

THE ANCIENT ROMANS

HISTORY AND SOCIETY FROM THE EARLY REPUBLIC
TO THE DEATH OF AUGUSTUS



MATTHEW DILLON AND LYNDA GARLAND



The Ancient Romans

This textbook provides comprehensive coverage of the political, military, and social history of ancient Rome from the earliest days of the Republic to its collapse and the subsequent foundations of the empire established by Augustus prior to his death in AD 14.

Interspersed through the discussion of the political history of the period are crucial chapters on all aspects of Roman culture, including women, religion, slavery and manumission, overseas conquests and their impact, and life in the city of Rome, giving students a full understanding of republican society, culture, and politics. With over 130 maps, illustrations, and photographs, *The Ancient Romans* is lavishly illustrated, with a particular emphasis on coins as a valuable historical resource. It also closely references the authors' sourcebook, *Ancient Rome: Social and Historical Documents from the Early Republic to the Death of Augustus*, second edition, allowing students to engage with the documentary evidence and written sources in a deep and meaningful way.

The Ancient Romans: History and Society from the Early Republic to the Death of Augustus is an indispensable resource for undergraduate students of the Roman Republic and its society and culture, as well as offering a comprehensive and compelling introduction for the interested reader.

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Matthew Dillon and Lynda Garland

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To Lady Rutherford, the best *Barca* of them all
'Passere nequior Catulli, carior Indicis lapillis'
Naughtier than Catullus' sparrow, dearer than Indian pearls
(Martial)



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Front cover: The marble statue of Augustus found at Livia's villa at Prima Porta, commemorating the return of the captured legionary standards from Parthia in 20 BC. Augustus is depicted in military regalia in the act of addressing his troops, and his cuirass is decorated with images of Roman deities and conquered nations, with the return of the standards taking pride of place. The figure of Cupid riding a dolphin reminds the viewer of the descent of the Julii Caesares from the goddess Venus. Augustus is shown barefoot to convey the fact of his divinity, a detail that may have been added when the statue was copied into marble from the bronze original after his death. Vatican Museums

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Preface

In 1994 the authors published a sourcebook, aimed at tertiary students at undergraduate and postgraduate level, titled *Ancient Greece*, which was subsequently updated in a second edition in 2000, and in a third in 2010 (*Ancient Greece: Social and Historical Documents from Archaic Times to the Death of Alexander the Great (c. 800–323 BC)*). This sourcebook was accompanied by a textbook, *The Ancient Greeks: History and Culture from Archaic Times to the Death of Alexander the Great*, which appeared in 2012. In 2005, we published a sourcebook on the Roman Republic, *Ancient Rome: Social and Historical Documents from the Early Republic to the Death of Julius Caesar*, and updated this in 2015 in an expanded second edition, *Ancient Rome: Social and Historical Documents from the Early Republic to the Death of Augustus*, to cover the Second Triumvirate and principate of Augustus. At this point we knew that it was time to write the textbook to accompany the Roman sourcebook, and this volume was the outcome. *The Ancient Romans* discusses in detail the texts featured in *Ancient Rome* and uses the same chapter headings and subtitles, so that the two works can be used in conjunction with each other. It aims to provide students with the necessary background knowledge for an understanding of the history and society of Rome from its earliest period down to the death of Augustus, supplementing the documents with maps and illustrations which focus particularly on republican coinage and its value as an historical source.

We give especial thanks to all our students over the last 30 years, not just at the University of New England, but to all those who have used this book at tertiary institutions in the United States, the UK, Canada, Ireland, and Germany, as well as in Australia and New Zealand. We would also like to thank Routledge most sincerely for the invitation to write a further textbook, as well as the Classical Numismatic Group Inc. for permission to reproduce coins from their website. Finally, we would like to show our gratitude to all those who have made comments and suggestions to help us improve on our earlier works in the hope that this textbook will prove to be of value to students of ancient history.

Matthew Dillon
Lynda Garland
Australia, 2020

Abbreviations

Abbreviations of personal names and magistracies

A.	Aulus
App.	Appius
C.	Gaius
Cn.	Gnaeus
D.	Decimus
L.	Lucius
M.	Marcus
M'.	Manius
P.	Publius
Q.	Quintus
Ser.	Servius
Sex.	Sextus
Sp.	Spurius
T.	Titus
Ti.	Tiberius
f.	filius (son of)
l.	libertus (freedperson of)
aed.	aedile
cens.	censor
cos.	consul
cos. suff.	suffect consul
pr.	praetor
tr. pl.	tribune of the plebs

Abbreviations of ancient and modern sources

Acc.	Accius <i>Annales</i>
<i>Anth. Pal.</i>	<i>Palatine Anthology</i>
App.	Appian <i>Bellum Civile</i> (<i>Civil Wars</i>)
App. <i>Iber.</i>	Appian <i>Iberike</i> (<i>The Spanish Wars</i>)
App. <i>Mith.</i>	Appian <i>The Mithridatic Wars</i>
App. <i>Pun.</i>	Appian <i>The Punic Wars</i>
App. <i>Sic.</i>	Appian <i>Sicily and the Other Islands</i>

Apuleius <i>Apol.</i>	Apuleius <i>Apologia (The Defence)</i>
Arist. <i>Pol.</i>	Aristotle <i>Politics</i>
Asc.	Asconius <i>Commentaries on Five Speeches of Cicero</i>
Athen.	Athenaeus <i>Deipnosophistae</i>
Aug. <i>Civ. Dei</i>	St Augustine <i>On the City of God</i>
BGU	<i>Berliner griechische Urkunden</i>
Bruns	Brunn, C.G. 1919, <i>Fontes iuris Romani antiqui</i> , seventh edition, Tübingen.
Caec. <i>Plocium</i>	Caecilius Statius <i>Plocium (Little Necklace)</i>
Caes.	Caesar
<i>BC</i>	<i>Bellum Civile (Civil War)</i>
<i>BG</i>	<i>Bellum Gallicum (Gallic War)</i>
[Caes.] <i>Alex.</i>	[Caesar] <i>Bellum Alexandrum (Alexandrian War)</i>
Cat.	Catullus <i>Poems</i>
Cato <i>Agr.</i>	Cato the Elder <i>de agri cultura (On Farming)</i>
Cato F	Jordan, H. 1860, M. Catonis <i>praeter librum de re rustica quae exstant</i> , Leipzig.
Cato <i>de re militari</i>	Huschke, P.E. 1908, <i>Iurisprudentia Anteiusiniana</i> , Leipzig.
Cic.	Cicero
<i>ad Brut.</i>	<i>Epistulae ad Brutum (Letters to Brutus)</i>
<i>Amic.</i>	<i>De amicitia (On Friendship)</i>
<i>Arch.</i>	<i>Pro Archia (In Defence of Archias)</i>
<i>Att.</i>	<i>Epistulae ad Atticum (Letters to Atticus)</i>
<i>Balb.</i>	<i>Pro Balbo (In Defence of Balbus)</i>
<i>Brut.</i>	<i>Brutus (On Distinguished Orators)</i>
<i>Caec.</i>	<i>Pro Caecina (In Defence of Caecina)</i>
<i>Cael.</i>	<i>Pro Caelio (In Defence of Caelius)</i>
<i>Cat.</i>	<i>In Catilinam I–IV (Against Catiline)</i>
<i>Cluent.</i>	<i>Pro Cluentio (In Defence of Cluentius)</i>
<i>de orat.</i>	<i>De oratore (On the Orator)</i>
<i>Div.</i>	<i>De divinatione (On Divination)</i>
<i>Dom.</i>	<i>De domo sua (On His House)</i>
<i>Fam.</i>	<i>Epistulae ad Familiares (Letters to Friends)</i>
<i>Flacc.</i>	<i>Pro Flacco (In Defence of Flaccus)</i>
<i>Har. Resp.</i>	<i>De haruspicum responsis (Concerning the Responses of the Soothsayers)</i>
<i>Laws</i>	<i>De legibus (On the Laws)</i>
<i>Leg. Agr.</i>	<i>De lege agraria (On the Agrarian Law)</i>
<i>Man.</i>	<i>Pro Lege Manilia (On the Command of Cn. Pompey, On the Manilian Law)</i>
<i>Marcell.</i>	<i>Pro Marcello (In Defence of Marcellus)</i>
<i>Mil.</i>	<i>Pro T. Annio Milone (In Defence of T. Annius Milo)</i>
<i>Mur.</i>	<i>Pro Murena (In Defence of Murena)</i>
<i>Nat. Deor.</i>	<i>De natura deorum (On the Nature of the Gods)</i>
<i>Off.</i>	<i>De officiis (On Duties)</i>
<i>Phil.</i>	<i>Philippicae (Philippics)</i>
<i>Piso</i>	<i>In Pisonem (Against Piso)</i>

Planc.	<i>Pro Cn. Plancio (In Defence of Gnaeus Plancio)</i>
Prov.	<i>De provinciis consularibus (On the Consular Provinces)</i>
QRosc.	<i>Pro Roscio comoedo</i>
Quint.	<i>Epistulae ad Quintem Fratrem (Letters to His Brother Quintus)</i>
Rab. Perd.	<i>Pro Rabirio perduellionis reo (In Defence of Rabirius on the Charge of Treason)</i>
Rab. Post.	<i>Pro C. Rabirio Postumo (In Defence of C. Rabirius Postumus)</i>
Red. Quir.	<i>Post Reditum ad Quirites (Speech to the People on His Return from Exile)</i>
Red. Sen.	<i>Post Reditum in Senatu (Speech to the Senate on His Return from Exile)</i>
Rep.	<i>De Republica (On the Republic)</i>
Rosc. Am.	<i>Pro Roscio Amerino (In Defence of Roscius of Ameria)</i>
Sen.	<i>De senectute (On Old Age)</i>
Sest.	<i>Pro Sestio (In Defence of Sestius)</i>
Sull.	<i>Pro Sulla (In Defence of Sulla)</i>
Tusc. Disp.	<i>Tusculan Disputations</i>
Vat.	<i>In Vatinium (Against Vatinius)</i>
Verr.	<i>In Verrem (Against Verres, Verrine Orations)</i>
[Cic.]	A letter in <i>Letters to Friends</i> written to Cicero, not by him, or a work attributed to Cicero but not written by him.
[Cic.] Comm. Pet.	<i>Commentariolum petitionis</i> (Q. Cicero, <i>A Short Guide to Electioneering</i>)
CIL	<i>Corpus Inscriptionum Latinarum</i>
Columella	<i>Columella de re rustica (On Farming)</i>
Crawford RRC	Crawford, M.H. 1974, <i>Roman Republican Coinage</i> , vols. I-II, Cambridge.
Crawford Statutes	Crawford, M.H. (ed.) 1996, <i>Roman Statutes</i> , vols. I-II, London.
Dio	<i>Cassius Dio Roman History</i>
Diod.	<i>Diodorus Siculus Library of History</i>
Dion. Hal.	<i>Dionysius of Halicarnassus Roman Antiquities</i>
Donatus	<i>Aelius Donatus Life of Vergil</i>
EJ	Ehrenberg, V. and Jones, A.H.M. (eds.) 1976, <i>Documents Illustrating the Reigns of Augustus and Tiberius</i> , second edition, Oxford.
Enn.	<i>Ennius</i>
Ann.	<i>Annals</i>
Trag.	<i>Ennius Tragedies</i>
Ep.	<i>Letter (Epistle)</i>
F, FF	Fragment(s)
Festus	Lindsay, W.M. (ed.) 1913, <i>Sexti Pompei Festi De Verborum Significatione</i> , Leipzig (an abridgement of the work of the Augustan antiquarian Verrius Flaccus).
FGrH	Jacoby, F. 1954–64, <i>Die Fragmente der griechischen Historiker</i> , with <i>Supplements</i> , Leiden.

Flor.	Florus <i>Epitome of all the Wars over Seven Hundred Years (Epitome of Roman History)</i>
Front. Aq.	Frontinus <i>Aqueducts</i>
Gaius	Gaius
<i>Dig.</i>	<i>Digest</i>
<i>Inst.</i>	<i>Institutiones (Institutions)</i>
Gell.	Aulus Gellius <i>Attic Nights</i>
Hdt.	Herodotus <i>The Histories</i>
Hom.	Homer
<i>Il.</i>	<i>Iliad</i>
<i>Od.</i>	<i>Odyssey</i>
Hor.	Horace
<i>Carm.</i>	<i>Carmen Saeculare</i>
<i>Ep.</i>	<i>Epistles</i>
<i>Sat.</i>	<i>Satires</i>
<i>Serm.</i>	<i>Sermones</i>
IG	<i>Inscriptiones Graecae</i>
IGRR	Cagnat, R. 1927, <i>Inscriptiones Graecae ad Res Romanas Pertinentes</i> , vol. 4, Paris.
ILLRP	Degrassi, A. 1963–65, <i>Inscriptiones Latinae Liberae Rei Publicae</i> , vol. 1, second edition (1965), vol. 2, first edition (1963), Florence.
ILS	Dessau, H. 1892–1916, <i>Inscriptiones Latinae Selectae</i> , vols. I–III, Berlin.
Inscr. Ital.	<i>Inscriptiones Italiae</i>
Joseph.	Josephus
<i>Ant.</i>	<i>Antiquitates Judaicae (Jewish Antiquities)</i>
<i>BJ</i>	<i>Bellum Judaicum (Jewish War)</i>
JRS	<i>Journal of Roman Studies</i>
Justinian	
<i>Dig.</i>	<i>Digest</i>
<i>Inst.</i>	<i>Institutes</i>
Juv.	Juvenal <i>Satires</i>
Licinianus	Granius Licinianus, <i>Compendium of History</i>
Livy	Livy <i>History of Rome</i>
<i>Epit.</i>	Livy <i>Epitome</i>
<i>Per.</i>	Livy <i>Periodiae (in Loeb Classical Library, Livy: vol. 14)</i>
Lucil.	Lucilius <i>Satires</i>
Lucr.	Lucretius <i>de rerum natura (On the Nature of the Universe)</i>
Macc.	Maccabees
Macrob.	Macrobius <i>Saturnalia</i>
Marc. Burd.	Marcellus Burdigalensis (of Bourdeaux) <i>De medicamentis</i>
Mart. <i>Ep.</i>	Martial <i>Epigrams</i>
Moretti IAG	Moretti, L. 1953, <i>Iscrizionie agonistiche greche</i> , Rome.
Nepos	Cornelius Nepos
<i>Att.</i>	<i>Life of Atticus</i>
<i>Cato</i>	<i>Life of Cato (the Elder)</i>

<i>Generals</i>	<i>Book on the Great Generals of Foreign Nations</i>
<i>Lat. Hist.</i>	<i>Book of Latin Historians (fragments)</i>
Nik. Dam.	Nikolaos of Damascus
<i>Aug.</i>	<i>Life of Emperor Augustus</i>
<i>Hist.</i>	<i>Histories</i>
<i>Life</i>	<i>His Own Life and Development (Autobiography)</i>
OGIS	Dittenberger, W. 1903–05, <i>Orientis Graeci Inscriptiones Selectae</i> , vols. 1–2, Leipzig.
ORF ⁴	Malcovati, H. 1976, <i>Oratorum Romanorum Fragmenta. Liberae Rei Publicae</i> , fourth edition, Torino.
Oros.	Orosius <i>Histories against the Pagans</i>
Ovid	
<i>Am.</i>	<i>Amores</i>
<i>Trist.</i>	<i>Tristia</i>
P. Köln	Gronewald, M. et al. 2001, <i>Kölner Papyri</i> , Cologne.
Paus.	Pausanius <i>Description of Greece</i>
Plaut.	Plautus
<i>As.</i>	<i>Asinaria</i>
<i>Aul.</i>	<i>Aulularia (The Pot of Gold)</i>
<i>Bacch.</i>	<i>Bacchides (The Two Bacchises)</i>
<i>Curc.</i>	<i>Curculio</i>
<i>Men.</i>	<i>Menaechmi (The Two Menaechmuses)</i>
<i>Pers.</i>	<i>Persa (The Persian)</i>
<i>Pseud.</i>	<i>Pseudolus</i>
Pliny	Pliny the Elder <i>Natural History</i>
Plut.	Plutarch
<i>Aem.</i>	<i>Life of Aemilius Paullus</i>
<i>Ant.</i>	<i>Life of Antony (M. Antonius)</i>
<i>Brut.</i>	<i>Life of Brutus</i>
<i>Caes.</i>	<i>Life of Julius Caesar</i>
<i>Cam.</i>	<i>Life of Camillus</i>
<i>Cato Mai.</i>	<i>Life of Cato Major (Cato the Elder)</i>
<i>Cato Min.</i>	<i>Life of Cato Minor (Cato the Younger)</i>
<i>C. Gracch.</i>	<i>Life of Gaius Gracchus</i>
<i>Cic.</i>	<i>Life of Cicero</i>
<i>Comp.</i>	<i>Comparison of Agis and Cleomenes and the Gracchi</i>
<i>Cor.</i>	<i>Life of Coriolanus</i>
<i>Crass.</i>	<i>Life of Crassus</i>
<i>Fab.</i>	<i>Life of Fabius Maximus</i>
<i>Flam.</i>	<i>Life of Flamininus (T. Quinctius Flamininus)</i>
<i>Luc.</i>	<i>Life of Lucullus</i>
<i>Mar.</i>	<i>Life of Marius</i>
<i>Marcell.</i>	<i>Life of Marcellus</i>
<i>Mor.</i>	<i>Moralia</i>
<i>Numa</i>	<i>Life of Numa</i>
<i>Pomp.</i>	<i>Life of Pompey</i>
<i>Publ.</i>	<i>Life of Publicola</i>

<i>Rom.</i>	<i>Life of Romulus</i>
<i>Rom. Quest.</i>	<i>Roman Questions</i> (<i>Moralia</i> 263–91; in Loeb Classical Library, <i>Plutarch</i> : vol. 4)
<i>Sull.</i>	<i>Life of Sulla</i>
<i>Ti. Gracch.</i>	<i>Life of Tiberius Gracchus</i>
<i>Polyb.</i>	<i>Polybius Histories</i>
<i>Procop. Wars</i>	<i>Procopius History of the Wars</i>
<i>Propert. Eleg.</i>	<i>Propertius Elegies</i>
<i>Quintilian Inst.</i>	<i>Quintilian Institutio Oratoria (Institutes of Oratory)</i>
<i>RDGE</i>	Sherk, R.E. 1969, <i>Roman Documents from the Greek East</i> , Baltimore.
<i>Reynolds Aphrodisias</i>	Reynolds, J. 1982, <i>Aphrodisias and Rome. Documents from the Excavation of the Theatre at Aphrodisias</i> , London.
<i>RG</i>	<i>Augustus Res Gestae</i> (Cooley, A.E. 2009, <i>Res Gestae Divi Augusti</i> , Cambridge)
<i>Sall.</i>	Sallust
<i>BJ</i>	<i>Bellum Jugurthinum (Jugurthine War)</i>
<i>Cat.</i>	<i>Bellum Catilinae (War Against Catiline, Conspiracy of Catiline)</i>
<i>Hist.</i>	<i>Historiae (Histories)</i>
<i>SEG</i>	<i>Supplementum Epigraphicum Graecum</i>
<i>Sen.</i>	Seneca the Younger
<i>de Ira</i>	<i>De ira (On Anger)</i>
<i>Brev. Vit.</i>	<i>De brevitate vitae (On the Brevity of Life)</i>
<i>Ep.</i>	<i>Letters</i>
<i>Serv.</i>	Servius
<i>Aen.</i>	<i>Commentary on the Aeneid of Vergil</i>
<i>Ecl.</i>	<i>Commentary on the Eclogues of Vergil</i>
<i>Georg.</i>	<i>Commentary on the Georgics of Vergil</i>
<i>SIG³</i>	Dittenberger, W. (1915–24) <i>Sylloge Inscriptionum Graecarum</i> , vols. I–IV, third edition, Leipzig.
<i>Strabo</i>	Strabo <i>Geography</i>
<i>Suet.</i>	Suetonius
<i>Aug.</i>	<i>Divus Augustus (Life of the Deified Augustus)</i>
<i>Claud.</i>	<i>Divus Claudius (Life of the Deified Claudius)</i>
<i>Jul.</i>	<i>Divus Julius (Life of the Deified Julius)</i>
<i>Gram.</i>	<i>De Grammaticis (On Grammarians)</i>
<i>Rhet.</i>	<i>De Rhetoribus (On Rhetoricians)</i>
<i>Ter.</i>	<i>Life of Terence</i>
<i>Tib.</i>	<i>Life of Tiberius</i>
<i>Tac.</i>	Tacitus
<i>Ann.</i>	<i>Annals</i>
<i>Dial.</i>	<i>Dialogus de oratoribus (Dialogue on Orators)</i>
<i>Hist.</i>	<i>Histories</i>
<i>Ter. Hec.</i>	Terence <i>Hecyra (The Mother-in-Law)</i>
<i>Tib.</i>	Tibullus <i>Elegies</i>
<i>Ulpian</i>	Ulpian (Domitius Ulpianus)

Dig.	<i>Digest</i>
Epit.	<i>Epitome</i>
Val. Max.	Valerius Maximus <i>Memorable Deeds and Sayings</i>
Varro	M. Terentius Varro
Ling. Lat.	<i>De lingua Latina (On the Latin Language)</i>
Rust.	<i>De re rustica (On Farming)</i>
Vell.	Velleius Paterculus <i>Roman History</i>
Verg.	Vergil
Aen.	<i>Aeneid</i>
Ecl.	<i>Eclogues</i>
Georg.	<i>Georgics</i>
Vir. Illustr.	<i>De viris illustribus (Deeds of Famous Men)</i> ; ascribed to but not by Sextus Aurelius Victor.
Zos.	Zosimus <i>New History</i>

Glossary

- Aedile** one of four lesser magistrates (two curule, two plebeian) elected in the comitia tributa. Their main duties concerned the infrastructure of the city of Rome as well as the organisation of public games (the ludi Romani and Megalensia by the curule aediles, the ludi Ceriales and Plebeii by the plebeian aediles). The aedileship was not an essential rung in the cursus honorum.
- Ager publicus** land under Roman public ownership, generally confiscated during wars in Italy. It was leased out by the censors to occupiers for a minimal rent.
- Agnate** a relative from a male line of descent (from the father's side), descended from a common male ancestor.
- Agnomen** a name awarded for achievements, particularly to successful commanders who conquered cities or nations.
- Ambitio** 'Walking around', or canvassing for office. There was no pejorative meaning attached.
- Ambitus** the act of acquiring support during candidature for office through illegal means, such as bribery.
- Amicitia** an informal political alliance (literally 'friendship') in which amici ('friends') provided mutually beneficial services.
- Annona** the organisation of the grain supply for the city of Rome, including its storage and distribution to the citizen population.
- Apex** a round or conical hat surmounted by a pointed piece of wood, worn by Roman priests.
- Apparitor** an official attendant to a magistrate.
- Aquila** 'eagle', or Roman legionary standard.
- As** the smallest bronze coin. Ten asses equalled a denarius, two and a half equalled a sesterce.
- Assembly** see comitia.
- Atrium** the main reception room of a Roman house, containing a rectangular opening in the roof (the compluvium) below which was a pool (the impluvium).
- Auctoritas** the ability to influence people and events through one's status (i.e., as a magistrate) or one's personal reputation.
- Augur** a member of the priestly college of augurs, concerned with divination. Augurs took the auspices prior to the undertaking of military campaigns and before public meetings. From 300 BC five of the nine augurs were plebeians.
- Aureus** a gold coin.

Auspicium the right to take auspices (to consult the will of the gods) before elections and other public business. Auspicium was possessed by both senior magistrates (the greater auspices) and junior magistrates (lesser auspices).

Auxiliaries non-citizens, such as Italians, in the Roman army.

Basilica a large building for public use, with a central nave flanked by aisles, which might contain law-courts, shops, banking institutions, and offices.

Biga a two-horse chariot.

Boni the ‘good’ or ‘honest’ men, a term which by the first century BC had come to mean the conservative element in government; see optimates.

Bulla a locket worn by freeborn boys prior to assuming the toga of manhood.

Campus Martius the ‘Field of Mars’; this lay outside the pomerium and was the assembly point for armies awaiting their commander’s triumph, a training-ground, and the site of the comitia centuriata. The lustratio, the closing ceremony of the census, was performed there by the censors.

Capite censi the ‘head count’, Roman citizens too poor to belong to one of the five economic classes in the comitia centuriata and below the minimum property qualification for army service, prior to the reforms of Marius.

Carnyx a Gallic war-trumpet.

Censor the most senior of Roman magistrates, though without imperium; in the later Republic two were elected every five years for a period of 18 months. Their duties included conducting a census of all citizens, letting out contracts for public works, and scrutinising the membership of the senate and equestrian class.

Census a census was conducted every five years by the censors to update the list of Roman citizens, their family, and their property qualification.

Clientela clientship or patronage. Clients were free men (including freedmen) who received the protection of a patron (often in legal matters), in return supporting him in political life and enhancing his prestige.

Cognomen (pl.: cognomina): the final name of a Roman citizen, denoting the branch of the gens to which he belonged; cognomina were generally assigned on the basis of some defect – Cicero (wart), Brutus (stupid). In aristocratic families more than one cognomen could be hereditary (e.g., the Cornelii Scipiones Nasicae). Adoptive sons took their adoptive father’s name but could add an additional cognomen from their original nomen, such as Publius Cornelius Scipio who also took the name Aemilianus, because he was the son of L. Aemilius Paullus.

Collegia societies, such as the priestly colleges, that of the tribunes of the plebs, or work-related organisations.

Columbarium a type of ancient tomb (‘dove-cot’), comprising an interior space with rows of niches for cinerary urns.

Comitia an assembly, or formal gathering of the Roman people.

Comitia centuriata a political assembly (initially a military assembly) in which the people were organised by classes on an economic basis, favouring the wealthy. It met on the Campus Martius; elected consuls, praetors, and censors; heard treason trials; declared war and peace; and passed laws.

Comitia curiata the earliest assembly, whose functions were gradually subsumed by the comitia centuriata. By the late Republic it primarily ratified the appointment of priests, adoptions, and wills.

Comitia tributa a political assembly organised on the basis of the 35 tribes (four urban, the others rural), which elected curule aediles, quaestors, and military tribunes and passed laws. It met initially in the comitium (to the north-east of the forum) and then in the forum itself.

Concilium plebis a plebeian assembly, which elected tribunes of the plebs and plebeian aediles, enacted plebiscites, and held non-capital trials.

Consularis (pl.: consulares): an ex-consul, consular. Consuls had great prestige in the senate.

Consuls the two senior magistrates, with imperium and auspicium. The consuls' primary duties were military and their imperium was senior to that of any other magistrate (except that of a dictator) or provincial governor.

Consul suffectus a substitute consul or suffect-consul, who took over the office for part of the year in the event that a consul died in office or was removed.

Contio (pl.: contiones): a public meeting of an informal nature, which could be called by a tribune of the plebs or another magistrate, used for preliminary discussion of laws or other business.

Curator superintendent or commissioner.

Curia (hostilia) the senate-house in the forum Romanum (or the senatorial body in a municipality). Curia also meant a tenth of each of the three earliest tribes in the time of the kings, and was the unit on which the comitia curiata was based.

Cursus honorum the 'road of honour' or career path. It was necessary to serve as quaestor and praetor before running for the consulship, and the lex Villia annalis in 180 BC (updated by Sulla) prescribed set intervals between each magistracy and minimum ages for candidature.

Curule chair the sella curulis, originally Etruscan, a backless stool made of ivory, reserved for consuls, praetors, and curule aediles as a sign of rank.

Denarius a silver coin, usually the largest denomination in the Republic; ten asses (or four sesterces) made a denarius and 6,250 denarii a silver talent. A denarius was roughly equivalent to the Greek drachma.

Devotio a vow made on the battlefield in which a commander dedicated himself to the chthonic deities in return for victory.

Dictator an extraordinary magistrate who, prior to Sulla, held power for a fixed period of time (six months or less) either to command an army or hold elections. The dictator was preceded by 24 lictors and existing magistrates were subordinate to him. He appointed a master of horse (magister equitum) as his second-in-command.

Dignitas a man's personal standing based on his achievements and reputation.

Divus deified.

Donative a distribution of money to mark a specific occasion such as a military victory or end of a campaign.

Drachm(a) a Greek coin roughly equivalent to the Roman denarius.

Duumvirs, duumviri (also duoviri) chief magistrates in Italian towns or Roman colonies.

Emancipation the act of freeing a son or daughter from dependence (patria potestas); the emancipated person became legally independent (sui iuris) of the father.

Equites (sing.: eques): the equites (or equestrian order, knights) were originally the cavalry, and later the business class.

Exergue a small space below the principal design on a coin, usually delineated by a line.

Fasces a bundle of birch rods tied with leather thongs, carried by 12 lictors before the consuls (on alternate months); praetors were allowed six lictors. The fasces, which outside of Rome included an axe, symbolised the kings' and then the magistrates' power to punish citizens and allies.

Fasti the calendar listing festivals of the gods and days on which assemblies and business could or could not take place. Fasti consulares listed magistrates, fasti triumphales triumphs. Dies fasti were days on which it was permissible to attend to business.

Fetials a college of priests who were responsible for demanding restitution from enemies and declaring war. They also performed duties as heralds.

Flamen (pl.: flamines): a member of the college of pontifices, a priest in charge of the worship of a particular deity, such as the flamen Dialis (the priest of Jupiter).

Forum Romanum a forum was an open-air meeting place. The main forum in Rome was the forum Romanum, the chief public square, where the comitia tributa was held (from 145 BC), the senate-house was sited, and most public business, like law-suits, took place.

Freedman, freedwoman former slaves who had been granted their freedom (emancipated).

Gens (pl.: gentes): a clan whose members shared the same nomen or family name, such as Cornelius, Julius, Licinius, or Pompeius, and who could trace their descent back to a common ancestor. Groups within a gens could be distinguished by different cognomina: members of the gens Cornelius, for example, could be distinguished by cognomina such as (Cornelius) Cinna, Dolabella, Lentulus, Scipio, and Sulla.

Haruspices (sing.: haruspex): diviners or soothsayers, members of the Etruscan aristocracy, particularly concerned with examining the entrails of animals after sacrifice.

Hellenistic relating to Greek culture between the late fourth and late first centuries BC.

Hospitium ritualised friendship, often hereditary, maintained particularly between Romans and non-Romans in Italy and elsewhere.

Ides the 13th day of every month, except March, May, July, and October when it fell on the 15th.

Imagines (sing.: imago): masks of ancestors kept in the atrium and carried in funeral processions. The rank of censor, consul, praetor, or aedile conferred the right to keep such imagines.

Imperator a commander-in-chief or general, especially one who had won a great victory and been hailed by his troops.

Imperium supreme power, including command in war and the execution of law, possessed by senior magistrates for their year of office (or longer if prorogued). Imperium was symbolised by the fasces, carried by the lictors. Imperium pro praetore: the imperium possessed by a propraetor, prorogued after his year in office as praetor; imperium pro consule: the imperium possessed by a proconsul.

Interrex (pl.: interreges): literally ‘between the kings’, a patrician member of the senate with full imperium appointed to conduct business for five days in cases where the consuls had been killed or the consulship was otherwise vacant, and elections had not yet been held.

Iugera (sing.: iugerum): a unit of land measurement, roughly equivalent to 5/8 of an acre or 1/4 of a hectare.

Kalends the first day of the month.

Latifundia estates in Sicily and Italy consisting of large areas of farming land, usually worked by slaves.

Lectisternium (pl.: lectisternia): a ceremony of propitiation in which a banquet was offered to the cult statues of deities reclining on couches.

Legate a senior member of a general’s military staff who was of senatorial rank.

Lex (pl.: leges): a law passed by one of the assemblies of the Roman people.

Lictors Roman citizens who accompanied senior magistrates with imperium and carried the fasces.

Lituus the curved staff of an augur (also a curved war-trumpet).

Ludi games or festivals put on at the state’s expense and generally organised by the aediles, who often contributed to the expense to win popularity with the electorate.

Lustratio a purification ceremony, often involving a procession and the offering of a suovetaurilia.

Lustrum the five-year period during which the censors technically served (though they were only actually in office for 18 months) and the purification ceremony (lustrum) with which one of the censors, chosen by lot, concluded the five-yearly census of the Roman people.

Magister equitum the master of the horse, a dictator’s second-in-command.

Mancipatio the formal transfer of property; also a procedure used for making a will or emancipating children.

Manumission the act of freeing a slave. Freed slaves (freedmen) automatically became citizens.

Manus literally ‘hand’, the authority which a husband could possess over his wife if she was married ‘in manu’ (i.e., came into his authority); in this case she entered her husband’s family. For women to be married ‘in manu’ was uncommon by the end of the Republic.

Modius (pl.: modii): a unit of dry measurement, used for grain.

Mola salsa the flour mixed with salt, ground by the Vestals, and sprinkled on the head of sacrificial victims.

Monstrum a portent or sign of divine displeasure, such as a deformed infant or animal.

Municipium a township in Italy, or in the provinces, with its own magistrates and citizen rights.

Nefas a thing or action contrary to divine law, something offensive to the gods; dies nefasti: days on which official business was prohibited.

Nemus (pl.: nemora): a grove, particularly one sacred to a deity.

Nobilis (pl.: nobiles): literally ‘known men’, members of the families which formed the political elite of Rome, which came to mean that one of the family’s ancestors

had held the consulship. The nobiles tended, though not exclusively, to dominate the higher magistrates.

Nomen family name of a citizen, such as Cornelius, Julius, or Tullius, denoting the gens to which he belonged. Daughters were called by the feminine form of the nomen (i.e., Cornelia, Julia, Tullia).

Nomenclator a slave whose job was to remember the names of his master's associates, clients, and voters.

Nones the fifth day of every month, except March, May, July, and October, when it was the seventh.

Novus homo (pl.: *novi homines*): literally a 'new man', or non-nobilis, none of whose ancestors had held the consulship (such as Marius or Cicero), or perhaps even reached senatorial rank.

Nundina (pl.: *nundinae*): a market-day; markets were held eight days apart; three market-days (at least 17 days) had to pass before a bill which had been presented could be put to the vote.

Obnuntiatio the declaration of unfavourable omens by an augur or magistrate with imperium which prevented public business from being transacted.

Optimates literally 'the best', another term for the boni or conservative element in government, contrasted in the first century BC with the populares.

Parazonium a long dagger worn as a mark of rank by senior army officers, and sometimes associated with divine figures such as Mars or Roma.

Paterfamilias the male head of the family, with potestas over all household members who had not been emancipated.

Pater patriae 'father of his country', a title granted to Cicero and Augustus.

Patria potestas literally 'power of the father', the power of the head of the family over all descendants (unless emancipated).

Patricians the original Roman aristocracy which originated under the monarchy, hence a privileged group of senatorial families.

Peculium the personal fund of a son or a slave allowed by the pater familias or owner.

Pilleus a felt cap worn by freedmen.

Plebeians non-patricians, members of the plebs, the mass of Roman citizens, who had their own officials (tribunes of the plebs and plebeian aediles).

Pomerium the religious boundary of Rome.

Pontiff (pl.: *pontifices*): one of a college of priests who advised on sacred ceremonial. Their number was increased to eight in 300 BC and to 15 by Sulla. The pontifex maximus was the chief of these.

Populares (sing.: *popularis*): literally 'supporters of the people', politicians who proposed popular measures, generally bypassing the senate in doing so and going directly to the people.

Praefectus fabrum chief engineer, in charge of the craftsmen of a Roman army.

Praenomen a Roman man's first name. Only some 19 personal names were in common use in the Republic, such as Gaius, Lucius, Marcus, Publius.

Praetor a senior magistrate, with imperium and auspicium; praetors were initially the senior magistrates and after the appointment of consuls a praetor could perform consular duties in the consuls' absence. They were generally in charge of the administration of law in Rome. From c. 244 BC there were two praetors, the

praetor urbanus (for Rome) and a **praetor peregrinus** (for foreigners and non-citizens). Their number was increased to eight under Sulla.

Princeps first citizen, used to denote Augustus; principate: the mode of government under the princeps.

Princeps senatus the ‘leader of the senate’; a patrician ex-consular or ex-censor who had the right to speak first on any motion in the senate. The position was for life.

Privatus a private citizen, with no military rank.

Promagistrate a magistrate (a proconsul or propraetor) whose command was prorogued (continued) into the year following his magistracy, generally as governor of a province.

Prorogation, to prorogue the extension of a magistrate’s term of office; the continuation of a magistrate or promagistrate’s imperium beyond the end of his year of office.

Provocatio the right of Roman citizens to appeal against punishment or force by a magistrate.

Publicani tax-collectors, businessmen who bid for the right to collect taxes in the provinces.

Pulvinar (pl.: pulvinaria): a couch on which the statues of the gods were placed to be offered banquets, or to watch the games at the Circus Maximus.

Quadriga a four-horse chariot.

Quaestio (pl.: quaestiones): a tribunal of inquiry, or a standing court (quaestio perpetua: a permanent criminal court).

Quaestor a junior magistrate with fiscal responsibilities. Sulla raised their number to 20, set the minimum age qualification as 30 years, and gave them automatic entry to the senate.

Quindecimviri sacris faciundis the 15 keepers of the Sibylline Books (earlier the duumviri, two men, and then the decemviri, ten men).

Quirites Roman citizens who were civilians; the usual term by which citizens are addressed by orators.

Repetundae literally ‘(money) to be recovered’, or extortion by officials in authority, especially Roman governors in provinces.

Res mancipi property subject to transfer by mancipatio, which included land, slaves, and beasts of burden.

Respublica the state or government, originally res publica, ‘the thing which unites the people’, ‘public affairs’.

Rostra the ‘beaks’ (rams from captured ships) in the forum which decorated the platform from which the assembly was addressed, and hence the platform itself.

Senate a group of 100 unelected patricians under the monarchy, which became 300 in the Republic, who acted as an advisory body to the magistrates. Their number was raised to 600 by Sulla and then to 900 by Julius Caesar.

Senatus consultum (pl.: senatus consulta): a senatorial decree which went to one of the comitia for ratification, abbreviated as SC; the ‘senatus consultum ultimum’ (SCU) was a suspension of the constitution and declaration of a state of emergency.

Sesterces (sing.: sesterce): Roman coins, each worth two and a half asses or a quarter of a denarius.

Spolia booty, plunder; spolia opima: the armour taken from a defeated enemy commander in single combat.

SPQR senatus populusque Romanus (the senate and people of Rome).

Suffect consuls see consuls.

Sui iuris legally independent (as opposed to alieni iuris: in the power of another person).

Suovetaurilia the sacrifice of a pig, sheep, and ox.

Supplicatio (pl.: supplicationes): a day of public prayer for divine assistance or propitiation, or to give thanks to the gods.

Toga the formal dress of a male Roman citizen made of undyed wool; the toga praetexta, which had a purple border along one edge, was worn by officials and children. Candidates for office wore a whitened toga, the toga candida; people in mourning wore the toga pulla, made of dark wool; triumphators wore the toga picta.

Tribune of the plebs ten plebeian officials created c. 494 BC to convene popular assemblies and represent the interests of the people. They took up office on 10 December.

Triumvirate the ‘rule of three’, government by three men, as in the Second Triumvirate (Mark Anthony, Octavian, and Lepidus); triumvir: a member of a triumvirate.

Usucapio acquisition of ownership by long usage.

Vicus (pl.: vici): a village, neighbourhood of Rome.

Vigiles urban fire-fighting force, watchmen.

Some useful definitions

Measurements

Amphora (or Quadrantal)	Measurement of liquids	c. 26.26 litres
Congius	1/8 of an amphora	c. 3.275 litres
Sextarius	1/6 of a congius	c. 0.54 litres
Hemina	1/2 of a sextarius	c. 0.27 litres
Modius	Measurement of dry goods	c. 8.75 litres
Mille passus	Roman mile (1,000 paces)	1,480 metres or 4,854 feet
Iugerum	Measurement of area	0.2523 hectares or 5/8 acre
Centuria	200 iugera	50.46 hectares

Coinage

Talent	6,000 denarii (24,000 sesterces)
Aureus	25 denarii (400 asses)
Denarius	10 asses
Sestertius	2 1/2 asses

(16 asses after 141)
(4 asses after 141)

Consuls 88 BC–AD 14

Roman consuls 88 BC–AD 14

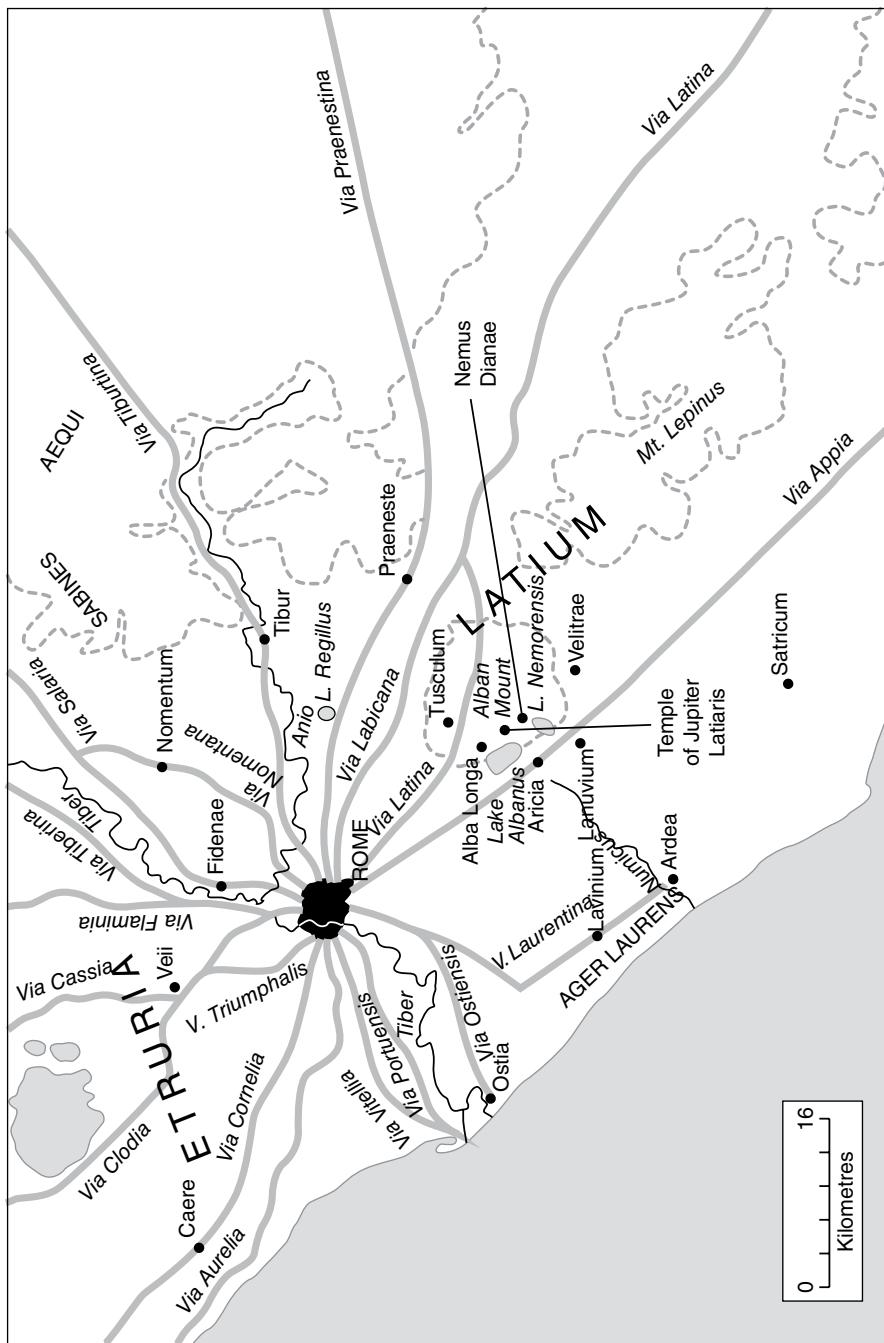
88	L. Cornelius Sulla (Felix) I	Q. Pompeius Rufus
87	Cn. Octavius	L. Cornelius Cinna I
Suffect consul	L. Cornelius Merula	
86	L. Cornelius Cinna II	C. Marius VII
Suffect consul	L. Cornelius Cinna III	L. Valerius Flaccus
85	Cn. Papirius Carbo II	Cn. Papirius Carbo I
84	L. Cornelius Scipio Asiagenus	L. Cornelius Cinna IV
83	C. Marius	C. Norbanus
82	M. Tullius Decula	Cn. Papirius Carbo III
81	L. Cornelius Sulla Felix II	Cn. Cornelius Dolabella
80	P. Servilius Vatia (Isauricus)	Q. Caecilius Metellus Pius
79	M. Aemilius Lepidus	App. Claudius Pulcher
78	D. Junius Brutus	Q. Lutatius Catulus
77	Cn. Octavius	Mam. Aemilius Lepidus Livianus
76	L. Octavius	C. Scribonius Curio
75	L. Licinius Lucullus	C. Aurelius Cotta
73	M. Terentius Varro Lucullus	M. Aurelius Cotta
72	L. Gellius	C. Cassius Longinus
71	P. Cornelius Lentulus Sura	Cn. Cornelius Lentulus Clodianus
70	Cn. Pompeius Magnus I	Cn. Aufidius Orestes
69	Q. Hortensius Hortalus	M. Licinius Crassus I
68	L. Caecilius Metellus	Q. Caecilius Metellus (Creticus)
67	C. Calpurnius Piso	Q. Marcus Rex
66	M'. Aemilius Lepidus	M'. Acilius Glabrio
65	L. Aurelius Cotta	L. Volcatius Tullus
64	L. Julius Caesar	L. Manlius Torquatus
63	M. Tullius Cicero	C. Marcius Figulus
62	D. Junius Silanus	C. Antonius (Hybrida)
61	M. Pupius Piso Frugi Calpurnianus	L. Licinius Murena
60	Q. Caecilius Metellus Celer	M. Valerius Messalla Niger
59	C. Julius Caesar I	L. Afranius
58	L. Calpurnius Piso Caesoninus	M. Calpurnius Bibulus
57	P. Cornelius Lentulus Spinther	A. Gabinius
56	Cn. Cornelius Lentulus Marcellinus	Q. Caecilius Metellus Nepos
55	Cn. Pompeius Magnus II	L. Marcius Philippus
54	L. Domitius Ahenobarbus	M. Licinius Crassus II
53	Cn. Domitius Calvinus I	App. Claudius Pulcher
52	Cn. Pompeius Magnus III	M. Valerius Messalla Rufus
		Q. Caecilius Metellus Pius Scipio Nasica

<i>Roman consuls 88 BC–AD 14</i>		
51	Ser. Sulpicius Rufus	M. Claudius Marcellus
50	L. Aemilius Lepidus Paullus	C. Claudius Marcellus
49	C. Claudius Marcellus	L. Cornelius Lentulus Crus
48	C. Julius Caesar II	P. Servilius Isauricus I
47	Q. Fufius Calenus	P. Vatinius
46	C. Julius Caesar III	M. Aemilius Lepidus I
45	C. Julius Caesar IV (sole consul until October)	
Suffect consuls	Q. Fabius Maximus	C. Trebonius
	C. Caninius Rebilus	
44	C. Julius Caesar V	M. Antonius I
Suffect consul	P. Cornelius Dolabella	
43	C. Vibius Pansa	A. Hirtius
Suffect consuls	C. Julius Caesar (Octavianus) I	Q. Pedius
	C. Carrinas	P. Ventidius Bassus
42	M. Aemilius Lepidus II	L. Munatius Plancus
41	L. Antonius Pietas	P. Servilius Isauricus II
40	Cn. Domitius Calvinus II	C. Asinius Pollio
Suffect consuls	L. Cornelius Balbus	P. Canidius Crassus
39	L. Marcius Censorinus	C. Calvisius Sabinus
Suffect consuls	C. Cocceius Balbus	P. Alfenus Varus
38	App. Claudius Pulcher	C. Norbanus Flaccus
	L. Cornelius Lentulus	L. Marcius Philippus
37	M. Vipsanius Agrippa I	L. Caninius Gallus
Suffect consul	L. Gellius Publicola	T. Statilius Taurus I
36	L. Nonius Asprenas	M. Cocceius Nerva
Suffect consul	Sex. Pompeius	Q. Marcius Philippus (?)
35	P. Cornelius Scipio (?)	L. Cornificius
Suffect consuls	M. Antonius II	T. Peducaeus
34	L. Sempronius Atratinus	L. Scribonius Libo
Suffect consuls	Paullus Aemilius Lepidus	C. Memmius
33	C. Julius Caesar (Octavianus) II	M. Herennius Picens
Suffect consuls	L. Antonius Paetus	L. Volcatius Tullus
	C. Fonteius Capito	L. Flavius
	M. Acilius Glabrio	
	L. Vinicius	Q. Laronius
32	Cn. Domitius Ahenobarbus	C. Sosius
Suffect consuls	L. Cornelius Cinna	M. Valerius Messalla
31	M. Antonius III	C. Julius Caesar (Octavianus) III
Suffect consuls	M. Valerius Messalla Corvinus	
	M. Titius	
	Cn. Pompeius	
30	C. Julius Caesar (Octavianus) IV	M. Licinius Crassus
Suffect consuls		C. Antistius Vetus
	Imp. Caesar V	M. Tullius Cicero
29		L. Saenius
Suffect consul		Sex. Appuleius
28	Imp. Caesar VI	Potitus Valerius Messalla
27	Imp. Caesar VII	M. Vipsanius Agrippa II
26	Imp. Caesar VIII	M. Vipsanius Agrippa III
25	Imp. Caesar IX	T. Statilius Taurus II
24	Imp. Caesar X	M. Junius Silanus
		C. Norbanus Flaccus

<i>Roman consuls 88 BC–AD 14</i>		
24	Imp. Caesar X	C. Norbanus Flaccus
23	Imp. Caesar XI	Cn. Calpurnius Piso
Suffect consul	L. Sestius Quirinalis	
22	M. Claudius Marcellus Aeserninus	L. Arruntius
21	M. Lollius	Q. Aemilius Lepidus
20	M. Appuleius	P. Silius Nerva
19	C. Sentius Saturninus	
Suffect consuls	M. Vinicius	Q. Lucretius Vespillo
18	P. Cornelius Lentulus Marcellinus	Cn. Cornelius Lentulus
17	C. Furnius	C. Junius Silanus
16	L. Domitius Ahenobarbus	P. Cornelius Scipio
Suffect consul	L. Tarius Rufus	
15	M. Livius Drusus Libo	L. Calpurnius Piso
14	M. Licinius Crassus Frugi	C. Cornelius Lentulus Augur
13	Ti. Claudius Nero I	P. Quintilius Varus
12	M. Valerius Messalla Appianus	P. Sulpicius Quirinius
Suffect consuls	C. Valgiius Rufus	
	C. Caninius Rebilus	L. Volusius Saturninus
11	Q. Aelius Tubero	Paullus Fabius Maximus
10	Africanus Fabius Maximus	Iullus Antonius
9	Nero Claudius Drusus	T. Quintilius Crispinus Sulpicianus
8	C. Marcius Censorinus	C. Asinius Gallus
7	Ti. Claudius Nero II	Cn. Calpurnius Piso
6	D. Laelius Balbus	C. Antistius Vetus
5	Imp. Caesar XII	L. Cornelius Sulla
Suffect consuls	Q. Haterius	L. Vinicius
4	C. Calvisius Sabinus	C. Sulpicius Galba
Suffect consuls	C. Caelius Rufus	L. Passienius Rufus
3	L. Cornelius Lentulus	C. Sulpicius
2	Imp. Caesar XIII	M. Valerius Messalla Messallinus
Suffect consuls	C. Fufius Geminus	M. Plautius Silvanus
	Q. Fabricius	L. Caninius Gallus
1	Cossus Cornelius Lentulus	
Suffect consuls	A. Plautius	L. Calpurnius Piso
		A. Caecina Severus
1st century AD		
1	C. Julius Caesar	L. Aemilius Paullus
Suffect consul		M. Herennius Picens
2	P. Vinicius	P. Alfenus Varus
Suffect consuls	P. Cornelius Lentulus Scipio	T. Quintilius Crispinus Valerianus
3	L. Aelius Lamia	M. Servilius
Suffect consuls	P. Silius	L. Volusius Saturninus
4	Sex. Aelius Catus	C. Sentius Saturninus
Suffect consuls	C. Sentius Saturninus	C. Clodius Licinus
5	L. Valerius Messalla Volesus	Cn. Cornelius Cinna Magnus
Suffect consuls	C. Vibius Postumus	C. Ateius Capito
6	M. Aemilius Lepidus	L. Arruntius
Suffect consul		L. Nonius Asprenas
7	Q. Caecilius Metellus Creticus Silanus	A. Licinius Nerva Silianus

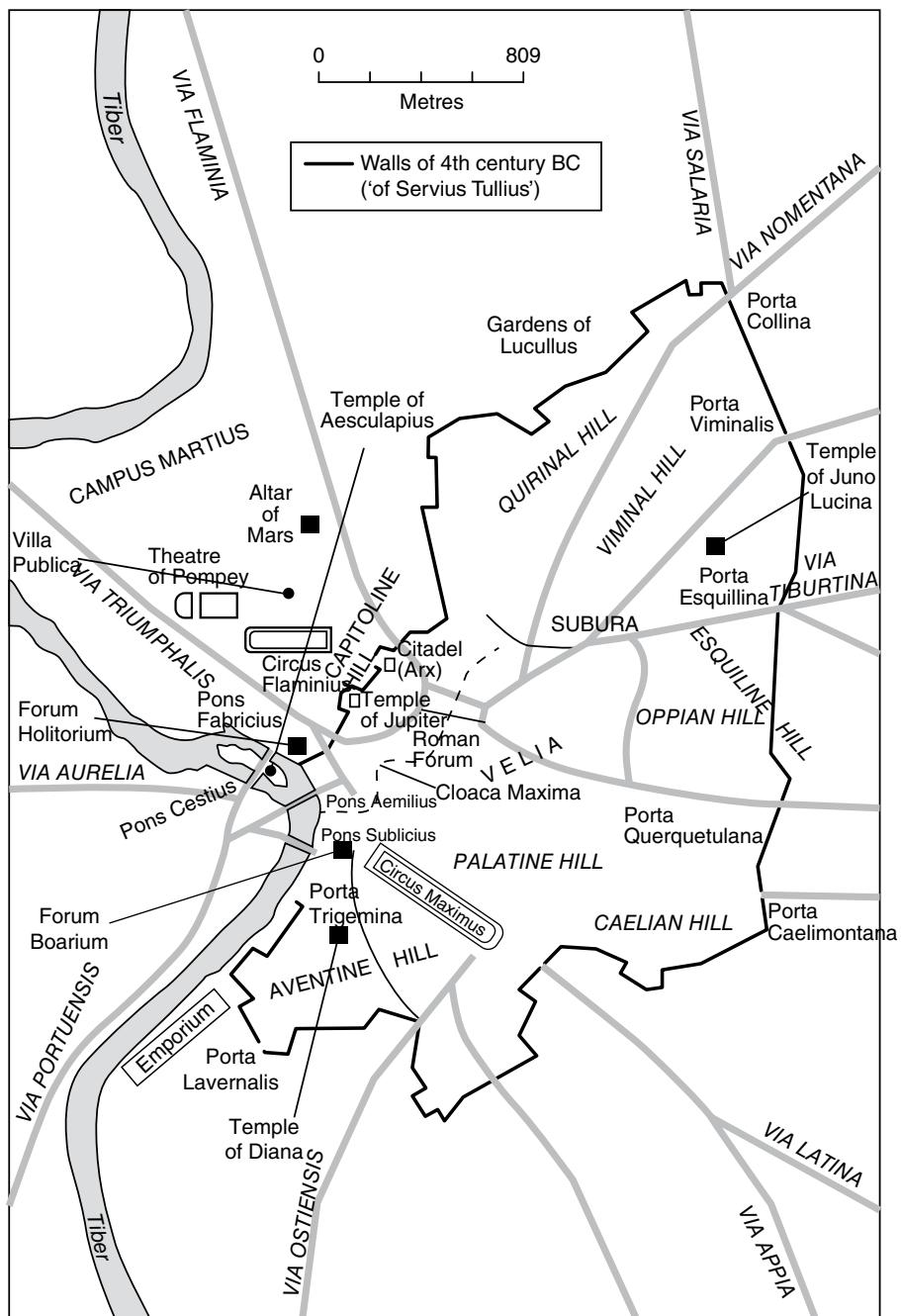
Roman consuls 88 BC–AD 14

Suffect consul		Lucilius Longus
8	M. Furius Camillus	Sex. Nonius Quintilianus
Suffect consuls	L. Apronius	A. Vibius Habitus
9	C. Poppaeus Sabinus	Q. Sulpicius Camerinus
Suffect consuls	M. Papius Mutilus	Q. Poppaeus Secundus
10	P. Cornelius Dolabella	C. Junius Silanus
Suffect consuls	Ser. Cornelius Lentulus Maluginensis	Q. Junius Blaesus
11	M'. Aemilius Lepidus	T. Statilius Taurus
Suffect consul	L. Cassius Longinus	C. Fonteius Capito
12	Germanicus Julius Caesar	C. Visellius Varro
Suffect consul	C. Silius	L. Munatius Plancus
13	A. Caecina Largus	
Suffect consul	Sex. Pompeius	Sex. Appuleius
14		



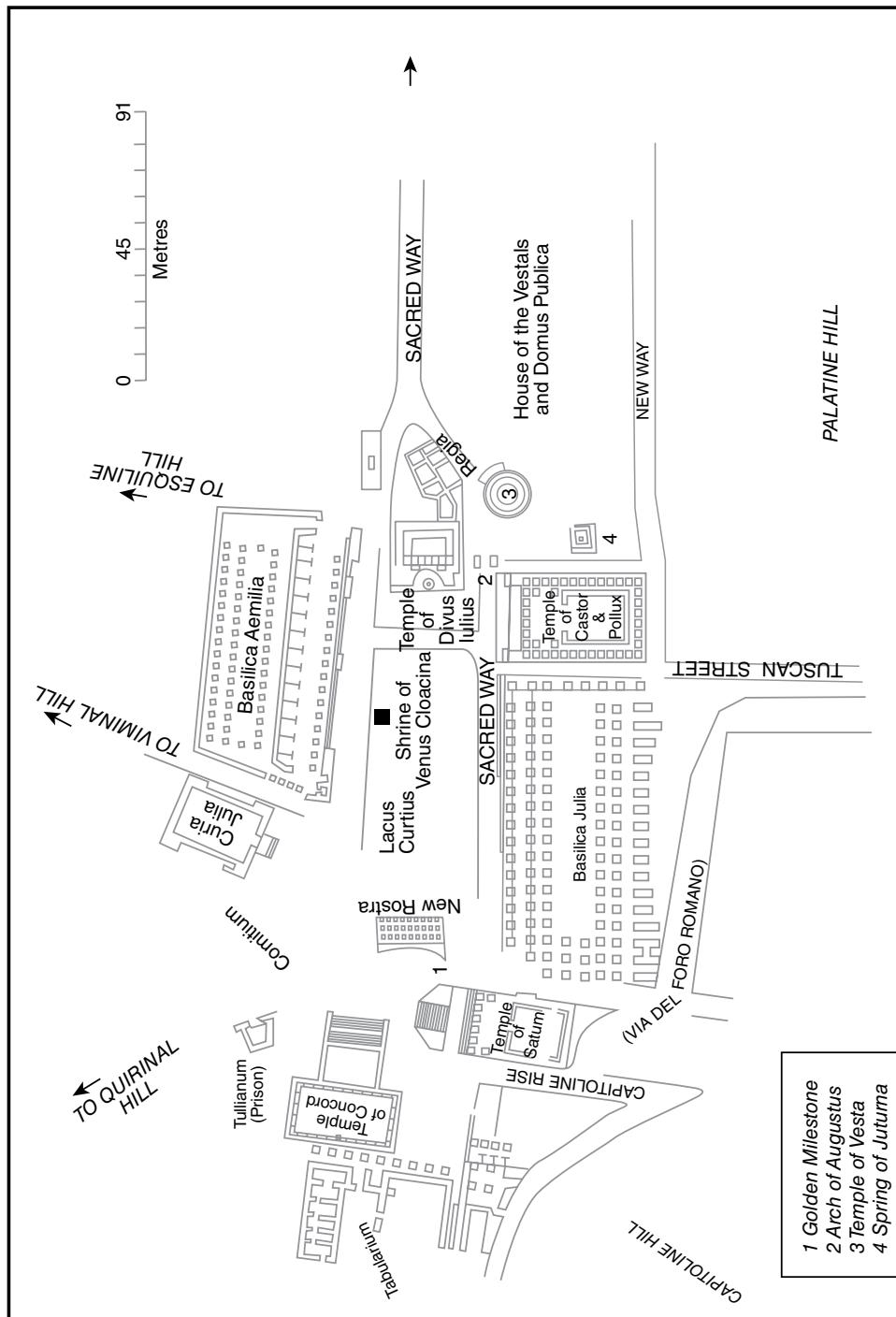
Map 1 Rome and its neighbours

Source: Adapted from the Routledge Atlas of Classical History by Michael Grant (1994), Map 47



Map 2 Rome during the Republic

Source: Adapted from Grant (1994), Map 54



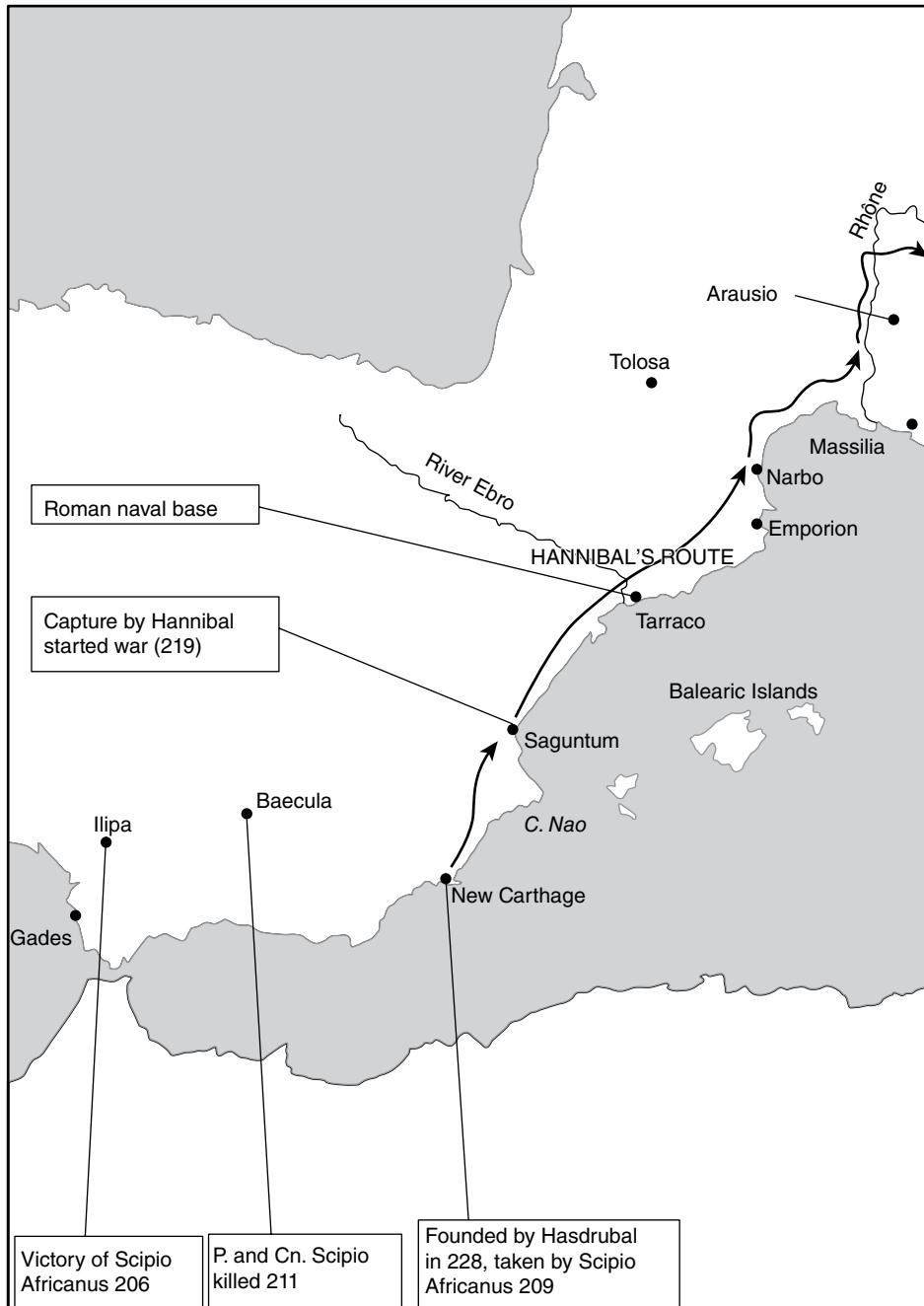
Map 3 The forum in the time of Augustus

Source: Adapted from Grant (1994), Map 55



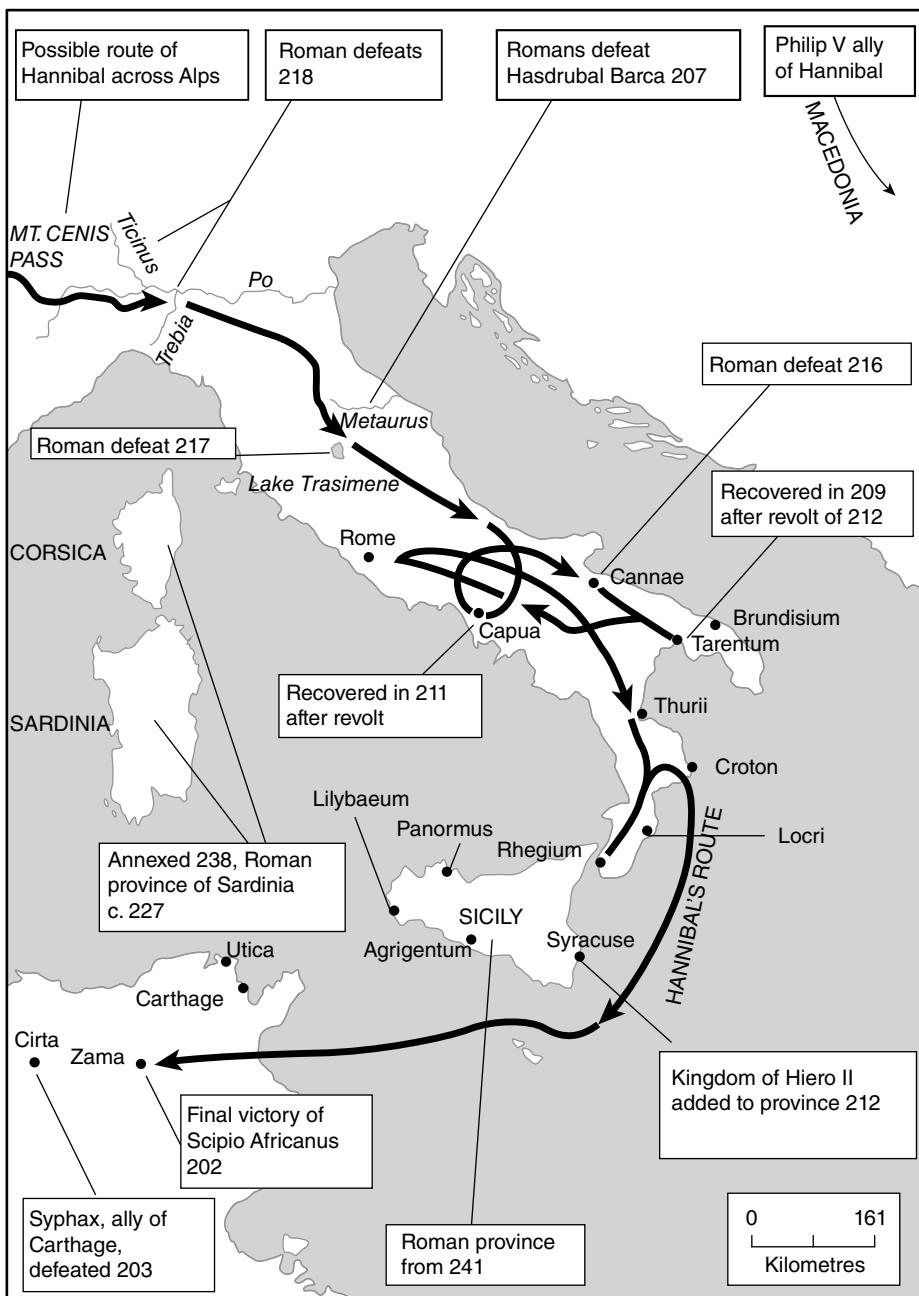
Map 4 Rome's conquest of Italy

Source: Adapted from Grant (1994), Map 48



Map 5 The Second Punic War (218–201 BC)

Source: Adapted from Grant (1994), Map 51



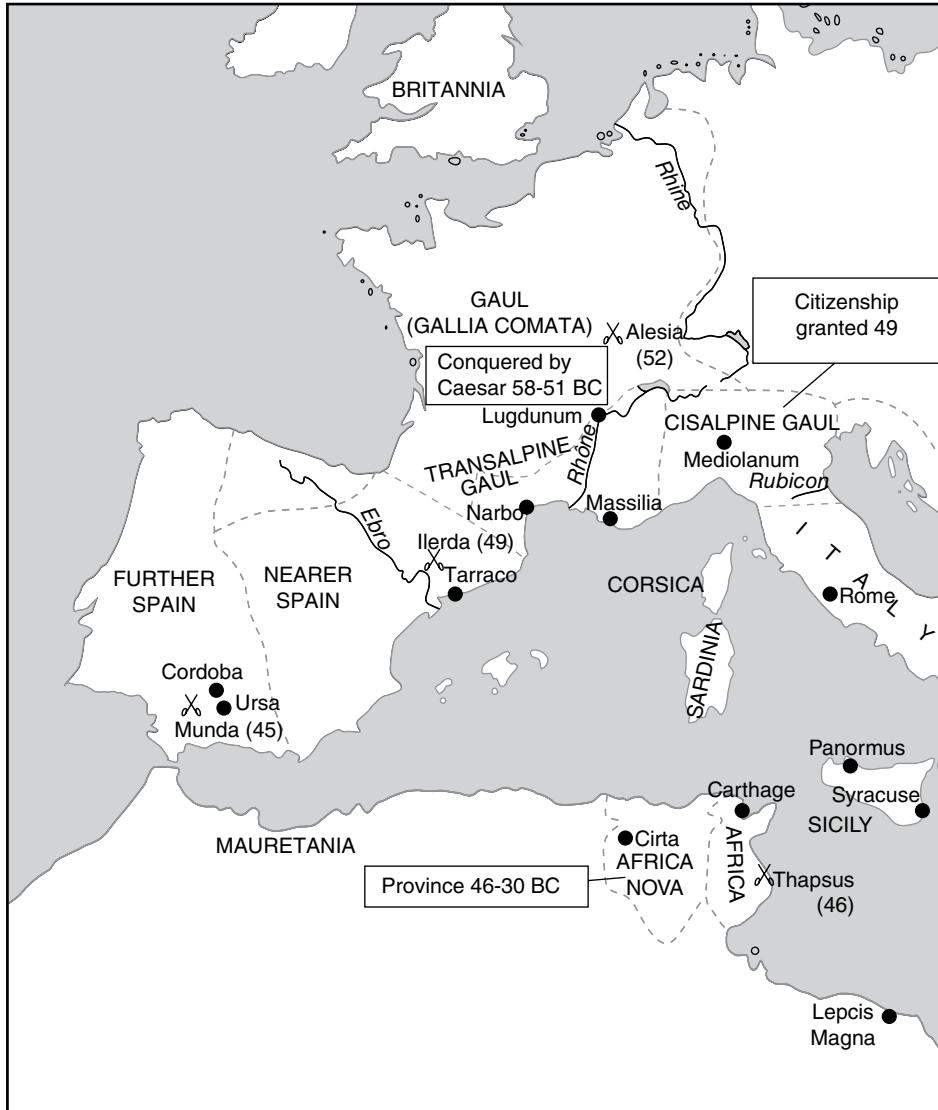
Map 5 Continued



Map 6 The Roman Empire c. 100 BC

Source: Adapted from Grant (1994), Map 52

Map 6 *Continued*



Map 7 The Roman Empire in 44 BC

Source: Adapted from Grant (1994), Map 53

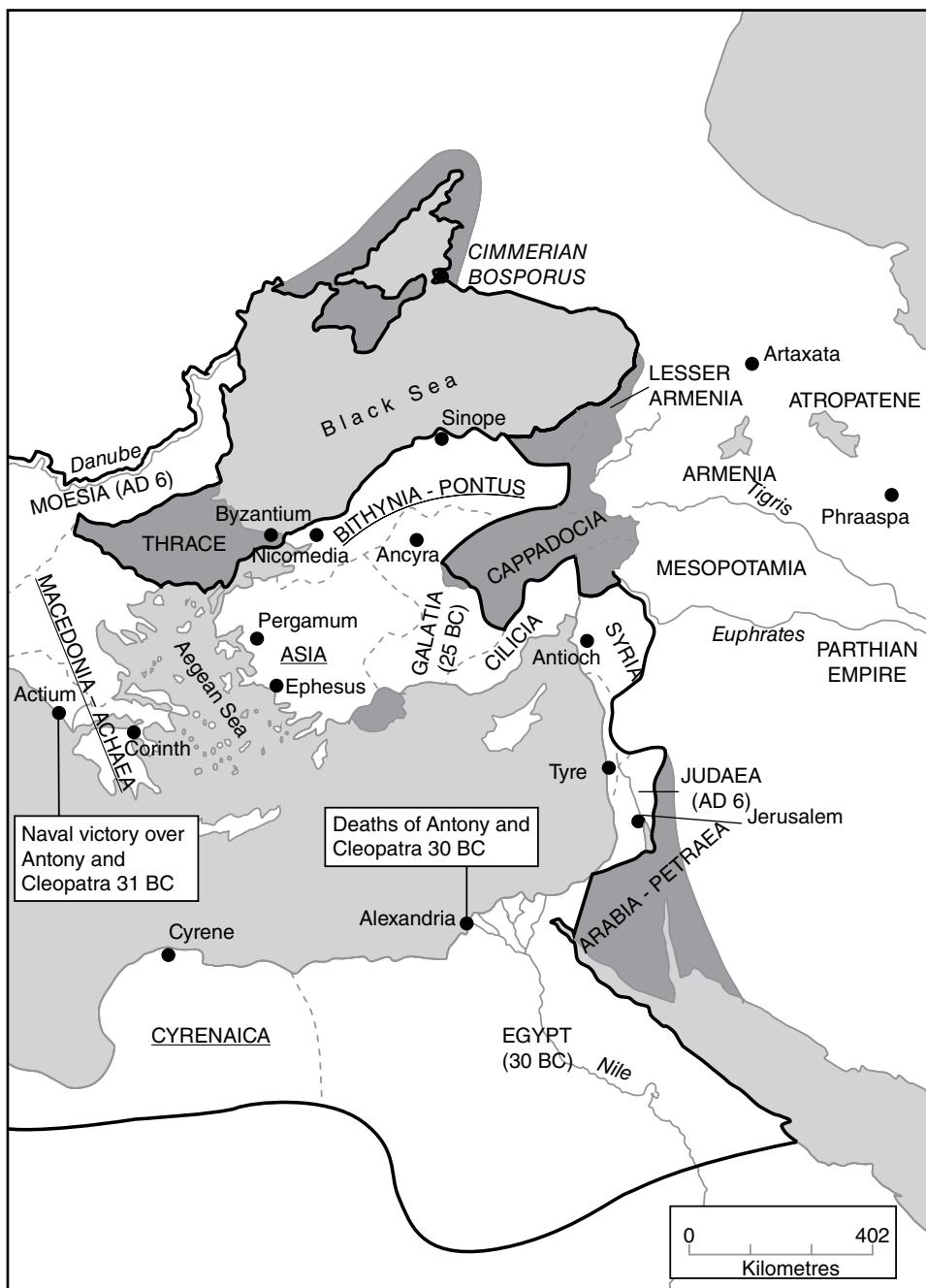


Map 7 Continued

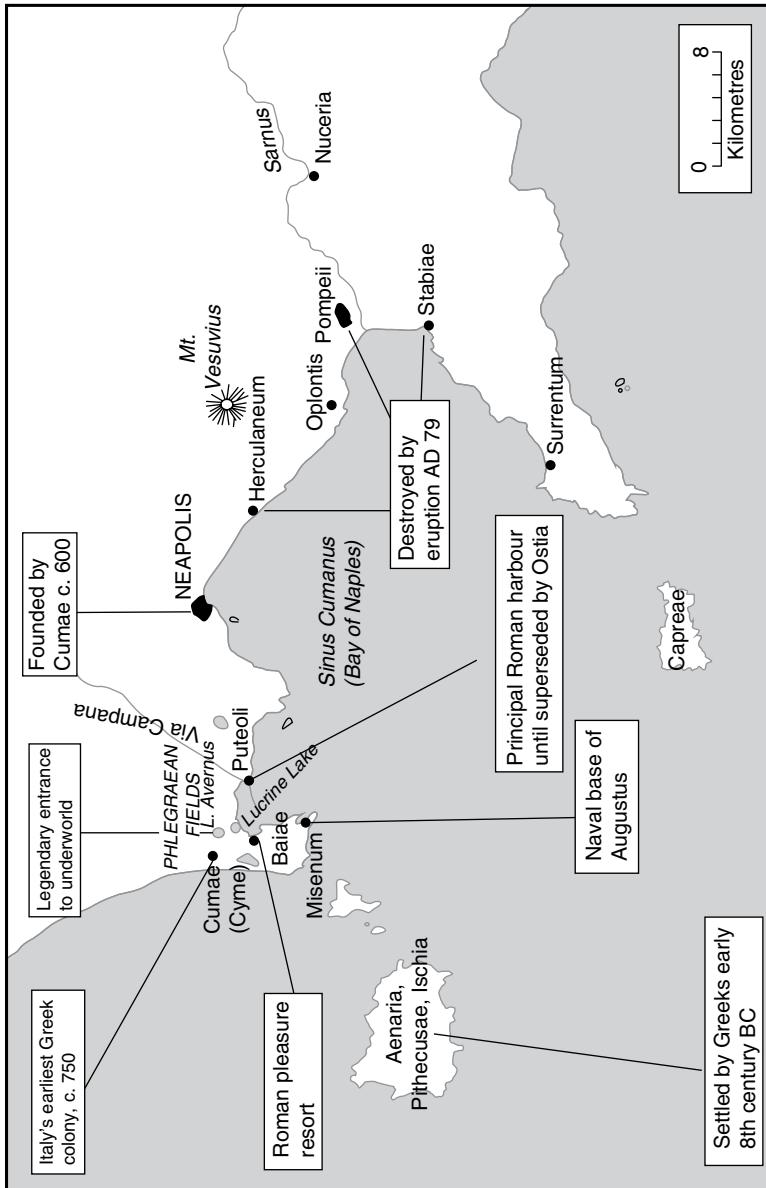


Map 8 The Roman Empire at the death of Augustus, AD 14

Source: Adapted from Grant (1994), Map 57



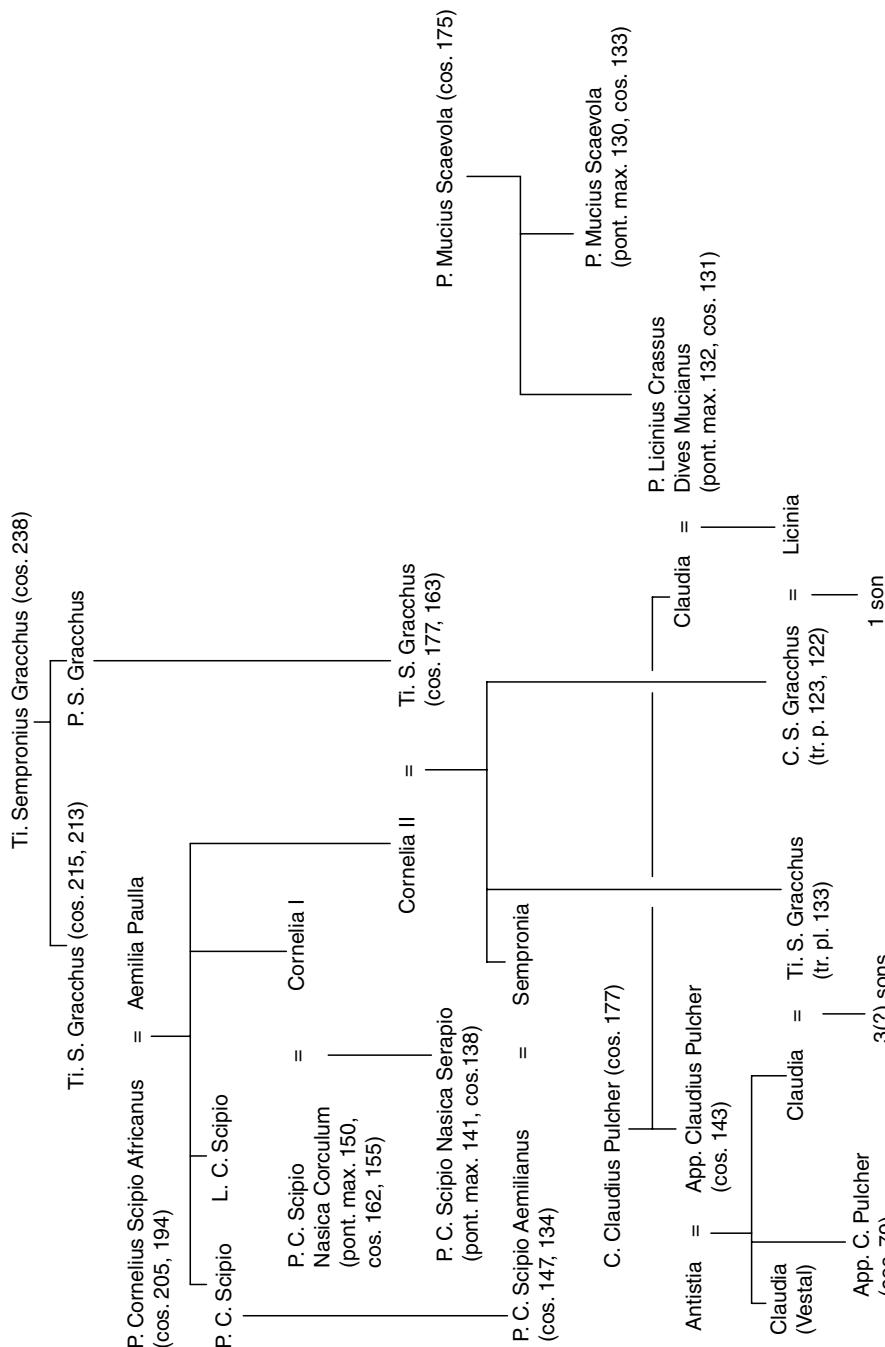
Map 8 Continued



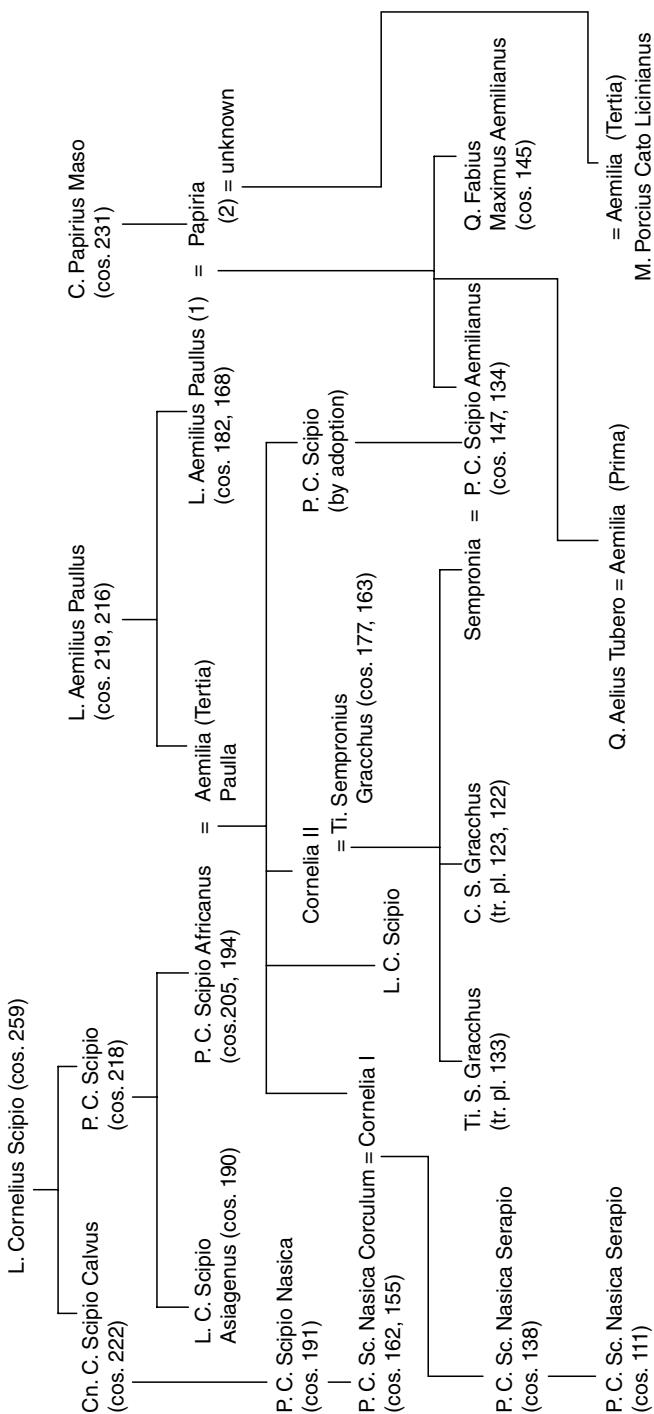
Map 9 The Bay of Naples

Source: Adapted from Grant (1994), Map 65

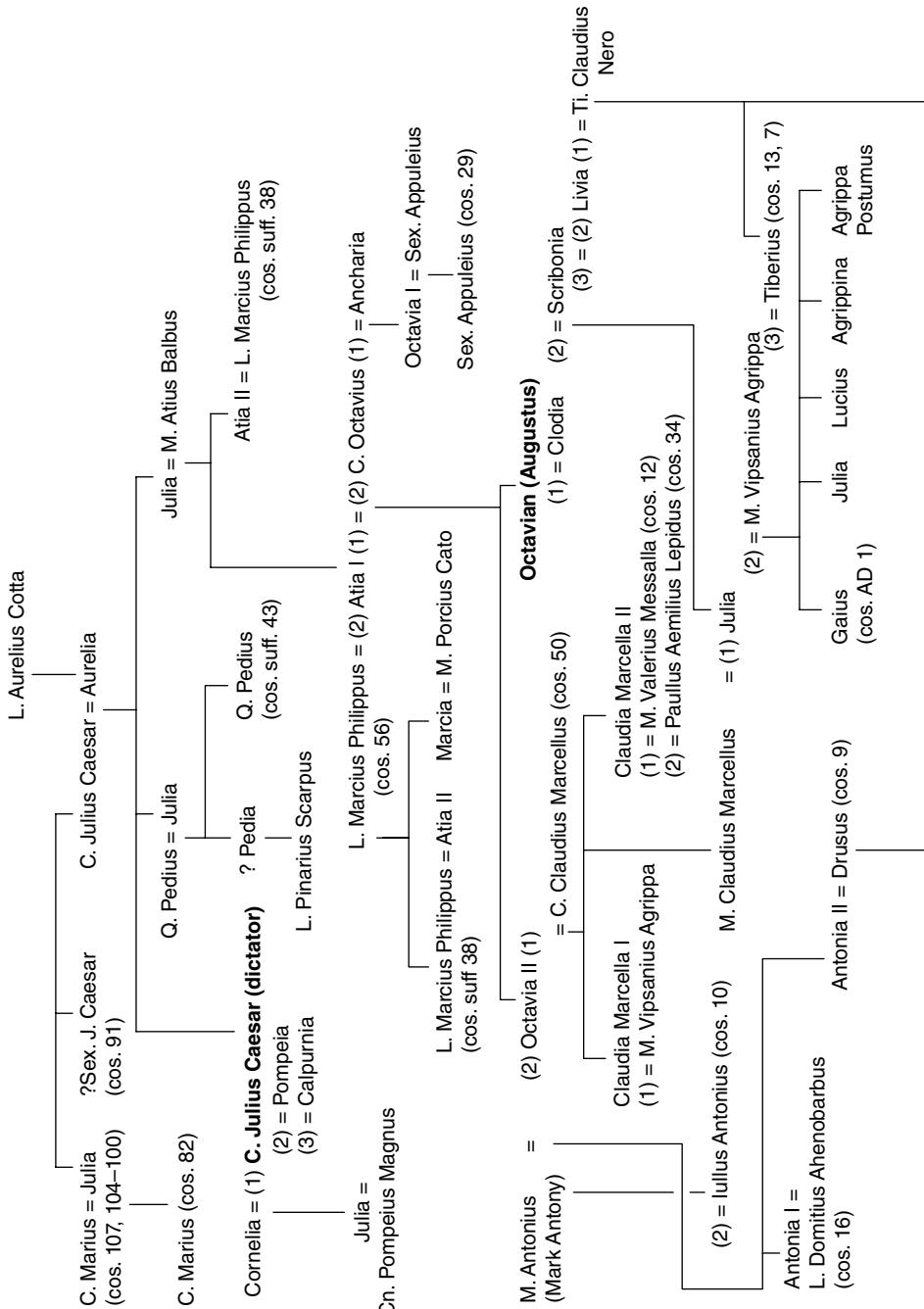
Genealogical (family) trees



Tree 1 The Sempronii Gracchi



Tree 2 The Cornelii Scipiones and Aemilius Paulli



Tree 3 The family of Julius Caesar and Augustus

Chapter 1

Early Republican Rome

509–264 BC

Rome was traditionally founded in 753 BC by Romulus, descendant of Aeneas of Troy and son of the god Mars (Figure 1.1), and it was ruled by non-hereditary kings until their expulsion and the foundation of the Republic in 509/8 BC. According to Rome's own foundation legend, the Romans were the descendants of the Trojans, through a synthesis of the myths of Aeneas (prince of Troy) and Romulus (son of Mars), his descendent through the Latin kings of Alba Longa. Romulus was said to have killed his brother Remus in a quarrel over the foundation of the city, and to have given the Romans wives through the abduction of the Sabine women (Figure 1.2). Romulus then united with the Sabine king Titus Tatius and organised the new city into three tribes and 30 curiae (divisions). Romulus' successor, Numa Pompilius, was also a Sabine (an Umbro-Oscan group). The story of the rape of the Sabine women, and the resulting mixed descent of the Romans, continued by the immigration of noble families from elsewhere in Italy in the historical period, suggests an awareness of the fact that Rome in its early years had been dependent on an admixture of different Italian groups, and the Romans thus accepted both their mixed origin and their kinship with the Latins, who spoke the same language and shared the same religious observances.

The account of the seven kings of Rome, including the mythical figure of Romulus, is primarily ahistorical. It was probably in the seventh century that the various hilltop settlements of Rome came together into one community. The rule of the last three kings (c. 616–509: Tarquinius Priscus, Servius Tullius, and Tarquinius Superbus), who were of Etruscan background, suggesting strong Etruscan cultural influence on Rome at this period, saw Rome becoming one of the largest of the Italian cities with an estimated population of some 25,000 inhabitants, while it began assuming a more prominent position in the region of Latium. Even so, at the beginning of the Republic Rome's territory comprised only some 800 square kilometres, and expansion only began in earnest in the late fifth century. At the beginning of the third century, following the conquest of the Italian peninsula, the population had probably reached some 90,000 citizens.

Geography and location

The site of Rome, located some 30 kilometres from the west coast of Italy on the river Tiber, allowed for ease of communications both inland and with the sea, which was advantageous in terms of trade and communications with its neighbours (Map 1). The Tiber begins in the Apennines, Italy's mountainous backbone, and formed the



Figure 1.1 A denarius minted by the moneyer P. Satrienus at Rome in 77 BC depicting the head of Mars and the she-wolf. On the obverse Mars wearing a crested helmet, LXII behind. On the reverse a she-wolf standing with right front paw raised, ROMA above. P. SATRIENVS in the exergue. The she-wolf, foster-mother of the twins Romulus and Remus, was the symbol of Rome.

Source: Photo courtesy of Classical Numismatic Group



Figure 1.2 A denarius minted by the moneyer L. Titurius Sabinus at Rome in 89 BC depicting the bearded head of the Sabine king Titus Tatius and the rape of the Sabine women. On the obverse Titus Tatius, with SABIN to the left; on the reverse two soldiers facing each other, each carrying off one of the Sabine women. According to legend Tatius then attacked Rome, but the abducted women convinced Tatius and Romulus to make peace and rule jointly over Romans and Sabines. The moneyer is claiming Sabine descent, and there may also be here a reference to the Social War with the Italians, which was currently in progress.

Source: Photo courtesy of Classical Numismatic Group

boundary between Etruria to the north and Umbria and Latium to the south. The river, which wanders through Rome as a lazy ‘s’, contributed greatly to Rome’s economy, being navigable by sea-going vessels as far as Rome, while timber and agricultural produce were brought in small boats from as far as 100 kilometres inland. The Tiber

was first crossed with a narrow bridge, the pons Sublicius, in the sixth century, which was sometimes destroyed by floods; it was a special concern of the priests (Dion. Hal. 1.38.2–3: doc. 3.7).

There was no harbour at Ostia in republican times and sea-going vessels passed through the mouth of the Tiber there and were assisted on their way to Rome: Dionysius of Halicarnassus comments that merchant ships of up to 3,000 measures (bushels) were brought up river by rowing or the use of tow-lines, while heavier vessels rode at anchor off the mouth of the Tiber, where they were unloaded by river boats (Dion. Hal. 3.44.1–4: doc. 1.1). From the time of the Punic wars a small fleet was based at Ostia to protect the grain supply necessary to feed Rome's growing population.

Strabo, writing his *Geography* in the early first century AD, points out some of the disadvantages of Rome's site, in particular the difficulties involved in defending the city (Strabo 5.3.7: doc. 1.2). The 'Servian' wall was ascribed to the sixth king, Servius Tullius, but in fact dated to the fourth century, after the conquest of Veii in 396 BC. This wall was 11 kilometres in circumference and embraced all seven hills of Rome except the Palatine, which had its own defences (Map 2). The area within this Servian Wall comprised some 400 hectares, but by the late republican period the city had significantly outgrown it. The story of the Gallic sack of the city c. 390 BC suggests that Rome had no extensive defences prior to the 'Servian' wall, and Strabo praises Rome's militarism, which (like that of Sparta) saw courage and arms as the main line of defence rather than walls and fortifications: 'walls should not defend men, but men walls'.

The development of Rome

Under the last three kings of Rome, the city became increasingly urbanised and an important cultural centre. The city was divided into four regions (Palatina, Collina, Esquilina, Suburana), and several temples were built on the Capitol, including that of Jupiter Optimus Maximus (Jupiter the Best and Greatest). The forum Boarium developed into an important trade centre with the building of the pons Sublicius, the first bridge over the Tiber, while the forum Romanum was drained by the construction of the sewer system, and both the forum and comitium were paved. Strabo notes that collapsing buildings and fires led to constant construction work in Rome, and fires must always have been a major problem (Strabo 5.3.7: doc. 1.2): notable fires in the Republic included the forum Boarium ('cattle market') in 213, the forum Romanum in 210, and that of the temple of Jupiter on the Capitoline on 6 July 83.

The seven hills which comprised the city of Rome were the Palatine, Quirinal, Viminal, Esquiline, Caelian, Aventine, and Capitol (Map 2). The auspices were taken from the Capitol, the citadel, home of the great temple of Jupiter. The rich lived primarily on the Palatine, with the poorer citizens located in the Subura, between the Esquiline and Viminal hills, which was the centre of trade and commerce. The Esquiline was the main burial area (ILS 6082: doc. 3.78), and the Aventine was the site of numerous important cult centres, including the temple of Juno Regina after the conquest of Veii in 396 BC (Livy 5.21–22: doc. 3.57), the temple of Ceres, Liber and Libera established as part of the 'First Secession' in 494 (Livy 2.31–33: doc. 1.25), and the temple of Diana dedicated by the king Servius Tullius.

The pomerium

Rome had an inaugurated religious boundary, the pomerium (Gell. 13.14.1–2; doc. 1.3), which divided the city itself (the *urbs*) from its territories (the *ager*, land outside the city), and which enclosed the sacred space within which any auspices for the city (the *auspicia urbana*) were taken. The pomerium was established by an Etruscan ritual, involving the use of a special team of white cattle (Varro *Ling. Lat.* 5.143; doc. 3.17; Figure 15.6), and originally ended at the foot of the Palatine. It was then extended by Servius Tullius, and remained unchanged until Sulla enlarged it, followed by Julius Caesar and Augustus. It enclosed all the hills of Rome, except for the Aventine, and an increasing proportion of the inhabitants lived outside the pomerium as the city population continued to grow.

Senior magistrates who possessed imperium, the right to command an army, had to lay it down on crossing the pomerium into the city, as military command could not be held within Rome itself: the only exception was the celebration of a triumph for military victories, when the general and soldiers formally paraded through the city to the Capitol. On leaving Rome and crossing the pomerium the lictors (public attendants), who accompanied senior magistrates (consuls and praetors), fixed axes into their fasces (a bundle of elm or birch rods tied by red straps) to show that outside of Rome these magistrates had the right of life or death over Roman and allied soldiers, as well as the right to exact punishment within Rome. The comitia centuriata, originally a military assembly, could only be held outside the pomerium and had to meet on the Campus Martius, while the temples of introduced deities not sanctioned by the state were not allowed within the pomerium. Burial was not permitted inside the area bounded by the pomerium except as a state honour, granted to the Vestal Virgins, P. Valerius Poplicola or Publicola (cos. 508, 507, 504), and Caesar in 44 BC.

The forum Romanum

The forum Romanum, the political centre of Rome, lay at the foot of the Capitol (Map 2): a forum was a square or market-place, the common meeting-place of a Roman town, serving as a market area and for all other forms of collective activity. Rome also possessed the forum Boarium (cattle market) and forum Holitorium (vegetable market), with the forum Romanum primarily the place of public business. Between 635 and 575 the forum was paved and became the site of ceremonial buildings rather than a residential area. From this period Rome's political and religious life appears to have been centred on the forum, with the regia (royal dwelling), senate house (curia; Figures 13.1, 13.9) and comitium (assembly area) located there, as well as the temple for the goddess Vesta (Figures 3.3, 7.5; Maps 2, 3). A marshy area, the lacus Curtius ('lake of Curtius'), lay in the centre of it, so named because according to legend a chasm in the earth at this spot was closed by the self-sacrifice (*devotio*) of one M. Curtius in 362, who in accordance with an oracle spurred his horse into it in full armour (Map 3).

Tarquinius Priscus, the fifth king of Rome (616–579 BC), was said to have adorned the forum and surrounded it with shops and colonnades (Dion. Hal. 3.67.4; doc. 1.5), while the seventh king Tarquinius Superbus (534–509) was reputed to have canalised the stream of the Cloaca Maxima ('Great Sewer') which ran through it: the forum,

however, was always subject to inundation. The Sacred Way (via Sacra), which ran through the forum and was part of the triumphal route to the Capitol, was lined with shops, the ‘old shops’ mentioned by Plautus (*Curc.* 480: doc. 1.6), while newer ones were constructed in the northern part of the forum in front of the basilica Aemilia.

Popular assemblies and judicial proceedings took place in the forum, and the political complex comprised the curia (senate house), comitium (assembly place), and rostra (the speakers’ platform). The comitium at the north-east was a circular structure, with the rostra on its southern side, and the curia, the meeting-place of the senate, adjacent to the north (Figures 13.1, 13.9). The forum was extensively remodelled in the latter half of the first century BC, with Caesar’s forum Iulium, dedicated in 46, built over the older comitium, while the speakers’ platform, the rostra (‘beaks’), was adorned with the beaks, the curved ends of the prow, of the ships captured at the battle of Antium in 338 by C. Maenius (Livy 8.14.12: doc. 1.65).

The forum was also the site of some of the oldest temples in Rome, including the temple of Saturn, the treasury, to the south-west dedicated in 498, and that of Castor and Pollux, the Dioscuri, in the south-east in 484. The temple of Concordia, constructed c. 366, stood on the western side of the forum, allegedly dedicated by Camillus to celebrate the end of the ‘Conflict of the Orders’, and the temple of Vesta, the house of the Vestals, and the regia or domus publica, the residence of the pontifex maximus, the chief priest, lay to the east (Map 3). The tabularium, records office, was built in 78 BC at the western end of the forum behind the Temple of Concord. The forum also housed the temples of Janus and Venus Cloacina (Venus of the Sewers: Figure 3.17). In the second century BC a number of basilicas (colonnades) were constructed: the Basilica Aemilia at the north-eastern corner, the Basilica Porcia near the curia, and the Basilica Sempronia to the north. It was also in the forum that funeral eulogies for prominent men were delivered, and funerary games, with their accompanying gladiatorial contests and theatrical performances, were held there with temporary seating erected for the occasion; Gaius Gracchus in 122 forcibly removed the seats so that the poor could see the contests free of charge.

Life in the forum

In a vivid description of public life in Rome, the comic poet Plautus describes the ways in which the forum in the early second century BC functioned as the key religious, political, and commercial centre of Rome, as well as the main meeting-place and lounging-spot for citizens and others (Plaut. *Curc.* 467–484: doc. 1.6). Litigants and lawyers (‘perjurors’) can be found in the comitium, liars and braggarts at the temple of Venus Cloacina, and rich married spendthrifts in the basilica, along with ageing prostitutes and bargain hunters, while those who belong to dining clubs can be found at the fish-market. The lower forum is the meeting-place of men of repute, the middle forum is the hang-out for fellows who are just for show, while above the ‘lake’ (the lacus Curtius) is the haunt of the bold, talkative types, who slander others for no reason and are good targets for slander in their own turn. Money-lenders can be met with under the old shops along the via Sacra on the southern side, untrustworthy types behind the temple of Castor and Pollux, and male prostitutes in the ‘Tuscan quarter’, a market area between the forum and Velabrum.

A century later life in the forum was satirised by the poet Lucilius, who depicted both citizens and senators spending their entire time in the forum and dedicating themselves to the same passion – cheating within the letter of the law, using cunning and flattery to win their cases, putting on a pretence of being ‘honest fellows’, and metaphorically ambushing others, as if everyone were their enemy (*Lucil. Sat. 1145–1151: doc. 1.7*). The law-courts and the praetor’s tribunal were situated in the forum, and trials took place on platforms in public view in the open air. Cicero, in his speech to the senate after his return from exile in 57, described the state of affairs in the forum when Clodius and his supporters effectively shut down the government of Rome to prevent Cicero’s recall:

from this time on, citizens, you gave no responses to allies, or even kings; the juries gave no verdicts, the people gave no votes, this senate approved no measures; you looked upon a forum that was dumb, a senate-house without a tongue, a state that was silent and enfeebled.

(Cic. *Red. Sen. 6*: doc. 1.8)

The forum was the centre of political and judicial life at Rome where all public business was transacted, including contiones (non-voting meetings of the people), legislative assemblies (comitia), senate meetings in the curia, and legal trials, although the comitia centuriata, as a military assembly, met on the Campus Martius.

Senate and magistracies

According to tradition Romulus had been responsible for the establishment of the senate, assembly, tribes, and the order of patricians. The senate originally served as an advisory body to the king, and was primarily (if not entirely) made up of patricians. The distinction between patricians (from ‘patres’, fathers, a term used for senators) and plebeians (non-patricians) marked the patriciate as a hereditary group with particular privileges, to whom the magistracies and priesthoods were originally restricted: patricians retained the monopoly over certain priesthoods, such as the Salii and the three flamines of Jupiter, Mars, and Quirinus, even in the late Republic. With Tarquin ‘the Proud’ (*Superbus*) dethroned in 509, the monarchy was replaced by a system of government by the patricians, with two magistrates with imperium (later known as consuls) elected annually by the people and advised by the senate: this was the beginning of the Roman Republic. The term Republic, signifying the state or commonwealth, derives from the term *res publica* or *respublica*, ‘the public matter’, and thus ‘public affairs’ or government. The abbreviation SPQR, used in inscriptions and on coins from the first century BC, stood for *s(enatus) p(opulus)q(ue) R(omanus)*, ‘the senate and the Roman people’, and hence the government of the Roman Republic, which was embodied in the two governing entities of senate and people.

Tradition recorded that, with the establishment of the double magistracy, the principle of collegiality and shared power was adopted at the very beginning of the Republic in response to the ‘tyranny’ displayed by the monarchical kings. The religious duties of the king were taken over by the rex sacrorum (or rex sacrificulus) who dwelt in the regia (palace), and most of whose duties later devolved to the pontifex maximus. Senators appear at an early stage to have been divided into patres and conscripti

(‘registered’, i.e., non-patricians), suggesting that some non-patricians could sit in the senate: the phrase ‘patres conscripti’, ‘conscript fathers’, was frequently used in the later Republic to address the senate as a whole.

'Mos maiorum': the importance of tradition

One of the most important ideologies of the Roman senatorial class was the importance of tradition, known as *mos maiorum* (‘the custom of our ancestors’), applied as a touchstone to all issues under discussion. The first Latin poet Ennius, in his account of Roman history in his *Annals*, has T. Manlius Torquatus (cos. 340) proclaim, prior to the execution of his son for engaging with the enemy against orders, that ‘On manners and men of olden times stands the Roman state’ (Enn. *Ann.* 467: doc. 1.9). This attitude underpinned the belief that Rome should continue to observe and maintain the traditions and behaviour, such as frugality, austerity, discipline and courage, which had made Rome great, and the moral imperative of maintaining the standards of times of old was eulogised down to the time of Augustus, whose social reforms were explicitly intended to preserve traditional Roman values.

The dangers of kingship

A further conviction ingrained in Roman tradition was that of the dangers of kingship. Rome had been ruled, according to legend, by seven kings, the first being Romulus. Though the chronology and number of the kings is disputed, according to tradition the last king, Tarquinius Superbus, was deposed by a group of aristocrats, after his son in 509 raped the chaste and noble Lucretia. This episode, including her subsequent suicide and the rebellion consequently fomented by her husband L. Tarquinius Collatinus and L. Junius Brutus, who became the first two consuls, is clearly fictional. But the idea of kingship was always seen as repugnant and essentially non-Roman during the Republic, and the desire for kingship was a frequent accusation made against political figures who were becoming too popular, such as M. Manlius Capitolinus (Livy 6.20.1–3: doc. 2.46), the Gracchi, and Julius Caesar himself, who avoided accepting the title ‘rex’, even though he did take that of perpetual dictator.

The belief in the necessity of shared power was intrinsic to republican thought, and Cicero, in his *On Duties* written for his son Marcus, cited a quotation from one of the tragedies of the poet Ennius that ‘To a king no association, no promise, is sacred’ (Enn. *Trag.* FF402–403: doc. 1.10). Despite this, various relics of monarchy survived under the Republic, notably the position of *rex sacrorum* (the ‘king of the sacred rites’), the *interrex* (‘interim king’, who conducted elections following the death of the consuls in office), and the insignia of magistrates (such as the fasces and curule chair), as well as the dress and paraphernalia of generals celebrating a triumph (the *toga picta* or ‘painted toga’, triumphal chariot, golden crown, and ivory sceptre).

While the numbers of other magistrates increased during the Republic to deal with the expanding responsibilities of government, the number of consuls always remained constant at two, dividing between them the power that had belonged to the king. L. Junius Brutus, one of the first two consuls, was said to have made the people swear an oath that they would never permit anyone to be king in Rome, and to have had his colleague L. Tarquinius Collatinus exiled because of his family relationship with the

Tarquins, and his own two sons executed for attempting to restore Tarquinius Superbus as king, subordinating his feelings as a father to the good of the state (Val. Max. 5.8.1: doc. 7.14).

The consulship

The consuls were initially called praetors, and, while a so-called ‘consular tribunate’ frequently replaced both consuls and tribunes from 445 to 367, after the Licinio-Sextian laws of 367 the two-man college of consuls was the norm. Varro associated the term consul with the fact that this magistrate had to ‘consult’ the senate and people, or give good ‘counsel’ (Varro *Ling. Lat.* 5.80: doc. 1.13). The consuls’ exercise of power was limited by the fact that their magistracy was an annual one and that there were restrictions on holding successive consulships. Their primary role was that of military commander, and they possessed supreme power (*imperium*) when in charge of an army. From 367 to 88 BC it was customary for one or both consuls to be away from Rome on campaign, and when both consuls were on the same campaign it was usual for them each to take command for a day at a time. Twelve lictors carried the fasces before the consuls on alternate months (Figures 1.3, 1.4), signalling the precedence of that consul over the other for that month. As well as the fasces, other items of the Etruscan royal regalia were retained by the consuls, such as the sella curulis (curule chair), a backless folding chair, made primarily of ivory which was the seat of office (Figure 1.5), and the right to wear the toga praetexta, a toga with a broad purple stripe along the edge. Livy notes that the first consuls possessed the rights and insignia of the kings, but that the fasces were rotated between them to stress their collegiality (Livy 2.1.8–10: doc. 1.11).

Apart from being military commanders, consuls had the right to propose laws, address and convene the senate and people, and nominate candidates for election.



Figure 1.3 A denarius issued by Q. Servilius Caepio (M. Junius Brutus) in 54 BC depicting the head of the goddess Libertas (Liberty) and the consul L. Junius Brutus (cos. 509) walking between two lictors. Each lictor carries an axe over one shoulder, with an accensus (attendant) preceding them. Brutus was one of the assassins of Julius Caesar in 44 BC and descended from the overthrower of the monarchy.

Source: Photo courtesy of Classical Numismatic Group



Figure 1.4 A denarius coined by C. Norbanus at Rome in 83 BC depicting the fasces and a caduceus. On the obverse the diademed head of Venus with an earring and pearl necklace, CXI behind; on the reverse, an ear of grain, the fasces, and a caduceus (envoy's staff). Norbanus was possibly the son of C. Norbanus, cos. 83 and an opponent of Sulla.

Source: Photo courtesy of Classical Numismatic Group



Figure 1.5 A denarius issued by P. Furius Crassipes at Rome in 84 BC depicting the head of Cybele and a curule chair. On the obverse, Cybele with a turreted crown, behind a foot and AED CUR (curule aedile), and on the reverse a curule chair with the inscription P FOVRIVS. CRASSIPES in exergue.

Source: Photo courtesy of Classical Numismatic Group

The consuls were advised by the senate, which was raised to some 300 members at the beginning of the Republic (Livy 2.1.10). They were only limited in the exercise of their power by their consular colleague, and by the veto of tribunes, as well as by the people's right of appeal (provocatio) against a punishment imposed by a magistrate. The Genucian laws in 342 supposedly laid down that there had to be an interval of ten years between consulships (Livy 7.42.2: doc. 1.50), although this legislation is probably anachronistic, with the practice appearing to date from c. 200. Subsequent

legislation debarred candidates for standing for a second consulship, although in practice exceptions were made in times of crisis, as in the case of Scipio Aemilianus (Livy *Per. 56*: doc. 5.51), until Sulla as dictator restored the old rule of a ten-year gap before holding the same office (App. 1.466: doc. 11.30). Due to the absence of the consuls from Rome on a regular basis during their magistracy, the senate and lesser magistrates handled most of the day-to-day business of the state.

The *cursus honorum*

There was a rigid *cursus honorum* ('race of honour', or career path), for Roman magistrates from the early second century: the first position to be held was that of quaestor, then aedile (not a mandatory position), then praetor, then consul: the praetorship could only be held by an ex-quaestor, and the consulship by an ex-praetor. Censors, ex-consuls, were also appointed every five years. Prior to standing for the quaestorship the candidate had to have completed ten years of military service in the cavalry, and had to possess the wealth (census) status of an eques: the equites, originally the cavalry, held rank below that of senators. As the number of lesser magistrates increased over time and the number of consuls remained fixed at two per year, there was a 'pyramid' effect, leading to intense competition for the consulship.

The consulares (or ex-consuls) were the most influential members of the senate after the current consuls. The presiding magistrate consulted members of the senate according to their seniority, the consulares first, amongst whom was a princeps senatus ('chief of the senate') who was appointed by the censors when in office and who kept his prestigious position for life, and ex-magistrates dominated the senate.

The *praetorship*

Next in importance to the consuls were the praetors, who also possessed imperium, their name possibly deriving from the fact that they 'walked before' (*praeiret*) the army (Varro *Ling. Lat.* 5.80: doc. 1.13); praetor, rather than consul, was initially the term for the most senior magistrates. The praetors' imperium was subordinate to that of the consuls, although like the consuls they possessed the right to the curule chair, the toga praetexta, and fasces (carried by six lictors rather than 12). The first urban praetor (*praetor urbanus*) was appointed from 367 to serve as the official in charge of the courts and legal proceedings in the city, while a second praetor was appointed in 242, the *praetor peregrinus*, to be in charge of justice for foreigners, as well as to supply another potential commander for Rome's increasing military obligations overseas. Two further praetors were appointed in 227 to administer the new provinces of Sicily and Sardinia, and two more in 197 to govern the two newly created Spanish provinces. Sulla as dictator in 81 raised the number of praetors to eight, and Caesar to ten in 47. The candidate who received the most votes became the *praetor urbanus* in charge of legal cases in Rome.

Aediles and quaestors

According to tradition, the two plebeian aediles dated from 494, the occasion of the First Secession (Livy 2.31–33: doc. 1.25). Their name was derived from 'aedes',

building or temple, with their duties initially relating to the temple of Ceres, the cult centre of the plebs. They had responsibilities for the plebeian games, the *ludi plebeii* which took place in the Circus Flaminus between 4 and 17 November, and oversight of the cattle market at the forum Boarium. Two further aediles, known as curule aediles, date from 366, and this office was open to patricians as well as plebeians. They had responsibility for the *ludi Romani* in honour of Jupiter every September. While not mandatory, by the first century BC the aedileship was generally held after the quaestorship and before the praetorship, with the minimum age being 37 years. The aediles also possessed the oversight of buildings, roads, and markets, including the grain supply, and successful completion of their duties gave them an opportunity to win popularity in the hope of election to higher office.

The quaestorship was the lowest rung of the *cursus honorum*, and the quaestors' main responsibility was that of supervision of the treasury and public funds. Their name was derived for the verb 'quaerere', to seek or examine, according to Varro (*Ling. Lat.* 5.81: doc. 1.13) because they investigated matters to do with public monies. Two quaestors appear to have been first appointed in 447, with two further positions being established in 421: in the field, quaestors had the duties of administering the war chest and providing supplies to the army. Numbers were increased in the third and second centuries to fill administrative roles in new provinces, and in 82 Sulla raised their membership to 20, and Caesar later to 40, although Augustus reduced the total back to 20. Quaestors took office on 5 December, and their responsibilities generally involved serving on the staff of a provincial governor: the two urban quaestors, in charge of administering the state treasury, held the most prestigious positions. From the time of Sulla the quaestorship involved automatic membership of the senate.

The lex Villia annalis

The regulations for holding office, including minimum ages, were laid down formally in the *lex Villia annalis*, proposed by the tribune L. Villius Annalis in 180. The ages were revised upwards by Sulla as dictator in 81: the minimum age limit in the year of election was raised for consuls from 36 years to 42, for praetors from 33 to 39, and for quaestors from 27 to 30. There was also a mandatory two-year period before standing for the next magistracy. Many consuls were older than the minimum age requirement because of the intensity of the competition: hence Cicero's pride in his being elected 'suo anno', 'in his year', the first possible year in which he could have been elected consul (Cic. *Leg. Agr.* 2.3: doc. 2.45).

The dictatorship

Dictators (from the verb *dictare*, to 'dictate', or *dictum*, 'an order', according to Varro *Ling. Lat.* 5.82) were temporary extraordinary magistrates appointed in times of crisis to lead the army or to preside over elections. They were normally in office for a six-month term, were preceded by 24 lictors, and were supported by a *magister equitum*, master of the horse, as second in command. Dictators were usually nominated by a magistrate after consultation with the senate (although they could be elected in the *comitia centuriata*), and the position was relatively common up to the end of the Second Punic War. At the end of the Republic both Sulla and Caesar had themselves appointed to

dictatorships for unlimited periods (contrary to tradition) to put through programmes of legislation with the appearance of constitutionality. The first dictator was said to have been T. Larcius Flavus in 501 or 498. Dionysius of Halicarnassus compares the position of Roman dictator with that of elected tyrants in Greece, calling the Roman dictatorship ‘an elective tyranny’ (*Dion. Hal.* 5.73.2: doc. 1.14), but the fact that the dictator served only for six months meant that their appointment was supposed to be temporary and intended to resolve a military emergency, particularly in the absence or incapacity of consuls.

The censorship

The most prestigious magistracy, apart from the irregularly held dictatorship, was the censorship. From 443 two censors appear to have been elected, first every four, and then every five years, to relieve the consuls of the duty of holding the census. From 434, however, they were only in office for 18 months of this period. They were generally senior statesmen and wore distinctive purple togas, although they did not possess imperium, and hence were not preceded by lictors with the fasces. Both censors were initially patrician: the first plebeian censor was appointed in 351, and from 339 one of the two censors had to be a plebeian (*Livy* 8.12.15: doc. 1.51). One of their most important functions was to conduct the census to register citizens for military service and voting purposes, and for taxation, tributum, which was terminated for citizens in 168 (*Varro Ling. Lat.* 5.81: doc. 1.13). They had the responsibility of revising the membership of the senate, expelling unsuitable senators, and admitting new members prior to Sulla’s reforms, when quaestors automatically became members. They also reviewed the equites and enrolled them in the 18 equestrian centuries for voting in the assembly, and were responsible for leasing public property such as mines and public land and arranging contracts for public works and supervising public building activities. One of their most important duties was to perform the lustrum, the ceremony of purification which took place every five years (*Varro Ling. Lat.* 6.86–87: doc. 3.24). They also possessed a general oversight of public morals, ‘regulating the morals and lifestyle of the Romans’ (*Livy* 4.8.2–5: doc. 1.15), ensuring that the Roman upper classes maintained appropriate standards of private and public morality.

Cicero described the censors in his ideal state as carrying out their traditional duties, including recording the ‘age, offspring, household and property of the citizens’, overseeing all public works, including the water supply, assigning citizens into tribes and centuries, enrolling the youth in the cavalry and infantry, and supervising public morality, including that displayed by members of the senate who ‘if guilty of improper conduct’ should be expelled (*Cic. Laws* 3.3: doc. 1.16; Figure 1.6). He includes among these duties the prohibition of celibacy, an issue which was to preoccupy Augustus, and which had been a concern of noted censors such as Q. Caecilius Metellus Macedonicus (cos. 143) in 131 and Q. Caecilius Metellus Numidicus (cos. 109) in 102, who attempted to arrest the decline in the birth-rate at Rome (*Suet. Aug.* 89.2: doc. 15.3).

From Plutarch’s point of view (*Plut. Cato Mai.* 16.1–3: doc. 1.17) the office of censor was the culmination of a political career, and he describes the Romans’ concern for moral rectitude amongst the upper classes, and the ways in which they considered that ‘neither marriage, nor procreation of children, nor daily life, nor entertainment of guests should be as each man should desire and choose’, with the censors able to

demote equites and expel members of the senate because of an unsatisfactory lifestyle. Cato himself was noted for his severity and adherence to traditional standards, and he and his colleague L. Valerius Flaccus as censors expelled numerous members of the senate, including the governor L. Quinctius Flamininus (cos. 192) for inappropriate use of imperium during a relationship with a male prostitute, and a senator Manilius who had kissed his wife in daylight in the presence of their daughter (Plut. *Cato Mai.* 17.1–5, 7; docs. 7.20, 58): one of their roles was to ensure that the Romans continued to observe traditional values, the *mos maiorum*.

The assemblies and tribunate

Theoretically the *populus Romanus*, the Roman people, was sovereign in Rome, and the citizen in Rome – that is the adult male – had the right to vote (suffrage), stand for public office (provided he was freeborn), appeal against the decision of a magistrate (*provocatio*), and of inheritance, *commercium* (trade), and *connubium* (marriage) with other Roman citizens. Only adult citizen males were members of assemblies and possessed voting rights. There were a number of *comitia* (assemblies) in which voting took place in Rome for various decision-making or electoral purposes: assemblies had to be summoned by a magistrate empowered to convoke them, and had to take place on designated dates (dates on which public business could be conducted), after the taking of auspices, at an inaugurated site. In Rome *comitia* were only able to vote on proposals put before them and there was no right of debate or emendation of measures proposed; there was also no seating and the people had to stand during speeches and debates.

The comitia curiata

The *comitia curiata* was the oldest of the various assemblies and consisted of divisions, *curiae*, of the three original tribes, the Titienses, Ramnes, and Luceres: Varro states that the names were of Etruscan origin (*Varro Ling. Lat.* 5.55–56: doc. 1.19). There were 30 *curiae*, ten for each of the original tribes, which were the basis for the military organisation of early Rome. The *comitia curiata* still occasionally met in the late Republic, but it had so fallen into disuse that the 30 *curiae* could be represented by *lictors*. The latest known law passed in this assembly is dated to 390 (the recall of M. Furius Camillus: Livy 5.46.10), and by the first century BC this *comitia* only met for certain religious or legal matters, such as the inauguration of some priests, wills involving the adoption of a posthumous heir, and transfers of patricians to the plebs (Cic. *Sest.* 16: doc. 12.49).

The comitia centuriata

The *comitia centuriata*, according to tradition, was instituted in the royal period by Servius Tullius, and based on field units in the army, the 193 *centuriae*, ‘centuries’, which were organised by property qualifications. Dionysius records that Servius deliberately structured this *comitia* to ensure that the rich ‘would become masters of the state, excluding the poor from political affairs’ (Dion. Hal. 4.20.1–5: doc. 1.20). It consisted of the citizens organised on the basis of property into five classes, each

of these classes comprising a number of centuries. As the first class consisted of the wealthiest citizens and possessed most of the centuries, this class heavily outweighed the vote of the other four classes. The centuries voted successively, and when a majority had been reached, the voting was terminated. According to Dionysius, in the early period the lower classes were therefore seldom called on to vote, although by the first century the lower centuries could decide the issue in a close election. Higher magistrates, those with imperium – the consuls and praetors – were elected in the comitia centuriata; the others, without imperium, in the comitia tributa, which also heard appeals against death sentences and other punishments imposed by magistrates.

The 193 centuries were divided according to property qualifications and age (the seniores were men aged 46 years and over, the iuniores men aged between 17 and 45 years):

Equites ('cavalry' or 'knights'): 18 centuries;
First class: 40 centuries of seniores and 40 of iuniores;
Second class: ten centuries of seniores and ten of iuniores;
Third class: ten centuries of seniores and ten of iuniores;
Fourth class: ten centuries of seniores and ten of iuniores;
Fifth class: 15 centuries of seniores and 15 of iuniores;
Trumpeters, horn-players and artisans: four centuries;
Proletarii (those below the property qualification for the fifth class): one century.

The decision of the assembly was determined not by the count of individuals, but by that of groups, and the equites (technically the serving cavalry) and the first class comprised over half the voting units. By the end of the third century, a century of the 'first class', chosen by lot, not the equites, voted first, and this centuria praerogativa ('first-voting' century) could have a considerable impact on the voting.

Dionysius and Livy essentially agree on the property qualifications for the different classes: 100,000 asses as a minimum for the first class, 75,000 for the second, 50,000 for the third, 25,000 for the fourth, and 11,000 (or 12,500) for the fifth. Gellius (16.10.10) defines the proletarii (presumably the greater proportion of the citizens) as having a census less than 1,500 asses, while those without any property (and hence no right to vote) were the *capite censi* (literally: counted by head), who possessed less than 375 asses. The proletarii and the *capite censi* may, however, have been members of the same final century, and they were not usually recruited as soldiers until the time of Marius. Freedmen may have been assigned to the four non-armed centuries, those of musicians and artisans.

By the late Republic the comitia centuriata had become primarily an electoral body for the senior magistrates, but still could only convene outside the pomerium on the Campus Martius because of its original military function, as 'the army must be assembled outside the city' (Gell. 15.27.5: doc. 1.20). It was never an important legislative body, and sources for the early Republic only mention five laws passed by this assembly not concerned with issues of peace and war, the most important of which was the ratification of the XII Tables. Following Sulla's reforms the best known law passed in the comitia centuriata was that recalling Cicero from exile (Dio 38.30–39.8: doc. 12.60).



Figure 1.6 A denarius issued by P. Fonteius Capito at Rome in 55 BC depicting the veiled head of Concordia and the façade of the Villa Publica. On the obverse Concordia (the goddess Concord), wearing a stephane (headband), with the legend P FO(NT) EIVS CAPITO III VIR CONCORDIA (P Fonteius, triumvir or 'moneyer', Concordia); on the reverse the façade of the Villa Publica, T. DIDI to the left, VIL PUB to right, IMP in exergue. The Villa Publica on the Campus Martius held the censors' records and was a base for army levies and where generals waited to hear if they had been awarded a triumph. It was also the scene of Sulla's massacre of Samnites and others in 82 BC. T. Didius (cos. 98), Capito's grandfather, undertook a restoration of the Villa Publica.

Source: Photo courtesy of Classical Numismatic Group

The comitia tributa and concilium plebis

Legislation was typically enacted in two other assemblies, the comitia tributa and the concilium plebis. The tribal assembly, the comitia tributa (ascribed to Servius Tullius), was based on the division of people into tribes according to their place of residence. By 241 there were 4 urban tribes and 31 rural tribes, and the comitia voted by majority, with each of the 35 tribes voting as a block. It was thus heavily biased against the urban populace, which was restricted to 4 of the 35 tribes, and, like the comitia centuriata, greatly favoured the wealthier citizens, landowners from outside Rome who lived in Rome or who could afford to come into the city to attend assemblies.

A further tribal assembly, the concilium plebis, was established after the secession of 494. This was summoned by a tribune and primarily differed from the comitia tributa in being open only to plebeians (patricians were excluded). As in the comitia tributa, the citizens voted by tribes, with each of the 35 tribes having a single vote. From the time of the lex Hortensia in 287, resolutions of the concilium plebis, called plebiscites, had the same binding force over all citizens as laws passed in the comitia centuriata, and the concilium became the main legislative assembly. It also held trials for non-capital offences, and elected plebeian aediles and tribunes, while the comitia tributa elected quaestors, curule aediles, and military tribunes.

Voting procedures and judicial functions

It appears that only a very small proportion of the populace actually used their right to vote, particularly in the rural tribes: Cicero (*Sest.* 109) states that on some occasions

only five people represented certain tribes or that men had to be drafted in from other tribes to vote. Even the *saepta Julia* (the voting enclosure on the Campus Martius remodelled by Julius Caesar) could only accommodate a maximum of 70,000 voters, some 12% of the 910,000 voters registered in the first century BC. The comitium (the location of the comitia tributa until 145 BC) could hold a maximum of 4,800 voters, or 3,600 allowing for the enclosures and bridges, slightly more than 1% of the citizens; the forum was larger and could hold a maximum of 15,000–20,000. Probably, on normal occasions, no more than 5–10% of the possible voters took part in passing laws or electing magistrates.

Voting was initially by word of mouth, but the *lex Gabinia* in 139 introduced the secret ballot for the elections of magistrates and the *lex Papiria* in 131 for legislation, after which clients could then cast their votes without the knowledge of their patrons. Apart from elections, comitia had no fixed dates and could only be called by a magistrate, though notice of proposals had to be given three market-days (*nundinae*: markets took place every eight days) in advance of the actual assembly, during which time informal discussions (*contiones*, singular: *contio*) could be held. While the assemblies could pass laws, elect magistrates, and hear capital trials and declare wars, their powers were often limited by patronage, political manipulation, and bribery, and there were no opportunities for debate – Roman democracy was non-participatory and assemblies had to be presided over by magistrates.

The assemblies also had an important judicial function: cases concerning crimes against the people were brought by magistrates, generally a tribune if it were a capital charge. All capital charges had to be brought before the people, a regulation that Cicero was to fall foul of in his handling of the Catilinarian conspiracy, hence his exile (Dio 38.17.1–6: doc. 12.55), as only the people were able to pass a sentence of death on a Roman citizen. Polybius praises the custom by which those likely to be convicted of a capital charge generally went into exile, leaving before the vote of the last tribe (Polyb. 6.14.6–8: doc. 1.22); the death penalty was reserved for sedition and treason (*perduellio*), and traitors were generally beheaded, though they could also be thrown from the Tarpeian rock, south-east of the Capitol.

Tribunes of the plebs

The first tribunes of the plebs ('people's tribunes') appear to have been military tribunes who acted as spokespersons for the plebs when they seceded in 494 (the 'First Secession'), when the people elected two tribunes as their representatives. By 457 their number had increased to ten, and their role was to support and defend the plebs in their conflicts with the patricians. Varro (*Ling. Lat.* 5.81: doc. 1.13) derives the term tribune from the three original Roman tribes, each of which provided military tribunes to the army. These came from equestrian and senatorial families, were chosen by popular vote, and served as staff officers with the legions.

The tribunes' main role was thus the protection of plebeians from patrician aggression and exploitation, the *ius auxili* ('right of help'). Later, they were also given the *ius intercessionis* ('right of veto'), allowing them to veto the actions or legislative proposals of any magistrate or other tribune, including senatorial decrees. They could also prevent the holding of elections and the convening of the senate or raising of a military levy. They were elected by the *concilium plebis*, and they possessed inviolability (i.e.,

their persons were sacrosanct and they might not be harmed). Tribunes had to be plebeians, and the position was generally held after the quaestorship, though it was not part of the *cursus honorum*. They took office on 10 December and one of their roles was to summon the concilium plebis, where they proposed legislation through plebiscites. They were also able to summon and address the senate.

The tribunate was originally revolutionary in character, though gradually tribunes were drawn from the same social class as other magistrates. Most of the laws from 287 were proposed by tribunes, and Caesar's consulship in 59 was the first example of controversial social legislation being promoted by a consul rather than a tribune. Despite his innate conservatism, Cicero (*Laws* 3.9: doc. 1.18) saw the tribunate as an essential part of the constitution, particularly their ability to protect the plebs, while on their right of veto he stated, 'Nothing is more beneficial than the maintenance of this custom, because it is better for a good measure to fail than a bad one to be allowed to pass' (*Laws* 3.42).

The tribunician benches (their *subsellia*) were initially located near the door of the senate house so they could give help to anyone who requested it (Figure 1.7). As their primary role was the protection of members of the plebs their jurisdiction was confined to Rome itself and they were expected to hold open house, day and night, and only were allowed to be absent from Rome for one day: their only permitted departure from Rome was on the occasion of the annual sacrifice to Jupiter at the *feriae Latinae* in April (Dion. Hal. 8.87.6: doc. 1.23). By the mid-second century the tribunate qualified its holders to become members of the senate, and until the end of the Republic the rights of tribunes were generally respected, with brief and dramatic exceptions such as the Gracchi, Saturninus, Sulpicius Rufus, and the tribunes who supported Caesar prior to the civil war. In fact, as Dionysius notes, it was the threats made against these tribunician adherents of Caesar that prompted their flight from Rome, which Caesar was then able to employ as a pretext for civil war (Dion. Hal. 8.87.7–8: doc. 1.23, cf. docs. 13.24–25).

While the senate was unable to block or override tribunician legislation, the senate and magistrates could neutralise a troublesome tribune by allying themselves with one of his colleagues, who would then use his veto against the offending tribune. Dionysius depicts Appius Claudius (cos. 495) as advising all consuls to ensure that they had a tribune on their side, so that the tribunes would fight amongst themselves, which was the best way of counteracting their power (Dion. Hal. 9.1.4–5: doc. 1.24).

The beginnings of the 'Conflict of the Orders'

The Conflict of the Orders, the long-term struggle between patricians and plebeians, is traditionally dated to 494–287. In 494 the plebs, who were burdened with debt and angered by the harsh treatment of debtors, withdrew outside the pomerium of Rome, and refused to perform military service. This is known as the 'First Secession' (there were further secessions in 449 and 287). A. Verginius Tricostus and T. Veturius (or Vetusius) Geminus had been elected consuls for 494, but, when Rome was faced with hostilities from the Volsci, Sabines, and Aequi, M⁺. Valerius Maximus was appointed dictator. Valerius resigned the dictatorship as the senate was unwilling to deal with the issue of this crippling on-going debt, and the members of the plebs in arms then withdrew to the Sacred Mount, where they remained peacefully, formed their own

assembly and elected their own officials to rival Rome's traditional institutions, while public business came to a standstill and there was panic in the city. Livy records a speech given by Agrippa Menenius Lanatus (cos. 503), who was sent to negotiate with the plebs, in which he reminded them of the need for all Romans to work together in the face of foreign threats, drawing a comparison with the way in which all the parts of the body work in harmony (Livy 2.31.7–33.3: doc. 1.25).

The creation of the tribunate

Negotiations ended in the concession that the plebs were to have their own magistrates, who would be sacrosanct and have the right to protect the plebs against magistrates, the *ius auxilii* (the 'right of help'). Two tribunes were elected, who co-opted three others according to Livy and Dionysius, and in 457 the number of tribunes was finally increased to ten. They were later granted the right of veto (*ius intercessionis*) against senate, magistrates, assemblies, and other tribunes (but not against a dictator), and could impose fines, imprison opponents, and even exact the death penalty. Their most important function was to hold the meetings of the plebeian assembly, the *councilium plebis*, which was open to all citizens apart from patricians. As part of the resolution of the First Secession, the plebeians are also said to have created the position of two plebeian aediles, a title connected with the temple (*aedes*) of Ceres. The temple had been vowed by the dictator A. Postumius after the battle of Lake Regillus in 496, and was dedicated by the consul Sp. Cassius in the year after the First Secession; from 449 decrees of the senate were given to the plebeian aediles to be kept in the temple, which was where their office was located.

Livy records the first two tribunes as C. Licinius and L. Albinus, but Dionysius names them as L. Junius Brutus (probably an invention based on the 'liberator' Brutus) and C. Sicinnius Bellutus who co-opted C. and P. Licinius and C. Visellius Ruga. In his account it was Brutus who advised the plebeians to make the office 'sacred and inviolable' (Dion. Hal. 6.89.1–3: doc. 1.26). Hence tribunes were protected by a *lex sacrata* (a sacred law), and anyone who harmed them became 'sacer', forfeit to the god: that is, anyone who killed the offender could do so with impunity as he was performing a sacred duty.

Patricians and plebeians

Patricians, as a hereditary aristocracy, were a clearly identifiable group within the Roman nobility, and they possessed the prerogative of wearing the *calceus patricius* (a special shoe), as well as standing for certain positions, such as that of *interrex* and priesthoods. Patricians dominated the magistracies in the early Republic, although plebeians were not entirely excluded: Brutus himself (cos. 509) was a plebeian, and there are a number of possible plebeian consuls in the fifth century, but from 444 (the institution of the consular tribunate) until 367 plebeians were notably unsuccessful in reaching the consulship. From 367, however, plebeians were again eligible, and from 342 one of each pair of consular colleagues was supposed to be a plebeian; it was only in 172 that both consuls were plebeian. The first plebeian dictator was appointed in 356; the first plebeian censor in 351; the first plebeian praetor in 337; and the first plebeian quaestor in 409, while in 300 plebeians were admitted to the major priestly

colleges. One of the plebeians' main issues in the Conflict of the Orders was also the fact that the patricians as priests controlled the law and its workings. The original patres (the 'fathers') may in fact have been the priests, who, together with some selected non-patres, comprised the senatorial body and monopolised certain religious positions, as well as controlling the calendar: Cn. Flavius, in 304, was the first to publish the fasti, the days on which business could be conducted (Livy 9.46.1–15: doc. 1.55). The main beneficiaries of the struggle between the orders were thus the wealthy plebeians to whom the privileges of office and power were now open.

Rome and its Italian neighbours

Rome and the Latins

The Romans were members of the Italic tribe known as the Latins, and Romans and Latins shared the same gods, the Latin language, and similar political and social institutions. Under the rule of the kings, Rome had already succeeded in extending its influence over a number of the tribes in Latium, taking control of Alba Longa and with it hegemony over the Latins (Map 1). Ancient Latium, which originally extended from the Tiber to Mount Circeo, some 100 kilometres south-east of Rome, was clearly in Rome's sphere of interest in the treaty between Rome and Carthage signed in 509 at the very beginning of the Republic, in which the Romans claimed control of Latium, dividing the territory into three areas: those directly part of the Roman state, 'subjects', and those who were not subject to Rome (Polyb. 3.22–23: doc. 4.1). Following the expulsion of the Tarquins, conflict between Rome and the Latins resulted in an engagement in 496 at Lake Regillus, at which the Romans under the dictator A. Postumius Albus (and aided by the deities Castor and Pollux) were successful, but not conclusively. In consequence, the Latins did not attempt to take advantage of the First Secession in 494.

A significant feature of their common culture, and the most important cultic event, was the four-day feriae Latinae (the Latin Festival), held in April in honour of Jupiter Latiaris on the Alban Mount (Mount Albanus) in the hills 20 kilometres south-east of Rome. This involved the sacrifice of a bull, the meat of which was distributed between the participating Latin towns (Dion. Hal. 4.49.1–3: doc. 3.9). Other shared cult centres were those of Diana nearby at Nemi (Strabo 5.3.12: doc. 3.11), and at Aricia, while there was a cult of the Penates at Lavinium. The king Servius Tullius was also said to have founded a temple of Diana on the Aventine, then outside the pomerium, as a shrine to be shared by all Latins.

The Latins shared with each other the privileges of connubium (intermarriage), commercium (the ability to trade and make legal contacts), and ius migrationis (the right of acquiring citizenship by a change of residence). The main Latin towns at this period, apart from Rome itself, were Gabii, Tibur, Praeneste (Palestrina), Lanuvium, and Ardea. In 493 the foedus Cassianum, a treaty proposed by Sp. Cassius Vicellinus (cos. 502, 493, 486), laid down the relative positions and rights of Romans and Latin communities, as well as the agreement to commit to a defensive military pact against hostile neighbours. The treaty was still preserved on a bronze column in the forum in Cicero's day (Cic. *Balb.* 54), and the Roman-Latin alliance continued until 341 (Dion. Hal. 6.95.1–3: doc. 1.27).

The Aequi, Sabines, and Volsci

Rome's main enemies in the fifth century were the Aequi, an Oscan-Sammite tribe; the Volsci, an Italian people from central Italy; the Sabines, an Oscan-Umbrian people; and Etruscans from the city of Veii. According to legend, following the Sabines' capture of the Capitol, their king Titus Tatius had made an alliance with Romulus after which they had ruled jointly for five years and Tatius was said to have introduced a number of cults to Rome (Varro *Ling. Lat.* 5.74: doc. 3.2). The second king of Rome, Numa Pompilius, was believed to have been a Sabine from the town of Cures, and the patrician families of the Claudii and Valerii were of Sabine origin. Nevertheless, there were repeated conflicts between the Sabines and Rome in the first half of the fifth century, most notably in 460 when the Sabines occupied the Capitol, and in 449, when they were defeated by the consul M. Horatius Barbatus. The Sabines were finally given citizenship in 268, with two new tribes, Velina and Quirina, being formed for them in 241, and Sabine troops fought in Roman legions during the Second Punic War.

The Aequi made constant incursions into eastern Latium during the fifth and fourth centuries and overran the area in the early fifth century, including the seizure of Tibur, Pedum, and Praeneste. They were defeated by the dictator L. Quinctius Cincinnatus in 458 and by the dictator A. Postumius Tubertus at the Algidus in 431. A treaty between the Romans and Aequi, dating to 467, marks one agreement between the two sides in which the Aequi remained in control of their cities and territories and were merely under the obligation of supplying troops to Rome (Dion. Hal. 9.59.3–5: doc. 1.28). They were finally subjugated in 304, following which they were made citizens *sine suffragio* (citizens but without voting rights) and Latin colonies established in their territory.

Rome also engaged in numerous wars against cities held by the Volsci during the period 500 to 350, particularly Antium and Velitrae. There appears to have been a Voscian occupation of southern Latium in the early fifth century, with the legendary Roman defector and exile Coriolanus supposedly invading Latium and leading the Volsci as far as the outskirts of Rome itself c. 490. On occasions, the Volsci allied with the Aequi against Rome, and they fought on the side of the Latins in the Latin War with Rome, but were defeated by C. Maenius in 338. Both Marius and Cicero were from Arpinum, a town originally in Volscian territory. The town of Veii, 15 kilometres to the north of Rome, was Rome's main Etruscan threat during the fifth century, and a lengthy war ended with the defeat of Veii in 396, and the annexation of its territory by Rome (Livy 5.21–22: doc. 3.57).

The origins of the XII Tables

In his account of the year 461, Dionysius of Halicarnassus records that the consuls P. Volumnius Amintinus Gallus and Ser. Sulpicius Camerinus Cornutus attempted to address internal unrest in Rome, in the hope of preventing the people uniting against the senate in their desire for 'private and public business to be administered according to laws' (Dion. Hal. 10.1.1–4: doc. 1.29). The laws were not available for consultation, and not even formally recorded in writing. Dionysius reports that there was in existence a body of precedents which had been laid down by the kings, while some laws were recorded in 'sacred books', but these were only known to the patricians.

The decemvirate

Popular agitation was such that in 451 the normal magistracies, including the tribunate, were suspended and a decemvirate, a commission of ten men (the decemviri legibus scribundis: ‘ten men for the writing of laws’) was appointed to draw up a formal legal code, which became known as the XII Tables. Envoys were reportedly sent to Athens to consult the laws of Solon (archon 594/3 BC), and when they returned in 452 the decision was made to create decemvirs to replace all the magistrates for the following year in order to codify the law. According to Livy, all ten decemvirs were to be patricians, though it was agreed that sacred laws, such as the law establishing the tribunate (‘the Icilian law about the Aventine’), were not to be abolished (Livy 3.32.5–7: doc. 1.30). The lawcode, if approved by the senate and ratified by the people, was to remain in force for all time, with the final version inscribed on tablets and set up in the forum.

Arguably, the XII Tables (the *lex Duodecim Tabularum*) helped to consolidate patrician control rather than introduce legal reforms, and provisions appear to have been mostly drawn from existing law. Presumably the decemvirs focussed on areas of the law which were in dispute, and the code may mostly have consolidated developments that had already taken place, although there is evidence of some protections for debtors which may have been newly formulated. The primary areas of concern were family law, marriage, and divorce; assault and injuries against person or property; inheritance and ownership; and debt, slavery, and *nexum* (debt-slavery).

Trial and punishment

The Tables allow for, and even expect, the private pursuit of wrongs against oneself or one’s family, under duress if necessary. Table 1 lays down the procedures to be employed in bringing someone before the court, and the rights and duties of the plaintiff against the defendant. The defendant has to appear if summoned to court, and, if he does not (if he ‘delays or drags his feet’), the plaintiff is to call a witness and then take him there, by force if he has to. Where the defendant is sick or elderly, the plaintiff should provide a beast of burden to transport him, but does not have to go to the extent of preparing a comfortable carriage. Presumably if the case were successful the plaintiff would then also have been responsible for executing the judgement on the defendant (*Table 1.1–7: doc. 1.32*). Many of the penalties were retaliatory, with the punishment corresponding in kind and degree to the injury incurred. Table 8 laid down that in cases of bodily harm, unless a settlement were reached between the two parties, there was to be retaliation in kind, as in the *lex talionis* (‘limb for a limb’ law). This perhaps related to cases where the injury could not be cured, as elsewhere a specific punishment was laid down for physical assault, with the penalty for harming a citizen double that of harming a slave: 300 asses as opposed to 150 (*Table 1.14: doc. 1.32*). A monetary penalty was also specified for other crimes, such as that of felling a ‘productive tree’ (25 asses: *Table 1.16*).

A thief could lawfully be killed if the theft took place at night, but could not be killed by day, unless he tried to defend himself with a weapon. In such a case, where a ‘manifest’ (daylight) theft had taken place, the thief (if a free man) was to be flogged and handed over by the magistrate, presumably to the victim of the theft to be a

bondsman (*nexus*). If a slave, he was to be flogged and thrown from the Tarpeian rock. Thieves below the age of puberty (14 years) were to be flogged and any damage done by them made good (*Table 1.17–19*: doc. 1.32). Where a search was made for stolen property, it had to be carried out naked (with only a loin-cloth and platter), so that the searcher could not secrete any extraneous items (*Table 8.15*). Thieves who were not caught in the act had to pay double recompense. The penalty for giving false evidence was to be thrown from the Tarpeian rock, while for a judge to take a bribe was also a capital crime. There was also provision for inadvertent offences, and the penalty for unintentional homicide was the substitution of a ram made over to the victim's relatives, so that they would not engage in a vendetta to avenge the murder (*Table 8.12–13*: doc. 1.41). Similarly, the penalty for deliberately burning a building or stack of grain next to a house was to be bound, scourged, and burnt to death, but if done inadvertently or by negligence the damage had to be repaired, or if this was not possible, some lighter corporal punishment imposed (*Table 8.6*: doc. 1.41).

Debt-slavery

One of the issues highlighted in the Tables, and which related to the original concerns which led to the First Secession in 494, was the practice of enslavement for debt (*nexum*), whereby debtors had to become bondsmen (*nexi*; sing.: *nexus*) of their creditors in order to 'work off' their debt. Those who were judged liable for an unpaid debt now had 30 days to pay back their loan, during which time no action could be taken against them. Only then were they again summoned before the praetor and made over to their creditors, who were allowed to put them in chains, the maximum weight of which was specified: 'He is to bind him with rope or shackles for the feet. He shall bind him with not more than 15 pounds, or less if he wishes' (*Table 3.1–3*: doc. 1.33).

There were then 60 days in which the debtors, either remaining in their home or as prisoners (their creditors having to feed them in that case, with one pound of far, spelt (a coarse grain), a day), had the chance of compromising with their accusers, by making an arrangement by which they were to become bondsmen and pay off their debt by working for their creditor or for a third party. These *nexi* remained in Rome and were still Roman citizens with full rights. If no such compromise had been reached after the third market-day on which their debt had been proclaimed (this appears to mean over the last three weeks of the 60 days available for compromise), they could suffer capital punishment or be sold 'abroad, across the Tiber', that is, in Etruscan territory, but not in Rome – no Roman could now be enslaved in Rome. If a man owed debts to several creditors, they were able to share out 'the body', presumably a division of his property or labour, though the early commentators took the macabre interpretation of this clause literally (*Table 3.4–7*: doc. 1.33). The Tables thus allowed debt-slavery at Rome to continue, but ruled out the enslavement of citizens in Rome itself, though they could be sold into slavery in non-Roman territory, such as Etruria.

Since debt must have been endemic at the lower levels of society, the poor thus continued to form a body of dependent labour at the service of the wealthy and the Tables merely legitimised current norms of economic dependency. This was presumably the case in *Table 4.2* (doc. 1.34), where a father is allowed to 'sell' his son a maximum of three times: the son was clearly not being sold as a chattel-slave or a possession, but was being hired out as a *nexus* to work for a creditor until he had paid off his father's

debts. This arrangement for paying off personal debts continued until 326, when it was supposedly banned by the *lex Poetelia*, legislation proposed by the consul C. Poetelius Libo Visolus (Livy 8.28.1–8: doc. 1.53). Even after this, however, the insolvency of the plebeians led to the final secession in 287.

Loans need not necessarily have consisted of money as such, but rather seed corn or subsistence rations borrowed in times of crisis. Money or goods in kind were lent at interest, and the rate to be paid on loans of money (or goods in kind, such as grain) was apparently already an issue with the maximum interest rate laid down as 12% per annum (1% a month), a rate which was standard throughout the Greco-Roman world. Money-lenders were clearly not above exploiting those in need, and a usurer (presumably one who did not keep to the legal rate) was condemned in the Tables for four times the amount of the loan (*Table 8.18*: doc. 1.42).

The *paterfamilias* and *familia*

The XII Tables also focus on the Roman *familia*, the household which included people and property under the headship of the *paterfamilias* (the ‘father of the family’), and which was in his power (in *potestate*): the patriarchal family was the basic social unit in Rome. Even adult sons remained under the control (the *patria potestas*) of their father during his lifetime, with no legal status or property of their own, except a *peculium*, a fund of spending money which could also be permitted to slaves. Even though adult male citizens could serve in the army, vote, and hold a magistracy, unless they were emancipated they were not able, during the lifetime of their father, to manumit a slave, make a will, or be a party in any legal transaction. As with slaves, the Tables laid down that the *paterfamilias* had the right of life and death over a son, including the ability to sell him as a bondsman to work off a debt. In practice, the right to kill one’s children would have been seldom used in the case of adult offspring, and the *paterfamilias* was expected to consult with senior relatives before so momentous a decision. It was, however, legal to expose unwanted infants, and new-borns could be accepted (‘picked up’), or rejected and disposed of at birth, while the XII Tables laid down that deformed children should be killed immediately without liability (*Table 4.1*: doc. 1.34). Children born ten months after their father’s death were not allowed legal inheritance, a provision against adultery.

Marriage and guardianship

There were a number of ways of entering into a marriage. If a wife came into the ‘*manus*’ (hand) of her husband he acquired control of her property, but did not have powers of life and death over her. *Manus* could be acquired by *confarreatio* (a religious ceremony), by *coemptio* (a purchase-like transaction), or by *usus* (a year of cohabitation). If a woman wished to avoid coming into the *manus* of her husband she could spend three nights a year away from home (*Table 6.5*: doc. 1.38): in this case she technically remained in the household and *potestas* of her *paterfamilias* or guardian, while her husband only acquired the use of her dowry. In this case she did not inherit part of her husband’s estate and retained her inheritance rights in her original family. Women without a husband or father were supervised by a guardian (tutor), generally one of her male agnates (kinsmen), who had oversight of any transactions

in which she engaged: until the time of Augustus only Vestal Virgins were exempt from guardianship and able to make wills. Guardians were also needed by minors, the insane, and spendthrifts, and one of the ways in which family property was protected was by ensuring that a paterfamilias could not squander it due to prodigality or insanity (*Table 5.1*, 7: doc. 1.35). Where the paterfamilias died intestate (without making a will), blood relations would normally inherit, with a wife in manu ('in his hand') inheriting equally with any sons and daughters. In the absence of heirs the property went to the nearest agnates, such as siblings of the deceased.

Slaves, freedmen, and clients

The Tables clearly take the existence of chattel slavery for granted, laying down penalties for injuring a slave and punishments for slaves who engaged in crimes. There were clearly no limits to a master's power over his slaves; should a slave commit a crime, the action lay against his master; should a slave be injured, his master was compensated (*Table 1.14*: doc. 1.32). The majority of slaves would have been captives in warfare, but there would also have been home-born slaves, the offspring of captives, many of whom would have been the children of citizen males within the household, which may account for arrangements for manumission at this early period. The Tables outline procedures for the manumission of a slave who has been freed by will on condition of a payment to the heir, laying down that the slave can be freed by such a payment even if he had been sold to a purchaser in the interim (*Table 6.1b*: doc. 1.38). Slaves at this period could, like sons, be allowed a peculium, a sum of money which belonged to themselves and which they could use to purchase their freedom.

Freedmen would have automatically become clients of their ex-owners, who now became their patrons. Patrons acted as guardians of their clients, and possessed the right of inheritance should the freedman die intestate. The Tables recognised and protected the rights of clients, with a patron to be accursed if he wronged one of his clients: 'If a patron shall have wronged his client, he must be forfeited (sacer)', meaning that he could be killed with impunity as forfeited to the gods of the underworld (*Table 8.10*: doc. 1.37). There was clearly a strong moral belief that patrons had the duty of protecting their clients (their ex-slaves) and their interests.

Land and property

Laws in the XII Tables concerning the rights of neighbours and damage to property regulated matters concerning crops, vines, livestock such as draught animals, and farmland. Clauses included the prohibition of removing a beam from a neighbouring structure, such as a house or vineyard and fixing it in one's own building, and regulations for trees overhanging a neighbour's property (*Table 6.6*, 7.9: doc. 1.38). If any damage was done by an animal, the owner either had to repair the damage or hand over the beast involved as compensation (*Table 8.2*: doc. 1.39). The death penalty was involved in cases where crops were grazed or cut by night, with the perpetrator 'hanged for Ceres', or if underage flogged with payment of a double penalty (*Table 8.5*: doc. 1.41). Magic and witchcraft were seen as a possible way of attacking or harming someone's crops or harvest, and the Tables considered magic a capital offence (*Table 8.1*, 4: doc. 1.40). Sale took place 'by bronze and balance' (*mancipium*), where

objects were purchased against a payment of bronze weighed before five witnesses and a balance-holder: this procedure might involve the purchase of land, slaves, or farm animals (*Table 6.1*: doc. 1.38): the procedure allowed the purchaser to call on the seller regarding the title of ownership, and if challenged successfully over ownership by a third party the purchaser could sue the seller for double the purchase price.

Sacred law

Table 10 dealt with sacred law, including regulations for funerals. Inhumations and cremations were not permitted within the city, and sumptuary regulations restricted the amount expended and the number of mourners. The pyre was to be simple and not elaborate, and the adornment of the corpse appears to have been limited to one inexpensive purple tunic, with only three mourners wearing veils or shawls and ten flautists. Women were not permitted to tear their cheeks or lament publicly, and second funerals were only allowed in cases of death in battle or on foreign soil. Wreaths won for valour, or at games, could be exhibited at the funeral, but any gold on the corpse was forbidden except in the case of dental work: ‘whoever has teeth joined with gold, and if he should bury or burn it with him, it is without liability’ (*Table 10.1–8*: doc. 1.43).

The supplementary Tables

The second decemvirate, 450 BC

When ten Tables had been codified but the work was still incomplete, a second decemvirate (said to have been partly patrician, partly plebeian) was elected for 450 to complete the work and to ensure that the laws already ratified were obeyed. Dionysius suggests that the abolition of the tribunate for a further year was a factor in the decision by the senate to re-elect a decemvirate: Appius Claudius was re-appointed as leader of the commission by popular acclaim, and Dionysius records that three of the decemvirs were plebeians (Dion. Hal. 10.58.4: doc. 1.44). That plebeians formed a part of this second decemvirate, however, is open to question, and even the existence of this second decemvirate has been doubted. Sources also record that the decemvirs refused to stand down at the end of the year and attempted to remain in power during 449 by prolonging their term in office and had to be removed (Dion. Hal. 10.60.6: doc. 1.44). The supposed catalyst for rebellion against them was the attempt by Appius Claudius, now portrayed as a tyrant, to seize a plebeian girl, Virginia, by having his client claim that she was his slave. Her father thereupon killed her to protect her chastity and appealed to the people and army to oppose the decemvirs in the Second Secession. The plebs therefore withdrew from the city and demanded the restoration of the tribunate and the right of appeal at which the senate forced the decemvirate to resign. With the deposition of the decemvirs normal government resumed under the consuls for 449, who published the last two Tables (Tables 11, 12).

Tables XI and XII

These two final Tables included a ban on marriages between patricians and plebeians (*Table 11.1*: doc. 1.45), as well as regulations concerning the calendar and the

intercalation of days and months to bring it into synchronisation with the seasons. This intermarriage prohibition, which was clearly an innovation, may have been due to plebeian fears that leading plebeians would go over to the patricians and take on their interests, or simply have been a result of the patricians' desire to remain exclusive. It was almost immediately repealed by the *lex Canuleia* in 445, suggesting that it did not represent current practice, and Cicero termed it 'a very inhumane law' (*Rep.* 2.63). The Tables as a whole show that the main aim of the code was to promote and consolidate the interests of the patricians, and the code had little relevance to the poorer elements of the citizen body, while the penalties for debt, including the threat of being killed or sold into slavery, protected the creditor and not the debtor. The provisions for purchasing 'by bronze and balance', providing transport for a sick defendant, the regulations regarding property and farmland, and the assumption of slave ownership all speak to the fact that the Tables were the work of an elite, and would have benefited the most prosperous families in Rome, both patrician and non-patrician. Furthermore, while the law was now published and available for consultation, jurisdiction nevertheless remained the prerogative of the magistrates.

No epigraphic or literary copy of the XII Tables has survived, and their contents have been restored from citations in ancient sources. Schoolchildren in Rome in his own youth were said, by Cicero (*Laws* 2.59), to have learnt the lawcode by heart as an inescapable chant (*carmen necessarium*), even though the laws had become increasingly obsolete during the Republic and replaced by edicts of the praetors. Commentaries, however, were written on the XII Tables as late as the second century AD, and it was considered the pre-eminent source of all Roman law until finally replaced by the Codex Theodosianus in AD 438 and the Justinianic legal compilation in the sixth century AD.

The Conflict of the Orders continues

The Valerio-Horatian laws, 449 BC

As well as publishing the last two of the XII Tables, the consuls for 449, L. Valerius Potitus and M. Horatius Barbatus, who had been elected through an interrex, passed legislation which was more advantageous for the plebs than the decemvirate had been, supporting the position of the plebeians and offending the patricians in so doing (Livy 3.55.1–3: doc. 1.46). The sacrosanctity of tribunes was recognised, as well as that of aediles, and if anyone harmed any of these, 'his head would be forfeit to Jupiter, and his household possessions be put up for sale at the temple of Ceres, Liber and Libera' (Livy 3.55.6–7: doc. 1.46). In this way the plebeian component of the constitution was now formally enshrined in the Roman political system.

The consuls also put forward a law that no magistracies were to be created from which there would be no right of appeal (*provocatio*). This clearly implies that the right of *provocatio* already existed, and the Tables (9.1–2) appear to refer to the citizens' right of appeal to the *comitia centuriata*. In addition, the Valerio-Horatian laws also made plebiscites legally binding on the people (Livy 3.55.3); this was later re-affirmed in the *lex Publilia* of 339 and the *lex Hortensia* of 287. The aediles now had to keep records of senatorial decrees in the temple of Ceres, and the XII Tables were to be inscribed and displayed in the forum. In this way both the laws and resolutions of the

senate were available for public consultation. The consuls' legislation was supported by the tribune M. Duillius, who proposed that anyone who left the plebs without tribunes, or appointed a magistrate against whom there could be no appeal, should be scourged and beheaded (Livy 3.55.13–15: doc. 1.46). While these measures helped to consolidate the position of the plebeians, the patricians, although not in favour, did not oppose them.

The Canuleian laws and the consular tribunate, 445 bc

In 445 the Canuleian laws reversed the ban on intermarriage between patricians and plebeians. Livy presents the patricians as antagonistic to this proposal as it 'would contaminate their blood and mix up the proper classification of the gentes', while, when the tribunes also tentatively considered whether one of the consuls might be permitted to be a plebeian, the suggestion was put down by the consul, C. Curtius Chilo, who responded that this was impossible, because 'no plebeian has the auspices, and that was the reason why the decemvirs prohibited intermarriage, in case the auspices be disturbed by the ill-defined status of the offspring of such intermarriage' (Livy 4.1.1–3, 6.1–3: doc. 1.47). The ban on intermarriage was, however, lifted.

An agreement was reached whereby military tribunes with consular powers (*tribuni militum consulari potestate*) would be elected from both patricians and plebeians, and three were elected for 444, all of whom were patricians (Livy 4.6.6–11: doc. 1.47). The election of consular tribunes allowed for the sharing of power between more than two colleagues, and the opening up of magistracies to plebeians, although in fact the first plebeian consular tribune was not elected until 404. Consular tribunes were elected by the comitia after agreement by the senate as to whether consuls or consular tribunes should be elected for that year, and they possessed the powers of consuls, although not the right to a triumph. There were generally three or four consular tribunes at a time, and increasingly as many as six, and they were elected some 50 times between 443 and 367, interspersed with ordinary dual consulships.

The Licinio-Sextian laws, 367 bc

In 367 the tribunes C. Licinius Stolo and L. Sextius Lateranus put forward important legislation in the interests of the plebeians, many of whom had reportedly been reduced to debt-slavery, which was still an issue in Rome. It is probable that many peasant farmers had been forced into *nexum* and were providing dependent labour for wealthy landowners, and disturbances over debt were recorded for the years 380 and 378. Both tribunes were said to have held office continuously since 376 over this issue with impassioned opposition from the patricians (Livy 6.35.1–5: doc. 1.48). The *leges Licinia-Sextiae* laid down that the interest on outstanding debts should be deducted from the capital owed, and the remainder paid off in three annual instalments. While this may have improved the condition of some debtors, further measures were needed in 357 and 347 and the *lex Poetelia* finally prohibited *nexum* in 326 (Livy 8.28.1–8: doc. 1.53). Another measure brought in by the tribunes was an early instance of a law attempting to limit holdings of *ager publicus*, Rome's public land; even at this early period, it seems, the poorer farmers were struggling against the control of public land by wealthy families. According to the sources the law laid down a maximum

occupation limit of 500 iugera, or c. 125 hectares. Perhaps an additional 150,000 iugera had become available after the capture of Veii, and the tribunes proposed that newly acquired land should be distributed in allotments rather than becoming the property of the state, and hence controlled by the wealthy. Fines were imposed on those who contravened the restrictions on occupation and Licinius Stolo himself was reportedly later prosecuted and fined for holding more land than the law permitted.

The first plebeian consul and the praetorship, 366 BC

A third measure brought forward by Licinius and Sextius abolished the consular tribunate and allowed plebeians to stand for the consulship. Sextius himself was to be the first plebeian consul in 366, and both consuls were plebeians for the first time in 172 (from 342, following the lex Genucia, one consul was generally a plebeian). The proposal aroused fierce opposition (from other tribunes as well as patricians), and according to Livy the conflict was such that no magistrates were elected for five years (375–371). While Livy's account may be somewhat of an exaggeration, the consulship was restored in 367 as the chief magistracy and plebeians from this point were allowed to hold the office.

The consulship of the plebeian Sextius, according to Livy, was contentious, as the patricians refused to ratify his election, and then stalled all business to ensure that nothing was effected by a plebeian consul (Livy 6.42.9–14: doc. 1.49). The office of praetor was therefore instituted, with imperium and judicial functions, to be elected from the patricians. To mark the fact that 'after a long rivalry, the orders were finally reconciled', the Great, or Roman, Games (*ludi magni* or *ludi Romani*) were celebrated and an additional fourth day added to the festival as a fitting way to honour the immortal gods on this occasion. When the plebeian aediles refused to take on the responsibility and expense for this additional day, it was agreed that two further aediles (the curule aediles) should be elected from among the patricians, so there would now be four, two plebeian and two curule. These new aediles would be responsible for the celebration of the *ludi Megalenses* in April and the *ludi Romani* in September.

While the praetorship and curule aedileship were initially restricted to patricians, the first plebeian praetor was elected in 337 (Q. Publilius Philo for 336; he had already been consul in 339), and the curule aedileship was later open to plebeians in alternate years. The result of the Licinio-Sextian legislation was that consular tribunes were replaced by five magistracies (the two consuls, a praetor, and two curule aediles) with more specialised functions, all of which were soon opened up to plebeians. Furthermore, by the Licinio-Sextian legislation the plebeians were now permitted certain religious roles: the Board of Two in charge of sacred rites (*duoviri sacris faciundis*) became a Board of Ten (the *decemviri*), to consist of five patricians and five plebeians, with appointment by *cooptatio*, selection by the existing members. An important part of their role was to guard, consult, and interpret the Sibylline Books, which comprised a collection of prophecies in Greek verse, supposedly acquired by Tarquinius Priscus. The year 367 was accordingly a constitutional watershed, as the Licinio-Sextian laws resulted in the creation of a competitive aristocracy of plebeians and patricians, the *nobilitas* (nobility), with shared interests and roles in both the political and religious sphere.

Further patrician concessions, 342 bc

In 342, following an army mutiny, the tribune L. Genucius successfully proposed that one of the two consuls had to be a plebeian (Livy 7.42.1–3: doc. 1.50). His legislation, the *leges Genuciae*, also brought in restrictions on holding two offices simultaneously, as well as the regulation that the same office could not be held within ten years to allow a wider field of candidates for magistracies. Significantly, he also sponsored legislation that lending money at interest was not permitted, demonstrating the fact that debt was still a major issue for the lower classes. As a result of one consulship being reserved for a plebeian, in consular elections from 342 patrician candidates competed for one position and plebeians for the other, and it frequently happened that candidates joined forces to be elected as a two-man team, for example the patrician Q. Fabius Maximus Rullianus and the plebeian P. Decius Mus, who were consuls in 308, 297, and 295 and L. Papirius Cursor and Q. Publilius Philo in their joint consulships of 320 and 315.

C. Marcius Rutilus, the first plebeian dictator and censor

After the successful election of plebeians to the consulship, the offices of dictator and censor also became open to them, with C. Marcius Rutilus (cos. 357, 352, 344, 342) becoming the first plebeian dictator in 356, and then in 351 the first plebeian censor. When the consular tribunate replaced the consulship in 444, the position of censor was created to take over the duties connected with overseeing the census, which had previously been the consuls' responsibility. Censors were elected every five years in the early Republic, although from 434 they appear to have held office for 18 months rather than the entire five-year period (Livy 9.33.6; doc. 1.54).

Additional pro-plebeian legislation was attributed to Q. Publilius Philo, consul in 339, 327, 320, and 315: he was also dictator in 339, the first plebeian praetor in 336, and censor in 332, when he registered the new citizens after the Latin War. As dictator he put forward the *leges Publiliae Philonis*, which were ‘extremely favourable to the plebs and damaging to the nobility’, according to Livy, and which stated that one of the censors should be a plebeian, that plebiscites (decisions of the plebs in the concilium plebis) should be binding on the ‘Quirites’ (citizens), and that the authorisation of the fathers (i.e., the senate) should be given to a law before it was voted on in the comitia centuriata (Livy 8.12.14–17: doc. 1.51): presumably in view of the pro-plebeian nature of Publilius’ agenda it was not the consent of the senate which was necessary, but religious ratification of the legislation. Like the *leges Horatiae-Valeriae* of 449, the law regarding plebiscites may be a retrojection of the *lex Hortensia* of 287 and ahistorical, or perhaps the law reiterated that plebiscites were binding on the plebs rather than on all citizens.

The legislation was unpopular with the senators, and Publilius also encountered opposition when he stood for the praetorship of 336. One of the consuls of 337, C. Sulpicius Longus, attempted to block his candidature and refused to take votes on his behalf, but the senators as a whole decided that, having conceded that plebeians could stand for the consulship, there was no point in being stubborn over the praetorship (Livy 8.15.9: doc. 1.52).

Debt-slavery and the lex Poetelia, 326 bc

The fact that debt was causing citizens to be entrapped into debt-slavery had been one of the reasons behind the agitation for the First Secession in 494 and the drawing up of the XII Tables. The Tables, however, appear to have done little to ameliorate the situation of debtors, and in 342 a lex Genucia prohibited interest charges. Finally in 326 a lex Poetelia, proposed by the plebeian consul C. Poetelius Libo Visolus (cos. 360, 346, 326), along with his colleague L. Papirius Cursor, is said to have prohibited *nexum* entirely. In fact, it may not have been completely abolished, but at least the legislation addressed some of the consequences, including the abuse of debtors, and highlights the fact that *nexum* was still a matter of prevailing concern. The law was attributed to a public outcry, after the sexual harassment by the creditor of a young man ‘of good family’ who had become a bondsman for his father’s debts (Livy 8.28.1–8: doc. 1.53). The ‘outrageous lust and inhumanity’ of the money-lender, who had had the young man flogged to coerce him, caused the people to flock into the forum and senate house out of compassion for the youth and concern for the position of themselves and their children, and the consuls put forward a motion that only those guilty of a crime and awaiting punishment should be confined in shackles or fetters. This did not mean, however, that *nexum* was no longer an issue, but the ill-treatment of bondsmen was prohibited, and debt-bondage as a source of labour for wealthy landowners gradually came to be replaced by the acquisition of slaves taken as prisoners of war.

Appius Claudius Caecus and his ‘scribe’ Cn. Flavius

There were other causes of contention between the patrician magistrates and the tribunes in the late fourth century, as when Appius Claudius Caecus, censor in 312, refused to step down even though his colleague, C. Plautius, had done so. The tribunician board was split, however, with three tribunes supporting Claudius, and he remained in office as sole censor (Livy 9.33–34: doc. 1.54). According to Livy, Claudius was extremely unpopular with all classes (he was to oppose the opening up of the priestly colleges to plebeians in 300), but he did pass major reforms as censor and was responsible for the construction of the aqua Appia, Rome’s first aqueduct, and the via Appia, the highway which ran from Rome to Capua (Figure 2.2).

In 304 Claudius’ scribe Cn. Flavius, son of a freedman, published the calendar, which included days on which business could be undertaken and a collection of legal formulae, information previously reserved for the pontiffs, with the result that there was no longer the need to consult the priests prior to the commencement of a law-suit. This was an important step in breaking down the priestly monopoly over the calendar. Flavius, despite his background, was elected curule aedile (Livy 9.46.1–15: doc. 1.55). His election stunned the nobles ‘who despised his lowly birth’, and Livy records how he fought against their agenda, publishing the civil law, as well as posting up the official calendar on notice-boards in the forum so that people could know when they could bring a legal action. His dedication of a temple of Concord in the precinct of Vulcan was further resented by the nobles, but it was agreed by the senate and people after this that a temple or altar could not be dedicated except with the authorisation of the senate or of a majority of the tribunes.

Flavius' election caused such resentment that from this point, Livy comments, the citizens were divided into two factions, the 'honest men' (i.e., the nobles) and the rabble of the forum. As a result, to quieten the concerns of the patricians, Q. Fabius Maximus Rullianus as censor in 304 had all the 'forum mob' assigned to four (urban) tribes out of the 35 in total, so that 'the elections might not fall into the hands of the base-born element' (Livy 9.46.14–15: doc. 1.55). So gratefully was this received by his peers that he was awarded the agnomen Maximus ('Greatest'), which he had failed to win by his victories over the Samnites and Etruscans in his five consulships and two dictatorships. This reassignment of voters was a reversal of a recent measure by App. Claudius as censor in 312, whereby citizens without land could be enrolled in any of the 35 tribes.

The pontificate and augurate open to plebeians, 300 bc

In 300 the tribune Q. Ogulnius Gallus and his brother Gnaeus had a plebiscite passed, laying down that positions in the two main priestly colleges, the pontiffs and augurs, should be shared between patricians and plebeians. From this point four of the eight pontifices (previously four in total) and five of the nine augurs (previously four or six) were now plebeians: these positions were held for life. There had already been a plebeian Vestal, Minucia, but she had been condemned in 337 for unchastity, perhaps because there was patrician concern about her conducting the rites of Vesta (Livy 8.15.7–8: doc. 7.91). The decemviri in charge of the Sibylline Books had already been opened up to plebeians in 367, and only the Salii, the flamen Dialis, and the two other major flamines of Mars and Quirinus and the rex sacrorum were still exclusively patrician, and remained so until the end of the Republic. Like the augurs, the pontifices were elected by co-option by the existing members of the college, but shortly afterwards the position of the head of the college, the pontifex maximus, was opened for election by 17 of the 35 tribes. The first plebeian pontifex maximus was Ti. Coruncanus (cos. 280) in 254. A new patrician-plebeian nobility was now in place which shared the prerogatives which had till that point been exclusively patrician.

The Ogulnian measures had roused the enthusiasm of the very highest-ranked plebeians, while the thought that they might encroach on priestly duties was viewed by the patrician senators with as much horror as they had felt regarding the opening up of the consulship. Nevertheless, realising that they were unlikely to win this battle, they put up little overt resistance, merely piously 'hoping' that the state would be visited by no calamity should the gods consider that their rites had been polluted (Livy 10.6.3–11: doc. 1.56).

The final stage in the Conflict of the Orders was when Q. Hortensius, a plebeian, was appointed dictator to deal with the last secession of the plebs, this time to the Janiculum, following yet another debt crisis in 287 (Livy *Per. 11*: doc. 1.57). By his legislation, plebiscites in the concilium plebis were now made binding on the entire Roman people, including patricians who were not members of the concilium plebis (Gell. 15.27.4: doc. 1.58). They now had the full force of law, and were as authoritative as leges populi passed in the comitia centuriata.

Polybius on the Roman constitution

Polybius considered Rome to possess a 'mixed constitution', combining aristocracy, monarchy, and democracy, and analysed its institutions in line with Greek political

theory and the Greek preoccupation with the best type of state, shown by Aristotle's study of the constitutions of 158 cities (of which the *Athenaion Politeia* is sometimes thought to be the only surviving example, though it was more probably composed by a pupil). Polybius' account, written at the time of the Third Punic War in 146, described the Roman constitution at what he thought to have been its most perfect period, at the beginning of the Second Punic War: 'From the crossing of Xerxes into Greece . . . and for 30 years after that event it (the constitution) was continually modified detail by detail, being at its best and most perfect at the time of the Hannibalic war' (Polyb. 6.11.1). Polybius' understanding of Roman institutions was coloured by his intimacy with Scipio Aemilianus (adopted grandson of the great Scipio Africanus) and Scipio's political and literary circle, and his discussion of the excellences of Rome's constitution was intended to demonstrate how, in less than 53 years – the period between 220 and 167 (the victory over Perseus of Macedon at Pydna) – the whole world fell under the dominion of Rome.

Polybius considered that the Roman constitution was so equally balanced that it was impossible to determine whether it was an aristocracy, democracy, or despotism: the role of the consuls suggested a despotism, that of the senate an aristocracy, and that of the people made a clear case for democracy. He commends the fact that each of the three elements posed checks and balances on the other two, thus limiting their power (Polyb. 6.12.1–16.5: doc. 1.59). The consuls, in his view, possessed essentially unlimited power in the field, but had to rely on the senate for food, clothing, and pay for their troops, while on laying down their office they were accountable to the people for their actions and reliant on the senate for the granting and funding of a triumph. The senate, in turn, controlled the treasury and regulated all revenue and expenditure, and was responsible for all embassies, as well as investigating any public crimes in Italy; however, tribunes were able to veto any of its decisions. The people, in their turn, were responsible for granting honours such as election to office, acted as a court of law, and decided on the infliction of capital punishment, as well as ratifying laws, treaties, and issues of peace and war.

Polybius saw Rome as possessing the perfect constitution – stable, pragmatic, and adequate to all emergencies, in which consuls, senate, and people all shared power. It is, however, arguable that he failed to recognise the way in which the nobility and the senate effortlessly dominated political life at this period. While the people did vote on issues, they could only decide on matters brought before them without the right of debate. The senate, although it could not enact laws and technically was an advisory council to the magistrates, was the primary instrument of republican government, as a permanent body which allocated provinces and armies, administered the treasury, and supplied all the senior magistrates, who were members of that body both before and after their year of office, a state of affairs which was bound to ensure that their political priorities and attitudes were aligned with those of the senate in general.

The 'senatus consultum ultimum'

In certain emergencies it was possible for the constitution to be overridden by the declaration of a 'senatus consultum ultimum' ('final decree of the senate'). This is a

modern term based on Caesar's account of the senate's resolution on 7 January 49 to suspend the constitution, a decision which he described as:

that final and ultimate decree of the senate . . . when the city was on the point of destruction and when, through the temerity of evildoers, everyone despaired of safety: the consuls, praetors, tribunes and any men of proconsular rank near the city are to take measures that the Republic suffer no harm.

(Caes. BC 1.5.3: doc. 13.24)

According to Sallust, it permitted a magistrate to raise an army, wage war, use force on both allies and citizens, and exercise supreme command and jurisdiction at home and in the field (Sall. *Cat.* 29.1–3: doc. 1.60): essentially it meant that the constitution was suspended. It was first passed in 121, in order to permit the consul L. Opimius to take measures against Gaius Gracchus and M. Fulvius Flaccus, when the two were judged to be enemies of the state: Flaccus was murdered and Gracchus committed suicide (App. 1.117–118: doc. 8.32). While, however, the decree allowed the magistrates involved to override the constitution, the legality of putting Roman citizens to death without a trial was often questioned after the event: Opimius was prosecuted for his actions against Gaius Gracchus (Cic. *Brut.* 128: doc. 8.34), Rabirius for his involvement in the killing of Saturninus and Glaucia (Cic. *Rab. Perd.* 20: doc. 9.30), and Cicero went into exile because of his decision to execute the Catilinarian conspirators without trial (Dio 38.17.1–6: doc. 12.55). Rome's constitution could be suspended, but it was dangerous to do so for partisan reasons.

Rome's struggle for Italy

The capture of Veii, 396 BC

Veii was the nearest city in Etruria to the Latin frontier. It was situated 15 kilometres north of Rome, and the two states shared a border along the Tiber (Map 1). There had been a long history of conflict between the two cities beginning with the First Veientine War (483–474) and culminating with the conquest of Veii in the Third Veientine War, which ended in 396. Veii was a prosperous city in competition with Rome for the trade routes along the Tiber valley. According to tradition Rome commenced the third war by launching an attack on Veii in 406, and the siege lasted for ten years, with its final defeat the work of the dictator M. Furius Camillus, who organised the digging of a tunnel under the walls (Livy 5.21–23: doc. 1.61). Its territory was incorporated into the ager Romanus, increasing it by some 562 square kilometres, Roman citizenship was bestowed on the population, and four new tribes were created, the Stellatina, Tromentina, Sabatina, and Arniensis. Much of the account of the capture of the city is legendary and even presented as miraculous, including the cult statue of Juno Regina 'willingly' allowing itself to be transported to Rome (Livy 5.22.3–7: doc. 3.57). From this point Rome began a more aggressive military policy against other neighbours, which appears to have coincided with a reform of the army and the introduction of pay for the troops. A property tax, tributum, was also levied to cover military expenditure and indemnities were imposed on conquered communities.

The Gallic sack of Rome, c. 390 BC

One of the greatest crises which faced Rome at the beginning of the fourth century was an invasion by Celts (Gauls) from the Po valley, traditionally dated to 390. Following a defeat of the Romans at the river Allia outside Rome, the Gauls under their leader Brennus sacked Rome c. 390, after a force on the Capitol surrendered. The Gauls were paid a ransom of 1,000 pounds of gold to abandon the siege. It is likely that they were mercenaries en route to Sicily, primarily interested in booty, rather than migrating in search of land for settlement. This humiliating defeat only temporarily halted Rome's policy of military aggression, and campaigns continued in Etruria and against the Volsci and Aequi in the 380s, while the 'Servian' wall was commenced around the city of Rome for better defence: when completed it extended for more than 11 kilometres, was more than 10 metres high and 4 metres at the base, and enclosed some 425 hectares. Rome was now the largest urban settlement in central Italy with a territory of some 1,500 square kilometres.

Rome and the Latins

The foedus Cassianum (treaty of Cassius), the defensive alliance agreed between Rome and the Latins in 493, appears to have lapsed by the end of the century, and while many of the communities remained allied to Rome, others had joined the Volsci in face of the threat of Roman expansion: the treaty with Carthage in 348 recognised Roman control of Latium and envisaged the possibility of Roman overseas colonisation (Polyb. 3.24.1–15: doc. 4.2). From 343 Rome was engaged in a fierce struggle against the Samnites, a federation of four Oscan-speaking tribal groups (the Hirpini, Caudini, Carrucini, and Pentri) from the southern central Apennines. This First Samnite War began when Rome went to the help of the Campanians after the Samnites besieged Capua: the Samnites made peace in 341. The Campanians, however, then took sides with the Latins and Volsci who were in revolt against Rome.

The war between the Latins and Romans, the 'Great Latin War', commenced in 341. The Latins had long viewed Rome's expansionist agenda with concern, and Livy presents the conflict as akin to a civil war, as the Romans and Latins enjoyed the same culture and religion, and had long fought alongside each other as colleagues (Livy 8.6.15–16: doc. 1.63). The Latins suffered two major defeats in 340, one of which Livy places at Veseris, near Mt Vesuvius. This battle was legendary in that the consul, T. Manlius Imperiosus Torquatus, executed his son for breaking ranks and engaging with the enemy without orders, and because of the 'devotio' of the other consul, P. Decius Mus, who sacrificed himself in battle (Livy 8.9–11: doc. 3.18). Some territory of the Latins who had revolted was confiscated, while loyal communities like Lavinium and the Capuan aristocracy who had not joined the revolt were rewarded by gifts of status and citizenship (Livy 8.11.11–16: doc. 1.64). The conflict recommenced in 339, but was mostly crushed by the consuls L. Furius Camillus and C. Maenius in 338.

Latin territory was reorganised by Rome in 338, with some communities being granted citizenship and others given the status of allies. Leagues and confederacies were dissolved, and the cities were bound directly to Rome with each having a separate agreement laying out specific rights and obligations (Livy 8.14.1–12: doc. 1.65).

The cities possessed the right of connubium and commercium with Roman citizens, but they were not permitted to engage in political relationships with each other, and this set a pattern for Rome's later treatment of subject territories. Lanuvium, Aricia, Nomentum, and Pedum were granted citizenship and the cities became self-governing, while Tusculum's citizenship was restored after the leaders of the rebellion were punished. The ruling class was also dealt with severely at Velitrae, where the city walls were razed and the aristocracy banished, although the remainder of the inhabitants were granted Roman citizenship. Tibur and Praeneste lost some of their territory, but remained independent allies. Antium was also given citizenship, but had to surrender its fleet, and some of the ships' beaks (rostra) were dedicated under the speakers' platform in the forum, known from this point as the rostra (Livy 8.14.12: doc. 1.65; Figure 1.7).

A new category of cities without voting rights (*civitates sine suffragio*: cities without suffrage) was created for the defeated Campanian cities of Capua, Suessula, and Cumae, and the Volscian towns Fundi and Formiae. These towns became self-governing municipia, and were liable for military service, but had no political rights, and their inhabitants were unable to vote or hold office in Rome. In this way the Romans increased their military strength without diluting the Roman political system. They also began a strategy of establishing Latin colonies (the inhabitants did not need to be 'Latins', the term simply designated their rights and obligations towards Rome). These were independent states, generally situated on the frontiers or in enemy territory, and were primarily settled by Roman citizens, who lost their Roman citizenship as a result of their settlement in the colony, but regained it if they returned to Rome. These colonies provided units that fought in the Roman army alongside Rome's allies.



Figure 1.7 A denarius issued by Lollianus Palicanus at Rome in 45 BC depicting the head of Libertas and the rostra in the forum surmounted by a tribunician bench. On the obverse the diademated head of Libertas (Liberty) wearing an earring and pearl necklace, with LIBERTATIS behind; on the reverse the rostra in the forum with a tribunician bench (subsellium). The rostra consisted of a platform supported by an arcade, with each column decorated with a ship's beak or ram (a rostrum), constructed after the battle of Antium in 338 BC, from which magistrates and others spoke to the people.

Source: Photo courtesy of Classical Numismatic Group

A colony was established at Cales on the road between Rome and Capua, and 2,500 families were chosen as settlers from the plebs, plus some Latins and other allies. Similar townships were set up throughout Italy in the next 50 years and acted as military garrisons and as a Romanising influence within Italy. There was now in place a series of possible relationships with the inhabitants of subject towns and cities, who could be full citizens, citizens sine suffragio (non-voting), Latins, and allies. All were under the obligation to provide troops to serve with the Roman army in times of warfare, and in this way Rome acquired an extensive reservoir of military manpower on which to draw when needed. The allies in any battle generally equalled the number of citizen legionaries and served as light-armed troops and cavalry, as well as supplying naval contingents, incurring their costs out of their own resources, although they also shared in the profits of any successful campaign.

The Samnite Wars and Pyrrhus

The Second Samnite War

As part of Roman settlement of conquered territories, a Latin colony was founded in 328 at Fregellae, originally a Voscan city. The region had been under the control of the Samnites who had destroyed the town, and they took exception to this foundation, which led to the Second Samnite War which lasted some 20 years (326–321, 316–304). Roman sources place the blame on the Samnites, accusing them of having encouraged revolts from municipia such as Privernum, Fundi, and Formiae and of supporting the Greek city of Naples (Livy uses the alternative name Palaeopolis) in attacks on Roman holdings in Campania (Livy 8.23.1–7: doc. 1.66). The Romans declared war on Naples, which the Samnites garrisoned in 327. One consul, Q. Publilius Philo, was sent to deal with the city, while the other, L. Cornelius Lentulus, was given a command against the Samnites. With the help of a pro-Roman group within Naples, Philo took control of the city in 326. After successes in Samnium in 325 and 322, in 321 an invasion of Samnite territory ended catastrophically at the Caudine Forks, where the Roman army was ambushed by the Samnite leader C. Pontius and compelled to surrender, after being forced to march ‘under the yoke’, which symbolised total submission (Livy 9.7.6–12: docs. 1.67, cf. 5.2). The Romans handed over Cales and Fregellae and the surrender sent shockwaves through Rome, but was avenged in the following year by L. Papirius Cursor (cos. 326, 320, 319, 315, and 313). The Romans reimposed their control in Campania and hostilities were renewed in 316, with Rome recovering Fregellae in 313, and establishing a number of further colonies in the area, while in 312 the censor App. Claudius Caecus was responsible for beginning the construction of the Appian Way from Rome to Capua which allowed for rapid troop movements in the region. Rome appears to have taken to the field on an annual basis until the capture of Bovianum and the execution of the general Statius Gellius in 304, after which the Samnites sued for peace.

Livy commented on the unusual state of affairs in the year 303, in that ‘there was almost a complete rest from foreign wars’ (Livy 10.1.1–2: doc. 1.68). Quite apart from the Samnites, Rome had been engaged in conflict in Etruria and Umbria between 311 and 308 and with the Hernici and Aequi from 306 to 304. The Hernici were defeated in 306 and the Aequi massacred in 304 in a rapid 50-day campaign which

impelled neighbouring tribes to hasten to conclude treaties with Rome. Colonies were sent out to Sora and Alba, which were strategically placed to consolidate these successful initiatives by Rome. At the beginning of the third century the Romans were again engaged on multiple fronts, with campaigns in Etruria and Umbria annually from 302, and the Third Samnite War (298–290) breaking out in 298.

The Third Samnite War

Faced with relentless Roman aggression, Rome's enemies decided that there was safety in numbers. An alliance of Samnites, Etruscans, Umbrians, and Gauls was formed in northern Italy and the consuls of 297, Q. Fabius Maximus Rullianus and P. Decius Mus, whose command was extended in 296 and who were re-elected for 295, met an army of Samnites and Gauls at Sentinum in 295. In the battle Decius devoted himself to the gods of the underworld, as his father had done at Veseris in 340 against the Latins (Livy 10.28.12–18: doc. 1.70, cf. 3.18). In this battle the Romans fielded perhaps their largest army to date, four legions with an equivalent number of allied troops, some 36,000 men in total. Following Decius' self-sacrifice the Romans were victorious, and continued their campaigns in Etruria, Umbria, and Samnium.

