when the Roman legions were already established on the Asiatic mainland before the Pontic fleet passed through the straits of Bosporus.

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## III. THE CAMPAIGN IN PONTUS

In the summer of 72 B.C. Lucullus advanced with his main forces through Galatia, south of Paphlagonia, to western Pontus. Meanwhile the legate Triarius with his fleet of seventy vessels disposed of the last Pontic fleet off Tenedos, and the proconsul Cotta with the remnants of his original forces and Bithynian reinforcements neutralized the fortress of Heraclea, where the Pontic commander Connocorix was besieged for the duration of two years. With five legions of uncertain strength Lucullus reached the lower Halys and marched downstream to the coastal zone around Amisus unopposed. The gates of Amisus were closed against him, and the city withstood a leisurely siege through to the year 70. Early in 71, if not sooner, Lucullus marched with his main forces through the Iris and Lycus valleys into the heart of Pontus. There Mithridates had gathered near Cabira a new army numbering some 40,000 infantry (it is said) and 4,000 cavalry. Lucullus had delayed his advance deliberately, according to the version of Plutarch, to allow Mithridates to commit himself to a campaign in central Pontus. Aware of the extent of the Pontic empire he had no intention of allowing himself to be drawn into distant campaigns among the mountains of eastern Pontus and Lesser Armenia.[10]

The decisive operation took place in the summer of 71. To avoid the forays of the effective Pontic cavalry Lucullus established his legions in a defensive position on high ground opposite Cabira. His food supplies came, somewhat surprisingly, across southern Pontus from Cappadocia, where the aged Ariobarzanes still held his throne. Mithridates attacked the supply route with his cavalry, but his assaults were repelled with heavy losses. Having learned his lesson from Lucullus, Mithridates was unwilling to risk a general engagement, and now attempted to withdraw his forces eastwards into the mountains of Lesser Armenia, where his resources of gold and silver were said to be stored in seventy strongholds, and where he could hope for the support of his powerful but hitherto unhelpful ally Tigranes, ruler of Great Armenia and many adjacent principalities. The attempted retreat turned to total disaster, thanks to the previous destruction of the bulk of the Pontic cavalry. Organization and discipline broke down as soon as the evacuation of the encampments began. Lucullus was able to assault the retiring columns unopposed, and succeeded, it seems, though it is never clearly stated, in destroying the bulk of the Pontic army.[11] Mithridates fled south-east

[10] Dates: the clearest evidence is in Phlegon *Ol.* 12.4 (*FGrH*, 2 B 257), who indicates that in the course of 72–71 B.C. after initiating the siege of Amisus, Lucullus wintered near Cabira and then defeated Mithridates in the next year. Cf. Magie 1950 (A 67) II 1210 n. 24.

[11] Lucullus succeeds: *Mith.* 81–2, Plut. *Luc.* 17–18.1. Numbers slain; Livy *Per.* XCVII has 60,000, Eutropius VI.8, 30,000.

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through Comana to Armenia, where he became an unwelcome guest of Tigranes, who left him a virtual prisoner in an isolated fortress for the next eighteen months, through the last part of 71 to the end of 70.

Lucullus was left free to complete the territorial conquest of Pontus. The royal residences of Cabira and Eupatoria were captured quickly, and the Greek cities of Sinope and Amisus were taken after lengthy sieges. Lesser Armenia was occupied, and in the zone to the north the remote Chaldaei submitted and the wild Tibareni were chastised. These successes led Machares, son and regent of Mithridates in the Crimean Bosporus, who had recently been supporting the resistance of Sinope with sea-borne supplies, to seek terms as an 'ally and friend' of Rome. Earlier, the great Greek families that provided much of the administrative personnel of the kingdom, including the kinsmen of the later geographer Strabo, had betrayed their master and brought armies and provincial districts over to the Romans. But to complete his conquest Lucullus required the king himself, in whose person the authority of the kingdom resided, just as a generation earlier Marius had sought the capture of the Numidian king Jugurtha. Hence he sent the young Appius Claudius to treat with Tigranes for the surrender of the king's person.

Tigranes had no previous connexion with Rome. For the past twelve years he had been the most powerful ruler of the lands beyond the middle Euphrates. He succeeded about 96 B.C. to the throne of northern Armenia as the vassal of the Parthian monarch Mithridates Megas. His kingdom at that time was apparently restricted to the basin of the upper Euphrates tributaries and the upper Araxes, to the north of the watershed of the Antitaurus massif, though he may have held some territory to the south of the Bitlis pass. The western sector of southern Armenia, known as Sophene, was held by Artanes, descendant of one Zariadris, who like Artaxias, the grandsire of Tigranes, originated as a military commander in the time of Antiochus III (the Great). Gordyene, the south-eastern sector in the mountains separating southern Armenia from Mesopotamia and Adiabene, was ruled by the independent prince Zarbienos. While the Parthian dynasty was being weakened by dynastic feuds Tigranes extended his power by the annexation of Sophene and the submission of Gordyene under its prince. After the death of Mithridates Megas he secured Mesopotamia proper, between the two rivers, and Adiabene beyond the middle Tigris in northern Iraq, while in the north-east he gained control of the enclosed region of Media Atropatene. Finally, in about 82, he expelled the much weakened Seleucid kings from northern Syria and lowland Cilicia, and took the title of King of Kings.[12]

[12] For the chronology of Tigranes' reign see Plut. *Luc* 21.6 and Just. *Epit.* XL.1.3–4, 2.3, with Will 1982 (A 127) II.457f.

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When Appius Claudius finally reached Antioch in his quest for Tigranes he showed little respect for the king. In the absence of Tigranes, busy with the organization of Phoenicia, Appius intrigued with subject rulers present at Antioch, including Zarbienos of Gordyene. When Tigranes on his return received him with the ceremonial of an eastern court, Appius behaved in the crudest Roman fashion. After delivering a letter from Lucullus, of which the contents are not reported, he stated that he had come either to take Mithridates off for the triumph of Lucullus or to declare war on Tigranes. The king inevitably refused to surrender Mithridates and said that he would defend himself against any Roman attack. Appius barely preserved diplomatic decencies by accepting a single goblet from the many valuable gifts that Tigranes offered.

In the course of 70 B.C. Appius made his report to Lucullus, now busy at Ephesus with the reorganization of Asia. When rumours circulated about the king's preparations for war Lucullus expressed his astonishment that Tigranes should prepare to fight the Roman power 'with cold hopes' after failing to help Mithridates before his defeat.[13] Lucullus quickly left Asia for Pontus, where he made his arrangements for the invasion of Armenia. About this time he also secured the despatch of the usual commission of senators 'for the settlement of affairs in Pontus'. The commission arrived to find that the proconsul had departed to wage war in Armenia, and awaited his return.[14]

## IV. LUCULLUS IN ARMENIA

Appius Claudius could provide Lucullus with an excuse but not a legitimate justification for making war on Tigranes. His actions at Antioch were not those of a legate commissioned by a senatorial decree. There is no evidence that Lucullus himself had any authority from Rome for his invasion of Armenia. It is unlikely that he could have secured a senatorial decree extending his zone of operations in the year 70, when the radical consuls Cn. Pompeius and M. Crassus were in control of the senatorial agenda throughout the year. Cicero, speaking in the interest of Pompey in the first weeks of 66, implied that Lucullus had no Roman authority for the invasion of Armenia, which he described as though it was a private affair: 'When Lucullus came into the kingdom of Tigranes with his army . . . fear fell on those tribes which the Roman People had never thought to provoke or to try out in war.' The tone echoes the remarks of the hostile praetor Quinctius who had alleged in 68 B.C. that Lucullus was 'making one war out of another . . . he has sacked the

[13] For the reported remarks of Appius, Tigranes and Lucullus see Plut. *Luc.* 21.6, 23.7.

[14] The report of victory to Rome and the arrival of the commission are mentioned retrospectively by Plut. *Luc.* 35.6.

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capital of Tigranes as though he had been sent not to defeat the kings but to strip them of their kingdoms'.[15]

These critical remarks suggest that Lucullus found it hard to defend the invasion on legitimate grounds. Tigranes was known to have had some form of alliance with Mithridates, but, as Lucullus was well aware, he had never yet helped him in a Roman war. A passage of Appian suggests that Lucullus tried to distinguish between his enemy Tigranes and the king's subjects in Sophene, with whom the Romans had no quarrel: 'Lucullus asked the barbarians only for necessities . . . they expected to suffer no harm while Lucullus and Tigranes settled their differences.'[16] But by crossing the Euphrates Lucullus greatly extended the foreign commitments of Rome, by making war against an independent empire that hitherto had no connexions with the Roman state of any sort, and eventually by invading territory to which the Parthian monarch rather than Tigranes had the prior claim.

In the summer of 69 Lucullus selected the best of his troops for the invasion of Armenia, numbering some 12,000 Roman legionaries – the better part of three legions – with the unusually large force of 4,000 provincial cavalry and light-armed troops. He marched through Cappadocia to the Euphrates crossing at Tomisa and entered northern Sophene. Thence he crossed the Antitaurus by, presumably, the only easy passage of the massif east of Lake Gölcük, down to Amida in the plateau of the upper Tigris basin, which constitutes southern Sophene. The invasion was aimed at the southern sector of the Armenian kingdom around which clustered the new dependencies, Mesopotamia in the south, leading to northern Syria and coastal Cilicia, Gordyene and Adiabene in the east and south-east beyond the upper and middle Tigris. All these lands had fallen to Tigranes at the expense of the Seleucid and Parthian dynasties. So Lucullus and his army entered for the first time the lands beyond Taurus and the Euphrates river. Armenia and Parthia took the place of Pontus and the Seleucid kingdom in Syria as the limits of Roman intervention.

What Lucullus intended can be seen from his actions, which reveal a change of method from his system of warfare against Mithridates. He now sought a quick result from a great pitched battle by making for the southern capital of Tigranocerta, on the border of Mesopotamia, which Tigranes was busy completing to be the centre of his new empire. The exact location of Tigranocerta is still somewhat uncertain. All the early evidence from Strabo and his sources places the city in the frontier zone of southern Armenia and Mesopotamia, but the *Annals* of Tacitus set it some fifty kilometres from the well-known fortress-city of Nisibis.[17]

[15] Cic. *De Imp. Cn. Pomp.* 23, Plut. *Luc.* 35.5–6. [16] App. *Mith.* 84.

[17] Site of Tigranocerta, see Strab. XI.12.4 (572), Tac. *Ann.* XV.5.2. For the controversy see Dillemann 1962 (D 262) 247ff.

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Tigranes departed to muster his main forces and returned, when Lucullus had invested the city, with a great army organized largely in the old oriental style with tribal contingents armed and armoured in their native fashion. The most formidable elements were the squadrons of cataphracts, heavy cavalry clad in chain-mail derived from a Sarmatian model and armed with long and massive spears. Tigranes was astounded (it is said) at the small scale of the Roman army, 'small for an army, large for an embassy'.[18] But in the engagement near Tigranocerta Lucullus led a charge of Roman cohorts against the flank of the advancing cataphracts, ordering his men to attack horses rather than riders. The cataphracts were driven back in confusion on to the main body, which broke into total disarray. There was an immense slaughter, variously reckoned at 10,000 to 100,000 men.

The Roman victory, the only formally arranged battle among the operations of Lucullus, took place late in the season on 7 October. Tigranes fled northwards to be strengthened by the arrival of a reserve force under the command of Mithridates, who had been in no hurry because in his experience Lucullus was not given to rapid action. The flexibility of Lucullus in assessing the strategic situation and in his management of the tactics of battle showed a high military quality. But it was too late in the year to pursue his advantage through the high mountains, and after some rearguard actions the kings were able to retire to northern Armenia. Lucullus busied himself in the milder southern region with the capture and destruction of Tigranocerta. But if Tigranes had eluded him, he made other political gains. The local rulers of Sophene came to terms, and various Arab princes with whom Appius Claudius had negotiated at Antioch, made their submission. Lucullus himself visited Gordyene, where the disloyal ruler Zarbienos had been executed and buried in dishonour. He gave the dead prince royal obsequies, and secured control of the treasures and supplies of the principality. Meanwhile he sought to put an end to the imperial claims of Tigranes by the dismemberment of the population of Tigranocerta. The inhabitants, drawn from Syria and Cilicia, were restored to their homelands, Greeks and native persons alike, the cost being met from the spoils of the city. In the extreme south the last Seleucid prince Antiochus was allowed to return to claim the Syrian throne at Antioch.

During the winter of 69/8 B.C. Lucullus became aware of the Parthian factor. Phraates III had recently emerged as the ruler of all the Parthian territories westwards to Babylonia, reunited after a lengthy period of domestic strife. Tigranes opened negotiations with him for military support, offering the surrender of Adiabene, Mesopotamia and the 'Great Valleys', adjacent (it seems) to Gordyene. But Phraates made

[18] Plut. *Luc.* 27.4.

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contact with Lucullus. According to the most probable version Lucullus sent a mission of distinguished Greeks, and the Parthian was invited either to join the Romans or to remain neutral. Eventually it seems that he was unwilling to commit himself, and either maintained a watchful neutrality or, as Memnon has it, came to terms with both sides.[19]

In the summer of 68 Lucullus sought to finish with Tigranes. Marching through the Antitaurus passage into northern Armenia, his devastations brought into the field the Armenian forces, which had been trained by Mithridates in the past months in methods of warfare learned from Lucullus himself. The kings avoided pitched battles with the Roman infantry and used their own cavalry to check the movements of the small Roman army and to attack its supplies. The zone of operations is not defined by the sources until Lucullus moved deeper into northern Armenia, crossed the Arsanias, the southern tributary of the Euphrates, where he brushed the Armenian resistance aside in a considerable engagement, and marched across central Armenia towards Artaxata.[20] The northern capital, set in north-eastern Armenia, beyond Mt Ararat in the upper Araxes valley, sheltered the king's family, barely rescued the previous year from Tigranocerta. But it was late in the season, and the Roman troops, hampered by autumnal storms, protested against continuing their advance, having now endured, apart from their military engagements, a march of some 1,500 kilometres 'as the crow flies' from Cyzicus. Lucullus promptly turned south and marched across the breadth of Armenia through the Antitaurus, presumably by the Bitlis pass in the east, to the southern edge of the upper Tigris basin. There he invested Nisibis, a strongly fortified town with a famous double wall, on the Mesopotamian border, still held by the king's brother. Tigranes cautiously followed the path of Lucullus but did nothing to help Nisibis, which he believed to be impregnable. Lucullus, after delaying his assault in the hope of enticing Tigranes, captured the city by a night attack, and spent the winter there, while Tigranes recovered minor fortresses in southern Armenia. Scraps of somewhat contradictory evidence suggest that Lucullus now planned an abortive campaign against Adiabene, still under the suzerainty of Tigranes, for the spring of 67 from a base in Gordyene. This may be connected with a similar scheme to march 'up country' from Gordyene, placed by Plutarch at an earlier date. He suggests that legates were being summoned from Pontus to assist, allegedly against the Parthians.[21]

Lucullus thus sought in military terms to bring Tigranes to battle by

[19] Parthia: Plut. *Luc.* 30.1, Memnon F 38.8, App. *Mith.* 87, Dio XXXVI.1–3; see below, pp. 262–5.

[20] App. *Mith.* 87 and Dio XXXVI.5.1 explain the Armenian methods, ignored by Plut. *Luc.* 31.3, 5–9.

[21] Campaign from Gordyene in 69–68 'against the Parthians', Plut. *Luc.* 30.2–3, 31.1; in 68–67, *ibid.* 34.6, cf. Eutropius VI.9, 'against the Persians'.

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aggressive campaigns or by threatening his cities when he refused to be drawn. Politically, as he learned about the nature of the Armenian empire, he set about dissolving it into its original kingdoms. He was hardly concerned about Parthia, which at this time seemed a secondary power that had been stripped by Tigranes of its western dependencies in Adiabene and Mesopotamia, and was separated from the Roman world by the broad gravel deserts between Syria and Babylonia.

Meanwhile, late in 68, events in Pontus turned against Lucullus. Mithridates, with a force at the reported strength of 8,000 men, marched westwards into Lesser Armenia and set about attacking the Roman troops dispersed through Pontus, amounting to a couple of undermanned legions with supporting Asian levies. The legate Fabius was defeated and besieged in Cabira, where he was relieved by the forces of Triarius, marching from Asia or Bithynia at the summons of Lucullus for his abortive last campaign.[22] During the winter the peoples of Pontus, alienated by a hostile administration, flocked to join Mithridates. In the early summer of 67 he succeeded in luring out the Roman troops, then concentrated at Gazioura, some eighty kilometres south of Cabira, by threatening their principal storehouse of war material and booty located in the neighbourhood of Zela. He caught them and inflicted a great defeat on the field of Zela: the Romans lost 7,000 men and more than their quota of officers, including 24 military tribunes. This was the greatest success of Mithridates against Roman forces. Though it prolonged his survival in Pontus for only another year, it provided a golden promotion for the ambitious Roman consular Pompey, who in that same year was conducting naval operations on a grand scale against the persistent plague of piracy throughout the Mediterranean area.

Lucullus in southern Armenia at the end of 68 suffered from the insubordination of his troops, particularly the Fimbrian legions, which had served in the East since 86. The sporadic fighting since the fall of Tigranocerta had brought them no substantial booty, despite the recent capture of Nisibis. In a series of disturbances the dissatisfied troops demanded an end to the war. The young P. Claudius Pulcher, later known as Clodius, brother of the legate Appius Claudius, began his stormy political career by quarrelling with his proconsul Lucullus. He incited the troops against their commander, invoking the name of Pompey, and contrasting their supposed poverty with the proconsul's wagon-loads of personal booty. But when the news arrived of the defeat of Fabius in Pontus discipline was temporarily restored. Lucullus withdrew from Armenia in the spring of 67, but arrived too late to prevent the disaster of Zela. The defeated remnants met him in south-

[22] Dio XXXVI. 10.1.