Under the year 295 Livy apologises to his readers for the time he has had to spend on the Samnite wars, paying tribute to the Samnites' 'brave hearts [which] refused to be conquered' and arguing that the author and reader should not begrudge the time in reading and writing about wars, which were unable to exhaust the men who fought them (Livy 10.31.10–15: doc. 1.71). He describes a Samnite levy in 293, when the Samnites' entire fighting force of 40,000 was assembled at Aquilonia. Each of the leading Samnites was made to swear a curse upon himself and his family 'if he did not go into battle where his generals led or if he fled from the battle-line himself or saw someone else fleeing and did not immediately cut him down' (Livy 10.38.2–13: doc. 1.72). Those who refused to swear to fight to the death were beheaded amongst the sacrificial victims. A select company of these leading warriors, the 'legio linteata' or linen legion whom Livy numbers at 16,000, were accompanied by a further 20,000 troops, but they were defeated at Aquilonia in 293: the term 'linen legion' is explained by Livy by the fact that the enclosure in which they enrolled was roofed with linen, but earlier (at 9.40.3) he had noted that the Samnites wore linen tunics. One of the consuls of 293, Sp. Carvilius Maximus, melted down the Samnite breastplates, greaves, and helmets to make the statue of Jupiter which was dedicated on the Capitol. It was so impressive that it was visible from the Alban Mount, ten miles away, while out of the left-over filings Carvilius made a statue of himself to stand at Jupiter's feet (Pliny 34.43: doc. 1.73).

Pyrrhus of Epirus

Rome overran Samnium, founding a colony at Venusia in 291, and in 290 the Samnites surrendered and were compelled to become allies of Rome. The Samnites, however, were incited to rebel against Rome once again following the invasion of Italy by Pyrrhus of Epirus in 280: this was the Fourth Samnite War (279–275). Tarentum's neighbours, the Greek cities of Thurii, Locri, Rhegium, and Croton, had put themselves under the protection of Rome, and concerned with this state of affairs Tarentum

expelled the Roman garrison at Thurii and appealed to Pyrrhus for help. Pyrrhus' arrival in Italy in 280 and his victory over the consul P. Valerius Laevinus at Heraclea (with the help of 20 elephants) encouraged a revolt of Samnites, Lucanians, and Bruttians, who helped Pyrrhus to achieve another victory at Ausculum in 279, but at a great cost in terms of troops killed (hence the phrase 'Pyrrhic victory'). Negotiations about peace were blocked by the intransigence of App. Claudius Caecus, censor in 312 and consul in 307 and 296, when he fought in Samnium. After withdrawing to Sicily at the request of the Syracusans (Agathocles, his father-in-law, had been the tyrant of Syracuse) in order to help them against the Carthaginians, Pyrrhus was proclaimed king of Syracuse and overran Carthaginian-held western Sicily. However, his activities in Sicily were unpopular and he returned to Italy in 275 where he was defeated by the Romans under the consul M'. Curius Dentatus at Beneventum, after which he returned to Epirus. The Romans conquered Tarentum in 272 and signalled their victories over Samnium and Lucania by further colonies at Paestum, Beneventum, and Aesernia.

Rome as master of Italy

All central and southern Italy was now under Roman control (Map 4). The process had been remarkably rapid. From the time of the settlement with the Latins in 338, Rome had been almost continuously at war, and as a result of its own colonies and the treaties with conquered and allied cities it had a large and unparalleled reserve of armed forces on which it could draw from communities throughout Italy, all of whom were obliged to provide troops for the Roman army out of their own resources. In 338 Rome was already the greatest military power in Italy and capable of engaging in almost continual warfare on more than one front. Over the next 50 years Rome's expansion was driven by a number of important political and military figures whose agenda was to engage in successful conquest at all costs, and as a consequence by 272 Rome was in firm control of the Italian peninsula. Immense numbers of Italians had been killed, dispossessed, or enslaved in the process, and by the early third century Rome had become one of the largest cities in the Mediterranean, with some 90,000 inhabitants. The conquests had brought Rome large amounts of land, booty, and slaves, which enriched the wealthy landowners who formed the core of the political elite, the patrician-plebeian nobility which had emerged as a consequence of the Conflict of the Orders, and which through their control of the senate was to dominate Roman politics and institutions in the third century.

Further reading for this chapter

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Chapter 2

The public face of Rome

Unlike the Greek cities of the Mediterranean, Republican Rome was noted not so much for the advantages of its site as for its infrastructure: in particular, its aqueducts, roads, and sewers, as well as the buildings in and around the forum such as Jupiter's temple on the Capitol. The majority of the ancient remains in Rome today date from the imperial period, and Augustus boasted of the way in which he remade the city from one of brick to one of marble (*Suet. Aug.* 28.3: doc. 15.81). Republican Rome, however, was not without its own beauties, and many impressive constructions took place in the late Republic, including projects of Pompey and Caesar in the forum and Campus Martius. Nevertheless, what most struck the visitor from the East in the first century BC were the public works which serviced Rome's population of some 800,000 to 1,000,000 inhabitants: the figure is necessarily inexact, but in the late Republic some 200,000 adult citizen males received the free grain dole, and the population on these grain distribution figures, with slaves included, must have been within this range.

The infrastructure of the city

The geographer Strabo (born c. 64 BC) contrasted the amenities of Rome with those of Greek cities of his time for the benefit of his readership: while the Greeks had chosen the sites of their cities in terms of 'beauty, defensibility, harbours and fertile soil', Rome had concentrated on issues which were not of importance to the Greeks, such as the construction of roads, aqueducts, and sewers, all on a major scale (Figures 2.1, 2.2, 15.8). The Romans had effected impressive changes to the landscape of Italy in their construction of highways, while the stone-built sewers of Rome (which were to 'wash out the city's filth into the Tiber') were often large enough to allow the passage of hay-laden carts, while the aqueducts brought enough water in to allow 'rivers' to flow though the city. Almost every house, he comments (rather implausibly), possessed cisterns, pipes, and fountains. In consequence, the ancient Romans should not be criticised for having failed to beautify Rome, as they had been occupied with more practical matters (Strabo 5.3.8: doc. 2.1).

Concern for Rome's infrastructure was demonstrated from the time of the kings, and the two Tarquins were credited with a number of public works in Rome. Dionysius of Halicarnassus attributes to the fifth king, Tarquinius Priscus, the adornment of the forum, as well as the sewers, Circus Maximus, and temple of Jupiter on the Capitoline; according to Livy these were the work of the later Tarquin, Tarquinius Superbus. While the size and extent of the sewers led later generations to assume that they



Figure 2.1 The pons Fabricius over the Tiber, constructed in 62 BC by L. Fabricius and in use ever since. It linked the Campus Martius with the Tiber island and replaced an earlier bridge destroyed by fire (Map 2). It has a length of 62 metres and a width of 5.5 metres, with two wide arches supported by a central pillar. The original inscription, repeated four times, reads: 'Lucius Fabricius, son of Gaius, superintendent of roads (curator viarum), took care and approved that it be built'.

Source: Photograph © MatthiasKabel via Wikimedia Commons

must have been the work of tyrants, the sewers belong more probably to the fourth or third centuries. The temple of Jupiter, however, dates from the time of the kings, like the temple of Diana on the Aventine and the pons Sublicius over the Tiber. Dionysius, like Strabo, saw the sewers, aqueducts, and paved roads as the ‘three most magnificent constructions of Rome’, which illustrated the greatness of its empire, noting not just the functionality of the constructions, but the immense cost involved, with the cleaning and repairing of the sewers on just one occasion costing 1,000 talents (Dion. Hal. 3.67.5: doc. 2.2). Blockages of the sewers could occur from factional issues, and like the river Tiber they were used to dispose of the unwanted corpses of the murdered Gracchi and their supporters (App. 1.70; Plut. C. *Gracch.* 17.6: docs 8.15, 33), while Cicero, in his defence of Sestius, tribune in 57, describes, probably with some exaggeration, the Tiber filled with the bodies of citizens, and the sewers blocked, with blood mopped up by sponges in the forum, from the violence resulting from the proposal that he be recalled from exile (Cic. *Sest.* 77: doc. 2.3; Dio 39.7.2–3).

Despite modern assumptions, individual houses in Rome were not connected to the sewers, the purpose of which was primarily to drain off rain and flood waters, and household sanitation was primitive, with a toilet generally adjoining the kitchen,

although public facilities (in the forum, baths, and gymnasia) drained into the sewerage network. Domestic sanitation relied on cess-pits or night-soil operators who removed the human and animal waste from the city, although there was a continual issue with keeping the streets clean and preventing the dumping of human waste and other rubbish, while the contents of large urinal pots located at street corners were used by fullers for cleaning and laundering woollen textiles. Gutters ran down the centre or sides of streets to remove rain and floodwater, and the Cloaca Maxima ('greatest sewer') drained the areas between the hills of Rome into the Tiber. The wealthy in Rome possessed wells, or had access to public aqueducts, which also provided drinking water to fountains located in the streets, and Agrippa in 33 BC extensively repaired and extended the sewer system and the water supply, including the provision of public fountains (Pliny 36.121: doc. 15.40).

Aqueducts

In the republican period four aqueducts were constructed to bring water into Rome: the aqua Appia (312 BC), aqua Anio Vetus (272 BC), aqua Marcia (144 BC), and the aqua Tepula (125 BC), described by Frontinus in his work *Aqueducts* (1.5: doc. 2.4); by 312 the city had outstripped the use of the Tiber, wells, and springs as sources of water, which indicates the growth of the urban population in the fourth century. The water of the Appia and the Anio travelled mainly along underground channels; the familiar aqueduct structure came with the Marcia, when 10 kilometres of arches were erected immediately outside the city (Figure 15.8). On arriving in the city, water was diverted into settling tanks and then distributed to public fountains. The Appia, built by the censor of 312, App. Claudius Crassus Caecus ('the blind') who was also responsible for the construction of the Appian Way, was 16.5 kilometres in length and brought 75,700 cubic metres of water per day to the city, while the Anio was 64 kilometres (bringing 182,500 cubic metres), the Marcia 9 kilometres (194,000 cubic metres), and the Tepula 18 kilometres (18,500 cubic metres). Considerable work in repairing and extending the aqueduct system took place in Agrippa's aedileship in 33, and three curatores aquarum (curators of the water supply) of senatorial rank were appointed by Augustus in 11 BC to manage Rome's water supply with the assistance of the 240 expert slaves trained by Agrippa (Front. 2.98–106: doc. 15.52).

Communications and public works

Roman roads traversed Rome's empire for ease of military movement and purposes of communication, with the first major road in Italy, the Appian Way (*via Appia*) constructed in 312. By the third century BC, roads ran from Rome throughout central Italy and by the end of the second century all regions of Italy were connected to Rome by highways, ensuring Rome's contact with colonies and major allies (Map 1). These included the via Flaminia of 220 connecting Rome to Ariminum on the east coast of Italy, the via Egnatia of around 130 which ran from the Adriatic to Byzantium and provided Rome with its main route to the east, and the via Aurelia of 241 (extended in 109) along the north-west coast of Italy. The via Appia which linked Rome with Capua through the porta Capena was some 210 kilometres in length, and colonies of Roman citizens were located along it, marking the increasing expansion of Rome's

sphere of influence (Figure 2.2). It was later extended to Brundisium via Beneventum and Venusia. Initially the road was unpaved and only gravelled, and paving work took place under the emperors Nerva and Trajan, although the part within the city was paved in 295. Funerary monuments were erected along the road close to Rome, such as the columbarium of Caecilia Metella and the tomb of the Scipios. Procopius, who served with the Byzantine general Belisarius in Italy in the sixth century AD, described the Appian Way to Capua as five days' journey for an active man, and as 'one of



Figure 2.2 Paving on the via Appia which connected Rome to Brundisium. The via Appia, one of the earliest and most strategic Roman roads, linked Rome to south-eastern Italy. Appius Claudius Caecus, as censor in 312 BC, constructed the first section during the Samnite wars to speed troop movements to Capua. Averaging 6 metres in width, the road in its final form consisted of interlocking stones laid to provide a levelled surface. The road was cambered in the middle and ditches on either side provided for water runoff. When completed in 264, it covered some 560 kilometres.

Source: Photograph © Kleuske via Wikimedia Commons

the sights most worth seeing anywhere': two wagons could pass each other, with the stones so smoothly cut and levelled that they were still perfect in his own day (Procop. *Wars* 5.14.6–11: doc. 2.5).

Despite the fact that oversight of the roads was primarily the business of the censors, Gaius Gracchus as tribune had been involved in the construction of roads in Italy, which consisted, according to Plutarch, partly of dressed stone and partly of tightly packed sand (highways could be paved, gravelled, or unmade). Ravines and watercourses were bridged, and the highways 'presented a symmetrical and beautiful appearance' (Plut. *C. Gracch.* 7.1–4: doc. 2.6). Every road was measured in Roman miles (a Roman mile was equivalent to 1,000 paces, or 1,480 metres), with stone pillars at prominent locations marking the distances. *Viae publicae*, public roads, served public transport and were built by magistrates and financed by the treasury. They were often named after the nomen gentile of the magistrate responsible for their construction (such as *C. Flamininus*), and the *via Appia* is unusual in making use of the censor's praenomen (*Appius Claudius Caecus*). There was no organised administration of roads in the Republic, with a curator of roads (*curator viarum*) appointed when necessary, but when Augustus took over the oversight of roads (the *cura viarum*) in 20 BC he set up a college of senatorial rank to oversee the construction and repair of the roads in Italy.

The lex Julia municipalis, 45 BC

The *lex Julia municipalis*, Julius Caesar's town-planning law of 45 BC, included provisions that dealt with roads, as well as the grain dole and the holding of offices in Italian communities (ILS 6085: doc. 2.8; cf. doc. 13.59). Its regulations concerning roads were clearly an attempt to solve Rome's daytime traffic problems. It was the responsibility of the owners of buildings adjoining an alleyway to ensure that the part of the alley which bordered on their wall was paved with 'whole stones' to the satisfaction of the aedile in charge of roads in that district, and public streets were to be maintained by the owners of buildings along them; if they failed to do so, the job would be contracted out and they would be liable for the bill. No carts were allowed in the city during daylight hours, with the exception of those carrying building materials for temples or public works, or removing buildings demolished by public contract. Carts were however permitted for the use of the Vestals, rex sacrorum and flamines when engaged in public sacrifices, and for triumphal processions and games. An exemption was also made for the ox and donkey wagons that entered Rome at night to remove excrement, and clearly only a small proportion of this ended up in the sewers; many householders using chamber-pots must have had their human waste removed by collection or simply dumped it into gutters. Furthermore the law lays down that no permanent structures were to be erected in public places or porticoes, which were not to be shut off from public access, unless specifically authorised by laws, plebiscites, or senatorial decrees.

Private benefactions

In municipalities, as in Rome, while public works were the responsibility of the magistrates, private donors could also invest in the town's infrastructure. L. Betilienus Varus, a magistrate at Aletrium (modern Alatri), in Latium some 70 kilometres south

of Rome, at some point between 135 and 90 BC not only supervised the construction of streets in the town, but built a number of public buildings, including a portico ‘leading to the citadel’, a playing-field, a sundial, a meat-market, a stuccoed basilica, seats, and a swimming-pool, plus a reservoir and a 340 foot aqueduct leading into the city, with arches and ‘sound’ water-pipes. In its gratitude, the senate twice made him censor, exempted his son from military service, and erected a statue and granted him the title Censorinus (*ILS* 5348: doc. 2.10).

Varus must have spent a small fortune on the town, in his attempt to transform it along the lines of cities in the Greek East. In contrast, at Pompeii c. 90–80, C. Iulius and P. Aninius as the Board of Two (*duoviri*, the highest-ranking annual magistrates there) let out a contract for a Spartan sweating-room (*a sudatorium*) and rub-down room, and for repairs to porticoes and a wrestling-school ‘out of the money which they were required by law to expend on games or a memorial’ (*ILS* 5706: doc. 2.11). There was generally a property qualification for members of local senates (*the decuriones*), and magistrates at Pompeii were expected as part of their role in office to fund some public work or finance public games. At Urso, the Caesarian colony in Spain, the *duoviri* and *aediles* were expected to put 2,000 sesterces apiece towards the games (Bruns 122: doc. 2.80, cf. doc. 13.60).

The ideology of the Roman senatorial class

Rome was a society which glorified its past and distrusted change and innovation, particularly within its senatorial order. The senators of early Rome were traditionally portrayed by their descendants as hard-working, self-disciplined, and provident, especially in contrast to the habits of luxury which resulted from the conquests in the East from the second century BC. Most of the senatorial class in the early period would have been farmers on a small scale. According to Valerius Maximus (4.4.6), the consul M. Atilius Regulus, who in 256 won a victory in Africa, when his command was extended for the following year replied that as the manager of his seven-iugera farm had died and a hired worker had run off with livestock and equipment, his wife and children would starve if he were not allowed to return home. Lower down the social scale, the centurion Spurius Ligustinus in 171 had inherited one iugerum, less than an acre, of land, his wife possessed no dowry, and he had to support eight children on this farm and the pay for his army service (*Livy* 42.34: doc. 5.9).

The *lex Claudia* of 218 BC prohibited senators from engaging in large-scale trade, and reinforced the perception that their main financial concerns should focus on farming, with the result that their assets were consequently tied up in land. Cicero, in his work *On Old Age*, presents Cato the Elder (cos. 195) – himself a noted exponent of old-fashioned standards of behaviour – praising the fact that senators of olden days not only lived on their farms, but personally worked them, except for those periods when they were summoned for political service. Cato eulogises M'. Curius Dentatus and L. Quinctius Cincinnatus, two of the well-known figures of republican tradition. Dentatus (cos. 290, 284, 275, 274; cens. 272) ended the Third Samnite War with the defeat of the Sabines in 290, and in 275 defeated Pyrrhus of Epirus, displaying elephants in his triumph at Rome, the first time that this had taken place. He was noted for his incorruptibility and unpretentiousness despite his many military victories, and Cicero records that he refused Samnite gold on the grounds that ‘glory

was not in possessing the gold, but in ruling those who had it' (Cic. *Sen.* 16.55–56: doc. 2.12). Cincinnatus (traditionally suffect consul in 460 and dictator in 458 and 439) was noted for his victory in 458, after he had been called from his ploughing to take on the dictatorship when a Roman army was besieged by the Aequi. It took him only 15 days to raise troops and defeat the enemy, and after his triumph he returned home to continue to farm his fields. Cincinnatus often served as an exemplum of Roman virtue, especially with regard to commitment to hard work and frugality: according to Valerius Maximus (4.4.7) he only owned seven iugera of land of which he lost three as security for a friend. Cicero links the term viatores, who were assistants to senatorial officials and functioned as messengers, summoning them to sessions of the senate, with the term via (road), because they were expected to have to travel to farms outside Rome to reach the senators. He presents Cato as praising the old-fashioned lifestyle of these early senators, on the grounds that agriculture is of benefit to the entire human race and because of the pleasure involved in providing sustenance to men and offerings for the worship of the gods.

In his account of the anecdote, Dionysius describes how Cincinnatus was actually following his 'lean' oxen in preparation for sowing his ground, wearing only a small loin-cloth and head covering. When he was greeted as 'consul', his response was to shed tears as his field would remain unsown, and would therefore be insufficient to support his family for that year. He then kissed his wife and was escorted to Rome. Dionysius comments that this shows his readership what the leaders of Rome had been like, in that 'they worked with their own hands, led self-disciplined lives, did not complain about honourable poverty, and, far from pursuing positions of royal power, actually refused them when offered', tacitly contrasting them with the senators of his own day (Dion. Hal. 10.17.4–6: doc. 2.13).

Cato the Elder: the old-style Roman

Cato the Elder constantly referred to traditional standards to warn his senatorial colleagues and the Romans in general against innovations in public and private life. As censor in 184 he aimed to reverse the decline in morals and abandonment of ancient norms, rigorously enforcing the lectio senatus (senatorial roll), ejecting members who were thought to be unsuitable, and opposing the new luxuries that were creeping into Roman life from the East (Diod. 37.3.6: doc. 5.57, cf. 5.61–62). He prided himself on his parsimony, and Plutarch, an animal lover, criticises him for his sale of elderly slaves, telling us that Cato even left his campaign horse in Spain after his consulship to save the city the cost of its transportation home. He also recorded the way in which Cato farmed his own land, wore a sleeveless tunic in winter and none in summer, and ate the same bread and wine as his servants, even when a magistrate. His attitude towards the luxuries enjoyed by his senatorial colleagues is shown by his comment that he thought nothing cheap that one could do without, but that what a person did not need, even if it cost one cent (an *as*), was expensive; also that for his own part he acquired lands where crops were raised and cattle herded, not those where lawns were sprinkled and paths swept (Plut. *Cato Mai.* 3–4: doc. 2.14).

As well as being an indefatigable politician and advocate in the courts, Cato was also the founder of Roman prose literature. His *Origines*, in seven books, charted Roman history from the earliest period down to 149, the first history written in Latin.

While only fragments of this are extant, his *On Agriculture*, written c. 160, survives as the earliest extant piece of connected Latin prose, comprising a guide to property owners as to how best to manage their estates. The treatise particularly deals with moderately sized slave-run properties producing wine or olive oil: such ‘villa’ estates comprised some 25–75 hectares. His advice drills down to specific purchases, and he itemises the items needed for a vineyard of 100 iugera (including cooking pots and bed-covers), and the necessary personnel: ‘an overseer, house-keeper, 10 labourers, ox-herd, donkey-driver, willow-worker, swineherd – a total of 16 persons’, plus two oxen, two cart-donkeys, and a donkey for the mill (*Cato Agr.* 11.1–5: doc. 2.15).

Cato was born at Tusculum, and his advice in this work is especially directed to farmers in Latium and Campania, districts he clearly knew well. He recommends the places to buy equipment: tunics, togas and boots at Rome; iron tools, mattocks, axes and bits at Cales and Minturnae; carts at Suessa; vats at Trebla, Alba and Rome; tiles at Venafrum. He recommends Campanian ploughs as the best for blackish earth, olive-crushers from Pompeii, and press-ropes from L. Tunnius at Casinum and C. Mennius at Venafrum (*Cato Agr.* 135.1–3: doc. 2.16). No detail was too small to be attended to by a frugal landowner, and Cato’s advice even included medical recipes. He recommended the use of cabbage as a promoter of digestion, as:

it promotes digestion marvellously, makes a good laxative, and the urine is good for everything (i.e., medicinally). If you want to drink a good deal and dine freely at a dinner-party, before dinner eat as much raw cabbage, seasoned with vinegar, as you wish, and similarly after dinner eat some five leaves; it will make you feel as though you had not dined and you can drink as much as you want.

(Cato *Agr.* 156.1: doc. 2.17, cf. also doc. 5.61)

Cabbage was a favourite medicament of his, and the main ingredient in prescriptions for cleaning out the digestive tract, colic, strangury, headaches, ulcers, and poultices, while the urine of those who eat cabbage can be used to bathe babies and cure weak eyes. His recipe for an effective and ‘agreeable’ purgative included ham, cabbage, beet, fern, fish, a scorpion, six snails, Koan wine, and a handful of lentils (*Agr.* 158.1).

Romans of all classes, not just senators, engaged in farming, with veterans in the first century BC expecting an allocation of land when discharged, and for the wealthier classes it was seen as the leisured, preferred lifestyle. When Cicero’s freedman and secretary Tiro bought a farm in 44, Cicero’s son Marcus wrote him a joking letter from Athens about having to renounce all citified refinements and become a country Roman, ‘buying country gear, talking to your bailiff, and saving up in your hem the fruit-stones from dessert’, so that, as part of the frugal country lifestyle, he could plant them later on the property (Cic. *Fam.* 16.21.7: doc. 2.18).

Despite his engagement in agriculture, and the fact that senators were not supposed to engage overtly in business (though of course many did), Cato also dabbled in mercantile activities, including money-lending, though only at low-risk, investing his capital in safe concerns. While he engaged in money-lending, in particular bottomry loans (loans on ships’ cargoes) which was seen as a reprehensible way of making money, he only did so in partnership with a large number of others, in this way minimising the risk (Plut. *Cato Mai.* 21.5–7: doc. 2.19). He continually positioned himself in opposition to the increasingly luxurious lifestyle of the nobiles and spent considerable time

in court in pursuit of numerous political feuds, even at the age of 90. He was himself prosecuted nearly 50 times by his political enemies but always acquitted (*Plut. Cato Mai.* 15.1–4).

Bathing facilities on country estates

Facilities for bathing highlighted the differences between the traditional lifestyle of the elite and that enjoyed at the end of the Republic. When Seneca the Younger (who died in AD 65) paid a visit to the villa of Scipio Africanus, defeater of Hannibal, at Liternum north of Cumae, he described with some surprise the amenities of the house, deliberately contrasting modern luxury with the austerity of olden times. The use of private baths in Greek cities in Sicily and southern Italy had influenced both Roman and Carthaginian practices, with private baths being found in Campania and around Rome in the early second century. Hypocaust heating was invented c. 100 BC and by the first century AD public baths in Roman Italy could comprise a sequence of rooms: the hot water room (caldarium), tepid room (tepidarium, which was heated with warm air), sweating-room (laconicum or sudatorium), and frigidarium (cold water room). Bathers started in the tepidarium, and then visited the laconicum and caldarium, returning via the tepidarium to the frigidarium, where they cooled down. As well as a changing room, public baths were often linked to a palaestra, or sports ground, which could be decorated with statues, wall paintings, and mosaics, like the baths of Agrippa on the Campus Martius, Rome's first thermal baths, given to the public after his death in 12 BC (*Dio* 54.29.4: doc. 15.50).

Seneca uses the diminutive term, balneolum, ‘tiny bath’ (rather than balneum or balnearium) to describe Scipio’s private bath, to emphasise its dimensions, and imagines him as making use of it after exhausting himself working on his farm. He notes that it was small and narrow, as well as ‘dark in keeping with ancient custom (for our ancestors thought that a bath should not be hot unless dark too)’ (*Sen. Ep.* 86: doc. 2.20). Though hot water was available, there were no windows in the caldarium, and no tepidarium or laconicum to hang around in ‘before boiling in his bath’. The water was often dirty, and even muddy – but then he had manly sweat to wash off, not unguents. To Seneca’s contemporaries this would have been like living in exile! And, he continues, they should note too that Scipio didn’t even bathe every day: in his time, Romans simply washed their arms and legs after hard work, and bathed once a week. And to the criticism that these filthy chaps must have smelled, Seneca responds that they did – they smelt of the army, hard work, and manliness.

Conspicuous consumption in Rome

By the mid-second century, after the destruction of Corinth and Carthage in 146 BC, Rome had been flooded by spoils of war and luxury goods (precious metals, gems, statues, and other great works of art, as well as slaves) which inspired a love of exotic furniture, art, and cuisine (cf. docs 5.54–66). The influx of wealth into Rome’s competitive culture led to a significant increase in elite expenditure, and increasing levels of inequality between rich and poor.

Cicero’s friend Atticus, an equestrian, inherited two million sesterces from his father and a further ten million from his uncle who adopted him (*Nepos Att.* 14: doc. 12.26).

Even Atticus, however, was not so wealthy as the financier M. Licinius Crassus, colleague of Pompey and Caesar in the ‘First Triumvirate’, who turned an inheritance of 300 talents into 7,100 (42,600,000 denarii), amassing immense wealth during the proscriptions of Sulla in 82–81 and through other dubious activities (Plut. *Crass.* 2.1–7: doc. 2.21). He was notorious for purchasing buildings in Rome threatened by fire at rock bottom prices, where he then built new tenement housing with his own trained labour force of slaves, thus acquiring a large proportion of the real estate in Rome: Plutarch describes him as ‘making his greatest profits from public misfortunes’. He owned a small fortune in specialist slaves, as well as mines and estates, and acquired political supporters by lending money to ambitious young politicians. His political career, however, was overshadowed by those of Pompey and Caesar, his censorship was ineffectual, and he died in an ill-judged campaign in Parthia which saw one of the greatest losses of troops in Roman history.

While some first-century Romans, like Cato the Younger, deliberately promoted their commitment to austerity and traditional values, immense wealth and a lavish lifestyle was no bar to high office. In fact, the ability to win popularity through games, shows, and other largesse (not to mention bribery) was a great political advantage, and there was always a tension between the lip-service paid to the virtues of ancient frugality and the need to affirm status and wealth by conspicuous display. L. Licinius Lucullus (cos. 74) was one of the Romans most devoted to a luxurious lifestyle, and, after his political career was shafted by Pompey and businessmen whom he had angered by his equitable treatment of the provincials in Asia, he retired from public affairs, having amassed a fortune as propraetor in Africa, and as supreme commander in charge of the war against Mithridates VI in Asia. Diodorus (4.21.4) called him perhaps the richest man in Rome in his day, and he was a noted gourmet, bibliophile, and collector of art. Plutarch speaks of his extravagant buildings, covered walks, baths, and works of art, and particularly noted his extravagant gardens, impressive even in Plutarch’s own day: he was reportedly the first to import the cherry (Latin: cerasum) to the West from Cerasus in Pontus (Pliny 15.102).

Plutarch describes how Lucullus tunneled through hillsides at his country residences to access fresh and seawater streams for his fish-ponds, which gained him the title (by Tubero the Stoic) of ‘Xerxes in a toga’. When Pompey once criticised the layout of one of his residences near Tusculum, with its complexes of open dining-rooms and colonnades, which made it uninhabitable in winter, Lucullus laughed at him for not realising that this was just one of his summer residences and that he changed abodes, like cranes and storks, depending on the seasons. Gabinius, as tribune in 67, showed the people a picture of Lucullus’ villa in the hope of undermining his political reputation by highlighting his extravagance (Cic. *Sest.* 93), but, while the hedonism of his lifestyle was marked by its excess, it was not seen as reprehensible in itself or as a violation of good taste. The term ‘Lucullan’, used today to describe excessively luxurious banquets, derives from his dinners, which when he entertained guests on formal occasions could cost some 50,000 denarii (Plut. *Luc.* 41.1–6).

A priestly banquet and other Epicurean luxuries

The details of a particularly extravagant pontifical banquet are preserved by Macrobius. It was hosted by the pontifex maximus, Q. Caecilius Metellus Pius (cos. 80), to

mark the installation of L. Cornelius Lentulus Niger as flamen of Mars, probably in 70. Such banquets were part of the rituals of the priestly colleges, and on this occasion four of the Vestals were also present, with the other two presumably left behind to perform the sacred duties, or because of their youth. The wife and mother-in-law of the new flamen were also present, as his wife Publicia was now being honoured with the title and duties of flaminica. The Vestals' presence at such feasts was clearly not unusual, and a first-century AD relief from the Campus Martius (now in the Musei Capitolini, Rome) depicts five Vestals seated at a banquet, holding drinking cups, alongside other high-ranking women.

The dinner appears to have consisted of two courses, the entrées and the dinner proper. The pre-dinner snacks featured sea urchins, raw oysters, giant mussels, cockles, thrushes on asparagus, fattened hens, a dish of oysters and mussels, and shell-fish (both black and white). This was followed by a second round of hors d'oeuvres, consisting of cockles, shell-fish, sea-nettles, fig-peckers, haunches of goat and boar, fattened fowls in pastry, murex, and purple fish (Macrobius *Sat.* 3.13.10–12: doc. 2.23). These entrées were intended to stimulate the appetite for the dinner, which included the substantial dishes of sow's udders, half-heads of boar, a dish of fish, another dish of sow's udders, ducks, boiled teal, hares, roast fattened fowls, creamed wheat (probably a dessert) and Picentine bread rolls. The invitees used three triclinia, dining-rooms with ivory couches, two for the priests, and the third for the six women who would have sat upright. The male guests comprised the college of pontifices, which after Sulla included the 15 pontiffs, the rex sacrorum, and the three major flamines, plus three of the minor flamines. This must have been an unusually Epicurean banquet, as Macrobius criticises it as a form of unrestrained gluttony and dilettantism, which was compelling the wealthy at the time to force-feed hares and even snails for their delectation (cf. Varro *Rust.* 3.6: doc. 2.24).

By the late first century BC dining had, for the elite, become an art form. In his work on farming written in 37 and addressed to his wife Fundania who had just bought a farm, Varro gives details of some of the high-intensity high-return options available for the small-scale villa farmer. In book three, L. Cornelius Merula ('Blackbird') describes the creatures that could be reared in this type of farming system, categorising them under the headings of aviary (all types of fowl), hare-warren (including bees, snails, and dormice), and fish-ponds (salt and fresh). One of the specialisations, the keeping of peafowl, could bring in an income of as much as 60,000 sestertes a year, and the birds were a prized addition at banquets; Q. Hortensius (cos. 69), Cicero's main opponent in the courts, had been the first to serve them at his inaugural banquet as aedile in 75. Hortensius, who was extremely wealthy, was frequently attacked for his lifestyle, in particular his passion for the denizens of his fish-ponds, and Macrobius (3.13.3) records that he was said to use wine to water his plane-trees. Pliny (12.3–4) confirms that the plane was so valued for its shade that wine was used to nourish these trees to encourage root growth.

In Varro's account Merula states that one peacock egg (approximately three times the size of a chicken egg) could sell for five denarii, one of the birds for 50, and a flock of 100 for 10,000 (Varro *Rust.* 3.6: doc. 2.24). Dormice were also a popular dish, and from the second century they were farmed for consumption at luxury banquets. They were kept in specially designed enclosures (gliraria), jars where they 'grow fat in the dark', and fed on acorns, chestnuts, and walnuts. They were frequently served

roasted with honey and poppy seeds, despite their consumption being prohibited in sumptuary laws in 115 and 78. Snails, of which there were three distinct types (from Reate, Illyricum, and Africa), were also farmed in special enclosures of their own (*cochlearia*), and fed on must, spelt, laurel leaves, and bran.

The most frequently criticised culinary passion was that for fresh fish, with the wealthy, like Lucullus and Hortensius, constructing specifically designed fishponds where the fish were hand-fed, and Cicero makes fun of such ‘*piscinarii*’ (‘fishpond-lovers’) (*Att. 2.1.7*). Those for salt-water fish were particularly expensive, and Q. Axis, one of Varro’s interlocutors, cites the fact that C. Lucilius Hirrus (tr. pl. 53) used to spend 12,000 sesterces a year on his fish, and his fishponds were such an asset that his villa sold for four million sesterces. On one occasion he provided Caesar with 2,000 lampreys, a type of sea eel (the *muraena*) which was considered a great delicacy (Pliny mentions 6,000: 9.171). Vedia Pollio, another epicure, earned the wrath of Augustus for intending to throw one of his slaves to his lampreys (*Sen. de Ira* 3.40.1–4: doc. 6.26).

Gloria

Aristocratic Rome was a highly competitive society, and for the elite the highest achievement was attaining the consulship. This gave a man and his family dignitas (prestige), gloria (renown), and auctoritas (influence and authoritative position). Even before Sulla increased the number of praetorships to eight per year, most praetors had failed to become consul, and according to Sallust (*Cat. 4.1*) to retire from public life after holding the praetorship left one open to charges of indolence and idleness. It was considered laudable to strive for political office, and Cicero, in his *Tusculan Disputations* (2.58), argued that: ‘We naturally yearn after and hunger for honour, and . . . there is nothing we are not ready to endure and suffer in order to obtain it’. The successful consular candidate would hope for a province where he would be able to recoup his electioneering expenses, and, with luck, increase his prestige by being awarded a military triumph, the highest honour to be won in the Republic. Roman values were those of a warrior culture based on a cult of victory, and aristocratic competition underlay the government of the Republic, with the ambition of individuals ensuring that the necessary officers of state were elected on an annual basis.

The epitaphs of the elite generally dwell on the magistracies and military victories enjoyed by the deceased. The ideal qualities of a Roman aristocrat comprised not only dignitas, auctoritas and gloria, but virtus (courage, or the qualities of a man), pietas (piety to gods and family), and gravitas (dignity, solemnity, austerity). Those who died young are shown as possessing similar (potential) virtues, which they were unable to demonstrate because of their premature demise. An inscription on the sarcophagus of a P. Cornelius Scipio, possibly the eldest son of Scipio Africanus, who died c. 170, comments that had Publius been permitted to enjoy a longer life he would have surpassed the glory of his ancestors (*ILS 4: doc. 2.25*); death however has caused his qualities to be short-lived.

Another Scipio who died before he could reach his full potential was Cn. Cornelius Scipio Hispanus (son of Cn. Cornelius Scipio Hispallus, cos. 176). Hispanus was praetor peregrinus in 139, but died before he could reach the consulship. His career augmented the virtues and prestige of his family, as he emulated the deeds of his father, and rivalled the praise won by his ancestors ‘so that they are glad I was created of their

line; my magistracies have ennobled my lineage' (*ILS* 6: doc. 2.26). The aristocratic Roman had to rival the achievements of his forefathers, and if possible surpass them for the sake of the family's honour and reputation, which conferred prestige and *auctoritas* on all its current and future representatives.

Respect for ancestors was expected to inspire nobles to great and worthy deeds. Families whose ancestors had held office as curule aedile, praetor, consul, or censor had the right to keep portrait-masks (*imagines*) of these forefathers, usually made of wax, which were carried in funeral processions along with their robes of office by actors or family members (Figure 2.3). The funeral oration in the forum praised the

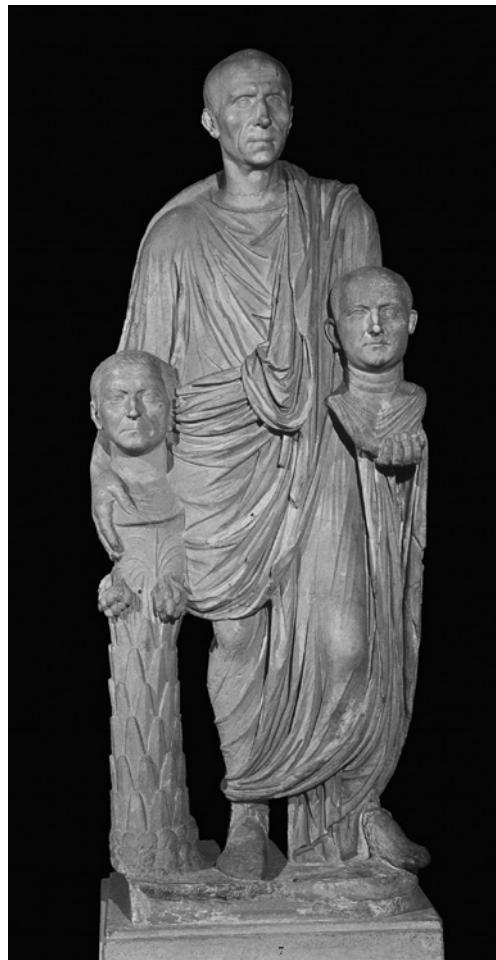


Figure 2.3 The togate 'Barberini statue', dating to the late first century BC. It depicts a full-length togatus, a senator dressed in the toga, holding the funerary masks (*imagines*) of his father and grandfather. The head is a restoration of the seventeenth century. Palazzo dei Conservatori, Rome.

Source: Photo © Album/Art Resource, NY

achievements of these ancestors, as well as those of the recently deceased. The masks were kept in a prominent place in recesses in the atrium of the house, and were publicly displayed on feast-days and crowned with laurel for special occasions (Polyb. 6.53: doc. 3.77). Sallust has Marius, as a *novus homo* (a ‘new man’), boast that, unlike his noble rivals, ‘it is not possible for me . . . to show the masks or triumphs or consulships of my ancestors’ (*BJ* 85.29). Sallust describes the brothers Q. Fabius Maximus Aemilianus and P. Cornelius Scipio Aemilianus, the sons of L. Aemilius Paullus who were adopted into the Fabii Maximi and Cornelii Scipiones, as declaring that ‘whenever they looked on the masks of their ancestors, their hearts were set aflame in the pursuit of virtue’ (Sall. *BJ* 4.5–6: doc. 2.27). In Sallust’s view (Sallust was himself praetor in 46, but a *novus homo* and Caesarian), the memory of the great achievements of their ancestors spurred on eminent men until they rivalled the reputation of their forefathers, and it was considered demeaning to fall short of one’s ancestors’ achievements. The imagines were accompanied by tituli, written records of the ancestors’ names and great deeds, and Livy notes that a degree of falsification had crept into funeral eulogies and the tituli displayed in family homes, because noble families were attempting to appropriate successes and dignities to which they were not entitled (Livy 8.40.3–5: doc. 2.28). In Livy’s view this exaggeration and falsification had led to confusion regarding the achievements of prominent individuals of the past and to questions about the accuracy of public records of events more generally.

The emphasis placed on competitive achievements can be seen as early as the third century in the funeral oration for L. Caecilius Metellus, consul in 251 and 247, magister equitum in 249, pontifex maximus from 243, and dictator in charge of holding elections in 224. He had been a general in the First Punic War, winning a major victory over the Carthaginian general Hasdrubal at Panormus in Sicily in 251, which included the capture of 120 elephants, some of which were exhibited in his triumph in 250. These became the ‘heraldic’ symbol of the Metelli, appearing on coins minted by members of the family. Metellus supposedly lost his eyesight while rescuing the palladium brought from Troy by Aeneas from the burning temple of Vesta in 241 (and was then voted by the Roman people the right to ride in a chariot to senate meetings because of his blindness). The funeral speech was delivered by his son Quintus (cos. 206) in 221 BC, who lists the ten most important goals that his father had successfully achieved: he was a first-class warrior, an outstanding orator, a courageous general, in charge of ‘events of the highest importance’, and he attained the greatest prestige, possessed exceptional wisdom, ranked as the first of the senators, acquired wealth in a ‘respectable’ way, was the father of many children, and the most important person in the state (Pliny 7.139–140: doc. 2.29). In Quintus’ view, no Roman but his father had achieved all these since Rome’s foundation.

Cicero’s advice to his son Marcus

In writing to his son Marcus in 44, Cicero emphasised the importance for a young man (Marcus was about 20 years of age) of going into politics. Marcus showed little interest as a young man, but eventually became suffect consul in 30 and then proconsul of Asia. Cicero’s view, especially in light of his own career and standing, was that those who possessed the qualities necessary for engaging in public business were obliged to strive for election and take part in government (Cic. *Off.* 1.72–73; doc. 2.30). There

would be disappointments: politicians, like philosophers, should possess the greatness of spirit and peace of mind to live with dignity, whatever misfortunes might befall them. Cicero is thinking here of his own exile brought about by his political enemies. Young men who wished to enter public life should dispassionately assess their own capacity to succeed, and beware of becoming either over-confident from ambition or despondent from timidity, with careful preparation essential in all such enterprises, as he had demonstrated in his own career as an orator and advocate.

Cicero had earlier written to his brother Quintus in 60, when Quintus was serving as governor of Asia, reminding him that his behaviour would redound to the credit (or otherwise) of the entire family, including Marcus himself. Cicero, as a *novus homo*, the first to become a senator let alone consul, positions his own consulship of 63 as a benchmark for the entire family to bear in mind as the ultimate goal (Cic. *Quint.* 1.1.43–44: doc. 2.31). Quintus, the younger brother, had been *aedile* in 65, after which he probably concentrated his efforts on Marcus' candidature for the consulship: the handbook on how to stand for election, the *Commentariolum Petitionis* written in 64 (doc. 2.38), is now generally agreed to have been his work. His election to the *praetorship* of 62 was doubtless assisted by the fact that his brother was *consul* at the time. While Marcus praises his brother in the letter, he also criticises him for his outbursts of temper, which he advises him to keep under control. Now that Marcus has been *consul*, he warns Quintus, it is incumbent on them both to strive for a glory that has already been won, which it is as important to defend in the present as it had been to win in the past. Unless Quintus' deeds and words accord with Marcus' achievements, his own labours will all have been in vain. The very efforts that Quintus has taken on his behalf to acquire him this splendid reputation require him to work harder than anyone to ensure that Marcus retains it. He must, moreover, have an eye to posterity, so that the retrospective judgement of Marcus' career will be favourable, free of the detraction and malice endemic in Roman politics. Quintus has also to remember as *governor* that his reputation is not his alone, but has to be shared with both Marcus and their infant children, Marcus and Quintus junior.

The Roman triumph

To be awarded a triumph was the ultimate achievement for a Roman senator. For a triumph to be awarded the war had to have been ‘just’ (a ‘*bellum iustum*’: civil wars did not count, nor did engagement with a slave revolt); the general had to possess full *imperium* (and therefore hold the rank of *consul*, *praetor*, *dictator*, or *magister equitum*); and 5,000 or more of the enemy troops had to have been killed, not merely routed, and without major loss of troops on the Roman side. If the senate felt that not all the conditions had been met, it could award the lesser ovation (*ovatio*) instead.

The triumphal ceremony appears to have dated back to an old Latin ritual in honour of Jupiter, with Etruscan elements added to it in the time of the kings, including the purple robe, triumphal chariot, golden crown, and sceptre. The general had to remain outside the *pomerium* prior to the celebration, and the army, or some part of it, waited on the *Campus Martius* to take part in the procession. On the day, the *triumphator* entered Rome, preceded by prisoners of war, carts carrying the spoils of war, and triumphal paintings and banners. Dressed in the *toga picta* (‘painted toga’), an elaborate dress of purple embroidered with gold, which was worn over the tunica

palmata (a tunic decorated with palm leaves), and with his face painted red like that of the statue of Jupiter in the Capitoline temple and crowned with a laurel wreath, the corona triumphalis, the triumphator was carried in a elaborately decorated four-horse chariot, with a slave behind him holding a golden crown of oak-leaves, repeating the words ‘memento te hominem esse’ ('remember that you are a man'), a reminder that he was still only human. The soldiers followed, adorned with laurels and singing risqué songs about their general, which were often slanderous. The route of the procession led from the porta triumphalis via the forum Boarium and Circus Maximus to the forum Romanum, where a conquered enemy leader might be killed in the public prison, the Tullianum, as part of the ceremony, and terminated at the temple of Jupiter on the Capitol, where sacrifices were performed and a banquet held. Games put on for the populace might last for several days, while donations of money were given to the soldiers and sometimes also to citizens.

Dionysius explains to his readership the difference between the triumph and the ovatio in the context of a war against the Sabines in 503. Of the two consuls, P. Postumius Tubertus and Agrippa Menenius Lanatus, Postumus was awarded the lesser triumph because of an earlier defeat in which he had lost a number of his troops (Dion. Hal. 5.47.1–3: doc. 2.32). While Menenius in his triumph entered the city in a ‘royal chariot’, Postumius was on foot, and instead of the ‘toga decorated with gold’ with the golden crown and sceptre wore the standard magisterial dress of a white toga bordered with purple, the toga praetexta, and a crown of laurel. Similarly T. Siccarius (or Sicinius) Dentatus in 487 was granted a triumph after the destruction of a Volscian army and the death of their general Tullus Attius (or Attius Tullius). Dentatus rode into the city accompanied by his booty, prisoners, and army, in a chariot drawn by horses with golden bridles, dressed in the royal robes. His colleague Aquilius was only awarded an ovatio for his war against the Hernici because the enemy ungenerously fled rather than remaining on the battlefield to be slaughtered (Dion. Hal. 8.67.9: doc. 2.32).

The triumph of L. Papirius Cursor (cos. 293) over the Samnites after his victory at Aquilonia was celebrated ‘in a style which was splendid for those times’ (Livy 10.46.2–6: doc. 2.33). The infantry and cavalry were adorned with their decorations of honour, and many wore military crowns for being the first to climb a rampart or wall (cf. Polyb. 6.39.1–10: doc. 5.7); the spoils rivalled those carried in the triumph of his father Lucius in 319 (cos. 326, 320, 319, 315, 313); and a number of noble and distinguished prisoners were led in the procession, which displayed 2,533,000 pounds of heavy bronze and 1,830 pounds of silver. Papirius was awarded a second triumph for his consulship in 272 when he forced the surrender of Tarentum, after which he had the first sundial set up in Rome and dedicated a temple to Consus, god of the grain harvest, along with a portrait of his triumph.

With the conquest of the Eastern Mediterranean triumphs became increasingly lavish. When Lucullus (cos. 74) celebrated his long-delayed triumph over Mithridates in 63 (it was due for celebration in 66), he adorned the circus of Flamininus with the enemy weapons and royal war-engines, while in the procession he displayed Mithridates’ male-clad horsemen and ten scythe-bearing chariots, 60 of Mithridates’ friends and generals, 110 warships, a golden statue of Mithridates 6 feet high, and 52 litters of silver vessels and gold cups, armour and coins. Golden couches were carried by eight mules, ingots of silver by 56, and silver coins by another 107. Placards also

recorded the money he had already made over to Pompey for the war against the pirates and to the public treasury, and the fact that each of his soldiers had been given 950 drachmas (Plut. *Luc.* 37.3–6: doc. 2.34).

This was surpassed by Julius Caesar, who celebrated five triumphs, four of them between 20 September and 1 October 46 for his victories in Gaul, Egypt, Pontus, and Africa. The Spanish triumph over Pompey's sons took place in 45. In his Gallic triumph Caesar ascended to the Capitol between 40 torch-bearing elephants, and his Pontic triumph included a sign with the famous words 'Came, saw, conquered!' (*veni, vidi, vici*) describing his lightning victory (Suet. *Jul.* 37–39: doc. 2.35). Every one of his veterans was given 24,000 sesterces, in addition to the 2,000 paid them at the beginning of the civil war, and all received a farm. The people each received ten modii of grain and ten pounds of oil, plus the promised 300 sesterces each, which was raised to 400 because of a delay in payment. A year's rent was remitted for those in Rome who paid rent up to 2,000 sesterces, and there was a banquet and meat distribution. He gave two dinners following his Spanish triumph, as he thought the first insufficiently magnificent. As part of the celebrations he hosted a gladiatorial contest, plays in various languages, chariot races, three days of athletic competitions, wild-beast displays, the 'Troy game' (*lusus Troiae*, a equestrian battle between noble youths), and a naval battle on a lake especially dug for the purpose, between Tyrian and Egyptian fleets. Prominent Romans and aristocratic youths competed in events and so many attended that visitors had to sleep in the streets, and many were crushed in the crowds, including two senators.

Candidature for office: **ambitio**

The term used for standing for office was *ambitio*, from *ambire* (to 'go around'), describing the solicitation of votes by candidates. It was related to the term *ambitus*, which initially meant the process of canvassing, but later came to involve electoral malpractice or bribery, a constant factor in the Roman electoral system due to the intense competition in most years for the consulship. By the first century BC bribery was endemic, after the introduction of the secret ballot by the *lex Gabinia* of 139 made bribery more effective, with voters being able, unobserved by their patron, to sell their vote to the highest bidder. While, in theory, clients were obliged to vote for their patron, the widespread occurrence of bribery in the later Republic suggests that the patronage system did not control most of the electorate, and that voters were free to make their own choices.

Canvassers in Rome wore a specially whitened toga (the *toga candida*: hence the term 'candidate') without a tunic underneath. Plutarch debates the reasons behind this custom, suggesting that it might have been so they were unable to hide monetary bribes in their clothing, or in order to display honourable battle scars to the electors. Candidates might even have been deliberately humbling themselves to show their subservience (Plut. *Rom. Quest.* 49: doc. 2.36). The dress code, however, was probably intended to show an adherence to traditional values: Cato the Younger was given to dress in the toga with only a loin-cloth beneath it and no tunic, as part of the display of his adherence to the *mos maiorum* (Plut. *Cato Min.* 6.3, 44.1, 50.1). According to Cicero it was essential that candidates display humility, as if asking for a favour, and

on entering office the new consul had to address the people thanking them for their support (*Cic. Leg. Agr.* 2.1: doc. 2.45). The perception that a candidate was being supercilious, or the making of an ill-timed joke, might annoy the electorate so much that it could upset an otherwise safe candidacy: P. Cornelius Scipio Nasica Serapio (cos. 111), the great-grandson of Scipio Africanus, lost an election for the aedileship when he made fun of the calloused hands of one of the voters, asking if he walked on his hands. The people, especially in the rural tribes, saw this as a reflection on their poverty and hard work and voted for his rivals (*Val. Max.* 7.5.2: doc. 2.37).

Laws against bribery were passed in 181 and 159, and by 116 a standing court for bribery and electioneering malpractice, the *quaestio de ambitu*, had been set up (Marius was tried before this: *Val. Max.* 6.9.14: doc. 9.4). Sulla's legislation as dictator in 81 imposed as the penalty a ten-year exclusion from office, and there were nine laws passed dealing with *ambitus* between 70 and 52. The *lex Acilia Calpurnia* of 67, which unseated both consuls-elect for 65, laid down as a penalty expulsion from the senate, while Pompey's law of 52 appears to have mandated exile for life and his trials in 52 cracked down on a number of past offenders, backdating offenses from 70 onwards. But it was almost impossible to eradicate the expectation that bribery would be a normal part of elections, and it was only under Augustus, following the *lex Julia* of 18 BC, that bribery was discontinued, primarily because it was Augustus' support, and not the people's votes, that decided the outcome.

Candidates for office were of course supposed to engage in legitimate expenses in order to entertain or materially benefit sections of the electorate, particularly fellow-tribesmen and clients. Banquets could be hosted for groups of electors, and Crassus' in 70 was exceptionally large with 10,000 tables (*Plut. Crass.* 12.2). Such dinners, like gladiatorial shows for deceased family members, apparently did not violate laws on bribery, though actual distributions of money did. Candidates could employ *divisores*, officials whose job was to pass along patrons' gifts to members of their tribes, but who could also be used to distribute bribes. The line was a fine one: Cicero in his *Pro Murena* defended L. Licinius Murena (cos. 62) against the charges by Cato and his failed rival Ser. Sulpicius Rufus of bribery in his candidature, arguing that it was the games Murena had put on as praetor in 65 that had won him popular support, as well as the banquets, games, and gladiatorial shows that he had hosted. Candidates, he argued, should not be 'restrained from showing that generosity which means liberality rather than bribery' (*Cic. Mur.* 77: doc. 2.39). Cicero himself, however, as consul in 63, carried a law forbidding the giving of gladiatorial shows during the two years before becoming a candidate for office, but the giving of games earlier in one's career, specifically as aedile, was a good electioneering ploy: those hosted by Caesar as aedile were particularly splendid (*Suet. Jul.* 10.1–2: doc. 2.76; cf. 11.2 for Sulla). While canvassing for the consulship of 52, Milo put on extravagant games and Asconius reports that he squandered three patrimonies and gave each voter (presumably in the influential tribes) 1,000 asses (*Asc.* 31, 33). He was later convicted of bribery during Pompey's consulship of 52. It was not only the consulship that was hotly contested, and Cato as praetor in 54 was supposedly given pledges for 500,000 sesterces by each of the candidates for office, to be forfeited if they transgressed the legislation against bribery (*Plut. Cato Min.* 44.5–6).

The art of electioneering

Candidates, like wealthy Romans, used a slave nomenclator (plural: nomenclatores) to help them remember the names of electors so they could address everyone as if they knew them personally. Quintus Cicero highlighted the importance of this in the *Commentariolum petitionis*, a handbook of guidelines on how to run a successful electioneering campaign, written for his brother's candidature for the consulship. In this work Quintus, or the pseudonymous author, urges Marcus to use his reputation as a speaker to counteract his status as a *novus homo* (new man), and to build up support through the use of existing personal connections and canvassing the popular vote. Fellow tribesmen, neighbours, clients, freemen, and even one's own slaves should all be encouraged to promote the candidate's success by raising him in the public's estimation, and clients are encouraged to become part of the crowd of escorts who always accompany him into the forum, so that 'you should always have a large gathering with you'. Candidates have to be able to show that they recognise voters, ingratiate themselves, and canvass everyone without exception, while publicising the support they have won from illustrious Romans and the ways they will promote the voters' interests. The reputation of opponents should be undermined where possible ('there should be scandalous comments, fitting their lifestyles, about the criminal actions, lust and bribery of your rivals'), while the candidate is to give the senate, equites, and people the impression that he is devoted to all of their interests ([Cic.] *Comm. Pet.*: doc. 2.38).

In his speech in defence of Cn. Plancius, who was prosecuted over his election as aedile for 54, Cicero's mentions the shock he felt when he returned home after his stint as quaestor at Lilybaeum in Sicily in 75. Only then did he realise that people back in Italy had either been totally unaware of his magistracy, or had the details of it wrong: in Africa (not Sicily), at Syracuse (not Lilybaeum). This impelled him to live even more in the public eye, haunting the forum, allowing an audience to anyone at any time, and using every moment of festivals and holidays to write speeches. These habits were especially important, because, as a *novus homo*, his success has had to rely entirely on his own efforts and initiatives, rather than being dependent on the reputation of his ancestors (Cic. *Planc.* 64–67: doc. 2.43).

Examples of electioneering notices supporting candidates for the local magistracies survive from Pompeii, where elections took place in April for the two duumvirs and two aediles who would take up office in July. The announcements date to the time of Sulla, and the colonists mentioned were his veterans settled in the area. There was clearly intense interest in the different candidates, and the use of abbreviations shows that such notices were readily comprehensible to the passers-by; for example, 'L. Aquitium d. v. v. b. o. v. c.' stands for L. Aquitium duovirum, virum bonum, oro vos, coloni', or 'L. Aquitius, as a member of the Board of Two, a fine man, I urge you, colonists (to elect him)'. Other notices vilify the opposition: 'Numerius Veius Barcha – may you rot!', or other voters: 'Quinctius. Anyone who votes against him should go and sit next to a donkey!' (*CIL* 1.2 1641, 1644, 1665: doc. 2.40).

Even candidates as well-known as Scipio Aemilianus (cos. 147, 134, cens. 142) had to deliberately cultivate the popular vote. Plutarch compares Aemilianus with his birth father, Aemilius Paullus (cos. 182, 168, cens. 164), who while admired by the people never did anything to court their favour and always sided with the aristocrats.

Scipio Aemilianus, however, won the censorship of 142 because he ‘always built on the immense favour and affection of the people’ and was seen accompanied by men of no family and ex-slaves (*Plut. Aem. Paull.* 38.2–7: doc. 2.41).

The secret ballot

Only three years after the censorship of Scipio Aemilianus, the political power of the people was considerably strengthened by the introduction of the secret ballot, which weakened the electoral influence of the aristocracy. Voting in the comitia was preceded by a contio to introduce the candidates, after which the citizens made their way across pontes, gangways, to cast their vote. Prior to this, voters had made their selection known orally, with one of the officials (rogatores) marking each vote on his official tablet. Following the introduction of the secret ballot, the voter was given a tablet covered in wax on which he recorded his own vote: in elections the name of the candidate, and on legislative issues the letter V for agreement (*uti rogas*), and A against the measure (*antiquo*, ‘I contradict’). The tablet was then placed in a voting-urn (*cista*), with the votes sorted by the tellers (*diribitores*). The procedure is illustrated on a late second-century coin, issued by P. Licinius Nerva (Figure 9.1).

There were four separate laws introducing the secret ballot in the second half of the second century: it was introduced in 139 for the election of magistrates (by the *lex Gabinia*), in 137 for trials before the people (the *lex Cassia*), in 131 for the approval of legislation (the *lex Papiria*), and in 107 for treason trials (the *lex Coelia*). In the *Laws* Cicero discusses whether the change from oral voting to the written tablets was beneficial. Quintus sees it as destroying the political influence of the optimates: ‘who does not realise that the balloting laws have stripped the nobility of all its power and influence?’ (*Cic. Laws* 3.34–36: doc. 2.42). In Quintus’ view, all four proposers of the legislation had suspect motives and were irresponsible politicians. This is obviously Marcus’ view as well, though he states that the ballot will be secret in his ideal state.

The novus homo

The Roman political system was designed to be intensely competitive, even for those who came from well-known consular families. These nobiles, ‘known men’, had an advantage in elections, and, for those without such a background, the uphill struggle through the cursus honorum to reach the consulship was daunting and laborious. According to Sallust, the nobles passed the consulship from hand to hand and considered no new man good enough to be worthy of that honour (*BJ* 63.7: doc. 9.6). The term *novus homo* (‘new man’, plural: *novi homines*) could include both the first in a family to gain a magistracy and enter the senate, or the first to reach the consulship. The senate had a history of closing ranks in the face of competition from outsiders, though the ruling elite was not a completely closed group, as the method of entry was by election, and the system did allow for the entry of new men and hence new families into the oligarchy: while the Caecilii Metelli filled 15 consulships between 143 and 52, this was highly unusual. Cicero (*Mur.* 17) listed the few consuls before his time, who were ‘new men’ like himself: M. Curius Dentatus (290 bc), Cato the Elder (195), Q. Pompeius (141), Marius (107), T. Didius (98) and C. Coelius Caldus (94), all of whom were the first of their families to enter the senate and to attain the consulship.

New men, like Cicero, had to establish their own client networks, but tended to accept the values of the senatorial order rather than combat them as radical politicians. Often it was due to a state of emergency, either when faced by an external enemy or by an internal revolutionary, that a new man was allowed to reach the consulship. In Cicero's case, it was the ambitions of the notorious Catiline, who, according to Sallust, was in the act of planning a conspiracy to gain the consulship, that gave rise to a willingness among the senatorial class to let Cicero become consul (and even then Catiline had his supporters among the nobility). Prior to this, he notes, 'most of the nobility were inflamed with jealousy and considered the consulship to be contaminated if a new man, however distinguished, acquired it' (*Sall. Cat.* 23.5–6: doc. 2.44), but in this case their jealousy and pride were less of a factor than the possibility of having a dangerous revolutionary elected consul.

With typical self-flattery, Cicero made the traditional speech on the first day of his consulship thanking the voters for their support in electing him and congratulating them on their perspicacity. This took place at a contio on 1 January 63, which preceded voting in the comitia tributa on an agrarian bill proposed by the tribune P. Servilius Rullus. This was a popular measure proposing the redistribution of ager publicus, which Cicero was determined to oppose. He comments that in such speeches it was usual to praise one's own ancestry, even though in so doing many of the speakers only demonstrated their failure to live up to the reputation of their forefathers. Cicero himself had no such ancestors to speak of, he admits, and prides himself on being the first new man made consul after an interval 'nearly more remote than our times can remember' (C. Coelius Caldus in 94), as the nobility had kept the position 'secured by guards and entrenched in every way' (*Cic. Leg. Agr.* 2.1–4: doc. 2.45). However, on this occasion, merit had won through. Moreover, Cicero had become consul 'suo anno', that is, 'his own year', at the age of 42 years in the year of election, and so in the first possible year in which he could have become a candidate. To be elected in his first candidacy and 'in his own year', was a glorious honour, like the fact that the comitia soon reached its decision, and thus it was 'not the last sorting of the votes . . . but the unanimous voice of the Roman people which declared me consul'.

Amicitia

Amicitia, friendship, was the term used in Rome for political friends (*amici*), as opposed to personal friends (*familiares*). Such friendships were an essential factor in politics at Rome where there were no clearly defined political parties or factions, and *amici* supported each other when in office, as well as in elections, court cases, and factional rivalries. What friends called an 'amicitia' could easily be titled a 'factio' (faction) by political opponents (*Sall. BJ* 31.15). Such amicitiae could be hereditary and existed between families as well as between individuals. At the same time they were unofficial and fluid, often changing to reflect circumstances, although there were formal obligations involved in the relationship, with the expectation of mutual assistance and a shared political approach. The opposite of *amici* were *inimici*, personal or political enemies, a relationship which could also be hereditary.

The term amicitia could also encompass the tie between nobles and their dependents or clients, particularly communities in Italy or overseas. Allies of Rome were referred to as *amici*, and foreign rulers could be titled a 'friend' of the Roman people as a

reward for their loyalty to Rome and allowed to set up a bronze tablet on the Capitol and sacrifice to Roman state gods, as well as receive public hospitality in Rome. Rome's relationship with foreign states was one of benefactors and recipients with obligations, hence a patron-client relationship as well as a manifestation of amicitia.

In a crisis not only family members, but all friends and clients (amici as well as familiares) were expected to rally round to show their support. Livy records in the case of M. Manlius Capitolinus (cos. 392), who was prosecuted for popular tendencies including a programme of debt cancellation, that it was unusual that the defendant was not attended in public by relatives, not even his brothers. Normally, the whole family went into mourning, wearing the toga pulla of dark wool, to support a family member facing trial (Livy 6.20.1–3: doc. 2.46).

Cicero presents a discussion between C. Laelius (cos. 140), close friend of Scipio Aemilianus, and his sons-in-law, Q. Mucius Scaevola and C. Fannius, in which Laelius explains the details of his friendship with Scipio. Nothing, according to Laelius, was more difficult than for a friendship to be life-long. Even if attachments did survive the tests of early years, a friendship could often be destroyed over a struggle for office, and was frequently sacrificed to monetary greed. Particularly for the optimi, the 'best men', it was 'the rivalry for official rank and glory from which have frequently arisen the greatest enmities between most devoted friends' (Cic. *Amic.* 10.33–34: doc. 2.47).

It was not uncommon for a Roman advocate to have to choose between two of his amici and support one or the other. When in 63 one of Cicero's friends L. Licinius Murena was prosecuted by another, Ser. Sulpicius Rufus, for bribery in the consular elections for 62 in which both had been candidates, Cicero, who had canvassed for Sulpicius Rufus, made the decision to act as Murena's defence advocate in court. In his speech, addressing Sulpicius, he explains that while he had enthusiastically supported him in the elections in view of their close relationship, the situation had now changed. When it was a case of preventing Murena from being elected, Cicero felt that it was incumbent on him to do everything he could for Sulpicius. Now, however, the same agreement was no longer valid and his long-term friendship with Murena could not be destroyed because of this prosecution. The fact of Murena's prestige and rank would have made Cicero look both arrogant and cruel had he not agreed to defend so distinguished a man (Cic. *Mur.* 7–10: doc. 2.48). Murena was acquitted and Sulpicius, one of Rome's greatest jurists, finally became consul in 51. Such conflicts were understood in Rome: the case did not affect Sulpicius' friendship with Cicero, and his son, another Ser. Sulpicius Rufus, was one of Cicero's frequent correspondents and considered by him as a possible husband for his daughter Tullia.

Amicitia presumed an alliance with mutual obligations and it was quite normal to request or demand favours from political allies and friends. At the end of 51, during Cicero's governorship of Cilicia, he wrote to C. Claudius Marcellus, one of the consuls-elect for 50, requesting his support for the awarding of a supplicatio for his victory over brigands in the Amanus mountains. A supplicatio was a thanksgiving celebration performed after a victory in battle, when the temples were opened and the statues of the gods placed on pulvinaria (couches), and prayers of thanksgiving offered in honour of the victor. Cicero had himself proposed as consul in 63 a ten-day supplicatio for Pompey at the news of Mithridates' death and a further one when the details of his conquests were reported at Rome. In 57 Cicero also proposed an unprecedented

15-day supplicatio for Caesar following his conquests in northern Gaul and Caesar was voted a 20-day supplicatio in 51 after the defeat of Vercingetorix.

In his letter Cicero recalls his past services towards the Marcelli and suggests to Claudio Marcellus that his consulship in the following year will be an excellent opportunity for him to display the devotion that his family feels towards Cicero. Cicero wrote a similar letter to Cato asking for his support (*Fam.* 15.5: doc. 13.19): Cato in fact voted against it, as he told Cicero, but the supplicatio was decreed by the senate in Cicero's honour in 50. The tortuosity of Cicero's phraseology in his letter to Marcellus suggests that he felt some diffidence in making the request:

since, therefore, it has happened that the devotion of you all can be put into practice by your consulship . . . I am asking you – and it can be most easily done, for I am sure that the senate will not reject it – to see to it that the decree of the senate, after my dispatch has been read, be as complimentary as possible.

(Cic. *Fam.* 15.10: doc. 2.49)

Cicero points out how much support he had received from Marcellus' father and how he was valued by M. Marcellus, Marcellus' cousin and consul in 51, as well as the fact that Marcellus, the recipient of the letter, out of all his family had shown the highest regard for Cicero.

A number of letters of Cicero deal with recommendations of one of his friends to another and book 13 of his *Letters to Friends*, with one exception, consists of such letters written in 46–44 BC. In 50 he wrote to C. Memmius, then in exile in Athens after a prosecution for bribery during his candidature for the consulship of 53. Memmius' pro-praetorship in Bithynia had been noted for his extortion and corruption, commented upon by the poet Catullus who was on his staff. Nevertheless, Cicero recommends to his notice Aulus Fufius, one of Cicero's 'most intimate friends' who treats Cicero 'with the greatest deference and devotion', and who is worthy of Memmius' friendship. This exercise of amicitia would not only please Cicero, but would bind Fufius to Memmius' interests in perpetuity 'by the strongest sense of obligation and regard' (Cic. *Fam.* 13.3: doc. 2.50). The letter is a demonstration of the degree to which Cicero was willing to help his friends and increase their own obligations to him, and of the ways in which the amicitia networks expanded to include friends of friends.

The qualities of an amicus can be seen in Ennius' portrait in his *Annals* of Cn. Servilius Geminus (cos. 217) who was killed at the battle of Cannae in 216. Geminus is shown as courteous and affable to his friends, with whom he gladly shared his table and conversation after a day of weighty political and military affairs, confidentially talking over with them the details of public affairs and senatorial discussions, as well as sharing jokes and all his pleasures. The description perhaps reflects Ennius' own relationship with his noble patrons as their friend and client (Enn. *Ann.* 270–287: doc. 2.51). It was Cato the Elder who brought Ennius from southern Italy to Rome, and he appears to have enjoyed both the patronage of the Scipiones, and that of M. Fulvius Nobilior who took him on campaign in Aetolia where Ennius celebrated his deeds in verse, in the manner of a 'court poet'.

Caesar displays the importance of personal friendship in his *Gallic War*, where he breaks the usually objective, third-person narrative to comment how he was able to rescue one of his intimate friends (a familiaris), C. Valerius Proculus, one of

the leading men in Gaul. Procillus had been taken prisoner in 58 when Caesar had sent him to Ariovistus as an envoy because of his knowledge of the language. While employing the cavalry to pursue Ariovistus' troops in their flight to the Rhine, Caesar came across Procillus being dragged along by his guards 'bound with three chains'. Caesar expresses himself as more pleased at the chance to rescue Procillus than at the victory itself, which would now not be marred by the captivity of 'the worthiest man in the whole province of Gaul and his own familiaris and host' (Caes. *BG* 1.53.5–6: doc. 2.52). Procillus had been lucky in that his captors were awaiting the decision of the lots, which they had already consulted three times, to announce when he should be burnt to death. Catullus similarly rejoiced at the return from Spain of his friend Veranius, and was looking forward to kissing 'his beloved mouth and eyes': no one on earth could be more happy or blessed than Catullus is at the news of his friend's return (Cat. 9: doc. 2.53).

Clientela and patronage

The relationship between patrons and clients in Rome was an old-established one, and legislated on as early as the XII Tables in the mid-fifth century. Typically, senators, wealthy equestrians, and other members of the elite created an unequal patron-client relationship with citizens of less wealth and importance, who were thus indebted to them; this bond of patronage was known as clientela (clientship or patronage). Clients (*clientes*) were seen as under an obligation (*officium*) to show their gratitude (*gratia*) towards their patron (*patronus*) and reciprocate in any way possible. They were expected to demonstrate their loyalty (*fides*) to their patrons' interests, particularly by voting according to the patron's wishes, and sometimes by supporting him financially, as in contributing to the dowries of his daughters or assisting with expenses resulting from holding or standing for public office. The number of clients possessed by a patron, and their wealth and status, directly related to his importance and prestige (*dignitas*), and they could be of significant assistance when he was canvassing for office, by being part of the entourage that accompanied him in the forum. After the early morning *salutatio* (paying of respects) when the patron would receive his clients in the atrium or tablinum (his study), they would escort him to the forum as part of their daily routine as a visible demonstration of his prestige. Huge numbers could be involved: Sempronius Asellio, one of Scipio Aemilianus' military tribunes, recorded that Tiberius Gracchus as tribune in 133 never left his house without the attendance of 3,000–4,000 supporters (Gell. 2.13.4). In return, the patron would offer advice on legal matters or represent the client in court, protect him against creditors, or even provide a daily hand-out of food or money, known as a *sportula*.

The mutual obligations between patron and client were supported by law, and as early as the XII Tables the status of the client in respect of his patron was already protected. Freedmen and their descendants were automatically clients of their ex-owners and their duties were laid down and enforceable in law, with the patron inheriting if the client died intestate. Dionysius idealises the traditional relationship between patron and client as 'a kindly one suited to fellow citizens', although there may have been many unwilling or unhappy clients (Dion. Hal. 2.9.1–3: doc. 2.54). For the influential, clientship was considered a humiliating status: C. Herennius refused to give evidence against Marius, when he was prosecuted for electoral bribery in 116, on the grounds

that Marius, like his parents, had been his client. For Marius this was an embarrassing position, and he claimed that the clientela relationship had terminated with his election as praetor (*Plut. Mar.* 4–5). Plutarch commented that only those magistracies with the prerogative of the curule chair (curule aedile, praetor, and consul) freed their holders from their obligations as a client towards a current patron.

According to Dionysius clientela was one of the most important Roman institutions and responsible for political stability over a period of 630 years (he is discussing the period down to 121, but omits the murder of Tiberius Gracchus in 133). He sees patrons in the early period as responsible for explaining the state of the law to their clients (since knowledge of this was restricted to patricians), having oversight of their money, and supporting them in legal cases, while clients assisted their patrons ‘just as if they were their relations’ (*Dion. Hal.* 2.10.1–11.2: doc. 2.55). Plutarch agrees but comments that it was later thought demeaning for nobles to take money from their clients (*Rom.* 13.6). As part of the legislation protecting the interests of clients, a law proposed by C. Cincius Alimentus as tribune in 204 legislated against the economic exploitation of clients by prohibiting advocates in the courts from accepting any fees or presents, as well as restricting the giving of large gifts, except between close relatives (*Livy* 34.4.9); it is not clear, however, to what extent this law was enforced.

To protect this institutionalised relationship, neither patron nor client could bring a law-suit against the other, act as a hostile witness in court if the other were on trial, or vote in opposition to their candidature (although with the secret ballot this could no longer be policed). Any violation of these regulations meant that the offending party could be killed with impunity, ‘as a victim dedicated to infernal Jupiter’, or ‘sacer’ (consecrated to destruction). A patronage relationship could be handed down over several generations, just like blood relationships, and ‘it was a matter of great praise for men from distinguished families to have as many clients as possible’, both inherited and acquired by their own merit (*Dion. Hal.* 2.10.3–4: doc. 2.55). Roman nobles could be hereditary patrons of municipia in Italy or foreign communities, and were often consulted by the senate when necessary. There were patron-client relationships between generals and their troops, provincial governors and their provinces, and founders and the colonists of new settlements. With the principate, Augustus became the patron par excellence in Rome and Italy, and his clients included the armed forces and the entire populace.

New men like Marius or Cicero, without a consul or senator in their family, were naturally less well supplied with hereditary clients than aristocrats and had to create their own client base. Cicero used his forensic skill and magistracies to become not only patron of his own home region (such as the towns of Arpinum, Reate, and Atella), but of the Sicilians, where he served as quaestor in Lilybaeum; of Cyprus, following his governorship of Cilicia; and of the publicani (tax-gatherers) generally. The Sicilians, grateful for his quaestorship and his successful prosecution of their rapacious governor Verres, contributed to the expenses of his election to the aedileship (*Plut. Cic.* 8).

Hospitium

Clientela was closely bound up with hospitium (guest-friendship), a hereditary relationship which connected Roman nobles to members of Italian and provincial families

and communities. As a manifestation of ritualised friendship, hospitium involved the entertainment of guests (*hospites*; sing.: *hospes*) from outside Rome, while implying a close personal relationship between the participants. This could also occur at a state level, where a community or town had rendered a particular service to Rome and was granted hospitium publicum (public guest-friendship) by the senate and people. By the first century BC most provincial cities possessed a host (also called a *hospes*) at Rome who represented the interests of their citizens and assisted them when their emissaries were in the city, in much the same way as a patron: in many cases the same aristocrat would have been both *patronus* to a community and *hospes* to its representatives when they visited Rome. The relationship was a formal one, marked by the exchange of objects such as tesserae *hospitales* (tokens of friendship), handshakes, and feasts or libations, and was supposed to last in perpetuity. The *hospes* was expected to care for the guest's children in a crisis and act as a substitute father. Betrayal of the friendship was seen as a crime against the gods (Diod. 20.70.3–4).

Cicero possessed many such guest-friends, and earned the gratitude of Sicilian towns for the hospitium he provided to visitors to Rome following his quaestorship in Sicily. The Caecilii Metelli were one of the patrons of the Roscius family, and when Sextus Roscius of Ameria was charged in 80 with parricide, he fled for support to Caecilia, daughter of Metellus Balearicus (cos. 123), who persuaded the young advocate Cicero to defend him. Cicero describes Roscius' father as the most prominent man in the town of Ameria and its neighbourhood (Cic. *Rosc. Am.* 5: doc. 2.56), and in a relation of hospitality (hospitium) with the important families of the Metelli, Servilii, and Scipiones. Accordingly, these hosts and friends of the deceased Roscius helped to support and defend their guest-friend's son, whose life was at risk on an unmerited capital charge.

One of Cicero's letters of recommendation was written in 46 on behalf of a Sicilian from Lilybaeum, to M. Acilius Caninus, proconsul in Sicily: Cicero addressed several such letters to Acilius. He informed Acilius that Lysa of Lilybaeum, who was from a 'very noble family', always behaved with great respect towards Cicero and was bound to him by ties of hospitality dating back to his grandfather's time. Accordingly Cicero commended him and his household to Acilius, and asked him to make sure that Lysa was aware that Cicero's recommendation had been of 'the greatest assistance in your eyes, as well as a great compliment to him' (Cic. *Fam.* 13.34: doc. 2.57).

In 46 or 45 Cicero addressed a letter to Q. Valerius Orca (praetor in 57) who was responsible as *legatus pro praetore* for overseeing the distribution of Caesar's land grants to his discharged veterans. Volaterrae in Etruria had lost its citizen rights under Sulla for resisting his troops, but regained these during Cicero's consulship and hence saw him as their patron. With territory in Etruria scheduled for allotment, the inhabitants of Volaterrae were understandably concerned about the possibility of having to give up their lands. Cicero therefore wrote to Valerius Orca on their behalf, explaining his close connection with the townsmen (Cic. *Fam.* 13.4: doc. 2.58). He flatters Valerius Orca by suggesting that, if he is amenable and their lands are spared, the people of Volaterrae will consider that some divine plan has put in charge of the land commission the very person on whom Cicero ('their continual protector') has the greatest possible influence. As with his letter to Acilius, Cicero expects the people of Volaterrae to recognise Cicero's own role and respond by continuing to show their gratitude for the services he has rendered.

The ways in which amicitia and clientela worked together for the advantage of the political elite can be seen in Cicero's manoeuvrings for his family regarding election to the magistracies of his home-town, Arpinum. In 46 he wrote to Brutus, governor of Cisalpine Gaul, on the town's behalf, commenting that Brutus must surely know that Arpinum was Cicero's place of origin. It appears that the township received rents from land in Cisalpine Gaul, with this revenue used for public works, such as the repair of temples. A commission of three had been sent to Gaul to inspect these land-holdings and see to any administrative issues. Brutus is requested to expedite their business and treat them with all possible courtesy, which will win him the gratitude both of the township and of Cicero himself. Cicero then reveals that he has another motive in making this request: he particularly wishes to be seen to be an active patron of his town, because his son Marcus and his nephew Quintus, plus an intimate friend, M. Caesius, are standing for election as the three magistrates, the aediles, of the town (Cic. *Fam.* 13.11: doc. 2.59). 'If the affairs of the municipality are well managed thanks to your zeal and diligence', he states effusively, Brutus will not only have benefitted Arpinum, but helped to ensure the successful election of Cicero's connections as the incoming magistrates, due to the townfolk's awareness that Brutus' help had only been given as a personal favour to Cicero.

Clients overseas

Successful generals and provincial governors overseas had unrivalled opportunities to gain the gratitude of the provincials and bring them into their clientela, as well as Roman and Italian businessmen with interests in the provinces. Pompey in his campaigns between 67 (the command against the pirates) and 63 (the defeat of Mithridates) had created the province of Syria, and the double province of Bithynia and Pontus, as well as expanding the area of Cilicia. All the territories he conquered, which became Roman provinces or client kingships (like Armenia), came into his clientela. He had created a line of Roman provinces around the Asia Minor coastline from Pontus to Syria, with their eastern borders protected from the Parthian empire by client kingships in Galatia, Paphlagonia, Cappadocia, Armenia Minor, Commagene, and Bosporus. He also founded new cities, 39 in Asia and 11 in Bithynia and Pontus, and his conquests were showcased in the triumph which, after some delay, he celebrated in September 61, in which posters listed the nations over which he was triumphing: 'Pontus, Armenia, Paphlagonia, Cappadocia, Media, Colchis, Iberia, Albania, Syria, Cilicia, Mesopotamia, Phoenicia and Palestine, Judaea, Arabia, and the entire piratical menace' (Plut. *Pomp.* 45.1–5: doc. 2.60). These provinces and kings saw Pompey as their benefactor, and were now included in his existing clientela, ensuring that in the late 60s his auctoritas was pre-eminent in the Roman world, a fact that was to lead to much of the senatorial hostility towards him.

Roman governors, like successful generals, could expect the gratitude of provincials (provided that their governorship had not been unduly extortionate), and Caesar felt himself greatly injured when the town of Hispalis (modern Seville) in Further Spain supported the Pompeian forces in the civil war. Caesar had served in Spain as quaestor in 69 and as propraetor in 61, and must have built up a considerable clientela there. Towards the end of the civil war, while the siege of Munda was in progress, Caesar returned to Hispalis and summoned an assembly, berating the citizens for their

ingratitude towards the benefits he had given them, both while in Spain and during his consulship in 59. He had persuaded the senate to remit the taxes imposed earlier by Metellus Pius, and acted as their patron when embassies were sent to the senate and by representing the city in public and private law-suits in Rome. They had been, however, forgetful and ungrateful towards both himself and the Roman people ([Caes.] *Spanish War* 42.1–3: doc. 2.61). The *Spanish War* breaks off at this point, but Caesar settled a colony at Hispalis in the same year, Colonia Julia Romula Hispalis, presumably to punish the townsfolk for their disloyalty.

Patronage was very much a part of Roman life at all social levels: when Caesar returned from Gaul and met Pompey at the conference of Luca in 56, senators flocked from Rome in the hope of being given some benefits at his hands. While in Gaul, he had already won many political adherents ‘by enticing people with bribes and assisting with the expenses of aediles and praetors and consuls and their wives’ (Plut. *Pomp.* 51.1–5: doc. 2.62). Some 200 men of senatorial rank attended him at Luca, and Plutarch mentions that 120 fasces of proconsuls and praetors were to be seen outside his residence. Consuls and proconsuls were each attended by 12 lictors, praetors by six. Caesar appears, therefore, to have had a third of the senate and between ten and 20 current magistrates and promagistrates competing for his patronage, in the hope of his financial support and assistance towards candidature for a future magistracy.

Litigation as a way of life

The law-courts, situated in the forum, were an essential part of Roman upper-class life. Criminal justice was administered by magistrates, except in important cases like treason, where the final decision belonged to the popular assembly. Perpetual *quaestiones*, standing courts, targeting a particular area of criminality, beginning with the *quaestio de repetundis* (extortion) in 149, were set up in the second and first centuries, in particular by the *leges Corneliae* of Sulla and the *legesJuliae* of Augustus, for crimes such as homicide, treason, and bribery. These were under the direction of a presiding magistrate, with the key legal figure in Rome being the urban praetor, while the *praetor peregrinus* ('foreign') was in charge of any cases involving foreigners in Rome. While charges would originally have been brought by the injured person or his representative, later any citizen could request permission from the magistrate in charge of a court to bring a prosecution, and in cases where there were a number of potential prosecutors the selection was determined by a panel of the jurors (the *iudices*). It was the responsibility of the prosecutor to provide the evidence that a crime had been committed, and the verdict was decided by the jury, which in the Republic was composed of senators, equites, or a mixture of both. From 70, juries were chosen by lot from three groups – senators, equites, and tribune aerarii – one-third from each, with the prosecution and defence having the right to reject a certain number of jurors. Trials for extortion had 75 jurors, other *quaestiones* were served by 51. A simple majority decided the case, with each juror marking a slate with either a C (for *condemno*) or A (*absolvo*): the presiding magistrate did not vote, but pronounced judgement and sentence.

The law-courts were publicly situated in the forum and could be attended by any members of the public as interested spectators. While it was possible for the plaintiff and defendant to represent themselves, it was an important part of a patron's duty to

assist his clients in court, and frequent and successful appearances for the prosecution or defence were a good way of bringing one's skills to the attention of the voting public. M. Licinius Crassus, for example, was noted for the way in which he was always prepared to take on cases declined by others. It was also customary to bring prosecutions against political enemies. Counsel were not permitted to accept fees, or receive gifts for services they had rendered to clients. Advocates like Cicero were skilful orators rather than lawyers, and most noble Romans were experienced to some degree in forensic oratory as part of their education.

No magistrate or promagistrate (i.e., any holder of imperium) could be prosecuted in an ordinary court while still holding office, one reason why Julius Caesar was so concerned to maintain his command in Gaul until he could be elected to his second consulship so his enemies would not be able to prosecute him in the interim for unconstitutional activities in his first consulship. In capital trials, the death penalty was usually avoided by the defendant choosing to go into exile prior to the sentence being passed: the tresviri capitales, three magistrates created c. 290, were responsible for supervising the state prison and carrying out the death penalty if required.

Cato the Elder, as a new man from Tusculum, despite his outstanding military service, also used prosecutions in court to bring himself to the notice of the Roman public. He was also the target of cases brought by a number of his political opponents, being prosecuted some 50 times, the last occasion when he was 86 years of age, but always acquitted. Cicero knew some 150 of Cato's speeches, and his final speech at the age of 90 criticised Ser. Sulpicius Galba as governor in Spain over his massacre of the Lusitanians (*Plut. Cato Mai.* 15.3–5: doc. 2.63). Cato considered that it was important to employ law-suits as a way of harassing one's enemies, as in his congratulations on his filial piety to the young man who succeeded in having a verdict of loss of citizen rights passed against an enemy of his dead father: 'these are the offerings we should make to our parents – not lambs or kids, but the tears of their enemies and their condemnation'.

This attitude was reflected in the actions of L. Licinius Lucullus (cos. 74), whose first act in public life, even before standing for office, had been to prosecute his father's accuser Servilius 'the Augur', possibly M. Servilius who had been praetor in Sicily in 102. The elder Lucullus, who had been praetor urbanus in 104, had been accused of embezzlement as propraetorian governor in Sicily. He went into exile in 102 on being judged guilty. His sons, Lucius and Marcus, brought a prosecution against Servilius in the following year, apparently for misuse of public funds. Plutarch comments that the Romans 'thought the business of prosecution, in general and without special excuse, not a sordid action, but were very keen to see their young men clinging to wrongdoers like well-bred dogs to wild beasts' (*Plut. Luc.* 1.1–3: doc. 2.64). Similarly, one of Caesar's early acts in public life, in 77 when he was 23 years of age, was to prosecute Cn. Cornelius Dolabella, the commander of Sulla's fleet in 83–82 and consul in 81, for extortion in his province of Macedonia. Dolabella was acquitted after being defended by two of the ablest advocates of the day, Q. Hortensius Hortulus and C. Aurelius Cotta, but Caesar had made his political point and his popularis agenda clear by his attack on one of Sulla's closest supporters. He had also taken a step towards acquiring an outstanding reputation for oratory, which he followed up in 76 by prosecuting C. Antonius Hybrida, another of Sulla's followers, for extortion in his province of Achaea.

Oratory as part of a public career

Cicero explained to his son Marcus how a political reputation could be won by speaking in the courts, the arena in which oratory could most prominently be demonstrated. He presented advocacy for the defence as the more praiseworthy, while admitting that reputations had also been won by such speakers as L. Licinius Crassus (cos. 95), M. Antonius (cos. 99), and P. Sulpicius (tr.pl. 88) for their successful prosecutions of malefactors. Despite these precedents Cicero cautions Marcus against taking on the role of prosecutor on a regular basis: it should only be undertaken as a public service (as in the case of the three great prosecutors he mentions), or to avenge public wrongs as in the case of L. Lucullus and his brother. It was also appropriate to undertake prosecutions on behalf of clients, as Cicero had done himself in the case of Verres on behalf of the Sicilians. It was important, however, even if the cases were undertaken on the state's behalf, not to act as prosecutor too often, 'for it seems the characteristic of a hard-hearted man, or rather of one hardly human, to bring capital charges against many people', and to gain the name of being a prosecuting counsel could damage a person's reputation (Cic. *Off.* 2.49–51: doc. 2.65).

Cicero also advises his son to avoid bringing a capital charge against someone who is innocent: eloquence, he argues, should be used for the protection of humanity, and not for 'the destruction and ruin of good men'. Nevertheless, it is acceptable to defend a client who is guilty, provided that his guilt is not too heinous. Taking on the case for the defence is also a shrewd political move, which gains fame and gratitude, especially if the client is being threatened by a powerful personage: it was Cicero's defence of Sex. Roscius of Ameria against Sulla's freedman that gained him his reputation in the courts. Acquiring the name of being an experienced defence counsel, in Cicero's view, is thus recommended by a combination of moral principles and expediency.

Rhetoric in Rome

Rhetoric, command of the *ars oratorica*, was an essential part of Roman, like Greek, education and based on Greek models and training. Young men of the elite were formally instructed in rhetoric, and the ability to speak well was vital for a successful career in politics or the courts. It was also considered important for a young man to be able to deliver a public funeral oration, a *laudatio funebris*, for deceased family members and a speech to rally troops in the field when on army service. With the conquest of the Eastern Mediterranean and the impact of Hellenisation on Roman culture, rhetoric came to be seen as a formal teachable skill. Initially Greek teachers of rhetoric, like philosophers, were viewed with suspicion as un-Roman, and as providing an alternative path to a political career, opening up opportunities for outsiders who would compete for magistracies against members of noble republican families, with their decades of *auctoritas*. Cicero was to be one such case in point, a *novus homo* whose oratorical abilities catapulted him into the governing class and then the consulship. Cato the Elder had been another, though in his case his ability as an orator was supported by tried and tested military leadership, as in Spain. As a result, the appearance in Rome of Greek teachers of rhetoric met with hardened opposition from the elite, which at that point included Cato the Elder himself. From the mid-second century, however, even aristocratic Romans began training under Greek teachers of



Figure 2.4 The central section of the Circus Maximus, Rome, with the ruins of the Domus Augustana in the background. Its establishment was attributed to the kings, and it received its later form under Julius Caesar. Twelve chariots could compete simultaneously and there were generally seven laps per race, with seating for about 150,000 spectators in the late republican period. It was the site of the ludi Romani in honour of Jupiter in September, and the largest venue for religious festivals at Rome.

Source: Photo © Jean-Pol GRANDMONT via Wikimedia Commons

rhetoric and in the Greek language, with many going to study in the cities of Greece and Asia Minor under professionals of note.

It was the teaching of rhetoric in Latin (not Greek) that was of particular concern to the elite, and on two occasions, in 161 and 92, the senate censored the activities of Latin philosophers and rhetoricians whose teaching was seen as corrupting the traditional mores of the Roman youth (Gell. 15.11.1–2: doc. 5.60). Nevertheless, though Cato the Elder was recorded as expressing the opinion that all that was needed to be an excellent orator was a mix of moral excellence and innate ability, the instructional works he wrote for his son (in Latin) apparently included a rhetorical treatise.

Orators in Rome added to the available literature on rhetoric, and the noted orator M. Antonius (cos. 99) wrote a textbook on the topic, as did Cicero with his *de inventione* (one of his earliest productions, c. 89), while L. Plotius Gallus founded the first school of Latin rhetoric at the beginning of the first century. One of the aims of the edict of 92 was to shut down his school, with the edict of the censors criticising this type of schooling and the fact that its classes were full-time. But such schools were popular and the anonymous four-book *Rhetorica*

ad Herennium, written c. 85 BC, was composed specifically as a practical work of advice for Roman advocates.

Even experienced orators practised their skills in both languages. Cicero used to declaim on a regular basis in both Greek and Latin until his praetorship in 66, and continued to practise declamations in Latin for most of his life. His expertise was such that he was expected to give lessons to his political allies, such as the ‘new men’, Caesar’s supporters Hirtius and Pansa who were consuls-elect for 43, and was caustic about this waste of his time (*Att.* 14.12.2: doc. 14.9). Since speaking in court and in the senate was expected to be *ex tempore* and not from a written text (speeches were polished up and ‘recorded’ after the event: some of Cicero’s speeches, like the *pro Milone*, were not delivered in the form in which they have been transmitted), there was considerable value in practising the various forms of public speaking, and even experienced orators rehearsed declamations, which teachers used to prepare pupils to speak with confidence and precision in the real world. Suetonius, in his essay *On Rhetoricians*, reports that Pompey was said to have returned to practising his declamations in the late 50s due to the political opposition being stirred up by C. Scribonius Curio, and that Mark Antony and Octavian continued to rehearse their public speaking skills even during the siege of Mutina in 43 (Suet. *Rhet.* 1: doc. 2.66).

By the first century BC, adolescent boys generally transferred from their grammaticus (who taught language, literature, and poetry) to their rhetor (who taught them rhetoric), at the age of 15 years. The art of declamation was taught through the practice of stock exercises in which the pupils were assigned a side of the case to debate against each other: *suasoriae* (the presentation of historical or imaginary cases argued from both points of view) and *controversiae* (speeches which were designed to prepare for cases in the courts). In addition young men could study orations presented by their seniors in the assembly and courts.

Cicero’s education and training

In his *Brutus*, written c. 46, Cicero gave an account of his own training and experiences as a defence of his own approach to oratory, which was now being considered obsolete by the younger generation of speakers (Cic. *Brut.* 305–319: doc. 2.67). He used to listen to all the pre-eminent speakers in the popular assemblies and courts, while practising declamations daily, although he found the standard oratorical exercises inadequate. As a young man he was particularly struck by the oratory of C. Aurelius Cotta, and some of the speakers who most impressed him in his youth were Q. Varius (tr. pl. 90 BC), P. Sulpicius Rufus (tr. pl. 88), Q. Catulus (cos. 102), M. Antonius (cos. 99), and C. Julius Caesar Strabo (aed. 90).

Cicero had had the opportunity to study rhetoric in association with the best orators of his day, notably L. Licinius Crassus (cos. 95) and M. Antonius (cos. 99), as well as civil law with the jurists Q. Mucius Scaevola Augur (cos. 117) and Q. Mucius Scaevola Pontifex (cos. 95). He took the opportunity to learn from visiting scholars, and was tutored in philosophy by Philo of Larisa, the head of the Greek Academy who resided in Rome in 88 as a result of the Mithridatic War, and in oratory by Apollonius Molo of Rhodes, who visited Rome in 81 to address the senate. For some three years he studied continuously, day and night, practising dialectic (‘a compressed form

of eloquence') with Diodotus the Stoic his in-house tutor, and rehearsing rhetorical exercises without missing a day of practice, as well as declamations, both in Latin and Greek, with friends. Practice in Greek was important, as the best teachers were Greek and only able to correct him in that language, and because Greek provided more opportunities for 'stylistic ornamentation', a skill which could then be transferred into speeches delivered in Latin.

After his brush with Sulla over his successful defence of Roscius of Ameria, Cicero prudently removed himself to the East to study in Athens and Rhodes for two years, after which he returned to Rome to begin his activities in court. While in Athens he continued his study of philosophy and rhetoric, and in Asia practised with all the best orators of the day. He then settled on Rhodes to work again with Apollonius Molo. As a result, he arrived back in Rome in 77 'not only with more training but almost transformed – my voice had ceased to be over-strained, my language had come off the boil, and my lungs had gained strength' (*Brut.* 317). His friends had earlier been worried about his slender physique and lack of stamina, but under this training regime he had even gained weight. His defence of Roscius had given him a high profile and this was enhanced, after his quaestorship in Sicily, by his prosecution of the corrupt governor Verres in 70 on behalf of his clients the Sicilians, when he 'as aedile-elect, engaged in a mighty struggle with Hortensius, the consul-elect' (*Brut.* 319), after which he was universally accepted as being Rome's pre-eminent orator.

Julius Caesar was also recognised as an outstanding orator, and after his prosecution of Dolabella was counted as one of the foremost advocates, as Cicero himself agreed, writing to Cornelius Nepos that Caesar rivalled those speakers who had concentrated in their career on nothing but oratory (*Suet. Jul.* 55.1–2: doc. 2.68). Like Cicero, Caesar admired the style of C. Julius Caesar Strabo (his great-uncle), and was noted for his impassioned movements and gestures, which Suetonius notes to have been 'not without charm'.

Cicero planned great things for his son Marcus, who went to Athens in 45, when he was 20 years of age, to study under the philosopher Cratippus of Pergamum and the rhetor Gorgias. Apparently he was easily distracted, and Atticus criticised his expensive lifestyle, while he was later a byword for hard drinking (*Pliny* 14.147: doc. 14.47). His correspondence home stressed his dedication to his studies, and one of his letters to his father's secretary, Tiro, speaks of his attending Cratippus' lectures, and practising declamations in Greek and Latin and associating with men of learning (*Cic. Fam.* 16.21: doc. 2.69). Marcus lacked the commitment and dedication to study his father had demonstrated, and his career, punctuated by civil war, was unimpressive, though he eventually became suffect consul in 30.

'Bread and circuses'

Games, *ludi*, were religious festivals and an important part of Roman culture, organised by the state. The *ludi* could involve both sporting events (*ludi circenses*, consisting of chariot and horse races, athletic competitions, and boxing and wrestling), and artistic shows (*ludi scaenici*, with mime, theatre, dance, and music). In a society with no weekends, they were the populace's form of recreation and entertainment, and in a famous satire the early imperial poet Juvenal characterised the Roman

plebs as obsessed with ‘bread and circuses’, *panem et circenses*: their grain dole and the games put on in the Circus Maximus were all that were needed to keep them contented (Juv. 10.81). As religious festivals, rites at the ludi included sacrifice, processions in honour of the gods, and public prayer, and all public business was suspended for the duration of the games. Games could also be hosted by private individuals, with funerary games (*ludi funebres*), generally gladiatorial contests, put on for the populace in honour of a well-known family member, and these were a useful way for ambitious politicians to display *pietas* and bring themselves to the notice of the general public.

The oldest games were the ‘circus’ games, initially celebrated in fulfilment of a vow, which became annual events, like the *ludi Romani* and *ludi Apollinares*. By the end of the Republic some 60 or so days were devoted to the public ludi: the *ludi Romani* or *magni* ('Great'), *plebeii* (plebeian), *Ceriales* (in honour of Ceres), *Apollinares* (Apollo), *Megalenses* (Magna Mater), *Florales* (Flora), and *Victoriae Sullanae* (established by Sulla in 82 to celebrate his victory at the Colline Gate). The *ludi victoriae Caesaris*, celebrating Venus Genetrix and Caesar’s own victories, were also established by Caesar in 46, and from 45 were celebrated from 20 to 30 July.



Figure 2.5 The amphitheatre of Pompeii, constructed c. 80 bc. It is the first known amphitheatre to have been built out of stone. It could seat some 20,000 spectators and hosted circus and gladiatorial shows. There was provision for a velarium to shelter spectators from the sun.

Source: Photograph © Thomas Möllmann via Wikimedia Commons

The ludi Romani

The ludi Romani were held in September in honour of Jupiter Optimus Maximus, and supervised by the curule aediles. They are documented from as early as the year 366 and were considered to date back to the time of the kings. In the time of Augustus they lasted for 16 days, from 4 to 19 September, commencing with a procession, which made its way from the temple of Jupiter at the Capitol to the Circus Maximus (Figure 2.4). It was led by the magistrates, followed by the youth of Rome on foot or on horseback, depending on their fathers' property qualification, and then by the participants in the events (charioteers, athletes and wrestlers, dancers in their costumes as sileni and satyrs, and musicians), and concluded with images of the gods carried on litters. The deities represented included not simply the Olympians, but 'those still more ancient . . . Saturn, Ops, Themis, Latona, the Fates, Mnemosyne, and all the rest' (Dion. Hal. 7.72–73: doc. 2.70). In 45 Julius Caesar's statue was carried in the procession with those of the gods (Suet. *Jul.* 76.1: doc. 13.55). The events at the ludi Romani comprised horse and chariot races, with exhibitions of riding, wrestling and dancing, while specific days were dedicated to theatrical performances. Success at the games was highly prestigious and the victors were awarded wreaths, which could be placed on the bier at their funerals. Admission was free, and women and slaves were allowed to attend the games (from the time of Augustus women had to leave before the athletic competitions), and there was reserved seating for the magistrates, priests, and vestals. Citizens were expected to wear their togas to attend, or could be relegated to the least popular seating.

Jupiter was also honoured in the ludi plebeii, which commenced in 215 or earlier, and were held in the Circus Flaminius, organised by the plebeian aediles. These games consisted of equestrian and theatrical competitions and were initially celebrated on 15 November, but lasted from 4 to 17 November in the first century. As at the ludi Romani a sacred meal, Iovis epulum, was held for Jupiter, with a banquet for senators on the Capitol.

The Circus Maximus

The Circus Maximus, between the Palatine and Aventine where the ludi circenses were held, was traditionally thought to have been established by Romulus. The circus was primarily a racing-track for chariots, around a central barrier (spina), with markers for turning at each end (metae) and seven large wooden 'eggs' (ova) for counting the rounds, which were set up in 174 (Figure 2.4). The length of the circus track was increased to 620 metres by Caesar, and horses racing seven laps, keeping to the inner side of the spina, ran over 3 kilometres. At one narrow end above the starting-gates (carcheris) were boxes for the magistrates in charge of the organisation of events. Viewing stands for the spectators were supposedly built under Tarquinius Priscus, who divided them into sections for each of the 30 curiae according to Dionysius. Chariot races may have been influenced by Etruscan practices, as race-tracks with wooden seating were an important part of Etruscan culture.

Following the construction work of Caesar, Agrippa, and Augustus, there was seating for some 150,000 spectators, while a ditch or canal around the arena acted as drainage and to protect the audience from wild beasts when animal hunts,



Figure 2.6 A denarius issued by T. Didius (cos. 98) at Rome in 113–112 BC, depicting the helmeted head of Roma and a battle between two gladiators. On the obverse the head of Roma; on the reverse a battle between a gladiator armed with whip and shield (left), and one with a sword, or stave, and shield (right). T. DEIDI in exergue. This coin may reflect games that Didius planned to put on as aedile.

Source: Photo courtesy of Classical Numismatic Group

venationes (sing.: venatio), were held there (Dion. Hal. 3.68.1–4: doc. 2.71). There were three tiers of seats, the lower of stone and the upper two of wood, facing the long sides of the stadium and around the semicircle at the far end. Augustus erected the first obelisk on the central barrier, and a pulvinar, ‘shrine’, from which the imperial family watched the games. The ludi Romani was the most important festival in Rome, and the last five days of the festival, from 15 to 19 September, were reserved for circus games, as were the last three days of the ludi plebeii in November. Circus games also formed a component of the ludi Apollinares (one day), the ludi Ceriales (one day), the ludi Florales (one day), and the ludi Megalenses (two days) and consisted not only of chariot races but of venationes and athletic competitions. From the time of Augustus, the Troy game could be part of the spectacle, as at Caesar’s triumphs in 46 (Suet. *Jul.* 39.2: doc. 2.35). The Roman plebs thus was entertained by a minimum of 13 days of circus games annually, apart from privately hosted entertainments or games celebrating a specific occasion. There were also games specific to certain regions of the city, as when the inhabitants of the Suburra and via Sacra competed for the head of the October horse on 15 October (Festus 190: doc. 3.73).

The transvectio equitum

An annual procession of the youth of the equestrian order (transvectio equitum) in honour of Castor and Pollux was established following the Romans’ victory at the battle of Lake Regillus in 496 over the Latins, at which the Romans were assisted by an epiphany of the Dioscuri (Castor and Pollux). A temple, one of the first monumental structures close to the forum, was erected at the spot where their apparitions had been sighted and an adjacent fountain given their name. In the procession, which took place on 15 July, young members of the equites rode into Rome representing Castor and Pollux. This

was still celebrated in Dionysius' time and was linked with a mustering of the equites and an assessment of the suitability for battle of their mounts. The young men, wearing honours they had won in battle, rode from the temple of Mars past the temple of Castor and Pollux to the temple of Jupiter on the Capitol. The leader of the troop, who carried a shield and spear, was known as the princeps iuventutis (leader of the youth), and this honour was given to the grandsons of Augustus as a sign of their place in the succession. Augustus may in fact have been responsible for reviving the parade as part of his restoration of ancient religious traditions. Dionysius puts the numbers of participants as up to 5,000, and he describes the procession as 'a wonderful sight and one worthy of the immensity of the Roman empire' (Dion. Hal. 6.13.4–5: doc. 2.72).

'Theatrical games'

Ludi scaenici, which involved theatrical and mimic performances, were a later innovation than the circus games, and were initially established to placate the gods after a crisis, like the plague of 365–364. In this case, after a lectisternium had been unsuccessful, the Romans adopted Etruscan customs and introduced scenic entertainments for the gods, consisting of dance, music, and comic interludes (Livy 7.2.1–7: doc. 3.16). The ludi Apollinares were established in 212 during the Second Punic War after consultation of the Sibylline Books and were held in the Circus Maximus. The festival took place annually from 208 on 13 July, with the main focus being on stage performances, although equestrian competitions were also held. Theatrical performances, including mime, music, and dancing as well as dramatic works, also played a major part in the ludi Megalenses, which became an annual event in 191, and the ludi Florales, which were celebrated annually from 173.



Figure 2.7 An Etruscan funerary cippus from Chiusi, dating to the sixth–fifth century BC, depicting dancing and games.

Source: Photo © PRISMA ARCHIVO/Alamy Stock

The ludi Megalenses in honour of Cybele (the Magna Mater or Great Mother; Megale means ‘great’ in Greek), whose black cult stone was brought from Pessinus to Rome in 204 (Livy 29.14: doc. 3.61), were celebrated from 4 to 10 April, with chariot races held in her honour in the circus on the final day. From an early period the festival primarily comprised ludi scaenici (four of Terence’s six extant plays were performed as part of the celebration), and their organisation was the responsibility of the curule aediles. It was customary during the festival for the elite to hold luxurious entertainments, which were restricted in scope by the senate in 161 (Gell. 2.24.2–4: doc. 5.59). The procession which commenced the festival was noted for the exotic dances and conduct of the priests, the Galli, who wore Phrygian dress and accompanied the sacred black stone as it was carried through the city in a chariot.

Roman theatres

The first permanent stone theatre in Rome was built by Pompey, and probably seated some 10,000 spectators (Figure 12.4). Greek cities in southern Italy and Sicily possessed stone theatres from their earliest times, but stone theatres had been prohibited in Rome, on the grounds that they would encourage idleness. C. Cassius Longinus and M. Valerius Messalla, censors in 154, began the construction of a stone theatre at the Lupercal but were forced to dismantle it by a senatorial decree of 151 after Scipio Nasica Corculum (cos. 162, 155) argued that it would damage public morals. A senatus consultum also banned seating at ludi altogether in Rome and for a mile out of the city. While Pompey’s was the first permanent theatre, the first permanent amphitheatre was constructed in wood by C. Trebonius Curio in 53; the first stone amphitheatre (for wild beast exhibitions) was built on the Campus Martius by T. Statilius Taurus in 29. A stone amphitheatre had existed at Pompeii, however, from c. 80 (Figure 2.5).

The temporary theatres erected for ad hoc performances could, however, be magnificent: that of M. Aemilius Scaurus as aedile in 58 was three storeys high, the first with marble veneer, and it supposedly held 80,000 spectators and 3,000 bronze statues. Pompey’s permanent complex on the Campus Martius included not only a theatre, a semicircle 150 metres in radius, but gardens, halls, and a temple to Venus Victrix, and was dedicated in 55 with extravagant games. Cicero described part of the show to a friend M. Marius, who preferred not to attend on the occasion. He himself saw such ludi at as a waste of time and was glad to get away from them, but provided panthers for a friend, Caelius Rufus, to ensure that the games he put on as aedile were sufficiently splendid (Cic. *Fam.* 2.11.2: doc. 2.77).

Cicero considered the production at Pompey’s theatre to have been too sumptuous for enjoyment: there were 600 mules in a performance of *Clytemnestra*, 3,000 mixing-bowls in the *Trojan Horse*, and a wide range of battle equipment intended to dazzle the spectators, although even Pompey, he comments, thought he had wasted his time with the athletes. Five hundred lions were killed, and there was also a display of 20 elephants hunted down by African tribesmen brought to Rome for that purpose; even the spectators felt empathy with the elephants, ‘a feeling that the monsters had some kind of affinity with humans’, and were distressed by their slaughter (Cic. *Fam.* 7.1.2–3: doc. 2.73). Cicero’s attitude is atypical, and most Romans – as he himself notes – enjoyed gladiatorial exhibitions, and beast hunts, involving either the killing of animals by bestiarii, or of animals by other animals, were particularly



Figure 2.8 The Grand Theatre at Pompeii, built in the second century BC and restored under Augustus. Built along traditional Greek lines, the theatre accommodated some 5,000 spectators.

Source: Photograph © Berthold Werner via Wikimedia Commons

popular in the late Republic (Figure 2.9). Such venationes are first heard of at Rome in 186 as part of ludi vowed by M. Fulvius Nobilior during the Aetolian war, when a hunt of lions and panthers was staged. In 169, when Scipio Nasica was aedile, venationes (involving 40 bears, elephants, and 63 ‘African carnivores’) were put on by the aediles as part of the ludi circenses (Livy 44.18.8), and this became a regular annual practice at the circus games, while in 146 for the first time human beings were thrown to the beasts at Rome, when Scipio Aemilianus punished non-Roman deserters from his army in this way. Earlier in 167 his father Aemilius Paullus had had non-Roman deserters from his army crushed to death by elephants in the games celebrated abroad after he defeated Perseus. Caesar used condemned criminals in the games for his triumphs in 46 and built a wooden amphitheatre specifically for the exhibitions of wild beasts, which lasted for five days, in one of which 20 elephants were matched against 500 foot soldiers (Suet. *Jul.* 39.3: doc. 2.35). Specially trained and armed bestiarii could also be matched against the beasts, although as professionals they ranked lower in the public estimation than gladiators. Like gladiatorial contests, venationes could also be part of a private spectacle, and Augustus claimed to have put on 26 venationes for the people, in the circus, forum, and amphitheatres,



Figure 2.9 A denarius issued by L. Livineius Regulus at Rome in 42 BC depicting a venatio scene with bestiarii. On the obverse the bare head of Regulus, the praetor; on the reverse a venatio scene, with a lion in the foreground charging a bestiarius who spears it. To the left, in the background, sits a wounded bear; to its right another bestiarius armed with sword and shield defends himself against a charging tiger. [L] REGULUS in exergue.

Source: Photo courtesy of Classical Numismatic Group

in the names of himself or his family, in which a total of 3,500 African beasts had been slaughtered (*RG* 22.3: doc. 15.1).

Tacitus records criticism of Pompey for his erection of this permanent theatre: the use of seating was supposed, by traditionalists, to encourage idleness, ‘in case, if they sat in the theatre, their idleness continue for days on end’ (*Tac. Ann.* 14.20–21: doc. 2.74). The people of course approved this relaxation of standards, arguing that a permanent theatre was far more economical than having to erect theatres as needed. Dramatic performances had to compete in popularity with more bloodthirsty and sensational entertainments: in the prologue to his *Mother-in-law* (*Hecyra*), Terence (through a speech delivered by his producer-actor L. Ambivius Turpio) bemoaned the counter-attractions with which a theatrical producer had to compete at the ludi: reports of the forthcoming activities of tight-rope walkers and boxers could entice the audience to force the play off mid-show, or spectators arrived at rumours of a gladiatorial show which they demanded instead of the play (*Ter. Hec.* 20–40: doc. 2.75). The complaint may have been fictitious, as ludi scaenici and gladiators were scheduled for different days, but may well have reflected the respective popularity of the various forms of public entertainment.

Caesar’s games as aedile

Caesar’s games as curule aedile in 65, though outclassed by the shows accompanying his triumphs in 46, were an example of how extravagant spectacles could be employed to gain popularity with the voters (Caesar was elected praetor and pontifex maximus shortly afterwards in 63). It was customary for the curule aediles to use private funds to supplement the state finances and to put on magnificent celebrations at the

ludi Romani which would be remembered by the populace. Caesar's games as aedile were technically put on with his colleague Bibulus, though Caesar took all the credit. As a result Bibulus claimed identification with the divine hero Pollux, one of the Dioscuri, and he complained that 'just as the temple of the twin brothers in the forum is simply called "Castor's", the joint liberality of myself and Caesar is just said to be "Caesar's"' (Suet. *Jul.* 10.2–2: doc. 2.76). The ludi were accompanied by a huge gladiatorial show in honour of Caesar's deceased father, which, according to Plutarch (*Caes.* 5.9), included 320 pairs of gladiators in single combat, as well as theatrical performances and banquets. Suetonius records that Caesar had to put on less gladiatorial pairs than he had intended, as his political enemies were dismayed at the size of the troop and passed a law restricting the number of gladiators that could be kept in Rome. Partly in response to Caesar's ludi, Cicero carried a law as consul in 63 to prevent candidates for office giving gladiatorial games for two years prior to standing for election, to prevent them winning popular favour through lavish expenditure.

In such a competitive environment as Rome, magistrates jostled to put on something new and unusual in their games: Cicero's friend and correspondent M. Caelius Rufus, elected aedile for 50, importuned Cicero as governor of Cilicia to send him some panthers for his games, as to date he had only been able to acquire 20 specimens; he had already contacted Cicero on the matter as soon as he had been elected aedile. Cicero replied jokingly that

there is a remarkable scarcity, and those that are left are said to be complaining because they are the only beings in my province for whom snares are set. Accordingly they are reported to have decided to leave my province for Caria.

(Cic. *Fam.* 2.11.2: doc. 2.77)

It was no joking matter to Caelius, and Cicero promised him any that could be found. The results were presumably adequate as Caelius was elected praetor for 48.

Gladiators and munera

Gladiatorial contests, munera (sing.: munus), are first mentioned in the third century BC and were initially associated with funeral games (ludi funebres), perhaps influenced by Etruscan practices as an offering to the gods of the dead or the deceased (Figure 2.7). Famous gladiators, however, were often Samnites. Prior to Caesar's games in 46, gladiatorial shows under the Republic were restricted to funeral games, and were not public performances. Such ludi funebres, which could include dramatic performances and which were often accompanied by a public banquet or distribution of meat, were held on the ninth day after death, and took place in the forum following the funeral eulogy; the spectators could be accommodated on wooden seating. The first gladiatorial contest as part of such games was put on in Rome in the forum Boarium in 264 by the brothers M. and D. Brutus to honour their dead father (D. Junius Brutus Pera), and featured three pairs of gladiators. The number of gladiators involved in such displays soon escalated: 22 pairs completed at the funeral of M. Aemilius Lepidus (cos. 232) in 216, and 120 gladiators at that of P. Licinius Crassus Dives (cos. 205) in 183, when banqueting tables were set up through the entire forum. When Polybius was writing (31.28.6), a gladiatorial exhibition, like that put on by

his sons for Aemilius Paullus, could cost 30 talents: aristocrats were investing large amounts of capital in these contests and clearly looked for remuneration in terms of prestige and popularity at election time. Under Augustus private munera had to be authorised by the senate and he hosted three munera under his own name, and five in those of deceased family members, including Agrippa, Gaius, and Lucius, with a total of 10,000 combatants involved (RG 22.1: doc. 15.1).

Many gladiators were trained at Capua, where the well-known revolt of Spartacus began in a gladiatorial school. Gladiators were generally slaves (though they could include condemned criminals, non-Romans, and even citizens who fought voluntarily), and Spartacus' associates were largely slaves from Thrace and Gaul (cf. App. 1.539: doc. 6.50). Livy refers to the lanistae (gladiator trainers) who bought up slaves or free men (non-Romans) willing to sell themselves. Their troops were hired out to those who wished to put on a gladiatorial show, and the training was extremely rigorous: in the Gallic emergency of 105, the consul P. Rutilius commissioned lanistae to help train the legionaries in sword-play and other fighting skills (Val. Max. 2.3.2: doc. 9.21). Gladiators could also be employed as hired muscle, and in the riots and street fighting of the late Republic they were an important component of the rival gangs. When Clodius and Milo encountered each other on the Appian Way in 52, a meeting which ended in Clodius' murder, the former was escorted by armed slaves and the latter by gladiators, amongst them two well-known combatants, named as Eudamus and Birria (Asc. 32: doc. 13.1). Gladiators were often seen by the senate as a threat to political stability in Rome, and during Catiline's conspiracy the senate decreed that all gladiators be removed from Rome to Capua (Sall. *Cat.* 30.7).

In book two of his *Tusculan Disputations*, a work of Stoic philosophy which dealt with human happiness, such as the ability to bear pain, Cicero speaks of gladiators as either ruined men or barbarians, who could nevertheless be stoic in their endurance and their courage, and who were determined to give satisfaction to their owner or the audience whatever the outcome of the conflict in the arena. He remarks that no ordinary gladiator had disgraced himself by showing pain, or flinching from the final sword stroke: 'such is the value of training, practice and habit' (Cic. *Tusc. Disp.* 2.41: doc. 2.78). The shows were popular with all classes, and Cicero notes the contempt felt by the crowd for the gladiator who begged for mercy, and its desire to save those who were fearless in the face of death. Exhibitions of gladiators could be 'sine misione (without mercy)', when the rule was that none of the defeated were to be spared:

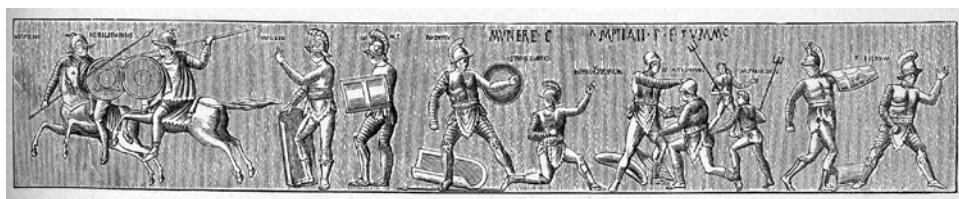


Figure 2.10 Drawing of a relief depicting gladiators from the first-century AD 'Tomb of Scaurus' in the Street of the Tombs, outside the Herculaneum Gate, Pompeii. Their names, training schools, fights, and victories are given.

Source: Photo © Ivy Close Images/Alamy Stock Photo

these were prohibited by Augustus (Suet. *Aug.* 45.3). There were many different types of gladiators (Figure 2.6): Samnites, who were considered the archetypal gladiators, wore a helmet with a high crest and carried an oblong shield; retiarii carried a net and trident; and myrmillones a short sword and round shield. Cicero suggested that while a gladiatorial show was often seen as cruel and inhumane, in the past when criminals fought ‘with swords to the death’, it was a good life lesson about stoicism in the face of pain and death.

Caesar's munus in honour of Julia

Just as Caesar had employed gladiatorial shows to win popular support during his aedileship, he planned to do the same in the lead up to his second consulship (he hoped to stand for 48). While in Gaul, as part of his immense expenditure to win popularity, he announced a gladiatorial show and public banquet in honour of his deceased daughter Julia. The munus was the first at which such contests were staged for a woman. It did not in fact take place until 46, but in 49, in preparation for the event, he established a gladiatorial school at Capua, which housed hundreds of gladiators (Cic. *Att.* 7.14.2): at the beginning of the civil war, Lentulus, consul in 49 and a rabid opponent of Caesar, offered these gladiators their freedom. When this plan was criticised by Capua's inhabitants who had concerns about their potential activities in the region, Lentulus, or Pompey, distributed them amongst his own supporters there, two per household. Cicero wrote to Atticus that this was a wise move as they were said to be going to break out from their barracks and there were '1,000 shields' in the establishment (*Att.* 7.14.2). To ensure that the munus as finally staged in 46 was sufficiently splendid, Caesar ordered that any well-known gladiators who failed to win the people's approval in the arena should be rescued by force and kept for his employment; he also had new recruits trained not by professional trainers, but in private houses by equites and even senators who were experienced in the use of weapons (Suet. *Jul.* 26.2–3: doc. 2.79).

Urso, a colony in Spain

A charter for the Caesarian colony of Colonia Genetiva Julia at Urso in southern Spain (modern Osuna, some 30 kilometres east of Seville; Map 7) was drafted by Caesar in 44, and put into law following Caesar's death. Sections of the law (known as the *lex Ursonensis*) setting out guidelines for the constitution of the colony were found on four bronze tablets at the site in 1870 and 1871; most of these regulations would have been standard for all Caesar's colonies. The town had been a centre of Pompeian resistance in 45, and the colonists consisted of some of the 80,000 poorer citizens sent overseas by Caesar. The *ordo*, or executive, was modelled on the Roman senate, and composed of *decuriones* (*decurions*, senators), who were responsible for the town's finances and the maintenance of public buildings. One of their roles was also to appoint *patroni* and *hospites* (patrons and hosts) for the colony, members of the community who helped to further the town's interests in the province and at Rome. The colony's officials, who served annually and answered to the *decurions*, consisted of *duoviri* (or *duumvirs*) and *aediles*, as well as *augurs* and priests: the *duoviri* were responsible for most matters of government, assisted by the *aediles*, who heard cases of lesser importance and were in charge of public order. A popular assembly existed, but was only responsible for electing the *decurions*, *augurs*, and priests. The document lays down not only the personnel to which each of the magistrates was entitled (each

duumvir was supported, for example, by ‘two lictors, an assistant, two clerks, two summoners, a copyist, a crier, a soothsayer, and a flautist’), but the rates of pay for each of these members of staff.

One of the main duties of the magistrates of the colony was to put on and oversee public entertainments. A theatre has been excavated in the town and the law refers to seating in the orchestra at the *ludi scaenici*, perhaps mimic shows rather than dramatic performances *per se*. The officials had to be relatively wealthy, as it was part of their duties to pay for this entertainment, as well as the distribution of food and gifts at festivals, and one of the conditions for election to a magistracy was the ownership of sufficient property to be used as a pledge in cases of default in their duties. The duumvirs at Urso had to hold a gladiatorial show or dramatic spectacle in honour of Jupiter, Juno, and Minerva and the other gods and goddesses over a four-day period, with the games lasting for the greater part of each day. Each duumvir was to spend a sum of up to 2,000 sesterces of his own money on the spectacle, plus the equivalent from public funds. Similarly the two aediles were to put on similar games, lasting three days, and ‘games in the circus or forum’ in honour of Venus on one day, spending up to 2,000 sesterces of their own money and up to 1,000 sesterces from public funds. One of the prerogatives of the pontiffs and augurs was the right to sit among the decurions ‘at the games and the gladiatorial contests’, and there were penalties of 5,000 sesterces for members of the audience who attempted to sit in these places without authorisation by the decurions themselves or by Caesar.

Even though Urso was a relatively small colony, as opposed, for example, to Hispanis (Seville), the holding of games or ‘spectacula’ was seen as an important part of its activities, whether *ludi scaenici*, gladiatorial spectacles, or possibly even chariot and horse-racing. The law specified that not only the colonists themselves, but resident aliens (non-citizens living in the colony), guests, and visitors were to be accommodated at the spectacles and games in appropriate seating, which suggests that native Spaniards were permitted to attend. As a settlement run in a typically Roman fashion for a Roman settler population, a theatre for ‘spectacles’ was as much an integral part of the colonial development as the forum, basilicas, and temples, and the love of public entertainment was one of the features of Roman townships that helped to Romanise the Mediterranean world.

The culture of preeminence at Rome

From the time of the kings, the city of Rome and its public works had impressed visitors with their practicality and efficiency, and the amenities of the city were continually updated to improve living conditions for the growing urban population. Roman roads in particular were rivalled by no other ancient civilisation and were a clear manifestation of the territorial domination of the lands conquered by Rome. The Romans prided themselves on their practicality in what was a highly competitive and militaristic culture, and great reverence was paid by the senatorial class to traditional Roman values: the austerity and frugality that had made Rome great. Such values were most notably promoted by Cato the Elder, who took pride in his adherence to traditional norms and where possible attempted to impose compliance on other members of the elite and the Roman citizenry in general. Renowned heroes such as M'. Curius Dentatus were remembered for their pride in being simple farmers, while the luxury, gluttony, and epicureanism which were thought to be destroying Rome’s moral fibre in

the second century after Rome's extensive conquests were continuously reprobated. Nevertheless, Cato's own guidelines on the procedures and practices involved in running a small villa-estate staffed by slaves show the ways in which, by the first half of the second century BC, Rome was already developing into a society with unparalleled access to wealth and resources, later epitomised by the excesses of aristocrats such as Hortensius Hortulus and Lucullus.

In the highly competitive society that comprised aristocratic Rome, political careers were built both on military conquest and on skill in forensic oratory, with victories in the law-courts being another important way of winning clients and popularity. The ability to speak well in public was essential, and among the most impressive speakers of the later Republic were the Gracchi, Caesar, and of course Cicero, whose career rested on his rhetorical abilities. The greatest prestige, however, was typically seen as achieved in warfare, and ambition for high office leading to a military command ensured keen rivalry over election to magistracies, and especially the consulship. This in turn, it was hoped, would lead to the ultimate honour of a triumph which did more than anything to convey *dignitas* upon its recipient (even Cicero vainly hoped for one). It was a point of pride to live up to the achievements of one's ancestors, whose funerary masks displayed in homes and in funeral processions proclaimed the celebrated status of established families to whose efforts Rome's greatness was due, and it was by the acquisition of such gloria that members of the elite enhanced their status and that of their family. There was continual competition for pre-eminence not only in military campaigns and the courts, but in the conspicuous funding of public works and amenities in the city, while the ostentatious hosting of games and munera were endemic to the process of canvassing for election, as were lavish hand-outs to the electorate. Whether paid for privately in thanks for military victories, or as part of official magisterial duties, aqueducts, temples, roads, theatres, and other amenities promoted the political ambitions of those responsible for their construction and proved of long-term value in enhancing the prestige of their families.

The struggle up the *cursus honorum* involved the assistance of all of a candidate's friends, clients, and connections. Networks of unofficial *amicitia* and patronage circles ensured the success of individual members of these groups, as well as the continuation of the elite's control of political institutions, with the *nobiles* making use of their political friends and clients to maintain their stranglehold on power and influence. In consequence, new men found it difficult to break into the aristocratic inner circle even when wealthy, as the electorate tended to prefer candidates of well-known ancestry; novi homines such as Marius and Cicero achieved their aims not through their financial resources, but by their professional skills on the battlefield and in court. Even then, Sallust makes it clear that such outsiders were resented by the nobility for encroaching on their prerogatives.

Achieving election at Rome was a costly business, and, even amongst the elite, candidates for magistracies had to win popularity by hosting lavish entertainments for the people, both as junior magistrates and as private citizens: the provision of shows, theatrical performances, wild-beast fights, and public banquets and other hand-outs was a long-established tradition for those ascending the magisterial ladder. Bribery was also endemic, and the pressure to engage in such expenditure made it all the more necessary for successful candidates to recoup electioneering expenses through a provincial governorship. With the acquisition of immense wealth and resources after

Rome's conquest of the Mediterranean, Rome's political culture increasingly became one of conspicuous display in all fields of endeavour, justified by the ultimate goal of ennobling and enriching one's family through the attainment of high office.

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Chapter 3

Religion in the Roman Republic

Early deities and cults

At the beginning of the Republic in 509 BC Rome worshipped deities and participated in festivals closely related to those of its Latin neighbours (Map 1), while its religious rites were also influenced by Etruscan, and, to some degree, Greek religious practices. These shaped the basic features of Roman religion, which were already in place in the sixth century BC and continued throughout the Republic and into the imperial period. Despite foreign influences, Roman religion had a uniquely Roman character, and the Romans attributed a large number of the features of their religion to Numa, the second king of Rome, following the standard ancient practice of crediting features of a political and religious structure to a particular reforming figure, such as Lycurgus for ancient Sparta. The first king of Rome, Romulus, was thought to have founded the city and organised it, with the religious details then worked out by the next king, Numa (with additions and modifications by subsequent kings).

From the inception of the Republic, civic Roman religion possessed a very developed and formal nature: the colleges of priests, such as the pontifices and augurs, positions restricted to the elite, were fundamentally concerned with the relationship between the civic sphere and the gods, and the state was involved in the establishment and maintenance of temples, sacrifices, and festivals. Many of the earliest Roman religious rites concerned agriculture, and agricultural festivals, such as the Consualia and Parilia, remained important throughout the Republic and beyond. It is clear, however, that by the first century BC the exact meaning and origin of many of the rituals of early times had long been forgotten, although their practice in traditional form continued out of piety in order to retain the goodwill of the gods, even though the rites and formulae had often become incomprehensible.

The Olympian deities

The 12 major deities, headed by Jupiter Optimus Maximus (Jupiter ‘the Best and Greatest’), were identified with their counterparts in the Greek pantheon, although there were significant differences between the two groups of deities and the pairs of equivalents (Athena: Minerva, Artemis: Diana, and so on). While the Roman gods were also thought to dwell on Mt Olympus in northern Greece, this was apparently seen as synonymous with the sky, which was the centre of divine activity, the site, for example, to which Julius Caesar was transported after his apotheosis, while Hades,

the realm of Pluto and Persephone (Proserpina in Rome), remained the location of the underworld. The first listing of the 12 Roman ‘Olympian’ deities appears in connection with a lectisternium (banquet of the gods) held in honour of the gods in 217 which is recorded in Livy, with the gods involved listed by Ennius in his *Annals*: the Olympians, at this point, consisted of Jupiter (Jove), Juno, Vesta, Neptune, Minerva, Mars, Venus, Apollo, Diana, Vulcan, Mercury, and Ceres (Enn. *Ann.* 60–61: doc. 3.1). The polytheistic religion of Rome did not view these as a monotheistic entity, and while the divinity of all Olympian gods was unquestioned, these individual deities could be seen as of varying importance in different regions of Italy: even in Rome, they were not worshipped as a single group, with each having their own festivals and rites. As in Greece, the gods were seen as having fraternal and marital relationships with each other, with Juno, Vesta, Neptune, and Ceres being Jupiter’s siblings, and Juno also his consort.

The major Roman gods were Jupiter, Juno, and Mars, all of whom held important places in the state religion. Jupiter was the major deity of the Romans, as well as an Italian deity worshipped throughout the peninsula, and the feriae Latinae (Latin festival) was celebrated in his honour. At Rome, he was the supreme god of state, presiding over the political activities of Rome through his role as the sender of auspicia, the auspices which were taken before elections, meetings of the assemblies, and any military action. The first meeting of the senate each year took place in his temple on the Capitoline and on entering office the two consuls sacrificed an ox to Jupiter (Livy 41.14.7). He was responsible for victories in war, and the ceremony of the triumph evoked his role as war-leader, since the general’s face was painted red, like that of Jupiter’s statue, and the procession concluded at his Capitoline temple.

The temple of Jupiter on the Capitol, the most important in Rome, was shared with Juno and Minerva, with Juno possessing the shrine to Jupiter’s left and Minerva that to his right. The Capitoline triad was of Etruscan origin and the original temple of Jupiter Capitolinus was built in the time of the kings. This temple, which burnt down in 83, is shown on a denarius of 75, depicted with three closed doors between four columns, leading to the three chambers belonging to the triad (Figure 3.1), who were seen as the patron deities of Rome. The dedication of the temple was celebrated on 13 September during the ludi Romani (Roman or Great Games), while an official banquet in honour of the Capitoline triad also took place during the ludi plebeii (Plebeian Games) in November.

Obscure deities in Rome

As well as the Olympians, there was also a multiplicity of Etruscan and Italic deities known to and worshipped by the Romans. In the first century BC, the antiquarian Varro attempted to determine the linguistic origins of some of the earliest and most obscure of these, as the functions and origins of many of them were no longer clear (Varro *Ling. Lat.* 5.74: doc. 3.2). He considered that Feronia (perhaps a healing deity), Minerva, and the Novensides (the ‘new settlers’) were Sabine in origin. Also Sabine in his view were Pales (deity of shepherds, who was generally female, but sometimes referred to as male), Vesta, Salus (safety), Fortuna, Fons (god of springs), and Fides (faith). The Sabine king Tatius was supposed to have ruled Rome jointly with Romulus for a time, and Varro attributed to him, on linguistic evidence, the



Figure 3.1 A denarius issued by M. Volteius at Rome in 75 BC depicting the laureate head of Jupiter and the temple of Jupiter Capitolinus. On the obverse the bearded head of Jupiter; on the reverse the tetrastyle Doric temple of Jupiter Capitolinus with closed doors and a thunderbolt on the pediment. M VOLTEI M F (M. Volteius, son of Marcus) in the exergue. The temple of Jupiter Optimus Maximus ('the Best and Greatest') on the Capitoline was the most important temple in Rome.

Source: Courtesy of Classical Numismatic Group

altars at Rome dedicated to Ops (abundance), Flora (flowering plants), Vediovis (perhaps a chthonic deity), Saturn (identified with Kronos), Sun, Moon, Vulcan, Summanus (responsible for lightning), Larunda (mother of the Lares), Terminus (boundary stone), Quirinus (protector of the citizenry, identified with Romulus), Vertumnus (an Etruscan god), the Lares (worshipped in houses and at crossroads), Diana, and Lucina (childbirth).

The agricultural nature of early Roman religion is made clear by the number of deities named for their function: examples include Occator for occatio (harrowing), Sarritor for sarritio (hoeing), Sterculinus for stercoratio (spreading manure), and Sator for satio (sowing). The antiquarian Fabius Pictor, in his *On the Pontifical Law*, listed a number of gods as invoked for their goodwill by the flamen (priest) of Ceres, goddess of the harvest and fertility, when making sacrifices to Ceres and Mother Earth (Tellus): among these were Vervactor (ploughing fallow), Reparator (reploughing), Imporcitor (making furrows), Insitor (sowing), and Obarator (ploughing up) (Serv. *Georg.* 1.21: doc. 3.3; Figure 3.16). The early Romans elevated to divine status the forces which were thought to blight crops and affect the productivity of their harvests and farms.

Etruscan influence on Roman religion

The Etruscans were seen by the Romans as religious experts who paid more attention than anyone else to religious rites, and Etruscan religious observances ('Etrusca disciplina') were adopted by the Romans, in the same way as they appropriated the paraphernalia of Etruscan rulers for Rome's kings and then magistrates. Diodorus of



Figure 3.2 A denarius issued by L. Caesius at Rome in 112–111 BC depicting the bust of Apollo Veovis and two Lares seated with a dog. On the obverse Apollo Veovis, hurling a thunderbolt with his right hand; on the reverse two Lares seated on rocks, each holding a spear, with a dog between them, being petted by the Lar on the right. Above is depicted the head of Vulcan and tongs, with L CAESI in the exergue. The Lares were guardian deities of the home.

Source: Courtesy of Classical Numismatic Group

Halicarnassus, writing for his Greek readership, explains why the Romans put such store on Etruscan religious expertise:

Etruscans also perfected literature and the teaching about nature and the gods, and they achieved more expertise than any other race in the art of divination by thunder and lightning, which is why, even up to this present day, the people who rule nearly the entire inhabited world show respect to these men and employ them as interpreters with regard to omens from heaven.

(Diod. 5.40.1–2: doc. 3.4)

The Etruscans believed that the gods made their will known by signs, and their literature on divination – the books on the inspection of entrails (*libri haruspicini*), divination by thunder and lightning (*libri fulgurales*), and rituals such as the founding of cities (*libri rituales*) – were appropriated by the Romans, as was the craft of soothsayers (*haruspex*, pl.: *haruspices*), who were recruited especially from Etruria and in charge of the interpretation of the entrails of sacrificial animals, known as *haruspicy* or *extispicy*.

Numa Pompilius

Many features of Roman religion were attributed to the Sabine Numa Pompilius, the second king of Rome, and were considered to have evolved in the pre-republican period, thus being of great antiquity. Ennius attributed to Numa the institution of the ‘sacrificial banquets’ (*lectisternia*) when the gods were feasted, shields (the priesthood of the Salii), *liba* (sacrificial cakes offered at sacrifices), bakers of offering-cakes

(fictores, makers of the liba), rush-dummies (the Argei, effigies thrown into the Tiber), and the wearing of conical headdresses (the tutulati, priests who wore the tutulus, a cone-shaped cap: *Enn. Ann.* 125–129: doc. 3.5).

Certain deities possessed flamines (sing.: flamen), priests entirely dedicated to their service, of whom there were 15 in total, three major and 12 minor. The major flamines were those of Jupiter (the flamen Dialis), Mars (flamen Martialis), and Quirinus (flamen Quirinalis). Several of the minor priesthoods which served little-known gods are listed by Ennius as instituted by Numa: these were the flamines of Volturnus (a river deity), Palatua (deity of the Palatine), Furrina (unknown), Flora (flowering plants), Falacer (unknown) and Pomona (goddess of fruit). The other minor flamines consisted of the flamines Volcanalis (Vulcan), Cerialis (Ceres), Carmentalis (Carmentis, goddess of birth), Portunalis (Portunus, god of wharves), and two others whose identity is unknown. These priesthoods dated back to the earliest antiquity, and remained unchanged during the Republic, attesting to Rome's traditionalism in religion, despite the fact that the identity of some of the deities was debated or obscure.

Livy confirms that Numa was considered to have instituted the earliest priesthoods at Rome, including the positions of the three major flamines, the Vestal Virgins, and the 12 Salii (priests of Mars), as well as appointing the first pontifex maximus, the chief priest (Livy 1.20.1–7: doc. 3.6). The flamen Dialis (flamen of Jupiter) was prescribed a special dress and royal curule chair, while the Vestals were given a salary from public funds to ensure that they could afford to serve. The Salii, so called because they danced in honour of Mars (from saltare: to dance or jump), were allowed to wear a bronze breastplate (trabea) over an embroidered tunic, and carried the 'divine' shields, when they formally danced and sang in their processions throughout the city in March and October. Livy records that the first pontifex maximus was Numa's son-in-law, Numa Marcius, and that Numa instructed him in all the ritual details of importance, including the days on which sacrifices should occur, the appropriate victims, and the shrines where ceremonies were to take place, as well as which funds should be drawn upon to cover expenses. The pontifex was also to rule on all public and private cults, and to ensure that none were omitted, or foreign cults introduced inappropriately, and was also the arbiter of correct funerary observances and propitiation of the dead, and actions to be taken following omens and portents. That even the most minute details of rituals were carried out correctly was of vital importance in Roman religion, and in the Republic priests, including the Salii, possessed records of the precise nature of ritual procedures and precedents which they were expected to follow.

The Argei: substitute human sacrifices?

The Romans possessed a tradition that their early rites had included human sacrifices thrown into the Tiber. Dionysius of Halicarnassus stated that these were offered to Saturn, and later replaced (by Hercules) by effigies made of bullrushes, similarly dressed and handled. This practice was still occurring on the Ides of May (15 May) in Dionysius' own time at the end of the first century BC, with the ceremony performed by the pontifices, Vestals, and praetors (including the wives of some priests, such as the flaminica Dialis, wife of the flamen Dialis; Gell. 10.15.30: doc. 3.21). The ritual consisted of 30 effigies made of rushes (27 according to Varro), termed the Argei, which were hurled into the Tiber from the pons Sublicius, Rome's oldest bridge (Dion. Hal.



Figure 3.3 A denarius from Rome issued by Q. Cassius Longinus, moneyer in 55 bc, depicting the head of Libertas and the circular temple of Vesta with a curule chair. On the obverse Libertas (Liberty), her hair collected in a knot, with a single-drop earring and necklace of pendants, LIBERT to left, Q. CASSIUS to right. On the reverse the temple of Vesta surmounted by a figure holding a patera (libation bowl) and sceptre; inside a curule chair (referring to the role of L. Cassius Longinus Ravilla in the trial of the Vestals Marcia and Licinia in 113); to the left a voting urn, and at right a voting tablet with A and C (for Absolvo/Condemno).. Quintus was the brother or cousin of Cassius, the assassin of Julius Caesar. Like L. Cassius Longinus in 60 (Figure 7.6) he was presumably recalling the trial of the Vestals by his ancestor.

Source: Courtesy of Classical Numismatic Group

1.38.2–3: doc. 3.7; Map 2). This was presumably a rite of purification or expiation, and it is significant that it was attended by the highest-ranking religious personnel at the end of the Republic, even though the purpose and origins of the ceremony, and even the meaning of the term Argei, were in doubt.

Sabine and Latin cult practices

The Romans were closely linked with the Latins in their cult practices, and Dionysius records an alleged incident when certain distinguished Romans during the reign of Tullus Hostilius, attending a popular festival at a shrine of Feronia which was sacred to both Sabines and Latins (Feronia was perhaps originally a Sabine deity), were seized and robbed by some Sabines (Dion. Hal. 3.32.1, 4: doc. 3.8). A war broke out and Tullus won victory in a battle in which both sides were equally balanced, by promising to the gods that he would establish festivals in honour of Saturn and Ops (the Saturnalia and Opalia), and double the number of Salii, the priesthood of Mars (see the Priestly Colleges section).

The Romans participated in a number of Latin cults and the most important joint celebration was the feriae Latinae (or Latin Festival), in which all the cities of Latium took part (a total of 47 cities according to Dionysius), dating back to the time of the Roman kings. In the Republic, Rome had the main organisational role and the consuls presided over the festival: one of their first roles on taking office was to announce the date for the feriae Latinae and they could not take the field until it had been celebrated. The festival

took place on the Alban Mount, 20 miles south-east of Rome (Map 1), in honour of Jupiter Latiaris (Jupiter of Latium), and consisted of a lustration of milk and then the sacrifice of a white bull, provided by Rome, the meat of which was shared between the participating cities, which for their part provided offerings of cheese, milk, lambs, and similar items (Dion. Hal. 4.49.1–3: doc. 3.9). Any omission or mistake during the ritual, even if it was interrupted by inclement weather, meant that the entire celebration had to be repeated.

Sacred groves

It was a particularly Latin and Italian phenomenon that certain groves were considered sacred as the dwelling place of a deity. These typically consisted of a stand of trees and an altar, although there could be a larger area containing a shrine or temple, as in the case of the grove of the Dea Dia, where the Arval priesthood was situated (*ILS* 5039: doc. 3.12). The distinction is generally drawn between a lucus, a natural grove, and a nemus, which was a larger and more cultivated plantation, such as the shrine of Diana Nemorensis. Regulations from the second half of the third century clearly state that such sacred groves should remain inviolate. At Spoleto in Umbria an inscription laid down that nothing was be removed from the grove (presumably including branches of dead or fallen wood), while wood cutting was only permissible for the annual festival and sacrifice. The penalty for violating this rule was the sacrifice of an ox to Jupiter and a fine of 300 asses. At a grove at Lucera in Apulia, the injunctions prohibited the depositing of dung or a corpse, as well as sacrifices there on behalf of deceased ancestors, the penalty being a fine of 50 sesterces, while the offender could be seized by any person who so wished and made to face judgement (Bruns 283: doc. 3.10).

The shrine of Diana at Aricia was perhaps the most renowned grove in Italy, situated on the slopes on the Alban Mount near the Lake of Nemi (known as the ‘Mirror of Diana’, *speculum Diana*), some 16 miles south-east of Rome (Figure 3.4; Map 1).



Figure 3.4 A denarius issued by P. Accoleius Lariscolus at Rome in September–December 43 BC depicting the bust and triple cult statue of Diana Nemorensis. On the obverse the draped bust of Diana Nemorensis or Nemoralis; on the reverse the triple cult statue of Diana Nemorensis (Diana, Hecate, Selene), supporting a beam, above which are five cypress trees.

Source: Courtesy of Classical Numismatic Group

The grove had originally been dedicated by a group of Latin peoples, after the fall of the monarchy at Rome. There was a longstanding tradition that its priest, who was called the king of the grove (rex nemorensis), should be a runaway slave who had taken on this position by killing his predecessor, and who was of course liable to be killed by a successor. The newcomer had to pluck a branch from a sacred oak tree in the grove, and, if successful in this, was permitted to fight the current priest, who was armed with a sword at all times to protect himself against this eventuality (Strabo 5.3.12: doc. 3.11).

The grove, a nemus, presumably consisted in its original form merely of the wood and altar, but c. 300 the inhabitants of Aricia erected an impressive temple there with gilded roof tiles. This was reconfigured c. 95 BC to include a small theatre (where the combat perhaps took place), bath, and granary together with other buildings. The grove contained votive tablets and offerings made by women who desired to bear children, and the treasury was rich enough in dedications for them to have been appropriated by Octavian for the war against Antony. The temple was said to have been a copy of the one at Tauris in the Crimea, where Iphigeneia had served as Artemis' priestess after being carried away by the goddess when on the point of being sacrificed by Agamemnon. Diana was also the patroness of slaves and of the hunt, and it was perhaps not unreasonable that her priesthood should be decided by a gladiatorial combat between fugitive slaves.

Early hymns and rituals

The Arval brothers

One of Rome's ancient priestly colleges was that of the 12 Arval brothers (the Arvales fratres). The 'hymn' of the Arval brothers is recorded on a marble tablet dating to AD 218, but the language is clearly antique and dates back to at least the fourth century BC. The cult appears to have fallen into disuse at some point during the Republic, but like many other traditional cults it was revived by Augustus. The antiquity of the ritual is also suggested by the fact that, when the brothers performed it, they did so with books in hand, possibly implying that they were not confident of being able to memorise it exactly. The Arvals maintained the cult of Dea Dia (an agricultural goddess) at a grove 8 kilometres from Rome, and performed the hymn in her honour at her festival in May, when a lamb was sacrificed: arva was one of the Latin terms for fields or ploughland (Varro *Ling. Lat.* 5.85: doc. 3.19). After the performance the priests engaged in a sacrificial meal, and horse-racing took place in the circus.

The song itself in honour of the Dea Dia and Mars had a three-beat rhythm ('tripodium') like that of the Salii, and its verses were each repeated three times. It invoked the assistance of the Lares, of Marmar (Mars) against destruction and plagues and for protection of the frontier, and called on the Semones (deities of the seed: 'semen'), ending with a cry of victory ('Triumph!' repeated five times) celebrating propitious conditions for the year's crops (*ILS* 5039: doc. 3.12). The Lares were protective deities of the household, crossroads, and villages (Figure 3.2), and Mars originally an agricultural deity and protector of farmland (hence his martial role in repelling invaders). The insignia of the priesthood consisted of a garland of wheat ears and

white fillets of wool, and the leaping and dancing accompanying the hymn may have been imitative magic to ensure the growth of crops.

The Salii

Dionysius notes that there were two groups of Salii, the Palatini (who met on the Palatine) supposedly instituted by Numa in honour of Mars, and the Agonales (who met on the Quirinal) instituted by Tullus Hostilius in honour of Quirinus (Dion. Hal. 3.32.4: doc. 3.8). Their dress consisted of embroidered tunics with belts of bronze, and the trabeae, robes with scarlet stripes and a purple border fastened with brooches (Dion. Hal. 2.70.1–5: doc. 3.13). Like flamines they wore the apex, the cap with an olive-wood spike surrounded at its base by a lock of wool (Figures 3.5, 13.3). They were also armed with swords and ‘a spear or staff or some such thing’ and a figure-of-eight shield (‘an oblong shield which looks like a lozenge, with the sides drawn in to form hollows’). Plutarch (*Numa* 13.2) records that the original shield fell from heaven during a plague, and Numa had the other 11 copied on that model.

Dionysius records that the Salii danced and sang traditional hymns through the city, in the forum and on the Capitoline hill and ‘many other places’: their rites lasted for five days in March, and one in October (19 October). Their dance and chant was performed in triple time to the music of the flute, and accompanied by stamping movements while they beat on their shields. Aelius Stilo Praeconinus, a scholar c. 100 BC, attempted an interpretation of the song, which was obviously by then incomprehensible, and in the late first century AD the rhetorician Quintilian, in his *Education of an Orator* (1.6.41), commented that: ‘The language of the hymn of the Salii . . . is now hardly understood by its own priests. But religion forbids those words to be altered, and we must treat them as holy objects’.

The fetials

Like the Arvales frates and Salii, the fetials were patricians whose priesthood was considered to have dated back to antiquity. According to Livy they were established by Ancus Marcius, fourth king of Rome, though elsewhere (Livy 1.24) he has them active in the time of the third king, Tullus Hostilius. It has been suggested that they were another antiquarian reinvention of Augustus, but they appear to have been a genuinely ancient priesthood responsible for rites concerned with the declaration of war and the maintenance of the *ius fetiale*, the juridical relationship between nations, which included the signing of treaties. The priesthood comprised 20 members, and, if an oath between cities was considered to have been broken, the fetials of the wronged state would demand satisfaction from the fetials of the aggressor. Livy describes how the chosen fetal, who was named the pater patratus (the ‘ratifying father’, the fetials’ representative for this occasion), would approach the boundary of the people with whom the dispute was in place, wearing a woollen fillet, accompanied by another fetal (the verbenarius) who carried sacred herbs uprooted from the citadel. There the pater patratus would proclaim his demands and that he was ‘rightly and religiously commissioned’ (Livy 1.24.5–14: doc. 3.14). After an oath to Jupiter that his demands were fair, he repeated the declaration on crossing the frontier, to the first person he encountered, at the town’s gate, and in the forum to the town’s magistrates.

If no agreement were reached, the fetial would declare war after 33 days. On his return to Rome he would consult the king and senate, and, following a majority vote in favour, war would be agreed upon. In his declaration of war the pater patratus threw a spear tipped with iron or hardened in the fire and dipped in blood (symbolising fire and bloodshed) into enemy territory, and recited the appropriate ritual formula. In the case of a distant enemy, as in the case of Octavian's declaration of war against Cleopatra, the ritual took place in Rome itself, and the spear was thrown into land near the temple of Bellona, goddess of war, which was considered to represent enemy territory. The formula used for the declaration of war reminded the gods of the Romans' rectitude, and made clear to the enemy that the Romans had divine backing.

Lectisternia: banquets of the gods

Another typically Roman rite, the lectisternium (plural: lectisternia, from *lectum sternere* 'to prepare a couch'), was introduced in 399 on the advice of the Sibylline Books after Rome had been struck by a virulent plague during its war against Veii. The duumvirs (the two keepers in charge of the books at this point) recommended holding a lectisternium, a banquet of the gods, in which couches were to be provided for cult statues of the gods on which they would recline while they were feasted: the couch on which the gods reclined was termed a pulvinar (Livy 5.13.4–8: doc. 3.15). Similarly, at the traditional epulum Iovis, the 'feast in honour of Jupiter' held on the Ides of November as part of the ludi plebeii, Jupiter (in the form of his cult statue) was invited to dine on a couch, and Juno and Minerva on chairs. The epulum Iovis, however, was a regular rite in honour of the Capitoline triad, originally organised by the pontiffs and after 196 by priests termed epulones.

The couches for the cult statues were set up in public with tables in front of them, on which people could place offerings for the various deities. On this occasion, according to Livy, the feast lasted for eight days (Dionysius says seven: Dion. Hal. 12.9) and the deities propitiated were Apollo and his mother Latona (Leto), Diana and Hercules, and Mercury and Neptune. Their statues were placed on the couches in pairs, with each of the deities reclining against a cushion, instead of the goddesses being seated on chairs as in the old Roman custom (women did not recline at dinner like men, but sat on chairs to dine). During the Second Punic War, after the disastrous battles in 218 and 217, and in 204 when the cult of the Magna Mater was introduced, lectisternia for six deities were again celebrated over a three-day period. On this occasion in 399 the lectisternium was performed not only in public, but also in private houses, law-suits were cancelled, and prisoners were freed from their chains. The fact that the custom was suggested by the Sibylline Books, and that these deities so honoured were Greek, suggests a Greek origin for the practice.

Drama as divine entertainment

When a further lectisternium failed to alleviate a plague in 365–364, another innovation was carried out in an attempt to placate the anger of the gods. This consisted of scenic entertainments, to the music of the flute, performed by dancers (*ludiones*) called in from Etruria to purify the city (Livy 7.2.1–7: doc. 3.16). Local youths copied these dances and added rude, satirical verses called *fescennina* which they were

accustomed to employ in agricultural festivals. This practice of dance accompanied by satirical verse was then adapted by professional actors known as histriones (from the Etruscan term ‘ister’ for a dancer), and the songs performed to the flute were termed saturae (satires). This was the origin of Roman comedy, in which the actors needed to be highly skilled at both singing and dancing: the first full-scale Roman dramatic performance written by Livius Andronicus was performed in 240. Many Roman festivals included theatrical performances in honour of the gods, who, as at Athens, were thought to enjoy dramatic productions. The Etruscan-influenced entertainments in the 360s failed to halt the epidemic (the Tiber also flooded), and it only came to an end after an older ritual was employed in which a nail was hammered by a dictator, L. Manlius Imperiosus who was appointed for this purpose, into the side of the temple of Jupiter Optimus Maximus, thus affixing the plague and putting an end to its ravages (Livy 7.3.5–9).

The pomerium

Many of Rome’s ritual practices were derived from the Etruscans, including those used when founding a city, the most important of which was the establishment of the pomerium, the boundary which at Rome and its colonies divided the urbs, the city itself, from its territory, the ager. The original pomerium was supposedly ploughed at Rome by Romulus himself. The meaning of the word was unclear in the late Republic, and was generally explained as either ‘behind the city wall’ (*post murum*), or ‘in front of the wall’ (*pro murum*). According to Varro, the rite had to take place on an auspicious day, with the founder using a team of white cattle, a bull with a cow on the inside, to plough the furrow around the city (Varro *Ling. Lat.* 5.143: doc. 3.17; Figure 15.6). The ploughed earth that fell inwards symbolised the wall, and the furrow alongside it the ditch. The pomerium was located on the inner side of the wall and marked the limit of the area ‘behind the wall’ (pomerium).

The pomerium of Rome was only rarely extended: in the Republic allegedly by Servius Tullus, and then by Sulla and Caesar, followed by Augustus. Accordingly it did not mark a line of fortifications or extent of urban settlement, but was the religious boundary distinguishing between auspices taken within the city and those taken outside of it. When a general departed from Rome on campaign, he took the auspices before crossing the pomerium, at this point donning his military cloak and having the axes fixed in the fasces carried by his lictors, marking the beginning of his imperium. Similarly, his imperium terminated here on his return as he crossed the pomerium back into Rome, and generals waiting to celebrate a triumph with their army had to remain outside the pomerium on the Campus Martius. The jurisdiction of tribunes of the plebs only applied within the pomerium, and they were only allowed to leave the city for the celebration of the feriae Latinae.

Devotio: the self-sacrifice of a general

Another ancient ritual documented in the early Republic was that of *devotio*, when a general dedicated himself or the enemy to the gods of the underworld. P. Decius Mus, at the battle at Vesuvius in 340, was the best-known example of this rite. His son (at Sentinum in 295) and grandson (at Ausculum in 279) were also said to have performed

it, and this self-dedication on the battlefield is only specifically attested for these three generations. In devoting or consecrating himself and the enemy to the underworld deities (the *di manes*, spirits of the dead, and *Tellus*, Earth) the commander ensured the success of his troops in battle by laying down his own life for that of his army. On the occasion in 340 omens for Decius had already been unfavourable (the lobe of the sacrificial liver was inauspicious), while the left wing under Decius' command was being pushed back by the Latins. Warned by the gods that victory would only eventuate in the case of his self-consecration, Decius called on the pontifex maximus to recite the appropriate formula, which Decius repeated after him, while wearing the *toga praetexta* with his head covered, touching his chin with one hand, and standing on his spear. The prayer beseeched 'Janus, Jupiter, Father Mars, Quirinus, Bellona, Lares, New Gods (*divi novensiles*), Native Gods (*di indigetes*), Gods, in whose power are we and our enemies, and you Gods of the underworld (*di manes*)' to prosper the Roman people and strike the enemy with terror, fear, and death. Then girding himself in the *cinctus gabinus*, a way of wearing the *toga* leaving both arms free, he threw himself on horseback upon the enemy. His death was followed by the victory of his troops (Livy 8.9.4–11.1: doc. 3.18).

According to Livy, in this ritual a legionary could be devoted in the commander's place. If this devotee did not in fact die, a statue of him had to be buried on the spot of consecration, and the place became a sacred site (a *locus religiosus*). If a commander who had devoted himself like Decius did not die, then he was no longer able to perform any religious act on behalf of the Roman people, not even a sacrifice. Moreover, the spear on which the commander had stood was not to be allowed to fall into the hands of the enemy; if this happened, a *suovetaurilia* (pig-sheep-bull sacrifice) had to be performed to propitiate Mars.

While this *devotio* ritual is only recorded as a battlefield rite for the Decii, at the time of the Gallic sack of Rome the older men, who had held curule office, were said to have dressed themselves in their magisterial togas and seated themselves on their curule chairs in their houses awaiting the invaders, devoting themselves to death on behalf of the state (Livy 5.41.1–3). Similarly, a legend recorded that when a crevice opened in the forum in 362 and it was announced by an oracle that it would only close when Rome's greatest possession was sacrificed to ensure Rome's eternal survival, M. Curtius (who took the oracle to refer to the Romans' courage) rode into the crevice in full armour, at which it closed up, becoming a lake or swamp in the forum, known from then on as the *lacus Curtius* (Livy 7.6.5–6).

Priesthoods

The organisation of Roman religion was in the hands of the priesthoods, under the ultimate authority of the pontifex maximus. Priesthoods were originally reserved for patricians, and when plebeians became eligible these were drawn from the elite plebeian families: access to priesthoods had been one of the main aims of the plebeians in the 'Conflict of the Orders'. *Novi homines* (men without a consul in their ancestry) are rarely found as members of priesthoods: only one *novus homo*, Ti. Coruncanius (cos. 280), is known to have been pontifex maximus (out of 81), and only two (Marius and Cicero) became augurs, while the pontifex maximus remained a patrician until 254 when Coruncanius was elected. From 180 to 47 it was normal to hold only one

priestly office at a time, and Caesar's election as augur and quindecemvir (a keeper of the Sibylline Books) in 47, when he was already pontifex maximus, appears to have been the first time anyone had held more than a single priesthood simultaneously. In 44 the senate decreed that the office of pontifex maximus should be hereditary in Caesar's family, and Augustus took over the position in 12 BC.

Roman priests belonged to specific colleges charged with various responsibilities in the maintenance of the state's rites and cults. There were four major colleges of priests: the pontifices, augurs, keepers of the Sibylline Books (originally the duumviri sacris faciundis: 'the two for the performance of sacred rites'), and epulones. Though the number of individual priests in each college was increased over time, the only new priesthood formed during the Republic was that of the three epulones introduced in 196 BC, which was increased to seven by Sulla: these priests were in charge of the epulum Iovis (feast of Jupiter). Apart from the four main colleges there were, however, several groups of less important priests including the fetials, Luperci, fratres Arvales (Arval brothers), and Salii.



Figure 3.5 Flamines from the procession on the south side of the Ara Pacis Augustae (the altar of Augustan peace) consecrated on 30 January 9 BC. The four major flamines follow Augustus; Agrippa, with covered head, is on the far right. They wear the characteristic cap with the olive-wood spike (the apex), and are followed by an assistant with a ritual axe on his shoulder.

Source: Photo © Adam Eastland/Alamy Stock

The priestly colleges

The pontifex maximus (chief priest) was the head of the college of pontifices (pontiffs) and his main role was to advise the senate and address it on behalf of the pontifices. Even after the publication of the calendar in 304, the pontifex maximus was still in charge of announcing the religious status of each day and inserting intercalary months. He also appointed Vestal Virgins and flamines, and, when necessary, disciplined the pontifices and the Vestals (Plut. *Numa* 10.7: doc. 7.90), as well as having to be present with the flamen Dialis at all marriages celebrated by confarreatio. There were eight pontifices from 300 BC (under the lex Ogulnia; Livy 10.6.6: doc. 1.56), of whom four were plebeian and four patrician, until Sulla increased their number to 15 and Caesar to 16. From the third century, the pontifex maximus was elected by 17 of the 35 tribes out of a list put forward by the pontiffs, and in 104 this electoral process was introduced for all pontifical candidates.

The pontifices as a college were largely concerned with the *sacra* (sacred rites), in which they recited the appropriate ritual formulae which were repeated by officials during ceremonials, and on which they could be called upon to advise the senate and members of the public. The college guarded a collection of the necessary formulae and prescribed prayers for each occasion. They also recorded the important religious events of each year in the *Annales maximi* and enacted laws relating to the performance of rituals, which were recorded in books known as *Commentarii*. In the late Republic Granius Flaccus wrote on the sacred books of the pontifices and their rulings on cult, but his work is no longer extant. Pontiffs wore the conical cap with its apex of olive-wood, and the toga praetexta, and the sign of pontifical office was the iron-bladed sacrificial knife, the *secespita* (Figure 3.6). Also belonging to the college of pontifices were the six Vestal Virgins, the *rex sacrorum* ('king of the sacrifices', who performed the religious duties of the old kings), and the 15 flamines (singular: *flamen*). Each *flamen* served a single deity, the most important being the flamines Dialis, Martialis, and Quirinalis, together with 12 minor flamines, many serving obscure deities. The *flamens* wore the *apex* (the cap with a pointed piece of olive-wood standing up from it), *laena* (a shaggy woollen cloak), and a laurel wreath (Figure 3.5).

Augurs and haruspices

The second major college was that of the augures (augurs or diviners). There were nine members (five plebeian) under the lex Ogulnia, increased to 15 by Sulla and 16 by Caesar. Their main duty was concerned with the interpretation of the auspices, on such occasions as the election of magistrates, the convening of the assembly, and the commencement of a military campaign. Their art (*augurium* or *auspicium*) primarily concerned the divination of thunder and lightning and of birds, as well as the interpretation of portents and the feeding habits of the sacred chickens. The college possessed manuals of augural theory and practice, to be consulted when appropriate. The chief mark of their office was the *lituus*, the staff with which they marked out the heavens prior to observing the sky for omens (Figures 3.6, 11).

The art of reading the entrails of sacrificial animals belonged to the *haruspex* (plural: *haruspices*). Haruspices were diviners (sometimes the term is translated as 'sooth-sayers'), members of the Etruscan aristocracy, particularly concerned with examining

the entrails of animals when they had been sacrificed. They also interpreted thunderbolts as well as ‘out of the way events’, such as the noise heard outside Rome in 56 BC (*Cic. Har. Resp.* 57–59: doc. 12.62). Etruscans were considered pre-eminent in this skill and were generally employed for this purpose at Rome: a body of 60 members (the *ordo LX haruspicum*) was recruited from young men of prominent Etruscan families to advise the senate and pontiffs upon request. A bronze sheep’s liver dating to the first century BC from Piacenza in Etruria is marked by lines into 42 sections, each with an Etruscan inscription; clearly it was used as a guide in entrail interpretation (Figure 3.10).

The decemviri sacris faciundis

The Sibylline Books were said to have been sold by the Sibyl at Cumae to the fifth king Tarquinius Priscus. They were written in Greek verse and originally in the charge of two officials (the *duumviri sacris faciundis*, ‘two men for the performance of sacred rites’). The members of this college were later increased to ten (decemviri), five patricians and five plebeians in 376, and then to 15 (quintdecimviri) under Sulla and 16 under Caesar. From 104 appointment was by election by 17 of the 35 tribes. The keepers consulted the Sibylline Books only when directed to do so by the senate, to discover what rites of expiation would placate the gods in times of crisis, such as terrifying omens, defeats in war, and plague and pestilence. After consulting the books, their recommendation was presented to the senate which took their advice into consideration in their response to the crisis, often also consulting the pontifices and haruspices on the issue. It was on the advice of the keepers of the books that the cults of Apollo, Aesculapius, Dis Pater and Proserpina, and the Magna Mater were introduced to Rome. They also recommended the institution of lectisternia, supplicationes (sing.: *supplicatio*, a ceremony of expiation) and some games, such as the revival of the ludi saeculares celebrated by Augustus in 17 BC. The emblem of members of the college was the dolphin and tripod of Apollo.

The epulones

The epulones, or *septemviri epulonum*, organised the *epulum Iovis*, a feast in honour of Jupiter, Juno and Minerva held at the *ludi plebeii*. Another feast took place at the *ludi Romani* from the Augustan period, and perhaps earlier. The original number of three members of the college in 196 was increased to seven, probably under Sulla, and to ten under Caesar. The epulones carried out a range of administrative and organisational duties during Roman festivals by the time of the first century BC, and by the Augustan period their emblem was the *patera*, a flat round dish used for sacrifices of food and libations (Figure 3.3).

The flamen Dialis

The *flamen Dialis*, devoted to the service of Jupiter, was the most important of the 15 flamines in the Republic, and was chosen by the *pontifex maximus* from three nominees put forward by the college of pontiffs. He had to be a patrician and to have been married by the rite of *confarreatio*, as had his parents. The office lasted for life and on

inauguration he was emancipated from the control of his father, becoming ‘sui iuris’ (independent). Julius Caesar had been designated for this priesthood in 87 or 86 under Marius and Cinna, but Sulla cancelled all their appointments when Rome fell to him and this priesthood was not filled between 87 and 11 BC. During this period the pontiffs performed the flamen’s rituals.

The office of flamen Dialis was so constituted as to ensure that the flamen had to give his entire attention to his duties. Any form of military activity was prohibited, as he was not allowed to ride a horse (or even touch one), see the army marshalled outside the pomerium, or remain outside Rome for a single night. To counterbalance this, he does originally seem to have possessed the right of sitting in the senate, which was revived at the end of the third century, and was attended by a lictor. Aulus Gellius listed a number of the many taboos with which he was encompassed (Gell. 10.15.1–30; doc. 3.21): he was not permitted to work himself, or see others working, have any knots as part of his dress (or look at, touch, or name anything to do with bonds or imprisonment), or walk under a vine trellis. Moreover, he was not allowed to touch, or even name, a female goat, uncooked meat, ivy, beans, leavened bread, or a dead body. No one else was allowed to sleep in his bed which he could not leave for more than two nights in a row, the legs of which had to be smeared with a coating of clay, while at its foot there had to be a box of two types of sacrificial cake (the strues and fertum).

He wore the apex, laena, and laurel wreath typical of flamines, but his cap was made of leather from an animal sacrificed to Jupiter and the apex itself from an olive-branch twined with white wool at its point. His laena had to be woven by his wife, while he wore the toga praetexta at all times. If he wore a ring it could not entirely circle his finger. His accoutrements included the sacrificial knife, the secespita (Figure 3.6), and a rod titled a commetacula. His hair could only be cut by a free man, his beard had to be trimmed with a bronze knife, and the clippings of his hair and fingernails had to be buried under a ‘fruitful tree’. The flamen Dialis was not allowed to divorce his wife, the flaminica, and had to resign the position on her death. She had her own taboos: she had to wear a dyed robe, have a twig from a ‘fruitful tree’ tucked in her veil, and was not permitted to ascend more than three rungs of a ladder. When attending the rite of the Argei, she was not allowed to arrange her hair, and one of her roles was to preside over the sacrifice of a ram to Jupiter on market-days (the nundinae). The flamen Dialis himself sacrificed a sheep on the Ides of each month, while the flamen Martialis sacrificed the ‘October horse’ to Mars on 15 October (Festus 190; doc. 3.73), and the flamen Quirinalis sacrificed to Robigus (Mildew) at the Robigalia (Ovid *Fast.* 4.905–942; doc. 3.74; Figure 3.8), to Consus (a god of the harvest) at the Consualia, and to Acca Larentia (traditionally the foster-mother of Romulus and Remus) at the Larentalia.

Competition for priestly office

Pontifical and other positions could be highly coveted. The lex Domitia, which in 104 had allowed members of the colleges of priests to be elected, was repealed by Sulla as dictator, who returned to the practice of co-option. The law was reinstated in 63 on the proposal of the tribune T. Labienus, Julius Caesar’s legate and supporter, just in time for Caesar to stand for the position of pontifex maximus against two far more experienced contenders, P. Servilius Isauricus (cos. 79) and Q. Lutatius Catulus (cos. 78).



Figure 3.6 A denarius issued by the legate P. Cornelius Lentulus Spinther (son of the consul of 57 BC) in early 42 from a military mint, probably at Smyrna, depicting the emblems of the pontificate and augurate. On the obverse are the emblems of the pontificate (securis, simpulum, and secespita: axe, ladle, and sacrificial knife), with the legend BRVTVS (the republican M. Junius Brutus who had been involved in Julius Caesar's assassination); the reverse depicts the emblems of the augurate, the capis and lituus (jug and staff), with LENTVLVS SPINT below.

Source: Courtesy of Classical Numismatic Group

Caesar himself was only 37 years of age and had not yet held the praetorship. According to the sources, he engaged in such wholesale bribery of the electorate that had he not been successful his debts would have forced him to leave Rome and go into exile: as he left for the comitia, Suetonius records him saying to his mother Aurelia that he would return home as pontifex maximus or not at all (Suet. *Jul.* 13: doc. 3.22). The pontifex maximus had been forbidden to leave Italy; but after 131 it became not uncommon for the pontifex maximus to command an army: Caesar, for example, spent his pro-praetorship in Spain, followed by nine years of campaigning in Gaul as proconsul.

Roman purificatory rituals

The Ambarvalia

The Ambarvalia was a lustratio, the performance of a lustrum, a purificatory rite to avert harm and evil in general celebrated at Rome on 29 May. This rite involved a procession which finished at its starting-point, invoking divine assistance to protect the area traversed through the performance of a suovetaurilia (the sacrifice of a pig, sheep, and bull – a sus, ovis, and taurus respectively; Figure 3.7). Cato described a private ceremony with young animals, which invoked ‘Father Mars’ in his role as an agricultural deity, prescribing the formulaic prayer or hymn to be employed (Cato *Agr.* 141.2–4: doc. 3.23). The farmer is to call first on Jupiter and Janus, the god of beginnings often invoked at the commencement of prayers, with an offering of wine, and then pray to Mars to: ‘prevent, ward off and turn away diseases, seen and unseen, barrenness and fruitlessness, disasters and storms’. After the sacrificial animals had been

led round the fields three times, to the accompaniment of merry-making, the suckling pig-sheep-bull sacrifice was then made, together with the offering of two kinds of sacrificial cakes, the offering-cake (strues) and oblation-cake (fertum): the strues for Janus and the fertum for Jupiter. If there were unfavourable signs in the entrails of one or more of the animals, the sacrifice had to be repeated. In this way the fields were purified and protected against evil in the coming year.

The lustrum

A lustrum (purification) of the assembly was performed every five years by one of the censors at the completion of the census as a purification ritual for the Roman citizen army. Varro describes from the *Censors' Records* the preparations which took place for the lustrum on the Campus Martius (Varro *Ling. Lat.* 6.86–87: doc. 3.24): after the censor had taken the auspices, the herald summoned everyone to the assembly. At dawn, the censors, secretaries, and magistrates were anointed with myrrh and ointments, and the censors took lots to see which of them would perform the lustratio and hold the assembly. As part of the ceremony, the censor recited a prayer that the gods increase the size of Rome's dominions (Val. Max. 4.1.10; doc. 3.27). The chief feature of the ceremony, as with any lustrum, was the suovetaurilia, which was led three times in a clockwise direction around the assembled people, and then sacrificed to Mars. The entrails were laid on the altar for divinatory purposes, and the sacrifice was followed by the vow of a further sacrifice at the next lustrum.



Figure 3.7 Sketch of a scene from a relief depicting a suovetaurilia. This sacrifice was customarily made to the god Mars to purify land as part of a lustratio, as well as at the conclusion of a census. Original in the Louvre, Paris.

Source: Photo © 19th era 2/Alamy Stock

The performance of a suovetaurilia in honour of Mars is depicted on a fragment of a relief now in the Louvre dating to the early first century AD. A fully grown boar, ram, and bull, decorated with ornaments, are led before an altar by attendants, victimarii, with their togas knotted at the waist. The priest burning incense on the altar is possibly Augustus himself; beside him stands an attendant, camillus, holding a coffer of incense. A lustratio was also performed for the army or fleet before taking the field or setting sail, and also for the feriae Latinae, the ‘Latin festival’ celebrated by the Latin states including Rome.

Ritual formulae and prayers

In Roman religion it was vital that every detail of a rite was correctly performed. The pontifices kept records, tabellae, of all prayers to be employed and where a magistrate was responsible for the prayer, a priest or attendant read out the correct formula, which he then repeated. Where an error occurred, such as the omission or mispronunciation of a word, the prayer or ritual had to start again from the beginning. The majority of prayers remained in antique language, as no possible alteration could be made to the formulaic words hallowed by tradition. Prayers were an integral part of almost every Roman ritual, and of sacrifice in particular, and were usually made standing with hands raised in the direction of the deity; the. . . . the person making the prayer had their head covered (*capite velato*), unless the ceremonial was performed by ‘the Greek rite’, in which case the head remained uncovered.

It was essential that the correct formula of dedication and prayer be employed. Pliny the Elder posed the question in his *Natural History* as to whether words and ritual incantations had any effect. While he states that ‘our wisest men’ reject belief in them, he added that the public unconsciously did the opposite, and that a sacrifice or any consultation of the gods was thought to be inefficacious unless accompanied by a prayer (Pliny 28.10–11: doc. 3.26). He argued that the form of words was important, and so that no word could be omitted or spoken in the wrong place magistrates were assisted by a number of attendants, one of whom read out the prayer, another checked its accuracy, and a third was in charge of ensuring silence, with a flautist playing to drown out other noises so that only the prayer itself could be heard.

Only the most important and authoritative of Romans were able to alter the formula of traditional prayers. Scipio Aemilianus was recorded as having done so – but even in his case the anecdote recorded by Valerius Maximus is probably unhistorical, and intended to demonstrate Scipio’s pre-eminent auctoritas (Val. Max. 4.1.10: doc. 3.27). Supposedly, when in 142 Scipio Aemilianus had been the censor chosen by lot to conclude the census, he decided to alter the prescribed form of words, which were read out to him from the official tablets by the scribe. The traditional formula called on the gods to ‘make the state of the Roman people better and greater’. Scipio, however, responded that he considered the state good and great enough: what he prayed, therefore, was that ‘they keep it safe in perpetuity’. On his instructions the official formula was emended, and the new phraseology used from then on in concluding the census.

The clearing of sacred groves

There were a multitude of deities of groves and woodland, and when cutting wood or thinning any grove it was important to ensure that the resident deity was placated.

Cato the Elder advised the farmer to make an expiatory sacrifice of a pig, accompanied by a specific form of words:

Whatever god or whatever goddess you may be to whom this grove is sacred, as it is right to make an expiatory sacrifice of a pig to you for taking this sacred grove, in respect of this, whether I do it or someone else at my orders, may it be rightly done.

The deity is clearly told that the sacrifice is expiatory and entreated ‘with humble prayers’ to be kindly and propitious to the farmer and his household (*Cato Agr.* 139: doc. 3.28).

If the farmer intended to continue his work by tilling and planting the ground, he had to offer a second sacrifice in the same way, adding the words ‘for the sake of doing this work’, and repeat this for every day that the farm-work continued. No god or consecrated site could be neglected, and even cults where the identity of the deity had been forgotten had to be maintained. An inscription on an altar at Rome, dated to 90–80, recorded that the altar, ‘whether sacred to god or to goddess’, had been restored by the praetor C. Sextius Calvinus, following a decree of the senate (*ILS* 4015: doc. 3.29).

Religious calendars

In the early Republic one of the factors that made the pontifices and patricians so powerful was their control over the calendar, the fasti, as they were responsible for deciding which days were suitable or not for business, and announcing the appearance of the new moon and the period which would intervene between the Kalends (the first of the month) and Nones (the fifth or seventh day) for that month. On each Nones the festivals for that month were announced. It was only in 304 that the fasti were exhibited in the forum by Cn. Flavius (a scribe of App. Claudius Caecus), after which they were publicly promulgated and made available to every Roman (*Livy* 9.46.5: doc. 1.55).

Originally the Roman calendar comprised ten months of some 304 days in total, from March to December, suggesting that there was an uncounted gap between years over the winter period. Even though two further months were added at the beginning of the year, the months retained their original names (for example, October remained the ‘eighth’, ‘octo’, month) and March remained the first month of the year until 153. From that point the official year of the consuls and most magistrates began on 1 January, rather than on 15 March. March, May, July (Quintilis), and October had 31 days, February 28, and the remainder 29: a total of 355 days. To adjust the calendar to the seasons, a month of 27 days was sometimes intercalated after February, which was then shortened to 23 days by the pontifex maximus.

The ad hoc intercalations resulted in some bizarre anomalies, exacerbated by a lex Aelia in 191 giving the pontifices the power to intercalate months at their discretion, which sometimes resulted in months being deliberately added to extend the tenure of magistrates in office: Cicero, as proconsul in Sicilia, continually bothered the pontifices with requests that they should not add an intercalary month that year, as that would delay his return to Rome. By the time of Julius Caesar the official year was some three months in advance of the solar year and as pontifex maximus and dictator in 46, he corrected the vexatious anomalies.

Only a single pre-Julian calendar from the Republic exists, the fasti Antiates from Antium (modern Anzio), a colony south of Rome, dated to the mid-first century BC, which lists the dates of festivals, together with the deity being honoured, and days on which

business could be transacted (*Inscr. Ital.* XIII.2: doc. 3.30). It was displayed on a wall and measured 1.16 by 2.5 metres, and may have been a mural decoration for a private dwelling, suggesting how important it was for individuals to have easy access to such information. Letters indicate the status of the day: 'N' denotes nefastus, or unpropitious, a day when the assemblies and courts could not meet; 'F' indicates 'fastus' when business was permitted and the courts could sit; 'C' stands for comitialis, a day when assemblies could meet; and 'E', 'endotercisus', notes a day which was split between a festival and public business. Calendars also noted significant days such as the dedication of temples, and military victories and disasters.



Figure 3.8 Fragment of a calendar, the *Fasti Praenestini* from Palestrina, dated to the first century AD, for the dates 22–30 April. National Museum of Art, Palazzo Massimo, Rome.

Source: Photo © Lanmas/Alamy Stock

April 22	H	Ten days before the Kalends	No business	
April 23	A	Nine days before the Kalends	Business in court	Vinalia. To Jupiter. [A libation of every new wine] is offered [to Jupiter, because when the Latins] were hard pressed by the Rutuli [in war], Mezentius the king of the Etruscans agreed to come to their aid if they gave him the produce of their wine every year. Julia Augusta (Livia) and Tiberius Augustus dedicated a statue to the divine father Augustus near the theatre of Marcellus.
April 24	B	Eight days before the Kalends	Business in assembly	Tiberius put on the toga virilis, when the consuls were Imp. Caesar for the seventh time, and M. Agrippa for the third time (27 BC).
April 25	C	Seven days before the Kalends	No business. Public holiday	Robigalia. A festival for Robigus at the fifth milestone on the Claudian Way. To prevent mildew harming the crops, a sacrifice is offered, and games with greater and lesser races. This day is a holiday for pimps' boys, because the previous day is a holiday for female prostitutes.
April 26	D	Six days before the Kalends	Business in court	This day was added by the deified Caesar.
April 27	E	Five days before the Kalends	Business in assembly	
April 28	F	Four days before the Kalends	No business. Public holiday	Games for Flora. Public holiday by decree of the senate, because on this day [the shrine and altar] of Vesta were dedicated in the house of Imp. Caesar Augustus, the pontifex maximus, when Quirinius and Valginius were consuls (12 BC). On this day a temple was dedicated to Flora, who looks after the flowering of plants, to cure the barrenness of the crops.
April 29	G	Three days before the Kalends	Business in assembly	Games
April 30	H	Two days before the Kalends	Business in assembly	Games
30 days in April				

Caesar in 46 employed the astronomer and mathematician Sosigenes of Alexandria to compute a calendar based on the tropical, solar year (as opposed to the lunar calendar currently in use) that would take effect on 1 January 45. Two intercalary months of 67 days were inserted between November and December (the year had already had one intercalary month of 23 days), bringing the whole year of 46 BC to a total of 445 days. This ensured that the coming year, 45 BC, would now begin correctly on 1 January. So that the Roman year should henceforth adhere to the solar year, Caesar added ten more days, bringing the total to 365, with a further day intercalated every four years (Suet. *Jul.* 40.1–2: doc. 3.31).

All months now comprised 31 days, except for April, June, September, and November, which had 30, and February 28, with an additional day on the leap year (23 February occurred twice: there was no 29 February). The Kalends continued to denote the first day of the month, the Nones occurred on the seventh day of March, May, Quintilis (July), and October and otherwise on the fifth, while the Ides fell eight days later than the Nones (and thus on the 13th or 15th day depending on the month). The Julian calendar remained in force until 1582, when Pope Gregory XIII reformed it to adjust for the fact that it gained one day every 128 years. Britain only adopted the Gregorian calendar in 1752, and the Greek and Russian Orthodox churches still use the Julian calendar in calculating the date of Easter.

Sacrifice

Sacrifices were an integral part of the worship of the gods in Roman religion, and the priests possessed books of sacrificial literature, which, like the Etruscans' *libri rituales*, contained detailed directions for the wording of prayers and sacrificial procedures, and may have listed specific historical precedents. In Roman sacrifices, after the participants and the sacrificial victim had been purified by a sprinkling of water, the victim, which had to appear willing, was led to the sacrificial altar adorned with fillets and ribbons. Wine and incense were offered to the gods on a *foculus*, a 'portable' hearth placed next to the altar, and then the animal was sprinkled with *mola salsa* (salted meal), and a prayer (*precatio*) recited to the divinity; making the *mola salsa* for sacrifices was one of the chief duties of the Vestals. Flautists (*tibicines* or *fidicines*) played while the prayer was recited, so that 'only the prayer could be heard' (Pliny 28.11: doc. 3.26).

The magistrate or priest who presided over the sacrifice wore the *cinctus gabinus*, a way of wearing the *toga* leaving his hands free, with his head veiled. The beast was killed by professional *victimarii* or *popae*, who also skinned and butchered the carcass: an axe or hammer was used to kill larger victims, a knife smaller ones. At this stage the entrails (*exta*) – the liver, gall-bladder, lungs, and heart – were read by a *haruspex*: if the entrails were perfect (i.e., auspicious), then the ceremony had drawn to a successful conclusion (*litatio*). If there was something wrong with them, this meant that the sacrifice had not been acceptable to the god and had to be repeated. Before his assassination, it was said that Caesar presided over two sacrifices: at one the victim had no heart, at the second the liver lacked its 'head', or lobe, thus predicting the catastrophe (Cic. *Div.* 119: doc. 13.69).

The animals sacrificed were generally domestic animals – cattle, sheep, and pigs – although certain deities required more atypical victims, such as the red dog sacrificed

to Robigo, the god of mildew on grain, and the October horse to Mars (Festus 190, Ovid *Fasti* 4.905–942: docs. 3.73–74). Usually the sex of the victim corresponded to that of the deity to which it was sacrificed. The colour was also important: Jupiter and Juno and heavenly deities were thought to prefer white beasts, and the di manes and underworld gods black ones. The victims could also mirror the characteristics of the deity, and 30 pregnant cows were sacrificed to Tellus (Earth) at the Fordicidia on 15 April for the fertility of the fields.

The entrails were cooked, with those of bovines boiled and those of pigs and sheep put on spits; in 176 news that a liver had liquefied while being boiled at a sacrifice terrified the senate (Livy 41.15.1–4). The entrails (unlike in Greek religion in which the participants ate them) were then offered to the god, and were burnt on the altar along with wine and more mola salsa, while in the case of underworld deities and the di manes the offerings were placed on the ground. The rest was consumed by the participants or priests, served at communal banquets or sold in butchers' shops. Sacrifices could also be non-animal, consisting generally of cakes like the libum, strues, and fertum, but the animal sacrifice was the more important and the one employed for purposes of state.

In his description of the Great or Roman Games (the ludi Romani or ludi magni) of 490 BC, Dionysius commented on the procession which took place in the circus and the subsequent sacrifice (Dion. Hal. 7.72.15: doc. 3.32). He was an eyewitness of the ceremonies in the first century BC, but also cites Fabius Pictor as his authority on traditional aspects of the ludi. An important theme of his work was to show that Roman religion was Greek in origin, but Roman sacrifice was not in any sense derivative and not all features of Greek sacrifice were reflected in Roman rituals. Even when the Romans sacrificed according to ‘the Greek rite’, it primarily meant that the presiding magistrate did so with an uncovered head; sacrifices made to Apollo, Saturn and Hercules were normally conducted in this way.

Expiatory sacrifices

In 218, after the defeat at Trebia at the hands of Hannibal and the Carthaginians, dire portents terrified the Roman populace, which Livy described though he was sceptical of some of the incidents recorded, because events had ‘turned men’s minds toward religion’ (Livy 21.62.1–11: doc. 3.33). It was believed that portents and prodigies were an indication that something was amiss between gods and mortals, and expiations had therefore to be performed to set matters right. Further portents in the following year, after the disaster at Trasimene in the spring of 217, led to yet more ceremonies of expiation, when after consulting the Sibylline Books temples were vowed to Venus Erycina and Mens (Mens Bona: ‘Good Sense’), and a ‘sacred spring’ vowed: a sacred spring (*ver sacrum*) involved sacrificing to Jupiter all the offspring of domestic flocks born in the season of spring in that year. In the next year again, after Cannae, the Romans went even further and resorted to human sacrifice, the execution of two Greeks and two Gauls, as they had done in 228 and were to perform again in 113 (Livy 22.57.6: doc. 4.38).

In 218 Livy recorded that a baby of 6 months of age had shouted ‘Triumph’ in the forum Holitorium, while in the forum Boarium an ox had thrown itself from a third-storey window. Amongst other portents, at Lanuvium a raven had flown into Juno’s

temple and perched on her couch and in Picenum it had rained stones. In response, the keepers were told to consult the Sibylline Books, except for the rain of stones at Picenum for which a nine-day period of sacrifice was prescribed. The other portents were expiated by a purification of the city, and a sacrifice of cattle to the gods as suggested by the Sibylline Books. Individual deities were placated by offerings (Juno was given a gift of gold at Lanuvium, and a bronze statue on the Aventine), and C. Atilius Serranus, the praetor, vowed that offerings would be made should ‘the state remain unchanged’ for ten years. Livy records that these measures did much to assuage the prevailing panic and reassured the citizenry that the correct relationship had been re-established between the gods and mortals.

Sacrificial cakes and household sacrifices

Many deities, like Flora, received bloodless offerings, or a mixture of blood and non-blood sacrifices, like Ceres. A common sacrificial offering was the libum, a kind of



Figure 3.9 The temple of Hercules Victor (or Hercules Invictus) in the forum Boarium (the cattle market) near the Tiber. Dating to the late second century BC, it is one of the oldest extant buildings in Rome and the only one made of Pentelic marble. It supposedly marked the site of Hercules' tenth labour when he rescued the cattle of Geryon from the monster Cacus. It was vowed by L. Mummius Achaicus in 145, and dedicated in 142 when Mummius was censor (*CIL 1² 626*).

Source: Photograph © Wknight94 via Wikimedia Commons

sacrificial cake, frequently offered to household spirits like the Lares; other cake offerings were the strues and fertum, which it was mandatory for the flamen Dialis to have at the foot of his bed at all times. Such cakes were offered up as a prelude to animal sacrifices, or made to deities in conjunction with a liquid libation, such as wine or milk. The bakers of such cakes were known as libarii or factores, although Cato recommended a recipe for home baking, with the cake made by mixing soft cheese (such as ricotta), flour, and an egg. The mixture was then baked on a bed of leaves (perhaps bay leaves) on a hearth under an earthenware pot (Cato *Agr.* 75: doc. 3.34); in other recipes honey could be added or served with the finished cake, and the baked product was similar to a cheese-bread, or an unsweetened cheesecake.