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eastern Pontus. Lucullus, learning that Mithridates had withdrawn to the stronghold of Talaura in Armenia Minor, found the route blocked by Median cavalry. Then, ever aware of strategic advantages, he proposed to march south-eastwards against Tigranes, who was slowly advancing from southern Armenia by the Tomisa crossing. Lucullus' precise location is not given in the sources, but his base could have been the route centre later known as Megalopolis (*mod.* Sivas), where the routes to northern Pontus, Lesser Armenia, western Cappadocia, and the Euphrates transit at Tomisa, meet. However, the dissatisifed troops refused to co-operate and he retired westwards into Cappadocia.[23]

By this time it was known that Lucullus had been formally replaced in his command by two new consulars, who reached Roman Cilicia and Bithynia during the summer of 67 (see below, p. 249). Marcius Rex, instructed to eliminate the pirates from their Cilician bases, brought three new legions from Italy. Acilius Glabrio, consul in 67, was commissioned to take over the eastern command from Lucullus by a plebiscite of the tribune Gabinius, following his creation of the general piracy command for Pompey, before the disaster of Zela was known at Rome. Learning the true situation on his arrival Glabrio lingered in Bithynia while Lucullus withdrew his battered forces into Galatia. Mithridates recovered the whole of Pontus, and Tigranes entered Cappadocia, whence Ariobarzanes had once more fled. The campaigns of Lucullus, who had never suffered defeat in battle, appeared to have been waged in vain.

## V. LUCULLUS AND THE CITIES

The Greek cities of the coastlands of Propontis and the Pontic zone, whether fighting on the side of Mithridates or for Rome, showed a remarkable determination to defend themselves and their overlords in the third war. Cyzicus, no longer a free-state after the first war, sent its considerable navy to support the Romans at Chalcedon. Despite the heavy losses suffered in the naval battle the city offered a desperate resistance when heavily attacked by Mithridates, and with minimal direct aid from the forces of Lucullus repulsed every assault until Mithridates withdrew. Cyzicus received its reward afterwards in a renewal of its former status of 'free city' and in a considerable grant of adjacent territory.[24]

The story of Heraclea is told at length by the local historian Memnon.

[23] Movements of Lucullus: winters 68–67 B.C. in Gordyene, Plut. *Luc.* 34.6: in summer 67 B.C. is in Pontus, Dio XXXVI.14.1–2; frustrated perhaps at Megalopolis, Plut. *Luc.* 35.3–4 with Dio XXXVI.14.1–2.

[24] Cyzicus: Plut. *Luc.* 9–11.1, App. *Mith.* 73–5. Rewards, Strab. XII.8.11 (576).

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When after the annexation of Bithynia Roman *publicani* ignored the independence of Heraclea and set up tax-collection centres in the civic territory, the citizens yielded to the pressure of Mithridates, sent five ships to join the Pontic fleet, and committed themselves irrevocably by murdering the Roman tax-collectors. Mithridates, on his return from the disaster of Cyzicus, occupied the city with partisan assistance and left a large garrison to hold it against the Roman advance. For the next two years Aurelius Cotta ineffectively besieged Heraclea where the civic fleet played a notable role, until the king's men and their supporters betrayed the city in the absence of Cotta to the legate Triarius, while the populace, determined to maintain their liberty, tried to continue resistance. The garrison sailed off to safety, but the city was ruthlessly sacked: the proconsul returned to the scene belatedly to claim his share of the spoils.[25]

A similar story of dissension between a royal garrison and the local citizens is related in the course of the siege of Sinope, the former Greek colony that became the principal city of Pontus. Two garrison commanders, Cleochares and Seleucus, murdered their colleague Leonippus, the favourite of the city population, said to be in touch with Lucullus. They gained control of the city and sought to eliminate the popular faction. Their greatest success was an attack by the civic fleet on a Roman supply squadron. But when Lucullus intensified the siege, and the city's food supplies from the Crimea were cut off by the transition of the Bosporan ruler to the Roman side, the garrison and its partisans seized what plunder they could and sailed away, leaving Sinope to be taken by Lucullus. At a third city, Amisus, resistance was better unified. The city stood a long siege at the same time as Sinope, aided by the skill in siege works of the garrison commander Callimachus. But Lucullus eventually stormed the city by a night attack, and Callimachus sailed off with his forces under cover of firing the city walls.[26]

In these civic sieges the garrison commanders and the city leaders followed a policy of vigorous resistance until the position grew desperate, when they turned to collusion and abandonment. They disregarded the interest of the resident population, who persisted in their course, either out of a justifiable fear of Roman reprisals or out of a determined loyalty to their king. The effective action of the civic fleets at Heraclea and Sinope, by themselves or in conjunction with the king's ships, must reflect the independence and prosperity of the citizen bodies that provided the ships and their crews.[27]

These three great cities were in a state of desolation after their capture.

[25] Heraclea: Memnon F 27.29, 34–5.

[26] Sinope: Memnon F 37, Plut. *Luc.* 23.1–4. Amisus: Memnon F 30.3–4; Plut. *Luc.* 19.2–4.

[27] Fleets: Memnon F 34.7; 37.2–3, 7.

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But Lucullus set a notable example for Roman victors in his treatment of Amisus and Sinope. At Amisus he not only tried to check the conflagration, wholesale plunder and massacre of citizens at its capture, but set about a restoration as if the city had been, in the Roman formula, not 'taken in war' but 'surrendered into trust'. He aided the rebuilding of the city, the recovery of fugitive citizens, and the settlement of new colonists on abandoned lands. Sinope was likewise restored, and both became autonomous Greek cities within the provincial system. Lucullus was establishing a generous attitude towards Greek cities, which despite hostile actions in the past were the only possible base of Roman power at this time. He cited the precedent of Sulla who authorized the preservation of Athens, however reluctantly, despite its flagrant support of Mithridates. (The royal town of Cabira in Pontus surrendered on terms that preserved its existence.) In complementary style after the destruction of Tigranocerta the colonial inhabitants, Greek and non-Greek alike, were not sold into slavery but sent back to the cities in Syria, Cilicia and Cappadocia, from which they had been drafted to found the new capital.[28]

The eventual restoration of Heraclea was not due to Lucullus, because at the time of its capture it was in the power of the independent proconsul Aurelius Cotta. But Lucullus was not the only senator with rational opinions about the treatment of conquered peoples. Certain distinguished exiles from Heraclea organized an appeal to the Senate at the time when the proconsul Cotta, after his return to Rome, was being prosecuted by a tribune for misappropriation of booty. The Senate, accepting the plea that the defection of Heraclea was due to the pressure of Pontic forces, granted freedom to the enslaved Heracleots and restored their lands and the status of the city, though only some 8,000 of the inhabitants could be recovered.[29]

In the province of Asia the problem was different. The wealthy classes and the civic revenues were still burdened by the impositions of Sulla for arrears of tribute and payment of indemnities for the first war, amounting to 20,000 talents. The sum was not unreasonable: Mithridates had imposed a fine of 2,000 talents on Chios alone during the war. But the Asian cities, whose annual dues were hardly less than 2,000 talents in all, were steadily drained of their reserves by the continued warfare and the later exactions of Mithridates. To meet the Roman demands after the war they turned to the Roman financiers who came back to Asia after the reconquest. Many of these *negotiatores* had lost large sums when they had fled from Asia to escape the massacres of 88. Italy itself had been weakened and devastated by years of civil war, which continued after the

[28] Cabira, cf. Memnon F 30.1; Plut. *Luc.* 18.1 with Strab. XII.3.30 (556). Tigranocerta, cf. Plut. *Luc.* 29.5. [29] Heraclea restored, cf. Memnon F 39–40.

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death of Sulla. Hence there was a general shortage of liquid funds that enabled the returning *negotiatores* and *publicani* to impose exceptional rates of interest, and to enforce the most severe conditions, both upon the depleted civic treasuries and upon the individual tax-payers. The cities were reduced to selling or pledging their public buildings, art treasures and revenues to the *negotiatores*, while the agents of the Roman tax-collectors were occupying the lands of private citizens and imprisoning or maltreating the landowners, in the process of securing payment of their extreme demands. Hence it is said that general indebtedness increased sixfold by the year 70, when Lucullus turned from warfare to deal with the affairs of Asia.

Lucullus established a system that freed Asia from its servitudes by the time of his departure to Rome in 66. Interest was fixed at the normal rate of 12 per cent a year, accumulated debts of interest in excess of the original amount of a loan were nullified, and the exaction of compound interest was forbidden under the penalty of the total cancellation of the debt. Conditions being thus alleviated, debtors were required to pay off their debts at the rate of 25 per cent of their annual income. The system worked well, so that within four years the wealthy classes were freed from public debts and restored to relative prosperity.[30]

It seems that the landed gentry from small and moderate estates suffered most under the Sullan system. But there were a number of financial magnates whose wealth appears untouched amid the financial distress of the property-owning classes. Some of these helped the cities in the post-Sullan period, anticipating or supplementing the general reforms of Lucullus. A decree of Priene records how the wealthy Zosimus paid for the restoration of the civic festivals that had been in abeyance since the first war, and at Pergamum the citizen Diodorus Pasparos was honoured for securing from the Senate some diminution of a long list of financial exactions and abuses, excessive rates of interest, and confiscation of estates. Joint appeals to Rome were also successful in alleviation of burdens: the Council of the Hellenes of Asia, created in the early years of the province, sent a mission to Rome to protest about the treatment of the province by the tax-collecting agencies. A special part was played by two leading citizens of Aphrodisias, whom the Council honoured for finally securing 'good results for Asia'.[31] The great magnates possessed exceptional wealth based on the ownership of vast estates. The accumulation of great fortunes seems to be a somewhat new development in the economy of Asia. It possibly arose from the sharp

[30] Debts and reforms: Plut. *Luc.* 20.3–5, App. *Mith.* 83, cf. Cic. *Flac.* 32, *QFr.* 1.1.33. Asian dues for the amount cf. Sherwin-White 1984 (D 291) 244 n. 21.

[31] Zosimus, see *IPriene* 113, 37–63; 114, 17–29. Diodorus Pasparos, cf. *IGRR* IV.292, now firmly dated to the period after Sulla by Jones 1974 (D 273). Hellenes of Asia, see Drew-Bear 1972 (D 265) 443ff, revised in Reynolds 1982 (B 226) no. 5.

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exploitation by enterprising individuals of the disturbed conditions of the times at the expense of the less fortunate. Among these Hiero of Laodicea may be mentioned, who in this period left no less than 12 million drachmae from his estates to his city. Later Pythodorus of Tralles, an intimate of Pompey, was able to buy back his estates, confiscated by Caesar, for a similar great sum.

The changed conditions of the cities of Asia in these years is shown by a senatorial decree of 78 that lists the detailed privileges allowed to certain citizens from the provincial cities of Clazomenae and Miletus who had served as captains in the Roman fleets during the past twelve years. Their cities were required to free them from all local dues and liturgies, to withdraw any sentences passed against them by local courts, and to restore any property confiscated in that period. They were allowed in future to refuse the jurisdiction of their civic courts in favour of the tribunal of a free-state of proven loyalty to Rome, or else the jurisdiction of a Roman magistrate and a jury of Roman citizens. They were also freed from any obligation to contribute to the payment of their city's public debts. The Senate thus interfered with a heavy hand in the internal finances and the judicial rights of the civic courts in favour of their protégés, who were evidently on bad terms with their fellow citizens.[32]

Altogether in the late Republican period favoured or extremely wealthy individuals tended to gain the precedence in the cities, whether these were oligarchically or democratically organized communes. From this milieu there emerged in the triumviral period the civic dynasts who secured dictatorial control of their cities.

## VI. POMPEY IN THE EAST

When the reports of Lucullus about the defeat and expulsion of Mithridates from Pontus and the great victory over Tigranes at Tigranocerta reached Rome, politicians led by the praetor L. Quinctius began to agitate that the Anatolian provinces, now freed from the threat of Mithridates, should be made available to the regular magistrates. Lucullus had held them long enough, and was said to be maintaining the war in his own interest. Hence some time in 68 Asia was restored to praetorian allocation, and Cilicia, where Lucullus had never operated, was assigned to the consul Marcius Rex, with three new legions and a naval force, for his proconsular year 67. The transfer of Asia, and possibly that of Cilicia, was effected by a law of the people.[33] The Cilician

[32] Hiero's estates, cf. Strab. XII.8.16 (578). Pythodorus, *ibid.* XIV.1.42 (649). Captains privileged, *FIRA* $I^7$, n. 35.

[33] Asia, cf. Dio XXXVI.2.2, App. *Mith.* 90. Cilicia, cf. Dio XXXVI.15.1, 17.2, with Sall. *H.*v fr.14. For the politics at Rome see ch. 9 below.

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commander was commissioned to renew the warfare against the pirates of upper Cilicia that had been suspended after the operations of Servilius in 78–75 by the war with Mithridates. Naval operations had been initiated earlier, in 74, when the praetor M. Antonius was empowered to repress piracy throughout the Mediterranean area by means of a newly created fleet of considerable, though unrecorded, size. He operated with some success in the West, along the Spanish and Sicilian coasts, but when he turned east to deal with the pirate bases in Crete his fleet was defeated in 71 or 70 by the light flotillas of the pirates, which received support from the organized cities of Crete that had remained in free alliance with Rome down to this time.

The Senate assigned Crete to Q. Metellus, consul in 69 and issued an ultimatum to the Cretan cities that led to open war in 68. But the menace now extended far beyond the Cretan area. The coasts of Italy suffered a series of piratical raids in which two praetors and their retinue were captured travelling along the road to Brundisium, the eastern trade routes were endangered, and the corn supplies of Rome itself were interrupted. Early in 67 the tribune A. Gabinius with strong support from many quarters proposed a bill that overrode the assignation of provinces to Q. Metellus and Marcius Rex by creating a great naval command for Pompey, now without office after his notable consulship. He was commissioned with proconsular powers to eliminate piracy throughout the Mediterranean area, within a territorial limit of fifty Roman miles inland from the coasts, and with *imperium* (the power to command) equal to that of any proconsul within the area. To assist him he was given a staff of fifteen *legati* – later increased to twenty – each of whom held praetorian *imperium*, an exceptional development that enabled the legates to act independently in areas far removed from their proconsul, though still under his authority. These arrangements, extended in the next year by the Lex Manilia, transformed the scope of a proconsular command, though they did not subordinate other proconsuls in their provinces to Pompey.[34] Gabinius next proposed a second bill, before the news of Zela reached Rome, that transferred the provincial area of Bithynia and Pontus, with the legions of Lucullus and the remnants of the war with Tigranes, to the consul Acilius Glabrio. No fresh troops were assigned to Glabrio, who reached Bithynia after the disaster of Zela in the summer of 67, his consular year, to find an alarming situation with which he made no attempt to cope: Mithridates had reoccupied his kingdom, and Cappadocia, from which Ariobarzanes had fled, was open to the raids of Tigranes.

[34] Powers under the Lex Gabinia and Lex Manilia, cf. App. *Mith.* 94 and 97; Dio XXXVI.37.1–2, 42.4, with Plut. *Pomp.* 25.3–6; 30.1. Cf. Asc. *Corn.* 58C. The inscription of Cn. Cornelius Lentulus Marcellinus now confirms App. *Mith.* 94 on the power of Pompey's legates, cf. Reynolds 1962 (D 287) 97ff.

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In the course of 67 Pompey and his legates cleared the seas of organized piracy in a brief campaign of three months. His method was to divide his great fleet into separate divisions under the command of his legates, and they patrolled the Mediterranean area section by section, while he himself set about the central strongholds of the Cilician coast. Resistance rapidly collapsed and – though no detailed accounts of any engagements survive – Pompey with a fleet of sixty ships defeated the main fleet of the Cilician sector off Coracesium. But in Crete, the main centre of piracy in the southern Aegean, the proconsul Q. Metellus, who had been active the previous year, refused to allow a Pompeian legate to operate: he drove the man and his forces out of the island and completed the subjection of Crete with his own legions. Exploiting against Pompey the careful wording of the Lex Gabinia, he would tolerate no interference with his own consular power by a praetorian legate.

By the late summer of 67 organized piracy was effectively eliminated. Pompey was preparing to interfere personally in Crete, where he had powers of making war technically equal to those of the proconsul, when early in 66 his friends at Rome, acting through the tribune C. Manilius, were able to capitalize on the disaster of Zela by proposing the transfer of the command against Tigranes and Mithridates to Pompey. This bill set aside the commands of Marcius and Acilius, who had been assigned the territorial provinces of Lucullus. Acilius was so slow to take up his authority under the second Lex Gabinia that Lucullus was still quartered in Galatia with his legions when Pompey arrived to take over his new command. Since the former proconsuls were legitimately deprived of their commands before the end of their normal tenure this was in no way a *coup d'état*. By the Lex Manilia Pompey was given powers extending what he had already secured through the Lex Gabinia to enable him to deal with what appeared to be a great military crisis. Men and money were assigned to him on an exceptional scale because normal arrangements had proved inadequate. Though Plutarch and Appian write loosely as if Pompey had control of the armies of the whole empire, his powers were limited to a provincial and military area that corresponded to the extreme limits of the Armenian empire that Lucullus had invaded. Allied 'kings and dynasts, tribes and cities' were required to assist him, as was normal in any provincial war. An innovation was the grant of the power of making peace and war and forming alliances, as Lucullus had done without specific authority (see above, pp. 239–43). The vast distance of the area of warfare from Rome made any consultation with Rome impracticable: the consuls of the previous century, operating in the Aegean zone, had regularly secured retrospective authorization of their arrangements.

The size of the army allocated to Pompey is never clearly indicated.

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Plutarch's figure of a force of 120,000 men authorized by the Lex Gabinia – no less than the strength of twenty-four legions – is wildly out of scale for any army of the later Republican period before the last years of the second triumvirate, and in no way fits the grant of 6,000 talents for the expenses of three years. In the campaign of 66 against Mithridates Pompey used the remnants of the army of Lucullus, amounting at most to three weakened legions, and the three legions of Marcius Rex from Cilicia, together with whatever legionary forces he held in lowland Cilicia after the reduction of the pirate bases. Though no other figures are known, it can be calculated from the total sum of money that Pompey distributed to his troops at the end of his command in 62 that his army then numbered some 45,000 serving legionaries – if one counts by the scale of individual grants that Caesar made in 48 B.C. These would comprise the manpower of some nine or ten legions, the largest army that had yet served in Anatolia.[35]

The Lex Manilia that proposed this command was supported by the praetor M. Cicero in a speech of skilful misrepresentation. The province of Asia, with its public revenues and the private investments of Roman financiers, is said to be threatened with invasion by the old enemy Mithridates. Border villages of Bithynia have been burned, and the inadequacy of the proconsul Glabrio is noted. There is no mention of the five or six legions present in Galatia and Cilicia. Instead Cicero insists on the necessity of sending a great general to save the richest source of Roman revenue. There is no hint of a war of expansion that would reduce the whole Armenian empire to subject status and lead to the annexation of Syria as a province. Not a word is said about the vast treasures that still awaited collection in the royal strongholds or the extension of the system of imperial taxation to great new provinces that would enrich the revenue of Rome. Instead the avarice of previous proconsuls is contrasted with the restraint of Pompey. Even Lucullus is not spared: though his successes against Mithridates are fairly summarized, his achievements in Armenia are minimized, with a dark reference to the plunder of a shrine of great wealth.[36] Cicero, like Sulla, appears to lack interest in the expansion of the Roman empire. But he reveals the political strength of the economic class of the tax-farmers and bankers that supported the despatch of Pompey and equally the crude desire for vast enrichment that possessed many members of the magisterial class.

Pompey, hearing of his new appointment early in 66, set about preparations for land warfare, gathering his forces inside Asia and

[35] Legions: the financial argument depends on the comparison of Plut. *Pomp.* 45.4, App. *Mith.* 116, Pliny *HN* XXXVII. 16, with App. *BCiv.* II.102 (422), on the distribution scale of Caesar.

[36] Cic. *De Imp. Cn. Pomp.* 23.

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Galatia for an invasion of Pontus. Having learnt of the negotiations of Lucullus with the Parthian monarch, he renewed contact with king Phraates and secured his assistance. Tigranes was consequently occupied by a Parthian invasion from Media aimed at Artaxata in the summer of 66, and Mithridates was denied any help from Armenia when Pompey made his attack. But first Pompey opened negotiations with Mithridates, who was prepared to parley, as he had done in the past. When formal submission was required, and the surrender of his organized bands of Roman deserters, Mithridates broke off these negotiations. Pompey was following normal Roman procedure: as recently as the Cretan War the enemy was offered terms that were severe but not outrageous before fighting began.[37] Throughout his eastern command Pompey was to secure as much by military diplomacy as by naked force: after the summer of 65 his only considerable military operation was the siege of the fortress at Jerusalem.

Mithridates concentrated his forces, reduced to a figure of some 30,000 infantry, predominantly bowmen, and 2,000 or 3,000 cavalry, at the head of the Lycus valley in Lesser Armenia, a land that had suffered little from the past campaigns and housed the royal treasure-stores. In this mountainous zone he occupied a strong position on the unidentified heights of Dasteira, where Pompey endeavoured to encircle him with a series of fixed positions. After some six weeks of evenly balanced fighting Mithridates extricated his forces and withdrew by night eastwards towards the borders of the Armenian kingdom. Pompey pursued, and managed to cut off the Pontic army in a defile, where a night battle was fought in which the Pontic resistance rapidly collapsed. Ten thousand casualties were said to have been inflicted, and Mithridates escaped with about two thousand men to Sinora, the most easterly of his treasure-houses in Lesser Armenia. This is the essence of the story that can be recovered from the somewhat contradictory narratives of Plutarch and Dio, a brief summary in Strabo, the earliest source, and the elusive account of Appian, who describes an unlocated final battle in different terms. The only firm evidence for the location of the campaign is that the final phase took place in the district where Pompey later established the memorial settlement of Nicopolis, and that the last battle was within the territory of Lesser Armenia.[38]

At Sinora Mithridates learned that Tigranes had turned against him. He disbanded most of his followers and made his way with an essential quantity of coined money through northern Armenia to the coast of northern Colchis. There he remained for the following winter in the

[37] Cretan terms, cf. Diod. XL.1.2–3, App. *Sik.* 6.

[38] Sources, cf. Strab. XII.3.28 (555), Plut. *Pomp.* 32.4, Dio XXXVI.48, Oros. VI.43. App. *Mith.* 99–100 has an unlocated battle description.

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stronghold of Dioscurias, situated near Sorghum, where the outermost chain of the Caucasus mountains reaches the sea. Next spring he withdrew across the mountains through hostile tribes to the coastal steppes beyond, whence he made his way round the sea of Azov, to his last strongholds in the Crimea, held by his disloyal son Machares.

In the latter half of 66 Pompey quickly abandoned the pursuit of Mithridates to secure the submission of Tigranes, the second part of his task. Tigranes, harassed by the Parthians, whom he forced to withdraw by a defensive strategy, yielded straightway to the overwhelming power of Pompey. When the Roman legions, marching through the upper Euphrates and the Araxes valleys, approached Artaxata, the northern capital, Tigranes rode out in royal attire to meet Pompey. He set his diadem at the feet of the *imperator*, and made a traditional *proskunēsis* or obeisance to him, thereby recognizing him as his overlord. Pompey co-operated by bidding the king rise and replacing his diadem. Later Tigranes was told that he was to retain his inherited kingdom, but that all his gains since he became king were to pass under Roman control as lands won by the spear of Rome, with direct reference to the victory of Lucullus at Tigranocerta. The formulation was the normal phraseology of the Hellenistic world, avoiding the cruder Roman style of a demand for *deditio*, or unconditional surrender.[39]

This scene revealed the intentions of Pompey in the Roman 'Far East'. He claimed for Rome the sovereign control over all the provinces of Tigranes' former empire, but allowed the central kingdom to survive as a dependent state without any change of dynasty or of the king's person. Somewhat later the status of Tigranes was confirmed by recognition as a 'friend and ally of the Roman people', but all his conquests were taken from him. Even Sophene, his first acquisition, was handed over to his disloyal son, who had guided Pompey and his legions to Artaxata. Plutarch does not name Mesopotomia, Adiabene or Gordyene in his somewhat inaccurate list of the provinces that Tigranes lost, saying that he was to retain what he held 'down to Pompey'.[40] But Lucullus had occupied Gordyene and the northern district of Mesopotamia, by the capture of Nisibis, and Pompey acquired control of Iberia, Albania and Media Atropatene by direct action, which transferred their nominal allegiance to Rome. Hence Pompey undoubtedly confined Tigranes to the core of Armenia, and claimed direct suzerainty over the rest of his empire for Rome. But in the south the Parthian king was already reclaiming his family's rights in Adiabene and Mesopotamia, which Pompey eventually for the most part conceded.

[39] Plut. *Pomp.* 33.5, App. *Mith.* 106, *Syr.* 49, Dio XXXVI.53.2. For the Greek formula see *LSJ* s.v. ΔΟΡΥ and compounds. [40] Plut. *Pomp.* 33.5.

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## VII. THE END OF MITHRIDATES

After a hazardous journey through the Caucasus, beset by hostile tribesmen, and across the steppes bordering the sea of Azov, where he had friends and dependants, Mithridates reached the Crimean Bosporus some time in the summer of 65 B.C. There he set about restoring his power, despite the hostility of his family and many of his former subjects, and prepared to defend himself against the naval forces that Pompey had stationed at Phasis to control the approaches to the Bosporus. Mithridates garrisoned the mainland port of Phanagorea across the straits of Taman, and sent forces to hold the Crimean harbours – Chersonesus, Theodosia and Nymphaion – evidently in expectation of a sea-borne attack. This rational and modest plan was upset by the revolt of the harbour garrisons that enabled his son Pharnaces to stage a successful *coup* within the army, particularly through the support of the regiment of Roman deserters. Pharnaces was declared king in 63 B.C. and his father secured either a voluntary death or assassination – both versions are given credence – at the hands of a Celtic warrior.

This rational account, related at length with many details by Appian, displays Mithridates making a shrewd and practical use of his limited forces to defend the last bastion of his power until the inevitable counterplot destroyed him. But the story is confused in Appian with a very different version. In this Mithridates proposed to march with a well-found army of 36,000 men, organized in sixty regiments, by the coast of the Black Sea to the Danube delta, and thence to descend upon Italy through Alpine passes. When the Scythians in the Crimea refused to join this adventure, he is said to have turned to a mysterious horde of Celts in a distant land, 'who had long been his associates for this purpose'. This story, told at length by Appian, is repeated briefly in sources derived from Livy with other additions. Plutarch reveals its origin by remarking that Pompey was criticized for 'planning to attack the Nabatean Arabs at the very time that Mithridates, *as men said*, was about to invade Italy through the lands of the Scyths and Paionians'. The intrusion of Celts and Paionians into the story is instructive. Celts were the traditional enemy of Rome at all periods, latterly involved in the invasion of Gaul and Italy by Cimbri and Teutones, whom the ancient geographers regarded as Celtic peoples, and most recently identified with the persistent attacks of the Scordisci on Roman Macedonia, precisely through Paionia, in the past generation. This tale about Mithridates and the invasion of Italy is drawn from the history of rumour, as Plutarch implies, and was elaborated by the political enemies of Pompey at Rome. But it was unknown to Cicero when late in the year of Mithridates' death he spoke at length, in his defence of the consular election of Murena,

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about the fear that Mithridates inspired even when driven out of his kingdom, which was ended only by his death. Cicero's advocacy of Murena's consulship would have been even more effective if he could have added the hints about the invasion of Italy, evidently not yet concocted.[41]

## VIII. THE CAUCASIAN CAMPAIGNS

After the submission of Tigranes Pompey set about the imposition of Roman authority upon the peoples of his empire. Legates were despatched to the southern regions of Mesopotamia, Gordyene and Adiabene, but he reserved for himself military action against the more formidable peoples of Iberia and Albania, who held the regions between the northern Armenian mountains and the Caucasus massif, where only the coastal zone of Colchis had been part of the Pontic kingdom. This was not merely an outburst of personal ambition, or a substitute for the capture of Mithridates, as many modern and ancient critics have held, but a deliberate extension of Roman power at the far end of Anatolia. Instead of wintering his legions in the fertile zone of Artaxata, which has been reckoned among the candidates for the Garden of Eden, Pompey marched them northwards through the mountain frontier of Armenia by the gorges of the upper Cyrus river into the Iberian highlands, and thence eastwards towards Albanian territory. There they were stationed in three separate camps on the southern bank of the Cyrus.[42]

The Iberians inhabited the highlands between the Caucasus ranges and the frontier mountains of Armenia. The region is drained by the Phasis river, flowing westward from the Tiflis area to the Black Sea, and by the middle sector of the Cyrus, which rises in northern Armenia and breaks through gorges to enter the Iberian highlands, whence it flows eastwards to pass through the Albanian lowlands to the Caspian Sea. The Iberians were a relatively civilized people with an agricultural economy, settled villages and townships. Their society was organized in a system of four functional castes – rulers, military leaders who were also judges, peasants who provided fighting men, and 'royal serfs'. The Albanians were more primitive, primarily a pastoral people with a rudimentary economy, and much less suited to provision the legions of Pompey than the Iberians. The core of their fighting men was formidable, armed with bows or javelins and lightly armoured with breastplates and shields, though the mass was ill armed and wore skins.[43]

[41] The invention in App. *Mith.* 109, Plut. *Pomp.* 41.2, and Dio XXXVII.11.1, is defended by Havas 1968 (D 24).

[42] App. *Mith.* 103, alone displaces the Caucasian campaigns, setting them before instead of after the subjection of Armenia; cf. Plut. *Pomp.* 34–5, Dio XXXVI.53–4, with Vell. Pat. II.37, Livy *Per.* CI.

[43] Iberi, cf. Strab. XI.3.1–6 (499–501). Albani, cf. *ibid.* 4.1–6 (501–3), Pliny *HN* VI.29.

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The direction of march and the site of the winter camps indicates that the prime objective of Pompey was to demonstrate Roman power in an area where no proconsul had ever operated. In his previous military career he had waged internal wars against the political enemies of a senatorial faction, and assisted in the last phase of the servile war in Italy, while his naval warfare against piracy, however well organized, carried only glory of a secondary sort. In his first foreign war against a great kingdom the power of the enemy had been substantially weakened by his predecessor Lucullus. Hence Pompey had good reason to select for his attention what was reckoned the most formidable element among the allies and subjects of Tigranes, and to force a conquest that was entirely his own achievement, but yet served to establish Roman power in the far east of the Roman world.

During the winter of 66/5 Oroises, the supreme chief of the Albanian peoples, mustered his forces and crossed the Cyrus river to attack the Roman encampments in three separate actions. Pompey and his legates mastered the onslaught and imposed a truce upon the Albanians without entering their country. In the following spring he moved westwards into Iberian territory. While negotiating with the Iberian king Artoces, Pompey is said to have found that he was preparing for war – as he well might – and struck the first blow. Vigorous fighting ended with a Roman victory in the highlands of central Iberia, when Artoces failed to hold the crossing of the Pelorus river. Pompey made a formal peace, guaranteed by the surrender of the king's sons as hostages, and marched down the Phasis valley into the coastal zone of Colchis, where there was no serious resistance. At the port of Phasis he was met by his naval legate Servilius, who had reached there with a detachment of the Roman fleet.

Belatedly Pompey now considered and dismissed the possibility of pursuing Mithridates either by land through the Caucasian mountains or by sea to the Crimean Bosporus. Leaving Servilius to control the sea routes he marched his army back to Armenia. His failure to eliminate Mithridates was much criticized at Rome, where his supporters in 63 maintained that the Bosporus was beyond the reach of a Roman army. The historical tradition that represents Livy unites in regarding the march through Iberia as aimed at the pursuit of Mithridates, which was unfortunately impeded by the resistance of the Iberians and Albanians.[44] This evidently echoes the defence that Pompey concocted when it was learned that Mithridates had escaped to the Crimea and was preparing to defend himself again. Pompey underestimated the relentless vigour and resources of the aged king, as is revealed by his incautious remark that he had left a worse enemy than a Roman army to deal with him – hunger.

[44] Defence of Pompey, cf. Cic. *Mur.* 34, Plut. *Pomp.* 34.1, 35.1, Dio XXXVII.3.1–3, Livy *Per.* CI.

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For Mithridates was in one of the principal granaries of the Greek world.[45]

Pompey next led his army through the whole length of Armenia to open a campaign against the Albanian people, whom he had defeated in border warfare in the previous winter but not subdued. Since he did not disturb the peace of Iberia he probably took the direct route northward from Artaxata by Lake Sevan to the Albanian frontier. He certainly entered Albania through the barren district of Cambysene, the border land between Armenia, Iberia and Albania.[46] Thence he marched into the heart of the country until in the intense heat of late summer at the crossing of the Abas river he met the main forces of Oroises, reputed to number 60,000 infantry and 12,000 cavalry. He awaited their attack with his infantry immobile, and inflicted a crushing defeat. Victory was followed by the grant of peace and the submission of adjacent peoples. Pompey continued his march southwards through a harsh and barren land towards the Caspian coast, but withdrew when faced by intolerable physical conditions at three days' march from the sea. This was the pattern of conquest that Caesar followed later in his first years in Gaul, where his spectacular victories in major battles were followed by the general submission of large groups of peoples without a systematic reduction of their lands.

By the end of 65 Pompey had returned to bases in Lesser Armenia and Pontus. His Caucasian campaigns, the last of his active warfare in the East, apart from local operations in Syria and Judaea in 63, are the only major military actions in which he advanced beyond the scope of his predecessor Lucullus. Since in his first campaign he began operations in Pontus far to the east of the area in which Lucullus had defeated Mithridates, it is not surprising that he reached the eastern limits of the Armenian empire, and in Albania advanced somewhat further. These campaigns gained Rome valuable support in the East. Twenty years later the Iberians quickly yielded to a legate of Antonius, and afterwards in the first century of the imperial period they regularly assisted in the defence of the Armenian area against the Parthians.

Pompey showed a certain interest in the trade routes described by ancient geographers that linked the trading stations at the eastern end of the Black Sea with the far-eastern caravan routes through eastern Iran and Bactria to India. The main route led from Phasis city by the Phasis and Cyrus valleys across the Caspian sea to the Hyrcanian coast, where it linked with the route from Syria and Babylonia through Iran to Bactria. Pompey secured information about the route and the transit of 'Indian goods', and doubtless marched along a sector of the highway through Iberia to Colchis, where Strabo describes it as a paved road for a four

[45] Plut. *Pomp.* 39.1. [46] Route, cf. Plut. *Pomp.* 35.2–3, Dio XXXVII.3.3–5.