Cato also described a pre-harvest sacrifice, which should consist of a piglet, the entrails of which were to be used for divination, with the pig itself eaten by the participants. The sacrifice should be offered to Ceres before harvesting far (spelt), wheat, barley, beans, or rape seed (Cato *Agr.* 134.1–4: doc. 3.15). The sacrifice began with incense and wine offered to Janus, Jupiter, and Juno, with an offering-cake (strues) given to Janus and an oblation-cake (fertum) to Jupiter, in each case with a ritual prayer that the deity would be ‘kindly and propitious to me, my children, my house and my household’. Libations of wine were then offered to Janus and Jupiter with similar prayers, which were followed by the sacrifice of the piglet. After the entrails had been removed, another offering-cake was presented to Janus and an oblation-cake to Jupiter, with further offerings of wine. The piglet’s entrails and a libation of wine were then offered to Ceres.

Druidical sacrifice

Despite Rome’s sacrifice of Greeks and Gauls in times of crisis, and their gladiatorial combats in honour of the dead, the Romans did not regularly engage in human sacrifice which they saw as abhorrent. One of the Gallic priestly castes, the druids, are described by Julius Caesar as engaging in human sacrifice, a practice which later caused the emperors Tiberius and Claudius to take action against them. According to Caesar, the Gauls were extremely superstitious, and those who were suffering from serious illnesses, or facing battle or other dangers, used to vow human sacrifices, which druids performed on their behalf: the theory behind this was that a life had to be offered in exchange for the life saved to appease the gods. Public sacrifices were held in which wickerwork images were filled with victims who were burnt to death, with the gods preferring those guilty of brigandage, theft, or some other offence, but prepared to tolerate innocent victims should the guilty run short (Caes. *BG* 6.16.1–17.2: doc. 3.36). Caesar obviously knew at least one druid, Diviciacus, personally, and used his help in Gaul against Ariovistus and the Aedui. He speaks of the caste with some respect, although his description of their human sacrifices was intended to demonise them in the eyes of his ‘civilised’ readership in Rome.

Divination

As well as the haruspices, various other priestly groups, most notably the augurs and keepers of the Sibylline Books, were involved in ascertaining the will of the gods and their guidance for humankind. The augural college played an essential role prior to

military campaigns and public meetings, when the auspices were taken to ascertain whether the activity was in accordance with the will of the gods. On such occasions it was usually the magistrate or general who played the augural role, but augurs acted as advisors to magistrates who presided over the auspices, interpreting the flight of birds, or lightning and thunder to ascertain what needed to be done to expiate, by means of specific rituals, any displeasure shown by the gods. In addition, when the state was confronted by crisis or unprecedented prodigies, the religious action to be undertaken could be sought through consultation of the Sibylline Books by their keepers, the (quin)decimviri sacris faciundis. When prodigies and portents occurred, the consuls made lists of the phenomena that had been observed and passed this on to the senate, which could choose to consult the pontifices, the haruspices or keepers of the Sibylline Books for advice on the action to be taken. The senate used its discretion in deciding which portents should be seen as of public concern.

In Cicero's *On Divination*, which takes the form of a dialogue set at Tusculum between Cicero and his brother Quintus, many of the arguments of Quintus in the first book in favour of divination are based on those of Posidonius the Stoic, with Quintus attempting to reconcile divination with philosophy. According to Quintus both the Roman people and other nations believe in some form of divination, and, if this is correct, this is 'a splendid and beneficial thing . . . by which mortal nature can approach very closely to the power of the gods' (*Cic. Div.* 1.1: doc. 3.37). Quintus does draw the line, however, and elsewhere (at 1.58) he comments that he does not recognise fortune-tellers (*sortilegi*, or 'lot-readers'), those who prophesy for money, or necromancers. In the second book, in response to Quintus, Cicero ridicules divination: but he was himself an augur and is presenting a philosophical position, arguing that, while the gods do make their will known to humankind, attempts to look into the future are generally suspect.

The Sibylline Books

According to Dionysius of Halicarnassus, Tarquinius Priscus (the fifth king of Rome) was offered the Sibylline Books, nine in total, by an old woman, the Sibyl of Cumae; after he rejected the purchase, she burnt three of them, then offered the remaining six at the same price; when he again refused to buy, she burnt another three. Finally he consulted the augurs who advised him to buy the remaining three at the same price as the original nine. Two men, the duumviri, were appointed to care for and consult them, with two public slaves to assist them (*Dion. Hal.* 4.62.4–6: doc. 3.38). These keepers, later increased to ten (the decimviri sacris faciundis), and then under Sulla to 15 and to 16 under Caesar (the quindecimviri sacris faciundis), had to be proficient in the Greek language. They were generally ex-praetors or ex-consuls, could be exempted from all other state duties, and held their office for life.

The Sibylline Books, also known as the *libri fatales* ('books of fate'), were written in Greek hexameters, and those thought genuine were composed as acrostics, the initial letters of each line spelling out the words of the first verse or verses. It is not known how they were consulted or a relevant oracle chosen and interpreted, and it is possible that the oracles were written on palm-leaves and could be drawn by lot. They were consulted in times of crisis, such as plagues or pestilence (in 399, 348, 295, 293), portents like showers of stones or meteors (345, 205), military disasters (216), and

lightning strikes (c. 55: the restoration of Ptolemy XII), as well as after the Great Fire in AD 64.

When the books were destroyed in the fire that razed the temple of Jupiter Capitoline in 83, three envoys were sent throughout the Mediterranean and Asia Minor to collect all copies of the oracles, which were placed in the temple when it was rebuilt, and later housed by Augustus in his temple of Apollo on the Palatine. The oracles themselves were closely guarded from publication, with one of their keepers in the time of Tarquin being treated as a parricide for betraying his trust, and the public slaves had to be present when the books were consulted. The individual oracles consisted of guidance as to how to appease the gods (the holding of a lectisternium was a common prescription, and the books advised the building of temples, and the introduction of the ludi Apollinares in 212 and the ludi saeculares in 17 BC). The importation of the healing deity Aesculapius was recommended in 293 during a plague, and that of the Magna Mater to Rome in 205–204 during the Second Punic War. The last known consultation of the books took place in AD 363 and they were destroyed in 405 when Rome was under threat by Alaric the Visigoth.

Cicero discusses the Sibylline Books in his *De divinatione*, in his argument against his brother's favourable view of divination. He particularly takes aim at the 'false' oracle, which was rumoured in 44 to have advised that 'for our safety' (i.e., in order to conquer the Parthians) Julius Caesar be made king of Rome: this 'oracle' was deliberately intended to stir up popular fervour for a monarchy. Cicero points out that the oracles generally lacked any context for implementation, and that they 'employed a maze of obscurity so that the same verses might be adapted to different situations at different times' (Cic. *Div.* 2.110: doc. 3.39). However, he is clearly aware how much influence the Sibylline Books had over the populace, who were easily swayed by the books' 'recommendations' with regard to the safe-keeping and prosperity of Rome.

The auspices

Despite his doubts about many divinatory practices, Cicero was himself proud to be an augur, and in his *On the Nature of the Gods* records how important it was that the auspices be correctly taken. He cites the example of Tiberius Gracchus (father of the tribune), who was presiding in 163 over the elections for the consuls of 162, when one of the polling-officers fell dead as he was announcing the successful candidates. Gracchus continued with the election, but finding that the populace was uneasy, brought the matter before the senate. The senate recommended that the haruspices be consulted, who advised, doubtless after entrail inspection, that there had been something amiss with the appointment of the polling-officer (Cic. *Nat. Deor.* 2.10–12: doc. 3.40).

Tiberius was enraged at this slur 'by Etruscan barbarians', but later recollected, when he was consulting books of augury, that there had been an irregularity, since he had crossed the pomerium for a meeting of the senate, and then forgotten to take the auspices again when he returned to the elections on the Campus Martius. When the matter was referred to the senate, it decided that the consuls returned for 162, P. Cornelius Scipio Nasica Corculum and C. Marius Figulus, had not been correctly elected and the election was annulled (Scipio was Gracchus' brother-in-law, which must have been an embarrassment).

Cicero commented that the respect given to the art of divination in Rome was shown by the fact that Gracchus was prepared to admit his error rather than allow any hint of impiety to overshadow the elections, that the consuls were prepared to stand down, and that the haruspices had possessed the skill to ascertain that the rituals had not been properly conducted. The consuls who were standing down were not permitted to hold new elections, or stand for them, though they were successful in subsequent years: Marcus Figulus in 156 and Scipio Nasica Corculum in 155.

Portents

Prodigies or portents were second only to auspicia in terms of authoritative signs, and were thought to indicate that the relationship between the state and the gods had been disrupted. Such signs played an important part in priestly records, and Livy often mentions their occurrence, especially in times of crisis, as in 218 (Livy 43.13.1–8: doc. 3.41). Prodigies could include natural phenomena, such as earthquakes, meteors, and lightning strikes, as well as hermaphrodite births and other unusual events. It was the senate's responsibility to decide whether to recognise events as prodigia, and to determine the response. The pontifices, haruspices, and quindecimviri, and in a real crisis the Delphic oracle, could be consulted for their advice on the best acts of expiation. Livy comments that in his own day histories no longer reported the occurrence of portents. But in writing of Rome's past, he feels it incumbent on him to record 'what those very wise men considered worthy of public concern'.

For the year 169, during the Third Macedonian War, Livy gives a long list of portents that had been sighted: these included a shooting star and a cow that spoke (who was then kept at public expense) at Anagnia, the sky apparently on fire at Minturnae, a shower of stones at Reate, and a statue of Apollo at Cumae that shed tears for three days and nights. Two other portents were considered by the senate to be irrelevant to the public welfare, one because it took place in a spot that was privately owned (a palm tree springing up in an atrium), the other because it happened in a Latin colony, where a spear blazed for over two hours (Livy 43.13.6). After consultation of the keepers of the Sibylline Books, the consuls sacrificed 40 larger victims (cattle) to the gods, a day's supplicatio was observed, all the magistrates also sacrificed cattle at the gods' couches (i.e., a lectisternium was held), and the people wore wreaths to demonstrate their piety.

At another, private, level omens could also be seen in chance remarks and observations, and Cicero gives examples of occasions when chance remarks came to pass. One concerned L. Aemilius Paullus, who as consul in 168 brought the Third Macedonian War, which had given rise to so many ominous portents the year before, to a successful conclusion. On being assigned the command against Perseus, he returned home to find his young daughter 'Tertia' (his 'third' daughter) looking unhappy. When asked why, she replied 'Daddy, Persa has died' (Persa was her puppy). Paullus cuddled her, at the same time formally accepting the omen (that Persa stood for Perseus and that his death would take place in the war against Rome).

In a further example (recounted by L. Valerius Flaccus, the flamen Martialis), a Caecilia Metella was helping to arrange the marriage of her niece; the matertera, maternal aunt, played an important family role towards her sisters' daughters. At a shrine in search of an omen, the girl, who was standing, grew tired and asked to sit on her

aunt's stool. Caecilia replied that she would 'let her have her place'. Shortly afterwards she died, and the niece married Caecilia's widowed husband: the chance remark had been portentous, and the shrine had produced its omen as requested, if not quite as expected. Quintus remarks that such omens could be treated with disdain, but that 'to make light of the signs sent by the gods is nothing less than to disbelieve in the gods' existence', no doubt echoing the views of the Roman populace (*Cic. Div.* 1.103–104: doc. 3.42).

Predictions of Caesar's assassination

In his life of Julius Caesar, Suetonius declares categorically that Caesar's death was heralded by incontrovertible omens: colonists at Capua found a bronze tablet in an old tomb (supposed to be that of Capys, the founder of Capua) stating that when these bones were found 'his descendant will be murdered by the hand of kinsmen and quickly avenged with great disasters to Italy': Caesar was clearly supposed to be the kinsman of this Capys. Following this, Caesar learnt that herds of horses, dedicated after he had crossed the Rubicon, were failing to graze and weeping copiously (*Suet. Jul.* 81.1–3: doc. 3.43). When he was performing a sacrifice, the haruspex Spurinna warned him to 'beware the danger, which will not come later than the Ides of March', presumably reading the warning in the entrails of the victim over whose sacrifice Caesar was presiding; according to Cicero (*Div.* 119: doc. 13.69) before Caesar's death an ox that was sacrificed had no heart and another had no liver-lobe.

Suetonius also records that the day before the Ides, a 'king' bird was torn apart in Pompey's hall by other birds from a nearby grove, and Caesar had a dream in which he flew above the clouds and shook hands with Jupiter. His wife Calpurnia dreamt that the gable ornament of their house (signifying Caesar) collapsed, and that he lay stabbed while she embraced him, while the bedroom doors opened by themselves. Dreams were an important feature of divination, and there were professional dream-interpreters who could be consulted about their significance.

Sortes: divination by lot

Another common divinatory practice in Italy was the drawing of lots (sortes). The temple of Fortuna Primigenia ('first-born') at Praeneste (modern Palestrina), 40 kilometres east of Rome, was especially famous, but there were other divinatory centres at Caere, Antium, and Falerii, although according to Cicero that at Praeneste was the only one still operating and only used by the 'common people' (*Div.* 2.87). The sortes generally consisted of small tablets made of wood or metal (oak at Praeneste) with a short message or proverb, which were drawn at random, thrown like dice, or placed in an urn full of water (the first to emerge when poured was taken as the oracle). The message was then interpreted by the consultant himself or by sortilegi ('readers of sortes') who interpreted the prediction for clients.

A selection of 17 sortes in bronze, generally written in hexameters and found near Padua, date from the first century BC. These consist of a number of aphorisms and maxims which could apply to nearly every situation. Advice such as, 'Do you believe what they say? Things are not so. Don't be foolish', could be manipulated to answer nearly every question asked (*CIL I²* 2173–2189: doc. 3.44). Similar responses are



Figure 3.10 The bronze liver of Piacenza, an Etruscan artefact used in divination. A life-sized model of a sheep's liver dating to the late second century BC found in 1877, it is divided into sections inscribed with the names of Etruscan deities. The outer rim is divided into 16 sections, probably representing astrological houses. The haruspex would have consulted this model when reading the entrails of a sacrificial victim.

Source: Photo © Heritage Image Partnership Ltd./Alamy Stock

found on a bronze tablet discovered at forum Novum, which again appears to belong to the first century BC. These include predictions about personal welfare such as death, sickness, and childbirth, and promise positive outcomes, such as ‘she who was previously barren will give birth’ (*CIL XI.1129*: doc. 3.45). Its possessor was presumably an itinerant soothsayer, who moved on before the responses could be found to be true or otherwise.

Astrology

A form of divination which did not take hold in Rome until relatively late was astrology, though it had a wide vogue in the Middle East. Chaldaean astrologers visiting Rome in 139 were told by the praetor C. Cornelius Hispallus to leave Italy within ten days, but that astrologers had a presence of sorts in Italy is suggested by Cato the Elder’s advice to farmers that their bailiffs should not be permitted to consult a haruspex, augur, diviner (hariolus), or Chaldaean (*Cato Agr.* 5.4). In his *De divinatione*, Cicero of course attacks astrology, including a certain L. Tarutius of Firmum who made use of his in-depth knowledge of Chaldaean astrology to forecast Rome’s

destiny based on the astrological signs when the city was founded by Romulus – as if, says Cicero, a city's birthday at the Parilia (21 April) could be subject to the moon's and stars' influence over its bricks and cement. Furthermore, he commented, the prophecies made by Chaldaeans to Pompey, Crassus, and Caesar, that they would die at home in glory, have all been disproved (*Cic. Div.* 2.98–99: doc. 3.46). Agrippa was said to have banished astrologers again in 33, but such expulsions seem to have been temporary. During the reign of Augustus, M. Manilius Antiochus, a slave from the East, was the founder at Rome of 'astronomy', writing a poem in five books titled the *Astronomica* (Pliny 35.119: doc. 6.12), and Augustus himself was born under Capricorn, and put its sign (the goat, with a globe or star) on his silver coinage, after he and Agrippa had received predictions of greatness from the astrologer Theogenes when they were young men together at Apollonia (Suet. *Aug.* 94); his star sign is also depicted on the gemma Augustea, on which he is shown sharing a throne with the goddess Roma (Figure 5.1).

Augury

Augury was perhaps the most Roman form of divination, and marked the gods' approval of the establishment of Rome itself. Jupiter was the main god of augury and his chosen messenger was generally the eagle, followed by the vulture. Other birds, like the raven and crow, also gave auguries ('auspicia') through their sound or cries, or the location from which they uttered their call. Unlike extispicy, augury seems to have been relatively uninfluenced by Etruscan practices. The three augurs in the early Republic were increased by the lex Ogulnia in 300 BC to nine, four patricians and five plebeians, and later to 15 by Sulla and 16 by Caesar. Cicero (himself an augur) considered them the most important authority in the state, able with the pronouncement that the auspices were unpropitious to adjourn assemblies or declare their acts null and void, postpone business, and force the consuls to resign (*Laws* 2.12, cf. 2.21). The auspices were taken for all state activities, in particular elections and meetings of the assembly. They were only binding temporarily and could be taken again on the next day. The college of augurs possessed books of lore detailing the ceremonial to be used and the ways in which signs were to be interpreted, together with records of important omens of the past and judgements given by the college when matters were referred to them by the senate.

The auspices were taken by magistrates, with an augur or auspex (the older term) present as an advisor: *auspicium imperiumque* (the right to take auspices and command an army) were the prerogatives conferred on senior magistrates by reason of their office. Junior magistrates, such as curule aediles and quaestors, possessed 'lesser auspices', *auspicia minora*. The taking of the auspices, which in early times applied properly to omens from birds (*aves*), was a means of finding out the will of the gods in relation to a particular activity or event: whether what was planned would or would not have divine approval. The auspices were of two main types: those deliberately watched for (*auguria impetrativa*) and those accidentally encountered or observed (*auguria oblativa*). There were five categories of *auspicia*: from the sky (lightning, thunder, hailstorms, and other natural phenomena), from the movements of birds (flight, cries, and number), from the sacred chickens, from four-legged animals (any abnormal behaviour), and also from unusual events generally.

Romulus and the foundation of Rome

Prior to the foundation of Rome, the two brothers Romulus and Remus sought auspices to see who should rule and name the city they planned to establish. At dawn Romulus stood on the Aventine and Remus on the Remuria awaiting a divine sign. This was the most famous, if mythical, example of divination, relevant to all augury in the Republic. Ennius described the occasion in his *Annals*: the sign from the ‘high-flying breed’ will decide whether the new foundation will be Roma or Remora. The sign came to Romulus, a ‘bird’ flying on the left, just as the golden sun was rising: ‘three times four sacred forms of birds left the sky, taking themselves to places of favourable and fine omen’ (Enn. *Ann.* 80–100: doc. 3.47). The number of the birds (12), the quarter of the sky in which they appeared, their height, and the direction in which they disappeared were all relevant to the interpretation.

Before accepting the kingship, Romulus was believed to have consulted the auspices, rising at daybreak, sacrificing, and praying to Jupiter and the other gods that if they wished him to be king favourable signs should appear in the sky. His prayer was granted by a flash of lightning across the sky from left to right (Dion. Hal. 2.5.1–6.2: doc. 3.48): lightning was only considered unfavourable during elections or when legislating in the assembly. In general, signs on the left were lucky and those on the right unlucky, as the Romans faced south when taking the auspices, with favourable signs coming from the east. Following Romulus’ consultation of the divine will, it became the norm that the gods had to sanction the inauguration of any magistrate, and Dionysius records that those about to take up office spent the night outside, rising at dawn to look for lightning on the left, which the augurs present would state that they had seen (though he hints that generally it did not actually occur).

The augural books

Varro gives an extract from the augural books with the formula to be used when taking the auspices. The magistrate or augur, using his augural staff, the *lituus*, marked out a ‘templum’, a rectangular area in the sky or an area of ground, in which he would look for auspices from birds at dawn. This space was divided into four sections, by imaginary lines from east to west and from north to south. The *rostra*, *curia*, and *comitia* were all *templa* from which auspices could be taken, and there was a space on the summit of the Capitoline hill consecrated for the taking of the auspices which was known as the *auguraculum*, as well as one on the Quirinal. The person taking the auspices had to have an uninterrupted view of the sky, and Cicero records that in 99 the augurs ordered Ti. Claudius Centumalus to pull down parts of his house that obstructed the taking of the auspices from the Capitol (*Off.* 3.66). The formula used on the Capitoline marked the templum by means of denoting ‘truthful trees’, the space between which would be utilised for ‘direction, observation and interpretation’ (Varro *Ling. Lat.* 7.8: doc. 3.49).

When auspices were taken outside the city, a tent was pitched in the area designated as a templum at the centre of the intersecting lines, from which the augur in his chair took his observation, specifying beforehand the signs for which he was looking and the period during which he would keep watch. The augur could have assistants to help him in his observation, and it was important that silence was maintained. The declaration of favourable omens was termed *nuntiatio*, of unfavourable omens (which would prevent the holding of an assembly or other gathering) *obnuntiatio*, as

used extensively by Bibulus in 59 BC when Caesar's consular colleague. Auspices were taken on the appointment of a magistrate and his assumption of office, at the inauguration of priests (the flamines, pontifices, and rex sacrorum), before all comitia and (most) senate meetings, by a general before departing with his army, before founding a colony, and by magistrates when crossing the pomerium in either direction.

The lituus

The lituus, the crooked staff which augurs used to mark out the heavens, is frequently depicted on coins, sometimes together with the capis, a jug used in sacrificing, to denote the fact that the individual depicted was an augur (Figures 3.6, 3.11). Livy describes the use of the lituus in a consultation of the gods which supposedly took place prior to the accession of Numa Pompilius. Numa was taken by an augur to the citadel, where he sat on a stone facing south (so east was on his left), while the augur, with head veiled, was seated on his left, holding the lituus in his right hand. After praying to the gods, the augur marked out the heavens from east to west, clarifying that the southward side was 'right' and the northward 'left'. He then placed his right hand on Numa's head, changing the staff to his left hand, and prayed for a sign within the set limits, describing the auspices that he desired. When these appeared, Numa was proclaimed king, and dedicated an altar to Jupiter Elicius, because signs were elicited or 'drawn' from this deity (Livy 1.18.6–10, 20.7: doc. 3.50).

Cicero terms the lituus 'the most conspicuous mark of the office of augurs', used by Romulus to mark out the boundaries for observing omens before the foundation of Rome. Romulus' staff, a curved wand, slightly bent at the top, was so called, Quintus informs Marcus in the *De divinatione*, for its resemblance to the trumpet (also called 'lituus'), which was used to give the signal for battle. Romulus' own staff was kept in the Palatine temple of the Salii, where it was found intact even after the temple had burnt down in the Gallic attack (Cic. *Div.* 1.30–31: doc. 3.51).



Figure 3.11 A denarius issued by L. Pomponius Molo in 97 BC depicting the laureate head of Apollo, and Numa Pompilius preparing to sacrifice a goat. On the obverse Apollo (god of prophecy) with the legend L POMPON MOLO; on the reverse Numa Pompilius holding a lituus, standing in front of a lighted altar, with a goat on the right led by a victimarius. [N]V(MA) PO(MP)IL in exergue.

Source: Courtesy of Classical Numismatic Group

Private and public auspices

The Ogulnian law, which added five plebeians to the augural college in 300, bringing the total to nine, marked the end of the patricians' control of augury. These patrician privileges were highly valued, and App. Claudius Crassus Inregillensis (cos. 349) is described by Livy as fighting vigorously against the Licinian-Sextian laws, which permitted plebeians to be elected to the consulship (Livy 6.41.4–10: doc. 3.52). Crassus argued that, by creating plebeians as consuls, the auspices had been taken away from the patricians, and, as these were the only people who were permitted to take auspices, all the sacred rites had been defiled. Even after the elections of plebeians to senior magistracies the ability to take the auspices remained one of the prerogatives of the patricians as a group, but this was only in the case of *privata* (private) *auspicia*, taken on occasions such as marriages. *Publica auspicia*, auspices taken for the good of the state, were reserved for magistrates, or those who represented the state.

The sacred chickens

The sacred chickens provided one of the five categories of augural signs, ‘*ex tripudiis*’ (from their feeding behaviour). They were particularly used when the Romans were on campaign, as employing haruspicy or taking the auspices was not always convenient for a commander. Chickens, therefore, who were kept in a cage, provided a mobile divination kit: when they were fed, it was an auspicious omen if they ate greedily and bits of their food fell from their beaks, but not if they did not eat and turned away, or squawked. Before a battle with the Samnites in 293 the sacred chickens refused to feed, but one of the sacred-chicken keepers (a *pullarius*; pl.: *pullarii*) lied to the consul and reported that the omen had been favourable. Next day, an argument between the *pullarii* about the auspices was reported to the consul, who reacted by placing them in the front line of battle, where the lying *pullarius* was struck and killed by an enemy javelin. The consul declared that the gods had punished the transgressor for meddling with the auspices, and the Romans went on to win the battle (Livy 10.40.2–3, cf. Livy 6.41.8).

Numerous anecdotes recorded how failure to accept the message from the sacred chickens could lead to defeat in battle. P. Claudius Pulcher as consul and naval commander in 249 suffered a major defeat and lost his fleet off Drepanum during the First Punic War because, it was believed, he refused to accept the unfavourable auspices of the chickens, who were presumably too sea-sick to eat. When removed from their cage they refused to feed, and he ordered them to be thrown into the sea: ‘let them drink’, he is reported to have said, ‘as they don’t want to eat’. Cicero comments that his joke brought Pulcher grief, and the Roman people a catastrophe (Cic. *Nat. Deor.* 2.7–8: doc. 3.53). Pulcher was held responsible for the defeat and charged with *perduellio* (treason) and fined. While Polybius does not mention this incident, this does not mean that it was a late invention, as Polybius rarely draws attention to religious matters, and it is reported by several sources.

The use of sacred chickens was widespread and the temptation to ignore unfavourable omens must have been strong when battle was about to be joined. Quintus elsewhere (*Div.* 1.77) relates the incident where C. Flamininus (cos. 223 and 217) ignored the advice of the keeper of the chickens, among other omens, and was defeated by

Hannibal at Lake Trasimene in 217 and his army of 15,000 men annihilated. C. Hos-tilius Mancinus, as consul in 137, was another magistrate who did not take note of the warning of the sacred chickens. The fact that they flew out of their enclosure when he was sacrificing did not halt his setting out from Rome, and when campaigning in Spain he was defeated by the Numantines and his army encircled under ignominious conditions (Livy *Per. 55*: doc. 5.50). Quintus makes a connection between religio, the Romans' sense of religion, and the success of the Roman empire, since the Romans are superior to other nations in their reverence for the gods.

Cicero was, however, sceptical about omens from the sacred chickens, which he terms 'forced' omens, as the outcome was inevitable (*Cic. Div. 1.27*: doc. 3.54). If the bird were free and could eat when it chose, then the auspicium might be a real one, but when the chickens were shut up and kept hungry, and then fed soft food which would fall from their beaks as they ate, their eagerness to eat could hardly be taken as an augury. Later in the work he argues against auspices which were so open to manipulation, and quotes an augural college ruling that stated that any bird could 'make a tripudium (favourable omen)' (*Div. 2.72–73*).

Dedications and vows

Dedications were a means of thanking the gods for 'services rendered' or promised to induce the gods to grant a particular favour. Such dedications were frequently vowed in moments of crisis, and the vow would be fulfilled if the crisis passed successfully; for example, generals after a successful battle or campaign would frequently dedicate a trophy or shrine. State dedications were often made after deliverance from pestilence or the conclusion of a war, and could consist of a tithe of the plunder, dedication of a temple, or the establishment of games. Private dedications could be vowed for a safe journey, rescue from a shipwreck, or a return to health after illness.

Prior to the commencement of the war against Antiochus III of Syria, who had invaded Greece in 192, the senate decreed a public vow to Jupiter. The senate vowed that a supplicatio would be held to invoke the help of the gods as a proactive thanksgiving: a supplicatio could be held as a ceremony of expiation, or, as here, in connection with a vow. In such cases, statues of the gods were placed on couches (*pulvinaria*) as in lectisternia, the temples were opened, and the populace called upon to worship the gods. M. Acilius Glabrio, one of the two consuls for 191, who had been allocated the command against Antiochus, was instructed to make a vow that in the case of victory ten days of games would be held in honour of Jupiter with lectisternia offered to all deities ('gifts at all the couches of the gods': Livy 36.2.1).

The form of words was dictated by the pontifex maximus, with Acilius Glabrio reciting after him that, if the war was brought to a successful conclusion in the eyes of the senate and people, 'then the people will hold in your honour, Jupiter, great games for ten consecutive days, and will offer gifts at the couches of the gods of whatever value the senate shall decide' (Livy 36.2.1–5: doc. 3.56). This was followed by a two-day supplicatio with prayers offered to the gods. While a supplicatio traditionally lasted for one day (as in 207: Livy 27.37: doc. 7.85), supplicationes in the late Republic in thanksgiving for victory could be considerably longer: Pompey was granted a ten-day thanksgiving after his victory over Mithridates, and Caesar a 15-day one for his defeat of the Belgae, and one of 20 days after his conquest of Vercingetorix.

The introduction of new gods

Cicero's religious laws for his ideal state included the following prescription, that 'no one shall have gods separately, whether new gods or alien gods, unless recognised by the state; privately they shall worship those gods whose worship they have duly received from their forefathers' (*Laws* 2.19). This reflects Roman practices, which restricted worship to traditional deities and heroes, unless the introduction of a new god was approved by the state. The Romans were not in principle opposed to religious innovation, as their acceptance of Aesculapius, the Magna Mater, and their practice of 'calling out' (evocatio) of the gods of states they were at war with indicates. But the Roman state as represented by the senate had a clear view as to what forms of worship were appropriate within a Roman context. It was the senate (never the people) which decided which foreign gods could be imported to Rome and whose worship could be accepted within the formal apparatus of the state religion. Where the senate disapproved of a new religion or cult, it could take active steps to suppress it, as in the case of the Bacchanalia, when the senate punished the adherents of the cult, and when the worship of Isis was gaining popularity at Rome in the closing decades of the Republic the senate destroyed her temples on more than one occasion.

Evocatio

When the Romans captured an enemy city or it was under siege, it was their custom to 'call out' the enemy gods, inviting them to abandon the defeated population and come to be worshipped at Rome instead, thus depriving the enemy of divine assistance. The term for this procedure and its ritual was known as evocatio, and the Romans used it to summon the main god of an enemy city, promising the deity a cult at Rome, and sometimes a temple. The general in command would undertake the evocatio, as at the capture of the Etruscan city of Veii in 396, when the dictator M. Furius Camillus promised Juno, patron goddess of the city, a shrine worthy of her greatness if she agreed to come to Rome (Livy 5.21–22: doc. 3.57).

Since the god was thought to dwell in the cult statue, it was essential that the statue be removed to and appropriately housed at Rome: the tradition recorded by Livy stated that the specially chosen young soldiers assigned to transport the ancient wooden statue of Juno washed and put on white garments and entered her shrine with reverence, but were awe-struck at the thought of actually touching the goddess, whose statue until now had only been handled by a priest of a specific Etruscan family. When one of them then addressed the statue, asking Juno if she wished to go to Rome, it was said that the goddess nodded yes; a later version of the tale reported that the statue had also spoken in affirmation. At any rate, the statue weighed little and was easily moved, as if the goddess went with them of her own accord, and was then housed in the temple of Juno Regina that Camillus had vowed on the Aventine Hill, which was completed and dedicated in 392. Camillus had also vowed a tithe of the plunder from the city to Apollo at Delphi, and this promise was fulfilled as well.

An evocatio is also recorded by a late source for the siege and destruction of Carthage in 146, when, according to Macrobius, Scipio Aemilianus called out 'whichever god or goddess protected Carthage', promising the deity a temple at Rome (Macrob. 3.9.6–9:

doc. 3.58); the Romans saw Juno (the Carthaginian goddess Tanit) as the patron deity of Carthage, and C. Gracchus as tribune planned to found his new colony there under the name of Colonia Junonia. Macrobius gives the formula ('carmen': song or incantation) by which a general called out the gods of a city encircled by siege, which he says dated back to 'Furius', probably L. Furius Philus (cos. 136), a friend of Scipio Aemilianus. All the gods of the city are asked that they:

abandon the people and state of Carthage, forsake their places, temples, shrines, and city, and depart from these; and . . . once you have abandoned them, come to Rome, to me and to mine; and that our places, temples, shrines, and city may be more acceptable and pleasing to you.

The general should then vow to construct temples and celebrate games, though it appears in the case of Carthage that no temple was ever built to this deity in Rome. Sacrifices were then to be held, with the victim inspected by haruspicy to see whether the desired outcome was liable to eventuate.

The practice of evocatio resulting in a temple built at Rome appears to belong solely to the fourth and third centuries, with the evocatio of Vortumnus (later Vertumnus), an Etruscan deity from Volsinii, whose temple was built on the Aventine in 264, being the last recorded example. However, the Romans were prone to plunder the temples of the cities they conquered and take the statues back to Rome, and it is possible that it was customary for the conquering general to pray for the deity to abandon the city willingly and assist the Romans' conquest in return for worship at Rome.

Aesculapius

Following a severe pestilence in 293, which was seen as a portent, the Sibylline Books were consulted to discover what had to be done in expiation. The response was that the deity Aesculapius (the Greek healing deity Asklepios) should be summoned from his cult centre at Epidaurus in the Peloponnese and brought to Rome. As the consuls were engaged on campaign, no action was taken in that current year, except that a one-day supplicatio was held in the god's honour and his assistance requested. The *Periochae* of Livy record that in the following year, when envoys were sent to fetch the cult statue from Epidaurus, a serpent came on board the Romans' ship of its own accord. It was believed that the serpent was an incarnation of the god, and that Asklepios himself was relocating to Rome, not through the transfer of his cult statue but in the form of one of his sacred serpents, an important feature of the healing cult at Epidaurus. Legend stated that, when at Rome, the serpent of its own accord went ashore on an island in the Tiber, which was where the temple to Aesculapius was built and his cult established (Livy 10.47.6–7, *Per.* 11: doc. 3.59; Map 2). There is today a hospital of the healing saint Bartolomeo on the island, and a relief with the bows of a ship and Aesculapius' snake can still be seen, commemorating Aesculapius' arrival. Healing took place by incubation: individuals slept overnight in the temple hoping that the god would appear to them in a dream and heal them. As in the Greek cult, those who were cured had to thank the god by making a dedication: in the early second century, a grateful M. Popilicius paid his thanks to the god with 'a gift given willingly and deservedly' (ILS 3833, 3834: doc. 3.60).

The Magna Mater

The Magna Mater, ‘Great Mother’, was also known as Cybele or the Idaean goddess (because of her connection with Mount Ida in the Troad). In Rome her full title was Magna Mater deorum Idaea (Great Mother of the Gods from Mount Ida). Her main cult centre was at Pessinus in Phrygia, which housed the sacred black meteorite, although Pergamum also possessed an important shrine (in Rome the meteorite was later incorporated in a silver cult statue). Her cult had spread to Greece by the sixth century (partially linked with that of Demeter or Rhea), and often included rites in honour of her consort, the shepherd Attis (or Adonis), a god of vegetation who castrated himself and was resurrected, symbolising the renewed fertility of the coming agricultural year. Following his lead, the priests of the Magna Mater castrated themselves. The goddess is often shown attended by lions which drew her chariot, and with turreted crown and a tympanum (a flat drum) which the Greeks introduced to her cult (Figures 1.5, 3.12).

Livy comments (25.1.6–8) that in 213 during the Second Punic War an increasing number of foreign cults were apparent in Rome; he points mainly at women as the instigators of this trend, but his account makes clear that men were also involved, suggesting that the war against Hannibal was leading to the popularity of foreign cults. The senate ruled that ‘no one was to conduct a sacrifice in a public or sacred place according to a strange or foreign rite’ (Livy 25.1.12), and games (the ludi Romani and plebeii) were held, presumably to divert attention away from any foreign forms of worship.

Following frequent showers of stones in 205 the Sibylline Books were consulted, and an oracle was found that stated that, ‘If ever a foreign enemy invaded the soil of Italy, he could be driven out of Italy and vanquished, if the Idaean Mother were brought from Pessinus to Rome’, thus promising victory in the long drawn out war



Figure 3.12 An aureus issued by L. Cestius and C. Norbanus at Rome in May–August 43 BC depicting the bust of the Sibyl and Cybele in a cart drawn by two lions. On the obverse the Sibyl; on the reverse Cybele, with a turreted crown and a patera in her right hand and reins in her left, resting her left arm on a tympanum, and enthroned on a cart drawn by two lions.

Source: Courtesy of Classical Numismatic Group

with Hannibal. A delegation was therefore sent to Phrygia to obtain the sacred stone and bring it to Rome with the consent of Attalus of Pergamum who controlled the shrine. En route the envoys also consulted the oracle at Delphi, showing that it was considered of critical importance that the interpretation of the Sibylline oracle be proved correct.

P. Cornelius Scipio Nasica (cos. 191 and cousin of Scipio Africanus) was chosen as the ‘best’ of the Romans by the senate and ordered to meet the goddess at Ostia, and she was carried into Rome on 4 April 204 with all due ceremony. The noblewomen of Rome assembled to greet the goddess and take her to her new home, but the ship was grounded on a sandbank at the mouth of the Tiber. At this the soothsayers announced that it could only be moved by a matron of irreproachable virtue. The reputation of a noblewoman, Claudia Quinta (perhaps daughter of P. Claudius Pulcher, cos. 249), was in doubt, but it was recorded that she pulled the ship off, proving her innocence, and the sacred stone was carried by the women into the temple of Victoria, with the people praying that the goddess ‘would enter the city of Rome graciously and propitiously’ (Livy 29.14.10–14: doc. 3.61). A lectisternium was held on the occasion of the goddess’ arrival on 4 April and a festival in her honour, the Megalesia (or Megalensia), was declared for that day. This became an annual event (the ludi Megalenses), probably from 191 BC when the temple of Magna Mater was dedicated on the Palatine by M. Junius Brutus (Scipio Nasica was consul in that year) and her stone transported there.

In Rome, the Magna Mater was presented as a Trojan goddess and thus an ancestral deity of the Romans themselves, although the actual worship retained much of its exotic character. The goddess’ priesthood came with her to Rome and initially her cult was under the charge of a Phrygian priest and priestess. Her priests, the Galli, were self-castrated and their rites included frenzied dancing to musical accompaniment. They also begged for alms in the procession through Rome which commenced the Megalensia, when the cult statue was carried through the city in a chariot. Roman citizens were forbidden to join the priesthood of Cybele or to castrate themselves, and the Galli were only allowed on the streets of Rome on certain days, while the cult was put under the jurisdiction of the keepers of the Sibylline Books. Lucretius describes a procession in honour of the Magna Mater, in which the Galli, armed with weapons, engaged in frenzied dancing to the accompaniment of the tympana, castanets, cymbals, horns, and flutes, while a further group of armed and crested dancers, Phrygian Curetes, held mock battles (Lucr. 2.610–632: doc. 3.62).

Despite the alien nature of the cult, the goddess herself was treated with respect in Rome. Diodorus records an episode in 102 when Battaces, a priest from Pessinus, came to Rome, to report the information that, as the temple of the goddess had been polluted, rites of purification would need to be held at Rome. After an audience with the senate, he spoke to the people from the rostra, and they were filled with religious awe and thought him ‘worthy of state lodgings and hospitality’ (Diod. 36.13.1–3: doc. 3.63). Rome was still at war with the Cimbri and Teutones which doubtless made his message all the more portentous. His exotic style of dress included a huge golden crown and a cape interwoven with gold, but he was forbidden to wear his crown by one of the tribunes, A. Pompeius, who insulted him publicly, and Battaces retired to his lodgings incensed that both he and the goddess had been ‘outrageously and impiously treated’. On the instant, Pompeius was struck with a raging fever and quinsy, dying on the third day. The populace saw this as divine retribution for his impiety,

and Battaces was allowed to resume his costume, showered with gifts, and escorted honourably out of Rome on his return home.

Isis

The cult of the goddess Isis appears to have arrived in Rome by the early first century BC, although it had been a feature of coastal cities in Sicily and Italy, such as Ostia and Pompeii, from at least the end of the previous century. Initially her worship encountered the opposition of the senate, but it gained acceptance as a public cult in the early empire. Isis was worshipped particularly by women, but the personal soteriology of the cult also attracted men. The Greek-Egyptian deity Serapis also became popular in the Roman period and was often worshipped alongside Isis in place of her consort Osiris (the two Cornelii Scipiones who were consuls in 138 and 111 both took the name Serapio). In 90 a sistrum (an Egyptian sacred rattle) appears as a control mark on a denarius of the moneyer C. Vibius Pansa, and Catullus, who died c. 50 BC, referred to the temple of the Egyptian deity Serapis in Rome (Cat. 10.26). The first shrine to Isis in Rome appears to have been on the Capitol and there are references in inscriptions to a cult of Isis Capitolina, while the Iseum Metellinum on the Caelian hill may have been founded by Q. Caecilius Metellus Pius (cos. 80) in the late 70s or early 60s to commemorate the achievements of his father against Jugurtha.

In 65 the altar to Isis on the Capitol was destroyed by the senate, while in 58 the senate ordered the demolition of all altars of Serapis, Anubis, and Harpocrates (Horus, son of Isis and Osiris); however, if this took place their ardent worshippers soon rebuilt them. On 1 January 58, a crowd interrupted one of the consuls as he examined the entrails from a sacrifice to Jupiter Capitolinus and heckled him because he was doing nothing supportive about the worship of Isis and Serapis. In 53 the senate again had the temples of Isis and Serapis, which had been built by private individuals, demolished, along with all shrines to Egyptian gods within the pomerium (Dio 40.47.3). But they were rebuilt because in 50 the senate once more ordered that they be destroyed; when the workmen refused, L. Aemilius Paullus (cos. 50) threw off his toga and smashed an axe against the doors (Val. Max. 1.3.4: doc. 3.66). In 48 after a series of prodigies (including a swarm of bees), the augurs recommended that the shrines of Egyptian gods on the Capitol once again be destroyed.

The erection of a temple to Isis and Serapis on the Campus Martius was however approved by the Second Triumvirate in 43 (Cleopatra, queen of Egypt, had been with Caesar in Rome between 46 and 44, and later took as one of her titles the ‘New Isis’). Octavian in 28 forbade Egyptian cults inside the pomerium as part of his revival of Rome’s mos maiorum (Dio 53.2.4, cf. 54.6.6), but under subsequent emperors the goddess had great popularity at Rome. The senate’s attempts to suppress public manifestations of the cult apparently stemmed from anger at the fact that their role in approving the introduction of foreign cults had been ignored, but they had not been successful in banning the cult entirely from the city, and it was to grow exponentially in the early empire.

The Bacchanalia, 186 BC

The Greek cult of Bacchus (Dionysus) and its rites spread from southern Italy to Rome via Etruria (Figure 3.13), and by the early second century had reached such a degree



Figure 3.13 A denarius issued by C. Vibius Varus at Rome in 42 BC depicting the head of Bacchus and a springing panther. On the obverse the young Bacchus, wearing a wreath of ivy and grapes; on the reverse a springing panther, with a garlanded altar on the left surmounted by a bacchic mask and thyrsus (staff).

Source: Courtesy of Classical Numismatic Group

of popularity that the senate felt it had to step in. The comedies of Plautus in the early second century, nine of which mention Bacchic rites, show that he and his audience were familiar with the cult, and that in the popular imagination it involved secret meetings and ritual floggings, as well as rumours of human sacrifice. As the cult had been present in Rome for some time, Livy's account of the consuls' and senate's sudden 'discovery' in 186 of Bacchic worship is clearly unreliable, but it was in that year that, for whatever reason, the senate took action. Possibly the cult's practices were simply too public (such as the women plunging their torches in the Tiber), while the holding of the Bacchic rites at night in the presence of both sexes could easily have led to the accusations of promiscuous sexuality (both homoerotic and heterosexual). The participants were said to have been involved in crimes of all kinds, including perjury, forgery, and poisoning and assassination (Livy 39.8–18: doc. 3.65). The severe penalty visited upon those involved indicates that the senate and many Romans were convinced that 'vices' were being practised in the rites and that it was inappropriate for Romans to participate in them.

Livy's account of how the cult came to the attention of one of the consuls, Sp. Postumius Albinus, is rather dramatic and not entirely credible (particularly the role of the prostitute Hispala Faecenia in informing on the cult). The details, however, of the senate's treatment of the cult must be relatively accurate. Factors behind this religious persecution, the first in the Roman state, were the cult's popularity and the emergence for the first time of a group of readily identifiable devotees formed into an association. The senate did not react against the cult merely because it was foreign – after all, it was less than 20 years since the Magna Mater had been officially welcomed – but because of the secret nature of the cult, its reputedly unacceptable practices, and the involvement of women.

Livy attributes much of the corruption in the cult to a Campanian priestess named Paculla Annia, who was the first to admit men (her own sons), and who changed

the celebrations from day to night-time. It was this nocturnal intermingling of the sexes, Livy alleges, that led to the debauchery and crime of which participants were accused, while young people under the age of 20 years were particularly targeted by the cult (Livy 39.13.14). When the senate took action, 7,000 men and women were charged with involvement, many of whom committed suicide, while others tried unsuccessfully to escape from Rome. Those known to have been initiated in the cult were rounded up and put in prison, while those convicted of debauchery and murder were put to death. Where women were subject to the death penalty, they were handed over to their families for punishment; if there were no suitable guardian to oversee this, their punishment was the responsibility of the state (Livy 39.18.6: doc. 7.16). Livy comments that more were killed than imprisoned, and that there were an immense number of men and women in both categories. From that point the cult was strictly controlled, not only in Rome, but throughout Roman Italy, with only ancient altars or statues exempted.

The letter of the senate written to the magistrates of the Ager Teuranus in Bruttium, which quotes the senate's decree, the *senatus consultum de Bacchanalibus*, is preserved on a bronze tablet, one of many dispatched throughout Italy for display in public places (ILS 18: doc. 3.66; Figure 3.14). This is the oldest preserved *senatus consultum*. Throughout the decree it is made clear that, for any exemptions to the decree that were to be allowed, the permission of the *praetor urbanus* had to be confirmed by a vote of the senate with a quorum of 100 members present. Maintenance of a place devoted to the worship of Bacchus (a Bacchanal) was prohibited; no man, Roman or Latin, should attend a meeting of Bacchant women, and no secret rites were to be held either publicly or privately, and no rites outside the city; no man was to be priest and no man or woman president (*magister*) in charge of the administration of the association, nor was there to be any common fund for Bacchic worship; a mutual pledge of loyalty between worshippers was prohibited; and should a meeting take place no more than a total of five people (two men and three women) could engage in the celebration.

The decree also laid down that all places devoted to Bacchus were to be demolished within ten days of the receipt of the senate's letter. Should anyone act contrary to the senate's decree, proceedings for a capital crime were to be taken against them. It is interesting that even at this early date the senate obviously felt that it had the power and the responsibility to interfere in matters relating to crime and conspiracy in allied states, and to regulate religious practices that it saw as being problematic and profane.

A comparison of Roman and Greek religious practices

In attempting to conceptualise for his Greek readership the differences in practice between Greek and Roman religion, Dionysius stresses the decorous and controlled nature of Roman rites, and the fact that Roman religion allowed fewer avenues for spontaneous religious expression. His comment that 'there is a reverence in all their words and actions in respect of the gods, which is not seen among either Greeks or barbarians' contrasts Greek mystery cults with Rome's staid ritualistic practices (Dion. Hal. 2.19.2–5: doc. 3.67). The Romans did not, in his view, celebrate mystery religions, like those of Persephone, Adonis, and Dionysus, and there were no examples in Roman cults of worshippers who exhibited divine possession, engaged in Corybantic frenzies and religious begging rituals (typical of the Magna Mater), or participated in Bacchic



Figure 3.14 The Bacchanalia decree (*senatus consultum de Bacchanalibus*) from Calabria. This bronze tablet engraved in 186 BC records the oldest surviving senatorial decree in Latin (*CIL 1² 581*). The baroque frame is made of tortoise-shell inlaid with mother-of-pearl and gold, with a dedication to Emperor Charles VI dating to 1727.

Source: Photo © KHM-Museumsverband, Vienna, Austria

rites, secret mysteries or all-night vigils shared by men and women; he is here presumably referring to the senate's suppression of the Bacchanalia.

Although the city had attracted tens of thousands of immigrants, new religions were celebrated according to Roman custom and not that of the imported deity, as in the case of the Magna Mater: the praetors performed sacrifices and put on games for the goddess annually, but in Roman fashion. Her priest and priestess, who were Phrygians, took part in the dancing, music, and begging typical of the cult, but no native-born Roman participated, and this was prohibited by the senate. In this way, Dionysius commented, the Romans were able to appropriate new gods and foreign cults, but without altering their own traditional practices, while Rome was extremely

cautious regarding alien religious customs, rejecting ‘all pomp and ceremony which lacks decorous behaviour’.

Curse tablets and sympathetic magic

Religio and supersticio

Cicero highlighted the difference between *religio* and *supersticio* and carefully distinguished between them (*Nat. Deor.* 2.71–72: doc. 3.68). *Religio* entailed the performance of rituals which had been handed down over generations in Rome and involved worship of the gods in terms of performing religious obligations towards them. In contrast, he describes *supersticio* as listening to a prophet (*vates*), offering sacrifices (in order to employ haruspicy), watching the flight of birds, consulting astrologers and soothsayers, and noting thunder and lightning and prodigies. Here he is distinguishing between cult and divination. The prediction of future events, in his view, was not an integral part of Roman cult, for even the augurate was simply used to ascertain whether or not the gods approved of human decisions rather than attempting to foretell the future.

The term *supersticio* was used to criticise any forms of religion that might have been harmful to society, including foreign cults, and could imply excessive religiosity. Cicero states that ‘people who passed entire days in prayer and sacrifice so that their children would outlive them were called superstitious’ (*Nat. Deor.* 2.72). *Religio*, however, was to be defined primarily as ritual action, such as prayer, sacrifice, dedications, and the celebration of games, under the guidance of responsible authorities such as the paterfamilias or public magistrates. In his view, those who are known as ‘religious’ diligently ‘review and retrace’ everything pertaining to the worship of the gods, and he connected the term *religio* with the verb *relegere*, ‘to go over again, to re-read’, while religious people (*religiosi*) were those who continually went over everything pertaining to the worship (*cultus*) of the gods. This worship should take place at the family hearth and at designated altars and temples, and communication with the divine should comprise prayer and sacrifice.

Magical practices in Rome

Rome outlawed magical practices as early as the XII Tables, where ‘whoever shall have bewitched the crops’ and ‘whoever shall have cast an evil spell’ are condemned to capital punishment (*Table 8.1, 4: doc. 1.40*). In the fifth century, as later, it was believed that people, animals, and crops could be harmed through the use of incantations, and the practice of magic was also specifically prohibited by a lex Cornelia of Sulla in 81. Beneficent magic was acceptable, and employed in cures like that recorded by Cato, in which specific ingredients and objects (here a reed) were chanted over to influence the natural world (a dislocated limb) and thus effect healing (*Cato Agr.* 160: doc. 3.70). Physical actions were thought to impact adversely on events and outcomes: Pliny (28.59) records that in early Rome crossing of the legs during official meetings or sacred ceremonies was forbidden because it was thought to hinder the transaction of business. Magic – good and bad – was coercive, and differed from the relationship between the gods and Romans which was meant to be reciprocal, though religion did, of course, seek to bind the gods to the people and state.

While magic had always been practised in the Roman Republic, the last half century saw a shift of focus, foreshadowing its more prominent place in the imperial period. Magical practices outside the Roman experience are mentioned in the literature of the time, and Cicero's accusations against Vatinius (cos. 47), however fantastic, that he called up the spirits of the dead and appeased them with the entrails of boys (Cic. *Vat.* 14), indicate that a new array of magical practices was entering Rome; this attack on Vatinius foreshadows Horace's description of magical practices in *Epodes* 5. A number of curse tablets are extant from the late republican period: these aimed to gain power over a person, generally for malevolent purposes, and invoked the deities of the underworld, in particular the Roman goddess Proserpina (equivalent to the Greek Persephone), in order to cast a spell on personal enemies.

Curse tablets

A popular form of magic consisted of binding spells, written on curse tablets and known as defixiones ('bindings'). The material was generally lead, though pottery, papyrus, stone, and wax tablets could also be used (Figure 3.15). Lead was readily available, durable, and easy to inscribe, and the thin sheet containing the spell was rolled up like a scroll and pierced with a nail. It could then be either affixed to a wall or floor, buried in a grave, or thrown into a well. These defixiones indicated the punishment called down upon the victim, often listing the parts of the body which would be affected, and invoking the gods of the underworld and sorcery, especially Persephone (Proserpina), Pluto, Mercury, and Hecate or the spirits of the dead. The curses were generally anonymous (to avoid retaliation) and formulaic, employing specific descriptors for the sufferings that were to affect each part of the body, and were possibly dictated by professional seers who were expert in sorcery.

In one case, apparently discovered at Rome, which dates to between 80 and 40 BC, the curses are inscribed on five thin plates of lead. Each plate is wrapped around a nail, and curses a single person, such as an individual named Plotius, slave of Avonia (Avonia is the subject of one of the other tablets); Plotius' tablet measures 31.6 by 11.3 cm. Each of the spells follows the same wording, so that gaps in the curse against Plotius can be filled in from the others (*CIL I² 2520: doc. 3.69*). These spells are all inscribed by the one hand, in the same month, suggesting the work of a professional. It was clearly important to address the deity by the right names, while all body parts to be affected had to be specifically listed. The curser of Plotius addresses Persephone as Proserpina Salvia ('Saviour') and Acherousia (goddess of the underworld), asking her to afflict Plotius with terminal fever (malaria) before the end of February. Cerberus is to be summoned to tear out his heart and is promised 'three gifts: dates, dried figs, and a black pig, if he should have finished before the month of March'. Every part of the body is itemised, and if Plotius has cursed the writer in any way this was to be delivered back on himself. Unable to speak, to help himself, to sleep, to urinate, or to stand he is to perish miserably, and be dead before he sees another month.

Beneficent magic

In a case of beneficent magic, Cato the Elder recorded a cure for a dislocation consisting of a 'nonsense' spell: the words are incomprehensible, and spelt variously in



Figure 3.15 A lead curse tablet (lamella) c. 100 BC, cursing runaway slaves. It lists six names: Philocomus, Antiochus, Pharnace, Socus, Lirato, and Epidia. The curse reads, ‘May each one rot, may each cry out for help because of their dishonesty towards their masters, those whose names are here dutifully recorded, so that [although having escaped] from a beating or with their peculium, the things they have said [and] done [may be consigned] to the gods of the underworld’. The tablet was folded and pierced with two iron nails. 77.AI.97,

Source: Photo © The J. Paul Getty Museum, Villa Collection, Malibu, California, Gift of Dr Federico Zeri

different manuscripts (*Cato Agr.* 160: doc. 3.70). A green reed four or five feet in length is to be split down the middle and held by two men. After the nonsense words ‘motas vaeta daries dardares astataries dissunapiter’ have been chanted, the reed is to be rejoined over the bone and affixed to the dislocation. If the further jingle ‘huat haut haut istasis tarsis ardannabou dannaaustra’ is chanted every day the injury will heal. Cato was much given to the use of cabbage, and elsewhere suggests for a dislocation (presumably a less serious one) bathing the joint twice a day in warm water with a cabbage poultice applied (*Agr.* 157.4).

Festivals

Festivals, or ludi, were celebrations in honour of a deity or deities which involved the entire Roman people. The range of gods honoured by festivals took in the whole

array of the Roman pantheon, from the mighty Jupiter himself to the deity of rust on grain, and calendars recorded the days on which the celebrations would be held each year, like the Fasti Praenestini (Figure 3.8). While the great public games consisted of sports and theatrical events, the most important features were sacrifice and other rites in honour of the gods, which could include a procession through Rome.

The Saturnalia

There were festivals which did not involve games or spectacles and which could be celebrated privately. Perhaps the most noteworthy example is the Saturnalia, celebrated in December in honour of Saturn after the completion of the agricultural year: Saturn's name is connected with satus, sowing. While the poet Accius saw Greek influence in the festival, Dionysius is more correct in seeing it as traditionally Italian (*Dion. Hal.* 3.32.4: doc. 3.8).

While the Saturnalia technically comprised only one day in the Republic (17 December), Augustus decreed that the festival should last for three days, 17 to 19 December, and often participants enjoyed up to a week of fun and games. Presents were exchanged, and it was an occasion for relaxation on the part of the entire community, including slaves, and no public business was transacted. The festival commenced with a public sacrifice in front of the temple of Saturn, and a public banquet for senators and equites, while a lectisternium was held for the gods. Families sacrificed a pig and devoted themselves to merriment, while crowds in the streets shouted 'Io Saturnalia'. The aediles permitted public gambling with dice during this period (*Suet. Aug.* 71: doc. 15.65) and everyone wore the pilleus, the freedom cap, while slaves were allowed freedom of speech and participated in a banquet waited on by their masters or dined with them (*Acc. 2–7: doc. 3.71*). Writing to Atticus from his province of Cilicia in December 51 after a victory against a renegade Cilician town, Cicero told him that 'the Saturnalia was a very merry time, for men as well as officers', as he had made over to them the plunder from the expedition (excepting the slaves acquired: *Att. 5.20.5*). Even the parsimonious Cato the Elder recommended giving extra rations of watered-down wine at the Saturnalia to the slave labourers on a farm (*Agr. 57: doc. 6.36*).

A flautists' festival

Festivals could also be celebrated by a particular professional group. Livy tells the anecdote of how, when Rome was under threat from the Etruscans in 311 while at war with the Samnites, the flautists went on strike, leaving Rome for the town of Tibur in protest over the fact that they had been forbidden by the censors to hold their annual feast in the temple of Jupiter (*Livy 9.30.5–10: doc. 3.72*). The flautists' instrument, the tibia, though generally translated as 'flute', was actually a double-reed instrument in some ways more akin to a clarinet, consisting of two conjoined pipes of unequal length, each with a mouthpiece. Flautists (tibicines, members of the collegium tibicinum) played an important role at theatrical entertainments, sporting events, funerals, and triumphs, and were essential at sacrifices, where they played music to drown out inauspicious noises during prayers, and the senate was concerned at the religious implications of this withdrawal. The senate therefore sent to Tibur requesting the flautists' return.

The Tiburtines were amenable to this, but the musicians, summoned to the senate house to discuss the matter, were not. The Tiburtines therefore cleverly dealt with them using ‘a measure not inappropriate to their natural disposition’ (musicians were obviously felt to be susceptible to the temptations of alcohol). At the next public holiday the flautists were invited to people’s houses on the pretext of celebrating the feast with music, and plied with wine until they fell asleep. They were then loaded into carts and taken to the forum at Rome, where they woke up the next day, ‘still inebriated’. The Roman populace entreated them to stay, and they were given permission to wander the city in festive dress for a three-day period every year (the Quinquatrus minusculae in honour of Minerva from 13 to 15 June), making music and enjoying the ‘customary licence’, while those who played at sacrifices were allowed to hold their feast again in the temple of Jupiter.

The October horse

On the Ides (15th) of October a two-horse chariot race was held in honour of Mars on the Campus Martius. Following the race, the right-hand (lead) horse of the winning team was killed with a spear by the flamen Martialis as a sacrifice to Mars. The inhabitants of the via Sacra and Subura then fought for the head, which was taken to the Regia (the official place of business of the pontifex maximus) if the via Sacra were victorious, or hung from the Mamilian tower in the Subura if the residents of the Subura won. The tail was cut off and taken immediately to the Regia, so that its blood could drip onto the ashes on the hearth of Vesta. This mixture was kept till the following year when it was used in a purification ritual as one of the ingredients in the preparation of suffimen by the Vestals: suffimen comprised a mixture of blood from the October horse, bean stalks, and the ashes of unborn calves burnt at the Fordicidia on 15 April by the Vestals, and was distributed to the people as a purifying agent at the Parilia on 21 April.

The origin of the ceremony of the October horse was obscure at the end of the Republic: Festus states that it was a sacrifice to Mars as god of war (Festus 190: doc. 3.73), but alternative explanations were that it commemorated the fall of Troy in revenge for the Greek deployment of the wooden horse, or that it was associated with agricultural fertility. The festival appears to have marked the end of the agricultural and campaign season, and this is the only occasion on which the Romans were known to have sacrificed a horse.

The Robigalia

Most of the lesser deities, including those personifying agricultural phenomena, possessed their own sacrifices and festivals (see Serv. *Georg.* 1.21: doc. 3.3). The Robigalia, named for Robigus (a male deity) or Robigo (female), the god of mildew or grain rust, was celebrated on 25 April with the flamen Quirinalis presiding over the sacrifice: rust or mildew is a fungus which affects many kinds of plants, and generally appears as powdery rust-coloured spores on plant leaves or shoots. Under the empire, if not earlier, the festival featured ludi with equestrian competitions. The Romans were particularly concerned with the damage rust could do to their grain crops, which were the staple diet of the populace, and which could be devastated by infection which even now is notoriously hard to



Figure 3.16 A denarius issued by C. Vibius Pansa at Rome in 90 BC depicting the laureate head of Apollo, and Ceres searching for her daughter Proserpina. On the obverse the head of Apollo; on the reverse Ceres, holding a torch in each hand, preceded by a pig. She is searching for her daughter Proserpina who had been abducted by Pluto. This issue may have been connected with a distribution of grain, or with the ludi Cereales (the Cerealia), held every year in April to honour Ceres.

Source: Courtesy of Classical Numismatic Group

treat (typically today with a fungicide such as Mancozeb). Robigo was therefore seen as a malevolent deity who needed to be propitiated, although it is not clear why his sacrifice came into the purview of the flamen Quirinalis, rather than being linked with Mars, who was in early times an agricultural deity.

The festival, like many others, was attributed to Numa, and took place on the via Claudia, at the fifth milestone from Rome. In Ovid's description there are several features of interest: the procession to the grove of the god, the wine and incense offered, and the burning of the entrails of the sacrificial victims, that of a sheep and 'the foul guts of a disgusting dog' (Ovid *Fasti* 4.905–942: doc. 3.74; Figure 3.8). The red colour of the puppy connected it by sympathetic magic with the 'red' deity being invoked. Prayer accompanied all sacrifices, and here the flamen Quirinalis sought to propitiate the malevolent force of Robigus by invoking the god as a 'dread deity', and suggesting that he use his power against weapons rather than the Romans' fields. Ovid attempted to link the festival in April with the ascension of Sirius, the dog-star, but this takes place in July–August. Dogs were unusual as a sacrificial animal, as typically sacrificial victims were eaten by priests and/or participants and were supposed to nourish the gods. However, red bitches were the victims at the augurium canarium, the dog sacrifice made to alleviate the fierceness of Sirius, the dog-star (Pliny 18.14), and Plutarch (*Rom. Quest.* 52) recorded that the Romans sacrificed a bitch to the birth goddess Geneta Mana, while the Luperci sacrificed a dog alongside goats at the Lupercalia.

Religion and politics

The Roman state religion was dominated by the aristocratic elite, and Polybius considered that religion in Rome was deliberately manipulated to keep the 'masses' in

check (Polyb. 6.56.6–12: doc. 3.76). This control was most frequently manifested in the area of augury, because an unfavourable declaration of omens by the presiding magistrate could put an end to meetings of the assembly and prevent elections taking place. Omens could also be used to block the activities of tribunes, which were opposed by the senate. Cicero defended this practice in his *Laws*: ‘the taking of auspices (is granted) so that there may be credible excuses for postponing many unprofitable meetings of the assembly; for the immortal gods have often used auspices to restrain the people’s unreasonable ardour’, and in his view the auspices were of practical utility in managing the business of government (*Laws* 3.27).

The announcing of adverse omens was termed *obnuntiatio* and this was the procedure followed by M. Calpurnius Bibulus, Caesar’s consular colleague in 59 BC, when Caesar put forward his agrarian legislation, which was opposed by the senate (Suet. *Jul.* 20.1: doc. 12.43). As consul, Bibulus consistently maintained that the omens were unfavourable for meetings of the assembly, and after being physically manhandled by his opponents in the forum stayed at home and made the proclamations from his house, which may, in fact, have invalidated his pronouncements. Caesar and his supporters ignored this *obnuntiatio*, although it technically annulled all Caesar’s legislation as consul, as the assemblies should have been suspended and all decisions were therefore void: Caesar’s opponents threatened to prosecute him for this misconduct, and this was one reason why he wished to avoid laying down his imperium in the approach to civil war as, without it, he would have been open to prosecution and exile. Similarly, thunder was ‘heard’ during the voting over Saturninus’ land law, but his supporters ignored it (App. 1.30). When Clodius as tribune wished to prosecute Cicero for his actions as consul in the Catilinarian conspiracy, to ensure that the trial could not be delayed or postponed by the announcement of inauspicious omens, he brought in a measure that auspices were not to be taken on comitial (assembly) days (Dio 38.13.6: doc. 12.54).

This objection to the holding of assemblies on the ground of inauspicious omens could be employed retrospectively, and laws, which had been ratified, could be annulled by the senate as having been passed ‘against the auspices’ (*contra auspicia*); this occurred in 91 BC with Drusus’ citizenship law for the Italians, when the consul L. Marcius Philippus had all Drusus’ legislation annulled on the grounds that it had been passed despite unpropitious omens. Another ploy by the senate was to ‘discover’ that a ritual had been incorrectly performed and needed repeating. This meant that days, which would otherwise have been available for meetings of the assembly (comitial days), became earmarked instead for the rescheduled religious celebration and no public business could be transacted.

According to Plutarch, *obnuntiatio* was employed by Pompey the Great as consul in 55, when he was presiding over the elections of praetors for the following year and maintained that he had heard thunder in order to ensure that his opponent Cato the Younger was not elected. Plutarch states that, after the first tribe had voted for Cato, Pompey suddenly (and falsely) proclaimed that he had heard thunder and dissolved the assembly (Plut. *Cato Min.* 42.1–5: doc. 3.75). After this Pompey and his colleague Crassus then engaged in whole-scale bribery and thus ensured the election of Vatinius, Caesar’s legate, instead of Cato. Plutarch is incorrect in saying that Cato was not elected for 54, as he was successful for that year, while Vatinius had already been praetor in 55 and was not standing for election in 54. Pompey, however, may well have attempted to block Cato’s election by manipulating the auspices.



Figure 3.17 A denarius issued by L. Mussidius Longus at Rome in 42 BC depicting the veiled head of Concordia and the shrine of Venus Cloacina. On the obverse the head of Concordia; on the reverse the shrine of Venus Cloacina ('Venus of the sewer'), depicted as an ornamented platform with a trellis-patterned balustrade surmounted by two statues of Venus Cloacina, each resting her hand on a cippus (a small pillar). The platform is inscribed CLOACIN and has a flight of steps and a portico on the left. The shrine stood in the forum and honoured the divinity of the Cloaca Maxima, the great sewer of Rome. From this coin it appears that the shrine was round and uncovered, with a metal balustrade.

Source: Courtesy of Classical Numismatic Group

Polybius on Roman religion

In contrast to Cicero's views, according to Polybius it was superstition (Greek: *deisidaimonia*) – an object of derision elsewhere – that was 'the element that held the state together' in Rome (Polyb. 6.56.6–12: doc. 3.76). Naturally, the Roman aristocrats themselves did not see their religion in quite the same blunt, cynical fashion as Polybius. While they may have entertained no scruples in manipulating the auspices, in their view religion was crucial not for keeping the common people under control, but for the state's survival. The Romans' relations with the gods, as expressed in sacrifices and festivals and the expiation of prodigies, ensured divine support for Rome's continued success and survival: no one, not even in the closing decades of the Republic, doubted that Rome's success was dependent on the gods' goodwill. Polybius' term 'superstition' would not have been accepted by the Romans, who did not view their religious practices (*religio*) as superstitious or as being a collection of superstitions.

Despite Polybius' stress here on the importance of religion in Roman public life, religious factors are generally absent from his narrative and therefore it is the more striking that he makes this claim, even though he does not mention the most conspicuous way in which the Roman aristocracy used religion against the people and tribunes, namely the auspices. Instead, Polybius sees the pomp with which religious matters were treated as helping to give religion pre-eminence in public life by impressing their importance upon the common people – whom he sees as easily swayed, passionate, unreasoning, and covetous, and who need as a result to be restrained by 'terrors and dramatisations'. It was in fact as a matter of deliberate policy, in his view, that the early Romans inculcated the populace with conviction in the gods and underworld,

and those who now argued against these former views were being foolish and unthinking in openly questioning traditional practices.

Funerary practices

The Romans of the Republic believed that those who died joined the *di manes*, the shades of the deceased, and had no particular ‘existence’ after death, although they could appear to the living in dreams or as ghosts. The rituals of funeral and burial were necessary for the deceased to join the *di manes*; those who were unburied were compelled to wander the earth, and the burial of relatives was a solemn duty. The bodies of the dead and burial places were considered polluting; the flamen Dialis, for example, was prohibited from visiting a cemetery or touching a corpse, but was allowed to attend funerals. The ancestral dead were offered animal and other sacrifices, and commemorations were held for them at the Parentalia in February (13 to 21 February), particularly on the last day of this period, the Feralia, as well as on the anniversary of their deaths. During this festival temples were closed as a sign of mourning and magistrates refrained from wearing their official dress. Gifts were taken to burial or cremation sites, sacrifices made to the dead with a meal eaten at the grave, and prayers offered at the family hearth. A further celebration, the Lemuria, was held in May, dedicated to the souls of the dead, the *lempores*, who visited their former homes as ghosts. At this festival offerings were taken to graves, and made in the home by the *paterfamilias*.

The funeral

Prior to the funeral, the deceased was washed and anointed and dressed in expensive clothes. Officials were laid out in their magisterial robes, and placed on a couch, adorned with flowers and crowns won for bravery or success in the games and surrounded by torches. This took place in the atrium of the house over several days, giving the opportunity for mourning the deceased. A small coin was placed in the mouth to pay for the passage to the underworld. The magisterial elite and nobles then enjoyed a public funeral which celebrated the deeds of both the deceased and his ancestors, and reminded the populace of the family’s services to the state. Professional funeral directors, *libitinarii* (from their location in the grove of Libitina, probably on the Esquiline), generally organised burials and processions, and supplied the personnel and equipment, such as the musicians, preparers of the body for the funeral (*pollinctores*), and specialist burners of the corpse (*ustores*).

The procession could be very elaborate, consisting of musicians, mourning women, dancers, and mimes, as well as men wearing the funerary masks (*imagines*; sing.: *imago*) and official togas of past members of the family with all their relevant magisterial insignia (Polyb. 6.53.1–54.3: doc. 3.77). For distinguished Romans a mould was taken of the face and used to make the masks which were kept in a prominent shrine in the atrium along with records of ancestral achievements, and worn in funerary processions. The masks were meant to be as lifelike as possible and their wearers, ‘men who seem to most resemble the original in both height and general bearing’, are usually interpreted as being actors (or perhaps family members). The masks enabled the wearers to represent the ancestors at the height of their importance (as *praetor*,

consul, or censor, for example), and to be recognisable as such: the masks were therefore not death masks but actual portraits (Figure 2.3). Togas served to designate the most important achievements of the ancestors: consul or praetor (toga with purple border, the toga praetexta), the toga of the censor (purple toga: toga purpurea) or triumphator (purple with gold embroidery: toga picta). Slaves that had been manumitted by will joined the procession wearing the pilleus, the freedman's cap. The body was carried on an elaborately decorated bier supported by freed slaves or relations, and members of the family followed in mourning clothes, with the women lamenting the deceased. At the forum, those wearing the imagines took curule seats on the rostra, and Suetonius' account of Caesar's funeral suggests that Caesar as triumphator was represented by a different actor for each of his triumphs (Suet. *Jul.* 84.4). Each 'Caesar' would, in this case, have been conveyed in a chariot and seated in a curule chair, part of the theatrical performance that would have helped to highlight his achievements and stir the crowd against his assassins. By the end of the Republic a wax image of the deceased could be displayed. Appian's account of Caesar's funeral (2.612) states that, while the body lying on the bier was not visible to the crowd, above the bier a wax image, rotated by a mechanical device, displayed to the mourners all 23 wounds on the body and face. Similarly a wax replica of Augustus in triumphal garb was part of his funeral procession in AD 14 along with other representations of the princeps, including one of gold and another in a triumphal chariot (Dio 56.34.1).

The funerary oration was delivered from the rostra by a close relation of the deceased, often a young relative: Octavian was some 12 years of age when he delivered the eulogy for his grandmother Julia. This eulogy was an ancient Roman custom, and the setting of the forum, the use of the rostra (from which political speeches were delivered), the emphasis on the magisterial office of the deceased and his family, and the presence of the people underlined the connection between the state and the community. Julius Caesar was the first to deliver orations for women, for his aunt Julia (wife of Marius) and his own first wife Cornelia in 69 (Plut. *Caes.* 5.2–5: doc. 7.35). Polybius considered delivering the eulogy to be an inspiration for young men aiming at fame and virtue 'for the common good'. It was a visual experience: those impersonating the ancestors wore colourful togas, rode in chariots with the insignia the ancestors had worn, and finally sat on 'seats of ivory', displaying themselves to the assembled crowd, which would hear the ancestors' virtues extolled by the eulogist. The procession then made its way outside the city to the place of burial or cremation.

Cremation and inhumation

Cremation became increasingly common in the Republic: in the third century BC the practice of cremation, placing the bones and ashes in urns and burying them in tombs, started to be employed by the aristocracy (though not by the Cornelii Scipiones), and by the first century BC it was quite normal at Rome; Tacitus has cremation as 'the Roman custom' (*Ann.* 16.6), though very young children were buried and cremation was forbidden for anyone who had been struck by lightning. The pattern then reversed itself from the first century to the third century AD, with inhumation becoming increasingly prevalent.

In cases of burial the body was placed in the grave on the bier, or in a sarcophagus, often with grave goods, and a funerary feast was held. A pig was also sacrificed for the purification of the family and an offering made to the family's Lares. If the corpse was cremated, this could occur at the place of interment, where the pyre, shaped like an altar, was erected over the grave (the XII Tables stated that the pyre should not be smoothed with an axe, or elaborately constructed: *Table* 10.2: doc. 1.43). Alternatively, the body could be cremated at a specially designated site, an ustrinum or ustrina, with the bier placed on top of the pyre together with offerings and belongings. After the ashes were extinguished with wine or water, the bones and ashes were collected and placed in an urn with spices and perfumes, which was then placed in the sepulchre. A funerary meal took place, often at the grave-site, and further sacrifices took place on the ninth day. In the XII Tables there were sumptuary regulations about burials, concerning the amount of expenditure allowed and the number of mourners, and Sulla also legislated about costs associated with funerals (*Plut. Sull.* 35.2).

Tombs of wealthy Romans were generally found along the roads leading out of the city, especially the via Appia, and it was in the first century BC that the aristocracy began constructing grandiose monuments outside Rome. Burial within the city was forbidden as early as the XII Tables (*Table* 10.1: doc. 1.43), except in exceptional cases, such as the Vestals and generals who had celebrated a triumph. This was probably because of the dangers of fire, as well as the lack of space. Caesar was cremated in the forum by the populace, even though a pyre had already been prepared on the Campus Martius (*Suet. Jul.* 84.3) and an altar in his honour was erected on the spot. From the first half of the third century BC the Cornelii Scipiones had been buried in an extensive tomb on the via Appia, which had niches for burials in sarcophagi, and Sulla was the first of the Cornelii to be cremated: Cicero associates this with his unpopularity, and the fear that his corpse might be treated as he had treated that of Marius, whose remains were scattered in the river Anio (*Cic. Laws* 2.57: doc. 3.81).

Varro at the end of the Republic referred to inhumation burial in mass graves – large pits known as puticuli – and specifically mentions those in the public burial ground near the Esquiline Hill at Rome. This area outside the Esquiline Gate was used as a cemetery for paupers, whose bodies were informally dumped into pits, and Varro states that one derivation of puticuli (pits) was from the word putrescere, 'to rot' (*Ling. Lat.* 5.25). An inscription, on a pillar, dating probably to c. 150–120 BC, records a senatus consultum concerning 'the hill village' and was found on the Esquiline hill in Rome (*ILS* 6082: doc. 3.78). The senatus consultum effectively barred cremations from this area and so reserved it for the bodies of the poor (citizen paupers, slaves, and the bodies of executed criminals, for example). According to Horace (*Serm.* 1.18.14–16), while walking along the city walls, it was possible to see the area's mass grave (commune sepulchrum) and the whitened bones. The inscription delimited a specific area where crematoria could not be built (either permanent crematoria, 'ustrinae', or temporary pyres for a single corpse, 'foci ustrinae causa'), waste deposited, or excrement (stercus) dumped on penalty of a fine and confiscation of property.

In last century of the Republic, freedmen increasingly erected tombs for themselves and their families (docs. 6.60–72), and in the late first century BC tombs called columbaria ('dove-cots') were constructed, which comprised a large number of niches, each of which was intended to house one or two urns for the ashes of the slaves and

dependents of wealthy families, or for members of burial societies. The Monumentum Liviae, a subterranean burial site on the Appian Way, was managed by a collegium (association) of Livia's slaves and freedpersons, and could hold more than 1,000 urns, while that of the freedmen of Augustus contained some 3,000 niches, each intended to hold two urns (Figure 6.4).

Many ordinary citizens and slaves were members of burial associations that provided them with a funeral and grave, while public benefactors could provide burial sites for their townsfolk: a stone tablet from Sassina in Umbria recorded that Horatius Balbus had given burial sites at his own expense to his townsfolk and other residents, except for gladiators, 'those who strangled themselves with their own hand and those who followed an unclean profession' (*CIL I²* 2123: doc. 3.79); gladiators were generally slaves, condemned prisoners, or captives. Each site provided by Balbus measured ten by ten feet, and individuals were able to choose a place for a tomb for themselves in any spot where no one was already buried.

Funerals could be accompanied by gladiatorial shows, munera, on the ninth day, as well as by theatrical performances and the distribution of food or banquets. Munera put on at funerals were the origins of gladiatorial competitions in Rome (Figures 2.6, 2.10). An inscription found at Carinola in Campania, dating to c. 60 BC, states that L. Papius Pollio, one of the town's magistrates, a member of the 'Board of Two for pronouncing justice', in honour of his father 'gave a feast of mead and pastry to all the colonists of Sinuessa and Caedex', as well as a gladiatorial show and a dinner (*CIL I²* 1578: doc. 3.80). In addition a memorial had been set up at the cost of 12,000 sesterces in accordance with his father's will.

Pontifical regulations on burials

In his discussion of the details of funerary practices (*Laws* 2.57: doc. 3.81), Cicero notes that a burial site was not properly a grave until the proper rites had been completed and a pig slaughtered in honour of the deceased. If the corpse was to be cremated, the 'os resectum', a severed bone (presumably a finger), had to be buried separately. Earth had also to be thrown upon the remains of the deceased for the ritual to have been properly concluded according to the regulations of the pontifices: 'when the clod is thrown on, the burial has taken place and it is called a grave, and from that point many sacred laws protect it'. Although some of this passage is obscure, Cicero makes clear that there were strict pontifical rules regarding burials and the associated rituals, and cites a case of an individual who had died on shipboard and been thrown into the sea. In this case, because none of the bones lay unburied (above the earth), the family was declared free of pollution by P. Mucius Scaevola (presumably the pontifex maximus from 130). The issue with dying at sea was presumably that the body had neither been buried nor cremated rendering the family liable to pollution, but this pollution could be removed by the normal sacrifice of a sow and a 'holiday of three days' kept in honour of the deceased. In the empire, when a body was not available for burial at Rome, it was acceptable to hold a 'funus imaginarium' ('a funeral with a [wax] image'), in which a replacement body made of wax could be employed in cases when death had occurred abroad, in war or at sea. It is not clear when this tradition began although Tacitus (*Ann.* 3.5.2) refers to it as being an ancient custom. Certainly the wax images of Caesar and Augustus displayed at their funerals suggests that the

custom of performing a funeral with an effigy when a body was unavailable was already in place at the end of the Republic.

Rome and the ‘*pax deorum*’

Politics and religion in Rome were inextricably connected as the Romans saw the worship of the gods as ensuring their continuing assistance to Rome and as integral to their military and political success, while the political process took place in religious space: both the senate house and the rostra in the assembly were ‘templa’, inaugurated ground. Even after the patricians no longer had control over the calendar, the state religion was organised and controlled by the elite, and it was the senate’s decision to authorise the introduction of new cults or outlaw non-Roman rites, as well as rule on occasions when it might be necessary to consult haruspices or the Sibylline Books over issues of concern. Senior magistrates possessed *auspicium imperiumque* (the right to take the auspices and command an army) as a consequence of their office, and performed sacrifices and conducted the auspices as part of their magisterial role. The gods were worshipped through formal prayer and sacrifice with *lectisternia*, sacrifices, and rituals of purification organised at a state level. The pontifices, themselves members of the *nobiles*, oversaw the correct performance of ritual, any deviation from which would incur the gods’ displeasure, which was expiated after consultation of the Sibylline Books and the priestly colleges. While religion could be manipulated for political purposes, as with *obnuntiatio*, it clearly did not lack meaning for the ordinary citizen: there was a multiplicity of festivals and cults to satisfy the religious requirements of the people, with a variety of minor agricultural deities reflecting the concerns of the ordinary Roman, as well as new cults imported to fill specific needs, such as the healing cult of Aesculapius.

While a ‘decline’ of religion in the late Republic is sometimes postulated, Augustus’ assertions that he restored 82 temples in a single year (*RG* 20.4: doc. 15.1) is propaganda for his reinstitution of traditional values, and should not be taken as evidence of a lack of concern for religion or a failure to maintain cult buildings and rituals in the first century BC. Nor do the philosophical positions taken in Cicero’s *De divinatione* suggest the development of a ‘questioning’ approach to religion, but belong to a new intellectual milieu in Rome in which Greek philosophical ideas could be openly discussed without destroying traditional belief. In the view of the Romans, their city’s existence depended upon the maintenance of the correct relationship between the community of Rome and the gods; it was the gods who guided the *res publica*, and by continuing to perform traditional rituals in the divinely approved fashion, and ascertaining the approval of the gods for all of Rome’s actions from the holding of assemblies to the dispatch of vast armies, the ‘*pax deorum*’ (peace of the gods) would be maintained and Rome’s future glories ensured.

Further reading for this chapter

(This supplements the reading lists in Dillon and Garland, *Ancient Rome: Social and Historical Documents from the Early Republic to the Death of Augustus*, 2015.)

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Chapter 4

The Punic wars

The city of Carthage

According to the western Greek historian Timaeus, Carthage was founded on the coast of North Africa, close to the site of modern Tunis, by Phoenicians from Tyre c. 813 (Map 5): the term Punic, used as a synonym for Carthaginian, comes from the Latin name Poeni, for Phoenicians. The city's name was Qart-hadasht, or 'New Town', which became Karchedon in Greek and Carthago in Latin. While the primary motive behind the foundation was to establish a trading colony in the Western Mediterranean, Carthage was also located on an easily defensible site, with ideal conditions for the construction of safe harbours and control of sea traffic, while the hinterland behind was agriculturally prosperous. Carthage's wealth came from the agricultural and mineral wealth of Africa and from its extensive trading empire along the coast of North Africa from Cadiz and the Atlantic to the borders of Cyrene (west of Egypt), with colonies from the sixth century onwards extending into Spain, Sicily, Sardinia, Corsica, the Balearic islands, and Pithecussae on Ischia off the coast of Italy. Carthage had extensive possessions in western Sicily (Figure 4.1), and was involved in numerous wars against the Greeks in Sicily from the mid-sixth century.

By the early eighth century BC the site of Carthage already covered some 50 hectares with a fixed street grid and insulae (apartment blocks). Mount Byrsa constituted the acropolis, the site of the sanctuary of the Phoenician deity Esmun, who was equated with the healing god Asklepios (Roman Aesculapius). Legend stated that the leader of the original colony was Elissa or Dido, a Phoenician princess (who in Vergil's *Aeneid* kills herself when Aeneas deserts her, leading to perpetual enmity between Rome and Carthage), but the settlement probably took place under the control of a governor who reported to the Tyrian ruler, and was later replaced by a king. At some later point Carthage transformed from a monarchy into an aristocratic Republic.

The main extant source for Rome's wars with Carthage is the history of Polybius, who was present at Carthage with Scipio Aemilianus at the time of its destruction in 146 BC. His account of the First Punic War was based in part on the works of Philinus, a Greek writer and pro-Carthaginian source from Agrigentum (Akragas) in Sicily in the second half of the third century, perhaps a Greek mercenary serving with the Carthaginians, and of Fabius Pictor, a Roman senator from the Second Punic War, the first Roman historian, who wrote a history in Greek at the end of the third or beginning of the second century. Both authors were biased, as Polybius recognised (1.14.1–3: doc. 4.5, cf. 3.9.1–5), and he relied more on Fabius Pictor than Philinus. Fabius'



Figure 4.1 A Carthaginian tetradrachm from Entella in Sicily, c. 320/315–300 BC depicting the head of the nymph Arethusa and a prancing horse and date palm. On the obverse Arethusa, wearing a wreath of grain ears, pendant earring, and necklace, surrounded by four dolphins; on the reverse, a prancing horse, with a palm tree in the background. The Carthaginians controlled a large part of western Sicily prior to Rome's victory in the First Punic War. Their coinage, minted to finance military operations, was greatly influenced by Sicilian, especially Syracusean, prototypes.

Source: Courtesy of Classical Numismatic Group

Annales are no longer extant, but he used earlier writers like Philinus, as well as oral tradition and public records, to present a favourable account of Roman history for the Greek-speaking Mediterranean world. There were also Carthaginian histories by a Hiempsal and King Juba, which the emperor Claudius might have used for his own history of Carthage. The Greek historians Sosylos of Sparta and Silenos of Kaleakte accompanied Hannibal on his campaigns, but their works are also lost.

Carthage was noted for its prosperity and Vergil called it ‘rich in wealth, and ferocious in the pursuit of war’ (*Aen.* 1.14). The best known Carthaginian literary work is that of Mago, who wrote 28 books on agriculture (including vines, olives, stock farming, and apiculture), which after the Third Punic War the senate had translated into Latin and which was highly valued as a farming manual (Pliny 18.22), while Diodorus recorded that the troops of the tyrant of Syracuse, Agathokles, were extremely impressed c. 310 by the fertility of the area surrounding the city (Diod. 20.8.1–4). The pomegranate was known in Latin as the *mala Punica* (Punic apple), and the date palm and horse were depicted on Carthaginian coinage as sources of the city’s wealth (Figures 4.1, 6). Polybius, speaking from personal experience of the region, doubted whether there was so large a number of horses, oxen, sheep, and goats in the rest of the world (12.3.3–4), and Carthaginian exports included grain, olive oil, fruits and spices, horses, textiles, and slaves.

Carthaginian religion was primarily identical with Phoenician and Canaanite practices, with Baal and Astarte (familiar from the Old Testament) playing a central role: Baal Hammon (the equivalent of Zeus or Jupiter) being the main god of Carthage,

alongside Melqart (Greek Herakles) and Baal's consort Tanit (Figure 4.3). The common names Hannibal and Hasdrubal mean 'grace of Baal' and 'help is Baal'. Sacrifices were made to Baal Hammon and Tanit, originally it appears of infants and then of substitutes, to strengthen life by offering life: a large sacred district to the west of the city, sometimes called the tophet, contains the cremated remains of stillborn or infant children.

Rome's treaties with Carthage: 508, 348, 279 bc

Polybius records the details of the first three treaties between Rome and Carthage, which are dated to 509/8 bc (the year of the first consuls), 348 and 279, as part of his narrative explaining the reasons behind the outbreak of the Second Punic War. The Carthaginians in these early treaties were primarily concerned to safeguard their trading network across the Mediterranean, while Rome's interests down to 279 were focussed on the Italian peninsula: prior to the outbreak of the First Punic War there was no hint in Rome of a Mediterranean outlook or a desire to transform Rome into a naval power. In all three treaties the interests of the Carthaginians were safeguarded, and Rome was clearly the weaker partner in the negotiations.

The treaty of 509/508 bc

While there is no reference to the first treaty in Livy, who considers that of 348 to have been the first between the two states (7.27.2), Polybius' account of the treaty is nevertheless extremely compelling. The fact that he comments that it was written in an 'ancient' form of Latin ('only some of it can be made out by the most intelligent men through careful examination') is evidence of its authenticity, and there may have been earlier agreements in place between Rome and Carthage in Rome's regal period, which the new Republic and its magistrates wanted to have renewed, while also making it clear to Carthage that Rome was now independent of the Etruscans. Carthage and Etruria already had a long-term trading compact in place, and Herodotus recorded that the two combined powers defeated a Phocaeon (Greek) fleet near Sardinia at the Battle of Alalia between 540 and 535 (Hdt. 1.166). There were Carthaginian merchants resident in Etruscan towns, while gold tablets with bilingual Punic-Etruscan inscriptions, probably dating to the early fifth century, have been discovered at Pyrgi (the harbour of the Etruscan city of Caere) relating to a shrine there of Astarte. There was also a nearby settlement called Punicum, suggesting Punic presence, and Aristotle (*Pol.* 1280a36–38) mentioned trade agreements between the Carthaginians and Etruscans as a prime example of commercial relationships. It is therefore entirely reasonable that an existing agreement with Carthage was renewed immediately after the expulsion of the Roman kings.

The treaty of 509/8 with Rome was set out as a standard Carthaginian treaty, in the same way as that with Philip V of Macedon in 215 (Polyb. 7.9.1–17: doc. 4.45). Rome's trading ventures in the Carthaginian sphere of interest were restricted in this agreement. The Romans were not to sail beyond the Fair Promontory, which lay to the west of Carthage, unless forced to do so by a storm or the activities of enemies. If carried beyond it, they were not permitted to engage in any trade, unless it related to repair of the ship or arrangements for sacrifice, and had to depart within five days

(Polyb. 3.22.1–23.6: doc. 4.1). Romans were allowed to trade in Libya and Sardinia, but any transactions had to be made in the presence of a herald or official secretary. Any Romans in the Carthaginian-controlled area of Sicily (and possibly at Carthage too) would enjoy all commercial rights. For their part Carthage guaranteed not to interfere with Latin towns subject to Rome: Ardea, Antium, Laurentium, Circeii, Terracina, and ‘any others’. The five named towns presumably had treaties of alliance in place with Rome. If the Carthaginians took control of a non-Roman town in Latium, it was to be handed over to Rome, and they were not permitted to build a fort there. If they did enter the area in arms they were not permitted to pass the night there.

The focus on Latium highlights the fact that at this point it was the only area in Italy under Roman control, and that Carthage was engaged in military activity (probably raids and piracy) against towns in Italy. The treaty from Rome’s point of view aimed at preventing Carthage from interfering in the region; from Carthage’s outlook it was commerce that was important, and Romans were allowed to trade in Libya and Sardinia, which they were not in the treaty of 348. The need to access an additional supply of grain may also have been a motive for Rome in this agreement, as in 508 Rome suffered a serious famine and attempted to import grain from Sicily (Livy 2.9.6). By 509 Carthage had already established a commercial monopoly across the Western Mediterranean, and Polybius comments on the document that ‘from the phrasing of the treaty they [the Carthaginians] show that they consider Sardinia and Libya as their own’. In return for regulating Roman trade in the Carthaginian sphere of influence, Carthage for its part guaranteed that it would not interfere with towns in Latium (Polyb. 3.23.5: doc. 4.1).

The treaty of 348 bc

The treaty of 348, dated by Livy and Diodorus (Livy 7.27.2; Diod. 16.69.1) but not Polybius, confirmed the preceding treaty, and this time included the peoples of Tyre and Utica (and their allies), showing that Carthage had expanded its sovereignty in Northern Africa. In this agreement Rome’s commercial engagement with the Western Mediterranean was further restricted: Romans were prohibited from sailing into Carthaginian waters or to the west of Carthage to plunder, trade, or found a city. Any attempt at Roman expansion into the Western Mediterranean was checked, and no Roman was allowed to trade or found a city in Sardinia or Libya, and could only put in there to provision or repair their ship. If carried there by a storm, they had to be gone within five days (Polyb. 3.24.1–15: doc. 4.2). Sicily was still only partially in Carthaginian hands, and in Carthaginian territory there and in Carthage itself Romans were to possess ‘citizen rights’, including the right of trade (in other words, Carthage and western Sicily were free ports). Carthaginian activity in Italy was still permitted, but legislated for: if a city in Latium which was not subject to Rome was taken, the Carthaginians might keep any property and captives, but not the city. If, however, a prisoner was taken who belonged to a city that had a treaty with Rome, that prisoner might not be taken into Roman harbours, and if he was, and a Roman acquired him as a slave, he was to be set free. The same was also binding on Romans in Carthaginian territory. If any Roman took water or provisions from any Carthaginian-controlled territory he was not to do violence to anyone (a similar regulation applied to Carthage with regard to Roman territory), and all punishment had to be sought publicly rather

than exacted privately. As Polybius again noted, the Carthaginians were emphasising that Libya and Sardinia were their possessions and not to be interfered with, while in Sicily they specified the parts which were under their control, rather than laying claim to the whole island.

In both of these first two treaties Carthage was negotiating from a position of strength, dictating most of the terms, which involved Rome being specifically excluded from trading in the Western Mediterranean. Both treaties were primarily economic, with Rome in search of grain markets under Carthaginian control and concerned in 348 with regulating Punic piracy and slave-trading along the Italian coast and trade routes, and settling the fate of citizens captured at sea; pirates from Sicily blockaded the Tiber in 349 and capture at sea or by pirates was a real risk (Livy 7.25–26).

The treaty of 279/278 BC

A third treaty, in this case a defensive pact, was made between the two states at the start of the aggressive campaign in Sicily of Pyrrhus of Epirus (in western Greece): Polybius does not date this alliance, but Livy assigns it to the year 279/8 (Livy *Per. 13*; cf. Diod. 22.7.5). All the conditions of the existing treaty were to remain in force,

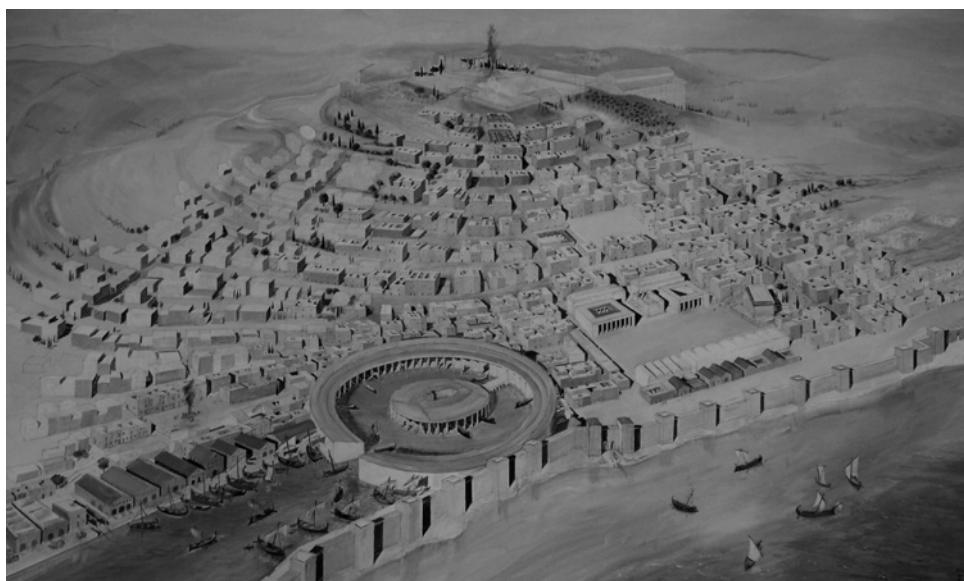


Figure 4.2 An illustration of ancient Carthage including the harbour, from Bardo National Museum, Tunis. The harbour consisted of an inner harbour (for the naval fleet) and an outer harbour (for merchant ships) and could be closed off with iron chains. The artificial inner, military, harbour was known as the cothon (Greek for a drinking vessel) and was divided into bays and slipways for ship maintenance, with an island structure at the centre from which the admiral could observe the whole harbour. The inner complex could house 220 ships (App. Pun. 96). There were also further anchorages to the north and south of the city.

Source: Photograph courtesy of Damian Entwistle via Flickr

while each side was now to support the other against Pyrrhus and provide mutual military aid. The Romans had begun negotiations with Pyrrhus after their defeat at Ausculum in southern Italy in 279, and the Carthaginians were concerned to prevent Rome making a peace with him, which would have allowed Pyrrhus and the Greek cities of Sicily to attempt the acquisition of Carthaginian territory in the island. Not only is each side to come to the aid of the other in Sicily if under attack, but the Carthaginian navy is to provide the ships for transport and hostilities. The Carthaginians will help the Romans by sea (though their crews shall not be forced to land unless they choose), evidence for the fact that Roman sea-power was essentially non-existent (Polyb. 3.25.1–5: doc. 4.3). Neither of the parties to the treaty is to sign a peace with Pyrrhus that would prevent them coming to the aid of the other. The Carthaginians' offer of assistance from their navy was a reflection of that fact that it was the Carthaginian holdings in Sicily that were under immediate threat of attack. On the other hand Pyrrhus and his 20 elephants had been a very real danger to Rome when he had accepted the invitation to come to the help of the Greek city of Tarentum, and his campaign against Rome had attracted considerable support from Greek and Italian cities. It was therefore in Rome's interests to oppose any of his territorial ambitions in its near vicinity.

While his pro-Carthaginian source, the Sicilian Greek historian Philinus, stated that a fourth treaty had been signed in 306, this, according to Polybius, was false: 'there is not and never has been such a document at all' (Polyb. 3.26.3–7: doc. 4.4). This controversial document is known as the treaty of Philinus because it was reported in his history, while Polybius states that he had personally investigated the treasury of the aediles next to the temple of Jupiter Capitolinus, where treaties on bronze tablets were kept, and had not found it. The treaty allegedly contained the agreement that neither Rome nor Carthage should enter into the other's sphere of influence. If this were the case, then Rome would have broken the treaty in the lead-up to the First Punic War, when it agreed to assist the Mamertines in Messana, the immediate cause of the outbreak of war.

Polybius was certainly interested in historical truth for its own sake, and the question was obviously an important one when he was writing: books 1–6 of his *Histories* probably appeared in 150, just prior to the Third Punic War, and he argues strongly that Philinus was wrong when he criticised Rome for breaking a treaty with the Carthaginians when they first crossed over to Sicily in 264: 'if anyone considers that they made their crossing in violation of the treaty and their oath he is clearly ignorant of the truth'. He suggests that the Romans could have been criticised for offering their friendship to the Mamertines, who had broken their agreement with both Messana and Rhegium, but that their actions were not contrary to any treaty with Carthage. Nevertheless, despite the fact that Polybius did his best to research the historical background by personally consulting available records, his account of the treaty of 279, that it maintained 'everything in the existing agreements' to date, suggests that there had been an earlier treaty recognising Rome's greatly increased sphere of influence in Italy, in which Italy would now be off limits militarily to Carthage, just as Africa, Sardinia, and Sicily were to Rome. Livy obviously believed in the treaty (*Per. 14, 21.10.8*), and it might have been officially destroyed or hidden to obscure Rome's responsibility for the First Punic War. Rome, therefore, could arguably have been in the wrong over the outbreak of all three Punic wars.

The causes of the First Punic War, 264–241 bc

Polybius considered that the crossing of the Romans into Sicily to aid the disreputable Mamertines had been the immediate cause of the First Punic War. This expedition was to have far-reaching implications for the history of Rome and the Western Mediterranean, and Polybius informed his readers that the reason why he focussed his narrative in such detail on this war was because he felt that the two existing sources, Philinus and Fabius Pictor, had failed to record an accurate account of events. He acquitted them of deliberate deceit, but at the same time was aware of their partisan stance, defending the motives and actions of their ‘side’. While, in Polybius’ view (and the view generally of both Greeks and Romans), a good man ‘ought to love his friends and his country and share his friends’ hatred of their enemies and their love of their friends’, the historian still has to be able to distance himself from events, since ‘just as a living creature deprived of its eyes is totally incapacitated, so, when history is deprived of truth, nothing is left but an unprofitable tale’ (Polyb. 1.14.1–6: doc. 4.5). Polybius’ perspective, as a close friend and client of Scipio Aemilianus and Laelius, is generally pro-Roman, though he could be critical of specific Roman generals and statesmen, and his account attempts to be historically accurate despite his unconscious biases.

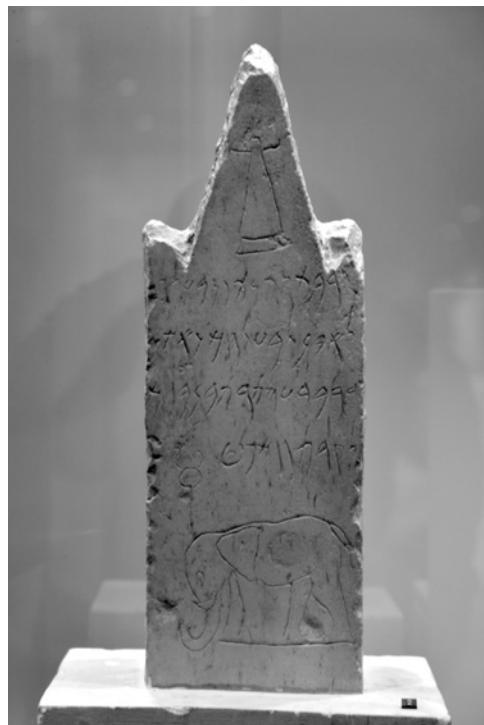


Figure 4.3 A Carthaginian funerary stele in limestone (300–146 bc), depicting Tanit (top) and an elephant, with an inscription in Punic. Carthage National Museum, Tunisia.

Source: Photo © Jona Lendering, Livius.org

The constitution of Carthage

In his discussion of the Roman constitution, Polybius digresses to include a comparison of the constitutions of Carthage and Rome, which is invaluable as one of the few accounts of the government of ancient Carthage. In Polybius' view the oligarchic senate in Rome was the mainstay of Roman power, and he contrasted this with the increasing influence of the people at Carthage, which he considered to be a constitutional weakness (Polybius 6.51.1–8: doc. 4.6). While originally a monarchy, by at least the fourth century the 'kings' of Carthage had translated into two annual officials known as sufetes, with civil but not military powers (unlike consuls): military powers were in the hands of elected generals appointed for specific campaigns. The Carthaginian senate consisted of 300 members, with a sub-council within it of 30, which included the two sufetes.

Aristotle (*Pol.* 1273a35–9) gives modified praise to Carthage's constitution, characterising it as well governed, particularly when compared to that of Sparta. It was the only non-Hellenic constitution he included in his works, and he classed it with Sparta and Crete as one of the three that approached his ideal 'mixed' state, seeing it as a strong oligarchy with aristocratic and democratic features, and praising it for having avoided both rebellions and tyrants. He describes it as possessing common messes, a senate or council of elders who served for life, and a body of 104 overseers or judges to whom the generals and other magistrates reported and submitted accounts: these were elected according to merit, probably from and by the senate, and Livy (33.46.1) states that in the second century the judges dominated the whole city. There were also two 'kings' elected annually, the two sufetes or 'shophetim', for whom Aristotle uses the Greek term basileis, kings. More than one position could be held by the same person, and thus the same official might be both sufetes and general. The people had a political voice and were an elective and decision-making body on any matters the sufetes and elders brought before them (although the kings and elders could make decisions in concert without taking a measure to the people), and there had never been a popular rebellion or a tyrant, primarily because the populace was well provided for by being sent to subject cities or colonies where they could become wealthy.

Polybius, like Aristotle, notes that Carthage had a mixed constitution (as at Rome and Sparta), and considered that the 'popular element' in the third century was becoming more important, to Carthage's detriment, as opposed to the dominance at Rome of the oligarchic senate (Polyb. 6.51.1–7: doc. 4.6). By this he is referring to the rise of the Barcid family (Hamilcar Barca and his sons Hasdrubal and Hannibal) and the popular support for its agenda. Despite Polybius' criticisms, the constitution itself was probably not as instrumental in the defeat of Carthage as he imagines: what happened on the battlefield and the nature of the two groups' military systems is more relevant. Polybius also compared the military systems of the two states (6.52.1–6: doc. 4.6). At the start of the First Punic War Carthage was a pre-eminent naval power (Figure 4.2), while the Roman navy was quite undeveloped, although the Roman army had been achieving successes throughout southern Italy. Rome was, however, to show remarkable initiative in her rapid development of a navy. Carthage had only a small citizen body, and the citizens served mainly in the navy, fighting as infantry only when necessary, as at the battle of Zama. Carthaginian infantry was mostly drawn from 'foreign and mercenary troops', which Polybius

contrasts with the Romans' use of citizens and allies in the legions. The Carthaginian mercenaries fought in their groups with their native armour, and they were probably organised along the lines of the Greek phalanx when they went into battle, while cavalry was recruited from the Libyans; the Carthaginians also used war elephants. Mercenaries were paid, while other troops fulfilled their treaty obligations through their military service. Despite Polybius' comments, which flatter the Roman system of citizen conscription, the Carthaginian army was formidable, as indicated by its victories at Trasimene (217) and Cannae (216), and by their activities in Spain. The Carthaginian mercenaries and foreign troops were not responsible for Carthage's defeats, and they fought well, especially under experienced generals: Livy (30.35.6) is incorrect in calling them 'men mingled from the dregs of all races, who were held not by loyalty but by pay'.

Carthage depended for its survival on trade and commerce, and clearly its world-view was different from that of Rome, which focussed primarily on military conquest (which of course brought about its own profits). Aristotle had noted (*Pol.* 1273a35–9) that at Carthage the highest offices, such as king and general, were based not just on merit, but on wealth (because a man who is poor cannot rule well), causing the whole state to be focussed on making money. Polybius similarly considered that: 'at Carthage nothing is disgraceful which leads to profit', and praised Rome in comparison, where bribery and profit by forbidden means were considered disgraceful (6.56.2: doc. 4.6). His comments about the attitude towards bribe-taking at Rome and disapproval of dishonest money-making were obviously intended to flatter his patrons, Scipio and Laelius, and should be balanced against Sallust's account of senatorial corruption in the late second century (*BJ* 8.1–2: doc. 9.3).

The First Punic War, 264–241 BC

The beginning of the First Punic War in 264 is seen as marking the commencement of the middle Republic at Rome. This was the first time that Rome had sent an army overseas, and by the end of the First Punic War, which lasted 24 years, the Romans not only controlled Sicily, Sardinia, and Corsica, but had started to acquire an immense overseas empire, with generals eager to outdo each other in conquests and triumphs. In contrast, Carthage already possessed an extensive empire at the outbreak of the First Punic War, controlling the entire North African coastline from Cyrene in the East to the Atlantic, as well as Sardinia, Corsica, western Sicily, the Balearic islands, and southern Spain. The Carthaginians had an extensive network of trading colonies in the Western Mediterranean, and levied tribute from subject populations, whom they also employed as mercenaries. In Sicily, the Carthaginians had contested control with the Greek cities since the sixth century, and Carthage's chief rival there was the great city of Syracuse, the third largest Greek city after Athens and Corinth. Agathokles, tyrant of Syracuse, had from 310 to 289 fought with the Carthaginians for control of Sicily and been seriously defeated in Africa. Following this, Pyrrhus of Epirus, Agathokles' son-in-law, had threatened Carthaginian territory between 278 and 275, briefly conquering most of western Sicily before withdrawing to Italy. Nevertheless, Carthage had been successful in defeating the Syracusan fleet and increased its holdings in central Sicily.



Figure 4.4 A bronze coin minted at Messana in Sicily, c. 264 BC in the early stages of the First Punic War, depicting the head of Minerva wearing a crested Corinthian helmet and an eagle standing on a thunderbolt. On the obverse Minerva wearing a Corinthian helmet, decorated with a gryphon, with the legend ROMANO ('of the Romans') to the left; on the reverse an eagle standing on a thunderbolt, wings open, with a short sword to the left. It was Rome's decision to intervene on behalf of the Mamertini, Italian mercenaries who seized the Greek colony of Messana, that led to the First Punic War.

Source: Courtesy of Classical Numismatic Group

Messana and the Mamertines

The Mamertines, Oscan mercenaries from Campania, had been employed by Agathokles in his campaigns. After his death they were at a loose end in Sicily, and between 288 and 283 conquered the city of Messana, where they slaughtered the male citizens, ravaging large areas of northern Sicily, and looting both Carthaginian and Greek territory, though they allied themselves in 279 with Carthage against Pyrrhus. They called themselves the Mamertines (Latin: Mamertini) after the Italian god of war, Mamers (Roman Mars). It was their activities, and Rome's decision to cross to Sicily to defend their interests, that brought about the outbreak of the First Punic War. Rome had, in fact, no pretext for interfering in Sicily, and if there were any long-term aim it was fear that Carthage might extend its influence in the island to the extent that it could threaten southern Italy.

Messana is a key city in Sicily, near its northern tip, lying opposite the Greek city of Rhegium on the toe of Italy; the Straits of Messana divide Italy from Sicily. When a new tyrant at Syracuse, Hiero II, defeated the Mamertines decisively at the Longanus river in 269, they asked both Carthage and Rome for help. The Carthaginians installed a small garrison in Messana, at which Hiero withdrew, but the Mamertines appear to have been unhappy with the Carthaginian presence, and later expelled them (the commander was crucified for his lack of judgement in abandoning the citadel: Polyb. 1.11.5: doc. 4.7). The Roman senate for its part debated the pros and cons of assisting the Mamertines, who had no legal claim to support from Rome. On the other hand, there was concern, according to Polybius, that if the Carthaginians were not

checked they might take Syracuse, then all of Sicily, and have easy access to Italy itself (1.10.5–7: doc. 4.7). It was not in Rome’s interests to have Carthage or Carthaginian allies in control of Messana and the straits.

In this state of indecision the senate took the matter to the people, who, influenced by the promise of booty made by the consul App. Claudius Caudex (cos. 264), decided in favour of the alliance (although perhaps not for war against Carthage at this point), and Claudius was instructed to cross to Messana and aid the Mamertines (Polyb. 1.10.9–11.5: doc. 4.7). In writing of the ‘obvious and enormous gains’ that would accrue to the Romans, Polybius is referring to the booty and plunder to be gained from a war against the Carthaginian cities in Sicily: the wealthier citizens who voted in the comitia centuriata in favour of helping the Mamertines clearly thought that the expedition would be profitable. The Romans had previously not been concerned about the Carthaginian presence in Sicily, as the treaties indicate, and Polybius has been criticised for exaggerating the Romans’ fear of the danger from Carthage, but Rome was aware that there might in the future be some risk from this quarter, while Rome’s commanders were enthusiastic in pursuit of gloria, and the people desirous of profits from a new war.

The outbreak of war

A major problem for the Romans in their invasion of Sicily was the lack of a fleet to convey their troops across the straits and maintain a supply line. App. Claudius sent a small force to Messana under the command of his relative, the military tribune C. Claudius, and then conveyed his two consular legions across the straits using ships (pentecounters and triremes) supplied by Rhegium, Tarentum, and other Greek cities in southern Italy. Carthage allied itself with Syracuse against the Romans, and Messana was blockaded by Carthaginian and Syracusan forces. App. Claudius negotiated unsuccessfully with both Hiero and the Carthaginian commander Hanno; he then met them both in battle and defeated them, seizing the city (Polyb. 1.11.7–12.4, 15). The position of the Mamertines was regularised (they were granted federate status in 263, meaning that they were officially bound to Rome by a treaty), nevertheless, the war against the Carthaginians was to continue until 241: once they had had a taste of victory in Sicily, the Romans’ aims immediately expanded to encompass the expulsion of the Carthaginians from the whole of the island (Figure 4.4). Even though the Roman people might not as yet have voted formally in favour of war, once the army crossed to Sicily in 264 war became inevitable. Carthage certainly was not in favour of outright conflict, as that would affect its trade, while neither side had any idea that the war would last more than two decades. The fact that the final victory took them 24 years is evidence of Rome’s persistence and bloody-mindedness, as well as its willingness to sacrifice enormous amounts of Roman and Italian manpower in order to acquire this overseas territory.

In the following year (263 BC) the senate sent out both consuls, M’. Valerius Maximus and M’. Otacilius Crassus, with a double consular force as well as contingents of Italian allies. A number of cities revolted from Syracuse and Carthage and joined Rome (Polyb. 1.16), while Valerius was successful in plundering Carthaginian possessions in the island. He was awarded a triumph, after forcing Hiero II

to conclude an alliance with Rome, which was renewed in 248. Valerius took the agnomen ‘Messalla’ as a result and dedicated a painting of his victory in the senate house. Carthage, however, continued to oppose the expansion of Roman interests in Sicily, using their mercenary army to harass Syracuse and other allies of Rome. In contrast to this defensive strategy, Rome moved aggressively in 262 against the Greek city of Agrigentum, defeating a Carthaginian army under Hanno sent to relieve it (though with heavy Roman losses), and sacking the city, with 25,000 inhabitants sold into slavery. Hanno was fined 6,000 gold coins at Carthage for his failure. The brutality of this episode hardened the opposition of other Greek cities to Rome.

The Romans construct a fleet

After failing to take several coastal towns in 261, the Romans finally realised that it was essential to build a fleet, not only to convey soldiers to Sicily and keep them supplied, but to block communications and supply lines between Carthage and Sicily. In the absence of the capacity to engage the Carthaginian fleet at sea, the Romans would never be able to achieve a total victory in Sicily. The Romans had no experience of naval warfare (Polybius states that they had not a single warship), but they undertook a rapid armament programme and built a navy of 100 quinqueremes and 20 triremes in a matter of months, using a Carthaginian vessel wrecked crossing the straits as a model (Polyb. 1.20.9–21.3: doc. 4.8); this is not improbable as the Italian Greeks lent the Romans penteconters and triremes not quinqueremes, so they did not construct their ships in line with a Greek prototype.

The quinquereme, considerably heavier than the trireme, was the mainstay of Carthaginian naval power, and had three banks of oars manned by 300 oarsmen, plus up to 120 marines. The Romans’ 100 quinqueremes therefore meant that 30,000 rowers had to be found and trained, along with 12,000 marines. These new oarsmen trained on land on wooden stages to synchronise their rowing and then practised at sea ‘for a short time’ (60 days according to Pliny 16.192). Citizens with less than 400 asses of property (the proletarii) were employed as the rowers (Polyb. 1.49.5, 1.61.3), while the marines may have been proletarii or seconded from the legions.

The ships so constructed were armed with a specially invented boarding bridge, the corvus (‘raven’ or ‘crow’, pl.: corvi), developed by C. Duilius, who was victorious as consul at the battle of Mylae in 260. The corvus, when thrown onto the enemy’s ship, pinned itself to the deck with an iron spike, which prevented the enemy from disengaging and gave the Romans a chance to board the enemy vessel across a gangway with low railings on each side (Figure 4.5). As Polybius makes clear (1.22.9: doc. 4.9), the corvi were not stationary but could pivot, attaching themselves to the nearest part of the deck of the enemy ship, which made them very effective in close encounters and enabled the Romans to overcome the Carthaginians’ advantage of experience in naval warfare. This tactic replaced the old strategy of ramming with that of boarding the enemy vessel, and gave the Romans the opportunity to take enemy ships without having first to ram them and risk damaging their own vessel in the process.

After the short period of training at sea, the other consul for 260, Cn. Cornelius Scipio ‘Asina’, left Messana with 17 ships for Lipara, off north-east Sicily, tempted by an offer to betray the island. The Carthaginians, however, trapped his fleet in Lipara’s harbour and he surrendered. Despite being taken prisoner and receiving the nickname ‘Asina’ (‘she-donkey’), he went on to another consulship in 254. For the time being, however, his colleague Duilius took over the naval command, handing over leadership of the army to the military tribunes, and engaged with the Carthaginian fleet under the admiral Hannibal son of Gescon (not *the* Hannibal) off Mylae in north-eastern Sicily. Polybius comments that Hannibal joined battle ‘contemptuous of the inexperience of the Romans’, but that the Romans boarded his ships using their corvi, with the result that the engagement became ‘almost like a land-battle’. The Carthaginians were forced to withdraw after losing 50 ships, although Hannibal himself escaped. Through use of the corvus, an unexpected tactic that the Carthaginians still had to learn to combat, the Romans had won their first naval battle, although the bulk of the Carthaginian fleet was still intact. Following this victory at Mylae the Romans became twice as determined to prosecute the war and actively sought naval engagements against the Carthaginian fleet (Polyb. 1.22.11: doc. 4.9).

Duilius, who had also raised the siege of Segesta and taken Macella, was awarded the first naval triumph. To commemorate his victory a columna rostrata (a column decorated with the rams, rostra, of the captured ships) was erected in the forum, with an inscription celebrating his achievements, including a list of the booty acquired (ILS 65: doc. 4.10). Duilius also dedicated a temple to Janus in the forum Holitorium in Rome built from the spoils. In another successful campaign, L. Cornelius Scipio, consul in 259, led an expedition against Corsica and Sardinia, taking Aleria, the chief city of Corsica, and was also awarded a triumph for his achievements.

Invasion of Africa, 256 BC

Despite continuing success in Sicily, the Romans were determined to invade Africa and defeat the Carthaginians decisively on their home territory, believing that they would achieve an easy victory (Polyb. 1.26.1–3: doc. 4.11). The Carthaginians, however, preferred to fight at sea and were determined to prevent the expedition. In 256 the two consuls L. Manlius Vulso and M. Atilius Regulus (a suffect consul), with a fleet of 300 ships and 150,000 men, won a naval victory over Hanno and Hamilcar near Ecnomus, off the south coast of Sicily, where, by using the corvi, they sank 30 and captured 50 ships. Encouraged by this success they went on to invade Africa, landing on the Cap Bon peninsula, from which they could threaten Carthage. After some early successes in 256–255, plundering and capturing large numbers of slaves, Manlius Vulso returned to Rome with part of the fleet.

Despite encountering a fierce 40 metre long serpent whose skin was sent to Rome as a curiosity (Livy F10: doc. 4.12), the Romans captured 200 ‘towns’ in Libya, many of which happily surrendered to the Romans ‘through hatred of the Carthaginians’ (App. *Pun.* 3–4: doc. 4.13). Regulus, who continued the campaign into 255, won a massive victory at Adys and captured Tunis, forcing Carthage to ask for peace terms,

but the conditions he demanded were too harsh. The Carthaginians accordingly changed their minds and requested help from Sparta. The general Xanthippus was dispatched, who reorganised both the Carthaginians' army and Carthaginian strategy. On open ground, Carthage's cavalry and elephants were more effective against the Roman legions and in an engagement at Tunis the Romans lost 13,000 of a force of some 15,000 men (Appian says 30,000 were killed or taken prisoner). Xanthippus' generalship was the deciding factor, but Appian also mentions the 'heat, thirst and fatigue' endured by the Romans, while Polybius stresses the importance of the elephants (Polyb. 1.34.7).

Regulus was taken prisoner and died in captivity, but the legend arose that he was sent in 250 on an embassy to Rome to negotiate with the senate about the exchange of prisoners (or whether to terminate the war), where he spoke against his own mission. He then returned to his death by torture to keep his oath with the Carthaginians that he would return should his mission fail: this episode may have been invented to offset the tale of his widow and sons' torture of Carthaginian prisoners after his death (Diod. 24.12; Gell. 7.4.4). In the same way, Appian records a story, perhaps hinted at by Polybius (1.36.4), that the Carthaginians pretended to honour Xanthippus, but, while escorting him home to Sparta had him thrown overboard, so that he might not be credited with the Carthaginian victory: 'in this way he paid the penalty for his success' (App. *Pun.* 4: doc. 4.13). This was probably another Roman attempt to demonise the Carthaginians, as Carthage minted gold coins to celebrate Xanthippus' victory showing that his role was publicly recognised.

For the Romans this engagement in Africa was an unexpected defeat, and they manned a further fleet, which defeated the Carthaginian navy and captured 114 ships, rescuing the 2,000 soldiers still in Libya. The evacuation fleet was then nearly entirely destroyed off Camarina on its return, with some 186 ships and 90,000 men lost at sea: only 80 out of 364 ships were undamaged. Polybius (1.37.4–6) criticised the consuls of 255 for the disaster, as they had refused to listen to their captains' advice about the prevalence of seasonal storms, but they were still granted a triumph for the rescue of the survivors from Cape Bon and the engagement with the Carthaginian fleet there.

Conflict in Sicily, 254–251 bc

Following the Roman disaster in Africa, the conflict again focussed on Sicily where Carthage achieved some victories while Rome rebuilt its fleet, financing the construction of another 220 ships by imposing new taxes. Meanwhile the Carthaginians, after the success of the elephants in Africa, decided to employ them in Sicily, and Hasdrubal crossed over to Lilybaeum with 140 animals. Polybius records that the troops were so terrified of them that during the next two years they were never bold enough to start a battle or come down to level ground for fear of an elephant charge (Polyb. 1.39.10–12: doc. 4.14). The conflict in Carthaginian-held western Sicily continued, and while Rome failed to take Drepana and Lilybaeum, they were successful in 254 in taking Panormus (Palermo), the most important Carthaginian possession, thereby confining the Carthaginians to a small western part of the island; Scipio Asina was again consul and celebrated a triumph for the victory. Of the inhabitants of Panormus

14,000 were ransomed, with a further 13,000 being sold by the Romans into slavery. The Romans, under the command of the consul C. Aurelius Cotta, also succeeded in taking the island of Lipara in 252.

Despite these victories, a further expedition to Libya in 253 was spectacularly unsuccessful with the Romans simply raiding Carthaginian territory before withdrawing. The weather had again proved a challenge, and the fleet of 150 ships and 60,000 men was lost in a storm on their return. While 50 new ships were built in 250, Rome decided after this loss not to rebuild their fleet and rely instead on their strengths on land. Hasdrubal remained active in Sicily, but when he attempted to retake Panormus in 250 he was defeated by the consul of 251, L. Caecilius Metellus, and his remaining elephants were taken to Rome to appear in Metellus' triumph. The elephants were such a novelty that they were often featured on coinage minted by members of the family (Pliny 7.139: doc. 2.29). Hasdrubal was recalled to Carthage and executed for his defeat.

The Romans now controlled most of Sicily, but both sides were in desperate need of money. One of the reasons for the Romans' decision to rely on their infantry was the fact that they could not afford to refinance a fleet, while the Carthaginians sent to Ptolemy II of Egypt, asking for a loan of 2,000 talents. Ptolemy refused on the grounds that he was friends with both Rome and Carthage, and that 'one should help friends against enemies, but not against friends' (App. *Sic.* F1: doc. 4.15).

Roman victory and peace terms

The final years of the First Punic War, 250–241

By 250, Lilybaeum and Drepana were the only Carthaginian possessions in Sicily, although Lilybaeum under the command of Himilco successfully withstood



Figure 4.5 An aes grave ('heavy bronze', c. 285 grams), minted in Rome c. 225–217 BC after Rome's naval victory over Carthage, depicting the prow of a Roman ship including the innovative 'corvus' and the fighting platform on top of the ship. The rather ungainly aes grave later made way for smaller 'as' coins.

Source: Photo courtesy of Classical Numismatic Group

the Roman siege, holding out beyond the treaty of 241. It was a critical possession, as according to Polybius both sides realised that if the Romans took Lilybaeum ‘it would be easy to transfer the war to Libya’ (1.41.4–5). Rome decided to rely on its allied forces for naval power and in 249 the consuls led 10,000 allied sailors to Sicily. With these the consul P. Claudius Pulcher organised a surprise attack on the Carthaginian fleet at Drepana, attempting to avoid detection by setting out at night, but the Punic admiral Adhurbal was able to sail his ships out of the harbour unregarded. The Carthaginians had command of the open sea, faster ships and better crews and Pulcher was outmanoeuvred, with the Roman fleet trapped in the confusion of an attempted withdrawal from the harbour. Thirty Roman ships, including Pulcher’s own escaped, while 93 were captured. Back at Rome, he was acquitted of perduellio (treason), but fined (Polyb. 1.52.2). Several sources, but not Polybius, record that because the sacred chickens had refused to eat before the battle, a bad omen, Pulcher had had them thrown into the sea and that this impiety led to his defeat (*Cic. Nat. Deor.* 2.7–8: doc. 3.53).

Shortly afterwards, when taking supplies to troops at Lilybaeum, another Roman fleet of 120 ships and 800 transports under the other consul L. Junius Pullus was destroyed by a storm off the east coast; only 20 vessels survived and Pullus either committed suicide or was captured by the Carthaginians. It would take the Romans seven years to build another fleet, but the Carthaginians failed to make use of their naval advantage, due to concerns about the loyalty of their subjects in Africa and their diminishing resources. In addition to their heavy losses of ships and manpower throughout the war, the Romans had now suffered their first major naval defeat and lost two further fleets, with 93 ships captured along with their crews. In response they rested their hopes on breaking the siege of Lilybaeum and defeating the Carthaginians on land.

From 249 the Carthaginian commander Hamilcar Barca had been able to neutralise the Romans’ forces in Sicily, and, now that their naval power had been destroyed, he was able to maintain control of both Drepana and Lilybaeum despite the Roman sieges. Polybius records the exhaustion and impoverishment suffered by both sides at this point (Polyb. 1.58.9–59.8: doc. 4.16). Five years later, however, the Romans decided to make one more attempt at naval supremacy in the face of Hamilcar’s harassment of the Roman forces from Mount Eryx, and in 243 the Roman senate again committed to large-scale operations. A fleet was raised from private loans since the treasury was empty, and the leading citizens were encouraged to lend money to the state, with groups of two or three men together funding the construction of a quinquereme on the understanding that the money would later be repaid. The allies were to provide the crews. Polybius (1.59.6: doc. 4.16) describes this as ‘rather a struggle for existence on Rome’s part, than an attack’, with the Romans seeing this as the only way of putting an end to the war successfully. Two hundred quinqueremes, built on a lighter model and without corvi, sailed to Sicily in 242, under the command of the consul C. Lutatius Catulus, as Rome’s ‘last gasp’ attempt at victory.

Roman victory

Catulus was successful in blockading and taking Drepana in 241, while a Carthaginian fleet taking supplies to Drepana was lost off Lilybaeum at the battle of the Aegates

islands, with some 50 ships sunk, 70 captured, and 10,000 prisoners taken (Polyb. 1.61.8: doc. 4.17). At this a faction in Carthage that wanted peace came to power and Hamilcar Barca was given authority to negotiate a treaty: Rome had defeated the greatest maritime power in the Mediterranean. Carthage had fought a defensive war, while Rome had put pressure on Carthage by invading Africa and by its ability to sustain massive loss of troops, especially rowers. Rome, however, had had more manpower than Carthage to draw on, because of the Italian allies who served in the army and the fleet. But Roman losses had been enormous: the census figures before the war comprised 292,234 adult males, as against 241,212 in 247/6 BC, showing a decline of 50,000 adult males (17% of the population) over a 20-year period. A quinquereme had a crew of 300 rowers, and up to 120 marines, and Polybius records that the Romans lost 700 of these vessels, and the Carthaginians about 500 – a total of some 500,000 men, possibly 294,000 Romans and 210,000 Carthaginians (1.63.6: doc. 4.17). The losses suffered by the Italian allies must have been particularly devastating: perhaps 250,000 allies, nearly five times the number of Roman citizen casualties. Rome's decision that in order to win the war it needed a navy led to an unimaginable loss of manpower, but in the end it had been successful, and in a period of 24 years Rome had managed to defeat the Mediterranean's greatest maritime power through sheer determination. Rome's worst failure was in the African expeditions, which were undermanned and suffered from a lack of objective. The Carthaginians, for their part, had been worthy opponents, but they lacked initiative, and tended to respond to Roman offensives rather than develop their own strategies.

Peace terms

In Polybius' view, the war had been 'the longest, most continuous and greatest of any I have ever heard of' (1.63.5: doc. 4.17), and he attributed Rome's success to the virtues of its constitution and its citizen army, as opposed to the mercenaries employed by Carthage. Polybius, however, speaks extremely highly of Hamilcar Barca's role as general and strategist, considering him the outstanding commander of the war: 'while there had been some reasonable hope in events, he had omitted nothing however reckless or dangerous, but put to the test every hope of success in war, if ever any general ever did' (1.62.4–5: doc. 4.17).

In the negotiations it was agreed that the Carthaginians would surrender all of Sicily to the Romans; they would also avoid conflict with Syracuse and Syracuse's allies; release Roman prisoners without ransom; and pay an immense indemnity of 2,200 Euboic talents over 20 years (Polyb. 1.62.8–9: doc. 4.17). In addition, the allies of neither side were to be attacked by the other, no financial contribution was to be imposed or recruitment undertaken in the other's territory, and no alliances were to be made with the other's allies (Polyb. 3.27.1–4: doc. 4.17). Nevertheless, this treaty was not ratified at Rome, and a commission of ten men was sent to Sicily who laid down much harsher terms, adding 1,000 talents to the indemnity, which were to be paid immediately, with the rest remitted over ten years not 20. Lipari and the Aegates islands were also to be evacuated by Carthage.

The terms made at this point, while punitive, still left Carthage many of its possessions: only their holdings in western Sicily were forfeited, and the Carthaginians still held Sardinia and Corsica, as well as their territory in Africa and south-western Spain.

Sicily, except for Syracuse and the other towns under the rule of Hiero II, came under Roman administration in 241, and the larger part of the wealthy island became a province: Rome had acquired its first overseas territory, while Carthage had lost both Sicily and its naval supremacy.

Consequences of the peace

The defeat and resulting economic depression led to serious repercussions for Carthage, where the unpaid mercenaries and African allies rose in rebellion in the ‘Mercenary War’ (241–238), demanding payment for their recent services. Utica and Hippo were besieged, and according to Polybius the conflict far surpassed all earlier wars in terms of cruelty and inhumanity, with Carthage fighting for its very existence. Rome meanwhile took the opportunity to take possession of Sardinia and Corsica: Sardinia had been taken over by rebellious mercenaries and after these were expelled by the Sardo-Punic population Rome demanded the island, which was subjugated by Ti. Sempronius Gracchus (cos. 238). Rome also took the opportunity to demand additional reparations of a further 1,200 talents, clearly in violation of the treaty which had just been signed (Polyb. 3.27.7–8: doc. 4.17). Bitter enmity now existed between the two states, and ‘Punica fides’ (Carthaginian faith) became, perhaps rather unfairly, a byword for treachery. Rome had also learnt that perseverance and brutality paid off.

The Second Punic War, 218–201 bc

Roman manpower, 225 bc

In his lead-up to the Second Punic War, Polybius details the manpower available to Rome in 225. Presumably the figures came from Fabius Pictor, based on the official census lists provided by the Italian allied communities. Both consuls commanded four citizen legions, each with 5,200 infantry and 300 cavalry, while each consular army included 30,000 allied infantry and 2,000 allied cavalry: a total of 108,000 troops. Polybius puts the full quota of men under Rome’s command as 700,000 infantry and 70,000 cavalry (the exact total is 768,300), while Hannibal invaded Italy with less than 20,000 men (Polyb. 2.24.2–17: doc. 4.19). Livy also attempted to reckon the number of combatants following the Battle of Trasimene in 217. According to his account, Rome commanded six legions in 218, with five more raised before Trasimene, where two were lost. At Cannae in 216 there were 13 serving legions, so four more had been levied in the intervening year. Despite this, the troops lost at Cannae (possibly 60,000–70,000 killed or captured), and two further legions annihilated in Gaul in the same year, five more legions were then recruited, so that after Cannae Rome could field 14 legions. There was clearly intensive recruitment, because by 212–211 there were 25 legions in service, although the strength of each legion could vary from between 4,500 to 5,500 men.

As in the First Punic War, immense numbers of men were lost during the second war: Livy records a census figure of 137,108 citizens for 208 bc, whereas the census of 247/6 had recorded 241,212 persons, some of whom would have died in the last years of the first war. Livy complains, in fact, that it was almost impossible to ascertain the recruitment details after Trasimene, ‘so greatly do authors differ both on the number

and type of forces', with one estimate being 87,200 men in arms at the time of the battle of Cannae (Livy 22.36.1: doc. 4.20). But even if Livy's sources exaggerated Rome's troop numbers in 216, clearly Rome could call on immense reserves of manpower, despite the catastrophic losses in the first years of the Second Punic War.

The Barcid family

Carthage may have failed to win the First Punic War, but it still had the services of Hamilcar Barca, the founder of the Barcid family, father of Hannibal, Hasdrubal, and Mago. He had been primarily responsible both for Carthage's land victories in Sicily, and in the 'Mercenary War' in which he had won the support of the army over his rival Hanno. According to Plutarch, Cato the Elder stated there was no king worthy to be compared with Hamilcar Barca (*Cat. Mai.* 8.14). From 237 to 229, Hamilcar campaigned in southern Spain, with his son-in-law Hasdrubal and his son Hannibal, gaining control of the rich silver mines there and issuing fine silver coinage. He successfully imposed direct Carthaginian rule, with New Carthage established as a capital c. 225 by Hasdrubal. As well as resources of silver, gold, copper, and iron, the region was also rich in grain and other agricultural products.

Hamilcar Barca was killed in action in 229, and followed in the command by Hasdrubal from 228; when he was assassinated in 221, Hamilcar's son Hannibal succeeded as commander of Carthaginian military operations in Spain. By the 220s, partly due to the resources from Spain, Carthage had recovered economically from the First Punic War. The Spanish tribes had been incorporated into the Carthaginian empire and the Carthaginians had again acquired great wealth, while one of Spain's most important



Figure 4.6 A shekel, issued at Carthage, c. 215–201 bc, with the head of the Punic goddess Tanit, and a standing horse and date palm. On the obverse the head of Tanit wreathed with ears of grain; on the reverse a horse standing, with head left; in the background a palm tree. Tanit was the chief deity of Carthage together with her consort Baal Hammon, and a goddess of war and of fertility. The horse and date palm were symbols of Carthaginian prosperity.

Source: Courtesy of Classical Numismatic Group

contributions to Carthage was the Iberian mercenaries who had fought in Sicily for Carthage from the fifth century onwards. The Romans for their part had turned their attention to northern Italy, pacifying the Gauls in 225–222 and beginning campaigns in Illyricum, while organising Sicily, Sardinia, and Corsica as their first overseas provinces; in Sicily Syracuse remained independent, with its ruler Hiero loyal to Rome. In 227 four praetors were elected instead of two, with one praetor assigned to Sicily and another to Sardinia and Corsica as provincial governors.

The causes of the Second Punic War

The causes of the Second Punic War were a direct result of Carthaginian expansion in Spain. When in 237 Hamilcar Barca began his conquest of southern Spain it was bound to have an impact on existing trade routes, and Massilia, a Greek colony in southern France with close ties to Rome, was concerned at the possibility of losing control of both of these and of its trading stations in north-eastern Spain. In 231, the Romans sent an embassy to remonstrate with Hamilcar, who argued that it was essential for Carthage to continue the process of expansion in order to recoup the costs of the indemnity incurred after the First Punic War. After Hamilcar's death, in 226 according to Polybius, an agreement was made with Hasdrubal, Hamilcar's successor, that 'the Carthaginians are not to cross the river Ebro in arms': the Ebro, the longest river in Spain, runs into the Mediterranean in north-eastern Spain. This was the last official treaty between Rome and Carthage prior to the invasion of Italy by Hannibal (Polyb. 3.27.9–10: doc. 4.17).

Polybius, who provides the most extensive account of the causes of the second war, notes that historians provided two reasons for its outbreak, the Carthaginian siege of Saguntum and the crossing of the Ebro, the latter breaking the treaty of 226. Polybius, however, argues that these were the beginnings of the war, but not its causes, and differentiates between origins and initial incidents, much as Thucydides saw that the pretexts for the Spartans declaring war on the Athenians were not the 'truest cause' of the Peloponnesian War, and Alexander's crossing into Asia was not the 'cause' of his war against Persia (Polyb. 3.6.1–4: doc. 4.21; cf. Thuc. 1.23.4–6). Polybius also takes Fabius Pictor ('a contemporary and Roman senator': 3.9.4) to task for asserting that, as well as interference with Saguntum, a cause of the war was Hasdrubal's ambition and Hannibal's emulation of Hasdrubal in defiance of attitudes at Carthage (3.8.1–11).

Polybius looks further back for the cause, to Hamilcar Barca, who had negotiated the treaty with Rome after the First Punic War. While both he and the Carthaginians had realised the difficulties involved in continuing the war after the defeat at the Aegates islands, he felt cheated by the peace (the first cause), to which was added the anger of the Carthaginians towards Rome (the second cause), and the success of Carthage in Spain (the third cause). According to Polybius, the 'first cause' of the war was 'the anger of Hamilcar, surnamed Barca, the father of Hannibal'. Rome's demand that Carthage give up Sardinia and an additional 1,200 talents caused great resentment, which was the second and most important cause of the war, with Hamilcar 'throwing all his resolution into the conquest of Spain, with the design of using these resources for the war against the Romans'. The success achieved by the Carthaginians

in Spain was then the third cause of the war, as it gave them the confidence and resources with which to engage once again in conflict with Rome (Polyb. 9.6–10.6: doc. 4.21).

Hannibal

Livy agrees that the loss of Sicily and Sardinia were motives for Hamilcar's campaigns in Spain and the reason for his hatred of Rome, but personalises the causes of the outbreak of war more than Polybius: 'the loss of Sicily and Sardinia tormented Hamilcar's proud spirit; for he believed that Sicily had been surrendered in premature despair and that Sardinia had been wrongly snatched by the Romans' (Livy 21.1.5: doc. 4.22). It was of course reasonable that the Carthaginians wanted revenge for the loss of Sicily and Sardinia, and Livy describes the Carthaginians as considering that they had been treated 'with arrogance and greed'. Polybius also believed that Carthage was justified in going to war because of the loss of Sardinia, which had been unfairly extorted by Rome.

The mind-set of the Barcid family is also portrayed as a primary factor. Roman authors project onto Hannibal a life-long antipathy towards Rome, following in the footsteps of Hamilcar. There is some basis for this causation, as, according to Polybius, the story that Hamilcar, on setting out for Spain, asked his 9-year-old son Hannibal whether he wanted to accompany him, and had him take an oath at the altar of Baal ('Zeus') that he would never bear goodwill towards Rome, was allegedly told by Hannibal himself to Antiochus III (3.11.5–7). This lends it credibility, and Polybius elsewhere mentions Hannibal's long-term antagonism towards Rome (3.15.6). In the accounts of Livy and Appian this episode is transformed into a vow of eternal hatred. Livy's comment on the antagonism towards Rome felt by the Carthaginians ties in with Polybius' first and second causes of the war. Livy (21.2.1–2) considered that, if Hamilcar had lived, he would have invaded Italy, and that his campaigns in Spain were a prelude to this. If true, the Carthaginians had planned to attack Rome for many years and the Romans were therefore relieved of any responsibility for the war. Nevertheless, the primary reason for Hamilcar's extension of Carthaginian influence in Spain was not to create a base for a further struggle against Rome, but to rebuild Carthage's devastated economy.

Polybius does not see Hannibal as a cause of the war, preferring to look further back, to Hamilcar and the events of 241. But Hannibal must be taken into consideration: he attacked Saguntum, with the blessing of Carthage, despite the Roman request that he not do so, and without him there might never have been a Second Punic War. Neither Hamilcar nor Hasdrubal had antagonised the Romans, and in 226 the peace treaty of 241 had been renewed by Hasdrubal, except that it now took Spain into consideration, indicating a Roman concern with Carthaginian expansion there. Sources hostile to the Barcids at Carthage presented the family in Spain as independent rulers, but it is clear that issues of importance were constantly referred to Carthage. On Hasdrubal's assassination, it was the army that acclaimed Hannibal as leader, confirmed by the government at Carthage. Hannibal, who was now 25 years of age, continued the consolidation of Punic power in Spain, and like Hasdrubal married a Spanish princess.

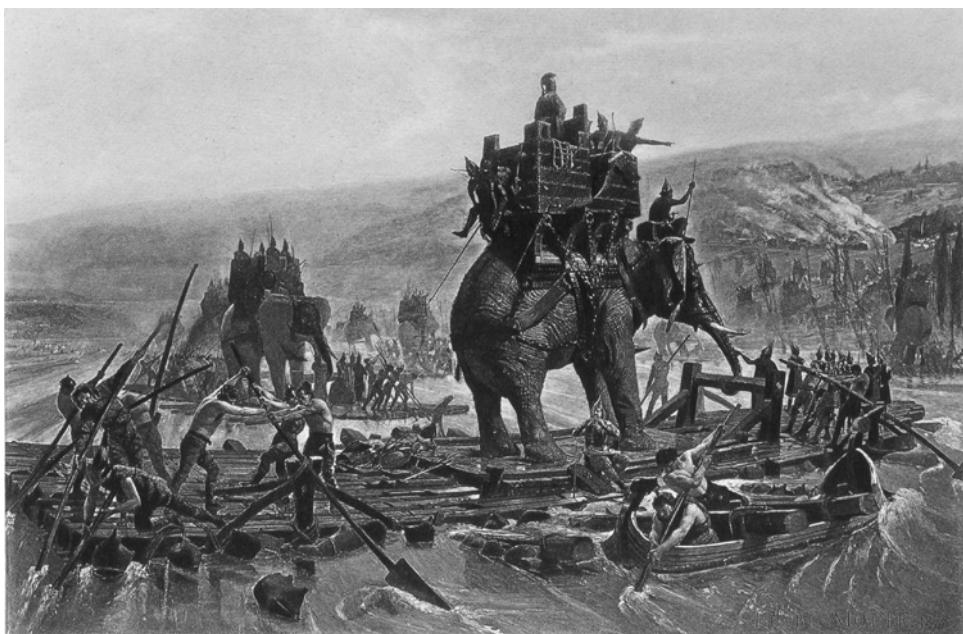


Figure 4.7 Henri Motte, *Hannibal Barca Crossing the Rhône (Passage du Rhône par l'armée d'Annibal)*, 1878. In September 218 Hannibal marched from Spain to the Rhône, which he forded with his 37 war elephants, and continued to the Alps which he crossed in 15 days. His first battles took place on the Ticinus and the Trebia in late 218, after which he moved south over the Apennines into Italy.

Source: Photo © Heritage Image Partnership Ltd./Alamy Stock Photo

Saguntum as the *casus belli*

In line with the treaty of 226 Hannibal began expanding towards the Ebro, but the city of Saguntum in eastern Spain (150 kilometres to the south) was en route (Map 5). At some point Saguntum had made an alliance with Rome, although the date and nature of this agreement are uncertain. Polybius does not say when Saguntum came under Roman protection, only that this took place ‘many years’ before 221 (3.30.1: doc. 4.27). The Saguntines had kept Rome informed of affairs in Spain, although until now the Romans had taken little notice of events there. The peace treaty of 241, re-ratified in 226 to include Spain, stated that all allies of both sides should be left unharmed, so the question of whether Saguntum was or was not an ally of Rome in 226 is critical. Polybius records that this treaty between Hasdrubal and Rome also included the clause that ‘the Carthaginians will not cross the Ebro river in arms’ (3.27.9: doc. 4.17). This implies that the Romans claimed control of everything north of the Ebro, while all Spain to the south of the river was in the Carthaginian sphere of influence. But this is complicated by the fact that at some point Saguntum, south of the Ebro, had come into Roman ‘fides’ and was claimed by them as an ally. When the Saguntines had begun to harass their neighbours, called by Livy the Turditani, who

were Carthaginian allies, the town was torn between pro-Roman and Carthaginian factions. The pro-Roman party invited involvement from Rome, and when Roman envoys were sent to arbitrate, some of Saguntum's leading men, members of the pro-Punic group, were put to death. Polybius puts this a short time before 220/19 (3.15.7: doc. 4.23), and so possibly in 221.

The Roman envoys met Hannibal at New Carthage towards the end of the year, instructing him to keep his hands off Saguntum because it was in their protection. Until now Hannibal, according to Polybius, had deliberately refrained from involvement with the town, so as not to give the Romans an excuse for war until he was ready. His response now was that it had been the Romans who violated the agreement by interfering in Saguntum, and he made this Roman involvement with the town a ground of complaint against Rome, complaining to Carthage that the pro-Roman faction were wronging some of the peoples subject to Carthage, and requesting instructions as to how to respond. Polybius states that the Roman envoys then went to Carthage to protest Hannibal's stance (3.14.9–15.13: doc. 4.23).

When Hannibal attacked Saguntum in 219 he deliberately courted war, reflecting Polybius' third cause, Carthaginian successes in Spain, without which there would have been no conflict. His siege of Saguntum began in April or May of 219 and went on for eight months: the city received no assistance from the Romans, who were preoccupied with Demetrius of Pharus in Illyria, who was extending his power into territory protected by Rome (Polyb. 3.16–20). Roman preparations for war occurred only after Saguntum had fallen, and the field of military operations in Illyria was closed. It was after the capture of the city that Roman envoys at Carthage in March 218 demanded Hannibal's surrender, and war was declared when this was refused.

Which side was at fault?

The rights of the matter depend very much on when Saguntum came into alliance with Rome, before the treaty of 226 or afterwards. Polybius has the Roman envoys saying to Hannibal that Saguntum was under their protection, and that the Saguntines relied on their alliance (*symmachia*) with Rome (3.15.5, 8: doc. 4.23). Polybius' comment that the alliance with Saguntum had been made 'many years before Hannibal's time' is unfortunately vague, but suggests prior to 226 (3.30.1: doc. 4.27). This would mean that there was a formal alliance in place between Rome and Saguntum and that the guarantee of Saguntine independence meant independence from Carthage. Hannibal, in Polybius' view, was at fault in his interference with Saguntum, 'influenced by his unreasoning and violent anger', and taking refuge in groundless pretexts, including the Romans' execution of pro-Carthaginian Saguntines: his case would have been much stronger had he based it on the theft of Sardinia and the unjust exaction of the additional indemnity (3.15.9–10: doc. 4.23).

Livy in his more openly pro-Roman account has the independence of Saguntum guaranteed by the Ebro treaty of 226 and, writing from hindsight, depicts the Romans as already afraid that Hannibal would cross the Ebro, bringing the Spanish tribes with him, rouse the Celts to revolt, and make war in Italy 'under the walls of Rome' (21.17.6). Polybius on the contrary makes it clear that the Romans thought the fight would be around the town of Saguntum, envisaging any conflict with Carthage as taking place in Spain. At the same time Polybius presents Hannibal as having delayed

his aggression towards Saguntum, as he did not want to give Rome an excuse for war until he had secured possession of the rest of the country, following his father's advice. In this reading, Hannibal expected war with Rome and saw it as inevitable, but the conflict was always expected to take place in Spain (3.14.10, 15.12–13: doc. 4.23).

Did Hannibal start the war on his own initiative?

According to Polybius, Fabius Pictor portrayed Hannibal as starting the war on his own initiative, following the policies of Hasdrubal, whose 'arrogance and love of power' had led him, in this pro-Roman account, to attempt to change the constitution of Carthage into a monarchy, and, when this was opposed, to rule Spain as an independent fiefdom. In continuing Hasdrubal's approach Hannibal had begun the war against the Romans over Saguntum in defiance of opinion at Carthage, with all the leading men opposed to his actions. Livy appears to have accepted this viewpoint (Polyb. 3.8.1–11: doc. 4.24; cf. Livy 21.5.1–3). Polybius, however, makes it clear that Hannibal asked Carthage for advice on what actions to take concerning Saguntum and its mistreatment of Carthaginian allies (3.15.8: doc. 4.23), and tacitly undercuts Fabius Pictor's account by stating that he had presented the Carthaginians as totally supportive of Hannibal when the Romans later demanded that he be handed over to them to prevent the outbreak of war (3.8.8, 11: doc. 4.24).

The Romans were clearly interested in Hannibal as a person, and Livy describes him, when serving under Hasdrubal, as popular with his army because he was the embodiment of his father Hamilcar, and loved for his boldness and ability to overcome difficulties, which imparted confidence and daring in his troops. While reckless in incurring danger, he possessed great judgement under such circumstances, was incapable of exhaustion, tolerant of extremes of temperature, inured to the hardships encountered on campaign, and the first to enter battle and the last to leave. This eulogy of Hannibal as a leader of men Livy balances by an enumeration of his 'Carthaginian' vices: 'inhuman cruelty, perfidy more than Punic, no regard for truth or the divine, no fear of the gods, no reverence for an oath, no religious scruples' (Livy 21.4.1–10: doc. 4.25). Hannibal was also accused of greed, and in a lengthy discussion of his character Polybius records that Massinissa considered love of money to be a 'characteristic of all Carthaginians, and especially of Hannibal and Mago', Hannibal's commander in Bruttium, not to be identified with Hannibal's brother Mago (Polyb. 9.25.1–5: doc. 4.26). Massinissa had been confirmed by the Romans as ruler of Numidia after the battle of Zama, where his cavalry had fought decisively for Rome, and his depredations against Carthaginian territory were responsible for the outbreak of the Third Punic War. He is therefore hardly an unbiased source.

Polybius argues that Carthage was justified in going to war because of the loss of Sardinia, but that Rome could put Hannibal in the wrong because he had attacked Saguntum, which was in violation of the treaty, as Saguntum 'many years before Hannibal's time' had put itself in the protection of Rome. Though technically in the wrong, the Carthaginians in his view had good reason to make war on Rome as they were 'now retaliating with the help of circumstances against those who had wronged them', and Polybius' account reflects the genuine anger in Carthage over the loss of their possessions (3.30.1–4: doc. 4.27). According to Livy, while Saguntum lay south of the river Ebro in Carthaginian territory, the treaty between Hasdrubal and Rome

had allowed for Saguntum's independence from Carthage (21.2.7: doc. 4.28). Both Livy and Polybius agree that the Carthaginians were not to cross the river under arms, and Livy considers the Ebro to have been a buffer zone between the two empires, even though the nearest Roman territory was a considerable distance away, on the Italian side of the Alps.

A Roman embassy, which Hannibal refused to meet with in Spain, had proceeded to Carthage, where it found that Hannibal's position was supported by everyone except Hanno, the lone figure who wished to observe the treaty of 226. Following Hannibal's capture of Saguntum, a further embassy was sent to Carthage on the advice of Q. Fabius Maximus (cos. 233, 228), to warn that war would be declared unless Carthage was prepared to disavow Hannibal. Five envoys were sent: M. Fabius (perhaps M. Fabius Buteo, cos. 245, rather than Fabius Maximus), with the consuls of 219, M. Livius Salinator and L. Aemilius Paullus; C. Licinius, perhaps the consul of 236; and Q. Baebius Tamphilus (Livy 21.18.1–14: doc. 4.29). Carthage took its stance on the treaty of 241, and the fact that at that time Saguntum was not yet an ally of Rome, and after lengthy debate the call on both sides was for war. The speeches given by Livy reflect general historical truths, that there was an embassy to Carthage and a debate regarding war and peace, and the incident in which Fabius offered the Carthaginians the choice of war or peace, shaking out a fold in his toga to signify that Rome chose war, is also given by Polybius (Livy 21.18.13–14: doc. 4.29; cf. Polybius 3.33.2–3). Both Rome and Carthage were prepared to make the issue of Saguntum a reason for conflict.

The first stages of the war in Italy

When the Romans declared war, Saguntum had fallen but Hannibal had not yet crossed the Ebro, and the Romans expected to engage with him in Spain. Once the embassy had returned from Carthage, it was decided that one of the consuls for 218, P. Cornelius Scipio, should proceed to Spain with 24,000 men and 60 ships, while the other, Ti. Sempronius Longus, should head for Sicily with 26,000 men and 160 ships and invade Africa. Rome's strategy was for Scipio to deal with Hannibal in Spain, while Sempronius Longus kept the Carthaginians in Africa too busy to assist him. Hannibal however was a step ahead of them. He had been in contact with some of the Gallic tribes, and left New Carthage in the spring of 218, in late April or early May, with a large force. He crossed the Ebro and spent some two months reducing a large part of northern Spain, unsuccessfully attempting to take Tarraco and Emporiae. Ennius in his *Annals* describes Hannibal's departure from New Carthage: 'Finally with great force the four-footed horses and riders and elephants hurl themselves forward' (*Ann.* 256–7: doc. 4.30).

Elephants and troop numbers

Elephants were to be a keynote of Hannibal's campaign in Roman accounts. The Carthaginians had made use of elephants in Spain, and it was not surprising that Hannibal would attempt to use them again, given their success against the Romans in Sicily (except at the siege of Palermo in 250 where they turned on their own troops). Hannibal took 37 elephants with him when he crossed the Rhône, and presumably

the same number across the Alps. They were present at the battle of Trebia (modern Trebbia), although only one survived by 217, an elephant known as ‘the Syrian (Syrus)’, which Hannibal rode through the marshes of Arretium, where he lost the sight of an eye through infection (Livy 22.2.10–11). Reinforcements of elephants reached him in 215, and they were present at Nola (215), Capua (210), Lucania (210 and again in 207), and Apulia (209), although their military value appears in fact to have been slight. Neither Polybius nor Livy record that they carried howdahs on their backs, structures in which soldiers or crews could be transported, and Pliny mentions them only as being used to carry ‘turrets of armed men’ in warfare in the East (8.27). At the crossing of the Rhône, Hannibal was in command of 38,000 infantry and 8,000 cavalry (Polyb. 3.60.5). His crossing took about 15 days and he suffered considerable losses, some 18,000 men, while crossing the Alps, arriving in Italy with 12,000 African and 8,000 Spanish infantry, and about 6,000 cavalry. In 205, he set up a bronze pillar with an inscription in Punic and Greek in the temple of Hera at Lacinium, near Croton on the south Italian coast, recording his achievements in Italy (Livy 28.46.16) and it was from this inscription that Polybius took the troop numbers (3.56.4).

Polybius, however, disparages writers exaggerating the difficulties Hannibal faced in crossing the Alps, ‘because they wanted to astonish their readers with their marvellous tales’ (3.47.6: doc. 4.31), and notes that Hannibal had native guides, that he had ascertained how rich the countryside was into which he would descend, and that the inhabitants were opposed to the Romans and gave him their support (3.48.10–12, 49.10–12: doc. 4.31). Polybius debates whether this attempt by Hannibal to cross the Alps was wise, and concludes approvingly that ‘he conducted his enterprise with great common sense’ (3.48.10). The Carthaginian fleet had not entirely recovered from the defeat at the Aegates islands in 241, but there were sufficient ships for Hannibal to have had his army transported by sea, and he left 50 quinqueremes in Spain. However, much of the coast along the way was allied to Rome, and transporting his troops by sea might have meant a confrontation with Scipio’s fleet. Polybius refers to the native guides who knew the passes and himself made the crossing and talked to the locals. Exactly where Hannibal crossed the Alps into Italy is uncertain, perhaps a pass somewhere between the Little St Bernard and Mt Genèvre; the Mont Cenis pass was used by Napoleon in 1800 and could have been Hannibal’s route (Figure 4.7; Map 5).

First engagements, 218–217 bc

Hannibal crossed the Rhône upriver in September, just three days before P. Scipio arrived by sea at the mouth of the river. Scipio made the calculated decision not to pursue him by land. He left his brother Gnaeus in command of the army which he sent on to Spain, while he went by sea to northern Italy to cut off Hannibal on his arrival (Polyb. 3.49.1–4; Livy 21.32.1–5). Hannibal had been greeted by many of the Gauls as a liberator, and the Boii and Insubres had already rebelled, besieging Roman colonists in Mutina. When Hannibal reached Italy, he took Taurini (Turin), and began besieging cities in Cisalpine Gaul, while Scipio with two legions crossed the Po river, and was able to surprise him. There was concern at Rome at the unexpected nature of events, as the sack of Saguntum was still recent news and Hannibal was already attacking cities in Italy. Ti. Sempronius Longus, the other consul, currently at Lilybaeum in Sicily

on his way to Africa, was recalled (Polyb. 3.61.1–12; Livy 21.38.6–6). The stage was set for the first confrontation.

In November 218 the armies met at the Ticinus river, near Pavia, and Hannibal was victorious, while Scipio was wounded, but saved by his more famous son ‘Africanus’ (Polyb. 10.3.3–6: doc. 4.51). This was less of a battle than a skirmish, and the first real battle came in December, at the river Trebia, which flows into the Po. The two consular armies united, and the Romans suffered a major defeat under Sempronius Longus, with most of the army annihilated. Hannibal was now in control of northern Italy (Map 5). In 217, the new consuls C. Flaminius (also cos. 223) and Cn. Servilius Geminus were sent north to guard the Apennines. Flaminius stationed his army at Arretium, but Hannibal bypassed him and moved south into Etruria. Flaminius followed him, but on 21 June 217 in heavy mist he was ambushed at Lake Trasimene, 140 kilometres north of Rome, between the lake and a steep hillside. Fifteen thousand men were lost, almost the entire army, with the soldiers cut down ‘considering it their most important duty to adhere to their tradition of not fleeing or leaving their ranks’, while Flaminius himself was killed (Polyb. 3.83.1–84.7: doc. 4.32). Flaminius was a *novus homo* and the defeat was put down to his having neglected the auspices through ignorance, an accusation which had also been made against him when he was consul in 223. Hannibal now had free access to central Italy and Rome faced a genuine crisis.

Q. Fabius Maximus Verrucosus ‘Cunctator’

As the result of the disaster at Trasimene the comitia centuriata appointed a dictator, Q. Fabius Maximus ‘Verrucosus’ (‘Warty’, cos. 233, 228, 215, 214, 209), and a master of horse, M. Minucius Rufus (cos. 221); the dictator would usually have been appointed by the surviving consul, but he was not at Rome. Fabius, who had already held two consulships and the censorship and celebrated a triumph, believed in a war of attrition, aiming to avoid pitched battles, for which he was later given the name ‘Cunctator’, or delayer. After the catastrophe at Trasimene, Fabius restored confidence at Rome, while Hannibal bypassed the capital and made his way into the prosperous region of Campania. Fabius as part of his strategy of non-engagement permitted the Carthaginians to pillage Roman and Latin territory, which was unpopular, and Minucius, who disagreed with Fabius’ tactics, attacked the enemy at Geronium in Apulia, where he won a minor victory which so reassured the Romans that, according to Polybius, they gave him equal rank with the dictator (Polyb. 3.103.4); he was killed at Cannae in the next year (Polyb. 3.100–105; Livy 22.18.5–10, 23.9–29.6). An inscription on one side of an altar found at Rome, which Minucius dedicated to Hercules, describes him as ‘dictator’ (ILS 11: doc. 4.33). In retrospect Fabius’ success as general and multiple consulships led to his being revered at Rome, and Ennius praised him as a war-hero: ‘One man by his delays restored our state for us’ (*Ann.* 360–62: doc. 4.34).

The battle of Cannae, 216 BC

Consuls were elected as usual for 216, L. Aemilius Paullus (also cos. 219) and C. Terentius Varro, a *novus homo*, and at the end of the six-month dictatorship Cn. Servilius Geminus resumed his consulship for the remainder of 217, with M. Atilius Regulus

(also cos. 227) as suffect consul replacing Flaminius, while the imperium of Regulus and Geminus was extended into 216. The Romans refused to adhere to Fabius' delaying strategy and confronted Hannibal at Cannae in Italy's south-east, with dire consequences. In view of the catastrophic nature of the situation, the consuls, who were in command on alternate days, had been given a force of eight legions, each of 5,000 men, together with a similar number of allied troops and approximately 6,000 cavalry. This army of some 80,000 troops was unprecedented and it made the defeat the more unexpected and terrifying. Hannibal, whose army was half the size with some 40,000 infantry and 10,000 cavalry, had stationed himself at Cannae, a hilltop town near the river Aufidus in Apulia. Even though his original troops had been augmented by Gauls from northern Italy he was clearly outnumbered (Livy 22.46.6–7). On the day of battle, 2 August 216, it was Varro's turn to command. Hannibal enticed the Romans to engage on terrain that suited his cavalry and was able to surround the Roman troops. When the battle was lost Varro fled, for which Polybius criticises him (3.116.13). As is clear from Polybius' description, Hannibal used outflanking tactics by his cavalry and African troops to defeat the Romans, and the battle was a military disaster of the first order for Rome: one consul, L. Aemilius Paullus was killed, together with M. Minucius Rufus, and one of the consuls of the previous year, Cn. Servilius Geminus, two quaestors, and a further 80 senators. According to Polybius 70,000 Romans were killed, and 10,000 captured, with only 3,000 escaping to neighbouring cities, while only 370 of the 6,000 Roman and allied cavalry survived; Livy, probably following Fabius Pictor, has 45,500 infantry and 2,700 cavalry dead, with 3,000 infantry and 1,500 cavalry captured.

This was probably the greatest single day's casualty rate for any European army in history while Hannibal only lost some 6,700 men. But the loss of manpower was not Rome's greatest problem, for, with its allies, it could and did make up this loss, and the senate refused to ransom its surviving soldiers (Polyb. 6.58.2–13: doc. 4.36); rather, the defection of allies and loss of territory which followed was the greatest blow. Like Fabius and Minucius, the consuls appear to have disagreed over tactics, and Varro was criticised for his inexperience as a *novus homo* and for engaging with the enemy against the advice of his colleague (Polyb. 3.110.2–8, cf. 112.2; Livy 22.44). But it had clearly been senatorial policy to meet Hannibal in pitched battle, and Varro was not disgraced: he was proconsul in 215–213 in Picenum, and held *imperium pro praetore* in 208–207 in Etruria, so he was not held responsible for the defeat.

One of the most devastating results of the defeat was the defection of cities in southern Italy, which, even if they did not join Hannibal, withdrew their support and resources from Rome. This included part of Samnium, while Capua seceded, along with other Campanian towns. In the south of Italy Tarentum and Locri did the same, while other cities in Italy watched Hannibal with interest, while the Romans expected him to attack Rome at any moment (Polyb. 3.118.5: doc. 4.35).

Response to Cannae: conquer or die!

Although there was panic and anxiety at Rome, the senate held firm and refused to ransom the 8,000 men guarding the Roman camp, who had been taken prisoner (Polyb. 6.58.2–13; doc. 4.36). Although these soldiers had not been guilty of cowardice and Rome was desperately short of men, the senate preferred to enrol slaves in



Figure 4.8 A drachm from Bruttium c. 216–214 BC, Second Punic War issue, depicting the head of Hera Lacinia and Zeus with his right foot on an Ionic capital. On the obverse the veiled head of Hera Lacinia wearing the polos (low crown); on the reverse Zeus, holding a sceptre, with a crab to the left. The sanctuary of Hera Lacinia was situated a few kilometres from Croton. Croton, Tarentum, and several cities of southern Italy defected to Hannibal.

Source: Courtesy of Classical Numismatic Group

the army, and 24,000 slaves were purchased with public money, plus an additional 270 slaves bought in Apulia to serve in the cavalry (Val. Max. 6.7.1a: doc. 6.1); Livy gives the number of slaves purchased as 8,000 (Livy 22.57.9–12: doc. 4.38). This was primarily to make clear to Hannibal and to Rome's own troops that the Romans refused to surrender on any terms, while the decision also denied Hannibal the monetary resources he would have acquired from handing over the prisoners. The senate therefore 'took no account either of pity for their relatives nor of the future value which these men would be to them', but refused to ransom the men in order to thwart Hannibal, while they 'imposed a law on their troops that, when they fought, they must either conquer or die, as there was no hope of safety for them if they were defeated' (Polyb. 6.58.10–13: doc. 4.36). These Romans were now sold into slavery, and it was only in 194 that 2,000 of them in Greece, still enslaved 20 years later, were freed by Flamininus. The senate also took measures to protect Rome against Carthaginian attack, although a siege of Rome seems never to have been Hannibal's aim. Hannibal's African and Spanish mercenaries were noted for their loyalty and valour in the field, and he may now have offered them Carthaginian citizenship (Enn. *Ann.* 276–277: doc. 4.37).

Rome in this crisis also engaged in frenetic religious activity, and Polybius (3.112.8–9) commented that no rites were considered inappropriate or undignified which would propitiate the gods. As in 228 in the face of a Gallic invasion (and later in 113), a Gallic couple and a Greek couple were now buried alive in the forum Boarium on the advice of the Sibylline Books (Livy 22.57.2–6: doc. 4.38; map 2); in both 216 and 113, and possibly in 228 as well, this sacrifice occurred after Vestal Virgins had been convicted of breaking their vows of chastity. On this occasion two Vestals, Opimia and Floronia, had been condemned for breaking their vows, which was considered a great

pollution of the rites of Vesta and as shattering the relationship between mortals and the gods (cf. docs 7.89–91). This portentous episode, in the midst of such unexampled military disasters, was so unnerving that Fabius Pictor was sent to the oracle at Delphi to enquire what prayers and supplications could propitiate the gods. The live burials, like the punishment of the Vestals, must be seen as expiatory: Livy specifically uses the word ‘sacrificia’ (sacrifices), and human sacrifice was banned by senatorial decree only in 97 BC (Pliny 30.12). The Gauls and Greeks may have represented the Gallic conquerors of Rome (c. 390 BC) and the Greek conquerors of Troy (Rome’s ancestors), but whereas the Gauls invaded Italy prior to all three occasions, which might explain why they were chosen as victims, the reason for the inclusion of Greeks is more problematic.

Rome regroups

Hannibal’s activities to the south of Rome led to the defection of some of Rome’s allies, and he successfully seized Nuceria, Acerrae, and Casilinum. In this crisis, M. Junius Pera (cos. 230, cens. 225) was appointed dictator for the raising of levies and conduct of the elections, with Ti. Sempronius Gracchus (grandfather of the Gracchi) as his magister equitum. They enlisted young men over the age of 17, and made up four legions and 1,000 cavalry, also calling on allied reinforcements, and seized armour and weapons dedicated in temples and porticoes. Slaves (8,000 according to Livy) were bought with public money and armed, after being asked whether they were willing to serve; these were later given their freedom (Livy 22.57.9–12: doc. 4.38). Due to on-going manpower shortages slaves were again enlisted in 214, this time as sailors, but they were not freed and remained the slaves of their original owners (Livy 24.11.7–9).

Gracchus was consul in 215 (with Q. Fabius Maximus Verrucosus as suffect consul) and 213 (with Quintus, son of Fabius Maximus), and his imperium was extended in 214 and 212, when he operated in southern Italy. A victory near Beneventum against Hanno in 214 appears to have been won by his slave troops who were then granted their freedom as a reward. Gracchus was killed in an ambush in Lucania in 212, and while these slave recruits deserted on his death they were later re-enlisted. The Romans began to achieve some successes in regaining towns in Campania and Samnium, while Nola continued to hold out against Hannibal. In 214 he was defeated there by the consul M. Claudius Marcellus, while Casilinum was retaken by Marcellus with the assistance of Fabius Maximus the elder, who had been re-elected consul for 214.

Despite the victory at Cannae, Hannibal did not attempt to attack Rome itself. Livy records that Mahabal (son of Himilco), commander of the Libyan cavalry, urged Hannibal to march on Rome, but this detail is not found in Polybius. It is possibly an invention of Livy or one of his sources, though Polybius (3.118.5: doc. 4.35) portrays Rome in ‘great fear’ that he would come. Mahabal is supposed to have told him, ‘you know how to win battles, Hannibal, but you do not know how to use victory’ (Livy 22.51.1–4: doc. 4.39). If Hannibal had marched on and defeated Rome, the outcome of the war might have been markedly different. Rome, however, was defended by two legions, and a siege might have taken a considerable time, even though Hannibal did possess siege equipment, which he used against cities in Italy, including Casilinum (216), Cumae (215), Tarentum (212), and Locri (205). Hannibal’s main focus at this

point, however, was to detach the Latin and Italian allies from Rome, and he was not envisaging a war to the death: the war was about *dignitas* and *imperium*, honour and dominion, not extermination, as he told his Roman prisoners after Cannae (Livy 22.58.3), and he even empowered his envoy, Carthalo, who escorted their representatives to Rome to request that they be ransomed, to offer peace terms if the Romans were so inclined (Livy 22.58.7–9).

Emergency funds

Rome's treasury was now empty, and in 215 a request arrived from the Scipio brothers in Spain demanding money for pay, clothing, and grain for the army and for supplies for the allies in the navy, which were essential if the province were to stay in Rome's control. The senate accepted the reasonable nature of the demands, and decided that, as assets were insufficient, the state in this emergency had to be supported by credit. Q. Fulvius Flaccus, one of the praetors, informed the assembly of this state of affairs, and called on those whose property had been increased through state contracts, and who had therefore profited from the business of war, to make their resources available to the state so that the army in Spain could be supplied with clothing and grain, with repayment to take place when the treasury was again solvent.

Three groups of businessmen put themselves forward to take up the contracts for provisioning the army in Spain, on condition that they would be exempted from military service and the state be responsible for the loss of any of their cargoes through storms or enemy activity. This was agreed to, ‘and the state was carried on with private money’ (Livy 23.48.4–49.3: doc. 4.40). The membership of the senate itself had been depleted by the war, and M. Fabius Buteo (cos. 245, cens. 241) was appointed dictator to co-opt members into the senate. He selected 177 new members, firstly from those who had held a curule office but had not yet been enrolled in the senate, then from those who had been aediles, military tribunes, or quaestors, and then from those who had not held public office, but who had spoils from the enemy fixed to their houses or who had received the civic crown for saving the life of a fellow-citizen (Livy 23.22.10–23.8).

The impact on the allies

While Hannibal's successes in 218 and 217 had led to the defection of a number of Rome's allies, there was not the widespread rebellion against Rome that he had hoped for. Even after Cannae most of the Latin allies had remained loyal, although Hannibal had let the allied troops go free without ransom, as he had after Trebia and Trasimene, in an attempt to win over their communities, explaining to them that he was fighting in Italy on their behalf to free them from Roman control, not against them (Polyb. 3.77.3–7: doc. 4.41). Livy (34.60.3) reports that Hannibal had assumed that Italy would provide supplies and soldiers to a foreign enemy making war on Rome, and expected the allies' support. This partly explains why he had brought a relatively small army into Italy, as he hoped that the allies would join him. In this he was ignorant of the close long-term links that had been forged between Rome and many of its allies.

Only Capua, an Oscan city with Etruscan influences, accepted Hannibal's offer in 216, while making clear its independence from Carthage. After Cannae the Romans

had demanded 300 equites, ‘the most noble of the Campanians’, as hostages for Capua’s loyalty, but it defected despite this, or perhaps because of it (Livy 23.4.6–8: doc. 4.42). Capua was the most spectacular of the revolts against Rome, which Livy lists: the Campanians, Atellani, Calatini, Hirpini, some of the Apulians, the Samnites, Bruttiens, Lucanians, Uzentini, and almost all the Greek coastal cities, including Tarentum, Metapontum, Croton, Locri, and Cisalpine Gaul (Livy 22.61.11–15, cf. Polyb. 3.118; Figures 4.8, 4.9). Rome still did not consider making peace (Livy 22.61.13), although, given that allies made up 50% or more of Roman manpower, these revolts were a major concern.

Hannibal had gained the support of these allies, but at the same time had also acquired responsibilities on their behalf, including the need to protect them against Rome, which tied him down in southern Italy for several years. Capua was recovered by Rome in 211 (Livy 26.16: doc. 4.44), Tarentum in 209, Locri in 205, and Croton in 203. According to Livy, he had found ‘in some annals’ that before allying themselves with Hannibal the Capuans had approached Rome with the request that one of the consuls should be from Campania. This was summarily refused, hence the Capuans’ decision to side with Carthage (Livy 23.6.5–7: doc. 4.42). Capua’s agreement with Hannibal emphasised its self-government: no Campanian should be forced to serve in the Carthaginian army and Capua was to have its own laws and magistrates. The Capuans then turned on the prefects and other Roman citizens, whether on military duty or private business, and they were all imprisoned in the baths, where they died by suffocation (Livy 23.67.1–3).

While Locri and the other Greek cities in the south had initially opposed Hannibal in 216, Locri surrendered to him in 215, although it allowed the Roman garrison to leave secretly. Under the terms of the agreement, Locri kept its own laws, and remained in control of its harbour, while the Carthaginians were to have access to the city, and the Locrians and Carthaginians were to assist each other in peace and war (Livy 24.1.13: doc. 4.43). Hannibal gained control of much of southern Italy, but



Figure 4.9 A quarter shekel from Bruttiun during the Carthaginian occupation of southern Italy, c. 215–205, from an uncertain Punic mint, depicting the wreathed head of Tanit and a standing horse. This issue is unusual in being minted in Italy for use by Hannibal’s forces, rather than in Carthage.

Source: Courtesy of Classical Numismatic Group

Rhegium, prominent in the First Punic War, was attacked to no avail and remained loyal to Rome (Livy 24.1.2).

The Romans made a remarkable recovery in the years 215–213, effectively checkmating Hannibal, while the activities of P. and Cn. Scipio in Spain in 215 prevented reinforcements reaching him. The Carthaginian attempt to win back Sardinia also came to nothing when the army of Hasdrubal ‘the Bald’ was defeated by T. Manlius Torquatus (cos. 235, 224) and he was taken prisoner. The Romans in this period hemmed Hannibal into southern Italy with some success, and in 214 the consuls M. Claudius Marcellus and Q. Fabius Maximus ‘Cunctator’ pushed Hannibal further south, although 213 saw several Greek cities go over to Hannibal, including Tarentum, after which Metapontum, Thurii, and Heraclea defected to him. The citadel of Tarentum, however, remained in Roman control. In 212 Rome prepared to retake Capua, which fell in 211 despite a Carthaginian attempt under Bomilcar to relieve the city. Hannibal had marched on Rome in an attempt to raise the siege, although he had no real hope of taking the city, even with the armies of the consuls absent at Capua. The leading Capuan senators were beheaded since as Roman citizens they were traitors, the 300 Campanian hostages were executed, other leading men were dispersed to different allied cities where they died in a variety of ways, and the rest of the citizens of Capua were sold into slavery (Livy 26.16.5–10: doc. 4.44). The ager Campanus, the agricultural land of Campania, was seized and turned into Roman public land, while the city itself became Roman public property, with a praetor sent from Rome to administer it. The brutal treatment of Capua was to remind Latin and allied cities of Rome’s expectation of total loyalty from its allies, and highlighted Hannibal’s inability to defend the Italian towns he had taken under his protection (Livy 26.16.13).



Figure 4.10 A half shekel struck during the expedition to Sicily c. 213–210 BC, minted either at Carthage or by a Carthaginian mint in Sicily, depicting the head of Melqart and an elephant advancing to the right. On the obverse Melqart, god of the underworld and chief deity of Tyre, with a laurel wreath; on the reverse an elephant, Punic A in exergue. According to Livy 21.21–23 Hannibal was a faithful worshipper of Melqart (identified with Herakles).

Source: Courtesy of Classical Numismatic Group

The tide turns

Events in Spain

The Scipio brothers had successfully campaigned in Spain against Hasdrubal Barca from 217, preventing him from leaving Spain to assist his brother in Italy, and by 212 three Carthaginian armies, under Mago, Hasdrubal Barca, and Hasdrubal son of Gisgo were tied up there, denying Hannibal much needed reinforcements. Moreover, a rebellion by Syphax of Numidia in 214–213 had meant that some Carthaginian troops under Hasdrubal Barca had had to be withdrawn from Spain. In 212 the Scipios captured Saguntum, but in 211 they both died in battle with their armies annihilated, while the surviving Roman forces fell back behind the Ebro river (Map 5). This was to be the lowest ebb in Roman fortunes in Spain. However, in hindsight, the years 212–211 with the Roman recovery of Sicily and Capua were the beginning of the end for Hannibal in Italy.

Carthage and Philip V of Macedon

After the Carthaginian success at Cannae, Hannibal had been approached for an alliance by Philip V of Macedon. Rome came to know of this from the capture of Xenophanes, Philip's ambassador, who was returning to Philip with the treaty, and this may be the source of Polybius' copy of the document (Polyb. 7.9.1–17: doc. 4.45). Philip was to be engaged in the First and Second Macedonian Wars against Rome (215–205, 200–196 BC; cf. doc. 5.23), and requested an alliance with Carthage, after being encouraged to do so by Demetrius of Pharus. The alliance brought Hannibal little actual assistance, but may have had propaganda value amongst the Greek cities of Sicily and southern Italy. The First Macedonian War was not an undue tax on Rome's resources and never assumed the importance of a major sphere of operations.

While the agreement between Carthage and Philip was a mutual alliance, it does not specifically state that either party would come to the military assistance of the other: at any rate, neither did. The treaty is particularly significant in that it makes it clear that it was not Carthage's intention to destroy Rome, but to limit its power severely, and one clause of the treaty states on behalf of Carthage 'that when the gods have granted us victory in the war against the Romans and their allies, if the Romans ask us to make terms of peace, we shall make such an agreement that shall include you [Macedon] also'. Carthaginian activity in Sardinia and Sicily, their successes in Spain, the alliance with Philip, and Hannibal's presence in Italy were all meant to divide Roman resources. As it turned out, however, the Romans found the requisite resources and were to keep Sicily and Sardinia, conquer Spain, and deal with Philip.

M. Claudius Marcellus and Sicily

Sicily was to be the next target of Roman military activity and was particularly the theatre of operations of M. Claudius Marcellus, who had served in the First Punic War. He was consul in 222, 215 (when he had had to step down due to a peal of thunder during the election), 214, 210, and 208, and twice pro-consul (in 213 and 209). As consul in 222, at 46 years of age, when campaigning against the Insubrian

Gauls he had been challenged to single combat by the Gallic chief Viridomarus, whom he defeated and so won the spolia opima: the right to dedicate spoils taken from the enemy leader (*Plut. Marcell.* 6–8).

Since 263 Syracuse had been an ally of the Romans, but in 215, after the death of Hiero II, Syracuse revolted from Rome and allied itself with Hannibal (Figures 4.10, 4.11). Marcellus, who had defended Nola against Hannibal and taken Casilinum alongside Fabius Maximus, took up command in Sicily as consul in 214 and in 213 began the siege of Syracuse which fell to him in 212 (Map 5). This was crucial to Roman control of Sicily, and most cities on the island now joined Rome with the notable exception of Agrigentum, which was taken in 210. Archimedes, the great mathematician, was killed by a Roman soldier during the taking of Syracuse to Marcellus' regret; his many inventions had been used in the defence of the walls. Syracuse as a Greek city with a long cultural heritage was full of Greek art, and Marcellus brought an enormous number of works from Syracuse back to Rome. This was the first massive influx of Greek art into Rome, and helped to shape the Roman taste for Greek artworks and culture. Marcellus made numerous dedications as thanks-offerings for his victories (*ILS* 12, 13: doc. 4.46), as well as constructing a gymnasium at Catana, with many statues from Syracuse dedicated at Samothrace and Lindos. On his statue at Lindos, he was described as ‘the great star of his country, Rome’, who protected Rome in warfare and ‘launched plentiful death at the enemy’ (*Plut. Marcell.* 30.6–9: doc. 4.47). Though he was consul five times, his career has been overshadowed by that of Scipio Africanus, but in Augustan times he was given prominence in the historical record as the ancestor of M. Claudius Marcellus, Augustus’ nephew and, briefly, son-in-law (*Verg. Aen.* 6.860–86: doc. 15.36).



Figure 4.11 A silver 16 litrai coin from Syracuse, Sicily, issued in 214–212 BC, with the head of Zeus wearing a laurel wreath, and Nike driving a fast quadriga. On the reverse, SYRAKOSION (of the Syracusans, in Greek) in the exergue. Hiero II of Syracuse had died in 215, leaving the throne to his grandson Hieronymus, whose advisors renounced the alliance with Rome; Hieronymus reigned only 13 months. Democracy was re-established, but the Romans besieged the city, and it was sacked in 212.

Source: Courtesy of Classical Numismatic Group

In 209, as consul for the fifth time, Fabius Maximus succeeded in taking Tarentum, although Marcellus was defeated in a battle with Hannibal. Tarentum had defected in 213 when aristocrats in the city revolted against Rome, and, according to Plutarch, Fabius took the city by treachery with the help of a Bruttian contingent, whom he then had killed, incurring ‘a charge of bad faith and savagery’; in Livy’s account (27.16) the Bruttians were killed because of a feud with Rome. Many of the Tarentines were slaughtered, and 30,000 sold into slavery. Hannibal is said to have recognised Fabius Maximus as ‘another Hannibal’, and to have seen this as a turning point, after which it would be impossible for him to conquer Italy with his existing forces (Plut. *Fab.* 22–23: doc. 4.48). In 208 Marcellus, again consul, prevented a revolt in Etruria, and made his way to Locri with the aim of defeating Hannibal in a decisive battle, but he, his son, and his fellow consul (T. Quintius Crispinus) were ambushed at Venusia. Marcellus was killed, and Crispinus mortally wounded, the first time two consuls had fallen in a single action (Plut. *Marcell.* 29.18).

The Metaurus, 22 June 207 bc

The final engagements of importance in Italy took place in 207. Hannibal had relied on the peoples of Italy joining him against Rome, but had, in the event, only limited success in winning their support, while rebellious communities had been brought back into line by Rome, sometimes with great brutality (Figure 4.12). Hannibal had also failed to receive reasonable reinforcements while in Italy. The Carthaginians had other military commitments in Spain and Sicily, and briefly in Sardinia (215), and, while Bomilcar had managed to land a small party of reinforcements at Locri in 215, Hannibal had essentially had to cope with the force he brought in 218, plus defections to his side by Italians. A contingent under the command of Mago Barca intended for Italy had been deployed instead in Spain in 215.

In 208, after a defeat at Baecula at the hands of P. Cornelius Scipio the younger (later ‘Africanus’, son of the consul of 218) and the loss of New Carthage, Hannibal’s brother Hasdrubal crossed to Gaul, and the people of Massilia (modern Marseilles, France) informed the Romans that he was on his way to Italy with reinforcements. He crossed the Alps arriving in Italy in 207 to the consternation of the Romans. The Romans’ primary concern was to ensure that he was not able to meet up with Hannibal. The brothers planned to join forces in Umbria and Hannibal moved north to Grumentum, which was held by the consul C. Claudius Nero with four legions. The Romans learnt of these plans when they captured Hasdrubal’s letter to this effect. With 6,000 infantry and 1,000 cavalry Nero marched north and joined the other consul M. Livius Salinator at the Metaurus river. Here the battle was evenly disposed until Nero took his right wing behind the left of the Roman army and fell on the Carthaginian rear. Hasdrubal was crushingly defeated: he was killed, and, according to Polybius, the Carthaginians lost 10,000 men, the Romans 2,000 (11.3.3: doc. 4.49). Livy expands these numbers to 56,000 enemy dead, with 8,000 Romans and allies killed, and makes it a second Cannae, this time for the Carthaginians. Nero had Hasdrubal’s corpse beheaded and thrown in front of Hannibal’s troops as psychological warfare. Hannibal, who returned to Bruttium, could now expect no more reinforcements and his conquests were at a standstill in Italy, while the Romans were ecstatic at their first real victory over Carthage. Hannibal is reported by Livy to have said that he could now ‘see the fate of Carthage’ (Livy 27.51.11–12: doc. 4.50).



Figure 4.12 A gold coin, worth 60 asses, minted at Rome in 211–208 BC depicting the bearded head of Mars, wearing a crested Corinthian helmet, and an eagle standing on a thunderbolt.

Source: Courtesy of Classical Numismatic Group

P. Cornelius Scipio (Africanus)

With the capture of Capua in 211, the senate and people were able to concentrate on the emergency in Spain, where the Scipio brothers had died in battle earlier that year. The situation there had caused great consternation in Rome, and Livy records that once Capua had been recovered the senate and people were now more worried about Spain than about Italy (26.18.2). When none of the leading senators put themselves forward for the command, the young P. Cornelius Scipio, who was only 24 years old and the son of the consul of 218, did so (Livy 26.18). He was appointed commander by the people in 210, and sent out as a private citizen, *privatus*, invested with pro-consular imperium (Livy 26.18.4–11, 19.10–11), the first *privatus* to be employed in this way. His highest magistracy to date had been the aedileship, which he had held in 213. In late 210 he arrived in Spain, and, instead of continuing a war of attrition like his father and uncle, decided to go for the heart of Carthaginian Spain, its capital New Carthage (Map 5). All three Carthaginian generals in Spain, Hasdrubal Barca (Hannibal's brother), Hasdrubal son of Gisgo, and Mago, were at this point a march of a week or two away and none of them were on speaking terms.

In 209, Scipio attacked the city frontally, while a force sent across a shallow lagoon, the depth of which decreased in the afternoon, overwhelmed the defenders who were concentrating on a frontal attack. Scipio, who had promised the men that Neptune would come to their aid, was acclaimed *imperator* by his troops (Polyb. 10.8.1–20.8, Livy 26.42.2–46.10). After considerably weakening the Carthaginian position in Spain, in 208 he defeated Hasdrubal Barca at the battle of Baecula, after which Hasdrubal left for Italy to bring reinforcements overland to his brother. The following year, 207, saw further Roman successes in Spain, and in 206 Hasdrubal son of Gisgo and Mago risked everything – unsuccessfully – in battle with Scipio at Ilipa, near modern Seville (Polyb. 11.20–24.9; Livy 28.12.10–16.15). This put an end to Carthaginian control of Spain, with no Carthaginian forces of any note remaining after this

battle. Scipio had, in a matter of a few years, captured Spain, Carthage's main overseas possession. However, while two Roman provinces were created in Spain in 197, it was not easily pacified and it was not until 19 BC that the entire peninsula was finally in Roman hands.

Following his victories in Spain, Scipio returned to Italy and presented himself as a candidate for the consulship of 205. Polybius, in a character sketch, presents him as one of the most important Roman generals of the war, though it must be remembered that Scipio Aemilianus, Scipio Africanus' adoptive grandson, was Polybius' patron at Rome. Laelius, Scipio Aemilianus' intimate friend, was one of Polybius' most valuable sources, and it was presumably he who recounted to Polybius the details of how the young Scipio at the age of 17 years had 'recklessly and audaciously' charged to save his father's life at the battle of Ticinus in 218 (Polyb. 10.3.1–7: doc. 4.51). His father acknowledged him as his preserver, and this action, according to Polybius, gained the young man a 'universally acknowledged reputation for bravery', though in the future he avoided exposing himself to danger because 'the hopes of his entire country depended on him', as befitted a leader who relied on intelligence, rather than luck. Polybius also describes Scipio's shrewdness and his ability to focus on the object in view, a characteristic of which people were less aware than of his generosity and magnanimity.

Scipio's candidature for the consulship of 205 was successful and he was elected with P. Licinius Crassus Dives, the pontifex maximus, as his colleague, and requested Africa as his allocated province. Fabius Maximus, like Q. Fulvius Flaccus (cos. 237, 212), opposed this, considering that the most important priority was to secure Italy, while Scipio, with his experience in Spain, had a wider Mediterranean perspective: Fabius wanted to drive Hannibal from Italy, while Scipio's plan went further with the desire to defeat both Hannibal and Carthage in Africa. Plutarch gives a description of the ways in which Fabius attempted to raise concerns in Rome over the risk involved in such a strategy, including an attempt to prevent Scipio being given the funds to conduct a war (Plut. *Fab.* 25.1–4: doc. 4.52). Something of a compromise was effected in the allocation of troops, and Scipio was granted the two legions in Sicily, while he also raised volunteers and took with him 300 of his Spanish troops (Plut. *Fab.* 26.2: doc. 4.52). His force was to prove very effective in Africa, and after first recapturing Locri in 205 (where the conduct of his legate Q. Pleminius led to an attempt by Fabius to relieve Scipio of his command: Livy 29.19: doc. 5.54), Scipio conducted his preparations for war in Sicily before leaving for Africa, arriving at Utica in 204.

Scipio in Africa

The Roman siege of Utica occupied 204–203; it was an important port and included in the treaties made by Carthage with both Rome and Philip of Macedon (Polyb. 3.24.3, 7.9.5: docs 4.2, 4.45). Two large Carthaginian camps were established nearby (that of the Carthaginian commander Hasdrubal son of Geskon with 30,000 infantry and 3,000 cavalry; and the Numidian camp under Syphax, with 50,000 infantry and 10,000 cavalry), and Scipio pretended to be interested in a peace settlement while his envoys gathered intelligence information about the camps. These camps consisted of huts of brushwood, reed matting, and similar materials, and Scipio managed to set both on fire, killing most of the troops (Polyb. 14.5.7–11). Scipio's forces pursued

those who escaped and Carthaginian hopes of containing the Romans in the area of Utica were shattered.

Hasdrubal escaped and with Syphax of Numidia assembled a force of 20,000 men at the Great Plains, 75 miles from Utica. When Scipio learnt of this, he took a force in 'light marching order' (Polyb. 14.8.1) and destroyed the force in battle. Next, he captured Tunis, a mere 10 kilometres from Carthage, from which the garrison had fled. The capture of Syphax at Cirta, his chief city, led the Carthaginians to sue for peace, and in this critical situation in 203 the Carthaginians summoned Hannibal back to Africa. The peace treaty was ratified at Rome by the senate and by its terms Carthage was to abandon claims to Italy, Gaul, Spain, and the islands, while Massinissa was to be reinstated as ruler of Numidia. Carthage was to surrender prisoners, pay an indemnity, and hand over most of its ships. But before news came of Rome's acceptance of these conditions, a Roman supply fleet of 230 ships arriving from Sicily ran into a storm; Hasdrubal collected the ships and brought them to Carthage (Livy 34.24; some of Polybius' narrative is missing at this point; it resumes with Scipio's protest about the seizing of the ships: 15.1). The Carthaginians were no longer interested in peace as Hannibal was on his way home, and when the ambassadors arrived back from Rome, Scipio informed them of what had happened, and that peace was no longer an option. The scene was set for Zama in 202.

The battle of Zama, 202 bc

The recall of Hannibal in 203 meant that his plan to capture Italy or a number of strategic towns within it had failed; for several years he had mainly been active in southern Italy and was eventually more or less restricted to Bruttium and the Lacinian promontory. With some difficulty he had managed to extricate himself and his army and set sail for Africa. His brother Mago also embarked for Africa with his troops, but is said by Livy to have died on the trip while off Sardinia of wounds inflicted in an engagement with the praetor P. Quintilius Varus. Hannibal was now the chief general of Carthage in charge of resisting Scipio's invasion of Africa. In the autumn of 202, Scipio marched his troops out to the Great Plains and Hannibal encamped nearby at Zama, about 160 kilometres south-west of Carthage (Map 5). Scipio and Hannibal, at Hannibal's request, met for a conference, both having moved camps: Scipio to the (unknown) town of Margaron (Livy's Naragarra), with Hannibal taking up camp nearby. At a face to face meeting between the two generals Hannibal argued for peace, but Scipio replied that the Carthaginians had already rejected one peace offer (Polyb. 15.5–8; Livy 30.30–31). Scipio and the Romans now had the upper hand: after a string of successes in Spain and Africa, Scipio was up against a Hannibal who had won no major battle since 216. Polybius (15.9.2) describes what was at stake: 'On the next morning, at dawn, both sides led out their forces and joined battle, the Carthaginians for their own safety and control of Libya, and the Romans for the empire and domination of the world'. The battle did not actually take place at Zama, where Hannibal was no longer encamped, but this is the name the battle has generally been given.

Hannibal possessed 36,000 infantry, 4,000 cavalry, and 80 elephants, outnumbering Scipio's 29,000 infantry and 6,000 cavalry. He drew up his 80 elephants, more than he had ever used in battle, in front, but Scipio had left gaps in the Roman line

through which some of them passed harmlessly (Polyb. 15.12.3–4; Livy 30.33.5). A number of the elephants in fact charged the Numidian cavalry supporting the Carthaginians on the left, which Massinissa then attacked and routed, while Laelius' cavalry attacked the right wing of the Carthaginian cavalry. The infantry advanced on each other, the Roman infantry under Scipio's command in three lines, the hastati, principes, and the triarii (cf. doc. 5.11). Hannibal also had three lines of troops, the first of mercenaries, the second of Libyans and Carthaginians, and the third made up of the troops he had brought with him from Italy, separated out by a space from the first two lines. The Romans eventually prevailed against these first two lines, but there was so much carnage that the gap between the armies was full of corpses and weaponry and Scipio reformed his troops, having the principes and triarii close ranks on the wings and advance through the dead to join the hastati, whom he had placed in the front opposite the enemy's centre (Polyb. 15.14.1–9: doc. 4.53). The battle for a long time remained undecided, until finally Massinissa and Laelius returned from pursuing the cavalry, arriving 'in the nick of time' to sway the outcome of the conflict, falling on Hannibal's men from the rear. The Carthaginian troops that fled were cut down by the cavalry, with a total of 20,000 dead and nearly as many taken prisoner; only 1,500 Romans fell (Polyb. 15.14.9: doc. 4.53). Livy's account agrees with these figures, adding that 132 Carthaginian standards and 11 elephants were also captured. Hannibal escaped with a few of his cavalry and fled to his base at Hadrumetum. Even Livy praises his generalship on this occasion, recording the approbation of Scipio himself, who remarked that Hannibal 'deserved praise for having drawn up his battle-line that day with remarkable skill' (Livy 30.35.3–5: doc. 4.54).

Hannibal was then summoned to Carthage, where in the senate he spoke in favour of peace, explaining that the war, not just the battle, had been lost, 'and that there was no hope of safety except in treating for peace' (Livy 30.35.11: doc. 4.54). Livy states that in some accounts he was recorded as having left directly for the court of Antiochus III; in fact he remained in Carthage from 201 to 196, and in 196 was elected sufetes, when he was supported by the people against the oligarchs. As sufetes he proposed democratic reforms which were unpopular with his political enemies and he did not leave Carthage until 195, under pressure from his opponents who accused him of plotting with Antiochus against Rome; Rome as a result sent an embassy to Carthage, but before its arrival Hannibal had fled to the East. He was formally exiled and his house destroyed, and spent several years firstly with Antiochus whom he served as a naval commander (Polyb. 21.42.11: doc. 5.30), and then, when the Romans demanded his extradition, from 187 to 183 as an admiral serving Prusias of Bithynia against Eumenes II of Pergamum, a friend of the Romans. He committed suicide in 183 at Libyssa when Prusias was on the point of surrendering him to Flamininus. Prior to 200/199 he had remained Carthage's supreme commander, and as sufetes he engaged in constitutional reforms and strictly enforced taxation. The fact that Scipio defended Hannibal in the Roman senate in 196 and that Rome tolerated Hannibal's presence in Carthage from 201 to 196 shows that he was not considered a dangerous enemy at that point, although the Romans saw him as a devious and treacherous character, as depicted in a poem of Lucilius, perhaps referring to the battle of Zama, where he is described as 'that old fox, that old wolf Hannibal' (Lucil. *Sat.* 29.3.952–953: doc. 4.55).



Figure 4.13 A Carthaginian terracotta lion found at Kerkouane, North Africa, 50 miles north-east of Carthage, now in the Kerkouane Archaeological Museum, Tunisia.

Source: Photo © Andrew Selkirk, Current Archaeology

Peace terms

Following Carthage's surrender, the peace treaty was ratified in 201, with the full concurrence of Hannibal. The terms were similar to the slightly more lenient conditions proposed by Rome in 203. While they were devastating, Carthage could continue to survive: the city was able to retain all its possessions in Africa prior to the recent war, and was to continue to keep its own laws. There would be no garrison, but they had to pay reparation to the Romans 'for all acts of injustice during the truce', hand over prisoners of war, deserters, all except ten ships of war, and all elephants; the Carthaginians were not to make war outside of Libya, and not within Libya without Rome's consent; all Massinissa's property and possessions, including those belonging to his ancestors, were to be restored; the Roman troops in Africa were to be provided with grain for three months, and with pay until a response to the treaty arrived from Rome; they were to pay an indemnity of 10,000 talents of silver over a 50-year period; and 100 hostages, chosen by the Roman commander from young men between 14 and 30 years, were to be handed over (Polyb. 15.18.1–8: doc. 4.58).

Scipio's triumph

Scipio was treated with distinction on his return to Italy and celebrated a magnificent triumph in 201 over Hannibal, the Poeni (Carthaginians), and Syphax; he had not been awarded a triumph for his victories in Spain as at that point he was a privatus. He brought 123,000 pounds of silver into the treasury, and gave each of his soldiers

a donation of 400 asses. Syphax was to be carried in the triumph but died beforehand according to Livy, who argues with Polybius who stated that Syphax did appear. Q. Terentius Culleo, one of Scipio's staff, who had been captured by the Carthaginians in Africa, followed him wearing a freedman's liberty cap (*pilleus*) to show that he considered Scipio the source of his freedom. According to Livy, Scipio was the first to be honoured with the name of a conquered nation, 'Africanus' (Livy 30.45.1–7: doc. 4.59), though this soon became a trend: Scipio's brother Lucius took the name Asiagenus (or Asiagenes) from his campaign against Antiochus III as consul in 190. Ennius composed a work on the African campaigns of his friend and patron Scipio, and even portrayed Scipio as contemplating the possibility of his own deification: 'If it is right for anyone to ascend to the regions of the gods/To me alone heaven's great gate lies open'. His services to Rome had been so great that no one would be able to render him a recompense 'befitting his services' (Enn. *Scipio* 1–6: doc. 4.56).

This was the highpoint of Scipio's career: he was censor in 199; consul again in 194, when he engaged in minor campaigns in northern Italy; an envoy to Massinissa and Carthage in 193; and legate in Asia serving under his brother in 190. His successes had given rise to opposition towards him led by M. Porcius Cato, resulting in his not being given the supreme command against Antiochus, although he did negotiate the peace treaty following his brother's campaign. In 187 both brothers were attacked in the senate for receiving bribes or misappropriating funds from the campaign and Lucius was convicted though the fine was not exacted; Scipio himself was indicted for trial again in 184, but the trial was abandoned when he went into self-exile on his estate in Campania, where he died in 183.

War bonds

In 210 businessmen had loaned money to the state to enable Rome to continue the war against Hannibal (Livy 26.36.12), and an arrangement was made in 204 that this loan should be repaid in three instalments, payable at two-year intervals. The third instalment of this loan by businessmen to the state was due in 200, but was not actually repaid until 196, as Rome was now involved in a war against Philip of Macedon which it had no money to finance. The suggestion in 200 that the loans should be rolled over to resource this new war was met with indignation, and the agreement was reached that the creditors would be given public land within the 50th milestone, for which they would pay a rent of one as per *iugerum* to show that it remained public land. When Rome was in a state to be able to repay the loans, which in the event was in 196, the citizens could decide whether they wanted to be repaid the money or keep the land (Livy 31.13.1–9: doc. 4.60).

The Third Punic War, 151–146 BC

From 201 to 149 Rome and Carthage were formally at peace. Carthage had lost immense revenues and resources as a result of Roman and Numidian aggression, but made a quick economic recovery and was prosperous again by the 150s and still considered, according to Polybius, to be the richest city in the world (18.35.9). The indemnity to Rome was fully paid off in 151. Carthaginian territory was, however, suffering from constant incursions by Massinissa king of Numidia (c. 238–148 BC), Scipio Africanus'

ally of the Second Punic War. By the peace he had been granted all his ancestral lands and he took this to justify continually encroaching on Carthaginian territory. The Carthaginians complained to Rome in 153 that Massinissa was laying claim to the 'Great Plains', and an embassy, one of whose members was M. Porcius Cato, was sent from Rome to investigate. The envoys noted Carthage's population and prosperity (App. *Pun.* 69), and this supposedly encouraged Cato upon his return to urge the annihilation of Carthage and end every speech he made in the senate with the exhortation, 'ceterum censeo Carthaginem esse delendam (moreover I hold the opinion that Carthage ought to be destroyed)', urging the Romans that 'if they did not now put a stop to the city which had always been their most hostile enemy and was now grown to so unbelievable an extent, they would once more be in danger as great as before' (Plut. *Cato Mai.* 26.1–27.5: doc. 4.61). Cato had a decisive role in the declaration of war, although he was opposed by P. Cornelius Scipio Nasica Corculum (cos. 162), who advocated a more lenient policy towards Carthage on the grounds that Rome needed a rival in order to remain a military power.

The Carthaginians eventually declared war on Massinissa (violating the terms of their peace with Rome) in 151/50 BC, but they backtracked when Massinissa besieged their army camp (App. *Pun.* 70–73). Polybius considered that the Romans had been looking for an excuse to make war against Carthage (36.2.1–3), and the Carthaginian campaign against Massinissa in 151 (despite being a failure) provided one (App. *Pun.* 74). War was declared on Carthage in 149 just before a Carthaginian embassy arrived in Rome. Finding war imminent, the embassy surrendered Carthage 'to the faith of Rome' (Polyb. 36.3.9). The senate accepted this surrender, but demanded that 300 hostages be sent to Lilybaeum in Sicily and that Carthage promise obedience to the orders of the consuls (which were not specified). The hostages were duly handed over.

Cato's opinion that the senate should adhere to its declaration of war, however, prevailed (Livy *Per.* 49). The consuls for 149, M'. Manilius and L. Marcius Censorinus, were sent to Africa, and demanded that the Carthaginians hand over all their arms. Two hundred thousand sets of arms and 2,000 catapults were surrendered; according to Livy's pro-Roman account (*Per.* 48), these had been specifically made for use not against Massinissa, but against Rome. When, however, the Carthaginians were instructed by the consuls to abandon their city and settle at least ten miles from the sea, they refused to accede to the request and the consuls declared war, with limited success. The war was almost certainly unnecessary and deliberately provoked by Rome, but it was immensely popular with volunteers rushing to enlist in the hope of great profits and booty (in contrast to the Celtiberian war in Spain). A large force was raised for the campaign in Africa: 80,000 infantry and 4,000 cavalry (eight legions plus allied troops), with 50 quinqueremes and 100 light vessels (App. *Pun.* 75).

The Carthaginians freed their slaves, retracted Hasdrubal's death sentence (imposed after the defeat by Massinissa in 150), and put him in command of Carthage's troops outside the city, some 20,000 men, while hastily rearming themselves to compensate for the weaponry given up to Rome. Neither consul achieved a great deal of success, and the war dragged on into 148 under the consul L. Calpurnius Piso Caesoninus, though his legate, L. Hostilius Mancinus, forced his way temporarily into the city. Scipio Aemilianus, the second son of L. Aemilius Paullus (cos. 182 and 168), but adopted by P. Cornelius Scipio, the son of the Scipio (victor of 201 BC), had served as

military tribune under Manilius in 149 (when he won the ‘grass crown’, the corona graminea, for saving four cohorts of troops), and was elected to the consulship for 147. He had earlier served under his birth father at Pydna against Perseus, and under L. Licinius Lucullus in Spain in 151, where he won the ‘wall crown’, the corona muralis. Scipio Aemilianus had not held the aedileship or praetorship, and was also several years under age, and a candidate for the aedileship when elected consul, but the age limit was set aside for one year to allow his election and the senate reluctantly agreed to exempt him from the cursus honorum (*App. Pun.* 112; *Livy Per.* 50). His reputation (won in Greece, Spain, and Africa), general impatience with the on-going war, and popular support secured him the consulship and he restored discipline and morale in the Roman army in Africa, as he did later in 134–133 at Numantia in Spain (*App. Iber.* 363–370, 419–424: docs 5.52–53).

Scipio installed an effective blockade of the city and its harbour, although the defenders had managed to construct a serviceable fleet, and in the spring of 146 Scipio’s troops forced their way in from the south, driving the inhabitants back on the Byrsa and Eshmoun temple. Appian has the most detailed account of the physical destruction of the city, and refers to Polybius’ presence with Scipio at the sack (*Pun.* 127–132). Polybius (36.12.2) also mentions to his reader the fact that he was present: ‘I (Polybius) was much involved in the events I am about to record’. Hasdrubal, the Carthaginian commander, when everywhere was lost except the inaccessible temple on the citadel, surrendered to Scipio in person, although his wife killed their two boys, throwing them into the burning temple, and then immolating herself: ‘so did the wife of Hasdrubal die, as Hasdrubal ought to have’ (*App. Pun.* 131; cf. Figure 4.14).

Six days were given up to the destruction of the city, and the survivors, some 50,000, were sold into slavery. Appian’s account portrays the horrific scenes of the city’s capture and the dogged brutality with which the Romans burnt and razed its buildings (*Appian Pun.* 128–130: doc. 4.62). The remains of the city were destroyed



Figure 4.14 A serra 2/5 shekel from Carthage c. 149–146 BC, depicting the head of Tanit, and a standing horse. Tanit is shown with a wreath of grain ears, pendant earring and necklace. The quality of the gold suggests that, as recorded by Diodorus (32.9), this Third Punic War issue might have been struck from the gold jewellery contributed to the war effort by Carthaginian women.

Source: Courtesy of Classical Numismatic Group

(like Corinth shortly afterwards) although the detail that the site was sown with salt is a modern misconception. Scipio called out the Carthaginian gods to abandon the city and migrate to Rome with the victors (the ritual of evocatio: Macrob. 3.9.6–9: doc. 3.58). The city's territory became ager publicus and formed the basis of the new province of Africa, while a commission of ten decemvirs, including Scipio, destroyed the towns loyal to Carthage, and rewarded those, like Utica, that had supported Rome. According to Strabo, before the fall of the city, Carthage had possessed 300 towns in Libya and had a population of 700,000, while in their drive for rearmament it was able to produce on a daily basis '140 fitted shields, 300 swords, 500 spears and 1,000 catapult missiles' and to construct 120 ships in two months (Strabo 17.3.14–15: doc. 4.63). The site was now deserted until the brief-lived Gracchan colony there, which was abandoned after 'bad' omens (App. 1.102–06: doc. 8.30). Caesar's plan to settle the site did not eventuate until after his death, when it became the capital of the province of Africa, and further colonists were settled there in 29 by Augustus.

Carthaginians on Sardinia

A bilingual inscription in Latin and neo-Punic from Sardinia records that in the time of Sulla, or later, Himilco erected a statue of his father (of the same name), son of Idnibal, in a sanctuary that his father had constructed. The Punic version of the inscription mentions that the sanctuary was the shrine of an unnamed goddess. The building of the temple was authorised by the council ('senate') of Sulci, and it is clear that Romanised provincials of Carthaginian descent were dedicating shrines and votives in a Roman province. Punic remained the spoken language of a large proportion of the population of Africa and other western regions, and was the original language of the emperor Septimius Severus (AD 193–211), the second-century AD writer Apuleius, and the church father Augustine (AD 354–430). The language survived in North Africa until the Islamic conquest in the seventh century. A number of lines in Plautus' comic drama *Poenulus*, the *Little Carthaginian*, are given in Punic in Latin transliteration as part of the entrance monologue spoken by one of the main characters, a Carthaginian named Hanno, who is presented with remarkable sympathy in the play, which was produced c. 189; the work is an adaptation of a Greek play, *Karchedonios* probably by the playwright Alexis, and the Greek original may have been translated into Punic as well as Latin.

The Third Punic War resulted in the deliberate annihilation of a long-established and vibrant culture, which had enjoyed economic dominance in the Western Mediterranean for centuries. The war was not inevitable, and Rome's provocation of hostilities saw tens of thousands of Carthaginians killed or enslaved and their city razed to the ground. The aggression, and the subsequent destruction of the civilisation, was unnecessary and can justifiably be viewed as one of the great tragedies of Mediterranean history. Nevertheless, Scipio won for himself the approbation of the Roman people and senate and celebrated a magnificent triumph, being awarded the name Africanus, like his grandfather. After a censorship in 142, in his second consulship in 134 he was given command of the war in Spain, where he continued on his career of conquest, in 133 exterminating the last flowering of Spanish nationalism and resistance in the Roman provinces there at Numantia, being honoured as a result with the additional agnomen of Numantinus.

The aftermath of the Punic Wars

The three Punic wars did not represent an ideological or even an overtly political or economic struggle between two great Mediterranean cities, and were not an inevitable result of the developing ambitions of Rome. But Rome arguably was responsible for the outbreak of both the First and the Second Punic War, and deliberately provoked the Third in order to shatter Carthage's economic pre-eminence and gain dominance of the Western Mediterranean. In fact, a great commercial empire had been deliberately destroyed in order to assuage Rome's paranoia over the possibility of a potential rival. Carthage's aim throughout, in contrast, had not been the extinction of Rome, but the furtherance of its economic empire and it had no interest in annihilating its trading competitor. The consequences were catastrophic for Mediterranean civilisation, and almost all aspects of Carthaginian culture, such as its literature, as well as the Punic language itself, are entirely lost, despite the fact that it had been an ancient and wealthy society, which had done much to civilise and create commercial and other networks in the Mediterranean (Figures 4.3, 4.13).

From Rome's point of view, with the destruction of Carthage it had become the leading power in the Mediterranean, and from this turning point felt inspired to proceed to further conquests in both the east and west of the Mediterranean basin. In just over 100 years it had developed from a city with no navy or overseas possessions, which had never yet sent an army out of Italy, into a state which had annihilated its main rival and now possessed considerable interests in the Western Mediterranean, including control of Sicily, Sardinia, Corsica, Carthaginian Africa, and parts of Spain. At the same time, the Romans' activities in the Eastern Mediterranean had won them hegemony over Illyria, Epirus, Macedonia, and Greece. Despite immense losses in ships and troops (both Roman and allied) in two major wars against Carthage, and while often fighting wars on a number of fronts, from merely being the dominant city in Italy in 264, by 146 Rome had become *the* major power in the Mediterranean world.

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Chapter 5

Rome's Mediterranean empire

The ideology of Roman military supremacy

The Romans believed that they were descended from the god Mars himself, father of Romulus and Remus, and from the earliest times military glory was always the highest form of achievement in Rome. Senior magistrates were expected to take command of the Roman army, and the greatest honour was to win victory in battle over a foreign enemy and be awarded a triumph, while military service was an essential condition of Roman citizenship. On-going expansion of the empire was considered to be Rome's destiny, which would inexorably lead to the conquest of the known world. Already by the mid-second century BC Rome was the dominant presence in both the Eastern and Western Mediterranean (Map 6), and during the process of the expansion of its territory considerable wealth flowed into Rome, both to the state and to individuals in the senatorial and equestrian orders.

Virtus: the virtue of a man

In his life of Cn. Marcius Coriolanus, who won his agnomen from the heroic capture of Corioli in 493, Plutarch contrasts the Greek and Latin terms for bravery. In Greek, the term *arête*, virtue, was an all-encompassing term, distinct from the more precise *andreia* (from *aner*, man), which meant the peculiar qualities of a man, and hence bravery. The Latin term for virtue, *virtus* (from *vir*, man), encompassed both, comprising manliness (i.e., the qualities or excellence of a man), and in particular bravery in combat.

Plutarch believed that, in Rome, the most honoured aspect of virtue concerned 'warlike and military achievements', as the Romans had only one word for virtue, *virtus* (valour), which stood for virtue in general (Plut. Cor. 1.6: doc. 5.1). As military service was the duty of every male citizen, it was the arena in which the highest virtue, courage, could be displayed and rewarded. *Virtus*, wearing a crested helmet, appears as the manifestation of warfare on the obverse of coins issued by M'. Aquillius (cos. 101), who put down the slave war in Sicily; Aquillius himself is shown on the reverse raising the kneeling figure of the province (Figure 6.2). The goddess *Virtus* was worshipped at Rome as the goddess of manliness, sometimes in association with *Honos*, a male deity and the personification of honour who was primarily associated with honourable and virtuous conduct in warfare. Temples were dedicated jointly to the two deities *Honos* and *Virtus* by M. Claudius Marcellus (vowed in 222 prior to the

battle of Clastidium against the Gauls), by Scipio Aemilianus who dedicated a temple after 133 in front of the Colline Gate, and by Marius out of booty from his victory over the Cimbri (*ILS* 59: doc. 9.35).

Virtus was seen as the quality that above all conveyed gloria (fame or renown), and was linked to political office, since it was by rising through the cursus honorum that a senator was able to display his excellence through military achievements in the senior magistracies, especially the consulship which, prior to the first century, was mostly spent in the field. Gloria in turn brought dignitas (prestige) and auctoritas (influence, authority), and it was the duty of an aristocrat to acquire these in his own person and extend the reputation and nobility of his family through holding high political office and achieving military conquest.

Rome and the army

As virtus was an essential characteristic of Roman generals and troops, the defeat of a Roman army was seen as an unmitigated disaster, and as a disgrace which affected the entire populace. The army was integral to Rome's identity, and from the earliest times a manifestation of the Republic itself. In 321, in one of the most humiliating defeats in Rome's history, a Roman army was trapped at the Caudine Forks by the Samnites (Map 4). According to Livy, L. Lentulus (cos. 328), who was present, advised the consuls (Sp. Postumius and T. Veturius Calvinus) that, while dying for one's country was glorious, the heroic willingness of the army to encounter annihilation rather than defeat would be disastrous for Rome, for it was the only hope of protecting the city, and 'the common folk, unwarlike and unarmed. . . . Here are all our hopes and resources, and if we save these we save our country, whereas if we give them up to death we abandon and betray it' (Livy 9.4.10–14: doc. 5.2). The army, based on property qualifications, was seen as superior to the 'common folk', who were unable to defend themselves and whom it was the army's role to protect.

When, therefore, the Samnite general Pontius told the Roman envoys that he intended to send them unarmed under the yoke, wearing only a tunic, the army, in Livy's account, fell to lamentation, as if they had been told they were all to be slaughtered. After this humiliation, the men considered that the Samnites had not conquered Rome (as the Gauls had done), but – far worse – had vanquished Rome's courage and stout-heartedness, its 'virtus et ferocia' (courage and spirit: Livy 9.6.13). At Rome, the news that the army had agreed to a shameful peace was seen as more depressing than the report that it had been trapped and forced to concede. Everyone took to mourning: shops in the forum were shut, all business was suspended, senators and knights removed their signs of rank. After their return, the soldiers refused to go out in public, while the disgraced consuls shut themselves up and transacted no public business, except for appointing a dictator to hold elections (Livy 9.7.6–12: doc. 1.67).

Two years later, in 319, the Samnites, in their turn, were routed by a Roman army under L. Papirius Cursor and had to pass under the yoke, for which Papirius was awarded a triumph. Livy notes that Papirius was a man worthy of all praise as a soldier, excelling in vigour of spirit and physical strength, including swiftness of foot (hence his agnomen Cursor, or runner). No general was harder on his men, and on

one occasion when his cavalry requested that he let them off some part of their duties in return for their achievements, he replied that he would let them off patting their horses' backs when they dismounted (Livy 9.16.16: doc. 5.3). The Roman soldier was expected to undergo all hardships without complaint.

Rome prided itself on its invincibility: in the words of Lucilius, writing c. 131, 'the Roman people has often been defeated by force and overcome in many battles, but never in an actual war' (Lucil. *Sat.* 26.708–711: doc. 5.4). No barbarian, whether Viriathus in Spain, or Hannibal in the Second Punic War, had ever conquered them, however unequal the odds. It was unarguably Rome's destiny to rule the inhabited world, and even Cicero, who of all Romans was one of the least martial (he never commanded an army, except against brigands in his province of Cilicia), proclaimed publicly that excellence in military service was the highest form of virtue: it had won the Roman people its fame and the city ever-lasting glory; because of it the whole world obeyed Rome's government; and everything within the city including the courts and law-cases in the forum all existed under the protection of Rome's excellence in warfare (Cic. *Mur.* 22: doc. 5.5). Cicero was arguing that in the crisis facing Rome in 63, with the army of the renegade Catiline assembling in Etruria, now more than ever Rome needed to be able to call on a consul of undoubted military abilities (like his client L. Licinius Murena, accused of electoral bribery), rather than an experienced lawyer, Ser. Sulpicius Rufus, the unsuccessful consular candidate for 62 who was leading for the prosecution. Whatever strengths Sulpicius Rufus possessed as an orator and jurist, they sank into insignificance, according to Cicero, when contrasted with military experience and expertise.

In Rome's great epic, the *Aeneid*, Jupiter promises Venus, the mother of Aeneas and ancestress of the Julian family through Aeneas' son Julus, that Romulus will found 'the walls of Mars' (that is, Rome), and name his people the Romans, for whom Jupiter will 'limit their empire by no boundaries or periods of time; I have granted them dominion without end'. The 'masters of the world, nation of the toga' will be cherished even by the goddess Juno, who resented their destruction of Carthage, and Rome will enslave 'Phthia (the kingdom of Achilles) and famed Mycenae and hold dominion over conquered Argos'; Rome's conquest of Greece had been completed with the destruction of Corinth in 146. From the line of Venus and Aeneas will be born Augustus (the 'Trojan Caesar'), who as Rome's greatest and most heroic commander will 'make Ocean his limit of empire, the stars the limit of his fame' (Verg. *Aen.* 1.275–288: doc. 5.6).

This world domination is depicted on the gemma Augustea, an engraved gem dating to c. AD 10–20, with Augustus sharing a throne with the warrior goddess Roma, and being crowned with the corona civica ('civic crown') of oak-leaves by the goddess Oikoumene, the personification of the inhabited world. Neptune and Tellus or Italia (with a cornucopia and two small children) are pictured behind him symbolising his command of sea and land, and at the far left Nike (Victory) drives her chariot from which steps a figure, probably his step-son Tiberius, with sceptre and laurel wreath; the figure in front of him may be Tiberius' deceased brother Drusus or his adopted son Germanicus. In the lower register, in the presence of Diana and Mercury, Roman soldiers drag away Celtic or Germanic prisoners of war, representing Tiberius' victories in Pannonia and Dalmatia (Figure 5.1).



Figure 5.1 The gemma Augustea, a low-relief cameo cut from an Arabian onyx (190mm by 230mm), dating to c. AD 10–20, possibly the work of Dioscurides, the most famous gem cutter of the Augustan period. Augustus carries the lituus (augur's staff) and above him floats the symbol of his star sign, Capricorn with an eight-pointed star behind, and the eagle of Jupiter beneath him. ANSA IXa 79.

Source: Photo © KHM-Museumsverband, Vienna, Austria

The military hero

Awards for valour

Military decorations for killing the enemy or saving the lives of fellow-citizens in battle were awarded only in exceptional circumstances, with crowns (wreaths) awarded for the greatest deeds of valour. The most prestigious award was the corona graminea (grass crown), which was granted to a general or commander who had rescued an entire army from danger: it was voted by the soldiers themselves and originally made of grasses and wild flowers gathered from the battlefield. It was also called the corona obsidionalis (siege crown) when given to a commander who had forced the lifting of a siege.

The corona civica (civic crown) was second in importance and was awarded to a soldier who had saved a fellow-soldier's life in battle and then held his ground. It was made of oak-leaves, and the rescued soldier from thenceforth had to view his preserver as if a parent. Augustus was awarded the corona civica, and was permitted to hang

the crown over the door of his house to symbolise his role as saviour of his fellow-citizens (*RG* 34.2: doc. 15.1). The crown itself is depicted on the gemma Augustea and on the monument of M. Caelius, who was a centurion in Legio XVIII, one of the legions annihilated in the Teutoburg Forest in AD 9 (Figures 5.1, 15.15). The corona muralis (wall crown) was awarded to the first soldier to scale the wall of a besieged town and was decorated with turrets (Scipio Aemilianus won this in Spain), and its counterpart, the corona vallaris (rampart crown) to the first to cross the rampart of an enemy camp (Figure 5.2). The corona navalis was given for bravery in naval engagements, for example to the first soldier to set foot on an enemy vessel, while the corona rostrata was decorated with the beaks of ships and granted to a commander who destroyed an enemy fleet: Agrippa was the first recipient in 36 (*Livy Per.* 129: doc. 14.40; Figure 14.15). There was also the corona aurea, gold crown, awarded for other acts of bravery, while additional amounts of booty were given to the winners of such honours.

The ceremonial spear (the *hasta pura*) was another military decoration granted for valour, and Polybius records that a soldier who had wounded an enemy was awarded a javelin, while a phiale (cup) was given to an infantryman, and phalerae (disc-shaped horse-trappings) to a cavalryman who had killed and despoiled an enemy, in single combat outside of the heat of battle. The monument of M. Caelius shows him wearing, in addition to the civic crown, five phalerae on leather straps, as well as armillae (silver bracelets) on his wrists, and two torques (heavy metal collars) around his neck, ornaments for valour in the field of battle (Figure 15.15). In Polybius' time, when the hierarchy of crowns was still developing, a crown of gold seems to have been the standard award on all occasions: the first man to scale the enemy's wall was given a crown of gold, while anyone who had saved a citizen or ally received gifts from the consul and a crown from the person rescued (*Polyb.* 6.39.1–10: doc. 5.7). According to Polybius (6.39.10), crowns and other honours added greatly to the recipient's prestige, not only with the army itself but at Rome; they were worn in religious processions, in which such recipients were particularly distinguished, and displayed at funerals, while spoils won in battle were hung up prominently in houses. For commanders, the right to dedicate the armour of an enemy commander killed in single combat – known as the *spolia opima* ('most honourable booty') – on the Capitol in the temple of Jupiter Feretrius was one of the most prestigious honours in Rome: in the time of Augustus, only three commanders, including Romulus himself, had won that honour.

Pliny (22.6–13) lists only eight recipients of the grass crown, the corona graminea or obsidionalis, up until his own time, the last being Augustus, who was granted it by the senate (others included L. Siccus Dentatus, P. Decius Mus, Fabius Maximus Cunctator, Scipio Aemilianus, and, according to his own account, Sulla). P. Decius Mus was granted the honour in 343, when he was serving as military tribune under M. Valerius Corvus Arvina against the Samnites. The army had been trapped in a valley, but Decius managed to seize a hilltop with a body of troops, and broke through the encircling enemy. The Romans were then able to capture the Samnite camp and achieve a resounding victory with 30,000 enemy casualties. Decius was awarded a golden crown by the consul, together with 100 oxen and a magnificent fine, fat white bull with gilded horns, which he sacrificed to Mars, giving the other oxen to the troops who had taken part in his sortie. His soldiers were given a double ration in perpetuity, an ox apiece and two tunics by the consul, with the army also making them a present



Figure 5.2 A denarius issued at Rome by the moneyer C. Numonius Vaala in 41 BC depicting the head of Numonius Vaala and a soldier attacking a rampart (vallum). On the obverse, the bare head of Vaala with NVMONIVS to the right, VAALA upwards to the left; on the reverse a soldier advancing with spear and shield, attacking a vallum defended by two soldiers. VAALA in exergue. Numonius' cognomen would have been derived from an ancestor who had been awarded the corona vallaris, the 'rampart crown', which was ornamented with imitation palisades.

Source: Courtesy of Classical Numismatic Group

of a pound of spelt and a pint (sextarius) of wine each. The entire army awarded Decius the 'wreath of grass', for having delivered them from a siege, with another grass crown bestowed by his own detachment of soldiers (Livy 7.37.1–3: doc. 5.8). According to Pliny the only centurion ever to receive the grass crown was Cn. Petreius of Atina, who was serving under Lutatius Catulus against the Cimbri. When his legion was cut off by the enemy, he killed his own tribune for hesitating to break out, and successfully saved his fellow-soldiers (Pliny 22.11).

Sp. Ligustinus, centurion

Another centurion, who represented the manifold virtues of the republican legionary, was described by Livy in the context of army recruitment in 171 for the Third Macedonian War, when recruits were dissatisfied, as those who had previously served as chief centurions were not being enrolled in the same position but drafted instead as ordinary centurions or common soldiers. Sp. Ligustinus had four sons who were now eligible to replace him and it would have been fair that he be discharged, but he presented himself as prepared to serve, in any rank in which he was placed by the consuls; whatever this might be, he stated that he would ensure that no one surpassed him in bravery (Livy 42.34.5–14: doc. 5.9). His account of his own history included the facts that he was possessor of a small farm, had eight children and was now over 50 years of age, having been on campaign for 22 of the last 30 years. On this occasion, being above the age of conscription, he was enlisting voluntarily for the campaign against Perseus of Macedon, having served almost continuously since the year 200. He had been chief centurion on four occasions, rewarded for valour 34 times, and been

awarded six civic crowns for saving the lives of other citizens. Despite this pre-eminent service record he was still prepared to enlist in any rank to serve in Rome's forces.

The most courageous Roman of them all

Pliny the Elder, in recording the histories of those Romans who had demonstrated outstanding virtus, praised two men in particular for their courage and determination in the field of battle, the first of whom, L. Siccius Dentatus (tr. pl. 454), had, according to tradition, been killed at the instigation of the decemvirs in the mid-fifth century for criticising their regime. His military achievements were clearly unhistorical (the awards date to a later period), but he was said to have fought in 120 battles, been victorious eight times in single combat, received 45 scars on the front of his body, and been granted 18 ceremonial spears (*hastae purae*), 25 phalerae, 83 torques, 160 armillae, 26 crowns – 14 civic, eight of gold, three murales ('wall'), and one obsidionalis ('siege') – and taken part in nine triumphs. His greatest achievement, however, in Pliny's view, was his conviction of the general T. Romilius Rocus for maladministration after his consulship in 455 (Pliny 7.101–103: doc. 5.10).

In a further example, M. Sergius Silus, praetor in 197 (and great-grandfather of Catiline), demonstrated valour against all the odds. In a speech to the senate, he described all the wounds he had suffered on campaign since 218, including two occasions on which he had escaped as a prisoner of Hannibal. He had lost his right hand in only his second campaign, and in just two campaigns was wounded 23 times, with the result that he was disabled in both hands and both feet. Despite this he had continued to serve in the army, had twice been taken prisoner by Hannibal, and had escaped though he had been kept in chains for 20 months. He had had two horses cut from beneath him, and on four occasions fought just with his left hand. With a prosthesis of iron to replace his right hand, he raised the siege of Cremona, saved Placentia, and took 20 enemy camps in Gaul (Pliny 7.104–106: doc. 5.10). His speech was delivered to refute his colleagues' accusation that his disabilities would prevent him from carrying out the sacrificial and religious duties of a magistrate. Pliny comments that while others had merely conquered men, he had conquered Fortune as well.

The Roman army

The Romans were the greatest practitioners of the art of war in the ancient world, and Polybius' *Histories* were specifically written to explain Rome's rise as a major military power in the Mediterranean, with a long discursus on the Roman army. He gives the earliest contemporary description of the army, that of the second century (at 6.19–42: docs. 5.12–16), while Livy provides an account of army organisation in the fourth century BC (Livy 8.8.3–14: doc. 5.11). These are the most important sources, although Cato the Elder wrote a *de re militari*, which has not survived, which was drawn upon by Vegetius in his late imperial manual *Epitoma rei militaris*. Another important source is the 'Altar of Domitius Ahenobarbus' dating to the late second or early first century BC from the Campus Martius. This relief depicts the military census: in one scene, two Roman soldiers with shields, plumed helmets, and armour stand back to back (the dagger of one is visible), while two other soldiers, face to face, are similarly attired (their daggers not visible) standing in front of a soldier with

dagger and plumed helmet and a horse (he is presumably an eques); all the soldiers are barefoot.

The organisation of the Roman army was complex, but flexible in the face of external enemies, the main development being the transformation in the fourth century from a phalanx-style configuration to a legionary army organised around maniples, and then cohorts. When the pilum, a throwing-spear, became a primary weapon of the legionary in the fourth century, more space was needed between individual soldiers, resulting in the tightly packed phalanx going out of use. The legion was more versatile and manoeuvrable, as opposed to the Greek phalanx with its emphasis on a fixed line.

Early army organisation, c. 340 bc

The army in early Rome generally comprised four legions, two assigned to each consul. According to Livy, in the fourth century each of these comprised 5,000 infantry and 300 cavalry. By 340 the maniple, a tactical unit, was being deployed to replace the less flexible Macedonian-type phalanx, and the round shield covered with bronze, the clipeus, had been replaced by the scutum, an oval shield made of wood covered with bull's hide. The legion was deployed in three ranks: the hastati, principes, and triarii. The hastati, in the front line of the battle-order, were the new recruits who had reached the age for military service; the principes were soldiers of mature age; and the triarii were proven veterans of age and experience. The hastati and principes were equipped with the scutum, sword, and two pila (sing.: pilum, a throwing-spear), and the triarii with scutum, sword, and hasta (thrusting-spear). Livy also records that two other components served with the triarii, the rorarii and the accensi, but these had become obsolete by the time of Polybius. The hastati were the first to engage the enemy, hurling their pila and then attacking with the sword; if they were beaten back, they retreated through the gaps between the principes who then advanced. The triarii knelt at the back with their spears fixed in the ground, 'just as if the battle-line was bristling with a protective fortification'. If the principes, too, were unsuccessful, they fell back behind the triarii who rose and joined ranks in the face of the enemy (Livy 8.83–14: doc. 5.11). By the mid-second century, the hastati, principes, and triarii were supported by the velites (sing.: veles), light-armed soldiers first heard of in action towards the end of the third century (Livy 26.4.4–7: 211 bc). Twelve hundred velites were assigned to each of the legions, and they acted as skirmishers in front of the three legionary lines, afterwards withdrawing through them. A few years prior to this the property qualification for army service had been reduced, and the velites were perhaps poorer citizens, who could not afford full armour.

Each of the lines of the hastati, principes, and triarii consisted of ten maniples (30 maniples in total), with those of the hastati and principes comprising 120 men, and those of the triarii 60 men. Each maniple of hastati and principes was divided into two centuries (centuriae; sing.: centuria) of 60 men, commanded by a centurion (with an optio as his adjutant). A legion therefore comprised approximately 4,200 infantry: 1,200 hastati, 1,200 principes, 600 triarii, and 1,200 velites. The 300 cavalry (equites; sing.: eques) of a legion were divided into ten turmae, squadrons, each of 30 men, and each squadron had three decurions in command, with three optiones or adjutants.

The cohort (cohors; plural: cohortes) had become the standard organisational unit for legions by the end of the second century, and it was perhaps Marius who engineered

this change. By the time of Caesar, the cohort consisted of 480 men, divided into six centuries of 80 men, each commanded by a centurion, with a legion comprising ten cohorts. Each century was divided into ten squads of eight men, who shared the same tent on campaign, and trained, fought and ate together. The allied contingents provided for the Romans under treaty arrangements were also grouped into cohorts, commanded by a Roman or allied officer known as a praefectus.

Rome's allies – the Latins and Italians – provided Rome with troops, usually light-armed troops and cavalry, and this was their main obligation to Rome, though their numbers, armour, and organisation are not as well known as for the Romans: Rome did not employ mercenaries. As well as their allies from Italy, the Romans made use of forces – auxilia – drawn from outside of Italy itself, such as Scipio's use of Massinissa's cavalry at the battle of Zama in 202 (Polyb. 15.14.7–8: doc. 4.53). A further development was the use of foreign units in campaigns away from their native country: in 133 Jugurtha (Massinissa's grandson) served with Numidian units and 12 elephants at Numantia in Spain under Scipio Aemilianus.

Polybius on Rome's military system

Polybius' description of the Roman army, which came into being as a result of the Second Punic War, included a discussion of such features as the length of service, enrolment of troops, pay, and equipment, as well as a description of the Roman camp. While the organisation of the army camp presumably did not change during the rest of the Republic, Marius' reforms at the end of the second century did introduce significant changes in weaponry and recruitment (docs. 9.21–23).

Length of service

Roman citizens in the five property classes (assidui) were eligible to serve in the military at 17 years of age, and could be enlisted between the ages of 17 and 46; slaves were only enrolled in a crisis situation, such as after the Battle of Cannae (Livy 22.57.11–12: doc. 4.38). The fact that all Romans intent on a political career had first to complete ten years of service demonstrates the martial character of Roman society. A cavalryman had to complete ten years of service before the age of 46, and an infantryman, apparently, 16 (or six: the passage in Polybius is corrupt), although in a crisis military service could last for 20 years (Polyb. 6.19.1–5: doc. 5.12). Appian records that soldiers in Spain after six years' continuous service were replaced in 140 by new recruits (*Iber.* 334), and the normal length of service for an infantryman was probably 16 years with no more than six of these in succession.

Recruitment

As conscripts, citizens had to present themselves for recruitment when eligible. Service for the year began on 1 March and originally lasted for six months until the end of August, although with the increasing number of campaigns military duties gradually extended over the whole year. In the time of Polybius, a property qualification was still needed to serve in the army, but had been reduced from the 11,000 asses laid down by Servius Tullius to 4,000 (Polyb. 6.19.2). Until the time of Marius, it

was only those with property who served, and the *capite censi* ('counted by head'), citizens with a property qualification of less than 375 asses, were not permitted to join the military, although they were able to serve in the fleet and could be called up in an emergency.

Recruitment took place on the Capitol, and citizens of military age were told on which day to present themselves; enlistment might take place over several days, as in 169 when it took 11 days to enrol four legions for Macedonia (Livy 43.15.1). To commence the levy, the 24 military tribunes (14 of whom had seen five years of service, and ten of whom ten years), were allocated between the four legions. The military tribunes then drew lots for the tribes, which were summoned one by one. Four youths of similar physique were selected from each tribe, with the officers of each legion choosing one of them, beginning with the first legion. With the next four, the officers of the second legion had first choice and so on, until each legion had 4,200 infantry (or up to 5,000 in times of crisis). This ensured that every legion acquired men of roughly the same standard. The censors also selected 300 cavalrymen for each legion, on the basis of wealth (Polyb. 6.19.5–20.9: doc. 5.13).

All recruits had to take the oath, and the tribunes in each legion would select one of the soldiers 'who seemed the most suitable' (Polyb. 6.21.1–2: doc. 5.13), and make him take the oath of obedience to his officers. The rest then followed his lead. The consuls at this point sent orders to the allied cities, stating how many troops they required for the campaign, and the date and place at which they should present themselves for service. The Italian cities selected their own soldiers, administered their oath of loyalty, and dispatched them, along with a commander and paymaster.

Evading military service led to flogging, fines, confiscation of property, imprisonment, or even enslavement (Cic. *Caec.* 99; Dion. Hal. 8.87.5). There were sometimes problems with recruitment, and tribunes of the plebs might oppose it in times of economic hardship or after long periods of military conflict. Recruitment in 151 for Spain was slow because the young men were terrified at reports of the numerous battles, the great casualties suffered, and the bravery of the Celtiberians, but, when Scipio Aemilianus volunteered for service, recruits put themselves forward enthusiastically (Polyb. 35.4.1–14).

Army pay

While Rome's army had initially been based on the propertied classes, with troops paying for their own equipment, by the middle Republic, following Rome's ever-increasing number of campaigns, it had been necessary to introduce pay for military service. Payment (*stipendium*; pl. *stipendia*) for soldiers had been introduced in 406 during the war against Veii, with the cost of provisions and equipment deducted from this sum. Polybius records that in his own time infantrymen received two obols per day (120 drachmas per year: a drachma of the Achaean league was slightly less than a denarius), with centurions paid at double that amount (240 drachmas), while cavalrymen received a drachma a day (360 drachmas). Under Caesar (Suet. *Jul.* 26.3), legionary pay was doubled, with two stipendia a year, probably because of the increasing length of annual campaigns. As expenses were deducted from the stipendium, the cavalrymen were paid more highly to cover the costs of keeping and equipping their horses and their mounted groom.

As provisions, the infantry were each allocated 2/3 of a medimnus of wheat a month, and the cavalry seven of barley and two of wheat: a medimnus was equivalent to six Roman modii or two amphorae (about 52 litres or 39.5 kilos). The infantryman would thus have received approximately 26.5 kilos of wheat a month (or 316 a year), and the cavalryman 79 kilos of wheat and 275 of barley (for his horse and that of the servant who attended him). The cost of this food, clothes, and any additional weapons came out of the soldiers' pay (Polyb. 6.39.12–15: doc. 5.14). Allies were not paid by Rome, but they were given a free food allowance: the infantry received the same allocation as that given to the Romans, but the cavalry slightly less: one and one-third medimni of wheat and five of barley per month (Polyb. 6.39.15).

Weaponry

The Spanish sword (*gladius Hispaniensis*), adopted after conflict in Spain at the end of the third century, was a relatively short weapon with a sharp point and a two-edged blade some 60–70 centimetres in length: it was suitable for both thrusting and cutting at short range. This was carried by the hastati, principes, and triarii and remained the main legionary weapon. While the hastati and principes carried two pila (throwing javelins), the legionary was essentially a swordsman. The pilum was some 2.1 metres in length, consisting of a 1.4 metre shaft with a barbed iron head, which extended down the shaft and was fastened with two nails. The head was hammered and sharpened so that it bent on impact and could not be returned by the enemy. The light-armed troops, the velites, carried a sword, javelins, and small round shield, three feet in diameter (a *parma*), and wore a simple helmet. The hastati and principes wore a full set of panoply, consisting of the convex shield (the oval *scutum*), which had a boss and rim at its upper and lower edges to deflect blows and was some four feet in length and two and a half wide; the *gladius* worn on the right-hand side; two pila; a bronze helmet with a tall crest of black or purple feathers; and greaves. The ordinary soldiers wore a bronze breast-plate, and those with a census rating over 10,000 denarii a coat of chain-mail. The triarii were similarly equipped, except that they carried the thrusting-spear, the *hasta*, rather than the javelins (Polyb. 6.22.1–23.15: doc. 5.15). It was under Marius that the pilum became the standard weapon of the whole legion, while the old standards – the eagle, wolf, minotaur, horse, and boar – were replaced by the legionary eagle.

By Polybius' time, the cavalry had adopted the Greek equipment of breastplate, round shield (*parma*), greaves, metal helmet, lance, and long sword; for obvious reasons, the sword carried by the cavalry was longer than that of the infantry to give more reach against an enemy on foot. The horses may have had protection for their head and breast, and saddles were used by the time of Caesar (BG 4.2, 5), but without stirrups.

Military technology

The Roman camp

Polybius gives considerable space in his history to a discussion of the Roman military camp, which was clearly something he found quintessentially Roman: with the

allies, who provided an equal number of infantry and twice the number of cavalry as the Romans, the whole consular army of two legions amounted to 2,400 cavalry and approximately 18,000 infantry, all of whom had to be accommodated. The two-legion camp of a consular army was the normal model even when two consular armies camped together with all four legions; in this case each army had its own camp, but the two camps adjoined each other with one shared side. Roman armies invariably encamped each night, with the legionaries constructing a camp capable of housing all the Roman troops and allies, as well as the mounts and the baggage train (Figure 5.3). When on the march, these camps were temporary, occupied simply for the night, and would be demolished and rebuilt every day. They would of course be more permanent, if the army was camping outside a besieged town or fortress. The camp epitomised the discipline and organisation of the Roman army, and it had, of course, the advantage of preventing surprise attacks.

The two-legion army camp formed a square (some 2,150 Roman feet on each side), and was surrounded by a ditch and stockade (comprising a rampart and palisade); Caesar's camp at Dyrrachium had a ditch 15 feet deep and a rampart ten feet high and ten feet broad (Caes. BC 3.63). A camp was laid out like a town, with several streets, including a main street (the via principalis) on which the general's tent (praetorium) was located, a forum, and the quaestor's quarters (quaestorium). The site for the general's tent was decided on first, in a position 'most suitable for obtaining a general view and issuing orders', with a standard planted to mark the spot. An area of 40,000 square feet was then measured off from the standard, 100 feet on each side: this area was used for the market, and the quaestor's quarters and the storage of supplies. There were four gates to the camp, one on each side, and the legions were stationed on the side offering the best facilities for watering and foraging. The tents of the 12 military tribunes were placed at intervals along the via principalis. The cavalry and infantry of the two legions were positioned in rectangular spaces along parallel cross-streets on one side of the via principalis, and there was a space of 200 feet left between the rampart and the nearest tents, used for marching troops in and out of camp, and for collecting the cattle and booty. This space also ensured that few missiles from outside the camp could reach the troops (Polyb. 6.27–31: doc. 5.16; Figure 5.3).

The allies were responsible for the construction of the ditch and stockade on the two sides of the camp on which they were quartered, and the Romans for the other two. Each maniple was assigned a section, and the construction was supervised by their centurions, under the ultimate supervision of the military tribunes who were responsible for setting up the camp, with two of them taking the duty of superintendence of it for a two-month period (Polyb. 6.34.1–4: doc. 5.16).

Caesar's siege works

By the late Republic, the Roman army employed specialist engineers, *fabri*, capable of constructing siege engines, towers, and catapults, as well as roads and bridges, under the supervision of the *praefectus fabrum* (officer of engineers). In Gaul in 57 after defeating the Nervii, Caesar besieged their allies the Aduatuci, enclosing the town with a rampart 12 feet high and 15,000 feet in circumference, with forts at regular intervals. The town was protected by rocky cliffs, except on one side, guarded by a

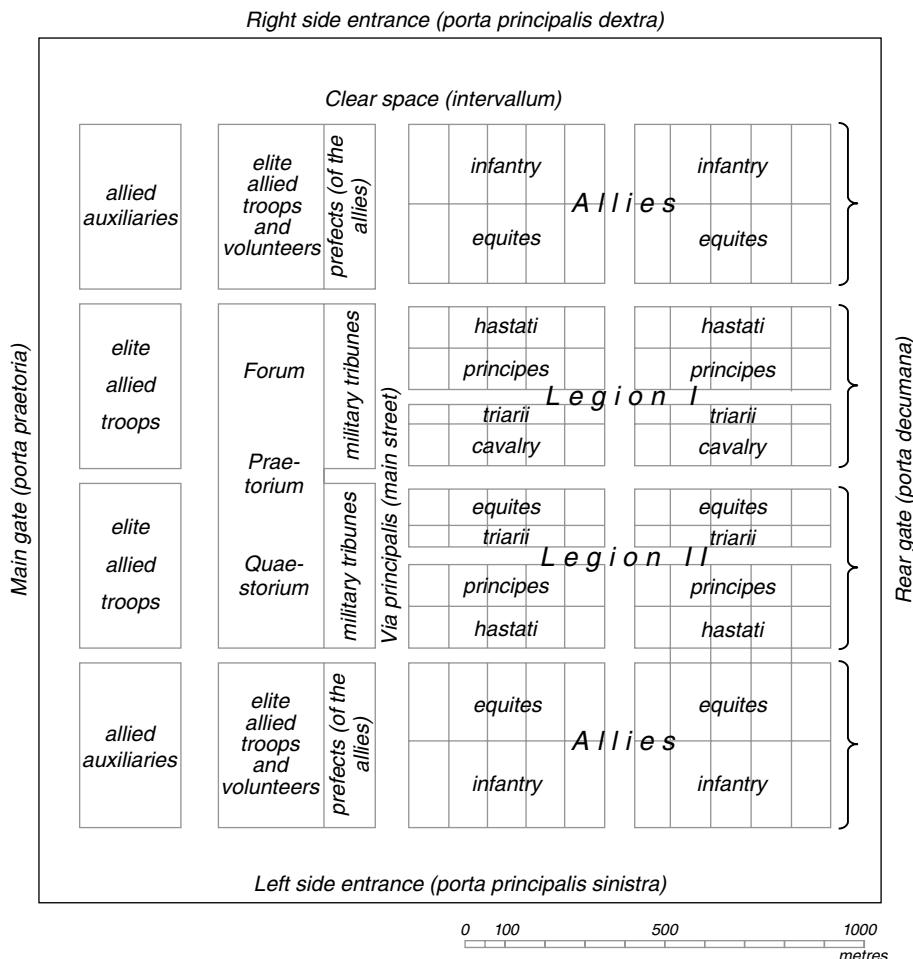


Figure 5.3 Plan of a Roman army camp.

Source: After Keppie, *The Making of the Roman Army*, Routledge, Figure 9, p. 36

double wall. When Caesar constructed a siege-tower, the Gauls mocked him for erecting it at a distance from the wall, not expecting it to be mobile and considering that the Romans were too short and too puny to be able to move it. The tower consisted of a number of platforms of wood, reinforced by metal and leather coverings, and each level held an artillery machine, such as a ballista which could throw large rocks; Caesar's tower at Uxellodunum had ten storeys (BG 8.41). The tower also had a boarding bridge, which could attach to the top of the city wall. On seeing this construction, the Aduatuci thought that the Romans were divinely assisted, 'as they could move forward with such speed machines of such height', and agreed to surrender, though they later reneged on their agreement and were sold into slavery on their defeat (Caes. BG 2.30–31: doc. 5.17).

Military discipline

Roman military discipline was uncompromising, and certain crimes or deeds of omission incurred severe penalties, up to and including execution. There was no appeal against the penalties for cowardice, desertion, loss of weapons, and other serious misconduct, although soldiers could not be punished arbitrarily. Military tribunes, as the officials in charge of discipline, had the right to inflict fines, distrain goods, and punish an offender by flogging.

The watchword and night-watch

Communications in camp were strictly regulated: at daybreak the equites and centurions presented themselves at the tents of the military tribunes, and the tribunes at the praetorium. The general issued the orders of the day to the tribunes, these passed them on to the equites and centurions, and these on to the soldiers. The method of passing on the watchword was a good example of the disciplined manner of communication. The tessera militaris ('military token') was the equivalent of the Greek watchword, which was not communicated orally, but by means of a small tablet of wood. Men (tesserarii), selected from each of the infantry maniples and cavalry turmae encamped the furthest from the commander's headquarters, proceeded to the tribune's tent before sunset and received a tesserae (token) on which the password was written and a mark denoting to which line of the troops in the camp it belonged (Polyb. 6.34.7–12: doc. 5.18). With this each man returned to his maniple or squadron and before witnesses handed it to the officer of the adjoining maniple or squadron. He then passed this to the next officer and so on until it had passed along the whole line of maniples or turmae until it returned to the tribune. All the tesserae had to be returned before nightfall, and if one were missing it was possible to determine which by means of the marks on each token. The defaulter could then be tracked down and punished.

At night, the general's tent, those of the tribunes, and each body of men had a guard posted, while the outer face of the camp was guarded by the velites who were stationed along the vallum, with ten men on guard at each of the four entrances. Guards of four men kept lookout for each of the four watches of the night: a bugle sounded the beginning of each watch. Each of the men on duty for the first watch received four tokens from the military tribune; these were numbered from one to four, and also indicated the legion and maniple or century of the guard. Of these he kept one token for himself and handed the other three to his comrades on the later watches. It was the duty of the equites to do the rounds at night, and each eques was given a written order specifying the posts he had to visit along the vallum and gates, and among the infantry maniples and cavalry squadrons. Accompanied by friends who acted as witnesses, this eques visited the posts and received a token from each sentry. If the sentry was asleep or missing the eques called on his companions to witness the fact.

On the following morning, the tokens were handed over to the military tribune. If one were missing, it was clear to which station and watch it belonged. The centurion of this maniple would be summoned, and he would produce the men who formed that guard. The eques would then prove, through his witnesses, that he had visited the watch and that the sentry had been delinquent. The culprit was court-martialled before all the military tribunes, and if found guilty suffered the penalty of

the fustuarium, being beaten to death; the military tribune in charge would take a cudgel and touch the condemned man with it, as a sign that everyone in camp could cudgel or stone him. The culprit was generally killed in the camp, but even if he did escape he was not allowed to return home and no relative would shelter him: the only options were death at the hands of his comrades or total ruin. The same punishment was inflicted on the optio of a century and decurio of a squadron of cavalry if they did not give the correct orders at the right time to the designated sentries and the equites who were to check up on them. Polybius commented that, due to the severity of the penalty and the inflexibility with which it was carried out, the Romans' night-watches were impeccably kept (Polyb. 6.37.1–6: doc. 5.19).

The fustuarium was also used to punish other offenders, such as those who stole in camp, gave false evidence, attempted to seduce other soldiers, and anyone who had already been punished three times for the same offence. Other dishonourable crimes included boasting falsely to a military tribune of valour in the field for the purpose of gaining a reward, leaving a covering position out of fear, and throwing away arms on the field of battle (Polyb. 6.37.9).

Decimatio

According to Polybius, when large groups of men in a legion behaved dishonourably by leaving a position or throwing away their weapons, or when an entire maniple deserted its station, rather than taking the decision to execute all the offenders, the solution ‘which is both effective and terrifying’ was that of decimation (Polyb. 6.38.1–4: doc. 5.20); Dionysius (9.50.7), in the context of the mutinous army of App. Claudius in 471, considered this the ‘traditional’ punishment for those who deserted their ranks or abandoned the legionary standard. In such cases, the tribune assembled the legion, calling out those who had left the ranks. After reprimanding them, approximately a tenth of the offenders judged guilty of cowardice were chosen by lot. These then suffered the fustuarium and were beaten to death or stoned by their comrades, while the remainder were given rations of barley instead of wheat, and ordered to quarter themselves outside of the camp. The uncertainty as to who would suffer the penalty, and the disgrace of publicly receiving inferior rations, inspired fear in the troops and corrected any tendency to cowardice (Polyb. 6.38.1–4: doc. 5.20). After being given command of the war against Spartacus late in 72, Crassus employed decimatio on the consular troops for their defeats to date, ‘demonstrating to the army that he [Crassus] was more to be feared than defeat by the enemy’: Appian estimated those decimated at some 4,000 (App. 1.550: doc. 6.50). Plutarch implies that the punishment had until this point fallen into disuse for some time (Plut. *Crass.* 10.2), but Caesar decimated mutinous soldiers at Placentia in 49 (Dio 41.35.5), and Augustus punished in this way cohorts that gave way in battle or deserted (Suet. *Aug.* 24.2; Dio 49.38.4).

Military oaths

Once the camp had been set up, the tribunes administered an oath to all in the camp, including slaves, that they would refrain from any theft, and take any item they found to the tribunes (Polyb. 6.33.1–2), and Gellius records the oath taken by the soldiers levied by C. Laelius and Scipio Asiagenus in 190, explaining that he encountered it

in the antiquarian work of L. Cincius, *On Military Science* (Gell. 16.4.2: doc. 5.21). Soldiers had to swear to the military tribune that: in the army and within a radius of ten miles they would not commit a theft of greater value than a silver sesterce on any one day; and except for ‘a spear, spear-shaft, firewood, fruit, fodder, wineskin, sack and torch’, if they found or carried off anything worth more than one sesterce they would bring it to the consul or return the item to the owner. Booty and plunder were an important incentive for the troops, both in encouraging them to enlist and to fight for a victory, but there were clear regulations how booty was to be handled, and individuals were prohibited from acquiring plunder on their own behalf to ensure that military discipline and equity were maintained. When a city was captured, for example, no more than half the total force was sent to collect the spoils, while the rest remained on guard, and it was the responsibility of the military tribunes to have the booty (including slaves) sold and the proceeds equitably distributed to the troops, except any proportion of it retained by the general (Polyb. 10.16–17).

Once enrolled, the recruits had also taken an oath that they would answer the consul’s summons to arms, except for the following reasons: a family funeral or day of purification, a serious illness, an omen which needed to be expiated, an anniversary sacrifice (for the commemoration of the dead) which needed their presence, violence, enemies, or ‘a stated and appointed day with a guest’. If these should eventuate, the recruit was temporarily excused, but had to present himself on the following day (Gell. 16.4.3–4: doc. 5.21).

Rome’s conquest of the Mediterranean

The First Macedonian War, 215–205 bc

The treaty between Rome and the Aetolian league in central Greece, made in 212 or 211 bc, marked Rome’s first alliance in the Eastern Mediterranean and is the earliest Roman official document extant in Greek. M. Valerius Laevinus, who had been the first praetor in Sicily in 227, was given command of a fleet to combat the alliance made between Hannibal and Philip V of Macedon in 215 (Figure 5.4), which led to the First Macedonian War (Polyb. 7.9.1–17: doc. 4.45). Laevinus’ command of the Roman fleet in the Adriatic was intended to prevent Philip coming to Hannibal’s assistance in Italy, as well as halting the extension of his power westward. After reconquering Oricum and relieving Apollonia (where Philip was forced to burn his fleet), Laevinus concluded the treaty with the Aetolians, with the aim of distracting Philip from giving any aid to Carthage and keeping him occupied in Greece. The Aetolians were a long-standing enemy of Macedon, and the treaty laid down that Rome would supply them with naval support in their conflict against Macedon.

This formal bilateral agreement set out arrangements for conducting the war, the division of booty, and the terms of peace: Aetolia would acquire any territory that was captured, while the Romans would keep the slaves and any booty. The Aetolians were to wage war on Philip by land, while Rome was to provide at least 25 quinqueremes; any towns south of Corcyra that were taken by the Romans were to belong to the Aetolians, with movable property to belong to Rome; cities conquered by the Romans and Aetolians acting in concert were to belong to the Aetolians, but their movable property was to be shared; cities which came over to their side voluntarily could under



Figure 5.4 A tetradrachm of Philip V of Macedon (221–179 BC), minted at Pella c. 180 BC, depicting Herakles, wearing a lion skin, and Zeus with his eagle and a tripod. Philip was defeated at the Battle of Cynoscephalae in 197, after which he concluded an alliance with Rome.

Source: Courtesy of Classical Numismatic Group

certain circumstances join the Aetolian league; and the Romans were to help Aetolia to conquer Acarnania, an ally of Philip. If peace were made by one of the allies, it would only be valid if Philip did not wage war on the other party. Allies of the league, including Pergamum, were included in the terms (*SEG* 13.382: doc. 5.22).

The treaty was not ratified for two years because the senate was unhappy about the unfavourable terms made by Laevinus, who returned to Rome for the consulship of 210. The war ended after an Aetolian peace was made with Philip, probably in autumn 206, while Rome signed the peace of Phoenice in 205 in order to concentrate Roman forces on Hannibal. After the Second Macedonian War the Aetolians believed that they were still allied to Rome on the same conditions: Flamininus, however, told them that their separate peace in 206 had abrogated this agreement.

The Second Macedonian War, 200–197 BC

This war, between Philip V and Rome with its allies Rhodes and Pergamum, marked Rome's first real intervention in the affairs of the Eastern Mediterranean and ended in the defeat of Philip and his withdrawal from territory that he had conquered in southern Greece, Asia Minor, and Thrace. Rome was beginning to acquire a taste for involvement in the affairs of other states, although at this point the desire for conquest was not a primary motive: rather Rome wished to curb Philip's territorial expansion and ability to wage large-scale war.

When, on the death of Ptolemy IV of Egypt in 204 (Figure 5.6), the six-year old Ptolemy V ascended the throne, Philip V and Antiochus III of Syria both decided to appropriate Egyptian territory. Antiochus had been occupied, prior to 205, in restoring Seleucid control in Armenia and Iran, as a result of which he took the title 'Great King' (Figure 5.5). He now wanted to regain control of western Asia Minor and in the Fifth Syrian War in 200 invaded Coele Syria and seized the Egyptian possessions of

Phoenicia and Palestine. Philip, for his part, after conquests in Thrace, began extending his possessions in Asia Minor and the Aegean, capturing the prosperous city of Miletus and attacking Pergamum, which concerned Rhodes and Pergamum, which appealed to Rome in 201.

Now that the Second Punic War had been successfully concluded, Rome was able to turn its attention more fully to the East. Philip had sent a force to invade Attica, and Rome dispatched ambassadors, who urged him to leave the Greek cities in peace and instructed him to pay compensation to Attalus of Pergamum. Philip, however, continued his campaigns, and in 200 after delivering an ultimatum Rome declared war against him, despite an initial vote against war in the assembly. P. Sulpicius Galba, consul in 200, was to take charge of the campaign and was given Macedonia as his province. Philip meanwhile was devastating Attica and besieging Abydus to gain control of the Hellespont.

In 198 the consul T. Quinctius Flamininus took command, forcing Philip to retreat from southern Greece, and defeating him first at the Aous, and then at Cynoscephalae in Thessaly in June 197. The Aetolians and Achaeans had allied themselves with Rome, and Flamininus was able to present his campaign as an attempt to protect Greece from Macedonian aggression. As part of the peace agreement signed in 196, Philip evacuated the whole of Greece (including the 'Three Fetters': Demetrias, Chalcis, and Acrocorinth), handed back his conquests in Thrace and Asia Minor, and returned Roman prisoners and deserters. The senate also insisted that he pay a war indemnity of 1,000 talents and give up his navy; the Greeks in both Europe and Asia Minor were to be free and subject to their own laws (*Polyb.* 18.44.1–7: doc. 5.23). Livy's account has two additional clauses, that Philip should have no more than 5,000 soldiers and no elephants (Romans were always impressed by elephants), and that he should wage no war outside Macedonia without the senate's permission (*Livy* 33.31–32).

T. Quinctius Flamininus and the 'liberation' of Greece

Titus Flamininus had been elected consul for 198, although he was not yet 30 and had not held the praetorship. As consul Flamininus was given command of the Second Macedonian War against Philip, with his brother Lucius in charge of the fleet. Flamininus was a philhellene and fluent Greek-speaker, possibly from his residence in the city of Tarentum during the Second Punic War, and was reported to have written Greek verses for a dedication at Delphi (*Plut. Flam.* 5.5, 12.6–7). Following the peace agreement with Philip, at the Isthmian Games in 196 Flamininus proclaimed the liberty of the Greek cities, including those in Asia Minor. The purpose of the inclusion of cities in Asia Minor was to put a stop to Antiochus' ambitions there without committing Rome to the administration of new territory, just as the bestowal of liberty on Greek cities weakened Macedon, although Rome retained garrisons in key strategic cities, such as Corinth.

Polybius' account of the proclamation at the Isthmia shows the eagerness with which the announcement was anticipated and the ecstatic delight with which it was heard, so much so that the crowd insisted on hearing it again because they were unable to believe it and were so grateful that they nearly killed Titus through their excessive joy (*Polyb.* 18.46.1–47.2: doc. 5.24). The propaganda value of the pronouncement was evident: Rome was presented as having ensured the Greeks' freedom, with 'all Greeks

living in Asia and Europe free, without garrisons, subject to no tribute, and governed by their ancestral laws' (Polyb. 18.46.15). At the end of the festival, the Roman commissioners warned Antiochus' envoys that Antiochus now had to respect the autonomy of the cities in Asia Minor, withdraw from those cities he had captured which had belonged to Philip and Ptolemy, and refrain from crossing into Europe with an army, as the Greek cities were not to be subject to anyone for the future (Polyb. 18.47.1–2). Flamininus' command had been prorogued to allow him to defeat Philip, and the legions were not evacuated until 194, when he finally left Greece. He spent this period establishing Rome's relationship with the Greek cities and presenting Rome as their protector, forcing Nabis of Sparta, an ally of Philip, to relinquish control of Argos in 195. Nabis was also compelled to recognise the autonomy of Sparta's *perioikoi* (citizens of the cities dependent on Sparta), dismantle his fleet, hand over hostages, and pay a war indemnity.

One of Flamininus' concerns was to ensure the loyalty of the Greek cities to Rome, and their support for any confrontation that might arise between Rome and Antiochus. A letter of his to the people of Chyretiae in Thessaly demonstrates the type of settlements that he made with various cities: he stresses that Rome in every respect supports what is honourable, and that no one should have the opportunity to criticise the Romans, even 'persons who are not accustomed to act according to the highest standards of behaviour'. This refers to the Aetolians, who had sacked Chyretiae in 199, and who were unhappy that the peace signed with the Romans in 212 or 211 was not still in force. Flamininus states that he is returning to the city any property currently in Rome's possession as a result of its capture by the Aetolians, and asks the citizens to recognise Rome's magnanimity and refusal to make a financial profit. If anyone can make a reasonable case that their property has not been restored, then this should be returned to them (*SIG³* 593: doc. 5.25). The Chyretians were grateful: when Perseus invaded Perrhaebia in 171, Chyretiae held out for a day (Livy 42.53.9).

Cities in Greece honoured Flamininus as a benefactor and put his portrait on their gold coinage. Plutarch states that he was granted divine honours at Chalcis on Euboea and Argos, where the Titeia cult was established in his honour, and records the last lines of a paean sung by the girls of Chalcis in 191 to honour both Flamininus and Roman fides, 'good faith' (*Flam.* 16.7: doc. 5.26):

We revere the fides of the Romans,
Which we have solemnly sworn to cherish;
So celebrate, girls, in song and dance
Great Zeus, and Roma, and Titus and the Romans'
Fides; hail, all hail,
Titus our saviour.

This is the earliest hymn which mentions the goddess Roma, and 'Great Zeus' may have been an attempt to translate Jupiter Optimus Maximus.

On his return to Rome Flamininus celebrated a magnificent three-day triumph in 194, which featured hundreds of Romans who had been enslaved by Hannibal in the Second Punic War. He was censor in 189, and, as leader of a senatorial delegation to Bithynia in 183, he demanded that Prusias extradite Hannibal who had taken refuge there: Hannibal committed suicide.

Scipio Africanus in the East

Scipio Africanus was also honoured in the East, despite a diminution in his prestige and auctoritas at Rome after the end of the Second Punic War. He had been censor in 199, but in his second consulship in 194 had failed to be awarded the command against Antiochus because of opposition from Cato and others. In 190 he served as legate with his brother L. Scipio Asiagenus (or Asiogenes), who was consul, and negotiated the peace with Antiochus (who had invaded Greece in 192). A stele from Delos honoured Africanus as the ‘proxenos and benefactor of the temple and the Delians’, and he was to be crowned with a sacred crown of laurel at the Apollonia ‘for his excellence and his piety towards the temple and his goodwill towards the people of Delos’ (*IG XI.4.712*: doc. 5.17). Nevertheless on his return to Rome both he and Lucius were accused of corruption: Lucius was convicted in 187, although the fine was not levied on the advocacy of Ti. Gracchus the elder, and Africanus was prosecuted in 184, but retired to his Campanian estate where he died not long afterwards.

Antiochus III ‘the Great’, 222–187 BC

The Seleucid empire of Antiochus III comprised Syria and large regions of western Asia Minor, which he had substantially increased, as far as Bactria and India (territory originally conquered by Alexander the Great). He had also taken advantage of Rome’s preoccupation with Philip of Macedon to recover territories in Asia Minor in 197, and, ignoring the instructions of the Roman commissioners in 196, continued to conduct military expeditions in Asia Minor and Thrace, subduing a number of Greek cities, and crossing to Europe where he rebuilt the town of Lysimachia on the Thracian coast. He had given refuge to Hannibal in 195, who had been exiled from Carthage by his political enemies. Envoys were sent to Antiochus at Lysimachia to demand that he leave the free cities of Asia Minor alone and withdraw from those that had been possessions of Ptolemy: otherwise Rome would be forced to take steps. Antiochus and Hannibal, however, invaded Greece in 192, thus provoking war with Rome, and Antiochus was made commander of the Aetolian league; in the spring of 191 the consul M. Acilius Glabrio took the field against them and Antiochus was defeated at Thermopylae. In the following year, the consuls L. Scipio Asiagenus (supported by his brother Africanus) and C. Laelius arranged a six-month truce with the Aetolians, and led the first Roman army into Asia Minor, where Antiochus was defeated at Magnesia in late 190, after Hannibal had been defeated by sea. The peace of Apamea, agreeing terms between Antiochus and Rome, was signed in 188 (*Polyb. 21.41–43*: doc. 5.30).

Meanwhile the consul of 189, M. Fulvius Nobilior, had been given command against the Aetolians, who surrendered: they were to pay 500 talents over six years and restrict the membership of the Aetolian league (*Polyb. 21.32.1–15*: doc. 5.28). The treaty was an inequitable one in Roman terms (a *foedus iniquum*) because the Aetolians had to agree to ‘uphold the empire and sovereignty of the Roman people’ and give hostages. Also in 189, envoys from Delphi requested from Rome certain privileges, including clarification regarding their right of granting asylum, as well as immunity from military requisitions (or less probably taxation). The senate’s response granted Delphi the right of sanctuary, exemption from requisitions, and autonomy, including the administration of the temple and precinct ‘as has been their ancestral right of old’ (*SIG³ 612*: doc. 5.29). Rome’s footprint now so overshadowed Greece that Delphi itself felt that it needed its privileges confirmed by Rome.



Figure 5.5 A tetradrachm of Antiochus III 'the Great' of Syria (222–187 BC) minted at Ecbatana c. 220–210, depicting his diademed head and Apollo seated on the omphalos of the world. The omphalos was a conical stone at Delphi representing the navel of the earth. Apollo is holding a bow and arrow, with a horse's head left. Antiochus was the sixth Seleucid ruler and restored much of the Seleucid empire's territory, prior to his war against Rome.

Source: Courtesy of Classical Numismatic Group

The treaty of Apamea, 188 BC

Negotiations between Rome and Antiochus had earlier failed, as the Romans had demanded that Antiochus evacuate all of Asia Minor and cover the whole cost of the war. Cn. Manlius Vulso, cos. 189, succeeded L. Scipio Asiagenus in Asia and conquered the Galatians, Antiochus' allies (cf. Livy 38.43.1–50.3: doc. 5.55). Vulso's command was prorogued for 188, and in conjunction with the commissioners from Rome and Eumenes II of Pergamum, he finalised the peace agreement with Antiochus at Apamea.

By the terms of the peace, Antiochus was not to recruit mercenaries in Greece, had to dispose of most of his fleet and elephants, hand over Hannibal, and pay an indemnity. Antiochus had already made a payment of 3,000 talents, and by the terms of the indemnity he was to pay a further 12,000 talents, plus 540,000 modii of grain (approximately 3,500,000 kilos). There was also compensation to be paid separately to Eumenes of Pergamum, 350 talents over five years, as well as a monetary equivalent for grain (Polyb. 21.41–43: doc. 5.30). Antiochus was not to make war on the Greeks of the mainland or islands; was to withdraw from all his conquests on this side of the Taurus; Hannibal, and other rebels, were to be given up, 'if it is in his power', as well as all his elephants in Apamea, and he had to renounce their use for the future; his navy was to be handed over, except for ten small ships and his fleet's movements were restricted; he might not hire mercenaries from territory subject to Rome; and all property belonging to the people of Rhodes was to be returned.

Antiochus was now confined to Syria, losing his territory to the north and west of the Taurus range, most of which was assigned to Rhodes or Eumenes of Pergamum: of the non-Greek territories, Lycia and Caria were to belong to Rhodes, and the rest to Eumenes. All Greek cities that had joined Rome prior to the battle of Magnesia were to be free; the others were to belong to Rhodes or Pergamum, depending on their

location (Polyb. 21.45.1–11: doc. 5.31). Hannibal, to avoid coming into the power of Rome, withdrew to the court of Prusias I of Bithynia, where he served as admiral in the war against Eumenes of Pergamum (186–183), committing suicide at Libyssa, when the Romans again demanded his extradition.

Large portions of Antiochus' eastern possessions now declared their independence, although his empire still stretched from the Taurus mountains to eastern Iran. He died in Susa in 187, supposedly while plundering a temple of Baal, and was succeeded by his son Seleucus IV, who ruled until 175, when he was succeeded by his younger brother Antiochus IV Epiphanes. Significantly, Rome was content to divide Antiochus' possessions between its allies, and was not yet claiming territory in Asia Minor for itself. Pergamum played the crucial role of physically separating the empires of Macedon and Syria. However, following Flamininus' 'liberation' of Greece, the



Figure 5.6 An oktadrachm of Ptolemy IV Philopator (221–205 BC), minted at Alexandria, depicting the radiate and diademed head of the deified Ptolemy III Euergetes (246–222), and a radiate cornucopia bound with a royal diadem. Ptolemy is shown wearing an aegis with a trident over his left shoulder; KING PTOLEMY (in Greek).

Source: Photo courtesy of The Metropolitan Museum of Art (accession no. 30.115.21), Theodore M. Davis Collection, Bequest of Theodore M. Davis, 1915

Romans had started to acquire a taste for interfering in the organisation of kingdoms in the East. While not always happy, kingdoms and city-states were becoming used to such interference, and even soliciting it in cases of irreconcilable conflict, a decision which did not always turn out to be in their best interests.

Rome as master of the Mediterranean

Rome's attitude towards its allies and conquered territories was becoming increasingly autocratic in the first decades of the second century, and its policy more determined by political considerations at Rome. For the senatorial class successful warfare generated prestige (*dignitas*) and popularity, as well as personal wealth on which popularity often depended, and following the Second Punic War there was a race to celebrate triumphs, especially in the two decades from 200 to 180, adding to the intense rivalry for office among the very competitive magisterial class (Polyb. 6.57.5–6). It was an even greater honour to be awarded an agnomen from the site of a splendid victory or conquered territory: examples in the second century included Q. Caecilius Metellus (*Macedonicus*) and his nephew Q. Caecilius Metellus (*Numidicus*), L. Cornelius Scipio (*Asiagenus*), L. Aemilius Paullus (*Macedonicus*), L. Mummius (*Achaicus*), D. Junius Brutus (*Callaicus*), and P. Cornelius Scipio Aemilianus (*Africanus* and *Numantinus*).

Perseus of Macedon and the Third Macedonian War, 171–168 bc

On the death of Philip of Macedon in 179, his son Perseus attempted to reassert Macedonian sovereignty in the region. Philip had made preparations for a new war, but Perseus on his accession renewed the treaty with Rome, which acknowledged him as king, despite the fact that Perseus had earlier encouraged his father in 180 to have his half-brother Demetrius killed: Demetrius had been a hostage at Rome. Perseus wanted to strengthen Macedon's position with regards to Rome and attempted to improve relationships with the Greek cities, including an amnesty for Macedonian exiles and debtors, and overtures towards the different Greek leagues and the Thracian and Illyrian tribes. He also promoted friendly relations with rulers in Asia Minor, with the exception of Eumenes II of Pergamum, marrying Laodice, daughter of Seleucus IV, while his sister married Prusias II of Bithynia. His diplomatic successes with Syria, Bithynia, Rhodes, and the Greek cities concerned the Romans, as did his visit to Delphi leading an army, by which he gained influence over the Amphictyony.

Perseus was declared an enemy of Rome in 172, without a valid legal reason, primarily because of the complaints of Eumenes at Rome, who reported to the senate Perseus' plans for expansion, warning Rome of the increasing Macedonian influence in Greece. As a result, the Romans were concerned that Perseus was gaining control over the Greek cities to Rome's detriment. When Rome laid down complaints against Perseus before the Amphictyons at Delphi in 171 after the declaration of war (*SIG³ 643: doc. 5.32*), these included the charge that Perseus had attempted to have Eumenes II assassinated at Delphi, while criticising him for arriving at Delphi with his army, during the truce of the Pythian games, especially as his troops included barbarians, who historically had attacked Greece and intended to plunder Delphi, but were driven off by Apollo. Further charges included his acting contrary to the oaths taken by Philip and the treaty renewed with Rome; making war against the Thracians, Rome's allies; scheming to poison the senate; and planning war and slaughter in Aetolia. Rome

appears to have been particularly concerned by his overtures to ingratiate himself with the Greek cities.

Rome itself was not totally straightforward in its conduct of the Third Macedonian War: the decision in favour of war was made in 172, but war was not actually declared until the spring of 171, and even then envoys under Q. Marcius Philippus (cos. 186, 169) arranged a truce, ostensibly so Perseus could present his case to Rome (Livy 42.43.1–3, 47.1–3; Polyb. 27.5.7), but in fact to give the Romans a chance to complete their preparations for war. When Perseus' envoys arrived, they were given an audience outside of Rome and then ordered to leave Italy. The Romans took the opportunity to transport an army to Epirus, and Perseus invaded Thessaly, defeating the consul P. Licinius Crassus and a contingent of Eumenes II at Callinicus, which led to Greek defections from Rome (Polyb. 27.9.1–10.5), while the behaviour of Roman commanders was such (sacking allied towns) that the senate sent envoys to announce that orders to give support to Roman generals had to be accompanied by official senatorial decrees (*senatus consulta*). Perseus offered to renew peace negotiations, but these were rejected by Crassus. Perseus withdrew from Thessaly to winter in Macedonia.

The next two years again saw little Roman success under the consuls A. Hostilius Mancinus (cos. 170) and Q. Marcius Philippus (cos. 169), while Epirus declared in favour of Macedon. It was only in 168 that the consul L. Aemilius Paullus (also cos. 182) compelled Perseus to fall back to Pydna, where the critical battle was fought in June. The Macedonians were annihilated, and Perseus fled to Samothrace, where he surrendered to the Roman praetor Cn. Octavius. He was displayed in Paullus' triumph, but allowed to live in captivity at Alba. Polybius blamed his defeat on his miserliness, which lost him an agreement with Eumenes II and the chance to hire Gallic mercenaries.

L. Aemilius Paullus ‘Macedonicus’

While at Delphi after his victory, Aemilius Paullus replaced a statue of Perseus which was under construction with one of himself, with the frieze of the monument displaying scenes from the battle of Pydna. The inscription was in Latin, not Greek, showing that Rome was coming to expect the Eastern Mediterranean to recognise the Latin language and adopt Roman customs (ILS 8884: doc. 5.33). He remained in the Balkans in 167 to organise Macedonia with the assistance of a senatorial commission. The Macedonian monarchy was abolished and Macedonia was divided into four separate republics (Figure 5.7), centred around Amphipolis, Thessalonica, Pella, and Pelagonia, which were forbidden to engage with each other through either intermarriage or trade.

On his march with his army back to Rome, Paullus conquered a number of cities in Illyria and Epirus (which had allied itself with Perseus). His soldiers were permitted to pillage 70 Epirote cities, mostly belonging to the Molossians, to provide booty for themselves, as well as to provide a lesson for those who considered opposing Rome. The cities had surrendered to the praetor Anicius and they were all sacked on the same day; the walls of the cities were torn down and 150,000 people taken into slavery (Livy 45.33–34: doc. 5.34). Over 100 years later the region was still a desert (Strabo 7.327). The number of people enslaved in a single campaign was high, even for the



Figure 5.7 A tetradrachm from Macedon (Roman protectorate), c. 167–149 BC, from the Amphipolis mint, depicting a diademed and draped bust of Artemis in the centre of a Macedonian shield. On the reverse a club, with ΜΑΚΕΔΟΝΩΝ ('Of the Macedonians', in Greek) and ΠΡΩΤΗΣ (First [Republic]) below, all within an oak wreath, with a thunderbolt to the left. After the battle of Pydna in 168, Macedonia was divided into four client republics. It became a Roman province in 146.

Source: Courtesy of Classical Numismatic Group

mid-second century BC: 40,000 slaves were taken on Sardinia in 174, and 50,000 at Carthage in 146. Plutarch, whose portrait of Paullus is generally favourable, considered that this devastation was against his character (*Aem.* 30.1).

Aemilius Paullus had celebrated games and banquets at Amphipolis in 167, and the treasures of Pella – 'statues, paintings, textiles, vessels of gold, silver, bronze and ivory made with great pains in the palace' (Livy 45.33.1–7: doc. 5.34) – were transported to Rome, where a magnificent three-day triumph was celebrated. His conquests brought so much money into the treasury that the annual land tax, the tributum, was now abolished. According to Livy (45.40.1), who cites Valerius Antias, the booty in total comprised 120 million sesterces, while Velleius (1.9.6) estimated it at 210 million. However, the soldiers were dissatisfied that they had only a small share in the plunder (400 denarii for the cavalry and 200 for the infantry from the Epirote cities), although he gave each infantryman 100 denarii at his triumph.

Out of the booty Paullus only kept for himself and his sons Perseus' library (Plut. *Aem.* 28.11): his two sons from his first marriage had been adopted out of the family, and were now Q. Fabius Maximus Aemilianus and P. Cornelius Scipio Aemilianus, who served with him in Macedon (Family Tree 2). As a sobering note in the festivities, his two young sons by his second marriage died within a few days of the triumph and there was no one left in the family to carry on its name. The elder sons, however, held splendid funerary festivities for Aemilius at his death in 160.

Melinno of Lesbos and the goddess Roma

Melinno's hymn to the goddess Roma celebrates the unique and everlasting domination of Rome. The poet is thought to have been from Lesbos because of her use of the

Sapphic stanza and some Aeolic Greek word forms. The date of the poem is uncertain, but probably belongs to the first half of the second century BC; worship of Roma, the divine personification of Rome, began in the Greek East in the second century BC, with festivals known as Rhomaia. The goddess was also mentioned in the hymn sung in honour of Flamininus at Chalcis (*Plut. Flam.* 16.7: doc. 5.26).

The poem may also have been written for cult performance at a festival in honour of Roma. The goddess is described as ‘golden-crowned warrior queen’, who lives on holy Olympus and to whom fate has granted ‘royal glory of unbreakable dominion’. Her yoke of strong leather straps binds together ‘the chests of earth and grey sea’, and even the longest eternity cannot change the wind which fills the sails of her empire. Roma alone gives birth to ‘strong men, wielders of spears’ and she is indestructible in perpetuity (Melinno F1: doc. 5.35).

Rome's imperialist stance

From the middle of the second century, Rome was showing an interest in taking a deliberately interventionist role in conflict in the Eastern Mediterranean, while the senate also began taking an active role in negotiations between overseas powers, as in the longstanding conflict between the Ptolemies and the Seleucids for possession of the economically and strategically valuable region of southern Syria. In 168 Rome interfered in the East to prevent Antiochus IV Epiphanes (the younger son of Antiochus III) continuing the Sixth Syrian War. Egypt had begun a war to recover southern Syria and Palestine, and in response Antiochus IV, posing as the protector of his young nephew Ptolemy VI Philometor (son of Antiochus III’s daughter Cleopatra), invaded Egypt, defeating an Egyptian army at Pelusium, and besieged Alexandria. Envoys from Egypt had requested Roman intervention, and a senatorial commission was sent out, headed by C. Popillius Laenas (cos. 172). The commission put an end to hostilities by threatening that whichever king failed to withdraw from the war would lose the friendship of Rome, and giving Antiochus a deadline by which to retreat to Syria.

Roman commissioners no longer felt the need to be tactful. On meeting Antiochus outside of Alexandria, Laenas unceremoniously handed him a tablet with the senate’s decree, insisting that he instantaneously make a response (*Polyb.* 29.26–27: doc. 5.36). Antiochus agreed to the withdrawal, ‘unhappily and with complaints’, but giving way to ‘circumstances’. Laenas then sailed to Cyprus and forced the Syrian army to withdraw, thus preserving a substantial part of the Ptolemaic kingdom of Egypt, which was now dependent on Rome for its survival.

Cato and the Rhodians, 167 BC

In the Second Macedonian War against Philip, Rhodes had been allied with Rome and Pergamum. By the treaty of Apamea the island had profited from its support of Rome by gaining control of Caria and Lycia. Its economy had suffered during the Third Macedonian War against Perseus, and the consul of 169, Q. Marcius Philippus, involved the island in negotiations between Perseus and Rome. When envoys from Rhodes arrived at Rome in 167, the situation was misunderstood and it was nearly declared an enemy of Rome at the instigation of the praetor M'. Juventius Thalna. Two of the tribunes intervened, and Cato the Elder spoke on behalf of the Rhodians.

Cato argued that the Rhodians may not have wanted Rome to conquer Perseus, and that many other peoples probably felt the same, but they had not openly aided Perseus and should not be punished because they wanted the outcome of the war to be different. They had been accused in the senate of being arrogant, and, while Cato argues that he would not like to be accused of this himself, Rome should not be angry ‘just because someone is more arrogant than we are’ (Gell. 6.3: doc. 5.37). Rome entered into a formal alliance with the island in 164/3, but Rhodes lost control of Lycia and Caria, which were declared free, and had to withdraw from Caunus and Stratoniceia when these rebelled. The island of Delos was given to Athens in 166, on condition that it become a free port, but this was not necessarily a move which was intended to damage Rhodes economically.

The decree on Achaean exiles, c. 165 BC

After Perseus’ defeat, Rome took steps to deal with possible dissidents in Greece, and in 167 1,000 supposedly ‘pro-Macedonian’ Achaeans (Achaea lies in the north of the Peloponnese) were deported to Italy, while more than 500 leading Aetolians were murdered and others exiled. Polybius was one of the Achaean hostages sent to Italy, where they remained for 17 years. Callicrates, the general of the Achaean league, supported the deportation of the hostages, and his administration was unashamedly pro-Roman. On a number of occasions, as in 165, the senate refused to allow the Achaean exiles to return in case this would have an impact on Callicrates’ government (Polyb. 30.32.6–12: doc. 5.38). When Scipio Aemilianus was finally able to enlist Cato’s support in 150 and arrange for the exiles to return, only 300 of them were still alive. Rome’s policy in the mid-second century of supporting repressive pro-Roman governments in Greece, like those of Callicrates in Achaea and Charops in Epirus, was successful, but productive of periodic unrest and hardly promoted ‘the freedom of the Greeks’ as proclaimed by Flamininus at the Isthmian Games of 196.

The partitioning of Egypt, 163–162 BC

The brothers, Ptolemy VI Philometor and Ptolemy VIII Euergetes II had ruled jointly in the face of the threat from Antiochus IV, but Philometor was expelled by his younger brother in 164. He sought the support of Rome, which partitioned Egyptian possessions, with Euergetes given Cyrenaica, and Philometor Egypt and Cyprus. Euergetes, however, was not happy and made several attempts to gain possession of Cyprus, visiting Rome to request that it be given to him, as his share would still be inferior to his brother’s (Polyb. 31.10.1–3: doc. 5.39).

Euergetes made Rome his heir, publishing his will after an assassination attempt by his brother in 156/5. He was presumably the Ptolemy who offered marriage to Cornelia, mother of the Gracchi (Plut. *Ti. Gracch.* 1.7: doc. 8.1). Perceiving the economic and strategic importance of Egypt, the Romans decided that it was politic to minimise and divide its power, and supported Euergetes for this reason, sending envoys with him to Cyprus with instructions to establish him there without warfare. When this was impossible, Euergetes made his own unsuccessful attempts at annexing the island, and finally succeeded his brother Philometor in 145, marrying his sister Cleopatra, Philometor’s wife, their joint sister. Polybius commented that many of

Rome's decisions in his day were of this kind: 'they effectively increase and build up their own empire through the mistakes of their neighbours, simultaneously granting a favour and appearing to confer benefits on those who commit the mistakes' (Polyb. 31.10.1–10: doc. 5.39). It was in Rome's interests that kingdoms like Egypt turned to them in cases of internal conflict, rather than another protector who would take advantage of the position.

Treaty with the Jews, 161 BC

At the death of Antiochus IV in 163, leaving his 9-year-old son as his successor, his nephew Demetrius, son of Seleucus IV, who had been a hostage at Rome for 16 years, asked the Romans to place him on the throne which was rightfully his. When Rome refused, he escaped with the help of Polybius (Polyb. 31.11–15) and seized the throne in 161 as Demetrius I Soter ('Saviour'). Rome allowed him to rule, but supported opposition against him, such as the pretender Alexander. The Jews had rebelled under Antiochus IV and they defeated Demetrius in 161. Judas Maccabaeus, the high priest, then sent an embassy to Rome, 'a very great journey', to request an alliance, which the senate granted, as 'the kingdom of the Greeks was reducing the Jews to slavery' (I Macc. 8.17–32: doc. 5.40). This was the first recorded alliance between the Jews and Rome.

The *Book of Maccabees* records the terms of the alliance on the bronze tablet sent to Jerusalem by Rome: the Jews were to give military support to Rome in the event of an attack on Rome or its allies, and were not to supply grain, arms, money, or ships to the enemy. The same terms were laid down for Rome, should the Jews be under attack. The tablet also recorded that the senate had written to Demetrius about the way he was wronging the Jews, and warning him that should they appeal again to Rome, he would be judged at fault and war declared against him. However, no military help was sent; Demetrius' army attacked Judaea and Judas Maccabaeus was killed in 160. The alliance was renewed in 142, 139, and 132, but for the next 50 years Rome avoided sending military assistance of any sort to Judaea.

Rome's conquest of Greece

In the mid-second century Rome was increasingly involved in numerous simultaneous theatres of war. These included Dalmatia c. 155; Spain from 154 to 133; Macedonia, where a pretender, Andriscus, had initial successes in 149, but was captured in 148; Carthage between 149 and 146; and mainland Greece in 146, when Corinth was sacked and enslaved by the consul Lucius Mummius, after which Greece, with Macedonia, became a Roman province. The province of Asia was to follow, after the death of Attalus III of Pergamum in 134/3 (Map 6).

The sack of Corinth, 146 BC

When the remaining Achaean exiles arrived back in Greece, it was to find that Sparta, once again, was on bad terms with the rest of the Achaean league, and when it seceded, the league took steps to force it to rejoin, against the advice of embassies from Rome

and Q. Caecilius Metellus Macedonicus (cos. 143), the Roman commander in Macedonia. When the league declared war on Sparta in 146, Metellus marched south from Macedonia, to take charge of affairs until the arrival of the consul L. Mummius. The league was defeated and its centre, Corinth, sacked and burnt; all its property was auctioned by senatorial decree, the captives slaughtered, and the women and children sold into slavery, as well as slaves who had fought for the Achaeans (Paus. 7.16.1–10: doc. 5.41).

While Mummius gained the reputation of being a philistine (he was a *novus homo*, though his father had been praetor), and Polybius (39.2.1–2) records that his soldiers played dice on masterpieces of Greek art, he ensured that the best works were taken to Rome, with the less distinguished awarded to Philopoemen, the general of Rome's ally Attalus II of Pergamum. Pausanias comments that even in his own day there was still Corinthian booty at Pergamum (Paus. 7.16.8). According to Pliny (35.24), Aristides' picture of Dionysus, which was dedicated in the temple of Ceres on the Aventine, was the first picture from abroad to become Roman property, but foreign art had in fact been brought to Rome since Marcellus' capture of Syracuse in 212. Attalus had been willing to pay 100 talents for the painting, but Mummius refused to let him have it when he became aware of its true value.

The walls of the Greek cities that had fought against Rome were razed and their weapons seized, and when commissioners from Rome arrived all Greek confederacies based on race (the Achaean, Phocian, Boeotian, and other leagues) were dissolved. Democracies were put down and governments with property qualifications installed in their place. Tribute was imposed, and Achaea was made to pay 200 talents to the Spartans.

The province of Achaea

Macedonia and southern Greece together became a Roman province, known as Achaea, and Mummius as proconsul in 145 oversaw the reorganisation of the province with the help of a senatorial commission, to which Polybius acted as advisor. Mummius also set up a number of dedications in Greek sanctuaries, including Delphi and Olympia (Polyb. 39.6.1), put on Greek theatrical performances at his triumphal games, and built a temple for Hercules Victor, which he had vowed during the war, which was dedicated in 142 (ILS 20: doc. 5.42; Figure 3.9). He also presented towns in Italy and Spain with works of art from Corinth, and an inscription from Italica in Spain records a dedication from the spoils (ILS 21d: doc. 5.43); Mummius had connections with Spain after being praetor in Hispania Ulterior in 153. He took the agnomen 'Achaicus', and achieved the censorship in 142 alongside Scipio Aemilianus.

Metellus also celebrated a triumph, took the name Macedonicus, and erected the Porticus Metelli from the plunder, which he decorated with Greek works of art. He became consul in 143 and censor in 131 and was noteworthy for the fact that all his four sons (Quintus [Balearicus] in 123, Lucius [Diadematus] in 117, Marcus in 115, and Gaius [Caprarius] in 113) became consuls and three received an agnomen from their victories. In addition, the consuls of 119 Lucius (Delmaticus) and 109 Quintus (Numidicus) were his nephews, sons of his brother L. Metellus Calvus (cos. 142).

The Roman settlement of Greece, with the removal of democratic governments in favour of ones based on a census qualification, was unpopular, and there was a revolt in the Achaean town of Dyme on the west coast of the Peloponnese, demanding the cancellation of debts, perhaps a consequence of the tribute exacted by the Romans: it is significant that public records were burnt as part of the uprising. The pro-Roman inhabitants of the town then appealed to the proconsul Q. Fabius Maximus; this may have been Q. Fabius Maximus Eburnus, consul in 116 and possibly proconsul in Achaea.

Fabius' letter to the citizens of the town accuses the rebels of the worst kind of political disorder, not only by the cancellation of debts, but by acting 'contrary to the freedom granted the Greeks' by the Romans (*SIG³ 684: doc. 5.44*). Sosus who was the ringleader was sentenced to execution, as was Phormiscus who had assisted in the burning of the archives. A lesser rebel, who had helped Sosus draft the legislation, was summoned to Rome to stand trial before the praetor peregrinus. Clearly some of the Greeks did not agree that Rome had granted the Greek cities freedom, while the Romans saw the undemocratic governments that they had imposed as integral to the security and stability of the province.

Attalus III of Pergamum

When Attalus III, an ally of Rome, died (probably in September 134), he was found to have left his kingdom to Rome in his will. Ptolemy VIII Euergetes II (Figure 5.8) had done the same in default of heirs, and Nicomedes IV of Bithynia was to act similarly in 75/4. The advantage of such a bequest was to ensure that no relatives or ministers would be tempted to hasten the ruler's demise, as the result would be that the kingdom would come into the power of Rome. Attalus III, who was childless, was only in his 30s at the time of his death, and the Romans appear to have been surprised at this news. The bequest may have been in response to a potential threat from the rebel Aristonicus, apparently an illegitimate son of Eumenes II and so Attalus' half-brother (on Attalus' death he claimed the throne as Eumenes III).

Attalus' bequest to Rome included the royal estates and treasures belonging to Pergamum, but left the city itself free, like all the other Greek cities in the kingdom, as well as temple properties: his will was almost certainly a temporary measure to head off any conspiracies. The good news was brought to Rome by the envoy Eudemus, and it so happened that the tribune Ti. Gracchus was the first to hear of it because Eudemus was staying with him as a guest-friend. Tiberius was therefore able to outmanoeuvre the senate by proposing, before it had even heard of the bequest, the use of the funds to supplement his agricultural legislation by granting subsidies to new settlers. He also went further, according to Plutarch, and flagged a motion to deal with the cities that Attalus had set free, presumably in relation to the payment of taxes to Rome, which gravely offended the senate (*Plut. Ti. Gracch. 14.1–2: doc. 8.14*). The bequest was accepted, however, and after Tiberius' death a senatorial commission was sent out, under the leadership of the pontifex maximus Scipio Nasica, who had been responsible for Tiberius' murder (*App. 1.68–69: doc. 8.15*). Scipio, however, died shortly after his arrival in Pergamum. When the pretender, Aristonicus, proclaimed himself Eumenes III in 131, an army was sent against him, commanded by the consul

P. Licinius Crassus Dives Mucianus (father-in-law of C. Gracchus and now pontifex maximus).

Aristonicus, who presented himself as a social revolutionary opposed to Rome, was supported by the rural population and slaves, as well as by the philosopher Blossius of Cumae, tutor of Tiberius Gracchus. Aristonicus was markedly successful against Roman commanders, though opposed by the Greek cities, and initially the Roman army was defeated and Crassus killed early in 130. Aristonicus was finally cornered by M. Perperna (cos. 130), and taken to Rome and executed, and Perperna sent the treasures of Attalus to Rome where they were publicly auctioned. Perperna also died in Asia early in 129, and was replaced by M'. Aquilius who with a senatorial commission continued the organisation of the new province. Blossius committed suicide rather than face the wrath of Rome. A decree of the senate in 129 instructed the praetors dispatched to Asia to ensure that any regulations, gifts, concessions, or fines made by the kings in Asia up to one day prior to the death of Attalus would remain in force. This ruling tacitly abolished anything done in the name of Aristonicus after Attalus' death (OGIS 435: doc. 5.45).

Polybius' aim in his history was to demonstrate how in less than 53 years (220–167) the Romans had succeeded in bringing almost the entire inhabited world under their sole control (Polyb. 1.1.6). At the point at which his history began, in 264, the Ptolemaic and Seleucid kingdoms, plus Macedon, had been the powerbrokers of the East, with Rome at the start of a lengthy war against Carthage, which in terms of trading networks and overseas territory was far superior in resources. Between then and the end of the Third Punic War, Rome had successfully defeated and annihilated Carthage, subjugated and divided Macedonia terminating the Antigonid dynasty, imposed its moral authority on Antiochus III, turned the Ptolemaic empire into a vassal kingdom, and put an end to the independence of Greece. It was now a superpower without rivals, and Polybius considered that Rome's constitution was the deciding factor in its rise to supremacy, which enabled it to deal with disasters that would have overcome other nations (Polyb. 6.12.1–16.5: doc. 1.59). At this point, however, Rome had no magistrates regularly based in the Eastern Mediterranean, and communicated its wishes and instructions through embassies and commissions: its auctoritas in the East was such that kingdoms and cities anxiously requested and followed Rome's directions. The establishment of the province of Achaea, after the conquest of Corinth, had been a new departure, shortly followed by the acquisition of Asia and its organisation as a province. This process had, however, begun earlier in the West: since the Punic wars, Rome had increasingly been acquiring provinces there governed by magistrates and promagistrates, often with catastrophic consequences for the provincials.

The Western Mediterranean

Following the Second Punic War, the senate's highest priority was the reconquest and subjugation of Cisalpine Gaul ('this side of the Alps') in order to regain control of northern Italy. It was considered so important a region that from 201 to 190 one or both consuls were assigned commands there, while down to the 170s there were generally as many legions in the region as in Spain. Prior to the Second Punic War, the consul M. Claudius Marcellus had defeated Gallic invaders at the Battle of Clastidium

in 222, when he killed Britomartus (Viridomarus) of the Gaesati in single combat (giving him the right to dedicate the spolia opima), and the Gauls were driven back to Mediolanum. Three new colonies at Placentia, Cremona, and Mutina were established to garrison the area, with the via Flaminia extended to Ariminum (modern Rimini).

The Boii and Insubres had been fighting the Romans for several years (the Insubres fought at Clastidium) and joined Hannibal after his arrival in the north; following the Battle of the Ticinus he was supported by all the Gauls except the Cenomani. After the defeat at the Battle of the Trebia in 218, the first major battle of the war, Rome was forced to abandon Cisalpine Gaul, though the colonies at Cremona and Placentia remained loyal. Once southern Italy was no longer under threat with Hannibal returned to Africa, Rome was able to consider its retaliation against the Boii and Insubres, and give rein to its desire for conquest and expansion in the area. The necessity for this was demonstrated at the end of 201, when Rome was heading towards war with Macedon (the Second Macedonian War), by the sacking of Placentia by a combined Gallic and Ligurian force (the Ligurians inhabited an area in north-west Italy, around modern Genoa). The Gallic army then attacked Cremona, which was saved by L. Furius Purpurio, the first praetor to celebrate a triumph for over 40 years. With the focus at Rome on Philip V and Macedon, the first real success in northern Italy in terms of reconquest took place in 197 when Flamininus was in command in the East. Both consuls for the year, C. Cornelius Cethagus and Q. Minucius Rufus, were accordingly free to serve in the north of Italy and successfully defeated both the Gauls and the Ligurians.

In the following year M. Claudius Marcellus (cos. 196 with L. Furius Purpurio), the son of the five-time consul, captured the town of Comum from the Insubres, and together the consuls defeated the Boii and took the town of Felsina; each celebrated a triumph. The Boii were finally subdued in 191 by the consul P. Cornelius Scipio Nasica, who confiscated half their territory. The other half was granted to Roman and Latin settlers, with a colony established in 189 at Bononia of 3,000 settlers, each with a grant of 50 iugera (12.5 hectares), with a larger allocation for cavalrymen. Another colony, that of Regium Lepidum (modern Reggio nell'Emilia), was founded by M. Aemilius Lepidus (cos. 187, 175) in his second consulship; earlier, as a member of a ten-man commission distributing land in Cisalpine Gaul and Liguria to Roman and Latin settlers in 183, he had established Parma and refounded Mutina, each with 2,000 colonists. A Latin colony was also settled at Aquileia in 181, and one at Luca in 180, and Cremona and Placentia were assigned 6,000 new families of colonists between them c. 190. These colonies, plus the treaties with the Insubres, gave the Romans control of northern Italy, though Liguria was not totally subdued until 155, and in 180 the consuls of 181 (P. Cornelius Cethagus and M. Baebius Tamphilus) deported some 40,000 males from Liguria to Samnium, with more deportations occurring in subsequent years. The conquest of Cisalpine Gaul and Liguria was an important step in the Romanisation of Italy and protection of Italy from the north.

Cato the Elder and Tiberius Gracchus (the Elder) in Spain

At the same time as the expansion in northern Italy, the Romans also began their attempts to take control of large areas of Spain, where the Celtiberians in the centre and the Lusitanians in the west of the peninsula were the most influential ethnic

groups. The country was not urbanised, but Punic and Greek cities were established on the coast, and the region was important for its iron and silver workings. Spain was to be a commercially successful investment for Rome, and by the 170s there was a fixed tax on the province (the stipendium) and a 5% levy on grain, while Polybius (34.9.8–11) stated that there were 40,000 slaves in the silver mines at New Carthage, with a daily revenue for Rome of some 25,000 denarii a day (36.5 million sesterces a year). The peninsula was a valuable enough possession for two new praetorships to be created in 197 (increasing the number of praetorships from four to six) to provide for two governors for the new provinces, Hispania Citerior and Ulterior (Nearer and Further Spain); the boundary between them was not precisely fixed but ran to the south-west of New Carthage (Map 6). The total annual tribute assessed for Spain in 152 by M. Claudius Marcellus (cos. 166, 155, 152) was 3,600,000 denarii and the wars in Spain also brought in a considerable amount of booty, though the conflict placed a heavy strain on Roman manpower, especially from 155 to 133.

The first Roman conquests took place during the Second Punic War when Scipio (Africanus) conquered New Carthage in 209 and Ilipa in 206. He also founded a colony of veterans at Italica near Ilipa on the right bank of the Baetis river to safeguard the southern region. After the end of the war, the senate decided to send regular magistrates to govern Spain and established the two Spanish provinces. At this point Rome was in control of a narrow strip of coast from the north-east to the south-west, together with the Baetis valley (today the Guadalquivir) and part of the Iberus (Ebro). The Spaniards immediately rose in response and C. Sempronius Tuditanus as governor in Hispania Citerior died after suffering a defeat in 196.

Despite the fact that his predecessor in Nearer Spain, Q. Minucius Thermus, as praetor in 196, soundly defeated the Turboletae at Turba, the senate decided to send M. Porcius Cato the consul-elect with two extra legions to Spain for 195. Cato had served with Scipio Africanus in Sicily as quaestor and as praetor in Sardinia in 198. He met with considerable opposition in the far north-east of the peninsula, and defeated several peoples north of the Ebro, also invading Celtiberia. In addition, he achieved military successes against the Turdetani and other tribes in the south. Cato himself boasted that he had captured more towns in Spain than he had spent days there. He secured the province by taking hostages and having town walls dismantled by the Spaniards themselves, thus leaving communities defenceless and totally open to attack (App. *Iber.* 161–170: doc. 5.46). Cato also organised the Roman administration in Spain, including the working of the silver mines at New Carthage, and was awarded three days of public thanksgiving (a supplicatio) and a triumph in 194. The senate made the mistake of disbanding Cato's army, as conflict in Spain was by no means resolved. From 194 the Lusitanians become prominent in the sources as an ever-present threat, and the praetorian governors of Spain were engaged with constant rebellions while arriving no nearer to pacification.

Another general of note, L. Aemilius Paullus (cos. 182, 168), as praetorian governor of Further Spain engaged with the Lusitanians between 191 and 189, finally defeating them in 189. A decree of his, recorded on a bronze plate, freed the serfs of Hasta and allowed them to retain the lands they were farming (*ILS* 15: doc. 5.47). This may have been an attempt to weaken the town of Hasta economically and territorially by establishing the serfs as a separate community. Hasta was, however, fighting the

Romans again in 186, when it was captured by the praetor C. Atinius, governor of Further Spain.

With Antiochus defeated in the East, the Romans in 187 were able to commit more troops to Spain. The number of legions in Spain was doubled, and the praetors for 186, C. Calpurnius Piso and L. Quinctius Crispinus, were awarded triumphs in 184 for victories over the Lusitanians and Celtiberians. The first general to invade the centre of Celtiberia was Q. Fulvius Flaccus (cos. 179), who served in Nearer Spain from 182 to 180, and forced the majority of the Celtiberians to surrender. He was succeeded in the province by Tiberius Gracchus (father of the tribunes), who as praetor in 179 imposed control over the rest of Celtiberia, defeating the Arevaci and other rebellious tribes in the central Iberian region, with the city of Numantia accepting terms. He was successful in organising a workable treaty system, which lasted for two decades, and was long remembered in Spain for his integrity (even though his triumph included 40,000 pounds of silver). He also founded two cities, Gracchuris (modern Alfaro) and probably Iliturgis (Mengibar). A Latin colony, Carteia, was also founded in 171 for the children of Roman soldiers and Spanish women. Events that took place in Further Spain at this time are less clear, but in 179 L. Postumius Albinus attacked the Vaccae and defeated both them and the Lusitanians.

Roman massacres and bad faith

Following Gracchus' governorship, the Roman offensive then halted for some 20 years until 155, as the Romans were engaged in the East, though conflict continued, especially against the Lusitanians between 166 and 160. From the mid-150s Spain became one of the most high-profile and demoralising theatres of war for Rome. Wars against the Lusitanians continued unabated from 154 to 139, and the Spaniards achieved marked successes under the leadership of the rebel Viriathus, while there were two major periods of conflict against the Celtiberians from 154 to 151 and 143 to 133. Rebellions were fuelled by the avarice and ambition of Roman governors who wanted conquests and triumphs at any cost, and who were prepared to repudiate agreements without any concern for their integrity or that of Rome. The earliest reference to a trial for extortion (*repentundae*) relates to Spain and dates to 171, when Spanish allies brought a charge of rapacity against their former governors P. Furius Philus and M. Matienus. M. Porcius Cato, P. Cornelius Scipio, L. Aemilius Paullus, and C. Sulpicius Gallus acted as prosecutors on the provincials' behalf, and both the accused went into voluntary exile. The senate then decreed that governors in Spain should not be able to set the value for grain, or compel the Spaniards to sell at the price demanded by the promagistrates.

The Celtiberian War (154–133) began when, under the leadership of Punicus, the Lusitanians in the West ravaged Roman territory and defeated two praetors, even overrunning part of Mauretania in North Africa. Punicus was accidentally killed, but in 153 his successor Caesarus was able to defeat the praetor L. Mummius (cos. 146), taking his camp and killing some 9,000 Romans, though Mummius was able later to recapture the plunder and Roman standards and celebrated a triumph. The Lusitanians' success encouraged Celtiberian tribes such as the Arevaci to emulate their rebellion against Rome, and the consul Q. Fulvius Nobilior was badly defeated in 153

in an attempt at taking Numantia after elephants provided by Massinissa went feral. Polybius (35.1.1) characterised this war as the ‘fiery war’.

Nobilior’s successor, M. Claudius Marcellus, consul in 166, 155, and 152, brought the Celtiberian tribes (the Arevaci, Belli, and Titthi) to sue for peace. The tribes handed over hostages and an indemnity, asking Marcellus to renew the terms made by Gracchus. Marcellus, as proconsul in 151, agreed to a peace and envoys were sent to the senate. However the terms were not approved, as the senators were anxious for further military triumphs, and a fresh army was conscripted for Spain to serve under L. Licinius Lucullus, consul for 151, Marcellus’ replacement. It was already becoming difficult to raise sufficient troops to fight in Spain, and Scipio Aemilianus made a point of joining this campaign (in which he won the *corona muralis*) as a military tribune, rather than proceeding to Macedon where he had been invited to settle disputes. Marcellus, however, made an agreement with the Belli, Titthi, and Arevaci before Lucullus’ arrival, which terminated the war.

Appian recounts in some detail the bad faith with which the Spaniards were treated by the Roman commanders Lucullus and Galba (*App. Iber.* 215–255: doc. 5.48). One of Lucullus’ first actions was to attack the Vaccaeui, a Celtiberian tribe neighbouring the Arevaci, even though they were not at war with Rome and he had no authorisation from the senate. After an initial engagement in 151 in which his troops killed some 3,000 of the inhabitants of Cauca outside the town, he ordered the slaughter of 20,000 of the inhabitants, though they had surrendered, and sacked the city, bringing, as Appian comments, the Romans into disrepute. A further siege of the town of Intercatia, which resisted after the fate of Cauca, was successfully terminated by Scipio Aemilianus (who had killed an opponent in single combat), as the Celtiberians were prepared to negotiate with him. Appian comments drily that Lucullus was balked of his desire for gold and silver, as these particular Spaniards set no value on such metals, and Lucullus was not called to account by the senate, even though he waged war without the authority of the Roman people.

In Lusitania, meanwhile, Ser. Sulpicius Galba (cos. 144), praetor in Further Spain in 151 and prorogued for 150, following a defeat in which he lost 7,000 men, agreed to renew the treaty made by his predecessor M. Atilius, promising to settle the Lusitanians in fertile country. He had them divided them into three groups and then massacred after they had surrendered their weapons, despite his guarantees of good faith. Appian again criticises the Romans’ lack of rectitude, describing Galba as acting not like a Roman, but like ‘a barbarian’. His actions rebounded on the Romans, however, as one of the few Spaniards who escaped the slaughter was Viriathus, who from 147 to 139 was to be one of their most successful generals. After eluding the massacre, he was appointed the Lusitanian leader, at a time when the Roman army was occupied by the Third Punic War. He formed a coalition of Celtiberian and Lusitanian tribes, and using both battlefield and guerrilla tactics defeated at least four Roman armies; from 145 Rome was sufficiently concerned about the threat he posed to send consuls against him. Appian pronounced that, of all the dishonourable Roman commanders in Spain, Galba was more avaricious even than Lucullus, and prepared to lie or perjure himself in any way for gain: he even denied his own troops their appropriate share of the booty, though he was one of the wealthiest Romans of his time. He was justly prosecuted for corruption, but ‘although hated and brought to court, he escaped because of his wealth’ (*App. Iber.* 255: doc. 5.48).

The harsh realities of Roman diplomacy in Spain were disgraceful even by Roman standards, and Galba was prosecuted for massacring the Lusitanians in violation of his good faith, an action which was seen to reflect on the honour of Rome itself. The charge was brought in 149 by the tribune L. Scribonius Libo and supported by Cato, now 85 years of age, who published his speech against Galba in book 7 of his *Origines* (Gell. 13.25.15). Galba was however acquitted, after he had produced his children and the orphaned son of C. Sulpicius Gallus (cos. 166) to encourage the populace to be merciful, and in fact went on to become consul in 144. In noting how successful an emotive appeal in a trial could prove, Cicero remarks that the use of tears, pleas, and laments over the possible fate of the young children of the defendant could be of as much value to an orator as the ability to convince his auditors (Cic. *Brut.* 89–90: doc. 5.49). When, as consul for 144, Galba disagreed with his colleague L. Aurelius Cotta over which of them should have the command against Viriathus, the senate chose neither, but appointed Q. Fabius Maximus Aemilianus, a consul of the preceding year and elder brother of Scipio Aemilianus, to continue the war in Spain. Fabius Maximus defeated Viriathus but failed to capture him, and the Celtiberian war continued until the fall of Numantia under the command of Scipio himself over a decade later in 133.

Further repudiation of treaties

From 144 the war in Spain centred on the Celtiberian town of Numantia (Map 6), and the inadequacies of Roman commanders were exacerbated by the constant repudiation by Rome of agreements made in the field. Q. Fabius Maximus Servilianus (the adoptive brother of Fabius Maximus Aemilianus), sent to Further Spain as consul in 142, initially defeated Viriathus, though at the loss of a considerable number of men, but in his own turn was defeated at Erisane and his army pinned against some cliffs with no chance of escape. This led to an agreement of peace on equal terms, which was considered demeaning but still ratified at Rome, and Viriathus was declared a friend and ally of the Roman people (*socius atque amicus*) and his conquests confirmed.

Despite this Q. Servilius Caepio (cos. 140), Servilianus' brother who succeeded him as governor, represented at Rome that the treaty was unworthy of the Roman people and persuaded the senate to resume the war. Viriathus was finally assassinated by treachery in 139, with Caepio organising the murder: the assassins Audax, Minurus, and Ditalco had been sent by Viriathus in 139 to negotiate with Caepio, who bribed them instead to kill Viriathus. However, he then refused them their rewards, referring them to Rome for their demands, which were refused by the senate. Eutropius reports that the answer given them by the senate was that 'it was never pleasing to the Romans that a general should be killed by his own soldiers' (Eutrop. 16). Viriathus was given a splendid and heroic funeral with a lofty funeral pyre and gladiatorial contests. While Appian does not explicitly make the contrast between the honourable 'barbarian' and the dishonourable Romans, he comments that Viriathus was always the first in facing danger, and most scrupulous in dividing the plunder, with all the booty divided between the bravest in the engagement (App. *Iber.* 75), and Livy considered him a great man and military leader (Livy *Per.* 54: doc. 5.49).

In 141 the consul Q. Pompeius was sent to Nearer Spain to replace Q. Caecilius Metellus Macedonicus (cos. 143), who had won a victory against the Arevaci, and take command of the Numantine war. After suffering several defeats and failing to take both Termantia and Numantia, he kept his troops encamped outside Numantia during the winter, resulting in a considerable number of deaths. As a result he decided to make an underhand peace before having to answer to the senate for his failure. The Numantines agreed to surrender at discretion, and Pompeius assured them that this would entail only the payment of 30 talents and the handover of a number of hostages. This outcome was considered disgraceful at Rome, and as a result, when M. Popillius Laenas (cos. 139) arrived to take over command, Pompeius denied having entered into any such agreement, though his statement was disproved by his own officers. The case was brought before the senate, where Pompeius and the Numantines debated the issue, and the senate decided that the war should continue. Both brothers, Cn. and Q. Servilius Caepio, the consuls of 141 and 140, were involved in Pompeius' prosecution. Laenas proceeded to attack the neighbouring tribes of the Lusones, but unsuccessfully, and was routed by the Numantines when his troops were attempting to scale the city walls (*Livy Per.* 55: doc. 5.50). He had to leave Spain with nothing accomplished on the arrival of his replacement C. Hostilius Mancinus (cos. 137) as governor of Nearer Spain.

In Further Spain D. Junius Brutus (Callaicus) as consul in 138 (with P. Cornelius Scipio Nasica Serapio), after following a scorched earth policy and considerable plundering of towns, subdued Lusitania, founding Valentia (presumably granting the land as settlement for his soldiers who had fought *against* Viriathus, rather than, as Livy's text states, for him), and as proconsul in 137 crossed into Gallaecia, the first general to do so (*Livy Per.* 55–56: doc. 5.50). There he received the surrender of Talabriga under discretion. He took the locals' weapons and hostages and ordered them to vacate the town, but allowed them to resettle, after depriving them of their horses, provisions, money, and other resources. In 136 he went to the aid of L. Aemilius Lepidus against the Vaccaeui, but unsuccessfully. He was awarded a triumph for his pacification of Lusitania and southern Gallaecia and the agnomen Callaicus.

C. Hostilius Mancinus and Tiberius Gracchus, 137 BC

The *Periochae* of Livy record that, when the consul C. Hostilius Mancinus left for Spain in 137, his departure was accompanied by evil omens: the cry 'Stay, Mancinus!' was heard, and the sacred chickens flew out of their enclosure while he was sacrificing (*Livy Per.* 55: doc. 5.50). Clearly Mancinus' defeat was seen as critical in retrospect, both in itself and because of its role in antagonising the future tribune, Ti. Sempronius Gracchus, against the senate. Mancinus continued the war against the Numantines, as the peace treaty negotiated by Pompeius had failed to be supported by the senate, but suffered a number of defeats. He then attempted to withdraw from his camp near Numantia by night, after hearing the rumour that the Cantabri and Vaccaeui were coming to the town's assistance. Despite his superior numbers, he was attacked by the Numantines during the manoeuvre, and encircled, forced into a position from which his army was unable to fight its way out. Livy states that 40,000 (more probably 20,000) Romans were defeated by 4,000 Numantines (*Livy Per.* 55).

The Numantines refused to treat with Mancinus, but were prepared to trust his quaestor Ti. Gracchus, because of the respect in which they still held his father (cos. 177, 163). Tiberius was able to negotiate a truce which saved the 20,000 soldiers, not including camp-followers, while the Numantines retained the property of the Roman camp as plunder (*Plut. Ti. Gracch.* 5.1–6: doc. 8.7). The agreement (the *foedus Mancinum*) caused consternation at Rome, and Mancinus was summoned home and replaced in command by his fellow consul M. Aemilius Lepidus Porcina. As an excuse to provoke further hostilities, Lepidus accused the Vaccaeii of provisioning the Numantines during the war and ravaged their country, laying siege to Pallantia, although the treaty with Rome had not been violated and he had instructions from the senate not to do so. He received the help of Junius Brutus (Callaicus), his brother-in-law, from Further Spain, but the siege, a protracted one, was not successful. The retreat from the town was disorderly, with the sick and wounded abandoned, and the Pallantines harassing their rear. As punishment Lepidus was deprived of his command and the consulship, as well as fined. Appian (*Iber.* 349) classifies him as one of those commanders who ‘took their governorships not for the benefit of the state, but for fame, material rewards, or the honour of a triumph’. Lepidus’ successor, Q. Calpurnius Piso (cos. 135), made the decision not to move against Numantia, and after some plundering in the territory of Pallantia spent the rest of his term in winter-quarters.

The senate’s decision was to continue the war and repudiate the treaty brokered by Tiberius, and so, to honour Rome’s good faith, Mancinus was handed over to the Numantines naked and in chains. The Numantines turned down the offer, and, when delivered to them by L. Furius Philus (cos. 136), they declined to receive him. At Rome the tribune P. Rutilius had him expelled from the senate, but remarkably he was later elected to a second praetorship. He even, according to Pliny the Elder (34.18), commissioned a statue of himself being handed over to the Numantines. Mancinus had argued in his own defence that the defeat was not his fault as the war had been shown to be ill-omened by the portents at his departure from Rome, and that Pompeius had handed over to him an army which was ill-supplied and unready for battle. The most significant outcome of this episode was the effect which the senate’s repudiation of the treaty had on the future career of Tiberius Gracchus: Cicero, not an admirer of the Gracchi, considered the resentment felt by Tiberius to have been the main reason for his opposition to the senate in his legislative programme (*Cic. Har. Resp.* 43: doc. 8.8). It also raised bad blood between Tiberius and his cousin Scipio Aemilianus: in 136, when the Mancinus affair was under discussion, Aemilianus had advised the consul Furius Philus not to accept the peace brokered by Tiberius. On Tiberius’ part this again caused considerable resentment, and Aemilianus was also to be opposed to Tiberius’ agenda as tribune.

Scipio Aemilianus and Numantia

The Numantine war had now dragged on for two decades, ‘not without shame’ (*Livy Per.* 56: doc. 5.51): the Romans’ frequent repudiation of agreements and treaties, both in the field and after the event by the senate, had hardened Spanish resistance, even though by 135 only the northern peoples and the Arevaci of the Numantine region

were still unsubdued. Despite this, disillusionment over the war in Spain was widespread at Rome, and the people turned to Scipio Aemilianus as the solution, as the only man who could finish the war. Scipio, after his conquest of Carthage (he had been awarded the agnomen Africanus like his adoptive grandfather), had been censor in 142 with L. Mummius when they restored the pons Aemilius and adorned the Capitol. He was a popular figure and well acquainted with Spain: as military tribune in 151 under the unedifying Lucullus he had won the corona muralis (he was also awarded the coronea graminea in Africa in 149 or 148, when military tribune).

Scipio was elected consul in 135 for 134, despite the ban on holding a second consulship (*Livy Per. 56*: doc. 5.51), so that he could lead the army in Spain and win the protracted and debilitating war. Accordingly, the senate decreed that the tribunes should repeal the law, and re-enact it for the following year to allow Scipio's election (Appian is incorrect in stating that he was still underage: *App. Iber. 364*: doc. 5.52). Enthusiasm for recruitment was at an all-time low, and rather than levy soldiers to supplement those already in Spain Scipio took with him a force of volunteers and 500 of his clients and friends, amounting in all to some 4,000 troops. Having heard it reported that the army in Spain was badly disciplined and given to idleness and luxury, he tightened up discipline and training, evicting all unnecessary camp-followers and equipment. Appian reports that he removed merchants, prostitutes (*Livy* numbers these at 2,000), and diviners, who were being constantly consulted because of the succession of defeats. He also forbade the use of any unnecessary items: all superfluous wagons and draft animals were sold, and soldiers were only permitted the most basic equipment for cooking: only boiled and roast meat was allowed, and beds were forbidden. Everyone had to march, and the use of mules was prohibited, as was the service of slaves, so soldiers now had to apply their own oil after bathing: Scipio joked that it was only those with no hands, like mules, who needed others to rub them down (*App. Iber. 367–370*: doc. 5.52).

P. Rutilius Rufus (cos. 105) served as military tribune at Numantia, and Appian's detailed account may derive from his historical writings. Polybius, Marius, and Gaius Gracchus, Scipio's cousin, were also present at the siege, as well as Lucilius the satirist, who describes Aemilianus as expelling the camp-followers 'like shit thrown out of doors' (*Lucil. 11.430–431*). After disciplining and hardening the soldiers by regular forced marches and camp and fortification construction, Scipio then proceeded through the lands of the Vaccae, where he stockpiled food for his troops. He also destroyed what remained of the crops so that the Vaccae could not continue supplying provisions to Numantia. On reaching Numantia he was joined by Jugurtha, grandson of Massinissa, who brought with him 12 elephants and a contingent of archers and slingers from Numidia.

As part of his strategy for starving out the inhabitants, Scipio established two camps, one commanded by himself, the other by his brother Q. Fabius Maximus Aemilianus, and refused battle, intending to reduce the Numantines by famine. The city was surrounded by seven towers and by enclosing works nine kilometres in length. A further ditch parallel to this one was fortified with palisades and a wall two and a half meters wide and three meters high, with towers every 30 meters, and the adjoining marsh was protected by an embankment of the same height and width. He also prevented the river Durius, which went through the city's foundations, from being used

as a means of access. Of his 60,000 troops, half were to guard the wall, 20,000 fight from it when necessary, and the remaining 10,000 stay in reserve. When approached by envoys he refused to consider the city's starving condition and insisted that they surrender their arms and place themselves at his discretion. A desperate sortie was beaten back, and many of the survivors who had had to resort to cannibalism committed suicide: Scipio allowed them a day so that those who chose to do so could take their own lives. Appian comments on the expressions of the survivors, which displayed 'their grief, their suffering, and their consciousness of their cannibalism' (App. *Iber.* 419–424: doc. 5.53). Fifty of the prisoners were chosen for Scipio's triumph and the rest sold as slaves. The city, like Carthage, was razed to the ground, to ensure that no revival was possible. Scipio divided the Numantine territory between its neighbours and ensured that the other cities in the area were properly quiescent, before sailing home. The Romans sent ten commissioners to organise this new territory together with that conquered by Brutus Callaicus in the west.

With the brutal and pragmatic destruction of Numantia, only the north-west of the peninsula was now outside of Roman control, though the Lusitanians were not totally quiescent, and further revolts took place in Spain, following the repulse of the Germans by Marius. T. Didius (cos. 98) as governor of Nearer Spain was sent to quell the Arevaci in 97 and remained there until 93. He killed some 20,000 insurgents of the Arevaci and took Colenda, while he massacred by treachery all the inhabitants of a nearby town. Q. Sertorius was one of his military tribunes. Didius celebrated a triumph over the Celtiberians in 93, but his lack of good faith and brutality had been such that C. Valerius Flaccus (cos. 93) had to be sent out in 92 to quell a further revolt. The conflict in Spain had been continually marked by Roman treachery, with peace terms made by Fabius Maximus, Pompeius, and Mancinus, among others, repudiated by the senate. The conquest of Spain, however, from Rome's point of view was the final phase in an era in which the Romans had



Figure 5.8 A tetradrachm from the co-regency of Ptolemy VI Philometor and Ptolemy VIII Euergetes II (Physcon) with their sister Cleopatra II, between 170 and 163 BC. On the obverse the diademed head of Ptolemy I, successor of Alexander the Great and ruler of Egypt 323–283/2 BC, wearing an aegis around his neck; on the reverse an eagle standing on a winged thunderbolt.

Source: Courtesy of Classical Numismatic Group

won control of Sicily, Africa, Macedonia, Greece, and Spain and imposed their will on states in the Eastern Mediterranean. Fittingly, perhaps, it was while he was at Numantia that Scipio heard the news of the assassination of his cousin, Tiberius Gracchus – one of the events that was to lead directly to the civil wars of the first century and the fall of the Republic.

The impact of conquest on Rome

The spoils of war

Between Marcellus' capture of Syracuse in 212 and Mummius' sack of Carthage in 146 Rome was flooded with the spoils of war, including not only art, but precious metals, furnishings, gems, luxury items, and of course slaves. Vast sums of money and thousands of precious artefacts were acquired and brought to Rome, enriching both commanders and the Roman treasury; after the battle of Pydna and the looting of the Macedonian capital Pella, Rome had even been able to discontinue the practice of direct taxation for citizens. Commanders could retain a substantial share of booty for themselves, which could then be used for the building of temples, monuments, or other public purposes, to advertise the general's successes. While works of art could be kept as private property, dedications of these were often made in temples, with an inscription celebrating the victorious donor. M. Claudius Marcellus, for example, had acquired numerous Greek statues in his capture of Syracuse, which he dedicated in his temple of Honour and Virtue (only keeping one object for himself), while works of art appropriated by Aemilius Paullus and L. Mummius beautified Italy and the provinces. Cicero praises Aemilius Paullus, Scipio Aemilianus, and Mummius for retaining little wealth for themselves (*Cic. Off.* 2.76; cf. *Polyb.* 39.6.1). Some Romans, however, made enormous profits from military campaigns: Aemilius Paullus, who kept only Perseus' library for his sons, and a silver bowl for his son-in-law Aelius Tubero (even though there were 6,000 talents of gold and silver in the Macedonian treasury), was an exception, and his private fortune was considered 'rather meagre', despite the fact that he left more than 60 talents in his will (*Plut. Aem.* 28.16, 39.5: 370,000 drachmas; cf. *Polyb.* 18.35.5–6). His son, Scipio Aemilianus, conqueror of Numidia and Carthage, was also a man of only moderate property 'for a Roman' (*Polyb.* 18.35.10).

Some of the more spectacular acquisitions from plundered art were Lysippus' statue of Hercules brought by Fabius Maximus from Tarentum in 209 (*Livy* 27.16.7–9; *Plut. Fab.* 22.5); the statues of bronze and marble belonging to Philip of Macedon acquired by Flamininus in 194 (*Livy* 34.52.4–5); the spoils won in Fulvius Nobilior's conquest of the Aetolians in 189, including 285 bronze and 230 marble statues – he left the terracottas, though some were by Zeuxis (*Livy* 39.5.13–16; *Pliny* 35.66); the 1,423 pounds of engraved silver vases displayed in Lucius Scipio's triumph in 186 over Antiochus (*Livy* 37.59.4–5); the 250 wagons full of loot paraded in Aemilius Paullus' triumph after Pydna, including an Athena by Pheidias (*Plut. Aem.* 32–3; *Diod.* 31.8.11–12); and the Granikos Monument of Lysippos brought back by Q. Caecilius Metellus after his campaign in Macedonia (*Vell.* 1.11.3–4).

There were strict rules for the acquisition and division of booty, which was the way in which troops were rewarded for victory: the troops of Aemilius Paullus were unhappy at their share from Macedon, despite the sacking of Epirote cities for their

benefit. Generally allied and citizen soldiers received the same share of booty, and when C. Claudius Pulcher, cos. 177, gave the allied soldiers only half shares, they marched in silence at his triumph to show their displeasure (Livy 41.13.8). Commanders could undertake campaigns specifically with a view to the acquisition of booty: the lex Claudia of 218 limited ways in which Roman senators or their sons might engage in trade, and they were prohibited from owning sea-going ships of a capacity of more than 300 amphorae, ‘since money-making was considered undignified in a senator’ (Livy 21.63.4). Provincial governors could also make huge profits, even without undertaking a military campaign: Verres as governor in Sicily extorted 40 million sesterces in three years (Cic. *Verr.* 1.56).

The rewards of victory

The treasury, and hence the Roman people, benefitted greatly from their generals’ successes: Scipio Africanus brought 123,000 pounds of silver into the treasury, and gave 40 asses to each soldier (Livy 30.45.3); Cato after his campaign in Spain brought back 25,000 pounds of silver bullion, 123,000 silver bigati, 540,000 Oscan silver coins, and 1,400 pounds of gold, while his soldiers received 270 asses each, and cavalrymen twice that (Livy 34.46.2–3); Flamininus in 194 returned with 18,270 pounds of silver, 84,000 tetradrachms (silver coins worth four drachmas), 3,714 pounds of gold, 14,514 gold coins, and numerous works of art while 250 asses were given to each of the infantry, 500 to centurions, and 750 to equites (Livy 34.52.4–11, Plut. *Flam.* 14). L. Scipio in his campaign against Antiochus acquired 137,420 pounds of silver, 214,000 Attic tetradrachms, 321,070 cistophoroi, 140,000 Macedonian gold coins (Philippei), 1,423 pounds of engraved silver vases and plate, 1,023 pounds of gold vases, 234 gold crowns, 1,231 ivory tusks, and 134 models of towns; his soldiers were given donatives in silver: 25 denarii to infantry, 50 to centurions, 75 to equites (Livy 37.59.3–6).

This plunder was not used to recoup the costs of the war, which were reimbursed by the defeated enemy. According to Livy’s figures, between 200 and 167 BC 250,000,000 silver denarii or the equivalent were acquired by the state through indemnities and booty, while Pliny records that the treasury in 157 had a vast surplus of over 100 million sesterces (Pliny 33.55–56). Huge numbers of slaves were acquired in conquest, like the 150,000 Epirotes in 167 (Livy 45.34.6: doc. 5.34); once Delos was set up as a free port after 167, it could handle the sale of 10,000 slaves a day, according to Strabo (14.668, referring to 142–137 BC). The availability of slaves, of course, had a great impact on agriculture in Sicily and Italy, and the growth of slave-run estates resulted in the two Sicilian slave revolts.

Hellenic culture and Rome

Scipio Africanus and Hellenic culture

As the Second Punic War was drawing to its conclusion in 204 and Scipio Africanus was preparing to take the war to Africa, he was criticised for his undisguised appreciation of Hellenic culture which was seen as un-Roman, at least to the extent that as a Roman commander on duty he should not have displayed this taste so publicly.

Scipio's brother Lucius was also a lover of Greek culture, and a statue set up on the Capitol after the defeat of Antiochus in 189 showed him dressed in Greek fashion, in sandals and chlamys (*Cic. Rab. Post.* 10.27). According to Livy, when the Locrians came to complain about the behaviour of Scipio's legate Pleminius, who had despoiled the temple of Proserpina there after the recapture of Locri in 205, the great Fabius Maximus asserted in the senate that Scipio's behaviour had been such as to corrupt the soldiers' discipline, and he demanded his recall as a penalty for leaving his province for Africa without permission, which in fact Scipio had not done (Fabius was opposed to the invasion of Africa). Other opponents of Scipio criticised his un-soldierly and un-Roman appearance, his frequenting the gymnasium at Syracuse in Greek mantle (pallium) and sandals, the time he spent studying books written in Greek and physical exercise in the palaestra, and the fact that his retinue was enjoying the leisured lifestyle in Syracuse, instead of making preparations against Carthage and Hannibal; they were, in fact, more danger to Rome's allies than to the enemy (Livy 29.19.10–13: doc. 5.54).

Plutarch also presents Cato, who was Scipio's quaestor at Syracuse, complaining in the senate of Scipio's extravagance, pampering of his troops, and expenditure of time in the palaestra and theatre (*Cato Mai.* 3.5–8). After debate, the senate finally decided that if Scipio had not been complicit in the misconduct at Locri he should stay with the army and conduct the war as planned. M. Pomponius, the incoming governor of Sicily, and other senatorial legates, were commissioned with the investigation into the criticisms of Scipio's behaviour and the slack discipline of his troops. When these arrived at Syracuse, Scipio gave them a demonstration of manoeuvres by his army and fleet, and convinced them that he was well prepared for war (Livy 29.22).

The triumph of Cn. Manlius Vulso, 186 BC

Cn. Manlius Vulso became consul in 189 after several unsuccessful attempts. He took command of the Roman army in Asia, campaigning in south-west Asia Minor, in particular against the Galatians, to showcase Roman power in the region which had recently been under the control of Antiochus, and signed the peace of Apamea in 188 as proconsul (*Polyb.* 21.41–43: doc. 5.30). His treatment of the locals was brutal, and he took 40,000 prisoners from the Galatians who were sold to neighbouring tribes, levying huge sums from different communities and cities for Rome's 'friendship'. He also amassed an immense amount of plunder, and there was opposition to his triumph on the grounds of his unnecessary aggression; it was eventually celebrated late in 187. Livy records that it was his army that first introduced foreign luxury to Rome: items such as bronze couches, valuable tapestries and textiles, 'and – what was at that time considered to be splendid pieces of furniture – tables with one foot and ornate side-boards'. Female lute-players and harpists became a feature of banquets, and cooks, earlier the most worthless of slaves, now were valuable commodities, and cookery high art (Livy 39.6.3–9: doc. 5.55). It was a common complaint that the indulgences experienced in Asia had demoralised the troops and contributed to Rome's moral decline, although according to Polybius the real introduction of luxury to Rome only began in 146 (*Polyb.* 6.57.5–7).

Vulso's triumph set a new high for ostentation, and was obviously intended to outdo that of L. Scipio, with its 224 military standards and 32 of Antiochus' generals and nobles paraded in the procession (Livy 37.59). In his, Vulso displayed 212 golden

crowns, 220,000 pounds of silver, 2,103 pounds of gold, 127,000 Attic four-drachma pieces, 250,000 cistophori, and 16,320 gold Philippei, together with 52 enemy leaders. Soldiers were given 42 denarii, centurions double that, and equites three times, and their pay doubled. M. Fulvius Nobilior, Vulso's consular colleague in 189, who ended the Aetolian War in 187, had an equally profitable tour of duty. He was, however, accused of extortion and the despoiling of temples. Like L. Scipio he brought actors back with him to Rome from the East, as well as artworks, and, in a new departure, had also taken the poet Ennius on campaign with him to record his achievements (book 15 of the *Annals*, and the play *Ambracia*). As part of the booty, he brought back to Rome the bronze and marble statues and paintings from Pyrrhus' palace at Ambracia (Livy 38.9), which were later installed in the temple of Hercules Musarum in the Circus Flaminius, built during his censorship in 179; he was also responsible for the construction of the Basilica Aemilia et Fulvia in the forum with his fellow censor M. Aemilius Lepidus, and put on splendid games which lasted ten days, with hunts of lions and panthers, and contests of athletes seen for the first time.

Ti. Sempronius Gracchus and Sardinia

It was customary for paintings of victorious battles to be carried in triumphal and funerary processions and art could be commissioned to celebrate military conquests. As consul and proconsul in 177/6, Ti. Sempronius Gracchus the Elder subdued Sardinia, celebrating a triumph in 175 (his second). To commemorate this victory, he commissioned a huge painting, in the shape of a map of the island, with depictions of his successful battles. This was dedicated to Jupiter and placed in the temple of Mater Matuta, the goddess of dawn and hence 'of the proper moment' (a fitting deity to be worshipped by a military commander), in the forum Boarium at Rome. The accompanying inscription recorded that in his conquest of Sardinia he had killed or captured more than 80,000 of the enemy, reorganised the province, and brought the army home loaded with booty (Livy 41.28.8–10: doc. 5.56).

The Alexander Mosaic from the House of the Faun at Pompeii, depicting Alexander facing Darius III (at either the battle of Issus or Gaugamela), is possible evidence for ancient paintings of battles: the mosaic is supposed to have been a copy of a Hellenistic late fourth-century painting by Philoxenus, which had perhaps been brought to Rome after the battle of Pydna. Furthermore, Aemilius Paullus, on his return to Rome, brought home an artist from Greece, Metrodorus, to produce paintings to be displayed in his triumph. There were already painters resident at Rome: the cognomen of Fabius Pictor was said to have been acquired by an ancestor who painted frescoes in the temple of Salus in 303 (although Valerius Maximus considered this a 'vulgar occupation': Val. Max. 8.14.6), while the poet Pacuvius executed a painting for the temple of Hercules in the forum Boarium. By the late Republic, however, such occupations were the preserve of professional artisans and artists, many of these imported from the East. Paintings from the East could be highly priced, and Quintus Hortensius paid 36,000 denarii for just one picture, that of the Argonauts by the fourth-century painter Cydias (Pliny 35.19, 130), the original of which may have inspired the Argonaut frieze on the Ficoroni cista, a late fourth-century BC toilet casket made in Rome, belonging to the daughter of Dindia Macolnia (ILS 8562: doc. 7.66, Figure 7.2).

Aristocratic extravagance

The Third Macedonian War (171–168) and the conquest of Corinth in 146 were seen as the catalysts for extravagance and luxury in Rome. Referring to the period following the Third Macedonian War, when Aemilius Paullus brought home immense quantities of spoils, with 250 wagons of precious items in his triumph, Diodorus records how it was then that ‘love of ancient custom at Rome turned to perdition’. He notes how the youth turned to luxury and licentiousness, with extravagance winning out over frugality, and the enjoyment of leisure replacing the pursuit of war. Elaborate dishes and expensive dinner-parties became fashionable, along with wondrous unguents, costly coloured draperies, and dining-coUCHES of ivory and silver. The most expensive wines were consumed, such as Falernian and Chian, as well as the most exotic fish and other delicacies. Young men took to wearing ‘garments of incredible softness’ and transparency, like women’s clothes, even in the forum, while conspicuous consumption raised the price of commodities to unbelievable heights: ‘a jar of wine sold for 100 drachmas, a jar of Pontic preserved fish for 400 drachmas, chefs especially gifted in the arts of cookery for four talents, and male catamites of exceptional beauty for many talents’. This trend was of course denounced by Cato the Elder, who fulminated in the senate that only in Rome were ‘jars of Pontic preserved fish worth more than men who drove a yoke of oxen, and pretty boys more than farmland’ (*Diod.* 37.3.1–6: doc. 5.57).

Extravagance and epicureanism were seen as the antithesis of Roman virtues. Cato specifically criticised the erection of statues to the cooks Ochus and Dionysodorus (*ORF*⁴ F96), whom he termed effeminati, expensive concubines, like the young male concubine who accompanied L. Flamininus on campaign (*Plut. Cato Mai.* 17.1–5: doc. 7.58). Furthermore, fine clothes were seen as effeminate and criticism of those who preferred elegant garments to the heavy woollen toga always attacked the masculinity of the wearer, like the criticisms made by Scipio Aemilianus against Sulpicius Gallus for wearing long-sleeved tunics, and against parents who sent their sons and daughters to learn dancing (*Gell. 6.12.1–7: doc. 7.57*). Elegant clothes, singing and dancing, exotic foods, and elaborate furnishings were all seen as weakening Rome’s moral fibre.

In a panegyric of his patron Scipio Aemilianus, Polybius highlighted the ways in which Rome in Scipio’s youth was changing for the worse. After the battle of Pydna, Scipio then in his late teens, aimed (in Polybius’ account) at winning a reputation for temperance and in this way surpassing all other young men of his age. Sarcastically, Polybius commented that, while this would normally have been a difficult achievement, in Rome at the time it was relatively straightforward because most of the youth were turning to vicious amusements: pederastic relationships with boys, affairs with courtesans, musical entertainments, and drinking-parties, all of this inspired by contact with the Greeks during the war against Perseus (*Polyb.* 31.25.2–8: doc. 5.58). Many were prepared to pay a talent for a favourite boy, and 300 drachmas for a jar of pickled fish from the Black Sea. It was after the fall of Macedon that this tendency to luxury became obvious, when there was a great parade of riches both in private and in public leading to competitive consumption. Only Scipio opposed the trend, carving out for himself a reputation for self-discipline and temperance, even though Aemilius Paullus had given his children a liberal education, including training in sculpture and drawing, as well as hunting, by teachers who were Greeks (*Plut. Aem.* 6.9–10).

Sumptry legislation

There were attempts to limit overt extravagance and prodigality by means of sumptuary legislation during the second century. The lex Orchia in 182 restricted the number of dinner-guests who could be entertained on any particular occasion, and this was taken further in 161, when a senatus consultum limited expenditure on food items and the use of silverware at table: at the Megalensia, the festival in honour of the Magna Mater on 4 April, when it was common for nobles to host banquets for each other, only 120 asses could be spent on a single dinner, excepting vegetables, bread, and wine ('the produce of earth, vine or tree'); foreign wine was forbidden; and only 100 pounds of silverware could be used (Gell. 2.24.2–4: doc. 5.59). Sulla's ancestor, P. Cornelius Rufinus, an ex-consul, had supposedly been expelled from the senate in 275 because he possessed ten pounds of silver tableware (Plut. *Sull.* 1.1: doc. 11.1). The lex Fannia in 161, sponsored by the consul C. Fannius Strabo, expanded both of these pieces of legislation by prohibiting the private entertainment of more than three people outside of the family, or five on nundinae (market-days), while laying down the maximum expenditures for daily purchases of food and limits on annual outlays on certain commodities (for example, on smoked meat). His law set 100 asses per day as the maximum expenditure for the ludi Romani, ludi plebeii, Saturnalia, and 'certain other days', presumably holidays; 30 asses on another ten days per month (presumably the Kalends, Nones, Ides, and nundinae); and 10 asses on the remaining days. Pliny (10.139) recorded that poultry dishes were banned, except for one chicken per meal, as long as it had not been artificially fattened. While probably unenforceable, the law was recommending a return to the more austere and traditional past, with its main criticism levied at dinner-parties held by the elite. Eighteen years later in 143 the lex Didia (T. Didius was tribune) extended the lex Fannia to encompass all Italy (Macrobius 3.17.6). The poet Lucilius' jibe at 'Fannius' miserable 100 asses' (Gell. 2.24.4: doc. 5.59) suggests that even the maximum expense allowed on a holiday was considered miserly.

Later in the second century, the lex Licinia, probably put forward by P. Licinius Crassus Dives Mucianus (cos. 131), repeated the provisions of the lex Fannia and set maximum weights for dried and salted meat and fish to be served on each day (Macrobius 3.17.7–10; Gell. 2.24.7–10); the lex Licinia allowed 30 asses to be spent on the Kalends, Nones, and market-days, while on other days only three pounds of dried meat and one of salted fish could be served, along with unlimited vegetables, bread, and wine. Specific celebrations were exempted, and it was permissible to spend 200 asses on the occasion of a wedding. The provisions of the lex Aemilia in 115 are less clear but they set limits on the type and quantity of specific foods that could be served at dinners (Pliny 8.223, 36.4; Gell. 2.24.12). Sulla later specified that on the Kalends, Ides, Nones, when the games were being celebrated, and at certain other festivals, 300 sesterces could be spent, but normally no more than 30. The proliferation of sumptuary laws clearly meant that they were not enforced, and perhaps were not intended to be. They were not an attack on luxury *per se*, being focussed only on specific foodstuffs and the costs of dinner-parties, but aimed at reinforcing restraints against extravagance and epicureanism which were thought to be undermining Roman standards. The Romans clearly felt in the mid-second century that they were being swamped by a flood of non-Roman commodities and decadent lifestyle practices originating in

the East. The target, however, was only on private expenditure; public banqueting in honour of the gods, as described in the pontifical feast celebrating the installation of Lentulus Niger as flamen Martialis (Macrob. 3.13.10–12: doc. 2.23), was not under attack.

Edicts on philosophers and rhetoricians, 161 and 92 bc

Many Greek intellectuals, either voluntarily or by compulsion, came to Rome after the Third Macedonian War, including rhetoricians and philosophers as members of aristocratic households and tutors to young elite Romans, often as slaves or freedmen. Not only was having a Greek teacher for one's children considered normal, having a philosopher in the household was considered a status symbol. There was also a great deal of interest in visiting scholars, and the lectures given by the Greek philosopher Carneades in Rome in 155 proved extremely popular (to Cato's dismay: Plut. *Cato Mai.* 22.5: doc. 5.61). The edicts against philosophers and rhetoricians were not intended to ban Greek intellectuals or close down schools. Rather, they were a form of moral censure, stressing that such pursuits were alien to Roman tradition, in the same way that the sumptuary legislation was not intended to correct a specific problem, but to mark the trend away from the austerity which had been part of the mos maiorum to the current preoccupation with the pleasures of the table and elegant living.

Education in Rome remained strictly the concern of the family and young nobles were generally educated by private teachers, often freedmen, as well as sent to the schools of grammarians, rhetoricians, and philosophers: the Gracchi brothers, for example, were taught at home by the Stoic philosopher Blossius of Cumae and the rhetor Diophanes of Mitylene and Cicero comments in his *Brutus* that it was through the diligence of his mother Cornelia that Tiberius had been thoroughly versed in Greek literature (*Brut.* 104: doc. 8.12). Contact with Greece gave Romans a new appreciation of the intellectual dimensions of education, through literary and rhetorical studies, including the study of philosophy. The stoic philosopher Panaetius of Rhodes was a friend of Scipio Aemilianus and C. Laelius, and Scipio considered that Greek education had contributed to his success (Polyb. 32.9). From the late second century children were brought up bilingually, being first taught to read and write by Greek and Latin grammarians before proceeding to rhetoric, at first taught only in Greek but, from the first century beginning with L. Plotius Gallus, in Latin as well. Education in philosophy was considered necessary for the elite, and young nobles often attended the philosophical schools at Athens to finish their education. The prices paid for slaves who were Greek intellectuals were extremely high: M. Aemilius Scaurus, consul in 115, offered 700,000 sesterces for the grammarian Daphnis, which even in Pliny's time was the highest price to date for someone who had been born a slave (Pliny 7.128: doc. 6.6).

The rhetorician decree (Gell. 15.11.1: doc. 5.60) was passed in 161, the same year as the lex Fannia, and proposed by the praetor M. Pomponius. It laid down that he, as praetor, should take whatever steps might be necessary to ensure that philosophers and rhetoricians should not remain in Rome. Significantly it was apparently in 154 (the other possible date is 173) that the senate banished two Epicurean philosophers

from Rome, doubtless a token protest at their philosophical defence of pleasure. In the same year, too, P. Scipio Nasica Corculum (cos. 162, 155) prevented the completion of the construction of a permanent theatre in Rome on the grounds that this would be associated with decadence and idleness (*Livy Per. 48*).

The decree of Cn. Domitius Ahenobarbus and L. Licinius Crassus, as censors in 92, which targeted rhetoricians, similarly did not aim at closing schools of Latin rhetoric, but at pointing out the dangers of such study. Rhetoric was traditionally a Greek discipline and the censors in this decree were defending the principles of Greek rhetoric and showing their disapproval of those who would cheapen the training by shortcuts. Cicero as a young man was advised not to undertake training in Latin rhetoric (with L. Plotius Gallus) but in Greek (*Suet. Rhet. 2.1*). The censors were deliberately attempting to repress Latin rhetoricians, ‘a new kind of training, whose schools the youth frequent’, concerned that these men had adopted for themselves the title of Latin rhetoricians and ‘that young men sit idle there for whole days’. These innovations were ‘contrary to our ancestors’ customs and principles’, and as a result Domitius Ahenobarbus and Licinius Crassus made it known, both to those who ran these schools, and those who attended them, the fact of their displeasure and disapproval (*Gell. 15.11.2: doc. 5.60*).

Cato the Elder and the Greeks

The philosophical embassy from Athens in 155, which roused Cato’s disapproval, consisted of the Academic Carneades, the Stoic Diogenes, and the Peripatetic Critolaus. Athens had suffered a damaging judgement in her dispute with Oropus (which was heard by Sicyon, which imposed a fine of 500 talents), and Athens appealed to the senate, using as spokespersons the heads of three major philosophical schools. These also offered public lectures while at Rome, and on two separate days Carneades made speeches, one for and one against justice. The lectures were extremely popular with the young men of the time, and their popular appeal and disregard of ‘truth’ were Cato’s major concern. He therefore encouraged the senate to hasten its decision, so the philosophers could leave Rome as soon as possible: there was no point in their listening at length to an embassy that could easily achieve anything they wished through their powers of persuasion. They should ‘return to their schools and lecture to the young men of Greece, and the youth of Rome could listen to their laws and magistrates as before’ (*Plut. Cato Mai. 22.4–6: doc. 5.61*).

All educated Romans understood Greek and, where Romans are criticised for speaking the language, this was because it was not appropriate to use it for ‘important’ matters: Cato, for example, addressed the Athenians in Latin though capable of speaking Greek himself (*Plut. Cato Mai. 12.4*), and Cicero was criticised for addressing the Syracusan senate in Greek (*Verr. 2.147*), which was seen as demeaning, because Roman official business should be conducted in Latin. The senate had to be addressed in Latin, and the philosophic embassy of 155 used an interpreter, the senator C. Acilius (*Gell. 6.4.19; Plut. Cato Mai. 22.5*). The first speech recorded as given by a Greek ambassador to the senate in Greek without an interpreter was that of Apollonius Molo, Cicero’s tutor, in 82 or 81 (*Val. Max. 2.2.3*). For official communications it was

customary for translators to be employed, as for Scipio and Hannibal's meeting before the battle of Zama, though both knew Greek (Livy 30.30.1).

Indeed, Romans from the mid-second century were expected to be bilingual, and even Cato was not opposed to Hellenic culture as such: he was able to speak Greek and well acquainted with Greek texts, as Plutarch notes, while his oratory was based to a great extent on that of Demosthenes (Plut. *Cato Mai.* 2.5–6: doc. 5.61). While Cato criticised A. Postumius Albinus for apologising for writing his history in Greek, the point was not that a Roman should write in Latin, but that Postumius should not have written it in Greek if he could not do it well (Polyb. 39.1.4–9). There later grew up a tradition that Cato was hostile to all things Greek, and that he wanted Greeks expelled from Italy (Pliny 7.113; Plut. *Cato Mai.* 23.1), but he was not a simple hellenophobe; he served in Sicily and southern Italy in the Second Punic War, and supposedly learnt Pythagoreanism from Nearchus in 209 (Cic. *Sen.* 39, 41; Plut. *Cato Mai.* 2.3). In his *Origines*, Cato compared a Roman tribune to Leonidas, suggesting that a Roman junior officer could have been as great as a Spartan king, whom he clearly admired as an heroic figure of the past (Gell. 3.7.18–19). On the other hand he does appear to have had a visceral antipathy towards Greek doctors, and was a great believer in the medicinal benefits of cabbage (*Agr.* 156.1: doc. 2.17), writing his own book of medicinal notes which he used in treating all in his household (Plut. *Cato Mai.* 23.2–6: doc. 5.61).

Clearly Cato was well enough informed about Greek literature to pass a judgement, but believed that such study should not replace traditional Roman education. His anti-Greek comments were based on a general Roman contempt for the contemporary Hellene. He warned his son that Greeks were 'a totally good-for-nothing and incorrigible race of people', whose literature, and – worse – whose doctors would corrupt everything, murdering all 'barbarians' with their drugs, and getting paid for it! (Pliny 29.14: doc. 5.62). He also seems to have been sensitive to Greek attitudes of cultural superiority, offended by their habit of calling Romans 'Opici' (Oscans); the Romans may well have felt a 'cultural cringe' in the face of the Greeks' awareness of their own intellectual and cultural eminence.

Greek nudity and pederasty

One of the concerns about the effect of Greek culture on Roman youth concerned the practice of pederasty. Cicero considered that the custom had 'grown up in the gymnasium of the Greeks, in which such loves were free and permissible' and quoted Ennius for the view that 'nudity amongst citizens is the beginning of disgrace' (Cic. *Tusc. Disp.* 4.70–71: doc. 5.63). His concern here was not with pederasty in itself, but the possible seduction of citizen youths by older men: homosexuality had already enjoyed a long history in Roman culture, prior to the close cultural contact with the East. One of the issues, which led to the outlawing of the Bacchanalia, was the potential for the corruption of Roman youths, and C. Gracchus boasted on his return from Sardinia where he had been quaestor that he had solicited no slave boys and treated all the young men in his retinue with respect (Gell. 15.12.2–3: doc. 8.22). In Rome there was no moral stigma about same-sex relationships with slaves or male prostitutes, and Plutarch wondered (*Rom. Quest.* 101) whether one of the reasons for the bulla, the

amulet worn by free children, was to mark a free child from a slave when naked, and so prevent free children from molestation (implying that young, good-looking slaves would automatically have been the target of Roman pederasts).

Romans saw nakedness between citizens as improper: Cato even refused to bathe with his son (Plut. *Cato Mai.* 20.7–8), blaming the Roman practice of nudity on contact with the Greeks. With regard to the Romans' view of athleticism, Plutarch commented that they 'used to be very suspicious of rubbing themselves down with oil, and they believe that nothing has been more responsible for the enslavement and effeminacy of the Greeks as their gymnasia and wrestling-schools': these led to idleness and the wasting of time, as well as to pederastic practices, and had affected military discipline. The regimen imposed by athletic training had, in his view, caused the Greeks to abandon military discipline, and value the reputation of being nimble, handsome athletes rather than excellent foot-soldiers and horsemen (Plut. *Rom. Quest.* 40: doc. 5.64).

Rome's superiority over the Greeks

Cicero, even though greatly attached to Greek philosophy and himself the author of lengthy philosophical works, stressed like Cato that Roman morals and virtue had to underpin the Romans' study of Greek philosophy, and that the Romans had improved on what they had borrowed. The *Tusculan Disputations*, written at Tusculum after the death there of his beloved daughter Tullia, aimed at making Greek philosophy, especially stoicism, accessible to a general reader, and the work dealt with the questions of death, pain, grief, and virtue.

At the beginning of the work, he asserts that the Romans have always been wiser than the Greeks, either through their own discoveries or in the ways in which they have improved on what they have adopted from Greece, in those areas in which they thought it worth exerting themselves. Comparatively speaking, Romans uphold standards of morality, regulate their lives, and run their families in a much more honourable fashion; traditional Roman government has demonstrated the best practices; and Romans are superior to Greeks in warfare. Romans in fact possess 'such dignity, such firmness of character, such greatness of spirit, such integrity, such trustworthiness' that no other race can compare with them (Cic. *Tusc. Disp.* 1.1–3: doc. 5.65). Greece may have been superior to Rome in learning and literature, but that was partly because in the past the Greeks had had no competitors, with Homer and Hesiod living before the foundation of Rome. Rome took to poetry at a later date, and her great authors postdate the golden age of Greek learning. Since then, Livius Andronicus, Ennius, Plautus, and Naevius have all proved worthy competitors of the Greeks, despite the fact that Rome has, in general, placed far less importance on poetic composition and literary pursuits.

As a schoolboy, Cicero learnt the XII Tables by heart (*Laws* 2.59), but his later education in rhetoric was based on Greek models. Writing to his brother as governor of Asia (*Quint.* 1.1.28), he commented, 'All that I have attained, I owe to the studies and disciplines handed down to us by the literature and teachings of Greece', and he was proud of his educational and intellectual achievements during his two years at Athens and Rhodes (Cic. *Brut.*: doc. 2.67). Cicero's commentary on his

own consulship was written in Greek (*Att.* 1.19.10, 20.6; cf. *Cic. Div.* 1.20–21: doc. 12.26), and his letters are sprinkled with Greek phraseology and quotations. But, in addressing a jury in Rome, he was careful to protest that he knew little of Greek art (*Verr.* 2.94). While the Romans might have appreciated Greek literature and spoke Greek in private life, it was important that they did not publicly admit Greek culture to be superior to native traditions.

Varro on the decline of Roman standards

Writing at the end of the first century, the great polymath Varro, in his work *On Farming*, lamented some of the ways in which Roman culture had been adulterated by Greek luxury and decadence, like sophisticated Greek gymnasia. Just as those who worked in the fields used to be more hard-working than those who lived in villas, those who resided in town had always been thought to be lazier than those who lived in the country. For this reason, living in the country had always been the ideal, and people used to come to Rome only for market-days, spending the rest of the time on their farms. In this way they were able to achieve two objects: their farms were productive and they themselves fitter in health and in no need of Greek gymnasia and exercise programmes (Varro *Rust.* 2.1.1–3: doc. 5.66).

Nowadays, he laments, one gymnasium is not enough, and no one thinks they possess a villa unless it includes a whole range of facilities known by Greek names: procoeton (ante-room), palaestra (exercise-room), apodyterion (dressing-room), peristylon (colonnade), ornithon (aviary), peripteros (veranda), and oporotheca (fruit-room). The austere and disciplined paterfamiliae of old have ‘crept inside the walls, abandoning the plough and sickle’, and Romans are no longer farmers: their grain is brought from Africa and Sardinia, and wine arrives in ships from the islands of Cos and Chios, a sign of Rome’s decadence and decline from traditional standards.



Figure 5.9 A denarius issued by Sp. Afranius at Rome in 150 BC depicting the head of Roma, wearing a winged helmet, and Victory driving a biga. ROMA in exergue.

Source: Courtesy of Classical Numismatic Group

Rome and the provinces

The term *provincia* originally meant an official duty or office, the sphere in which a magistrate functioned, and by the second century had come to mean an overseas territory administered by a Roman official. Sicily was the first province, most of which was acquired at the end of the First Punic War and which became a unified province in 211; followed by Sardinia in 238 and Corsica in 227 (which became a combined province); the two Spanish provinces in 198/7; Macedonia and Africa in 146; Asia in 129; Transalpine Gaul (*Gallia Narbonensis*) in 120; Cilicia in 102 and Cyprus in 58 (a double province); Bithynia and Pontus in 63; Syria in 63; and Cyrene in 74 and Crete in 67 (a double province; Maps 6, 7).

Rome governed its provinces through *promagistrates* (*proconsuls* and *propraetors*) whose roles were military and administrative. Provinces were initially assigned to magistrates and *promagistrates* by the senate, or decided by mutual agreement, but in 123 C. Gracchus legislated that the senate was to decide, before the elections (and hence before the successful candidates were known), which provinces would be consular (i.e., they would be held by the successful consular candidates as *promagistrates*, after their year of office). Praetorian provinces, however, were still assigned by lot. While it had been possible for consuls to decline to take a province after their year of office, like Cicero and Bibulus (Caesar's consular colleague), a law of Pompey's as sole consul in 52 laid down that all magistrates should take a province after their term of office, following a five-year interval between laying down the magistracy and taking up the governorship, which allowed time for prosecution of any misconduct in office. A governorship was technically of one-year duration, but major wars and the increasing number of provinces led to some governors spending several years overseas, like Lucullus and then Pompey in the East; the term for this extension of command, when the governors were 'prorogued', was *prorogatio*. Governors were expected to remain in their province during their term of office, except by special permission or in emergencies, and from 171 this was a formal requirement (*Livy* 43.1); they were to leave the province at the arrival of their successor.

The provincial governor was supported by a *quaestor* (two in Sicily) for collecting taxation and organising military pay, *legates* as his representatives, advisors (generally relations and friends), and clerks, *lictors*, and other subordinate staff. The governor's duties included leadership of the army (as appropriate) and the maintenance of peace; he also acted as judge in relevant cases, and enforced Roman statutory regulations such as the payment of tax (with direct taxation originally paid to the *quaestor*, and indirect taxes to the *publicani*). As generals with *imperium*, governors possessed total control over non-citizens in the province and appointed their own *consilium* (advisory council) from their staff and associates. While they could nominate judges, they were entitled to try cases and decide upon them themselves, both with regard to Roman citizens and the locals. In his prosecution of *Verres*, Cicero shows how a governor was able to misuse his powers: '*Verres* put in the plaintiff, *Verres* ordered his appearance, *Verres* heard the case, *Verres* gave the judgement' (*Verr.* 2.26).

Promagistrates were often motivated by personal gain and the need to recoup the expenses of election, which could be immense, as well as by the desire for *gloria*. The ultimate aim was being awarded a triumph: even Cicero hoped for one (*Att.* 7.7.4: doc. 13.20). Governors could be subject to prosecution on their return to Rome,



Figure 5.10 A denarius issued by the moneyer Q. Lutatius Cerco at Rome in 109–108 BC depicting the helmeted head of Roma, and a galley sailing right. The galley is shown with the head of Roma on the prow and the gubernator (helmsman) at the stern, within an oak wreath.

Source: Courtesy of Classical Numismatic Group

especially for extortion (*repetundae*, ‘things to be restored’); conviction meant that restoration had to be made of extorted money and goods, but in practice convictions were rare. A permanent court existed for *repetundae* cases from the mid-second century, and anyone could prosecute a governor for misconduct, even non-Romans: the penalty was the repayment of twice the value extorted, and successful prosecutors were offered rewards such as citizenship.

The unpopularity of Rome's provincial administration

Prior to Pompey's conquests in the East, the taxes (*tributum*) paid by the population there came to some 200 million sesterces; Gaul's *tributum* was set by Caesar at 40 million. Rome generally took over existing taxation systems, so that taxes were not necessarily increased in Rome's new provinces. However, a more injurious factor was introduced when C. Gracchus arranged for the taxes of Asia to be farmed under five-year contracts, a process which was extended by Pompey in his provincial reorganisation. The collection methods of the *publicani*, the tax-farmers, and the profit margin they set for themselves, made them unpopular. Having bid for and been awarded the tax contract by the censors, either individually or as societies, they were allowed to collect unlimited additional amounts to cover their costs. When Jesus of Nazareth was accused by the Pharisees of eating with ‘*publicani and sinners*’ (Luke 7:34), it was his inclusivity and willingness to associate even with tax-collectors that was condemned by his fellow-Jews.

The visits of Roman envoys were also feared by provincials. As consul in 63, Cicero spoke against the Rullan land legislation, which was indirectly intended to provide land allocations for Pompey's troops. As part of his argument he criticised the proposal to set up a ten-person commission, which would have had powers to sell state

lands and purchase land in Italy for distribution (cf. Cic. *Leg. Agr.* 1.21–23: doc. 12.13). In arguing against this, he pointed out the unpopularity of Roman envoys with foreign nations: even the name of these insignificant envoys, who had slight authority and took part in embassies for their own purposes, was seen as oppressive and fearful, because any abuses in which they were involved were perpetrated under the name of the Roman people, not themselves. He assumed that there would be abuses, and warned that the new commissioners would be as unpopular in Italy as envoys were in the provinces (Cic. *Leg. Agr.* 2.45: doc. 5.67).

C. Verres, governor of Sicily, 73–71 bc

The most notorious repetundae case was the prosecution of C. Verres in 70, in which Cicero represented the Sicilian provincials against their ex-governor, who had been praetor urbanus in 74 and governed Sicily between 73 and 71. Cicero had been quaestor at Lilybaeum and had numerous connections and clients in Sicily (Cic. *Planc.* 64–65: doc. 2.43). While he puts the worst possible slant on Verres' conduct, it does appear that Verres embezzled public funds and appropriated large numbers of Greek works of art, especially classical sculpture. One of the main charges against him was that, while Rome from 241 had adopted Hiero of Syracuse's system of taxation, Verres had raised taxes with a view to personal profit.

Despite Verres' obvious guilt, he had important advocates and supporters on his side: Q. Hortensius Hortalus was his main defence counsel, and he enjoyed the support of the Caecilii Metelli. These attempted to drag out the trial into 69, when Hortensius would be consul with Q. Caecilius Metellus Creticus, and M. Caecilius Metellus praetor. Cicero therefore compressed his speech, so that he had adequate time to present all the damning evidence, and wrote up the speeches in detail after the event. Verres' fine was assessed at 750,000 denarii or 3 million sesterces (a low assessment: Cicero had demanded 40 million sesterces), and Verres, plus his ill-gotten gains, went into exile at Massilia, until proscribed in 43 by Mark Antony who coveted his art treasures.

One of the charges made against Verres was that he had had Roman citizens executed, and this, though not relevant to the actual prosecution, was a factor in his conviction. Cicero also describes the hanging, flogging, and mistreatment of Sicilian farmers, and the way in which their goods and farms were despoiled. This led to widespread desertion of tax-paying lands which became derelict, with a large proportion of the farmers, more than 50% according to the records Cicero cites, driven off the land due to Verres' extortionate practices (Cic. *Verr.* 2.3.66, 120–121: doc. 5.68). Verres also unashamedly and sometimes brutally despoiled the inhabitants of their public and personal treasures: no item of public or private property which had caught Verres' eye, whether belonging to Sicilians or Roman citizens, or even the gods themselves, was left in the whole of Sicily after his magistracy.

Provincial corruption in Asia

In a letter to his brother Quintus in 60 or 59, when Quintus was propraetor of Asia, Cicero was concerned at the ways in which the corruption of subordinates and freedmen might affect the government of the province. He appears to have been

particularly concerned at the possibility of bribes being accepted to influence the governor's judgement, and had concerns about the influence wielded by Quintus' freedman Statius, who had a reputation for being overbearing and arrogant (*Cic. Quint.* 1.2.3: doc. 6.53). He praised Quintus for the fact that, even though he had been in command in Asia for two years, 'no statue, picture, dish, garment, slave, beautiful face, or offer of money – all of which that province has in abundance – has caused you to deviate from the highest integrity and moderation' (*Cic. Quint.* 1.1.8: doc. 5.69). He also congratulated him that, doubtless in strong contrast to the reception of most Roman governors, the provincials were genuinely pleased to welcome him as a protector and guest, not a tyrant and despoiler.

Cicero inadvertently reveals the state of terror that could result from a corrupt and unjust governor. For the provincials, there was no legal help, no channel for making complaints, no senate and no assembly: 'it is (he reminds Quintus) a great man who can so conduct himself under such circumstances to make his power palatable and desirable to those over whom he rules' (*Quint.* 1.1.22: doc. 5.69).

For a conscientious governor, one of the main problems involved oversight of the publicani and the demands they made on the provincials: their rapacity had led to the rebellion in Asia of 88, followed by Sulla's imposition of an indemnity of 20,000 talents, which with interest shortly grew to a debt 120,000 talents – a catastrophic situation prior to Lucullus' reorganisation of the province's finances (*Plut. Luc.* 20.1–6: doc. 11.10). In Cicero's letter to Quintus, it appears that the syndicate (*societas*) of publicani had miscalculated when bidding on the tax contract, and wanted to tax the provincials more heavily to allow themselves a profit margin. He advises Quintus that their demands can be opposed, but in that case the equites will withdraw their support from the brothers and Quintus' administration; on the other hand, if their demands are met, this will result in the 'total ruin of those people whose safety and advantage we are bound to consider' – the provincials (*Cic. Quint.* 1.1.32–33: doc. 5.70). This is, he notes, the one real problem faced by Quintus in his administration as governor.

In his view, Quintus has to so manoeuvre as to satisfy the publicani, whose contract has proved unprofitable, while not allowing the provincials to be entirely ruined – a task which would require a 'divine excellence', which Quintus of course possesses. The conclusion to which Cicero came appears to have been that Quintus should convince the provincials of how much they owed him and the military protection of Rome, and bring them to appreciate the services of the publicani in lending them money. By paying up as asked, they will rid themselves of the annoyance of the whole business, and Quintus should ask them to pay the additional amount to satisfy the publicani as a favour to Quintus himself, as both he and Marcus owed the publicani a great deal for their past and present support, which they would like to continue to enjoy in the future: their regard for Quintus should make the provincials willing to meet these demands. Despite Cicero's expressed concern for the provincials, his solution was entirely in favour of the publicani and their interests, and he does not appear to have considered the increased demand on the provincials as an issue of importance. In the long run, the responsibilities of the governor of a Roman province towards its residents paled into insignificance beside the political support which the publicani and the business class generally could offer himself and Quintus in their continuing careers.

Cicero in Cilicia, 51–50 bc

Cicero himself, at the end of the decade, found an even worse situation when he arrived at his province of Cilicia. Writing to Atticus on his arrival in 51, he described the province as ‘desperate and, in fact, totally and permanently ruined’ (Cic. *Att.* 5.16.2: doc. 5.71). Cicero’s predecessor App. Claudius Pulcher, consul in 54 and brother of Clodius, had been notorious for his rapacity as governor between 53 and 51. Naturally Appius had supported the publicani against the provincials, and Cicero reports that on his initial journey through the province he had heard nothing but groans and laments from communities, and monstrous deeds ‘as of some savage beast’. The provincials were, in fact, ‘absolutely weary of life’.

They had even had to sell their prospective tax revenues to the publicani for ready cash to meet Appius’ extortionate demands; in Cyprus (part of the province), for example, the Cypriots had been paying 200 Attic talents to avoid having troops quartered on them. Cicero and his entourage as they travelled, in contrast, were refusing to take anything but fodder for their mounts (they even provided for their own wood), and merely took up space for dining and sleeping, often under canvas. Appius was prosecuted for his misconduct in Cilicia by P. Cornelius Dolabella, Cicero’s son-in-law, but was acquitted with the support of Hortensius Hortalus, Pompey, and Brutus (Pompey’s elder son Gnaeus and Brutus were both married to his daughters), and he became censor in 50. There was no practical check on the rapacity of governors, and, except in exceptionally heinous cases, a prosecution generally had no deleterious impact on their future political careers.

M. Junius Brutus, Cicero’s friend and later Caesar’s assassin, had accompanied Cato, his uncle, to Cyprus in 58, when Cato was commissioned to annex the island (Cic. *Sest.* 59–63: doc. 12.57). Following this, in 56 Brutus had lent a large sum of money to the Cypriot city of Salamis, at 48% interest, despite the fact that this was contrary to the *lex Gabinia*, which prohibited the lending of money to provincials at Rome; the senate, however, granted an exemption to allow the loan to be validated. The normal rate of interest in the ancient world was 12% per annum (1% per month).

When Cicero arrived in Cilicia in 51, he found that two of Brutus’ agents, Scaptius and Matinius, were active in the matter of the loan to the Salaminians, which had not been repaid. Scaptius had even been made prefect of cavalry by Appius to enable him to extort money from the city on Brutus’ behalf. To force them to pay up, he had used his squadrons to have the senate of Salamis imprisoned in the senate house, until five of them died of starvation (Cic. *Att.* 6.1.5–6: doc. 5.72). What shocked Cicero most, however, was that Brutus had not revealed to Cicero that the loan was his, and had pretended that he was merely concerned for the money owed to his ‘friends’, his front-men. Cicero only discovered the truth when he was able to read one of Brutus’ communications to Scaptius. Cicero cancelled Scaptius’ cavalry appointment, but, not wanting to offend Brutus, allowed the loan to Salamis to stand, though he knew this would ruin the community, and did nothing to help them, despite his obvious sympathy. For the rest of the province he set interest rates at the normal 12% per annum. Cicero commented to Atticus that he was sorry if his behaviour in demoting Scaptius had upset Brutus, but much sorrier that ‘he is not the man I thought he was’. All the same, because of his connection with Brutus, Cicero let the matter of the debt and its consequences stand over to be dealt with by his successor.

Cicero's duties as governor

Cicero tried hard to make his governorship appear a military success, and fervently hoped for both a supplicatio and a triumph. In writing to Cato the Younger from Tarsus in January 50, he attempted to persuade Cato to support a supplicatio for his victories, for this purpose enumerating his many achievements, which he attempted to present as those of a model governor. As he needed to join his army as quickly as possible, he had dealt with the issues of the four major cities, Laodicea, Apamea, Synnada, and Philomelion in only 12 days, including holding courts of law. After reviewing the army, he received reports that the Parthians had crossed into Syria, at which in his concern not just for his province, but 'for Syria and the whole of Asia' he mobilised the army, and encamped on the Cappadocian border (*Cic. Fam.* 15.4.2–4: doc. 5.73). When the Parthians had withdrawn, he decided to pacify the Amanus range, and took a number of strongholds, after which he led the army against Pindenissum, which possessed Parthian sympathies. After a 57-day siege, this was demolished and burnt, and the neighbouring town of Tebara gave hostages. These achievements, he believed, should be rewarded by public recognition and deserved at the very least a supplicatio.

Cicero states that he felt strongly that his achievements in the province had been more than comparable to those of others who had won such a distinction. He was capable of considerable self-deception, but he must have thought he had a case which could convince Cato, and this account of his governorship is a good touchstone for the ways in which a provincial administration was judged as having been successful. Cato's response to Cicero was an ironical masterpiece (*Fam.* 15.5: doc. 13.9); Cicero was granted the supplicatio, but Cato voted against it, although he spoke in favour of a triumph for his own son-in-law Bibulus, which was granted despite his undistinguished governorship of Syria. Cicero's hope for a triumph was disappointed.

Romans and provincials draw the line

Occasionally the inhabitants of Roman provinces would take matters into their own hands and exact their own vengeance for corruption and brutality. C. Fabius Hadrianus, as propraetor in Africa in 83–82, was particularly noted for his avarice and rapacity, and his misconduct so inflamed the province that he was burnt alive in his residence in Utica. Cicero in his prosecution of Verres compared him to Hadrianus (*Verr.* 2.1.70), explaining that Verres had been more fortunate in not suffering the same fate, though his crimes were far worse. The fact that it was citizens, and not Italian businessmen or provincials, that had turned on him, resulted in no steps being taken to punish the offenders, and it was generally recognised that he had deserved his fate: 'although the deed was terrible, no charges were brought because of the wickedness of the victim' (*Diod.* 38.11: doc. 5.74).

Another case in which summary vengeance was taken on a Roman official occurred in Egypt, when Diodorus himself was present. As part of an explanation to his readers of the Egyptians' reverence for their sacred animals and the ways in which they mummified and interred them, he pointed out that so sacrosanct were they, that anyone who killed one intentionally was put to death. Indeed, if the victim was a cat or an ibis, the penalty was mercilessly exacted even if the killing had been unintentional, 'for the

common people gather in crowds and deal with the perpetrator most cruelly, sometimes doing this without waiting for a trial' (1.83.7). Even Romans were punished for such crimes, and Diodorus records that in 59, when Ptolemy XI was finally recognised as a friend of Rome, one of the Romans attached to the embassy sent to Egypt to arrange this accidentally killed a cat. Despite the fact that everyone in Egypt was doing their best to ingratiate themselves with the envoys, neither the officials sent by the king to beg him off, nor the fear of any retribution from Rome were sufficient to save the man from punishment: 'and this incident we relate, not from hearsay, but we saw it with our own eyes on the occasion of the visit we made to Egypt' (1.83.8–9). Clearly the Roman was not lynched on the spot, as Ptolemy had time to attempt to interfere on his behalf, and some form of proceedings took place before the execution. It is heartening to know that, under certain circumstances, residents of provinces and native populations were prepared to stand up for their principles and bring Romans to justice.

'Dominion without end'

The ideology of the military leader and Rome's military supremacy was formally explicated in Jupiter's prophecy to Venus in the *Aeneid* of Rome's dominion without end, limited by no boundaries or periods in time: it was unquestioned that Rome's destiny was to rule the inhabited world, and, following Rome's conquest of Italy and successful conclusion of the first two Punic wars, the Roman elite had been ambitious for military conquest, resulting in the expansion of Rome's territory and influence throughout the Mediterranean world and Asia Minor from the beginning of the second century.

While much had been achieved by 'soft power' in the first half of the second century, Rome had not shrunk from the brutalities of mass enslavement and the eradication of historic cities and civilisations: the 150,000 Epirotes enslaved to provide financial rewards for Aemilius Paullus' army was the culmination of a long-standing practice by commanders in wartime. Between 146 and 133 alone, Carthage, Corinth, and Numantia were witness to Rome's pragmatic and cold-blooded attitude towards victory. Unfortunately, this acquisition of immense tracts of new territory, and the competitive aristocratic culture at Rome where military glory was always the highest form of prestige, led inexorably to the repudiation of treaties and massacres of the native population, as in Spain, and a system of provincial government, in which governors were more concerned to amass financial resources for future political campaigns than with the needs of their subjects, which often resulted in gross inequities towards the provincials who had, perforce, become part of the Roman empire.

These conquests, and the establishment of new provinces stretching from Further Spain to Bithynia-Pontus and Syria by the mid-first century, led to an immense influx of wealth into Rome, and from the mid-second century Roman society and agriculture in Italy and Sicily was underpinned by vast amounts of slave labour. One direct consequence of this was the two major slave revolts which threatened Rome's control of Sicily. Furthermore, through close contact with the Eastern Mediterranean, the culture of Rome itself became Hellenised, both in terms of intellectual and literary interests, and through a taste for luxuries ranging from gourmet chefs to exotic Eastern slave boys. The Romans, however, never forgot that they were the conquerors, and edicts against rhetoricians and Cato's disapproval of the popularity of the lectures of the philosopher Carneades were based on the belief that Rome's greatness was due to the fact that in

the past young men had paid attention to the laws and magistrates, and revered their auctoritas.

The cult of military success was perpetuated by the competitive system of government and its pressure on the higher magistrates and promagistrates to engage in military conquest. Aristocratic rivalry, and the principle of collegiality based on annual magistracies held only at specific intervals, had however ensured that the ambition of individuals were kept within limits, with no one achieving an inappropriate degree of auctoritas: even Scipio Africanus was forced to retire from public life under a cloud. The first intimation that this careful system of checks and balances was unstable was in the elevation of Scipio Aemilianus by popular demand to his first consulship in 147. In this case imperium was conferred by the people in contravention of traditional norms, and the innovation was a foretaste of the mechanisms which were to create extraordinary commands for popular first-century commanders and catapult Rome into the mêlée of a series of disastrous civil wars.

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Chapter 6

Slaves and freedmen

Slave numbers in Rome

Slaves and freedmen are documented in Rome as early as the XII Tables, and already by the fifth century slavery had clearly become an accepted and widespread institution. Legend recorded that Romulus had permitted asylum to slaves who had escaped from other cities, and that the king Servius Tullius had been captured in war as a child (Livy 1.8.6, 1.39). Slave numbers, however, in the early Republic were not large, and Dionysius (9.25) suggests that in 476 they amounted to only one-eighth of the population, although this may in fact exaggerate the reality. The conquest of cities such as Veii in 396 did not lead to the wholesale enslavement of captured populations, with Rome instead awarding citizenship to its conquered neighbours. Rather than having large numbers of non-Romans as chattel-slaves, in the early period a sizeable proportion of the poorer citizens in Rome were in a position of quasi-servitude to their wealthy fellow-citizens to whom they were in debt: this institution of debt-slavery was known as *nexum* (Livy 8.28.1–8: doc. 1.53). It was only in the second century BC that the numbers of foreign slaves became significant, following Rome's conquest of the Eastern and Western Mediterranean. Many slaves came from northern Europe, but most from the region of the Black Sea and Asia Minor, and by the first century BC Syrians, Cilicians, Phrygians, Jews, Asians, Greeks, Thracians, Gauls, Spaniards, and Britons, as well as Africans, were all to be found as slaves in Rome.

Slaves: a definition

To the Romans, a slave was classified not as a person but as a piece of property, owned by his master in the same way as a horse or mule, and which he could dispose of in the same way at will. Masters also had the power of life and death over their slaves. Ulpian defines the slave as a ‘*res mancipi*’, an object which could be transferred to another person by *mancipatio*, a symbolic sale used to transfer the possession of slaves, animals, and land in Italy (Gaius *Inst.* 119–120: doc. 7.4). Slavery in Rome was an institution in which human beings were legally and economically at the disposal of their owners, and who performed labour on their behalf. Runaways were considered to have ‘stolen’ themselves from their masters, and remained objects in the rightful possession of their owners, to whom they should be returned for punishment.

One of the major distinctions between Romans and their slaves was in the fact that it was not considered appropriate for slaves to serve in the Roman army in any capacity,

although they could be employed in all other occupations. The Romans believed that only citizens and Rome's allies could fight with loyalty on behalf of the state, and it was only after the defeat at Cannae in 216 that the Romans decided, in this crisis, to recruit slaves. Tiberius Gracchus (cos. 215), the great-uncle of the tribunes, proposed that this purchase should be made with public money, and three commissioners were charged with purchasing 24,000 slaves according to Valerius Maximus, and 8,000 according to Livy (Val. Max. 7.6.1a: doc. 6.1; Livy 22.57). An additional 270 Italian slaves were bought in Apulia to serve with the cavalry. These slaves were to serve for two years and then be freed.