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days' journey between the upper Phasis and the Cyrus valleys. There is no reason to doubt that this route, first mentioned by Herodotus, was active at this time for the transport of oriental wares to the dynasts of Colchis and the Crimean area together with another route to the north of the Caucasus, operated profitably by the Aorsi in the fifties and forties B.C.[47] But there is no reason to connect the mention of this trade with the economic interests of the magnates of the Roman business world. Their activities were confined at this time to easily accessible areas – tax-collection and money-lending in the settled provinces and subordinate kingdoms of the pacified Roman world, and the wholesale trade in slaves through Asia by the mart of Delos to the Roman market. The numerous men of affairs for whom Cicero wrote his letters of recommendation to proconsuls in the next twenty years were mostly confined in their scope to the older provinces of Asia, Macedonia and Achaea. A few reached Bithynia, none travelled further.[48]

## IX. THE ORGANIZATION OF GAINS AND THE ANNEXATION OF SYRIA

Little is known about the activites of Pompey between the end of the Albanian campaign in the autumn of 65 and his arrival in northern Syria late in 64. There is no report of any military action apart from the capture of certain isolated fortresses. The winter was spent in Aspis, an unidentified site in Lesser Armenia. Much time was taken in checking the contents of the numerous treasure-houses of Mithridates, notably that at Talaura, where thirty days were spent on the count. In all Pompey collected no less than 36,000 talents in gold and silver, mostly in coined money at 6,000 drachmae to a talent. All had to be counted and registered in their lists by the proconsular *scribae*. The quaestors of Pompey were in charge of the audit, and since such vast sums were at stake Pompey, who prided himself upon his honesty in public finances, must have made some check upon the accounts, for which he was ultimately responsible.[49]

The main task of this year was the reorganization of Pontus as a province and the appointment or renewal of tenure of kings and princes in the numerous subordinate kingdoms that Pompey recognized or re-established in Anatolia. But these were not tasks on which proconsuls spent a great deal of time, if one may judge by the settlement of Anatolia after the defeat of Antiochus III in 189, or the pacification of Asia by

[47] Trade and routes, cf. Strab. II.1.15 (73), XI.2.17 (498), 3.5 (500), 7.3 (509), with Pliny *HN* VI.52 and Hdt. I.104.1, 110.2, IV.37.1. Aorsi route Strab. XI.5.8 (506).

[48] Cf. Cic. *Fam.* XIII *passim*: Philomelium *ibid.* 43–5, Bithynia, *ibid.* 61.

[49] The chronology of Dio XXXVII.7.5 has been misunderstood as placing 'Aspis' near the Albanian border. Treasure-houses, App. *Mith.* 107, 115, Dio XXXVII.7.5.

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Sulla in 85, who left the detailed work to his legates. More time may have been required by the initiation of the scheme for the creation or enlargement of eleven Greek cities charged with the internal administration of the core of Pontus. But how much of the municipal detail was devised or set on foot personally by Pompey is unknown. In the course of the year Pompey was also occupied with negotiations with the Parthian king: a mission was received and letters were despatched. The legates likewise were no longer occupied with warfare: their operations in Adiabene and Mesopotamia were completed by the winter or spring of 64. Hence it was being said at Rome, as Plutarch records, that Pompey was 'ordering provinces and handing out gifts while the enemy – Mithridates – was still active and uncaptured'.[50]

Late in 64 Pompey moved southwards through Cappadocia and Cilicia into northern Syria. There was no organized resistance except possibly in Commagene, the mountainous principality wedged between the Taurus watershed, Cappadocia and the Syrian foothills. Its ruler Antiochus had made himself an independent king after the end of Seleucid power, and as the enemy of Tigranes had opened negotiations with Lucullus. He now yielded to Pompey who recognized his kingship and awarded him an extension of territory into western Mesopotamia.[51]

Pompey had already decided to annex northern Syria as a Roman province before he met Antiochus Philadelphos at Antioch, late in 64. This prince, whose claim to the kingship of Egypt had been vainly advanced at Rome by his mother Selene before 70, had secured the Seleucid succession at Antioch after the withdrawal of the Armenian forces from Syria in 69–68, and held it for a year, though at variance with his kinsman Philip, who maintained himself in lowland Cilicia. Both princes turned for help to Arab dynasts, Sampsiceramus of Emesa and one Zizos, who plotted to murder their protégés and to seize the kingdom. The plots failed, and Philip secured the support of Marcius Rex, proconsul of Syria in 67, who sent P. Clodius to assist him at Antioch. His rival Antiochus meanwhile had escaped from the hands of Sampsiceramus. When Pompey reached Antioch in 64 it was Antiochus, not Philip, who came to claim the Seleucid throne. But he did not satisfy Pompey, who is reported as saying that he could not grant the diadem to a man who could not keep his kingdom and was unwelcome to his subjects, and added that he would not allow Syria to fall to the despoiling raids of Arabs and Jews.[52] This is a clear reference to the activities of such men as Sampsiceramus, Aretas of Petra, the overlord of Nabatene beyond Jordan, and the brigand Cynaras, who held much of the

[50] Plut. *Pomp.* 38.2; cities, below, pp. 266–8.
[51] Commagene, cf. App. *Mith.* 106, 117, Plut. *Pomp.* 45.5.
[52] Cf. Just. *Epit.* XL.2.3–4; Cic. II. *Verr.* 4.61.

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Phoenician coast from Byblos to Berytus until Pompey dispossessed him, while the Hasmonean princes of Judaea had acquired many Greek settlements in southern Syria. The collapse of the Seleucid power had sown disorder among the rival dynasts of an area that had no internal unity of race or culture.

There was no general resistance to Pompey in Syria, which he annexed for the same reason that had led to the provincialization of Asia and Bithynia, the lack of any effective and trustworthy ruler who could manage the whole country in the interest of Rome. It has been widely held that Pompey annexed Syria mainly to eliminate piracy from the Levantine coast. But piracy was anathema to the trading states of Syria, which are described by Strabo in his account of the age of piracy as hemmed in by the hostile powers of Egypt, Cyprus and even Rhodes, that refused them help against the menace of pirates. Only a single nest of pirates is named along the Syrian coast, south of Phoenicia, at Joppa. Brigandage, which was prevalent in Syria, was a land-based activity, operated from mountain fastnesses against the coastal cities or by the desert nomads, such as Zenodorus, who somewhat later raided the caravans of Damascus. Pompey destroyed the strongholds of Syrian brigandage, but he left Cyprus, a home of pirates in the recent past, in the hands of its ruler Ptolemy brother of the Egyptian king, Auletes (ch. 8*c*, p. 319).[53]

Another factor in the annexation of Syria, sometimes suggested as the principal reason, was the possibility of a renewal of the Parthian interest shown by Mithridates Megas and his predecessors, who had attempted the conquest of Seleucid Syria. Parthia, it is true, did not yet appear to offer any threat to Roman supremacy. But the existence of an organized military state beyond the middle Euphrates, even if reckoned a second-class power at this time was doubtless among the factors that led Pompey to annex Syria and to establish some four legions in Cilicia and northern Syria. If the Romans left Syria to itself the Parthians were likely to intervene just as Tigranes had done.[54]

## XI. POMPEY IN JUDAEA AND NABATENE

The first intention of Pompey in southern Syria was to deal with the aggressive king Aretas of Nabatene. However, he was approached by emissaries from the rival claimants to the high priesthood and kingship of Judaea, Hyrcanus and Aristobulus. Aretas had extended his power northward through Transjordania to the neighbourhood of Damascus, which he held for some years, and recently he had intervened in Judaea

[53] Pirates, cf. Strab. XIV.5.2 (669), XVI.2.28 (759). Brigands. *ibid.* XVI.2.8 (751), 18 (755), 20 (756), 37 (761). [54] Parthia, see below pp. 262–5.

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on the side of Hyrcanus. His power threatened the peace of Syria, while the feud between the Judean princes was an internal affair that had raged intermittently since the death of the regent Alexandra in 69. Before the arrival of Pompey the legate Aemilius Scaurus had gone to Syria in 64, apparently without any armed forces, to investigate the situation. He met representatives of Hyrcanus and Aristobulus in Judaea at the time when Hyrcanus had the advantage through the military support of Aretas. Scaurus not surprisingly favoured Aristobulus, and required Aretas to withdraw from Judaea.

By the time that Pompey had reached Antioch in the autumn of 64 Aristobulus had the upper hand in Judaea and Aretas had retired to Philadelphia in Transjordan. Pompey required both parties to await a settlement after his proposed expedition against Aretas. But when he learned early in 63 that Aristobulus had upset the situation by mobilizing forces at Alexandrion, a fortress that dominated the road from Damascus to Jerusalem, he promptly marched instead against Aristobulus and confronted him.[55] After fruitless parleys Aristobulus withdrew to Jerusalem, where he renewed his evasive negotiations. Pompey lost patience and managed to capture the recalcitrant prince outside the city. The partisans of Hyrcanus opened the gates to Pompey, but the numerous priesthood, with the supporters of Aristobulus, held the strongly fortified temple area against the invader for a siege of three months' duration. The final storming was simplified by exploitation of the inactivity of the defenders on the Sabbath days, which enabled the Romans to complete the machinery of assault and to take the stronghold on the Day of Atonement towards the beginning of October.[56] The fighting, though claimed as the conquest of Judaea by Roman sources, was limited to the fortress in Jerusalem. After its capture Pompey treated Judaea no differently from other subject principalities. He established Hyrcanus as high priest and ethnarch rather than king of Judaea, to the satisfaction of the numerous Jews, particularly amongst the clergy, who objected to the secular kingship. The man was more likely to make a pliant ruler than the unreliable Aristobulus, who was despatched as a prisoner to Rome.

The Hellenized territories in the north and the coastal settlements such as Gaza and Joppa that the Maccabean kings had taken from Seleucid control were returned to the Syrian province. Judaea was confined to the lands of the Jewish people. Pompey did not renew his interrupted campaign against Aretas. News of the death of Mithridates

[55] The prime source is Joseph. *AJ* XIV.2 (29)–4 (79), *BJ* I.6.2–7 (127–57). Little of use is added by Dio XXXVII.16–16.1 and Plut. *Pomp.* 39.3.

[56] Joseph. *AJ*. XIV.4.3 (64–6), confirmed by Strab. XVI.2.40 (763); against the confusion of Dio XXXVII.16.2–4. Cf. Schürer 1973–87 (D 153) I².239 n. 23.

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in the Crimean Bosporus, received before he reached Jerusalem, drew him back to Amisus in Pontus, when the siege ended, to settle affairs with Pharnaces, who took over the power of the king. Aretas was left to Aemilius Scaurus, whom Pompey placed in charge of Syria. Scaurus raided Nabatean territory but did not take Petra or defeat the main forces of Aretas, who made a nominal submission and paid a fine or bribe of 300 talents to Scaurus. But the kingdom survived in diminishing independence until the time of the emperor Trajan.

## XI. PARTHIA AND ROME

It has been widely held that the Parthians, the paramount power that displaced the Seleucids in the Orient, had no western ambitions before the defeat of M. Crassus in 53. But Parthian enterprise in the West began in the time of Mithridates I, who after the defeat of the Seleucid king Demetrius II Nicator in Media, in 130–129 B.C., retained him as a diplomatic prisoner with the intention of restoring him to the throne at Antioch as a Parthian vassal. Ten years later Mithridates' successor Phraates I after defeating the invasion of Antiochus Sidetes planned a counter-attack on Syria that was forestalled when eastern Iran was invaded by a horde from Sacastan. Mithridates II Megas revived these plans by subduing the dependent ruler of the north Syrian Galilei, who owed fealty to Antiochus Eusebes, about 93–92 B.C., and somewhat later defeated the last effective Seleucid king, Demetrius III, at Beroia in northern Syria, in support of his rival Philip.

While Mithridates was preparing his plans against Syria the incident occurred on the Cappadocian frontier that introduced the Parthians to the existence of the Roman power. The propraetor Sulla, after expelling from Cappadocia the Armenian forces that had resisted the restoration of Ariobarzanes to the kingdom, encountered the Parthian envoy Orobazus and held a tripartite discussion with Ariobarzanes and the Parthian about the possibility of friendship and alliance between Rome and Parthia. Or so Sulla reported. This has been taken to mean the actual establishment of a treaty relationship between the two powers. But such arrangements at this date, and later, required the sanction of the Senate or the Senate and People of Rome, as Sulla was well aware. When in Numidia in 105, he had duly forwarded the request of the Mauretanian king for a treaty with Rome through his proconsul to the Senate.[57] No proposals were now referred to Rome, and the Parthian king ordered the execution of Orobazus for lowering the dignity of himself by dealing with a barbarian on equal terms.

After 90 B.C. the Parthian power was diminished by dynastic feuds

[57] Cf. Plut. *Sulla*, 5.8–9, with Sall. *Iug.* 104.

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that enabled the king of Armenia, Tigranes, to establish his independence and, as has been seen, to take control of the Parthian territories between Babylonia and southern Armenia, with Media Atropatene in the north-east, and to annex northern Syria and coastal Cilicia in the south-west. The rise of Tigranes coincided with the collapse of Roman power in Anatolia in the eighties and the renewed challenge of Mithridates Eupator in the later seventies. Contact between Rome and Parthia was restored when Lucullus invaded southern Armenia. After his victory at Tigranocerta he opened lengthy negotiations with the recently established king, Phraates III. But the king came to distrust the Roman envoys and no definitive agreement was made.[58]

When Pompey took charge of the war in the East he immediately reopened negotiations with Phraates, offering the same terms as Tigranes and Mithridates Eupator, who were still seeking Parthian aid. This presumably meant the transfer of the three regions of Adiabene, Mesopotamia and Gordyene, which are later mentioned as what Phraates regained, or expected to gain, in return for his invasion of Armenia. After some hesitation Phraates carried out his agreement, urged on by the disloyal son of Tigranes, who hoped to oust his father, in the summer of 66. He invaded northern Armenia by the Araxes valley and besieged Tigranes in Artaxata. Tigranes managed to vacate the city with his main forces and the siege was unsuccessful, but Phraates had prevented Tigranes from giving any help to Mithridates in Pontus. By the end of 65 Phraates had occupied Adiabene and Gordyene, when he was alarmed by the report of the advance of the legate Gabinius, who had marched by the route of Lucullus to recover southern Armenia and might threaten Mesopotamia, which Phraates had not yet occupied. The king promptly sought the 'renewal and confirmation' of his agreement. Pompey retaliated by demanding the surrender of Gordyene. When Phraates objected he sent a second legate, Afranius, to seize the region and to install Tigranes as its ruler. The Parthians departed without resistance, and Afranius pursued them beyond the Tigris into Adiabene as far as Arbela. Thence in the winter of 65 he withdrew his forces through the dry steppes of Mesopotamia, where he suffered difficulties with supplies that were solved by the semi-Greek city of Carrhae, before he reached northern Syria.

Cassius Dio states that the operations of Afranius were contrary to the agreement with Phraates, who sent a second mission to Pompey, demanding that the Euphrates should form the boundary between the two powers.[59] This was the first time that the issue of the Euphrates

[58] See pp. 241–2 above. For a fuller account see *Cambridge History of Iran* III.1 (Cambridge, 1983).

[59] Afranius in Gordyene, Adiabene, Mesopotamia, cf. Plut. *Pomp.* 36.2, Dio XXXVII.5.2–5. Second Parthian mission, cf. Plut. *Pomp.* 33.8, Dio XXXVII.6.3.

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boundary arose between Rome and Parthia. There is a vague statement in the late Epitomator Orosius that Licinius Crassus invaded Mesopotamia 'contrary to the terms accepted by Lucullus and Pompey', but, since Mesopotamia was held by Armenia down to 65, and no Roman forces entered northern Syria until 64, there was no earlier opportunity for a conflict over the Euphrates frontier. When Pompey replied evasively that he would reckon as the Roman frontier 'whatever was right', and withheld the title of King of Kings from Phraates, the king sought redress by attacking Tigranes in southern Armenia in the summer of 64. The conflict with Tigranes ended in a stalemate, and left Pompey with an excuse for making war on Phraates in defence of Tigranes, who had recently been recognized as a 'friend and ally' of Rome. Pompey eventually rejected the notion, which was encouraged by his staff, with the remark that he had no formal commission to fight the Parthians. He solved the crisis that he had created by an offer of arbitration between the two kings over Gordyene which they accepted. Three nameless Romans, despatched from Syria in 64–63, settled the issue in favour of Tigranes. While the Armenian regained Gordyene, Phraates retained Mesopotamia, except for the western district of Osrhoene, which under its ruler Akbar became a Roman dependency at this time. So Pompey did not concede the Parthian claim to the Euphrates frontier, but left Phraates free to assert his control over the rest of Mesopotamia, which nine years later was Parthian territory when Crassus invaded it.[60]

There is no contemporary evidence for the intentions of Pompey towards Parthia. But his refusal to recognize the title of King of Kings indicates that he meant to weaken the standing of Phraates, and he used the situation that he had engineered in Gordyene in the same way. Since Pompey preferred in general to work under the cover of legitimacy it is unlikely that he seriously considered the invasion of Parthian territory beyond the lands occupied by Tigranes, without a specific mandate, at a time when his political enemies in Rome were already criticizing him for permitting the escape of Mithridates. The Parthians were left to prove their military effectiveness at the expense of M. Crassus. Their armed strength, which the Romans had not yet tested, lay in the combination of heavily armoured cavalry and mounted archers, a totally different style from the Roman infantrymen. Pompey took account of them by leaving a strong force of Roman legions as the garrison of Syria and Cilicia. Two Syrian legions are documented immediately after the departure of Pompey by a chance mention in Josephus. The legions of Cilicia do not

[60] Dispute over Gordyene, cf. Dio XXXVII.5.3, 6.4–5, 7.3, with Plut. *Pomp.* 39.5; Strab. XII.1.24 (747), XI.14.15 (532), confusingly including Gordyene in Mesopotamia, cf. Dio XL.12.2; 13.1–2, 20.1.

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appear until the province became a consular command in 57–56. But Cilicia contained many independent peoples in the highlands that no Roman had yet subdued (as Cicero later found) and could not dispense with a garrison. The two discontented legions that were on the verge of mutiny when Cicero arrived in 52, despite the demobilization of time-served men by his predecessor, had been in Cilicia for many years. Four legions in Cilicia and Syria could deal with any trouble that the Parthians were likely to create on their present form, and maintain order within the provincial area.