With this army Gracchus relieved Cumae which was under siege by the Carthaginians, and also captured the envoys sent to Hannibal by Philip V of Macedon. The Romans were always wary of putting weapons in the hands of slaves, who might turn against them or join the enemy, though Pompey the Great's son Gnaeus recruited 800 of his own slaves and shepherds for his father's war against Caesar (Caes. BC 3.4.4). Slaves – who remained slaves – were used by the Romans as rowers in the fleet in the Second Punic War (Polyb. 10.17.11–13; Livy 24.11.7–9), but only because of manpower shortages.

During the early and middle Republic slave numbers in private households were not large, although these increased markedly in the later Republic. It was only from the early empire that ostentatious displays of slave attendants became a sign of wealth and status, and Athenaeus, writing in Alexandria c. AD 200, speaks of contemporary Romans who owned as many as 10,000 or 20,000 slaves, not for the sake of income, but just as attendants for show (Athen. 6.272d–273b: doc. 6.2). In contrast, he noted, earlier Romans were far more modest in their expectations, and Scipio Aemilianus only took five slaves with him when sent on an embassy to the East in 140, writing home for a replacement when one of these died, while Julius Caesar in his invasion of Britain only took three slaves. Similarly, Cato the Elder took only five slaves with him to Spain as consul (Plut. *Cato Mai.* 10.4) These examples, however, describe the travelling entourages of generals on official business, and may not have reflected living conditions in a wealthy household in Rome itself.

It is difficult to estimate slave numbers in individual households during the later Republic. The jurist Gaius, in the second century AD, considered that for an individual to own more than 500 slaves was not especially unusual, but there was of course a distinction between urban slaves owned by a household who served the family personally (the *familia urbana*), and those working on the land (the *familia rustica*): the modern estimate of 2,000,000 slaves in Italy in 28 BC (as opposed to a citizen population of 3,500,000) would have included immense numbers of agricultural slaves. Pliny records that a freedman, C. Caecilius Isidorus, in his will made in 8 BC, stated that he left 4,116 slaves (and 3,600 pairs of oxen and 257,000 other cattle), most of whom would have been workers on his estates, even though he had lost much of his property in the civil wars (Pliny 33.47: doc. 6.3). During Spartacus' rebellion, Livy estimated that 60,000 slaves died in battle over the three years, and most of these would have been runaways from country estates (Livy *Epit.* 97).

Poorer Romans were lucky to own even one slave, and the poet Lucilius, who served with Scipio Aemilianus at Numantia (134/3 BC), wrote of an impecunious Roman, who possessed 'no beast of burden, slave, or any companion', who ate, slept, and washed hanging onto his purse, which was his entire property (Lucil. 6.2.278–281:

doc. 6.4). In contrast he advised his wealthy second-century readers who enjoyed their creature comforts to ensure that they had at home ‘a weaver, maidservants, slave-boys, a belt-maker, a wool-weaver’, and if they could afford it ‘a large-sided female baker who knows about all sorts of Syrian breads’ (Lucil. 30.3.1053–1056: doc. 6.5). Obviously even at this point in the Republic there were households in Rome with numerous specialist slaves and others which were lucky even to have a single maid of all work, while the vast majority had none.

Slave prices

While owning a slave would have been out of the reach of many poorer Romans, few would have been able to afford the price tag of 700,000 sesterces (175,000 denarii or approximately 30 talents) offered in the late second century by M. Aemilius Scaurus (cos. 115) for the grammarian Daphnis. Here Pliny the Elder is contrasting republican prices with the 50 million sesterces that Clutorius Priscus paid for Sejanus’ eunuch Paezon in the reign of Tiberius, and he notes that in his own day Daphnis’ price been far exceeded by slave-actors who purchased their own freedom (Pliny 7.128: doc. 6.6). Even in the Republic the comic actor Roscius earned 500,000 sesterces a year. Roscius (Q. Roscius Gallus) was freeborn, and raised by Sulla to equestrian rank, after which (now immensely wealthy) he only performed without pay. He was a skilled teacher, and Cicero estimated that Panurgus, a slave whom Roscius had trained as a comic actor and mime, was worth some 4,000 sesterces prior to his training, and more than 100,000 after it (Cic. *Rosc. Am.* 28–29: doc. 6.33).

Cato the Elder, who was a notorious skinflint, never paid more than 1,500 denarii (6,000 sesterces) for a slave, whatever his skills (Plut. *Cato. Mai.* 4.4). Most slaves in the later Republic probably cost in the range of 1,200–1,500 sesterces, and Horace seemed to think 500 denarii (2,000 sesterces) to be a reasonable price (*Sat.* 2.7.43). A denarius (four sesterces) was a good day’s wage for a workman, and so a slave would have cost well over a year’s income and been prohibitively expensive for most working families. Slaves of outstanding appearance, of course, could be extremely costly and Pliny considered the 200,000 sesterces paid by Mark Antony for identical ‘twin’ slaves outrageous (Pliny 7.56: doc. 6.23). A prostitute could sell for more than 60 minae (a mina comprised 100 denarii) according to Plautus (*Pers.* 665), but such women would of course have been expected to bring in a regular income for their owner, and Plautus may have been exaggerating for comic effect in his portrayal of a young man who is trying to buy the girl of whom he is enamoured. Slaves were not cheap, and many poor Romans could hardly feed themselves, judging from the free and subsidised grain distributions at Rome, let alone been able to buy and support another mouth to feed.

Sources of slaves

From the second century BC immense numbers of slaves were captured in Rome’s wars of expansion, but even in the late fourth century wars in Italy were beginning to provide Rome with significant numbers of slaves. In 307, during the Second Samnite War, when the Samnite army surrendered to Q. Fabius Maximus (cos. 308), the Samnites

were sent under the yoke and released, but 7,000 of their allies, who were protected by no guarantee, were sold into slavery (Livy 9.42.7–8: doc. 6.7).

Piracy was another major source of slaves, with pirates and freelance slave traders capturing and channelling previously freepersons into the slave markets: it was the fact that numerous freeborn Syrians and Cilicians were enslaved on estates in Sicily that contributed to the outbreak of the Sicilian slave wars. Julius Caesar was himself captured by pirates, though the details regarding his abduction vary (Suet. *Jul.* 4.1–2: doc. 6.13; cf. Plut. *Caes.* 2) and Pompey's suppression of piracy in the Eastern Mediterranean in 67 must have closed an important source of slaves flowing into Rome. Non-citizens in the provinces could also be enslaved for financial reasons, such as debt. In 104 Nicomedes of Bithynia told Marius that 'most' Bithynians had been taken by tax-farmers and were now enslaved in Roman provinces; the senate was concerned enough to issue a decree that all citizens of allied states held as slaves should be freed. Frustration among the slave population that this was not followed through led to the outbreak of the second Sicilian revolt (Diod. 36.3.1). In crises, provincials were even forced to sell family members into slavery, and according to Plutarch Sulla's organisation of Asia in the 80s had been so economically devastating that people had to sell their children (Plut. *Luc.* 20.1–3: doc. 11.10).

Prisoners of war

Prisoners taken in battle were sold as slaves to slave-dealers on the battlefield or could be retained as public slaves. When P. Cornelius Scipio (Africanus) took New Carthage in Spain in 209, the booty included 10,000 prisoners. The citizens among these, with their families, he let go free, while he offered the 2,000 prisoners who were craftsmen the opportunity of becoming public slaves, who would have the chance to earn their freedom, if they assisted him in making equipment for the war against Carthage. Of the rest, the strongest and youngest became rowers in the fleet and were also promised their freedom should Carthage be defeated (Polyb. 10.17.6–15: doc. 6.8). Scipio's treatment of prisoners in Spain compares markedly to his policy in Africa in 202, when, because of what he considered to be the Carthaginians' treachery, he sold into slavery the inhabitants of even those towns which had surrendered (Polyb. 15.4.1).

The 150,000 slaves taken, and 70 cities destroyed when L. Aemilius Paullus conquered Epirus in 167 is just one example of the way in which war supplied Rome's slave population (Polyb. 30.15: doc. 6.9). Such ruthless dealings were the reality of war for those who opposed the Romans: after the conquest of Corinth in 146 the general L. Mummius sold all the women and children into slavery, while in 133 after the siege and capture of Numantia in Spain Scipio Aemilianus sold all the Numantines, except 50 kept for his triumph. Paullus' intentional enslavement of 70 Epirote cities to provide bounties for his troops is perhaps the most cold-blooded example of the whole-sale acquisition of slaves in warfare: the area was sacked and looted and remained a desert 100 years later (Strabo 7.327).

Records of the number of slaves taken elsewhere in Rome's wars underline the tragic results of defeat at Roman hands: 25,000 slaves were taken at the capture of Agrigentum in Sicily in the First Punic War (Diod. 23.9.11), and in the Second Punic War 30,000 were enslaved at Tarentum (Livy 27.16.7), and 8,000 in Africa in 204 (Livy 29.29.3). In the Mediterranean, 5,632 slaves were taken at Histria in the

northern Adriatic in 177 (Livy 41.11.8) and 40,000 in Sardinia in 174 (Livy 41.28.8), while Scipio Aemilianus enslaved 50,000 Carthaginians in 146 (App. *Pun.* 130). Prisoners of war could be ransomed, and in the First Punic War many of Rome's captives were lucky enough to have this opportunity, as Rome needed to recoup its financial resources; when Panormus was captured in 254, the inhabitants were ransomed for 2 minae each. Enough money was found in the city to ransom 14,000, while the remaining 13,000 were sold as slaves (Diod. 23.18.5).

Slave-dealers and markets

Slave-dealers accompanied an army and after an overwhelming victory would purchase thousands of slaves, with the proceeds sometimes divided among the soldiers. When Julius Caesar was campaigning in Gaul, in 57 the Aduatuci retreated to their stronghold in Gallia Belgica. When they broke a truce they were negotiating with Caesar by trying to break out of their fortress, he sold the entire population of 53,000 persons, as one lot at auction, to the slave-dealers travelling with his army (Caes. *BG* 2.33.1–7: doc. 6.10). Occasionally, rather than being transported to major centres for sale, prisoners of war were distributed among the soldiery, and Caesar sometimes awarded a Gallic slave to each of his troops (Suet. *Jul.* 26.3). Cicero's younger brother Quintus was one of Caesar's legates in Gaul between 54 and 52, serving in Britain and against the Nervii. Writing to him in December 54, Cicero thanked him for the offer of Gallic slaves, because he was short-handed both at Rome and on his estates (Cic. *Quint.* 3.9.4: doc. 6.11). He expressed no concern about the welfare of the slaves themselves, though he was concerned that Quintus should only send him the slaves if it was convenient and within his financial means. As far as slave-dealers were concerned, there was again nothing demeaning about the trade: the grave monument of C. Aiacius, a slave trader ('mango') who died in AD 20 at Cologne (Ara Ubiorum), portrays him as a dignified and togate Roman citizen. Presumably he died in the course of his profession, following a Roman army to purchase prisoners of war. The monument is currently in the Romisch-Germanisches Museum, Cologne.

Slaves at Rome were generally sold by auction, often naked so that any defects could be noted, and with a statement of their character (a *titulus*) around their neck. They could be returned within six months of the date of the sale, if the seller had misrepresented their character or capacity. Of particular importance were any health issues like epilepsy, and a tendency to theft, suicide, or running away. On one occasion in 83, three slaves from the East, all of whom were later to be famous for their literary and scientific skills, arrived on the same ship, probably from Antioch: Publilius Syrus ('the Syrian') who became famous as a mime and writer of mimic plays; Manilius Antiochus the 'founder of astronomy', whom Pliny believed to be Publilius' cousin; and Staberius Eros, the 'first' grammarian (grammarians taught a critical study of literature) (Pliny 35.199; Suet. *Gram.* 13: doc. 6.58). All three were later manumitted by their owners because of their literary talents.

The slave market was in the charge of the aediles, and newly imported slaves had their feet whitened by chalk, while those from the East had their ears pierced. Pliny, in discussing the uses of medicinal earths, commented on the type of chalk called 'silversmith's', the cheapest kind of which was used to mark the victory-line in the circus and the feet of slaves from overseas when up for sale (Pliny 35.199–200: doc. 6.12).

He noted some of the most important freedmen on whose feet this chalk had been used, including Sulla's influential freedman Chrysogonus. In fact, Pliny complains, these slaves with chalked feet ended up using the proscriptions to enrich themselves from the blood of Roman citizens and profited from Rome's civil wars at the expense of the Romans themselves.

Piracy

Piracy, particularly in the Eastern Mediterranean, was another valuable source of slaves. From the middle of the second century, pirates were an ever-present problem for the Romans, based first on Crete and then on the coast of Cilicia, and pirates from Cilicia were especially noted for kidnapping free people for enslavement (Strabo 14.3.2, 14.5.2). The main customers were Romans and the central market for the slaves was the Aegean island of Delos, an immense slave clearing-house which, according to Strabo (14.5.2), could handle the arrival and dispatch of 10,000 slaves a day. Delos was sacked in 88 by one of Mithridates' generals, but piracy remained a problem until 67. Attempts to put down the pirates by the praetor M. Antonius in 102 and his son Marcus in 74 had been unsuccessful, and the pirates not only disrupted the grain trade to Rome, but raided the coast of Italy. The threat to trade and shipping generally, and to Rome's food supply, was so great that in 67, by the lex Gabinia, an extraordinary command was created to deal with the pirate menace, and Pompey rid the seas of the menace in just three months (*Plut. Pomp. 25.1–26.4*: doc. 12.9).

Suetonius records that Julius Caesar as a young man, after his unsuccessful prosecution of Cornelius Dolabella (cos. 81), withdrew to Rhodes in 75 to study under Apollonius Molo, the distinguished teacher of rhetoric. En route he was captured by pirates near the island of Pharmacussae, and remained with them for nearly 40 days, with only a doctor and two valets in attendance. When released, after paying the 50 talents demanded, he raised a fleet to pursue his captors, and had them put to death, as he had frequently threatened to do while their guest (*Suet. Jul. 4.1–2*: doc. 6.13); in Plutarch's version (*Caes. 2*) Caesar was returning from a visit to Nicomedes of Bithynia, and the actual details of the episode must remain obscure, but it was obviously used after the event to promote the image of Caesar's aristocratic *suavitas* (urbanity) and ruthless efficiency.

Domestic slaves

Slaves could be employed in any occupation apart from the armed forces, and they could engage in any type of work undertaken by free citizens, from specialised and educated roles in a familia to the back-breaking work in the mines or in a chain-gang on an agricultural estate. Lucilius' satires imply that in the later second century a wealthy family might possess specialist male and female slaves, such as weavers, belt-makers, and bakers (*Lucil. 30.3.1053–1056*; doc. 6.5), and the plays of Plautus (an important source) portray slave women as singers, wardrobe-keepers, doorkeepers, nurses, obstetricians, attendants, hairdressers, and clothes-folders, with male slaves as masseurs, jewellery attendants, messengers, pages, grooms, porters, and litter-bearers.

The household could also have a male chaperone for the children (a paedagogus), as well as bakers, cooks, and confectioners, while the paterfamilias would make use of secretaries, accountants, readers, and copyists. Vicarii, understudies, were slaves kept by another slave to help out in their less welcome tasks (Plaut. *As.* 434).

A bronze casket, dated to 250–235, depicts a countrified kitchen scene with a dialogue between two male slave cooks who are preparing a meal. The two of them are shown cutting up a fish, preparing a pig, cooking with garlic, stirring a cauldron, and holding what is apparently a plate of cakes (*CIL I² 560*: doc. 6.14). The fact that the craftsman thought this a worthy subject to illustrate is intriguing, and presumably the slaves' dialogue, with its instructions to each other and to the utensils regarding the preparation of the meal, was considered humorous.

Slaves in the household

Generally in the early Republic a single slave would have been the norm in an ordinary household, and Varro discusses how, in early Rome, naming a slave had been straightforward, as a family with only one slave only had to think up a single name (Varro *Ling. Lat.* 8.10, 21, 83: doc. 6.15). In his own time, when there were numerous slaves per household, multiple names were necessary, and so the choice required thought and ingenuity. He suggests a number of options for a slave who had been bought at Ephesus: he might be called Artemas, a nickname derived from that of the vendor who was called Artemidorus; or Ion because he had been bought in Ionia; or Ephesius because he came from Ephesus. The owner simply had to choose the most suitable. The slave's original name was irrelevant.

Like Varro, Pliny harped back to old times when life was simple. Writing in the time of Vespasian (AD 69–79), he lamented the fact that people had now to employ a nomenclator even to tell them the names of their own slaves: a nomenclator was the slave whose job was to remember the names of all his master's friends, associates, and clients, as well as potential voters. In 'the old days' the one slave belonging to a householder whose name was Marcus or Lucius was simply known as Marcus' or Lucius' boy (*puer*) – hence his name was Marcipor ('Marcipuer') or Lucipor. At that time, the single slave was part of the family and took his meals with them, unlike Pliny's time where there were so many slaves in a household that they had to be supervised closely to guard against theft (Pliny 33.26: doc. 6.16).

Domestic slaves in a reasonably sized household were fortunate, in that they had the opportunity to gain the attention, and even the regard of their owners. This could be reciprocated. The rationale behind the festival of female slaves on the Nones of July (5 July), when both citizen and slave women sacrificed to Juno Caprotina (Juno 'of the wild fig tree'), was that while recovering from the Gallic attack at the beginning of the fourth century Rome had been threatened by Fidenae, which had demanded that Rome hand over its married women and unmarried girls (Macrobius 1.11.36–40: doc. 6.17). The female slaves agreed to go to the enemy dressed as their mistresses, and then succeeded in making the men intoxicated, on the grounds that it was a festival day. The signal was then given from a wild fig tree (caprotina) to the Romans to attack, which they did successfully. To celebrate the victory, the slaves were manumitted, given dowries, and allowed to dress as citizen women. The day itself was named

for the fig tree, and an annual festival and sacrifice was celebrated, when the juice of the fig tree was offered up to Juno Caprotina in commemoration. While legendary, this episode reflects the bonds which could be felt between owners and slaves at an early period when slaves were essentially members of the family.

Even in a large household in the late Republic, slaves could be lucky enough to have the chance to bring their talents to the attention of their owners. From being a doorkeeper ‘in chains’, Suetonius records that L. Voltacilius Pilutus after manumission went on to become an historian (*Suet. Rhet.* 27: doc. 6.18), writing a biography of Pompey himself and of his father Pompeius Strabo. The manumission was possible because contact with his owners allowed his talents to be recognised. While the doorkeeper or porter (*ostiarius*) in a Roman house was a relatively lowly slave, chained up to the doorpost at the entrance to the house so that he was unable to run away, he did, like Voltacilius, have the chance of interacting with members of the household as they left the house. Owners could show affection towards their slaves, especially young members of their household, and noblewomen in particular, like Augustus’ wife Livia, were fond of keeping dwarfs or small pages, ‘little naked boys’, to attend them (docs. 14.39, 15.68). Many of the epigrams of Lucilius were written as epitaphs for his slaves, including one for Metrophanes, ‘a little pillar’ of his household, who was ‘neither unfaithful nor useless in any respect’ (*Lucil.* 22.624–625: doc. 6.19).

Wet-nurses

Wet-nurses became relatively common in wealthy families during the second century BC, with Greek nurses particularly prized. They could be freepersons, slaves, or freedwomen, and contracts written on papyrus from Egypt show that the baby’s parents, or the wet-nurse’s employers if the child were an orphan, could demand compensation should the nurse’s milk be unsuitable, or if the child was unweaned or had not been properly cared for when returned after the nursing had finished, generally at 2 years of age. In 5 BC at Alexandria, M. Sempronius employed an Egyptian-Greek girl, Erotaion, to nurse for him a slave baby named Primus (‘First’). The contract stated that for an additional 15 months (she had already been nursing the baby for three or four months) she would provide Primus with her own milk, ‘pure and unadulterated’, and receive in return 10 drachmas and two jars of oil per month (*BGU* 4.1108: doc. 6.20).

Erotaion was clearly freeborn as she nursed Primus in her own house, though owners did hire out their slaves as wet-nurses for the infants of other people. Primus may have been the offspring of Sempronius himself by an informal union (soldiers were not permitted legal marriage during their period of service). Alternatively Primus may have been the offspring of one of Sempronius’ slaves, or a foundling, perhaps an infant that had been exposed and then raised as a slave, for the purpose of subsequent education and sale. Most of the wet-nurse contracts from Roman Egypt concern freeborn women who nursed slave infants, and the average length of the contract was two years. As with Erotaion, it was often laid down that the wet-nurse should not sleep with another man, become pregnant, or nurse another child at the same time. These contracts suggest that the raising of infant slaves belonging to Romans in Egypt was a lucrative business, and provided a useful income for Egyptian mothers.

Maxims on slavery

Publilius Syrus was famous for his composition of mimes (mimes were farces, very popular in Roman theatre and the main comic genre; while scripted, they also relied greatly on improvisation, as well as caricature, song, dance, and general clowning). Publilius had arrived in Italy as a slave in 83 (Pliny 35.199: doc. 6.12). He performed at Caesar's invitation at the games (*ludi*) put on as part of Caesar's triumph in 46 BC and defeated his freeborn opponent Laberius. His dramatic productions featured a number of slaves, with their dialogue providing some idea of the lifestyle of slaves from their own point of view. None of his plays are extant, but a collection of the sententious sayings (*apophthegms*) uttered by his characters was made in the first century AD and many of these concern slaves or slavery. One of his characters states that behaving in a 'tame' or subservient manner is less risky for a slave, but it makes one a slave in reality. Slavery can also be degradation, and death, which terminates this, is preferable to life as a slave and 'glorious'. Other characters present more positive views: a slave who serves his owner wisely can have 'a share in the master's role', a hint that slaves in a large household could be in a position of authority over lesser servants. Furthermore, however much a slave dislikes his servitude, his misery will not do anything to ameliorate his position: 'If you don't like being a slave, you will be miserable; but you won't stop being a slave' – a piece of pragmatic advice, highlighting the fact that the slave's own views and feelings were of no consequence (Publilius Syrus 414, 489, 596, 616: doc. 6.21).

Slave dress and appearance

To the non-Roman, the distinction between slave, freedman, and citizen was not necessarily apparent at first sight: Appian, a Greek from Alexandria in the early second century AD, explained that 'a man who is still a slave wears the same clothes as his master'; except for senators, the dress of normal citizens was the same as that of slaves (App. 2.505: doc. 6.22). While there was no special slave clothing, clearly it would have been simple and probably much-worn in the case of less wealthy households, like those of the plebs, and probably quite ostentatious in the case of rich ones. It was actually possible for slaves to take on public roles to which they were not entitled: according to Dio (48.34), a slave, Maximus, was nearly elected quaestor in 39 but was recognised by his master and repossessed, while in the same year another runaway slave who had been elected praetor was thrown from the Tarpeian rock, after being manumitted so he could suffer the punishment suitable to a free man (slaves were crucified or suffered a similar disgraceful end like the gallows).

While the dress of a slave depended very much on his occupation, slaves could be purchased simply for their appearance, rather than for their ability to undertake specific tasks. Owners could pay extremely high prices for such a status symbol of wealth and taste. Pliny cites the case of Mark Antony, who purchased two identical slaves as twins from a slave-dealer named Toranius (Pliny 7.56: doc. 6.23). The fact that they were 'of outstanding beauty' suggests that he intended them to be employed as footmen (to stand at either side of a door), or as dining-room attendants. Their price was enormous, 200,000 sesterces, at least 50 times that of a normal slave. However, there

was a snag: after purchase their accents revealed that they were not only not related, but that one was from Asia and the other from the region north of the Alps. Antony was furious, as he had thought he was buying twin brothers, but Toranius argued that this was the reason for their high price, since their resemblance would not have been unusual if they had been brothers – it was the fact that they were from different countries but looked identical that made their market value so high. His reasoning convinced Antony, who from then on saw them as one of his most valuable possessions. In a society given to conspicuous consumption, slaves could be expensive commodities merely due to their exceptional appearance. Disabilities could also command a high price, and the women of Augustus' family (doubtless like others) rivalled each other in their possession of pet dwarfs (Pliny 7.75: doc. 15.68).

The treatment of slaves

Cicero (*Off.* 1.41) believed that masters had an obligation to treat their slaves properly, as if they were hired workmen ('work must be exacted, their dues paid'), but this was not a view which was frequently articulated in Rome. There was no restriction or prohibition on how slaves could be treated by their owners, and Plautus depicted numerous slaves on stage in his comedies as the object of ill-treatment for the entertainment of the audience. In *Pseudolus*, he presents Ballio, a relatively well-off if uncultured householder, giving instructions to his slaves about a forthcoming dinner: as it's his birthday and he has guests coming, they have to fetch the water, fill the cooking-pot, chop the wood, put the couches straight, clean the silver, prepare the food for the cook, escort Ballio himself to the fish-market, and make sure the house is 'swept, sprinkled, polished, smoothed, cleaned and all as it should be' (Plaut. *Pseud.* 133–170: doc. 6.24). Ballio threatens them with whippings and other ill-treatment, and the slaves are shown as so hardened to punishment, 'like donkeys', that Ballio hurts himself more than he does them, when he tries to flog them. Even when he beats them, he finds it hard to get their attention. In his view, all his slaves think about when they get the chance is 'rob, steal, pinch, loot, drink, eat and run away', and he warns them that if they don't get to work their sides will have more colours than Campanian coverings or 'clipped Alexandrian tapestries with their embroidered beasts'.

Beneath the comic depiction of the slave–master relationship on stage lies the reality of the ways in which slaves were subject to the chastisement and ill-temper of their owners with no chance of appeal against their punishments. Frequent complaints about slaves in comedy dwell particularly on their idleness, no doubt a common form of passive resistance on the part of the slave, and on their inability to carry out a simple instruction, and comedies present them as resisting all forms of work. Female as well as male slaves were ill-treated, and in Plautus' *Mercator* (396–397), Demipho lists the reasons why he might require one: 'We have no need of a maid, except one to weave, grind flour, cut wood, do the spinning, sweep the house, get beaten, and prepare all the household meals'.

A similar picture of the penalties for gluttony and laziness is given in Plautus' *Two Menaechmuses*, in which Messenio, a household slave, soliloquises about the role of a good slave. This involves looking after his master's business even when the master is away, thinking about his back rather than his appetite (i.e., by not stealing food he will save his back a beating), and his legs rather than his stomach, and keeping in mind

the punishments dealt out to lazy, worthless slaves: ‘whippings, fetters, the mill, weariness, hunger, bitter cold – these are the rewards of laziness’ (*Plaut. Men.* 966–984: doc. 6.25). Messenio himself has decided, as a result, to obey his master’s orders, so he can hope eventually to be rewarded for his service by his freedom, for having been submissive in the master–slave relationship.

P. Vedius Pollio and his ‘lampreys’

While many slaves faced harsh treatment on a regular basis, owners could become notorious for the brutality with which they treated their slaves. The enormously wealthy P. Vedius Pollio, an equestrian, who was at some point proconsul of Asia, was a friend of the emperor Augustus, to whom he left his vast estate including his palace on the Esquiline, when he died in 15 BC: he also possessed a luxurious villa on the Bay of Naples (Figure 6.1). Pollio was noted for his cruelty towards his slaves, and he kept a fishpond of huge man-eating lampreys (more correctly the Mediterranean moray, the *muraena helena*), to which he was accustomed to throw those of his slaves who had displeased him: it is possible that he considered that murenae fed on human flesh had a superior flavour. The murena, which feeds on fish, crayfish, and cephalopods (as well as dead animals), is found in the Mediterranean and has sharp pointed teeth within a double, pharyngeal jaw and an elongated eel-like body which can grow to 1.5 metres and weigh 15 kilograms. The expense of keeping them must have been considerable as the murena, as a sea-creature, needs a continuous supply of fresh sea water: Lucullus tunnelled through hillsides to access seawater for his fishponds at his villa near Naples (*Plut. Luc.* 39.3: doc. 2.22).

The murena, and other exotic sea creatures, were delicacies in Rome, and Pliny (9.170) records that a certain L. Licinius Murena (his agnomen was derived from the murena) had been one of the first fish-lovers (*piscinarii*) and invented fish-ponds. C. Lucilius Hirrus (tr. 53), the first person to keep murenae in custom-built fish-ponds, was able to supply Caesar with 2,000 morays for the celebration of his triumphs, according to Varro (*Rust.* 3.17.3: doc. 2.24), and 6,000 according to Pliny. Piscinarii could even become attached to specific fish, and the orator Hortensius was so fond of a particular murena that he wept when it died, while Augustus’ niece Antonia Minor decorated her husband Drusus’ favourite with earrings – although it is not quite clear where these were attached, as most species of murena lack pectoral fins (Pliny 9.170–172). For those prepared to eat their pets, the late imperial author Apicius (*de re coquinaria* 10.2) gave numerous recipes: one sauce to accompany boiled murena included pepper, lovage, dill, celery seed, coriander, dry mint, pine-nuts, rue, honey, vinegar, wine broth, and oil heated together and bound in a roux sauce.

When Augustus was at dinner with him, Pollio commanded that a young slave who broke a crystal goblet when serving dinner be thrown to his lampreys – a demonstration of both extravagance and cruelty, according to Seneca (*de Ira* 3.40.1–4: doc. 6.26). The slave begged Augustus that he might suffer a less slow and agonising death than being eaten alive, and Augustus ‘disgusted at this innovation in barbarity’ ordered that he be released, all the crystal goblets smashed, and the fishpond filled in. His anger was provoked not only at this new kind of punishment, but because Pollio had ordered that ‘someone be killed in the very presence of Caesar’. The treatment of the slave, however, was not illegal, simply inappropriately brutal, wasteful, and overly



Figure 6.1 The ruins of the seaside villa of P. Vedius Pollio on the promontory of Posillipo outside Naples. The villa and grounds covered nine hectares and included a theatre (right) and a nymphaeum.

Source: Photo © Armando Mancini via Wikimedia Commons

ostentatious and hubristic. Furthermore, the slave remained in Pollio's ownership and subject to his cold-bloodedness and ill-temper for the future.

Augustus and his slaves

Augustus himself was generally on good terms with his freedmen and slaves, and according to Suetonius was intimate with a number of his freedmen, while his punishments for slaves who misconducted themselves were relatively moderate. When one slave, Cosmus, spoke of him 'most disrespectfully' Augustus only had him put in irons, and when his steward Diomedes, on a walk with Augustus, hid behind him when they were charged by a wild boar, Augustus turned this incident into a joke (Suet. *Aug.* 67.1–2: doc. 6.27). Nevertheless, there were limits to Augustus' leniency: he compelled one of his favourite freedmen to commit suicide after he was discovered to have had affairs with married women, and had the legs of his secretary Thallus broken for accepting a bribe of 500 denarii to reveal the contents of a letter. The ultimate penalty was meted out for those who took advantage of the illness of his grandson Gaius in the East to despoil provincials in Asia (Gaius was wounded at the siege of Artagira in AD 3 and died in Lycia in the following year). In response to their disloyalty and

corruption, Augustus had his paedagogus and servants thrown into a river with heavy weights tied around their necks.

Slaves in industry and manufacture

Slaves were widely used in agriculture throughout Italy and Sicily, but the extent of their role in industry and manufacture is less clear. Republican Rome was hardly a consumer society as most free people were simply too poor to provide a market for anything but the most essential items, while more wealthy households possessed their own craftsmen, generally slaves, to produce and repair any necessary tools and equipment. The production and consumption of manufactured items was largely limited to functional, everyday items by craftsmen in the local area. The consumer goods which they produced, however, like textiles and shoes, furniture, pottery, and agricultural items were important for the functioning of society, along with foodstuffs such as bread; service industries such as the fullers (who processed textiles and cleaned woolen clothing) and builders were also an essential part of city life and roles in which slaves were heavily employed. While most goods were produced for local consumption, certain areas in Italy specialised in the production of specific items, and ceramics from Cales in Campania and Arretium in Etruria were highly prized. Cato, in his treatise on farming, recommended certain towns for items such as tiles (*Venafrum*), olive-crushers (*Pompeii*), and carts (*Suessa*), and envisaged the farmer as shopping around and purchasing his equipment at a number of towns (Cato *Agr.* 135.1–3: doc. 2.16).

Both in the wealthy household and in larger workshops slaves could be employed in the manufacturing process: in Rome expertise in a trade was not prized by the elite, and according to Cicero there could be no freedom in a workshop (Cic. *Off.* 2.150) – it was not an occupation that gave social status. Inscriptions on pottery items made prior to 220 in Campania at Cales testify to slave (or freedman) involvement in their manufacture (the term slave in the inscriptions may mean ex-slave). Cales was known for its pottery, with a patera, shallow dish, from Tarquinii in Etruria, proclaiming that it was made by Retus Gabinius, slave of Gaius, at Cales. Another ‘slave of Gaius’, Kaeso Serponius, inscribed on a patera that it had been made by him at Cales in the Esquiline quarter. A further clay vessel bears an inscription from ‘Marcus at Cales’ who specifically describes himself as a household slave, *verna*, and thus working for a family business (*CIL I² 412, 416, 2487*: doc. 6.28).

Similarly a group of ‘tiles’ known as tesserae consulares or tesserae nummulariae, made of bone or ivory with a hole or handle to attach them to a particular item, give the name of a slave or freedman, the cognomen of his master or patron, the word ‘spectavit’ (inspected) or an abbreviation, and the date by day, month, and consulship on which the inspection took place. Such tesserae are dated from 96 BC to AD 88. It is generally believed that these recorded the official examination of coins for weight and genuineness (as opposed to counterfeit), and verified that a particular cashier had authenticated a batch of coins, with the tessera then being attached to that money-basket or bag. A less credible view is that these tesserae recorded gladiators’ dates of discharge. These freedmen or slaves (known as nummularii) acted as money-changers or bankers, checking the coins coming into or out of a bank or tradesman’s cashbox for their validity. Tesserae from between 96 and 93 record that the currency inspectors

were Capito, slave of Memmius, Menophilus, slave of L. Abius, and Philoxenus ‘of the association of iron-smiths’ (*CIL I²* 889–890, 2663a: doc. 6.29).

The silver mines

Probably the worst of all occupations (barring that of the galley-slave) was in the silver mines in southern Spain, which were owned by the state but managed by private operators from Italy, who acquired enormous wealth from the proceedings. The conditions were brutal and inhumane, with the precious metal being the primary concern and not the lives or well-being of the workers. According to Strabo (3.2.10), Polybius mentioned that there were 40,000 workers involved in the mines outside New Carthage, although some would have been employed in subsidiary tasks such as washing the ore and smelting it, and in construction work. The mines were about 20 stadia from the city, and covered an area of 400 stadia in circumference. The revenue for the Roman treasury comprised the enormous sum of 25,000 drachmas a day. Diodorus citing the Stoic philosopher Posidonius recorded that the businessmen bought up large numbers of slaves, who were handed over to the mine managers to work the seams of precious metal (Diod. 5.36.3–4, 38.1: doc. 6.30). The mines were deep, with twisting galleries far into the earth, and Pliny (33.97) noted that the shafts begun by Hannibal in Spain were still in existence in his time, and that one of them, called Baebalo, provided Hannibal with 300 pounds of silver a day. The tunnels penetrated a mile and a half into the mountain, and workmen along the length had to bale out water night and day. While earning their owners huge profits, the slaves themselves were worn out by their continual labours day and night, with many soon dying under the extreme conditions. Chained together, forbidden relaxation and rest, and driven on by beatings they were forced to endure the terrible labour, with the strongest of them suffering most because of their bodily strength or willpower, being unable to die despite the extent of the hardships they endured.

While Spain was the main source of silver, silver deposits were also worked in Sardinia, with other mines in the Balkans and North Africa. Silver tableware had been a status symbol from the second century and could command high prices. Pliny (33.145) records that some dishes could weigh as much as 100 pounds (32.75 kilos). Silver was also essential for the coinage: the silver denarius became the currency standard from c. 150 BC and remained so until the third century AD.

Slaves and the entertainment industry

The entertainment ‘industry’ was extremely important in Rome, with the populace expecting to be diverted at festivals by dramatic productions (tragic and comic), mimes, gladiatorial shows, and circus games. Slaves were prominent in the industry, as many of the roles were not considered appropriate for freeborn citizens, such as actors, mimes, gladiators, charioteers, musicians, and dramatic producers. The first full-length plays, adapted from Greek comedy, were produced by the dramatist L. Livius Andronicus, who was originally from Tarentum (he died c. 200). It is not clear whether he first came to Rome as a slave, but he is often assumed to have been a freedman, as was the playwright Terence (who came from Africa).

Actors and playwrights

Funerary inscriptions pay tribute to the skills and popularity of slave and freedmen actors. A memorial, c. 165–160, to the mimic actor Protagenes, found in a wall at Preturo near Amiturnum, praises him for having given ‘great enjoyment to people through his jesting’ (*ILS* 5221: doc. 6.31). A first-century epitaph from Rome similarly memorialised a ‘freedman of Lucius’ (his name is lost) who was a scurra, or professional jester, a ‘most respectable and excellent freedman of utmost trustworthiness’, whose grave had been set up by his patron (*CIL* I² 1378: doc. 6.32). Slave-actors could earn money against their manumission and could command immense salaries. In his defence of the comic actor Q. Roscius Gallus, Cicero made a case over the value of a slave who had been trained by Roscius as a comedian. The slave, Panurgus, was owned jointly by Roscius and C. Fannius Chaerea, and when Panurgus was murdered and Roscius accepted a farm worth 100,000 sesterces in lieu of his half of the slave, Fannius argued that he ought to receive half of this in compensation for *his* part-ownership of Panurgus. Cicero asserted that the part of Panurgus owned by Fannius was worth no more than 4,000 sesterces as Fannius had not contributed to his success, while that belonging to Roscius was worth more than 100,000 sesterces because of the skill and training bestowed on him by Roscius himself. It was the fact that he was Roscius’ pupil that had won him acclaim and favour on the stage (*Cic. QRosc.* 28–29: doc. 6.33).

Roscius was himself freeborn, from Lanuvium, and after a stellar career was given equestrian rank by Sulla, after which (already extremely wealthy) he performed without pay. His earnings as an actor, some 500,000 sesterces a year (*Pliny* 7.128: doc. 6.6), demonstrate the high value placed on thespian talent. Four or five speaking parts were generally required for a play, with the director who employed the troop taking the main role himself: all of the actors could be slave or freedmen professionals. The composer of the accompanying music was also an important figure and often performed on the flute: Terence’s composer was frequently Flaccus, slave of Claudius. As well as classical tragedies and comedies, Roman audiences were particularly fond of mimes, which were performed as an entr’acte during tragic performances, and featured dance, clowning, and improvisation. These came to be the most popular comic performances in the late Republic. Mimes could also be scripted, and writers of these works were usually freedmen like Publilius Syrus.

Skilled female actors were also highly valued, and the names of several are known from the Republic and Augustan period, the majority of them slaves or freedwomen, such as Mark Antony’s mistress Volumnia Cytheris (*Cic. Att.* 10.10.5; *Plut. Ant.* 9.7). They could be highly paid; Cicero (*QRosc.* 23) recorded that the female dancer Dionysia could earn as much as 200,000 sesterces. Actresses were often considered available for sexual activity even if not actual prostitutes, and Cicero asserted that the alleged rape of a mimula (actress in a mime) was hardly a crime, but rather a common practice (*Planc.* 12.30). Though popular, actresses were considered socially taboo, and Augustus’ legislation in AD 9 specifically prohibited marriage between a senator (or close relation) and a woman on the stage or one whose parents had been actors, as well as between a freeborn citizen and an actress (*Ulpian Epit.* 13.1–2: doc. 15.26).

Gladiators

Gladiators were another group of professionals who were almost invariably slaves (or prisoners of war, or condemned criminals), as anyone who fought in a gladiatorial munus (combat; pl.: munera) automatically gave up his rights as a freeperson. Ex-gladiators were often employed as bodyguards in the retinues of public figures: both Milo and Clodius were accompanied by slave bodyguards (Milo's included two well-known gladiators) at their meeting on the Appian Way in January 52 which led to Clodius' murder (Asc. 31–32: doc. 13.1). Gladiators were trained in a school, a ludus gladiatorius, by a lanista (their manager and trainer), and rented out to those who wished to present games or celebrate funerals of family members. One of Lucilius' poems satirises a famous gladiatorial fight: Aeserninus, a Samnite, one of the protagonists, was 'a vile chap, worthy of that life and station' (Lucil. 4.2.172–181: doc. 6.34). His opponent Pacideianus, the 'best by far of all gladiators since the birth of mankind', was forthright in his opinion of his opponent's abilities, anticipating that he would soon be 'fixing my sword in that blockhead's stomach and lungs'. Roman audiences were not squeamish, and gladiators had a short life-expectancy.

Gladiators who survived three years in the arena received a wooden sword (rudis) as a token of the fact that they need no longer engage in combat (the gladiator so discharged was known as a rudiarius), and after a further two years with the troop during which they served in a supervisory and training role they could be manumitted. But even after that ex-gladiators were subject to infamia, and, excluded from all public roles, including military service, except for positions such as bodyguards or 'rent-a-gang' hire by public figures such as Clodius and Milo.

Farm slaves: their occupations and training

Since the second half of the second century BC, large numbers of slaves had been employed on the latifundia in Sicily and Italy, and their presence had influenced the legislative programmes of the Gracchi, in their efforts to return peasant farmers to the soil. Rome properly became a fully slave-owning society in the second century, from which time it was dependent on slave labour, especially in agriculture. Not only were immense numbers of slaves acquired in warfare, but the aristocratic elite had come to control large areas of land and could afford to purchase slaves to work it. This was particularly the case in Sicily, and formed the backdrop to the two Sicilian Slave Wars.

Cato the Elder and the villa-estate

The agricultural treatises of Cato and Varro make it clear that slaves played a vital role in agriculture, and carried out a wide variety of tasks, from the bailiffs and supervisors of farms to the chain-gangs that worked the land. Cato, consul in 195 and censor in 184, wrote a farming manual for the 'landed gentry' c. 160, to advise on the best ways to make a profit from small slave-run estates, directed particularly at property owners in Latium and Campania. These 'villa' properties comprised some 25–75 hectares and primarily produced wine or olives.

Cato envisaged a staff of some 16 persons as the necessary complement to run a vineyard of some 100 iugera, including ten labourers (*Cato Agr.* 11.1–5: doc. 2.15). These would certainly have been slaves, and it is possible that all the workers were, rather than hired hands, including the overseer (*vilicus*). The labour on the farm was never-ending for these workmen and Cato advises the owner that if the overseer pleads that work has not been done because the slaves have been ill, or run away, or because of bad weather, then he should remind him of the jobs that the slaves could have been doing on rainy days: cleaning the wine vats and pitching them, moving grain, hauling out manure and making a compost pit, mending ropes – and as a last resort the slaves could even set to mending their own ‘rag-coverings and hoods’ (*Cato Agr.* 2.2–4, 7: doc. 6.35).

Agricultural slaves, even when they grew old, did not expect manumission, especially those kept in chains. Throughout his treatise, Cato is concerned with making as much of a financial return as possible: if the slaves had been sick, he warns, then they should not have been issued their normal rations, and old and sickly slaves are seen as unprofitable commodities to be sold along with ‘old oxen, defective cattle, defective sheep . . . and anything else superfluous’. Even on festival days, the slaves, rather than enjoying a holiday, should be set to cleaning out ditches, doing road work, cutting back brambles, digging gardens, clearing meadows, bundling wood, weeding thorns, husking grain, and generally cleaning up the farm. However, he did anticipate their having at least two days off a year at the Compitalia and Saturnalia in December, when they received an additional wine ration. His treatise makes it clear that, for the Romans, slave labour was merely one of the factors in an estate’s productivity, to be treated dispassionately as part of the tools and equipment of an owner who should be ‘fond of selling, not of buying’ (*Agr.* 2.7).

Slave rations

In terms of rations, the slave workmen were allowed a fixed quantity of very basic foodstuffs issued monthly; these generally consisted of grain, such as far or spelt (to make coarse bread or porridge), four modii a month in winter, and four and a half modii in summer when they would be working longer hours, together with an allowance of salt and oil (*Cato Agr.* 56–59: doc. 6.36). Cato allowed his slaves a sextarius of oil a month and a modius of salt a year. The slaves who worked the fields shackled in a chain-gang received more substantial rations in spring and summer, five modii of bread ‘from when they begin to dig the vineyard until the figs come in’, but otherwise four: their rations were issued as bread, not as grain, because being in chains they were unable to cook their own food. The slaves working in the fields were chained when outside, and at night confined in an ergastulum, or prison-like structure. Columella (1.6.3), writing in the mid-first century AD, recommended that the ergastulum be constructed underground with narrow windows, too high to be reached. The non-labouring staff (the overseer, housekeeper, superintendent, and shepherd) were to be given three modii of grain a month because they were not involved in manual labour.

These rations were carefully calculated to provide just enough energy for the workmen to carry out their tasks. A modius of grain is approximately equal to 6.6 kilograms of wheat (or 5.5 kilogram of barley), with one kilogram of wheat providing some 3,340 kilocalories. Estimating this to be 75% of the worker’s food intake, an

adult would require about 250 kilograms of wheat a year, and Roman legionaries in the second century BC received about 4 modii of wheat a month (or 316 kilograms in total for the year). Cato's workman thus received the same rations or slightly more than those of Roman soldiers, although they would have had less chance of varying or adding to their diet. As their relish ('opson'), Cato allowed his slaves windfall olives, and then when these were finished the ripe olives which would produce the least oil (and even so the owner is instructed to be sparing with them). When the olives ran out, they were to be given vinegar or fish-paste (hallec, the sediment of, or a sauce prepared from, pickled fish).

For their wine ration, during the three months after the harvest (which took place in September), the slaves should be given 'after-wine' (lora or lorea), a thin, watery wine prepared from the skins, seeds and pulp (the marc) of grapes after they had been pressed and water slowly strained through them; Cato gives the preparation method (*Agr.* 25). Depending on the time of year the workers were allowed either a hemina, a sextarius, or three heminae of this a day (between 0.273 and 0.82 of a litre), and for the Compitalia and Saturnalia in December, apparently their only 'holidays', a congius (3.275 litres). The chained slaves were to be issued additional wine in proportion to their work, and a yearly allowance of ten quadrantals (262 litres) was not to be thought excessive.

In terms of clothing (*Agr.* 59) the workers were allocated a short tunic, plus a rough cloak or blanket and wooden shoes every other year. When tunics or cloaks were issued the old ones had to be handed back and turned into patchwork. Cato's treatise makes brutally clear the fact that slaves were to be fed and clothed as economically as possible, while exacting the maximum labour from them. When the slaves fell sick or grew old they could only look forward to being sold off to someone even more parsimonious than Cato, who was prepared to make the most of whatever strength and ability was still left in them.

Cato's housekeeper

The duties of the housekeeper, too, were not light, according to Cato's instructions to his overseer on her supervision. The owner might have made the couple marry – in which case he has to 'be satisfied' with this wife; the overseer, in this case clearly a slave, is to restrict his sexual activity to this approved partner. It appears, therefore, that estates were frequently run by married slave couples. It is important that the housekeeper be made to respect the overseer, avoid extravagance, and pay as few visits as possible, while she is not to be allowed to invite any neighbouring women to the house, even her part of it (Cato *Agr.* 143.1–3: doc. 6.37). Furthermore, she should not be allowed to go out for meals, or take part in religious worship without the permission of her owners. Her movements are essentially to be restricted to the farm itself. She has to be clean herself, keep the farmhouse spotless, and sweep the hearth every day before going to bed. On the Kalends, Nones, and Ides of every month, as well as on festival days, she must pray to the gods and garland the hearth. She should always have cooked food prepared for the overseer and household, keep many chickens, and have lots of eggs. Every year she should ensure that she has stores of dried fruits, including pears, sorbs, figs, and raisins, as well as fresh Praenestine nuts, plus preserved fruit in jars. She should also be able to make good flour and grind fine spelt.

While many slave women might have been pleased to have the chance of such a position (as better than prostitution at least), it was not a sinecure.

Plutarch on Cato

Plutarch, a priest at Delphi and the product of a more humanitarian age (though one in which slavery was still omnipresent), did not approve of Cato's treatment of his slaves. Cato never paid more than 1,500 denarii for a slave, as he wanted hard workers, and sold them off when they got older rather than having useless mouths to feed. In Cato's view 'what a man didn't need was expensive even if it only cost an as' (Plut. *Cato Mai.* 4–5: doc. 6.38): 6,000 sesterces was in fact a high price for a slave, but in this case Cato would have been paying for specialist expertise. Plutarch deplored his practice of 'getting full use out of them like pack-animals, and then, when they got old, driving them off and selling them': an animal-lover, who admitted that he would not even sell an elderly ox, Plutarch considered that a 'good man' should care for his horses when 'age has worn them out' and 'look after his dogs not only when they are puppies, but when they need care in their old age', and he criticised Cato for the fact that he even left his campaign horse in Spain after his consulship to save the city the cost of its transportation (Plut. *Cato Mai.* 5.1–6).

Cato's slaves were often prisoners of war, especially young ones who could be trained 'like pups and colts'. They were not allowed to enter other homes unless sent there by Cato or his wife, and when at home had to be either at work or asleep (Cato preferred the sleepy ones as being less trouble and better workers). He encouraged sexual relations between his slaves, considering sexual frustration as a primary cause of misconduct, and charged them a fixed price to engage in such sexual liaisons, which they presumably paid out of any peculium they possessed. None of them was allowed to associate with a woman outside of the household to ensure that they were reliant on Cato for any relationships they might form. To maximise profits from his slave ownership he would lend his slaves money to buy boys, who after a year of training would be sold off, with Cato receiving a percentage of the profit; Cato also encouraged his son in such practices, telling him that 'lessening the value of an estate was not the mark of a man, but of a widow woman' (Plut. *Cato Mai.* 21.1–8: doc. 6.38).

Varro on slave workers

In his agricultural work 'On Rural Matters' (*rerum rusticarum libri*) written in 37, the polymath Varro described the best ways in which to pursue the rural way of life. His treatise was not a practical manual like Cato's, but intended to show how life on an estate was still feasible following the devastation of Italy after two decades of civil war. Unlike Cato, Varro recommended that slaves be motivated by rewards, rather than cowed by punishments, and encouraged to be loyal to their masters. In his view labourers should be no younger than 22 years, and he envisages estate-owners as possessing a number of specialist slaves, like smiths and other craftsmen, so that the farmers have their services at hand at all times. Varro makes clear that slave-breeding occurred on estates, and describes how he and other owners provided women to follow the herdsmen, unlike Cato who made the male slaves purchase sexual gratification. This gave rise to slave families, though legally slaves could not marry, and

their marriages and families had no legal status: a long-term relationship between two slaves was termed contubernium. Slave children born into a household were the property of the mother's master and were known as verna (sing. verna), slaves born into the household; if the mother was a slave, so was the child (the father's status was not taken into consideration).

Varro advised estate owners that the foremen should be incentivised by rewards, including the right to keep some property and be 'mated to fellow-slaves, from whom they can have children, for from such treatment they become steadier and more attached to the estate' (*Varro Rust.* 1.17.3–7: doc. 6.39). Essentially the children in such slave relationships became hostages to fortune: the parents worked hard and behaved themselves so that their family unit was not split up and family members mistreated or sold.

Varro suggests that the overseers of other slaves have some education and be older than those they supervise, whom they should control with words rather than whips, provided they can achieve the same result. Slaves, in his view, should be acquired from a number of different nations to avoid 'domestic hatred', presumably quarrels derived from being able to speak the same language. Varro envisages that the overseers engage in discussion with 'those of the labourers who are superior to the others', involving them in planning the work to be done to give them some self-esteem. They will also take more interest in their work if they receive more liberal treatment in terms of food, clothing, or leisure time, or by being allowed to profit from the estate by permission to graze their own animals. This will help to restore their goodwill if they have to undergo some punishment or work harder than usual. Despite his more empathetic approach to his slave-workmen, Varro still sees them as possessions, to be tempted rather than bullied into making the estate as profitable as possible.

In book two he considers the best slaves for large livestock breeding. The herdsmen are to stay all day on the pastureland and spend the night with their specific herd, though in the day they should meet up and graze the stock as a group. During the day they should eat with their own herd, but in the evening all those under a particular supervisor should eat together. The herdsmen's role is not just that of lounging around keeping an eye on the animals: the men selected for this job have to be tough and swift, able to protect the herd from wild beasts and robbers, lift loads onto pack animals, run with speed, and throw the javelin (*Varro Rust.* 2.10.2–8: doc. 6.40). It was customary to have one herdsman for every 80 to 100 sheep (one-tenth of these being rams), and two for a herd of 50 mares (*Rust.* 2.10.11). There was obviously a skill in matching particular ethnicities with certain occupations: for Varro the race most fitted for herding duties were the Gauls, especially for draught animals (those that pulled a plough or a cart), while men from southern Spain (Bastulans and Turdulans) were entirely unsuitable for this duty.

Varro refers to six different ways in which slaves could be legally obtained: by inheritance; possession (*usucapio*) for one year; war-booty; purchase at a public sale; *mancipium*; and *cessio*. *Mancipium*, or *mancipatio*, a fictitious sale, was the most formal manner of purchase which took place in the presence of six adult citizens when the purchaser struck with a coin the scale held by one of the witnesses while laying his hand on the object purchased (*Gaius Inst.* 1.119: doc. 7.4); *cessio* was when someone 'ceded' the ownership of an item to another in the presence of a magistrate. Interestingly he does not mention the exposure of infants as a source of slaves,

perhaps because he recommends purchasing adults. His reference to the acquisition of prisoners of war can be compared to Cicero's request for slaves from his brother Quintus (Cic. *Quint.* 3.9.4: doc. 6.11); obviously this was the most important source of slaves in the later first century. He notes that the slave's peculium was transferable with the slave, 'unless specifically exempted' as part of the deal, and as part of the purchase it was normal for a guarantee to be given that the slave being sold was sound and had not committed theft or damage. If the transfer took place without formal mancipatio, the seller was bound by double the value of the slave should the title to him prove bad.

The herdsmen are to be 'bred' (i.e., they should be made to engage in a relationship and produce children). This is straightforward for those workers who reside at the farm itself, because they have a female fellow-slave in the household. Varro's comment that 'Venus looks no further than this' implies that the need for sex is the driver, not any affection or choice on the part of the slaves themselves. Those, however, who look after the flocks in the mountains and wooded valleys, sleeping in 'hastily-constructed sheds', are in a different position. In such cases women should be sent out to follow the herds and consort with the herdsmen, while at the same time preparing their meals 'and making them harder working'. These women have to be 'not ugly' and tough, in many ways as good as the men themselves at their work. Varro cites the case of women in Illyricum who can look after the herd, carry firewood, cook the food, and look after the equipment in the huts – all this while giving birth to and caring for infants. Women in Liburnia, in northern Dalmatia, he notes, can even be seen carrying firewood while simultaneously nursing one or two children, showing up pampered mothers at Rome who take days to recover from childbirth while lying under their mosquito-nets (Varro *Rust.* 2.10.6–8: doc. 6.40).

Slaves and the law

Persons were either born as slaves, or made such by law. Children followed the condition of their mother at the time of birth, so that children of a female slave were themselves slaves, even if their father were a free member of the household. The slave was a possession (*res mancipi*) owned by their master and entirely without rights. As early as the XII Tables slaves could not be sued for any misdeeds or damage as they were not seen as legally competent, and only a person with legal rights (*sui iuris*) could be party to a legal action. As a result the master was liable to pay a penalty for his slave's misconduct, or could hand the slave over to the wronged party for punishment. A master could also take action against a third party who injured his slave. In the Republic there were no constraints on how masters treated slaves, as they had the right of life and death over them, and slaves could be tortured or killed with impunity. Vedius Pollio's slave was only spared because Augustus happened to be present.

In the second century AD the jurist Gaius defined a slave as being in the 'potestas' of their master, in the same way that a father had power over his children with the master having the power of life or death over his slaves, while anything acquired by a slave belonged to their master (Gaius *Inst.* 1.52: docs. 6.41, 7.2); a slave had no rights of property and was only permitted a peculium at their master's discretion. Slaves were frequently employed with their master's approval in a variety of occupations, and they might be paid in these roles and even promised their freedom once they had acquired

a peculium of a certain value. They could retain this on their manumission or sale, unless the master had arranged to appropriate it.

In law-suits it was necessary for all slaves who were called on as witnesses to be tortured to extract their evidence, as it was believed that slaves could not otherwise be trusted to tell the truth even under oath, although they could not be tortured to give evidence against their owner. Cicero in his first criminal case represented the necessity of putting slaves to the torture as ‘generally the salvation of innocent men’: their evidence could prevent the innocent from being found guilty of a crime they had not committed. In this case, when Sex. Roscius of Ameria was accused of parricide by family members in order to gain possession of a valuable estate, the accusers ensured that his slaves should not be examined as this would reveal that the charge was false (*Cic. Rosc. Am.* 77–78: doc. 6.42). Roscius’ accusers were in possession of all his slaves, with ‘not a single boy out of so large a household left to see to his daily meals’, yet none of these were being offered up for examination under torture. Roscius himself had demanded that two of his father’s slaves be examined, but this too was refused, and these slaves were now safely part of the household of Sulla’s freedman, Chrysogonus. Cicero perorates on the horror of this scandalous and unjust situation – ‘that a son should not be allowed to examine his father’s slaves about his father’s death!’ Any empathy for the slaves themselves is non-existent.

Of course, it could not be guaranteed that slaves would give true evidence under torture, and many must have said whatever was necessary to prevent further suffering. Consequently both prosecution and defence had the right to torture each other’s slaves: the most common instruments were the rack, the rope, and the claw, while red-hot irons and flogging could also be employed. In another case of Cicero’s, *In Defence of Cluentius*, which took place in 66, he presents the accuser as depending on the slaves’ breaking down and supporting the false charges (contradicting his argument in his defence of Roscius). Cluentius had been charged with poisoning his step-father Oppianicus, and, according to Cicero, Cluentius’ mother Sassia had tried to force the slaves to incriminate her son. The slaves were rigorously examined in the presence of many friends and associates of both Oppianicus and Sassia, but still failed to incriminate Cluentius (*Cic. Cluent.* 175–178: doc. 6.43). The brutality was such that the friends advised that the interrogation should desist, but some time later the interrogation of the slaves recommenced, again with ‘the severest tortures’, when the witnesses finally insisted on their ceasing. Sassia’s plots were unable to injure her son due to the probity of the slaves who would not give false witness even under torture.

As slaves might hold a grudge against their owners, it was not possible to torture slaves to extract incriminating statements against their masters, although from the time of Augustus this was allowed in cases of adultery, tax avoidance, or treason (*Justinian Dig.* 48.1.6, 8; *Dio* 55.5.3–4: doc. 15.62). Augustus also stipulated that torture should not be used until it was clear that there was a case to answer, while an accused person could not be condemned entirely on the basis of evidence elicited by torture, and there had to be corroboration from other sources. Where a slave was injured or died under this treatment, the owner would be compensated in the case of an acquittal. However, it was permissible for the slave owner to offer up his own slaves to torture to prove his innocence, and of course an owner could himself have his own slaves tortured. It also seems to have been the case that when a slave owner died in mysterious circumstances the whole slave household would be interrogated (*Cic. Fam.* 4.12.3).

Judicial torture was not supposed to end in the death of the victim, although clearly it sometimes did: this restriction was not influenced by any regard for the slave, but related to the nature of the process which was to elicit the truth, which involved keeping the slave alive under examination.

Despite Cicero's pejorative attack on Sappho's brutality there is no suggestion that he questioned her right as a slave owner to torture her slaves to produce evidence to support her case. As it eventuated, Sappho was still not satisfied with the result of the trial, and three years later she again put two of the slaves to the torture: one of them died under examination, and the other was crucified after his tongue had been cut out to prevent him incriminating Sappho (*Cluent. 187*). Even if Cicero is exaggerating, during the Republic there was little if any limit placed on the physical abuse that owners could inflict on their slaves.

Professional torturers and executioners

As a corrective against any belief that the accounts of the torture of slaves in law-suits might be unrepresentative of the realities of the time, an inscription from Puteoli (modern Pozzuoli) in Campania advertised a torture and execution business run by an undertaking firm as a side-line, which makes clear the Romans' pragmatic and brutal attitude towards their slaves: any owners who considered that their slaves had misbehaved themselves could utilise the services of this firm to ensure they were properly punished. In this town, one of the favourite holiday spots of the Roman aristocracy, as presumably in many other Roman townships, any private citizen or public official who needed to hire a professional torturer or executioner to deal with a recalcitrant slave (male or female) could find their needs met at very competitive prices (AE 1971.88: doc. 6.44). The advertisement of the firm's services was proudly displayed in an enormous inscription some 2.5 metres in width, and proclaimed that they were publicly contracted to perform punishments and executions as part of their agreement with the township's executive, and equally happy to put their skills to use on slaves belonging to private persons, whether the owner wished 'to put the slave on the cross (crux) or fork (furca)' (i.e., have him crucified or flogged). As part of their services, they contracted to provide the 'posts, chains, ropes for scourgers and the scourgers themselves', with the owner paying four sestertes to each of the workers who carried the fork, the scourgers, and the executioner as required. Four sestertes or a denarius was a standard day's wage, and hence the cost of the service was more than affordable, while, depending on the time taken in carrying out the torture or execution (presumably several would have been undertaken per day), the firm had the chance to turn a healthy profit. When punishments were requested by a magistrate in his official capacity, the firm engaged to set up the crosses for crucifixion, and supply for free all nails, pitch, wax, candles, and anything else necessary.

The inscription is a sobering reminder that female slaves could be subjected to the same abuse and mistreatment as males, and that (even though some Romans had affectionate relations with their slaves and freedmen) the Romans were not exactly concerned about enforcing humanitarian guidelines. Scourges, flagella (sing.: flagellum), found at Herculaneum consist of a number of short chains loaded with metal at the ends attached to a small handle, and the workmen who carried out the floggings (known as lorarii), like the executioners, were almost certainly slaves themselves,

trained as professional torturers. The fork (*furca*) was an old-established method of punishing slaves, in which a piece of wood in the shape of a letter V was placed upon the shoulders of the victim, with his hands tied to the ends. Floggings were frequently carried out on a slave wearing this fork (which immobilised him), and the slave forced to wear such a construction was known as a ‘*furcifer*’, ‘fork-bearer’. Crucifixion was the ultimate penalty usually imposed on slaves from c. 200 (as well as on deserters and non-citizen inciters of rebellion, such as Jesus of Nazareth), the most horrifying example of which was when Crassus had 6,000 rebel slaves crucified along the Appian Way after Spartacus’ revolt. It was only after AD 314 that crucifixion as the most appropriate death for slaves and rebels was replaced by the gallows, due to Christian respect for death on the cross.

Runaways and fugitives

The three main ways in which slaves could take action against their servitude consisted of resistance to performing work, running away, and open revolt against their masters. Running away was one way of rejecting servile status, but masters took steps to recover their property, and they were assisted by the state in this activity. Since slaves were a possession of their masters, it was forbidden to harbour or give aid to runaways, and the law did everything in its power to ensure that they were returned to their owners. The *triumviri capitales*, established in 290–287 to supervise the state prison and be responsible for executions, had the power of coercion (*coercitio*) over slaves, whom they could imprison, flog, and return to their masters if they were found out and about at night. Running away was especially common in times of civil war and other disturbances: in 40, when Octavian (Augustus) was at war with Sextus Pompeius, so many slaves decamped from Italy to join Sextus that the Vestals publicly prayed that these desertions should stop (Dio 48.19.4). Sextus’ fleet after 43 was made up, to a large degree, of these escaped slaves, and the war was derisively termed by Augustus as the ‘War of the Slaves’, while he later claimed that, after his defeat of Sextus, he had returned 30,000 slaves to their masters for execution; those whose masters could not be found had been crucified (RG 4.25: doc. 15.1).

Runaway slaves who were captured could be branded on the forehead like thieves to mark them out, and there were *fugitivarii*, professional slave-catchers, who are known primarily from the imperial period, but also heard of in the late Republic. These advertised themselves as experts offering to help slave owners recover their property: because slaves were property, they were seen as ‘stealing themselves’ by running away. A fragment of Lucilius speaks of bringing home a ‘runaway in manacles and a dog-chain and dog-collar’ (Lucil. 29.917–18: doc. 6.45), and slaves liable to decamp could be fettered around the neck, with the riveted metal collar giving the name of the slave and his master, the address to which to return him and the promise of a reward for his return. Where slaves could not be recaptured, the thwarted master might even formally curse them, consigning them to the deities of the underworld (Figure 3.15). Provincial governors could pride themselves on rounding up and returning runaway slaves in their provinces. A milestone near Forum Popillii in Lucania records the achievements of the praetorian governor in Sicily, T. Annius Rufus, propraetor in 131 and consul in 128 (less probably it might have been set up by P. Popillius Laenas, consul in 132). This governor had been responsible for capturing 917 fugitive slaves

following the slave-rising which began in Sicily in 135. The achievement is seen as an important one, recorded alongside the construction of the road from Rhegium to Capua and settling farmers to replace herdsmen on the ager publicus (*ILS* 23: doc. 6.46).

When one of Cicero's slaves ran away in 46, he contacted P. Sulpicius Rufus, one of Caesar's legates, who was in Illyricum as propraetor. Cicero, after assuring Sulpicius that he would certainly vote for a supplicatio in his honour for his victories, recommended one of his friends M. Vettius Bolanus to Sulpicius' notice. He also asked Sulpicius to look out for his slave Dionysius, who had been in charge of his library ('which is worth a great deal of money'), but ran away after he had stolen a large number of books (*Cic. Fam.* 13.77.3: doc. 6.47). Bolanus and many others had spotted him at Narona, in Sulpicius' province, but they had all believed him when he stated that Cicero had manumitted him. Cicero was clearly very upset at this desertion by an educated and trusted slave and hoped that Sulpicius would exert himself to try to lay hands on him: if the slave were returned he would feel that he owed Sulpicius a very great favour. From other correspondence we know Dionysius was fortunate in avoiding capture and was still at large in 44. In a letter to Quintus, Cicero also refers to a runaway slave belonging to Aesopus the tragic actor, who had posed as a freedman but was now in prison at Ephesus: Cicero asks Quintus to see that he is returned to his master (*Quint.* 1.2.14). At this point there clearly was no widespread state apparatus for helping owners to recover their fugitive slaves, and friends and associates were expected to assist in their recapture.

Slave revolts

One phenomenon in the Roman world, which did not occur in classical Greece, was the slave revolt, when large numbers of slaves rebelled against their masters. The most famous rebellion was that of Spartacus (73–71), but there were revolts on a considerable scale in Sicily in 135–132 and 104–100, which seriously threatened Roman government of the province, as well as isolated slave revolts in Italy in the 130s. There were, however, no general slave rebellions originating within the city of Rome itself, perhaps because of the wide disparity of ethnic origins of Roman slaves, and also because of the chances of manumission and citizenship available to educated slaves who were able to become familiar with their masters. Slave revolts were primarily fuelled by the appalling treatment of large numbers of slaves on the land. All three major revolts, the two in Sicily and that of Spartacus, were crushed ruthlessly but this did not lead the Romans into a consideration of how to avoid such disasters in the future, and no alleviation of the plight of slaves occurred. Harsh punishment dealt out to runaways and rebels was seen as the best defence against any future insurgency.

The First Sicilian Slave War, 135–132 BC

After Sicily became Rome's first 'overseas' province in 241, its ability to feed Rome with grain was immediately recognised. Rome's conquests in the Eastern Mediterranean provided an immense number of slaves to work the Sicilian latifundia from the middle of the second century, and by 135 the harsh working conditions impelled the slaves to revolt. Sicily had enjoyed great prosperity since the defeat of Carthage,

and landlords were wealthy enough to purchase large numbers of prisoners of war, ‘on whose bodies they put identifying marks and brands when they had dragged them home in herds from the slave-depots’ (Diod. 34.2.1: doc. 6.48). Diodorus’ account perhaps overemphasises the importance of pastoralism in Sicily, but both grazing and agriculture were clearly widespread. He states that the young men were employed as herdsmen and the rest in whatever ways they could be useful. All were harshly treated by the slave owners, who believed ‘that they deserved only the very slightest care in terms of food and clothing’. As a result they were forced into brigandage and robbery, with the government handicapped from dealing with them by the power and influence of the masters of the marauding slaves, who as herdsmen were not under the direct supervision of their owners. This caused considerable unrest in the province which flamed into a full-scale rebellion: Diodorus puts the numbers of rebellious slaves as high as 200,000, although given the population of the time 60,000–70,000 is a more realistic figure, though still sufficiently numerous to be an unparalleled threat to the province.

One of the most important catalysts for the revolt was the conduct of a certain Damophilus of Enna (in central Sicily) and his wife Megallis, who rivalled each other in their inhumanity and brutality, in conjunction with the magnetism of a Syrian slave, Eunus, who was ‘given to magic and wonder-working’ and who claimed to be able to foretell the future (Diod. 34.2.1–23: doc. 6.48). The maltreated slaves consulted Eunus, who promised the gods’ approval for rebellion, and a band of 400 attacked the city of Enna and brutalised the inhabitants, joined by other slaves from within the city. Eunus was chosen as ‘king’ and had the citizens put to death, including Damophilus and Megallis, except for arms manufacturers. In three days Eunus, who took to wearing a diadem and set up an advisory council, had armed 6,000 slaves, while others took up farm and kitchen implements, overcoming Rome’s attempts to put them down by weight of numbers. A further group of rebels at Agrigentum, led by Cleon a slave from Cilicia with 5,000 followers, joined that of Eunus some 30 days after the commencement of the revolt and the rebels were able to defeat the governor L. Hypsaeus, who was in command of 8,000 Sicilian troops.

The success of the slaves in Sicily led to other outbreaks, one of 150 slaves in Rome, and others in Attica, Delos, and elsewhere, but these were soon harshly put down. In Sicily, however, it was not until 132 that the commander P. Rupilius (consul in that year) was able to recover Tauromenium after starving it out and reducing the inhabitants to cannibalism. In the end the city was betrayed, and all the rebels were tortured and thrown over a cliff. Enna too was besieged and betrayed. Perhaps more than 20,000 slaves had been killed in the war. Eunus fled with a bodyguard of 1,000 men who killed themselves by beheading on the approach of Rupilius: Eunus went into hiding but was dragged out and died in prison, after which Rupilius was able to liberate the rest of Sicily and impose order with the aid of a senatorial commission.

The Second Sicilian Slave War (104–101)

The Romans had found it extremely difficult to quell the first revolt: it commenced in 135 or slightly earlier, and was finally squashed in 132, after the Romans had suffered some notable defeats; Rupilius, the consul who terminated the revolt, was the third consecutive consul sent out to deal with it. Aided by the fact that most of them



Figure 6.2 A serrate denarius, from a Roman mint, 71 BC, minted by M'. Aquillius, depicting a draped bust of Virtus wearing a crested helmet, and Aquillius raising the kneeling figure of Sicily. On the obverse Virtus with the legend *VIRTVS* (Valour) to the right, on the reverse M'. Aquillius standing, head turned to the right, raising the figure of Sicily and holding a shield. *SICIL* in exergue. Aquillius' ancestor, another M'. Aquillius, as consul in 101 put an end to the slave revolt in Sicily and was awarded an *ovatio* in 100.

Source: Courtesy of Classical Numismatic Group

had come from the East and were able to communicate with each other in Greek or other languages, the slaves had set up a government of their own similar to a Hellenistic kingship. As with the later revolt of Spartacus the slaves in Sicily were aiming at freedom; they were not the precursors of proletarian uprisings or social revolution, but wanted to be free again and no longer subject to brutalisation. They failed. Rupilius the Roman consul who defeated them proposed the *lex Rupilia* to improve Sicily's administration, but it did not address the position of the slaves or their working conditions, and contrary to some modern accounts it did not deal with the size of the latifundia. Thirty years later, with the treatment of slaves no better, the second slave revolt followed the same pattern: the combination of large numbers of the newly enslaved and their harsh working conditions led to another large-scale uprising in 104.

The catalyst on this occasion was the proclamation of a senatorial decree that all slaves in the provinces who had come from allied countries were to be set free. The praetor in Sicily released some 800 slaves, but no more (because of pressure from the large property owners), leading to a revolt by those expecting to be liberated. Salvius, a flautist, led the insurrection in central Sicily, with the Cicilian Athenion, an estate steward, leading a parallel group in the west of the island. On this occasion the slaves were unable to take any of the main cities, but the two groups combined to form an army of over 30,000 men and Salvius was proclaimed king under the name of Tryphon, establishing a government on Roman models at Triocala (he wore a *toga praetexta* and was accompanied by lictors). The slaves were defeated by the propraetor L. Licinius Lucullus in 103 but the rebellion continued for more than a year. After Tryphon's death Athenion took over the leadership, but died in 101 in single combat with the consul M'. Aquillius, earlier a legate of Marius against the Cimbri.

A denarius of 71, issued by the consul's grandson, depicts a standing soldier, doubtless Aquillius himself, who with his right hand raises up a prostrate kneeling woman identified as Sicily (SICIL) (Crawford *RRC* 401.1: doc. 6.49; Figure 6.2). This was an appropriate legend to be issued by a member of the family after the end of the Spartacus war, reminding the Romans of the role Aquillius had played in the earlier victory. Both revolts in Sicily had lasted for several years, at times when Rome was distracted by military engagements elsewhere. In 135, the Romans were heavily committed in Spain, and in 104 Rome was under threat from the north by the Cimbri and Teutones. It is possible that in both cases the slaves had intended to establish their own kingdom in Sicily, and they appear to have been joined to some extent by poor citizens, who at least took part in plundering the estates of wealthy landowners, even if they did not engage in the actual fighting.

Spartacus, 73–71 bc

Perhaps the most dangerous of the major slave revolts, because in Italy itself, was that of Spartacus. This lasted from 73 till 71, and it is this revolt which has captured both the scholarly and popular imaginations, due to the combination of a heroic figure, the involvement of gladiators, and the spectacular mass crucifixions of slaves. It is also Spartacus with whom the Marxist historians engaged in depth in their treatment of ancient slavery. Spartacus, a Thracian, had been a free man before becoming imprisoned and then sold as a gladiator, stationed at Capua, the major gladiatorial training centre for Rome. However, the treatment endured by himself and the 70 others in his barracks who joined his break-out led them to 'endanger their lives in pursuit of freedom', rather than losing them in front of an audience at munera put on as part of funerary celebrations. Gladiatorial contests had not yet turned into the mass public entertainments of the imperial period. As in Sicily, herdsmen and other slaves on the land unhappy with their lot joined the rebels after they had escaped from their gladiatorial school onto the slopes of Mount Vesuvius (App. 1.539–559: doc. 6.50).

Spartacus' aim was to march north into Cisalpine Gaul. Many of his followers may have been from north-western Europe and hence were heading for their homelands, rather than from the East as in the Sicilian revolts. Spartacus was clearly not aiming to set up a kingship as in Sicily, or to lead a proletarian uprising to reshape the world order, although Marxist historians have traditionally overlooked this. His intention was to leave Italy with as little conflict as possible with Roman armies. His decision not to march on Rome may, in hindsight, have been a mistake, akin to that of Hannibal. As it was, he scored several remarkable military successes against the Romans, who were slow to respond, having few military reserves at the time. Their troops were also occupied in Spain against Sertorius. With the Romans unable to stop Spartacus and his men raiding southern Italy, these successes encouraged others, both slaves and impoverished Italians, to join the insurrection: Spartacus even captured the horse of the praetor P. Varinius, so close was he to taking a Roman magistrate prisoner.

At its peak in 72, the slave army is estimated to have comprised anything from 40,000 to 120,000 men, Appian's estimate (App. 1.545: doc. 6.50), and Spartacus, who had served in the Roman army, forged it into an efficient fighting unit. His lieutenant Crixus was defeated by one of the consuls with some 20,000 men lost, but, after his route north out of Italy was blocked, Spartacus defeated each of the consuls

in succession and headed for Rome, en route defeating the consuls once again in Picenum. He changed his mind about attacking Rome on the grounds that his troops were not sufficiently well-armed, and turned south to march back into southern Italy, where he took Thurii. Finally late in 72, after no candidates could be found to stand for the praetorship, the senate gave proconsular imperium and the command against the slaves to M. Licinius Crassus, who had probably been praetor the previous year. With six legions, plus the legions of the consuls, Crassus forced Spartacus and his men back into Bruttium, shutting them in by constructing a line of forts across the peninsula. Crassus' success had only been achieved after use of the brutal decimatio of the consular troops, the execution of one man out of every ten (Polyb. 6.38: doc. 5.20), as punishment for their defeats to date, aimed at instilling desperate bravery and fear of defeat in the remaining troops, and 'demonstrating to the army that he [Crassus] was more to be feared than defeat by the enemy' (App. 1.551: doc. 6.50). Appian estimated those decimated at some 4,000 soldiers. After failing to transport his followers to Sicily, Spartacus broke through Crassus' fortifications in 71 and fled to Brundisium, but was trapped in Lucania, where he died after a long and hard-fought battle. His body was never found, and his army slaughtered. Plutarch (*Crass.* 11.9) records the dramatic detail of Spartacus killing his own horse so that he would have to fight to the bitter end. Crassus, who pursued and cut down the fugitives, had the 6,000 remaining survivors crucified along the Appian Way as far as Capua, a grisly warning to other slaves of the dangers of insurrection.

Although Crassus clearly had the situation in hand in 71, the senate also appointed Pompey to the command; he had just returned from Spain (where he had defeated Sertorius and Perperna). Crassus hastened to finish off Spartacus in order not to have to share the gloria with Pompey, who overcame 5,000 slaves fleeing from the battle and informed the senate that, while Crassus had defeated the gladiators, he (Pompey) had rooted out the slave revolt. Even so, there were still groups of renegade slaves being dealt with in southern Italy by Roman forces in the late 60s, with Augustus' father wiping out a band at Thurii (Suet. *Aug.* 3). Despite the unparalleled threat to Rome from this army devastating Italy, Crassus was only awarded an ovatio because he fought against slaves, a 'lesser' enemy, while Pompey celebrated a triumph for his victory over Sertorius in Spain. The two of them shelved their differences to share the consulship in 70.

The manumission of slaves

Slaves were generally freed because of services they had rendered to their masters, or because of an associated feeling that a slave was too talented to be enslaved, rather than because of any idea that the institution of slavery was immoral or unjust. The freed slave was known by two designations: libertus (plural: liberti, used to express the relationship between ex-slaves and their owners) and libertinus (plural: libertini, expressing the relationship with the community at large). Despite the brutal treatment often experienced by Roman slaves, the Romans' attitude towards manumission was relatively relaxed, especially in contrast to that in Athens, where freed slaves received the status not of citizens but of metics (resident foreigners). In 214, Philip V of Macedonia in writing to the city of Larissa in Thessaly noted in surprise the Roman attitude to manumission: 'The Romans even admit slaves to citizenship when they manumit

them, and give them a share in the offices of the state' (*IG IX.517*). In fact he was incorrect in stating that a Roman freedman could hold office at Rome (though his sons could, and outside of Rome freedmen could hold some offices in communities), but the Roman attitude to manumission and freedmen was far more generous than the Greek.

Freedmen in Rome became citizens and joined one of the four urban tribes, although they could not hold senatorial or equestrian rank. They were also ineligible to hold priesthoods. These civic disabilities, however, did not affect the second generation, and their sons, if born after their father's manumission, had full civic rights. Following the *lex Manlia* of 357, a tax had to be paid to the treasury of 5% of the slave's market value on his manumission (*Livy 7.16.7*), and as early as 312 App. Claudio Caecus as censor enrolled the sons of freedmen in the senate, while in 304 Cn. Flavius, son of a freedman, became curule aedile (*Livy 9.46.1*: doc. 1.55). Freedmen and the relationship between freedmen and their patrons feature in the XII Tables, which deal with manumission by will on the slave's paying a price to the heirs. The Tables also laid down that if a freedman left no will and died childless, his patron became his heir (*Table 5.8*: doc. 1.37).

Methods of manumission

From the early Republic a master could manumit his slaves by one of three methods: *vindicta*, *censu*, and by will. *Manumissio vindicta* involved a master having a friend claim in the presence of a magistrate that the slave was free; if the master did not deny the charge, the magistrate pronounced the slave a free man. *Manumissio censu* involved the consent of the master in enrolling the slave amongst the citizens at the census. The slaves themselves could not initiate any of the three types of manumission. In the later Republic it was also possible for a patron to manumit a slave informally before witnesses or in a letter, but this did not confer legal citizenship. Freedmen, as citizens, were allowed to wear the toga, but they wore a distinctive 'liberty-cap', the *pilleus*, a skullcap of felt or leather worn over a shaven head, as a sign of their status; coins issued by the liberators after Caesar's assassination depicted the *pilleus* between two daggers (Figure 13.12). One of Scipio Africanus' staff, Q. Terentius Culleo who had been captured by the Carthaginians, wore the *pilleus* in Scipio's triumph, crediting him with being his 'liberator' (*Livy 30.45.5*: doc. 4.59). Freedman also took the *praenomen* and *nomen* of their ex-master, showing that they had become members of his *familia*. The names, which they proudly bore as Roman citizens, were a clear attestation of their relationship to their ex-master, who now became their patron. Augustus' legislation, though generally supportive of the status of freedmen and women and their marriage with Roman citizens, laid down that members of the senatorial class, and all their female relatives including daughters, granddaughters, and great-granddaughters, were prohibited from contracting legal marriages with freedpersons (*Ulpian Epit.* 13.1–2: doc. 15.26).

Slaves were frequently manumitted in their owner's will so that they became freedpersons after his death, so frequently, in fact, that restrictions were put on this practice by Augustus suggesting that the practice had previously been relatively unregulated. He laid down that only a proportionate number of slaves belonging to any one master could be freed by bequest, and that both master and slave had to have attained a certain age before the manumission was valid (*Gaius Inst.* 1.42–44: doc. 15.60). Slaves

who had suffered punishments for infamous crimes were also forbidden from becoming citizens even if freed. If a slave was manumitted in a will with the proviso that he pay a certain sum to the heir (from his peculium) before obtaining his freedom, the slave even if sold by the heir could purchase his freedom by paying the stipulated sum to the purchaser.

The obligations and responsibilities that slaves owed towards their ex-master were confirmed by an oath at their manumission, and as freedpersons they were expected to show him respect and gratitude at all times. They were also required to perform services for him, and use their vote in his favour, and in this way owners did not lose complete control of their property. If the freedman was manumitted by will (and so after his owner's death), the obligations were due to the owner's heirs. Similarly, if the freedman fell on hard times it was the duty of the patron to support him. The patron was also the guardian of all his freedwomen and they were therefore unable to dispose of their property without his consent. The lex Papia Poppaea in AD 9 removed this obligation if a freedwoman had four children, though the patron had to be granted an equal share of the inheritance along with each of her surviving children (*Gaius Inst.* 3.44: doc. 15.28).

Tiro and Statius

Manumission might only come after a long period of service, even for a favourite and talented slave. Cicero's secretary Tiro had been born in the household of Cicero's grandfather, the son of a prisoner of war, in 103. He and his secretarial duties are frequently mentioned in Cicero's letters and he features as one of Cicero's correspondents, but it is noteworthy that Cicero only manumitted him in 54 or 53, when Tiro was nearly 50 years of age. From that point, Tiro (now M. Tullius Tiro) continued as a freedman and family friend to perform his earlier duties, living to nearly 100 years of age and publishing Cicero's letters after his death, as well as a biography. On hearing that Tiro had been manumitted, Cicero's brother Quintus wrote him a letter expressing his delight at the news: 'you have done what gave me the very greatest pleasure when you preferred that he, who did not deserve his bad fortune, should be our friend rather than our slave' ([Cic.] *Fam.* 16.16.1–2: doc. 6.51). Quintus remarks that he jumped for joy when he read Cicero's letter, and both thanked and congratulated his brother, remarking that as his own favourite freedman Statius was a source of great pleasure to himself he realised how valuable Tiro's qualities were when he considered his literary skills, powers of conversation, and refinement, not to mention the personal services he was able to perform.

Significantly, under certain circumstances, manumission was not necessarily irreversible if freedmen failed to perform the duties they had sworn to their former master: in a letter written to Atticus from Brundisium on 24 November 50, Cicero expressed his unhappiness that two of his freedmen had deserted his son Marcus (Cic. *Att.* 7.2.8). One, he commented, was a total scamp, but he was shocked that the other, Chrysippus, whom Cicero had made much of in the past, had left young Marcus without letting Cicero know. His other misdeeds and pilferings he could have put up with, but this absconding was the 'most dastardly thing he had ever encountered' and Cicero was prepared to deny that he had ever given the slaves their freedom. In this case, however, the process, by which the master proclaimed a slave free in the presence

of friends, appears to have been informal (such persons were free but not citizens; the *lex Junia Norbana*, probably passed in 17 BC, was later to give them Latin status). By leaving his son the two freedmen had clearly broken their obligations as clients towards their patron and Cicero was furious, asking Atticus' view on how to proceed to take action against them.

At some point after October 47 Cicero wrote to Tiro for the first time as an equal and friend, using the form of address 'Tullius Tironi' ('Tullius to Tiro') rather than 'Tullius M. Tironi' ('Tullius to Marcus Tiro'): only familiar friends were addressed without the praenomen. Cicero obviously feels he has to explain his familiar address, asking Tiro himself whether it was not 'quite right', and that he should like to even add 'dear', though he suggests that this might bring criticism so he will avoid it. The letter is on medical issues, and Cicero urges him to look after himself and says that he will regard his place at Tusculum as more charming than ever if staying there has done Tiro any good (*Cic. Fam.* 16.18: doc. 6.52). It is a chatty letter: Cicero mentions Tiro's digestion and bowel movements, and comments that he will be sending him a sun-dial and books, if the weather is nice, asks whether Tiro has some light reading with him, or is working on his tragedy, and wants to see what he is writing, telling him to look after himself properly. At the end of 44 Quintus did go further and addressed him in a letter as 'his dear Tiro' (*Tironi suo*), and talked of smothering his eyes in kisses, even if he first saw him in the middle of the forum (*Fam.* 16.27). However intimate a patron was with his freedman, and whatever the freedman's excellent qualities, there were still boundaries in the relationship which should not be overstepped for fear of public criticism.

In contrast to the literary Tiro, Quintus' own freedman Statius was a force to be reckoned with and was considered by many, including Cicero himself, to have overmuch influence on his patron. He had been freed in 59, after two years in Asia where Quintus was propraetorian governor with Statius as his procurator in charge of his household and personal affairs. Writing to his brother at the end of 59, Cicero reminded him to make sure that he left no incriminating documents behind him in the province. He also took the opportunity to let Quintus know how irritated he had been on continually hearing of Statius' influence over Quintus' actions and decisions as governor, and on being requested by everyone that he recommend them to Statius (then still a slave) as a person of importance. There had been very critical comments made regarding Statius' interference in the affairs of the province, and he had himself heard Statius on many occasions use phrases like 'I didn't agree', 'I warned him', 'I discouraged him' in talking of Quintus (*Cic. Quint.* 1.2.3: doc. 6.53). This might well have shown the highest loyalty on the part of Statius, but at the same time, in Cicero's eyes, it was totally undignified. In fact, Statius' position had fuelled the gossip of those who wished to denigrate Quintus, while his manumission has compounded the problem, as it has given everyone who had been unhappy with Quintus' administration plenty to gossip about.

The manumission of potential witnesses

Because slaves were put to the torture to give evidence in legal cases, there could be benefits in manumitting slaves before a court case could come to trial when they could be forced to bear witness. Cicero accused T. Annus Milo, praetor in 55, of

manumitting his slaves for exactly that reason. Milo had been prosecuted for the murder of his political rival, P. Clodius Pulcher, on the Appian Way on 18 January 52 (Asc. 30–36: doc. 13.1), and the incident and the subsequent civil unrest had been the primary reason for Pompey's appointment as sole consul for 52. Milo, charged under Pompey's new anti-violence legislation, was brought to trial for murder and other offences such as electoral violence and bribery and defended by Cicero.

Milo had manumitted his slaves prior to the trial and it was obviously believed that he did so because he was worried about what they might reveal under torture. Cicero's argument on Milo's behalf was that this reasoning was inapplicable in this specific case, because it was well known that Milo had had Clodius killed: the point at issue was whether the killing had been justified, which could not be established by any torture of Milo's slaves. Rather, he argued, the reason for the slaves' manumission was – of course – to reward their devoted and loyal service for having saved Milo's life in the brawl. Whatever might befall Milo in the coming trial, Cicero asseverated (not particularly credibly), Milo viewed with more pleasure than anything else the fact that he had given these loyal servants their well-deserved reward, their freedom (Cic. *Mil.* 57–58: doc. 6.54). Milo, as one of Cicero's few failures (he was intimidated by the crowd surrounding the court), went into exile at Massilia. There is no reason to doubt Cicero's assertion that slaves were often rewarded by manumission for responding loyally in an unexpected crisis, or, indeed, that many were manumitted to prevent them revealing embarrassing or damaging information under examination.

Dedications by ex-slaves

Like those who had been saved from storms or fought a successful battle, slaves who were manumitted often made dedications to thank the gods for their release from slavery. Many of them, during the period of their servitude, must have made vows to the gods, which were fulfilled once they were free. At some point before 80 BC Q. Mucius Trypho, 'freedman of Quintus', set up an altar at Rome to the Bona Dea; he had 'vowed this as a slave and paid it willingly and deservedly when free' (ILS 3491: doc. 6.55). Trypho (a Greek name, so he was possibly a man of some education) might have been a slave of one of the Q. Mucii Scaevolae, the famous lawyers (consuls in 117 and 95). Prayers and vows must have made servile life just a little more bearable by providing the slaves with some hope that the gods would intervene and ameliorate their condition. Those that did achieve their liberty 'willingly and deservedly' paid the gods their thanks.

Manumission as a status symbol

Dionysius of Halicarnassus commented for his Greek readers on the Roman practice of manumission, discussing this in the context of the reign of Servius Tullius, although he obviously incorporates a great deal that was relevant to the end of the Republic. His belief that warfare had been the most important method of slave acquisition clearly relates to the first century BC rather than the time of the kings, and he envisages most of these slaves of the past being manumitted 'as a free gift for their good conduct', although a few would have paid a 'ransom' from the peculium which they had amassed from 'lawful and honest labour' (Dion. Hal. 4.24.1–6: doc. 6.56).



Figure 6.3 The funerary relief of the freedpersons P. Aiedius Amphio and his wife Aiedia Fausta Melior, from the via Appia, c. 30–20 bc. The couple's joined hands (*dextrarum iunctio*) denotes their legally married status. Both had been slaves in the same household, and this monument on a major highway and their portrayal as citizen Romans shows their pride in their manumission. Pergamum Museum, Berlin.

Source: Photograph courtesy of Sergey Sosnovskiy at ancientrome.ru. © Sergi Reboredo/Alamy Stock

In his own day, however, Roman society is in such a ‘state of confusion’ and its traditions have become so dishonoured that some slaves are able to buy their freedom with money acquired through means such as robbery, housebreaking, and prostitution; slaves act as accomplices of their masters in crimes against the gods and state, and are given their freedom as a reward; some are liberated so they can receive the grain dole and thus relieve their masters of the cost of their keep; and finally some owners are so light-minded that they grant their slaves freedom simply for the publicity it brings. Dionysius states that he knows of people who have let all their slaves be freed after their death so that their funeral will be followed by numerous ex-slaves in felt skullcaps – even though some of these are ex-prisoners, guilty of heinous crimes. Dionysius is obviously voicing the view of those who felt that Rome’s civic identity was being undermined and citizenship cheapened, and that unlimited manumission by will was seen as a problem is evidenced by Augustus’ own legislation in the area, though most of his legislation dealing with manumission regularised the process, rather than restricting it on the grounds of maintaining the ethnic identity of the Roman citizenry.

The occupations of freedmen

Most slaves, on their manumission, continued in the same professions as they had followed as slaves, and still worked for their ex-master, now their patron. Their client-patron obligations and the agreement sworn to on manumission ensured that these freedmen remained in their patron's employ, or contributed in some way to his well-being. A large proportion of the craftsmen and shopkeepers at Rome were freedmen, as were actors and mimes; freedwomen could also follow the same professions. An inscription relating to an association of Greek actors and singers, at least some (and perhaps all) of whom were freedmen, was found at a tomb near the Praenestine gate recording that a site had been purchased for their joint tomb out of their common fund (*CIL I² 2519: doc. 6.57*). The association's patron and master of ceremonies (a citizen) had approved the purchase and the construction of the tomb which was overseen by two of the freedmen. Later the tomb was restored by another freedman, Philo, out of his own funds. Associations of freedmen were often concerned with providing common burial sites and tombs for their members.

Literary freedmen

Romans in the later Republic had a 'cultural cringe' regarding Greek culture: the educated classes spoke Greek amongst themselves and frequently composed works in Greek on the models of the great ancients, while teachers of grammar and rhetoric, like philosophers and doctors, were almost invariably Greek. Most aristocratic families possessed a number of educated Greek slaves, who served as teachers, doctors, readers, secretaries, and even philosophers and astrologers. These continued using their literary and secretarial talents for their ex-owners when they became freedmen. That their literary services were highly valued can be seen from the fact that M. Aemilius Scaurus had offered 700,000 sesterces for the grammarian Daphnis, and later sold him to Q. Lutatius Catulus (cos. 102) for the same amount (Pliny 7.128: doc. 6.6). Catulus later manumitted him, hence his name became Q. Lutatius Daphnis. Ex-slaves who reached theatrical eminence included the comic dramatists Caecilius Statius and Terence (P. Terentius Afer), the writer of mimes Publilius Syrus and perhaps the dramatic and epic poet L. Livius Andronicus. Publilius was considered to be the most highly skilled mime on the stage, and became extremely wealthy: the aphorisms from his plays were even collected and used in schools (*Maxims*: doc. 6.21).

In his work *On Grammarians*, Suetonius outlines the lives of 20 teachers of literature, many of whom were freedmen. One, M. Antonius Gniphō, who had been exposed in Gaul as a baby, was an expert in Greek and Latin and taught in the household of Julius Caesar when the latter was still a boy, later setting up a school in his own home. He gave lessons in both grammar and rhetoric, and Cicero was said to have attended Gniphō's lectures, even when he was praetor in 66: Gniphō was credited with numerous works, including a commentary on Ennius' *Annals* (Suet. *Gram.* 7: doc. 6.58). His pupil L. Ateius Philologus, another famous scholar and teacher, was born in Athens and enslaved there, perhaps in 86 when Athens fell to Sulla. He is said to have written 800 books, including an epitome of Roman history to assist the historian Sallust and rules on style for the historian C. Asinius Pollio (cos. 40) (Suet. *Gram.* 10). He gave himself the name Philologus ('lover of literature') because

of his erudition, and his pupils included the brothers Clodius and App. Claudius Pulcher (cos. 54), whom he accompanied overseas, perhaps when Appius was proconsul in Cilicia. Staberius Eros, the ‘first’ grammarian and founder of Latin grammar was another slave from overseas, like Manilius Antiochus the ‘founder of astronomy’ (Pliny 35.199: doc. 6.12), manumitted because of his dedication to literature. Brutus and Cassius were his pupils, and he was said to have taught for free the children of those proscribed under Sulla (Suet. *Gram.* 13).

Another notable freedman, Pompeius Lenaeus, accompanied Pompey on his expeditions overseas. On Pompey’s instructions he translated the medical treatises possessed by Mithridates VI into Latin and became an expert on pharmacology: Pliny cited this work several times. After the death of Pompey and his sons he set up a school near Pompey’s house in the Carinae district (Suet. *Gram.* 15). Suetonius’ account states that he was enslaved as a boy, but escaped, returned home and acquired an education, and then offered to pay his master the cost of his freedom but was manumitted for free because of his talents.

M. Verrius Flaccus, a freedman born in Praeneste, was the tutor of Augustus’ grandsons Gaius and Lucius from c. 10 BC. His voluminous output included works on the Latin language, a compilation of ‘Things worthy of memory’ in some 20 books (much used by Pliny), and a dictionary titled ‘The meaning of words’. Augustus paid him a salary of 100,000 sesterces a year, in addition to the fees from his other students (Suet. *Gram.* 17). Like Gniphō, another freedman C. Melissus had been exposed as a child (at Spoletium in Umbria). Melissus was reared by a benefactor, who educated him and presented him to Maecenas. Although Melissus was claimed by his mother to be freeborn, he so preferred the intimacy with Maecenas that he chose to remain a slave (Suet. *Gram.* 21). He became a friend of Augustus, who appointed him to organise the library in the portico of Octavia.

Terence

Terence the dramatist (P. Terentius Afer) was born in Africa c. 185, and the first African poet to write in Latin. Suetonius states that he came from Carthage (though his cognomen, Afer, ‘African’, suggests he was a Libyan). He came to Rome as a boy as the slave of the senator Terentius Lucanus, who manumitted him at an early age (Suet. *Ter.* 1–5: doc. 6.59). An expert in Greek, a knowledge he presumably gained as a lad in Carthage, he was the author of six comedies, greatly influenced by Greek New Comedy, which were produced in the 160s. He was a member of the Scipionic circle of Scipio Aemilianus (cos. 147, 134), C. Laelius (cos. 140), and L. Furius Philus (cos. 136), all of whom helped support him in his work, and his plays were immensely popular (he put on the *Eunuch* twice in the same day due to popular demand, earning for this play some 8,000 sesterces). His purchase of gardens consisting of 20 iugera on the via Appia suggests that his wealth was considerable, as does the fact that his daughter married a Roman eques.

Funerary inscriptions and reliefs

The majority of inscriptions and funerary reliefs relating to freedpersons in the city of Rome come from the imperial period, although there are examples from the late Republic. The epitaphs are invaluable in providing biographical data for individual

ex-slaves, including their occupations, families, and relationships with their patrons. Their assimilation into society was complete upon their death when, like other Romans who could afford such luxuries, they were buried in tombs with funerary inscriptions and reliefs which portrayed them as citizens.

The evidence seems to suggest that more freedpersons and their families had tombs and inscriptions than free people (the libertini outnumber ingenui three to one). This does not necessarily reflect actual population ratios, and it could well be because the freedpersons involved were prosperous and many of the freeborn too poor to afford tombs. But it is also possible that libertini were proud to display on their tombs the three names (*tria nomina*) of the citizens whom they had become, and hence placed a priority on funerary monuments. At any rate, it is clear that there was a high frequency of manumission at Rome, and that freedpersons constituted a sizeable proportion of the population in the first century BC. The open attitude to citizenship via manumission distinguished the Romans from other ancient peoples, as Philip of Macedon recognised, and ensured that by the end of the Republic a large proportion of the citizen residents of Rome were ex-slaves or descended from slaves; Scipio Aemilianus, in the second century BC was said to have described the urban plebs as relating to Italy only as its ‘step-mother’ (Vell. 2.4.4; Val. Max. 6.2.3).

As manumission was entirely dependent on the will of the owners, many slave and freedperson families in Rome must have consisted of a mixture of freedpersons and slaves, with one parent free and the other a slave, or with the parents slaves and the child or children free, and many slaves and freedmen must have worked hard in order to amass enough money to free another member of their family. Funerary reliefs, which depict spouses or a number of family members, are memorials of their prized family unit. Many freedmen would have been involved in a union with another slave prior to being freed, while others would have married after manumission, either a ex-slave within their old household or from elsewhere: freedmen almost invariably married people of similar background, like Aurelia Philematium (‘Little Kiss’), who was put into the care of her fellow-freedman when she was only 7 years old; as her husband, he was truly ‘more than a father to her’ (ILS 7472: doc. 7.33). In the funerary relief of the freedpersons P. Aiedius Amphio and his wife Aedia Fausta Melior, from the via Appia, dating to c. 30–20 BC, the couple’s joined right hands (*dextrarum iunctio*) denotes their legally married status. Both had been slaves in the same household and their portrayal as citizen Romans (clothes, gesture, and expression) shows their pride in their manumission (Figure 6.3). The marble tombstone of the Servilii at Rome, which dates to the same period (now in the Vatican Museum), depicts a family consisting of the freedman Q. Servilius Hilarus, who is labelled ‘father’, his wife Sempronia Eune (freedwoman of Gaius) as ‘wife’, and their son P. Servilius Globulus (which means ‘little ball’ or ‘dumpling’) as ‘son’. Publius was born after his parents’ manumission and wears the bulla of the free child. This is one of the earliest funerary reliefs to feature a child and Publius is given a prominent position showing that his parents were proud of him and of his status as a freeborn citizen.

Inscriptions from freedperson tombs

A doctor, C. Hostius Pamphilus (presumably from Pamphilia), freedman of Gaius, bought a tomb at Rome for himself and his wife Nelpia Hymnis, freedwoman of

Marcus, and for all their freedmen and women and descendants, as their ‘home for evermore, this our farm, this our gardens, this our memorial’ (*ILS* 8341: doc. 6.60). The tomb’s dimensions, 13 by 24 feet, suggest a large number of occupants. Freedmen almost invariably mention their occupation, such as Quintus ‘the butcher’, who slaughtered animals for sacrifice in Capua and was a priestly assistant at sacrificial rites (*ILS* 7642: doc. 6.61) and Aulus ‘the auctioneer’ at Rome who died c. 100, a ‘man of honour and great trustworthiness’ (*ILS* 1932: doc. 6.62). Both proudly give their tria nomina: Q. Tiburtius Menolavus and A. Granius Stabilio.

Slaves could form lasting relationships in a household. The tomb of the Memmii on the Appian Way includes a memorial to A. Memmius Clarus, dedicated by his ‘fellow freedman (co-libertus) and dearest companion’ A. Memmius Urbanus. Urbanus calls the gods to witness that ‘together we stood on the slave-dealer’s platform, that in the same household we were made freedmen, and that nothing ever separated us until this your fatal day’ (*ILS* 8432: doc. 6.63). The men had obviously arrived together and been sold by the slave-dealer as part of a job lot to a large household, where they worked together until their manumission, when they set up house and lived together, without a single quarrel, until Clarus’ death.

In one case the epitaph makes clear that a freedwoman had married the son of the household in which she was a slave. Larcia Horaea had been freed by her owners P. Larcius Nicia and Saufeia Thalea, both of whom were themselves freedpersons (libertini) but not from the same household. She became the wife of Publius, their son (*CIL* I² 1570: doc. 6.64). The tomb includes the remains of Nicia, Thalea, their son Lucius, and their son Publius and his wife Larcia Horaea. While it was unusual for freedpersons to marry freedpersons, here the servile origin of the husband’s parents overcame social norms. This inscription was found at Traiectum (in central Italy) and may date to c. 45 BC. Horaea’s epitaph states that she supervised the household from the time she was a girl, for a period of 20 years, obedient to her aged master and mistress and dutiful to her husband. Death took her spirit, but ‘did not remove the splendour of my life’: freedwomen, like men, could be proud of their achievements, even if it was just keeping house.

Slaves and freedmen of the imperial household

Being the doctor of the princeps, if successful, could be a rewarding business. When Augustus, who was frequently unwell, was cured in the epidemic of 23 by a freedman, Antonius Musa, through the prescription of cold baths and drinks of cold water, he was highly rewarded by both Augustus and the senate, and was given equestrian status (‘the right to wear gold rings’). He was also granted immunity from taxation for himself and his fellow-doctors, and all future members of the profession (*Dio* 53.30.3: doc. 6.66). Unfortunately when Augustus’ nephew and heir, Marcellus, later fell ill from the same causes Musa was unable to save him, but this shows the extent to which the personal notice of the princeps or imperial family could promote a career.

The Monumentum Liviae, a subterranean burial site on the Appian Way built towards the end of Augustus’ principate, gives some idea of Livia’s household staff. It contains the cremated remains of over 1,000 individuals, and was still in use at the time of Livia’s deification in AD 41. Known as a columbarium, ‘dove-cot’ because of the niches for urns (Figure 6.4: the columbarium of the freedmen of Augustus), the memorial was supervised by an association of slaves and freedmen. Two other columbaria of the same period exist for members of Augustus’ close family, one for the ‘sons

of Drusus', Livia's son, and for Claudia Marcella Minor (younger daughter of Augustus' sister Octavia and C. Marcellus). Some 90 of the slaves for whom inscriptions are recorded in the *Monumentum Liviae* seem to have belonged to Livia herself (not including their own children and slaves), and are evidence for her large, specialised staff. These were primarily men, including building and maintenance workers, craftsmen, gardeners and grooms, litter-bearers, supervisors of her furniture and pictures, and footmen and other attendants. Among the craftsmen are listed such specialist occupations as shoemaker, goldsmith, silversmith, and 'margaritarius' (in charge of her collection of pearls). Her women, who saw to the more intimate details of her appearance, consisted of dressers and hairdressers, wardrobe-keepers, spinners, weavers and menders, and a masseuse. Among the educated professionals were accountants and secretaries, doctors and teachers, midwives and wet-nurses, while there were also the ashes of a pet child ('*delicium*'), a page named C. Julius Prosopas, who had been manumitted and died at the age of 9 years. The records for each provide the name of the deceased, the owner or patron, and the deceased's profession.

Some of the slaves and freedmen of the imperial couple included Agrypnus Maeccenatianus (possibly, from his name, he was trained or gifted by Maceenas) who was in charge of Augustus' statues (*CIL VI.4035*: doc. 6.67); Galene, Livia's masseuse (*CIL VI.4045*: doc. 6.68); and Coetus Herodianus, Augustus' food-taster, who was later his bailiff in the gardens of Sallust (*ILS 1795*: doc. 6.69). Augustus' sister, Octavia, employed her own freedman, C. Octavius Auctus ('auctus' means growth or increase; he was named for his professional strengths), as her accountant or records-clerk, who was married to his own freedwoman Vicia Gnome (*ILS 1877*: doc. 6.70). Agrippa's freedman Zoticus, three times curator of the burial club for Agrippa's freedmen, was in charge of Agrippa's large construction complex on the Campus Martius, the *Monumentum Agrippae* (*ILS 7888*: doc. 6.71). Zoticus was buried with Vipsania Stibas, with whom he shared an urn, and with his wife Vipsania Acume joining him later: both were freedwomen of Agrippa.

Perceptions of slavery at Rome

While slavery had been an institution in Rome from the earliest times it was only in the second century BC that Rome truly became a 'slave-owning society', with slave labour becoming a vital aspect of Roman agriculture and production. Sicily in particular was dominated by slave-worked latifundia following the acquisition of huge numbers of slaves from Rome's many wars in the East. Agriculture, like the silver mines, became a major absorber of slaves, but they are found in a variety of situations, from the domestic employment of specialist and educated slaves like teachers and doctors to the entertainment industry, where they feature in roles as diverse as authors, composers, and producers of theatrical shows to gladiators.

Slaves, whether purchased, acquired as booty, or raised within the household, were items of property, over whom their owners had the power of life and death. As a 'res mancipi', a slave was an object, not a person, who could be disposed of at will, and legally they were not fully competent beings: a master could be sued for his slave's misdeeds, and would be compensated for any physical damage done to one of his slaves. A slave who ran away was considered to have 'stolen himself' and mechanisms were in place for the return of runaways to their owners. The treatment of slaves depended greatly on the occupation in which they were engaged and the



Figure 6.4 The columbarium of the freedmen of Augustus on the via Appia. It is an above-ground construction with three adjacent chambers. One of the largest examples of the type, this contained some 3,000 niches, each for two ceramic urns, to cater for the *familia* ('family') of imperial slaves and freedpersons. The monument currently houses a restaurant, the Hostaria Antica Roma.

Source: Photograph courtesy of Ilya Shurygin at ancientrome.ru

disposition of their masters: those who worked in chain-gangs on the land and in the silver mines were the worst off, and Cato the Elder advised selling off old and sickly slaves along with other equipment past its use-by date. Slaves were regularly tortured for their evidence in judicial cases (in adultery cases Augustus even provided for compensation to be paid to the owners of those that had died under this handling, in cases of acquittal). While comedy can make fun of the ways slaves were punished for their laziness and disobedience, it was clearly the case that owners could treat slaves with great brutality, as evidenced by the torture and crucifixion business run at Puteoli to assist local owners who wished to chastise or kill their slaves, while it was in the power of an owner like Vediūs Pollio to impose bizarre and sadistic executions at will for trivial mishaps. The three major slave revolts testify to the desperation felt by many slaves, and Crassus' crucifixion of 6,000 of the survivors of the rebellion of Spartacus to the Romans' determination to crush any thoughts of flight or insurgency. Slavery was not to be escaped whatever the difficulties involved in returning slaves to the status quo: Augustus after his final defeat of Sex. Pompeius had 30,000 slaves returned to their masters, and 6,000 crucified whose masters could not be identified.

The obvious affection felt for a few individual slaves, such as Marcus and Quintus Cicero's Tiro and Statius, does not compensate for the obvious indifference of the majority of Romans to the welfare of the chattels in their midst, although the fact that the price of a slave was certainly outside the resources of most Romans must have meant that only the very rich treated them with brutality: at 1,200–1,500 sesterces, the equivalent of a worker's annual income, slaves would not have been a possible item in most people's budgets. On the other hand, M. Aemilius Scaurus could offer 700,000 sesterces for an educated slave in 115, and wealthy households at the end of the Republic would normally include Greek slaves, or freedmen, who were teachers, doctors, readers, secretaries, and philosophers. Slaves who were manumitted became clients of their ex-owner, and many remained connected to their household in the same occupation as before. Numerous freedmen were successful at making a name for themselves, such as the playwright Terence, and M. Verrius Flaccus who tutored Augustus' grandsons. The vast numbers of funerary reliefs and inscriptions relating to freedpersons attest to the fact that they constituted a sizeable proportion of the population of Rome in the first century BC and that they were proud of their status as citizens in Rome.

Romans never engaged in a discussion about the legality and morality of the institution of slavery. Considering that at the end of the first century BC there may have been some two million slaves in Italy, a high proportion of whom were previously free men enslaved by force, this is evidence for the Romans' casual acceptance of social inequalities and inequities suffered by non-Romans. On the other hand a variety of mechanisms were available for the conveyance of citizenship via manumission, and by the end of the Republic a large proportion of the citizens resident in Rome would have been these same ex-slaves or their descendants.

Further reading for this chapter

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Chapter 7

Women, sexuality, and the family

Roman family names

In early Rome gentes (sing.: gens), clans, were made up of a number of related families, descended from a common ancestor. These families possessed a common family name (the nomen gentile), such as Julius, Cornelius, or Claudius, which passed from father to children. The Roman naming system consisted of the praenomen, or individual name, of which there were only some 17 or so widely used alternatives (including Appius [abbreviated as App.], Aulus [A.], Gaius [C.], Gnaeus [Cn.], Lucius [L.], Manius [M'.], Marcus [M.], Publius [P.], Quintus [Q.], Sextus [Sex.], Spurius [Sp.], Tiberius [Ti.], and Titus [T.]); the gentile or family name like Cornelius; and finally the cognomen, which marked a subdivision of branch within a gens, which was a later addition (e.g., Brutus, Caesar, Cicero), although in certain gentes, like the Marii and Antonii, a cognomen was not employed. Various branches of the Cornelii, for example, were known by the cognomens Cinna, Cossus, Dolabella, Lentulus, Scipio, and Sulla. The cognomen had often been chosen as a nickname or identifying factor for the original user, not always courteously, as in ‘Brutus’: stupid, ‘Rufus’: red-head, ‘Calvus’: bald, ‘Verrucosus’: warty, or ‘Asina’: she-donkey.

In official records, the filiation, which gave the praenomen of the father (i.e., ‘son of Marcus’, Marci filius), followed the nomen: Cicero’s father was also Marcus, hence Cicero’s full name was: M. Tullius M(arci) f(ilius) Cicero. In aristocratic families with a number of high-achieving members it was also possible for distinguished generals to be awarded an agnomen, as a fourth name, to mark their particular achievements. Famous members of the Caecilii Metelli in the late second century, for example, were Q. Caecilius Metellus Macedonicus (for victories in Macedon) and his sons Balearicus (Balearic islands), Caprarius (Thrace), and Diadematus (‘bandaged head’), as well as his nephews Delmaticus (Dalmatia) and Numidicus (Numidia).

A woman in early Rome took the feminine form of the gentile name (Cornelia, Julia, Caecilia, for example), as well as her own praenomen, but by the middle Republic daughters were known only by the gentile name, and so needed to be distinguished from their sisters, either by numbers – Prima, Secunda, Tertia – or by age – Maior/Minor (Elder and Younger) – when there were only two of them. Women on marrying kept their own name, sometimes with the genitive form of their husband’s name added: the sisters of the tribune Clodius, married to Q. Caecilius Metellus Celer and L. Licinius Lucullus, were known as Clodia Metelli and Clodia Luculli.

In cases of adoption, the adoptee took the name of his new father, but added his earlier gentile name as a suffix: so when the second son of L. Aemilius Paulus was

adopted by P. Cornelius Scipio he became P. Cornelius Scipio Aemilianus; his elder brother who was adopted into the Fabii Maximi became Q. Fabius Maximus Aemilianus. In much the same way, when a slave was freed he took the gentile name, and usually the praenomen, of his patron, adding his slave name or an appropriate alternative as a third name: Tiro, slave of M. Tullius Cicero, became M. Tullius Tiro. Freedmen did not, however, join the gens of their patron, but remained his clients.

Family law

The gens was constituted of a number of independent families or households (familiae), each with its own head, the paterfamilias ('father of the family', plural: patres familiarum). In the absence of closer family members, the XII Tables laid down rules on guardianship and intestate inheritance within such gentes (*Table 5.4–5*: doc. 1.36). Should a paterfamilias die intestate (without having made a will), the order of inheritance was, firstly, direct heirs, such as children, grandchildren, and his wife (if married 'in manu'); then the closest agnate, or family member in the male line of succession, who was linked to the deceased through males (siblings and paternal uncles); and finally gentiles, or clansmen, of the same name.

The Roman household, familia, comprised all family members and slaves who were under the authority of the paterfamilias: this included the unmarried daughters, sons, and their children, and slaves, as well as all the property and possessions of this community. According to the jurist Ulpian, a family comprised all those subject to the potestas of one person; the term familia could also cover all those descended by blood from a single ancestor (Justinian *Dig.* 50.16.195: doc. 7.1). The wife was only included in the familia under this definition if she had entered into a marriage 'in manu' ('in hand', and thus in the power of her husband), but this was becoming less usual in the later Republic. The family might also include unmarried or widowed sisters under the authority of their brother.

In theory the paterfamilias possessed unlimited power over his household of children, descendants through males in his family, and slaves, unless he had emancipated any of his children. He was the only one with the right to own property, and the estate and any personal possessions belonged to him, although he could allow his dependents to control a peculium (a 'purse' or fund), and incur financial obligations. After his death, if there were no other direct male ancestor living, his sons became independent (*sui iuris*) and patres familiarum in their turn. A woman could never be the head of a family, and, by definition, children always belonged to the father's family, and not the mother's (Gaius *Inst.* 1.196: doc. 7.1).

The paterfamilias and patria potestas

The authority of the father of the household was absolute, and known as patria potestas (power of the father). He had the right of disposal over all members of the familia, whatever their ages, and over all property. Any children born to him required his recognition for their acceptance into the family, and he was able to bring strangers into the family group by adoption, emancipate his children, thus removing them from the family community and giving them independence, and expel his wife from it by divorce. He had the right to punish any members of the household under his potestas,

although in practice severe punishment of a child, such as the execution of a son, involved consultation of a family council of senior relatives and friends; in cases, however, where a dependent had been guilty of a political crime or cowardice in battle the paterfamilias could exact capital punishment. The paterfamilias could also disinherit any of his children, though public opinion was against this if there were no valid reason. He was also responsible for all domestic worship in the household, which centred around the hearth and the family's Lares and Penates.

The paterfamilias was the only member of the household who was legally independent (*sui iuris*). Even adult married sons were subject to the potestas of the head of the household, unless he had emancipated them, and they could not own property, though they were legally competent and could exercise their political rights and hold magistracies, up to and including the consulship. If one of the sons received an inheritance or other conveyance, the rights to this belonged to his father, in the same way as if it had been made to a slave. In early Rome a father could sell his son into debt-slavery (*nexum*) three times to help pay off his debts, although after the third time the son became free (*Table 4.2: doc. 1.34; cf. Livy 8.28.1: doc. 1.53*). If a woman married one of his sons through a manus marriage, she and her property came into his potestas as paterfamilias. A wife in a non-manus marriage, however, remained under the guardianship of her own family.

Gaius comments that the concept of potestas was peculiar to Roman citizens, and that there were no other peoples who had such power over their children (Gaius *Inst. 1.55: doc. 7.2*). Willing obedience to the authority of a father was seen as *pietas*, 'piety' or respect, a quality which was highly valued: Q. Caecilius Metellus Pius, son of Metellus Numidicus, received his agnomen 'Pius' because of the fervour with which he fought to have his father recalled from exile in 99. Patria potestas was, however, limited in practice by the age at which most Roman males married, generally in their late 20s, at which point many adult males would no longer have had a father still living. While the Romans prided themselves on the legendary austerity of fathers towards their adult sons (Val. Max. 5.8.1–3: doc. 7.14), it must have been relatively unusual that men holding magistracies were still in patria potestas: from 180, a man could not start on the *cursus honorum* until he was 27, and could not be elected consul until the age of 39 (30 and 42 after Sulla).

Adoption

The primary reason for adoption was in order to maintain the family and its ancestral rites. Only a paterfamilias was able to adopt. There were essentially three forms of adoption in Rome. The oldest form, the *arrogatio*, concerned an adoptee who was *sui iuris*, that is, not in the potestas of a paterfamilias. This was a religious rite, which required authorisation by the *comitia curiata* (the oldest assembly). A citizen could be adopted, providing the person adopting him had no sons of his own, and was older than the adoptee, and the ceremony could only take place at Rome. Provision also had to be made for the continuation of the sacred rites of the family losing the son, to ensure that they would be properly maintained after his adoption. This process essentially joined two families, with the adopted son bringing all in his potestas, including his property, into the power of the person adopting him. In an example of the adoption of an adult for political reasons, P. Clodius Pulcher was adopted by a plebeian, P. Fonteius, to allow him to become a tribune of the plebs: the Claudii were a patrician

family and hence ineligible for the tribunate. This took place in March 59 before the comitia curiata, with Caesar presiding as pontifex maximus, but was supposedly illegal because of the age of his adopter, who was younger than Clodius. Following the adoption, Clodius was elected tribune for 58 and orchestrated the exile of Cicero (Dio 3812–13, 17: docs. 12.54–55).

Where the natural father was still living and the son was not *sui iuris*, the process was known as *adoptio*. In this case the adoption took place at Rome before the praetor, or in the provinces before the proconsul or legate. To dissolve the existing link with the original family, the natural father of the adoptive son symbolically sold him three times, transferring him into the *patria potestas* of his new adoptive father. This cancelled out any obligations the son had to his original family. In the case of the adoption of a daughter or grandchild the fictitious sale only needed to occur once. In the case of both *arrogatio* and *adoptio* the adoptee was placed in the same position as if he had been a natural child in the *potestas* of the adopter, taking his name and rights of inheritance in the new family. The adoption, however, could be reversed by emancipation: if emancipated by his adoptive father the adoptee reverted to the rights of an emancipated son of his natural father. Adoption was the prerogative of men because the adopter had to be a *paterfamilias*: women were unable to adopt because they did not have *potestas* even over their own children (*Gaius Inst.* 1.97–107: doc. 7.3).

A more informal type of posthumous adoption was also possible, in which a testator could leave his estate to an heir with the instruction that he should take the testator's name. Cicero's friend T. Pomponius Atticus, for example, was left an inheritance by his mother's brother Q. Caecilius, on condition that he take his name: he therefore became Q. Caecilius C. f. Pomponianus Atticus (*Nepos Att.* 5.1–2: doc. 2.27). Julius Caesar adopted his great-nephew Octavius (Octavian) in his will, though this was formally confirmed later by an *arrogatio* through a *lex curiata*; he thus became C. Julius Caesar (Octavianus). The posthumous form of adoption essentially mandated the change of name as a condition of inheritance.

By adoption, families acquired a successor in the next generation, and the custom of adopting adolescents or adults ensured that the adoptee had or was likely to survive childhood and be of suitable character. The families of P. Scipio Africanus and Q. Fabius Maximus would otherwise have died out in a generation had they not adopted the two young sons of L. Aemilius Paullus and Papiria (Family Tree 2). It was unfortunate that the two remaining sons of Aemilius Paullus by his second marriage later died at the ages of 14 and 9 years (their names are not known), and Aemilius therefore left no direct male descendants, only three daughters, at his death in 160.

Emancipation

A father could choose to emancipate his son or daughter from his control, just as he could a slave. This resulted in the son becoming the head of a new *familia* separate from that of his father. The newly emancipated *paterfamilias* was then able to bring legal actions in his own name, possess property, and make a will. The disadvantage was that he no longer had any right of inheritance from any of the members of his previous family, if they died intestate. Emancipation (*mancipatio*), a 'kind of fictitious sale', had to take place before five witnesses, all citizens above the age of puberty. A sixth person present, the 'balance-holder', held a brass balance, while the

'purchaser' holding a bronze coin stated 'I declare that this man belongs to me by my right as a Roman citizen. Let him be purchased by me with this piece of bronze, and bronze balance.' He then struck the scales with the coin and gave it to the 'seller' as purchase-money, thus effecting the emancipation of the person 'sold'. This same method was used to emancipate slaves, plus animals subject to sale (oxen, horses, mules, and donkeys), and to transfer estates (Gaius *Inst.* 1.116–120: doc. 7.4).

Guardianship (tutela)

Children not yet of age (boys up to 14 years), and women who were not in the potestas of a paterfamilias or husband needed a guardian (tutor), 'because of the weakness of their sex, as well as their ignorance of business matters' (Ulpian *Rules* 11.1: doc. 7.5). The purpose of guardianship (tutela) was not simply the physical and moral protection of the woman or child, but also concern for the family's property and inheritance rights, as women, unless emancipated, could not make a will or inherit legacies without their guardian's consent. The XII Tables (5.6) prescribed the nearest male agnate – brothers or uncles on the father's side – as the normal legal guardian, although the paterfamilias could name a guardian in his will. If there was no close agnate (or he was unwilling to act), and the paterfamilias had not named a guardian, it was the job of the praetor to assign one. Freedwomen automatically came under the guardianship of their patron, their ex-owner.

From the late second century BC it was possible for a woman to change her guardian on request, and Augustus further laid down that by the ius trium liberorum (the right of three children), freeborn women who had three children were exempted from the need for a guardian, and freedwomen after four (Gaius *Inst.* 3.42–50: doc. 15.28). The main advantage for women of being sui iuris was that they could inherit legacies and make wills independently. Women of course could not act as guardian, even over their own children, and they needed the approval of their guardian if they wished to bring a legal action, take on a legal or financial obligation, allow a freedwoman of theirs to cohabit with someone else's slave, or transfer property (Ulpian *Rules* 11.27: doc. 7.5). By the middle Republic, however, women were able to make a will with their guardian's consent, and by the time of Polybius it was considered normal for wealthy upper-class women to make wills.

Naturally, women were excluded from all public positions and offices. They were unable to sit on juries, perform duties as magistrates, or bring legal actions in court. Furthermore, they were not permitted to act as guarantors for others, or as advocates. In this respect they were in the same legal position as children, who could not hold any public office (Justinian *Dig.* 50.17.2: doc. 7.6). In the classical world only those citizens capable of fatherhood were considered to have the right to take part in government. Women who did attempt to take part in public life were remorselessly pilloried for overstepping gendered boundaries, and even the ability to present one's own case in a court of law was seen as unwomanly (Val. Max. 8.3.1–2: doc. 7.76).

The formalities of marriage

The purpose of matrimony (matrimonium) was, in legal terms, procreation – the production of children – and marriage was expected of all citizens. A primary

preoccupation of the censors every five years was to ensure that marriage and procreation rates remained stable, especially in the upper classes, and one of the questions asked of all citizens by the censors when conducting the census was whether they were married (Gell. 4.20.3). Marriage was considered to be the norm for Roman citizens, and it was the only ‘career’ open to citizen women who were not one of the six Vestals. It was a disgrace to the family for a girl to remain unmarried, just as it was to be a childless wife. While men could not be coerced to marry, there was strong moral pressure on them to make a suitable marriage alliance, which would continue the family line and maintain its property, as well as ensure the continuing veneration of the cult of the ancestors. Endogamy was acceptable in Rome, and, while parallel-cousin marriages were not common, there were no restrictions on the marriage of first cousins or more distant kin.

The arrangement of a marriage was the responsibility of the paterfamilias of both the bride and groom (if the groom was still in *potestas*). For those in *potestas*, women always and men if their father was living and had not emancipated his son, the approval of their paterfamilias was crucial, and a marriage could only take place with their consent.

There were restrictions on marriage: the minimum legal age for the bride was 12 years, for the groom 14 years, and the right of entering into a valid marriage (*the ius conubii*) was limited to Roman citizens. Augustus banned marriage between a senator (or a member of his family) and a freedperson, and it was also illegal for a senator or one of his family to marry an actor or prostitute (Ulpian *Epit.* 13.1–14: doc. 15.26). A widow was also expected to wait ten months before remarrying to ensure that the fatherhood of a child arising from a pregnancy was unquestioned, but this was often circumvented, as in the case of Livia and Augustus themselves (Dio 48.44.1–5: doc. 14.39). Public opinion honoured the *univira*, a woman who only ever had one husband, but in reality divorce and remarriage were common among upper-class and wealthy Romans.

The three forms of marriage

Of the three types of marriage in Rome, the oldest, *confarreatio* (supposedly established by Romulus) was the only religious form of marriage and was presumably restricted to patricians. Originally, no divorce was possible (though a ceremony, *diffarreatio*, was instituted in the early empire), and the wedding involved a sacrifice to Jupiter Farreus of bread made of spelt, plus fruits of the earth and *mola salsa*. The *pontifex maximus* and *flamen Dialis* had to be present as well as ten witnesses, and the marriage took place at the Capitoline temple. It was mandatory for certain priests such as the *rex sacrorum* and *flamen Dialis* to be married by *confarreatio* (their parents also needed to have been married by the same ceremony).

Coemptio involved the fictitious sale of a girl to her husband, which brought the wife into *manus*, subject to her husband’s *potestas*. The most frequent form of marriage, however, was *usus*, which was acquired after cohabitation for a year. In this form of marriage, the wife could avoid passing into her husband’s *manus* if she stayed away for three nights during the year. This was allowed as early as the time of the XII Tables (*Table 6.5: doc. 1.38*), and by the later Republic this was the most common form of marriage.

For the actual wedding, the bride, having put away her *toga praetexta* (the purple-striped toga worn by children), had her hair parted into six locks (*sex crines*) tied with woollen fillets; she wore a straight white tunic and a flame-coloured veil and shoes. After a ceremony of consent in her father's house and a sacrifice, the contract was signed and she was escorted to her new home. In the wedding procession she was accompanied by three boys, the one preceding her carrying a torch lit at her hearth. At the groom's house she was greeted with fire and water and when she entered the house she anointed the doorposts. During the procession, the guests sang obscene 'fesciniae' songs. On the following morning the wife sacrificed at her new family's hearth.

Betrothal

Betrothal (*sponsalia*) was the usual preliminary of marriage, by which a girl was promised to her future husband by her *paterfamilias*. This promise was not legally binding and verbal consent was all that was necessary for the agreement between the two families, although in many alliances between wealthy families there would have been a written contract, including details of the dowry.

Legally marriage was permitted for girls from the age of 12, and for men from the age of 14 years. This, however, would have been unusual (except perhaps for girls of wealthier families), and most girls would have married in their mid- to late teens, and men generally in their mid-20s. Augustus' legislation limited the right of receiving inheritances for the unmarried and childless, the age limit being 20 for women and 25 for men, suggesting that these were reasonable ages by which young people should have married and had their first child (*Ulpian Epit.* 16.1: doc. 15.26). Most betrothals probably took place not long before the marriage, although Augustus laid down that a betrothal was no longer valid if the marriage did not place within two years, to ensure that men did not avoid marriage by becoming engaged to very young girls (*Dio* 54.16.7: doc. 15.27).

The decision regarding a girl's betrothal was made by her *paterfamilias* and was taken as signifying the consent of the bride herself: where a girl did not 'obviously resist the will of her father' she was understood as having agreed to the betrothal (*Justinian Dig.* 13.1.12: doc. 7.7). If a daughter did have objections to the betrothal, these would only be upheld in a case where her father had selected a husband who was 'unworthy because of his habits or of infamous character'. Marriage was seen as an alliance between two families, and the wishes of the young couple were of little importance.

While the decision was that of the *paterfamilias*, many mothers expected to be at least consulted about the choice of their daughter's husband. Livy records an anecdote about the betrothal of Cornelia, younger daughter of Aemilia (daughter of L. Aemilius Paullus, cos. 219, 216) and Scipio Africanus. Livy records that, as tribune in 187, Tiberius Gracchus (the 'Elder') had prevented Lucius Scipio, Africanus' brother, from being dragged off to prison to face charges of corruption in the East. In gratitude, later that day, when the senate was dining on the Capitol, the senators begged that Africanus should betroth his daughter to Gracchus. The betrothal contract was drawn up on the spot, and when Scipio returned home he told his wife that he had betrothed their infant daughter. She took the news badly, 'indignant as any woman would naturally be at not being consulted about their daughter', telling him that, as the mother, she should have

been consulted, even if his choice had been Tiberius Gracchus. Scipio, delighted at her approval, told her that Gracchus was the man (Livy 38.57.5–8: doc. 7.8). The anecdote reads well, but there are problems with it, not least that Plutarch told a similar story about Tiberius Gracchus (the Younger) and his betrothal to the daughter of Appius Claudius and Antistia (Plut. *Ti. Gracch.* 4.3–4). At the time of the betrothal Gracchus had not yet been praetor and had no military successes to his credit, while the Cornelii Scipiones were considerably more prestigious than the Sempronii Gracchi. However, mothers clearly expected to be consulted, and during Cicero's absence in Cilicia in 50, his wife Terentia and daughter Tullia arranged Tullia's (third) marriage to Dolabella, even though Cicero had another candidate (Tiberius Nero) in mind.

The dowry

The dowry was an intrinsic part of any marriage, provided by the wife's family as her contribution towards the upkeep of the household she was joining. The dowry could consist of money, land, slaves, or any form of portable property, although in the poorer classes dowries might not have been common. The centurion Sp. Ligustinus in 171 married an undowered wife, his cousin (Livy 42.34.3), and App. Claudius Pulcher (cos. 54, brother of Clodius) admitted that he married his sister Clodia to L. Licinius Lucullus without a dowry because of the family's financial situation (Lucullus later divorced her for adultery: Varro *Rust.* 3.16.2). The dowry could be handed over at the time of the wedding, or, where the sum was substantial, paid in instalments.

The new husband (or his paterfamilias) took charge of the dowry, and the income from this was to be used for the maintenance of the wife and the interests of the marriage in general. The dowry, however, remained tied to the wife or her family. In the case of a divorce the husband was obliged to repay it, which must have been a disincentive for many husbands to divorce their wives. Should the wife die, the amount had to be repaid to her family, but a certain amount might be deducted for each child, while, if the wife was divorced after misconducting herself, deductions could be made (for example, one-sixth was deducted if she had committed adultery). If the husband was responsible for the divorce, he was expected to repay the dowry immediately, or within six months. The dowry was particularly important to a divorcée or widow because it allowed her to remarry appropriately within her proper rank, while jurists saw the return of the dowry on a daughter's death as compensating her father for the loss of his child (Justinian *Dig.* 23.3.6: doc. 7.9).

Dowries could be large, and Scipio Africanus gave each of his two daughters a dowry of 50 talents (Polyb. 36.27.1–5: doc. 7.70). The first instalment of the dowry had been paid to the two daughters on their marriages, and the second half was due at their mother's death (perhaps Aemilia had had the use of it during her lifetime). The repayment of dowries could prove a financial burden: when Aemilius Paullus died in 160, two years after his sister, he left legacies of some 60 talents to his two sons, Scipio Aemilianus and Q. Fabius Maximus Aemilianus. Out of this legacy the two brothers had to pay back their step-mother's dowry of 25 talents and, once they had funded Aemilius Paullus' funerary games (where the *Hecyra* and *Adelphi* of Terence were performed), they had to sell off property to order to do so (Polyb. 18.35, 31.28). Terentia, Cicero's wife, who was from an aristocratic but less noble family,

had a dowry of 400,000 sesterces (100,000 denarii), one-third of the sum given to each of the Corneliae). Cicero also struggled to pay back Terentia's dowry on their divorce (Plut. *Cic.* 8.3, 41.4–5; doc. 7.40).

Marriage with and without manus

Of the various forms of marriage in Rome, the important distinction was whether they were or were not with manus ('hand'). In a marriage the woman either went into the potestas of her husband or his paterfamilias (she was therefore 'in his hand', in manu), or, if she was in a non-manus marriage, she remained in the potestas of her father or senior male relative or guardian. Marriage with manus, when the wife came into the power of her husband or his paterfamilias became increasingly rare during the Republic. Already in the XII Tables there was the provision for manus to be avoided by the absence of the wife for three nights in the year (Gaius *Inst.* 1.108–115b, 136–137a: doc. 7.10).

Where a girl was married 'in manu', she was transferred from the potestas of her father to that of her husband, and became part of his family, with rights equivalent to those of his daughters, though she retained her own name. Any possessions she might own belonged to her husband, but her property was distinguishable and recoverable, and, along with her dowry, had to be returned on divorce or the husband's death. Where a wife had been under her husband's manus, he could in his will appoint a tutor for her or allow her to choose one for herself, and if there were children, the property was divided equally between the widow and any children. However, if the couple were married by free marriage (non-manus marriage), the wife did not inherit from her husband unless specific provisions were made by him in his will, though he could make her a legacy no larger than that to his heir. Her property remained entirely separate from her husband's and a wife not in manu looked to her father to supply her living expenses, and managed her own business through her family or agents. Any non-dotal property the wife inherited or received remained in her own hands as long as she was not 'in manu'.

In 169, the tribune Q. Voconius Saxa introduced the lex Voconia, preventing testators of the top census class (a minimum of 100,000 sesterces) from naming a female heir in their will, while also limiting the maximum amount of legacies to half the inheritance (*Cic. Rep.* 3.17: doc. 7.69). The aim appears to have been to place a limit on women's wealth, and Cato the Elder supported the proposal for exactly that reason. His speech on this occasion strongly criticised the economic power possessed by wives who were not in manu, as a result of which their property was entirely separate from that of their husband, and he depicts the untenable situation where a wife brings a large dowry into the marriage, while retaining a considerable sum of money as her own separate property. Instead of entrusting this to her husband's control, she lends it to him, and when the couple fall out she has one of her slaves follow her husband around demanding the money back (Gell. 17.6.1, 9–10: doc. 7.11). As the wife's money was entirely her own in a non-manus marriage, the husband was not responsible for her debts, and she could manage her own business through agents. Cicero, for example, while in exile was unhappy that Terentia was spending her personal fortune in efforts to help his return (*Fam.* 14.2.3, 14.1.5).

Divorce

The first instance of divorce in Rome was said to have been that of Sp. Carvilius Ruba (cos. 234) in 231, when he put away his wife for childlessness, an act that was generally criticised. Divorce for adultery or misconduct was always possible, but this may have been one of the first divorces for non-criminal reasons: Carvilius felt that he should honour his oath to the censors that ‘he had married his wife for the sake of children’ and therefore divorced her (*Dion. Hal.* 2.25–27: doc. 7.12). Dionysius records that he was ‘hated for this deed by the people for ever after’, though he was in fact elected to the consulship again for 228.

Dionysius considered that the lengthy period in which there had been no non-criminal divorces portrayed the Romans in a very good light, noting in contrast the ‘implacable wrath’ with which they dealt with cases of women who had committed adultery or drunk wine. In such cases the women were judged by their relatives and husband, and ‘Romulus’ had allowed the death penalty for both crimes, considering that alcohol would inevitably lead to sexual misconduct. It is possible that in the early Republic divorce was only permitted in specific cases: according to Plutarch (*Rom.* 22.3), in early Rome a wife could only be divorced for poisoning her children (perhaps abortion), counterfeiting the keys, or adultery; divorce for any other reason involved half the husband’s property being made over to his wife and the other half consecrated to Ceres. The XII Tables recognised divorce, but there is no evidence on what grounds.

Dionysius considered Romulus’ laws ‘excellent’, as they made women behave properly towards their husbands. He was even more eulogistic about the regulations relating to the ‘respectful and dutiful behaviour of children’, which he also attributes to Romulus. The Roman father, he notes, had almost total power over his son, whatever his age, and could imprison him, whip him, make him work the fields in chains, or actually kill him – this was the case even if the son held a high-ranking magistracy. But Dionysius was shocked that a father was allowed to sell his son up to three times, giving him more power over his son than over a slave. This portrayal of the brutal realities of early Rome has to be modified, as the husband did not have the right to kill his son without some form of consultation (except for crimes like cowardice in battle), while the sale of children was in fact a form of ‘debt-slavery’ in which a father could sell his son on three occasions to pay off a debt (*Livy* 8.28.1–8: doc. 1.53). Women could, however, be tried and executed by their blood relatives for crimes against humanity, and this was seen both in the Bacchanalia trials, and in the alleged poisonings in 331 (*Livy* 8.18.10, 39.18.6: docs. 7.16, 42).

In the later Republic divorce was not unusual, and in a non-manus marriage either party could terminate the marriage. The dissolution of a manus marriage involved a remancipatio, the reversion of the mancipatio, which had taken place when the wife had come into the authority of her husband, transferring her back to the potestas of her father. Non-manus marriages were dissolved by a simple repudium, a declaration of divorce. No grounds or specific complaints were necessary, nor did the marriage need to have broken down in any way. All that was necessary was for one partner to say to the other ‘keep your property’, or ‘keep the management of your property’, and either husband or wife could make the notice of divorce, at least by the first century BC (Gaius *On the Provincial Edict* 11: doc. 7.13). Those who were sui iuris could

terminate their own marriage, but otherwise men needed the approval of their paterfamilias, who could also bring about a divorce, even against his son's wishes: women often had to endure divorce in order to make a more appropriate marriage alliance at the bidding of their families. Children of the marriage generally remained with the husband after divorce. There were certain restrictions after Augustus' legislation of AD 9, and a freedwoman who had married her patron was not permitted to divorce him to marry someone else. His laws on adultery also forced a husband to divorce a wife who was guilty of adultery (*Justinian Dig.* 4.4.37: doc. 15.25).

The wife's position was protected by the need for the husband to return her dowry on divorce, and the frequency of divorce amongst the nobility was probably not replicated elsewhere in Roman society. Situations like that of the younger Cato divorcing his wife Marcia so the orator Hortensius Hortalus, a friend of his, could marry her, were unprecedented and bizarre, as was Cato's remarriage to Marcia (then a wealthy widow) after Hortensius' death (*Plut. Cato Min.* 25.1–12).

Old-fashioned families

Paternal severity and traditional values

The powers of the paterfamilias were illustrated by the legendary austerity of L. Junius Brutus, one of the first two consuls in 509 (with L. Tarquinius Collatinus). Brutus became a famous example of parental severity, who placed the good of the state above family ties. Two of his sons were said to have conspired with the Tarquinii to overthrow the Republic, and Brutus, acting as consul, not only had them flogged and beheaded, but witnessed their execution (*Val. Max.* 5.8.1: doc. 7.14). He was seen by later Romans as acting as the ideal magistrate, above all sentimental emotions. His severity was emulated by Sp. Cassius, father of Sp. Cassius Vicellinus, consul (not tribune) in 502, 493, and 486. Vicellinus' attempt to make himself king led in 485 to his execution, and in the version cited by Valerius Maximus (Livy has him prosecuted by two quaestors: 2.41.10–11), Cassius' father summoned a council of relatives and condemned him on the charge of aiming at kingship. The ex-consul was flogged and executed, and his property dedicated to Ceres (*Val. Max.* 5.8.1–3: doc. 7.14). Brutus' decision to execute his sons had been taken as a magistrate, which is why the matter was not referred to a family council. Brutus and Cassius, Caesar's assassins, claimed descent from these legendary figures of the early Republic, who were prepared to execute family members to prevent monarchical rule, and they appear on their coins (Figures 1.3, 14.4).

In 340 another consul, T. Manlius Torquatus Imperiosus, put his son to death for disobeying orders on the battlefield in breaking ranks to engage, successfully, with an enemy chieftain in single combat. His descendant, another T. Manlius Torquatus (cos. 165) in 140 investigated the conduct of his son, who had been adopted by D. Junius Silanus, after envoys from his province of Macedonia had complained of his peculation to the senate. He looked into the case for two days, and, after hearing the witnesses, on the third judged him guilty of corruption: 'I adjudge him unworthy of our state and of my house and command him immediately to leave my sight'. Silanus killed himself by hanging, and his father took no part in the funeral, continuing to conduct public business (*Val. Max.* 5.8.3: doc. 7.14).

An earlier incident in the family concerned the father of the consul of 340, L. Manilius Capitolinus Imperiosus (dictator in 363), who was accused by the tribune M. Pomponius of mistreating his son. The young man had been sent away from home, and consigned to servile labour because he was a hesitant speaker and not quick with his words (Livy 7.4.4–7: doc. 7.15). Rather than assisting him to overcome this infirmity, his father aggravated his difficulties by focussing on his backwardness, and banishing him to the country. Despite this treatment, the son (Imperiosus) was said to have threatened the tribune with death for prosecuting his father (an exemplum of filial piety), and grew up to be the famous general who demonstrated his moral standards by putting his own son to death for disobeying orders.

These examples of old-fashioned *gravitas* (dignity, moral weight) were thought to reflect the moral standards of the great men of the early Republic. In later generations, fathers continued to pass judgement on their sons, and Aemilius Scaurus, son of the consul of 115, committed suicide in 102 after being disowned by his father for cowardice in battle against the Cimbri, while Q. Fabius Maximus Eburnus (cos. 116) killed his son because of his ‘dubious chastity’; he was punished, however, for exacting this judgement by being condemned and going into exile in 104 (Val. Max. 5.8.4, 6.1.5). The latest republican case, in which a father exercised his right of life and death over a son, appears to have been that of A. Fulvius, killed by his father for joining the conspiracy of Catiline (Sall. *Cat.* 39.5).

Violence towards women

Following the suppression of the Bacchanalia in 186, numerous suspects committed suicide, with others killed or thrown into prison. All women convicted of involvement were handed over to their family, so they could exact punishment. Only if there were no suitable family members were they executed by the state (Livy 39.17–18: doc. 7.16). Some years later, a number of deaths in Rome gave rise to the suspicion that noblewomen were poisoning their relatives. Publicia was thought to have poisoned her husband, the consul L. Postumius Albinus, in 154 and another noblewoman Licinia her husband, Claudius Asellus. Their relatives had both women strangled, without waiting for a trial, as ‘these men of severity’ thought their guilt too obvious to wait for a public enquiry. As with the Bacchanalia, it was considered proper that punishments of women should be carried out by their blood relatives, or by their husband if in *manu* (Val. Max. 6.3.8: doc. 7.17).

An even more unsettling case concerned the wife of a certain Egnatius Mecennius, whom Pliny (14.89) places in the time of Romulus. The Romans considered that there was a strong correlation between wine-drinking and adultery, and in Egnatius’ case when he found his wife had drunk some wine he cudgelled her to death. Nevertheless, he was not prosecuted for his action, as the senators considered that ‘any woman who desires to drink wine without moderation closes the door to all virtues and opens it to all vices’ (Val. Max. 6.3.9: doc. 7.17). In Pliny’s version, Egnatius was acquitted by Romulus, and the incident suggests that husbands and relatives had little compunction about killing women when they believed they had cause. Pliny (14.89) also cites from Fabius Pictor’s *Annals*, written at the end of the third century, an anecdote about an unnamed *materfamilias*, who was starved to death by her relatives because she had broken open the casket containing the keys to the wine-cellars.



Figure 7.1 A denarius issued by the moneyer P. Petronius Turpilianus at Rome in 19/18 BC depicting the head of Augustus, and Tarpeia buried up to her waist under ten shields. According to Livy (1.11.5–9), when the Sabine king Tatius attacked Rome, Tarpeia opened the city gates in return for ‘what they carried on their arms’ (their gold bracelets). Instead they crushed her with their shields and threw her from the Tarpeian rock, which was named after her.

Source: Courtesy of Classical Numismatic Group

Traditionally the women of early Rome and Latium were thought to have refrained from drinking wine and Gellius records that their relatives used to kiss them unexpectedly to see if they could smell wine on their breath. To get around this, women were in the habit of drinking sweet wine, ‘the second pressing, raisin wine, myrrhed wine and other drinks of that kind’ so they were not detected (Gell. 10.23.1–5; doc. 7.18). It was only from the Second Punic War that the Romans developed an interest in viticulture, and prior to that wine consumption in Rome may have been limited, although drinking unmixed wine was always reprobated: while wine was a staple part of the diet in the later Republic, it was generally diluted with water (one part of wine to three of water, or two to five).

Cato the Elder in the second century confirmed that women were punished nearly as severely for drinking wine as they were for committing adultery, suggesting that both could lead to divorce or even death: Gellius (10.23.4) quotes Cato’s speech *On the Dowry*, where he stated that husbands had full powers in these cases: ‘she is punished if she has drunk wine; if she has done wrong with another man, she is condemned to death’. The chastity of daughters was similarly policed: the heroines of legend, Lucretia, who killed herself in a family council after being raped by one of the members of the Tarquin family thus triggering the expulsion of the kings, and Virginia, allegedly killed by her father in 449 when the decemvir Appius Claudius was attempting to seduce her, were exempla of female purity and decency. In both cases the violence against a chaste citizen woman was the catalyst for revolution, in the first the foundation of the Republic, and in the second the ‘Second Secession’ of the plebs. Valerius Maximus records anecdotes of fathers who killed their unmarried daughters for engaging in affairs: one, P. Maenius, was so sensitive to his family’s honour that he killed a favourite freedman because he had kissed Maenius’ adolescent daughter, even though the kiss might have been accidental (Val. Max. 6.1.3–6).

Family relationships

Child mortality in the classical world was very high, and girls were not named until their eighth day, boys till their ninth, prior to which they were considered ‘more like a plant than an animal’ (*Plut. Rom. Quest.* 102). It was the father’s decision whether to keep or abandon the new baby by ‘picking it up’, thus accepting it into the family; the XII Tables laid down that the father would not be liable if a child was deformed, and he did not ‘pick him up’ for this reason (*Table 4.1: doc. 1.34*). The Romans had no period of mourning for a child under the age of 3 (*Plut. Numa* 12.2) and perhaps some 25–30% died in their first year and 50% before they were 10 years of age. Dionysius (2.15.2) states that ‘Romulus’ laid down that all male children and first-born females had to be reared, but the poor must often have been constrained to abandon infants; prior to the Gracchan reforms the poorer classes complained that they were childless because they could not afford to bring them up (*App. 1.40: doc. 8.10*). Exposure did not necessarily result in infanticide: there was a presumption that children would be saved by slave-dealers or childless couples, at least in the later Republic and whenever there was a high demand for slaves.

Cato the Elder and his family

Cato prided himself on maintaining the traditional standards and morality that had made Rome great, especially as censor in 184, when he expelled numerous members of the senate: this included a candidate for the consulship who had kissed his wife in daylight in the presence of their daughter. For himself, he stated, he only kissed his wife, Licinia, during loud thunder, and he used to make the joke that ‘he was a happy man when it thundered’ (*Plut. Cato. Mai.* 17.7, 20.1–3: doc. 7.20). According to Plutarch, Cato believed that it was better to be a good husband than a good senator, while the only thing to admire in Socrates was the kindness with which he treated his bad-tempered wife and stupid sons. From the birth of his son (M. Porcius Cato Licinianus), Cato considered that only government duties were important enough to keep him away while his wife was feeding or swaddling the baby. Licinia often breast-fed her slaves’ infants as well, so that as her foster-children they should feel goodwill towards their foster-brother (*Plut. Cato Mai.* 20.4–7: doc. 7.21). Even though Cato possessed an educated slave named Chilon, Cato himself taught his son reading, so that he would not be disciplined by a slave, as well as athletics, which included the javelin, fighting in armour, horse-riding, boxing, and swimming. He even wrote out his own *History* (the *Origines*) in large letters, the first history written in Latin, so his son could read it for himself and thus learn about Rome’s ancestral traditions.

Mothers and daughters

In aristocratic families women could play an important role in the education of their children. Cornelia, mother of the Gracchi, whose husband Tiberius Gracchus had died when the children were in their infancy, was particularly noted for her role in the education of her sons. Cicero stated that ‘it is clear that her sons were not so much raised at her breast as through her conversation’, and explained how important it was that young people heard excellent speakers at home in their childhood (*Cic. Brut.*

210–211: doc. 7.22). He had frequently heard Laelia, ‘whose speech was coloured by her father’s refinement’; Laelia, the daughter of C. Laelius, consul in 140, married the famous jurist Q. Mucius Scaevola ‘the Augur’ (cos. 117).

Cicero had also heard the Muciae, Laelia’s two daughters, on many occasions, one of whom had married M'. Acilius Glabrio (tr. pl. 122), the other L. Licinius Crassus (cos. 95). Cicero even knew the third generation, her granddaughter Licinia, who had married P. Cornelius Scipio Nasica (pr. 93), and Brutus, too, had heard her speak ‘with pleasure’ (Cic. *Brut.* 210–211: doc. 7.22). Even if mothers did not take a formal role in the education of their children, their ability to speak well was considered to be an essential part of the upbringing of their sons and daughters.

A first-century BC marble tablet preserves the laudatio Murdiae, the eulogy for Murdia spoken at her funeral or at her tomb by her son by her first marriage (ILS 8394: doc. 7.23). Murdia’s identity is not otherwise known, and the name does not belong to a prominent gens. The terms of her will feature prominently in the eulogy: the fact that she was able to leave a will shows that she was *sui iuris*, perhaps because of the ‘right of three children’ laid down in Augustus’ legislation (Dio 55.2.5–7: doc. 15.27). She had children by both her marriages, and on her death she left a specific inheritance to her second husband in addition to what was due to him from her dowry. She also ensured that her son by her first husband received the money she had inherited from his father and that all her sons were equally treated in her will, while also making provision for her daughter. It is clear that Murdia possessed considerable independence and the emphasis on her fairness shows that she could have deprived her son by her first husband of his patrimony, ignored any claims of her second husband, or favoured one or more of her children financially over the others.

Cicero’s correspondence shows how devoted he was to his only daughter Tullia, who was clearly his favourite over her younger brother. When she died in childbirth in February 45 he was devastated. Tullia, whom he often wrote of as *Tulliola mea* (my dear little Tullia), was in her 20s, and this was her third marriage: she had been married to C. Calpurnius Piso Frugi between 63 and 57, then to Furius Crassipes in 56 (divorced in 51), and then to P. Cornelius Dolabella in 50 (divorced in 46). She had given birth in 49 to a son who had died, and this second child also died shortly after birth. She was living at the time with her father, and died at his villa in Tusculum. Cicero retreated to Atticus’ house at Rome where he read Greek philosophy, leaving for his place at Astura in early March, where he wrote his *Consolatio* on how to overcome grief (no longer extant), which was highly thought of in antiquity. He also planned a shrine in her memory. On 9 March (*Fam.* 12.15) he wrote to Atticus, describing himself as not talking to a soul, spending time in a lonely wood all day, and interrupted over his books by fits of weeping. He divorced Publilia, his second wife, after Tullia’s death because of her failure to demonstrate sufficient grief.

Ser. Sulpicius Rufus (governor of Greece at the time) wrote Cicero a letter of condolence from Athens in March, as did Caesar and Brutus. Sulpicius consoled Cicero by reminding him of how proud she had been of her father as praetor, consul, and augur: she had married young men of noble families, enjoyed almost all of life’s blessings, and died along with the Republic ([Cic.] *Fam.* 4.5: doc. 7.26). Sulpicius hints to Cicero that Tullia would not have wanted him to grieve so seriously: ‘if any consciousness remains in those below, her love for you and her dutiful devotion to all her family were such that she certainly does not wish you to act like this’. For the sake of his daughter,

friends, and family, all of whom are distressed for his sake, as well as for his country, Cicero should exert himself in case Rome needs his services.

In May Cicero was still distraught, writing to Atticus from Astura that he would try to overcome his feelings and go to Tusculum; otherwise he would have to give up his villa there entirely, because it had been where Tullia had died. Thoughts of her ‘consume me perpetually, day and night’. Books are no help, and actually make his grief worse (*Att.* 12.46: doc. 7.27). When Caesar’s only child Julia died in childbirth in September 54 while he was in Britain, Cicero heard from Quintus how Caesar had taken the news and wrote back that he admired ‘the courage and dignity with which Caesar conducts himself in his immense sorrow’ (*Quint.* 3.6.3: doc. 12.81).

Wives and their role

The Roman matron, or *materfamilias*, enjoyed a very different lifestyle from that of women in classical Athens. While much of her time was spent at home, the wife was not secluded there, or kept away from male visitors. Within the house it was in the atrium every morning that the head of the household was greeted by his clients, and it was normal for the wife’s loom to be set up there, as the most spacious area of the house: she was therefore present when clients or political friends came to visit her husband or sons. Women went to dinner-parties with their husbands as a matter of course, the only difference being that women sat on chairs at table, while men reclined. Cornelius Nepos notes that what the Romans thought to be quite respectable behaviour would be seen as disgraceful by the Greeks, as in Rome women were taken to dinner-parties, and wives circulated in full view in their own home (Nepos *Generals* pr. 6–7: doc. 7.28).

The virtues of a materfamilias

As with Murdia, women’s epitaphs include certain stereotypical terms: old-fashioned, domestic, chaste, obedient, charming, not given to ornamentation, pious, and devoted to household work. The term ‘univira’ (married to only one man) was especially a point of honour, although in many cases, especially in the upper classes, remarriage was acceptable and even unavoidable. Part of the virtues of a well-behaved matron was in turning a blind eye to her husband’s affairs. Aemilia, wife of Scipio Africanus, was praised for her fidelity and prudence by Valerius Maximus because she ignored a liaison that her husband was having with one of her slave girls, as she did not want to embarrass him (the ‘conqueror of the world’) by showing that she was aware of his lack of self-control (Val. Max. 6.7.1: doc. 7.29). After his death Aemilia was so magnanimous that she freed the girl and married her to one of her freedmen.

Less open-mindedness was shown by the members of Cato the Elder’s family when, after the death of Licinia, he began an affair with one of his slaves. Cato’s son had recently married Tertia, the youngest daughter of Aemilius Paullus (Family Tree 2), and the relationship could not be kept a secret from a young married woman. Noticing his son’s disapproval, Cato, on his way to the forum with his clients, asked one of his ex-secretaries, Saloniūs, whether he had yet found a husband for his daughter. As he had not, Cato said that he would marry her himself, unless his age was an impediment

(Plut. *Cato Mai.* 24). The contract was announced in the forum, and another son, M. Porcius Cato Salonianus, was born in c. 154, when Cato was about 80 years of age.

Female chastity

Chastity was a quality much prized in Roman women, and c. 215 a certain Sulpicia, daughter of Paterculus and wife of Q. Fulvius Flaccus (cos. 237, 224, 212, 209), was chosen as the most respectable of all Roman women. On the instruction of the Sibylline Books, the senate ordered that a statue of Venus Verticordia ('changer of hearts') be dedicated, to turn the minds of women from lust to chastity (Pliny 7.120: doc. 7.30). From a pool of 100 citizen women, ten were chosen by lot to judge the most blameless woman in Rome, and these selected Sulpicia as the best suited to dedicate the statue (Val. Max. 8.15.12). The Second Punic War had left many women unsupported after the deaths of their male relatives and under the year 213 Livy records that women in Rome were ignoring traditional sacrifices and prayers, and turning instead to foreign deities: the aediles L. Villius Tappulus and M. Fundanius Fundulus brought a number of charges of immorality against Roman matrons, some of whom were convicted of unchastity and sent into exile (Livy 25.1.7, 2.9). In addition, in 216, two Vestals had been accused of breaking their vows and were condemned; one committed suicide and the other was executed (Livy 22.57.2–3: doc. 4.38).

Later in the war a certain matron, Claudia Quinta, was also suspected of unchastity. This was refuted when in April 204 the ship carrying the black stone of Cybele (the Magna Mater) from Pessinus to Rome was grounded in the river Tiber. The noble-women of Rome had assembled to greet the goddess and the soothsayers announced that only a woman of irreproachable chastity would be able to move the ship. Claudia is reported to have pulled it free, proving her innocence (Livy 29.14.10–14: doc. 3.61). She became an exemplum of female chastity, and Tacitus mentions a statue of her dedicated in the temple of the Magna Mater (Tac. *Ann.* 4.64).

Epitaphs for beloved wives (and husbands)

Epitaphs which show wives as the epitome of all traditional wifely virtues always stress the modesty and chastity of the woman involved, with wool-working a symbol of womanly duties in the home. Claudia, the subject of an epitaph (now lost), probably dated to 135–120, 'loved her husband with her whole heart' and had two sons, 'of whom one she leaves on earth, the other she has placed under the earth'. A famous couplet depicts her respectability: 'her conversation was charming, yet her bearing correct. She kept the house, she made wool. I have spoken. Depart.' (ILS 8403: doc. 7.31).

An inscribed stone relief dating to c. 80 BC, found at Rome and now in the British Museum, commemorates L. Aurelius Hermia and his wife Aurelia Philematium ('Little Kiss'), two Greek freedpersons, both of whom speak in their own persons. They had been slaves in the same household and apparently in a relationship (contubernium, a relationship between slaves) prior to their manumission (CIL I² 1221: doc. 7.33). Hermia took Philematium into his care when she was only 7, so, she explains, he was 'in real truth more than a father to me': perhaps she was bought as a child

and placed in Hermia's care within the household. Until she died at the age of 40 she had been a faithful and virtuous wife, chaste and modest. The Greek ex-slave here is shown as emulating the Roman ideal of the univira, and the terms used are those of a legally married couple. Hermia, a butcher on the Viminal hill, describes his 'only wife (coniunx)' as 'chaste in body, a loving woman possessed of my heart, [who] lived faithful to her faithful husband. Equal in devotion, she never in bitter times shrank from her duties'. The bitter times may refer to the civil war and proscriptions of Sulla, or perhaps the loss of children. The relief depicts the couple standing facing each other, dressed as citizens, with Philematium kissing her husband's hand in farewell.

C. Licinius Macer Calvus, son of the historian Licinius Macer, was a younger rival of Cicero in the courts; according to Tacitus (*Dial.* 21.2) his speeches against Vatinius were still read by every student of rhetoric. He was also a lyric poet and friend of Catullus, who dedicated three poems to him, and as well as satirical verses, love poems, and an epithalamium (wedding hymn). Calvus wrote an elegy on the death of Quintilia, presumably his young wife. Catullus acknowledged the poem in a return work, in which he assures Calvus that if the grief of the living can reach the world of the dead, then 'Quintilia does not grieve so much for her premature death, as much as she rejoices in your love' (Cat. 96: doc. 7.34).

Caesar's women

One of the actions that brought Julius Caesar to political prominence was his delivery in 69 of the funerary eulogy for his aunt Julia (his father's sister), widow of Marius. Not only, according to Plutarch, was the eulogy brilliant, he brought out for her funeral the imagines (funerary masks) of Marius, seen then on the first occasion since Sulla's time in power. These were greeted with delight by the populace, which was also pleased when Caesar delivered a further eulogy for his first wife Cornelia in the same year (Plut. *Caes.* 5.1–5: doc. 7.35), although it was not the norm to give such orations for young women. It was more usual for older women and Q. Lutatius Catulus (cos. 102) had been the first to honour his mother Popilia in this way (Cic. *de orat.* 2.44). The timing was auspicious, because Caesar had just commenced the cursus honorum, giving the speeches before leaving for his quaestorship in Further Spain.

With this innovation to commemorate his young wife, as he had with his oration for his aunt, Caesar was able to show his colours as a popularis: Cornelia had been the daughter of L. Cornelius Cinna and Caesar had refused to divorce her on Sulla's orders. She was the mother of Caesar's only child, Julia. In the oration for his aunt Julia, part of which Suetonius quotes (*Jul.* 6.1), Caesar laid stress on her ancestors, with kings on her mother's side (the Marci Reges were said to be the descendants of Ancus Marcius, the fourth king of Rome) and on her father's descent from Venus (the Trojan prince Aeneas, supposedly the ancestor of the Julii, was the son of Venus). Caesar thus drew attention to his own pedigree, and promoted his relationship with the gods, as well as with Marius, the great popular leader.

Cicero and Terentia

Despite the fact that Cicero eventually divorced Terentia in 46, following financial disagreements after 33 years of marriage, his letters to her, especially during his exile,

speak of his affection for her and their daughter: the 24 letters in book 14 of his *Letters to Friends* were written to Terentia and many refer to business matters. She clearly was not in a manus marriage and had control over considerable property, apart from her dowry. His letters constantly thank her for her support, both emotionally and financially, while she clearly kept him up to date with what was happening in Rome. In one letter written in mid-November 58 (*Fam.* 14.1.1: doc. 7.36), during his exile, Cicero says that he hears from everyone of her ‘amazing courage and fortitude’ and marvels that she is not exhausted by the hardships she has had to undergo. He laments, with his normal hyperbole, that she has fallen into tribulations for his sake, and is upset that ‘our darling Tullia (*Tulliola nostra*)’ should be grieved on his account. Terentia had supported Cicero during the conspiracy of Catiline, and in 61 in the proceedings against Clodius over the Bona Dea affair (*Plut. Cic.* 29.2), doing her best to lobby for his return when he was exiled. His correspondence had become markedly more terse by 47 (*Fam.* 14.20: doc. 7.40). After the divorce she is said (by a late source) to have remarried twice, first to the historian Sallust and then to M. Valerius Messalla Corvinus (cos. 31), and she reportedly died in AD 6 at the age of 103 (*Pliny* 7.158: doc. 7.65).

The laudatio ‘Turiae’

An extremely lengthy inscription (over 2 metres in height and the longest known private inscription from Rome) records an oration to a deceased wife, perhaps delivered at the tomb. Only about half of the inscription survives, but even so it is the most extensive Latin inscription put up by a private individual (*ILS* 8393: doc. 7.37). It dates to the late first century BC, and the name of the woman involved is missing, but she is conventionally known as ‘Turia’ because of a conjectured, if unlikely, identification with the wife of Q. Lucretius Vespillo (cos. 19), who was targeted in the proscriptions of the Second Triumvirate, when his wife Turia hid him in her bedroom above the rafters (*Val. Max.* 6.7.2; cf. *App.* 4.192).

An extended narrative is unusual in an inscription, and the extant portion of the laudatio begins with the events of 49, a year in which the wife’s father and mother had been murdered, and her future husband was overseas, when she brought the killers to justice and secured her inheritance. During the civil war between Caesar and Pompey she supplied her husband with money, slaves, and food, and defended their house against marauders. Her husband was a republican and she saved him in the proscriptions of 43, suffering physical violence at the hands of Lepidus when trying to confirm that her husband’s civil rights had been reinstated.

The husband praises the virtues of his wife (addressing her directly in the second person), speaking of her firmness of mind, her actions in the male sphere and qualities such as virtus by pleading before Lepidus, and avenging her parents’ deaths. He also lists his wife’s domestic virtues: modesty, obedience, kindness, good nature, dedication to wool-making, piety without superstition, inconspicuous adornment, and understated elegance, as well as her love and devotion to family and her care of her mother-in-law. She not only possessed the virtues expected of respectable matrons, but had her own unique merits which she demonstrated in practice. Their marriage had lasted 40 years without a disagreement, and he stresses the horror he felt at her suggestion that because they were childless he should remarry; that she would find

him a suitable wife, and be happy to help care for any children and not divide their joint inheritance. ‘Turia’ is presented here as the archetypal Roman matron, who considered the birth of children to her husband by a new wife as more important than their marriage. Emphasis is placed on her devotion to her husband, their long and harmonious marriage, and her regrets for her childlessness, which in her eyes would justify divorce. She was obviously in manu to her husband (as her sister was to C. Cluvius), as they administered their property harmoniously together, and her husband was also her guardian.

Her piety towards her family is featured throughout: not only did she avenge her parents’ deaths and ensure that her sister shared in their father’s inheritance, she fought for her husband’s welfare, cared for her mother-in-law, and brought female relatives into her household, ensuring that they received dowries so they could make marriages worthy of the family. Her offer to divorce her husband, in the context of Augustan marriage legislation which prioritised childbirth, is intended to highlight both the fides and pietas (loyalty and dutiful behaviour) of husband and wife: she is prepared to stand aside for a new wife, while he refuses to divorce a worthy wife even though she is childless. The eulogy ends with his laments and his promise to respect his wife’s wishes. She has been his ‘sentinel and first defence against dangers’ and now, deprived of her valuable protection, he can only look forward to the future with misgivings.

Marital discord

According to Gellius (1.6.1–6), L. Caecilius Metellus Numidicus during his censorship in 102–101 BC urged citizens to marry:

If we were able to exist without wives, fellow Romans, we would all be free from that troublesome matter; but since nature has so ordained that it is impossible to live very comfortably with them, and utterly impossible to live without them, we must consider our long-term welfare rather than our short-term pleasure.

The matrimonial relationship could be challenging for husbands as well as wives. Childlessness was a reason for divorce (Gell. 4.3.1–2; Val. Max. 2.1.4; Dion. Hal 2.25.6–7: doc. 7.12), and in other cases C. Sulpicius Galus (cos. 166) did so because his wife went about with her head uncovered, Q. Antistius Vetus because he had seen his wife talking with a freedwoman (i.e., a prostitute), and P. Sempronius Sophus (perhaps cos. 268) because his wife had attended the games without his knowledge (Val. Max. 6.3.10). By the first century divorce was commonplace and no reason was needed, but not all unhappy marriages ended this way: the union of Scipio Aemilianus and Sempronia, his cousin, was unhappy and childless (App. 1.83: doc. 8.21; Family Tree 1), and, she and her mother Cornelia were suspected of complicity in his murder. But despite the lack of children, and Scipio’s antagonism towards the Gracchi and their political programmes, the couple were still married at Scipio’s death in 129.

Jokes about the difficulties of living with a wife were ubiquitous: Cicero records that L. Scipio Nasica, when asked by Cato as censor whether on his conscience he was satisfied he had a wife, replied, ‘Certainly, but not one to my *satisfaction*'; Cato is said to have disenfranchised him for this play on words. Cicero gives a further example of such humour: when a Sicilian was lamenting to a friend that his wife had hanged

herself on a fig tree, the friend responded, ‘Please let me have some cuttings of that tree so I can plant them’ (Cic. *de orat.* 2.260, 2.278; Gell. 4.20.4–5).

Caecilius Statius was a Gaul brought to Rome, possibly from Milan, between 200 and 194. A freedman and friend of Ennius, he was famous for writing comedies based on Greek models (known as *fabulae palliatae*, after *pallium*, a Greek cloak), though he was generally very free with his source. At the beginning of the *Plocium* (*Little Necklace*), the father of the young protagonist complains to a neighbour about his rich, ugly wife, Crobyle, who has forced him to sell a pretty slave because she suspected they were in a relationship. This poor husband is so oppressed by his wife that he is unable to cover up his troubles even when out of the house, as his wife’s domineering behaviour betrays his henpecked status to everyone. He laments that his wife possesses everything undesirable – except a dowry – and he can’t wait for her death, his existence being no better than that of a corpse himself (Caec. *Plocium* 136–155: doc. 7.38).

This extract shows the extent to which Roman audiences appreciated marital discord in comic stage-presentations. Caecilius’ version is a good pointer to Roman tastes in farce, as Gellius in his comparison of the play with its Greek original, both of which he quotes extensively, demonstrates that Caecilius reworked the scene for farcical tricks and buffoonery: both the complaint of having to sell his maid-servant and the joke about the wife’s breath being so bad that it makes her husband vomit are additions by Caecilius. In similar vein the neighbour later comments about his own wife, ‘I got really fond of her after she was dead’. The haughty, wellborn wife of the Greek original who inflicts her arrogance on the whole family has become a nagging, bad-tempered shrew whose attention is focussed on the failings of a downtrodden, grumbling husband.

Quintus and Pomponia, Marcus and Terentia

There is evidence that at least some Roman wives were imperious and dictatorial, and many were outspoken and strong-minded. Terentia, Cicero’s wife, acted independently in financial matters and his sister-in-law Pomponia was another woman of character, whom Cicero depicts as markedly bad-tempered (Cicero of course takes the side of his brother Quintus). Pomponia was the sister of Cicero’s friend (T. Pomponius) Atticus, and Cicero had arranged the marriage of Quintus and Pomponia to strengthen his connections with the wealthy banker. Pomponia seems to have been at least 40 at the time of the marriage, so Quintus was probably her second husband.

A letter written by Cicero in 51 shows that the couple were clearly experiencing difficulties (as they were as early as November 68: *Att.* 1.5.2). They seem to have quarrelled continuously throughout their marriage, with their son Quintus (born in 67) trying to act as peacemaker, until he finally lost patience with his mother. Pomponia’s extravagance and disagreements about expenditure generally seem to have been an issue, as well as Quintus’ dependence on his freedman Statius (Cic. *Quint.* 1.2.3: 6.53). The couple divorced, but the marriage had lasted from 69 to 45 or 44, and Quintus decided against a second marriage, commenting in April 44 that (*Att.* 14.13.5–6) there was nothing more pleasant than a single bed. Plutarch in his *Life of Cicero* (49.1–3) records the tale that Quintus’ freedman, Philologus, who had betrayed Cicero to his assassins, was handed over to Pomponia by Mark Antony, and that she punished him

by forcing him to cut off pieces of his own flesh and eat them: Quintus and his son, like Cicero, had been killed in the proscriptions of 43.

In May 51, Atticus had written to Cicero asking him to intervene again between the couple. Cicero replied to Atticus that he had ‘never seen anything gentler or kinder than my brother’s behaviour at that time towards your sister, which was such that, if there was any quarrel about expenditure, there were no signs of it’: clearly financial matters were a current cause of conflict between them (Cic. *Att.* 5.1.3–4: doc. 7.39). They were to dine at Quintus’ estate at Arcanum to give an entertainment to his staff, perhaps for the festival of the Lares (1 May), and Quintus suggested that Pomponia invite the women while he invite the men: her curt response was ‘But I’m just a stranger here’, even though his words and tone had been polite. Cicero thought that she might have been out of temper because Statius had been sent ahead to see to the dinner arrangements. Quintus commented to Cicero that that was the sort of behaviour he had to put up with every day.

Cicero was upset and annoyed at such unnecessary rudeness, and when she did not come to table Quintus sent her some dinner, which she refused; ‘in short’, he told Atticus, ‘it seemed to me that nothing could have been more tolerant than my brother and nothing more rude than your sister’. The next day Quintus reported that Pomponia had refused to sleep with him (the couple were going to be separated for over a year as Quintus was accompanying Marcus to Cilicia), and that she was as bad-tempered as before. The freedman Statius’ role in the household was clearly a bone of contention, while in Cicero’s view Pomponia’s behaviour was even more inexcusable for taking place in front of the entire household.

Cicero’s marriage to Terentia was also to break down after his return from Cilicia and the vicissitudes of the civil war, including the illness and death of his precious Tullia. At the end of 47, when Cicero wrote his last extant letter to Terentia in October, his tone was markedly less affectionate than in his earlier correspondence (Cic. *Fam.* 14.20: doc. 7.40). There were to be quarrels about her finances, especially the role of her freedman Philotimus (the role of an influential freedman in a family must often have been a cause of disagreements), and Cicero found it very difficult to repay her dowry. Cicero at the time was finally on his way from Brundisium, en route to his house at Tusculum. They had been parted since his decision to join Pompey in Greece in mid-49. He would, he tells her, have a number of people with him and might be making a long stay. His main concern in the letter appears to be that there should be a tub in the bathroom (a large container in which the bathers washed before immersing themselves), and if there was not one there, then she should acquire one. The letter closes without his normal wishes for her good health.

The goddess Viriplaca: or how to please your husband

Concordia, harmony, was an ideal between married couples. Valerius Maximus in a section on *Ancient Institutions* recorded how univirae, women content with a single marriage, used to be honoured by a crown of chastity. Matrons in those days when summoned to court, could not have their robes touched by the summoner, as this would have shown disrespect, and wine was forbidden them, ‘for fear of dishonour’. They were, however, allowed to adorn themselves with gold and purple for their husbands’ sake and colour their hair, as adultery and seduction were at that time

unknown. When strife did arise between a couple in those days, divine assistance was available to allay it: they would visit the shrine on the Palatine of the goddess Viriplaca ('apeerer of men'), a cult title of Juno as goddess of marriage. There they would each put their side of the story to the goddess, and then return home in harmony with their contentions laid aside (Val. Max. 2.1.6: doc. 7.41). The goddess' name arose from her ability to placate husbands, and she was honoured as the guardian of peace within households, ensuring that wives granted husbands the respect they deserved due to 'the superior rank of husband, but 'within the yoke of equal affection'. This cult is not attested elsewhere, but if Valerius is correct wives had a chance to express their marital frustrations as part of a public cult, but within the constraints of an admittedly unequal relationship.

Adultery, conspiracy, and sorcery

The woman's father, and according to Cato the Elder the husband, were allowed to kill a wife, if she were caught in the act of adultery (Gell. 10.23.4–5: doc. 7.18); the husband was also entitled to retain a portion of her dowry. Augustus' legislation allowed both the father and husband to kill an adulterer caught in the act, but only the father might kill his daughter, and only then if she were discovered in his own house or that of his son-in-law: this right was given to the father not the husband, because a father had 'wisdom' in respect of his children, while a husband would react too impetuously (Justinian *Dig.* 48.5: doc. 15.25). Under Augustus adultery was a public crime, and the husband had to divorce the guilty wife. She was not allowed to remarry, lost half her dowry and a third of her other property, and was exiled to an island, like Augustus' daughter and granddaughter; a convicted adulterer forfeited half his property.

Punishments for adulterers

As well as risking death if caught in the act by his lover's father or husband, the adulterer could also suffer a number of other indignities and punishments: according to Horace (*Sat.* 1.2.37–46), he could be beaten to death, raped by the husband's slaves, castrated, or fined, and either the woman's husband or her father was entitled to exact the punishment. Valerius Maximus gives examples of specific punishments inflicted on men caught in the act of adultery, though unfortunately most of the names he mentions are unknown. C. Gallius was scourged by Sempronius Musca, while C. Memmius, who was married to Sulla's daughter Fausta (whom he divorced in 55), beat L. Octavius with 'thigh bones'; Carbo Attienus and Pontius were castrated by Vibienus and P. Cerennius; and Cn. Furius Brocchus was raped by the slaves of the injured party. None of these responses attracted any punishment, as they were sanctioned by custom (Val. Max. 6.1.12–13: doc. 7.43).

Normally the seduction of wives and daughters was the concern of the immediate family, though a number of public trials are recorded, where there were no male relatives to take action. Concerns about adultery were not simply due to the paranoia of husbands: Cicero would tell Atticus early in 60 that Memmius (who himself took revenge on an adulterer) was simultaneously having affairs with the wives of two prominent brothers: M. Terentius Varro Lucullus, and his elder brother L. Licinius Lucullus (*Att.* 1.18.3). L. Lucullus divorced one wife, Clodia in 66, and accused her at

the Bona Dea trial of incest with her brother Clodius; he then married Servilia, half-sister of Cato the Younger, who was also known for her lax morality and whom he later divorced; the wife of M. Lucullus is unknown. Cicero's correspondent Caelius was also able to tell him in April 50 that Ser. Ocella had been caught twice in adulterous liaisons within three days. However, rather than naming names, he left him to find out the identity of the ladies involved from other sources, as he was amused by the thought of Cicero having to make enquiries on the subject ([Cic.] *Fam.* 8.7.2).

Deadlier than the male

Livy records an episode, which he purports to question, in the context of a serious plague in 331, when a number of the deaths were ascribed to poison. As in the case of Publicia and Licinia, who were strangled by their relatives for allegedly murdering their husbands c. 150 (Val. Max. 6.3.8: doc. 7.17), there was always a fear that women might resort to murderous drugs, and poisoning and adultery were linked in the Roman mind. Livy records that some sources reported that many of the deaths in that year were deliberately effected by poison, and that numerous married women were prosecuted. On this occasion, as with the Bacchanalia, there was concern that women in Rome were out of control. The alleged crimes were revealed by a maid-servant to the curule aedile, Q. Fabius Maximus (perhaps the five-times consul), as in his role as aedile he was responsible for carrying out sentences on women who had no relatives who might discipline them.

With the authorisation of the senate, the matter was investigated and the women were surprised in the act of brewing the poisons, with more stored away (Livy 8.18.2–11: doc. 7.42). Some 20 matrons were implicated, and these were summoned to court by an apparitor (magistrate's attendant). Under examination, two of the women, Cornelia and Sergia (both patricians), asserted that the potions were simply medicinal. When instructed to drink them to prove their case, they conferred with the others, and all of them swallowed the poisons and ‘perished by their own evil practices’. Their attendants were arrested, and, doubtless under torture, accused further women of the same actions, of whom as many as 170 were adjudged guilty. According to Livy this was the first trial for poison in Rome.

The trial, if it did take place, was the result of mass hysteria at a time of crisis, with the workings of the plague not understood and scapegoats sought which might put an end to the state of emergency. Further mass poisonings were feared during another plague in 180, and when the consul C. Calpurnius Piso died in that year his wife, Quarta Hostilia, was suspected of poisoning him to make way for her son by her first husband to become consul in his place: she was convicted and executed. Investigation into other possible poisonings was instigated and the praetor C. Maenius, in charge of any cases more than ten miles from the city, condemned some 3,000 persons before leaving for his province (Livy 40.37, 43). It is not clear how many of those adjudged guilty were women. In 185, the praetor Q. Naevius had also been delayed for four months in leaving for his province by investigations into mass poisonings, and Livy cites Valerius Antias for the fact that he found some 2,000 people in Italian towns guilty (39.41.6). Poison was always a matter of concern, as well as of academic interest, at Rome: Sulla instituted a standing court for poisoning, Pompey had his freedman Lenaeus translate into Latin Mithridates' voluminous collection of texts on poisons,

and the Julio-Claudians seem to have been enthusiastic users of lethal drugs, generally of plant origin, in a number of political intrigues. Food-tasters appear to have been commonly employed by the nobility, like Augustus himself (*ILS* 1795: doc. 6.69), and Augustus' wife, Livia, was suspected by Dio, like Tacitus, of the possible poisoning of Marcellus, Augustus' grandchildren, and even of Augustus himself (Dio 53.33, 55.10a.10, 56.30.2, 57.3.6; Tac. *Ann.* 1.3.3, 5.1; 1.10.5: doc. 15.117).

Sempronia, adherent of Catiline

Sempronia, wife of D. Junius Brutus (cos. 77), is one example of an educated and independent noblewoman in the first century. Her husband, though a distinguished orator, appears to have been a political nonentity, but her son, D. Junius Brutus Albinus, was a distinguished legate of Caesar's (consul designate for 42) and one of his assassins. Sempronia was the daughter of C. Sempronius Tuditanus and sister of the Sempronia who was the mother of Fulvia, wife of Clodius, Curio, and Mark Antony. Actively involved in the Catilinarian conspiracy in 63, without the knowledge of her husband, she made her house available for meetings of the conspirators with the envoys of the Allobroges. A contrast to women like Cornelia, mother of the Gracchi, she foreshadowed the masterful women of the first century AD. Sallust demonised her, portraying her as the exemplum of all that was wrong with modern Roman women, while admitting her manifold attractions, and blackens her reputation by associating her with an amorphous group of female supporters of Catiline 'who had at first supported their excessive extravagance by prostitution, and then, when their age put an end to their income, though not their luxurious tastes, had piled up huge debts' (Sall. *Cat.* 24–25: doc. 7.44). Cicero had characterised Clodia Metelli in much the same way as a wealthy noblewoman with the morals of a prostitute (Cic. *Cael.* 47–49: doc. 7.52). The suggestion that Catiline planned to have these women rouse the city slaves and either persuade their husbands to join him or murder them played once again on the Romans' fears of slave revolts and of wives' propensity for secretly poisoning their husbands.

Sempronia was well-educated in Greek and Latin, and skilled at playing the lyre and dancing ('more than a respectable women need be'), with many other accomplishments. Untrammelled by decency and chastity, Sallust depicts her as unsparing of her reputation and extravagant with her money, making advances to men before they could do so to her, a liar and repudiator of debts on oath, and an accessory to murder. In her favour, he notes her considerable talents: 'she could write poetry, crack jokes, and converse with modesty, tender feeling or wantonness; in fact she possessed great wit and considerable charm'. His depiction, however exaggerated, is a useful insight into the social freedom, ruthlessness, and autonomy open to noble women, as well as their financial independence, and extravagance and a desire for excitement doubtless encouraged many aristocratic women to range themselves on the side of Catiline, with his programme of debt-cancellation. Despite Sallust and Scipio Aemilianus' disapproval of dancing by Roman girls and women (Macrob. 3.14.6–7: doc. 8.20), a love of learning and music was not necessarily linked with immorality: Cornelia, daughter of P. Cornelius Scipio Nasica and Licinia, and wife of Publius Crassus, who was killed at Carrhae, and then of Pompey, was widely read, proficient at geometry, fond of philosophical discussions, played the lyre, and yet was 'not unattractive' (Plut. *Pomp.* 55).

Caesar's love-life

Naturally, the love affairs of Julius Caesar were a matter of great interest in Rome, and his favourite lover was said to have been Servilia, eldest sister of Cato the Younger. She was the wife first of M. Junius Brutus (and mother of *the Brutus*), and then of D. Junius Silanus (cos. 62), by whom she had three daughters. When during the important Catilinarian debate in 63 over the fate of the conspirators Caesar received a letter, Cato demanded that it be read aloud, thinking that it related to Caesar's possible involvement in the plot; to his embarrassment it turned out to be a love letter from Servilia (Plut. *Cato Min.* 24.2) According to Suetonius, Caesar in 59 bought her a black pearl worth six million sesterces and allowed her to purchase cut-price estates during the civil war (Suet. *Jul.* 50.1–2: doc. 7.45). Cicero made one of his barbed jokes on the discounts offered her at auction, remarking that it was an even better bargain because a 'third' (*tertia*) was discounted (Servilia was said to have been prostituting her third daughter, Tertia, to Caesar; or alternatively he was said to have been her father).

Caesar was also said in 46 to have been the lover of Eunoe, queen of Mauretania, and was of course romantically attached to Cleopatra VII, mother of his son Caesariion, both during the Alexandrine civil war in 47 and afterwards in Rome where Caesar lodged her in a villa across the Tiber. Suetonius reports that other women seduced by Caesar were said to have included Ser. Sulpicius Rufus' wife Postumia, Gabinius' wife Lollia, Crassus' wife Tertulla, and Pompey's third wife Mucia. Caesar's affair with Mucia was said to have been the cause of her divorce on Pompey's return from the East in 62. According to rumour, Caesar's illegitimate children included Servilia's son M. Junius Brutus, and his younger sister Junia Tertia. Caesar would have been 15 years at the birth of Brutus in 85, which suggests that gossip ran away with itself, and it is perhaps significant that there were not more candidates for children that Caesar might have fathered. Julia, his daughter by his first wife Cornelia, and Caesariion, his son by Cleopatra, were his only two known children.

A loquacious front door

A highly satirical poem by Catullus, set in his home-town of Verona in Cisalpine Gaul, features the garrulous and indiscreet front door of a family home, which relates the gossip of the household, particularly the affairs of its previous owner's wife, to an unspecified interlocutor (Cat. 67: doc. 7.46). The poem lampoons particular residents of the town, purporting to show up the seamy side of provincial households. The house, now owned by a certain Caecilius, had previously belonged to Balbus, and then his son, who brought home a bride who had been sexually defiled during an earlier marriage. Her previous husband had been impotent, and her father-in-law had consummated the marriage for him. In addition, in her home-town of Brixia, she had already earned a reputation for adultery with two lovers.

The door, like a chatty household porter who keeps an eye on all that goes on and is only too keen to pass on scandalous gossip, knows all these details, because it has overheard the shameless woman chattering with her maids. To make the situation even worse, this woman now has another lover in Verona, a tall red-browed man: he is not named, but the reader is surreptitiously informed that he has been prosecuted

for counterfeiting the birth of a legitimate heir in his family, an episode which must have helped identify him. Some of the language is highly colloquial, not to mention obscene, and, while Catullus is invoking the themes of mime and comedy, he certainly expected the protagonists to be identified.

Heterosexual love: Catullus and Lesbia

'Lesbia', the name by which Catullus addresses his famed mistress, has generally been supposed to have been the pseudonym of Claudia (Clodia) Metelli, one of the three sisters of the tribune P. Clodius Pulcher; the identification was made by Apuleius (*Apol.* 10). This Claudia, who like her sisters changed her nomen to Clodia to show her political support for her brother Publius, was married to Q. Caecilius Metellus Celer (cos. 60). After Metellus died in March 59 (Cicero hints that Clodia may have poisoned him: *Cael.* 60), Clodia is supposed to have had affairs with both Catullus and M. Caelius Rufus (Catullus 58 and 100 may have been addressed to this Caelius). Caelius had been a political friend of Clodius, but partly at the instigation of Clodia he was prosecuted in April 56 for political violence, when Cicero defended him. In this speech Cicero reports salacious details of the relationship between Clodia and Caelius to undermine the case that he owed Clodia money and had attempted to poison her: Clodia was in court as a witness.

Cicero's defence concentrates on a character assassination of Clodia as an ageing prostitute and possible husband-killer, who had been engaged in an incestuous relationship with her brother (*Cael.* 59–60). Such rumours were already in circulation: at Milo's trial in February earlier in the same year Pompey's supporters had shouted obscene chants about the relationship between Clodius and Clodia (Cic. *Quint.* 2.32: doc. 12.69). Clodia's younger sister had been divorced by L. Licinius Lucullus in 62 for adultery, and he accused her in court in 61 of incest with her brother. In February 54, writing to Lentulus Spinther (cos. 57), Cicero hints that the eldest sister, married to Q. Marcius Rex, had had a similar relationship with her brother: Clodius in gate-crashing the celebration of the Bona Dea cult had treated the goddess with as little respect as he had shown to his three sisters (Cic. *Fam.* 1.9.15).

'Lesbia'

Catullus' 'Lesbia' is pictured not as a lady of senatorial rank but as an hetaera (a cultured Greek prostitute), a familiar literary character. Thirteen of Catullus' 116 poems refer to her, moving from passion to disillusionment, rhapsodising over their love, comparing her to other women, describing their quarrels, criticising her unfaithfulness, and attacking her in abusive language: poem 79 even suggests an incestuous relationship with 'pretty [pulcher] Lesbius', obviously her brother Clodius Pulcher. Other love poems are addressed to an unspecified girl (*puella*) and to a woman named Ipsitilla (32), as well as to young boys such as Camerius and Juventius. Rather than inflamed by a single grand passion, Catullus is an inventive and elegant poet adapting and refining Hellenistic models of love poetry, full of allusions and well-schooled in Greek models. His Lesbia, rather than the protagonist of a genuine relationship, is probably a poetic construct, a composite of hostile stereotypes of Roman women – beautiful, frivolous, luxurious, ambitious, and unchaste.

Catullus was one of the ‘neoteric’, or ‘new’ poets in Rome, rebelling against traditional standards of morality and austerity: others in the poetic circle included Cornelius Gallus, C. Licinius Macer Calvus, and Helvius Cinna. Many of Catullus’ works invert social norms, presenting behaviour that was strongly condemned by traditional morality. In poem 7 Catullus addresses Lesbia, asking ‘how many kissings of you, Lesbia, will be enough and to spare?’. He answers his own question: as many as the grains of Libyan sand that lie on silphium-bearing Cyrene, or as many as the stars in the silent night that see men’s clandestine loves – only these would be enough for ‘your infatuated Catullus’ (Cat. 7: doc. 7.47). This poem would have shocked the Roman readership, portraying the male lover as uncontrolled and impassioned, with Catullus taking the subordinate, almost effeminate, role. Similarly, the couplet, ‘I hate and love. Why I do so perhaps you will ask. I do not know, but I feel it to be so, and I am in torment’, presents the reality of disillusioned romance, but in a way that diminishes the masculinity of the author (Cat. 85: doc. 7.48).

The name Lesbia might have been intended to reflect that of Sappho of Lesbos (whose famous poem Catullus adapts in poem 51), but it could also refer to the Greek verb *lesbiazein* (Latin: *fellare*; to perform oral sex), and it is possible that Sappho, being seen as shameless in Roman eyes, was a model for the Lesbia portrayed by Catullus. In one of his poems of disenchantment Catullus, addressing Caelius, depicts his ‘Lesbia whom Catullus alone loved more than himself and all his own’ performing oral sex in the street-corners and alley-ways of Rome with the descendants of ‘high-minded Remus’ (Cat. 58: doc. 7.51). Catullus’ sarcasm about the hypocritical morality of his peers helps to underwrite the picture of his ‘beloved’ Lesbia as, in reality, a degraded street whore.

Cicero and Clodia Metelli

Cicero similarly throws doubt on the reputation of Lesbia’s alter ego, Clodia Metelli. She had been personally involved in the decision to bring the prosecution for political violence against Caelius Rufus: the Clodii and Caelius had ended up in different camps over the question of the deposed Ptolemy XII of Egypt, and Caelius was accused by them of involvement in the murder of an Alexandrian envoy. Cicero presents Clodia as Caelius’ ageing mistress and ex-lover, and his forensic aim is to convince jurors that the 26-year old Caelius was just a naïve, pleasure-loving young man, entrapped by the experienced seductress: Caelius was to be a correspondent of Cicero between 51 and 49, when Cicero was in his province, and became praetor in 48.

In one of his typically ironic comments, Cicero presents himself as surprised that Clodia is supporting the prosecution, since she has generally been considered to be a ‘friend’ to everyone. He even conjures up her ancestor, App. Claudius Caecus (cens. 312), to speak as a representative of traditional Roman values and ask how a woman of such consular lineage could have come to know Caelius (who was neither a relative or a connection) so well as to lend him money and fear attempts of poison on his part? (Cic. *Cael.* 32–49: doc. 7.52). The prosecution had itself provided evidence of their intimacy, with the accounts of ‘debauchery, love-affairs, adultery, Baiae, beach resorts, dinner-parties, revels, singing, music, boat-trips’; even more damning is that this information is being put forward with Clodia’s approval, with her conduct showing that she is ‘not only a prostitute, but one who is wanton and shameless’. Caelius

was acquitted, and Clodia's reputation never recovered. She was not heard of after this year, but in 54 the Clodii brought another unsuccessful prosecution against Caelius, who was again being 'vigorously attacked by the Clodian family' (Cic. *Quint.* 2.12).

Amaena and Acme

Catullus had no compunction about attacking his enemies' mistresses on the grounds of their appearance in order to target the enemies themselves. Mamurra, Caesar's praefectus fabrum, was one of his pet hates, and when comparing the attractions of Mamurra's girl-friend, Amaena, and Lesbia, Catullus explains that Amaena (who, he implies, has propositioned him) only needs to look at herself in a mirror to understand why Catullus is not going to spend 10,000 sesterces on *her* (Cat. 41). He describes her with some vindictiveness as 'without a tiny nose, a pretty foot, black eyes, long fingers, or a dry mouth – or a tongue of minimal refinement'. And the provincials of Cisalpine Gaul think she can be compared to his Lesbia? 'What a stupid and undiscriminating world!' (Cat. 43: doc. 7.49).

In poem 45 (doc. 7.50) Catullus describes a love idyll between an unknown Roman, Septimius, and Acme, possibly a Greek freedwoman. The couple profess their devotion to each other: Septimius swears that if it is not true that he will keep loving Acme all his life, then 'may I in Libya or parched India encounter on my own a green-eyed lion'. Acme responds that 'the passion that burns in my tender marrow is far greater and fiercer than yours'. Love-sick Septimius prefers Acme to any (conquests in) Syria or Britain, and Acme takes her pleasures and desires in Septimius alone. 'Who ever saw people more blessed and who ever saw a more auspicious love?' asks Catullus. The neoteric poets contrasted the love affairs of their circle in Rome with the traditional ideology of Roman aristocrats: Caesar may conquer Britain, and Crassus Syria, but for the rebellious young writers these achievements are worthless compared to their relationship with their beloved.

The poet Sulpicia

A rare woman's voice can be found in a handful of poems composed by Sulpicia, daughter (or granddaughter) of Ser. Sulpicius Rufus (cos. 51), and niece and ward of M. Valerius Messalla Corvinus (cos. 31), the noted literary patron. Book three of the elegies of Tibullus contains 11 poems ascribed to Sulpicia, six written in the first person, which deal with her passionate love for Cerinthus, obviously a Greek pseudonym. She appears to have been one of the circle of poets associated with Messalla, and uses literary allusion and sophisticated devices to describe her erotic relationship with Cerinthus, who is clearly not her husband, describing her love to the reader who has no such similar experiences: 'let those talk about my joy, who, it is said, have none of their own'. Venus, won over by Sulpicia's poetic Muses, has brought Cerinthus to her and placed him in her arms, fulfilling her promises to the poet ([Tib.] 3.13: doc. 7.53).

Sulpicia sees social conventions generally as of no importance: her love is of such a kind that to hide it from modesty would be more of a scandal than to proclaim it publicly, and 'to wear a mask for scandal's sake bores me: let me declare that I, a worthy woman, am linked with a worthy man'. Her poems may, like those of Catullus, have described the range of experiences from passion to disillusionment, and in two

others she complains of Cerinthus' lack of interest in her and her fear that he may be paying addresses to another woman. As an aristocratic woman writing poetry which purported to reflect her personal emotional experiences, Sulpicia was highly unusual, but she was not alone: one of Ovid's poems from exile was written to a young poetess named Perilla, to whom he gave detailed literary advice and who may have been his step-daughter (Ovid *Trist.* 3.7).

Another amateur and unpublished poet presented his work as a graffito on the wall of the smaller theatre at Pompeii, c. 90–80. Tiburtinus, the writer, speaks of his lover's eyes forcibly drawing him into the fire, and of tears which 'cannot put out the flame', but 'burn the face and waste away the heart'. Another would-be poet similarly inscribed his passion nearby, begging that Venus' flower be given to him, and asking leave to go to her: 'da veniam ut veniam' ('give me permission that I may come'), a clever literary conceit (*CIL* I² 2540: doc. 7.54).

The folly of passion

There were wiser heads in Rome who rebuked the folly of romantic love and its ephemeral pleasures, such as the poet Lucretius who criticised the madness of love from the Epicurean standpoint, which saw tranquillity as the most important of life's aims. In his *On the Nature of the Universe*, he devotes a passage to the idiotic ways in which the physical defects of mistresses are turned into charms in the imagination of their lovers, although at the end he does imply that long-term association with a woman and judicious behaviour on her part can bring about affection.

In Lucretius' view, lovers consume their strength and waste their time at the whim of another; their wealth is converted into Babylonian brocades and their duties neglected. Perfumes, Sicyonian slippers, emeralds set in gold, sea-coloured garments (worn away through their constant absorption of 'Venus' perspiration), head-bands and turbans, banquets, entertainments, wine in abundance, wreaths of flowers – all these are provided in vain, since a taste of bitterness still causes the lover torment. Either a guilty consciousness that he is wasting his youth in debauchery, or a jibe from the mistress which 'fixes in his passionate heart and glows there like fire', or the belief that the girl is making eyes at another man spoils the pleasure and turns the love into heartbreak (Lucr. 4.1121–1140: doc. 7.55). Not all love is folly, however, and in his view it is possible for a woman 'deficient in beauty' to be loved, and by her conduct, compliant manners and freshness and neatness (no sea-coloured garments, presumably) she may persuade a man to become used to spending his life with her – after all, it is habit that produces love, just as drops of water finally wear away a stone (Lucr. 4.1278–1287). In this way even a philosopher can get used to having to live with a woman.

The satirist Lucilius had a similarly jaundiced view of the ways in which female beauty had been traditionally idealised by poets, and in book 17 of his *Satires* he appears to be parodying incidents and phraseology in the *Odyssey*, or the Homeric poems more generally, and their depiction of epic heroines. Surely, he addresses the reader, you are not so naïve as to believe that the great heroines of epic, the 'lovely-locked' and 'lovely-ankled' girls of Homer could not have had sagging breasts; that Alcmena (mother of Hercules), the beloved of Zeus, could not have been knock-kneed or bow-legged; and Helen of Troy herself was not a –. Lucilius cannot bring himself to write the word, but points out that it would have to be two-syllables to fit his metre:

he is, of course, thinking of the term adulteress (*moecha*). Even daughters of ‘noble sires’, the heroes of epic and myth, must have had a distinguishing mark, like a wart, mole, pock-mark, or projecting tooth (Lucil. 17.1567–1573: doc. 7.56). Luckily for aristocratic girls in Rome, family connections and property were of more importance than romantic inclinations, and even philosophers like Lucretius could become used to the company of women, given time.

Homosexuality and pederasty

There was no disgrace for an adult male citizen in engaging in a relationship with non-citizen boys or men, providing that he remained the active sexual partner. Pederasty had always been a feature of Roman society, and it became particularly fashionable following Rome’s conquests in the Eastern Mediterranean: referring to the period after the Third Macedonian War (171–168), Diodorus recorded that luxury items became extremely sought after by younger aristocrats, with chefs selling for four talents, and ‘male catamites of exceptional beauty for many talents’ (Diod. 37.3.3–5: doc. 5.57). This, of course, was of concern to traditionalists like Cato the Elder, who caustically commented in a speech made to the people that ‘the best sign that the state was degenerating was when lovely boys fetched more than fields and jars of pickled fish more than ploughmen’ (Polyb. 31.25.5: doc. 5.58). Cato was commenting on the extravagance, not the sexual morality involved. Cicero, too, believed that such relationships could be acceptable where they involved slaves or foreigners, but was concerned that the practice of pederasty might threaten citizen youths (Cic. *Tusc. Disp.* 4.70–71: doc. 5.63). One of the concerns raised by the Bacchanalia had been the possibility of the seduction of young freeborn males, and Livy recorded that in the night-time meetings there was ‘more debauchery among men with one another than among women’ (Livy 39.13.10: doc. 3.65).

Stuprum and pederasty

In Rome it was a grave criminal offence to attempt to seduce a freeborn boy, and the seduction of citizen youths, like that of citizen women, was included in the definition of stuprum, an offence punishable in Roman law. Certainly by the mid-first century BC stuprum with underage freeborn boys was liable to prosecution by the lex Scantinia (perhaps passed in 226, by the tribune C. Scantinius Capitolinus), which punished pederasty. Quintilian (*Inst.* 4.2.69) mentioned a fine of 10,000 sesterces for stuprum with freeborn boys, perhaps a provision of that law. It may also have targeted adults who played the passive or receptive role in acts of stuprum. The penalty laid down by Augustus for such un-Roman misconduct was confiscation of half the offender’s property for respectable persons, and corporal punishment and exile for others (Justinian *Inst.* 4.18.4: doc. 15.25).

The lex Poetelia in 326, which ameliorated debt-slavery in Rome, was said to have resulted from the attempt to seduce a freeborn youth by his father’s creditor (Livy 8.28.1–8: doc. 1.53). Valerius Maximus also recorded an episode where the son of M. Claudius Marcellus (the five-times consul), was propositioned by the tribune Scantinius, perhaps in 226 when Marcellus was aedile. There was no other evidence, but Scantinius was convicted just because of the modest behaviour (*pudicitia*) of the boy

himself (Val. Max. 6.1.7, cf. Plut. *Marcell.* 2.3–4). In the first century BC a certain Valerius Valentinus lost a court case against C. Cosconius (perhaps the proconsul of Illyria in 78–76), though Cosconius was clearly guilty, when a poem of Valerius' about having seduced an underage boy and a freeborn girl was read out in court (Val. Max. 8.1 abs. 8). The honour of citizen boys was a matter of extreme delicacy as it involved their identity as Roman citizens.

Pederasty had been a Roman institution from the earliest times, with the difference that the object of desire was not a citizen boy as at Athens, but an inferior, such as a slave or prostitute. Many of Plautus' plays, which predate the wave of Greek culture which swamped Rome in the mid-second century BC, feature a homosexual relationship between a master and a male slave, particularly handsome young boys. It was normal for Romans to have sexual relations with their young male slaves, who were purchased for that purpose, and, if the relationship were a settled one, the boy would be thought of as a concubine (*concubinus*). In Plautus' *Persa* the young Paegnium ('Plaything') admits himself to be a sexual object to his master, but hopes that because of it he will be freed one day (Plaut. *Pers.* 284–286).

Cicero in the *Philippics* viciously attacked Mark Antony as the passive object of pederastic relationships: he accuses Antony of having turned the 'toga of manhood' into the badge of a prostitute as soon as he came of age, after which he settled down to 'marriage' with Curio, being as completely in the power of his 'master' as 'any slave boy bought for reasons of lust' (*Phil.* 2.44–45): this was standard political invective. Catullus, who wrote love poems to young boys, pitied a hypothetical young slave, abandoned as a beloved on his master's marriage to a new wife, who will now have to give up his cherished role as *concubinus*, have his long hair cut, and resort to female slaves for sexual pleasure (Cat. 61.121–141). With rare exceptions, pederastic relationships in Rome were only engaged in with slaves and male prostitutes, but this was entirely normalised.

Same-sex relationships between adults

Same-sex relationships between adult males, even if slaves or prostitutes, were less usual and tended to be frowned upon, while same-sex relationships between citizens of any age were forbidden in Rome. Romans were perceived as virile and manly which precluded their assuming the 'effeminate' role of subordinate sexual partner; for citizens to be the passive partner was dishonourable, with the Greek terms *cinaedus* and *pathicus* (sodomite or catamite) used to describe them. Otherwise, Roman citizens could enjoy themselves with both male and female partners as long as they took the active, penetrative role: it was social status not gender that was policed. Men were at liberty to engage sexually with slaves, prostitutes, or infames (those in dishonourable occupations such as actors or pimps), but not other citizens, and particularly not underage citizen boys. Caesar's lex Julia municipalis of 45 prohibited a number of people from serving on town councils: these included gladiatorial trainers, actors, pimps, and 'those who have made a living with their body' (Bruns 102.120: doc. 13.59) – male prostitutes. This definition would have included Sulla's long-term love, the actor and impersonator Metrobius (Plut. *Sull.* 12.6, 36.2: docs. 11.1, 39). Cato considered that force could be used against anyone who had practised prostitution or

hired himself out to a procurer (Gell. 9.12): to allow oneself to be sexually penetrated was to accept the status of a non-citizen.

A common form of political invective was to charge an opponent with effeminacy (i.e., the passive sexual role), an allegation Cicero had made against Catiline in 63 (Cic. *Cat.* 2.7: doc. 12.18). By seducing young men in this way he had trapped them in a life of crime and unrestrained sensuality, promising some the satisfaction of their wanton passions, others the murder of their parents. Cicero later made the same accusations against Clodius: no one had ever treated an enemy camp worse than he had all the parts of his body, while no ship on the public river ‘has ever been so open to all traffic than his youth has been’. He had even wallowed unrestrictedly with his sisters, just as most people did with prostitutes (Cic. *Har. Resp.* 59: doc. 12.62).

A fascinating vignette of homophobic invective and counter-invective on the political scene is described by M. Caelius Rufus in writing to Cicero in August and September 50, when the lex Scantinia was employed to embarrass political opponents who were actually in office at the time. App. Claudius Pulcher (cos. 54), censor in 50 with L. Calpurnius Piso Caesoninus, charged Caelius with the crime of stuprum under the provisions of the law. This was particularly scandalous as Caelius was currently curule aedile and in charge of the celebration of the ludi Romani: his opponents planned to bring him to court as soon as the celebration of the games had finished. Caelius, however, retaliated, charging Appius in return with stuprum under the same statute. The irony, according to Caelius in his letter to Cicero, was that the praetor who would oversee the court cases was M. Livius Drusus Claudianus (father of Livia Drusilla), which Caelius thought a great joke, presumably because Drusus’ own tastes were thought to lie that way ([Cic.] *Fam.* 8.12, 8.14).

Appius as censor was more upset at the scandal that had been stirred up, than at his forthcoming prosecution in court on an embarrassing indictment. It was highly unusual for magistrates to be prosecuted during their term of office, and definitely abnormal for a censor and aedile to be cross-accusing each other of stuprum with male citizens. The situation would have been still worse, if both magistrates were being accused under the lex Scantinia not of pederasty, but of having been the passive partner in a homosexual relationship and hence open to the charges of effeminacy. The fact that Caelius had earlier had a relationship with Appius’ sister Clodia Metelli, and that at least two of the three Clodia sisters had been accused of incest with Appius’ younger brother Clodius, could only have added to the piquancy of the situation in the eyes of contemporaries like Cicero.

Clothing as an indicator of sexuality

Clothes were seen as an important indicator of sexual preferences and virility generally. When Scipio Aemilianus was censor in 142, he delivered a speech as part of his *recognitio equitum*, the annual review of the equites, in which he attacked P. Sulpicius Gallus for wearing tunics with sleeves that covered his hands, a sure sign of pathic tendencies; Scipio specifically linked the wearing of long sleeves with depilation, the use of mirrors and perfumes, and the plucking of eyebrows, all of which raised questions as to sexual orientation (Gell. 6.12.1–7: doc. 7.57). Gellius commented that to wear tunics with sleeves below the elbow, or even reaching to the wrist and fingers, was considered entirely inappropriate in Rome. Traditionally, the standard wear was

a toga without a tunic, which was followed later by short, sleeveless tunics under the toga. Cato the Elder wore a sleeveless tunic working on his farm even in winter (Plut. *Cato Mai.* 3.2: doc. 2.14), while Cato the Younger kept up the old-fashioned practice of wearing a toga without tunic or shoes in Rome, even when he was praetor (Plut. *Cato Min.* 6, 44, 50); the toga without the tunic was customary for candidates canvassing for magistracies (Plutarch *Rom. Quest.* 49, doc. 2.36).

By the late Republic it was acceptable to wear a tunic with short sleeves under a toga, but a long-sleeved tunic was greeted with suspicion as a sign of revolutionary political views. Cicero portrayed the most heinous of Catiline's supporters (*Cat.* 2.22) as having carefully arranged, oiled hair, with their chins either as smooth as girls or sporting shaggy beards, while they wore tunics down to their ankles and wrists, and were cloaked in sails, rather than traditional togas. Julius Caesar, too, who was rather dressy and concerned about his appearance and later his receding hairline, was unusual in wearing a purple-striped tunic with fringed wrist-length sleeves, with a loosely fastened belt over his tunic: this fashion statement was why Sulla, who would have had Caesar proscribed had it not been for the intervention of the Vestals, frequently gave the optimates a warning to beware of the 'ill-girt boy' (Suet. *Jul.* 45.3: doc. 13.61).

L. Quinctius Flamininus and his favourite boy

It was acceptable for a Roman officer, even a general or provincial governor, to have a male concubinus with him on campaign, although the general was not to forget that he was, above all, a Roman magistrate. L. Quinctius Flamininus (cos. 192) was expelled from the senate in 184 in the censorship of Cato and Valerius Flaccus for his conduct as proconsul, despite his outstanding service with his brother Titus in the East from 198 to 194. Lucius apparently kept a youth, a long-term favourite, whom he took on campaign and treated with as much distinction as he did his friends and relatives (Plut. *Cato. Mai.* 17.1–5: doc. 7.58). One day, while reclining beside him at a banquet, the boy said he was sorry he had missed a gladiatorial show at Rome because he had rushed away to join Lucius, although he had wanted to see a man killed. Lucius, 'who was easily led when under the influence of wine', affectionately told him that that could easily be rectified, summoned a prisoner who had been sentenced to death, and ordered a lictor to chop his head off.

Livy, who had access to Cato's speech, gives additional details, calling the boy Philippus a Carthaginian prostitute (perhaps enslaved at Carthage's defeat in 202), and stating that the executed man was a Gallic deserter asking for a guarantee of protection, when Lucius was serving in Liguria, in northern Italy. In this version, Lucius drew his sword himself and killed the Gaul. There was an alternative version by Valerius Antias, in which the butchery took place at Placentia to please a woman of local notoriety of whom Lucius was enamoured. Unarguably, the gender of the companion was of no relevance in any critique of Lucius' actions (Livy 39.42–43). The issue that concerned Cato and his colleague was the inappropriate use of proconsular imperium. It was ill-judged and unbecoming for a lictor to carry out an execution at a dinner-party, where the focus should have been on libations to the gods: even if the prisoner were scheduled to die, the execution should have been carried out formally at the appropriate place and time. Although the incident had taken place six years earlier,

Cato delivered a scathing speech, asking Lucius why anyone would feel sympathy over his expulsion, ‘when he had made a game out of a man’s blood at a dinner party when mad with drink and lust’ (Livy 39.43.5).

One of C. Gracchus’ boasts to the assembly when standing for the tribunate was that in his province of Sardinia as quaestor he had had ‘no slave boys of outstanding appearance’ (Gell. 15.12.2: doc. 8.22). No prostitute or slave boy had been solicited on his behalf, and he had conducted himself with equal continence towards both the Sicilians’ slaves and Roman youths. Gaius’ speech implies that Roman officials abroad would normally have engaged in liaisons with slave boys, and that they were not above attempting to seduce young citizens in the armed forces or on the provincial staff.

Same-sex relationships in the armed forces

Same-sex relationships were particularly outlawed in the army, where they were seen as incompatible with military discipline. Roman armies were accompanied by baggage trains which included prostitutes and camp-followers: Scipio Aemilianus, during the Numantia campaign (134–133), expelled from the Roman camp some 2,000 prostitutes; not all of these, by any means, need have been female. All homosexual behaviour between soldiers themselves, however, was strictly banned, and Polybius records that any soldier, in full manhood, who was discovered in a homosexual relationship would be liable to execution by the fustuarium, in which a soldier was clubbed or stoned to death by his colleagues (Polyb. 6.37.1–9; cf. doc. 5.19).

Plutarch records an anecdote, which concerned Marius’ nephew, C. Lusius (or Luscius), during Marius’ campaign against the Cimbri; the incident was well-known as it was also referred to by Cicero (*Mil.* 9) and Valerius Maximus (6.1.12). Lusius ‘had a weakness for good-looking boys’, and was attracted to one of the soldiers, Trebonius, who served under him. After unsuccessfully attempting to seduce him on a number of occasions, he summoned the young man at night to his tent. The youth, ‘finding himself the object of Lusius’ violence’, drew his sword and killed him. When Marius returned to camp, Trebonius stated his case, and brought witnesses to show that he had always refused Lusius’ solicitations and had never prostituted himself, whatever the bribe (which suggests that a young man serving in the Roman army could be regularly solicited). Marius not only excused Trebonius, but awarded him the crown of bravery, ‘declaring that in a time that was in need of noble examples he had performed the noblest deed of all’ (Plut. *Mar.* 14.4–8: doc. 7.59).

Caesar, ‘queen of Bithynia’

At his triumphs it was customary for a general’s troops to make ribald jokes about him: Caesar was no exception. While serving as a young man in Asia (when he was about 20 years of age), he had been sent by M. Minucius Thermus, governor of Asia, to Nicomedes IV of Bithynia in 80 to acquire ships for the siege of Mitylene. It was later said that he had been engaged in a same-sex relationship with the elderly king, and Suetonius mentions that the accusation was brought up against him on a number of occasions, most notably by Bibulus, who, during their joint consulship in 59, called him ‘the queen of Bithynia’, who previously desired for a king, and now a kingdom;

by C. Memmius (pr. 58), who charged him with acting like a youthful Ganymede; and by Cicero, who describes him as losing his virginity, arrayed in purple on a golden couch (*Jul.* 49.1–4: doc. 7.60). Caesar's soldiers sang at his Gallic triumph in April 46 that 'Caesar mastered Gaul, and Nicomedes Caesar': some 35 years after the event, this joke had become hallowed by tradition.

Dio commented (43.20.4) that Caesar welcomed all his soldiers' jokes except for these allusions to Nicomedes. Charges of passive homosexuality were damaging to Caesar in a way that accounts of his affairs with married women could never have been (Suet. *Jul.* 50.1–2: doc. 7.45), although such attacks on political opponents (like Cicero's against Antony) were so stereotypical that it is difficult to imagine them being taken seriously. Suetonius records similar attacks made on Augustus, that as a young man he had prostituted himself to his great-uncle Caesar, or to Hirtius, and that he singed his legs with red-hot nutshells for softer leg-hair regrowth (*Aug.* 68: doc. 14.49). As with any political satire, the fact that the populace thought such jokes were amusing, does not necessarily mean that they thought them to be true, but they were none the less embarrassing to their targets.

Catullus and Juventius

Love poems were written to young boys as objects of desire, as well as to women, and Catullus, as well as his openly heterosexual elegies, also wrote of his passion for young boys. Several of his poems are addressed to Juventius, with vitriolic attacks on his rivals for Juventius' affections, Aurelius and Furius, whom he calls cinaedi and pathici, and whom he threatens with violent rape in retribution (Cat. 15, 21, 24, 48, 81, 99). Juventius is not identified, but he was one of Catullus' two 'darlings', along with Lesbia. The name is Roman and aristocratic (a M. Juventius Thalna was consul in 163), but the name may well have been assumed, chosen because of its association with the adjective 'iuvenis', young. Juventius may even have been a slave or foreigner, though Catullus is suing for his love, putting himself in the position of the soliciting party. On the other hand, the use of a Roman family nomen may indicate that, as with the married Lesbia, Catullus is positioning himself as the hero of an illicit affair, in deliberate defiance of social conventions and controls that prohibited affairs with citizen boys.

In one poem (Cat. 48), Catullus fantasised about kissing Juventius' honey-sweet eyes 300,000 times, and imagined even then that he could not be satiated. In a subsequent work he described himself as having stolen a kiss and having to suffer the consequences (Cat. 99: doc. 7.61): Juventius had wiped off the kiss with his fingers and water, so that no contagion should remain, 'as though it were the foul spit of a polluted whore'. The kiss, which to Catullus had momentarily been as sweet as ambrosia, became more bitter than hellebore because of Juventius' revulsion. For more than an hour Catullus felt himself in a state of crucifixion, trying to justify himself to the youth with excuses and tears, but unsuccessfully. Juventius is shown as unattainable, and the relationship as having caused Catullus only pain and humiliation.

Prostitution

In contrast to relationships with slaves, association with prostitutes involved a financial transaction. Nevertheless, there was no stigma attached to frequenting prostitutes

of either sex; indeed, prostitutes had the advantage of diverting males' sexual drive away from citizen women (Val. Max. 7.3.10). In Plautus' *Curculio*, the slave Palinurus tells his young master that no one stops a man from using the public street, as long as he doesn't make his way through enclosed property – as long as he steers clear of wives, widows, virgins, and freeborn young men and boys, he can make love to anyone he likes (*Curc.* 32–37), and the play shows the forum as the haunt of prostitutes of both sexes (Plaut. *Curc.* 467–484: doc. 1.6). In Plautus' *Pseudolus*, a young male prostitute raises laughs by a lament on his inability to find a willing customer, and his assertion that he is prepared to put up with any discomfort for hard cash (*Pseud.* 785–787).

Citizens of any rank could visit prostitutes without damage to their reputation (as long as such visits were not paid too frequently). In 151 A. Hostilius Mancinus, as curule aedile, brought a suit before the people against a prostitute called Manilia, because he had been driven away by stones from her residence one night, displaying a wound on his head where a stone had struck him (Gell. 4.14.1–6 citing Ateius Capito). Manilia's defence was that he was drunk, dressed as a party-goer with a garland on his head, and had tried to break in by force. In having him driven off she was protecting herself, and she appealed to the tribunes, who forbade the case to be put to the people because of Mancinus' inappropriate behaviour. The existence of prostitution was not questioned, and for young unmarried men such liaisons were simply part of their lifestyle. But they were criticised for visiting them too often, mainly because they were seen as easily tempted to squander their money on unnecessary luxuries.

Prostitutes had to be registered with the aediles, and women prostitutes were supposed to wear a coloured (masculine) toga to distinguish them from respectable citizen women who wore the stola. Prostitutes were generally slaves or freedpersons, but prostitution must also have been the only resort of poverty-stricken free women, especially in times of crisis, as during the Second Punic War (Livy noted prosecutions of matrons for immorality by the plebeian aediles in 213: 25.2.9). They could be independent, paying rent for a room; or an employee of a brothel or tavern; or of course a slave, whose earnings went to their owner or pimp. More reputable girls would live with their mother or in an establishment run by a procuress, or could set up their own premises.. Charges for sexual services at Pompeii ranged between 2 and 20 or more asses, presumably depending on the services rendered; according to Lucilius charges could be minuscule, as little as one bronze coin (*Sat.* 9.1.359–360: doc. 7.62). Higher-class professionals, however, could become wealthy, and Sulla's initial start in life was said to have derived from a bequest by a well-off prostitute, Nicopolis, who made him her heir (Plut. *Sull.* 2.7: doc. 11.1).

Like mimes and gladiators, male and female prostitutes were viewed as 'untouchable', infames, and could be illtreated with relative impunity. Augustus prohibited marriage for anyone of senatorial family with a prostitute or stage-player, or anyone whose parents had been actors (Ulpian *Epit.* 13.1: doc. 15.26). Cicero, in his defence of Cn. Plancius, over misconduct in his election as aedile for 54, excused him for the rape in his youth of an actress or female mime (a mimula), stating that the defendant had 'acted in accordance with a well-established tradition at stage shows in country towns' (*Planc.* 30). In defending the 26-year-old M. Caelius Rufus

against charges of loose living (*Cael.* 48), Cicero again argued that, even in the austere times of old, no one prohibited men from availing themselves of the services of prostitutes, which had always been acceptable.

Hispala Faecenia, 186 BC

In unusual situations prostitutes could achieve public recognition, if female; male prostitutes, in contrast, were always seen as beyond the pale. Hispala Faecenia, a prostitute and freed slave, was, according to Livy, responsible for the exposure of the Bacchanalia in 186. She had been prostituted by her owner, and continued her profession after being manumitted, when she began a relationship with a young man of equestrian rank, P. Aebutius, one of her neighbours. She supported him from her earnings, because his family had made insufficient provision for him, but the affair was not damaging to his reputation, as she was in love with him and had made the first move. When her patron, her ex-owner died, and she became *sui iuris* (she was not ‘in manu’ to anyone), she applied to the tribunes and praetor for a guardian, as she needed a tutor to perform any legal act, and made her will, naming Aebutius as her sole heir.

Hispala had been initiated in the Bacchic rites with her mistress when she was a slave girl, but had ceased involvement in the cult after her manumission. On hearing from Aebutius that his mother was planning to have him initiated, she warned him of the dangers. Aebutius’ step-father, who had appropriated money from Aebutius’ estate, wanted him eliminated or corrupted in some way, and to achieve this his mother, Duronia, told him that she had made the vow of initiation on his behalf, following his recovery from a recent illness. After ten days of sexual abstinence, he was to ritually purify himself and she would introduce him at the shrine. Following Hispala’s warning, Aebutius reported the information to the consul Sp. Postumius Albinus, who took action against the cult. After suppression of the rites, as a reward for their information, the senate passed a decree that both Hispala and Aebutius should be given 100,000 asses out of the treasury, Aebutius should be exempt from military service, and Hispala granted the right to give and alienate property, marry outside her gens, chose her own tutor, and marry a man of free birth (Livy 39.19.5–7: doc. 7.63). The passage clearly implies that marriage of a freeborn person with a prostitute was otherwise banned; although, of course, there was no question of Hispala marrying Aebutius, who was of equestrian rank.

Praecia and other powerful courtesans

At the other end of the social scale, courtesans could wield a considerable amount of financial and political power. In his life of L. Lucullus (cos. 74), Plutarch described a lady named Praecia, who was ‘no better than a courtesan’, but who used her connections to further the political ambitions of her friends. Praecius is not a Roman nomen, so she must have been a freedwoman or foreigner who lived by her specialist skills. She was the mistress of a politician named Cethagus (perhaps P. Cornelius Cethagus), and her goodwill was essential to Lucullus when he wanted Cilicia, and hence the war against Mithridates VI, as his proconsular province. The woman served as an intermediary between Lucullus and her lover, and Lucullus won her favour ‘by

presents and flattery', which may have included a sexual liaison. His background and magisterial rank were an incentive for her to work on his behalf, and it was a 'feather in her cap' to be seen to be intriguing on behalf of a consul (*Luc.* 6.2–5: doc. 7.64). Cethagus went to work to ensure that Lucullus was assigned Cilicia, and this decision was generally popular, since he was thought to be the best qualified to take on the Mithridatic War. This implies that the appointment had not been difficult to organise; the important factor was having the leverage with Cethagus so that the proposal went to the assembly.

Cicero similarly presents Verres' mistress, the prostitute Chelidon ('Swallow'), as pre-eminently involved in all decision-making in the judicial affairs of Rome when Verres was praetor in 74, prior to his governorship in Sicily, including matters of civil law, private disputes, and the repair of public buildings, with all interested parties who wanted an audience with the praetor having to make their case to her first (Cicero *Verr.* 1.136–137). As a prostitute (a meretrrix) she herself was infamis, but when she died soon after 74, she left Verres an inheritance, including jewellery, implying that she had substantial property to bequeath, perhaps as a result of selling her political influence.

Women as owners and consumers

Upper-class women possessed jewellery and money in their own right even in the early Republic: when Rome was threatened by the Gauls c. 390, the women of the city offered to make up the ransom sum, and in reward were granted the right to be honoured by eulogies at their funerals (Livy 5.50). In 207, to expiate unfavourable omens including a lightning-strike on the temple of Juno on the Aventine, the augurs declared that married women had to make an offering to placate the goddess; all those resident within the tenth milestone from Rome were summoned by the aediles and 25 were chosen to collect contributions from the women's dowries from which a golden bowl was made as an offering to Juno (Livy 27.37.7–10: doc. 7.87). Livy (34.7.8) quoted the tribune L. Valerius speaking in favour of the repeal of the lex Oppia: 'cosmetics and adornments are women's decorations. They delight in these and boast of them and this is what our ancestors called the women's sphere'. By the first century BC references to women's management of property occur frequently: Terentia owned woodland and leased public land (*Att.* 2.45, 2.15.4), and one of Cicero's criticisms leading to their divorce was that she failed to keep her property intact as he requested (*Fam.* 14.1.5; cf. doc. 7.40); Sassia of Larinum put her freedman doctor into business with a loan of capital (Cic. *Cluent.* 178: cf. doc. 6.39); and Servilia, Caesar's lover and Brutus' mother, profited from the sale of Pompeians' confiscated estates (*Att.* 14.21.3; Suet. *Jul.* 50.2: doc. 7.45).

The Ficoroni cista

The Ficoroni cista, a large bronze casket with an inscribed lid, is an example of a luxury item made for women in early Rome. Praeneste was the centre of production for toiletry vessels known as cistae (the Praenestine cistae) to hold jewellery and toiletry items: the body of the vessel was usually cylindrical and made of bronze (or a wooden core with bronze ornamentation), fitted with a handled lid and feet. Production of

these reached its peak in the fourth and third centuries. The lids and bodies of these cistae could be elaborately engraved, and the designs were often inspired by Greek drama.

The Ficoroni cista dated to c. 340, now in the Villa Giulia at Rome, stands 77 centimetres in height, and the lid is decorated with statues of Dionysus and two satyrs (which serve as a handle) with the cista engraved with athletic scenes from the *Argonautica* of Apollonius of Rhodes. Its feet consist of lions' paws set on frogs. Although this particular cista was found at Praeneste, the inscription indicates that it was produced by Novios Plautius at Rome, perhaps for a noble Praenestine matron as part of the dowry for her daughter: 'Dindia Macolnia gave this to her daughter. Novios Pl(a)-utius made me at Rome' (ILS 8562: doc. 7.66; Figure 7.2). The name Macolnia is also



Figure 7.2 The Ficoroni cista, late fourth century BC, from Palestrina. This is a container for storing cosmetics and jewellery, given by Dindia Macolnia to her daughter. It is perhaps the oldest art work where the name 'Rome' is cited. Museo nazionale etrusco di Villa Giulia, Rome.

Source: Photo © Album/Alamy Stock

inscribed under one of the legs. This is unmistakable evidence that in the fourth century valuable pieces were commissioned and produced at Rome for wealthy women.

The lex Oppia

In 215, after the battle of Cannae, taxes were imposed on wealthy widows to provide for military pay, while a law proposed by C. Oppius (the lex Oppia) restricted the opportunities for women to display their wealth, limiting their ornaments and prohibiting them from riding in carriages. The lex Oppia laid down that no woman was to own (or more probably to wear) more than a half-ounce of gold, or coloured, presumably purple, clothes, or ride in a carriage in the city or a town (or within a mile of a town) except to attend religious rites (Livy 34.1.3). The opposition to this was such that the law was repealed in 195 despite the protest of Cato the Elder. Two tribunes, M. Fundanius and L. Valerius, proposed to repeal the law and, at the news that this repeal might be vetoed, women turned out in force, in the streets and forum, to persuade the men to support the repeal. Married women could not be kept indoors either by their own modesty or the commands of their husbands, Livy reports: they blocked all roads in the city and approaches to the forum, and earnestly entreated their husbands for their support. As the Republic was prospering, it was fair, they argued, to allow married women to have their finery restored to them. Women even came in from neighbouring towns, and publicly accosted consuls, praetors, and other magistrates over the issue (Livy 34.2–3: doc. 7.67).

Livy presents the lex Oppia as one of the laws designed to appropriate private funds for public use in a crisis, but this does not appear to have been the case: later, in 210, senators surrendered their valuable metals, keeping an uncia (ounce) of gold for each wife and daughter, while in 207 women collected contributions to present a golden bowl to Juno (Livy 27.37.7–10: doc. 7.87). In demanding the repeal of the law the women were asking that they be allowed to have the use of their existing jewellery, perhaps items which had formed part of their dowry, as well as the right to wear their finest clothes. The lex Oppia was intended to curb display by women in a time of national emergency, acting as a sumptuary measure in a time of crisis, rather than a confiscatory one.

M. Porcius Cato, consul for the year, disapproved of the women's conduct, criticising them for 'running around in public and blocking the streets and talking to other women's husbands'. They should, in his view, have talked to their husbands in private, and it was not their concern what laws were being passed or discussed. They were trying to become involved in politics by openly lobbying politicians and disorderly outcries in the streets of Rome: what they want is total freedom or licence, and if granted this, they will not stop at anything. Despite Cato, the lex Oppia was repealed and the matrons were able once again to make use of their ornaments in public, without threatening the stability of the state.

Women and luxury goods

In Plautus' play, *The Pot of Gold (Aulularia)*, Megadorus, a rich and elderly bachelor who is betrothed to Phaedria, the daughter of Euclio his neighbour, argues against women's dowries as they only encourage women to demand purple and

gold, slave-girls, mules, muleteers, footmen, ‘boys to greet people’, and carriages to compensate for their contribution to the marriage (Plaut. *Aul.* 505–522: doc. 7.68). He lists all the extravagances that rich wives at the beginning of the second century expected as part of their lifestyle, and complains that more wagons stand outside a city house than at a country farm. When the salesmen come round demanding their money, there is a whole queue of tradesmen outside the house: fullers, dyers, goldsmiths, wool-weavers, salesmen of flounces, and of underwear, veils, purple dye, yellow dye, muffs, balsam-scented shoes, and linen, plus cobblers, slipper-makers, sandal-makers, mallow-dyers, and dealers in breast-bands and corsets. When you think you have paid them all off, along come another 300 to stand guard in your atrium: weavers, fringe-makers, casket-makers, saffron-dyers and yet more pests demanding your money.

Except for the casket-makers and goldsmiths, all of the tradesmen deal in clothes and footwear, and reinforce the stereotypical view of women’s extravagant expenditure on fashionable garments. Traditionally, much of the preparation of clothing took place within the household, and women were expected to be able to spin and weave, although much of the manufacture of clothing and textiles would have been the work of slaves in wealthier families (Livia, however, made Augustus’ clothes: Suet. *Aug.* 73). Nevertheless, luxury items were purchased from professional outlets, a sign of the affluence of the women who had the ability to afford them. While male clothing at Rome was indicative of the person’s socio-economic status (as in the purple stripes on senatorial garments), women’s clothing was less so, although the material, cut, and decoration would have enabled the wealthy matron to be differentiated from her poorer sisters. The stola was the garment worn by Roman matrons in public, over a closer-fitting tunic. Traditionally made of undyed wool, it reached the ankles and was tied at or above waist level, and fastened on the shoulders with strings or ribbons. The lower edge was trimmed and decorated with a hem or flounce, and there could be decoration at the neckline. Sleeves reached to the elbow and were pinned or clasped rather than sewn; alternatively the stola could be sleeveless if the tunic underneath were sleeved.

Over the stola, matrons wore the palla, a cloak or shawl, made of a rectangular piece of wool, linen, or silk (from the time of Augustus), which was variously coloured or striped, sometimes with a fringe: as well as purple, the colours of women’s garments mentioned in the plays of Plautus include sky-blue, marigold-yellow, red-orange, sea-blue, brown, and pale yellow. It was generally worn by draping it over the left shoulder and drawing it round the body, leaving the right arm free, though it could also be pulled over the head as protection against the weather or as a veil. Sandals were worn indoors, and shoes that covered the foot, calcei, outside; these could be variously coloured. Because the clothing tended to be fairly unvaried in style if not in material, jewellery was an important item for fashionable women. Gold and jewelled fasteners, such as fibulae, were a common accessory, as most clothing was pinned, and women could wear earrings, bracelets, necklaces, pendants, and rings. The wealthiest women possessed pearls and precious stones, while the hair of a matron was bound with woollen bands or fillets (*vittae*) and at the end of the Republic hairstyles could include a looped fringe and braids. That the use of make-up and cosmetics was an important item of dress is seen in the toilet caskets available for women, like the Ficoroni cista, which would have housed whitening agents, such as white lead, chalk, and ‘Melian

earth' (a white pigment); rouge and purpurissum to colour cheeks and lips; and stibium for darkening the brows and eyelashes.

The lex Voconia, 169 BC

The Voconian law was proposed in 169 by the tribune Q. Voconius Saxa in order to limit women's right of inheritance. It prevented men in the highest property class from making a daughter their main heir; even an only daughter was not permitted to inherit an entire estate. In early Rome, at the death of a paterfamilias, all children under his potestas inherited his estate in equal portions, but the paterfamilias was able to leave his patrimonium by will to non-family members, in effect being able in this way to disinherit his sons. The lex Voconia attempted to limit this power to dispose of the family property by will away from the legal heirs.

The law restricted maximum legacies to half of the inheritance, so that the property could not be given in legacies (whether to men or women) to the detriment of the heirs, who had to receive half the estate. The law, therefore, laid down that a woman might not inherit more than half one's fortune: a father could bequeath his daughter one half of his estate, but no more, as a legacy. It was however possible to leave the estate to a legatee or heir with a trust (*fideicommissum*) to convey it to a third party, such as the deceased's daughter or wife. The law did not initially place a limit on intestate succession by women, who could thus become the legatees by default, but this loophole was later withdrawn, and the law was supported by Cato the Elder as part of his efforts to curb women's luxury and extravagance, one of the main aims of the legislation (Gell. 17.6.1). The law, however, made a specific exemption for Vestals who could nominate a woman as their main heir. The lex Voconia was eventually emended by the lex Falcidia of 41, which allowed legacies of up to three-quarters of an estate.

In his *Republic*, modelled on Plato's account of his ideal state, Cicero in the late 50s presented a dialogue between Scipio Aemilianus, C. Laelius, and some of their friends, set in c. 129. The debate refers to the Voconian law, with the interlocutor L. Furius Philus discussing developments in the concept of justice, stating that in his view the Voconian law 'passed for men's advantage, is full of injustice to women' (Cic. *Rep.* 3.17: doc. 7.69). If a Vestal is allowed to have an heir, he asks, why not her mother? And the legislation is inequitable because it lays down no maximum amount which can be left to women: Licinia, the daughter of P. Crassus Dives Mucianus 'the wealthy' (and wife of C. Gracchus), could receive 100 million sesterces if she were her father's only child (she actually had a brother and an elder sister), but the speaker's daughter could only be left less than 3 million sesterces. The amount of Licinia's inheritance is not known; after the murder of her husband Gaius her dowry was confiscated, but her uncle, Q. Mucius Scaevola, successfully argued against this appropriation (Plut. *C. Gracch.* 17.4).

The cultic paraphernalia of noble women

One occasion on which women were allowed and even expected to show off their luxury items was at religious festivals, when their dress, jewellery, sacrificial vessels of precious metals, slaves, draft animals, and carriages could be shown to advantage (wealthy women in Rome normally travelled in a litter). Matrons used these

occasions to display their wealth, and thus their husband's affluence and status. Polybius describes the elaborate possessions of Aemilia, wife of Scipio Africanus, who had displayed 'immense magnificence' at religious festivals (Polyb. 31.26–27: doc. 7.70). When Scipio Aemilianus inherited Aemilia's estate at her death in 162, he transferred her splendid clothes, carriage (carpentum) and its decorations, gold and silver sacrificial vessels, baskets and cups, and the numerous male and female slaves which she used to employ in religious processions, to his own biological mother, Aemilius Paulinus' first wife Papiria, daughter of C. Papirius Maso (cos. 231), who had been living in relative poverty since her divorce. Later, at Papiria's death, her property, including all that had belonged to Aemilia, was divided between her sons Scipio Aemilianus and Fabius Maximus, but they waived their right to it and Scipio gave it to his own sisters, the Aemiliae, not back to Aemilia's two daughters, the Corneliae (Family Tree 2).

Papiria's poverty (her 'means were insufficient to maintain an appearance suitable for her birth') had been such that, until now, she had not attended these religious festivals, but now that she was able to drive out in Aemilia's equipage, all the women present were astounded at her son's generosity and prayed for every blessing on him. An example of a magnificent two-wheeled carpentum associated with Livia, with figures supporting the roof, ornamentation, and mules, is shown on a sestertius struck under Tiberius (Figure 7.3). Scipio Aemilianus' filial piety and generosity struck a chord with the matrons of Rome, and these festivals were an important part of women's participation in the life of the capital and an opportunity to display their status without being accused of ostentation or extravagance.

Scipio Aemilianus' half-sister by his father's second marriage (Aemilia Tertia, who as a little girl loved dogs: Cic. *Div.* 1.103: doc. 3.42) was married to the son of Cato the



Figure 7.3 A sestertius struck under Tiberius, AD 22–23, depicting an ornamented carpentum, with the legend 'Of Julia Augusta (Livia)'. The carpentum is shown as a two-wheeled covered carriage, with standing figures at the corners supporting the cover, drawn by two mules, with the legend SPQR IVLIAE AVGST[AE], 'Of Julia Augusta (Livia)'. Such carriages were used by upper-class women to attend religious festivals.

Source: Courtesy of the American Numismatic Society

Elder, a political marriage that united the interests of two senatorial families. Papiria's eldest daughter, Aemilianus' full sister, made a very poor marriage at least financially, and like her mother would have appreciated Aemilia's valuable cultic paraphernalia. This Aemilia was the wife of Q. Aelius Tuber, and for an aristocratic consular family the Aelii Tuberones lived in surprisingly poverty-stricken conditions – there were 16 of them living in one small house, subsisting on the produce of a modest farm near Veii, with all their wives and children (Plut. *Aem.* 5.4–5, 28.12, cf. Val. Max. 4.4.8–9). Plutarch (28.12) noted that, after his victory over Perseus, Aemilius Paullus gave his son-in-law a silver bowl five pounds in weight, and that this was the first silver that had ever entered the house of the Aelii Tuberones.

An expensive lampstand

As Plautus suggests in the *Curculio*, women could have expensive tastes in terms of household wares. Pliny's *Natural History* devotes a lengthy section to bronze-ware, stating that it was valued above silver and even almost over gold: Augustus himself had a passion for collecting Corinthian bronzes (Suet. *Aug.* 70.2: doc. 14.49). These vessels were frequently used as serving dishes and lampstands, and could cost the equivalent of the annual pay of a military tribune. At one auction, the auctioneer threw in as a bargain a humpbacked slave of grotesque appearance, called Clesippus, and the lampstand (along with Clesippus) was bought by a lady named Gegania for 50,000 sesterces; the family was significant in the early Republic (M. Geganius Macerinus was censor in 435). When she threw a party to celebrate her purchase, the slave was exhibited naked, no doubt to entertain the guests: dwarfs were frequently owned by noble households (Pliny 7.75: doc. 15.68). As a result of this exhibition, she was 'struck with an outrageous passion for him', admitted him to her bed, manumitted him, and finally made him her heir (Pliny 34.11–12: doc. 7.71). After acquiring her immense wealth, Geganius Clesippus (as he was now known) worshipped the lampstand as a divinity, and constructed an elaborate tomb in memory of his patroness, or, in Pliny's view, 'to perpetuate the memory of Gegania's shame'.

Caerellia, friend of Cicero

After his divorce from Terentia, Cicero married his wealthy ward Publilia. At this period he was in correspondence with a woman named Caerellia, and apart from those to Terentia these are the only letters extant that he addressed to a woman. Caerellia appears to have been an elderly, and extremely wealthy, lady, who lent him a large sum of money and tried to reconcile him with his second wife Publilia, of whom she may have been a connection. She was also a lover of philosophy, possessing her own library, and had Cicero's philosophical treatise *De finibus* transcribed from a copy possessed by Atticus: Cicero was a little annoyed as he was still working on the final version, but he forgave her because of her devotion to philosophy (Cic. *Att.* 13.21a, 22).

Writing in 46 to P. Servilius Vatia Isauricus, governor of Asia, Cicero spoke of Caerellia as his friend (*necessaria mea*), and of her estates and investments in the province, recommending them to Vatia's notice, in the hope that he would ensure their protection during the civil war. This was not the first time Cicero had written, but he understands

how many duties and responsibilities Vatia has on his shoulders (*Cic. Fam.* 13.72.1–2: doc. 7.74). So, he is writing again to remind him of his promise, and will be grateful for any kindness done to Caerellia. Supporters of Mark Antony seized on this friendship as grounds to attack Cicero: Q. Fufius Calenus (cos. 47) claimed in 43 that she had been Cicero's mistress, and the correspondence was well enough known to be used as ammunition against Cicero. Calenus' denunciation, reported by Dio, ranged across a number of topics: Cicero's consumption of more lamp-oil than wine, his style of clothing (which dragged around his ankles), the ugliness of his legs (hence his clothes), his carefully arranged grey hair, his divorce of Terentia and second marriage to pay his debts, and desertion of his young second wife for Caerellia (Dio 46.18.1–4: doc. 7.74). Caerellia was as much older than him as the girl he had married was younger, and he wrote to her 'such letters as a babbling jester might write to a woman of seventy of whom he was enamoured'. Other vicious jibes by Calenus included Cicero's incest with his daughter, prostitution of his wife, and his son's constant inebriation, and the friendship with the wealthy Caerellia was yet more fuel for public invective.

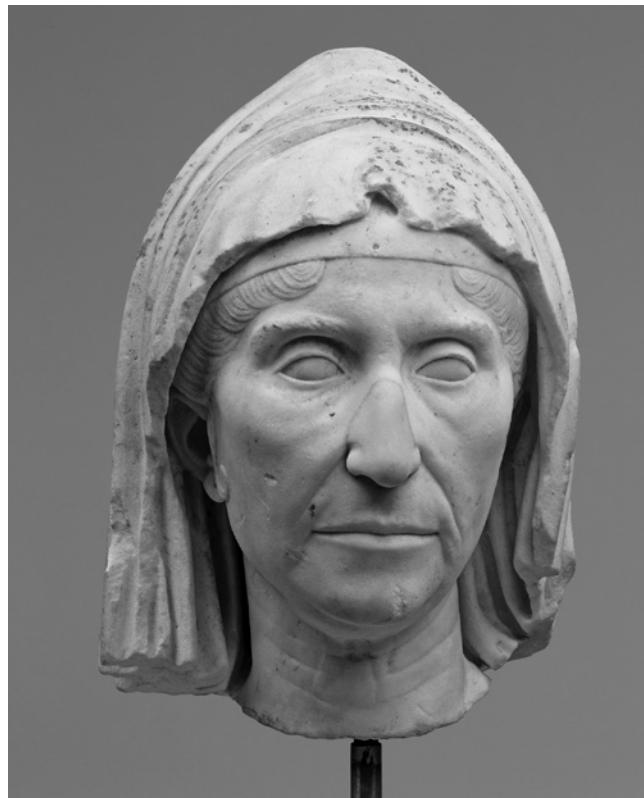


Figure 7.4 The head of an elderly Roman matron, marble, c. 40 BC. The head of the unknown woman, whose face is full of character, is shown veiled. Kunsthistorisches Museum, Vienna.

Source: Photo © KHM-Museumsverband, Vienna, Austria

Hortensia's protest on behalf of wealthy women, 42 BC

Hortensia, the daughter of the famous orator Q. Hortensius Hortulus (cos. 69), spoke out publicly when in 42 the triumvirs, Antony, Lepidus, and Octavian, planned a tax on the 1,400 richest women in Rome to raise funds for their civil war against Caesar's assassins. As the triumvirs had a funding shortfall of 200 million denarii, they published a decree targeting Rome's richest women, which ordered them to have their property valued, and from this contribute proportionately towards the costs of the war. If any of the women tried to conceal their property, or value it incorrectly, they would be fined and any informers against them, whether freedpersons or slaves, would be rewarded. The women's natural reaction was to approach the womenfolk of the triumvirs to lobby for the withdrawal of this exceptional tax: Octavia (Octavian's sister), Julia (Antony's mother), and Fulvia, his wife. Octavia and Julia were sympathetic to the appeal, but the petitioners were driven away from Fulvia's door by her 'outrageous treatment'. As a result they went public, with Hortensia as their spokeswoman. Appian quotes from her speech when the women forced their way to the triumvirs' tribunal in the forum; Quintilian (*Inst.* 1.1.6) stated it was widely read in his own day, a century later.

Hortensia began by stating that as they had been unable to obtain a hearing from Fulvia they had been driven to come directly to the forum. They had already lost fathers, sons, husbands, and brothers in the proscriptions, and if the triumvirs took away their property too they would be downgraded to 'a position unbecoming and unworthy of our birth, lifestyle, and female nature' (App. 4.31–34: doc. 7.75). If the triumvirs considered that the women had wronged them, then they should proscribe them too. But the women had not declared them public enemies, pulled down their homes, or led an army against them: why then should they share the penalties, when they had committed no offence?

It was not right that women should pay taxes, when they had no share in magistracies, honours, commands – or politics in general. The one occasion on which their mothers 'did rise above their natures' was at the time of great risk in the Second Punic War, when they contributed willingly – not from land, fields, dowries, or houses ('without which life is impossible for free women'), but only from their personal jewellery, and even this was not given up in fear of informers or accusers, or extorted by force, but donated by them as they chose to contribute. If a war arises with the Gauls or Parthians, then like their mothers the women will be concerned for the state's safety and take action. But they had not paid taxes to Caesar or Pompey, and were not forced to by Marius or Cinna, or even the tyrannical Sulla, and would not do so to underwrite a civil war.

The triumvirs were not unnaturally angry that the women should speak out and question their judgement, as well as annoyed at their refusal to pay up. The lictors were ordered to drive them away, but there was a popular outcry and the issue was postponed till the following day. Having thought better of their strategy, the triumvirs then reduced the number of women to be taxed to 400, and decreed that to cover the revenue loss all men with property worth more than 100,000 denarii, including non-Romans and freedmen with no exceptions, should lend them a fiftieth of their property and contribute a year's income for the forthcoming campaign.

Women in court

Valerius Maximus mentions two women who, like Hortensia, had a public profile in Rome, and ‘whose natural condition and the modesty of the stola’ were not powerful enough to keep them silent in the forum and courts. While he praises Hortensia (‘Q. Hortensius lived again in his female descendants, and breathed life into his daughter’s words’: Val. Max. 8.3.3), the implication is that these had all overstepped the boundaries of what was appropriate for women (Val. Max. 8.3.1–2: doc. 7.76). Maesia of Sentinum defended herself in court before the praetor L. Titius, following all the correct usages of the court, and won her case, almost unanimously, being acquitted at the first hearing. However, she was termed ‘Androgyne’, because she acted as decisively as a man. Her abilities were not compatible with her gender and its conventional stereotypes. Less sympathy is shown for Carfania (or Afrania), wife of the senator Licinius Bucco. Carfania often represented herself in court, speaking on her own behalf, not because of a lack of advocates, but ‘because she was overflowing with effrontery’. She died in 48, a date which Valerius records, because ‘for such a monstrosity (monstrum) the date of death rather than that of birth is the one that should be remembered’. Such was her unprecedented ‘yapping’ at the tribunals in the forum, that she became the most notorious example of female litigiousness and her name was used to reproach other women who behaved inappropriately.

Women could testify in court: Julius Caesar’s sister Julia and his mother Aurelia appeared in court to give witness regarding the Bona Dea sacrilege and Pompeia’s relationship with Clodius (Suet. *Jul.* 74.2; cf. doc. 7.85), and Clodia Metelli appeared as a witness against Caelius (cf. doc. 7.52). They were not expected to bring cases on their own behalf or conduct their own defence which would be handled for them by one of their male relatives or their guardian.

Women and the gods

While women could be present at all major religious festivals and sacrifices in Rome, their role tended to be non-participatory, and even goddesses had male priests (unlike in Greece), with male flamines for the goddesses Ceres, Flora, Furrina, and Pomona. The exceptions were the six Vestals, and the wives of some of the flamines: the wife of the flamen Dialis (the flaminica), for example, had her own dress and rites (Gell. 10.15.30: doc. 3.21), as did the regina sacrorum (the wife of the rex sacrorum). The Vestals attended a number of sacrifices and rites such as the Argei, and also had an important role in preparing the sacrificial flour (the mola salsa). Their status as Vestals, however, was not as women, but as females whose sexuality was denied, because of the cultural construction of the definition of gender at Rome, and in the ancient world generally. Foreign cults did allow women a role: the cult of the Magna Mater had a presiding priest and priestess, and priestesses featured in the cult of Isis, but these groups stood outside of traditional Roman religion, even when they were countenanced by the state.

The central rite of the majority of public ceremonies was sacrifice, which was generally presided over by male priests and practised by professionals, as the victims not only needed to be killed but to be dismembered and skinned in preparation for the post-sacrificial feast. Even when sacrifices were made in women’s rites, such as at the

festival of Fortuna Muliebris (Dion. Hal. 8.55.3: doc. 7.84), men would normally have performed the sacrifices. The exception may have been the Bona Dea cult, where the sacrifice of a young sow took place. Women supported the state worship of the gods by attendance in religious processions, making offerings to the gods, praying and entreating divinities, and taking part in supplications (Livy 27.37.7–15: doc. 7.85). In the ludi saeculares celebrated by Augustus in 17 a chorus of matrons sang a hymn to the gods, and 110 specially chosen matrons made a public prayer to Juno; a chorus of boys and girls also sang the official Carmen Saeculare, composed by Horace (doc. 15.33).

Even in the domestic sphere the construction of religion was patriarchal. Cato explicitly commented that the woman housekeeper on a farm was not to perform any religious rites without the express permission of her owner (*Agr.* 143.1: doc. 6.37), perhaps because a foreign slave housekeeper might have been accustomed to performing un-Roman ceremonies. However, she was to carry out some minor rites, and on the Kalends, Ides, and Nones of the month had to place a wreath at the hearth (*Agr.* 143.2) for the Lar of the household.

Women's festivals

There were a number of festivals in Republican Rome in which women featured prominently or even exclusively. Ovid's *Fasti* described the festivals of the Roman calendar year: unfortunately he only reached June when he was exiled, but the festival calendar mentions a number of ceremonies specifically for women in the first half of the year, on 15 February, 1 and 17 March, 1 and 23 April, 11 June, and 6 July. Many of the rites he discusses concern women's role as child-bearers and mothers, though little is articulated in the sources in this regard except for the Lupercalia (Varro *Ling. Lat.* 6.13: doc. 7.78). Men were excluded from a number of these festivals, most explicitly for the Bona Dea, but implicitly for the Pudicitia, Veneralia, Matralia, and Fortuna Muliebris, where the sources mention women's but not men's participation. Some of these festivals were particularly the concern of the noble and wealthy classes, and spatial considerations may have been a constraint on attendance. Nevertheless, while the state religion was largely dominated by men, women did have opportunities to engage in the worship of the gods, and that their festivals were important is underlined by the fact that they are recorded in the – male – sources.

Pudicitia was the personification of married female chastity, worshipped by associations of married women, both plebeian and patrician. The cult of Pudicitia Plebeia, the plebeian cult, was supposedly established in 295 by a woman named Verginia (a patrician), after she had been excluded from the worship of Pudicitia Patricia because of her marriage to a plebeian, L. Volumnius Flamma (cos. 307, 296). According to Livy (10.23.1–10: doc. 7.77), her exclusion gave rise to an impassioned disagreement over her eligibility, and Verginia founded the new cult for plebeian matrons in a section of her own house on the Vicus Longus near the temple of Fortuna. The shrine of the patrician cult, near the temple of Hercules, had been founded by the curule aedile Q. Fabius Maximus Rullianus, following the poisoning trials of patrician women in 331 (Livy 8.18.4: doc. 7.42). In both cases, only women of proven chastity who were univirae (married to only one man) had the right to sacrifice. Verginia's protest related to the vexed topic of intermarriage between patricians and plebeians, during the Conflict

of the Orders. According to Livy, the Pudicitia by his own time had ‘passed into oblivion’, but both cults were restored in the Augustan period, Pudicitia Patricia by Augustus’ daughter Julia, and Pudicitia Plebeia by Livia.

The ritual purpose of the Lupercalia, celebrated on 15 February, is not entirely clear, but most scholars agree that it was a ceremony concerned both with the purification of the city and with women’s fertility. The festival started with the sacrifice of goats and a dog to Faunus at the Lupercal, a cave at the base of the Palatine hill, where the she-wolf had suckled Romulus and Remus, and this sacrifice may have derived from early rituals intended to protect flocks from wolves (‘lupus’ means wolf). The foreheads of two patrician youths were smeared with the blood on the sacrificial knife, after which the bloodstain on their heads was immediately wiped off with milk and they had to laugh. The goat skins were cut into strips, and semi-naked young men (both aristocrats and equestrians) known as the Luperci, who had feasted and drunk wine, ran through the streets of Rome with these strips, striking anyone they could, but particularly women as part of a fertility ritual to promote conception and ease of child-birth (Plut. *Caes.* 61.2–3: doc. 7.78). It was at the Lupercalia in 44 that Antony as one of the Luperci offered a diadem to Julius Caesar (Suet. *Jul.* 79.2: doc. 13.55): Cicero referred to him as, ‘nude, perfumed, drunk’ (*nudus, unctus, ebrius*) on that occasion (*Phil.* 3.12). The Luperci were also performing a rite of *lustratio*, to purify Rome. Varro explains that the strip of goat hide was called a ‘februs’, while the Lupercalia was also known as *Februatio*, or festival of purification (*Ling. Lat.* 6.13: doc. 7.78). Christian participation in the festival was banned by Pope Gelasius I in AD 495, and it had remained one of the most tenacious of pagan rites.

Roman matrons celebrated the Matronalia in honour of Juno Lucina on 1 March, originally the first day of the year. The festival commemorated the dedication of the temple of Juno Lucina (helper of women in childbirth) on the Esquiline in 375, and celebrated the importance of marriage, and the role of women as mothers and as married wives, *materfamiliae*, harking back to the ‘rape of the Sabines’ and the marriages which resulted from this episode. Offerings were made in households to ensure a prosperous married life, and unmarried men were excluded. Wives received presents from their husbands and mothers from their daughters, and matrons gave a feast to their female slaves. Mars, Juno’s son, describes mothers thronging her temple, bringing the goddess flowers and wreathing their heads with fresh blooms, since Juno has given them ‘the light of life’ and helps those who pray in childbirth. By sympathetic magic, any pregnant women there should pray ‘with loosened hair, so the goddess may gently loose her childbirth’ (Ovid *Fasti* 3.241–258: doc. 7.79).

Liber Pater (Father Liber) was an Italic-Roman god of fertility, nature, and wine, associated with Bacchus, as well as with Ceres. Ceres, Liber, and Libera (Liber’s consort) had a joint temple founded in 493 on the Aventine with the plebeian festival of the *ludi Ceriales* celebrated in April in their honour. The Liberalia on 17 March was the day on which 17-year-old boys became adults, exchanging their *toga praetexta* for the *toga virilis*, and processed to the Capitol. En route old women crowned with wreaths of ivy sat in the streets ‘as priestesses of Liber’ and sold them honey-cakes (*liba*), which they dedicated to the gods on braziers (Varro *Ling. Lat.* 6.14: doc. 7.80). Augustine (*Civ. Dei* 7.21), following Varro, was shocked that in certain parts of Italy a phallus on a cart was brought into town to the accompaniment of crude songs as part of the festivities.

The Veneralia in honour of Venus Verticordia ('who turns the heart to chastity') fell on 1 April, when both matrons and prostitutes washed the statue of the goddess, which had been dedicated by Sulpicia, in the Second Punic War, as the most chaste matron of the time (Pliny 7.120: doc. 7.30). A temple to Venus Verticordia was built in 114 on the instructions of the Sibylline Books, in connection with the ominous death of the daughter of an eques, which was to lead to an accusation of unchastity brought against three Vestals in that year (see The Vestal Virgins section). The goddess' statue had its golden jewellery and adornments removed, and was then bathed and redressed, and decked with flowers. The women also bathed themselves at the Veneralia, with the prostitutes ('you, who do not wear the fillets and the long robe') making use of the men's baths – presumably men were not present at the time – where they made offerings of incense to the goddess Fortuna Virilis, 'Manly Fortuna' (Ovid *Fasti* 4.133–150: doc. 7.81). The women offered incense 'in the place which is damp with warm water', because there 'every blemish of their naked bodies' was visible, and they made the offering to Fortuna Virilis, because she hides these from the sight of men.

The Vinalia urbana (city Vinalia) was celebrated on 23 April. On this occasion the wine casks from the previous year were opened and sampled and an offering of the new wine made to Jupiter. Ovid emphasises the role played by prostitutes in the festival, and 24 April was one of their holidays, as noted in the *Fasti Praenestini* (Figure 3.8), with the following day (25 August) a holiday for 'pimps' boys'. Venus was also associated with the Vinalia rustica (rural Vinalia) held on 19 August, also in honour of Jupiter. The emphasis that Ovid places on Venus as mistress of flowers and gardens is perhaps the reason for the prostitutes' connection with the spring festival of the Vinalia (Ovid *Fasti* 4.863–872: doc. 7.82; Figure 3.8): the 'girls of the streets', who earn their wages as prostitutes, are urged to celebrate the majesty of Venus, and pray for beauty, popularity, charm, and wit.

This festival on 11 June celebrated the ancient goddess Mater Matuta (Mother of the Morning), whose temple was situated in the forum Boarium, and dated to at least the mid-sixth century: it was traditionally ascribed to Servius Tullius (Ovid *Fasti* 6.475–480: doc. 7.83), and Ti. Gracchus (the Elder) placed in the shrine a map of Sardinia, which he had conquered as proconsul, as a memorial of his victory (Livy 41.28.8–10: doc. 5.56). Matuta was a goddess of dawn, often portrayed with the sun's disc and carrying a child, and as dawn was seen as connected to childbirth she was therefore identified as a goddess of childbirth. The festival was celebrated exclusively by Roman matrons, who had only been married once (matronae univirae), and the statue of the goddess was crowned with a wreath by a matron, who had not been widowed. The women brought as offerings cakes they had baked in earthenware pots, linking the Matralia with other agrarian festivals. Slaves were prohibited from taking part or entering her temple on this occasion, except for one slave, who was ritually punished by being given a blow on the cheek and sent away (perhaps punished as one who had not been legitimately married, i.e., an adulteress): this underlines the slaves' exclusion from a festival for citizen women. The matrons at the festival were accompanied by children of their sisters, not their own, and they prayed for their welfare: the role of the matrons at the festival, therefore, was that of the maternal aunt, the matertera. The goddess was sometimes identified with the Greek deity Ino Leucothea (who had brought up the god Dionysus after the death of his mother Semele), Ovid's 'Theban goddess'.

Valeria, the first priestess of Fortuna Muliebris (Fortune of Women), was said to have saved Rome in 488 (or 493) from Cn. Marcius Coriolanus. The traditional (but certainly fictitious) aetiology of this cult was that the general Coriolanus, exiled from Rome, led an attack by the Volsci against the city. When Roman appeals to his patriotism fell on deaf ears, Valeria, sister of P. Valerius Poplicola (cos. 475), persuaded Roman matrons to gather at the house of Coriolanus' mother (Veturia) and wife (Volumnia) and convinced them to visit Coriolanus in his camp. Accompanied by large numbers of matrons, his wife and mother pleaded with him and persuaded him to withdraw from Rome. The senate in gratitude voted to grant the women any wish: they requested a temple with a cult statue of Fortuna Muliebris, built on the site of the confrontation with Coriolanus, four miles south of Rome.

The temple was dedicated on 6 July, and every year the women assembled there to celebrate an annual sacrifice made at public expense on the anniversary of the ending of the Volscian threat. The senate allowed the women themselves to select their priestess, and Valeria was appointed, while matrons presided over the sacrifices: whether this was the case in the later Republic is unclear (Dion. Hal. 8.55.3: doc. 7.84). The women later dedicated a second cult statue, which spoke twice: 'You have dedicated me, matrons, in accordance with the sacred law of the city' (Dion. Hal. 8.56.3–4). This cultic image could only be wreathed or touched by those newly married. The women decided that only matrons who were univirae were to participate in the cult, and men were apparently excluded. Livia restored the shrine, although she was not a univira, as part of Augustus' programme of religious reform and restoration (*CIL* 6.883: doc. 15.22).

The supplicatio of 207 BC

After the defeat at Trebia in 218, and again after the defeat at Trasimene the following year, expiatory rites including a supplicatio were held to appease the gods after prodigies and portents frightened the populace (Livy 21.62.1–11: doc. 3.33). In 207, the people were again concerned about prodigies: the sky had rained stones at Veii; there had been various lightning strikes, including the temple of Jupiter at Minturnae, where there was also a river of blood at the city gate; at Capua a wolf had injured a sentry. The nine days of rites undertaken to expiate these portents were then repeated because of another rain of stones on the Aventine, while a child had been born the size of a four-year old, while it was unclear whether it was male or female. The Etruscan haruspices called it a terrible and loathsome portent (*foedum et turpe prodigium*), which had to be removed from Roman territory and drowned in the sea: it was placed in a chest, carried out to sea and thrown overboard (Livy 27.37.7–15: doc. 7.85).

Women were particularly involved in the expiatory rites. The pontiffs decreed that a chorus of three times nine girls should go through the city singing a hymn, and, at another hermaphrodite birth a few years later, 27 girls again sang a hymn as part of the expiation (Livy 31.12.9–10). The hymn in 207 was composed by Livius Andronicus, but while the girls were rehearsing it in the temple of Jupiter Stator, Juno's temple on the Aventine was struck by lightning. The haruspices decreed that the matrons of Rome should appease Juno by an offering, and the curule aediles summoned all matrons from Rome itself and within ten miles of the city. These selected 25 of their

number to make a donation of gold from their dowries and this contribution was used to make a golden bowl to dedicate to Juno; the matrons also offered up a sacrifice.

The keepers of the Sibylline Books also named a day for a further sacrifice to Juno, at which two white cows were led from the temple of Apollo on the Campus Martius into the city through the Porta Carmentalis. Carried behind these were two cypress-wood statues of Juno, followed by the 27 girls, in long robes, singing the hymn to Juno. Next came the decemvirs (the keepers), crowned with laurel and wearing the *toga praetexta*. In the forum, the girls passed a rope from hand to hand, dancing in accompaniment to their singing, and continued through Rome via the forum Boarium to the temple of Juno, where the cows were sacrificed by the decemvirs and the statues dedicated in the temple. Livy comments that while the hymn was probably thought highly of at the time, it would in his own time have sounded ‘rough and uncouth’ if performed.

The Bona Dea

Bona Dea was the ‘Good Goddess’, said to have been the wife, daughter, or sister of Faunus. Men were not permitted to know her real name (*Cic. Har. Resp.* 37). She had two festivals, at both of which the rites were only open to women, one on 1 May, and, more importantly, one at night on or around 4 December: nocturnal ceremonies were unusual, as the senate disapproved of gatherings that took place at night. The December festival was celebrated in the house of one of the highest-ranking magistrates in Rome, whether consul (*Cicero* in 63) or praetor (*Julius Caesar* in 62), with the Vestals present. Any men in the family had to leave the house for the occasion and portraits of men had to be covered up prior to the rites. Roman matrons, wearing purple head-bands, celebrated the festival along with the Vestals: presumably they were aristocrats, meeting in the magistrate’s house where there was room for an elite group to participate (*Plut. Caes.* 10.3: doc. 7.87). The sacrificial victim (accompanied by a libation to the goddess) was a young sow, and, in the absence of men, the Vestals presumably dispatched it.

Cicero describes the sacrifice performed at the December festival as ‘ancient and secret’, performed by the Vestals ‘on behalf of the Roman people’ (*Cic. Har. Resp.* 37–38). The women engaged in song and dance with female musicians present: Clodius entered disguised as a lute-girl, and Plutarch refers to ‘fun and games’ and the playing of music (*Plut. Caes.* 9.8, 10.1: doc. 7.87). The house was decorated with vines and plant, but not with myrtle, as Faunus was said to have killed his daughter or wife with a myrtle staff for drinking wine. Wine was not permitted in the rite under its own name; it was disguised by being called ‘milk’ and the vessel holding it called a ‘honey-pot’ (*mellarium*: *Macrob.* 1.12.15). Bona Dea was presumably a fertility goddess of women whose role was extended to include the prosperity of the state. Snakes were kept at her shrine on the Aventine, and it also served as a healing cult, as medicinal herbs were kept in her temple (*Macrob.* 1.12.26), while votive inscriptions give thanks to the Bona Dea for healing cures.

In 63, when the rites were being held at Cicero’s house on the night of 4 December, presided over by Terentia and the Vestals, Cicero and the senate were debating the fate of the Catilinarian conspirators. When the women were sacrificing, the fire suddenly shot out a brilliant flame, and the Vestals instructed Terentia that this was an omen,

and that they should send to Cicero immediately to tell him ‘to carry out his resolutions for his country’s good, as the goddess was giving him a great light on his road to safety and glory’ (Plut. *Cic.* 19–20: doc. 7.86). This is one of the clearest indications that the Vestals could play a part in current political issues.

The following year, when the rites were held in Caesar’s house as praetor, and presided over by Caesar’s mother Aurelia (probably the daughter of C. Aurelius Cotta, cos. 75), events took an even more interesting turn, when Clodius was found hiding in the house by a maid-servant, supposedly there in pursuit of an affair with Caesar’s wife Pompeia; however, as it was the anniversary of the Catilinarian conspiracy, Clodius may have been attempting a prank to embarrass Cicero. When Aurelia had stopped the rites and hidden the ritual objects, Clodius was driven out, and the women gave their husbands an account of events. Clodius’ intrusion was brought up in the senate and referred to the pontifices and Vestals, who decreed that his behaviour was sacrilegious (*nefas*) and that the rites had to be held afresh. The consuls introduced a bill for a trial in 61, where Aurelia and Caesar’s sister Julia were called as witnesses: Caesar stated that he had no knowledge of Clodius’ actions, but divorced Pompeia anyway, on the grounds that ‘Caesar’s wife should be above suspicion’ (Plut. *Caes.* 9.1–10.9: doc. 7.87).

The Vestal Virgins

The six Vestal Virgins were devoted for a 30-year period exclusively to the service of the goddess Vesta, the goddess of the hearth, in her temple in the forum: its round shape is evidence for its archaic origins, despite frequent rebuilding after fire, as in 241 (Figures 3.3, 7.5). According to tradition, Numa had introduced the cult to Rome (Livy 1.20.3: doc. 3.6), and Romulus and Remus’ mother was said to have been a Vestal at Alba Longa. The cult of Vesta focussed on her role as protectress of the state fire, which the Vestals tended, spending the first ten years of their service learning their duties, the next ten in performing them, and the last decade in teaching them to the youngest girls (Dion. Hal. 2.67.1–2: doc. 7.88). The eldest or most senior Vestal had a leadership role and was known as the *virgo Vestalis maxima*. The Vestals’ main duties were to keep alight the fire (Vesta was the only deity not portrayed by a cult statue but by her flame), to purify the shrine daily with water brought from the *fons Camenae*, and to guard the ‘sacred items’, including the ancient palladium, rescued from Troy when the Greeks sacked it, referred to by Livy as the ‘pledge of Roman imperium’ (26.27.14). At the Gallic sack of Rome (c. 390), the Vestals removed the fire of Vesta and other sacred objects in their care from Rome, including the palladium (the ancient statue of Athena from Troy), statuettes from Troy known as the ‘Samothracian images’, and two small jars, one open and one sealed, the contents of the sealed jar being unknown (Plut. *Cam.* 20.5–8; Dion. Hal. 1.69.4, 2.66.5–6).

The palladium and the sacred items generally were considered so important that L. Caecilius Metellus (cos. 251, 247), pontifex maximus at the time, lost his sight in saving them in a fire c. 241 (Dion. Hal. 2.66.4; Pliny 7.139–141: doc. 2.29). His blindness may have resulted from the sight of the *sacra*, or the fact that he laid hands on the palladium. These items were housed in the *penus*, the innermost storehouse of the temple, along with wills and other important documents at least from the mid-first century.



Figure 7.5 The temple of Vesta at the south-eastern end of the Roman forum. The temple was circular and built on a podium with 20 Corinthian columns. It is depicted on a coin of Q. Cassius Longinus in 55 BC (Figure 3.3).

Source: Photo © FrankCJones via Wikimedia Commons

The Vestals were responsible for making the *mola salsa*, the salted meal used at Rome's official sacrifices. This was made by grinding the first ears of grain from the new harvest (between 7 and 14 May), and baking them with salted brine to make a salty flour. During the next 12 months this meal was sprinkled on sacrificial victims by the presiding magistrate or priest before the animal was killed. The Vestals also officiated

at numerous state ceremonies, such as the Fordicidia on 15 April, when 30 pregnant cows were sacrificed and their unborn calves burnt by the Vestalis maxima. The ashes were mixed with the blood of the October horse, which had been sacrificed to Mars in the preceding year (*Festus* 190: doc. 3.73). This mixture was then kept by the Vestals to be used for purification at the Parilia on 21 April. They officiated at the women-only rites of the Bona Dea in May and December, and assisted at the rite of the Argei on 15 May (*Dion. Hal.* 1.38.3: doc. 3.7). Vesta's festival, the Vestalia, was celebrated on 9 June, and on 15 June the innermost sanctuary of Vesta was cleaned out and the refuse carefully removed. The Vestals also assisted at other agricultural festivals, such as the Consualia on 15 August when, with the flamen Quirinalis, they offered the sacrifices from the first crop of the harvest at the underground altar of Consus.

The Vestals lived in the atrium Vestae, alongside the temple in the forum, and were under the direction of the pontifex maximus, who selected the girls, who were put forward by their families when they were between 6 and 10 years of age. Vestals were able to leave the priesthood and marry, but this was considered to be unlucky, and many remained as Vestals for the remainder of their lives (*Dion. Hal.* 2.67.2: doc. 7.88): several Vestals served for more than 50 years, and Occia, who died in AD 19, served for 57 (*Tac. Ann.* 2.86). At some point, perhaps in 65 by the lex Papia, the method of selection changed and the pontifex maximus nominated 20 girls of high social standing (not closely related to a priest or with a sister who was already a Vestal), of whom one was chosen by lot at a people's assembly, the comitia calata. There was a constant shortage of candidates in the late Republic, to such an extent that Augustus allowed the daughters of freedpersons to be selected (*Dio* 55.22.5).

Both the parents of the Vestal had to be living and not divorced (their fathers had to be in potestate to their paterfamilias), and the Vestals could not have a physical or mental disability. In choosing the young girl, the pontifex maximus would formally state: 'I take thee, Amata ("Beloved"), as one who has fulfilled all the legal requirements, to be priestess of Vesta, to perform the rites which it is lawful for a Vestal to perform for the Roman people, the Quirites' (*Gell.* 1.12.9). The girl then left her birth family and became part of the familia of the Vestals, pontifices, and flamines.

The perpetual virginity of the Vestals for a 30-year period while in service to the goddess was a condition of their priesthood, and those who broke this rule were ritually executed. A Vestal who had lost her virginity was considered to be polluting the rites if she continued to conduct them, and thus upsetting the balance of the relationship between gods and humankind. Their death was so constructed that it did not bring down blame on their executioner, since the Vestal possessed *sacrosanctitas*, and her death could not be actively imposed without guilt. This punishment was thought to have been prescribed by Tarquinius Priscus, with delinquent Vestals prior to this stoned to death (*Dion. Hal.* 3.67). The convicted Vestal was stripped of her fillets and other badges of office, flogged, dressed like a corpse, and carried in a closed litter through the forum to the Campus Sceleratus ('polluted ground') near the Colline gate. There she was led down into an underground vault, containing only a lamp, couch, and a small amount of food (*Plut. Numa* 108–113: doc. 7.90). The ladder was removed and the entrance filled in and she was left to die, erased from the collective memory by a *damnatio memoriae*.

The earliest example of a Vestal condemned to death was supposedly that of Opimia (or Oppia) in 483 or 481, at a time of war against the Volsci, after many prodigies had signalled the wrath of the gods. Opimia was buried alive and the two men accused of violating her were flogged and executed, after which the portents stopped and the auguries became favourable (Dion. Hal. 8.89.3–5: doc. 7.89); Livy also reported prodigies and unfavourable omens, evidence that the sacred rites were not being performed correctly (Livy 2.42.9–11). Shortly afterwards, in 472, after a severe pestilence in which many pregnant women miscarried and died, a slave informed the pontiffs that another vestal, Urbinia or Orbinia, had been unchaste but was still performing the public sacrifices. She was tried, found guilty, scourged, and buried alive. Of her two lovers, one killed himself, and the other was scourged in the forum and put to death, after which the pestilence immediately ceased (Dion. Hal. 9.40.3).

The Vestals' privileges

In return for giving up the prospect of marriage for 30 years, which in practice usually meant for life, the Vestals were allowed various rights denied to other women. Instead of having a legal male guardian, they left their father's potestas, and were free of any male control or guardianship – they were *sui iuris*, even at the time of the XII Tables (doc. 1.34). The Vestal no longer belonged to her family and could not inherit if members of her family died intestate, but she could now hold property independently and make a will. If she died intestate her property reverted to the state, not her gens. Vestals were exempted from the *lex Voconia* and could leave a woman as their main heir, as well as give evidence in a court of law without being on oath. In the city she was preceded by a lictor, at least from 42 (Dio 47.19.4), and the fasces of magistrates were lowered at her approach. They were allowed the right of travelling in the city in a wheeled carriage, a *pilentum*, and Augustus granted them the *ius trium liberorum*, the privileges allowed to freeborn mothers of three children, and special seats in the theatre. If they accidentally met a criminal being taken to punishment they could demand his release, and they guarded the wills of noblemen (like Caesar, Mark Antony, and Augustus) and important treaties. They had the unique right of being buried within the pomerium, burial in the city being otherwise forbidden by the XII Tables. But with the privileges came responsibilities: loss of their virginity was punished with death, since if an unchaste Vestal performed the rites she was considered to have disrupted the sacred order, and thus brought down the anger of the gods on the state. It was thought to be almost equally disastrous for Rome if the sacred fire in the temple was extinguished: this was seen as a calamitous portent, which foretold the destruction of the city (Dion. Hal. 2.67.5), and if the sacred fire went out, the Vestal responsible, screened from his sight by a sheet, would be flogged by the pontifex maximus (Plut. *Numa* 10.7: doc. 7.90; cf. Val. Max. 1.1.6).

The Vestals were the only women to have a permanent physical presence in the forum, and the only women who could address the senate. Their position was anomalous: they dressed in white in the style of Roman matrons, in the *stola* and *pallium*, as women who were not eligible to be sought as brides. They arranged their hair like brides on the day of their wedding with the 'sex crines' (six braids), and over this wore

rows of long strands of wool, infulae, attached to woollen fillets (*vittae*) that hung down over their shoulders. When sacrificing, they wore a four-cornered hood or veil over the head, the suffibulum, which fastened under the chin (Figure 7.7). While they had freedom of movement, they had to be circumspect of dress so as not to arouse the sexual interest and attentions of men. Their religious status underlined that of women in general, which was one of exclusion from direct participation in most of the state cults.

A plebeian Vestal, Minucia, 337 bc

After Opimia and Urbinia, the next fatality appears to have been Minucia in 337, whose condemnation may have had political overtones, as she was apparently the first plebeian Vestal. She may have been the sister of Ti. Minucius Augurinus (cos. 305), the ancestor of the plebeian branch of the Minucii. The first plebeian censor had been appointed in 351, plebeian consuls were eligible from 367, and the first plebeian praetor was appointed in the same year as Minucia's death, 337. It was not until 300 that plebeians were admitted to the (male) priestly colleges, with the first plebeian pontifex maximus not until 254 (Ti. Coruncanius). Minucia was therefore an innovation as a plebeian priestess, and there may have been concern amongst patricians that as a plebeian it was not appropriate for her to conduct the rites of Vesta.

According to Livy (8.15.7–8: doc. 7.91), she was suspected of misconduct because of her dress, which was more ornate than was customary, and a slave accused her of unchastity, incestum, before the pontiffs. Her other slaves were examined under torture, and she was convicted and buried alive in the Campus Sceleratus near the Colline Gate, which Livy believed to have been named for her unchastity. This suggests that she might have been the first historical example of a Vestal buried alive. Significantly, no lovers or seducers were named; it was enough that the Vestal herself was suspected – or targeted for political reasons. At the time Rome was in conflict with the Latins, and it is possible that the patricians were concerned that a plebeian Vestal might have been preventing the military success of Rome by provoking the gods' ill-will.

The next recorded executions of Vestals were those of Sextilia in 273 (Livy *Per. 14*) and Caparronia in 266 (Orosius 4.5.9). There are no details regarding Sextilia, but Caparronia committed suicide by hanging and both her corruptor (unnamed) and her slaves who were aware of the affair were executed.

A Vestal's supernatural powers

While the Vestals accused of unchastity were formally tried by the pontiffs, and the Vestal had the right to legal assistance, there was also the belief that an innocent Vestal could call upon Vesta to save her. In 230 the summary of Livy baldly records that a Vestal named Tuccia was condemned for unchastity (*Per. 20*). Other sources mention the acquittal of a Tuccia, after she proved her innocence by carrying water from the Tiber in a sieve. After appealing to the goddess for her help and protection, this Tuccia led the way to the Tiber, escorted by the populace (such was the public concern), drew a sieve full of water, and carried it to the forum and poured it at the feet of the pontifices (Dion. Hal. 2.69.1–3). Pliny dates the episode to the year 145 (28.12–13):

doc. 7.92; cf. Val. Max. 8.1.abs5), which suggests that there may have been two Tuccias who served as Vestals, one who was unlucky enough to be executed, and another able to ‘prove’ her innocence by means of a supernatural phenomenon.

At the beginning of the second century, perhaps in 178, Aemilia the virgo Vestalis maxima was charged with letting the sacred flame go out after entrusting its care to one of the young girls. The whole city was in an uproar, and the pontiffs’ immediate concern was that this might have happened because of some defilement: in other words, the first reaction was to accuse Aemilia of unchastity. Aware of her innocence, and concerned at her possible fate, Aemilia protested that in nearly 30 years she had solemnly performed her duties and maintained her chastity, and prayed to Vesta in the presence of the pontiffs and the other Vestals, to save her from ‘the most miserable of all deaths’. She then tore off a band from the linen clothing she was wearing and threw it on the cold altar, at which a great flame immediately reshot (Dion. Hal. 2.68.4). Vesta’s response, by rekindling the flame, saved Aemilia from suspicion and did away with the need for further expiations.

Aemilia was portrayed on coinage in 61, when the moneyer M. Aemilius Lepidus minted a denarius, depicting the Basilica Aemilia et Fulvia, a two-story portico constructed in the forum in 179 BC by M. Aemilius Lepidus (cos. 187) and his fellow censor M. Fulvius Nobilior. The obverse of the denarius depicts a woman attired as a Vestal, clearly the Vestal Aemilia; as consul in 78 Lepidus had behaved seditiously, and his son was attempting to draw attention away from his father’s shortcomings by focussing on his family’s public works and the legend of the well-known Vestal.

A further example of the Vestals’ ‘magical’ powers within the city walls was the belief, even in Pliny’s time, that their prayers could root to the spot runaway slaves as long as they had not yet left the city (Pliny 28.13: doc. 7.92). In 40, when Octavian was at war with Sextus Pompeius, so many runaway slaves fled Italy to join Sextus that the Vestals publicly prayed that these desertions should stop (Dio 48.19.4). The Vestals were thought to have special powers connected with the city of Rome, as shown by the fact that they were allowed burial within the pomerium.

Vestals and the Second Punic War

A Vestal’s virginity was seen as a safeguard for the state, and hence any real crisis gave rise to the question as to whether this relationship had been violated: accusations against Vestals often occurred within the context of spectacular military disasters, and portents were often seen as heralding Vestal unchastity. After the worst defeat in Roman history, at Cannae, Vestals were tried and put to death, as they were also in 114–113 BC. Their punishment was seen as restoring the relationship between the gods and Rome: to some extent they were scapegoats and sacrificial victims for the good of the state.

The accusation was made directly after the news of Cannae had reached Rome (Livy 22.57.2–6: doc. 4.38). Against a background of defeat at the hands of Hannibal and frightful portents at home, it was discovered that two of the Vestals, Opimia and Flورonia, were guilty of unchastity: one committed suicide, the other was buried alive. L. Cantilius, one of the pontifical secretaries, was found to have been guilty with Flورonia, and he was flogged to death by the pontifex maximus: Opimia’s seducer was not identified. The crime itself was seen as so dreadful a portent that Q. Fabius Pictor

was sent to consult the oracle at Delphi, as to what forms of prayer and supplication should be employed to appease the gods. The Sibylline Books were also consulted, and these ordered the burial alive of a Gallic and a Greek couple in a stone vault in the forum Boarium; this had also taken place in 228, when there was fear of a Gallic invasion (Livy 22.57.4–6).

In 206 the populace, already fearful of numerous terrifying portents, was even more frightened on learning that the fire of Vesta had been extinguished: the assumption was that a Vestal had been performing the sacred rites while unchaste. The Vestal responsible was scourged by the pontifex, P. Licinius Crassus, and the incident was expiated by further sacrifices and a day of prayer at the temple of Vesta (Livy 28.11.6–7).

Aemilia, Marcia, and Licinia, 114–113 BC

In December 114 three Vestals were accused of misconduct, 100 years after the last Vestal execution. There seems to have been no external reasons for panic on the part of the Roman populace: the Cimbri and Teutones were on their migration from their homelands, but it was only in 113 that they inflicted the first major defeat on the Romans, and that was after the Vestals' trial and condemnation. The catalyst was an ominous prodigy which caused general concern over the purity of the Vestals – a lightning strike, which hit Helvia, the daughter of an eques, while she was riding on horseback (Plut. *Rom. Quest.* 83). Her clothing was disarranged, so that her lower half was found naked, her shoes, headdress, and jewellery were scattered, and her tongue protruded from her mouth. This accident clearly suggested sexual connotations, and the soothsayers concluded that it portended a crime committed by Vestals with members of the equestrian order.

Three Vestals, Aemilia, Marcia, and Licinia, were implicated in the charge of incestum (it is not clear why these three: perhaps the others were older or younger). They were tried in 114 by the pontifical college, headed by the pontifex maximus L. Caecilius Metellus Delmaticus (cos. 119). Only Aemilia was condemned to death on 16 December 114, and the other two were acquitted. Nothing is known of the trial of Marcia, but both L. Licinius Crassus (cos. 95) and C. Scribonius Curio (pr. 121) spoke on behalf of Licinia on 18 December, winning her acquittal. Crassus was presumably defending the family honour: Licinia may have been the daughter of the tribune of 145, C. Licinius Crassus, and Lucius was probably her cousin.

Nevertheless, the acquittal of Marcia and Licinia by the pontiffs was not generally accepted (the people believed that something shameful and unholy had occurred: Dio 26.87), and a tribune, Sex. Pedaueus, urged that a special quaestio (court) be set up with L. Cassius Longinus Ravilla (cos. 127) appointed as prosecutor to investigate the issue (Figure 7.6). Ravilla's censorship in 125 had been marked by its severity. The investigation concluded that all three were guilty: the barbarian slave of one of the men, Vetutius Barrus (perhaps L. Veturius), was the informant. According to Dio, of the three Vestals, Marcia had just had a single lover, an eques. Licinia and Aemilia, in contrast, had had numerous lovers, including each other's brother, and then engaged in relationships to silence anyone who might inform against them. Manlius, the slave of Vetutius (one of Aemilia's lovers) who betrayed them, had hoped to be manumitted and acted as informant when this did not occur.



Figure 7.6 A denarius issued by the moneyer L. Cassius Longinus at Rome in 60 BC depicting the veiled and draped head of Vesta, and a voter dropping a tablet into a cista. On the obverse the head of Vesta, with a kylix on the right; on the reverse a voter placing a tablet marked V (aye) into a cista to his right. The juror is voting in favour of the law setting up the special court to try the Vestals Marcia and Licinia in 113.

Source: Courtesy of Classical Numismatic Group

Cassius Ravilla's descendants were proud of his role in the trial of the Vestals. In 60, L. Cassius Longinus, the younger brother of Caesar's assassin, struck a denarius depicting the draped and veiled bust of Vesta, and a togate male (a juror) dropping a voting tablet into an urn (cista), voting in favour of the establishment of the *quaestio* in 113 (Figure 7.6). The tablet is marked V, for *uti rogas*, or ('as you ask'). In 55, Q. Cassius Longinus, possibly another younger brother of C. Cassius, also minted a denarius, which commemorated his great-grandfather Cassius Ravilla. The coin depicts the head of the goddess *Libertas*, and the reverse the temple of Vesta, with a curule chair within it (referring to Ravilla's role as judge). To the left of the temple is depicted a voting urn, and on the right a voting tablet, inscribed with the letters A (for 'absolve', acquit), and C (for condemn) referring to the trial of Marcia and Licinia. A statue of Vesta stands on the top of the circular temple (Figure 3.3).

Ravilla concluded that not only the Vestals, but a host of related persons, were guilty and these were executed, although M. Antonius (cos. 99), grandfather of Mark Antony, escaped condemnation (Val. Max. 3.7.9, 6.8.1). This was the last time a Vestal was executed until the reign of Domitian. The populace was still not satisfied: the Sibylline Books were consulted, and for the third time advised the sacrifice of two Greeks and Gauls to be buried alive in the forum Boarium. All three burials of the Greek and Gallic couples may have been preceded by the deaths of Vestals, if Livy is correct about the Tuccia condemned to death in 230: the polluting guilt of Tuccia in 230; Floronia and Opimia in 216; and Aemilia, Marcia, and Licinia in 114–113, followed by their portentous executions, may have triggered the decision that it was necessary to bury four people alive, as if the desecration of the holy rites by unholy Vestals, followed by their deaths, was itself a dreadful prodigy which had to be expiated.

Vestals exonerated

The evidence for the condemnation of Vestals often seems to have been unsatisfactory: no man is mentioned in conjunction with Minucia, Opimia, and Sextilia, and no physical examination appears to have taken place, with the prosecution relying on the testimony of slaves under torture. A few Vestals – apparently only three in the Republic – were lucky enough to have been acquitted: these acquittals date from the early Republic, Postumia in 420, and from the first century BC, when accusations against two Vestals were actually attacks on politicians, Catiline and Crassus.

In 420, Postumia was reportedly suspected of incestum (no lover or seducer was identified) and of conduct inappropriate for a Vestal, because of her lovely clothes and her inappropriately lively wit, her manner being ‘freer than was suitable for a virgin’. After investigation before the pontiffs, she was acquitted, but was instructed by the pontifex maximus to refrain from jokes and dress for the future more with regard to sanctity than coquetry (*Livy* 4.44.2–11).

In the first century, two Vestals charged with unchastity appear to have been unwittingly caught up in political in-fighting, but were again lucky enough to be acquitted. Both trials are thought to date to the year 73 and they may have been tried by the quaestio set up to try Marcia and Licinia in 113, rather than the pontifical college. Catiline was accused (by Clodius according to Plutarch) of an affair with the Vestal Fabia, a half-sister of Terentia (*Plut. Cato Min.* 19.3; cf. *Sall. Cat.* 15.1). Fabia was defended by M. Pupius Piso Frugi, and she and Catiline were acquitted. The defence was so successful that it revived the reputation of Piso Frugi as a court pleader (*Cic. Brut.* 236). In the same year, M. Licinius Crassus (cos. 70) roused suspicion by spending too much time with a Vestal named Licinia, clearly a relation. He was accused, perhaps also in 73, by a certain Plotius of an affair with the Vestal, who was also defended by Piso Frugi. Crassus’ defence was his own avarice: Licinia possessed a lovely suburban villa, which he was trying to buy from her at a bargain price, hence his regular visits. Licinia and Crassus were acquitted, and Crassus did get possession of the property (*Plut. Crass.* 1.2). In light of Crassus’ underhand business practices generally, it may well have been the case that he deliberately fanned the flames of the investigation to blackmail his relative into handing over her villa. It was this Licinia who was present at the pontifical banquet for the consecration of L. Cornelius Lentulus Niger as flamen Martialis, c. 69, together with the otherwise unknown Popilia, Perpennia, and Arruntia (*Macrob.* 3.13.10–12: doc. 2.23).

The political and economic role of the Vestals

A number of the Vestals appear to have had a taste for fine clothes implying a considerable command of wealth: Postumia in 420, Minucia in 337, and Aemilia in 178. Furthermore they possessed slaves, as these were examined under torture in unchastity trials. As evidence for their ownership of property, an otherwise unknown Vestal, Gaia Fufetia, or Taracia, at the end of the second century made a gift to the city of Rome of the Campus Martius (or more probably the Campus Tiberinus), and was honoured as a result with a statue and the law, the *lex Horatia*, which set out the prerogatives of the Vestals (*Gell.* 7.7.4; *Plut. Publ.* 8.8.10).

The Licinia who was condemned in 113 had in 123 attempted to dedicate a sanctuary of the Bona Dea on the Aventine, including an altar, small temple (aedicula), and pulvinar. The urban praetor, Sex. Julius Caesar, questioned whether she had the right to do so without the authority of the people, and the matter was referred to the pontifex maximus, P. Mucius Scaevola, who ruled that her dedication was irregular, and the altar was removed (*Cic. Dom.* 136–137). She clearly had command of financial resources like her later relative, the Licinia acquitted in 73.

In 143 the Vestal Claudia Pulchra prevented her father's triumph from being halted by the interference of a hostile tribune, embracing her father to prevent his being dragged from the chariot. App. Claudius Pulcher, as consul in 143, had achieved a victory over the Salassi, and put on a triumph for himself at his own expense, as the senate refused him one because of the number of troops killed (*Cic. Cael.* 34; *Val. Max.* 5.4.6). Although he was in violation of the law, Valerius Maximus praises Claudia for her piety. C. Clodius Vestalis in 41 minted a denarius, the reverse of which depicted a Vestal, veiled and seated on a stool holding a culullus, a libation vessel for use in sacrifices, which was obviously associated with the Vestals. This Vestal was probably Claudia Pulchra, and this branch of the Claudi may have taken their cognomen, Vestalis, from Claudia herself (Figure 7.7). Appius was the father-in-law of Tiberius Gracchus, the tribune, and Claudia Pulchra therefore Tiberius' sister-in-law.

When in 82 or 81 Caesar refused to divorce his wife Cornelia, Cinna's daughter, Sulla took from him the position of flamen Dialis, Cornelia's dowry, and his estates, and Caesar had to flee Rome and go into hiding. The Vestals, however, petitioned Sulla on his behalf (perhaps because as flamen Dialis he was a fellow-member of the college of pontiffs) and Sulla eventually pardoned him (*Suet. Jul.* 1). The fact too that the Vestals protected treaties and wills, such as those of Caesar, Mark Antony, and Augustus, and produced them when required gave them an important role in Roman political life. A Vestal could also promote the political career of her relatives: the



Figure 7.7 An aureus minted by C. Clodius Vestalis in 41 bc depicting the head of Flora, and on the reverse a Vestal, probably Claudia Pulchra (daughter of App. Claudius Pulcher, cos. 143), seated on a stool, wearing a suffibulum, and holding a culullus.

Source: Courtesy of Classical Numismatic Group

Licinia acquitted in 73 gave up her seat at the games in 63 to her relative L. Licinius Murena who was a candidate for the consulship of 62, to show her support for his candidature and mark him out to the crowd (*Cic. Mur.* 73): he was successfully elected, and later acquitted on charges of bribery after being defended by Cicero (*Cic. Mur.* 52–53: doc. 12.17).

Home is where the hearth is

The hearth in the Roman world was synonymous with the house itself, and was traditionally the centre of the atrium and a source of light and warmth, which was imbued with ritual. The hearth, sacred to the Lares of the family, was to be swept every evening (*Cato Agr.* 143.2: doc. 6.37), and on festal occasions, such as the Kalends, Ides, and Nones of each month, it was decorated with garlands. As houses grew in size, the hearth was removed to an inner apartment and the cooking of course took place in a designated kitchen, but it was still symbolic of the Roman household and associated with the protective deities of the family, with sacrifices to them taking place on the hearth. The phrase ‘hearth and home’ implied all that was revered and loved. Cicero saw the home as sanctified by the altars, hearths, sacred rites, observances, and rituals of its members, and so holy that it was sacrilege to drag anyone from it (*Cic. Dom.* 109: doc. 7.95).

Women and the family in the Republic: an overview

While the paterfamilias technically had the power of life and death over any descendants who had not been emancipated, by custom this was tempered by the practice of consulting a family council, and those cases where sons were executed or encouraged to commit suicide generally related to cowardice on the field of battle or public malfeasance, and in the case of daughters to loss of chastity. Women, too, were put to death by their family in the case of major crimes, such as involvement in the Bacchanalia and the multiple poisonings of the mid-second century, as well as for adultery and, apparently, for over-indulgence in alcohol. Numerous cases of adultery were documented in the late Republic, and when Augustus made adultery a crime against the state for both men and women he permitted the killing by a father of a married daughter who was caught in the act, and imposed severe penalties on all those found guilty. Roman men were free to engage in heterosexual love affairs, as long as they steered clear of citizen women, and there was no stigma involved in liaisons with female prostitutes or young boys as long as these were not citizens. It was a serious crime to attempt to seduce a citizen youth, but pederasty and homosexuality were entirely acceptable as long as the citizen was the active partner, and Roman poets like Catullus serenaded both hetaerae and young boys.

The position of wives in Rome varied, but by the end of the Republic it appears that few wives were ‘in manu’ to their husbands and a majority of women thus remained financially independent of their husbands, with the assistance of a guardian. Noble women appear to have played an important role in the upbringing of their children and in the running of their homes, and had freedom of movement and an active social life, while funeral eulogies express in stereotypical but heartfelt terms the respect felt for wives and mothers, and emphasise the important role the materfamilias played within the family unit, both culturally and economically. Aristocratic women such as the Clodiae and Sempronia may have been unusual in the degree to which they broke

with existing norms, but Pomponia is a prime example of the freedom of speech and action enjoyed by women, and their skill at irritating their husbands. Women were well-documented as property owners at the end of the Republic, and were prepared to fight against taxes imposed on them by the triumvirs, as they did on a number of occasions to retain their jewellery and ornaments, which were important status symbols in religious and other contexts.

Roman women played an important role in the worship of the gods, with numerous women-only festivals like that of the Bona Dea, many of which were concerned with marriage, childbirth, and fertility. The celebration of these was considered to be essential to ensure the goodwill of the gods, and citizen women were also called on in times of crisis to make supplications on behalf of the state, and played an important and visible role in the ludi saeculares. The Vestals were an integral part of the pontificate and participated in numerous religious rites, as well as guarding the ‘sacra’ in the temple of Vesta and preparing the mola salsa for public sacrifices. The welfare of the state was thought to depend on the preservation of their chastity, and for them to perform the sacred rites after breaking their vows threatened crisis and disaster to Rome.

Cornelia, mother of the Gracchi, is often presented as the ideal Roman matron. Cicero referred to her upbringing of her sons as not so much at her breast but through her conversation, and she is described by Plutarch as enjoying a wide number of friendships and engaging in much hospitality, mixing with scholars and corresponding with kings after the death of her sons. She was but one example of a well-educated and politically astute noblewoman during the Republic, who was responsible for the management of a wealthy and complex household and the development of her sons into outstanding orators and prominent politicians.

Further reading for this chapter

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Chapter 8

Tiberius and Gaius Gracchus

Family background

The Sempronii Gracchi

The tribunes Tiberius and Gaius Gracchus had a long and distinguished family history as members of the plebeian family of the Sempronii Gracchi (Family Tree 1). Their great-grandfather Tiberius as consul in 238 had captured Sardinia from the Carthaginians (his grandson, their father, continued the pacification of the province), and had paid for the construction of the temple of Jupiter Libertas on the Aventine hill. Their grandfather Publius leaves no trace in the record and may have been killed in the Second Punic War, but his elder brother, another Tiberius, was magister equitum after Cannae, and consul in 215 (with L. Postumius Albinus and then with Q. Fabius Maximus Cunctator) as well as in 213 (with Q. Fabius Maximus, son of the Cunctator). His imperium was extended in 214 and 212, and in 214 he won a significant victory over the Carthaginian general Hanno at Beneventum, with an army which made use of volunteer slaves, who were then freed (Val. Max. 7.6.1a: doc. 6.1).

Ti. Sempronius Gracchus the Elder, the tribunes' father, who was born c. 220, governed Nearer Spain as propraetor in 180–178. He settled the province, which remained relatively at peace until 155, and founded the Latin colony of Gracchuris and possibly Iliturgis. This was the beginning of a long-standing connection between the Gracchi and Spain; they were also to have close family links with the islands of Corsica and Sardinia. The governorship in Spain proved a profitable one for the family: the elder Gracchus was said to have returned to Rome with 40,000 pounds of silver, though he was praised for his rectitude by the inhabitants. He celebrated a triumph for his victory over the Celtiberians and won the consulship for 177 (with C. Claudius Pulcher, father of the Appius who was consul in 143 and father-in-law of the younger Tiberius Gracchus). Earlier in his career he had served with the two Scipio brothers (P. Cornelius Scipio Africanus, cos. 205 and 194, and L. Cornelius Scipio Asiagenus, cos. 190) in their campaign against Antiochus III in 190, and as tribune, probably in 187, he had prevented the condemnation of L. Scipio against charges of bribery by Antiochus (cf. Livy 38.57.5–8: doc. 7.8). Following his consulship he led an army against Sardinia in 177–176, subduing the Sardi, for which he was awarded a second triumph. He was censor in 169, with his consular colleague C. Claudius Pulcher, and won the consulship again in 163 (with M'. Juventius Thalna), again receiving Sardinia and Corsica as his province. He also constructed the Basilica Sempronia on the north side of the forum.

This Ti. Gracchus, the Elder, married Cornelia, the younger daughter of Scipio Africanus (cos. 205, 194), with whom he had served in the East, and of Aemilia (Tertia) Paulla, daughter of L. Aemilius Paullus (cos. 219, 216, who died at the Battle of Cannae). The couple had 12 children, three of whom survived infancy, Sempronia, and Tiberius and Gaius, the tribunes. Cornelia, as daughter of Africanus, was the sister of P. Cornelius Scipio (praetor 174) who adopted P. Cornelius Scipio Aemilianus (cos. 147, 134), responsible for the destruction of Carthage in 146 BC and of Numantia in Spain in 133. Aemilianus thus became Cornelia's nephew and her sons' first cousin by adoption. The biological son of Aemilia's brother, L. Aemilius Paullus Macedonicus (cos. 182, 168), Aemilia's nephew Scipio Aemilianus now also became her grandson by adoption. In addition as he married Sempronia, the Gracchi's elder sister, he was also the Gracchi's brother-in-law and Cornelia's son-in-law. The marriage was said not to have been happy: Sempronia had some form of disability and the marriage was to be childless, according to Appian (1.83: doc. 8.21), raising questions as to why it had been arranged in the first place.

On their maternal grandmother's side, therefore, L. Aemilius Paullus Macedonicus was great-uncle to the Gracchi brothers. On their mother's side, Cornelia's older sister had married her second cousin P. Cornelius Scipio Nasica Corculum (cos. 162 and 155), who was thus the Gracchi brothers' uncle by marriage. Corculum became pontifex maximus in 150, and princeps senatus in 147, and was a noted opponent of Cato the Elder over the issue of aggression towards Carthage. His son P. Cornelius Scipio Nasica Serapio, the Gracchi's first cousin, was to be consul in 138 and pontifex maximus from 141. The family of the Gracchi, though plebeian, was therefore distinguished and aristocratic, with extensive political connections on both sides, though it is interesting to note that both Scipio Aemilianus (who repudiated Tiberius' treaty with the Numantines) and Scipio Nasica Serapio (who orchestrated his death) were certainly no supporters of their cousin Tiberius.

Cornelia, mother of the Gracchi

As Tiberius the Elder had died considerably earlier than Cornelia, who was some 20 or more years his junior (Cornelia was born c. 190 and married c. 176/5), she was responsible for her upbringing of the children, nine of whom died young. Such was her reputation that Polybius reports that she was asked in marriage by one of the Ptolemies of Egypt, perhaps Ptolemy VIII Euergetes II, although she preferred to devote herself to her family. In fact she brought up her sons so well, according to Plutarch, that although they were considered the most naturally gifted of all Romans 'their virtues were thought to be owed more to their education than to nature' (Plut. *Ti. Gracch.* 1.1–7: doc. 8.1). Tiberius was probably born in 162, and Gaius in 153, and the fact that so many of her children had died doubtless caused Cornelia to focus more extensively on the education and careers of those left to her. She was well-educated herself, with an interest in literature and art, and Cicero (*Brut.* 211: doc. 7.22) commented that he had read her letters, and that it was clear, 'that her sons were not so much raised at her breast as through her conversation'. She is described in numerous sources as having given her sons the best possible education, and as supporting them in their legislative programmes, although she apparently advised Gaius to moderate his stance prior to his becoming tribune (Nepos *Lat. Hist.* F59: doc. 8.25).

She is depicted in the sources as a model Roman matron and a virtuous widow, who honoured the memory of her husband (even rejecting a Ptolemy). Her valuing of her children above ornaments and jewellery ('these are *my* jewels', she is said to have remarked when showing off her children to a wealthy Campanian lady) portrays her in this exemplary light, contrasting her interests with those of other Roman matrons of the mid-second century (Val. Max. 4.4 so - pref.: doc. 8.2). This incident was a subject that inspired many neo-classical painters, with works by Noël Hallé (1779), Jean-François-Pierre Peyron (1781), Philipp Friedrich von Hetsch (1794), Joseph-Benoît Suvée (1795), and Angelica Kauffmann (1785; Figure 8.1).

Cornelia and her sons were certainly not without financial resources. Apart from the assets which Tiberius the Elder had, quite respectably, garnered in his three provincial governorships, in Spain as praetor, and in Sardinia (twice) as proconsul, there was also Cornelia's dowry. Scipio Africanus' daughters, the Corneliae, had dowries of 50 talents each, the second half of which was paid at Aemilia's death in 162. There was therefore considerable cash available to the nuclear family, with the



Figure 8.1 *Cornelia, Mother of the Gracchi* by Angelica Kauffmann, 1785. Cornelia (c. 190–c. 100), daughter of Scipio Africanus and wife of Tiberius Gracchus the Elder, is shown contrasting her 'jewels' with her visitor's opulent jewellery.

Source: Courtesy of the Virginia Museum of Fine Arts, Richmond. Adolph D. & Wilkins C. Williams Memorial Fund. Photo © Travis Fullerton/Virginia Museum of Fine Arts

total dowry amounting to some 1,200,000 sesterces. Interestingly Scipio, on Aemilia's death, gave her splendid carriage, paraphernalia, and entourage with which to attend religious processions not to her daughters the Corneliae, but to Papiria, his own mother, who was relatively poverty-stricken (*Polyb.* 31.26: doc. 7.70).

Tiberius and Gaius: their early careers

As Tiberius the Elder died c. 150 when the brothers were still young boys, Cornelia was responsible for arranging her sons' marriages. Tiberius married a daughter of App. Claudius Pulcher (cos. 143, censor 136, princeps senatus, augur, and one of the Salii), one of whose daughters was a Vestal (Figure 7.7). There was a close political friendship between the families, and Appius' father had shared both a consulship and the censorship with Tiberius the Elder. Gaius married Licinia, daughter of L. Crassus Dives ('Wealthy') Mucianus, brother of the consul of 133, P. Mucius Scaevola. Crassus became pontifex maximus in 132, and consul in 131. Both marriages were splendid ones, which increased the Gracchi's influence and connections throughout the elite (Family Tree 1).

Under their mother's watchful eye, the brothers had received a thorough grounding in rhetoric and philosophy on the Greek model, and were taught by the rhetor Diophanes of Mytilene and the Stoic philosopher Blossius of Cumae. Their careers followed the normal aristocratic pathways: as part of his ten-year military service, Tiberius served with his cousin and brother-in-law Scipio Aemilianus in the Third Punic War, and played a heroic part in storming the walls of Carthage in 146. As quaestor in 137 he later served in Nearer Spain, where his father had been governor, on the staff of the consul C. Hostilius Mancinus. While there he extricated Mancinus and the army from defeat and humiliation by negotiating a treaty, which was later repudiated at Rome (*Livy Per.* 55: doc. 5.50). Nearly ten years after this Gaius also served with his cousin and brother-in-law Scipio Aemilianus, this time in Nearer Spain, and was present at the storming of Numantia in 133. As quaestor and proquaestor he then served in Sardinia, where his father had been governor, from 126 to 124 on the staff of L. Aurelius Orestes (cos. 126).

Both brothers had outstanding talents as speakers, and Gaius in particular was a brilliant orator. By 133, the year of his tribunate, Tiberius though not yet 30 was one of the most powerful public speakers of the day: Gaius published Tiberius' speeches after his death. Gaius himself was possibly the most gifted orator of the late second and early first centuries, and Cicero praised him as one of the best speakers of his time (*Brut.* 125: doc. 8.26). Since both were outstanding orators, Plutarch considered that the age difference between the two (nine years) was significant in terms of their careers, as it prevented them from working together as a team: had that been the case they could have wielded immense power with the support of the populace (*Plut. C. Gracch.* 3.1–2: doc. 8.3).

The Gracchi and the Civil Wars

Appian in his *Civil Wars* considered that the period of the Gracchi saw the beginnings of violent conflict in the Republic as the prelude to the civil wars and collapse of the republican system in the first century BC (App. 1.4–5: doc. 8.4). Modern scholars have

generally agreed that this was a major turning point in republican history. For Appian, Cn. Marcus Coriolanus' alliance with the Volsci against Rome, c. 490, was the only precedent for such violence as was used against the Gracchi: Coriolanus had been banished for trying to force the plebs into agreeing to reverse the reforms won in the 'First Secession' of 494 (Livy 2.31.7–33.3: doc. 1.25), and he led an army of the Volsci against Rome, although his mother, Veturia, and wife, Volumnia, persuaded him to withdraw. But Tiberius' murder was the first time, Appian remarks, that fighting took place in the forum itself over current political issues, and that citizens were killed on the Capitol. Further violence was to take place as a result of the legislation of Gaius Gracchus (tr. pl. 123 and 122), L. Appuleius Saturninus (tr. pl. 103 and 100), and P. Sulpicius (tr. pl. 88), as a result of which Sulla was twice to march on Rome and install himself as dictator.

Only 13 years before Tiberius' tribunate, the destruction of Carthage and the Punic trading empire had positioned Rome as master of the Western Mediterranean, while the spoliation of Corinth in the same year saw increasing luxury and Hellenisation flowing into Rome following expansion in the Eastern Mediterranean earlier in the second century. As a result of recent conquests over the previous decade, Rome now directly administered Punic Africa, Macedonia, and parts of Greece, as well as Spain. The various tensions in the Roman constitution became apparent with the growth of wealth and opportunities for conquest, which allowed the successful elite to enjoy glorious political careers as magistrates and provincial governors. The senate was open to only a small proportion of the population, members of the senatorial and equestrian orders with a minimum property qualification of 400,000 sesterces, and it functioned as a quasi-hereditary aristocracy, reluctant to admit outsiders: Sallust (*BJ* 63.5: doc. 9.6) complained that the nobility passed the consulship to each other from hand to hand. One instance of this is the six consulships held by the Caecilii Metelli between 123 and 109, with four sons of Q. Caecilius Metellus Macedonicus (cos. 143) and two sons of his brother L. Caecilius Metellus Calvus (cos. 142) being elected consul during this period.

The assembly was the source of law and voted on war and peace, but political debate primarily took place in the senate, which acted as an advisory body to the senior magistrates. Consuls, praetors, and tribunes could propose legislation to the people and convene the senate and popular assemblies, and tribunes had their own assembly, the concilium plebis, which could only be summoned by a tribune; from the lex Hortensia of 287 measures passed there, plebiscites, had the force of law. There were no political parties as such in Rome, but politicians increasingly came to class themselves as either optimates ('best') or populares ('of the people'). The optimates (or boni, 'good' men, as they also called themselves) were those who saw themselves as maintaining the status quo alongside deference for senatorial authority. The populares, in contrast, sought popular support and legislated, supposedly, in the people's interests (Cic. *Sest.* 96–97: doc. 8.38). However, these were not life-long allegiances, and politicians could be both optimates and populares at different times, as was most expedient for their careers. The main distinguishing factor of the populares, particularly when they held the tribunate, was not a shared platform of policies, but the tactic of bypassing the senate and taking their legislation directly to the people in the concilium plebis. Even so, while many populares were concerned to pass measures which would benefit the people, they were still under pressure to promote their future career and ensure that they had the opportunity to achieve the consulship.

The tribunate of Tiberius

Tiberius' legislation primarily focussed on the agrarian issue, which he saw as responsible for Rome's current social and economic problems. His brother Gaius recorded that, on his way to Numantia to serve as quaestor with his cousin Scipio Aemilianus, Tiberius had observed the number of slave-operated farms in Etruria and was concerned at the lack of freeborn peasants and the consequent impact on army recruitment (Plut. *T. Gracch.* 8.7). Fearing that the slaves would multiply (the first major slave war had broken out in Sicily in 135 and was still at its height), and that Roman farmers, and hence citizen soldiers, decrease, he decided that the solution was to distribute the ager publicus amongst Roman citizens. Ager publicus was land in Italy which had been confiscated from the territory of defeated cities and peoples, most recently in the Second Punic War. As there was a property qualification for military service, this would increase the population liable for conscription (the landless were unable to serve in the army for at least two more decades).

The Gracchi brothers, Tiberius and Gaius, are best known for their agrarian legislation, and Plutarch in his *Parallel Lives* paired the lives of the Spartan kings Agis and Cleomenes with those of the Gracchi. All four protagonists were concerned with the redistribution of land: Agis IV, king of Sparta from c. 244–240, attempted to redistribute Spartan land because of a shortage of citizens, but was executed; Cleomenes III, who ruled between c. 235 and 222, redistributed the land and revived the Lycurgan system of training, but was defeated by Antigonus III of Macedon, fled to Egypt, and committed suicide. Their attempts to build up the number of citizens by land redistribution failed and Plutarch considered their fates to be a fitting parallel to those of the Gracchi brothers, who both died as a consequence of senatorial hostility towards their legislative proposals.

Following the confiscations from Italian communities which followed the Second Punic War, the territory acquired was either used for colonies or leased to individuals. The uncultivated land lying idle, like the fertile ager Campanus ('Campanian land'), was open to occupation, and leased out by the censors. Occupiers were merely taxed annually on produce (10% for crops, 20% for fruit trees and vines), as well as on small and large stock animals (sheep and cows) per head. This land remained ager publicus ('public land'), the possession of the state, and so an asset of the Roman people, even when under cultivation. This had increasingly come into the hands of wealthy Romans, who gradually encroached on the holdings of their poorer neighbours. The large estates which resulted were frequently cultivated by slaves, rather than free men who could serve in the Roman army (App. 1.26–31: doc. 8.5). Having a captive workforce, rather than employing citizens as farmworkers who needed payment and would have to take time off for military campaigns, was an extra advantage for the wealthy landowners, who could breed their own slave families which were unable to leave the land. Appian (1.30) commented on the great abundance of slave children that multiplied unchecked in contrast to the free population of Italy.

Tiberius, who was concerned with the issue of army recruitment, saw this use of the ager publicus as directly responsible for current problems. The conquests of the last few decades, and in particular the destruction of Carthage and Corinth in 146, had resulted in an unprecedented growth of wealth for the senatorial and equestrian orders, and it was natural for them to want to invest these gains in land and agriculture, which were

seen as the only safe and respectable way for aristocrats to invest money. At the same time there were unprecedented numbers of slaves for purchase following conquests in both the Eastern and Western Mediterranean. L. Aemilius Paullus Macedonicus (Tiberius' great-uncle) in 167 took 150,000 slaves in Epirus (Livy 45.33–34: doc. 5.34); Tiberius' father in 177 in Sardinia killed and captured more than 80,000 of the inhabitants (Livy 41.28.8: doc. 5.56). In 146 Scipio Aemilianus' razing of Carthage resulted in the acquisition of 50,000 slaves, while at the capture of Corinth in the same year all the women and children, as well as freed slaves, were sold. At the final conquest of Numantia in 133 Aemilianus sold everyone except 50 persons he kept for his triumph (App. *Iber.* 419–424: doc. 5.53). These large bodies of slave workers were now available for farming large estates, but at the same time their numbers were problematic, with the first Sicilian slave rebellion, which began in 135 and took the Romans several years to subdue, actually in progress at the time of Tiberius' tribunate (Diod. 34.2.1–23: doc. 6.48).

To what extent at this point poor farmers were gradually leaving the land as a result of the large estates, which the wealthy had established on the ager publicus, for unemployment in the capital is not entirely clear. Obviously there were still independent farmers, and Tiberius may have been extrapolating from a partial observation to a common good. However, there is some evidence (though it is debated) for a decline in the total citizen male population, which cannot be entirely explained by citizen losses in campaigns: 337,022 persons were registered in 164/3, and only 317,933 in 136/5. The number of citizens available for recruitment depended, of course, on how many were listed in the classes as assidui (landowning citizens eligible for conscription), and hence available for military service.

Earlier agricultural legislation

The Licinio-Sextian laws, proposed in 367 by the tribunes C. Licinius Stolo and L. Sextius (though much of the detail in the sources may well have been retrojected into the past to parallel second-century concerns), may have attempted to prevent the ager publicus being taken over by private landowners. Either then or later a provision was enacted that no one was to hold more than 500 iugera of this ager publicus, or pasture more than 100 cattle or 500 smaller stock animals (App. 1.32–37: doc. 8.6). This dating cannot be correct, as the points made by Appian about the growth in the number of slave-worked estates can only have applied to the third century at the earliest, and best suit the second century when there was extensive use of slaves on estates in Sicily and southern Italy. Cato in 167, in his speech in defence of the Rhodians, referred to a law which displeased the senatorial class, because it restricted the amount of ager publicus that an individual could possess to 500 iugera (ORF⁴ F167); this is clearly the law referred to by Appian. In addition, in 173, the consul L. Postumius Albinus restricted encroachment on the ager Campanus (Livy 42.1.6, 19.1). A law in the early second century BC would also better fit the aftermath of the Hannibalic War, when a large amount of land had been confiscated from rebel communities.

While laws had previously limited the use of public land (generally to no effect), Tiberius' legislation was the first time that land that was in the possession of Romans was to be redistributed to others. There had been a partial precedent earlier, when C. Flamininus as tribune in 232 had proposed and the assembly carried a law concerning

land distribution in northern Italy. Even then, though this land was not in the possession of Roman farmers, the senate, led by Q. Fabius Maximus Verrucosus (cos. 233, 228), largely opposed the proposal, including Flaminius' own father. The bill distributed to poor Roman citizens the ager Gallicus, land along the Adriatic coast in north-east Italy, which had been settled by the Senones at the end of the fourth century, and conquered by M. Curius Dentatus in 285/284. It then became ager publicus, and Roman and Latin colonies were established, while Flaminius as tribune had the remaining land divided among Roman citizens (*Polyb.* 2.21); soldiers were levied from the area in 216 for the Second Punic War, which would have been a precedent for Tiberius' programme, which planned to re-establish more settler-soldiers to improve army recruitment.

Agrarian reform had also been on the political agenda only a few years earlier than Tiberius' tribunate, when the consul of 140, C. Laelius, an intimate friend of Tiberius' cousin, Scipio Aemilianus, had attempted to reform the abuse of the ager publicus. The details of his proposals are not known, as he desisted when his proposed reform aroused senatorial opposition and for this reversal he earned the agnomen 'Sapiens', or 'Wise' (*Plut. T. Gracch.* 8.4–5). Laelius, like Scipio Aemilianus, assisted in the persecution of Tiberius' supporters in 132, and was opposed to the proposal of the tribune C. Papirius Carbo (in 131 or 130), which would have permitted tribunes to be re-elected. This suggests that Laelius' agrarian proposals were unlikely to have been radical, even though they were unpopular with the senate.

While there were large, extended estates (*latifundia*) in Sicily with hundreds or even thousands of slaves, the pattern of cultivation on the ager publicus in Italy was different: the land of the wealthy tended to be made up of numerous small estates, usually of about 100 or 200 iugera, and even the larger landowners would normally have owned and managed various small properties; this type of agriculture is known as 'villa' farming. The term *iugerum* (pl. *iugera*) comes from *iugum* (a yoke), being the amount of land that a pair of oxen could plough in one day (2523 m² or approximately a quarter of a hectare). In the early first century the elder Roscius of Ameria possessed 13 such farms, and was proscribed retroactively so his family and Sulla's freedman could take over these properties (*Cic. Rosc. Am.* 21: doc. 11.25). Cato the Elder's handbook on farming explained how best to invest money and utilise slaves in the mid-second century BC on these types of farms: the size of estate that he considered most viable was 100 iugera of land, consisting of all sorts of soils and in a good situation (*Cato Agr.* 11.1–5: doc. 2.15). A holding, or series of small holdings, amounting to some 500 iugera would have been both viable and profitable as long as the land was suitable for cultivation or grazing. Small farmers on the ager publicus must have been increasingly unable to compete with these larger-scale estates and gradually left the land.

Tiberius' agrarian legislation

Tiberius entered office on 10 December 134, and his proposals were put forward immediately. He was addressing a problem that had previously been a matter of concern, though earlier laws which attempted to restrict holdings of ager publicus had been easily circumvented by the wealthy. Tiberius was to take his measures a step further and attempt to settle small-scale peasant farmers, drawn from the Roman citizen class, on this land to ensure that it was cultivated by citizens, not slaves. His

legislation reaffirmed the amount of land that a property owner was able to cultivate: the possessor was allowed to retain and farm 500 iugera of the ager publicus. Tiberius, however, added the rider that in addition to this any sons (or children) of the possessor were also allowed half that amount again. Anyone farming the ager publicus who had a family of four children could, therefore, under Tiberius' legislation retain not just 500, but 1,500 iugera of ager publicus. The Greek word used by Appian, 'paides', is generally translated as 'sons', but actually means children, so that both sons and daughters could have had 250 iugera retained in their names: the inclusion of daughters makes sense given that land was often an important component of dowries, as Appian noted (1.39: doc. 8.10). The generosity of the provision is made clear from the size of the redistributed lots, as the agrarian law of 111 prescribed that 30 iugera was the maximum acreage to be privately owned after that date. An agrarian commission was to be responsible for the distribution, and it was presumably within their discretion to decide which portions of estates should be reassigned and to whom. The properties distributed by the commission were to be inalienable, and in this way the farms would descend to sons and grandsons, all of whom would in their turn be liable for military service.

From the accounts of Appian and Plutarch, Tiberius appears to have been concerned with the poverty and depopulation of Italy as a whole, but there is no clear evidence that he planned to benefit the Italians, and in fact between 133 and 129 it was land belonging to the allies and Latins that was redistributed to Roman settlers. Appian saw Tiberius as motivated by a pan-Italic ideal to restore the Italians to the land, but in fact the land was to be distributed to Roman citizens who would farm the land and provide the soldiers (*assidui*) Rome needed. Rural citizens were the backbone of the Roman army, and because of the property qualification for army service the city of Rome itself provided few soldiers. Tiberius in his speeches also brought up the issue of the devastating Slave War in Sicily (App. 1.36: doc. 8.6), which had been on-going since 135 or earlier, with some 60,000–70,000 slaves involved: Diodorus numbered the rebels at 200,000 (Diod. 34.2.18: doc. 6.48). The insurgent slaves defeated several Roman armies and the rebellion only ended in 132. Other revolts of slaves in Attica and on Delos were also underway, with rebellions even in Italy itself (Diod. 34/35.2.19): 450 slaves were crucified at Minturnae, while a revolt at Sinuessa of 4,000 slaves had to be put down in 133 by Q. Caecilius Metellus Macedonicus (cos. 143) and Cn. Servilius Caepio (cos. 141) (Oros. 5.9.4). There had also been slave revolts in Italy earlier in the century, including one in Etruria in 196 and one of shepherds in 186–185 in Apulia (Livy 39.29.8–10). The dangers of slave rebellion were a very real concern for Tiberius, as well as the shortfall of citizen soldiers.

Tiberius was genuinely concerned with increasing army recruitment, settling poor Romans on the land, and restricting the number of slave-run estates. At the same time, Appian (1.35) is correct in noting that he was ambitious. Like his peers, he expected to use the tribunate as a springboard to higher honours. His legislation would win him unparalleled popularity and clientela, and he clearly hoped for career advantages from this, leading to election to a consulship in 120 or thereabouts. Many senators vehemently opposed his legislation, but it is significant that he was not an outlaw: he actually had the support of some of the most high-ranking politicians of the time – not only his father-in-law App. Claudius Pulcher, the princeps senatus, but one of the consuls for 133, P. Mucius Scaevola, and his brother P. Licinius Crassus Dives Mucianus

(cos. 131), Gaius' father-in-law, who was to be pontifex maximus from 132 (Plut. *Ti. Gracch.* 9.1); the latter two were also eminent legal figures. These senior statesmen clearly considered the issue to be an important one, which needed to be addressed for the good of the Roman people.

Tiberius' motives: events in Spain

While Appian presents Tiberius as principally concerned with the decline in the number of free-hold peasants and hence of available soldiers (1.35–36: doc. 8.6), Plutarch considers the repudiation by the senate of a treaty he brokered with the Numantines when in Spain as another motive behind his opposition to the senate (Plut. *Ti. Gracch.* 5–7: doc. 8.7). Numantia was a Celtiberian city in Nearer Spain (Hispania Citerior), which had withstood six Roman attempts to take it, in 195, 153, 152, 140, 139–138, and in 137, when Tiberius, who was the quaestor of the consul C. Hostilius Mancinus, negotiated the safety of a Roman army after a catastrophic defeat; the city was only captured, and totally destroyed, in 133 by his cousin Scipio Aemilianus (App. *Iber.* 419–424: doc. 5.53). As consul for 137, Mancinus recommenced the war against the Numantines, after the senate repudiated the peace treaty negotiated by his predecessor Q. Pompeius. He was, however, defeated, and after trying to flee by night he and his troops were surrounded (Livy *Per. 55*: doc. 5.50). Tiberius as his quaestor negotiated an agreement in which the Romans capitulated in return for free passage (his father's reputation for integrity while governor in Spain helped in the negotiations), and thereby 'arranged a truce and unarguably saved the lives of 20,000 Roman citizens' (Plut. *Ti. Gracch.* 5–7: doc. 8.7). When, however, Mancinus returned to Rome, his actions were scrutinised by a tribunal headed by L. Furius Philus (cos. 136), acting on the advice of C. Laelius and Scipio Aemilianus. It was decided to repudiate this treaty (the *foedus Mancinum*), like earlier ones, as a disgrace to Rome, and surrender up Mancinus (though not Tiberius) to the Spaniards to avoid the religious crime of breaking faith.

The Numantines rejected the naked Mancinus when he was offered to them, and on his return to Rome he was expelled from the senate (though he was later re-elected praetor). Tiberius felt his own good faith had been impugned, and must also have been concerned that he might share in Mancinus' disgrace. He also clearly believed he had the right to be aggrieved with the senate's decision, as he had been responsible for saving the lives of thousands of soldiers. The repudiation of his agreement meant for him a tremendous loss of face, not only at Rome but in Spain, where his family had enjoyed a long and successful history of political and military involvement, and where the governorship of his father was remembered with respect. Tiberius himself probably expected to hold a governorship there in the future. For the Romans, such a loss of *dignitas* (prestige, or reputation) was demeaning: indeed, for Julius Caesar, it was adequate justification for beginning a civil war (*Caes. BC* 1.9.2: doc. 13.27). In a society where reputation was the cornerstone of political status, the senate had completely undermined Tiberius' political standing.

The fact that his cousin Scipio Aemilianus, with whom he had served at Carthage, had advised repudiation of the treaty which Tiberius had negotiated led to hostility between the two, though it did not rise to open antagonism at this point (Plut. *T. Gracch.* 7.5–6: doc. 8.7). Aemilianus (born c. 185) was more than 20 years older

than Tiberius and as the destroyer of Carthage in 146, and censor in 142, had gained unparalleled auctoritas. The ideology behind the refusal to accept the negotiated peace was based on the belief that surrender was un-Roman, as at Cannae, where the senate refused to ransom prisoners taken by Hannibal (*Polyb.* 6.58.2–13: doc. 4.36), and Aemilianus' opposition to Tiberius' actions must have been a serious blow. Tiberius would have felt all the more frustrated when Aemilianus was elected in the following year to a second consulship for 134 with a mandate to pacify Spain, and destroy Numantia: he was therefore being sent to terminate a conflict which Mancinus and his officers, including Tiberius, had failed to resolve. At Numantia Tiberius' brother Gaius, the young Marius, and the future African king Jugurtha would be under his command.

Furthermore, Plutarch records that there were those in the senate who thought that anyone who had been involved in the peace terms, including quaestors and military tribunes, should have been punished along with their general (*Plut. T. Gracch.* 7.2: doc. 8.7). The people voted against this for Tiberius' sake, and this decision appears to have been supported by Aemilianus, but he was still criticised by Tiberius' friends for not going further and upholding the treaty. The senate had hardly endeared itself to Tiberius, and his natural resentment over events would have overridden any concerns he might have felt about trespassing on the senate's preserves in his legislative proposals.

Cicero, like Plutarch, sees the resentment (*dolor*) of Tiberius over the Numantine agreement as crucial to his decision in 133 to press for reform of the *ager publicus* and, in so doing, deliberately flout the authority of the senate: he also mentions Tiberius' fear (*timor*), presumably of prosecution for his actions in the province (*Cic. Har. Resp.* 43: doc. 8.8). Cicero's interpretation gives Tiberius only a negative motive, and allows no place for altruistic aims, such as his desire to ensure that Rome's poor could remain citizen-farmers and that the city had enough troops for its many wars. Cicero is a hostile witness here and reflects the senatorial element that opposed Tiberius, although he does describe him as a 'brave and distinguished man' and speaks of the 'inflexibility' of the senate in refusing to ratify the treaty. He presents Tiberius' tribunate as a deliberate attack on senatorial authority, but it was not Tiberius' intention in putting forward the *lex Sempronia agraria* to 'wage war' on the senate and he actually had the support of some of the highest-profile senators, close connections of his family. On the other hand, he must have been aware that his legislation would provoke the hostility of a large part of the senate, as their reaction to the proposals of Laelius less than a decade earlier had made it obvious that agrarian reform would not be greeted with enthusiasm.

Cornelia's ambition for her sons

In addition to the Numantine issue, Plutarch provides further background on Tiberius' legislative programme and his underlying motives (*Plut. Ti. Gracch.* 8.6–10: doc. 8.9). Cornelia's especial care over the education of her sons is noted by Plutarch, though the extent to which she influenced her sons politically is unclear. She was able to persuade Gaius to desist from his attack on Octavius (*Plut. C. Gracch.* 4.3–4: doc. 8.29), but people disagreed as to whether she generally supported or opposed Gaius' activities (*Plut. C. Gracch.* 13.1). Considering her family background and that of her

husband, there is every reason to suppose that she would have been ambitious for her sons, as after her husband's death her energies went into their upbringing (Cic. *Brut.* 211: doc. 7.22).

Cornelia would certainly have expected her children to rival the success of her nephew by adoption, Scipio Aemilianus (cos. 147 and 134, and 'Africanus' like her father), and her nephew by her elder sister, Scipio Nasica Serapio, consul in 138 (Family Tree 1). Scipio Aemilianus' brother, Q. Fabius Maximus Aemilianus (cos. 145), also had a promising son Quintus, who was quaestor in 134 (cos. 121 and censor 108), who could be expected to prove himself a worthy rival to Tiberius in the cursus honorum. Whether or not, as Plutarch reports, Cornelia actually reproached her boys because she was still known as the mother-in-law of Scipio and not as the mother of the Gracchi, there would have been an unquestioned expectation that they would follow the career trajectory both of the Sempronii Gracchi and their maternal relations, the Aemilii Paulli and Cornelii Scipiones. It was inevitable that Tiberius himself would have measured his career to date against his contemporaries: the Spurius Postumius whom Plutarch mentions as a potential rival is unknown (presumably not the Sp. Postumius Albinus who was consul in 110), but he could be confident that a bold political programme and successful tribunate would give him a high profile among the electorate (Plut. *Ti. Gracch.* 8.7–10: doc. 8.9), leading to a consulship, followed by a provincial command, in just over ten years.

The reactions of the wealthy to Tiberius' proposals

Judging from the fact that only seven years earlier C. Laelius as consul had prudently decided to withdraw his agrarian legislation, the impassioned reaction to Tiberius' proposals from the senators was only to be expected. The wealthy had long believed that they should have uninterrupted use of the ager publicus, and there had been an understanding that it could be farmed unhindered. Some of the estates would have been in the possession of families for decades or generations, and were considered their rightful property (App. 1.38–39: doc. 8.10). Furthermore, Tiberius had made no provision for reimbursement or compensation of any kind for land which was taken away and re-allocated. But while Cicero has the 'good men' ('boni') opposing the law because it would dispossess the rich and rob the state of those who defended it (Cic. *Sest.* 103: doc. 8.38), the extent of land left to current holders was very generous, 500 iugera and more depending on children, especially as the lots distributed to the poor in 111 were to be a maximum of 30 iugera.

Since the redistributed lots were inalienable, the wealthy were unable to buy them back, and the activities of the commissioners ensured that re-appropriation as in the past was now no longer possible. For those who lost some of their land, there was no compensation for the costs which had been incurred in planting orchards, or olives or vines, or generally improving the land, and for the villas and other amenities which had been constructed on the estates, some of which held ancestral tombs. The dowries of many of the women (mothers, grandmothers, aunts, sisters-in-law) who had married into the family, that had been used to improve and extend estates, would be lost, while farms that could in the future have been given as dowries for daughters would now be forfeit. Furthermore, land, which had been used as surety for debts, would no longer protect debtors from their creditors. The poor, on the other hand, complained

of their poverty, despite the number of military campaigns they had fought for the state, and of the fact that those on the land were unable as farmers to compete with the slave-run farms. Large numbers of those in colonies and free towns who had concerns on both sides of the question came to Rome to make their views known, and conflict broke out while they waited to vote on the legislation (App. 1.40–42: doc. 8.10).

Tiberius' rhetoric

Tiberius had high-ranking supporters in the senate, drawn largely from his family connections, including the princeps senatus, his father-in-law, and one of the consuls for the year, Mucius Scaevola (the other consul was L. Calpurnius Piso Frugi, who was an opponent of the Gracchi, but was in Sicily engaged with the First Sicilian Slave War). In fact, while the Gracchi have been placed centre-stage in our sources, contemporaries would doubtless have seen Tiberius as a junior member of a prestigious family grouping, and proposing legislation under the aegis of the consul and princeps senatus. His opponents, however, accused Tiberius of being a revolutionary and ‘overthrowing the state’, and because his supporters in the senate were outnumbered he depended on the backing of the people’s assembly. In the speech to the assembly quoted by Plutarch, he referred to landless soldiers, who had perhaps lost their farms while on long service especially during the protracted wars in Spain, describing them as homeless wanderers with their wives and children, and who ‘fight and die to protect the luxury and wealth of others’, while they have no family altars or ancestral tombs, and not even ‘a single clod of earth that is their own’ (Plut. *Ti Gracch.* 9.1–6: doc. 8.11). It is clear from his rhetoric that there were soldiers who had lost or were in danger of losing their landholdings, and he considered that he had identified a crucial socio-economic problem, for which he could present a compelling solution to the assembly.

Tribunes versus the senate

The primary function of tribunes was initially to protect the well-being of individuals and the poor from arbitrary treatment, and to this end they were able to use their veto to block proposals made by other magistrates. The tribunate had also increasingly been used to legislate in opposition to the senate, after plebiscites in the concilium plebis had acquired the force of law in 287 (Gell. 15.27.4: doc. 1.58). Like senior magistrates, tribunes had the power to set legislation in motion, and were able to convene the senate and popular assemblies. But, while the people voted on war and foreign policy, the senate was traditionally the scene of political discussion prior to proposals being put forward, and as an advisory body made recommendations to the magistrates leading to legislation. Where, however, the senate as a whole was opposed to a measure, it could be bypassed, and popular politicians, the populares (those who acted in the interests of the people and with their support) could take measures straight to the popular assembly, without previous discussion in the senate. This was not only the case for tribunes like Tiberius and Gaius: when Caesar, as consul in 59, was opposed by the senate and his consular colleague he took all his legislation to the assembly.

Populares issues which were well-received by the people included land distribution, the subsidy of grain, laws about provocation (the right of appeal), the secret ballot, and the criminal courts. Conflict between tribunes and the senatorial majority came

to a head with Tiberius' legislation: he was later considered the first of the four main 'popularis' tribunes, those who aroused fervent hostility to their proposals from members of the senate, the other three being his brother Gaius (tr. pl. 123, 122), Saturninus (tr. pl. 103, 100), and Sulpicius (tr. pl. 88). Tension between the senate and legislating tribunes had been ramping up over the last few years: legislation concerning the secret ballot, for example, unpopular with the senatorial majority, had recently been promulgated by tribunes and ratified by the assembly. The *lex Gabinia* in 139, proposed by A. Gabinius, introduced the secret ballot with voting tablets in magisterial elections, while the *lex Cassia*, proposed in 137 by L. Cassius Longinus Ravilla, instituted the secret ballot in non-capital trials (Cic. *Laws* 3.34–36: doc. 2.42). In 138 two tribunes, C. Curiatus and Sex. Licinius, imprisoned both consuls (this was unprecedented) – D. Junius Brutus Callalicus and Scipio Nasica Serapio (Tiberius' cousin) – because they prevented tribunes having men exempted from conscription. The consuls also opposed a proposal from the tribunes regarding special purchases of grain from abroad because of current price rises, and this failed to pass into law. The people had also side-lined the senate in the two commands assigned to Scipio Aemilianus: in 148 he was granted the consulship for 147 in order to command the war against Carthage, even though he was standing for the aedileship and hence not at the requisite stage of the *cursus honorum* (he was also underage), and he was elected consul for a second time for 134 to deal with the situation in Spain, although this second consulship was technically illegal (Livy *Per. 56*: doc. 5.51). In both cases the people took over the senate's right to assign military commands, and Plutarch described Aemilianus not as the senate's champion, but as the darling of the people (*Aem.* 38.2–7: doc. 2.41). It was in this context that Tiberius was the first to challenge senators directly over a matter so personally important to them as their occupation of the *ager publicus*.

In the *Brutus*, Cicero (not a supporter of Tiberius or the *populares* under any circumstances) considered 'invidia' (animosity) towards the senators over the repudiation of the Numantine treaty as being a major stimulus for Tiberius' legislation and the 'tempestuous violence of his tribunate'. He linked Tiberius' methods with those of C. Papirius Carbo (cos. 120), who as tribune in 131 promulgated the secret ballot for legislative procedures (the *lex Papiria*), though he was unable to get agreement for tribunes to hold office in successive years (Cic. *Brut.* 103–104: doc. 8.12). Carbo was a member of the Gracchan land commission from 130 to 119. Cicero considered that both possessed genius as orators, and that both deserved their untimely end: Carbo committed suicide in 119 after being prosecuted by L. Licinius Crassus (cos. 95), perhaps for extortion. But Cicero, who wanted to whitewash the actions of the senate, is incorrect in stating that Tiberius was 'put to death by the state itself' (*Brut.* 103); he was murdered by senators who, enraged at his legislation and its popularity, took the law into their own hands.

The deposition of Octavius

Appian stresses the fact that by allowing the wealthy to retain 500 iugera, and their children half that amount again, and redistributing the rest to citizens, Tiberius was planning to build up the free population of Italy, and records speeches of Tiberius in which he not only asserted the importance of soldiers over non-combatants, and citizens over slaves, but pointed to the more long-term benefits of a renewed soldiery,

such as increased conquest and empire, which would eventually lead to possession of the rest of the inhabited world. Tiberius warned his hearers, however, that failure to follow through with his legislation might mean the threat of losing to enemies what they already possessed. The prize in view for Rome was so great that the wealthy should willingly give up their land, he argued, considering it a gift to those whose children, as soldiers, would bring the hopes of conquest and empire to fruition. The settlement offered them was generous and they should be pleased with the ratification of undisputed possession, without tax and for all time, of this much land (App. 1.43–57: doc. 8.13). Tiberius enthused not only those who were hoping to profit in some way, but those who were motivated by reason: his logic was persuasive (App. 1.47). He clearly had an extensive public following, which was enhanced by his promises of never-ending victory and conquest. The historian Sempronius Asellio stated that in the forum he was escorted by an entourage of some 3,000–4,000 men (Gell. 2.13.4), and people came from all over the countryside to support him. But it is also clear from both Appian and Plutarch that not only supporters, but others who were concerned about losing their land, came to Rome to protest.

Plutarch reports a series of meetings (*contiones*) prior to the assembly in which the legislation was proposed, in which Tiberius attempted to persuade his colleague M. Octavius to change his mind about opposing the legislation: when this persuasion failed, Tiberius rephrased the legislation to direct possessors of the *ager publicus* to vacate the land immediately without compensation (*Ti. Gracch.* 10.5–6). Furthermore, Tiberius as a result of these ineffectual meetings with Octavius (in which he offered to buy out all Octavius' personal holdings of *ager publicus*, which were extensive) issued an edict preventing other magistrates from transacting any business until the vote was put for his law; he also put his private seal on the treasury, so that no public money could be paid in or out. If this account is true, his actions naturally aroused bitter opposition. However, the story may have been retrojected in an attempt to blacken his reputation and justify senatorial opposition and violence towards his measures.

When Tiberius' proposal was put to the people for the first time, it was vetoed by Octavius, who told the clerk to be silent after Tiberius had ordered the law to be read out. The situation was unprecedented, in that other legislative proposals opposed by the nobility had been passed without the imposition of a tribunician veto. But on this occasion there was much more at stake than in the past, namely the value of land which the wealthy saw as their own perquisite. From the time of the *lex Hortensia* in 287 (Gell. 15.27.4: doc. 1.58), by which plebiscites were to be binding on the whole people, no tribunician veto had been imposed on a plebiscite between then and 133 – a period of 154 years. A veto in 188 of a bill conferring Roman citizenship on three towns in Latium, which had not been approved by the senate, had been withdrawn, as it was argued that it was up to the people to make the decision, and the law had passed. Octavius, in opposing the clear wishes of the assembly and the people in general, went against established practice, as Tiberius was to argue in justifying his deposition. Furthermore there was to be no example in the later Republic of a popular bill, which was clearly approved by the assembly, being blocked by a tribunician veto. Octavius' veto in defiance of what the people wanted was unprecedented – but then so was Tiberius' removal of a fellow tribune.

Octavius had been a friend of Tiberius, but he had doubtless been persuaded to employ his veto in the interests of his own political future, when leading senatorial

friends would certainly be an asset to his career trajectory. After some pointed remarks to Octavius, Tiberius adjourned the meeting to the next assembly day. On that occasion too, when Tiberius had surrounded himself with a body of supporters, a ‘sufficient guard’ (App. 1.49), as if he were prepared to use force or was expecting a disturbance, Octavius continued to prevent the bill from being read out, and the assembly was in an uproar, with the tribunes hurling insults at each other. In this impasse, some prominent citizens (perhaps Tiberius’ senatorial friends) persuaded him to refer the matter to the senate to try to find a resolution. He ran to the senate to put his case, considering that ‘his law would be acceptable to all well-disposed people’, but the opposition there was too strong and he ‘was insulted by the rich’ (App. 1.50–51: doc. 8.13). He therefore returned to the forum and foreshadowed that at the next meeting of the assembly he would put to the vote both the bill and the question of whether a tribune who blocked the will of the people should continue to hold office.

At this next meeting, when Octavius again interposed his veto, the vote about whether he should be deposed was put to the people. When the first tribe voted in favour of his deposition Tiberius asked him to reconsider his stance. As the 18th of the 35 tribes was about to cast its vote, he again asked Octavius to change his mind, and not ruin so valuable a proposal in the people’s interests, reminding him that as tribune he ought to be supporting the people’s wishes. Octavius refused, the motion passed, and Octavius accepted his demotion and withdrew as a private citizen. Q. Mummius was elected to replace him (Plut. *Ti. Gracch.* 13.2 calls him Mucius, perhaps in confusion with the consul) and Tiberius’ agrarian reform bill became law (App. 1.52–55: doc. 8.13). His deposition of a sitting tribune, however, left Tiberius open to criticism. Whether Octavius’ opposition stemmed from senatorial prompting is unclear, but probable, although Plutarch (8.5) records that Octavius had large personal holdings of ager publicus.

A three-man commission to survey current holdings and assign allocations of ager publicus (the triumviri agris iudicandis adsignandis) was part of the bill and thus became law. The commissioners elected were Tiberius himself, his father-in-law Appius Claudius, and his brother Gaius: the people obviously felt that it was essential that Gracchan family members be elected to make sure the work proceeded as planned (App. 1.55: doc. 8.13). The bill’s opponents, however, considered that Tiberius had set up his family as judge and jury over the commission’s decisions, with powers to reassigned land at their own pleasure, and senators who had opposed Tiberius might well have wondered whether they would receive equitable treatment. Tiberius was ‘escorted home, as if he were the founder not only of a single city or race, but of all the nations in Italy’, but the losers remained in the city and plotted their revenge against him once he returned to the status of private citizen, for having ‘insulted the sacred and inviolable tribunate and given Italy such an occasion for conflict’ (App. 1.56–57: doc. 8.13): in other words they were planning to prosecute him for acting unconstitutionally. He had given them leverage against him, not because of his agrarian legislation or his actions in bypassing the senate, but because he had deposed a tribune.

The deposition of Octavius was something that would come back to haunt Tiberius. His argument, a cogent one, put forward to Octavius himself, that the position of tribune was dependent on obeying the expressed will of the people, was the argument that had been made and accepted back in 188. But this did not get round the fact that a tribune’s person was sacrosanct, and, at the debate in the senate concerning Tiberius’

proposal to use the legacy of Attalus of Pergamum to support the commission's work, T. Annius Luscus (cos. 153) argued that Tiberius had committed an act of sacrilege by having Octavius deposed, whose person, as tribune, was sacred and inviolable, and he challenged Tiberius to a wager over the matter (*Plut. Ti. Gracch.* 14.5–9; *ORF⁴* F4). Annius was applauded by a majority in the senate, and according to Livy (*Per. 58*, cf. *Plut. Ti. Gracch.* 14.5) Tiberius had him arrested and charged in front of the people, but Annius out-argued him, by asking whether any tribune who supported him would also be deposed by Tiberius: he had been made to look as if he had been manipulating the constitutional position of tribune for his own personal agenda.

Tiberius and the senate

Tiberius had taken his proposal straight to the concilium plebis, in which the voting units were the 35 tribes, responsible for passing plebiscites. The senate cannot have been unduly upset at Tiberius' act in taking agrarian legislation direct to the people, and there is no evidence that the senators were annoyed at any breach of protocol that occurred with the land legislation. The ager publicus undoubtedly lay within the sphere of competence of the assembly. Moreover, there were clearly senior members of the senate who supported the legislation.

However, the loss of so much ager publicus was obviously resented by the wealthy senators and once the legislation had been passed they attempted to impede the workings of the land commission through giving it a minimal allowance (*Plut. Ti. Gracch.* 13.2–6: doc. 8.14). The senate refused to grant the normal allocation of tents and equipment from public resources, and the expense allowance voted was only nine sesterces a day: this was proposed by Scipio Nasica Serapio, Tiberius' cousin, who supposedly held huge amounts of land and resented having to give it up, although antagonism within the family was also a possible cause. The cost involved was presumably not so important as the loss of the prestige conveyed by the use of official paraphernalia, equipment, and personnel. Feelings ran high and when one of Tiberius' friends died suddenly, it was rumoured that he had been murdered (*Ti. Gracch.* 13.4). Tiberius even went into mourning and brought his children before the people, asking that they support his children and their mother should anything happen to him, an appeal which further inflamed the populace (App. 1.62: doc. 8.15). Tiberius was presumably not flagging potential violence towards himself at this point, but clearly resented the slight by the senate, while he had good reason to suppose that the end of his tribunate would see him facing a public prosecution, which might well have damaged his career, and have ended in his exile, if convicted.

It was the legacy of Attalus III of Pergamum, however, that provoked the real breach between Tiberius and the senate, even if in murdering Tiberius and 300 of his supporters many senators were motivated by a desire to retain the ager publicus in their possession. Whether Attalus had actually intended his kingdom to end up in the hands of Rome is a moot point: he was relatively young, and probably made this will leaving his kingdom to Rome as a ploy to prevent any conspiracies against him for the time being. As it was he died unexpectedly, and Rome was only too happy to take over his assets. Normally the acceptance and disposal of the kingdom's financial resources would have been at the discretion of the senate: legislation on the ager publicus had been in the popular domain, but foreign affairs and finance were definitely senatorial

prerogatives. Tiberius accordingly added to the senators' resentment and frustration when he pre-empted the senate and proposed to make use of the bequest to support his agrarian programme. While this gave rise to opposition at the time, a committee of five envoys under the leadership of Scipio Nasica Serapio, Tiberius' cousin and fervent opponent, was to be sent out in 133/132 to oversee this after Tiberius' death (*OGIS* 435: doc. 5.45).

Tiberius' proposal was that the money be given to those citizens who were to be settled on the land to help them buy equipment, farm animals, and plants to stock their allotments. The bequest is not mentioned by Appian, but Plutarch (*Ti. Gracch.* 14.1) states that Tiberius intended to use it for his citizen-settlers, and that Annius Luscus attacked him in the senate for this reason. Tiberius had heard of the bequest in advance of the senate because the envoy from Pergamum, Eudemus, was staying at his house as a guest-friend: Eudemus had connections with Tiberius' father, who had served with the Scipios in 190, when Pergamum was allied with Rome against Antiochus. As well as stealing a march on the senate by appropriating the money to underwrite the expenses of his new settlers, Tiberius went even further, according to Plutarch, with the statement that he would shortly be proposing a motion to deal with the cities which were part of Attalus' kingdom, which Attalus had set free. Doubtless this would have concerned the payment of taxes to Rome, which, according to Tiberius, was not a matter for the senate to decide. By this he 'gave extreme offence to the senate' and Q. Pompeius (cos. 141), when it was his turn to speak in the senate, charged Tiberius with the ambition of becoming king of Rome (Plut. *Ti. Gracch.* 14.1–3: doc. 8.14). His antagonism towards Tiberius may have been due to the agrarian legislation, but as both had negotiated treaties with the Numantines, and Pompeius had reneged on his, there might have been personal reasons behind the antipathy. The accusation that Eudemus had given Tiberius a diadem and purple robe out of the Pergamene treasury so he could make himself king of Rome was clearly without foundation, and was meant to highlight Tiberius' 'tyrannical' (i.e., uncollegial) behaviour: perhaps what was meant was that Tiberius was in effect taking over the royal prerogatives of Pergamum. Q. Caecilius Metellus Macedonicus (cos. 143), who had had a distinguished history in Spain, also jeered at Tiberius on this occasion for enjoying the support of the neediest and most irresponsible members of the populace (Plut. *Ti. Gracch.* 14.3).

Tiberius' assassination

The accusation that Tiberius was aiming at kingship could not have been taken seriously, but was one more way in which the senators opposed to Tiberius vented their displeasure and showed their frustration at being outmanoeuvred, as well as their concern at the unprecedented popularity, which the legislation would bring him. The final catalyst was when Tiberius sought re-election to the tribunate, perhaps because he genuinely feared for his safety, or because he thought that, only in this way, could he ensure that the work of the land commission would be carried on. Tenure of a magistracy twice within ten years was not permitted (though exceptions had been made), and when in 131 C. Carbo, with this incident in mind, proposed that the plebs could elect someone tribune in consecutive years, the measure failed to pass. This was clearly a controversial issue, and Tiberius must also have been uneasy at the possibility that he would be prosecuted once his tribunate came to an end. His

senatorial opponents had been supporting tribunician candidates who were actively hostile to him and his measures, and he called for the farmers outside Rome, who had supported his initial agrarian legislation, to come and participate in the election, since his measures on their behalf were the reason for his being threatened. As these were busy with the harvest, he had to turn to the urban plebs to ask for their assistance in his re-election (App. 1.58–59: doc. 8.15). This presumably meant that he needed to put forward new measures attractive to this cohort. Some ideas attributed to him by Plutarch (these were later proposed by Gaius), which were designed to please the urban populace and equites, included reducing the length of military service, having both equites and senators on juries, and the right of appeal to the people (Plut. *Ti. Gracch.* 16.1–2).

On the day of the tribunician election for 132, after two tribes had voted for Tiberius, the presiding tribune, Rubrius (who had been chosen by lot) was in doubt as to whether he was a legal candidate. Rubrius withdrew when Mummius, Octavius' replacement, offered to preside in his place. But the other tribunes then argued that the official to replace Rubrius should also be chosen by lot. After much disagreement, as Tiberius was losing the argument, he adjourned the vote to the next day. It appears that the other tribunes, with the exception of the nominated replacement for Octavius, were deserting his cause. Tiberius again went into mourning, taking his son to the forum and committing him to the care of the people (App. 1.62: doc. 8.15). Plutarch even adds that he believed that his enemies might break into his house and kill him, and records a number of supposedly portentous omens, including the sacred chickens, serpents that laid eggs in Tiberius' helmet, the breaking of a toe nail, and a fight between ravens (*Ti. Gracch.* 16.3–17.3).

Tiberius' public appeal had an effect on the people, who feared that they might lose their promised benefits: significantly Appian represents them as afraid that they might no longer be treated as equal citizens, but be compelled – presumably as landless labourers – to work for the rich. They escorted Tiberius to his house, encouraging him to be positive for the following day, but hostilities were obviously anticipated as Tiberius assembled his supporters before dawn and told them the signal, should they have to resort to violence. He then occupied the temple of Jupiter Capitolinus and the central area of the assembly, and when the 'wealthy' and the tribunes did not allow voting for the election to take place, he gave 'the signal': violence broke out, with Tiberius' supporters acting as his bodyguard, and others breaking the fasces of the magistrates' lictors, driving the rich away from the assembly. The tribunes also fled and the priests closed the temple (App. 1.63–66: doc. 8.15). This was unprecedented and there was no political machinery to deal with the situation: Appian queries why there was no move towards appointing a dictator in this crisis (App. 1.67–68: doc. 8.15). As the citizens fled, rumours flew that Tiberius had deposed the other tribunes, and had declared himself tribune for the next year without election. Up to this point there was still the chance of a compromise solution.

The senators who had been forced to leave the assembly regrouped in the temple of Fides, on the Capitoline hill. According to Plutarch, the consul, P. Mucius Scaevola a supporter of Gracchus (his colleague was in Sicily), when asked to come to the rescue of the state refused to act unconstitutionally or resort to violence unless Tiberius attempted to pass anything unlawful, whereupon Tiberius' cousin, the pontifex maximus Nasica Serapio, accused Scaevola of betraying the state and told all who

wanted to save their country to ‘follow him’ (Plut. *Ti. Gracch.* 19.1–3). Nasica led the senators up to the Capitol and, with the border of his toga wound round his head (to replicate the cinctus Gabinus used when sacrificing, a method of tying the toga which left the hands free), called on them to save their country. Gracchus’ supporters drew back at the arrival of the senators out of respect for their rank, but these grabbed the clubs from the Gracchans’ hands, smashed the benches and equipment used for the assembly, and started to bludgeon them to death, driving them over the cliff (the side of the Capitoline hill, or perhaps the Tarpeian rock). Plutarch has P. Satyreius, a tribunician colleague, striking the first blow at Tiberius, and states that he was killed at the door to the temple. The bodies were thrown into the Tiber: perhaps some 300 were killed with sticks and stones, but not one, Plutarch tells us, by the sword, showing that, for Plutarch at least, the senators’ bloodthirstiness had not been premeditated (*Ti. Gracch.* 19.4–6; App. 1.69–71: doc. 8.15).

The concordia of the Republic was shattered, but it must be noted that it was Tiberius who had commandeered the assembly area, and his supporters had armed themselves with clubs, prepared to use violence if necessary. When respect for the senate overcame them, however, the clubs were used not by them, but against them, and Nasica Serapio must bear much of the blame for the massacre. Appian (1.71) considers that Tiberius’ death resulted from ‘an excellent proposition which . . . he pursued too violently’. This was the first violence of this sort in the assembly, but it was to set the pattern for other such incidents ‘on a regular basis from thenceforth’. Reactions to Tiberius’ death were mixed, with some overjoyed, while others felt that the constitution had been overthrown: ‘the state was no longer in existence and had been replaced by force and violence’ (App. 1.71–72: doc. 8.15).

Boundary stones of the Gracchan period

Considering the hostility of the senators towards Tiberius’ agrarian reforms, the fact that the activities of the land commission continued shows that it was not so much the land bill, as Tiberius’ deposition of Octavius, his commandeering the revenues from Pergamum, and in particular his attempt at re-election, that were the catalyst for his death. That the commission continued its work is clear from the boundary stones which marked the division of the land (*ILS* 25, 26; *CIL* I² 63: docs. 8.16–18). The senate obviously felt that they had gone too far in listening to Nasica Serapio, and in order to conciliate the people let the distribution of land go ahead. Furthermore, the fact that the senate itself proposed that a new commissioner be elected in place of Tiberius (Plut. *Ti. Gracch.* 21.1) shows that their opposition was not to Tiberius’ agrarian legislation as such. As Tiberius’ replacement the people elected P. Licinius Crassus Dives Mucianus, Mucius Scaevola’s brother, and Gaius’ father-in-law, obviously still considering that for the commission to get things done it should remain in the hands of the Gracchan family and its connections. Crassus was also elected consul for 131, and this election by the comitia centuriata, always dominated by the wealthiest citizens, is interesting for the support it shows for the Gracchan programme. Crassus was to be killed later that year as consul in Pergamum, while putting down an anti-Roman uprising led by Aristonicus, and App. Claudius Pulcher also died, probably in 130, leaving two places vacant on the commission. The chosen replacements were C. Papirius Carbo and M. Fulvius Flaccus. Carbo’s bill as tribune in 131, allowing the

tribunate to be held iteratively, had failed, but he was successful with a further bill putting in place the secret ballot for legislative procedures.

Fulvius Flaccus was a supporter of Tiberius (*Plut. Ti. Gracch.* 18.2–3), and, when the work of the land commission was stopped by Scipio Aemilianus after complaints by the Italians, he offered the allies, as consul in 125, the choice of citizenship or the right of provocatio (protection against the misconduct and cruelty of Roman magistrates), in return for allowing the commission to continue to distribute the ager publicus (*App. 1.87: doc. 8.28*). The proposal fell through when he was sent by the senate to Transalpine Gaul to deal with the Celts threatening Marseilles (he celebrated a triumph in 123). The Latin colony of Fregellae revolted when the citizenship proposal lapsed, and the town was destroyed by L. Opimius as praetor. This citizenship proposal was to be revived by Gaius.

Several boundary stones set up by the commissioners have survived, from Campania, the territory of the Hirpini, Lucania, and Picenum, and their names are recorded on most surviving stones. A milestone from Lucania c. 131 also records that P. Popilius Laenas (cos. 132), or T. Annius Rufus (propraetor 131) – the name is lost – was the first to ‘cause cattle-breeders to retire from public state land in favour of ploughmen’, presumably part of the programme put in place by the senate for settling dispossessed allies on state pastureland, in competition with the land commission (*ILS 23: doc. 6.46*). Archaeology indicates that land was divided by the commissioners into centuries or blocks: the term used for this is centuriation, a system which was used in Italy and the Western Mediterranean in founding colonies, as well as in allocating land to veterans and settlers. The land to be distributed to citizens was first accurately surveyed by the commission, and then marked off in large blocks (centuries) on a grid system, which were divided into individual plots. There were fixed widths for roads, depending on their function, and these were laid down at regular intervals. Traces of the land divisions are still visible in the modern landscape of the Po valley.

Each century was divided into 100 squares of about 0.5 hectares, each of which was divided in half to create blocks of two iugera; a coin of 40, issued by the moneyer *Ti. Sempronius Gracchus*, depicts a plough and measuring rod (*aratrum* and *decempeda*) to symbolise the work of a commission for distributing land (Figure 8.4). The *lex agraria* of 111 refers to a maximum distribution of 30 iugera: the lots allocated by the Gracchi will presumably have been of this size, perhaps depending on the quality of the land (*CIL I² 585: doc. 8.36.14*). Colonists had earlier in the second century been allocated small plots of five to ten iugera, and Julius Caesar’s colonists were to be assigned ten iugera.

The aftermath of Tiberius’ legislation

The work of the land commission continues

Tiberius’ death was not the end of the crisis, and actions were taken against his supporters by the senate. Nasica Serapio, however, was very unpopular and his conduct was questioned in the senate; he was in fact something of an embarrassment. When Tiberius’ law about the revenues from Pergamum was blocked by the senate, Nasica was dispatched there to organise the province even though he was pontifex maximus, and he died shortly afterwards in Asia Minor (*Plut. Ti. Gracch.* 21.4–7; cf. *OGIS*

435: doc. 5.45). The senate then directed the consuls for 132 (P. Rupilius and P. Popilius Laenas) to investigate the circumstances surrounding Tiberius' death, as Mucius Scaevola as consul in 133 had not done so, implying that he was pro-Gracchan and had failed to do his duty. They were to execute any who had joined in the Gracchan 'conspiracy', and in the ensuing witch-hunt the Gracchi's tutor Diophanes of Mytilene was executed, though the Stoic philosopher Blossius was spared but exiled. Others who had supported Tiberius were executed or banished without an official trial. Scipio Aemilianus at Numantia made it clear that he disapproved of Tiberius' actions and thought his death justified, for which sentiments he lost popularity with the people. When he was asked for his views, he is reported to have said, 'I would have anyone perish who does such things', a quotation from Homer's *Odyssey* (Plut. *Ti. Gracch.* 21.7; Hom. *Od.* 1.47).

The work of the land commission continued, however, reflecting the fact that the measure had sufficient support in the senate, provided that the land commissioners made decisions equitably and were not confrontational in their handling of senators' estates (App. 1.73–77: doc. 8.19): many among them approved of the aims of the legislation, while disapproving of Tiberius' political methods. There was, of course, still opposition to the land commission, for which Scipio Aemilianus was a spokesman, and Appian points out some of the very real difficulties involved in the process of settlement: there was land which was unregistered (to deal with this, informers were to testify against the possessors); arguments about the measurements of adjoining fields which had been sold or divided among the allies; and lost or imprecise documentation regarding possession. Earlier surveys were inadequate, and when the land was surveyed again owners were transferred to holdings unlike their original ones, even from cultivated to uncultivated land, or to swamps and marshes. Some had encroached on land adjoining theirs and worked that as well, while there were major problems in distinguishing what land was private and what was public. It was difficult to identify specifically where the rich had been at fault, and Appian characterises the situation as 'a complete resettlement, with everyone being transferred from their own and settled on other people's property' (App. 1.76). However, the programme does appear to have been successful, in that there was an increase of some 75,000 adult males in the census figures of 125 from those of 131, which suggests that many were tempted by the offer of these grants of land.

The judiciary law

While the importance of political alliances between aristocratic family groupings in the Republic has been overrated, it is clear that the Scipionic 'group' was opposed to the Gracchi (despite, or perhaps because of, their relationship). Scipio Aemilianus, like Scipio Nasica Serapio, was one of Tiberius' most entrenched opponents, considering that his death had been justified (Plut. *Ti. Gracch.* 21.7). Tiberius had put forward a judiciary law as a sequel to his agrarian legislation, giving the land commissioners powers of adjudication in cases of dispute (Livy *Per.* 58). This was unpalatable to the allies as their rights to the land were under debate, and they found an advocate in Scipio Aemilianus. Scipio attacked the law in a speech to the senate in 129 and appears to have dwelt on the harmful effects of bringing luxury to Rome as a result of the annexation of Pergamum and its revenues, criticising the decision to use funds

from Asia to support the legislation, and fulminating against the luxury and extravagance flowing into Rome through the exploitation of Asia (Macrobius 3.14.6–7: doc. 8.20). One of his talking points, according to Macrobius, was his criticism of the ways young boys and girls of noble families were being taught, in mixed classes, to sing and dance in most un-Roman fashion in the company of male dancers and musicians.

Rome and the allies

The fact that arbitration and jurisdiction over the land surveyed were at the discretion of the land commission had caused complaints against it from allied communities. Much of the *ager publicus* throughout Italy was near communities that had been conquered by the Romans, and when the Romans did not take positive steps to make use of this land large numbers of allies continued farming it, and invested in it, presumably coming to feel (like the senators and other wealthy Romans) that it was their own. It was the allies in 129 who first raised major objections to the work of the commission, and brought their case to Scipio Aemilianus, who was prepared to champion their cause, having commanded many of them during his campaigns. He did not attempt to interfere in the agrarian legislation, but successfully proposed that cases of disputes between the commission and allies as to what constituted *ager publicus* not be dealt with by the land commission, as the allies had no confidence in it (App. 1.78–85: doc. 8.21). The jurisdiction over issues arising from the land distribution was therefore given to the consul C. Sempronius Tuditanus. The questions involved in the arbitration were complicated and controversial, and Tuditanus promptly left for his province of Illyria, at which point adjudication over decisions of the land commission temporarily halted (App. 1.80). Other magistrates may, however, have had jurisdiction over cases concerning the allies, and the commission appears to have continued functioning. As the first complaint occurred in 129, it is possible that the commissioners had commenced work distributing the *ager publicus* in Roman territory and then moved onto allied holdings.

Once again the Roman plebs' enthusiasm for the agrarian legislation is shown by their hostility to Scipio, whom (despite his military prestige) they saw as supporting the Italians over themselves, and rumours flew that he intended to abolish the legislation completely, by violence if necessary (App. 1.82). The people would have remembered that he had been a major player in the repudiation of the treaty brokered by Tiberius with the Numantines, which had saved a Roman army. He had also opposed the bill put forward by the commissioner Carbo allowing re-election to the tribunate, which would have legitimised Tiberius' attempt at a second tribunate, arguing against this in a speech in which he again stated that in his view Tiberius Gracchus had been justly killed (Livy *Epit.* 59). Significantly, in 131 he did not receive the command against Aristonicus of Pergamum, which went to the consul Crassus Dives Mucianus, a Gracchan supporter and father-in-law of Gaius.

Shortly after this, in 129, Scipio was found dead, with the notes of a speech he was preparing to give to the people to justify his support of the Italian allies found beside his bed (App. 1.83: doc. 8.21). Because of his opposition to the land commission, suspicions were raised about the cause of death: there was no sign of a wound and poison was suspected. The finger was pointed at Cornelia, who might have wanted him dead so that Tiberius' legislation would stay in force, perhaps with the help of Sempronius

with whom Aemilianus was trapped in an unhappy marriage. Suicide was also suggested as a possibility, on the grounds that he might not have been able to make good his promises to the Italians. It was rumoured that slaves examined under torture had revealed that strangers let into the house at night had suffocated him, but that this was being kept quiet because of the people's anger against him. Certainly, despite his great *auctoritas* – consul in 147 and 134, censor in 142, 'Africanus' and 'Numantinus' – he was not given a public funeral, which shows how high passions were running at the time in the aftermath of Tiberius' death (App. 1.84–85: doc. 8.21).

The career of Gaius Gracchus

Gaius, born in 153, was nine years younger than his elder brother. He had served in Spain at Numantia under Scipio Aemilianus, his cousin and brother-in-law, and was present in 133 when the city was destroyed and so was not in Rome for his brother's tribunate. He had been on the land commission since its inception, and was married to the daughter of his fellow commissioner Crassus Dives Mucianus (cos. 131). In 126 Gaius was a supporter of M. Fulvius Flaccus, who had been a member of the land commission since 130, and who as consul in 125 proposed awarding the Italians citizenship, which would have made them eligible for possession of the Roman *ager publicus*. Gaius was appointed quaestor for 126 and served until 124 under L. Aurelius Orestes (cos. 126) in Sardinia, where his father had had a distinguished career, returning home to stand for the tribunate of 123, ten years after his brother's. As well as having a natural desire to avenge Tiberius, Gaius' was the most comprehensive legislative programme ever undertaken by a tribune; it could even be described as a 'presidential' tribunate. His great oratory, personal popularity (at least in 123), and the sheer volume of his legislation shows that he had a particular vision for Rome. He was much more reformist than his brother, and his real challenge to the senate was not so much that he deliberately undermined its authority, but that he took the initiative on so many issues and that he made his proposals before the people which made them sovereign on these topics. He achieved long-term success in a number of his proposals: the work of the land commission was finally terminated in 111, and those settled on the land would no doubt have felt grateful to the Gracchi. Gaius' provisions about subsidised grain distribution were also of benefit to thousands of poorer citizens and his reforms concerning the law-courts were far-reaching and fundamental, and helped improve senatorial provincial administration.

Gaius' return to Rome, 124 BC

In 124 Gaius returned to Rome before his consul, L. Aurelius Orestes, with no successor appointed. The senate apparently desired to keep him in Sardinia (App. 1.88: doc. 8.28), but he stood down from the quaestorship and returned home to stand for the tribunate of 123. As a result the censors would have liked to deprive him of his horse, but he defended himself before them and the people on the charge of leaving his province early and for involvement in the revolt of Fregellae in 125, presumably referring to his support for M. Fulvius Flaccus and his programme (Plut. *C. Gracch.* 3.1). One of his speeches to the people at this point stressed the rectitude of his conduct in his province of Sardinia: his establishment was without a 'cook-shop' and handsome

male slaves, and his entertainments austere and decorous, even more so than meals at military headquarters (Gell. 15.12.1–4: doc. 8.22). He also denied receiving even a bronze coin as a present, or putting anyone to expense on his account. In the two years spent in the province, he stated, he had consorted with neither a prostitute nor a slave boy, and he used this as an argument to show how well behaved he must therefore have been to the young Romans serving with him. In an implied criticism of provincial government generally, he pointed out that he returned home with empty pockets, while others brought home the amphorae they had emptied of wine now overflowing with money.

One of Gaius' favourite themes in his speeches when seeking office seems to have been the corruption of contemporary politicians and provincial governors, which he tackled as tribune, and his comments about bribery were to be reflected in Sallust's account of the dishonesty of Roman politicians (*BJ* 8, 40, 75: docs 9.3, 9.7). As tribune, he voted against a bill, which was put forward to ratify the decision of a senate-appointed commission led by M'. Aquillius (cos. 129) regarding the organisation of the province of Asia. In this settlement, part of Phrygia was awarded to Mithridates V of Pontus for his help against the rebellion of Aristonicus in Pergamum. Concerns about this decision were raised by Nicomedes of Bithynia, who wanted control of the region instead, and the bill was not passed with Phrygia becoming part of the province of Asia in 116 (Aquillius was charged with taking bribes from Mithridates, but acquitted). Gaius' argument was that he wanted the consequent increase in taxation for the sake of the Roman people (Gell. 11.10.2–6: doc. 8.23); in contrast, those who argued against the bill were hoping for bribes from Nicomedes, while those advising its acceptance also had their own profits in mind. The worst, however, were the politicians who stayed silent, because they expected to be paid off by all parties, and, while they appeared to be disinterested, they were in fact being recompensed for their silence by the embassies from both kings. To illustrate his point he quoted an anecdote in which an actor boasted that he was paid a silver talent for a play, which was capped by the orator Demades, who pointed out that the Persian king had given him ten talents for keeping quiet.

Gaius' speech concerning the misconduct of Roman magistrates may have been delivered in the context of his proposal to award citizenship to the Italians during his second tribunate in 122, but it is clear that he was genuinely concerned with the brutality of Roman magistrates towards Italians. In this speech, he fulminated about Italian magistrates having been beaten with rods by the official lictors following criticisms from a consul's wife who complained that the men's baths were not cleared for her quickly enough, and had not been adequately cleaned. A local quaestor at Ferentium committed suicide rather than submit to such treatment, and a countryman was flogged to death by the attendants of a young official on his way home from the province of Asia for a bad joke about whether the litter he was travelling in was transporting a corpse – a sarcastic comment on the unmanly method of transport (Gell. 10.3.2–5: doc. 8.24). Gaius specifically named three towns on the via Latina where such abuses took place, with a fourth, Venusia, in Apulia. He was making the point that, if magistrates were capable of behaving so badly to Italian allies, they were able to misbehave even more heinously towards provincials.

His criticisms document why Rome was unpopular with many Italian communities and why he had concerns about Rome's relationships with Latins and Italians. The

behaviour of Roman magistrates, even in Italy, had long resulted in antagonism and complaints about Roman arrogance. This was one of the factors in Fulvius Flaccus' proposal, as consul in 125, that the Italian communities, in return for dropping their resistance to the Gracchan land redistribution, be offered the choice of citizenship, or, if they chose to maintain their identities as communities, the right of *provocatio*. Flaccus was popular with the allies over his proposed legislation, and as a result in 126 non-Romans had been forced to leave Rome. These had presumably come to support the election of Flaccus as consul, and it was feared that public disorder would break out. Flaccus' proposals never eventuated as the senate sent him to protect Massilia against the Salluvii to the north, and the revolt of Fregellae, a Latin colony on the border with Samnium, in 125 may have been connected with this failure to carry through his legislation: the city was betrayed by an inhabitant, and then razed to the ground by L. Opimius as praetor. Gaius in his speeches was arguing that the Italians had genuine concerns about their treatment at the hands of arrogant magistrates, whose behaviour towards the elected magistrates of Italian cities could be totally inappropriate.

Cornelia's advice

Cornelia, 'mother of the Gracchi' and daughter of Scipio Africanus, like many republican women, was politically astute, having brought up her sons single-handedly with the help of Greek tutors. Her letters were preserved after she died and were well-known in antiquity: Cornelius Nepos appears to have had access to a collection of these and Cicero referred to them and praised them for their elegance (*Brut.* 211: doc. 7.22). One of them relates to the events of 124, when Gaius was a candidate for his first tribunate, and depicts Cornelia's endorsement of the view that it was noble to take revenge on one's enemies, but not at the risk of the overthrow of the state. She begs Gaius to consider his mother and her peace of mind, at least while she is still alive, asking him to delay standing for the tribunate until she is dead, and calling on Jupiter to stop him from his current 'insane' course which will only cause him grief and regrets (Nepos *Lat. Hist.* F59: doc. 8.25).

The historicity of these letters is sometimes doubted, but Nepos was close enough in time for them to have been genuine, especially given Cicero's acquaintance with them. It is not known what impact she had on Gaius' political programme, but Plutarch suggests that Cornelia was directly responsible for Gaius' withdrawal of some of his legislation (*C. Gracch.* 4.3: doc. 8.29): he had proposed a law that any magistrate deposed by the people could not again hold office, which was clearly aimed at M. Octavius, whom the people had removed from the tribunate at Tiberius' instigation, but Cornelia persuaded him to retract this. Given her wide-ranging interests, and acquaintance with literary and artistic figures, it is not unlikely that she had a considerable influence on her sons' careers and political agenda.

Gaius' powerful oratory

In his *Brutus*, composed in 46, Cicero described to Atticus and Brutus (M. Junius Brutus, one of Caesar's assassins) the most outstanding orators up to their own day. With regard to Gaius, he considered him as a brilliant speaker with a great future before him, 'a man of outstanding ability, extreme dedication and education from his

boyhood', who was richly qualified to become a great orator. Brutus' reply was that Gaius was almost the only one of the earlier orators that he actually read (Cic. *Brut.* 125–126: doc. 8.26). Gaius' approach to speaking was innovative: he faced the crowd rather than the senate house and comitium, and enacted his oratory, dramatically gesticulating and moving on the platform like an actor, passionately declaiming his argument, fired up by his subject matter. Cicero's judgement was that, had Gaius lived longer, he would have rivalled both his father and grandfather, and that his speeches only needed the final polish of experience and maturity. His diction was lofty, his ideas well thought out, his style impressive: his view is that Gaius was the greatest orator of his time. Many of the substantial fragments of Gaius' speeches are cited by Gellius, and he was clearly seen, as Cicero states, as an orator to be read and copied by young speakers to hone and nurture their talents.

Gaius was a passionate speaker to the point of overdramatisation, and according to Gellius an oratorical pipe was played when he addressed the people, to give him the proper pitch. Cicero believed the musician stood behind him to modulate his delivery, although Gellius sides with 'more reliable authorities' that the musician was in the audience, positioned there to restrain Gaius' energy when he was speaking (Gell. 1.11.16: doc. 8.27). Plutarch (*C. Gracch.* 2.5: doc. 8.3) records that the musician was an intelligent family servant called Licinius, who stood behind him, and sounded a tuning-fork when Gaius' voice was becoming harsh and incoherent to recall him to more harmonious tones and to his subject matter, ensuring that he moderated his pitch and pace, as when he was carried away by anger his voice would become high-pitched and shrill. The evidence of the sources suggests that Gaius had thoroughly rehearsed his oratorical techniques and was the greatest orator in Rome to date.

The legislation of Gaius Gracchus

While Gaius was elected to the tribunate for 123, he was returned fourth out of ten, showing that he was not immediately popular and that the people had had mixed responses to Tiberius' legislation and actions as tribune. The chronology of his reforms is difficult to determine. Appian and Plutarch date the grain, land, and military laws to 123, while the laws concerning the equites, law-courts, and colonies clearly belong to the second tribunate in 122, as do the measures concerning roads and infrastructure. The citizenship proposal must also belong to 122 as it was then that Drusus managed to gain support and derail the legislation. According to Plutarch (*C. Gracch.* 4: doc. 8.29), Gaius initially proposed two laws relating to Tiberius' tribunate: the first laid down that any magistrate removed from office by the people could hold no further magistracy, targeting Octavius. However, this was withdrawn, supposedly at the request of his mother Cornelia. The second related to legislation on the right of provocatio, and the workings of Popillius Laenas' court in 132: no capital trial of a citizen was to be held without the approval of the assembly, and any magistrate who deprived anyone of citizen rights without a trial (i.e., by execution or exile) was to be tried before the people. Gaius later prosecuted Laenas under this law and he went into exile. Appian does not mention these proposals, but from his account the volume of Gaius' legislation and its wide-ranging and radical nature was unprecedented (App. 1.86–101: doc. 8.28).

It is clear that Gaius was deliberately trying to address existing problems, rather than to diminish the constitutional role of the senate *per se*, though his reforms would have had the effect of restricting some of the senate's traditional areas of activity. His reforms, if successful, would have gained their proposer great *auctoritas* and popularity: colonies and cheap grain would have pleased the people, while the *equites* would have been delighted with having the law-courts taken away from the senate and put under their control. The senate would have been less satisfied with the proposal that provinces be assigned to magistrates before the elections had taken place and the successful candidates known, which prevented 'deals' done with popular or unpopular figures, who might otherwise have been assigned provinces depending on how well liked they were by their colleagues in the senate, while extortion by magistrates was made into a criminal matter, to protect the provincials.

The lex frumentaria

Gaius' first priority, however, was to re-establish his brother's land legislation allocating the *ager publicus* amongst Roman citizens. The *lex agraria* of 111 (*CIL I² 585*: doc. 8.36) makes reference to Gaius' legislation, so it did not simply re-enact that of Tiberius, but was a law in its own right. However, as the activities of the commission had stalled and it had lost the right of adjudication, and there was still considerable opposition from the allies with little available land left for redistribution, Gaius also considered the establishment of colonies to supplement the land available for settlement, while his land law exempted a large area of public land from being distributed, perhaps to leave it available for the allies. It was, however, his law on subsidised grain (the *lex frumentaria*) that was one of Gaius' most lasting measures.

Appian's account that grain was distributed to Roman citizens at public expense (App. 1.89) is misleading because in fact the state bought up large quantities of grain when the price was low, had granaries built at Rome for storing it, and offered it for sale each month to the citizens at six and a third asses for a modius of grain, slightly below the usual market rate. As well as subsidising grain, and ensuring that profiteers did not charge outrageous prices in times of scarcity, the measure was designed to ensure that there would always be an adequate supply of grain to hand and that Rome would no longer be at the mercy of famines and shortages. The financial outlay in buying and storing enough grain for the entire citizen population of the city must have been considerable, but Gaius' arrangement for the collection of direct taxation in Asia, with contracts to be farmed out to tax-collectors after an auction at Rome, was initiated to pay for this and his other measures. Appian mentions this as the first of Gaius' measures, and an extremely radical one, and, while popular with the citizens, it was one reason why the populace was hostile to the proposal to give citizenship to the Latins, who would thus become eligible to share the grain subsidy. In this, as in other radical measures, Gaius had the support of Fulvius Flaccus.