## XII. THE EASTERN SETTLEMENT OF POMPEY

### 1. *Military Control*

From the arrangements that Pompey made for the control of eastern Anatolia it is clear that military defence was not in the forefront of his mind. The frontier regions of Anatolia remained in the hands of politically reliable dynasts. The long-suffering Ariobarzanes was reinstated once more in Cappadocia. His territory was extended to include the region of Cybistra in eastern Lycaonia, through which passed the essential highway from Apamea in Phrygia through the Cilician Gates in the Taurus range to the Cilician coast and to Syria. Likewise Tomisa, the Euphrates bridgehead between Melitene and Sophene, was restored to him. The Cappadocian king was thus in nominal control of the two routes linking the Roman power with the new zone of influence in southern Armenia and Mesopotamia. South of Cappadocia the Euphrates crossing at Samosata was left under the control of Antiochus, whose dynasty continued to rule the mountainous principality of Commagene, which lies between southern Cappadocia and the Euphrates gorges. The king was given additional territory east of the river that secured his hold on the crossing. The western approaches to northern Armenia lay through Lesser Armenia and the adjacent mountains largely inhabited by the ferocious Tibareni, who had given trouble to both Lucullus and Pompey. This region through to the Black Sea coast was entrusted – possibly by stages – to the reliable and effective Deiotarus, the Galatian tetrarch. In the far north the vigorous Pharnaces was left in control of the Crimean Bosporus after his elimination of Mithridates, though he was not allowed to hold Colchis, on the mainland, where a Roman nominee was installed.

Pompey thus maintained the system of indirect rule in the frontier zones beyond which lay the kingdom of Armenia, itself reduced to a calculated dependence, but likely to assert itself if opportunity arose. Roman military power was confined to the enlarged province of Cilicia,

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which now included the western sector of the Taurus mountains and the coastal plain beyond, terminating at the Amanus chain that separates Cilicia from Syria. Though not a frontier province in the strict sense, Cilicia was a military zone with a force of some two legions – though their presence is not testified immediately – stationed in the western region of north Cilicia. These were a mobile force, to be used as Cicero used them in 52–51 B.C., for the repression of rebellious or unconquered peoples of upper Cilicia, and when occasion arose for the defence of the whole region against any external threat from Armenia or Parthia. As for the eastern sector of the combined province of Bithynia and Pontus, there is no evidence that whatever forces were assigned to it – which earned their praetorian proconsul the title of *imperator* in *c.* 57 – amounted to a substantial group. In Syria the northern territory was separated from immediate contact with Parthian commanders not only by the Euphrates river but by the principality of Osrhoene beyond the river in western Mesopotamia, which preferred Roman to Parthian suzerainty. The two legions testified as the Syrian garrison after the departure of Pompey were stationed presumably in the neighbourhood of Antioch, as later, when not engaged in Judaea or Nabatene in the south.[61]

### 2. *Internal government*

In Anatolia Pompey extended direct provincial government only to the Cilician plain, which was added to the province, and to central and western Pontus, which he combined with Bithynia. The two regions were very different. Coastal Cilicia was a land of Hellenistic cities which had suffered greatly through the depredations of the pirate fleets in their heyday, and by the actions of Tigranes, who had removed the populations of 'twelve Hellenic cities', mostly in the Cilician zone, to establish his new metropolis at Tigranocerta and to strengthen other settlements in that region. Pompey enlarged the achievement of Lucullus, who paid for the return of these peoples to their native cities, by the resettlement of 'vacant cities and empty lands' in the plain of coastal Cilicia with the numerous former citizens who had been driven to enlist in the pirate fleets by the badness of the times. Appian specifies Mallus, Adana and Epiphania on this account, in addition to Soli, about which Strabo enlarges, and Dyme in Achaea: some 20,000 survivors were thus settled.[62]

In Bithynia the Hellenic cities were numerous, being either ancient settlements or creations of the kings, though they had been largely reduced to townships by the encroachment of the royal domains on their

[61] Legions, cf. Joseph. *AJ* XIV.4.5 (79), 5.2 (84), 6.2 (98).
[62] Settlements, cf. Strab. XIV.3.3 (665), 5.8 (671), App. *Mith.* 96, 115.

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former civic territories. Pompey restored to them the control of districts of adjacent territory as municipal land, and refurbished their internal government by the same system that he introduced into Pontus. Only three old Hellenic cities existed in Pontus, situated in the coastal region: Amastris, Amisus and Sinope, which had become the royal capital. In the townships of the interior there were a number of great Hellenized families, of which the best known is that of Strabo of Amasia, the geographical writer, which provided Mithridates with a number of civil administrators and military leaders. But the mass of the population lived in villages and townships according to the Iranian and pre-Iranian life-pattern.

The territory was administered under Mithridates by a system of district governorships or 'eparchies'. It was necessary for Pompey to replace these by a method of decentralized civic government with which the Romans were familiar. He promoted eight of the larger townships together with the existing Greek cities, widely distributed through the land, to the status of self-governing municipalities with a Hellenic style of internal government. Most of the land of central and western Pontus became the civic territory of the eleven cities, which each received control of several of the former eparchies. So much appears from Strabo's incomplete account of the arrangements of Pompey. Thus Amisus and Amasia each received four or five eparchies, Zela secured 'many', and Megalopolis gained the extensive districts of Colopene and Cimiane adjacent to Armenia Minor and Cappadocia.[63]

How the cities were related to their terrains and to the rural population is not clear. There was possibly a franchise limited to the city dwellers and to magisterial families, while the bulk of the population was excluded from civil or civic rights. The reorganization of Pontus was based on the principle, familiar from the provincial system of Macedonia and Asia, that proconsular administration depended on a substratum of local self-government. The sole exception proves the rule: the temple-state of Comana was granted to the favoured Archelaus, son of Mithridates' general, with a great extension of territory, to rule as a dynast. Strabo writes of Zela, one of the eleven cities, that 'Pompey assigned many eparchies to it and called it a city ': this was not a process of colonization in the old Greek sense, with the establishment of a body of settlers in a new township, but a reorganization of the existing population into a new system.[64] Pompey founded a genuinely colonial settlement only at Nicopolis in Lesser Armenia, where he established a community of ex-soldiery and native elements.

The method of civic administration introduced by Pompey is partly revealed by certain citations of the content of the Lex Pompeia

[63] Cf. Strab. XII.3.1 (541).

[64] Comana, cf. Strab. XII.3.34 (558). Zela, cf. *ibid.* 37 (560).

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'concerning the cities of Bithynia and Pontus' in the letters of Pliny the Younger, imperial legate to the emperor Trajan, written about A.D. 110–11.[65] These, together with civic inscriptions from imperial times, prove that the pattern of government was basically Hellenic, with the normal machinery of elected annual magistrates, civic councils and voting assemblies of citizens. But the democratic system normal in the Hellenistic world was characteristically modified by the conversion of the city councils from annually elected bodies to permanent corporations composed of aldermen. These were nominated by censors, modelled on the Roman quinquennial pattern, who picked the councillors from the ex-magistrates and other members of the upper classes, defined by age and wealth, and expelled unsuitable persons. These methods turned the councils into local senates that represented the predominance of wealth. Their composition was controlled only by the civic censors, drawn from the same social class, and the efficacy of the censorship was limited also by the rarity of the office. The oligarchical councils doubtless rapidly acquired the ascendancy over the popular assemblies that they held in the time of Trajan, because the initiative in the presentation of proposals lay with the councillors. The size of the councils remains unknown, though the proposal for the increase of the council of Prusa in Bithynia by a hundred members, made in *c.* A.D. 97, suggest that as elsewhere in the Hellenized provinces the councils of Bithynia might number several hundred persons. But whether the Hellenized classes in Pontus were so numerous remains uncertain.[66]

Cappadocia, to which Ariobarzanes was restored, was a land of oriental civilization in which the notables expected kingly government, and had demanded its restoration at the beginning of Ariobarzanes' career, when the Senate was minded to abolish it. The administration was divided between twelve 'generalships' on the pattern of Seleucid bureaucracy. Hellenism, introduced by Ariarathes Eusebes in the second century B.C., did not greatly flourish. Mazaca, the royal capital and the base of the royal army, had some form of internal government based on the Greek pattern and derived (it was said) from the code of the early lawgiver Charondas of Catane. There were a few townships called *politeumata*, which normally in Hellenistic usage refers to local settlements of privileged foreigners. Anisa, one of these, had internal self-government on the Greek pattern, but no territory outside the township. Otherwise strongholds prevailed, and temple-towns that acted as market centres. Hence Cappadocia continued to be ruled by kings even after the rise of

[65] Pliny *Ep.* X.43.1, 75–80, 110.1, 112–13.

[66] Initiative of Councils, cf. Pliny *Ep.* X.39.5, 81.1, 6, 110.1. Increase at Prusa, cf. Dio Chrys. *Or.* XLV.7. Cappadocia, see Strabo XII.1.4.

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Parthian power increased its strategic importance in relation to Armenia, down to the time of Tiberius Caesar.

Though the whole of the Cilician region became a Roman province, dynastic rule was recognized in districts such as troublesome Isauria, where Antipater of Derbe had extensive power. Likewise Tarcondimotus gradually extended his control of northern Amanus, while the 'free Cilicians' of the southern Amanus were left undisturbed by the provincial regime until the proconsulship of M. Cicero in 52–51 B.C. But in the Cilician plain the numerous Greek cities, strengthened by restoration and resettlement, provided for local administration.

Galatia, within the barren zone of central Anatolia, where the three tribal groups of the Tolistobogii, Tectosagi and Trocmi retained their traditional Celtic system, though vastly reduced in power, was left to the rule of the so-called tetrarchs. The most notable was the faithful Deiotarus, who dominated the Tolistobogii of western Galatia, and eventually secured from Rome his recognition as king. He was also given, now or a few years later, the principality of Lesser Armenia, together with adjacent mountainous territories through to the Black Sea.

Pharnaces, the surviving son of Mithridates Eupator, in return for the elimination of his father and the surrender of many notable persons, was recognized as the ruler of the Crimean Bosporus, and as a 'friend and ally' of Rome, without any known financial exactions. The kingdom of Armenia, and eventually the principality of Nabatene beyond southern Syria and Judaea, were treated less favourably. But though they paid indemnities at their submission, and though southern Armenia was stripped of stored treasure, they were not required to pay annual tribute. Further afield peoples such as the Iberi and Albani in the sub-Caucasian region, who had been defeated in battle, and the Medes of Atropatene, who had submitted to military pressure, remained in effective independence.

### 3. *Methods of Taxation*

In the past century 'friends and allies' of the Roman People had not paid regular taxes to Rome. There is no evidence that tribute was now exacted from any of the loyal rulers who were restored or recognized by Pompey in Anatolia. Cicero, when proconsul of Cilicia, briefly mentions tax-collectors in his province, and has much to say about certain great Romans who were extracting the repayment of loans from the Cappadocian king, but he never suggests that the king or his subjects paid taxes to the Roman treasury. Instead, he approved an arrangement of the king's own revenues that enabled him to pay his personal debts to Roman

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financiers.[67] If the weak kingdom of Cappadocia was not required to pay tribute it is unlikely that taxation was imposed on the Galatian tetrarchs, who had shown equal loyalty in the past: later Caesar required a large sum as a gift, not as arrears of taxation, from his ex-enemy Deiotarus. But the principalities carved out of the kingdom of Pontus were another matter. It is likely that they were treated like the minor dynasts in the Syrian region, who were certainly required to pay tribute. It is probable that in these territories tribute was paid in a lump sum directly to the authorities of the nearest province, Cilicia, Syria or Pontus. The proconsul of Syria a few years later arranged the collection of taxes from Syrian dynasts, under the arrangements of Pompey, and from Judaea, where he initiated the system, to the exclusion of the Roman financiers.[68]

Roman *publicani* managed the collection of the land and pasture dues, which were the principal Roman impost, from the civic communities of each provincial area. But Pompey modified the system in certain ways to the benefit of tax-payers. In Asia the former method continued by which the tax-right was leased by the consuls or censors at Rome to organized groups or *societates* of Roman businessmen, who thereby secured a monopoly of the system. Something similar is indicated for the Bithynian sector of the new province of Bithynia and Pontus, because in 51–50 B.C. a single composite group of *publicani* administered the collection of the whole of Bithynia.[69] But the taxation leases of the reorganized or newly organized provinces of Cilicia and Syria were let by the proconsuls of the provinces to *publicani* at an auction within their provinces, not apparently in a single block but commune by commune. Though the collection remained in Roman hands the communes ceased to be the monopoly of a single group of *publicani*. A second change was in the method of collection. Instead of direct collection from producers at vintage or harvest the system of *pactiones*, already used as an alternative method in some districts of Asia, was made universal. By this the civic authorities were enabled to make an agreement or *pactio* with the *publicani* for the payment of a fixed sum by the whole community, which they then collected from their citizens by their own agents. Thus a system of local collection was interposed between the *publicani* and the individual tax-payers. Cicero briefly remarked that 'the tax agreements have been completed' before he even set foot in his province: henceforth he was able to concentrate on the control of the excesses of the great money-lenders in their dealings with provincial cities.[70]

[67] Cic. *Att.* VI.1.3. [68] Cf. below, p. 273.

[69] Cf. Cic. *Fam.* XIII.9.2 for Bithynian *societas*.

[70] So much may be gathered from Cic. *Prov. Cons.* 9–10 for Syria, and from *Att.* V.14.1 for Cilicia. On *publicani* in general see Brunt 1990 (A 20) ch. 13.

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## XIII. GABINIUS AND THE AFTERMATH OF POMPEY

The situation around Syria remained quiescent for a few years after the departure of Pompey, though trouble persisted with the Nabatean Arabs. Aulus Gabinius, the former legate of Pompey in the Mesopotamian area, arrived in 57, after his consulship, with a military command on the pattern of the Lex Manilia. A tribunician bill gave him several legions and a considerable sum of money, though neither is precisely described, for a period of three years, and authority to deal with adjacent makers of trouble. But though Cicero talks of Babylon and Persia being subject to his exactions it is clear that he lacked the extensive powers given by the Lex Manilia to Pompey.[71] Affairs in Parthia, with which at this time the ill-defined agreement with Pompey survived, gave an excuse for indirect intervention. After the murder of the king Phraates his sons Mithridates and Orodes quarrelled about the succession. Eventually Mithridates, expelled from the viceroyalty of Great Media by his brother, who held the kingship, turned to Gabinius, who initiated a pattern of intervention that had a long history in the imperial period. Lengthy intrigue was required to secure internal support in Parthia, so that the plot was not set up until the first months of 55, when Gabinius entered Mesopotamia across the Euphrates. But the unexpected opportunity of intervention in wealthy Egypt caused his sudden withdrawal.[72]

Ptolemy Auletes, the bastard son of Ptolemy Soter, had reigned for some twenty years of insecurity after the death of his father in 81. Soter's unsuccessful rival Alexander I left a will on the basis of which, it has been argued from obscure evidence, the annexation of Egypt itself was claimed by the Senate in 87 or 86.[73] Some twenty years later M. Crassus as censor in 65 supported a tribunician bill that probably proposed the confiscation of the treasures of the Ptolemies on a discreditable pretext.[74] After this scheme was defeated by optimate opposition the resourceful Caesar, as consul in 59, with the support of Pompey, secured for Auletes a senatorial decree, confirmed by a law of the people, that recognized him as the 'ally and friend' of Rome, for which he is said to have agreed the payment of 6,000 talents. But a quarrel with his subjects in Alexandria forced him to fly to Rome, where in 57 he sought support

[71] Powers of Gabinius: Cic. *Sest.* 24, *Dom.* 23, 55, *Pis.* 49. Length of command, *ibid. Prov. Cons.* 17, *Pis.* 55, 88, with Asc. 1–2C; Dio XXXIX.60.4. Territorial limits, Cic. *Dom.* 23, *Rab. Post.* 20, *Pis.* 49, Strab. XII.3.34 (558), against Cicero's exaggeration in *Dom.* 60 – 'alteri Syriam Babylonem Persas . . . tradidisses'.

[72] Mesopotamian incursion: Joseph. *AJ* XIV.6.2 (98), *BJ* I.8.7 (175–6), App. *Syr.* 51, Dio XXXIX.56.3, with Cic. *Att.* IV.10.1, fix the date.

[73] The will of Alexander: see Cic. *Leg. Agr.* 1.1, 2.41, *Reg. Alex.* fr. 5, as elucidated by Badian 1967 (D 169). For an alternative view Braund 1983 (A 13) 24–8.

[74] Cic. *Reg. Alex.* fr. 6.6, suggesting the exaction of concessions through threats, is to be set against the proposal for direct subjugation in Plut. *Crass.* 13.2, Suet. *Iul.* 11.

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for his restoration against the counter-claims of Alexandria in the name of his elder daughter Berenice. The consul Lentulus Spinther, then an associate of Pompey, secured a senatorial decree authorizing the restoration of Auletes by himself as proconsul of Cilicia in the following year. But the authority was disputed at Rome early in 56 by the henchmen of Pompey and Crassus, seeking the transfer of the mission, and by optimate opponents of both who invoked a Sibylline oracle barring the use of force. Hence nothing was done, and Auletes left Rome a disappointed man, unaware that the private reconciliation of Pompey and Crassus by Caesar at Luca in April 56 had solved his problem: he was to be restored to the throne of Egypt by the agency of Gabinius as proconsul of Syria.

The situation was complicated when Archelaus of Comana, until recently the henchmen of Gabinius, unaware of the compact of Luca, accepted the invitation of the controllers of Alexandria to marry Berenice, the nominal queen of Egypt, and to resist the restoration of Auletes. In the spring of 55 Auletes reached Syria with a letter from Pompey as consul requiring Gabinius to restore the king to his kingdom. Gabinius promptly complied. He invaded Egypt, eliminated Archelaus and Berenice, and set up Auletes as king with a small force of Roman troops as his personal guard. He left the equestrian man of affairs, Rabirius Postumus, as the financial minister or *dioiketes* of Egypt, to secure the repayment of the Roman bankers who had supported Auletes, and to extract a reward of 10,000 talents for his services. The role of Pompey is further revealed by a scene in his house in which Rabirius, before leaving Rome, arranged a financial agreement with the king's representatives. Auletes managed to retain his throne, and after him his daughter Cleopatra ruled Egypt until the aftermath of the battle of Actium.