This was the beginning of Rome's system for purchasing and distributing grain to its citizens (the *annona*), which was unique in the ancient world. Grain imports had become an important feature of Roman life from the late third century, and grain was increasingly imported from overseas (Sicily, Sardinia, and, from 146, North Africa), but shortages were not uncommon, with interruptions in the supply due to crop failure, piracy, and bad weather. Even in the grain-producing provinces there could be

shortages: Micipsa provided grain from Numidia for the army in Sardinia when Gaius was quaestor there (*Plut. C. Gracch.* 2.3). From now on, the population was no longer totally dependent on regular shipments from the overseas grain trade. The subsidised grain hand-out for citizens was to be an enduring legacy, even though it was not popular with the senate, and there were to be changes to the amount for which it was sold and a brief interruption from 81 to 73 following Sulla's dictatorship.

A measure to deal with the issues of land distribution and the return of citizens to the land involved plans for colonies in Italy, as well as the construction of roads and infrastructure, and citizen colonies in Italy were to be established near Scyllacium (Minervia), Tarentum (Neptunia), and perhaps Capua. Gaius also proposed a bill that some of the land in North Africa, which had belonged to Carthage, should be employed to settle a large colony called *Colonia Junonia*. However, one of Drusus' most popular moves in 122 was to offer to settle 12 colonies in Italy, to trump this proposal (App. 1.101).

The *lex Acilia repetendarum*

Early in his second tribunate, Gaius proposed an extortion law, which dealt with the recovery of money levied illegally by Roman magistrates from Latins, allies and foreigners subject to Rome. It is sometimes referred to as the *lex Acilia repetendarum*, the Acilian law on extortion, as Cicero (*Verr.* 1.51, 2.26) refers to such a law, and it was put forward by a fellow tribune, M'. Acilius Glabrio, son-in-law of Q. Mucius Scaevola. There had recently been a number of high-profile cases where the magistrates involved had been scandalously acquitted, and the *lex de repetundis* prescribed that jurors selected for the court could not be senators or magistrates, while a new procedure was instituted allowing allies and provincials, not merely Roman citizens, to prosecute ex-magistrates, senators, or their sons (App. 1.91–93: doc. 8.28). Successful prosecutors were given citizenship or the right of *provocatio*, as well as immunity from conscription and duties in their communities, and conviction led to the exactation of double the amount misappropriated. The idea was to toughen up criminal procedures, which had allowed avaricious magistrates to escape reckoning, as well as protect the welfare of provincials and the state's revenues from rapacious governors.

Plutarch (*C. Gracch.* 5.3) and Livy (*Epit.* 60) suggest that Gaius enrolled equites in the senate, but this is the result of confusion with the fact that he gave the equites judicial rights and responsibilities that had hitherto been the province of the senate, with the extortion court now put entirely into the hands of the equites. He may have been aiming at reducing the senate's political power, and Appian (1.93) depicts him as boasting that 'he had overthrown the power of the senate completely' by this measure, but it was more probably to provide a 'check' on its activities as well as ensure that provincial administration would be more effective and honest. It was notorious that a tribunal had been set up in 149 to investigate misconduct by Roman governors, and of all the cases reported the only defendant who was not acquitted was M. Junius Silanus (praetor 142), who committed suicide. Gaius had reasonable grounds for acting: legitimate complaints against L. Aurelius Cotta (praetor c. 147), an unknown magistrate Livius Salinator, and M'. Aquillius (cos. 129) had come to nothing, even though they were notorious for their acceptance of bribes, and envoys from the provinces were still in Rome lobbying for accountability for their governorships (App. 1.92).

Gaius' law brought the equites into political significance, although Appian (1.94–97: doc. 8.28) criticised the composition of the new juries from hindsight, considering that the senate retained only its dignity, while the equites possessed the power, which they used without moderation. The new system, however, worked well on the whole and convicted some 50% of those prosecuted, although the equites tarnished their reputation in 92 when a court convicted the irreproachable P. Rutilius Rufus, who had restricted the activities of the publicani in Asia as a legate of Q. Mucius Scaevola (cos. 95); his nephew M. Livius Drusus in 91 as tribune later attempted a further reform of the courts, probably for this reason. Sulla later clearly saw the equites' control of the court as detrimental to the traditional prestige and power of the senate, and transferred the court back to the senators.

Citizenship and the Latins

The most controversial of Gaius' measures was the citizenship issue. During the Second Punic War, after Cannae in 216, the issue of granting citizenship to leaders in the Latin communities had been raised, but rejected by everyone in the senate except the proposer. In the second century BC the Romans had become even more restrictive in their attitude towards Roman citizenship. Flaccus' failure in this regard in 125 appears to have led to the revolt of Fregellae, and Gaius' attempt was also to fail as was that of the younger Livius Drusus in 91 BC, son of the tribune who vetoed Gaius' citizenship legislation in 122 (one of the many ironies of history). Gaius' proposal was that the Latins were to be offered full citizenship. The offer of citizenship for these communities was long overdue, especially considering their linguistic and cultural affinities with the Romans. At the same time the Italians were offered voting rights (which they could only make use of if they were in Rome, of course, at the time of



Figure 8.2 A denarius issued by L. Opimius at Rome in 131 BC depicting the helmeted head of Roma and Apollo driving a galloping chariot. Opimius crushed the revolt of Fregellae in 125 and as consul in 121 ordered the execution of 3,000 supporters of C. Gracchus. He was condemned by the Mamilian commission in 109 for his conduct in Numidia.

Source: Courtesy of Classical Numismatic Group

elections), but not full citizenship, so Gaius' proposal was not as radical as that of Flaccus. But the senatorial reaction was hostile, and it was this issue that sparked off the conflict between Gaius and the senate, and led (almost inevitably) to his death.

The election of L. Opimius, the destroyer of Fregellae after it had revolted, as consul for 121 is a clear sign that there was opposition to the enfranchisement of the Latins. Opimius had been defeated in the election for the previous year through Gaius' support of another candidate, C. Fannius (cos. 122). However, Fannius – presumably unexpectedly for Gaius – joined M. Livius Drusus, tribune with Gaius in 122, in opposing the citizenship law. As the consul in Rome (the other consul, Cn. Domitius Ahenobarbus, was campaigning in Gaul), he was responsible for executing the senate's order that all non-voters were to leave Rome while the matter was under discussion and voting on it taking place (App. 1.100: doc. 8.28). Fannius had also argued in a speech to the people against citizenship for the Latins; only one fragment survives and clearly plays on the Romans' self-interest:

You think, I suppose, that if you give citizenship to the Latins, you are going to have a place, as you do now, in the assembly in which you are standing, and take part in the games and festivals? Don't you know that they will take over everything?

(Fannius ORF⁴ F3)

With Drusus' veto, the legislation was blocked, and the programme was clearly intensely unpopular even with Gaius' supporters because they feared that the political balance in Rome would be upset, while it was this measure that lost Gaius the support of Fannius as consul.

Following the popularity of his grain law, Gaius appears to have promulgated a measure like that of Carbo in 131 allowing for re-election to the tribunate, so that tribunes with an on-going legislative programme could remain in office. Appian states that there was a law permitting the people to chose a tribune, if there were not sufficient candidates, and implies that Gaius was easily elected for 122 because of a lack of a tenth candidate (App. 1.90). It is possible that the tenth place had been left deliberately vacant for him. Fulvius Flaccus, the Gracchan land commissioner and consul of 125, had also been elected in 123 as a tribune for 122, and so went 'backwards' in the normal cursus honorum.

Other measures promulgated by Gaius

Gaius' first two laws, which Appian does not discuss, but which are mentioned by Plutarch, related to his brother's death in 133. The first (the lex de abactis), aimed at Octavius, laid down that magistrates who had been deposed by the people were not allowed to hold any further office. The second law (lex ne de capite civis romani iniussu populi iudicetur) stated that a death sentence against a Roman citizen could only be authorised by the Roman people; anyone else who executed a Roman citizen would be liable to the death penalty. This strengthened existing 'provocatio' legislation and was retroactive (Plut. C. *Gracch.* 4.1–6.5: doc. 8.29), and P. Popilius Laenas (cos. 132) went into exile when the law was passed. A further law mentioned by Plutarch, which must belong to Gaius' first tribunate, related to military conscription and

pay (*C. Gracch.* 5.1). Under this new law no one less than 17 years of age was to be conscripted, and no deduction from pay was to be made for clothing and equipment. The law perhaps also reduced the period of military service; this had taken place by 109. Diodorus (34/5.25.1) criticised the law as undercutting ‘ancient discipline’, but the measures were simply equitable. Clearly there were still problems with military recruitment leading to the conscription of soldiers who were actually too young to serve and Gaius here was acting in the interests of the people in general, as historically tribunes had often protected the rights of the citizen soldiers.

Two further important measures which Gaius promulgated are not discussed by either Appian or Plutarch. The first, the *lex de provinciis consularibus* (law on the consular provinces), is mentioned by both Cicero and Sallust, and laid down that the two provinces assigned to the consuls were to be determined by the senate before the consuls themselves were elected, which at this period took place just before the end of the year (Sall. *BJ* 27.3; Cic. *Prov.* 3, 17). In force until the *lex Pompeia* of 52, the law confirmed that it was the senate’s responsibility to allocate provincial commands, but removed personal considerations (for example, a magistrate’s popularity) from the allocation of provinces. There may have been a provision whereby changes could be made to the allocated provinces in an emergency, such as invasion by an external enemy.

The second measure concerned the province of Asia, and, like the law on jurors, benefited the equites. It arranged for tax collection in the province of Asia (Attalus of Pergamum’s bequest), and underpinned Gaius’ other legislation, by providing sufficient resources to cover the subsidy of grain for the citizens, as well as for his road and colony projects and the land commission’s activities. The province was very wealthy, and proved an immense source of revenue for Rome. Gaius arranged that the censors, when in office every five years, would farm out by auction the right to collect direct taxes due from the province. *Societates publicanorum*, companies of publicani (tax-collectors), bid for the contracts, with the winner of the highest bid being granted the right to collect the taxes annually (Diod. 34/35.25.1). There were few, if any, restrictions on the methods employed to raise the money, and the publicani became justly unpopular for the profit margin they squeezed for themselves out of the provincials. They already handled the collection of other taxes, and businessmen had helped finance the Second Punic War (Livy 23.48–49, 31.13: docs 4.40, 60).

Gaius presumably did not foresee the inequities which the farming out of taxes would cause the provincials. In general he was concerned about the provincials’ welfare, and at his urging the senate censured Q. Fabius Maximus (Allobrogicus), pro-praetor in Spain in 123/122, for exploiting the provincials and making Rome’s rule oppressive; the grain Fabius had sent to Rome was sold and the money returned to the cities in Spain (Plut. *C. Gracch.* 6.2; Figure 8.3). Fabius was to be consul in the following year with L. Opimius this public rebuke did not have an impact on his election to the consulship.

Gaius Gracchus loses popular support

Gaius’ proposals on the foundation of colonies included one to be established at Carthage, destroyed by Scipio Aemilianus some 15 years earlier. The colony was to be called Junonia: the name was chosen because the Romans considered Juno to have



Figure 8.3 A denarius issued in 127 BC at Rome by Q. Fabius Maximus Eburnus (cos. 116) depicting the helmeted head of Roma, and a thunderbolt behind a cornucopia within a wreath of grain ears and poppy heads. This may be an allusion to the service of the Fabii Maximi in Spain and the cornucopia and wreath to the fertility of the land there.

Source: Courtesy of Classical Numismatic Group

been the patron goddess of Carthage, and identified her with the Punic goddess Tanit. Vergil called Carthage the country most dear to Juno, and home to her arms and chariot (*Aen.* 1.15–17). The law (the *lex Rubria*) establishing the new colony was proposed by Rubrius, a fellow tribune in 122 (Plut. *C. Gracch.* 10.2, 11.1). This was the first attempt to send a Roman colony outside of Italy itself and marked – despite opposition – the first in a long series of overseas colonies, which would contribute to the Romanisation of the Western Mediterranean. The *lex Rubria* was repealed in 121, but the settlers remained, and a land commission including Carbo was busy there after Gaius' death (ILLRP 475). In 122 Gaius set off to establish the colony: he must have been granted a special dispensation as tribunes were not allowed to leave Rome during their year of office. According to Plutarch he was away for 70 days.

The senators doubtless welcomed his absence, during which he was outmanoeuvred by a pro-senatorial tribune, M. Livius Drusus, who proposed 12 colonies in Italy, each for 3,000 citizens. This attempt to outbid Gaius succeeded, and the people backed Drusus and his proposals (App. 1.101: doc. 8.28). There was little available room in Italy for large colonies, and this proposal was unrealistic and never came to anything, but succeeded in detaching the people from their support of Gaius. Drusus also introduced legislation that it was an offence for magistrates to have Latins flogged, even on military service (Plut. *C. Gracch.* 9.1–4). The people may have felt that Drusus' measures for the Latins were an appropriate substitute for Gaius' proposed grant of citizenship. It is also possible that Drusus suggested the abolition of rent for holdings of *ager publicus*: this was again one-upmanship, showing himself, like the Gracchi, to be concerned with land settlement, and ensuring that his proposals were more generous than the Gracchan programme.

The real issue of 122, however, was with the Latins: both Drusus and Fannius, as consul, were implacably opposed to granting them citizenship, and the proposal was

intensely unpopular with the people: to avoid unrest the consuls expelled all Latins and Italians from Rome while voting on the issue was taking place (App. 1.100). Accordingly, Drusus was able to erode Gaius' support to a serious degree, even though Gaius increased the number of colonists to be settled at Junonia to 6,000 in an attempt to win back popularity, with a maximum allocation there of 200 iugera or 50 hectares. It was, however, reported from Africa that wolves had scattered the boundary markers of the new city, and the augurs therefore considered the colony inauspicious (App. 1.102–106: doc. 8.30). Gaius and Flaccus accused the senate of having fabricated the omens, and as the aristocracy had control of religious observances, this was quite probable. The situation was critical, as in 122 Gaius had stood for a third tribunate, but despite winning a large number of votes had not been elected: Plutarch (*C. Gracch.* 12.7) reported a belief that the results had been tampered with.

As they made their way to the Capitol in early 121 for the assembly which was to discuss revoking the proposal to found the colony, they were joined by the ‘boldest of the plebs’ armed with daggers (App. 1.106). The senate now had the initiative: the Latin citizenship proposal had been vetoed, and in 121 one of the tribunes, M. Minucius Rufus, encouraged by the new consul Opimius (Figure 8.2), proposed the repeal of the legislation founding Junonia (*C. Gracch.* 13.1). The dagger-carrying plebs were to mark a fresh outbreak of violence.

A fragment of an extant speech by Gaius clearly belongs to a period when he felt concerned about losing popular support, presumably at the end of 122 or very early in 121 (ORF⁴ F47: doc. 8.31). He reminded the people that he and his young son were the last descendants of Scipio Africanus and Tiberius Gracchus (the fate of the younger Tiberius’ sons and Gaius’ own boy is not known). Like Tiberius earlier, Gaius was attempting to rouse enthusiasm for his cause by presenting himself as physically threatened and his family, the Sempronii Gracchi, in danger of extinction. Gaius’ cousin, P. Scipio Nasica Serapio (cos. 138), had died in Pergamum in 132, but his son Publius was still alive and would be consul in 111, so the plea that Gaius’ son was the last descendant of Scipio Africanus was not meant to be taken literally. But Gaius presented himself in this speech as having lost his brother and deliberately endangered himself during his political career for the people’s sake, and presumably continued the speech by asking for the people’s protection for his wife and son.

Assassination and reprisals

Gaius Gracchus was now in a most invidious position. Opimius had taken up his position as consul for 121, and was an open opponent of both Gaius and Flaccus because of their pro-Latin and Italian agenda. Plutarch (*C. Gracch.* 13.1) explicitly notes that Opimius had secured the consulship for 121 through the support of Gaius’ enemies. Moreover, Opimius’ colleague was Q. Fabius Maximus (Allobrigicus), whom Gaius in the previous year had insisted the senate publicly reprimand for his extortionate governorship in Spain. To make matters worse, Gaius now no longer had tribunician sacrosanctitas or the right of veto, and had lost much of his popular support to the demagoguery of M. Livius Drusus. Furthermore, at least one of the tribunes for 121, Minucius Rufus, was acting in the interests of the senate.

According to Appian, the violence erupted in an assembly in which Opimius intended to annul Gaius’ legislation, especially the colony of Junonia. There may also

have been plans to modify the grain bill and allow the sale of holdings of ager publicus (App. 1.107–120: doc. 8.32). As some of Gaius' supporters were armed, they were clearly expecting trouble and Plutarch (*C. Gracch.* 15.2–4) gives a touching rendition of Gaius' parting from Licinia and her attempts to keep him at home. In Appian's account (1.107), Flaccus was already speaking when Gracchus came up to the Capitol with his 'bodyguard' of followers. Gaius was unsure of himself and considering his next move, when a plebeian called Antyllus came up and begged him to spare his country: according to Plutarch, who calls him Antyllius, he was one of Opimius' servants, assisting with the official sacrifice. When Gaius looked sharply at Antyllus, one of his supporters thought he had given the signal for violence, and drew his dagger and killed Antyllus. This was an unpremeditated act of violence and aborted whatever plans the Gracchans had in mind: Gaius' supporters had played into the hands of the senate and there was a general retreat from the temple in panic. Gaius went into the assembly but no one would listen to him, and he and Flaccus were unsure what to do in this crisis, which had put a sudden end to their plans to exhort the voters to support them. Significantly Appian remarks that 'everyone turned from him as if he were polluted': it was clear that the incident had catastrophic outcomes for the populares (App. 1.109–112).

Opimius ordered armed men to assemble at the Capitol at dawn and convened the senate, while he waited on events overnight at the temple of Castor and Pollux in the forum. Gaius, Flaccus, and their supporters went home, while the rest of the plebs remained in the forum until late at night to see how the crisis would be resolved. Gaius and Flaccus were summoned to the senate house in the early morning to give an account of their actions, but instead of complying they ran in arms to the Aventine, hoping to seize it as a bargaining point; according to Plutarch this was Flaccus' idea, with Gaius still hoping for a peaceful solution. On their way they offered slaves freedom in return for their support, but the situation was such that not even the slaves were prepared to join them. After occupying the temple of Diana on the Aventine, they sent Flaccus' son Quintus to the senate to negotiate. The uncompromising reply was that they were to lay down their arms and come to discuss their options with the senators. When they sent Quintus back again, he was arrested and armed men were dispatched to the Aventine (App. 1.112–116). The senate, under the leadership of the consul, was only too happy to resort to violence, and passed a decree that Opimius – as consul – should save the state and overcome the 'tyrants'. Plutarch also mentions the presence of Cretan archers near the city who were used against the 'rebels', alongside the militia raised by Opimius (Plut. *C. Gracch.* 14.3). The decree, here promulgated for the first time, empowered the consuls to save the Republic, taking unconstitutional means if necessary. It is sometimes known as the senatus consultum ultimum ('ultimate decree of the senate': Sall. *Cat.* 29.2: doc. 1.60), and instructed the consuls to ensure 'that the state suffer no harm'. Just as Tiberius had been accused of setting up a 'kingship', the use of the term 'tyrants' reflects the senate's frustration with what it saw as Gaius' unconstitutional measures aimed at acquiring political pre-eminence.

Flaccus took shelter in the workshop of an acquaintance and was betrayed and killed, after the guards threatened to burn down the entire row of buildings. Gaius fled across the pons Sublicius and told his slave to cut his throat, when on the point of arrest. Opimius gave as rewards for the heads of Gaius and Flaccus their equivalent weight in gold, their houses were looted, and their supporters arrested and strangled:

traitors were usually beheaded, with strangulation reserved for common criminals (App. 1.117–119). The choice of this method of execution by Opimius was a deliberate slight on the political aims and standing of the Gracchan supporters. The young Quintus was executed as well, but was allowed to choose his own manner of death in recognition of his prestigious family background (the Fulvii Flacci were prominent in the Second Punic War and afterwards) and his personal lack of responsibility for what was seen as a conspiracy against the state (App. 1.120).

Even though the perpetrators were dead, Opimius then executed a number of citizens without a trial. He was later prosecuted by P. Decius Subulo, as tribune in 120, for executing citizens unlawfully, in defiance of Gaius' *lex Sempronia*. He defended himself by appealing to the *senatus consultum ultimum*, and the fact that the revolutionaries did not deserve to be treated like citizens. This defence was questionable in terms of the numerous prisoners who were put to death, but he was acquitted and C. Papirius Carbo (a member of the agrarian commission) defended him. With the prevailing mood being anti-Gracchan, P. Popillius Laenas (cos. 132), who had been responsible for the witch-hunt against Tiberius' supporters, was recalled from exile in 121 by the tribune L. Calpurnius Bestia.

The aftermath of Gaius' murder

Plutarch's more circumstantial account of the aftermath of Gaius' death mentions that only Gaius' head received a bounty in gold, and that Septimilius, who presented it to the senate, cheated by removing the brain and filling it with lead (Plut. *C. Gracch.* 17.5–9: doc. 8.33); this was apparently the first time a reward was paid for a head in Rome. He reports that some 3,000 Gracchan supporters were killed, which is surely an exaggeration, but reprisals were more widespread than after Tiberius' murder. Flaccus' younger son was also executed despite having taken no part in events. The property of Gaius and Flaccus was confiscated, but Plutarch is incorrect in stating that Licinia, Gaius' wife, was deprived of her dowry, as her uncle, Mucius Scaevola, argued against this on her behalf: Licinia was the daughter of the wealthy P. Licinius Crassus Dives Mucianus, consul in 131.

To mark the re-establishment of order, Opimius dedicated the temple of Concordia in the forum, which may have been a restoration of Camillus' temple dedicated in 367. This foundation presented the deaths of the Gracchi as the restoration of internal accord, though Opimius was criticised for turning the deaths of citizens into a personal triumph and his foundation satirised. A graffito under the dedicatory inscription read: 'This temple of Concord was made by an act of Discord' (Plut. *C. Gracch.* 17.9: doc. 8.33). There was to be a backlash against those who targeted the Gracchi, and Opimius was condemned by the Mamilian commission in 109 over the partitioning of Numidia and went into exile (Cic. *Brut.* 128: doc. 8.34). Gaius had lost considerable public support by 121, but after the event the brothers became quasi-legendary figures, with statues set up and sacrifices established in their honour (Plut. *C. Gracch.* 18.3: doc. 8.33). The land commission had done its work, and the subsidy of grain continued, so the plebs had much for which to thank them.

Cornelia was praised for the stoicism with which she accepted the deaths of both her sons. She lived at Misenum on the Bay of Naples, where she entertained widely

and formed part of a noted literary and social circle, recounting the achievements of her sons as if they were legendary figures of ancient times. Plutarch presents her as an exemplar of virtue and fortitude, and honoured by the people as a model of female excellence. A bronze statue, known to Pliny (34.31), was set up in her honour, with the legend ‘Mother of the Gracchi’ (*Plut. C. Gracch.* 4.4, 19.1–4: doc. 8.29, 33), perhaps erected at the end of the Republic, the base of which survives (*ILLRP* 336).

The Mamilian commission (the *quaestio Mamiliana*) set up a decade after Gaius’ death targeted opponents of the Gracchi. The populares were able to build on the pro-Gracchan sentiments that had arisen following the purge of their supporters by Opimius. Cicero, naturally on the side of the senate, speaks of ‘that hateful Mamilian law’ (*Cic. Brut.* 128: doc. 8.34). C. Mamilius Limetanus, tribune in 109, established the commission to look into possible bribery by the Numidian king Jugurtha, who was accused of having suborned senatorial envoys. A number of senators were accused of having accepted payments from him and five of these were convicted by the commission, including Opimius, who had been sent out at the head of a commission of ten senators to divide the kingdom between Jugurtha and his co-heirs, as well as L. Calpurnius Bestia (cos. 111) and Sp. Postumius Albinus (cos. 110). Sallust (*BJ* 40.2–3: doc. 9.7) reports that the people were anxious to bring the nobles to account for their conduct. Cicero here characterises the jurors, who were equites, as ‘Gracchan judges’ (Gracchani), and obviously sympathised with Opimius, whom he calls ‘that most pre-eminent citizen’. He also considered that P. Popillius Laenas had been unjustly banished over his treatment of Tiberius’ supporters, and congratulates the tribune Bestia for having him recalled. But popular support, which had been on Opimius’ side in 121 and 120, had now swung round and by 109 the Gracchi were seen as martyrs for a popular cause.

Failure of the Gracchan reforms

Further agrarian legislation

Despite the deaths of Tiberius and Gaius, most of the Gracchan legislation stayed in force, though the agrarian and colony schemes were modified. The work of the land commission, however, went on until 111, and nearly all of Gaius’ legislation remained ‘on the books’. While the bill for the foundation of Junonia in Africa was repealed, many settlers stayed there, in what was Rome’s first overseas colony which Julius Caesar was to re-establish. With Gaius himself out of the way, his measures seemed less pernicious, and the grain subsidy was to remain in force for most of Rome’s history, despite senatorial distaste for the idea. The main political outcome was that senators were now liable for prosecution for misconduct as provincial governors, answerable to the equites, while tribunes had become accustomed to passing their legislation through the popular assembly, ignoring the senate, which found itself unable to deal with this except underhandedly and through violence.

According to Appian three agrarian laws were passed after Gaius’ assassination (*App. 1.121–123: doc. 8.35*). The first, probably in 121, laid down that those who had received land allotments from the *ager publicus* could sell them: these had been inalienable under Tiberius’ legislation, to be handed down from father to son to

bolster army recruitment, but now the rich started buying up land from their poorer neighbours, or forcibly seizing it. Secondly a tribune, Sp. Thorius, passed a measure that put an end to the distribution of the ager publicus by the agrarian commission, confirming the ownership of the allotments that had been distributed, as well as ownership by those – the wealthy – who were still occupying large amounts of the land. This was the lex agraria of 111 BC, of which an inscribed copy has survived (*CIL I² 585: doc. 8.36*). Finally the rent payable on ager publicus was abolished, implying that the land was now privately owned. Appian's comment (1.123), that the people 'lost absolutely everything', refers to the fact that the ager publicus no longer belonged to the Roman people: some citizens had been settled on small properties, but the primary winners were the rich who were confirmed in their large private estates.

The Roman census, which counted the number of Roman citizens every five years, is sometimes invoked in the context of the success or failure of the Gracchan law reforms. In 164/3 BC there were 337,022 citizens and 317,933 in 136/5 (Livy *Per. 46, 56*), while the census figures for 131/130 had improved slightly to 318,823 (Livy *Per. 59*). Those for 125/4, however, are considerably higher at 394,736 (Livy *Per. 60*). It was up to citizens to present themselves, and due to the long-term wars in Spain many citizens in the mid-130s might have dodged registering to avoid military service. Now, with the land commission in operation, many of them registered in the hope of being assigned a property from the ager publicus, while those given holdings could meet the army's property qualification and serve as citizen soldiers. This suggests that the agrarian legislation was successful in improving recruitment numbers both by encouraging people to register for the census and by increasing the number of citizens eligible to serve.

This agrarian law of 111 was engraved on the reverse side of the bronze tablet which held the earlier Gracchan law on extortion from 123, the *lex Acilia de repetundis*; the



Figure 8.4 A denarius issued by the moneyer and quaestor-designate Ti. Sempronius Gracchus in 40 BC, depicting the wreathed Julius Caesar, a signum and aquila (legionary standard and eagle), and an aratrum (plough) and decempeda (measuring rod). On the reverse Gracchus' name, **TI SEMPRONIVS GRACCVS**, with **Q DESIG** (quaestor-designate) to the left.

Source: Courtesy of Classical Numismatic Group

whole tablet is known as the *tabula Bembina*, and was discovered at Urbino (*CIL* I² 585: doc. 8.36). This *lex agraria* can be identified with that proposed by Thorius (App. 1.122: doc. 8.35). The effect of this law was to bring to an end the activities of the agrarian commission. All the *ager publicus*, except the land which Tiberius or Gaius' legislation had made exempt (primarily the *ager Campanus*), which had been distributed by the commission or retained by a possessor up to the limit allowed under the Gracchan legislation, was confirmed as privately owned, including any buildings on it. The land was entered in the censors' lists as private property and no further legislation about this was to be put forward (9–10). This law mentions rent, in the context of the pasturing of stock animals, but Appian (1.123: doc. 8.35) states that rent was later abolished (the third law he mentions). Most of the *ager publicus* must have been distributed by this stage, since as tribune in 103 and 100 Saturninus attempted to distribute land in Cisalpine Gaul instead, implying that none was available in Italy. The law restricts land for cultivation to 30 *iugera*, a relatively generous assessment compared to land assigned as part of colonial settlements: the veterans of Scipio Africanus received two *iugera* for each year of service, and Julius Caesar's allotments in the *ager Campanus* were of ten *iugera*.

Later views of the Gracchi

Cicero on the Gracchi

Cicero was a steadfast opponent of agrarian legislation, and criticised the Gracchi for disturbing senators in the possession of land, which they saw as their own. Conflict over the agrarian reforms, in his view, was entirely responsible for the Gracchi's fate, even though in Gaius' case it was more a contributory factor. In his *On Duties*, Cicero in 44 was eloquent about the importance of private property, and individuals being able to 'keep what belonged to them' and suffer no loss of property through measures enacted by government; in other words he considered the senatorial and equestrian classes as entitled to the wealth and land which had been theirs for many years or generations (Cic. *Off.* 2.73–85: doc. 8.37). Like Plutarch, he brings in the parallel case of Agis of Sparta (Plut. *Comp.* 1.1–2: doc. 8.41), who was executed because of his land reform policies, a thing 'that had never happened before', after which Sparta began to fall into decay. He also states that Tiberius and Gaius 'were not approved of by the boni when they were alive, and while dead they were numbered among those who were killed justifiably', and criticises Gaius Gracchus' grain law for exhausting the treasury (*Off.* 2.43, 2.72); but it was only a partial subsidy, and he probably confuses Gaius' measure with later grain distribution laws. In general, while he considers that the poorer classes should not be oppressed, at the same time jealousy on the part of the lower classes should not prevent the wealthy from keeping what was theirs.

In his defence of P. Sestius, tribune in 57, Cicero divides senators into two groups, the optimates and populares: his definition of the two is often cited as evidence for political 'factions' in the *Republic* (Cic. *Sest.* 96–97, 103: doc. 8.38). Sestius in early 56 was prosecuted by Cicero's enemies, especially P. Clodius Pulcher, for violence 'detrimental to the state', as he had supported Cicero's return from exile. Cicero argues that since his recall was in the interests of the state, any actions to ensure his return were therefore justifiable, and depicts the activities of Clodius and his gang as striking

at the heart of the Republic itself. In his classic definition of the two political groupings or factions in Rome, Cicero considers populares, like Clodius and the Gracchi, as ‘those who wanted everything they did and said to be agreeable to the masses’, and the optimates as those whose ‘policies won the approval of all the best citizens’ (*Sest.* 96). To be one of the optimates, one must be ‘neither criminal, nor disgraceful in disposition, nor insane, nor embarrassed by troubles in their family’. They were the ‘best’ men in Rome and consisted of a broad affiliation of honest men of sound mind, who were neither criminal, insane, nor bankrupt (*Sest.* 97).

Cicero himself, as a *novus homo*, wanted to be considered one of the optimates and aligned himself with them on all issues. In this speech he is assuring the jurors that they are part of Rome’s most worthy and respected citizens, who are opposed by a small group of deviant and violent gangsters like Clodius. If the wealthy had been evicted from their land by the Gracchan legislation, the state would have lost its ‘champions’, its defenders in times of crisis and warfare, and they fought Gaius’ grain law because they thought it would make the masses idle and drain the treasury (*Sest.* 103). In other words there were strong moral and political grounds for opposing the Gracchi, and they had been guilty of attempting to disrupt a system which had maintained the security of the Republic.

Cicero was unshakeably opposed to agrarian reform, as in his speech to the senate against the Rullan land bill, made on the first day of his consulship in 63 (*Cic. Leg. Agr.* 1.21–23: doc. 12.13). P. Servilius Rullus as tribune, perhaps with the backing of Julius Caesar or M. Licinius Crassus, had proposed an agrarian law which set up a commission of ten men to oversee the distribution of state land and purchase land in Italy for citizens without property: this would be distributed in 10 or 12 iugera lots to 5,000 colonists and financed by spoils from overseas conquests and taxes for the year. Cicero opposed the law because of the drain on the treasury, use of public land, and powers given to the commission, even though it was partly intended to benefit Pompey’s veterans.

His second speech on the legislation, however, praised the Gracchi and their aims: it was delivered before the people which accounts for his pro-Gracchan sentiments, and he admits that the Gracchan land legislation was generally good (*Cic. Leg. Agr.* 2.5.10: doc. 8.39), though this proposal by Rullus was dangerous and unworkable. This is perhaps the only occasion on which he praises the political agenda of the Gracchi, whom he calls ‘two most distinguished and most gifted men, the greatest friends of the Roman people’ and speaks of their wisdom as having ‘regulated many aspects of the administration’. Significantly, Cicero even here refers to the *ager publicus* as having been ‘privately owned’, but it was so only in the sense that the wealthy had taken over occupation of it. After they had made use of it for so long, he considered that the wealthy should not have been dispossessed of any of their holdings, and that the Gracchi were misguided and reckless in attempting to do so.

Sallust on the Gracchi

In contrast, Sallust, a critic of the optimates, provided a positive assessment of the Gracchi (*Sall. BJ* 42.1–4: doc. 8.40). After the destruction of Carthage, the people

and the nobles had gone their separate ways, with a small group of oligarchs controlling the treasury, provinces, magistracies, and triumphs. The people's share in this was only military service and poverty, and if they had farms they were in danger of being snatched by powerful neighbours. Sallust sees the Gracchi as defending the liberty of the people and exposing the malpractices of the few, which impelled the nobility to oppose them and finally butcher them both (*BJ* 42.1). He admits that the Gracchi behaved with 'insufficient moderation', but their cause had been a worthy one, and he considers that the nobles misused their victory in arbitrarily killing and banishing their supporters. The senate's use of unnecessary violence had not only weakened its own position, but endangered the state and set an unfortunate precedent (*BJ* 42.2–4).

Plutarch's view of the Gracchi

Plutarch's comparison in his *Lives* of the Gracchi with the Spartan reformers Agis IV and Cleomenes III concluded by summing up the relative abilities and achievements of his four protagonists (Plut. *Comp.* 1.1–2, 5.4–6: doc. 8.41). In his assessment, he stated that even those who hated the Gracchi had not dared deny their natural virtue and sense of justice. Their main fault had been in being 'immoderately ambitious', and it was their response to the conflict aroused by their opponents that brought the state into such a crisis. Their original proposals had been fair and equitable, and yet Tiberius was killed 'without justice, without a decree of the senate, and even without



Figure 8.5 Eugène Guillaume, *Les Gracques*, 1853, a double bust in bronze of the Gracchi brothers. According to Plutarch (*C. Gracch.* 18.3) daily sacrifices were offered at the statues of the Gracchi in the same way as to the gods themselves.

Source: Photo © RMN-Grand Palais (Musée d'Orsay, Paris)/Hervé Lewandowski

the approval of a magistrate' (5.5). In weighing up the achievements of the two brothers against those of the Spartan kings, he considered Tiberius as 'the most pre-eminent in excellence', while Gaius lagged behind Cleomenes in achievements and courage (5.6). Nevertheless, earlier in his *Life* of Gaius (18.1) he had labelled him 'the most eminent man of his time in merit and reputation', and Plutarch has been responsible for much of the legendary and quasi-heroic status which has surrounded the Gracchi from ancient times.

The aftermath of the Gracchi

Many contemporary and later writers saw the careers and deaths of the Gracchi as the beginning of the end of the Roman Republic, the first example of the pressure that ambitious and able tribunes could bring to bear against the traditional authority of the senate, which then reacted with violence and brutality. As the first time in which bloodshed was to be employed as a solution to defeat popular legislation, the impact of their tribunates on Roman politics was to be immense, due to the wide-ranging nature of their legislation and its consequences for the political workings of Republican Rome. The distribution of the ager publicus, grain subsidy, law-court reforms, and legislation on the taxes of Asia, extortion by governors and provincial commands were to remain in force, with modifications, for decades and influence politics throughout the rest of the Republic. Even the proposal of citizenship for the Latins was to come into force 30 years after Gaius' death. They became the heroes of the French revolutionaries and the American founding fathers (Figure 8.5), and, even in their own time, their opponents primarily criticised and opposed them not for their reforms themselves, but for the ways in which they tried to implement them.

Further reading for this chapter

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Chapter 9

Gaius Marius

Family background and education

Gaius Marius, one of the most successful military leaders in Rome's history, was a novus homo of equestrian rank from the Volscian town of Arpinum in central Italy, 70 miles south-east of Rome. Arpinum, also to be Cicero's home-town, had gained Roman citizenship in 188 BC, and was only awarded the status of a self-governing municipium in 90. After a relatively slow start in politics due to his lack of senatorial connections, Marius, despite his background, was to enjoy a meteoric political career and make a lasting impact on the Roman army and its organisation and recruitment. After six consulships in quick succession with spectacular military victories, he was then to be less successful in the political arena, and was side-lined into retirement. His career ended with a brief seventh consulship in which his main aim was to revenge himself on those who had failed to appreciate him and his services to Rome.

Information about Marius' family background at Arpinum is almost non-existent, and almost everything said about his early years by Plutarch should be exhaustively questioned (*Plut. Mar.* 2.1–2: doc. 9.1). Marius, who was probably born in 157, was certainly not from a humble, peasant family, although it may have served him to play down his wealthy origins when seeking popular support. Even Plutarch himself questions the anecdote that, while a boy, the young Gaius had caught a falling eagle's nest with seven young, which was interpreted by soothsayers as prophesying his seven future consulships (*Plut. Mar.* 36.5). The family possessed sufficient wealth and status to allow Marius to compete for magistracies at Rome, although it is clear that he suffered at first from a lack of political friends and clients to aid him in his candidature. It was highly unusual for equites without a single senator in the family to reach the consulship, and Cato the Elder (cos. 195) and Q. Pompeius (cos. 141) were apparently the only two novi homines to precede Marius in the second century BC, the next two being T. Didius and C. Coelius Caldus in 98 and 94 respectively, although it is possible that P. Rupilius (cos. 132) was also a 'new man'. The Marii obviously possessed considerable wealth and influence in their own region, and the fact that they lacked a cognomen (a third name) does not necessarily imply that they were of lowly origins; this was also the case for the Antonii (Mark Antony), Pompeii (Cn. Pompeius), and other distinguished plebeian families.

Nor is it true that Marius was uneducated, even though Plutarch reports that 'it is said he never learnt Greek literature' (*Mar.* 2.1). While he obviously belittled the standard curriculum with its emphasis on rhetoric and Greek literature to the populace

as part of his attack on the optimates ('it was ridiculous to study a literature whose teachers were subjects': *Mar.* 2.2), he would certainly have gone through the normal education process as a member of a wealthy equestrian family, and could of course speak Greek: at the same time, like Cato the Elder, he openly vilified the degenerate and unwarlike nature of the Greeks of his own time (as opposed to the heyday of classical Greece). He put on Greek performances at the consecration of a temple to Honos and Virtus (Honour and Courage) on the occasion of his second triumph in 101 (*Mar.* 2.2; *ILS* 59: doc. 9.35), even if he left before the performances began, suggesting that he saw no incongruity in celebrating the inauguration of the shrine of Roman military deities with dramatic productions. Plutarch's portrait of Marius, however, moralises heavily on his savagery at the end of his career, pointing out a dubious link between his disdain for culture and the arts and his violent and homicidal old age, and suggesting that his anger, arrogance, and ambition were incompatible with a refined and discriminating appreciation of the arts and humanities.

Plutarch comments that he saw a statue of Marius at Ravenna, which portrayed his rugged and uncultured nature, supposedly typical of his character. There were also monuments to him in Rome, though no actual portrait of Marius is reliably attested today. A bust in the Munich Glyptothek, a first-century AD copy of a Greek original, may have been a likeness, but it is more probably a speculative artwork based on literary sources, like its companion piece of Sulla, also in Munich. Plutarch, who relied on sources almost entirely hostile to Marius, like the *Memoirs* of Sulla, is more interested in delivering a didactic message than presenting historical reality, and he finds poetic justice in the fact that the general who was spectacularly successful against Rome's external enemies ended his career in a bloodthirsty civil war against fellow-citizens in his old age.

It was expedient for Marius, in his appeals to the people and his troops, to stress the differences between himself and the corrupt and ineffectual aristocrats, dwelling on his country upbringing, practical Roman education, and down-to-earth approach to military and political issues, as well as his sympathy with the soldiery: this is not to say, however, that this was anything other than popularising propaganda to promote grass-roots support. Marius' rise to power depended greatly on the ineptitude shown by the senate in facing the challenges posed by the last decades of the second century. The senators' failure to deal with any of these issues successfully had alienated popular support and confidence in their military and political leadership. However, in the decade following Gaius Gracchus' assassination, the senatorial elite had regained its desired authority, though the illegality of their measures against Gracchus was not forgotten. Although P. Decius Subulo, tribune in 120, prosecuted Opimius (cos. 121) for executing citizens without a trial, Opimius was acquitted. Similarly, P. Popillius Laenas (cos. 132), who had set up a senatorial court which executed supporters of Tiberius Gracchus and who had chosen to go into exile in 123 as a result of Gaius' law regarding the illegality of executing citizens without trial, was recalled in 120 by L. Bestia as tribune of the plebs, though Bestia (cos. 111) was himself later to be convicted of incompetence and corruption.

Despite the senate's recovery of its authority and prestige, this was to wane disastrously within a few years of Gaius Gracchus' murder as a result of the bribery and corruption exhibited by a number of senior magistrates. The Mamilian commission in 109 (the extraordinary court set up by the tribune C. Mamilius Limetanus) was to

see four ex-consuls, including Opimius and Bestia, sentenced for bribery by the Gracchan supporters among the equites who now manned the law-courts: Opimius, for example, was successfully prosecuted for bribes which he was said to have taken from Jugurtha when sent to Numidia as an envoy in 116 (Cic. *Brut.* 128: doc. 8.34). This *volte face* of public opinion was to create a perfect opportunity for Marius to launch his political career. Another, and perhaps an even more immediate cause for dissatisfaction with the optimates, was the number of serious military defeats incurred by incompetent and inexpert generals, starting with the annihilating defeat of the consul Cn. Papirius Carbo at the hands of the German tribes, the Cimbri and Teutones, at Noreia in the eastern Alps in 113. These events, along with the mishandling of the situation in Africa, which was to lead to Rome going to war over the Numidian succession, were to give Marius his chance to display his undoubted talents in military leadership.

Sallust put into Marius' mouth after his election to the consulship of 107 a speech to the people encouraging them to enlist for the Numidian war. Here, in decidedly terse and non-rhetorical language, Sallust depicts Marius as deliberately presenting himself as a *novus homo*, who unlike the arrogant and idle optimates possessed no masks (*imagines*) of his noble ancestors to display at funerals (Sall. *BJ* 85.31–35: doc. 9.2). Marius' sentences as recorded are short and to the point, with robust and laconic articulation, uncomplicated grammatically, phrased in straightforward vocabulary, easily understandable by the soldiery. The points that he makes, too, are framed in terms that would have appealed to their sensibilities. Unlike the sophisticated and rhetorical speeches generally put by historians into the mouths of politicians and generals when addressing the people or their troops, this may be something far closer to a standard address by a general to his men. Marius is shown as scorning fine language and education in Greek literature as part of his general derision of the Roman nobility, and his emphasis is on his ability and willingness to live the same rough and challenging life as the ordinary soldier, ignoring heat and cold, short rations, sleeping on the ground and hard labour, while fearing nothing but disgrace in the face of the enemy. Marius' martial *virtus*, the valiant quality possessed innately by Romans, is specifically contrasted with the incompetence of the effete and hellenised nobles.

Marius in Spain

While the date of Marius' birth is not exactly known, it was probably in 157 BC. His early military career established his reputation as a soldier, and he served in Spain under P. Cornelius Scipio Aemilianus at Numantia in 134–133 (Map 6). Scipio may have been one of the family's prominent patrons whose influence helped Marius rise successfully both in the military and in his candidature for political office. Scipio had gained a second consulship in 134 to finish the protracted war in Spain, and enlisted 500 friends and clients as volunteers. A patron-client link between the Marii and the Cornelii would explain Marius' presence, although Marius may have been serving in Spain for several years before Scipio's arrival. Under Scipio Marius served alongside Gaius Gracchus, P. Rutilius Rufus (cos. 105), and Jugurtha, nephew of king Micipsa, who was to involve Rome in a full-scale war in Africa. At Numantia, Plutarch records, Marius came to Scipio's attention by fighting one of the enemy single-handedly and killing him in Scipio's presence, as well as by willingly accepting Scipio's tighter

discipline for the army (*Plut. Mar.* 3.4); this is perhaps simply a *topos*, somewhat akin to the story about Marius' mule later, but does indicate that Marius performed in an exemplary fashion in Spain. As a result of this service he was elected by the people to a military tribuneship, a position which was often a stepping-stone to a senatorial career. Certainly Marius' no-nonsense approach to soldiering would have suited Scipio's commitment to disciplining and reinvigorating the troops there with a desire for victory.

Sallust presents Romans in the army, both *nobiles* and *novi homines*, as ambitious for wealth and intriguing with Jugurtha to incite him to seize the Numidian throne after Micipsa's death, urging that everyone at Rome was amenable to bribery and 'everything at Rome up for sale' (the phrase: '*Romae omnia venalia esse*' became a popular aphorism). After the capture of Numantia, Scipio privately advised Jugurtha to avoid making use of bribery, which would only harm his cause, but he ignored this advice (*Sall. BJ* 8.1–2: doc. 9.3). Sallust labelled the *nobiles* in general as avaricious and ambitious, commenting that a small elite controlled the treasury, provinces, public offices, glory, and triumphs, a situation which had given rise to unrestrained greed (41.6–8). He considered that Rome's interests in Numidia had been damaged by the avarice of Roman magistrates, although he exempted Q. Caecilius Metellus, the incoming consul of 109, from this charge (43.1–2).

Marius' early career

After his compulsory military service, Marius' first step on the political ladder, the *cursus honorum*, was a quaestorship, perhaps in 123. Where he actually served as quaestor is unknown. It is important to realise that by Roman standards he was a late starter, while his career path was to receive various checks along the way. As quaestor he was probably 34 years of age, rather older than the minimum age of 27 years laid down by the *lex Villia annalis* in 180. Moreover it was only in 120, when he was 37 years of age, that he was elected as tribune of the plebs for the following year. Though there was no mandatory age limit for this magistracy, he was certainly not one of the youngest candidates.

Marius clearly came from a wealthy background, and was related to the aristocracy of Arpinum, the Gratidii and the Tullii Cicerones. More importantly, his family had powerful Roman patrons, the Caecilii Metelli, a valuable connection as members of this family were to hold six consulships between 123 and 98. Plutarch (*Mar.* 5.7) also mentions a C. Herennius, who refused to give evidence against Marius when he was charged with bribery following his election to the praetorship, on the grounds that he was Marius' patron: Herennius is not otherwise attested, and no upper-class Herennii are documented in the second century (a M. Herennius was consul in 93). It was with the assistance of the Metelli, who were probably his family's most powerful Roman connection, that Marius was successfully elected to the tribunate of 119. As tribune, however, Marius was to ignore this patron-client relationship, and publicly oppose the optimates, in the hope of promoting himself as a *popularis* politician by extending the secret ballot. His law regarding voting procedures (the *lex Maria*) prevented direct influence being leveraged on voters during the balloting process. This raised the wrath of both consuls, L. Aurelius Cotta and L. Caecilius Metellus Delmaticus. The matter was put to the senate for discussion, and, faced with the opposition of both consuls,

Marius (in his role as tribune) threatened them with imprisonment. Despite an appeal from the consul Metellus that they reconsider their stance, all the other tribunes supported Marius and his proposal became law (*Plut. Mar.* 4.2–3). As a result, however, the Metelli considered that he had acted inappropriately and disloyally as their client by overriding the consul and withdrew their support. The measure was obviously felt to undermine the influence of the optimates at elections, suggesting that intimidation had been frequently employed, or that clients were reluctant to vote openly against the wishes or candidature of their patron: Quintus Cicero stated as much in his discussion of the balloting laws with his brother (*Cic. Laws* 3.34–36: doc. 2.42).

Marius' reform concerned the election process itself: the voting area of the comitia centuriata on the Campus Martius was divided into enclosures (*saepta*) for the various groups of voters, the centuries, which voted simultaneously. The voters proceeded along these enclosures onto bridges, and as they stepped onto the pons (bridge), which was slightly raised from ground level, each took a small tablet covered in wax from the rogator ('the one who asks') which they marked with their vote and then dropped into a basket at the end of the pons; prior to the introduction of the secret ballot the rogator had put the question to each voter orally and then recorded the answer. The secret ballot, which had been put in place in 139 for the election of magistrates, naturally led to the need for greater control over voting procedures, and Marius' *lex tabellaria* (the *tabella* was the ballot or writing tablet) made the bridges between the waiting enclosures and the voting baskets narrower, so that the voters had to walk in single file and there was no possibility of their being physically intimidated or overlooked while casting their vote. His reform consolidated the effect of the secret ballot in ensuring that voters were able to register their votes privately, without interference from a patron or political faction.

This must have been a popular measure, and the fact that a denarius issued in 113/112 (Figure 9.1) features the voting process and depicts the bridges and barriers used by the voters suggests that the measure was one which won Marius considerable popular support and which was still topical several years after it had been introduced. It is interesting, therefore, that Marius was reported to have opposed a law extending the grain dole, which had been established by Gaius Gracchus. Marius' successful opposition to a law for increasing or cheapening the grain distribution to the people might have indicated a desire to cooperate with the senate, or have been a sign of his promoting himself as a political independent without fixed allegiances. It is, however, more likely that the nature of the legislation and his opposition may have been misunderstood by Plutarch who is our source (*Mar.* 4.4). Marius' cavalier behaviour as tribune towards the consuls suggests that he was following the career path of Tiberius and Gaius Gracchus in using his tribunician status to override both magistrates and senate and position himself as champion of the people.

As a result of this breach of 'faith', his inappropriate behaviour as one of their clients, Marius lost the support of the Metelli, and failed in his candidature for an aedileship, perhaps in 118 and possibly due to their opposition. In fact, it appears that he was rejected both as curule and then as an ordinary, plebeian, aedile on the same day, which was an unprecedented double defeat (*Plut. Mar.* 5.1–2). He was, however, so far successful in his attempt at the praetorship for 115, that he was elected, but was chosen sixth, and thus the last to be placed. Accusations of bribery in this election led to his trial for electoral corruption, and he was only acquitted by the narrowest



Figure 9.1 A denarius minted at Rome by P. Nerva in 113–112 BC, depicting a helmeted bust of Roma, and voting taking place in the comitia centuriata on the Campus Martius. Roma is holding a spear in her right hand over her right shoulder, and in her left hand a shield, depicting a horseman galloping left. The reverse shows voting in the comitia centuriata, with a pons (bridge) in the foreground. Three figures wearing togas are depicted: the figure on the left advances right to receive a tabella (tablet covered with wax) from the rogator ('he who asks') in the centre, while the figure on the right drops his tabella into a voting urn or basket. In the background are shown three parallel lines, denoting the barriers which divided the enclosures (*saepta*) allotted to the different centuries.

Source: Courtesy of Classical Numismatic Group

of margins on a tied vote. Bearing in mind his lack of clients and political support in Rome it is extremely likely that he had employed bribery in his candidature. Valerius Maximus, who records this episode as one of his illustrations of the working of Fortune, also hints that Marius had failed to achieve the tribunate at his first attempt, and even records that he had failed to win office in his home-town of Arpinum prior to his standing for the quaestorship in Rome (Val. Max. 6.9.14: doc. 9.4). Though Marius had reached the rank of praetor, it must have been abundantly clear at this point that he could have had very little hope of ultimately attaining the consulship in competition against the five others who had been elected before him, as Cicero remarked (Cic. Off. 3.79: doc. 9.8), and Valerius presents him as an example of the fickleness of fate in both his failures and his good fortune.

Little is known of his year in Rome as praetor, but as propraetor in 114 Marius served again in Further Spain (Hispania Ulterior), where he dealt severely with banditry. He must have enriched himself there sufficiently for further attempts at office, and it is possible that he or his family were amongst those Romans exploiting the mines in Spain. His defeat for the aedileship and success in the praetorship (when he was specifically accused of bribing voters) would have been expensive, and his family must have been wealthy for him to have even stood for the lowest offices of the *cursus honorum*.

Marriage to Julia

His prestige must have been enhanced by this further service in Spain, for on his return from his Spanish command he married Julia, who belonged to the patrician family of

the Julii Caesares. While this branch of the Julii had not succeeded in achieving a consulship for many decades (since Sex. Julius Caesar in 157), this did give Marius close connections with the Roman aristocracy. This marriage probably took place in 110, and their son, the younger Marius (cos. 82), was born in 109 or 108. Julia's mother, Marcia, was the sister of Q. Marcius Rex, consul in 118, and Julia herself was the sister of Julius Caesar's father Gaius. Marius was therefore to become Caesar's uncle by marriage. In his funeral oration for Julia in 69, described by Suetonius (*Jul.* 6.1), Caesar stressed her noble birth, descended on her mother's side from kings (the Marcii Reges saw themselves as the descendants of Ancus Marcius), and on the father's side from the goddess Venus. According to Plutarch, who insists that Marius was of a poor and even peasant background with minimal education, this advantageous marriage was due to his popularity with the citizenry, which had been won by his hard work and simplistic lifestyle (*Plut. Mar.* 6.3–4: doc. 9.5). From the point of view of the Julii, however, who were not wealthy and were not prominent politically, Marius was an appropriate match, as he was from a wealthy background and possessed valuable connections amongst equites and businessmen, with the possibility of rising even higher on the cursus honorum through his military abilities.

Marius in Africa

Marius' relationship with the Metelli must have been patched up, for in 109 Marius accompanied the consul Q. Caecilius Metellus to Numidia as his senior legate in the war against Jugurtha. From the point of view of Metellus, Marius' actions as tribune were doubtless outweighed by his considerable military experience and popularity with the soldiery. Sallust, the main source for the Jugurthine war, was personally acquainted with Africa, as first governor of the province of Africa Nova in 46/5. His account is concerned not merely with events and military engagements in Numidia, but primarily develops the theme of the challenge to the corrupt and inefficient optimates posed by Gaius Marius, popularis and novus homo, who was en route to becoming the first man in the state despite the entrenched political dominance of the senatorial class.

It was his service in Numidia that gave Marius his great opportunity. His prior acquaintance with Jugurtha during the Numantine campaign might also have been an advantage: it was Jugurtha whose aggression led to the outbreak of hostilities with Rome, and the war is named for him. Micipsa, the heir of Massinissa who died in 148 (Figure 9.2), had adopted his nephew Jugurtha as his son, after Scipio Aemilianus had praised him highly for his conduct at Numantia (Sall. *BJ* 9.1–3), and at his death, possibly in 118, had left him as ruler of Numidia alongside his own two sons Hiempsal and Adherbal. Jugurtha was not prepared to tolerate co-rulers. He therefore wasted no time, defeating and killing Hiempsal, and expelling Adherbal who fled to Italy and requested help from the senate. In consequence, a commission led by L. Opimius (cos. 121) was dispatched to Numidia from Rome in 116 to organise the division of the country, with Jugurtha being assigned the west and Adherbal the east; Sallust suggests the commissioners' decision was influenced by bribery by Jugurtha (Sall. *BJ* 16.1–5). Jugurtha, however, in 112 invaded his cousin's territory, besieging Adherbal in Cirta, the capital and economic centre of the kingdom. Italian businessmen resident there took part in the city's defence, while two delegations sent from

Rome achieved nothing. When Jugurtha finally took the city – the Italians there had encouraged Adherbal to surrender – he killed not only Adherbal and the native garrison, but also all Italian businessmen and traders who had fought on behalf of the city (Sall. *BJ* 26.1–3).

This was of course unacceptable to Rome, whose business interests in Africa were also threatened by this development. Memories of the struggle against Carthage were still recent, and Rome was clearly concerned at the development of another antagonistic power in Africa. This led to war. The first move against Jugurtha was made in 111 by L. Calpurnius Bestia as consul, who invaded Numidia but then made a lenient peace without having achieved any military success. The peace was to be overturned at Rome, and when Jugurtha was summoned there to be questioned about the details of any bribery and corruption that had been involved in this decision he took the opportunity to have Bomilcar, one of his henchmen, arrange the murder of Massiva, a pretender to the kingdom, who was in Rome at the time. This was of course seen as a direct challenge to Rome's power and influence, and one of the consuls for 110, Sp. Postumius Albinus, was next dispatched to deal with the situation in Numidia. Postumius was no more successful or competent than Bestia, and when he returned to Rome to hold elections, leaving his brother Aulus in charge of events in Africa, Jugurtha successfully defeated the Roman army, sending it under the yoke in a humiliating peace. Aulus had attempted the capture of Suthul, which was said to hold some of the Numidian treasure, but his camp was unexpectedly attacked in the night, and the terms imposed included the departure of the Roman army from Numidia in the next ten days. When it was heard that the Roman army had been forced to capitulate, the outcry in Rome led to the setting up of the Mamilian commission of enquiry, which was established in 109 by the tribune C. Mamilius Limetanus to probe into allegations of bribery by Jugurtha (Sall. *BJ* 36.1–40.5). Several senators, all anti-Gracchan, including the three ex-consuls L. Bestia, Sp. Postumius Albinus, and L. Opimius, were convicted and went into exile (Cic. *Brut.* 128: doc. 8.34).

The consulship of Metellus and the war against Jugurtha

To ensure that the war was conducted more robustly, the incoming consul for 109, Q. Caecilius Metellus, was appointed to carry on the campaign, with Marius and P. Rutilius Rufus as his legates. Events elsewhere were ominous: Cn. Papirius Carbo, one of the consuls for 113, had suffered a serious defeat and rout at the hands of the Cimbri at Noreia in the Alps and committed suicide after being prosecuted for poor leadership. Additionally, after the ominous death of the daughter of an eques in 114, three Vestals, Aemilia, Licinia, and Marcia, had been condemned to death for unchastity. Marcia and Licinia had been initially acquitted, but then condemned by a special tribunal presided over by L. Cassius Longinus Ravilla (cos. 127) in 113 (Dio 26.87; Figure 7.6). The execution of a Vestal was always seen as particularly ominous for Rome and its people. Two Greeks and two Gauls were buried alive in the forum, as had happened in 216 after Cannae, and this must have reflected the very real threat felt by the Romans (Plut. *Rom. Quest.* 83). Presumably, as on the earlier occasion, the Sibylline Books had been consulted.

Despite the fact that the Roman army was not well-equipped or particularly well-organised for carrying on a guerrilla war in enemy territory, Metellus was responsible



Figure 9.2 A Numidian coin minted by either Massinissa (203–148 bc) or Micipsa (148–118) depicting a laureate and bearded head (obverse) and a galloping horse (reverse). Horses frequently appear on the Numidian coinage, as they did on that of Carthage.

Source: Courtesy of Classical Numismatic Group

for successes in 109 and 108 partly due to his improvements in armaments and training. In 109 he occupied Vaga and defeated Jugurtha (with difficulty) at the Muthul river, and in 108 as proconsul took Thala, though Jugurtha was able to escape with most of his treasure (Map 6). However, even in 108, there was still no sign that the war was close to being concluded. This gave Marius, who had been planning his next career stage – the lofty heights of the consulship – his opportunity and he began asking Metellus to allow him to return to Rome to stand for the consulship of 107. This was not before time, as at this point Marius was some 49 years of age, and at this period the minimum age to stand for a consulship was 36 in the year of election. But when Marius requested leave to visit Rome to present himself as a candidate Metellus attempted to dissuade him, and finally insulted him, by suggesting that he would only be old enough when Metellus' own son who was serving with him in Africa (Q. Caecilius Metellus 'Pius') was ready to stand (Sall. *BJ* 64.1–4: doc. 9.6). Metellus was essentially implying that Marius would not be ready for a consulship for nearly two decades, when he would be nearing 70 years of age, as his son was some 30 years younger than Marius, and only became praetor in 89 and consul in 80, by which time Marius had held seven consulships and was dead. This led to a serious breach between Metellus and Marius, who had naturally been considering this step for some time. His progress up the cursus honorum had been slow, and in order to hold an important military command he would need to be elected consul.

Marius' campaign for the consulship

In his candidature, Marius made his bid for high political office by promising a swift victory over Jugurtha, as well as dwelling on the incompetence and venality of the optimates that had been so clearly demonstrated over the past few years. Sallust states that Marius was encouraged by a haruspex (soothsayer) at Utica, who prophesied a magnificent future for him. This fuelled his ambition for high office, especially as in

Sallust's view he possessed all the necessary qualifications for the position of consul (*BJ* 63.1–64.6: doc. 9.6). However, he also emphasises the difficulties faced at this period by a *novus homo*: the nobility disdained anyone of non-senatorial background as unworthy of such an honour, and considered it their own prerogative, passing it around amongst themselves and jealously guarding it as their own entitlement. Marius had no support amongst the senators, and had clearly burnt his boats in terms of support from the Metelli and other noble patrons: as a result he looked for endorsement elsewhere. He turned, naturally, to the troops, who appreciated his military expertise, while he also sought the support of Italian businessmen at Utica and his equestrian connections in both Rome and Africa, who were suffering heavy financial losses because of the on-going conflict, and persuaded these to demand that Metellus be replaced in the command because he was unable or unwilling to conclude the war.

Jugurtha's blatant use of bribery at Rome, his murder of Hiempsal, Adherbal, and the pretender Massiva, and his suborning of Opimius and most of his commission in 116 into awarding him the better half of Numidia, had played into the hands of the *populares*. The *lex Mamilia*, by condemning Opimius, Bestia, and Albinus in 109, had also played into Marius' hands by fuelling both the people's hatred and animosity towards the optimates, and their desire to see new blood in the magistracies (Sall. *BJ* 40.2–3: doc. 9.7). By dangling the hope of peace before the people and equites, representing himself as the only one who could win the war, Marius induced these to demand his election to the consulship, while he also won the support of Gauda, a grandson of Massinissa and brother of Jugurtha, who was serving with the Roman army, by promising him the throne of Numidia. Marius' candidature, and the communications sent home from Africa about the relative merits of Metellus and Marius had done their work and the people were in a mood to disoblige the optimates and appoint 'one of their own'. Sallust's reiteration of the description, later accepted by Plutarch and Valerius Maximus, of Marius' humble background, doubtless reflects Marius' own propaganda at the time, as demonstrated in his speeches to the soldiery and people, rather than the reality of the situation (Sall. *BJ* 75.4–5: doc. 9.7).

The comitia centuriata elected Marius consul. In this assembly, the support of the equites was crucial, but he was also backed by the urban populace as a whole, who wanted to see him as commander in Africa (Sall. *BJ* 73.1–7: doc. 9.8); there was also concern about events on the northern borders. Although the senate had already allotted Numidia again to Metellus, on the proposal of the tribune T. Manlius Mancinus a plebiscite transferred the province to Marius as his command: there was a precedent for this in the people's appointment of Scipio Aemilianus to Africa in 147. Scipio's case was much more extraordinary in that Scipio had not even been a praetor, and was several years under age (App. *Pun.* 112: doc. 4.62), but Scipio had been a 'one-off' affair, whereas Marius' appointment to Numidia was to commence a series of commands granted by the people to various commanders reversing decisions of the senate, as they did for Marius himself again in 88 (Sall. *BJ* 73.1–7: doc. 9.9). Metellus was granted a triumph and the agnomen 'Numidicus', and while Marius' criticism of his conduct of the war was clearly plausible it was also unjust as Marius would himself take a few years to defeat Jugurtha, and only then through treachery. Metellus had achieved some successes, and reorganised the troops in Africa, taken Vaga and Thala, and won some significant, if not long-lasting victories. Cicero, despite his family connections with Marius, criticises him for breaking faith with Metellus and implying that this

was the only way that he could have achieved the consulship since a six-year period had already elapsed since his praetorship. In Cicero's view, Marius would have had no chance of office if he had campaigned in the normal manner (Cic. *Off.* 3.79: doc. 9.8).

Enrolment of the capite censi

Marius, as consul-elect for 107, now had this one chance to prove himself as a great general. It was at this point, to increase army recruitment, that he introduced the radical measure of calling for volunteers and enrolling the capite censi (those 'counted by heads' in the censors' lists): these were citizens without property and until now exempt from military service. This in effect removed the property qualification for army service, the assumption to date having been that those who served in the army should have property for which to fight and thus a genuine commitment to the Republic. The senate had hoped that the people would be disinclined for military service, but he roused the people in a stirring speech and ended up taking more troops than the senate had authorised (the numbers may not have been large: perhaps some 5,000 additional men in total). He ensured that the legions were up to strength, demanded additional Italian auxiliaries, of great value in the Numidian terrain with their greater mobility and range of weaponry, and called up those Latins and allies known to him from their previous military service. He also encouraged veterans to re-enlist with him by promising them victory and plunder (Sall. *BJ* 84.1–2, 86.1–4: doc. 9.10).

Sallust commented that 'to someone seeking power the poorest man is the most useful, for he is not concerned about property, not having any, and considers anything respectable for which he receives pay' (*BJ* 86.3). The capite censi constituted a single century in the comitia centuriata, and seem to have been equated with the proletarii (citizens whose poverty was such that all they could contribute to the state were their children: *proles*), although Gellius considered that the proletarii possessed property between 1,500 and 375 asses, while the capite censi had 375 or less (Gell. 16.10.10–11, 14: doc. 9.11). Whichever is correct, they were the poorest citizens, who struggled to make a livelihood. Troops to date had supplied their own weapons, but these were now provided to the capite censi. It was with this mixture of volunteers and veterans that Marius sailed to Africa. Rutilius Rufus, who had been put in charge of the army by Metellus, handed command over to him on his arrival at Utica.

Marius is often said to have created the beginning of the 'client army' and made generals dependent on tribunes to have land-grants made to their soldiers, who were serving for pay and had nothing to retire to once discharged from service. This consequence was not apparent at the time, though Gellius from hindsight noted that possession of property was seen as 'a hostage or pledge to the state' and as a guarantee of patriotism (Gell. 16.10.11). It is frequently stated that Marius created an army of professional soldiers who relied on their commanders for land after their discharge, but, while he did in fact provide land distributions for his troops, soldiers transferring their loyalty from the state to a specific commander was first seen with Sulla when he marched on Rome in 88; he was also the first to exploit his army as a body of de facto clients reliant on him for land settlement. Certainly Marius did not attempt to inveigle the loyalty of his newly enrolled troops from the state to himself.

In Africa as consul for 107 (his consular colleague was L. Cassius Longinus, who was sent against the Cimbri), Marius started to attack and garrison Numidian cities,

taking the southern city of Capsa and forcing Jugurtha to meet him in battle at Cirta and at the Mulucha river in the far west, where Jugurtha was defeated (Map 6). Marius was unable, however, to gain control of the countryside and, despite his criticisms that Metellus had been too slow in prosecuting the war, and promises of a decisive victory if he himself were elected consul, he was unable to bring it to a conclusion during his year as consul and continued in command as proconsul during 106.

Marius and Sulla

Sulla and the capture of Jugurtha

The military situation remained indecisive until 105 when Jugurtha was betrayed by his son-in-law, Bocchus, king of Mauretania; this concluded the war. Treachery of this kind was essentially the only way to achieve a victory, and this was not the first time that Jugurtha's supporters had turned against him: Bomilcar, previously Jugurtha's loyal supporter who had organised the murder of Massiva, had been put to death in 108 for attempting to assassinate him. Bocchus had allied himself with Jugurtha on the promise of receiving one-third of Numidia, but the defeat at Cirta encouraged him to betray his ally to the Romans. The negotiations with Bocchus were undertaken by Sulla, Marius' quaestor, with the assistance of the legate A. Manlius. Sulla had arrived in Africa with cavalry reinforcements in 106, and would serve again as Marius' legate in 104, when he captured Copillus, chief of the Tectosages (Plut. *Sull.* 4.1), and as military tribune in 103. His military abilities were made clear in Numidia, where he was put in charge of Marius' cavalry and became popular with the soldiery, and the two men obviously worked well together at this stage (Sall. *BJ* 95.1–96.3: doc. 9.12).

Plutarch dates the antagonism between Marius and Sulla to the capture of Bocchus, but this predates their mutual hostility by several years. For Marius the betrayal of



Figure 9.3 A denarius issued by Faustus Cornelius Sulla in 56 BC, depicting a diademed and draped bust of Diana, and Bocchus of Mauretania surrendering Jugurtha to L. Cornelius Sulla. On the obverse Diana, with a crescent in her headdress; FAVSTVS downward to right; the reverse depicts Bocchus surrendering Jugurtha to Sulla in 105. Behind Sulla is his agnomen FELIX.

Source: Courtesy of Classical Numismatic Group

Jugurtha would not have been the pivotal incident in bringing the war to a conclusion, and Plutarch's statement that Sulla later attached himself to Q. Lutatius Catulus (cos. 102), due to his hatred of Marius (Plut. *Mar.* 4.5), is not borne out by the evidence. It was understandable that Faustus Cornelius Sulla, the son of Sulla and Caecilia Metella, as moneyer in 56 should have taken the opportunity of promoting the incident in which Bocchus of Mauretania delivered Jugurtha to Sulla as one of the highlights of his father's service to the state. The coin minted in Rome in 56 (Figure 9.3) depicts Sulla on a raised seat, with Bocchus on one knee offering him an olive branch, while Jugurtha is shown kneeling beside him with his hands bound. The legend 'Felix' ('Fortunate') refers to an agnomen that Sulla used officially from 81, showing his belief that he was favoured by Venus. His twins, born earlier in the 80s, were named Faustus and Fausta ('auspicious'). According to Plutarch, Sulla had this scene, as one of his greatest achievements showing that he had personally concluded the Jugurthine war, depicted on his seal-ring.

Bocchus himself, who was granted the status of friend and ally of the Roman people (*amicus sociusque populi Romani*), and who was granted part of Numidia for his services to Rome, had a group of statues depicting this achievement erected on the Capitol in 91 with the senate's approval. The optimates, in their desire to belittle the achievements of Marius, naturally attributed success in the initial campaign to Metellus and the war's conclusion to Sulla (Plut. *Mar.* 10.3–9: doc. 9.13). The Numidian campaign had not been essential to Rome's survival, though it did ensure security and prosperity for the Italian businessmen and traders in Africa. Perhaps the most significant impact of the campaign was the enrolment of the *capite censi* in the legions: the Roman army could now be manned by citizens who had no property at



Figure 9.4 A denarius of the moneyer M. Furius Philus, minted at Rome in 120 BC, depicting Janus and the goddess Roma in front of a trophy of Gallic arms. Janus is depicted on the obverse, perhaps an allusion to the closing of his temple when Rome was not at war. On the reverse the goddess Roma is standing, holding a wreath in her right hand and a transverse sceptre in her left, in front of a trophy of Gallic arms flanked by a shield and a carnyx (a musical instrument used by the Gauls to spread confusion and fear on the battlefield). The issue reflects the fact that Cn. Domitius Ahenobarbus (cos. 122) and Q. Fabius Maximus (Allobrogicus, cos. 121) crushingly defeated the Allobroges and Averni in 121.

Source: Courtesy of Classical Numismatic Group

home to return to, and were prepared to serve in the army as long as it was in the interests of the Roman state or their commander. In return they would expect some provision on their discharge, such as land to farm to serve as a quasi-pension in their retirement.

Marius and the Germans

Following the conclusion of the Jugurthine war, circumstances were to recall Marius to centre stage almost immediately. Two Germanic tribes, the Cimbri and Teutones, had set out from their homelands at some time around the year 120, possibly under the impact of climate change, to search for other lands in which to settle; according to Florus (*Epit.* 1.38: doc. 9.17) their migration was due to the encroachment of the sea on their territory. The migration involved huge numbers of men, women, and children in search of agricultural land which they could make their permanent home. Their first contact with Rome was when they met Cn. Papirius Carbo, consul in 113, who was sent to Illyricum to protect Tauriscan territory from their incursions. Although the Cimbri agreed to change their route, Carbo attacked them unnecessarily at Noreia in the eastern Alps and was catastrophically defeated. He was prosecuted on his return by M. Antonius (cos. 99) and committed suicide, it was said, by taking poison. The Cimbri did not follow up on their victory, and over the next three years they made their way away from Roman territory into Gaul, where they were joined by some Celtic tribes such as the Tigurini.

After this mortifying defeat in 113, Rome was to be further humiliated when M. Junius Silanus (cos. 109) was defeated by the Cimbri in 108 somewhere in the Rhône valley. The Germans had now had a second taste of victory and were becoming more confident in facing Roman troops. Livy's *Epitome* lists their overwhelming series of victories over the Romans (Livy *Per.* 65, 67: doc. 9.14). An even more mortifying defeat was suffered in 107 by Marius' fellow consul, L. Cassius Longinus Ravilla, who was killed in Aquitania by the Tigurini, while his soldiers only escaped massacre after being granted safe conduct at the price of a humiliating peace (half their baggage and passing under the yoke). This agreement was made by C. Popillius Laenas, one of Ravilla's officers, who was condemned for this agreement by a vote taken in the assembly by secret ballot and went into exile (Cic. *Laws* 3.36).

In 105, M. Aurelius Scaurus (cos. suff. 108) was captured and killed by the Cimbri as they moved back towards Italy, and they followed this up in October by the catastrophic defeat of Q. Caepio (cos. 106) and Cn. Mallius (cos. 105) at Arausio (modern Orange; Map 6). Caepio had failed to cooperate with the commanding general Mallius, because he was a 'new man', refusing to unite their forces on the eastern bank of the Rhône, and the Germans were able to wipe out the two halves of the Roman army separately. According to Livy's account (*Epit.* 67), some 80,000 soldiers and 40,000 camp-followers were lost. Caepio was also considered to have been responsible for the disappearance of the Gold of Toulouse (Tolosa) (supposedly 15,000 talents of gold and silver, taken from Delphi in 279), when he looted the town en route to Arausio. The gold disappeared mysteriously while being transported to Massalia (Oros. 5.15.25: doc. 9.18).

Caepio was not going to be spared his mistakes by popularis anti-senatorial reformers: significantly, as consul, he had emended the Gracchan legislation to ensure that

juries in at least some courts (that for extortion and possibly others) were drawn from both the senatorial and equestrian classes, presumably to protect avaricious governors from juries manned only by equites. Caepio himself, however, did not escape prosecution. In 103 he was deprived of his imperium after impeachment, perhaps by the tribune C. Norbanus, for the loss of his army, and then expelled from the senate following a further proposal by the tribune L. Cassius Longinus that anyone deprived of his command by the people should be debarred from the senate. He also appears to have been convicted on the matter of the Toulouse gold by a court especially set up for this purpose, lost his property, and died in exile at Smyrna in 93. The Gallic treasure was never found, and it was suspected that some of it might have consoled Caepio in exile. Mallius was also prosecuted for the loss of his army, convicted, and banished (Livy *Epit.* 67; Licinianus 13: doc. 9.15). In the meantime Italy was open to attack, and the Germanic tribes were confident of finding their way over the Alps even in the teeth of Roman opposition.

Marius' second consulship

Because of the public panic caused by this Germanic crisis Marius was elected in absentia ('in his absence') for the consulship of 104: this was to be followed by four successive consulships (103–100). On his return to Italy to begin his second consulship, Jugurtha, with his two sons, was paraded in his triumph, which took place on 1 January 104. Jugurtha was then executed in the state prison (Plut. *Mar.* 12.6). Marius was criticised for entering the senate in triumphal dress, but changed his clothes when he realised he had caused offence. Clearly he was unaware of the senate's true feelings towards him and other 'new men', and the senators were unlikely to feel welcoming to someone who had outshone their own representatives (Livy *Per.* 67: doc. 9.14).

With memories of the Gallic sack of Rome in c. 390 in mind, the victories of the Cimbri caused a major panic in Rome, which was enhanced by a series of incidents



Figure 9.5 A denarius of M. Sergius Silus issued at Rome in 116–115 BC, depicting the helmed head of Roma, and a soldier on a rearing horse holding the severed head of a barbarian. Like Figure 9.4 this issue dates to before the catastrophic defeats of 113 onwards.

Source: Courtesy of Classical Numismatic Group

heralding the outbreak of the second major Sicilian slave revolt in 104. To combat this crisis, Mallius' consular colleague in 105, P. Rutilius Rufus, who had served with Marius as a legate in Africa, put in force a regulation that all men of military age had to take an oath that they would not leave Italy, while no one less than 35 years of age was allowed on board ship (Licinianus 13–14: docs 9.15). Rutilius also introduced new training methods for the army, including arms drills based on gladiatorial techniques (Val. Max. 2.3.2: doc. 9.21).

Public feeling against incompetent magistrates was again running high, following the series of defeats from 113 to 105, and once again the people bypassed the senate in giving Marius the command against the Germans. He had been elected consul, not only in absentia (while still in Africa), but against the provision of the *lex Villia annalis* stating that there had to be a ten-year gap between consulships. According to Plutarch (*Mar.* 11.1), Italy was panic-stricken at the threat from the barbarians, and the city sought the services of the only person who could bring them safely out of such a perilous war. The Germans (often known to the Romans as Gauls) were seen as the most dangerous of enemies (Figure 9.5): a war against the Gauls, according to Sallust, was seen as ‘a struggle for survival, not for glory’, and Marius was viewed as the only person who could save Rome (*BJ* 114.2–4: doc. 9.16). Marius spent 104 and 103 in preparations, and in recruiting and training troops, as Rutilius had done in 105, insisting on rigorous discipline in camp and acquitting a young man who had killed Marius’ own nephew Lusius for propositioning him (Plut. *Mar.* 14.4–8: doc. 7.59). Florus saw Marius as deliberately holding off from military engagement, but the Germans provided Rome with a breathing space by splitting up and going to Spain (the Cimbri) and northern Gaul (the Teutones) (Flor. 1.38: doc. 9.17).

The people were looking for scapegoats, not least incompetent optimates, and in 103 a court for crimes of treason (or harm to the state: *maiestas*) was set up: it was this court which banished both Caepio and Mallius in 103 (Licinianus 13–14: doc. 9.15; Asc. 78, 80: doc. 9.19). The struggle against the Germans was to have as its backdrop a number of critical tribunician initiatives aimed at undercutting the power and influence of the senate.

Army reforms

The years 104 and 103, though void of actual victories in battle, had given Marius a chance to continue his reforms of the Roman army, and he was ably supported on his staff by Sulla and Q. Sertorius. He may have been building on innovations begun by Rutilius as consul in 105, when Marius himself was still in Africa, who had called in professional gladiatorial instructors, from the troop of C. Aurelius Scaurus, to train the troops in swordsmanship (Val. Max. 2.3.2: doc. 9.21). Whether or not the Roman army was trained with gladiatorial techniques as a matter of course is uncertain, but Marius was certainly heavily involved in reforms to training, equipment, and recruitment. One symbolic reform was that of the eagles: until this point each legion had five standards (a boar, eagle, wolf, horse, and minotaur), but Marius replaced these with just the eagle (the *aquila*), uniting the whole army under a shared standard. The eagles were seen as the *numina* ('spirits' or 'divinities') of the legions (Tac. *Ann.* 2.17.2), and in the imperial period there was a well-developed cult of the legionary eagle, but this need not have taken place under Marius.



Figure 9.6 A denarius minted by Q. Thermus in 103 BC at Rome, depicting the helmeted head of Mars, and two warriors in combat. The barbarian on the right is wearing a stereotypical horned helmet and the Roman soldier is protecting a fallen comrade.

Source: Courtesy of Classical Numismatic Group

At this period the cohortal legion (the organisation of legions by cohorts) was also introduced, probably by Marius or with his concurrence at the least. The legion had traditionally been made up of 30 maniples, with each maniple having two centuries (each commanded by a centurion), and the system described by Polybius based on lines of soldiers organised according to age and weaponry (*Polyb. 6.22–23: doc. 5.15*) was now replaced. Legions now consisted of ten cohorts, with each cohort having three maniples of two centuries each, and each century having 80 men (in all a total of 4,800 men: $10 \times 3 \times 2 \times 80$). In each century there were six ranks of 13 men, with the commanding centurion in front, and his second-in-command, the optio, at the rear. The new cohortal arrangement was much more flexible than the old system based on maniples, as individual cohorts could now be placed anywhere within the battle formation. Furthermore, the institution of Marius' ‘mules’, soldiers who were able on campaign to carry their own baggage and equipment, including weapons, cooking, and entrenching tools and 17 days’ supply of rations, was important as it allowed greater mobility with the army no longer so reliant on the baggage train. The joke Plutarch recounts as being a possible explanation for the term ‘Marius’ mules’, that Marius’ horse and mule at Numantia were so well-kept that they were an example to the entire soldiery, displays Plutarch’s interest in domestic animals and love of anecdote, but is unlikely to have been true (*Plut. Mar. 13.1–3: doc. 9.22, cf. 5.3*).

A further weapons reform, which appears to have taken place at this point, concerned the construction of the javelin (pilum). The heavy javelin was the standard weapon of the Roman legionary by the first century BC, and was generally about 2 metres in length and weighed between 2 and 4 kilograms, with a pyramidal iron head, and a long, thin iron shank, or ‘neck’ attached to the wooden staff. Able to pierce body armour and penetrate a shield, the pilum was utilised as a missile, prior to the legionary’s drawing of his sword, and had an effective range of some 20 or more

metres. Legionaries were equipped with two such pila, and while generally intended for throwing en masse before charging with the sword, they could also be used as a thrusting weapon at close quarters. Under Marius, the two nails by which the head was fastened to the shaft were constructed from iron and wood (one each per javelin, rather than both being of iron), so that the wooden nail would break on impact. This meant that the iron shank would bend, while still holding firm to the shield or armour, so that the pilum was difficult or impossible to remove. It would also drag the shield to the ground by its weight, and the javelin could not be reused by the enemy after this first impact. According to Plutarch (*Mar.* 25.2–3: doc. 9.23), Marius put this reform in place prior to meeting the Cimbri. The shield was the primary defence of the Germanic warrior, who generally wore no body armour, and who was thus without armoured protection once his shield was immobilised.

Also in preparation for meeting the Germans, Marius constructed a camp near the Rhône, which was heavily provisioned against all eventualities, with goods transported from the Mediterranean via the river. In order to facilitate this, he had a canal built at the mouths of the Rhône, which were heavily silted up making water transport difficult, connecting to a navigable part of the river mouth where there was easy access to the sea, and hence ensured a safe and reliable supply route (Plut. *Mar.* 15.1–4: doc. 9.23).

Victories against the Germans

The years 104 and 103, despite the fears of the Roman people (Figure 9.6), proved to be relatively quiet. L. Appuleius Saturninus was tribune in 103 and called for Marius to be elected to a fourth consulship for 102, his colleague being the *nobilis* Q. Lutatius Catulus. It was clear that, despite any political enemies Marius may have made, he was still the only man thought able to deal with the Germanic threat. Hence even his opponents, such as L. Crassus (cos. 95), M. Scaurus (cos. 115), and the Metelli generally, supported his being awarded the province of Gaul as an extraordinary command and his unprecedented run of consulships on the grounds that this was for the good of the state (Cic. *Prov.* 19: doc. 9.24). Dio claims that even Marius' election to his fifth consulship in 101 had the clear endorsement of the senate as well as of the people, and that he gained the support of the nobles as well as the populace because he sold the booty from the Germanic tribes so cheaply (Dio 27 F94.1: doc. 9.25).

As 102 approached, the invaders who had been pillaging northern Spain planned to attack Italy on three separate fronts: the Teutones along the coast road to the west, the Cimbri from the Brenner pass, and the Tigurini entering Aquileia from Pannonia and the Julian Alps. This was a mistake, as the separation of their forces meant that Marius could deal with them individually, while they would lose the advantage of their immense superiority in numbers. As the Teutones and Ambrones in 102 marched towards Liguria on the western coast of Italy (the area surrounding Genoa today) Marius met them at Aquae Sextiae in Transalpine Gaul and totally defeated them. In the following year, 101, the combined forces of Marius and Catulus defeated the Cimbri at Vercellae in Cisalpine Gaul, north of the Po river. The Tigurini then considered discretion the better part of valour and faded away to their homeland in Switzerland.

While the Teutones and Ambrones progressed towards Italy, Marius had avoided meeting them at the junction of the Rhône and Isère, forbidding his men to give battle,

despite the barbarians' taunts (Florus *Epit.* 1.38: doc. 9.17). He then followed them to Aquae Sextiae (Aix-en-Provence) where he defeated them overwhelmingly in two battles, taking the king Teutobod prisoner, and almost entirely wiping out the two tribes. The first engagement saw the total defeat of the Ambrones, who engaged without waiting for the rest of the forces. Marius had taken up position on a hill, and enticed the Germans into attacking him, while a force of 3,000 under the command of M. Claudius Marcellus, which he had concealed nearby, then attacked the Teutones from behind. The result was a massacre of some 90,000 Germans: according to Livy 200,000 of the enemy were killed and 90,000 taken prisoner (*Per.* 68: doc. 9.26). Here, as on other occasions, Marius was accompanied by a Syrian diviner, named Martha, who prophesied the outcome of events, and who was carried along with the army in a litter and attended all the sacrifices (Plut. *Mar.* 17.1–3).

The following year, with Catulus, Marius defeated King Boiorix of the Cimbri at Vercellae (Campi Raudii, or the Raudine Plain) in Cisalpine Gaul. Catulus had been forced to retreat from the Alpine passes, and joined forces with Marius: the combined army was victorious, a major factor being a surprise attack of the Roman and allied cavalry led by Sulla. Like the Teutones and Ambrones, the Cimbri were almost entirely wiped out, with casualties estimated at some 140,000. After the defeat, Catulus and his men tried to claim the victory, but at Rome it was Marius who was seen as the saviour of the city, as his generalship and careful preparation for meeting the Germans had clearly paid off (Livy *Per.* 68). Marius shared the triumph (for the victories of 102 and 101) with Catulus, and the optimates were later to assign the victories to Catulus and Sulla rather than Marius. A further success took place in Sicily, when in 101 and 100, Marius' consular colleague for 101, M'. Aquillius, finally put down the Sicilian Slave War which had been afoot since 104 (Figure 6.2).

Following the engagement with the Cimbri at Vercellae, Cicero states that Marius granted Roman citizenship to two cohorts of allied soldiers from Camerinum in Umbria for their excellent service in the field; a full cohort numbered 480 men and Plutarch (*Mar.* 28.3) states that 1,000 individuals were enfranchised. Marius also granted citizenship to M. Annius Appius of Iguvium and to T. Matrinus of Spoletium, who were later prosecuted for this assumption of citizenship by L. Antistius. When his action was questioned, Marius defended and won his own case, the issue being whether the granting of citizenship to men from allied cities on the battlefield was possible without the agreement of their cities when this violated the terms of their treaties with Rome (Cic. *Balb.* 46–49: doc. 9.27). Marius was showing here his readiness to reward excellence amongst allies, as well as Romans.

Marius, Saturninus, and Glaucia

The tribunate of Saturninus, 103 bc

The year 103 was to see a number of tribunician initiatives, and was the year in which Caepio and Mallius were condemned and sent into exile. L. Appuleius Saturninus, who had been quaestor at Ostia in charge of the grain supply in 105 (Figure 9.9), was elected tribune for 103. He was to play an important role as a supporter of Marius over the next three years, and for the first time since the Gracchi there appears to have been a coherent popularis legislative programme, backed in this case by Marius



Figure 9.7 A denarius minted by C. Fundanius in 101 bc with the helmeted head of Roma on the obverse, and a triumphator, perhaps Marius, shown in a quadriga on the reverse. A youth, perhaps the young Marius, is riding the nearest horse.

Source: Courtesy of Classical Numismatic Group

himself. After a grain shortage and rise in prices the senate had replaced Saturninus in his role at Ostia with M. Aemilius Scaurus (cos. 115), possibly in view of the danger to the grain supply in the current crisis situation. This did not endear the senate to Saturninus. He supported Marius' election as consul for 103 and one of his measures settled Marius' Numidian veterans on land in Africa: as the *capite censi* had no land to return to, some arrangements for their welfare had to be made for them on demobilisation. His law assigning lands in Africa to Marius' veterans, 100 *iugera* apiece, was to have long-reaching implications, but at the time seemed a simple solution to an immediate problem. There was opposition from one of his colleagues, Baebius, who tried to thwart the bill, but he was pelted with stones, preventing any further discussion. The allocation of 100 *iugera* per soldier, whether Roman or allied, may have been considered too high, considering the allotments of up to 30 *iugera* given to the Gracchan settlers in Italy, although the *lex Rubria* of 123, by which Gaius Gracchus intended to settle colonists in the region of Carthage, allowed for a maximum of 200 *iugera* per settler. Saturninus' law was put in place, with veterans established in the province itself and on the island of Cercina off the Tunisian coast; Julius Caesar's father (Marius' brother-in-law) served on the land commission (*Vir. Illustr.* 73.1). Land for the *capite censi* among Marius' veterans was, however, to become a burning issue in Saturninus' second tribunate in 100.

As a supporter of Marius, Saturninus also took action against the optimates. He prosecuted Mallius, who went into exile, for his defeat at the hands of the Germans (Licinianus 13: doc. 9.15), and probably in this year, rather than in his second tribunate in 100, set up a permanent court for cases of treason (a *quaestio de maiestate*), a rather general charge which included that of incompetent generalship or corruption and perhaps also targeted those who obstructed the will of the people, as in hindering the tribunes from passing legislation (Cic. *de orat.* 2.107). This law is often identified with the *lex latina tabulae Bantinae*, a law on a bronze tablet from Bantia in Lucania. The juries were to be equestrian, and hence unsympathetic to corrupt magistrates.

In fact the hostility towards bungling magistrates was only thrown into higher relief by the odd success, such as that of M. Minucius Rufus (cos. 110) who celebrated a triumph in 106 for his successes in Macedonia and was honoured for his victories by the people of Delphi (*ILS* 8887: doc. 9.20). As part of the witch-hunt over senatorial incompetence going back over several years, Silanus (cos. 109) had been, unsuccessfully, prosecuted in 104 by the tribune Cn. Domitius Ahenobarbus (cos. 96) for his part in the defeat by the Cimbri in 108 (*Asc.* 80: doc. 9.19). Ahenobarbus also attacked M. Aemilius Scaurus (cos. 115), on the grounds that he was not carrying out his priestly duties, partly because Ahenobarbus himself had not been co-opted to take his father's place as pontiff. His *lex Domitia* also provided that 17 of the 35 tribes in the tribal assembly elect the priests of Rome's four main collegia of priests, rather than their being chosen by co-option, another popular measure giving additional powers to the people, in this case in appointments to prestigious priestly positions. Following this law, Ahenobarbus was himself elected pontifex maximus in 103. This law regarding pontifical election rather than co-option was repealed by Sulla, but reinstated in 63.

Saturninus' grain law

Saturninus' grain law can also almost certainly be assigned to this first tribunate in 103. As part of his popular legislation, Saturninus attempted to pass a law extending the distribution of grain, which may have emended the legislation of Gaius Gracchus. As in the Gracchan law grain was to be subsidised by the state, but in this case may have been considerably cheaper – even down to as little as 5/6 of an as per modius: Gracchus set a price of 6 1/3 of an as per modius (*Livy Epit.* 60). The law was vigorously opposed by one of the quaestors, Q. Servilius Caepio, on the grounds of the strain this would put on the treasury, and it may not have passed. Caepio was prosecuted in the court established by Saturninus, presumably for opposing this legislation, but was acquitted. Interestingly later in the same year Caepio minted coins with a colleague with the legend 'for the purchase of grain by senatorial decree' (Figure 9.8), suggesting that some form of legislation was put in place, and that he was partly responsible for it. Certainly with a grain law, colonies for veterans, and a reformatory justice programme Saturninus was patently positioning himself as a follower of the Gracchi: perhaps one of the reasons for the appearance now of L. Equitius, who claimed to be the son of Tiberius Gracchus. Saturninus at this point was clearly a valuable asset in Marius' eyes, ensuring that the needs of his discharged soldiers and other necessary measures could be met.

Events in the following year proved even more contentious. Metellus Numidicus (cos. 109) and his cousin Metellus Caprarius (cos. 113) were appointed as censors for 102, their duties being, among others, to review the roll of citizens and ensure that all those registered were rightfully enrolled. During this process Saturninus supported L. Equitius, the self-proclaimed son of Tiberius Gracchus, in his assertion of citizenship. Metellus Numidicus refused to enrol Equitius in his chosen tribe, and attempted to expel Saturninus and C. Servilius Glaucia (tribune in 101) from the senate, but was prevented from doing so by his cousin, who realised that his actions were politically unwise (*App.* 1.126: doc. 9.28). This did not reduce tensions between optimates and populares. In addition, when envoys from Mithridates VI of Pontus came to Rome in 101, Saturninus violently accused them of attempting to bribe senators in their favour.

He was prosecuted for his misbehaviour on a capital charge, but escaped judgement when a mob of his supporters flooded the court.

In 101 the conflict was exacerbated by C. Servilius Glaucia. He had earlier been quaestor, and as tribune in 101 and praetor in 100 was to cooperate with Saturninus in his popular measures and support of Marius. In one of these years, in another attempt to contain incompetent or corrupt aristocrats, Glaucia passed an extortion law, restoring the courts to the equites (Caepio as consul in 106 had manned the courts with mixed juries of senators and equites). He also ensured that new procedures were laid down to allow for the formal collection of evidence by the prosecution. The powers and status of tribunes and the popular assembly were now enhanced to an almost Gracchan level. Then, in 101, Glaucia as tribune presided over the tribunician elections for the following year, when Saturninus was again elected after the murder of another competitor A. Nunnius, who was opposed to both Saturninus and Glaucia. Marius was also elected consul again for 100 with L. Valerius Flaccus as his colleague, and Glaucia became praetor for 100 immediately after completing his tribunate, which was unusual, if not illegal. The populares in 100 were therefore represented in force, with a consul (Marius), praetor (Glaucia), and tribune (Saturninus) (App. 1.127–29: doc. 9.28).

Saturninus' second tribunate, 100 BC

In this second tribunate in 100, Saturninus again proposed legislation settling Marius' veterans, both Roman and Italian, this time from the 102–101 campaigns, in regions in Transalpine Gaul which had been overrun by the Cimbri and were now unoccupied (App. 1.30: doc. 9.28). To benefit veterans who had fought in Sicily and Thrace, he apparently also proposed further land legislation for colonies in Sicily, Greece, and Macedonia (*Vir. Illustr.* 73.5), though these may not have eventuated. In his proposal for the settlement of Marius' veterans he may also have tried to assign Marius a limited right of granting citizenship to non-Roman colonists in these new settlements: Marius may have been entitled to create three Roman citizens in each colony, in order to reward prominent Italian allies, in the same way as he had earlier enfranchised Umbrian soldiers on the battlefield (Cic. *Balb.* 48: doc. 9.27). This suggests that the settlers consisted at least partly of Latins or allies, and not just Roman citizens. There was opposition to this in the assembly on the grounds that Italian allies were being unfairly advantaged, and the law was passed only after veterans had flooded into the city, though there were general concerns at the favouritism with which Italian allies were being treated (App. 1.132).

This legislation establishing the colonies in Gaul was accompanied by an oath of obedience to be taken by all magistrates and senators within a five-day period, on pain of losing membership of the senate and an immense fine. This was particularly targeted at Metellus Numidicus who flatly refused to vote in favour of the legislation, even though Marius suggested to other senators that their oath did not necessarily imply that they were in agreement with the law, especially as it had been passed by violence and with a disregard of unfavourable omens. Despite strong support for him within the city itself, Metellus, the only senator to stand out against this measure, was exiled after Saturninus and Glaucia had stirred up opposition among the country-folk (App. 1.129–140: doc. 9.28). He refused to allow violence to be incurred on his

behalf, and a ban of fire, water, and shelter was imposed on anyone who assisted him. Metellus, who was not expelled from the senate due to tribunician protection, went into exile on Rhodes where he studied philosophy. His return, after being lobbied for continuously by his son Q. Metellus 'Pius', was later approved in 99, ignoring Marius' opposition (Livy *Per. 69*: doc. 9.29).

In his election to his sixth consulship for 100, Marius was reported to have used bribery to ensure his success, presumably making use of Germanic plunder to encourage voters to support him. However, at this point his victories against the Teutones and Cimbri were recent enough for his popularity not to have waned with the electorate, even if the senate would have liked to have side-lined him. In the absence of a major military campaign, however, there was no way for his talents to have free rein, and in the arena of Roman politics he had to rely on Saturninus and Glaucia to carry out his wishes. Rather than using bribery to ensure his own election as consul for 100, he may have been trying to engineer the election of L. Valerius Flaccus (Valerius was 'more of a servant than a colleague': Plut. *Mar. 28.8*). At all costs Marius would have wanted to defeat the candidature of Metellus Numidicus who was also standing: the relationship between the two would have made any cooperation in their magistracy unworkable and further damaged Marius' relationship with the senate.

Riots and the senatus consultum ultimum

In 100 Saturninus was elected to a third tribunate for 99 along with the Gracchan pretender L. Equitius, while Glaucia was a candidate for the consulship. This candidature was illegal as the lex Villia annalis had laid down a compulsory year between holding the praetorship and consulship and Glaucia was currently praetor. In the elections M. Antonius, grandfather of Mark Antony, was elected in the first place for 99,



Figure 9.8 A denarius issued by L. Calpurnius Piso Caesoninus and Q. Servilius Caepio in 103 or 100 BC, depicting the head of Saturn, and two quaestors (Piso and Caepio) seated on their curule chairs between two stalks of grain. The obverse depicts the head of Saturn, in his role as an agricultural deity. The legend reads, 'for the purchase of grain by senatorial decree' (AD FRV EMV EX S C).

Source: Courtesy of Classical Numismatic Group

with Glaucia and C. Memmius (who had been tribune in 111) in competition for the second position. When Glaucia's candidature was disallowed by Marius as illegal, Saturninus' supporters clubbed Memmius to death and the assembly was adjourned (*Livy Per.* 69: doc. 9.29). Saturninus then seized the Capitol, and the senate for the second time in Roman history passed the *senatus consultum ultimum*, instructing the consuls to take whatever actions were necessary to save the state (*Cic. Rab. Perd.* 20: doc. 9.30). Marius clearly saw that it was in his interests to take punitive action against Saturninus and Glaucia and levied an urban militia which besieged the Capitol, where Saturninus, Glaucia, and their followers, who included C. Saufeius who had been elected as one of the quaestors for 99, had taken refuge. For this change of allegiance, Livy characterises Marius as 'a man of varying and changeable nature whose policy followed the dictates of fortune' (*Livy Per.* 69).

When Marius cut off their water supply, the insurgents surrendered and were imprisoned in the senate house on the promise that their lives would be spared, but they were attacked and killed by the mob (the details of the actual killing are inconsistent, but they appear to have been stoned with roof tiles in the senate house itself, although according to Plutarch (*Mar.* 30.4) they were killed while seeking sanctuary in the forum). Cicero, in his defence of Rabirius, who was being prosecuted many years after the event for his part in killing the demagogues, lists a number of prominent senators, including M. Aemilius Scaurus, the princeps senatus, who took up arms alongside other ex-consuls, praetors, and tribunes in defence of the state (*Cic. Rab. Perd.* 21: doc. 9.30). In this response to the insurrection a praetor (Glaucia), two tribunes (Saturninus and Equitius), and a quaestor (Sauseius) had been killed. Appian comments that the tribunate, an inviolable office established to protect the people, was now heavily involved on both sides of the conflict (*App.* 1.141–146: doc. 9.31). A. Postumius Albinus, possibly the son of the Aulus who was decisively defeated by Jugurtha in 110, was elected to the vacant consular position for 99.

Marius' later career

Marius' association with Saturninus, despite presiding as consul over the actions taken against the tribune, tarnished his prestige and status, even considering that he had held six consulships by the time he was 56 years of age. Plutarch considered that Marius was now out of favour with both the nobles and people, and records that he did not stand for the next censorship (for 97) although he had been expected to do so (*Mar.* 30.5). Plutarch also refers to a lack of visitors and crowds around his doors, probably a reference to the fact that few paid him court now that he was out of the limelight and that he was experiencing a diminution in the number of his clients. His was the normal position of a military leader neglected and disregarded in peacetime (*Mar.* 32.1–2).

Marius' influence quickly waned in the absence of a role which he could fill, and his association with the now notorious Saturninus and his legislation must have impacted on his political standing. Saturninus' laws, such as the foundation of his colonies, if not formally repealed were certainly side-lined after his murder, although some settlement in Cisalpine Gaul seems to have continued. Marius was also extremely unpopular because of the exile of Metellus, whose recall he was unwilling to support, using a tribune, P. Furius, to block any such moves. In fact, when Metellus was recalled it was to great popular rejoicing, after his son – Metellus 'Pius' from then on – had continued

to wear deep mourning to remind everyone of the fact of his father's unjust exile. Marius' position in the senate was already isolated, as his main support was from the people and equites, and his recalcitrance towards the exile of Metellus only worsened his position and reminded senators of the fact that he was 'not one of them'.

There were to be further ramifications from Saturninus' activities. His agrarian legislation of 100 had been forced through despite the fact that thunder, which had led to demands that the assembly be terminated, had been ignored. In response, the lex Caecilia Didia, proposed by the consuls Q. Caecilius Metellus Nepos and T. Didius in 98, laid down that legislation was invalid if passed in the face of unfavourable auspices, with any problematic episodes to be referred to the senate. In addition they passed legislation preventing the illegal rushing through of legislation and the practice of tacking measures together, so that they passed simultaneously without separate discussion. In the next year 97, when Cn. Cornelius Lentulus and P. Licinius Crassus were consuls, there was a great humanitarian breakthrough when human sacrifice (as in 216 and 113) was made illegal, even though it had on occasion been authorised by the Sibylline Books.

Despite such an unprecedented number of consulships, with splendid victories on two major war fronts, the events of 100 and 99 did much to tarnish Marius' prestige. Accordingly he thought it time to leave Rome for a while and when the decree for Metellus' recall was passed he left for the East, supposedly for religious reasons to fulfil a vow (*Plut. Mar.* 31). While there he held negotiations with Mithridates VI. Under normal circumstances, he would have expected to stand for the censorship, but he chose not to contend the position and the censors elected for 97 were L. Valerius Flaccus, his consular colleague in 100, and M. Antonius (cos. 99). Although elected augur in his absence (*Cic. ad Brut.* 1.5.3), he appears to have stood aside from politics when he returned to Italy in 97. His supporters were now attacked: M'. Aquillius, Marius' legate against the Cimbri and consul in 101, was prosecuted in the extortion court, and only acquitted through the efforts of Marius himself and M. Antonius. C.



Figure 9.9 A denarius issued by L. Appuleius Saturninus in 104 BC at Rome, depicting the helmeted head of Roma, and Saturn (a play on his own name) driving a quadriga. L SATVR in exergue.

Source: Courtesy of Classical Numismatic Group

Norbanus, who as tribune in 103 prosecuted Caepio, was himself prosecuted, perhaps in 95, by P. Sulpicius Rufus for his conduct during the prosecution, but was again successfully defended by Antonius.

Where Marius did take a political stance in these years, it seems to have been either in support of the Italians' claim for citizenship or related to the strengthening of the position of the equites. Certainly, he took the side of the equites in the (most inequitable) prosecution of P. Rutilius Rufus in 92, who was condemned for having committed 'extortion' in a province, Asia, that celebrated his time there as legate of the governor Q. Mucius Scaevola (cos. 95). Their administration was famed for its equity and fairness. But the tax gatherers were not amused: Rutilius was, therefore, accused of corruption, and against all the evidence the jury of equites condemned him, and he retired to Smyrna to live among his supposed victims, where Cicero met him in 78; he declined returning to Rome (*Livy Per. 70*: doc. 10.5; *Cic. Brut. 85*). The support of the 'case' against Rutilius Rufus shows Marius' need to 'keep in with' the equites as his main support base.

That the senate granted permission to Bocchus in 91 to dedicate a gilded statue group on the Capitol depicting his surrender of Jugurtha to Sulla is said to have angered Marius (*Plut. Mar. 32.2*). This statue group may have been the model for Faustus Sulla's depiction of the scene on his coinage (Figure 9.3). The senators were clearly happy to rewrite history in order to denigrate Marius' role in the war against Jugurtha in favour of that of Sulla.

The command against Mithridates VI

In the Social War between Rome and its allies, which broke out in 91, Marius initially took a back seat, serving as legate under P. Rutilius Lupus (cos. 90) and replacing him after his death in battle after failing to follow Marius' advice. He also took over the army of Q. Servilius Caepio (pr. 91) when he was killed in an ambush. Even though he fought successfully against the Marsi, however, Marius was not awarded a command position. This was perhaps because of his age – he was now some 66 years of age – although this did not prevent his coveting the command against Mithridates. Despite the crisis and his great military successes, the optimates even in this critical situation still preferred to side-line Marius and appoint their own generals, even if less experienced.

Over the last decade Mithridates VI of Pontus (c. 120–63) had been continuing his efforts to expand his kingdom at the expense of Cappadocia and Bithynia, and war against him was clearly an imperative. It was a military command that would have brought Marius back to prominence, but it was bestowed instead on Sulla, who was consul in 88. This was to lead to Marius' war with Sulla, Rome's first civil war, in which the optimates supported Sulla against Marius. Sulla had been supported by the Metelli in his bid for the consulship, and in 88 he married Caecilia Metella, daughter of L. Caecilius Metellus Delmaticus and widow of M. Aemilius Scaurus, as his fourth wife. When, however, Sulla was on the point of departing for the East, the tribune P. Sulpicius Rufus took the matter of the command to the people and a plebiscite transferred it from Sulla to Marius.

Sulpicius had also, with Marius' support, proposed legislation to distribute the new Italian and Latin citizens across all the tribes (rather than eight or ten) so that

they would have more impact on electoral issues. This provoked opposition from the optimates and roused such high feeling that in 88 the consuls Sulla and Q. Pompeius Rufus declared a suspension of public business (*iustitium*) when further violence erupted over the citizenship issue. The two consuls were attacked by Sulpicius' supporters; they fled, and in the riots the son of the consul Q. Pompeius Rufus was killed (his son had married Sulla's daughter), and Sulla was forced to flee for safety to the house of Marius. The newly enrolled citizens helped to reverse the senate's decision and award Marius the Mithridatic command, which led to Sulla's first march on Rome with six legions. Appian terms this the 'first army of citizens to invade Rome as an enemy country', and he saw it as the beginning of a long series of civil wars (App. 1.250–253: docs 9.32, 11.5). Following Sulla's successful take-over, Marius and his supporters were banished from Rome as enemies of the state (App. 1.269–271: doc. 9.33). Sulla and Pompeius also passed a series of laws as consuls, foreshadowing those in Sulla's dictatorship, including restrictions on the power of tribunes and an increase in the membership of the senate; all laws were now to be discussed by the senate before going to the people, and laws could only be passed by the *comitia centuriata* (App. 1.265–268: doc. 11.5).

Marius' return to Rome

Marius narrowly escaped capture and execution, and fled to Africa, to the island of Cercina where he had established a colony of veterans, while Sulla departed with his army for Asia Minor. In 87, however, one of the consuls, L. Cornelius Cinna, was expelled from the senate by his colleague, Cn. Octavius, for attempting to circumvent Sulla's legislation and was declared a public enemy for offering freedom to slaves, with the flamen Dialis, L. Cornelius Merula replacing him as consul, effectively meaning that Octavius was sole consul, in view of the number of taboos that encompassed the flamen Dialis (Gell. 10.15.3: doc. 3.21). Cinna took over the legion left at Nola by Sulla while Marius raised a force of some 6,000 soldiers in Etruria, and sacked Ostia. Rome was now between two armies, and Q. Sertorius and Cn. Carbo (consul with Cinna in 85 and 84) were also in command of troops. C. Flavius Fimbria was sent to negotiate with the Samnites and Lucanians on Cinna's behalf. He agreed to their demands and some Italians joined Cinna's forces as a result. The senatorial forces opposing them were led by the consul Octavius, P. Licinius Crassus (cos. 97), Q. Caecilius Metellus Pius (cos. 80), and Pompeius Strabo (cos. 89).

Marius and Cinna were eventually invited into the city and Marius' exile was rescinded, although at first he grimly refused to enter the city on the grounds that he had been exiled. He soon made an entrance and began to wreak vengeance on his enemies: Octavius was murdered before Marius entered the city and P. Licinius Crassus (cos. 97), like Merula, committed suicide. Sulla's measures were revoked and he was declared a public enemy, and Marius and Cinna were appointed consuls for 86, with Marius again replacing Sulla in the Mithridatic command. In the bloodbath that followed, both senators and equites were executed, and their decapitated heads put on public display. Cicero (*de orat.* 3.8) lists some of the important victims, including Q. Catulus (cos. 102), M. Antonius (cos. 99), and C. Julius Caesar and his brother Lucius

(cos. 90). Plutarch (*Mar.* 43–46: doc. 9.34) gives a graphic description of Marius' bodyguard of slaves, the Bardyiae, who slaughtered anyone at Marius' slightest whim, and even at Marius' nod, cutting down everyone that he did not openly speak to, while the heads of victims were put on public display on the rostra.

Marius died on 13 January, in his seventh consulship, at the age of 70 years, apparently from pneumonia: L. Valerius Flaccus was appointed suffect consul and took over the Mithridatic command. Marius was just beginning his purge of opponents and former friends, and his countrymen rejoiced at being 'rid of a savage tyrant'. However, his son, the younger Marius, was to behave with equal 'savagery and bitterness' when Sulla's return to Rome from Asia was imminent; the young Marius became consul in 82, but, after assassinating leading members of the Roman nobility, committed suicide in Praeneste rather than be taken by Sulla (*Mar.* 46.6–9).

A record of Marius' achievements

An inscription detailing Marius' successes was later erected in the forum of Augustus: it listed his seven consulships, defeat of Jugurtha and the Germanic tribes, triumphs, protection of the state against sedition, and the temple to Honour and Virtue built from Germanic plunder. The statement of his entry into the senate in triumphal garb closed the dedication (ILS 59: doc. 9.35). Despite his undoubtedly military successes, his status as a *novus homo* had prevented him from being a successful politician or diplomat. Similarly, his string of consulships aggravated ambitious senators, and he had few plans for political reform. He did, however, strengthen the Roman military machine by numerous improvements, as well as creating the client army, loyal to its general and requiring land for settlement at the end of its period of service. Unfortunately Marius' lack of close connections with prominent senators led to his employment of tribunes whose motives were less than altruistic, and this adversely affected his own prestige and influence. It also directly led to Sulla's proscriptions on his return to Rome and helped set in stone the polarity between optimates and populares for the remainder of the Republic.

Further reading for this chapter

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Chapter 10

The ‘Social’ War

The restriction of Roman citizenship

The Italians had been allies of Rome for centuries, acting as valuable auxiliaries in warfare, with their contribution comprising some 75% of the Roman total cavalry force, as well as light-armed infantry and missile troops. The very term *socii* (allies) implies partnership and association, and is the basis of modern terms like society (*societas*). This alliance between Rome and its allies was established by 264 and was to remain the basis of Roman military organisation, with Roman legions being accompanied on campaign by roughly the same number of allies. Despite the enfranchisement of the Italians having been a pressing issue from the time of the Gracchi onwards, by 91 the situation was still not ameliorated, and public opinion in Rome was as intransigently opposed to any possible solution as ever, even though the allies had fought beside Rome in many critical wars, most recently against Jugurtha in Numidia and against the Cimbri and Teutones in the north. It was feared that, if enfranchised, the Italians would outnumber the Romans in the citizen body, while the populace was fiercely jealous of any extension of citizen privileges such as the grain dole. The nobles were also concerned that members of the elites of Italian towns would start competing for prestigious magisterial positions, and that Rome's ethnic and cultural heritage would be swamped by these 'peregrini' (foreigners). The struggle was a bloody one, but it was to end in less than two years, with most of Italy at peace by the end of 89. By 87 many of the new citizens were being enrolled in Roman tribes, even though it was some time before their official enfranchisement was complete.

In retrospect, it was accepted that the Latins and allies had been thoroughly justified in seeking citizenship – the magistrates of Latin colonies had been automatically enfranchised shortly after 125. Rome shared with the Latins the same culture, language, and heritage, and Roman citizens that joined a Latin colony took on Latin status, though they could reacquire citizenship by returning to settle in Rome. Rome's allies were those Italian communities that did not possess Latin status, including the Italic tribes of central and southern Italy that spoke the Umbrian and Oscan languages, and Etruria, with its own language, Etruscan, to the north of Rome. The Campanians, centred around the city of Capua near the Bay of Naples, were a mixed Samnite-Greek population speaking the Samnites' Oscan language (Figure 10.3); they had been closely allied with Rome from 340. There were also the Greek cities of southern Italy such as Taras (Tarentum) that had colonised the area from as early as 700, as well as Naples and other Greek towns in Campania. These Greek allies were particularly

important for their naval expertise and contributions to Rome's fleet. Despite different ethnic backgrounds, the allies had served alongside Rome for nearly 200 years and Latin had become the lingua franca of the Italian peninsula. The Italians had had perfectly reasonable grounds for demanding the franchise, and the intransigent stance of both senate and people in Rome did nothing but hold up the process for little more than a year, at the cost of an overwhelming loss of life on both sides.

The fact that non-Romans could win and hold magistracies was in itself proof of the minimal difference between the two groups. One well-known case was supposedly that of the Etruscan M. Perperna, consul in 130, who was famously said to have become consul before he became a citizen. He had a stellar career: praetor in 135 when he conducted the war against the slave rebellion in Sicily, for which he was awarded an ovatio; consul in 130, and service in Asia against Aristonicus, the pretender to the Pergamum throne, whom he defeated and captured. However, he died at Pergamum in 129 before returning to Rome for a triumph. Perperna had reached the very pinnacle of success at Rome and his career illustrates the aspirations of the elite of Italian towns to become Roman citizens and enter into the political life of Rome. According to Valerius (3.4.5: doc. 10.1), it was only when his native city presented a list of citizens whose return they were demanding that it was realised that his father, M. Perperna, who had been one of Rome's legates to Illyria in 168, was not a citizen: he was exiled from Rome in 126 because of his fraudulent claim to citizenship.

The story reflects a standard grievance of the Romans, but the fact remains that there were a number of allies illegally in Rome who were keen to stay and be elected to magistracies, and that the Romans were very concerned about this. That Perperna's son, Marcus, was consul in 92 and censor in 86, shows how quickly non-Latinos could become members of the Roman elite, while another son Gaius was perhaps praetor in or before 91 and a legate of P. Rutilius Lupus, consul in 90. Perperna's grandson Publius also appears to have been praetor in 82: the family had entered Roman political life with a vengeance despite their Etruscan origins.

Apart from such incidents when individuals claimed or assumed citizenship, it was with the agrarian legislation of Tiberius Gracchus in 133 that the 'allied question' initially became an issue. The *ager publicus*, which Tiberius wished to distribute to the Roman plebs to make them citizen-farmers, had been cultivated by allies as well as Romans, and they, like the wealthy Romans, considered the land their own. The aristocracies of these allied cities were particularly affected by the Gracchan legislation, and this shattered the good relations Rome had fostered with them over many generations. The land commission continued distributing plots after Tiberius' death, but their work almost immediately became bogged down with law-suits concerning ownership. Boundary stones of the period have been found in Campania, Lucania and Picenum, and archaeology indicates that centuriation (division into centuries or blocks) also took place in this period in Apulia. The first complaints from the Italian allies date to 129, and it is possible that the commissioners had been distributing the *ager publicus* in Roman territory and had now moved on to reallocating the land near allied communities.

Scipio Aemilianus had opposed Tiberius' legislation, particularly the judiciary law attached to his agrarian legislation which gave the land commissioners the power of adjudication in disputed cases, and in 129 championed the cause of the allies (Macrob. 3.14.6–7: doc. 8.20). He was successful in his protest, and the jurisdiction over

disputes was given in 129 to one of the consuls C. Sempronius Tuditanus, who then left for Illyria so the work came to a standstill. The people felt that Scipio had abandoned their interests in exchange for supporting those of the allies, and when he died unexpectedly he was not given a state funeral due to the anti-Italian and pro-Gracchan sentiments in the city (App. 1.78–85: doc. 8.21).

The proposals of Fulvius Flaccus and Gaius Gracchus

M. Fulvius Flaccus had replaced App. Claudius Pulcher on the land commission at his death in 130. The allocation of farmland by the commission was now, temporarily, at an end, although it was to restart under Gaius Gracchus and continue until 111. Flaccus clearly felt that the issue of the allies needed to be addressed, and as consul in 125 he was the first to raise the question of giving all Italians Roman citizenship (App. 1.152: doc. 10.6). He also offered the choice of the *ius provocacionis* (the right of appeal against capital punishment) to allies who preferred not to accept the franchise (Val. Max. 9.5.1). This offer of citizenship to the allies was presumably a trade off for their allowing the Gracchan land commission to continue to distribute the *ager publicus*. The senate, who had no wish to extend either the citizenship or magistracies to the Italians, distracted Flaccus from his aims by sending him off to Transalpine Gaul to deal with the Salluvii who were threatening Marseilles. He defeated the Salluvii, Vocontians, and Ligurians and returned to hold a triumph in 123. His pro-Italian intentions were not forgotten, however, and in an unusual backward step in the *cursus honorum* he stood for election as a tribune for 122, when he was to be a colleague of C. Gracchus. When his citizenship proposal as consul fell through in 125, the Latin colony of Fregellae had revolted, and the town was destroyed by the praetor, L. Opimius. Significantly Opimius was elected as consul for 121, showing the strength of the opposition among the Roman populace towards the extension of the citizenship (he had, however, been beaten in the previous year in the election for 122).

In 126 M. Junius Pennus as tribune proposed a bill concerned with allies who were resident in Rome (Cic. *Off.* 3.47: doc. 10.2). His proposal set up a commission to examine whether allies resident in Rome were there legally, and to expel those who were there feloniously. Pennus' law indicates the Romans' attitude to citizenship and their desire to restrict it, and it may have been a direct reaction to the proposals of Fulvius Flaccus, as a candidate for the consulship for the next year. Even after the Social War, a bill by C. Papius, tribune in 65, was passed against those who had assumed Roman citizenship illegally, which banished from Rome all foreigners from outside Italy (Cic. *Off.* 3.47); Roman citizenship was a prize too important to be shared promiscuously.

The next stage in the citizenship issue came with the tribunates of Gaius Gracchus, Tiberius' younger brother, who had served on the land commission from 130. His citizenship proposal dates to 122, his second tribunate. Flaccus was also tribune in that year, while a colleague, M. Livius Drusus, captured the attention of the electorate and derailed Gaius' proposals. Gaius' programme was not as extensive as Flaccus' in 125, but he offered the Latins full citizenship, with the Italians given not full citizenship, but certain voting rights. A fragment of one of his speeches flags his concern with the unnecessarily brutal and arrogant behaviour of Roman magistrates towards communities and individuals in Italy (Gell. 10.3.2–5: doc. 8.24).

Gaius' legislation was greeted with hostility by the senate and populace, and led to his conflict with the senate, unpopularity with the people, and then his violent death. The proposed legislation of Gaius' opponent Drusus, which included a downgraded form of 'pro-Latin' legislation, that Latins on military service could not be flogged, the token rent removed for the use of ager publicus, and 12 (totally unrealistic) colonies to be established in Italy was seen by the Roman populace as more attractive than the Gracchan programme. The majority of the Italians, on the other hand, were not consoled by continued occupation of the ager publicus when they wanted citizenship. Drusus' programme, and concerns with Gaius' own proposals, caused Gaius to fail to be re-elected for the tribunate of 121, and the deaths of Gaius, Flaccus, and some 3,000 citizens which followed indubitably gave the Italians the message that their citizen rights were as far away as ever.

The *lex Licinia Mucia*, 95 bc

The hopes and expectations of the allies had been raised by Marius' grant of citizenry to troops on the battlefield, their inclusion in the settlements of veterans by Saturninus, and the acceptance of Italians in the lists of citizens compiled by the censors of 97/96. But in 95, in a further anti-Italian measure, the consuls Q. Mucius Scaevola and L. Licinius Crassus passed a law, which scrutinised the validity of Roman citizenship claimed by Latins and Italians, and returned allies who were illegally resident in Rome to their own communities. Many of these residents were wealthy members of allied communities, ex-magistrates of their own cities and closely connected with the equites and business class, and this was a studied insult. It was under this law that one of Marius' grants of citizenship in 101 to the two cohorts of allied troops was investigated (*Cic. Balb.* 46–49: doc. 9.27). Asconius notes that the Italians were so desperate to acquire citizenship that large numbers of them were passing themselves off as citizens, and the unceremonious removal of these Italians from Rome was one of the main reasons for the outbreak of the Social War (*Asc.* 67–68: doc. 10.3).

Marcus Livius Drusus

The time was right for the rise of a popular politician, with the interests of the Italians at heart, who was prepared to make the most of their concerns to further his political career. M. Livius Drusus, tribune in 91 and son of the tribune of 122, was the most popular politician of his day, but, despite his reformist stance and his measures to conciliate the people, his primary aim was to advantage the senatorial class. His reforms were generally conservative, and notwithstanding his wide-ranging legislation his primary aim was to restore senatorial power in the courts.

Drusus was, however, concerned for the interests of the allies, and was a guest-friend of several Italian leaders. His amicitia with these would have concerned the senate, who foresaw that an extension of citizenship to the Italians would markedly enhance Drusus' prestige and clientela. Drusus was the guardian of his nephews Cato the Younger, and Cato's older half-brother Q. Servilius Caepio, and Plutarch records an incident which occurred when one of the leaders of the Marsic group, Poppaeus Silo, was a guest in Drusus' house. Poppaeus, during his visit, asked the boys if they would agree to help their uncle in his struggle for citizenship for the Italians. The elder

boy agreed at once, but not the young Cato who made no reply. Poppea then supposedly held the little Cato, some four years of age, out of the window and shook him to try to get him to agree to support the Italians, but even so he would not agree. Poppea commented that if he were a man, rather than a boy, not a single Roman would vote in favour of the Italian allies. The purpose here was to illustrate Cato's strength of character, but is also evidence of Drusus' personal friendship with leading political figures in Italian communities (*Plut. Cato Min.* 2.1–4: doc. 10.4).

Drusus' political programme was worked out with the agreement of an important group within the senatorial class, which included L. Licinius Crassus (cos. 95), and he was supported by it almost until the end of his career. His aim was to restore authority to the senate, primarily by reassigning the juries in the permanent courts to senators, after 300 equites had been added to the senate: the jurors would now be chosen from this enhanced body (App. 1.158: doc. 10.6). That the equites manned the law-courts, and were able to threaten provincial governors with condemnation if they ignored the interests of the business class, was a long-standing senatorial grievance. Gaius Gracchus had manned the juries with equites; in 106 they were shared between equites and senators by the consul Caepio; and in either 101 or 100 Glaucia restored the courts to equestrian control. Drusus' proposal reflected that of Caepio, with the old and new senators sharing the courts: the inclusion of equites in the senate may have been an admission that there were not enough senators to man the juries. Drusus also had a personal reason for the reform – the condemnation in 92 of his uncle, P. Rutilius Rufus (cos. 105), by an equestrian court for curbing the excesses of the tax-gatherers while he was serving in Asia. Although innocent, he was found guilty and showed his contempt for this conviction by going into exile in Asia Minor, amongst the people he was supposed to have misgoverned (*Livy Per.* 70–71: doc. 10.5).

Drusus' pro-Italian legislation

Drusus proposed a grain law (which presumably increased its distribution or lowered the cost), colonies (perhaps those 12 promised but never carried through by his father in 122), and a distribution of land, presumably from the ager publicus (*Livy Per.* 70–71: doc. 10.5). According to Livy this ' largesse' to the people was intended to persuade the people into looking favourably upon the Italian question but even so, the people were not prepared to lift their opposition to the citizenship bill. His programme was even opposed by the equites: they did not want to lose control of the law-courts, and were 'primarily angry' that they would become liable retrospectively to prosecutions for bribery. While there were advantages for the 300 who would be added to the senate, the rest were also furious at being passed over (App. 1.159–161: doc. 10.6), and Drusus was implacably opposed by his former brother-in-law, Q. Servilius Caepio, praetor in 91, who was now the figurehead for the equites' hostility to the proposals. The senate, too, while happy to have the law-courts returned, had no wish to share their prerogatives with 300 equites, who would double their number and dilute the prestige of the current members (App. 1.159). The senate was also opposed to the proposal regarding citizenship for the Italians, as the upper classes of Italy would be able to stand for office at Rome, enlarging the Roman governing class and increasing the competition for magistracies.

The senate, as described by Sallust, was still a 'closed shop', an inner circle that was almost impossible to break into (Sall. *BJ* 63.6: doc. 9.6), and the senatorial opposition was led robustly by the consul L. Marcius Philippus (the father of the Philippus who was to be Augustus' step-father), against the more inclusive L. Licinius Crassus (cos. 95). Drusus had threatened to have Philippus dragged off to prison and he was roughly handled when he opposed Drusus' bills in the assembly. Unfortunately, however, after Crassus' death in September, Philippus, one of the college of augurs, was able to have all Drusus' legislation annulled by a single decree of the senate on the grounds that it had been passed despite inauspicious omens (Cic. *Laws* 2.31).

Before Drusus' murder, there were already signs that the Italians were poised to revolt, when it was reported that they were planning to murder the consuls, Sex. Julius Caesar and L. Marcius Philippus, at the Latin festival (normally held in April, but apparently the celebration was delayed in 91), but the plot was discovered, and the consuls warned of this conspiracy (Florus 2.6). There was also an informal attempt made on the city by the Marsic leader, Q. Poppeius Silo, Drusus' guest-friend, who advanced on Rome in 91 with 10,000 armed men. Poppeius was concerned about the investigations into citizenship claims following the lex Licinia Mucia, but he was dissuaded en route by Domitius, possibly Cn. Domitius Ahenobarbus, the consul of 96. He was presumably also concerned about the opposition to Drusus' legislation, and according to Diodorus his idea had been to terrorise the senate into agreement or take Rome by fire and sword (Diod. 37.13.1: doc. 10.7).

Even Drusus' supporters were uneasy at the unprecedented amount of political prestige he would gain, were his proposals for the allies successful. This is shown by the oath supposedly sworn to Drusus by the Italian leaders, which Philippus circulated to discredit him. The Italians, it was said, were to swear, by all the Roman gods, that Drusus' enemies would be their enemies and that they would fight to the death on his behalf, while on the other hand, if they became citizens through Drusus' legislation, they would consider Rome their country, and Drusus their greatest benefactor. The authenticity of the oath has been questioned, but in any case it reveals the unrivalled auctoritas and patronage that the support of Latins and allies would have given Drusus. Certainly, circulation of the oath and its focus on Drusus as legislator resulted in the hardening of the opposition towards his citizenship proposals (Diod. 37.11.1: doc. 10.8).

By mid-91, Appian relates that the senate and equites were united in their hatred of Drusus, while he did not even have the full support of all the allies (App. 1.162: doc. 10.9). Many of the Italians were concerned at the planned colonies in Italy, as these would take land away from them, while they could also lose the ager publicus they were farming. Drusus' citizenship proposal was of more importance to the leading citizens in most, though not all, Italian cities than the agrarian issue, but the Umbrians and Etruscans preferred the opportunity to continue to farm the land to citizenship, and they were brought to Rome by the consuls to protest, with their representatives publicly opposing the legislation (App. 1.163). This was probably late in 91, when the agrarian law had already been passed, while the citizenship law was still under debate, and it was the citizenship law that the Umbrians and Etruscans were now opposing in September 91. In Etruria and Umbria the lower classes were in a condition of agricultural serfdom, and granting them the citizenship would have meant a political

revolution in their communities, which was extremely unpalatable to their aristocracies, hence their opposition to the extension of the franchise.

Drusus' murder

Appian hints that Drusus was afraid of the Etruscan and Umbrian presence in Rome and therefore kept to his house, where he was murdered in October 91. No culprit was detected and Appian reports that he was stabbed while transacting public business in the atrium of his house, and that a shoemaker's knife was found in his thigh, presumably to suggest that the assassin was one of the urban populace (App. 1.163–164: doc. 10.9). Philippus had already had Drusus' legislation repealed on the grounds that it had been passed against the auspices, but clearly Drusus and his supporters were still thought to be dangerous. The assassin was presumably one of his opponents concerned about his anti-equestrian legislation, or his proposals which would open both citizenship and magistracies to outsiders.

The Italians had earlier been incensed at the murder of Gaius Gracchus and Fulvius Flaccus, 'for they did not think it right that they be considered subjects instead of partners, or that Flaccus and Gracchus should have suffered such misfortunes while working on their behalf' (App. 1.154: doc. 10.6). The death of Drusus was now added to their list of grievances, and with the failure of his measures the Italians were provoked to turn to violence. A further provocation, after war had actually broken out, was a law on treason (the *lex Varia de maiestate*) proposed by Q. Varius Hybrida as tribune at the beginning of 90, to be judged by a special court of equites. Its purpose was to target any senators who like Drusus supported the Italians and who were thus 'responsible for' the Social War, but its net proved to be much wider and gave the equites, and their supporters such as Servilius Caepio, a chance to settle old scores. In 89 Varius was to be condemned under his own law (App. 1.165: doc. 10.9), as was his tribunician colleague Cn. Pomponius, while a law proposed by the tribune (M. Plautius Silvanus) again manned the courts by both senators and equites.

While the allies had not appeared particularly concerned about citizenship in 125 or 122 (except the town of Fregellae), the situation had changed, and by 91 the allies felt that they deserved to be on an equal footing with the Romans, for whom they had fought in so many wars. They also considered that they were entitled to be protected from the brutality of Roman generals and magistrates, as described by Gaius Gracchus (Gell. 10.3.2–5: doc. 8.24). Following Drusus' colonies proposal, the allies were also afraid that Rome might reassume direct possession of ager publicus they were farming, and there might also have been some concern on the part of Italian businessmen that the equites in Rome were acquiring powers with which they could not compete, though there is less evidence for this.

So what did the allies want? It is fairly clear that the question of voting rights as citizens was not their primary concern. Very few of them would have been able to cast their vote at Rome on a regular basis, and their distribution into a limited number of new tribes initially raised no problems, precisely because it was not voting rights in the people's assembly which most concerned them. The aristocracies in Latin communities, on the other hand, were loyal to Rome because they possessed citizenship and were not therefore concerned about the rights of their municipalities.

For that reason they supported Rome and fought the Italian allies on behalf of the Romans. Etruria and Umbria also stayed loyal because the use of the *ager publicus* was of more importance to their aristocracies than citizenship for the masses. But the aristocracies in the allied cities, who were able to spend time in Rome to vote and stand for magistracies, did want the franchise and took their communities to war specifically to achieve this.

The Social War

The Italian rebels

The war against their allies was termed by the Romans the Marsic war, as the Marsi of central Italy were the first to revolt and, with the Samnites, were the group most prominent in the conflict (Map 4); the term 'Italic' war was also used at the time, and only later was it known as the 'Social' or 'allied' War. Conflict broke out at the end of 91, and after only one year of warfare Rome, which at one point had 14 legions (more than 55,000 men) in the field supplemented by auxiliaries from their remaining allies, was forced to grant citizenship by the *lex Julia* to all those Latins and Italians who had remained loyal. Meanwhile huge numbers of Romans and Italians had fallen in battle: Velleius (15.3: doc. 10.18) estimated that more than 300,000 of the youth of Italy had been wiped out: the internecine conflict was a bloody one – and completely unnecessary.

Livy's list of the Italian rebels makes clear that they fell into two main groups, the Marsi and the Samnites. The rebels came almost entirely from central and southern Italy. The Marsic group included the Marsi, Paeligni, Vestini, Marrucini, Picentes, and Frentani; the Samnite group the Hirpini, Lucani, and individual cities in Campania and Apulia (App. 1.175: doc. 10.11). The commanders-in-chief of the revolt were the Marsian Q. Poppeadius Silo and the Samnite C. Papius Mutilus, and between them they could command some 100,000 men. In general the Latin colonies remained loyal to Rome, except for Venusium, and Umbria and Etruria were on the point of joining the revolt but were forestalled by the *lex Julia* granting citizenship to all those who had not yet revolted at the end of 90.

The territory of the Marsi centred around Marruvium (now San Benedetto del Marsi) on the shore of Lake Fucinus (the Fucine Lake) some 120 kilometres from Rome, and they spoke one of the Umbrian group of languages. Today there are less than 12 inscriptions in the Marsic language extant (the 'bronze of Lake Fucinus' discovered in 1877 disappeared mysteriously between then and 1894), but it differed from that of Rome only slightly, primarily in terms of contracted forms and diphthongs. The Marsi became allies of Rome in 304, and, apart from a brief revolt shortly afterwards, were loyal to Rome until the Social War. Their contingent among the auxiliaries was always viewed highly by the Romans. The Samnites were located in central Italy and fought a bitter series of wars against Rome between 343 and 290. They also assisted both Pyrrhus and Hannibal in their wars against Rome. An Oscan-speaking people (Figure 10.3), they were the last to hold out in the Social War, and were still in arms against Rome until the battle of the Colline Gate in 82, five years after the war had technically ended.



Figure 10.1 A denarius of the Marsic confederation, minted in Campania, showing the draped bust of one of the Dioscuri, and Italia with a shield in her left hand, and spear and reins in her right, driving a galloping biga. Below a ram's head and an Oscan V for Vitelius (Italy).

Source: Courtesy of Classical Numismatic Group

The outbreak of war

The incident leading to war took place in Asculum (now Ascoli Piceno) in Picenum on the eastern side of the Apennines, about 240 kilometres from Rome. Asculum had been defeated by the Romans in 268, and since then had been a civitas foederata (community with a contract with Rome). The lynching there of the proconsul Q. Servilius led to the outbreak of war, and the Romans' adoption of military dress (Livy *Per.* 72: doc. 10.10). The Italians had been engaged in preparations for a revolt, exchanging envoys and hostages and forming a formal league after the news of Drusus' murder. The catalyst for open hostilities occurred when a Roman spy – the Romans had been gathering information about the activities of their allies – saw a boy from Asculum being taken to another city as a hostage. On being informed, the praetor Servilius delivered a threatening speech to the population of Asculum, who lynched him as they thought the plot had been discovered. All Romans in the town were killed and their property looted (App. 1.169–174: doc. 10.11). The surrounding peoples joined in the rebellion, while envoys to Rome were told by the senate that they expected an apology, and that a grant of citizenship was out of the question. Once this last chance of peace had been ignored by the Roman senate, the rebellion gained momentum. The forces were well-balanced, with about 100,000 soldiers on each side, who were well-accustomed to fighting alongside each other under Roman commanders (App. 1.176–177: doc. 10.11).

'Italia' and the Italian constitution

As part of their alliance the Italians created a constitution, modelled roughly on Roman lines. There was a senate of 500 men, with full powers of decision-making, advised

by magistrates who consisted of two consuls and 12 praetors elected annually. If Diodorus is correct, the allies had twice as many praetors as at Rome because of their geographical diversity and need for multiple commanders across several regions. Italy was divided into two parts, with the two consuls, Q. Poppaeius Silo, a Marsian, and C. Aponius Motylus, a Samnite, each in charge of one area assisted by six praetors. If Diodorus is correct in naming Aponius, he was soon replaced by C. Papius Mutilus. For military and strategic reasons the rebels chose Corfinium (modern Corfinio), the main city of the Paeligni on the eastern side of the Apennines, as their capital, which they renamed Italica. It lay on the river Aternus and was 150 kilometres from Rome along the via Valeria; the highway reached Corfinium in Strabo's time, but may not have extended so far until after the conclusion of the Social War. Diodorus states that it had a good-sized forum and senate house and everything conducive to robust government (Diod. 37.2.4–7: doc. 10.12). It was later to be replaced as the capital by Aesernia (modern Isernia).

The allies issued their own coinage, on the same standard as the Roman silver denarius, making a clear statement of their equality with Rome. Their coins depicted the helmeted goddess Italia on the obverse instead of Roma, sometimes with the name Vitelius, the Oscan form of Italia (Figures 10.1–2). The Samnites and Marsi each had their own coinage with which their troops were paid: one example of the Marsic coinage gives Poppaeius Silo's name, with the reverse showing a sacrificial pig with four warriors on either side, obviously the region's eight main rebel peoples, swearing an oath over the pig (Figure 10.2). The Samnite coinage, struck by their leader Papius Mutilus, depicted the Samnite bull graphically goring the Roman wolf.

'Brothers-in-arms': Romans and Italians

The allies' grievances

The allies felt strongly that they had a genuine grievance against Rome, after serving for nearly 200 years as Rome's auxiliaries (from the time of the Punic wars), and providing forces every year equal to those fielded by Rome, but without enjoying any citizen rights. They had had no choice in whom they were fighting as the army in which they served was commanded by a Roman magistrate, and Rome had control of all military and foreign policy, while the allied municipalities still had to finance the troops they deployed, providing most of Rome's cavalry, as well as the missile forces (slingers and archers) and light infantry. The Italians fought in the alae (wings) on the legions' flanks, and their horsepower was essential to combat cavalry forces like those of the Gauls and Carthaginians. The historian Velleius' own forefather had fought for the Romans, and been granted citizenship as a reward (2.15.3; doc. 10.18), but Velleius considered that the allied cause was more than reasonable: not only had the allies fought on the Roman side for many decades, but they were related by race and blood and yet were treated as 'foreigners and aliens' (Vell. 2.15.1–2: doc. 10.13). Cicero, who served against them under the command of the consul Cn. Pompeius Strabo in 89, when he was in his teens, was present at a conference between the Marsic leader, P. Vettius Scato, Pompeius Strabo, and Sextus Julius Caesar (cos. 91 and proconsul in 90). When Scato asked how to address him, Sextus responded, 'As a guest if I had the choice, but as an enemy by necessity'. Cicero emphasises the fact that the conference

took place on equal terms, without fear, suspicion, or hatred. As he pointed out, the allies were not trying to undermine or destroy the state of Rome, but to become members of it themselves (*Cic. Phil.* 12.27: doc. 10.14).

The suicide of C. Vidalicius at his home-town of Asculum, which fell to the Romans in November 89, demonstrated the values of honour and glory, shared by both sides. Forcing his way into the town, which was under siege, he reproached the citizens for their cowardice, killed his enemies who had prevented his orders being carried out, and then prepared a funerary pyre in the temple, on which he threw himself, after a feast with his friends; he then took poison, telling his friends to light the pyre. As Appian says, he was 'a man who was proud to die for his country' and demonstrated valour and decisiveness of which the Romans themselves would have been proud (App. 1.207–210: doc. 10.15). The allies and Romans also possessed the same appreciation of invective: the slingshots found at Asculum, dating to 90–89, bear insults from both sides, aimed at both Pompeius Strabo and the Italians. After being confined at first to the town of Firmum by the Italian praetor Lafrenius, Pompeius Strabo besieged Asculum and captured the town after a siege and furious battle. Glans, the term for a slingshot, was also a term for a part of the male anatomy, so there are often double entendres when the combatants are ordered to 'swallow this!' The Romans are told by the allies to 'swallow the bull' (the Samnite bull was displayed on their coins), while the Romans dispatched a 'gift for the Asculans' and tried to 'hit a magpie (pica)' – probably a mistake, or a misreading, for the woodpecker (*picus*), the symbol of the city of Asculum. 'Run-aways' is also a term used by the Romans of the allies, emphasising their disloyalty and treachery (as the Romans saw it) to Rome (*CIL I²* 848–877: doc. 10.16).

Victory and defeat, 90 bc

The end of the year 91 (Drusus had been murdered in October) had seen the beginning of hostilities, with the Italians under P. Vettius Scato, praetor of the Paeligni, besieging the Roman colony of Aesernia, 180 kilometres south-east of Rome. In 90 both consuls, P. Rutilius Lupus and L. Julius Caesar (not to be confused with Sex. Julius Caesar, cos. 91) were sent against the allies. The consuls at this point probably commanded no more than the usual levy of troops, but they had with them experienced legates, especially Marius and Sulla, while other successful generals were to include Cn. Pompeius Strabo, Q. Sertorius, and Q. Metellus Pius. Vettius Scato defeated L. Caesar, but was unable to take the colony, and had to settle down for a siege. At about the same time Marius Egnatius of the Samnites managed to capture the nearby township of Venafrum and prevented reinforcements being sent to Aesernia. The colony at Alba Fucens was also attacked but not taken, though the Marsic leader P. Praesentius defeated P. Perperna as he attempted to relieve the city.

The most important allied victories in this year took place in Campania and Picenum, where Papius Mutilus took Nola and enlisted the Roman soldiers who were his prisoners after killing their officers (this was a common practice of allied leaders). He then took the cities along the coast, including Herculaneum, Stabiae, Surrentum, and the colony of Salernum, where he again enlisted prisoners of war and slaves. He succeeded in controlling the area around Nuceria, but was unable to take Acerrae, which blocked the road to the vitally important city of Capua. Similarly at the beginning of

90, Vidalicius (from Asculum), and T. Lafrenius and P. Ventidius (from Picenum) had successfully defeated Pompeius Strabo and forced him to hole up in Firmum, a Latin colony. Vidalicius then moved down into Apulia where he took Canusium, the colony Venusia, and other cities, also enlisting Romans and slaves. Towards the middle of the year L. Caesar tried to relieve Aesernia but was defeated by the Samnite Marius Egnatius and had to fall back on Acerrae. Sulla also attempted to relieve Aesernia, but only managed to supply the city, and this colony was forced to surrender to the Samnites.

On the central front against the Marsi, along the via Valeria between Rome and Corfinium, Alba continued to hold out. Rutilius Lupus, with Marius as his legate, was sent to relieve it, and on 11 June 90 a great battle was waged in the valley of the river Torenus, where Rutilius fell into an ambush. Marius, whose advice about engaging the enemy with untrained troops Rutilius had ignored, saved the day and won a decisive victory with over 6,000 Marsi casualties. Q. Servilius Caepio, Drusus' opponent, was then sent to take over from Rutilius – Marius interestingly was not given overall command – but was also tricked into an ambush by Poppeadius Silo and killed with his army cut to pieces, at which Marius then took over as commander of the whole front. With Sulla's help the Marsi were again defeated near the Fucine Lake and Herius Asinius, praetor of the Marsi, was killed. Rome had now separated the two war fronts by opening a road to the Adriatic and thus restricted the movement of troops and communications between the two groups of rebels.

In the second half of the year, Sex. Caesar went north to relieve Firmum, where Pompeius Strabo was still blockaded. At this news Pompeius arranged two sorties, in which Lafrenius was killed while his army took refuge in Asculum, which was now, in a reversal of events, besieged by Pompeius. It was at this point that Vidalicius returned and managed to enter the city before the siege was totally in place, and killed himself heroically. It was becoming clear, as the year progressed, that the tide, which had initially favoured the Italians and their preparations, was turning in favour of the Romans. However, Rome had no reason to become complaisant, because, despite concerns regarding the resumption of their ager publicus, there were now rumblings of dissent in Etruria and Umbria, which were considering joining the rebel cause. Their attitude towards acquiring citizenship changed as the Italian revolt gained ground, and the communities seriously considered whether to take arms against Rome – in which case Rome would be at war on all sides, not just in central and southern Italy, but surrounded by enemies. Furthermore, the allies which normally provided Rome with cavalry and other troops, were now fighting against them. In this emergency, for the first time in history (except after Cannae, when they recruited slaves: Val. Max. 6.7.1a: doc. 6.1), the Romans enlisted freedmen, with whom they garrisoned the coastline from Rome to Cumae. Even though in hindsight the rebel cause was already lost, it was clear at Rome that the allies had to be granted citizenship. The war had been pointless and unnecessary, as well as exorbitant in terms of the loss of lives and resources.

The senate learns to compromise

It was time to compromise with those Italians who had not yet joined the revolt, particularly Umbria and Etruria. These were offered citizenship, 'which they practically

all desired more than anything' (App. 1.212: doc. 10.17), which was thankfully accepted. The senate had finally realised the value of diplomacy, and by this concession consolidated the loyalty of those who had not yet rebelled, brought waverers over to the side of Rome, and undercut the solidarity of those still at war, who could hope for similar rights once they put an end to hostilities. This grant of citizenship (the *lex Julia de civitate*) to all allies who had remained loyal to Rome was probably made in September 90, initially enfranchising Latin colonies and other Latin communities, and those allies who had not rebelled or were prepared to surrender. While the Romans decided to enrol them not in the existing 35 tribes, but in eight (or perhaps ten) new ones, to vote after the others, this was not initially a cause of hostility: very few of the Italians would have been able to come to Rome to vote on a regular basis. It was the wealthy elites who hoped for admission to Roman political life (App. 1.211–215: doc. 10.17).

Though the Italians in the end were to gain what they desired, the cost had been astronomical – another example of the senate's unwillingness to think laterally and of the people's jealousy of their prerogatives, such as land allocations, colonies, and subsidised grain. Velleius notes that two Roman consuls, Rutilius (cos. 90) and L. Porcius Cato (cos. 89), died in battle, and gives a casualty rate of 300,000 for the youth of Italy: though like many numbers in ancient sources this must be an exaggeration, the death rate was horrific. The war was part of Velleius' own family history, as his own great-grandfather, Minatius Magius, served alongside Didius (cos. 98) and Sulla, and was granted citizenship for himself and praetorships for his sons for his services to Rome. His actions were narrated in the *Annals* (now lost) of Q. Hortensius Hortalus, who covered the events of the Social War. Velleius stresses in particular the role of four generals in achieving victory for Rome: Marius, Pompeius Strabo (father of Pompey the Great), Sulla, and Metellus Pius.



Figure 10.2 A denarius of the Marsic confederation, minted at Corfinium, depicting the laurate head of Italia and an oath-taking ceremony with eight soldiers. A youth kneels in front of a standard with a flag, holding a pig at which eight soldiers (four on each side) point their swords in an oath-taking ceremony.

Source: Courtesy of Classical Numismatic Group

The emergence of L. Cornelius Sulla

L. Cornelius Sulla, having served under Marius and Catulus against Jugurtha and the Germanic tribes, was of sufficient seniority and experience to play a prominent role in the Social War: while Marius and Sulla were to cross swords at the end of the war, Plutarch's depiction of them on the verge of conflict before the outbreak (*Plut. Mar. 32.4–6; Sull. 6.1–2*) is overstated. In 89 both consuls (Pompeius Strabo and Cato) had gone to the northern front, leaving Sulla to deal with the Samnites in the south. He was reinforced by a legion of loyal Hirpini led by Minatius Magius and besieged Pompeii. Nola remained under siege, though Pompeii, Stabiae, and Herculaneum in Campania were recaptured. Porcius Cato, after several successful engagements, was defeated and killed by Poppeadius, but by mid-89 only Asculum was under siege, and when it surrendered in November, following Videlicius' suicide, the Marsi were forced to surrender to Pompeius. Pompeius and Sulla had further successes at Corfinium, Bovianum, and Aesernia. When Poppeadius was defeated and killed by Metellus Pius in Apulia that was the end of the war, except for the Samnites who still held out, with Nola as the main bone of contention. Many of the other allies, too, would have continued to resist had the Romans not offered them citizenship. Velleius commented ironically that the exhausted Romans had agreed to give citizenship to the conquered and humiliated, rather than granting it when their own strength was still unimpaired (*Vell. 2.17.1–3*: doc. 10.20).

In 89 Sulla returned to Rome to stand as a candidate for the consulship of 88 and his victories in Italy ensured his election alongside Q. Pompeius Rufus (and Rufus' son Quintus married Sulla's daughter Cornelia). His generalship against the Samnites had played an important part in Rome's success, and Livy classed him and Pompeius Strabo as two of the generals most responsible for Rome's victory. Sulla's achievements had been 'rarely equalled by anyone else before becoming consul', and his chance to display his talents gave him a strong platform on which to base his candidature (Livy *Per. 75*: doc. 10.19). Without the Social War, Sulla would have had little chance of a consulship, for he was notoriously poor for a senator and had failed to have himself elected praetor for 98: he only achieved the praetorship for 97 by bribery (*Plut. Sull. 5.4*: doc. 11.2). In his campaign for the consulship he was aided by the senate's approval of the group of statues dedicated by Bocchus in 91 signalling that Jugurtha's defeat was primarily owed to him (not Marius), and he must have reminded the populace of the victories of his ancestor P. Cornelius Rufinus, which brought the Samnite wars to a triumphant conclusion in 290.

Citizenship for the Italians

Even after only one year of war it was clear that Rome had been far too confident in its own superiority and exclusionary policies. In October 90 the *lex Julia*, proposed by L. Julius Caesar, offered full citizenship to all Latins (these had remained loyal), as well as to allied communities that had not revolted: communities that had or were prepared to surrender were also included. Tempted by the promise of citizenship, most Italians surrendered by the end of 89, but not the Samnites and Lucanians, and even in 87 the Samnites still continued to refuse the grant of citizenship. The Greek settlements also had mixed feelings about accepting citizenship, and Cicero records that there were

disputes at both Naples and Heraclea, where people preferred to keep the freedom granted by their treaty of alliance with Rome, rather than exchange this for citizenship (*Cic. Balb.* 21: doc. 10.21). An inscription preserves the constitution granted to the Greek city of Tarentum, at some point after 90, when it became a municipium in conjunction with the nearby Gracchan colony Neptunia. The city was to be governed by a Board of Four (two duoviri and two aediles), and regulations were laid down as to who could become a decurion (member of the local senate): possession of a house with not less than 1,500 roof tiles was mandatory. Public building was encouraged, and houses could not be demolished or replaced with smaller houses. Fines were laid down for fraud or mishandling the public accounts, and magistrates were responsible, among other things, for putting on public games while in office (*ILS* 6086: doc. 10.22).

Just as Marius had enfranchised two cohorts from Camerinium on the battlefield, Cn. Pompeius Strabo, when in Asculum in 90 or 89, granted citizenship to a squadron (32 men) of horsemen from Salduba in Spain 'for valour' in the field. The names of some of them suggest that they were already partly Romanised (such as Cn. Cornelius, son of Nesille). The grant was confirmed by the members of Pompeius' advisory council, which included his son Pompey, Lepidus (cos. 78), Cicero, and Catiline. The new citizens were also given a helmet horn, plate, collar, armlet, chest-plates, and a double ration of grain (*ILS* 8888: doc. 10.23).

The *lex Plautia Papiria*, 89 BC

The *lex Julia* of 90 granting citizenship to Latins and allies that had surrendered was followed by the *lex Plautia Papiria* proposed in 89 by M. Plautius Silvanus and C. Papirius Carbo as tribunes. It concerned not communities, but individuals, giving citizenship to any persons who were permanently resident in Italy, and who were honorary citizens of an Italian city that had a treaty with Rome. Citizenship was granted if these reported to a praetor within the next 60 days. This was intended to benefit people whose community had voted not to accept the citizenship, but who wanted to be granted it on their own behalf. It also advantaged those belonging to communities which were granted citizenship under the *lex Julia*, but who were not living in their communities when this was passed. Cicero in 62 defended a Greek poet, Archias, who was prosecuted as a non-citizen: Archias had been awarded citizenship as a resident of the city of Heraclea, after presenting himself to the praetor, Metellus Pius, in 89 in accordance with this law (*Cic. Arch.* 6–7: doc. 10.24). Another law proposed by the consul Pompeius Strabo in 89 arranged for the incorporation into the state of allied communities north of the Po, all of whom were granted the status of Latin colonies, while their magistrates had the right of Roman citizenship. This began the Romanisation of Transpadane Gaul.

Special privileges were also granted to supporters of Rome who were not resident in Italy. In 78 the senate passed a decree concerning three naval captains who had served on Rome's side in the Social War (or possibly the civil war of 83–82). On the report of the consul Q. Lutatius Catulus, Asclepiades of Clazomenae, Polystratus of Carystus, and Meniscus of Miletus were to be honoured for having 'served our state valiantly and loyally'. They were not granted citizenship, which would have been of little value to them as residents of Asia Minor. The captains were, however, officially granted the

title of 'Friends of the Roman people', and they, together with their children and all their descendants, were to be free from taxation for the future, while any tax incurred by their properties while they were serving Rome, was to be returned in its entirety, and any property of theirs which had been sold was to be returned. Any judgements made against them in their absence were to be revisited, and they were permitted to erect a bronze tablet to Friendship (Amicitia) on the Capitol and sacrifice there, and were to be hosted in Rome as if they were foreign ambassadors. Either or both consuls were to send letters to the governors of Asia and Macedonia and appropriate local magistrates to ensure that all these privileges were put into place 'in such a way as seems to them advantageous to our state and to their own dignity' (*CIL I²* 588: doc. 10.25).

Pro-Italian legislation and the Mithridatic command, 88 BC

Italy was now Roman from the straits of Messina to the river Po. Latin became the accepted language, with other ethnic identities eclipsed or forgotten. Rome was no longer a city-state and needed a new form of territorial organisation based on municipia made up of the old Latin colonies and allied communities. The wealthy in these newly Romanised communities were able to vote in the comitia centuriata, where voting took place according to property classifications, and they could also stand for magistracies. One example of the transition from enemy of Rome to senior magistrate is that of M. Papius Mutilus, a descendent of the Samnite leader, suffect consul in AD 9 and one of the proposers of the *lex Papia Poppaea* by which Augustus legislated against adultery and celibacy: even the Samnites had become absorbed into the Roman cursus honorum within three generations.

Even though censors (L. Julius Caesar, cos. 90, and P. Licinius Crassus Dives, cos. 97) were appointed in 89, progress in registering the new citizens was slow. In 115, in the census preceding the war, 394,336 citizens were registered (Livy *Epit.* 63), and only 463,000 in the census of 85, although the Italians had finally been enfranchised by the census of 70–69 which recorded 910,000 citizens (Livy *Epit.* 98), more than double the number of those in 115. The question of distribution in the tribes also gave rise to problems: the tribal assembly (the comitia tributa) voted in blocks of 35 tribes, and the new citizens were restricted to eight new tribes according to Velleius (2.20.2: doc. 10.26), or possibly ten (App. 1.214–215: doc. 10.17), and were to be the last to vote, which meant that when voting took place their influence would be limited. The Romans were presumably hoping to safeguard the people's assembly from being swamped with new voters.

At any rate there were disputes over this tribal distribution. In 88 P. Sulpicius Rufus, as tribune, proposed that the Italians (and freedmen) be distributed equally amongst all the tribes: this was opposed by Sulla as consul and by the urban populace with violent riots. After Sulla left to join his army, Sulpicius then had the command against Mithridates transferred by plebiscite from Sulla to Marius (App. 1.242–263: docs 9.32, 11.5). This led directly to Sulla's march on Rome together with his army (but not his officers, except probably L. Licinius Lucullus) as to accept this loss of command would have meant the end of his political career. Sulpicius and Marius fled and were declared enemies, while Sulpicius' laws were declared invalid. But after Sulla's departure for the East, the issue of the distribution of new citizens into tribes was raised

again, with Cinna (consul 87–84) taking the Italians' side. When a majority of tribunes vetoed this measure, Cinna was deposed in 87 by his fellow consul, Cn. Octavius, with the approval of the senate, and was replaced by Merula, the flamen dialis (Vell. 2.20.2–3: doc. 10.26). The new citizens rioted, with many of them killed by Octavius' men; Cinna, after offering freedom to slaves, left the city.

At the end of 87 Cinna returned to Rome with Marius, who had joined his veterans in Africa, and together they demanded the consulship for 86. The senate had refused a request from Q. Caecilius Metellus Pius, as commander against the remaining Samnites, to grant citizenship to those still in arms, but Cinna now granted it to all who now surrendered and enrolled them in his troops (Licinianus 20–21: doc. 10.27). With Marius he entered Rome and they began their retribution against their opponents, starting with the consul Octavius, with Marius dying several days into the consulship, his seventh, in 86 (Plut. *Mar.* 43.4–46.9: doc. 9.34).

Many Samnites continued their dogged resistance despite Cinna's offer, and some held out till 80 (Licinianus 20–21: doc. 10.27). Sulla on his victorious return from the East in 82 recognised the grants of citizenship to Italian communities, but he did not include the Samnites who had been made citizens by Cinna and Marius, and he put to death all the Samnite prisoners he captured from his battle at Sacriportus against the young Marius, who had been elected consul for 82 before Sulla's return. When Marius retreated to Praeneste and was besieged by Sulla's legate Q. Lucretius



Figure 10.3 A terracotta boundary marker with an inscription in Oscan from a sacred area near Capua dating to 300–100 BC, depicting the helmeted head of Athena and the Oscan boar.

Source: Photo © Lanmas/Alamy Stock

Afella, the Samnites and Lucanians rose in an attempt to relieve the city with a force of 40,000 led by C. Pontius Telesinus and the Lucanian M. Lamponius. When this failed, they tried the diversion of marching on Rome, although Telesinus does not seem to have attempted to take the city, but waited to engage Sulla (*Livy Per.* 87–88: doc. 11.16).

The battle of the Colline Gate, 82 bc

The critical battle with the Samnites was fought outside Rome at the Colline Gate on 1 November 82, when the fortunes of both sides hung in the balance. Sulla's wing broke and the soldiers fled towards Rome, but they were forced to stand and fight when the city gates were closed against them (*Livy Per.* 87–88: doc. 11.16). Velleius considered the danger to Rome at this point as equal to that when Hannibal encamped near Rome after Cannae, and Appian estimated that there were 50,000 casualties on both sides (App. 1.430–438). It was only after nightfall that the enemy withdrew, and Telesinus died, proud to the last of his indomitable stand. He had likened the Romans to wolves who stole Italian liberty, and exhorted his men to cut down the woods in which they took refuge (Vell. 2.27.1–3: doc. 10.28). Sulla had his head cut off and carried on a spear round Praeneste, where the younger Marius was still besieged: he committed suicide and the male inhabitants were massacred, with the other Samnite prisoners killed at Rome in the hearing of the senate (*Livy Per.* 88: doc. 11.19). Sulla celebrated the fall of the city by establishing annual games in the circus, the ludi victoriae Sullanae (Vell. 2.27.6), and, when Mutilus and the last Samnites were finally defeated at Nola in 80, their defeat led to the incorporation of the Samnites into the Roman state, after centuries of bitter opposition to Rome. At this final failure, Mutilus committed suicide (*Livy Per.* 89).

The outcomes of the Social War

The allies had lost the war, but gained the citizenship they wanted. In terms of casualties on both sides the losses were horrific. Rome had finally realised that on certain issues it had to compromise to survive, and that it was going to be strengthened in the long term by widening its citizen base. The Italians could now vote, if they could get to Rome, serve in the Roman army, and stand for Roman magistracies. This was not effective immediately, but the census of 70/69 shows that the enrolment of the new citizens into tribes had by that point taken place. All Italy south of the river Po was now Romanised and had become a single political entity. Within decades the career trajectory of fortunate men of Italian background like L. Afranius from Picenum (cos. 60), C. Vibius Pansa from Perusia (cos. 43), P. Ventidius Bassa from Asculum in Picenum (cos. suff. 43), and most notably M. Papius Mutilus (cos. AD 9), descendant of the Samnite leader, showed that career opportunities had opened up for distinguished citizens of the newly enfranchised municipalities. Nevertheless, the nobles in Rome still guarded their prerogatives carefully: even M. Tullius Cicero, the first new man since T. Didius (cos. 98) and C. Coelius Caldus (cos. 94), found it hard to gain the acceptance of the senatorial nobility, and despite Caesar's attempt to broaden the base of senatorial membership it was only with Augustus that leading 'new men' from Italian townships became an integral part of Roman government.

Further reading for this chapter

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Chapter 11

Lucius Cornelius Sulla ‘Felix’

Sulla's early career

Sulla as a young man

While Sulla's family was patrician, no ancestors of his had been consuls for a considerable time. The most recent had been P. Cornelius Rufinus, consul in 290 when he brought the Third Samnite War (298–290) to an end, along with his colleague M'. Curius Dentatus, who triumphed over the Sabines in that same year. Rufinus was consul again in 277, when he conquered Croton which had revolted from Rome during the war against Pyrrhus: he was also dictator in or before 285. Plutarch records, however, that the censor Fabricius, who was a personal enemy of his, expelled him from the senate in 275 because he owned ten pounds of silver plate, in defiance of sumptuary legislation (Plut. *Sull.* 1.1–2: doc. 11.1).

P. Cornelius Sulla, son of Rufinus, who became flamen Dialis c. 250, was the first to bear the name Sulla, which may have been derived from *sura* (the calf of the leg), like many other cognomens based on physical characteristics. His son, also Publius, was praetor in 212 and instituted the *ludi Apollinares*, while his son (Sulla's grandfather) was elected praetor in 186 and governed Sicily as his province. Of Sulla's father, L. Cornelius Sulla, nothing is known except the name, and this more than anything shows the extent to which Sulla, though a patrician, was a political outsider.

Sulla's appearance is best known from his coinage: a bust in the Munich Glyptothek, a first-century AD copy of a Greek original, may be a likeness. More probably, however, it is a speculative artwork based on literary sources describing Sulla, like its companion piece of Marius, also in Munich. Another bust, in the Ny Carlsberg Glyptothek, Copenhagen, dating to the first century AD (apparently based on a first-century BC original), shows little likeness to this first portrait. A denarius of 54 BC, however, coined by Q. Pompeius Rufus (tr. pl. 52), depicts his grandfathers, the consuls of 88, Q. Pompeius Rufus and Sulla, whose daughter Cornelia was Rufus' mother. Both, though individualised, are shown as typical Roman aristocrats, and Sulla possesses an aquiline nose, prominent Adam's apple, tufted hair, and vertical curved lines in his cheeks reflecting his severity of features and expression. Plutarch describes him from his statues, as having blue eyes, with a sharp and piercing gaze, and also mentions his blotchy complexion: ‘Sulla is a mulberry sprinkled with barley’ was one of the insults thrown at Sulla, when he was besieging Athens in 87 (Plut. *Sull.* 2.2: doc. 11.1).

As part of Plutarch's exposition of Sulla's character, he contrasts his intimidating appearance, which reflected the brutal and ruthless episodes in his career, with his licentious lifestyle as a young man (Plut. *Sull.* 2.3–6; doc. 11.1). Sulla reportedly associated with actors, comedians, female impersonators, musicians, and prostitutes, and continued to do so even in his final years in retirement (*Sull.* 36.1–2; doc. 11.39). That his early career was supposedly bankrolled by two women, his step-mother and a prostitute called Nicopolis, who was his mistress, highlights his lack of aristocratic connections and financial resources, and sets him apart from the traditional candidates for magistracies. Nevertheless Sulla had clearly received an excellent education, was fluent in Greek (like all aristocratic Romans), and had presumably studied rhetoric, as well as being wealthy enough to serve in the cavalry, so this depiction of his poverty-stricken background should not be taken too literally.

Sulla's military and political career

Sulla's first step on the *cursus honorum* was election to the quaestorship in 107, and he served under Marius in Africa against Jugurtha: the quaestor's duties were to organise troop recruitment and take charge of financial and administrative issues, such as the provision of supplies for the army. Sulla also led Marius' cavalry. He was now 31 years of age (he was born in 138), and as the minimum age limit for election to the quaestorship was 27 years, he was a 'slow starter' on the political ladder. His political career was not particularly swift and he did not become consul until well after the minimum age, when he was 49 years. No doubt his relative poverty and lack of connections slowed his career trajectory significantly.

After organising troops from Italy for Marius at the end of 107, Sulla reached Marius' camp in 106 with these reinforcements, and was then sent with A. Manlius on a mission to Bocchus, king of Mauretania and son-in-law of Jugurtha. The following year saw on-going negotiations between Sulla and Bocchus, who was finally persuaded in 105 to seize Jugurtha and hand him over to Sulla, an event which Sulla portrayed in his *Memoirs* (*Commentarii*) as one of his greatest successes, and as the catalyst for bringing the war to an end; this achievement featured on coinage minted by his son Faustus in 56 (Figure 9.3). At the time Marius and Sulla were on good terms and Sulla continued to serve under Marius as his legate or military tribune in the Gallic campaigns of 104 and 103, in 104 capturing Copillus, the leader of the Tectosages. In 102 he transferred from Marius' staff, presumably with his approval, to that of Marius' consular colleague Q. Lutatius Catulus and was put in charge of supplying his army in Upper Italy. In 101 at Vercellae he played a significant part in the victory as commander of the Roman and Italian cavalry: the Cimbri were almost entirely annihilated, and the Romans claimed to have killed some 140,000 and captured 60,000 (Plut. *Mar.* 26.1–4; Livy *Per.* 68: doc. 9.26).

Sulla did not stand for the aedileship after the Gallic campaign. His decision to bypass the aedileship may have contributed to his failure to be elected to the praetorship, for his attempt at this office in 99 for 98 was unsuccessful, with Sulla attributing this to the fact that the plebs knew of his friendship with Bocchus of Libya, and so were hoping for some spectacular wild animal combats and hunts if he were aedile. This sounds like special pleading, and Sulla was in fact elected in the following year,

in 98 for 97 at the top of the poll as praetor urbanus, though his successful election was allegedly due to bribery (Plut. *Sull.* 5.1–4: doc. 11.2). The ludi Apollinares were hosted by the praetor urbanus, and Sulla's were noted for his staging a lion hunt for the first time at Rome, with Bocchus providing 100 maned lions as well as Mauretanian javelin-throwers (a novelty) to dispatch them (Pompey in his games later outdid this with 600 lions, 315 of which were maned: Pliny 8.53; Sen. *Brev. Vit.* 13.6).

Sulla's praetorship was followed by a propraetorship in Cilicia, which perhaps continued until 92. Mithridates VI of Pontus was extending his influence in the region and one of Sulla's commissions was to install the Cappadocian nobleman Ariobarzanes as king of Cappadocia in place of Ariarathes IX, one of Mithridates' sons. In 94, he met an envoy sent by the Parthian king Arsaces at the river Euphrates, which, according to Plutarch (*Sull.* 5.4), was the first diplomatic contact between Rome and Parthia. After his return to Rome, he was prosecuted for extortion and corruption during his propraetorship, perhaps by C. Marcius Censorinus a supporter of Marius, but the charge was dropped. It is, however, likely that he used the opportunity in the province to repair his finances. It was at this point in 91 that the statue-group depicting the surrender of Jugurtha to Sulla was erected by Bocchus on the Capitol with the senate's approval. This threatened a serious rift between Marius and Sulla, as Marius felt, rightly, that his role in the war and victory against Jugurtha was being undermined. Sulla was also said by Plutarch (*Sull.* 3.4; *Mor.* 806d) to have had the scene engraved on a seal-ring, and it was depicted on the coinage minted by his son Faustus in 56 BC (Figure 9.3). Overt hostility between Marius and Sulla was prevented by the outbreak of the Social War in which both initially had command roles, with Sulla taking charge of the war against the Samnites.

Sulla in the Social War proved himself to be one of Rome's most capable generals (Vell. 2.15.3: doc. 10.18). With Marius in 90 he defeated the Marsi near the Fucine Lake, and in 89 captured and destroyed Stabiae and defeated the Samnites under Cluentius near Nola, as well as taking Pompeii and subduing the Hirpini. He then invaded Samnium and captured Bovianum, returning to Rome to stand for the consulship of 88 (Livy *Per.* 75: doc. 10.19). While pockets of resistance remained, they would be extirpated by Sulla at the end of the decade, after his return from the East.

Sulla was now 49 years of age, and so was considerably over the minimum age for election ('suo anno', which at this point was 39 years, though Sulla himself was to raise this to 42 years). It was his military success in the Social War that ensured his election, and the consulship would be a profitable one, as one of the consuls would naturally be assigned the war against Mithridates. Sulla was a popular commander, and in his own memoirs recorded that at Nola in 89 he had won the grass crown, the most prestigious Roman military award, granted to only eight recipients, including P. Decius Mus, Scipio Aemilianus, Fabius Cunctator, and Augustus (Pliny 22.12). The corona obsidionalis (siege crown), or corona graminea (grass crown, so called because it was made of grass from the battlefield), was the highest military decoration, presented by the soldiers to their commander when his actions had preserved a legion or the entire army, or relieved a siege (Livy 7.37.1–3: doc. 5.8). Pliny the Elder, the only source, questions the veracity of the account, stating that he found it recorded in Sulla's own memoirs, and that Sulla had a painting of the scene in his villa at Tusculum, which Cicero later owned.

Mithridates VI of Pontus

Mithridates VI Eupator ('of noble father') Dionysus, king of Pontus, which was located on the southern shore of the Black Sea, had been in power since c. 120, after murdering his brother and mother. He had pursued an aggressive military policy in the Crimea and along the north coast of the Black Sea, in Asia Minor, and in Greece. Following his interference in the affairs of Cappadocia, Sulla as propraetor had removed his son from the throne of Cappadocia in 95. However, despite the fact that he had been ordered by the Romans to leave Bithynia and Cappadocia alone, Mithridates drove Nicomedes IV Philopator out of Bithynia in 91, and put his son Ariarathes (IX) back in power in Cappadocia in 90. In these acts of aggression he was taking advantage of the Romans' preoccupation with the Social War.

A Roman delegation, led by M'. Aquillius (cos. 101) who had ended the Slave War in Sicily in 100 (Figure 6.2), was sent to Asia to restrain Mithridates' ambitions, and the governor of Asia, C. Cassius, was instructed to restore Nicomedes IV to the throne of Bithynia and depose Ariarathes IX in Cappadocia, replacing him with Ariobarzanes (again). Aquillius, however, incited Nicomedes into attacking Mithridates and invading Pontus to raise money to 'pay' Rome for his restoration to the throne: this was the beginning of the First Mithridatic War (89–85). Mithridates was already well prepared for war and at the Amnias river Nicomedes' troops were cut to pieces by Mithridates' chariots, with Nicomedes fleeing first to Aquillius and later to Italy (he was to be reinstalled on the throne by Sulla in 84). Ariobarzanes was again deposed: Aquillius himself was defeated by Mithridates at the river Sangarius in 88, and was surrendered to him by the Mytilenaeans after he fled to Lesbos. After parading him ignominiously around the province, Mithridates had him executed, according to Appian (*Mith.* 80: doc. 11.3) by pouring molten gold down his throat, a punishment symbolic of his avarice and Roman greed generally. The general Q. Oppius was also handed over to Mithridates by the city of Laodicea, and was exhibited publicly as a prisoner, but not executed: Aquillius' rapaciousness was noteworthy even for a Roman.

Mithridates proceeded to take over Bithynia and invade Phrygia, which he quickly overran (he put up at the inn in Phrygia where Alexander the Great had once stayed: App. *Mith.* 77). He then subjugated Lycia, Pamphylia, Mysia, and those parts of Asia recently acquired by the Romans, meeting with little or no resistance. In a diplomatic masterstroke, to ensure that the provincials remained loyal to him and would be permanently alienated from Rome, he ordered a massacre of Roman citizens and Italians in Asia in the spring of 88, the 'Asian Vespers', orchestrated to take place on the same day throughout the whole region. The provincials were tired of extortionate tax-collectors, and some 80,000 Romans and Italians were butchered, including women, children, freedmen, and slaves (App. *Mith.* 76–92: docs 11.3–4). The overwhelming brutality of the event shows the extent to which the provincials felt they had been exploited by Roman publicani and Italian businessmen. The bodies were to remain unburied, slaves who killed their masters were freed, half the debts of debtors remitted, and property confiscated. Only certain cities, notably Laodicea, Magnesia, Stratonicea, and Rhodes, refused to join in the revolt and were later rewarded by Sulla (RDGE 18: doc. 11.34). Mithridates, after this show of strength, set up satraps to administer the area, and moved his troops into Greece, where again there was little

resistance, with a pro-Mithridatic regime set up in Athens under the Epicurean philosopher and ‘tyrant’ Aristion.

The background to the civil war

Sulla was elected consul for 88 with Q. Pompeius Rufus, who, though praetor in 91, appears to have played no role in the Social War. He had, however, significant backing from the optimates, as he had championed the return of Metellus Numidicus from exile as tribune in 100 (Oros. 5.17.11). To cement the political alliance, Sulla’s daughter Cornelia was married to Rufus’ son Quintus: their daughter was to be Pompeia, Caesar’s second wife, whom he married in 67 and divorced over the Bona Dea scandal in 62; a son, another Quintus, was tribune in 52. Sulla had also married again, divorcing his current wife Cloelia, allegedly for barrenness, and making a politically advantageous marriage with Caecilia Metella Delmatica, the daughter of L. Caecilius Metellus Delmaticus (cos. 119 and pontifex maximus in 114, the elder brother of Metellus Numidicus). Caecilia Metella was the widow of the elderly M. Aemilius Scaurus (cos. 115, cens. 109), who had been princeps senatus from 120 until his death in 89 and the acknowledged leader of the nobiles (despite having accepted bribes from Jugurtha while in Africa in 112 and 111), and Sulla’s success in the consular election for 88 may have been assisted by the support of the Metelli (who were implacably opposed to Marius). Sulla’s first wife was said to have been Ilia, or perhaps Julia, but her family background is not known (Plut. *Sull.* 6.11).

Sulla’s first consulship

One of the most controversial figures in the year 88 was the tribune P. Sulpicius Rufus, an outstanding orator and an associate of Pompeius Rufus and Drusus the younger, who was committed to carrying through Drusus’ plan to have the Italians distributed throughout all 35 tribes. He apparently expected Pompeius Rufus’ support in this, and possibly that of Sulla. In late 89 he had opposed C. Julius Caesar Strabo’s candidacy for the consulship for 88, on the grounds that he had not been praetor (merely aedile in 90). Cn. Pompeius Strabo also seems to have been eager to canvas, though consul already in 89, but neither Strabo was allowed to stand. Sulpicius was serving Sulla’s interests, since, as both Sulla and Caesar Strabo were patricians, only one of them could be elected for 88, and if Caesar Strabo were out the way Sulla was sure of election. Sulla, however, gave Sulpicius no support for his pro-Italian legislation, and he also faced unexpected opposition from Pompeius Rufus. Furthermore, the ‘old’ Roman citizens naturally resented the Italians and their enfranchisement, and were afraid that they would potentially outnumber them in the people’s assembly (though it is unclear how many Italians would actually have been able to attend on a regular basis). Sulpicius therefore needed to find new allies in order to pass his proposals.

The news of Mithridates’ hawkishness had reached Rome prior to the elections and Asia had already been nominated as a consular province. Sulla was selected as proconsul and commander in the war against Mithridates, after his successes in the Social War, and his experiences in Africa and against the Cimbri. Sulpicius, however, in search of new support for his Italian legislation resolved to transfer the Mithridatic command to Marius, who was pleased with this opportunity after a couple of years

in the shade (he played no role in the second year of the Social War), while he would not have been displeased at the chance to upstage Sulla. While commands had been transferred before, as in the case of Metellus Numidicus' command against Jugurtha to Marius (Sall. *BJ* 73.1–7: doc. 9.9), this had been justified by military failures or defeats: Sulla's case was different, in that he had not yet reached the province and the war had not yet commenced. Moreover, Marius at this point was a private citizen, so the proposal conferred imperium, with the only precedent for imperium being conferred on a private citizen by the people being the case of Scipio Africanus, after the deaths of his father and uncle in Spain in 211 (Livy 26.18.3–10).

Sulpicius' aim was to win support from Marius' adherents, especially the equites, in his proposal to distribute the new Italian citizens more fairly between the 35 tribes: both Marius and Sulpicius would have gained an unrivalled clientela from the new citizens. Sulpicius also used his tribunate as a chance to introduce bills to restore exiles, perhaps the victims of the *quaestio Variana* (mostly supporters of Drusus), and to place a limit on senatorial debts (setting a maximum of 2,000 denarii: many senators must have been in financial difficulties after the Social War). Sulla was, however, obdurate in his opposition to Sulpicius, while the populace was opposed to sharing their perquisites with the Italians. Sulpicius therefore equipped himself with a bodyguard of 3,000 supporters, as well as an entourage of equites, whom he named as his anti-senate (Plut. *Sull.* 8.3), to protect himself from violence from the senate, perhaps recalling the violence inflicted on both the Gracchi. There was considerable public disturbance and, though the consuls declared a 'vacation' from public business (*iustitium*) to block the passing of the legislation on the grounds of civil disorder, Sulpicius pushed on with his demands, insisting that the suspension of business was illegal. When the consuls refused, violence broke out and Pompeius Rufus' son Quintus (Sulla's son-in-law) was killed in the riots. Sulla himself had to take shelter in Marius' house, though Plutarch (*Mar.* 35.2–4) tells us that he denied this in his memoirs, stating that he was only there for 'discussions'. The suspension of business was lifted, and Sulla then left to join his army in Campania, unaware of the agreement of Marius and Sulpicius over the Mithridatic command.

Sulla's march on Rome

While Sulla was with the army in Campania, he learnt that Sulpicius' Italian legislation had been enacted, and that Pompeius Rufus had been demoted from the consulship, while his own command against Mithridates had been transferred by plebiscite to Marius. The situation gave Sulla little choice if he wanted to maintain his dignitas (like Caesar: *BC* 1.4.4–5.5: doc. 13.24). If he did nothing, he would lose the command and chance for gloria and wealth, as well as the opportunity to win the gratitude of his army through conquest and plunder. Rather than give in he decided to take the risk of alienating public opinion by marching on Rome (App. 1.240–250; doc. 9.32).

Sulla made a rousing speech to his army, pointing out the injury done to himself and suggesting that another army, not themselves, would be making the profitable expedition to Asia. He then with the support of his six legions marched on Rome, though his officers refused to join him, and he was accompanied by only one quaestor, generally supposed to have been L. Licinius Lucullus. He was joined by his fellow (deposed) consul Pompeius Rufus, and officers sent by Marius to take command were stoned by

the army. Sulla was reported to have had a dream sent by the goddess Luna Lucifer (the 'light-bearing moon') or the Anatolian war goddess Ma-Bellona, who put a thunderbolt in his hands and foretold that he would be victorious against his enemies (*Plut. Sull. 9.4*; Figure 11.1). This was the first time a Roman general had marched on Rome (Coriolanus in the fifth century had led a Voscan army against the city but was turned back by his womenfolk), and Sulla's army had followed their commander, obeying him rather than the state, as a consequence of the Marian recruitment of the *capite censi*, who wanted a profitable war under a successful commander and expected gratuities on being discharged. Sulla justified his conduct by the fact that he was marching to deliver his country 'from tyrants', as he told senatorial envoys from Rome: the constitution had broken down and was no longer in force (App. 1.253: doc. 11.5).

Although he had made an agreement with envoys sent by Marius and Sulpicius that he would come no closer to Rome than 40 stades (5 Roman miles), he continued to the Esquiline gate which he held with one legion, while Pompeius Rufus held the Colline gate with another. Sulla then entered Rome engaging with Marius' hastily assembled forces: the Marians again offered freedom to slaves, but met with little response and fled the city. The populace, however, put up a vigorous opposition to Sulla's army, and Appian characterises this as the first battle fought in Rome itself 'under trumpets and standards according to the rules of war', with the contenders striving for power (App. 1.259: doc. 11.5).

The next day Sulla summoned the senate, and all his opponents, including Sulpicius and Marius and his son, were decreed to be enemies of the state (App. 1.269–271:



Figure 11.1 A denarius issued by the moneyer L. Aemilius Bucca in 88 BC, depicting the diademed head of Venus, and 'Sulla's dream'. Sulla reclines against a rock, while on the right Luna Lucifer (light-bearer), or the Cappadocian war-goddess Ma-Bellona, descends from a mountain, her veil floating above her head and holding a lighted torch in her right hand. Victory, with spread wings and a palm frond in her right hand, stands in the background. Plutarch (*Sull. 9.4*) recorded a dream of Sulla's in 88, of a goddess, who handed him a thunderbolt with which to smite his enemies.

Source: Courtesy of Classical Numismatic Group

doc. 9.33). These could be killed with impunity, and their possessions were confiscated. This gave Sulla full authority, as consul, to act as he chose, despite his enemies not having been convicted in a court of law. Sulpicius, betrayed by a slave, was killed: the slave was given his freedom, but then thrown from the Tarpeian rock for having betrayed his master (Plut. *Sull.* 10.1). Sulpicius' followers were hunted down, and his laws revoked. Marius, who narrowly escaped death at Minturnae, was lucky enough to flee with his son to Africa, where many of his veterans had been settled. Appian comments that this was the first citizen army to 'invade Rome as an enemy country', and that all sedition for the future would be decided by armed force, with violence becoming the first resort, rather than the last (App. 1.269–270).

Sulla's reforms, 88 BC

Sulla was reinstated in the command against Mithridates (Figure 11.2), and Pompeius Rufus as consul, and they passed a series of reforms, with Sulla's troops outside the city ensuring that order was maintained. These laws foreshadowed some of Sulla's reforms as dictator. Sulpicius' legislation, especially the distribution of the Italians among the tribes, was annulled, and laws were enacted to limit the activities of tribunes. Legislation was only to take place through the comitia centuriata, so that the votes of the wealthy would have more influence, and all proposals brought to the people had to be first approved by the senate (App. 1.266). The senate was also enlarged by 300 men, as its numbers had been depleted during the Social War. Appian does not expand on the 'many other ways' (apart from the inability to put legislation to the people) in which the tribunate's powers were diminished, but he considered that the office 'had become extremely tyrannical' (App. 1.265–268: doc. 11.5). It is also possible (Livy *Epit.* 77) that Sulla now passed laws on colonisation, to arrange for the settlement of the armies of the Social War, and for that of his soldiers when they returned from Asia. He also remitted debt, exacerbated by the Social War and loss of Asia (and its taxes) to Mithridates. Sulla then dispatched his army back to Capua, and consular elections for the following year took place.

The elections were allowed to run their course without interference, and Cn. Octavius and L. Cornelius Cinna were elected consuls for 87: Sulla's actions may not have been entirely popular, as Cinna was a radical who was to be one of Sulla's fervent opponents, while a nephew of Marius, M. Marius Gratidianus, was elected tribune. The consuls-elect were made to swear that they would not alter Sulla's arrangements, giving him justification for retaliation should they do so. Cinna initiated a prosecution against Sulla once he left Rome through the tribune M. Verginius, but ineffectually. The attempt to transfer the army of the proconsul Pompeius Strabo to Pompeius Rufus was unsuccessful (Pompeius Rufus was killed by Strabo's troops and Strabo remained in command), further evidence that there was considerable opposition to recent events and that Sulla's actions had not been popular.

Sulla and Mithridates

Sulla returned to his army in Campania in late 88 or early 87 and prepared for his embarkation for Greece with five legions (one legion was left behind at Nola under the command of App. Claudius Pulcher, cos. 79). He may not have trusted Cinna's oath

not to engage in any hostile actions against him, but his main concern was to assume the command in case it was again reassigned. After a profitable campaign his soldiers would certainly back him against any opposition from Rome, and Mithridates had already had more than a year to establish himself in Asia and Greece. Sulla’s haste was well advised, as Cinna and the senate dispatched another army to the East in 86 to replace him, under the command of the suffect consul L. Valerius Flaccus, following Marius and Cinna’s rule of terror at Rome.

Cinna and Marius take Rome, 87 BC

Cinna, as consul in 87, had attempted to pass a law assigning the Italians among all Roman tribes but was opposed in this by his colleague Cn. Octavius, and was expelled from the city and declared a public enemy. He took over the legion left by Sulla at Nola and recruited soldiers for a move against Rome, while Marius left Africa, raised a force in Etruria of some 6,000 men and sacked Ostia. Rome was now between two armies, and eventually Cinna and Marius were invited into the city, and Marius’ exile was formally rescinded. The two were appointed consuls for 86, and Sulla’s command was transferred back to Marius, his property was confiscated, and his legislation repealed, and he was proclaimed a public enemy. There then followed a purge of Marius’ opponents until he died on 13 January at the age of 70 years. Marius’ slave bodyguard, the Bardyiae, were responsible for much of the slaughter, until wiped out by Gallic troops at the instigation of Cinna and Q. Sertorius (Plut. *Mar.* 43–46: doc. 9.34). L. Valerius Flaccus took over the consulship and the command against Mithridates. Sulla’s supporters had to expedite their departure from Italy: Metellus Pius left for Africa, the young Crassus withdrew to Spain, and Metella, Sulla’s wife, escaped to Athens.

Sulla in Greece

Shortly after his arrival in the East, Sulla was honoured on Delos in 87: the inscription calls him proconsul, though technically he was no longer governor as a declared public enemy (*CIL I² 712*: doc. 11.6). The collegia responsible for the dedication may have been business corporations connected with the slave trade on Delos. The island had been sacked and the treasury stolen by Archelaus, one of Mithridates’ generals, in 88, and the statue honoured Sulla in thanks for his support, financial or otherwise.

Rome’s delay of nearly a year in dispatching the army against Mithridates had given him an unparalleled opportunity to conquer large parts of Asia Minor and invade Greece. His general Archelaus had taken most of central Greece without opposition (Sparta, Achaea, and most of the Boeotians rose against the Romans), though Q. Braetius Sura, legate of the governor of Macedonia, had won some successes against him. On his arrival in Greece early in 87, Sulla showed no eagerness to cross to Asia to meet Mithridates and, after sending Braetius back to Macedonia, began a siege of Athens and the Piraeus, where Archelaus had based himself. After retiring to Eleusis for the winter, he sent Lucullus to Egypt in 86 to attempt to collect warships to challenge Mithridates’ control of the sea (Ptolemy was courteous but provided little actual assistance), and despoiled the temples of Olympia, Delphi, and Epidaurus to raise funds to maintain his army. Insulted by the Athenians over his complexion (‘Sulla is a

mulberry sprinkled with meal': Plut. *Sull.* 2.2), he captured the city which was close to starvation on 1 March 86, with the tyrant and philosopher Aristion and his supporters taking refuge on the acropolis; Athens' buildings were spared due to the city's glorious history, though there were many casualties (Livy *Per.* 81: doc. 11.7).

Sulla then turned to Archelaus in the Peiraeus, who escaped by sea, joining Mithridates' army at Thermopylae. Sulla left his legate C. Scribonius Curio to continue the siege of the Athenian acropolis and moved north into Boeotia. After facing Sulla initially at Elateia, Archelaus was soundly defeated at Chaironeia: he only escaped to the coast with some 10,000 men, less than a quarter of his original forces. Mithridates still had command of the sea and another army of 80,000 men was sent to Greece under Dorylaeus. This was defeated by Sulla at Orchomenos, and the Thebans were punished for their support of Mithridates by the forfeiture of their territory. Mithridates now ordered Archelaus to enter into negotiations, and while wintering in Thessaly Sulla began treating with him over peace terms. Mithridates did not find his proposals satisfactory, and the war continued, while Lucullus collected a fleet from the Asia Minor coast and defeated Mithridates' admiral Neoptolemus at sea, after which Sulla moved into Asia.

Sulla in Asia

L. Valerius Flaccus, as suffect consul for 86, was dispatched to the East to supersede Sulla and may have been given a mandate to negotiate with him regarding cooperation against Mithridates: a fragment of Memnon of Heraclea in the Pontus preserves the detail that the senate wanted Mithridates defeated before any hostilities eventuated between the two Roman armies (*FGrH* 434 F24). Flaccus sailed directly to the Hellespont, bypassing Sulla in Greece, with the aim of engaging with Mithridates and



Figure 11.2 A gold stater of Mithridates VI Eupator Dionysus (c. 120–63 BC) from the Pergamum mint, dated to September 74 BC. The obverse depicts a diademed head, the reverse a grazing stag, with the legend Basileus (King) Mithridates Eupator, surrounded by a Dionysiac wreath of ivy and fruit. Mithridates' portraiture with its free-flowing hair and arrogant gaze identifies him with Dionysus. Pergamum was part of the new kingdom of Pontus, symbolised by the star and crescent.