Whatever the faults of Gabinius he gave his first and last attention to the maintenance of order within his province. He did not intervene in Parthian affairs until the third year of his command. The first two years were spent in suppressing a revolt in Judaea stirred up by the Maccabean prince Alexander, son of the troublesome Aristobulus, now a prisoner at Rome. Alexander raised a considerable force to reoccupy the strongholds in eastern Judaea from which Pompey had driven his father. Hardly had Gabinius marched southward with his legions and defeated Alexander when Aristobulus escaped from Rome and arrived in Judaea to renew the rebellion with the same result. These operations marked the first conquest of the people and territory of Judaea by Roman forces in widespread fighting, in contrast to the isolated if considerable action of Pompey at Jerusalem. They revealed the intransigence not only of the clerical faction at Jerusalem but of the Jewish people against Roman

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intervention. Gabinius had the backing at first of the supporters of the high priest Hyrcanus, but the defection of the influential Pitholaus and his forces to Aristobulus undermined his position in Jewish esteem. Aristobulus was sent back to Rome, but Alexander remained in Judaea thanks to his mother's influence, where he stirred up yet another unsuccessful rebellion in 55. Gabinius in his last months after his return from Egypt repressed both this and a hostile movement in Nabatene.

Gabinius had followed up his victories by an attempt at a peaceful settlement before his Egyptian adventure. The high priest having proved an ineffectual ruler, unable to control his powerful kinsmen, was restricted to the religious supervision of Jerusalem. His political role was transferred to five regional councils, or *synhedria*, based on townships in the four principal regions of Judaea – Galilee, Peraea across Jordan, Idumea in the south, and Judaea proper, which was apparently split between the councils of Jerusalem and Jericho. Nothing more is known about them, apart from a general resemblance to the regional federations in Macedonia, Asia and Achaea, like which they 'had their civic life' and 'were organized as members of the *synhedria*'. These seem to have survived as a substratum under the power of Antipater (Hyrcanus' vizier and a potent aide to Gabinius) when he later became the effective ruler of Judaea, after which they disappear from certain record.[75]

The financial arrangements of Gabinius for his province, which are known obscurely from the ferocious and allusive attack of his political enemy Cicero, are of special interest. Gabinius hampered or restricted the Roman *publicani* in their activities by rulings at his tribunal and by administrative action, including the direct collection of taxation by his own agents in certain cities and principalities. Amongst these was Judaea, for which Gabinius appears to have established the system of direct payment to the Roman quaestor at Sidon. Gabinius, like Pompey, enriched himself at the expense of kings, but aimed at the fair treatment of the tax-paying provincials. Josephus, the local historian, writes over a century later that Gabinius 'departed after performing great and famous deeds in his government'. But that did not save him from condemnation by the *quaestio repetundarum* at Rome, manned largely by the people that he had offended.[76]

[75] Civic leagues: Joseph. *AJ* XIV.5.4 (91), *BJ* I.8.4–5 (170). Cf. *AJ* XIV.9.2 (158), *BJ* I.10.4 (203).

[76] For the innovations of Gabinius in Syrian taxation see Cicero's hostile version in *Prov. Cons.* 9.10, with *Pis.* 41. For Judaean taxation cf. Dio XXXIX.56.6 with Joseph. *AJ* XIV.10.6 (203). Comment of Josephus, *AJ* XIV.6.4 (104).

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but not removed from Jewish control.[33] Hyrcanus, who, according to Josephus' story in the *Jewish War*, had funded himself by rifling David's tomb, soon afterwards set off with his army to accompany Sidetes into Parthia, where he was treated with courtesy, if Josephus is to be believed. The collapse of this expedition, Sidetes' death in battle, the Seleucid abandonment of Iran and the renewal of wars within the dynasty finally left Hyrcanus a clear field. It is on record that the payment of general tribute now ceased permanently (*AJ* XIII.273).

So ended one dependence. We should not, however, conclude this discussion without observing that another was slowly growing. The puzzle of Sidetes' abrupt withdrawal from Jerusalem may well have its solution in a behind-the-scenes statement from the Roman Senate, who will at this point not have welcomed the threatened Seleucid revival. This interpretation depends upon a *senatus consultum* brought to us by Josephus as a tailpiece to his account of Hyrcanus' rule, but most appropriately associated with this stage in it, and with Antiochus VII (*AJ* XIII.257–64). The document records the report of a Jewish embassy to the Senate stating that Antiochus (we are not told which king of that name is meant) is holding various Jewish territories, including Joppa, Gezer and Pegae, in contravention of a previous senatorial decree. The embassy invokes a long-standing friendship and alliance between the Jewish and Roman peoples; and the body of the new decree reiterates that alliance without deciding on any immediate response. Such a restricted statement may well have been sufficient intimidation, and we cannot know what covert activity accompanied it.[34]

The history of Rome's alliances with the Jews was by now a well-established one, begun with Judas' famous treaty of 161 B.C., and reiterated and more widely publicized under Jonathan and then under Simon. Even if no more than token gestures, based upon a vague consciousness of her possible interests, had at first been intended on Rome's part, the situation had developed since those days. This is not the place to examine the wider perspectives.[35] But it is worth noting that the expulsion from Rome in 139 B.C. of the Jews residing there, which Valerius Maximus briefly reports, did not affect the diplomatic situation. The expulsion was evidently one of Rome's periodic reactions to foreign religions in the city, and not a general attack on Jews and their interests.[36]

[33] Rajak 1981 (D 147) against the view that Sidetes treated Jerusalem punitively.

[34] Sherwin-White 1984 (D 291) 77–8, for the context in Roman diplomacy.

[35] See *CAH* Vol. VIII² 382–7.

[36] Val. Max. 1.3.2 (in epitome, with text uncertain). The Jews appear to be identified as worshippers of Jove Sabazios. This is the only clear evidence of the Jews in Rome at this time. Some regard the story as confused or apocryphal. See Lane 1979 (D 128) and Stern 1974 (D 158) no. 147, 357–60, on attempts to link the expulsion specifically with Simon's embassy.

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## V. CONQUEST AND JUDAIZATION

The rule of John Hyrcanus lasted for thirty-one years, from 135/4 B.C., until 104. His eldest son, Aristobulus, who succeeded him as high priest, lived for only one further year. There followed a regime nearly as long-lasting as that of Hyrcanus, for Alexander Jannaeus (Yannai), Aristobulus' brother, ruled for twenty-seven years as high priest; he also took the title of king. He was succeeded by his redoubtable widow, Salome Alexandra, who, it would seem, had previously been the widow of Aristobulus and, as such, had engineered Jannaeus' succession; and she occupied the throne between 76 and 67 B.C., the eve of Rome's arrival.[37]

The extension of Jewish territory continued throughout this period, and the dynasty's military capacity grew, especially after Hyrcanus introduced the practice of hiring mercenaries. None the less, it is important to point out that, of all the rulers, only Jannaeus pursued unequivocally aggressive policies. Hyrcanus, to be sure, paved the way; but his activities were restricted to carefully judged campaigns with limited targets, and there were long periods when he was not at war.[38]

Josephus gives a résumé of Hyrcanus's early wars, beginning in 129 B.C.: 'as soon as he had heard of the death of Antiochus [Sidetes], Hyrcanus marched out against the cities of Syria, expecting to find them devoid of soldiers and of anyone able to rescue them, which was indeed the case' (*AJ* XIII.254). This sweeping sentence heralds several important conquests: the capture of Medeba in Moab (southern Jordan), together with the neighbouring town of Samoga (or Samega); of the Samaritans' city of Shechem and of their shrine on Mount Gerizim; and, lastly, of the Idumaean cities of Adora[39] and Marissa, to the south of Judaea. The Idumaeans are said to have accepted circumcision and adopted the Jewish law, in order to retain their homeland.[40]

Towards the end of his life, Hyrcanus returned to the Samaritan region; this time two of his sons laid siege to the Hellenized city of Samaria (*AJ* XIII.275–83). The siege lasted a year, but neither the Samaritan population, nor Antiochus IX (Cyzicenus) who came to their aid, nor the two generals whom he later left behind there, nor even the troops supplied to Antiochus by Ptolemy Lathyrus could shake off

[37] The marriages of Salome Alexandra: Sievers 1989 (D 155) 135–6. Putting the end of her rule in 67 B.C. is a consequence of accepting the best of the possible reconstructions of Hasmonean chronology: Schürer 1973–87 (D 153) I.200, n. 1.

[38] Stern 1981 (D 159). For an assessment of the military capabilities of the later Hasmoneans, see now I. Shatzman, *The Armies of the Later Hasmoneans and Herod from Hellenistic to Roman Frameworks* (*Texte und Studien zum antiken Judentum* 25) (Tübingen, 1991).

[39] Josephus also Hellenizes the name as Adoreon and Adoreus, as well as using the biblical form, Adoraim, in the parellel account, *BJ* I.63.

[40] However, at *AJ* XIV.403, Josephus is still able to describe them as 'half-Jews'.

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Hyrcanus. In the end, we hear, he effaced the whole settlement, by the method, if this can be believed, of undermining its foundations. Scythopolis, the Greek city situated at the key point where the valley of Jezreel meets the Jordan valley, was taken immediately afterwards. The *Jewish War* (I.66) says that it was razed to the ground and its inhabitants reduced to slavery, a rare case of enslavement being mentioned as a consequence of Hasmonean seizure.

The motivation behind these different campaigns is for the most part lost to us. To increase his resources may well have been a priority for Hyrcanus, given, on the one hand, the agriculturally unproductive character of his homeland, with, in addition, its lack of minerals of any kind, and on the other the demands of a new aristocracy in an enlarged city. Trading interests could go some way to explaining the conflict with the Nabateans, formerly a friendly people, since they had long operated by controlling the roads, and Medeba was situated on the King's Highway, the great trade route which skirted the desert and linked the Red Sea with Damascus.[41] The Samaritans had cut Judaea off on the north and the Idumaeans on the south; a cryptic remark in Josephus actually alludes to some connexion between those two zones, explaining the destruction of Samaria in terms of her interference with Marissa (*AJ* XIII.275). As for Hyrcanus' treatment of conquered territory, that followed for the most part the unremitting severity learned by his family through bitter necessity during their early struggles. Special vindictiveness was reserved for the Samaritans of Shechem, monotheists and once Jews, who, however, unlike the Jerusalemites, had accepted the transformation of their cult by Antiochus Epiphanes. Whatever its origins, the schism was now complete. The apocryphal book of Jubilees, thought by some to belong to this period, in its version of the biblical story of the rape of Dinah and of her brothers' brutal punishment of the Shechemites, omits to mention that the Shechemites had circumcised themselves before the assault, and this interpretation of the text may well have been meant to make more palatable Hyrcanus' treatment of Samaria/Shechem, by glossing over her connexion with Israel.[42]

We are not entitled to assume, as modern writers are inclined to do, that destruction and expulsion were the preordained lot of all those who, unlike the Idumaeans, would not convert; still less to imagine that Hyrcanus, and perhaps others of the later Hasmoneans, were seeking to ensure for every part of their holdings a purely Jewish occupation. That is to go well beyond our evidence; and such a total repopulation, with a

[41] On Nabatean–Jewish relations, Kasher 1988 (D 126) 6–24.

[42] For a summary of views on the Samaritan schism, see Purvis 1986 (D 143). On Samaria and Marissa, Egger 1986 (D 115) 102ff. For Jubilees, Mendels 1987 (D 134) 72–3, and also 104–5 on the Testament of Levi, another possible reflection of the treatment of Samaria.

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complete reversion after Pompey's conquest to a pagan populace, is scarcely conceivable. What we know of the region's towns suggests that their inhabitants were for the most part ethnically and culturally mixed.

The Judaization of Edom must have had its own special story. In the light of indications in the ancient narratives that this transformation was at least partly voluntary and of the attachment of the Idumaeans to the Jewish cause at the time of the great revolt of A.D. 66–74,[43] a certain affinity between the Jews and a significant element within Idumaea seems probable. It is not unlikely that, in this area so close to Jerusalem, Jewish settlers had become thoroughly intermingled with the Semitic population. We know something of the inhabitants of Hellenistic Marissa from the names in the inscriptions of its remarkable rock-cut tombs, but they have not yielded a clear answer to this question.[44] Nor can we tell what caused the removal to Egypt of a community of persons with obvious Idumaean names who have been revealed to us in papyri.[45]

During his short period of rule, Aristobulus managed one enterprise. The outcome in this case too was the circumcision of at least a part of a defeated people. But Aristobulus looked northwards, to the upper Galilee, a choice perhaps determined by the presence of a Jewish population in this formally still Gentile territory. We learn from Josephus (*AJ* XIII.318) that some of the Ituraeans, who lived there and in the Hermon area, were ordered to convert or to leave. Regrettably, Josephus dependent as he is on his Greek informants, reduces the story to this single episode, leaving us, as so often, to deduce the wider context. It is remarkable that Strabo, the Greek writer whom Josephus actually cites at this point, so far from being critical of the questionable act, is prepared to praise Aristobulus for having served his nation well by its enlargement.[46]

The name of Alexander Jannaeus is not linked with any effective conversions, although we do hear that his troops wrecked the Transjordanian city of Pella because the inhabitants rejected the customs of the Jews (*AJ* XIII.397). That vague phrase may be taken as referring not to mass circumcision, with the threat of expulsion as alternative, but rather to a formal Judaization of the city's organs of government and the transference of political control to a Jewish element.

Apart from Pella, Jannaeus overran numerous towns in the course of a

[43] On the conversion of Idumaea, see S. Schwartz, 'Israel and the nations roundabout: I Maccabees and the Hasmonean expansion', *JJS* 42, 2 (1991) 16–38. See also Goodman 1987 (D 120) 189–94. [44] For literature on Marisa, Schürer 1973–87 (D 153) II 4–5.

[45] Rappaport 1977 (D 149).

[46] From Strabo's lost Histories; he, in turn was, according to Josephus, citing Timagenes. Strabo's version is highly valued as a recognition of a new and wider concept of Jewish ethnicity by S. J. D. Cohen, 'Religion, ethnicity and "Hellenism" in the emergence of Jewish identity in Maccabean Palestine', *Religion and Religious Practice in the Seleucid Kingdom*, ed. P. Bilde, T. Engberg-Pedersen, L. Hannestad, J. Zahle (Aarhus, 1990) 204–24.

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stormy career, with dramatic advances and equally dramatic setbacks. He has gone down in history as the destroyer of Greek cities, as a ruthless opponent of paganism and indeed of Hellenism. Yet the list of his conquests supplied by Josephus falls far short of warranting such a reputation. It will be noted that the places in question are described by Josephus not as Greek cities but merely as cities of 'Syrians, Idumaeans and Phoenicians'. What is involved is, simply, the achievement of Jewish control over the remaining parts of Palestine and over its surrounds: the coastal strip, Idumaea, Samaria, Carmel, the Peraea, Gaulanitis (the Golan) and Moab. Certainly, recalcitrant cities were not spared brutality: in the *Jewish War*, Josephus speaks of Jannaeus reducing Gaza, Raphia and Anthedon to servitude. But this brutality was matched by that of the other side, and seems to have been more a means of reducing opposition or punishing the obdurate than a bid to judaize whole populations by the sword. So, for example, Amathus in southern Jordan was demolished because its ruler, Theodorus, would not meet Jannaeus in combat. But there is good reason to believe also that allegations about the root and branch destruction of cities by Jannaeus are exaggerated, since many of those mentioned rapidly revived.[47] The context of those statements in Josephus shows that they originated in connexion with the subsequent refoundation of the cities by Pompey and Gabinius in the wake of the Roman occupation of 63 B.C.[48] They derive, in fact from the post-restoration propaganda, in which much had to be made of the achievements of the restorer. The same process has been noted in relation to Alexander the Great's activities at Gaza and at Tyre;[49] and Pompey, the new Alexander, was to arrive as the saviour of the 'Greeks' of Syria and of Palestine. The association of the cities with an image of Hellenism belongs more to the ideology of the Roman conqueror than to the mentality of the Jewish king, or, indeed, to the situation on the ground, where, at this time, the typical city of the region did not much resemble a Greek polis. The vacuum of recent years in international affairs had given scope to local tyrants, and it was to them that Jannaeus was most directly opposed. Both Zoilus, who ruled the coastal cities of Strato's Tower (later Caesarea) and of Dor, and Theodorus of Amathus (in southern Jordan) yielded to the Jewish king in the first decade of the first century B.C., after prolonged sieges. Archaeology suggests Zoilus' towns to have been massively constructed forts, rather than laid-out conurbations.[50]

[47] So Aryeh Kasher, in Hebrew and also *id.*, *Jews and Hellenistic Cities in Eretz-Israel: Relations of the Jews in Eretz-Israel with the Hellenistic Cities during the Second Temple Period. (332 B.C.E.– 170 C.E.)* (*Texte und Studien zum antiken Judentum* 18) (Tübingen, 1990) 161–7. Against a view of the Hasmonean campaigns amongst the 'Greek' cities as a conflict of cultures, see already, Tcherikover 1966 (D 162) 247–8. [48] Especially clear in the *Jewish War* version, *BJ* 1.156.

[49] Jones 1937 (D 272) 237. [50] Levine 1974 (D 130); Raban 1987 (D 145); Stern 1985 (D 157).

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The wars of king Alexander Jannaeus seem dominated by pragmatic rather than by religious considerations. The coastal strip and the east bank of the Jordan, from Moab to the Golan, were now the central areas of attention. These were zones in which his predecessors had established a limited foothold. Now that Hyrcanus had dealt conclusively with the Idumaeans and the Samaritans, his closest neighbours, the main thrust of the campaigning was naturally carried further afield. Nevertheless, the target was even now not one of single-minded expansion; the power of the Jewish ruler was never sufficient for that. The main determining factor of the advance was a complex interaction, scarcely avoidable, with other rising powers in the region. With this came, perhaps, the lure of new commercial possibilities.

Thus, Jannaeus' opening venture was a major assault on the important port of Ptolemais (Akko). This went well, until it was cut short by the intervention from Cyprus of the deposed Egyptian king, Ptolemy Lathyrus. Jannaeus reached an accommodation with Lathyrus, which, in turn, was soon nullified by Jannaeus' own double-dealing: he was caught in secret negotiations with Lathyrus' mother, now ruling as Queen Cleopatra III (*AJ* XIII.324–37). Lathyrus went on to inflict two major defeats on Jannaeus, one in the lower Galilee and one in the Jordan valley, and then to invade Judaea. Only Cleopatra's military intervention halted his advance. In Josephus' narrative, Jannaeus' initial assault on Ptolemais remains unexplained; but it is not improbable that Lathyrus had already before nursed hopes of using the city as a springboard into Palestine and thence back to his own kingdom, while Jannaeus, for his part, had seen the advantages of gratifying Cleopatra by forestalling her son. Had Jannaeus merely been in search of a northern outlet to the sea, to serve the Galilee, which had probably become predominantly Jewish at the time of Aristobulus' conquest of the Ituraeans, he would hardly have moved so rapidly.[51] Rather, then, Egypt orientated politics seem at this stage to be the mainspring of action. The presence of two important Egyptian Jews, members of the Oniad clan, among Cleopatra's generals (*AJ* XIII.349) may go some way to explaining the role played by Jewish Palestine in the fortunes of the warring Ptolemies in these years. On the other hand, Jannaeus, unlike his predecessors, does not seem to have dealt with Rome, and there is no evidence of a renewal of their treaties.[52]

Lathyrus was eventually, though as it turned out temporarily, deflected by Cleopatra, and some time before her death in 101 B.C., she signed a treaty with Jannaeus at Scythopolis (*AJ* XIII.355). That observers were struck by the queen's subsequent disengagement from

[51] For the probability that Aristobulus took most of the Galilee: Schürer 1973–86 (D 153) II.9.

[52] On Ananias and Helkias, see Stern 1981 (D 159) 37. On Jannaeus and Rome, Rappaport 1968 (D 148).

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the affairs of Palestine is revealed by the story in Josephus that Ananias, one of her Oniad generals, flatly refused to co-operate with her unless she undertook to leave the Jews alone. Whatever her real considerations, her decision was an invitation to Jannaeus to move in and onwards, and in the succeeding years he took not only the towns of the tyrants Zoilus and Theodorus but also notably, Gadara (south east of the Sea of Galilee) which was becoming a genuine centre of Greek culture, and Gaza.[53] The latter was the key to the southern sector of the coastal strip; it was also an established ally and outlet of the Nabateans. Their trade was threatened by Jannaeus, not only at Gaza, but also, and, perhaps, more so, by his activities across the Jordan. During some eight or nine years the Nabateans, with the help of the Seleucid monarch, Demetrius III, fought with unexpected tenacity to retain their sphere of influence and in battle they inflicted a serious defeat on the Hasmonean deep inside Judaea. But in the last years of his reign (83–76), Jannaeus was able to redress the balance, so that he finished master of most of what lay between the Golan (in the north) and Moab (in the south), including such places of importance as Gerasa and Gamala and, as already mentioned, Pella. The country was secured by a network of virtually impregnable fortresses, of which Josephus names three, Hyrcania, Alexandrium and Machaerus, all of them overlooking Transjordanian territory (*AJ* XIII.417). At Masada, Jannaeus' coins were found in abundance.

The new areas were an integral part of the kingdom which, on his death, the king bequeathed to his widow and successor, Salome Alexandra. The queen retained her husband's kingdom intact during her nine years of rule (76–67), and she substantially increased the army; but Judaea's power across the Jordan was to prove short-lived, and to be replaced almost immediately by a very different arrangement, the group of cities founded or refounded by Pompey which together became known as the Decapolis. The mixed character of these places had probably persisted throughout, and the enhanced Jewish presence of the Hasmonean period will have served in equal measure to hellenize the Jews and to judaize the region.[54]

## VI. HELLENIZATION AND THE IMAGE OF THE HASMONEAN RULER

So far from being anti-Greek, the political style of the later Hasmoneans acquired a number of Hellenistic traits as time went on. Simon's accession, and the manner of his death had already shown something of this. The Maccabee brothers had had Semitic nicknames (1 Macc. 2:1–5);

[53] Kasher 1982 (D 125).

[54] For eastern aspects of the culture of Decapolis towns, Bowsher 1987 (D 101).

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their successors took on Greek personal names which overshadowed their Hebrew ones. Aristobulus, also called Judas, even styled himself Philhellene, according to one interpretation of Josephus' words (*AJ* XIII.318). John Hyrcanus hired foreign mercenaries, and Jannaeus, and later even Salome Alexandra, followed suit: because the local populace was badly disposed, Cilicians and Pisidians (whom Josephus calls 'Greeks') were employed, together, perhaps with Thracians; and for the battle near Shechem against Demetrius figures of 20,000 Jews and 6,200 mercenaries or of 10,000 Jews and 9,000 mercenaries are given.[55] Jannaeus called himself king, as well as high priest, in a juxtaposition unsanctioned by Jewish tradition; and he feasted in public with his concubines in a manner perhaps not totally alien to David and Solomon but unacceptable in the Jewish high priesthood (*AJ* XIII.380). The testamentary choice of his widow, Salome Alexandra, as successor, in preference to either of his sons, also reveals Hellenistic influence.

Diplomatic ties and the social intercourse that went with them will have led the Hasmonean rulers, as also their wealthier subjects, to a share in the Graeco-oriental culture of their day. Contact with Jews from the established Diaspora centres in Alexandria and in Asia Minor, above all their regular presence in the capital, will have encouraged such developments. This is the period when the habit of pilgrimage on the three agricultural festivals probably took root; this both expressed the significance to Jews elsewhere of the Temple under its Hasmonean management and provided a framework for a participation more active than the mere contribution of the half-shekel for its upkeep. One of Alexandrian Jewry's most famous documents, the *Letter of Aristeas* to Philocrates, which is essentially the legend of Ptolemy II Philadelphus' commissioning of a Greek translation of the Bible by sages summoned from Jerusalem, may well have been written towards the end of the second century B.C., and sheds some light on Diaspora perceptions of Jerusalem at the time. The city is idealized and schematized and its scholars elevated, but little real knowledge of place or people emerges.[56] That the Oniads' cult at Leontopolis in the Egyptian Delta was enough of a rival to the Jerusalem Temple to explain the remoteness from Jerusalem expressed by the authors of this document, is a possibility which cannot be proved.

What little we know of Hasmonean architecture expresses the spirit of the age clearly enough. Paradoxically, such features emerge first, and most overtly, from a description, by none other than the militant author

[55] We may explain in terms of reactions to these Thracian mercenaries Jannaeus' nickname 'Thrakidas': Joseph. *AJ* XIII.383; Syncellus I (ed. Dindorf), p. 558: so, Stern 1981 (D 159) 31 n. 53.

[56] Collins 1983 (D 105) 81–6, with further bibliography on the *Letter of Aristeas*. On the unity of Jewry at this period, see A. Momigliano, *Alien Wisdom: The Limits of Hellenization* (Cambridge, 1975) 114–16.

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of 1 Maccabees, of the tomb built by Simon for Jonathan in the ancestral town of Modiin, with its seven pyramids surmounted by columns bearing trophies of armour and carved ships, and its construction of polished stone (1 Macc. 13:25–30). Scarcely anything now survives of this great landmark, but the mixed idiom is one familiar to us in the architecture of the region, notably in the Nabatean rock-cut tombs of Petra. In Jerusalem, it is exemplified on a more intimate scale in the so-called tomb of Jason, a burial associated not directly with the dynasty, but, in all probability, with an aristocratic family of the time, over several generations. There the style, if the monument has been correctly reconstructed, has a pointed roof and a neat porch with Doric columns *in antis*. Surviving fragments reveal that the Corinthian order also made its appearance. Inside, graffiti appear to represent a naval battle, while an epitaph in Greek and Aramaic, quite well preserved, urges the enjoyment of life, of drink and of food. The naval battle recalls the ship motif on the tomb at Modiin, and may possibly be associated with the Hasmonean conquest of the coast.[57]

The description of the dynasty's mausoleum shows that its members had pretensions to be builders on a large scale at an early stage. Many of their projects were later lost in Herod's even more ambitious schemes, but in the case of the splendid winter palace in the Wadi Qelt (beside Jericho) Jannaeus' opulent edifice can still be seen as a separate unit. A colonnaded swimming-pool surrounded by a promenade, aqueducts to secure an ample water-supply and coloured frescoes within, bespeak Hellenistic influence, enthusiastically adopted.[58]

Jason's tomb is one proof, were proof needed, that at the very least some external aspects of a Hellenized lifestyle spread beyond the royal circle to the Jerusalem aristocracy. These new Hellenizers were not like those of the era of Antiochus IV's persecution, and there is no question of their compromising the integrity of Judaism's fundamental tenets. But there is no doubt that aspects of Hellenization were capable of offending significant elements in the population. We may deduce this by the great care, which we have already noted, taken by the later Hasmoneans over their self-presentation on their coinage. Hasmonean coins remained image-free to the very end, always replacing the customary ruler's portrait with a second symbol. After John Hyrcanus, the next to issue a major coinage was Alexander Jannaeus. Admittedly, and not unexpectedly, he was less conservative, using Greek and Aramaic, as well as Hebrew, and, on some types, openly advertising his kingship, either in words or with symbols of star and diadem. Yet the light weight of the coinage and the appearance of an undated lead issue at

[57] Jason's tomb: Rahmani 1967 (D 146), Avigad 1950–1 (D 91), and Benoit 1967 (D 98). Foerster 1978 (D 116); Peuch 1983 (D 142). [58] Netzer 1975 (D 138); see also Bartlett 1982 (D 96) 116ff.

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some point in his reign may point to difficulties in meeting the pressing demands of troop payments, and reminds us that the Jewish public was not the only target of the king's self-promotion. For the Jews, or the more traditional among them, he gave, on his Hebrew coins, his Hebrew name, Jonathan, rather than Alexander; and there were others on which he employed the old form of legend, devised by Hyrcanus, which referred simply to the high priesthood and the Jewish *ḥever*. Of two types of *bulla* or seal ascribed to Jannaeus, one names him (in palaeo-Hebrew script) as 'Jonathan high priest' and one as 'king'.[59] The chronological sequence of Jannaeus' numerous dies is not established. It is, none the less, tempting to associate with the major internal crisis of his middle years a group of puzzling overstruck coins, where 'Jonathan, the high priest and the *ḥever* of the Jews' has been made to obliterate the earlier text on the obverse.[60]

## VII. DIVISIONS IN JEWISH THOUGHT AND SOCIETY

The Hasmoneans may have acted on behalf of the people, but this did not mean that their rule was acceptable to all. The shifting patterns of support and opposition to the ruling house are now in large part lost to us. We are, however, able, by combining with caution reports in Josephus, recollections in the Talmudic literature and allusions in the Qumran texts, to form some impression of the connexions between various groupings and political events. In a more general sense, the emergence of a military monarchy was bound to have large-scale social and religious repercussions in a tight-knit society, as that of Judaea had been. The formation of sects which dissociated themselves to a greater or a lesser extent from other Jews, begun under the impact of earlier pressures, was undoubtedly accelerated by the political changes of our period.

Even before the revolt of the Maccabees, the issue of Greek influence had brought about deep internal hostilities. It is worth remembering that the high priestly house which had dominated since the time of Alexander, that of Onias (descended from Zadok), had taken itself into Egyptian exile, during the 'Hellenistic reform' crisis. There, as has already been mentioned, they had gone so far as to construct with Ptolemaic consent, on land at Leontopolis, a temple which must in some sense have paralleled that of Jerusalem. This temple, although it can hardly have commanded the allegiance of Egyptian Jewry as a whole, lasted for several centuries and had sufficient importance for Vespasian

[59] Avigad 1975 (D 92).

[60] Meshorer 1982 (D 135) 1.58, 79ff, 123ff; Ariel 1982 (D 90). On the internal crisis see below, pp. 306–7.

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to find it necessary to destroy it in the aftermath of suppressing the Jewish revolt of A.D. 66–74.[61]

Throughout the period of the Maccabean revolt, a different party, that of the Hellenizing Jews, had remained loyal to the Seleucids and never found an accommodation with the Maccabean party. By 165 B.C. too, another highly characteristic reaction had manifested itself, one in which a select group isolated itself in the interests of piety or purity. A band of *ḥasidim* (righteous persons) is described as joining Judas; they allowed themselves to be slaughtered rather than desecrate the Sabbath by taking up arms. The survivors soon afterwards broke with Judas and were ill-advised enough to seek a reconcilation with the high priest Alcimus, the untrustworthy appointee of Antiochus V.[62] Thus, even pursuers of purity did not always avoid the political arena. As a group they then disappeared from history, but they are often regarded as the ideological progenitors of one of the major tendencies in Second Temple Judaism, sometimes of Pharisaism, or, more often of such circles as fostered eschatological speculation and authored apocalypses, among whom was the Qumran sect. An earlier, Mesopotamian origin, seems, however, more probable for the characteristic modes of thought of Jewish apocalypse.[63]

Be that as it may, the groupings which dominated the ensuing era are differently delineated by Josephus. It is in connexion with the rule of Jonathan that he first mentions the three major divisions, which he calls *haireseis* (sects) or 'philosophies', that were in existence 'at this time' – the Pharisees, the Sadducees and the Essenes; and he then offers a brief account of them (*AJ* XIII.171–3). We may take it, therefore, that Josephus' view, derived perhaps from tradition, was that these groupings had come into their own during the early Hasmonean period; and this is wholly plausible. It is a pity that Josephus then goes on to describe the bone of contention between them in terms which have nothing to do with the context from which they emerged. But this is because he has chosen at this point to focus on what might interest his Greek readers: contrasting opinions on fate and free will, and on the after-life (in which the Sadducees did not believe) would evoke for readers familiar debates in the philosophical schools. Josephus has it that the Sadducees regarded man as free to make his own choices, while the Essenes insisted on an all-powerful destiny and the Pharisees allowed for both fate and free will in

[61] Josephus, *BJ* I.31–3; VII.426–36; *AJ* XII.387–8; XIII.62–73, 285; XIV.131–2; XX.235–7; *Ap.* II.49–56. Josephus is inconsistent as to the foundation date. See Delcor 1968 (D 110); Hayward 1982 (D 122).

[62] On the *hasidim*, Hengel 1974 (D 123) ch. 6, esp. 175–80; but the three references in 1 and 2 Macc. (1 Macc. 2:42; 1 Macc. 7:12f; 2 Macc. 14:6) do not allow more than speculation as to the character of the grouping. For a radical denial that *hasidim* were a cohesive group at all, Davies 1977 (D 107).

[63] Stone 1982 (D 160) ch. 5, 37–4.

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their system. This is, in fact, one of several doctrinal differences brought to the fore in his digressions.[64]

Many scholars believe that the evidence from Qumran bears witness to a more direct (though enigmatically expressed) response to contemporary affairs, on the part, at least, of the community who possessed the scrolls found in the caves near that site. In the present state of research there are few who would deny the identification of this community as a branch of the Essene sect. The specifically sectarian documents found in the Qumran library (which include, in fact, some of the best known of all the Dead Sea Scrolls) energetically castigate the sect's enemies and emphatically justify its members' withdrawal from the main body of the nation. None of the encoded allusions to persons, times or places is unequivocal. But in any case, even without a wholly secure chronology, this literature reveals much of the nature of religious dissension in the Jewish society of its time and of the range of sectarian attitudes to which this gave rise.

The documents reveal that 390 years after the exile to Babylon, they, a 'plant root', sprung from 'Aaron and Israel', made it their purpose to cast off the iniquity around them in what they perceived as an 'age of wrath'. After they had groped 'like blind men' for twenty years (the round number looks like a symbolic one), the drama began to unfold with the appearance of the 'Teacher of Righteousness', a certain priest, who made them understand the nature of the gulf between themselves and that 'congregation of traitors' which was firmly set in its unacceptable ways. By this time, the public evils had greatly increased, under the influence of a 'scoffer', who dealt in lies, abolished the moral boundaries and misled the people, by detaching them from the traditions of their forefathers, thus calling forth on them all the curses contained in the Covenant. His followers, 'seekers of smooth things', turned on the righteous few, persecuting and killing them.[65] If we are also to attach to the Teacher of Righteousness the psalms of thanksgiving from the somewhat damaged Hymns Scroll, then it emerges that his own former friends and companions had been among those who rebelled.[66] There was one powerful persecutor, a 'Wicked Priest', who, though 'called by the name of truth when he first arose', had betrayed God and defiled himself and the cult, out of greed and pride, so as to 'build a city of vanity with blood', and to rob the poor of their possessions. He had in the end been put to death by his enemies.[67] The elect saw themselves not only as

[64] On Josephus' sects, see p. 278, n. 7.

[65] This history underlies the Damascus Document (CD) 1–8. On the Teacher's priesthood: Commentaries on Psalms (4QPs), 37.2.19 and 3.15. For Qumran documents see Lohse 1971 (D 132) and Vermes 1987 (D 166).

[66] Hymns (Hodayoth, 1QH), 9 and 10.

[67] Commentary on Habakkuk (1QpHab), 7,10,12. For Qumran documents see Lohse 1971 (D 132) and Vermes 1987 (D 166).

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guardians of the Law, but as priests, 'sons of Zadok', who were ultimately to protect the Temple from the utter defilement which those in charge had wrought in it. However, they had been driven for a period into exile, described, again, it would seem, symbolically, as located in Damascus. There they lived a life based upon the New Covenant, interpreting the Law punctiliously, in its ritual and its compassionate requirements. Living in perfect purity, they had to remain separate from the community and, especially, according to the Damascus Document, to avoid all contact with the Temple cult as it existed. They looked forward to the imminent punishment of the traitors and rebels and to their own salvation.[68]

It has been observed that the date of 390 years from the exile, even if we take it as an approximation accommodated to traditional reckonings, takes us to the beginning of the Hellenizing crisis, early in the second century. The withdrawal to 'Damascus' – that is to say, perhaps, to Qumran and similar places beside the Dead Sea[69] – would seem, then, to happen at about the time of the Hellenistic reform in Jerusalem. An identification of the Wicked Priest with Jonathan the Hasmonean, who did indeed die at the hands of his Gentile enemies, is plausible.[70] The archaeological evidence offered by the community's installations at Qumran cannot confirm this chronology but is consistent with it to the extent of revealing one stratum which precedes that of the Hyrcanus–Jannaeus era.[71] That there is no known historical personage with whom we can identify the Teacher of Righteousness is not wholly surprising: the bitter quarrels which were all-important to the history of the sect had no real claim to attention in the Hasmonean record; and both Teacher and followers had conveniently taken themselves out of sight of Jerusalem, probably without causing much disruption to public life. This should not, of course, stand in the way of our recognizing the historical importance of their action.

The sect's abhorrence of the ruling house did not come to an end with the withdrawal from Jerusalem; but when the Commentary on Nahum points the finger at a peculiarly cruel ruler, seemingly Jannaeus, who is dubbed 'the furious young lion', it is made clear that the lion's prey consisted not, now, of the Qumran sectaries, but, instead, of the 'seekers of smooth things', reasonably interpreted as the Pharisees.[72] Our

[68] Davies 1982 (D 108). That Essenes did, however, at times send offerings to Jerusalem is a contention made by Philip Callaway in *The History of the Qumran Community* (Sheffield 1988).

[689] Bar-Adon 1977 (D 94).

[70] D. Dimant in Stone 1984 (D 161) 542–7, explains in brief the identification and its consequences. See p. 542 n. 282, for its main supporters and note especially, Vermes 1987 (D 166) 137–62; *id.* 1981 (D 164). Attempts to shake the foundations of this methodology have not so far succeeded.

[71] Period 1a: De Vaux 1973 (D 112); Laperrousaz 1976 (D 129); Davies 1982 (D 109) 40ff.

[72] Commentary on Nahum (4QPNah) 2 and 3. For Qumran documents see Lohse 1971 (D 132) and Vermes 1987 (D 166).

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damaged text seems to suggest that the crucifixion of the seekers by the king, by way of reprisal, shocked the sect, and added a new note of revulsion to their long-standing criticism of the Hasmoneans for the familiar vices of accumulating wealth, abusing power and polluting all that was holy. It is noteworthy that, even from their exile, these Essenes kept an eye on Jerusalem; indeed, the Nahum Commentary's public awareness extends to a unique reference to the doings of a king Antiochus (apparently Epiphanes) and a king Demetrius (most likely Jannaeus' adversary, Demetrius III). In this respect, the sectaries cannot be described as disengaged. Nor did the sad fate of the 'seekers of smooth things' under Jannaeus (if indeed he was the culprit) reduce any of the sectaries' animus against that group: the hatred continued.[73]

In 'exile' the Essenes formulated their own elaborate rules for a monastic lifestyle, based on a rigid hierarchy and a revised calendar, and centred upon purity and devotional practice.[74] Yet this did not entail their rejection of the central institutions of Jewish corporate life; they merely yearned for them to be faithfully administered according to the precepts of the Law. They interpreted that Law rigorously and with their own peculiar emphases; but the starting-point and general principles of that reading would probably have found a fair measure of agreement within Israel. It is a mark of this that the sect felt it worthwhile to explain and justify its self-separation. A document of extreme interest, not yet officially published, sets out points of difference in terms of *halakhah* (legal observance); and the emphasis, in the surviving part, falls on the Temple regime and on the purity of the entire Holy City.[75] The better known, and longer, Temple Scroll presents the Temple legislation from the Pentateuch with a number of additions, and within this context it finds room for a theory of Jewish kingship. Here a Bible-based reaction to the Hasmonean style of rule stands out plainly (the document is most usually dated, from its description of the Jewish monarch, to the period of Hyrcanus): the king must be Jewish; he must not have many horses; he must not make war in Egypt; he must not be polygamous; he must not acquire much silver and gold; his army must consist of God-fearers and is to protect him against foreigners; he must make all decisions in consultation with a council of twelve Israelites, twelve priests and twelve Levites; he must marry a Jewish wife; his conduct in war must follow certain set patterns and must be preceded by a consultation with the high priest of the Urim and Thummim. The conclusion is a resounding warning, whose contemporary meaning is undeniable: 'The king whose heart and eyes have gone astray from my commandments shall never

[73] On the Hasmoneans, cf. also the 'last priest' in the Habakkuk commentary (1QpHab), 9.4.7. A re-examination of this historical reconstruction in P. R. Callaway, *The History of the Qumran Community* (Sheffield, 1988). [74] Vermes 1987 (D 166) 87–115.

[75] Qimron and Strugnell 1985 (D 144).

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have one to sit on the throne of his fathers, for I will cut off his posterity for ever so that it shall no more rule over Israel. But if he walk after my rules and keep my commandments and do that which is correct and good before me, no heir to the throne of the kingdom of Israel shall be cut off from among his sons for ever.'[76]

The Qumran texts shed direct light on the reactions of certain pious Jews to political change in Judaea, and, for all the continuing uncertainties, they cannot fail to claim a central position in any modern account of the Judaism of the second and first centuries B.C. They lend a new meaning to what we read of the Essenes in Josephus and other sources, not least by revealing how religious and political reactions might have combined in their origins. It is reasonable to suppose that sectarianism developed out of disagreements over political and social change, but that these disagreements were expressed largely in religious terms, and were then crystallized and sharpened through increasingly divergent interpretations of practice and belief.

From Philo and from Josephus, both of whom describe the Essene lifestyle in some detail,[77] we learn that it was possible to follow the sect's way of life without making for the wilderness. Communities were to be found in various towns of Judaea, or at any rate, close beside them. According to one statement of Josephus (who should have known, since he had for a time attached himself to the sect), there existed also some married Essenes. Still, whatever the mitigations, self-separation into a sealed environment, where every aspect of personal life was rigidly regulated, lay at the heart of the system. And this regulation did not diminish in intensity over time, even though variations in specific rules did occur and are reflected in the different Qumran Rules Documents.[78]

In the case of the Qumran Essenes, we may reasonably speak of a sect. The nature of the other major groupings within Judaism is in some ways even more elusive. The name of the Pharisees derives from a Hebrew word which means 'to separate', and there is Mishnaic evidence that the pursuit of ritual purity and strict tithing within enclosed table-fellowships (*ḥavuroth*) was a central part of their concerns.[79] Yet their activities had a political dimension at an early stage, as we have seen; and since, unlike the Essenes, they did not turn their backs on Jerusalem, to

[76] Temple Scroll (11QT), 56–9; Hengel, Charlesworth and Mendels 1986 (D 124) arguing for a date in the reign of Jannaeus. [77] *BJ* II.119ff; Philo, *Apol.* 1ff, *Quod omnis probus*, 76ff.

[78] A high level of overall consistency emerges from Beall's comparative material: 1988 (D 97).

[79] Pharisaic ascendancy: Joseph. *AJ* XIII.288; 298, with the possibility however, of anachronism or at least exaggeration, in a work written in the 90s A.D., when the successors of the Pharisees were certainly becoming dominant in Palestine. Oral law: *AJ* XIII.297, and see E. P. Sanders, *Jewish Law from Jesus to the Mishnah* (London and Philadelphia, 1990) 97–130. On the Pharisees generally, see Schürer 1973–87 (D 153) II 388–403. On table-fellowships: Neusner 1960 (D 139); *id.* 1973 (D 140) 64–71.

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criticize from afar, it is not surprising that they were regularly involved in direct opposition to the rulers. It is perhaps also understandable, in the light of this opposition, that Pharisaic influence should have spread through society. Josephus claims that before A.D. 70 they had won wide popularity and that their interpretations, as embodied in an Oral Law supplementing the Torah, dominated public practice. Throughout the Hasmonean period, that influence was in the making.

The Sadducees, of whom we know the least, probably had already at this time the aristocratic character and links with the top echelons of the priesthood which were later their hallmark. Their name associated them with the lineage of Zadok the Priest. It is commonly held that they supported the ruling house and supplied many of its courtiers and agents. Even if this be true, there is no reason to suppose that, now or at a later date, all such individuals were in any sense Sadducees, or, on the other hand, to deny that there were certain more scholarly elements within Sadduceeism capable of interesting themselves in the questions of doctrine by which Josephus likes to define them and which Talmudic texts also ascribe to them.[80] We have no conception of the numbers involved in any of the groups at any period. Nor can we say to what extent the main groups either subsumed or coexisted with smaller sectarian units, as was certainly to be the case in the first century A.D.

The dynasty, whose authority would always depend on its beginnings as Israel's saviour, showed understandable reluctance to break irrevocably with those who stood for piety and purity. Hyrcanus was in his early days a pupil and favourite of the Pharisees (*AJ* XIII.289). His quarrel with them is couched in an anecdote which figures also in the Talmud. The core of this story is the Pharisaic demand, made, it is told, at a banquet given by the ruler, that Hyrcanus give up the high priesthood and retain the temporal leadership on its own.[81] The underlying reason for the demand could be that the two functions had traditionally been separated, or else that the Hasmonean house lacked the correct, Zadokite descent, or, again, that Hyrcanus' outward-looking activities were polluting the Temple. Josephus reports drastic results: Hyrcanus cancelled the Pharisees' religious ordinances (to which he had evidently accorded binding force), punished their followers, and took up with the

[80] Joseph. *AJ* XIII.282; association with high birth or wealth, *AJ* XIII.298; XVIII.17 (saying that they are few). See Schürer 1973–87 (D 153) II 404–14.

[81] *AJ* XIII.289–97; Babylonian Talmud, *Kiddushin* 66a, with a mistaken ascription to Jannaeus. On the Talmudic tradition, Derenbourg, *Essai sur l'histoire et la géographie de la Palestine*, (Paris, 1867) 79–80; on the legal interpretation, Klausner in Schalit 1976 (D 152) 270–4. For scepticism of Josephus' rupture story, see S. Mason, *Flavius Josephus on the Pharisees* (Leiden, 1991) 213–30. Hyrcanus' appearance in early rabbinic tradition as the instigator of certain reforms in tithing and sacrificial practice cannot either support or invalidate the rupture tradition: J. Sievers, *The Hasmoneans and their Supporters from Mattathias to the Death of John Hyrcanus I* (South Florida Studies in the History of Judaism 6) (Atlanta, 1990) 150–2.

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Sadducees. Josephus, furthermore, believed that the breach was never healed. Yet the hazy recollections of this ruler in Talmudic literature are favourable, and Josephus himself proceeds to sum him up as a man both fortunate and charismatic. It may well be that the image of special spirituality was one adopted by Hyrcanus to counter Pharisaic disapproval, and that the historian reflects this projection when he says that Hyrcanus was honoured by God in three separate ways: with the leadership, with the high priesthood and with a prophet's power to make predictions (*BJ* 1.68–9; *AJ* XIII.300). This last ability was exemplified in an episode which clearly gained widespread currency, for it is found in both Josephus and various Talmudic texts. It tells how Hyrcanus was busy about his high priestly duties when a voice from above (*bath-qol*) brought him the news of his sons' victory over Antiochus Cyzicenus. We observe that all three of Hyrcanus' roles are neatly united in this tale; but the religious capacity has pride of place.

Another hint of a religious division between ruler and people is perhaps to be detected in the letter which opens 2 Maccabees (see above, n. 3), where 'the brethren, the Jews in Jerusalem and throughout the land of Judaea' urge the Jews of Egypt to celebrate with vigour the festival commemorating the re-establishment of the Temple cult after the pollution by Jason, which had occurred in the month of Kislev over thirty years earlier. The ruler is not party to the letter, and the victor, Judas, the Maccabee, is not mentioned in it. But we have no basis for determining the nature of the anti-Hasmonean circles which may have produced the letter, and it must be remembered that these circles were not responsible for the historical work to which the letter was attached.

With Alexander Jannaeus, the conflicts intensified greatly and gave rise to mass slaughter. This time, not the Pharisees but the Jewish masses in general are given as the king's opponents, and the reconstruction which puts the Pharisees at the forefront of the reaction rests on no more than a plausible conjecture. To accept this, however, is not to accept the terms of a dichotomy created by modern scholarship, in which it is supposed that to follow Josephus is to relegate the Pharisees (and the Sadducees too) to being a political and not a religious 'party' and that, to avoid this unacceptable conclusion, Josephus' portrayal should be rejected. The Talmudic accounts of the flight of Simon ben Shetaḥ, one of the leading scholars of the era, may go some way to confirm that Jannaeus' quarrel was primarily with elements rigorous about the Law, both written and oral, as we know the Pharisees to have been, and to show that politics and religion were not distinguishable spheres of activity. At this time, objections seem, once again, to have been directed at the Hasmonean tenure of the high priesthood; in addition, since one

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popular outburst took the form of pelting of the king with the citrons carried at the Festival of Tabernacles, there would appear also to have been controversies about his holy-day observances.[82] For the rest, our evidence is too limited to allow us to understand how the slaughter of 6,000 citizens could follow from the pelting, or what could have been the character of the ensuing troubles in which, between about 90 and 85 B.C., 50,000 people perished, while their surviving associates had to seek the protection of King Demetrius III (Eukairos). A further 6,000 of his subjects apparently changed sides twice before Jannaeus took his most appalling revenge of all, crucifying 800 of them in public and massacring their wives and children while, it was said, he feasted openly with his concubines. That this act sent ripples even to Qumran is hardly surprising. Josephus' assurance that the king, having disposed of all the troublemakers, 'reigned thereafter in complete tranquillity' (*AJ* XIII.383), is scarcely believable, though he did recover somewhat from the military setbacks which, as we have described, also accompanied his middle years, and which, no doubt, had been partly a consequence of the uprising within his own borders.

There is no satisfactory way for us to check Josephus' version of these events, however much we may suspect him of exaggeration. Yet even the dreadful deeds he describes did not finally rupture the link between the Pharisees and the dynasty. Jannaeus, with striking pragmatism, concluded from his own extensive experience that the Pharisees were now a power in the land, without whose co-operation one could not govern securely. He allegedly left his widow and successor, the Queen Salome Alexandra, with the remarkable instructions to placate them instantly and to share power with them in the future. These concessions made them prepared, apparently, to go so far as honouring the corpse of Jannaeus.

Thus, during Alexandra's nine-year rule, Pharisees were thought to have come to dominate public life. Talmudic tradition remembered the reign with affection, valuing it especially as the heyday of Simon son of Shetaḥ. But the Pharisees became, in their turn, objects of public resentment. Elements hostile to them rallied to the side of Alexandra's younger son, Aristobulus, and during her last illness they organized themselves to take over the country. His supporters included much of the priesthood (*AJ* XIV.24), and it was that show of violence which persuaded the elder brother, Hyrcanus, formally to cede the throne to the younger shortly after the queen's death. However, under the impact

[82] Talmudic legends about Simon ben Shetah often make him Jannaeus' brother-in-law. Efron 1987 (D 114) 143–218, proposes a critical evaluation. On the pelting, Joseph. *AJ* XIII.372–3; *BJ* I.88.

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of the Roman presence in the area and of his Idumaean adviser, Antipater (the father of Herod the Great), Hyrcanus' claim was soon revived and was eventually endorsed by Pompey when he arrived.

So it was that, in the latter years of the Hasmoneans, the most prominent of the divisions in Judaism, that between the Pharisees and the Sadducees, dominated Jerusalem and, if Josephus is to be believed, tore the state apart. Questions of power and of government were central to that dispute. There had been strong reactions to such issues from the early days, in the shape of the *ḥasidim* and of the Essenes and, in all probability, of similar groups about which we know nothing. But as the dynasty grew in worldliness and in ruthlessness, it aroused yet wider antagonisms. And in the end, perhaps under the influence of other Hellenistic monarchies, it fell prey itself to succession disputes. Under such pressures, the personal weaknesses of Hyrcanus and Aristobolus proved disastrous.

We cannot judge which sector of the population it was that presented itself to Pompey at Damascus, in the spring of 63 B.C., and requested the restoration of the traditional system of rule under a high priest (*AJ* XIV.41). Josephus describes this as the view of the 'nation', and it is worth remembering that much of the population may well not have been aligned with any of the major sects. Whatever the case, the sad day had arrived when these people preferred to deal with Rome than with either of their own aspiring rulers. Those hopes in a solution from the outside very rapidly faded, however, once Pompey had, after a month of siege, wrested the Temple Mount from the forces of Aristobulus, had marched into the Holy of Holies, had imposed Roman tribute and had taken many into slavery.

The Psalms of Solomon, preserved among the Apocrypha and Pseudepigrapha in the Christian Church, express the horror of the pious at that act of desecration. The psalms voice the feelings of those people who had been repelled, like the Qumran settlers, by the greed, lawlessness and arrogance of their own leaders. Here, too, we read of some who had even welcomed Pompey, the invader from the West, 'a man alien to our race'. But disillusion had soon left them with Messianism as their only refuge, when they had seen the conqueror do in Jerusalem 'all the things that the Gentiles do for the gods in their cities', and recoiled while 'Gentile foreigners went up to your place of sacrifice; they arrogantly trampled it with their sandals.'[83] The door had been opened to Pompey in equal measure by the feud between the princes, both of whom had courted him with gifts, and by the *naïveté* of the populace. Nevertheless,

[83] Psalm 2. Charlesworth 1985 (D 103) II.651–2. Efron's rejection (D 114 ch. 6) of the accepted association between the Psalms and Pompey, in favour of a Christian context, has not proved persuasive.

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we may suggest that, even had the advancing Romans met with a united people, the outcome could, in the long run, hardly have been very different.

The Pompeian settlement of Palestine and the subsequent partition of Judaea by Gabinius are best described elsewhere, in the context of Rome's eastern policies.[84]

[84] See above, ch. 8*a*, pp. 260–2, 272–3.

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