Source: Courtesy of Classical Numismatic Group

winning back Asia Minor. At Byzantium, partly due to Flaccus’ own ineptitude and unpopularity, a rebellion of his soldiers was instigated by his legate C. Flavius Fimbria, a committed Marian, and Flaccus was murdered in 85 after fleeing to Nicomedia (Livy *Per.* 82: doc. 11.7). Fimbria continued by taking Bithynia, brutally sacking a number of cities including Ilium (Troy), and defeated Mithridates’ son at the Rhyndacus river, besieging Mithridates in Pergamum and then encircling the coastal town of Pitane where he had taken refuge. Lucullus’ lack of cooperation, however, as Sulla’s naval commander allowed Mithridates to escape by sea.

At the time of Sulla’s arrival in Asia, with Lucullus transporting his troops across the Hellespont, most of the actual conflict had already taken place, and in 85 Sulla and Mithridates agreed peace terms at Dardanus near Pergamum. Sulla was concerned to return to settle matters in Italy after the declaration that he was a public enemy, while Fimbria’s victories in Asia showed Mithridates the wisdom of agreeing to Sulla’s terms, which he had not accepted late in 86. Following the Peace of Dardanus, Sulla marched to meet Fimbria, whom he argued was in charge of an army which had been sent out against him. Fimbria was campaigning in Phrygia, and his army deserted, with Fimbria committing suicide at Pergamum; Sulla left his army to garrison Asia. The First Mithridatic War ended with Mithridates evacuating the territories he had occupied (Livy *Per.* 83: doc. 11.7).

Sulla’s decision to make peace with Mithridates was fuelled by his desire to return to Italy and engage with his enemies there, instead of pursuing the war further. Mithridates agreed to give up Asia, restore Bithynia and Cappadocia to Nicomedes and Ariobarzanes, pay the Romans an indemnity of 2,000 talents, and hand over 70 warships, while returning prisoners and deserters. He was not conceding much, as he had retained his kingdom of Pontus intact: in fact, he was even granted the status of an ally of Rome (Plut. *Sull.* 22.8–10: doc. 11.8; App. *Mith.* 56–58). Mithridates was now left at peace to husband his resources until he was ready to engage Rome in a further two wars (83–82, 73–63 BC), when he was finally defeated by Pompey. Sulla’s army was appalled at this conclusion of the war, especially with the massacre of Romans and Italians in 88 in mind (Plutarch puts the number of deaths at 150,000, possibly double the actual total: *Sull.* 24.7: doc. 11.8), while Mithridates had enjoyed four years of taxation and loot from the Roman province of Asia and allied kingdoms. The Roman troops were now denied the chance of any plunder from Pontus, as Mithridates was left unchallenged in his kingdom. Sulla’s defence to his troops was that in making peace terms he had had to consider potential threats from Fimbria as well as Mithridates and the fact that the two might have united against him (Plut. *Sull.* 24.7).

Sulla then spent over a year organising Greece and Asia, while preparing for his return to Italy. His treatment of the cities that had sided with Mithridates was brutal. He billeted his legions with provincial households on humiliating terms, including lavish hospitality, and imposed a fine of 20,000 talents on the province, ten times the indemnity he had agreed with Mithridates (Plut. *Sull.* 25.4–5: doc. 11.8). This was partly a punishment for its disloyalty towards Rome, but also a calculation of five years unpaid taxes. Sulla departed for Italy in 84, leaving an unspeakably impoverished province behind him, with tax-collectors and businessmen hastening to recoup their losses incurred over the last few years.

Sulla granted independence to the towns and islands that had stayed loyal to Rome like Rhodes, Chios, Magnesia, Ilium, Stratonicea, and Lycia, and had them named

'friends of the Roman people' (*RDGE* 18: doc. 11.34). Slaves that had been freed were returned to their masters and cities that resisted his imposts were sacked and their inhabitants massacred, or sold into slavery. In a speech at Ephesus he laid down his terms, presented as a retrospective payment of taxes and compensation for the costs of the war, while anyone failing to concur was an enemy of Rome. The actual collection of moneys was left to Lucullus as proquaestor from 87 to 80, who gained a reputation for honesty and impartiality in his dealings with the cities, though even so a rebellion broke out at Mytilene in 81/80. The Roman tax-collectors and money-lenders expected to make good their losses: cities had to borrow at high rates of interest, sell their votive offerings and temple furnishings, and even mortgage their amenities, such as theatres, harbours, and gymnasia, while families in the province were forced to sell their children. Those who could not pay their dues were enslaved. Appian noted that 'Asia had nothing but misery' (*App. Mith.* 250–261: doc. 11.9).

As governor of Asia in 71–70 Lucullus again addressed the problem and attempted to ameliorate some of the sufferings that Roman businessmen were imposing on individuals and communities in their attempts to extort money, laying down a maximum rate of interest, the standard 1% per month, or 12% a year, disallowing any interest that exceeded the principal, and putting limits on the percentage of the debtor's income that could be sequestered. Any creditor who added interest to the principal lost the whole sum (*Plut. Luc.* 4.1, 20.1–6: doc. 11.10). In four years the debts were paid, although the exactions of the money-lenders had doubled the original indemnity of 20,000 talents to a total of 40,000. The businessmen were, however, furious, as by their reckoning the debt with interest should have amounted to 120,000 talents. Lucullus thus created a cabal at Rome hostile to him. As consul in 74 he would receive the command against Mithridates, but his opponents had it transferred to Pompey in 66; Lucullus' popularity in the province, demonstrated by a statue dedication at Delos (*CIL I²* 714: doc. 11.11), and festivals, the Lucullea, celebrated in his honour (*Plut. Luc.* 23.1), ensured that he was considered suspect and 'unsound' at Rome.

Events in Rome: waiting for Sulla, 85–84 BC

After the Marian reprisals of 86, opponents of Cinna had sailed East to join Sulla at Athens and elsewhere. In Italy the period from 86 to 84 was one of relative peace, and the censors appointed for 86/85, L. Marcius Philippus (cos. 91) and M. Perperna (cos. 92), began the distribution of Italians across the tribes, though this was not finally completed until several years later. A financial crisis was regulated by debtors only having to repay a quarter of the principal (the *lex Valeria* in 86), while in 85 the praetors, including M. Marius Gratidianus (nephew of Marius), fixed the exchange rate between the as and denarius. There was, however, concern in Italy over what would eventuate on Sulla's return.

The dominatio Cinnae (rule of Cinna)

In 85 Cinna was consul again (for the third time) with Cn. Papirius Carbo, and the two were to be returned again as consuls for 84. After Sulla's departure for the East, Cinna and Marius had returned to Rome and established what was later seen as a reign of terror: Marius died 13 days later. The next three years, known as the Cinnanum

tempus or dominatio Cinnae (the period or rule of Cinna), saw Sulla declared an enemy of the state and many of his supporters murdered. After the peace with Mithridates, both consuls began military preparations in 85 for Sulla's return, including attempts to win the support of the new Italian citizens, whose distribution amongst the tribes Sulla had not supported as consul in 88.

Sulla was unlikely to allow old scores to be settled amicably, and he had written to the senate with an account of his victories over Mithridates, listing his services to Rome, in return for which he had been declared a public enemy with his supporters banished from Rome. He promised vengeance on their behalf, though goodwill to the citizens as a whole. A pro-Sullan party in Rome, headed by the princeps senatus L. Valerius Flaccus (consul in 100 with Marius: not the suffect consul of 86, who was his cousin), argued in favour of sending envoys to discuss the terms of his return in the interests of concordia, 'public concord' (*Livy Per.* 83: doc. 11.12). Even if Cinna and his supporters were desirous of war, the senate as a whole was not and they instructed the consuls to cease war preparations until they had received Sulla's response, though the consuls continued their recruitment drive.

Cinna and Carbo arranged their re-election for 84, presenting Sulla's imminent arrival as a threat to Rome, which justified their raising armies against him. They planned to meet him in Greece, and L. Cornelius Scipio Asiagenes and C. Norbanus, who were to be consuls in 83, were also involved in rallying opposition to Sulla. The senate, however, refused to allow the taking of hostages throughout Italy to ensure that towns and cities opposed Sulla, and a decree was passed that all armies be disbanded (*Livy Per.* 84: doc. 11.12). The senators as a whole did not rally behind the consuls, with many preferring to support Sulla, whom they presumably expected to be the eventual victor. There were also popular undercurrents: Cinna's attempts early in 84 to force his troops at Ancona to embark to fight 'against fellow citizens' led to violence and his assassination. Carbo was then forced to return to Rome and arrange for the election of a suffect consul, but in the event omens prevented the election and he remained sole consul for the rest of the year.

Any concerns the senate might have had about his return had been proved correct when the envoys reported that Sulla had made it clear that he would not discharge his army on reaching Italy, and that he had no thought of reconciliation with his enemies. The declaration of him as a public enemy had to be rescinded, and his property and honours such as his priesthood restored, and he demanded that those exiled by Cinna be reinstated from banishment: according to Livy, even this was blocked by Sulla's opponents who wished to settle the matter in battle (*Livy Epit.* 84: doc. 11.12).

Sulla's Return, 83 BC

Sulla had always intended to return to Italy with an army to reinstate himself, and he was in command of experienced and loyal troops and vast financial resources, along with control of the sea. Cinna's death provided an excellent justification, like the exiles Cinna and his regime had banished from Rome (App. 1.3.47–51: doc. 11.13). These were an important factor in justifying his return to Italy, and would later be displayed to great effect in his triumph, in which they named him their

'saviour' and 'father' (Plut. *Sull.* 34.1–2). Leaving the senate to ponder on events, he now embarked for Italy, arriving early in 83 with five battle-hardened legions, to which he had added troops from the Peloponnese and Macedonia, a total of some 40,000 men and 1,600 ships. He landed without opposition at Brundisium, for which the town was granted exemption from customs taxes: clearly he had been prepared for armed opposition to his arrival (App. 1.363: doc. 11.13). Coinage from a military mint moving with Sulla in 84–83 stressed the legitimacy of his command and depicted the head of Venus, with whom he identified as Epaphroditus ('Beloved of Aphrodite'), an agnomen he used in the East, together with a palm frond symbolising victory (Figure 11.3). The reverse of the coin describes him as 'Imperator for the second time', emphasising that he still possessed imperium, and depicts the paraphernalia of an augur: magistrates possessed imperium and auspicium (the right to take the auspices). Sulla was presenting himself as legally and officially proconsul, in arms against enemies of the state.

Although Norbanus, Scipio Asiagenes, and Carbo had some 20 legions between them, Sulla's opponents in Rome were terror-stricken at his approach, remembering his actions in 88. The envoys he sent to the senate to discuss peace terms were violently handled by the consul Norbanus, and Sulla marched to Campania, where Norbanus and Scipio Asiagenes planned to meet him in battle. The consuls divided their forces, and Norbanus was defeated at Canusium and forced to withdraw to Capua (Livy *Epit.* 85: doc. 11.14). Scipio, whose troops were suffering from low morale, was more ready to agree to a peace agreement, but this collapsed when Scipio's envoy, Sertorius, broke the truce by taking the town of Suessa, which had already joined Sulla. Scipio's entire army then defected to Sulla, who was, however, able to use this episode later as evidence of the Marians' usual ill-faith.



Figure 11.3 A denarius from a military mint moving with Sulla in 84–83 BC, depicting the diademed head of Venus with Cupid, and a capis and lituus between two trophies. The legend IMPER ITERVM ('Imperator for the second time') marks Sulla's possession of imperium and auspicium as proconsul.

Source: Courtesy of Classical Numismatic Group

Cn. Pompeius: the young Pompey

En route to Rome Sulla was joined by Metellus Pius, still officially a proconsul, who had been stirring up unrest in Africa on Sulla's behalf, and Cn. Pompeius (Pompey), the young son of Pompeius Strabo (cos. 89) with a legion made up of veterans and clients from Picenum. Another arrival was M. Licinius Crassus, who had raised an army of some 2,500 men in Spain while in hiding from the Marians; his father P. Licinius Crassus (cos. 97) had committed suicide when the Marians captured Rome. Sulla was also joined by defectors such as L. Marcius Philippus (cos. 91), while C. Verres, Carbo's quaestor, who was later to be notorious as governor of Sicily, arrived with Carbo's war chest (App. 1.365–66: doc. 11.15).

The 23-year old Pompey was still a private citizen, though Sulla was said to have greeted him as 'imperator' and sent him back to Picenum to raise further troops; he returned with two more legions, having beaten off senatorial forces. His father Pompeius Strabo had died in 87 (either of lightning strike or perhaps disease), still hoping for another consulship, and Pompey had campaigned with his father in the Social War, when they defeated the Marsi and took Asculum in 89. Appian states that he was Sulla's most useful lieutenant and the only man whom Sulla rose to greet at his approach (App. 1.367: doc. 11.15).

The Marian last stand, 82 bc

Carbo, who had based himself at Ariminum in northern Italy, returned to Rome to hold the elections for 82, and had the senators with Sulla, like Metellus Pius, declared public enemies. Two bitterly anti-Sullan consuls were elected for 82, Carbo himself for the third time, together with the young Marius who was only 27 years and had not held a magistracy: Livy (*Per. 86*: doc. 11.16) is incorrect in stating that he was not yet 20. In 95 the young Marius had married Licinia, the daughter of the orator L. Licinius Crassus (cos. 95), and had served in the Social War, returning to Rome with his father in 87. While the consuls continued to recruit troops for the war, Q. Sertorius, who had perhaps hoped for election, retired to Spain, his praetorian province. For his part, Sulla guaranteed to the Italians that he would not interfere with their distribution in the 35 tribes or their rights as citizens. In early 82 Metellus headed north to deal with Carbo at Ariminum with Pompey's help, while the young Marius was defeated at Sacriportus in Etruria by Sulla and took refuge in the nearby town of Praeneste (Livy *Per. 86*: doc. 11.16). The gates were closed on the fugitives and Sulla took a substantial number of prisoners; he was later to execute all the Samnites among them, whom he did not consider to be citizens, not recognising their enfranchisement by Cinna and Marius. Leaving the siege of the young Marius at Praeneste to Q. Lucretius Afella he moved on to Rome.

Marius had already transferred a large quantity of gold from the Capitol to Praeneste, as well as ordering the death of his main aristocratic opponents in Rome, including C. Papirius Carbo Arvina (tr. pl. 90), Pompey's father-in-law P. Antistius (tr. pl. 88), and the pontifex Q. Mucius Scaevola (cos. 95), who was killed at the temple of Vesta itself. The urban praetor L. Junius Brutus Damasippus, who assembled the senate and carried out Marius' instructions, had the bodies thrown in the Tiber (Livy *Per. 86*: doc. 11.16). Despite this act of terror the gates of Rome were opened to Sulla,

and his enemies fled. Without entering Rome Sulla had them declared public enemies and after holding an assembly foreshadowing his future government continued on to Etruria (Figure 11.4). Carbo moved to Clusium to raise the siege of Praeneste, but was checked by Sulla, while Pompey ambushed a force of eight legions dispatched by Carbo to relieve the town. A new element now entered the game, when the Samnites marched north under C. Pontius Telesinus with a force of Lucanians to assist Praeneste.

Sulla prevented both the Samnites and Carbo from reaching Praeneste, while Marius failed to break out. Despite still commanding some 30,000 men, Carbo abandoned his army, with the intention of winning over Africa, and his army at Clusium was defeated by Pompey. With all attempts at relieving Praeneste having failed, Pontius Telesinus marched on Rome with his army in the hope of distracting Sulla. There the Samnites waited for Sulla outside the Colline Gate, making no attempt to plunder the city. The battle began in the late afternoon of 1 November, with Crassus victorious on the right wing, but Sulla defeated on the left. The gates of Rome were closed against Sulla's troops, and they were forced to continue fighting until they eventually took the Samnite camp. Telesinus fell, and his head with those of other leaders was sent to Afella at Praeneste: the Samnite and Lucanian prisoners would be executed. On hearing of the defeat the young Marius committed suicide at Praeneste (or was killed attempting to escape: Plut. *Mar.* 46.9: doc. 9.34) and the inhabitants were massacred after Afella succeeded in taking the town.

The end of the civil war

The war was not yet over, but this had been one of the most critical battles for Rome in its entire history. Nola was to continue to hold out until 80 and Aesernia till 79, while Sicily, Africa, and Spain were still in the control of Marian supporters. This civil war in Italy had lasted nearly two years, from Sulla's arrival at Brundisium in the



Figure 11.4 A denarius of Sulla and L. Manlius Torquatus (Sulla's proquaestor), 82 BC, from a military mint moving with Sulla, depicting the helmeted head of Roma, and Sulla driving a triumphant quadriga. Sulla holds a victory branch, while being crowned by a Nike (Victory), as if celebrating a triumph.

Source: Courtesy of Classical Numismatic Group

winter of 84/83 to the fall of Praeneste in November 82. The loss of life and economic costs to Italy were devastating. Despite this, or because of this, Sulla was treated as a saviour: a golden statue of him on horseback (the first ever) was erected at Rome in the forum facing the rostra, voted by the senate in November 82, and he now took the agnomen Felix ('Fortunate' or 'Lucky'), a Latin equivalent to the name Epaphroditus ('beloved of Aphrodite') which he had used in the East. The name stressed his relationship with Aphrodite (Venus), a goddess with whom he felt a close relationship. He also possessed a statuette of Apollo, to which he prayed before battle, as at the Colline Gate when matters became desperate (Plut. *Sull.* 29.11–13). To commemorate his victory Sulla established annual games, the ludi victoriae Sullanae, held from 26 October to 1 November 81, and still celebrated in Velleius' day (Vell. 2.27.6). All the athletic events for 80 at the Olympic festival (except the stade) had to be cancelled as all the athletes had been summoned to compete at these games in Rome (App. 1.99).

Pompey's triumph, 81 bc

Once master of Rome in November 82, Sulla had to focus on gaining control of Sicily and Africa, which were essential for feeding the Roman plebs. Sulla dispatched Pompey to recover these provinces and to deal with Carbo, who had fled to Sicily. As a mark of his regard, Sulla married Pompey in 82 to his own step-daughter, Aemilia, daughter of M. Aemilius Scaurus (cos. 115): Aemilia was divorced from her current husband M'. Acilius Glabrio (cos. 67) by whom she was pregnant, and died in childbirth (Plut. *Sull.* 33.4, *Pomp.* 9.3). Pompey's position was regularised in 81 when the senate granted him propraetorian imperium to deal with Carbo, even though he had never held a magistracy. Carbo was captured in Sicily and executed, and Sulla, with the senate's concurrence, then dispatched Pompey to Africa to deal with Cn. Domitius Ahenobarbus, Cinna's son-in-law, a task which he completed in only 40 days, including the execution of Domitius and the replacement of Hiarbas as ruler of Numidia by Hiempsal whom Hiarbas had deposed in 87.

Sulla now instructed Pompey who was at Utica, the residence of the governor of Africa, to disband five of his six legions and return to Rome, after awaiting the arrival of his replacement as commander (Plut. *Pomp.* 13.1: doc. 11.17). Pompey, however, wanted to highlight his achievements by a triumph. He had no wish to return to the status of a private citizen, unable as yet to stand for a magistracy, and his troops, aware of his wishes, 'refused' to return before him, insisting that he remain in command, even after he had retired to his tent, supposedly in tears. On Pompey's return to Italy, Sulla, who at first thought he was in revolt, is said to have paid him the compliment of meeting him en route to Rome and addressed him as 'Magnus', 'the Great', probably ironically as the complimentary appellation had previously been bestowed only on Alexander. Pompey felt the agnomen somewhat of an embarrassment and did not use it until he was engaged as proconsul against Sertorius (Plut. *Pomp.* 13.2–9: doc. 11.17).

With his legions encamped outside Rome, Pompey was able to insist on his triumph against the wishes of Sulla and the senate. A triumph was technically illegal as he had not held either the praetorship or consulship (no magistracy in fact), and on 12 March 81, while only an eques, he celebrated his first triumph at the age of 24. As Plutarch points out (*Pomp.* 14.1) the first Scipio (Africanus) had not been allowed to triumph for his successes in Spain under similar circumstances. The fact that Pompey

could use his army as blackmail over such an issue demonstrated that Sulla's reforms in 88 had not succeeded in curbing ambitious commanders. There was however a hitch: in Africa Pompey had made plans for his triumphal chariot to be led by four elephants, a novelty in Rome, but the triumphal gate was not wide enough, even when he tried a second time. This must have amused his opponents, as well as Sulla (Licinius 31: doc. 11.18).

Sulla had already celebrated his triumph over Mithridates on 27 and 28 January 81, and dedicated a tenth of the spoils to Hercules. His triumph did not encompass his conquest of Rome and Italy, as Romans did not triumph over citizens, and the names of towns in Greece and Asia Minor he had captured were displayed, but not those in Italy (Val. Max. 2.8.7). The treasures which had been taken by the young Marius to Praeneste were, however, displayed on the second day; those who had fought against Sulla were classed as enemies, in having assisted the enemies of Rome (Pliny 33.16; Val. Max. 2.8.7).

Sulla's proscriptions

Following Sulla's take-over of Rome in November 82, he and his supporters took vengeance on their opponents. The senate had already received a warning, when summoned to meet at the temple of Bellona to hear Sulla's report on the outcomes of the war against Mithridates. The Samnite and Praenestine survivors of the battle of the Colline Gate had been imprisoned in the nearby Villa Publica (Figure 1.6), and were massacred within earshot of the senate (Livy *Per.* 88: doc. 11.19): Livy estimates there were 8,000 victims, Plutarch (*Sull.* 30.3–4) 6,000. Sulla then addressed the people and made clear his goodwill if his directives were followed, but that he still planned retaliations against his opponents, with the critical deadline being the episode when Scipio Asiagenes broke his oath regarding the peace agreement with



Figure 11.5 A denarius of Faustus Cornelius Sulla (Sulla's son by Caecilia Metella) issued in 56 BC at Rome. The obverse depicts the laureate, draped and diademed bust of Venus, with a sceptre behind, the reverse three military trophies between a *capis* (jug) and *lituus* (augur's staff). The monogram of Faustus is in the exergue.

Source: Courtesy of Classical Numismatic Group

Sulla over the capture of Suessa. He would take particular vengeance on any magistrates – praetors, quaestors, and military tribunes – and anyone else who had cooperated with his enemies after that date (App. 1.441: doc. 11.20).

The proscription lists

Sulla was now the only source of authority in Rome, and in response to the request to learn whom he had decided to punish, even if he would not reveal whom he planned to spare – a query made by a certain C. Metellus, or one of his supporters Fufidius or Fursidius – Sulla released his first proscription list (App. 1.442–443; Plut. *Sull.* 31.1–9: docs 11.20–21). Proscription meant that anyone on the list could be put to death without reprisals, and with no judicial procedure involved. All property belonging to the proscribed was confiscated, and their descendants were barred from holding public office for two generations, though they still had to fulfil the duties of their rank. The first victims named were senators and equites who had opposed Sulla and supported the Marians. Anyone who killed one of the proscribed, or provided information leading to their arrest, was rewarded, while there were penalties for those who hid them or assisted their escape: even lending victims money or giving them advice was a crime.

The ashes of Marius – seven times consul and victor over Jugurtha and the Cimbri – were disinterred and scattered in the river Anio (Pliny 7.187), and his nephew, M. Marius Gratidianus, who had been praetor in 85 and 84, was killed by Catiline at the tomb of Catulus (cos. 102) whom Gratidianus had prosecuted, leading Catulus to commit suicide (Livy *Per.* 88: doc. 11.19). The murder was particularly brutal and Gratidianus' head was then carried through the streets on a spear: Catiline was married to Gratidianus' sister Gratidia, while Gratidianus had in 85 gained immense popularity as praetor for taking credit for attempting to stabilise the currency in a highly volatile economy.

Pompey had executed Carbo in Africa (even though Carbo had defended him in a law-suit in 86 or 85), and Norbanus had fled to Rhodes where he committed suicide when tracked down by Sulla's agents. All their supporters were on the death lists. According to Appian (1.442), 40 senators and 1,600 equites (perhaps the total figure for these orders) were named on the first list, with others added later, while Plutarch and Orosius agree on 80 names on the initial document. Two more lists followed, each according to Plutarch (*Sull.* 31.5) naming 220 victims, while Orosius (5.21.1: doc. 11.23) puts the final total at 9,000 killed. The number of victims executed, mainly wealthy Romans and Italians, probably amounted in total to some 5,000 (Val. Max. 9.2.1 gives the number as 4,700). The first list included the four consuls who had opposed Sulla: Norbanus and Scipio Asiagenes (consuls in 83), and Carbo and Marius (consuls in 82), plus Sertorius, now in Spain, who was considered a very real threat to Sulla's regime. Throughout Italy, Romans and Italians were slaughtered, exiled, and their property confiscated for supporting the consuls or any of their subordinates. Charges on which proscriptions were based included army service, donations of money, advice given against Sulla, loans, provision of hospitality, and even accompanying one of the proscribed on a journey. When accusations against individuals failed, Appian states that Sulla punished whole communities, destroying citadels or walls, and imposing fines or taxes. Furthermore he took away land and houses as settlements for his veterans who acted as a permanent garrison, ensuring that his measures remained

in force (App. 1.445–448: doc. 11.20). Sulla in any case needed to pay gratuities to his soldiers and these settlements of his veterans solved two problems at once.

Sulla's unrestrained brutality allowed his supporters free rein to carry out their own personal grudges. His first proscription list is portrayed by Plutarch as being an off-the-cuff response to enquiries as to the scope of his planned killings, with two more lists following as more names came to mind (*Sull.* 31.6: doc. 11.21). There were many old and new scores that he wished to settle since his consulship in 88. The lists were published throughout Italy as victims could be hunted down wherever they went, while his deprivation of the next two generations of their civil rights (such as the right to stand for magistracies) was seen as further victimising families, whom Sulla, of course, as his hereditary enemies, wanted to exclude from power (Plut. *Sull.* 31.8; Vell. 2.28.4: docs 11.21–22). Many had no knowledge of why they were proscribed: Orosius tells the story of Lollius (perhaps Q. Aurelius Lollius), who was reading one of the lists with great unconcern, when he suddenly came across his own name; when he tried to slip away quietly he was murdered (Oros. 5.21.1–5: doc. 11.23). Many had their notice of proscription backdated after their execution to give their killing validity, while others were killed simply so that their estates could be commandeered: a Q. Aurelius who saw his name on one of the lists commented that he was being pursued by his Alban estate (he was killed shortly afterwards: Plut. *Sull.* 31.11–12). One of the few who escaped was the young Julius Caesar, who had been proscribed for refusing to divorce Cinna's daughter Cornelia (they were married in 85), but was pardoned after intercession by the Vestals and others (Suet. *Jul.* 1). The wealth of M. Licinius Crassus began in this way, with estates of the proscribed acquired at bargain prices, and Sulla's freedman Chrysogonus was another of the most rapacious profiteers.

Cicero's first court case, which launched him on his forensic career, was in defence of Sex. Roscius of Ameria in southern Umbria, whom Chrysogonus, in conjunction with relatives of Roscius, had accused of parricide so he could take possession of the estate for a minuscule sum: 2,000 drachmas instead of 250 talents. Chrysogonus had had Sex. Roscius the elder placed retroactively on the proscription list in order to acquire the property at minimal cost (Plut. *Cic.* 3.4–6: doc. 11.24). Cicero won the case in 80, but left Rome to 'study' for three years (or for his health), to escape any fall-out over this audacious stand. In court he had insisted that 'he was sure' Sulla himself was unaware of his freedman's greed, but Sulla can hardly have been unaware of the immense profiteering going on around him, with the Roscius property sold for 1/3000th of its value (Cic. *Rosc. Am.* 21: doc. 11.25). There was little if any oversight of who was killed or why, and the *Periochae* of Livy record that the proceeds from the estates of the proscribed came to 350,000,000 sesterces, much of which Sulla kept for himself (Livy *Per.* 89: doc. 11.28). The proscriptions officially ended only on 1 June 81, after six months of unrestrained killing and confiscations.

Dictatorship and constitutional reforms

One of the highest priorities for Sulla in November 82 was that his position in Rome be regularised, as when he had entered Rome his proconsular imperium formally lapsed (if it had not done so, as his opponents would have argued, when Cinna proclaimed him a hostis). The senate (no doubt recalling the massacre in the Villa Publica) voted to ratify Sulla's acts as consul and proconsul, including all his actions and decisions

from the beginning of 88. The gilded equestrian statue in the forum voted by the senate bore the legend: *Cornelio Sullae Imperatori Felici* (To Cornelius Sulla Imperator Felix: App. 1.450–451; Figure 11.6). Both consuls for 82 were dead, and no elections had taken place for the following year. Consuls were appointed for 81, but they were not prominent personalities, one being a nonentity, M. Tullius Decula (praetor in 84), the other Cn Cornelius Dolabella, who had been commander of Sulla's fleet in 83 and 82. Sulla then instructed the senate to appoint an interrex, with their choice falling on L. Valerius Flaccus (cos. 100), the princeps senatus. Sulla, who had formally retired outside the city, wrote to Flaccus with his own suggestion, to be taken as an instruction, that there was a need for a dictator to restore stable government to Rome and Italy (App. 1.456–462: doc. 11.26): there had not been a dictatorship since the Second Punic War, 120 years earlier.

Sulla made clear in his letter to Flaccus that he (Sulla) would himself be the best candidate, 'revealing at the end of his letter that, in his own opinion, he could be particularly useful to the city in that role' (App. 1.460). Flaccus therefore proposed to the people a law to appoint a dictator 'to make laws and reform the constitution' ('legibus scribundis et reipublicae constituendae'). This ensured that any legislation the dictator put forward was ratified in advance, and did not need to go to the people, including decisions to found colonies, make and depose kings, confiscate property, and declare war. Significantly the dictator was to be able to put citizens to death without trial, and the dictatorship would not remain in force for a six-month period as was customary, but would be of uncertain duration. After the senate had concurred, Sulla was nominated for the position by Flaccus, who was then appointed his magister equitum or second-in-command. Appian comments that the people, 'in the general confusion', welcomed the charade of an election, and elected him 'tyrant and master' for as long as he chose (App. 1.461: doc. 11.26).

Sulla therefore had supreme authority, unrestricted by any right of veto and with no fixed term. While it was understood that he would resign the dictatorship when he had reformed the constitution to his liking, and when Italy had recovered from the recent wars, there was no idea of when that might be or what might happen before then: he had been granted immunity for all past and future actions and unrestricted power for an unlimited period (Plut. *Sull.* 33.1–2: doc. 11.27). Despite the pretence of the forms of constitutional government, Plutarch was correct in his statement that Sulla 'appointed himself dictator', since, while Sulla retained a loyal army, his actions were not up for discussion (Plut. *Sull.* 33.1–2).

Power returned to the senate

Sulla's appointment as dictator meant that he had the right to 24 lictors with fasces to attend him, a custom that dated back to the kings: clearly Sulla thought the public display of his authority an important part of his position (Livy *Per.* 89: doc. 1.28). He also provided himself with a large bodyguard (App. 1.465: doc. 11.30). His primary aim was to restore the authority (*auctoritas*) of the senate which had been challenged from the time of the Gracchi onwards, while at the same time weakening the powers of the tribunes, who would no longer be allowed to introduce legislation. The senate, which had lost many of its number during the various civil wars and proscriptions, was empowered by recruiting new members from the equites, and Sulla first brought the



Figure 11.6 An aureus, issued in 80 BC by A. Manlius, honouring Sulla as dictator. The obverse shows the helmeted bust of Roma, the reverse Sulla on horseback. Sulla's equestrian statue, the first in Rome, stood near the rostra in the forum.

Source: Courtesy of Classical Numismatic Group

senate's numbers up to the original 300 by enrolling those with distinguished military service (possibly the senate's numbers were as low as 150 at this point, with almost all consulars dead), and then further increased the body by another 300 members chosen from the equites, including Italians. Appian suggests that the tribes were allowed to vote on these additional senators (App. 1.467–468: doc. 11.30). An advantage for Sulla was that the new senators, some three-quarters of the entire body, presumably felt obligations to him as his appointees, while few members had any expertise with regard to the practicalities of government. Of the consuls since Sulla and Pompeius Rufus in 88, Sulla was the only one still alive, after Carbo had been killed by Pompey in Sicily. There may even have been as few as four consulars left in the entire senate: L. Valerius Flaccus (cos. 100), C. Flaccus (cos. 93), M. Perperna (cos. 92), and L. Marcius Philippus (cos. 91).

Sulla also enlarged the colleges of priests, augurs, and officials in charge of the Sibylline Books each to 15 members, and that of the epulones to seven, allowing for additional prestigious positions for members of the senate. The Sibylline Books had been lost when the temple of Jupiter on the Capitol caught fire in 83, and he had the collection reassembled from copies of prophecies which were kept in towns of Italy, Greece, and Asia Minor. The lex Domitia of 104 had provided that 17 of the 35 tribes in the tribal assembly elect the priests of Rome's four priestly colleges. This was too democratic for Sulla who rescinded the law, clearly seeing it as a popularist measure, and he returned to the traditional procedure whereby existing members co-opted others when vacancies occurred (the lex Domitia was reintroduced by T. Labienus as tribune in 63 BC).

One of the consequences of enlarging the senate was that, with its members increased to 600, it was now possible for the jurors for the law-courts to be drawn from that class alone: Glaucia as tribune had returned the courts to the equites, but most recently the lex Plautia iudicaria (M. Plautius Silvanus was tribune in 89) had

opened up the juries again to senators. With Sulla's reform the senate now once again had control over prosecutions of their own members for corruption in the provinces, and this may have been one of Sulla's main motives in increasing senatorial numbers (Vell. 2.32.3: doc. 11.29). Sulla's reorganisation of the law-courts, with seven permanent courts (*quaestiones*), also required sufficient senators to staff them and one of the main roles thenceforth for senators was to sit on juries. *Quaestiones* already existed concerned with extortion, treason, murder, and bribery, and courts after Sulla now dealt with: murder and poisoning (*de sicariis et beneficiis*), extortion (*de repetundis*), peculation (*de peculatu*), assault (*de iniuria*), treason (*de maiestate*), electoral bribery (*de ambitu*), and forgery (*de falsis*), which concerned the forging of coins or wills and the use of incorrect weights, which was a radical new departure. These remained the seven main *quaestiones* for the rest of the Republic and the early imperial period.

The election of consuls for 81 (M. Tullius Decula and Cn. Cornelius Dolabella) had been intended to give the appearance that constitutional normality had been restored, despite the fact of Sulla's on-going dictatorship, but little if anything is heard of their activities during this year. Q. Lucretius Afella, who had been victorious at the siege of Praeneste, had also put himself forward as a candidate against Sulla's wishes and was killed – not as part of the proscriptions, but by the scope of Sulla's mandate of life and death as dictator. As Afella had not held a magistracy he was not qualified to stand, and so, when Sulla failed to persuade him to withdraw, he was executed by a centurion (Livy *Per.* 89; Plut. *Sull.* 33.5–6).

The cursus honorum

Sulla represented himself as a statesman concerned about the well-being of the Republic and the maintenance of traditional values and forms. The thrust of his reforms was to strengthen the senate, which was now given greater control of the law-courts, legislation, and provincial governors, while weakening other political entities, most particularly the tribunate and the people as a legislative power, but also the authority of individual magistrates. One of the most significant measures was Sulla's *lex Cornelia annalis* (replacing the *lex Villia annalis* passed in 180), which regulated the *cursus honorum* in such a way as to keep the senate's numbers stable and provide for a clear and unambiguous career pathway: 20 *quaestors* were to be elected annually, instead of the current eight, who would have automatic entry to the senate at the end of their year of office; ten years of military service were still requisite before candidature. There were also to be eight *praetors* annually rather than six, perhaps to provide sufficient magistrates to preside over the seven new courts, as well as ensure the availability of more provincial governors so that terms did not need to be extended as in the past: Sulla himself had been propraetor in Cilicia from 96 until, probably, 92. Similarly the increase in the number of *quaestors* meant that one could be assigned to each provincial governor, while leaving some for administrative duties in Rome.

The *lex Cornelia annalis* also laid down strict regulations on the holding of magistracies, with the *cursus honorum* made more rigorous: progression of office from *quaestor* to *praetor* to *consul* was strictly regulated (App. 1.466: doc. 11.30), while new age criteria were put in place. Candidates for the consulship now had to be 42 years of age in the year of candidacy, *praetors* 39, *aediles* 36, and *quaestors* 30 years. The holding of the *aedileship* was not a requisite part of the Sullan *cursus honorum* (nor had it

ever been an essential stage). Sulla also restored the ruling that there had to be a ten-year wait before holding the consulship a second time (App. 1.466), although as Sulla had himself been consul in 88, and was to be elected again for 80, he therefore broke the provisions of his own law; possibly he had a special dispensation from the senate. There also had to be a two-year interval between the praetorship and consulship, a provision which was already in place but had been ignored: he clearly wanted to put an end to extraordinary careers, like those of Marius and his son, and the holding of successive consulships, as recently by Marius, Cinna, and Carbo. One of the impacts of Sulla's legislation on the *cursus honorum* would be to ensure that many quaestors, at least half, would never proceed further up the *cursus*, and candidature for magistracies would be even more competitive, with the consulship becoming an increasingly elitist prize.

Sulla and the tribunate

With regard to the tribunate, Livy (*Per. 89*: doc. 11.28) noted that Sulla had taken from the tribunes 'all power of introducing legislation': the tribunate's legislative character had been one of its main features since 133. All legislative proposals now had to go first to the senate, greatly decreasing the popular element in the constitution and the attractions of the tribunate as a stepping stone for higher office. The tribunician power of veto was probably not taken away entirely, but was severely restricted: according to Caesar (*BC* 1.5, 1.7), Sulla took the rest of their prerogatives away from the tribunes, but left their power of veto. These features of Sulla's legislation were a deliberate emasculation of the office, and, from the optimate point of view, the tribunate had been a source of civil strife since Tiberius Gracchus, followed by Gaius Gracchus, Saturninus, and the younger Drusus; Sulla himself had nearly had his career hijacked by the tribune Sulpicius. Curtailing the powers of the tribunate strengthened the hands of the senate, and ensured that there was no legislation introduced which was inimical to senatorial interests. According to Velleius (2.30.4) tribunes could no longer stand for any higher magistracy, thus making it 'a shadow without substance'. Appian (1.467: doc. 11.30) also states that those elected to the tribunate could hold no further office, and hence 'all those of reputation or family who used to seek the office avoided it for the future'. Sulla also put an end to the distribution of grain to the people begun by C. Gracchus (*Sall. Hist. 1.45*); it was restored in 73 at the original price by the *lex Terentia Cassia*.

Further measures put in place by Sulla included the freeing of more than 10,000 slaves of the proscribed and making them Roman citizens loyal to himself, under the name Cornelii, like Marius and his *Bardyliae* (Plut. *Mar. 43.4*: doc. 9.34). Appian describes Sulla as choosing the youngest and strongest, suggesting that once these were members of the assembly they might have played an intimidatory role at elections as 'plebeians who were ready to carry out his orders' (App. 1.469: doc. 11.30). These freedmen, and the Sullan veterans who received land and money, were formidable support for Sulla among the populace: an inscription dating to 82–79 is evidence for the gratitude of the group of freedmen (*ILS 881*: doc. 11.31).

He also needed to arrange for the demobilisation of his army, which Appian puts at 23 legions (some 90,000 soldiers), establishing colonies in Italy, primarily in regions which had been hostile towards him (App. 1.470: doc. 11.30). These included Etruria

and Umbria, as well as Campania and Latium. Praeneste, Clusium, Nola, Faesulae, Arretium, and Pompeii certainly received colonies, and at Pompeii, for example, the older part of the population now possessed an inferior status to that of the new colonists. These settlements were to lead to unrest and civil strife in some areas (Catiline was supported in his rebellion in 63 by colonists settled by Sulla), as the veterans were often unable to make a living from their farms.

The main challenge to the senate over the past 50 years had come from the tribunate, and Cicero approved of the ways in which Sulla stripped it of its power, considering that there had been good reasons for violence against tribunes from Gaius Gracchus on. The removal of their power to propose legislation prevented further 'wrong' to the state in Cicero's view, and he enthusiastically approved of Sulla's measures, praising the removal of the tribunes' legislative function, while leaving them the right of assistance (*iux auxilii*) by which they protected the safety and property of plebeians, the original reason for the creation of that office in early Rome (Cic. *Laws* 3.20–22: doc. 11.32). Pompey would soon revoke the laws restricting the tribunate, however, and Cicero, despite his support of Pompey generally, was unhappy at this rescission of Sulla's legislation.

Provincial government

One of the concerns to be addressed in Sulla's legislative programme was that of the military and political threat presented by a provincial governor (like himself) with a loyal army. His raising of the number of praetors from six to eight annually allowed for sufficient governors for all provinces on an annual basis, with ten promagistrates (two proconsuls and eight propraetors) covering the provinces of Sicily, Sardinia and Corsica, the two Spains, Africa, Macedonia, Asia, Cilicia, Gallia Narbonensis (or *Gallia togata*), and perhaps Cisalpine Gaul which became a province c. 81. Sulla also made sure in other ways that governors were unable to act without the approval of the senate or people, and his treason law (the *lex Cornelia maiestatis*, incorporating the earlier *lex Porcia* of about 100 BC) ensured that promagistrates could no longer leave their province, lead their army out of it, or make war on their own initiative, and had to depart within 30 days of the arrival of their successor. The aim was to prevent governors making use of their armies outside their provinces without specific authority from the senate. His law on provincial government, the *lex Cornelia de provinciis ordinandis*, ensured that consuls and praetors remained in Rome for their year of office, departing to their province at the end of that year or the beginning of the next, with promagistrates retaining their right of imperium until the arrival of their successor. His extortion law, the *lex de repetundis*, also ensured that a closer eye was kept on the governors' administration of their provinces, although the fact that senators now manned the extortion court meant that there was little likelihood of conviction, except in the most blatant cases.

Sulla's legislation

Quaestors, now increased from eight to 20 each year, were granted automatic entry to the senate, thus removing one of the duties of censors during their term of office, that

of selecting new senators to keep up the numbers in that body. A fragment of Sulla's quaestorship law of 81 made arrangements for the appointment of additional or substitute messengers, summoners (*viatores*), and heralds (*praecones*), whose job was to assist the quaestors in their duties (*Crawford Statutes* 14: doc. 11.33). These members held their positions for the annual term of the quaestorship (quaestors came into office on 5 December). Candidates for these positions belonged to an *ordo*, or corporation under state supervision, which was divided into sections (*decuriae*), each containing 12 *viatores* and *praecones*, and each *decuria* functioned for a year with the other two in reserve. The heralds and messengers had to be Roman citizens, and it was the duty of the consuls to see that they were appropriate appointees.

Sulla established seven permanent law-courts (*quaestiones*), one of which was concerned with murder and poisoning. His *lex Cornelia de sicariis et beneficiis* (murder and poisoning: 'sica' actually means dagger, and the law covered more than just homicide) instructed the praetor who presided over the court to investigate crimes committed in Rome, or within one mile of the city, with regard to murder (or attempted murder), as well as poisoning, and preparing, selling, possessing, or purchasing drugs with a view to murder. Investigation was also to be made into judicial murder, involving any military tribune or magistrate who had conspired or given false witness to have someone condemned in a public court, or any magistrate who had knowingly accepted false testimony (*Crawford Statutes* 50: doc. 11.34). The XII Tables (*Table* 8.1, 4: doc. 1.40) had earlier contained provisions against poisoning and magic incantations, as well as parricide, and the punishment laid down was for the perpetrator to be sewn up in a sack and thrown into a river. Pompey's law on parricide (the *lex Pompeia de parricidiis*), which extended the definition to a number of other relations, laid down the same penalty for the killing of a father, mother, grandfather, or grandmother, as the *lex Cornelia*: being whipped, and then sewn up in a sack with a dog, cock, viper, and (possibly) an ape and thrown into the sea or river. Murderers who killed other family members were simply executed. Roscius of Ameria, whom Cicero defended in his first case, was presumably tried under the *lex Cornelia de sicariis* (*Plut. Cic.* 3.5: doc. 11.24).

In 81 the senate passed a decree, proposed by Sulla as dictator, renewing a grant of autonomy to Stratonicea in Caria which Sulla had put in place when he was in the East as proconsul (*RDGE* 18: doc. 11.35). The city had been rewarded for supporting the Romans during the First Mithridatic War, during which it had refused to go over to Mithridates, who had then taken it by force and garrisoned it. The occasion for the decree is unknown, but may have been part of the general organisation of Sulla's acts in the East in 85/84, which the senate ratified en bloc when Sulla became dictator. The people of Stratonicea had, in gratitude to Rome, asked permission to dedicate a golden crown worth 200 talents in honour of the senate. The document begins with a letter of Sulla to the city professing the Romans' gratitude, and is followed by the text of the *senatus consultum*, listing 11 clauses of privileges granted to Stratonicea. One of these confirms the *asylia* (inviolability) of the nearby sanctuary of the goddess Hecate at Lagina, the 'most manifest and greatest goddess': the text of the decree was to be on display on the temple wall. The decree also instructs Roman magistrates to assist the city in recovering any goods lost by the city and citizens during the war and in overseeing the release and return of any prisoners taken by Mithridates. These privileges for

Stratonicea paralleled those granted by Rome to the other cities and islands such as Rhodes and Chios that had proved their loyalty during the conflict.

During his consulship in 80, Sulla confirmed tax-exemptions for the shrine of the healing deity Amphiaraus at Oropus in eastern Attica. Sulla had earlier granted the sanctuary land extending 1,000 feet in every direction, and had dedicated to the games and sacrifices to Amphiaraus, and to any sacrifices made there for the victory and empire of Rome, the revenues of the city of Oropus and its harbours: this excluded only the lands of the priest Hermodorus, a friend of the Roman people. Subsequently the publicani had attempted to argue that the sanctuary was not tax-exempt as Amphiaraus – a hero – was not a ‘real’ god, but the consuls for 73, M. Terentius Varro Lucullus and C. Cassius Longinus, confirmed Sulla’s tax-exemption after a delegation (which included Cicero) had been sent to investigate the matter (*RDGE* 23: doc. 11.36).

A dedication was made to Amphiaraus by the people of Oropus in honour of Sulla himself, with a further dedication to Amphiaraus and Health (Hygieia) for Caecilia Metella, his wife (*IG* 7.264, 372), perhaps while Sulla was in Greece. In 81 Metella, the mother of Faustus and Fausta, fell ill, and Sulla, as an augur, was forbidden by the pontiffs to have his house polluted by the funeral: he divorced her and had her moved to die elsewhere, but ignored his own sumptuary legislation in sparing no expense on her funerary rites (*Plut. Sull.* 35.1–2).

Sulla’s sumptuary legislation was part of his programme of reform, and laid down price controls for exotic foodstuffs, and limited expenditure on meals and banquets. Only 30 sesterces could be spent on ordinary days, with special rules for festivals and holidays, as well as on the Kalends, Ides, and Nones of every month when up to 300 sesterces could be expended on a dinner (*Gell.* 2.24.11: doc. 11.37). Macrobius comments, regarding the pontifical banquet held by Metellus Pius (Sulla’s consular colleague) as pontifex maximus in 69 to install the flamen of Mars, that Sulla’s legislation had obviously had no lasting impact, and that the delicacies were not even known in his (Macrobius’) time (*Macrob.* 3.13.10–12, 3.17.11–12: docs 2.23, 11.37). Clearly Sulla’s measures, like earlier iterations of sumptuary legislation, had no lasting effect (*Gell.* 2.24.2–4: doc. 5.59). Sulla may have been concerned with conspicuous luxury, but he himself was no stranger to hard drinking and gluttony, and his own funeral was more than lavish (*Plut. Sull.* 35.3, 36.1, 38.3: doc. 11.39).

Sulla had a love of theatre (it was at the theatre that he was picked up by his wife Valeria), and a letter to the magistrates, council and people of Cos in 81 supported the case of the citharist, or harp player, Alexander of Laodicea, the envoy of the ‘joint association of the theatrical artists of Ionia and the Hellespont’ and the ‘theatrical artists of Dionysus our Leader’, two guilds based at Teso and Pergamum. The actors’ guild in this region of Asia Minor had appealed over their share of the indemnity imposed after the defeat of Mithridates, and Sulla confirmed that an agreement was in place exempting them not merely from this, but from all ‘public and military service’, and stating that they were free from taxes and other contributions, payment for supplies and lodging, and from having to billet others (*RDGE* 49: doc. 11.38). Sulla had enjoyed long-term friendships with actors, and after he retired spent his last days in the company of actors, dancers, and harpists (*Plut. Sull.* 2.6, 36.2: docs 11.1, 39).

Sulla in retirement

Sulla resigns his magistracies

In mid-81 Sulla stood for election to the consulate of 80 with his trusty supporter Metellus Pius. While it had not been a full ten years since Sulla's last consulship, no one would have objected, though the senate might well have issued a dispensation to make this technically legal. There is some debate as to when he laid down his dictatorship, but Appian states that Sulla was dictator while consul for the second time, implying that the consulship was merely to provide a 'pretence and façade of democratic government', and it appears that he remained dictator during 80 (App. 1.478, 480: doc. 11.40). Plutarch (*Sull.* 34.6) indicates that Sulla had laid down the dictatorship prior to the election of the consuls for 78, that is, at some time before July 79, and he probably resigned the dictatorship when his consulship in 80 expired.

During his dictatorship Sulla undertook various public works in Rome, beginning the restoration of the temple of Capitoline Jupiter which had burnt down in 83. He also extended the pomerium and enlarged the senate house, rebuilt the tabularium in the forum which served as the state records office and archives, and restored the temple of Fortuna Primagenia at Praeneste. In 80 and 79 the Romans finally captured the last Italian towns holding out from the Social War. Nola fell in 80, with Papius Mutilus, the Samnite leader, escaping and committing suicide, and Aesernia and Volaterrae in Etruria were taken in 79, concluding the war. Having refused another consulship for 79 as well as the province of Cisalpine Gaul, Sulla retired as a private citizen to Puteoli, on the Bay of Naples, a renowned holiday spot, then and now (Map 9). Appian finds it difficult to understand why Sulla retired, when he had created so many enemies, and had such formidable backing from his Cornelii and veterans, choosing instead to spend his time 'in rural isolation' at his estate in Campania, with the sea and hunting, 'tired of power and tired of Rome' (App. 1.489: doc. 11.40). But he had recently married again, and ill-health may also have been a factor in his decision.

During 80 Sulla had chosen as his new wife Valeria, daughter of M. Valerius Messalla Niger (and niece of Hortensius the orator), a recent divorcée who approached him at a gladiatorial show to pick some lint off his clothing 'for good fortune', hoping to share in his 'felicitas'. He was intrigued and this incident quickly led to marriage (*Sull.* 35.3–5). At his villa at Puteoli, with his new wife, he spent his time convivially with actresses and female cithara-players and musicians from the theatre. Plutarch specifically names as his greatest friends Roscius the comedian, Sorex the leading comic mime (archimimus), and Metrobius the female impersonator – past his prime, but Sulla was still in love with him (*Sull.* 36.2).

It was at Puteoli that Sulla died at the age of 60 years in 78, apparently suffering a haemorrhage after hard drinking which may have been the consequence of a long-standing illness. Writers like Plutarch stress the unpleasant effects of the illness (ulcers causing a gangrene-like corruption), presenting this as poetic justice for his more brutal decisions, and for living in luxury when his sumptuary legislation had forbidden this to others (Plut. *Sull.* 36.1–4: doc. 11.39; *Comp. Lysander and Sulla* 3.2). During this year of retirement, however, Sulla had had time to devote to his *Commentarii*, memoirs of his achievements, which were dedicated to Lucullus, who was given guardianship of his twins Faustus and Fausta. In fact he completed the 22nd book of

his memoirs two days before he died, and was still interested in local public business, reconciling opposing factions in Puteoli and writing a code of laws for the township (Plut. *Sull.* 37.1–3).

Sulla's abdication, 79 BC

The fact that Sulla abdicated willingly has given rise to debate, but once he had held the consulship for 80 with Metellus Pius, passed numerous laws and reorganised the courts, he must have felt that he had carried out what he had been appointed as dictator to achieve: by restoring senatorial government and giving the senate as much *auctoritas* vis-à-vis tribunes and people as possible, he had 'stabilised the city and Italy and the whole government' (App. 1.459: doc. 11.26). The holding of consular elections for 78, which were truly competitive, emphasised the return to normality. The Social War was finally concluded and foreign enemies were under control: Metellus Pius in 79 had headed off to Spain to deal with Sertorius, who had returned there in 80 to lead a revolt of the Lusitanians (it would not have been apparent that this would be a lengthy war). And, while in the East Mithridates had defeated L. Licinius Murena in the Second Mithridatic War (83–82), the fact that the cause of the war had been the secession of the Bosphorus and Colchis from Mithridates' empire would have suggested that he was no longer a potential threat, at least in the short term.

Sulla clearly felt confident in his 10,000 freedmen and his veterans, while the majority of the senators owed their rank and status to him. Despite Appian's list of his crimes (App. 1.482–483: doc. 11.40), his enemies were proscribed and dead, and their children and grandchildren unable to stand for office, so he had nothing to fear. The constitutional element in him – despite his illegalities and innovations – was clearly strong and the thought of a life-long dictatorship may not have occurred to him, even though Caesar was to comment that Sulla did not know his political 'ABC' (Suet. *Jul.* 77). Appian considered that he deliberately chose a life in the countryside because he was tired of war, power, and Rome (App. 1.487–489: doc. 11.40), and he certainly turned down the chance to stand for the consulship for 79, and laid down his supreme power of his own accord, as well as refusing a provincial command.

The consular elections for 79 had returned Sulla's supporters, P. Servilius Vatia and App. Claudius Pulcher, but the situation was different for 78. Sulla had supported Q. Lutatius Catulus and objected to M. Aemilius Lepidus, a ex-Marian who had become wealthy during the proscriptions: there may only have been the two candidates. Lepidus topped the poll, due primarily to Pompey's support, as Pompey saw no need to court Sulla now he had resigned power – Pompey throughout his career always considered his best interests politically, even if he did not always make the right decisions (as a result Sulla was said not to have mentioned him in his will: Plut. *Sull.* 38.1). Lepidus' agenda involved the repeal of Sulla's legislation, and he argued against a state funeral for Sulla, but on this issue Pompey supported the other consul Catulus. Pompey ensured that there was a sumptuous state funeral, and the women at Rome contributed huge quantities of spices; the senate, equites, his legions, and the plebeians all participated (Plut. *Sull.* 38.1–4). The patrician Cornelii generally buried their dead in their tomb on the Appian Way, and Sulla was the first to be cremated.

Sulla's family

Nothing is known of Sulla's sister, except that he dedicated a building to her at Verona: the inscription is on the architrave (*CIL I² 2646*: doc. 11.41). He left three daughters: his eldest daughter Cornelia, by his first wife Julia, was the mother of Q. Pompeius Rufus (tr. pl. 52) and Pompeia, second wife of Julius Caesar. Cornelia was an astute businesswoman, who bought Marius' villa at Misenum at a bargain, and then sold it on to Lucullus for a substantial profit (Plut. *Mar.* 34.3). The middle daughter Cornelia Fausta took after Sulla in other ways: married first to C. Memmius and then c. 54 to T. Annius Milo (tr. pl. 57, pr. 55), her morals were questionable and she was said to have committed adultery with the historian Sallust (Macrobius 2.2.9; Gell. 17.18). Sulla also had a posthumous daughter by Valeria, Cornelia Postuma, and was survived by his son Faustus. Another son by Metella died young and Plutarch describes how before his death Sulla dreamed that this son invited him to come and live happily with him and his mother (*Sull.* 37.3).

Later views of Sulla

Pliny the Elder, writing under Vespasian, saw Sulla and his achievements in a very negative light, criticising him for starting a war against his own country, and proscribing and slaughtering fellow-citizens, all of whom were pitied even in Sulla's own time, while now 'there is no one who does not hate Sulla'. He also recorded Sulla as regretting just one thing on his death bed, that he had not dedicated the Capitol (Pliny 7.137–138: doc. 11.42); the temple of Jupiter Capitoline was dedicated in 69 by Q. Lutatius Catulus. Dionysius of Halicarnassus considered Sulla as a cruel and tyrannical dictator, who filled up the senate with nobodies, reduced the powers of the tribunate, depopulated cities, and meddled with foreign kingdoms, as well as killing some



Figure 11.7 A denarius issued by Sulla in 81 BC (mint uncertain) depicting the diademed head of Venus and a double cornucopia with fruit and flowers. The cornucopia was an attribute of the goddess Fortuna and may refer to Sulla's adoption of the agnomen Felix, or to Rome's prosperity under his dictatorship.

Source: Courtesy of Classical Numismatic Group

40,000 citizens, many of whom had surrendered (presumably Dionysius is including Italians). For Dionysius, Sulla had the effect of rendering the term dictator loathsome, even if some of his acts were necessary or beneficial (Dion. Hal. 5.77.4–6: doc. 11.43). Sallust similarly gives a negative picture of Sulla, seeing him as responsible for the development of avarice and covetousness at Rome, resulting in ‘shameful and cruel deeds against fellow citizens’, as well as for allowing the army in Asia to plunder and pillage those they conquered (*Cat.* 11.4–6).

Sulla’s good fortune

Historians in general, notably Appian and Plutarch, depended heavily on Sulla’s lost autobiography (Plutarch explicitly quotes it 16 times), while Livy relied on the *Historiae* of Cornelius Sisenna (praetor 78), another favourable account. As a result our historical accounts are skewed in Sulla’s favour. In his *Commentarii* he took credit for the victory over Jugurtha and the defeat of the Cimbri: he also emphasised his own virtus and ‘felicitas’, his good fortune. The *Commentarii* included numerous accounts of omens, dreams, and other portents proclaiming his special contact with the divine. In the dedication to Lucullus he counselled him to consider nothing so certain as dreams sent by the gods (Plut. *Sull.* 6.10), and he claimed the especial favour of Venus, hence his agnomen Epaphroditus, ‘beloved of Venus’, while his colony at Pompeii was officially the *Colonia Veneria* [i.e., of Venus] *Cornelia*.

Sulla’s coins in the East in 82 and 81 include a type with the head of Venus on the obverse (others have Roma). He believed firmly in his own good fortune, as in his adoption of the name Felix (lucky), as well as calling his children by Caecilia Metella Faustus and Fausta (fortunate). Throughout his career he was influenced by prophecies, astrologers, and dreams, and particularly by the vision he experienced on his march against Rome in 88, when he dreamt of a goddess from Cappadocia giving him a thunderbolt with which to smite his enemies. The dream was well-known 40 years later to the moneyer L. Aemilius Bucca in 44 BC (Plut. *Sull.* 9.6: Figure 11.1). Denarii issued at Rome during his dictatorship depict a double cornucopia, an attribute of the goddess Fortuna (Figure 11.7). His fortune was indeed life-long, as his funeral took place on a cloudy day, but the heavy rain held off until after the bones had been collected, and so did not disrupt the ceremony: ‘his good fortune would appear to have continued to the very end, and to have taken part in his funeral rites’ (Plut. *Sull.* 38.3).

Sulla’s epitaph

Despite his own experience in that regard, Sulla failed to prevent the ambitious politicians who succeeded him from being warmongers: in fact his career was rather an incentive to follow his example. His own view of his career, however, saw it as having been a success, and himself a victorious and enviable figure; his epitaph summed this up in proclaiming that ‘none of his friends had outdone him in doing good, and none of his enemies in doing harm’ (Plut. *Sull.* 38.6: doc. 11.44). It was a matter of honour in Rome to avenge insults and offences to oneself, as well as to return favours bestowed by one’s friends. To conform with the demands of amicitia was a very real virtue and so was the reverse: it was right and just, as well as very gratifying to succeed in humiliating and obliterating one’s personal and political enemies together with their

families and connections. With this understood, it is easy to see that in Sulla's own view most, if not all, aspects of his career had been overwhelmingly successful, not least the civil war, massacres, and proscriptions that he had orchestrated.

Further reading for this chapter

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Chapter 12

The collapse of the Republic

The aftermath of Sulla's dictatorship

Following the growth of Rome's empire and its 'conquest of the world and the destruction of rival cities or kings', Tacitus saw the wealth and power that this created as leading to the first real struggles between optimates and populares, which began with the legislation of the Gracchi and the deadly response of the senators to their efforts at reform. Matters then escalated, when Marius and Sulla, whom he characterises respectively as the lowest of the plebs and the most ruthless of the nobles, 'conquered liberty by arms and turned it into tyranny'. Pompey was no better than they were, just more skilled at concealing his motives, and from the time of Pompey onwards the only ambition was for autocracy (*Tac. Hist.* 2.38: doc. 12.1). Tacitus' indictment places specific responsibility for this drive towards one-man rule on Julius Caesar, Mark Antony, and Octavian, even though he does not mention them by name. They were, however, the catalysts for civil war with huge numbers of fellow-citizens facing each other in the field, when 'legions of Roman citizens did not shrink from fighting at Pharsalus or Philippi'. In his view, in the early empire nothing had changed, with 'the same divine wrath, the same human madness, the same criminal purposes' driving the Romans into conflict. The roots of absolute power had been established in the Republic: the supremacy achieved by Sulla, Pompey, and Caesar may have come and gone, but they had changed Roman history and politics irrevocably.

The revolt of Lepidus, 78–77 BC

The first challenge facing Sulla's constitution was the revolt of Lepidus, consul in 78. From the moment of Sulla's funeral, Lepidus was intent on rescinding Sulla's legislation, even to the extent of leading an army against Rome: Sulla's constitution had started breaking down immediately upon his death. Sulla had not supported Lepidus' election and Lepidus was at loggerheads with his fellow consul Q. Lutatius Catulus who opposed any change to Sulla's constitution. Restoration of those exiled by Sulla, and the eviction of Sulla's veterans in order to replace the dispossessed on the land, were Lepidus' major policy issues (App. 1.501–504: doc. 12.2). He may also have revived the distribution of cheap grain. The issue of the restoration of the powers of the tribunate, however, appears to have been raised by the tribunes themselves, and was not pursued by Lepidus at this point.

Sulla's veterans clashed with dispossessed landowners at Faesulae in Etruria, and the consuls were sent to sort out the problem, but, in the event, Lepidus sided with the rebels. The senate appears to have been unwilling to take sides, and bound the consuls not to resort to war with each other. Lepidus was given the province of Transalpine Gaul (and possibly Cisalpine Gaul also) to ensure his removal from Rome. When, however, he was summoned to Rome to hold the elections for 77, he led his army to Rome and demanded a second consulship and (now) the restoration of tribunician powers. With no consuls in place at the beginning of 77, the senate turned to L. Marcius Philippus (cos. 91) as their leading representative, and Lepidus was pronounced a public enemy (*hostis*), while under a *senatus consultum ultimum* Catulus as proconsul was given the task of dealing with him by force. Pompey was nominated to assist Catulus, although the nature of his *imperium* is in doubt. Pompey held the Milvian Bridge across the Tiber and forced Lepidus to retreat back to Etruria where Catulus followed him. Pompey meanwhile engaged with Lepidus' legate, M. Junius Brutus, at Mutina in Cisalpine Gaul. Brutus surrendered but Pompey put him to death, as he had Carbo and Domitius Ahenobarbus: perhaps Brutus had also been named a *hostis*. Pompey and Catulus joined forces and defeated Lepidus at Cosa in Etruria, and he withdrew to Sardinia, dying not long afterwards, according to Appian, of consumption (App. 1.504). A substantial remnant of his forces was taken to Spain by M. Perperna Veiento and joined up with Sertorius.

Pompey in Spain, 76–75 BC

Pompey had supported Lepidus' bid for the consulship, but then opposed him on behalf of the senate as soon as he threatened the repeal of Sulla's legislation. Following Lepidus' defeat, Pompey's generalship was no longer needed, but he refused to disband his army: as he had done earlier with Sulla he used the possession of a loyal army as a bargaining ploy. His aim was not to threaten the state, but merely to blackmail the senate into sending him to Spain to deal with the insurgency there led by Sertorius. Q. Sertorius, an *eques* from Nursia who had set up a semi-formalised government in Spain on the Roman model, had resisted attempts over the last two years by Metellus Pius, governor of Further Spain, to pin him down. He had served against the Cimbri under Caepio and Marius, and had governed Spain as *propraetor*. Expelled by Sulla's governor, C. Annus, in 81, he was later invited back by the Lusitanians, and by 77 controlled most of Roman Spain. When the consuls for 77 (Mam. Aemilius Lepidus Livianus and D. Junius Brutus) were finally elected, neither chose to go to Spain, and Philippus therefore suggested to the senate that Pompey be sent. He was again awarded an extraordinary grant of *proconsular imperium*, without having yet held a magistracy, and arrived in Spain in the spring of 76.

Pompey's campaign in Spain ran into difficulties. Although, with the assistance of Metellus Pius, he achieved some successes against the rebels, Sertorius was able in 75 to cut off the Roman supply line, and Pompey wrote to the senate for reinforcements, as well as money and supplies. Sallust records a letter sent by him to the senate in 75, complaining of a lack of support, and criticising its failure to respond to earlier letters and requests sent via legates: Sallust's version was almost certainly based on Pompey's letter (Sall. *Hist.* 2.98: doc. 12.3). According to Pompey, he had

only been granted a year's expenses over a three-year period and had exhausted all his own resources and credit; his army was on the point of starvation and Nearer Spain, except for the coastal cities, had been ravaged to a state of devastation; Gaul, which had provided for Metellus' army, was suffering from a bad harvest and it was imperative that he receive supplies and reinforcements immediately.

This lack of support from the senate was not a deliberate attempt to undermine Pompey and Metellus Pius, as they were waging a war on behalf of the senate. Pompey, however, listed in his letter his achievements to date: the opening up of a route through the Alps, his resistance to Sertorius' attacks, the capture of a camp at Sucro, and the defeat of C. Herennius and capture of Valentia. His statement that unless given some support his army would cross back to Italy and 'with it all the war in Spain' was not intended as a threat to invade Italy, but a warning that he might have to return home, and if so Sertorius and his rebels could be close behind him, invading Italy like a second Hannibal.

The consuls of 74, L. Licinius Lucullus and M. Aurelius Cotta were more concerned with affairs in the East and possible commands against Mithridates VI, who was again threatening Cilicia and Asia. Lucullus had originally been allocated the province of Cisalpine Gaul, but after intrigues with a P. Cornelius Cethegus and his mistress Praecia (*Plut. Luc.* 6.2–5: doc. 7.64), he was appointed to Cilicia, and then to Asia as well, while Cotta was given Bithynia (Nicomedes IV had recently died and bequeathed his kingdom to Rome). The praetor M. Antonius was also given a command against piracy in the Mediterranean for three years, with imperium equal to that of provincial governors. Mithridates and Sertorius had apparently come to an agreement to exchange ships and money from Mithridates in return for military advisors from Sertorius, while both would receive assistance at sea from the pirates. This united threat needed a multi-faceted response, and Bithynia needed to be protected against a possible invasion from Mithridates.

The consuls were prepared to ensure that Pompey received the necessary support so that they would be free to depart for their provinces: at this stage he seems to have had the backing of the optimates. After attacks on his strongholds in 74 and 73, Sertorius was murdered by Perperna and his other Roman officers, while Perperna himself was soon defeated by Pompey and executed. The executions of Domitius Ahenobarbus, M. Brutus, Cn. Carbo, and Perperna led to Pompey being denounced as an 'adulescentulus carnifex' ('teenage butcher': *Val. Max.* 6.2.8), who summarily executed his enemies. His successes in the Spanish peninsula led to his erecting a trophy in the Pyrenees claiming to have conquered 876 towns in Spain from the Alps to the frontier of Further Spain (*Pliny* 7.96–99: doc. 12.28).

The Spartacus revolt, 73–71 BC

The years 73–71 were to present a unique threat to Rome and Italy and again provide employment for Pompey, as well as for Lucullus in the East (*Livy Per.* 96–97: doc. 12.4). As Pompey and Metellus Pius were completing the campaign in Spain, the rebellion of Spartacus, a former Roman auxiliary, broke out when 74 gladiators escaped from a training school at Capua. After taking up a position on Mt. Vesuvius, the rebels and their supporters defeated three praetors in quick succession and their numbers grew until they were said to comprise some 70,000 men. Spartacus' aim was

to head north out of Italy, but Crixus, a Gaul, one of his lieutenants, and others were tempted by the thought of plunder, and 73 and the start of 72 were spent in devastating southern Italy. Crixus and his force of some 20,000 slaves were annihilated by the praetor Q. Arrius, but both consuls of 72, L. Gellius Publicola and Cn. Cornelius Lentulus Clodianus, suffered defeats in Picenum and their armies were transferred to M. Licinius Crassus, praetor in 73, who was given a special command with proconsular imperium. Spartacus also defeated the praetor Cn. Manlius and occupied Thurii.

Crassus raised six additional legions, and resorted to the traditional practice of decimatio when troops led by his legate Mummius suffered a severe defeat. After defeating Spartacus, Crassus then drove him south, where Spartacus was corralled with a triple barrier, perhaps on the promontory of Scyllaeum, from where he was unable to break out despite two valiant attempts. Nevertheless, the senate summoned Pompey from Spain, and M. Terentius Varro Lucullus (cos. 73) from Thrace to assist in this crisis. Spartacus eventually broke out from the containment, but in a final engagement was defeated and killed by Crassus, who had 6,000 slave prisoners crucified along the via Appia (App. 1.555–559: doc. 6.50). Pompey annihilated a further 5,000, who were trying to escape to the north, and then wrote to the senate that, despite Crassus' having won a battle, he had won the war (*Plut. Crass. 11.7*). This was not to be a good start to political relations between the two.

Pompey and Crassus now expected their achievements to be rewarded by the consulship. Pompey, like Metellus Pius, could claim a triumph, since the war against Sertorius had been accepted as against a foreign enemy (a ‘bellum externum’), but Crassus was only allowed an ovatio, since he had merely put down a slave revolt (the threat posed by the revolt was irrelevant). He was however permitted to wear a laurel wreath, rather than the usual myrtle. Despite incipient ill-feeling between the two, they agreed to stand together for the consulship of 70. While both men kept their troops in arms while elections were held (Pompey's triumph was celebrated on 29 December, as he had waited for Metellus Pius to return for his triumph, and Crassus would not dismiss his army until Pompey did), there was no overt coercion of the senate to ensure their elections. Plutarch has Pompey and Crassus disagreeing on issues throughout their year, and being reconciled at its end; Appian, more realistically, has them reconciled at the beginning of their consulship (App. 1.560–561: doc. 12.5).

Crassus had been praetor in 73 and therefore it was time for him to stand: Pompey, however, was still an eques, having held no magistracy (having been ‘neither praetor nor quaestor’: App. 1.560), and was still too young at only 34 years of age, and the senate exempted him from the restrictions of the *lex Cornelia annalis* of Sulla. Pompey had held proconsular command for seven years, and was celebrating his second triumph. While initially one of Sulla's inner circle, his rise to pre-eminence had been in the teeth of Sulla's legislation and outside all traditional norms.

The consulship of Crassus and Pompey, 70 bc

The main outcome from the joint consulship was the restoration of status and power to the tribunate. The issue had been raised continually in the late 70s, initially by a tribune, Cn. or L. Sicinus, in 76, but was opposed by a consul of that year, C. Scribonius Curio. C. Aurelius Cotta, as consul in the following year put forward a bill to allow tribunes to stand again for higher office, so that men of ability would now

take on the position, although this was unpalatable to the senate. In 74 L. Lucullus blocked efforts by the tribune L. Quinctius to reinstate any further powers of the tribunate, and it was raised again in 73 by the historian C. Licinius Macer who argued that Pompey was in favour of the return of tribunician powers, although there is no evidence that the two had communicated on the issue. It might however have been circulated ‘unofficially’ that Pompey would be in favour.

The question of the tribunate had been flagged during the consular campaign, and in Pompey’s first speech as consul-elect he promised to ‘restore the magistracy to much of its traditional power’, as well as to introduce measures against corruption in provincial government and the courts. The first and third were acted upon during the year, but not the second. The restoration of the legislative powers of the tribunes was perhaps the only time that Pompey and Crassus cooperated fully during their consulship. Both of them would have expected to benefit from laws proposed by tribunes, while neither was prepared to give up the credit for the measure to the other: although both had been supporters of Sulla, neither was concerned at undoing Sulla’s legislation, which had specifically targeted the tribunate. Otherwise, the consulship seems to have been an opportunity for competitive aggrandisement: Pompey put on extravagant games to celebrate his victories, and Crassus dedicated a tenth of his property to Hercules, distributed three months supply of grain, and entertained the people to a lavish banquet (*Plut. Crass.* 2.1–7: doc. 2.21).

Pompey as consul-elect had flagged the issues of corruption in the courts, now in the hands of the senate, but his role in the actual reform is not attested. This was the last time during the Republic that membership of the courts was an issue, and the composition of the juries remained unchanged during the rest of the Republic: there was no overt opposition and the question of the law-courts does not seem to have been particularly contentious. Later in the year one of the praetors, L. Cotta (brother of the consuls of 75 and 74), introduced legislation to divide juries into three groups – the senators, equites, and tribuni aerarii (‘treasury officials’, a wealthy group akin to the equites). As a result, while senators and equites both manned the juries, the balance of representation was in favour of the equites. Cicero suggests that his successful prosecution in 70 of C. Verres, one of the most rapacious of provincial governors, played a role in this decision, with Verres’ condemnation by his fellow senators preventing total transfer of the courts to the equites. This is unlikely, but Verres’ propraetorship in Sicily from 73 until 71 was a fine example of the abuses that could be expected of Roman provincial governors (*Cic. Verr.* 2.3–4: doc. 5.68). As part of the prosecution, Cicero ran through some of the most heinous examples of corruption by senatorial juries over the past decade, though he was clearly disingenuous in claiming that in the previous 50 years under the equites, there had been not a single example of bribery. He quotes Q. Calidius (tr. pl. 99), who was propraetor in Nearer Spain in 78, as stating after his conviction in 77 that the going rate for convicting an innocent praetorian governor was 300,000 sesterces, and cites the case of one notorious senator who took money from the defendant to bribe the other jurors, and more from the prosecutor to convict the accused (*Cic. Verr.* 1.37–40: doc. 12.6).

One important outcome of Pompey and Crassus’ consulship was that censors were elected for the first time since 86, and that as a result the Italians were finally enrolled in Roman tribes. The censors were the less-than-distinguished L. Gellius Publicola and Cn. Cornelius Lentulus Clodianus, defeated by Spartacus as consuls in 72. However,

they dismissed 64 senators from the senate, including a consul of the previous year, Lentulus Sura (later one of the Catilinarian conspirators), as well as C. Antonius Hybrida, who was to be Cicero's consular colleague in 63 (Livy *Per. 98*: doc. 12.7). They registered 910,000 citizens, almost double that of the last census in 86 (463,000), showing that the Italians had finally been enrolled in Roman tribes, and were now full members of the Roman state. Elections were to become more unpredictable as a result, and the consulship more competitive, as there were 20 quaestors a year and only two consulships at the top of the career pyramid, with candidates potentially interested from the Italian elite. The enrolment of the Italians also affected the composition of the jury-courts, with Italians in the equestrian centuries being added to the non-senatorial jurors. The censors also revived the transvectio equitum, the annual cavalry review, at which Pompey boasted that he had not only performed his military service as required, but had done so under himself as imperator (Plut. *Pomp.* 23.6).

As consul Pompey had given some forewarning of the way his political career was to play out. He was already displaying his talent for changing allegiance to suit his political agenda: though he had opposed Lepidus when Lepidus proposed the repeal of Sulla's legislation, during his consulship the legislative powers of the tribunes were returned, and he restored the courts at least partly to the equites. These would have appeared popular, anti-senatorial measures. A further bill, of which Pompey must have approved, the lex Plotia agraria, intended to provide land allotments to soldiers who had served in Spain with Pompey and Metellus Pius, however, never became law. Both Pompey and Crassus declined to take a province following their consulships. With Sulpicius' legislation over the command against Mithridates in mind, Pompey may have anticipated tangible rewards for having restored the legislative powers of the tribunate, and was prepared to wait until a suitable opportunity arose for another extraordinary command. The main frustration of this consulship for Pompey was the failure to have land provided for the veterans who had served under him in Spain. This was to foreshadow similar difficulties later in his career, when the need to pay off his soldiers in the teeth of senatorial opposition led to his alliance with Caesar and Crassus in 60.

Pompey's extraordinary commands

The lex Gabinia, 67 BC

Pompey's next command was to come through the lex Gabinia, proposed by the tribune A. Gabinius in 67, to combat piracy in the Mediterranean. In 74 the praetor M. Antonius, who had been given a three-year command to repress piracy throughout the Mediterranean, had achieved some successes in the West, but suffered a naval defeat in 71 or 70 from a combined pirate and Cretan force; the island of Delos was also sacked by a pirate fleet in 69. When two praetors were kidnapped by pirates in 68, the scandal was insupportable. Hortensius as consul in 69 had been assigned Crete as his province, but willingly gave it up to his colleague, Q. Caecilius Metellus 'Creticus', who went on the offensive against piracy in 68. Q. Marcus Rex (cos. 68) had also been given a command against the pirates as part of his governorship of Cilicia for 67. Trade, however, was increasingly disrupted, with coastal areas of Italy raided, and the grain supply under threat.

Early in 67, Gabinius, against considerable senatorial opposition, proposed a law creating a special command against the pirates in the Mediterranean to be awarded to a consular. No one was actually named, but it was clearly tailor-made for Pompey: Gabinius was to accompany him to the East in 66 as one of his legates, and with Pompey's support become praetor in 61 and consul in 58. The senate (with the exception of Julius Caesar) opposed the granting of such wide-ranging powers, especially to Pompey, and Hortensius made a 'lengthy, authoritative and brilliant speech' in the senate against the appointment (*Cic. Man.* 52–53: doc. 12.8). Two tribunes, L. Trebellius and L. Roscius Otho, also opposed the bill. Trebellius was threatened with deposition, and when Roscius tried to argue that the command be shared with at least one other commander, the people shouted with such vehemence that a raven flying over the assembly was stunned and fell into the crowd (*Plut. Pomp.* 25.12).

Pompey had been without a command, and hence lost much of his political influence, since his consulship. But the people saw Pompey as the natural appointee for such a position, and the public confidence in his abilities was such that on the day the *lex Gabinia* was passed the price of grain plummeted. The period envisaged for the command was three years, with the right to levy troops and draw from the public treasury as needed. The people's confidence was entirely justified and in a period of only three months Pompey essentially cleared the sea of pirates, with the threat put down by the end of the summer. Cicero, on one of the first occasions on which he tied his flag to Pompey's mast, in the following year praised Pompey for having restored the safety of the seas, which had been so dominated by the pirates that 'we were even unable to engage in either private or public business overseas' (*Cic. Man.* 53).

This command against the pirates covered most of the Roman world, with proconsular imperium over the whole Mediterranean, including territory 50 Roman miles inland from the coast, equal to that of any proconsul in the area. The consul, C. Calpurnius Piso, was nearly lynched by the people for comparing Pompey's ambitions to those of Romulus, and threatening him with the fate of Romulus (who was said to have been assassinated), while Gabinius was faced with violence from the enraged senators. Catulus (cos. 78) spoke against the command being given to a single person, but failed to convince the people that it was unwise to expose Pompey to such continual dangers. Pompey himself feigned reluctance to take up the command, remaining away at his Alban villa for the actual vote in the assembly. The popular enthusiasm, however, was such that the law was even emended to grant him greater forces than actually proposed.

At a further assembly at which Pompey was present, his forces according to Plutarch were increased to 500 ships, 120,000 infantry, and 500 cavalry (*Plut. Pomp.* 25.1–26.4: doc. 12.9). He was able to choose 24 officers of praetorian rank from the senate, and was given two quaestors to organise supplies. He divided the Mediterranean into 13 regions patrolled by his legates, while he dealt with the strongholds in Cilicia, defeating the pirates off Coracesium. The consul Piso attempted to hinder recruitment and provisioning, and there were moves by Gabinius to demote him from his consulship, but this was prevented by Pompey. The vital importance of the grain supply to Rome can be seen in the near panic which the piracy had brought about, and the people's willingness to deal with the threat on any terms: not only had food prices immediately fallen, the populace considered that 'the very name of Pompey had put an end to the war'.

Lucullus' victories in the East

With the threat of the pirates now eradicated, Pompey was on the lookout for yet another command. Dramatic developments had been taking place in the East: after Sulla's departure for Italy, L. Licinius Murena had taken over the command and fought the half-hearted Second Mithridatic War (83–82) with little success. By 74 Mithridates had already rebuilt his fleet, possibly comprising some 150 warships, and put an agreement in place with the pirates of Cilicia that they should assist his war efforts, while a commission of Romans serving under Sertorius had helped reorganise some of his infantry along the pattern of legionary warfare, equipped with the Roman heavy spear and stabbing sword. L. Licinius Lucullus had secured for 73 the provinces of Asia and Cilicia, in anticipation of a further war against Mithridates, and his colleague M. Aurelius Cotta the province of Bithynia, left to Rome by Nicomedes IV. The Third Mithridatic War was to last from 73 to 66, first under Lucullus, and then Pompey (while Glabrio was proconsul of Pontus and Bithynia in 66 he did not engage with the war).

Mithridates defeated Cotta in a naval battle near Chalcedon, but Lucullus was able to prevent his taking Cyzicus by siege, and blockaded his army on the peninsula where most of his forces perished. Lucullus then moved into Pontus, capturing the capital Sinope in 70 and conquering the kingdom, forcing Mithridates to withdraw to Tigranes II, his son-in-law, in Armenia. In 69 he invaded Armenia, as Tigranes refused to hand over Mithridates, taking the capital Tigranocerta, which was sacked. In the engagement there, Tigranes fielded 20,000 bowmen, 55,000 horsemen, 150,000 infantry, and 35,000 engineers; Lucullus commanded a total of 16,000 infantry plus about 1,000 others. Most of Tigranes' cavalry and 100,000 of the infantry were killed; the Romans lost five men. Plutarch quoted Antiochus the philosopher who stated that 'the sun never beheld such a battle as this' (Plut. *Luc.* 28.7–9: doc. 12.10).

In the meantime, however, Lucullus' opponents at Rome had been eroding his position. He was particularly unpopular with the publicani (tax-collectors) for his equitable settlement of the province of Asia, both as Sulla's quaestor and as governor in 71–70. Lucullus' reasonable debt and tax-relief policy, which cancelled or decreased interest, prevented cities from going bankrupt and restored relative prosperity by 66, and led him to be seen locally as a benefactor (Plut. *Luc.* 4.1, 20.1–6: doc. 11.10). Equites and senators alike, however, had suffered financially from his arrangements, and the businessmen in Rome accused him of keeping the war going unnecessarily for his own gloria and profit. In the winter of 68–67 his troops had been on the point of mutiny (especially those soldiers who had served under Fimbria, and who had been in the East since 86), with unrest among the troops stirred up by P. Claudio (Clodius) Pulcher, his brother-in-law. Moreover, his military reputation was undermined when his legate C. Valerius Triarius was defeated near Zela by Mithridates in 67 with a loss of 7,000 Roman troops. At this point, from the perspective of Rome, Lucullus' achievements looked minimal: Mithridates had regained Pontus and Tigranes was raiding Cappadocia.

The lex Manilia, 66 BC

To serve Pompey's longer-term interests the tribune Gabinius had put forward in 67 a law that the supreme command against Mithridates be transferred from Lucullus to

the consul M'. Acilius Glabrio. In support of this measure he exhibited in the forum a painting of Lucullus' luxurious villa: Lucullus, like Hortensius, was one of the aristocrats most noted for extravagant living (Plut. *Luc.* 39.2–5: doc. 2.22). The theme of inappropriate affluence was a popular one, and supreme command in the East was given to Glabrio, who as proconsul in Bithynia and Pontus was to take over Lucullus' troops. Glabrio was in no hurry to take up his command, while Pompey was at this point in the Mediterranean at relative liberty, preparing to confront Q. Metellus Creticus in Crete, who had refused to recognise his imperium.

When the news of Mithridates' victory over Lucullus' troops had reached Rome, C. Manilius, one of the tribunes in 66, proposed that Pompey should retain his imperium and troops and be given the commands of both Glabrio (in Bithynia and Pontus) and Q. Marcius Rex (in Cilicia), along with Lucullus' and Marcius Rex's remaining forces and the command against Mithridates and Tigranes (Plut. *Pomp.* 30.1–2: doc. 12.11). Catulus and Hortensius led the opposition, but Pompey's extraordinary victory over the pirates made argument futile. Four consulars supported the command, as did Cicero enthusiastically in his first speech from the rostra as praetor. As the situation was presented as one of military crisis Pompey was provided with unprecedented resources: allied rulers and cities were required to assist him, and, uniquely, he was granted the power to make war and peace and form alliances (as Lucullus had done, but without authority). Plutarch inflates the importance of the position in suggesting that Pompey had nearly the entire empire in his hands, but the command was an extraordinary one in every sense.

Cicero's speech presented the province as Asia as on the point of invasion by Mithridates, threatening the interests of businessmen and Rome's revenues, and Pompey as the only general who could secure Asia and its financial resources for Rome, emphasising the extraordinary nature of Pompey's career to date (Cic. *Man.* 27–28: doc. 12.12). In 17 years of almost continuous command, Pompey had celebrated two triumphs in 80 and 71, and was still now only 40 and ineligible for the consulship, even though he had held it four years earlier. As Cicero boasted on Pompey's behalf, there was 'nothing in the military sphere . . . outside Pompey's experience'. Hortensius, for the senate, argued not that Pompey should not have the command, but that the command should be shared, but the people ignored his advice (Cic. *Man.* 52: doc. 12.8). Unlike the lex Gabinia, the lex Manilia passed without any violence or overt hostility. That Cicero was positioning himself deliberately to gain Pompey's support in this speech is shown by the fact that he later criticised both the lex Gabinia and the lex Manilia in his *Philippics* against Mark Antony, ascribing them to 'turbulent tribunes', as if he had not himself spoken in support of the lex Manilia and praised Pompey's successes under the lex Gabinia (*Phil.* 11.18).

The Catilinarian conspiracy, 63 BC

The background to Catiline's conspiracy and Cicero's election

In the elections for the consulship of 63, despite being a novus homo, M. Tullius Cicero from Arpinum was elected at the top of the poll (Figure 12.1). He had family

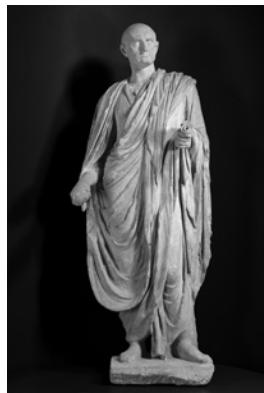


Figure 12.1 A statue of M. Tullius Cicero (106–43 BC), dating to the first century BC. One of Rome's greatest orators, Cicero was himself most proud of his consulship in 63 BC and his actions over the conspiracy of Catiline.

Source: Courtesy of the Ashmolean Museum, University of Oxford. Accession number ANMichaelis.45

connections with Marius, and the Verres case had given him a public profile in a climate preoccupied with senatorial corruption. Extortion by provincial governors, to recoup the costs of bribery and lavish expenditure during an election, had reached unprecedented heights, and one of Cicero's competitors in the elections held in 64, Catiline (L. Sergius Catilina), had behaved so rapaciously as propraetor in Africa in 67/6 that a deputation came to Rome to protest. Both consuls elected in 66 for 65, P. Cornelius Sulla and P. Autronius Paetus, were convicted for bribery (under the lex Calpurnia) following their election, and in a second round L. Aurelius Cotta and L. Manlius Torquatus were elected in their place. Catiline had initially wanted to stand, but with a prosecution being brought against him for his conduct in Africa the presiding consul in 66, L. Volcatius Tullus, refused to allow his candidature; Catiline's trial for extortion took place in the middle of 65. He supposedly formed a plot with a young noble Cn. Calpurnius Piso (later murdered in Spain by the provincials) against the two newly elected consuls, with an assassination attempt planned in early February 65, but nothing eventuated, though the senate gave the consuls a bodyguard as a precaution. This is sometimes called the 'first Catilinarian conspiracy' (Sall. *Cat.* 19.5), but it does not warrant the title, and Catiline's involvement may largely have been a product of Cicero's imagination. The involvement of Crassus or Caesar in the plot is also implausible.

In 64 the censors, Catulus (cos. 78) and Crassus, fell out over the status of the Transpadane Gauls, with Crassus like Caesar wanting to grant them citizenship and Catulus ineradicably opposed to this. A further point of contention was that Crassus, supported by the tribunes, also wanted Egypt annexed in line with the will of Ptolemy X Alexander in 88. Finally, due to this stalemate, they resigned, while the tribunes prevented the appointment of new censors to replace them. Meanwhile, outside of Rome, many veterans who had been settled on the land, most notably the colonists

established by Sulla, were in financial trouble after 15 years of farming, with unrest stemming from the threat of debt-bondage in Etruria, north-west Italy (Picenum and the ager Gallicus), and Apulia. Catiline does not seem to have been the champion of the struggling farmers at this point, and in 64 he and C. Antonius Hybrida fought a very unscrupulous campaign against Cicero in the elections for the consulship of 63. Antonius had already been expelled from the senate for misconduct in 70 during Pompey and Crassus' consulship. The two nobles pooled their resources against the new man, who made capital out of Catiline's murder of M. Marius Gratidianus, a popular hero, during Sulla's proscriptions (*Livy Per. 88*: doc. 11.19). The senators put much of their support behind Cicero, even though they were unhappy at his support of the *lex Manilia*, as the other two candidates were disreputable even by current standards. Cicero was elected by the vote of all the centuries, with Antonius Hybrida just managing to defeat Catiline. Sallust (*Cat. 23.5–6*: doc. 2.44) considered that Catiline's candidacy actually assisted Cicero, as the dangers posed by Catiline overcame the reluctance to support a new man, but this may reflect, in retrospect, concerns about Catiline's intentions not felt at the time.

Cicero and the agrarian legislation of 63 BC

The first measure proposed in 63 aimed at assisting the rural and urban poor. Agrarian legislation was now definitely feasible, as with the huge revenues from Pompey's vast conquests in the East public land, such as the ager Campanus and ager Stellas in Campania, could be distributed to the poor and their revenues not be missed. Distributions of land could also be made to Pompey's veterans when they returned home. The tribune P. Servilius Rullus proposed legislation to distribute state land and purchased land to those without properties, with a commission of ten members to oversee the purchase and distribution: these would possess praetorian imperium for five years. The bill was supported by all the tribunes, including T. Labienus, who was certainly Pompey's man: he also assisted Caesar's election as pontifex maximus later in the year by proposing a law which reinstated election for priestly positions by public vote instead of co-option. The deposed consuls of 65, P. Sulla and P. Paetus, perhaps hoped for a position on Rullus' board, and one of the tribunes drafted a bill for their reinstatement to citizen rights and membership of the senate, which Cicero opposed. Labienus also attempted to abolish restrictions on the sons of those proscribed by Sulla, which prevented them from standing for office, which Cicero opposed publicly, though agreeing with the measure in principal. Many of these were to join Catiline.

On the first day of 63, one of the tribunes, L. Caecilius Rufus, abandoned the others and promised to vote against the agrarian bill, and Cicero in two stirring and provocative speeches was able to carry first the senate, and then the people to vote it down, by representing the ten members of the commission as kings and the measure as deliberately aimed against Pompey, possibly to benefit Crassus (*Cic. Leg. Agr. 1.21–23*: doc. 12.13). His speech to the senate depicts the settlers as 'needy rascals', and Rullus and his commission as an occupying force, opposed to the interests of the state and intending to overthrow the government, with Caesar and Crassus ('those whom you fear far more than Rullus') behind the whole scheme: agrarian legislation was always

anathema to the senate, especially from the time of the Gracchi on, and Cicero aligned himself with the senate on this issue even though this was against Pompey's interests.

Catiline's early career

While Catiline had had a conventional early career, being on Pompeius Strabo's staff during the Social War (*ILS* 8888: doc. 10.23), Sallust presents an unsavoury view of him in retrospect, although admitting his noble birth, and vigour of body and mind (Sall. *Cat.* 5.1–8: doc. 12.14). He was responsible for killing M. Marius Gratidianus, his brother-in-law (Catiline's first wife was Gratidia), taking his severed head to Sulla on a pike during the proscriptions in November 82. Gratidianus' arms and legs were broken, his ears cut off, and eyes gouged out (Livy *Per.* 88: doc. 11.19). In 73 Catiline had been charged by P. Clodius Pulcher over sexual relations with a Vestal, Fabia (the half-sister of Cicero's wife), but acquitted, while Sallust also records that he was suspected of having murdered his step-son (Plut. *Cato Min.* 19.3; Sall. *Cat.* 15.1–3). In 65, Catiline escaped condemnation on the charge of corruption in his province, despite his obvious guilt, as he had many supporters even among the optimates, including Catulus and the consul L. Manlius Torquatus, while Cicero at this point even offered to appear for the defence. The prosecutor, P. Clodius Pulcher, who was now aligned with Catiline, was also less than enthusiastic in his conduct of the case. Again, in 63, he was acquitted when prosecuted in the murder court, the *quaestio de sicariis*, chaired by Caesar who was praetor-elect, though two other profiteers and assassins from the era of Sulla were condemned for their actions in the proscriptions. But Catiline had needed to win the consulship in order to avoid financial ruin and now seemed to be out of options. As Sallust states (*Cat.* 5.8), the extravagance and avarice current in the society of the time incited poor senators, and not just Catiline, to take extreme measures.

Catiline's supporters and plans, 63 BC

Catiline's conspiracy became known to Cicero through Q. Curius, apparently a former quaestor expelled from the senate in 70. As a follower of Catiline, he informed his lover Fulvia of the plans, thus triggering the discovery of the plot. Fulvia was from a noble family, and the attack on her reputation and that of the 'reckless', 'heedless', 'untrustworthy' Curius may have been part of the general vilification of the moral standards of Catiline's supporters (Sall. *Cat.* 23.1–4: doc. 12.15). At any rate, she informed 'a number of people' of the conspiracy, and Cicero as consul came to learn of the conspirators' plans. Another of Catiline's adherents, according to Sallust (25.1–5: doc. 7.44), was Sempronia, the wife of D. Junius Brutus (cos. 77), who supported Catiline because, like many other noble women, she had immense debts. Catiline is said to have hoped that these women would be able to rouse the slaves to support him, and either win over their husbands, or be prepared to murder them.

For the consular elections in 63 for 62 Catiline borrowed heavily to bribe the electorate in his candidature against D. Junius Silanus, Ser. Sulpicius Rufus, and L. Licinius Murena. Even though Sallust states that Catiline's earlier failure in 64 caused him to start planning his rebellion at that point, he still stood for the consulship for the

following year. Cicero passed a stricter bribery law with a penalty of ten years exile, and postponed the elections, challenging Catiline in the senate over his candidature. When Cicero presided over the elections, which had been delayed until late September, he did so with a bodyguard and conspicuously wearing body-armour. Silanus and Murena were duly elected, though Sulpicius Rufus, along with Cato, accused Murena of wholesale bribery (Murena, defended by Crassus, Hortensius, and Cicero, was acquitted, though probably guilty). Catiline's candidacy does not appear to have been particularly revolutionary, though he did campaign on debt relief, which involved a reduction in interest and payment schedules rather than the total cancellation of all debts. It appears that until this point Crassus, and perhaps Caesar, supported Catiline. If so, the suggestion of debt relief would have weakened Crassus' support for him, and he now appears to have backed the establishment against Catiline and his candidacy.

With this failure at the elections in 63, Catiline's conspiracy now began in earnest, and he positioned himself to take advantage of the considerable potential for social disturbance current in Italy, although the overwhelmingly negative account of his motives has to be filtered through the hostility of Cicero and Sallust. To some extent it is arguable that Cicero's own marginalisation of Catiline and opposition to his candidature drove him to champion the poor and distressed farmers. At any rate Catiline did not leave Rome until early November 63, following Cicero's first Catilinarian speech to the senate, at which Catiline himself was present, suggesting that he expected support from some of the members, and that his plans were therefore not as revolutionary as Cicero would have had his audience believe.

'Massacre' and revolt

On 18 October 'someone' handed in to Crassus' house a number of letters, one advising him to leave Rome to avoid a massacre being planned by Catiline. Crassus and two other senators went to Cicero, who convened the senate on the next day and read out the letters, which revealed details of a series of assassinations planned for 28 October. News from Faesulae also reported that an armed revolt was in preparation in Etruria under C. Manlius, an ex-centurion (the main concern of the rebels was the threat of debt-bondage for struggling farmers). On 21 October Cicero announced in the senate that the revolt was planned for 27 October and the senatus consultum ultimum was passed in response. The revolt took place as foreshadowed, together with other uprisings of the discontented rural poor, and Sallust lists Etruria, Picenum, and Apulia as some of the areas to which Catiline sent men to encourage rebellion. Q. Marcius Rex (cos. 68), who was still outside the city waiting for his triumph, was dispatched to Etruria to deal with Manlius. Q. Metellus Creticus (cos. 69), also still waiting outside Rome, was sent to Apulia, while the praetor Q. Metellus Celer was ordered to Picenum, and his colleague Q. Pompeius Rufus to Capua (Sall. *Cat.* 26.1–27.2: doc. 12.16).

Although the massacre of 28 October did not take place, Cicero reported that he had received further information of secret meetings and plans for civil war, and Sallust records that, in addition to inciting revolts in Italy, Catiline was laying traps for Cicero, organising arson attacks, and strategically stationing armed men in Rome. On 6 November Catiline purportedly organised an assassination attempt against Cicero,

which was foiled when the would-be assassins were denied access to Cicero's house. On 8 November Cicero convened the senate in the temple of Jupiter Stator, attacking Catiline in the First Catilinarian Speech (*In Catilinam I*) over the discovery of his plans (his *In Catilinam II* was delivered before the people on 9 November). Catiline insisted on a vote, stating that he would go into exile if such was the will of the senate, but Cicero did not put the proposal to a vote. That night Catiline left Rome, supposedly heading for Marseilles but in fact for Manlius' army. At this the senate declared both him and Manlius to be public enemies. The consul Antonius Hybrida was put in command against the rebels in Etruria, even though he had been suspected of Catilinarian sympathies. Cicero had ensured the support of Hybrida by exchanging provinces with him, so that he received the lucrative option of Macedonia (rather than Cisalpine Gaul) as his province. Cicero was to decline a province and Cisalpine Gaul was allocated to Metellus Celer.

Cicero's demonisation of Catiline

As consul Cicero had devoted himself to ensuring that Catiline was not successful at the elections for 62, in effect demonising him to the senate and people. In his first speech against Catiline, he accused him of having planned to kill both Cicero himself and Catiline's rivals for the consulship on the day of the election, when Silanus and Murena were elected in September 63. When Murena was prosecuted for bribery, he was defended by Cicero, and acquitted, at the height of the anxiety over Catiline's plans in late November, with Cicero arguing that if Murena were convicted Catiline would replace him as consul, to the detriment of the state. This hardly cleared Murena of the charge of bribery, but shows the ways in which Cicero was prepared to suggest that questions of expediency should override statutory law. In his speech Cicero described, with some self-congratulation, how on the day of the election, he had entered the Campus Martius as presiding consul, surrounded by a bodyguard of the 'bravest men', and conspicuously wearing 'that broad and conspicuous breastplate' – not so much for self-defence, as to signal to all 'honest' men that the consul was in danger (Cic. *Mur.* 52–53: doc. 12.17). This charade reflects the ways in which Cicero blackened Catiline's character in his speeches, and here the throwaway remark that Catiline's chosen method of assassination was to target the head or neck labelled him as a seasoned and bloodthirsty murderer.

In the speech delivered before the people on 9 November, after Catiline had left Rome, Cicero painted Catiline as steeped in the deepest crime and villainy (Cic. *Cat.* 2.7–9: doc. 12.18). This is very much a stereotypical vilification of a political opponent rather than a portrait intended to be taken literally, although both Cicero and Sallust present Catiline as an unprincipled reprobate, devious and degenerate. The fact that Catiline had been acquitted on the *repetundae* charge in 65 indicates that he still had support from a large part of the establishment and was hardly a desperado. He clearly had been guilty of extortion in his province of Africa, but he was not unique in this, and Cicero had even considered taking on his defence. That Crassus and Caesar were rumoured to support his cause also suggests that his political platform was relatively conventional, and Cicero's claim that, as the leader of desperate men, he intended a total cancellation of debts is not borne out by the other sources. Catiline

did make the most of current social unrest among the farming community and populace more generally, but it was not until after Cicero's first speech against him in the senate, the *In Catilinam I* of 8 November, that he left Rome to take charge of the rebellion in Etruria. Cicero's focus in his speech to the people focusses on Catiline's sexual depravity, while the accusations of passive homosexuality characterise him as dangerously un-Roman and effeminate. The portrait of him as the leader of desperate bankrupts, who had squandered their patrimonies in drinking and gambling, perhaps reflects the nature of his followers such as P. Cornelius Lentulus Sura, expelled from the senate after his consulship in 71 because of his immoral lifestyle, but elected to the praetorship again in 63.

The involvement of the Allobroges

Planning for the conspiracy was to be interrupted by the arrival of envoys from the Allobroges, a Gallic tribe, currently in Rome to complain about tax-collectors and extortion (they had recently been governed by C. Calpurnius Piso and then in 64 by L. Murena and were 'overwhelmed by public and private debt'). Lentulus Sura and the others in Rome had arranged that when Catiline and his army reached Faesulae a public meeting should be called by the tribune L. Bestia, who would make an attack on Cicero blaming him for the current crisis. This was to be the signal for further disruption, including fires lit at 12 strategic sites in the city, and an attack on Cicero at his home by C. Cethegus, while certain youths of aristocratic families were to prepare to kill their fathers, after which all the malefactors were to rush to join Catiline (Sall. *Cat.* 43.1–2, 44.1–3: doc. 12.19). At this point, however, Cicero and the establishment had a fortunate breakthrough. The envoys from the much-exploited Allobroges reported that they had been invited to join the group of conspirators in Rome who were led by the praetor Lentulus Sura. They passed the information of this approach to their patron Q. Fabius Sanga, who alerted Cicero, and Cicero was able to acquire compromising letters written by Lentulus, Cethegus, and L. Statilius, an eques, urging the Allobroges to revolt. They had been told the names of certain conspirators, as well as details of the plans, and on their way back to Gaul it was arranged that they would be escorted north by T. Volturcius, a freedman of Lentulus, and meet with Catiline en route to exchange pledges of friendship. When the Allobroges were introduced to the other conspirators by P. Gabinius Capito, Cicero ensured that they requested an oath in writing, supposedly to send to their countrymen, and also persuaded them to give formal evidence against the conspirators.

Cicero arranged for the envoys to be arrested at the Milvian bridge across the Tiber in the early hours of 3 December, and Volturcius, who was escorting them and carrying a communication from Lentulus Sura to Catiline, surrendered unconditionally to the praetors in return for his life being spared. Cicero ordered that Lentulus, Cethegus, Statilius, Gabinius, and Q. Coeparius be arrested and summoned to appear before him: Coeparius, en route to Apulia to rouse a slave revolt, fled in time but was later captured. At dawn the same day Cicero summoned the senate to the temple of Concord, the temple dedicated by Opimius after the death of Gaius Gracchus (App. 1.120: doc. 8.32), and Volturcius gave evidence against the conspirators, stating that he had orders from the group at Rome to urge Catiline to gather a band of slaves and march

on the Capitol; weapons were also found and seized from Cethegus' house. The letters from Lentulus, Cethegus, and Statilius carried by the Allobroges were produced and read to the senate, and all three men confessed, as did Gabinius. The Allobroges also gave evidence against a praetor of the previous year, L. Cassius, and reported a plan to set the city on fire on 17 December, the Saturnalia. The senate decided that Lentulus should be expelled from the praetorship, and that he, Cethegus, Statilius, and Gabinius should be detained, Cassius arrested, and four others actively sought.

Later that day Cicero addressed the people (his *In Catilinam III*), maximising his own role in the crisis. The impending threat of Gallic attack, arson, and slave revolt was enough to terrify the plebs and ensure their devotion to Cicero, who portrayed himself as having saved them from violence and slaughter. In his speech Cicero coupled himself with Pompey: Pompey had expanded the empire, while he, Cicero, had saved the home and seat of that empire. The senate decreed a thanksgiving because 'the consul had delivered the city from fire, the citizens from massacre, and Italy from war'. Attempts were made to incriminate Caesar and Crassus, and Crassus was named in the senate on 4 December as involved in the plot by one of the conspirators, L. Tarquinius, who had been arrested as he was setting out to join Catiline, allegedly carrying a message from Crassus to Catiline to encourage him to hasten his expedition against Rome. However, on Cicero's motion, the senate voted not to trust in the information, as many of the senators were under financial or other obligations to Crassus.

Sallust reports that he had heard Crassus complain that Cicero was behind the allegation, with the purpose of preventing him from defending the accused conspirators in court (*Cat.* 48.9). There were also attempts by Caesar's enemies, such as Catulus, whom he had recently defeated in the contest for pontifex maximus (Suet. *Jul.* 13: doc. 3.22), and C. Piso (cos. 67) who had been prosecuted by Caesar for executing a Transpadane Gaul, to implicate him in the conspiracy, but these were unsuccessful (Sall. *Cat.* 49.1–4: doc. 12.20). Caesar was heavily in debt, through electoral bribery and the celebration of lavish games, but Cicero refused to countenance a false accusation being fabricated against him, though Catulus and Piso had rumours spread of his involvement.

The conspirators' fate

Cato and Caesar stood out as leaders in the senatorial debate on the fate of the conspirators (Figures 12.2, 13.11). While there was clearly an expectation that the conspirators would be put on trial, on 5 December Cicero demanded that the senate decide the fate of the prisoners, flagging that he expected the death penalty. On the previous day he had been unsure how to deal with them, when his wife Terentia sent word to him of a good omen that helped him make up his mind. The rites of the Bona Dea were being celebrated in Cicero's house, and when a brilliant flame leapt from the ashes of the altar, the Vestals directed Terentia to go to Cicero and tell him to carry out his resolutions for the good of the city (Plut. *Cic.* 19.4–20.3: doc. 7.86). This convinced him that he should execute the conspirators without trial.

In the discussion Junius Silanus, as consul-elect for the following year, was the first asked for his opinion and he argued for execution, as did all other speakers, until it was Caesar's turn as praetor-elect. He spoke against this in favour of confiscation of their property and life-long confinement in Italian cities (with no possibility of the

decision being revisited), arguing that the death penalty was against Roman tradition, and that only penalties prescribed by law should be imposed (*Sall. Cat.* 51.43: doc. 12.21): it was illegal to put citizens to death without trial, and the norm was for the condemned to go into exile. Caesar also argued that, compared with life-long imprisonment, death was a relief from suffering rather than a punishment. After Caesar had delivered his opinion, Silanus changed his vote to concur with Caesar. When, however, Cato had his turn to speak he persuaded the senators that in inciting an invasion by Gauls the prisoners had forfeited their citizenship and deserved death, arguing that taking a hard line would diminish the resolve of Catiline's army. The remainder of the senators, except for Caesar, then concurred and the four men, plus Caeparius who had been on his way to raise revolt in Apulia, were taken for summary execution.

Cicero and the praetors escorted the accused to the prison, the Tullianum, which was located on the west side of the comitium (Map 3). This was Rome's only public prison and a place of execution, primarily for defeated enemy leaders like Jugurtha, who were strangled after being paraded in a triumph and then thrown out to public view on the steps outside. Murderers, false witnesses, and traitors, including slaves (*XII Tables* 1.19, 8.12: docs 1.32, 41), could be thrown from the Tarpeian rock, a cliff on the south-east of the Capitoline hill, but capital punishment in Rome, for aristocrats, generally meant exile and loss of civic rights. The Tullianum was a dark and foul underground chamber reached through an opening in the ceiling, and was some 7 metres in diameter (*Sall. Cat.* 55.2–6: doc. 12.22). The principal conspirators were strangled by the executioners on the night of 5 December, and Cicero then announced to the waiting crowd: 'Vixerunt' ('they have lived'). Sallust notes that Lentulus as an ex-consul met an end befitting his character and actions. Only these five were executed: other conspirators, such as Autronius Paetus, elected consul for 65 but demoted for corruption before taking office, were tried in 62 and exiled.

The decision to execute the conspirators was one that would come back to haunt Cicero. While the *senatus consultum ultimum* had been passed and Cicero instructed by the senate to take action to 'see that the state came to no harm', the conspirators were under arrest and no danger to the Republic, and arguably should have faced a criminal trial prior to execution. Cato emerged as one of the leaders of the optimates over this issue, as it was his speech that led to the ultimate decision to execute the conspirators, and it was on his motion, according to Plutarch, that Cicero was acclaimed *pater patriae*, Father of his Country, although Cicero himself stated that the title was proposed by Catulus (Plut. *Cic.* 23.6; *Cic. Piso* 3.6).

Catiline's last stand, 62 BC

The senate declared legal immunity for those who had organised the executions, and Cicero was both praised as a saviour and criticised as a tyrant. It was customary for consuls to address the people on the last day of their consulship, but on 31 December the new tribunes, Q. Caecilius Metellus Nepos and L. Calpurnius Bestia, refused to allow Cicero to speak to the people, on the grounds that he had had citizens put to death without a hearing. Cicero's view was that he had 'saved the Republic'. Nevertheless, despite the execution of the conspirators in Rome, there was still concern about the army marching from Etruria on Rome and the other uprisings by discontented settlers in Italy. As tribune in 62, Cato was to have grain subsidies arranged at the cost

of 1,250 talents as a response to Catiline's revolt and its underlying causes to stabilise the situation in the city; the senate did not oppose the measure which suggests that there was general concern about issues facing the urban plebs and the rural poor and dispossessed.

Catiline's army in Etruria was ill-equipped, but comprised two legions, and there were calls for an experienced general to be mobilised against it. The tribune Metellus Nepos (Pompey was married to his half-sister Mucia) proposed to have Pompey elected consul in absentia and brought back to deal with the revolt instead of Antonius Hybrida. This was fiercely opposed by his fellow tribune Cato, who refused to allow Nepos to read out his proposal to the people. Cato was driven out of the forum, but his supporters armed and regrouped and Cato restated his veto. The senate convened and again passed the senatus consultum ultimum. Nepos was not deposed from the tribunate, but rushed off to Pompey at Rhodes to complain of this treatment. Caesar, who had also supported the recall of Pompey, was temporarily suspended as praetor by the senate, and accused before Novius Niger (the investigative judge, quaesitor, appointed to investigate the Catilinarian conspiracy) of being in correspondence with Catiline, but he successfully defended himself, and L. Vettius who had informed against him was beaten up in front of the rostra, his goods were confiscated, and he was thrown into prison.

News of the executions led to desertions from Catiline's forces, and Catiline attempted to lead his army north to Cisalpine Gaul through a series of forced marches, but was cut off by Metellus Celer (cos. 60), propraetor in Cisalpine Gaul, and turned to fight at Pistoria on the approach of Antonius' troops, led by Antonius' legate M. Petreius. There were heavy losses on the senatorial side, but Catiline and Manlius died in battle, with their troops annihilated. Sallust records that not a single Roman citizen was captured: all faced death rather than captivity. Catiline's bravery was evident to the last and he died as a noble Roman should, in advance of his men, surrounded by the corpses of his enemies (*Sall. Cat.* 60.7–61.9: doc. 12.23). The outcome was not unalloyed joy, as many of the casualties on the opposing sides belonged to friends and relatives. Rome now recovered from its panic, and Pompey reported that he would soon return to Italy. The question for the senate was what Pompey would now expect, following his return to Rome.

Cicero and his times

Cicero's political career

Cicero had received an excellent education, training under the jurists Q. Mucius Scaevola Augur (cos. 117) and Q. Mucius Scaevola Pontifex (cos. 95). Following his first criminal case in 80, in which he defended Sex. Roscius of Ameria against the partisans of Sulla such as his freedman Chrysogonus, he studied philosophy and oratory in Athens and Rhodes: his education and rhetorical training is outlined in his *Brutus* (Cic. *Brut.* 305–319: doc. 2.67). His successful prosecution of Verres for extortion in 70 led him to supersede the great Q. Hortensius Hortulus as Rome's leading orator. After his praetorship in 66, when he supported Pompey and the lex Manilia (his first major political speech), he won the consulship of 63 as the first new man since 94. He saw the execution of the Catilinarian conspirators as his greatest achievement and the salvation of the Republic, although it had doubtful legal validity, and wrote of it proudly to Pompey, as well as composing a poem on his consulship (*De consulatu suo*), which was widely ridiculed.

Despite his idealised view of the Republic and its traditions, Cicero was never fully accepted by the senatorial aristocracy, while his unwillingness to accept Caesar as an ally was to leave him in political isolation. At times he was forced to bow to expediency, speaking in favour of Caesar in 56, and defending Pompey and Caesar's supporters in the courts. Among the optimates, he respected Cato, though sometimes seeing his 'integrity' as a political liability, and published a panegyric of him in 45. He was committed to the republican system and the 'concordia ordinum bonorum' (the agreement of all good men), the alliance of senators and equites he encouraged as consul in 63. But without the prestige won by successful military commands he was not in a position to make a strong play within republican politics. He was unable, for example, to persuade Pompey that he should be Laelius to Pompey's Scipio Aemilianus, and his closest friend was T. Pomponius Atticus, a cultivated and wealthy eques. Cicero himself consistently overestimated his successes, considering that his actions against Catiline had preserved Rome, and that as governor of Cilicia in 51–50 he deserved a supplicatio (and hopefully a triumph) after a fairly minor victory in the Amanus mountains (*Fam.* 15.10, 15.5: docs 2.49, 13.19).

Cicero as orator and author

As an orator Cicero was outstanding, and Pliny the Elder, in reviewing Romans of intellectual eminence, saw him as supreme as an orator and writer, 'winner of a laurel crown greater than that of any triumph, since it is much more important to have advanced the frontiers of the Roman mind than those of Rome's empire' (Pliny 7.116–117: doc. 12.24). As Pliny notes, Cicero's oratorical ability was so great that he was able to persuade people to vote against their own interests, as with the Rullan agrarian legislation and the seating arrangements for theatrical performances: when the people protested that the front 14 rows of seats in the theatre were reserved for the equites, he managed to appease them in an impromptu oration. Cicero was also prepared to take the line of expediency, as in arguing against restoring the rights of the children of those proscribed by Sulla, even though there was no reasonable argument for preventing this. Fifty-eight speeches of his from 81 to 43 are extant, but as they are the only orations preserved from that period it is not possible to compare them to those of his contemporaries. Cicero himself published his speeches, after reworking them, though in most cases the original content was primarily retained.

Most of Cicero's theoretical and ideological writings date from the years 55–51, and 46–44. While in the political shade from 55 to 51 Cicero produced his three important philosophical dialogues, *De oratore* (on the ideal orator), *De republica* (on the Roman constitution), and *De legibus* (on the laws of the ideal state), the style reflecting the dialogues of Plato. By the time of Pliny, Cicero was acknowledged as the classic author of Latin literature, and the model of rhetorical style, while of his philosophical works the *Cato Maior*, *De amicitia*, *Tusculan Disputations*, and *De officiis* were the most popular of his writings in antiquity.

Cicero as humourist

While Cicero's rhetoric often encourages the reader to accuse him of pomposity and prolixity, he was well-known for his caustic wit. Tacitus (*Dial.* 23.1) comments on

jokes made by Cicero in his speeches which were a valuable weapon in debate. His attacks on Mark Antony in the *Philippics* were so scathing that they led to his proscription, and Fulvia, Antony's wife, was said to have impaled Cicero's tongue with her hairpins when his head was exhibited on the rostra in revenge for the insults it had hurled at Antony (Dio 47.8).

Macrobius' *Saturnalia*, written to educate his son as a cultured aristocrat, comprises a large number of excerpts from earlier authors, especially Vergil, and he cites numerous passages of Cicero, considering him comparable for wit only with the comic poet Plautus (Macrob. 2.1.10–13, 3.2, 3.5: doc. 12.25). Cicero achieved one of his legal victories through a witticism, when defending L. Valerius Flaccus, praetor in 63, on a charge of extortion after Flaccus had returned from his province of Asia. In the speech Cicero ridiculed the Mysians, Phrygians, Lydians, and Carians, and poked fun at them using the proverbial saying: 'a Phrygian is better and more obedient when beaten' (*Flacc.* 65). He was also known for jokes against his friends, such as L. Licinius Crassus Damasippus, a speculator in land and an art dealer, who features in Cicero's letters. Damasippus had served Cicero with an inferior wine while he was dining with him, and in response to his boast as to its vintage Cicero's comment was 'It carries its age well!' (Macrob. 2.3.2).

There was a long history of hostility between Cicero and Vatinius, who was one of Caesar's tribunes in 59, who was also known for his acerbic retorts. Vatinius supported Caesar in the civil war against Pompey, and gained the consulship in 47 with Q. Fufius Calenus. The elections only took place in September for the rest of the year, and hence the period of office was much shorter than usual. Cicero's memorable comment was that Vatinius' term of office had 'neither winter, spring, summer, or autumn' (Macrob. 2.3.5), though Macrobius has confused Vatinius with C. Caninius Rebilus (cos. 45), who replaced Q. Fabius Maximus when he died on the last day of his consulship. Cicero wrote to his friend M'. Curius that Caninius' vigilance as consul had been amazing: 'he did not close an eye during the whole of his magistracy!' (*Fam.* 7.30: doc. 13.54). Cicero admits in a letter to Papirius Paetus in 46 that he possessed a reputation for wit, and that Caesar appreciated it (*Fam.* 9.16.4), but that it also gained him implacable enemies like Clodius, whom Cicero savaged in 61 in his speech for the prosecution for the profanation of the rites of the Bona Dea (*Att.* 1.16).

'On his consulship'

Cicero's poem 'On his Consulship' (*De consulatu suo*) was written in 60 (Cic. *Div.* 1.20–21: doc. 12.26). Like his other poetic works, including a poem on Caesar's campaign in Britain and a work on his own life and times (*De temporibus suis*), it was not regarded highly by his contemporaries. Tacitus (*Dial.* 21.7), for example, remarked that the poem was so poor it was notorious. The line, 'O fortunatam natam me consule Romam (Rome, fortunate to be born with me as consul)', was particularly mocked for its assonance and self-adulation (Juv. 10.114–126). The work attempted to justify his actions as consul, including the execution of the conspirators, and angered contemporaries by its self-praise. The lines 'let arms yield to the toga and victory laurels to praise (cedant arma togae concedat laurea laudi)' implied that his actions as consul had been more important than the sweeping military victories of Pompey, and were much criticised, by Mark Antony as well as others. Perhaps

the most famous takedown was that by Seneca the Younger who wrote, ‘How many times he curses that actual consulship of his, which he had praised not without cause, but without end’ (*non sine causa sed sine fine*: Sen. *Brev. Vit.* 5.1). Many prominent Romans indulged in poetic composition, and Tacitus commented that, like Cicero, Brutus and Cassius also wrote poetry, ‘no better than Cicero did, but more fortunately as less people knew about it’ (*Dial.* 21.6). Cicero also worked on translations of Hellenistic poems from Greek into Latin, the only one which survives relatively intact being the *Aratea*, a translation of Aratus’ *Phaenomena* which dealt with astronomy and meteorology.

Cicero and Atticus

Cicero’s closest friend, T. Pomponius Atticus, an equestrian from a wealthy family, was adopted by his rich uncle Q. Caecilius, who left him his estate in 58 (Atticus then took the name of Q. Caecilius Pomponianus Atticus). The biographer Cornelius Nepos, also a friend of Cicero, wrote a life of Atticus, demonstrating the influence that could be wielded by a wealthy and well-connected equestrian (Nepos *Att.* 1–6: doc. 12.27). Cicero addressed innumerable letters to him, and he was able to be on the best of terms with statesmen across the political spectrum, being intimate with both Octavian and Mark Antony, while Octavian’s friend Agrippa married his daughter Caecilia Attica. His sister Pomponia was married to Quintus Cicero, not altogether happily (Cic. *Att.* 5.1.3–4: doc. 7.39). From 86 or 85 until the mid-60s, he lived in Athens, and then returned to Rome for a while to assist Cicero in his candidacy for the consulship. At the end of 63 he acted as leader of the equites against Catiline, supporting Cicero’s actions against the conspirators.

Atticus never took on a magistracy, instead focussing on philosophy and business, lending huge sums of money to prominent figures, and managing the financial concerns of individuals such as Hortensius, Cato, and Cicero himself. He had large estates in Italy and Epirus, but his wealth also depended on speculative transactions (for example, the hiring and training of gladiators) and money-lending in Rome and the provinces. During the civil war between Pompey and Caesar he remained neutral, and avoided proscription by the Second Triumvirate through the intervention of Mark Antony. He starved himself to death in 32 in response to an incurable illness. Cicero dedicated his *On Friendship* to Atticus, who wrote a work in Greek on Cicero’s consulship, as well as a chronological history of Rome from its foundation to c. 50 bc. All these works are now lost. Varro and Nepos also dedicated works to him. He advised Cicero on his literary works and is sometimes called his literary executor. The *Letters to Atticus* were probably published in the reign of Nero.

Pompey’s return from the East

In 63 two tribunes, Labienus and T. Aemilius Balbus, passed a measure permitting Pompey to wear a golden crown (*corona aurea*) and the triumphal toga (*toga picta*) at the games (Vell. 2.40.4–5: doc. 12.28), so that at public festivals he would appear as a triumphator; in fact he only took advantage of this privilege on one occasion. This measure was highly unpopular with the senate, and Cato and the optimates

vehemently opposed it. Lucullus and Metellus Creticus were two of the most prominent figures hostile to Pompey, as they considered that he had robbed them of their credit for important military conquests.

Lucullus' friendship with Sulla (he had been guardian of Sulla's son Faustus) had contributed to his excessive wealth and this association with Sulla was not popular. There had been threats to prosecute him for extortion on his return, notably by his brother-in-law Clodius Pulcher, and his brother Marcus (M. Terentius Varro Lucullus, consul in 73) was tried for his conduct as Sulla's quaestor in 83, but acquitted. His triumph was delayed until 63: in 66 a tribune, C. Memmius, had blocked the celebration on the grounds that he had prolonged the war for his own financial gain (Plut. *Luc.* 37.3–6: doc. 2.34). Following Clodius' incitement to Lucullus' troops to mutiny while on campaign, as well as on the grounds of her adultery, Lucullus divorced his wife Clodia on his return from the East, and accusations of her incest with her brother were supposedly confirmed during the torture of her women slaves (Plut. *Cic.* 29.3–4; *Luc.* 34.1, 38). The triumphs of Q. Metellus Creticus and Q. Marcus Rex had also suffered considerable delays, and Metellus Creticus, like Lucullus, was one of the senators who flatly refused to ratify Pompey's acta on his return from the Eastern campaign.

Pompey's return was overshadowed not only by this senatorial hostility, but by the case resulting from the profanation of the Bona Dea rites. He had landed at Brundisium late in 62, disbanding his army and divorcing his wife Mucia (his third), half-sister of Metellus Nepos and Metellus Celer, allegedly for her extra-marital affairs, but more probably for political reasons. In the hope of an alliance with the hard-core optimates he offered that he and his eldest son should each marry a niece of Cato: Cato refused the honour, although both his sister and wife were disappointed (Plut. *Cato Min.* 30.2–5). Pompey could not enter Rome until after his triumph, but the elections had been delayed so that his legate M. Pupius Piso Frugi Calpurnianus could stand for the consulship, and he was successfully elected for 61.

The profanation of the rites of the Bona Dea

This question of the profanation of the rites of the Bona Dea dominated politics at the end of 62 and beginning of 61. P. Clodius Pulcher, currently one of the quaestors, had been detected in disguise in Caesar's house (Caesar was praetor and pontifex maximus), where the women-only rites of the Bona Dea were being celebrated, probably on the night of 4 December 62. Clodius was allegedly having an affair with Pompeia, Caesar's second wife (Plut. *Caes.* 9.1–10.9: doc. 7.87). This may actually have been a frolic by way of provoking Cicero, for 5 December was the anniversary of the execution of the Catilinarians in the previous year, and Cicero had used omens from the Bona Dea to justify his decision to execute the conspirators.

This profanation of the rites was brought up in the senate and the question as to whether this involved sacrilege referred to the Vestals and pontifices: Caesar as pontifex maximus chaired the college of pontiffs, and he divorced Pompeia, but without admitting her guilt (so that he could remain on good terms with Clodius). One consul, M. Valerius Messalla, viewed the episode with concern, although his colleague Piso Frugi tried to protect Clodius. The senate sided with Messalla and the consuls were

told to present a bill to the people to set up a court for incestum (sexual behaviour violating religious laws), as part of which the praetor who presided would select the jury, an unusual procedure.

When Pompey arrived back in Rome in January 61, his views on the case were eagerly sought. In early February at a meeting called outside the pomerium in the Circus Flaminus, a tribune asked Pompey what he thought about the jury selection method. Perhaps unexpectedly, Pompey supported the authority of the senate, while he later in the senate responded to a query from Messalla by stating that he approved of all the decrees of the senate, including, therefore, the way the jury would be selected. In the assembly, after violence, the bill was accepted by a large majority, but vetoed by a tribune, Q. Fufius, who only backed down when the senate backtracked on jury selection, which was now to be by lot. The jurors proved venal: many were bribed and Clodius was acquitted by 31 votes to 25, but in his speech for the prosecution Cicero had disproved his alibi and made an unforgiving enemy.

Cicero himself had just spent 3,500,000 sesterces on a house on the Palatine that had once belonged to Crassus. Most of this money was borrowed, some from his colleague of 63 Antonius Hybrida. Writing to Atticus in July 61, Cicero repeated the repartee that took place in the senate on the Ides of May between himself and Clodius over the outcome of the trial: to Clodius' comment, 'So you've bought a house', Cicero rejoined, 'You might think he was saying that I had bought a jury'. 'They didn't credit you on oath.' 'On the contrary, 25 jurymen gave *me* credit and 31 didn't give *you* credit – they got their money beforehand!' Cicero wrote to Atticus that Clodius was 'overcome by the roars of applause and subsided into silence' (*Att.* 1.16.10) – another example of Cicero's incisive wit that made him implacable enemies.

Pompey's triumph, 61 bc

Pompey finally celebrated his triumph over two days, 28–29 September 61, after which he could finally enter Rome. Pliny presents his victories in the East as equal to those of Alexander, and nearly equal to those of Hercules (Pliny 7.96–99: doc. 12.29). To the consternation of the optimates, Pompey had succeeded in his Eastern mission beyond all expectations. In 66 he had defeated Mithridates, and reinstalled the submissive Tigranes II as king in Armenia (who became a friend and ally of the Roman people). In 65 he reached the Caspian Sea with victories in Greater Armenia (the Caucasus). Much of 64 was spent not in campaigning but in organising Pontus as a province, assessing the resources in Mithridates' treasure-houses, and collecting 36,000 talents in gold and silver, all of which had to be formally documented. He also negotiated with Parthia. Late in 64 he moved into Syria, which he annexed (it was to become one of Rome's most important provinces), basing four legions in northern Syria and Cilicia to check any Parthian incursions. In 63 he occupied Judaea, where he supported Hyrcanus as high priest and ethnarch, with a three-month siege of the fortress in Jerusalem where the priesthood and supporters of Aristobulus resisted the Romans. Faced with the successful revolt of his son Pharnaces, Mithridates committed suicide (or was assassinated) in 63, and, like Tigranes, Pharnaces was recognised as a 'friend and ally'. Pompey's arrangements for the newly conquered territories

included forming Bithynia and Pontus into a double province, organising the administration of Syria, expanding the territory of Cilicia, and recognising a number of client states (Map 7).

In his survey of Pompey's career, Pliny highlights his successes in Sicily and Africa (against the Marians) for which he celebrated a triumph, followed by those in Spain (against Sertorius) for which he celebrated his second triumph, and notes that he was twice imperator, before ever having held a magistracy. His trophy in the Pyrenees stated that he had subjected 876 'towns' from the Alps to the Atlantic. From his victories in the East, the dedication that Pompey made from his spoils proclaimed that he had terminated a 30-year war (against Mithridates), killed or received the surrender of over 12 million persons, sunk or captured 846 ships, and taken 1,538 towns and forts. His triumph over the East celebrated the conquest of Asia, Pontus, Armenia, Paphlagonia, Cappadocia, Cilicia, Syria, the Scythians, Jews and Albanians, Iberia, the island of Crete, and the Basternae (a Germanic group allied with Mithridates), as well as of the kings Mithridates and Tigranes, and 'the entire piratical menace which had been overthrown by sea and on land' (Map 7). In an address to the people he commented that he had 'found Asia the remotest of the provinces and had made her a central possession of his country'. As well as the pirate chiefs defeated in 67, the son of Tigranes of Armenia, with his wife and daughter, Zosime a wife of King Tigranes himself, Aristobulus, king of the Jews, and a sister and five children of Mithridates were led in Pompey's triumph. Plutarch (*Pomp.* 45.1–5: doc. 2.60) noted that many of the items prepared for the triumph which were left out of the celebration due to time constraints were in themselves enough for another entire triumph.

Pompey's conquests were to have an immense impact on Rome's finances. Previously the income from taxation had comprised 50 million drachmas, to which Pompey now added another 85 million. He also brought the public treasury 20,000 talents of gold and silver in currency and in kind, not counting the donatives he made to his soldiers, each of whom received 1,500 denarii or more. His dedication to Minerva records that he presented to the goddess 12,060 items of gold and 307 talents of silver, including statues and other images of deities and valuables taken from the enemy (Diod. 40.4: doc. 12.30). He had not only organised Roman provinces in the East, but overseen the formation of client states, including Armenia, Galatia, Palestine, Cappadocia, and Commagene, which would pay tribute to Rome. Pompey's client base in the East was now immense. An inscription from Miletopolis in Asia Minor honoured him as the 'saviour and benefactor of the people and of all Asia, guardian of land and sea, because of his excellence and goodwill towards them'; another from Mytilene described him as having 'destroyed those who had seized the inhabited world by his wars on both land and sea' (ILS 9459; SIG³ 751: doc. 12.31). In his settlement Pompey had followed the model of Lucullus and treated the provincials humanely, as well as promoting local autonomy. Furthermore, Mithridates had been perceived by Rome and the eastern provinces as a very real threat: after the massacre of businessmen in 88, his resurgence in the Third Mithridatic War must have terrified the provincials, and his suicide in the Crimea in 63 finally laid to rest Rome's concerns over the danger he posed to their empire. Pompey's conquests in the East were his greatest and most lasting achievement, but his acta (settlement) would

not be accepted without question in Rome, with his enemies like Lucullus implacably opposed to their ratification.

Cicero and Pompey

Cicero's correspondence with Pompey, 62 BC

Following his support of the lex Manilia in 66 (and retrospectively of the lex Gabinia in 67), Cicero had promoted himself as a supporter of Pompey, and as consul had proposed a ten-day supplicatio at the news of Mithridates' death, and a further one on receipt of the news of Pompey's conquests. After the suppression of the Catilinarian conspiracy, Cicero had written to Pompey informing him of events and his own part in them. Pompey's reply, which outlined his settlements in the East, omitted any praise for Cicero's actions, and in April 62 Cicero wrote back to Pompey showing his disappointment (*Cic. Fam.* 5.7: doc. 12.32). In Cicero's mind, his actions had been the equivalent of Pompey's conquests, but he attempted to hide his chagrin and congratulated Pompey on the 'hope of peace', foreshadowing that 'the public interest will unite and bind us together'. He also informed Pompey that the report of his successes had severely upset Pompey's old enemies, now his 'new friends', presumably Catulus, Lucullus, and the other optimates, who considered that Pompey was taking credit for conquests begun by others. In the absence of 'some congratulatory comment' from Pompey, Cicero bestowed it on himself, mentioning that his actions for the state's safety were approved by the 'judgement and testimony of the whole world', and had equipped him to be Pompey's ally and friend – a Laelius to Pompey's Africanus: C. Laelius was the friend and advisor of Scipio Aemilianus (Africanus), and Cicero here turns a neat compliment in comparing Pompey to the conqueror of Numantia and Carthage.

Cicero's view of his own achievements

Writing much later, in 44, in the *de officiis* addressed to his son Marcus, Cicero flags the criticism made by the 'dishonest and envious' regarding his poem on his consulship, especially the line, 'Arms, yield to the toga, victory laurels, to civic praise' (*Cic. Off.* 1.77–78: doc. 12.33). To Cicero, some 20 years after the event, the verse encapsulated his achievements as consul, when 'arms' had yielded to the 'toga', and his conduct as chief magistrate saved the state, portraying his role in arresting and executing the conspirators as more important than any military victory. In fact, he specifically states to Marcus that no victory in war or triumph can be compared to it, and that the onus is now on Marcus to emulate his father's great deeds and keep up the reputation of the family. In a militaristic society like Rome, where victory, conquest, and triumphs were the touchstone of success, it can be understood why Pompey, with his chain of commands and victories dating from 82, did not necessarily agree with this assessment of Cicero's consulship. Cicero was, however, able to quote to his son a rare compliment from Pompey, who had allegedly stated that his third triumph, that over the East, would have been worthless, had not Cicero's services as consul preserved the state so that Pompey had somewhere to celebrate it.

Relations between Pompey and Cicero began to cool, and by the beginning of January 61 Cicero was less happy with Pompey, partly because he considered that he had not received sufficient recognition from him for his actions as consul. In writing to Atticus about Atticus' 'dear friend' (i.e., Pompey), he even portrays Pompey as jealous of his achievements (Cic. *Att.* 1.13.4: doc. 12.34). Pompey had discharged his troops at Brundisium after his arrival in Italy except for those needed for his triumph, and in consequence had thus lost his leverage over the senate; Cato had refused a marriage alliance; and Pompey's nominee for consul in 61, Piso Frugi, was proving of little if any use to him. Pompey at this point had two main aims, both of which were to be ignored by the optimates during 61: that his settlement in the East, his *acta*, be ratified by the senate, and agrarian legislation be passed to allocate land to his veterans. Cicero could help little with either, and, his vanity hurt by Pompey's coolness, characterised him in this private letter to Atticus as without 'courtesy, sincerity, political influence, integrity, courage, or plain speaking', leaving other criticisms unspoken until he could be sure of employing a *really* trustworthy messenger.

The equites and the taxes of Asia

By 60 another critical political issue had arisen from the dissatisfaction of the equites. The publicani had overbid for the tax contract in Asia, perhaps for that of 65, and wanted it renegotiated, as they had overestimated the revenue to be collected and would be out of pocket (Cic. *Att.* 1.17.8–9: doc. 12.35). C. Gracchus had arranged when tribune that the taxes of the province of Asia were to be farmed out by auction every five years: companies of tax-collectors (*societates publicanorum*) put in bids for the contract, with the winner of the highest bid then collecting the taxes on behalf of the state. There was no limit to the profit margin the publicani could incorporate for themselves and they were justly unpopular in the provinces. Their request was supported by Cicero and Crassus, but opposed by Cato. There had also been some dissension over a judicial law on corruption, which would allow equestrian jurors to be investigated for bribery as well as senators (equites, who from 70 had shared the courts with senators, had until now been immune from corruption charges). Cicero comments that they took exception to the senate's proposal, and he spoke on the equites' behalf, despite the fact that he thought their stance disreputable. The legislation was dropped.

In this letter to Atticus in December 61 (Cic. *Att.* 1.17.9), Cicero admitted that he thought the request to renegotiate the tax contract was also 'disgraceful' and a confession of recklessness and cupidity, but supported Crassus who championed the equites' cause in the senate. Following his consulship, Cicero had developed the idea of a 'rapport' between senators and equites, and dreamed of a 'concord of the orders' (the *concordia ordinum bonorum*: a unity of all 'honest' men, the 'boni'). He used this as a talking point to convince the senate to give in to the demands, but the optimates led by the consul-elect Metellus Celer and Cato were opposed to any renegotiation and offended both Crassus and Cicero by their intransigence.

The events of 60 BC

With nothing achieved during 61, Pompey had needed a friendly consul elected for 60, but the consuls-elect were not to be of much assistance. L. Afranius was a *novus homo*

from Picenum, one of Pompey's legates from Spain, who had no political experience: Dio noted that Afranius knew as much about dancing as he did about public business (Dio 37.49.1–50.6: doc. 12.36), and Cicero that he was 'such a nonentity that he didn't know what he had purchased' (*Att.* 1.19.4: doc. 12.37). Moreover, unfortunately for Pompey, the other consul, Q. Caecilius Metellus Celer, was the half-brother of Mucia whom Pompey had just divorced for adultery, and as a result championed the opposition against him.

No agrarian legislation had been brought forward since Rullus' bill which Cicero had opposed as consul in 63. Now another tribune, L. Flavius, introduced a bill with Pompey's support with the aim of providing land for Pompey's veterans and the poorer citizens. *Ager publicus* was to be used, as well as land purchased with the revenues won by Pompey overseas. Metellus Celer as consul spoke against it so fervently that Flavius had him put in prison, where he then summoned the senate, ordering a hole to be cut into the wall to admit the senators: Pompey had to intervene and order Flavius to release the consul. Furthermore, Pompey's *acta* were still unratified a year after his return to Italy, while Lucullus was demanding that each separate measure be scrutinised individually, supported by Metellus Celer, Cato, and others 'of the same mind'. This lesson in pragmatic politics led Pompey to regret disbanding his legions, realising that, despite his prestige and conquests, he had no real power, and was simply the target of envy arising from his former commands.

Cicero supported the *lex Flavia* because it affected Pompey's interests, but with qualifications ensuring that private property was not affected, confessing to Atticus in a letter of March 60 that the well-to-do were his constituency or his 'army' (Cic. *Att.* 1.19.4–7: doc. 12.37). He supported the proposal that land should be bought using the revenues from overseas taxes over a five-year period, considering that this would drain off the unemployed from the city. But the senate was opposing the legislation en bloc, out of fears of some new prestigious position for Pompey as land commissioner. Pompey must have been angling for a new command at this point, and a role on the land commission would at least take him out of Rome. The proposal was finally aborted after Flavius threatened to prevent Metellus Celer leaving for his province: both consuls had been urgently assigned to Gaul, which was threatened by the recent revolt of the Allobroges and a migration planned by the Helvetii.

Cicero had been attempting to leverage his position with Pompey, extracting from him compliments in the senate in return for his support over the agrarian legislation. Pompey, whom Cicero felt to have been too reticent in the past, was enticed on a number of occasions in the senate to give Cicero credit for 'saving the empire and our world', and Cicero felt it important that a strong political alliance be shown to be in place between them: the relationship meant that 'both of us can feel safer as individuals and politically stronger by our alliance' (Cic. *Att.* 1.19.7: doc. 12.37). A complicating factor in 60, which was to have important repercussions, was the attempt by Clodius to have himself transferred to the plebs so that he could stand as tribune: measures by C. Herennius, one of the tribunes, to this effect were vetoed by several others, and it was also opposed by Metellus Celer as consul, though (or perhaps because) he was Clodius' brother-in-law.

Three months later, in June 60, Cicero told Atticus that the agrarian law had 'gone cold', and appeared unconcerned with the fact that Pompey's veterans were still without

hope of land (*Cic. Att.* 2.1.6–8; doc. 12.38). He thought that his alliance with Pompey had made Pompey more ‘constitutionally-minded’ – less inclined to court popular favour, and more aligned with the optimates. Pompey was also continuing to commend Cicero’s achievements in the senate, saying that ‘he [Pompey] served the state well, but that I [Cicero] saved it’. Cicero was even hoping to make Caesar, currently sailing with a ‘favourable wind’ as governor of Further Spain, more ‘constitutionally-minded’ as well, which would benefit the state. The issue, proposed by Cato, of whether equites on juries as well as senators should be open to investigation for bribery was still under debate and Cicero characterises Cato, despite his integrity, as a political liability, more at home in Plato’s *Republic* than ‘Romulus’ sewers’. Cicero fully agreed with the measure, though he continued to argue against it. Similarly he considered that the tax-farmers should fulfil their contract as agreed, but thought that it was worth giving up the argument to keep the equites on his side. Cato’s opposition on principle, however, had led to a consul in prison and rioting, with no resolution in sight.

Caesar’s return from Spain

In mid-60 Caesar was returning from his propraetorian province of Further Spain to stand at the consular elections for 59. On leaving Rome he had been heavily in debt, and Appian records him as having said that he needed 25 million sestertes in order to have nothing (*App. 2.26–30*; doc. 12.39). He had achieved considerable success in Spain and was voted a triumph, but he forewent the triumph since Cato and other senators refused to let him stand in absentia and declare his candidacy without giving up his imperium. He therefore disbanded his army, and presented his candidature: according to Appian (2.30), Cato had deliberately taken up the final day for the presentation of candidates in making speeches so there was no time for Caesar’s request to be discussed.

Caesar’s candidature had been expected (he had been praetor in 62), and there were two other candidates for the consulship: L. Lucceius and M. Calpurnius Bibulus. Lucceius, praetor in 67 and a supporter of Pompey, was a good friend of Cicero’s and had attempted to bring a prosecution against Catiline in 64. When Caesar and Lucceius made a pact that Lucceius would promise to distribute money to the centuries in their joint names, the optimates reacted by distributing bribes to aid Bibulus’ election: Cato, Bibulus’ father-in-law, stated that this was justified for the good of the Republic. Both Caesar and Bibulus were elected, as the need to oppose Caesar had overshadowed any remnants of integrity felt by the senatorial elite. The senate also decided, in allocating the provinces for the following year, that the consuls for 59 were to be given the responsibility for policing brigands and unrest in Italy (the ‘woods and pastures’: *silvae callesque*) as their command, to minimise any advantages Caesar might receive from a proconsulship (like military success or the chance to recoup his fortunes).

The ‘First Triumvirate’

Caesar, Crassus, and Pompey all had causes of complaint against the senatorial aristocracy, and Caesar therefore approached Pompey and Crassus regarding an



Figure 12.2 A bust of Gaius Julius Caesar (100–44 BC), of dark green slate, dating to the early first century AD, probably from Egypt. Currently in the Staatliche Museen zu Berlin.

Source: Courtesy of bpk/Antikensammlung, Staatliche Museen zu Berlin/Johannes Laurentius

unofficial alliance, given Cato's unremitting opposition to all three of them. As consul-elect at the end of 60, Caesar also made advances towards Cicero, but while Cicero had supported the Flavian agrarian law, intended to provide land for Pompey's veterans, he was prepared to oppose one proposed by Caesar, even though that was for the same purpose. Cicero wrote to Atticus in December that Caesar expected him to support the law, and that Cornelius Balbus, who had been given citizenship by Pompey in 72 and who had served with Caesar in Spain in 61, had visited him to persuade him to cooperate (*Cic. Att.* 2.3.3–4: doc. 12.40). The suggestion made was that Caesar, as consul, would undertake to follow the advice of Pompey and Cicero, while working to unite those long-standing enemies Pompey and Crassus. Cicero pondered the potential advantages – rapport with his ‘enemies’, popularity with the people, and the chance of relaxation from political divisiveness. But he recalled his own poem on his consulship and his achievements as consul and the way they had increased his standing in the eyes of ‘good men’ (the boni), and decided that he had to continue in opposition. In the Homeric phrase (*Il.* 12.243), there was ‘one omen best – to fight for one’s country’. To Cicero, this meant opposing Caesar and his legislation in the interests of the senatorial nobility, even if this did antagonise Pompey. When invited to join this unofficial alliance in December 60 he therefore refused, preferring to cling to his idea of the concordia ordinum as the best way of preserving the Republic. In retrospect, this was to be a mistake.

Caesar, accordingly, played the key role in creating the political alliance of Pompey, Crassus, and himself, now known as the ‘First Triumvirate’, or regime of three men (*Vell.* 2.44.1–3: doc. 12.41). This was not an ancient term: Velleius called it a partnership (*societas*: 2.44.1), Cicero (*Att.* 2.13.2) referred to the agreement as a kingship (*regnum*), and Livy (*Per.* 103) termed it a secret agreement (*conspiratio*), while Varro wrote a work on this compact titled the ‘Three-headed monster’, *Tricaranus* (App.

2.9). Unlike the Second Triumvirate between Mark Antony, Octavian, and Lepidus, this alliance was purely unofficial.

Each of the three had an overriding aim: for two years Pompey had been unable to have his eastern *acta* ratified or agrarian legislation passed for his veterans; Crassus wanted financial support for the equites in the renegotiation of the Asian taxes; and Caesar was going to need a lucrative province in 58 to settle his overwhelming debts, which would necessitate a cooperative tribune, who could override the senatorial allocation of provincial commands through a bill in the assembly. All three wanted an increase in prestige and status, feeling that they had received only offence at the hands of the senate. This situation was due primarily to Cato, the self-appointed spokesman of the *nobiles*, who had obstructed Pompey over the land and *acta* issues (and refused a marriage alliance), Crassus over the equites' tax remission, and Caesar over his request to celebrate his triumph and stand for the consulship in *absentia*.

The marriage in April 59 between Caesar's daughter Julia, his only child, and Pompey now cemented the relationship between Pompey and Caesar and was a key factor in the alliance between the two men until her death in 54. The marriage had the effect of distancing Pompey from the optimates (at least for several years) and from Cicero, who had hoped to draw him towards the '*boni*'. One of Caesar's greatest successes was also to bind Crassus and Pompey in a stable political alliance with each other. Crassus had followed a normal, even an outstanding, political career on the conventional model, but he had always been overshadowed by Pompey, who in 67 and 66 received extraordinary commands that Crassus must have envied, while his censorship in 65/4 ended abruptly due to disagreements with his colleague Catulus. Crassus' prestige came from his willingness to defend anyone in the courts, and from his great wealth: he made a fortune during Sulla's proscriptions, and turned an inheritance of 300 talents into 7,100 (more than 42 million denarii) by profiteering in Rome (*Plut. Crass.* 2.17: doc. 2.21). Compromised to some extent like Caesar during the Catilinarian conspiracy, and unable to protect the interests of the equites, Crassus was willing to join an alliance with Pompey if this would enhance his prestige (*Plut. Crass.* 7.1–4: doc. 12.42).

Caesar's consulship, 59 bc

There was never any possibility that Caesar and Bibulus were going to be congenial colleagues: the candidature of Bibulus was an open attempt to put restraints on Caesar's exercise of power. The two of them had begun to loathe each other when they served together as aediles in 65, when Caesar had promoted his own popularity at the expense of Bibulus (*Suet. Jul.* 10.1–2: doc. 2.76). Caesar's priority as consul was agrarian reform and the settlement of the poor and Pompey's veterans, along the lines of the proposals of Rullus and Flavius: Bibulus' main focus was to block any such legislation in the interests of the senatorial class. Cicero commented on the anomaly of the conflict between the consuls as champions of the *populares* and optimates, rather than there being, as usual, conflict between the consuls and tribunes for the year (*Att.* 11.3–4, written in December 60).

Suetonius summarised Caesar's first measures as consul (*Suet. Jul.* 19.2–20.2: doc. 12.43): he immediately organised for the senate's debates to be published,

along with those of assemblies, so that details of discussions and resolutions were publicly available, following this up with the revival of an older tradition, that in the alternate months when he did not hold the fasces, he would be escorted not by lictors but simply by an orderly, with his lictors following behind. He also nominated Crassus as the first consularis (the position which used to be that of the princeps senatus, called on first in debates). For the senators, this choice was marginally better than Pompey, but was still unlikely to have conciliated them. Furthermore, Caesar assured the senate that he would not pass any legislation against their interests (judging from his legislation and their reactions to it they did not agree with this assessment).

Caesar's agrarian legislation

Caesar intended that his agrarian legislation would avoid the more detested provisions in the lex Servilia, put forward by Rullus in 63. The senate nevertheless blocked the bill automatically, following the lead of Cato, whom Caesar eventually had carried off to prison, only to reverse the move when other senators insisted on joining him there. In discussion in the assembly Bibulus flatly refused to support the proposal, while Pompey when called upon gave it his full approval, even hinting that he and his veterans would be prepared to use force to have it passed. Crassus, asked in turn for his opinion, also expressed his support. Public opinion was so strongly in favour of the measure that Bibulus did not make use of tribunes to veto the proposal. Instead, he threatened to use his consular auspicium (the right of taking the auspices) as consul, declaring that on every day on which the assembly met he would be watching the sky for omens, as in this way assembly proceedings could be invalidated (the practice of obnuntiatio): even the announcement of a magistrate that they were observing the sky was enough to render an assembly invalid.

At the comitia tributa in which the bill was brought forward, Pompey's veterans were in place at the temple of Castor, and Bibulus and Cato had to force their way through a huge crowd to reach the tribunal. Bibulus attempted to speak against the measure, but before he could do so a riot broke out in which his fasces were smashed and one of his three supporting tribunes (Q. Ancharius, Cn. Domitius Calvinus [cos. 53], and C. Fannius) manhandled. Bibulus managed to get away to the temple of Jupiter Stator, and Cato after a vain attempt to speak was violently removed by Caesar's men. The bill was then voted on and passed. When Bibulus attempted to have the legislation annulled in the senate on the following day, the senators remained silent, intimidated by the populace. Bibulus therefore retired to his house, where he remained for the rest of the year, declaring on all assembly days that the omens were inauspicious – though it was unclear whether this use of obnuntiatio from a private house was valid, as the auspices were always taken and announced in the comitium itself prior to the meeting. Jokers at the time, Suetonius records, dated documents by the ‘consulship of Julius and Caesar’, while a ditty circulated publicly, poking fun at Bibulus as ‘nothing happened in his consulship’ which was totally unmemorable (Suet. *Jul.* 20.2: doc. 12.43). This reflected the situation in their aedileship in 65, when Bibulus had commented that, just as the temple of Castor and Pollux in the forum was known as ‘Castor’s’, so their liberality as aediles was just referred to as ‘Caesar’s’ (Suet. *Jul.* 10.1–2: doc. 2.76).

Flavius' agrarian legislation in 60 had been unsuccessful, but Caesar was able to have similar proposals passed in 59, despite unremitting opposition from the senate, including Cicero. To ensure that his legislation (the *lex Julia agraria*) was more palatable to the senate than that of Rullus and Flavius (it was not), the legislation was carefully drafted and he tried to avoid some of the senators' main concerns, by ensuring that there was no financial burden on the state (Dio 38.1.1–7, 7.4–6: doc. 12.44). Initially the legislation omitted from distribution the *ager Campanus*, confiscated in 211 from Capua, which was important as a source of revenue and one of the senate's 'sacred cows'; instead areas in Italy which were currently unfarmed were to be brought back into cultivation; no land would be confiscated from those unwilling to sell; the purchase price was to be that fixed by the censors; the funds were to come from Pompey's conquests and be used for the benefit of his veterans, who had earned it; and finally there would be a land commission of 20 men to administer the allocation of land, which would not include Caesar himself. Cicero was invited to become a member, but, suspicious and hostile towards Caesar's alliance with Pompey and Crassus, refused.

Following determined senatorial opposition to Caesar's relatively reasonable agrarian proposal, in May the *ager Campanus* and *ager Stellas* were added to the legislation and scheduled for distribution to 20,000 citizens. Those with children were particular beneficiaries, and citizens with three or four children were to be allocated plots of 10 to 12 iugera (2.5–3 hectares). Cicero's hopes that this distribution of the *ager Campanus* would incense the boni were not realised: possibly the senators had gone beyond hostility into shock.

Caesar also dealt with the demands of Crassus and the equites for a reassessment of the taxes for Asia Minor through the *lex Julia de publicanis*. This was passed through the assembly, and the publicani were granted a rebate of one-third, more than they had anticipated. Crassus made immense profits from this as he owned shares in the taxation companies. Caesar was heavily indebted to Crassus for loans advanced towards his elections, and this was one way of paying him back. Pompey's eastern acts were also ratified by the assembly without protest from Lucullus or the other optimates, who realised that opposition would achieve nothing in the current political climate. It was significant that both these measures were passed in the assembly and not taken to the senate. Cato's opposition was so marked, that, according to Dio (38.7.6), as praetor in 54 he would act in accordance with Caesar's legislation, such as the extortion law, the *lex Julia de repetundis*, but never refer to the laws by their 'Julian' name.

Caesar's legislation as consul was, as Plutarch commented (*Caes.* 14.1–13: doc. 12.45), more fitting for a radical tribune than a consul, and his measures aroused outright senatorial opposition. As a result, he took them to the *comitia tributa*, and was soon ignoring the senate entirely, with all legislation going directly to the people, and was able to claim that 'he was driven to the assembly against his will'. With Pompey and Crassus' open support on the rostra, and Pompey's vague threat of violence should the optimates use rough tactics, the legislation passed in the *comitia tributa* with popular acclaim. Pompey's talk of meeting 'swords with a sword and shield too' if it was opposed quite delighted the people. Caesar's attempt to conciliate the senate having failed, when the plebs swore that they would observe the agrarian law, he demanded that the senators do the same. This was at first stalwartly resisted by Metellus Celer, Cato, and Cato's supporter M. Favonius until the last possible moment. They finally

gave in after an appeal from Cicero that they remain to defend the Republic, rather than go into exile (as Metellus Numidicus had done in 100). Most senators now boycotted senate meetings for the rest of Caesar's consulship (Plut. *Caes.* 14.13).

Caesar's provincial command

There was more for Cato and the optimates to disapprove of, including the marriage of Julia to Pompey in April: Julia had been betrothed to Q. Servilius Caepio (probably M. Junius Brutus, who was adopted by an uncle), but this was broken off. Caesar himself, who in 62 had divorced his second wife Pompeia, married the daughter of L. Calpurnius Piso Caesoninus, and supported him for the consulship of the following year. Cato fulminated at the way such marriage alliances prostituted government. With the relationship between the two men sealed in this way, Caesar's agrarian legislation passed and Pompey's veterans supported a bill in the assembly, proposed by P. Vatinius as tribune, granting Caesar a five-year provincial command in Gaul and Illyricum, with four legions (Plut. *Caes.* 14.8–10).

This five-year command replaced the senate's allocation of the 'woods and pastures' of Italy as the province for the consuls of 59; Bibulus for his part refused to take a province. In Vatinius' initial proposal Caesar was to have had Gallia Cisalpina and Illyricum, but on the sudden death of Metellus Celer the province of Gallia Transalpina was also added at Pompey's suggestion. The instability of the Gallic frontier, with the Allobroges having recently revolted and the Helvetii planning a migration, meant that there was a need for a consul who could oppose the barbarian threat. The length of the command, however, was unusual: proconsuls and praetors were frequently prorogued, but the period of command was generally for one year, or until the arrival of a successor. A five-year command was exceptional, allowing for extensive conquests and plunder, and would fill in a large part of the time until Caesar could stand for a second consulship in the elections for 48.

Cicero and Caesar

Cicero had made it a point of honour to oppose the 'triumvirs' and had turned down the chance to join them in December 60. He had also refused to join the land commission, which consisted of 20 members, with a more important Board of Five within it, apparently a sub-committee, to which he had been invited to belong: M. Valerius Messalla, consul in 61, was a member of this sub-committee (Cic. *Prov.* 41: doc. 12.46). Cicero seems to have attributed Caesar's hostility to him as arising out of his refusal to serve on the commission, and he also turned down the position of Caesar's legate in Gaul (Cicero's brother Quintus was to become one of Caesar's legates in Gaul and Britain), and in April the offer of an important ambassadorship to Egypt: he refused this in case the optimates thought he had received it as a bribe to change his views on the triumvirate.

In 56, after a 'reset' of the triumvirate, Cicero would be forced to recant his anti-Caesarian stance publicly and support new measures put forward by the triumvirs, including an extension of Caesar's Gallic command and five-year provinces for Pompey and Crassus. This he did in his speech *On the Consular Provinces* in 56, in which he attempted to show how he had earlier supported Caesar in 60 and 59 (Cic.

Prov. 40–41: doc. 12.46). He also mentioned the intimacy which had existed between them as young men (there was a six-year age difference between them), and protested, not very convincingly, that their political differences had led to no break in their friendship, though in truth Cicero always suspected Caesar of some involvement in the Catilinarian conspiracy. His rejection of Caesar's offers of political friendship in 60 and 59 had, of course, only been based on his political convictions, not on hostility towards Caesar personally.

Privately, however, in late April or early May 59 Cicero wrote to Atticus complaining about Pompey's alliance with Caesar (*Cic. Att.* 2.16.2: doc. 12.47). Pompey had been distancing himself from any responsibility for events, refusing to discuss the methods used by Caesar to have his legislation passed, or why the three tribunes opposing him and supporting Bibulus had not had the chance to enter a veto, blaming this on the violent nature of the assembly. He had also been non-committal about 'the case of the Alexandrian king', Bibulus' technical invalidation of Caesar's legislation by his practice of proclaiming unfavourable auspices, and what might have happened to the legislation regarding the publicani had Bibulus turned up in the assembly when that was being discussed. Cicero quotes Sophocles (*F* 768) to show his disgust of Pompey's tactics to date, and the fact that he was now speaking out more prominently on affairs, blowing 'wild gusts without a mouth-band'. The Alexandrian king was Ptolemy XII Auletes, who was confirmed in his rule of Egypt by legislation passed by Caesar and recognised as 'king and ally' of the Roman people at the cost of some 6,000 talents (140 million sesterces) to the profit of the treasury of Rome. This money presumably helped to finance Caesar's agrarian legislation.

The adoption of P. Clodius Pulcher, 59 BC

The triumvirs were not going to let Cicero forget how vulnerable he now was, having distanced himself from Pompey's support. In March 59, in a defence of his ex-colleague Antonius Hybrida for his conduct in his province of Macedonia as governor in 62–61, Cicero made a chance complaint on the current state of politics in Rome, mentioning 'certain political matters' (*Cic. Dom.* 41: doc. 12.48). This was reported to 'certain worthy gentlemen' (i.e., the triumvirs) and, within hours, his enemy the patrician P. Clodius Pulcher had been transferred to the plebs, with the support of Caesar as consul and pontifex maximus and of Pompey, who acted as augur on the occasion. As a plebeian by adoption Clodius would now be able to stand for the tribunate for the following year. Cicero had made the comment in court at about the sixth hour (or noon), and the adoption had taken place within three hours (the ninth hour was around mid-afternoon). The *transitio ad plebem* (transfer to the plebs) took place in the *comitia curiata*, where a certain Fonteius, a plebeian, adopted and then emancipated Clodius: he had already changed his name from Claudius by 61 (the change of name did not signify his transfer from patrician to plebeian; at least one of his sisters also changed her name in support). Clodius had attempted this transfer earlier, in 60, at the proposal of the tribune C. Herennius, but other tribunes had vetoed the measure, and it was also opposed by Metellus Celer (his ex-brother-in-law) as consul.

Clodius was one of Cicero's most determined opponents, having had his *Bona Dea* alibi disproved by Cicero in court, and been the subject of many public taunts by

Cicero in the senate. Now this adoption was rushed through, so that Clodius could target Cicero for his execution of the Catilinarian conspirators without trial in 63, an act which even at the time was seen as possibly unconstitutional, as well as unnecessary, and against which Caesar had spoken strongly in the senate. Nevertheless, while the sources concentrate on Clodius' desire for revenge on Cicero over the Bona Dea trial, Clodius' reformist legislative programme was his main motivation in aspiring to plebeian status and aspects of it had obviously been worked out in detail: like the Gracchi, he had a popularis agenda, genuinely of benefit to the people, which would gain him traction in a political career. The triumvirs, however, were concerned to silence criticisms of their activities, and Velleius (2.45.1–2: doc. 12.56) accepts Cicero's view that it was his opposition to the triumvirs that led Caesar to engineer the adoption of Clodius. Cicero was later to complain that the transfer was illegal, and Clodius' legislation therefore invalid, but admitted also that others saw nothing illegal in the process. Over the next few years Clodius was to be something of a 'wild card', but at this point his attacks on Cicero and the optimates were of use to the triumvirs. However, he resented not being made a member of the land commission, while he was also passed over for the embassy to Alexandria to collect the sum promised by Ptolemy XII for his restoration to the throne of Egypt, and soon made his grievances clearly known.

The *pro Sestio* was delivered in 56 after Cicero's return from exile, and showcased his hatred for Clodius who had orchestrated it, describing him as a 'loathsome and monstrous beast' (Cic. *Sest.* 15–16: doc. 12.49): P. Sestius, a supporter of Cicero, was tribune in 57 and on trial in 56 for violence in opposing Clodius. After Clodius' adoption in 59, Cicero had temporarily withdrawn from politics to his country estates and engaged in no opposition to Caesar's acts as consul, having received a very clear warning. Then in July Clodius was elected tribune for 58, which positioned him strategically for attacks on Cicero and optimates such as Cato. While Cicero in this speech states that Pompey had ensured that Clodius would not attack him (Cicero), he had written to Atticus at the time that Pompey was deceiving himself in giving Cicero assurances that Clodius wouldn't 'say a word' against him, while Clodius let everyone else hear his threats (*Att.* 2.23.3). Cicero later claimed that Pompey 'showed more concern for restoring me (from exile) than for keeping me here' (*Att.* 8.3: doc. 13.32), while presenting Caesar as being unaware of the implications of Clodius' forthcoming tribunate. Caesar, had, however, seen the possibility that Clodius could become as a strategic investment, and Cicero's exile was to be a logical consequence.

Cicero's view on the events of 59 BC

In a letter to Atticus, written on or about 28 April 59, Cicero commented on the further agrarian measure of Caesar's which included the ager Campanus in his distribution, as the first had not provided enough land (Cic. *Att.* 2.15.1–2: doc. 12.50). While the ager Campanus had originally been exempted from allocation to keep the senate on side, now that relations had entirely broken down there was no point in not making use of it, and the ager Campanus and ager Stellas were to be distributed to 20,000 citizens who had three or more children. This was a provocative move, and Bibulus attempted to postpone the consular elections for the following year in

an attempt to undermine Caesar's authority. When, however, elections finally took place in October the influence of the triumvirs was such that two of their nominees were elected for 58, Gabinius, Pompey's legate and proposer of the *lex Gabinia* in 67, and Caesar's father-in-law Calpurnius Piso. At this point, Clodius was cleverly masking his support for the triumvirs and positioning himself as an opponent of Caesar. In fact, ironically in view of later events, Cicero wrote to Atticus that 'Publius (Clodius) is our only hope' and that he should be allowed to become tribune. Earlier in the month Cicero had met the younger C. Scribonius Curio on the Appian Way, and Curio had told him that Clodius was standing for the tribunate on a platform hostile to Caesar, and that Caesar was saying that he had not been involved in proposing Clodius' adoption. Cicero was deceived by this and hopeful of some fireworks in the following year, while asking Atticus, on his estates in Epirus, to come to his support if needed.

Another letter to Atticus in June 59 (*Cic. Att.* 2.18.1: doc. 12.51) described the current political situation as 'servitude', lamented by everyone, but with no attempt being made to counteract the state of oppression out of fear of serious repercussions. Caesar was taking all his legislation directly to the assembly, bypassing the senate, and Cicero commented on the futility of the senate's role, with everything in the gift of 'their masters', the triumvirs. The only opposition was from the young Curio, who was in favour with the optimates and publicly lauded by them (he was later to change sides and as tribune in 50 be one of Caesar's most valuable supporters). Disappointed with Pompey, Cicero perceived Pompey's marriage to Julia and support of the Campanian land legislation as a sign that he was in favour of tyranny rather than constitutional government with all its checks and balances. Up to this point it had not been entirely clear that Pompey was collaborating with Caesar, rather than simply approving of his measures, but now he openly presented himself as an ally and supporter of the legislation. Cicero even feared a new dictatorship like that of Sulla, with opposition repressed by violence.

The triumvirate becomes unpopular

The three allies were, however, already becoming unpopular. In an update to Atticus in July 59 Cicero suggests that the triumvirs had already lost popular support, and calls the current state of affairs 'infamous, humiliating, and uniformly hateful' to all classes. Bibulus, in contrast, was seen as the saviour of the state, a modern Fabius Cunctator, whose delaying tactics played an important part in Hannibal's defeat: Caesar is tacitly cast as Hannibal, the foreign aggressor (*Cic. Att.* 2.19.2–3: doc. 12.52). The senate was unable to see agrarian reform as in any way desirable, and for them the ager Campanus was untouchable. Pompey was at this point at Capua, possibly engaged in the distribution of the ager Campanus as a member of the land commission, and Cicero sees him as complicit in his own political downfall and the unpopularity of the triumvirate. This was perhaps the first occasion when Pompey was out of favour with the populace, and he was attacked at the ludi Apollinares by one of the actors to the appreciation of the crowd. Cicero in alluding to the 'ringmaster' at the gladiatorial games, who was greeted with hissing, possibly refers to Gabinius, consul-elect for 58. Caesar's arrival at the theatre was greeted with stony silence, while Curio

then received rapturous applause, particularly from the equites. The displeasure of the triumvirs was made clear in their threatening the repeal of the Roscian law and the grain law. The Roscian law passed in 67 reserved the first 14 rows of seats in the theatre for the equites, and was a bone of contention in Cicero's consulship (Pliny 7.117: doc. 12.24), while the grain law could have been the *lex Terentia Cassia* (73 BC) which set the price of grain from Sicily. The threatened measures were intended to punish the equites and the people for their criticism of the triumvirs' actions.

The Vettius affair, which probably took place in August 59, sheds some light on the political intrigues of the year. In 62, L. Vettius had accused Caesar of being involved in the Catilinarian conspiracy. His accusation was disproved and Caesar exonerated, but in 59, probably in August and certainly prior to the elections, Vettius stated before the senate that he was aware of a plot to assassinate Pompey, and that the younger Curio with other young aristocrats was involved. Cicero wrote the details of this gripping episode to Atticus (Cic. *Att.* 2.24.2–3: doc. 12.53). In front of the people Vettius repeated his accusation, also incriminating some high-ranking senators, including Bibulus, Lucullus, Domitius Ahenobarbus, and Cicero and his son-in-law C. Calpurnius Piso Frugi. Cicero anticipated that Vettius would ask to turn informer and that prosecutions would be instituted on his information, as he believed that the original plan had been to have Vettius and his armed slaves seized in the forum: this was foisted by Curio having informed Pompey of a possible plot beforehand, which had caused Vettius to be brought before the senate for interrogation. Vettius, however, was strangled in prison before he could be put on trial (allegedly by those who had put him up to the accusation in the first place), and in Cicero's view the episode was orchestrated by Caesar to damage Curio's reputation and to further divide Pompey from the senate. Certainly the affair strengthened the alliance between Pompey and Caesar and widened the breach with the optimates, while bringing popular opinion round once more in favour of the triumvirs and against the senate.

Clodius and Cicero

Clodius' tribunate, 58 BC

Following his adoption Clodius was not granted the embassy to Egypt that he desired, and he turned down the offer of an embassy to Tigranes. He also failed to be appointed to Caesar's agrarian commission. However, at this stage he seems to have been a supporter of the triumvirs and backed Vatinius' legislation granting Caesar his five-year command in Gaul. As tribune he pursued an extensive programme of legislation (Dio 38.12.5–13.1, 13.6: doc. 12.54). Cicero appears to have disregarded the possibility of threats to himself from Clodius, turning down the offers of an appointment to Caesar's staff in Gaul and membership of the land commission. However, on 1 January 58 Clodius proposed four laws which laid the groundwork for actions that he planned to take against Cicero and Cato, whom he saw as the two senatorial leaders most likely to oppose his legislative programme. One limited the censors' powers to expel members of the senate, mandating that the senator involved had to be present and thus able to defend himself, while the other three were intended to give him unrivalled popularity with the people, such as his proposal to make the distribution of grain completely free: the five-modius ration was currently sold at less than half the market

price in accordance with the lex Terentia Cassia of 73. His reform regulated in detail the system by which the subsidised grain was imported, shipped, and distributed. He also removed the ban placed in 64 on guilds, the collegia, and on the celebration of the Compitalia (the festival of the cross-roads). Collegia were associations which catered for those born free, freedmen, and slaves, and their size ranged from 100 to 1,000 members. They provided funeral funds for members, who celebrated dinners and festivals together, and could play an important role in elections, at some points degenerating into gangs; Clodius' measure had clear *popularis* overtones.

Clodius also proposed a restriction in the practice of *obnuntiatio* by a partial repeal of the lex Aelia Fufia (passed c. 153) so that auspices did not need to be taken for legislative assemblies, by this means preventing obstructionist tactics, like those employed by Bibulus throughout most of 59. Dio saw this as specifically introduced so that it would be impossible to postpone the trial of Cicero by this method. The consuls for the year had been granted lucrative provinces, with Gabinius given command of Cilicia (later changed to Syria) and Piso of Macedonia, and raised no protest with regard to the details of Clodius' legislation. Clodius had ignored the lex Sempronia of C. Gracchus, which allocated provinces prior to the consular elections, and the consuls had been permitted to select their own commands.

Clodius was in no way a puppet or agent of the triumvirs: he was independent from the beginning of his tribunate in 58 and by its end had attacked and alienated Pompey, and to a lesser extent Caesar. His aim, judging from his legislation, was to be a popular tribune and he pursued his own interests, presumably with his later political career in mind. At the beginning of his tribunate in December 59, he refused to allow Bibulus to address the people as was usual on the last day of a consulship, and Bibulus was to continue to state that Clodius' legislation and his tribunate were illegal, just as all Caesar's legislation as consul was invalid as a result of his own practice of *obnuntiatio* during most of the year.

Cicero's exile

After Clodius had passed the most important components of his legislation, in late January or February 58 he turned on Cicero, who had preferred to stay in Rome rather than serve on Caesar's staff, perhaps trusting in the consuls for the new year to look after his interests. Clodius' bill on capital punishment for citizens (the lex Clodia de capite civis Romani) interdicted from 'fire or water' anyone who had put to death a Roman citizen without a trial. This was clearly aimed at Cicero, who received no support from the triumvirs. Caesar, who was outside the city walls awaiting departure for Gaul, merely told Clodius, when he sought his opinion in a contio at the Circus Flaminius, that while he disapproved of the execution of the conspirators he did not approve of retrospective legislation (Dio 38.17.1–6: doc. 12.55). Pompey, who had promised to protect Cicero from Clodius, distanced himself, leaving town in order to avoid a meeting. Crassus also sided with the populace, and the consuls were actively hostile to Cicero. He went around the city in mourning clothes (the *toga pulla*) and with his hair uncut; 20,000 equites imitated him and supplicated the citizenry on his behalf. The senate met to decree that the people should also go into mourning, but Gabinius and Piso as consuls opposed this, and Clodius had armed men stationed around the senate house. The law allocating the consuls' provinces was to be passed

on the same day as that concerning the execution of citizens without a trial, showing that the two were interconnected.

Dio considered that Cicero was openly resented by the senate (alienating those he offended, more than he won the support of those he assisted), and Cato and Hortensius, two of the most prominent conservatives, advised him not to fight the case, even though Cicero wanted the chance to stand trial. Towards the end of March Cicero, therefore, went into voluntary exile before Clodius' measure was passed, and a few days later Clodius had him formally declared an outlaw across the Roman world: this was later revised to limit the geographical area to within 500 miles from Italy. Cicero had gone to Sicily, where he had been quaestor, but had to remove himself further afield to Macedonia. His property was confiscated, the question of his exile was banned from further discussion, and his house on the Palatine was looted and torn down, along with his villas at Tusculum and Formiae (he received compensation for these on his return), and a statue to Libertas, the goddess Liberty, erected on the site.

Caesar then left for Gaul, after two of the praetors for 58 BC, L. Domitius Ahenobarbus (Cato's brother-in-law) and C. Memmius, had unsuccessfully attacked his legislation in the senate. Velleius (2.45.1–2: doc. 12.56) noted that both Pompey and Caesar were thought to have approved Cicero's exile, and that Cicero appeared to have brought the fate upon himself for having refused to become one of the land commissioners.

Cato the Younger

Cato removed from Rome

As Cato was the hard-line spokesperson for the optimates, Clodius wanted him removed from the Roman political scene for a time as well. Outspoken, and noted for his uncompromising integrity (unless expediency was necessary in a particular situation), Cato was praised by Cicero for his seriousness of character, greatness of soul, and steadfast adherence to his own values, as well as for his conduct as tribune-elect at the time of the Catilinarian conspiracy (Cic. *Sest.* 59–63: doc. 12.57). Like other senators, Cato had refused to attend senate meetings called by Caesar in 59 in protest at the violence used to pass his legislation.

Rome had recognised Ptolemy XII Auletes as ruler of Egypt in 59, and Clodius had proposed that Cyprus, ruled by Ptolemy's younger brother, be annexed by Rome on the grounds that it had aided piracy. The acquisition of Cyprus would help to fund Clodius' proposal to distribute grain free of charge to the plebs. A law was therefore passed instructing Cato, who was given the rank of *quaestor pro praetore* (*quaestor* with *praetorian* rank), to annex the island, acquire its treasures, and, in addition, restore some exiles to Byzantium. As a result of these responsibilities Cato was absent from Rome until 56. Ptolemy, the 'unfortunate king' of Cyprus, committed suicide, Cyprus was added to the province of Cilicia, and Cato realised some 7,000 talents for Rome. Clodius foresaw that, once Cato, who 'had always spoken unrestrainedly against extraordinary commands', had received an extraordinary command from a tribune in the assembly, he would then be to some extent compromised. At a *contio* Clodius read out a letter from Caesar congratulating him on the fact that Cato could never again speak against extraordinary commands, although Cicero

stated before the pontifices that Caesar either did not send it or did not intend it to be read out in public (*Dom.* 22).

When Cicero returned from exile he went up to the Capitol with his supporters and destroyed the records of Clodius' tribunate, arguing in the senate for the illegality of Clodius' transfer to the plebs and so of the measures of his tribunate, including Cato's commission in Cyprus. Cato disagreed, on the grounds that Clodius' transfer to the plebs was not illegal, and that his own acts in Cyprus and Byzantium would be nullified if Clodius' acts were rescinded; Cato and Cicero were on bad terms for some time after this. It had certainly been an advantage for Clodius to have had both Cicero and Cato away from Rome during his tribunate.

Cicero paints Cato as an exile driven out of Rome like himself, taking comfort in the fact that his own exile came about because of his principled stance on the Catilinarian conspirators (Cic. *Dom.* 65; *Sest.* 56: doc. 12.58). Cato, however, had been awarded an important commission, which he insisted he had accepted because it was for the good of the state. While Caesar refused to interfere with Cicero's exile and Clodius' revenge, Cicero appears to have considered Pompey as the prime mover in the attack on him, despite the fact that Pompey was almost immediately to flag the possibility of Cicero's recall. Nevertheless, Cicero clearly resented his lack of support (Cic. *Att.* 10.4.3: doc. 12.58).

Plutarch remarked that Cicero's exile could only have been effected with Cato's absence (Plut. *Cato Min.* 34.3–7: doc. 12.59), but Cato had counselled Cicero to acquiesce in going into exile, and had not objected to Clodius' legislative programme. Clodius wanted Cato out of Rome and for as long as possible, but Plutarch's account that he was given no adequate staff or resources ('not a ship, nor a soldier, nor an assistant, only two secretaries, one of whom was a thief and total rascal, and the other one of Clodius' clients') has to be seriously questioned as Cato's mission was successful and he was accompanied by his nephew Brutus.

Cicero's return from exile

Clodius' tribunate in 58 soon degenerated into disorder, and he was on bad terms with Pompey and the consul Gabinius, once Pompey began to make clear that he wanted Cicero recalled (Dio 38.30.1–39.8.3: doc. 12.60). With Caesar out of the way in Gaul, Clodius began attacking Pompey's eastern settlements. He was also said to have engineered, in return for a large bribe, the escape from captivity of the son of Tigranes of Armenia, a hostage in Rome held for Pompey at the house of L. Flavius: Clodius invited him to dinner and refused to return him. An attempt to recover the hostage led to a skirmish on the Appian Way in which Papirius, one of Pompey's followers, was killed, and street-fighting broke out in Rome in which Gabinius' fasces were smashed, several people were wounded, and Clodius threatened to have Gabinius' property consecrated to the gods. Gabinius' colleague, Calpurnius Piso, supported Clodius and was personally wounded in the affray.

An assassination threat against Pompey in the senate, when a slave of Clodius was apprehended outside with a dagger, was said to have been master-minded by Clodius and Pompey retired into private life for the time being, which was presumably the effect intended. Clodius also attacked the absent Caesar, and brought Bibulus into the assembly to confirm that he had reported unfavourable auspices prior to Caesar's

assemblies, which made his legislation illegal. Pompey, in an attempt to counter Clodius, considered how to bring the senate over to his side. Q. Terentius Culleo (tr. pl. 58) advised him to divorce Julia and exchange Caesar's friendship for that of the senate, but he was genuinely fond of her and refused. Instead he wanted to recall Cicero to assist him against Clodius, hoping that Cicero would not openly attack the triumvirate.

There had been moves in 58 by two tribunes, Culleo and L. Ninnius Quadratus, to recall Cicero, with eight of the tribunes in favour when the matter was discussed in October, but another tribune, L. Aelius, imposed a veto. P. Sestius, tribune-elect for the following year, travelled to Caesar to attempt to win his support, presumably successfully in view of events. Office-holders for 57 looked promising: one of the consuls, P. Cornelius Lentulus Spinther, was a friend of Pompey and Cicero, and eight of the tribunes were again well-disposed (the exceptions were Sex. Atilius Serranus and Q. Numerius Rufus). On 1 January 57 Spinther proposed that Cicero be recalled, and Pompey advised that this should be formally confirmed by a vote in the assembly. The hostile tribunes ensured that this was obstructed, and, when a bill was to be brought to the assembly on 23 January, Clodius' gangs, together with gladiators for funerary games borrowed from his brother, the praetor App. Claudius Pulcher, prevented it taking place. This was probably the occasion when Cicero's brother Quintus, who had come to the assembly to plead for his brother's return, was driven from the rostra and forced to take shelter behind the bodies of freedmen and slaves killed in the fighting (Cic. *Sest.* 76).

Further violence took place, in which Sestius was nearly killed, while the tribune T. Annius Milo twice attempted to prosecute Clodius for violence, and began employing gangs and gladiators to counter him: Clodius stood for the aedileship so that, if elected, he would avoid prosecution. Sestius also had his own gang of street-fighters. Demonstrations in favour of Cicero took place at the ludi Apollinares and the senate resolved in July that a law about his recall be brought before the comitia centuriata. The senate meeting on 4 August 57 – attended by 417 members – was unanimous except for one vote – that of Clodius, who spoke against Cicero, and the bill was passed. Cicero, who arrived back in Rome on 4 September, was to see this vote as vindication of his actions while consul in 63.

Cicero timed his return to Rome to coincide with the celebration of the ludi Romani in September (he had arrived at Brundisium on his daughter Tullia's birthday in August). On the following day he delivered a speech to the senate, dwelling on the overwhelming support for his return from exile. Probably on 10 September Cicero wrote to Atticus to inform him of events and the tremendous enthusiasm with which he was greeted in Italy and Rome (Cic. *Att.* 4.1.4–5; doc. 12.61). Every man of rank in Rome known to Cicero's nomenclator, the slave employed by wealthy Romans to remember the names of associates, voters, and clients, had come to greet him, except for his enemies. Pompey had exerted himself to effect Cicero's recall, and Cicero repaid him by a proposal shortly afterwards to the senate to make him commissioner for the grain supply.

Clodius had been responsible for Cicero's exile, and on his return Cicero was concerned to show him in the most demonic of lights. In 56 an unusual noise had been heard near Rome and the haruspices (soothsayers) instructed to divine its meaning

suggested a broad range of interpretations, including ‘religious rites, sacred sites, assassinations, violated oaths, and impiety’. In a speech to the senate Cicero suggested that all of these reflected specific actions by Clodius (*Cic. Har. Resp.* 57–59: doc. 12.62). His adoption by the plebeian Fonteius had ‘consigned the name, religion, memory and family of his parents to oblivion’ (in fact, this was not the case as Fonteius had emancipated him, and he had two brothers). Clodius’ profanation of the rites of the Bona Dea was an ‘inexpiable crime’; his annulment of part of the lex Aelia Fufia was an attack on the auspices; and his law allowing senators to defend themselves against expulsion from the senate would lead to the abolition of the censorship.

As well as reminding his hearers of Clodius’ role in his own exile and the demolition of his house, Cicero also brought up Clodius’ stirring up of mutiny in Lucullus’ army in the East, while to round things off satisfactorily, he also alluded to Clodius’ suspected incest with his sister, Clodia, divorced by Lucullus for adultery. Two older sisters, one the wife of Q. Marcius Rex and the other of Q. Metellus Celer, thought to have been Catullus’ Lesbia (*Cic. Cael.* 32–49: doc. 7.52), were also accused of incest with their brother by Cicero (*Cic. Fam.* 1.9.15). His rhetoric should not be taken seriously: Cicero was a master of political invective.

Pompey’s grain command, 57 BC

On his return, Cicero repaid his gratitude to Pompey by demonstrating enthusiastic support. As he wrote to Atticus in September 57 (*Att.* 4.1.6–7: doc. 12.63), he had reconciled Pompey with the senate, and showed his own worth to Pompey by helping to secure him another extraordinary command (the *cura annonae*, ‘supervision of the grain supply’) to deal with the current grain shortage, which had led to violence in the forum and on the Capitol, where the consul Metellus Nepos was stoned and stabbed by two of Clodius’ supporters.

Clodius, according to Plutarch, attacked this new command on the grounds that the scarcity of grain had been artificially contrived: ‘the law had not been proposed because of the scarcity of grain, but the scarcity of grain had been contrived so that the law might be proposed’ (*Plut. Pomp.* 49.4–8: doc. 12.64). Dio, however, speaks of the famine as so severe that it even led the populace to threaten to slaughter the senators if they did not find a resolution to the crisis (*Dio* 39.9.1–3: doc. 12.65). At a meeting of the senate on 7 September which most of the consulars avoided because of the earlier violence (or because of opposition to Pompey: the consulars Messalla and Afranius who were present were Pompeians), Cicero proposed that Pompey be given powers to deal with the grain shortage. This was approved by all magistrates ‘except for one praetor and two tribunes’: these were Clodius’ brother, Appius Claudius who was praetor, and the tribunes who opposed Cicero’s recall.

On the following day, with the consulares present if mostly unsupportive, the consuls drafted a law giving Pompey control over the grain supply for a five-year period. A tribune, C. Messius, who had earlier unsuccessfully moved a law for Cicero’s recall, proposed even greater powers for Pompey, perhaps at Pompey’s own instigation, but the consuls’ proposal was ratified. Messius had asked for control of all revenues, a fleet, and authority superior to that of provincial governors, and,

while Pompey reported that he preferred the senate's version, his friends believed that he wanted the command as outlined by Messius. Even so, the ex-consuls in the senate were furious at this new extraordinary command, which once again gave Pompey powers outside the normal constitutional structure. The commission gave him extensive resources, with 15 legates, who included Cicero and his brother Quintus, and he served in this capacity from 57 to 54 (there is no evidence for 53), visiting the provinces of Sicily, Sardinia, and Africa to organise the collection of grain. Pompey welcomed the command as a counterbalance to the regular reports of Caesar's successes in Gaul, where his conquests had reached the Rhine in his second year. Cicero showed his gratitude to Caesar over his recall by proposing an unprecedented 15-day thanksgiving for his victories. He was keeping his head down in the debate over Pompey's command, as he was waiting for a ruling as to whether his house, demolished by Clodius, had been constituted sacred by virtue of the shrine of Liberty erected there. If not, he would rebuild using compensation estimated by the consuls.

Pompey's career had been at a standstill since his return to Italy early in 61 and Plutarch (*Pomp.* 49.6–7) commented that the law made Pompey once again almost total master of the Roman world and Rome's possessions by land and sea, with control over all harbours, trading centres and crop distributions, and all land and sea transport. Dio concurred that Pompey was again to 'rule the whole world then under the power of Rome', and that Cicero was trying to pay his debts in proposing such a command (39.9.3).

Caesar in Gaul

An important factor in Caesar being allocated the command in Gaul had been the fear of a new Gallic invasion, which Cicero mentioned when writing to Atticus on 15 March 60 (*Cic. Att.* 1.19.2–3; doc. 12.66). The Allobroges in Transalpine Gaul, who had come to Rome during Cicero's consulship to protest against Roman extortion (unsuccessfully), finally revolted in 62 due to the oppressive nature of their debts. They were crushed in 61 by C. Pomptinus, governor of Transalpine Gaul, but Gaul was always seen as a very real threat to Rome and the region was not considered to be secure. Furthermore, in 60, the Germanic tribe of the Helvetii defeated the Aedui, the sole 'brothers' or allies which the Romans had in non-Roman Gaul, and planned a large-scale migration into Gaul. The senate therefore changed the provinces allocated to the consuls, arranging that they govern the Gauls (Cisalpine and Transalpine). The tribune Flavius threatened to rescind the command, and may have succeeded in doing so, but Metellus Celer died (in April 59) just as he was leaving for his province of Transalpine Gaul; it could therefore be allocated to Caesar.

Cicero refers to the three ambassadors who were chosen to persuade Gallic tribes not to link up with the Helvetii in their migration: Metellus Creticus (cos. 69), L. Valerius Flaccus (pr. 63), and C. Lentulus Clodianus (pr. 59). The description of Lentulus as 'perfume on lentils' (*Att.* 1.19.2) reflects his inadequacy for the task. The ambassadors had been chosen by lot, and Cicero (of course) mentions that his had been the first name drawn from amongst the consulars, at which 'a crowded senate unanimously proclaimed' that he should stay in Rome. The second name was Pompey's, and he too was to remain in Rome, so that, with Cicero's support, he could

ensure Rome's safety. In a rare moment of self-deprecation Cicero notes his own tendency to self-flattery, as well as his love of flattery from others: 'Why, anyway, should I wait for flattering comments on myself from other people, when I am so good at it myself?'

Migration of the Helvetii, 58 BC

The expected threat in Gaul did not immediately eventuate: the leader of the Helvetii died, and Ariovistus, a German king, was invited by the Sequani, chief rivals with the Aedui in central Gaul, to aid them against the Aedui, who were defeated; he was proclaimed a 'friend of the Roman people' during Caesar's consulship. Despite the earlier threat, when Caesar arrived in Gaul in 58, things were at first peaceful. But, in what was excellent timing for Caesar's proconsular command and his hopes of conquest, on 28 March 58 the Helvetii (based in modern Switzerland) and other tribes began a mass migration into Gaul. They had destroyed their settlements and mustered over 300,000 persons for the resettlement.

Caesar initially prevented their incursion by destroying the bridge across the Rhône, but they crossed the river through the territory of the Sequani. Caesar now possessed six legions, having recruited two in Cisalpine Gaul, and even though the Helvetii were not in the Roman province Caesar pursued them: while he was not authorised to undertake the conquest of Gaul outside the Roman province, he was able to use their migration attempt to justify his campaign. After defeating their rearguard, the Tigurini, he engaged with the Helvetii and their other allies in Aeduan territory, defeating them in a hard battle, and forcing the survivors to resettle the lands they had abandoned. Caesar's own figures as reported in his *Commentaries* (Caes. *BG* 1.29.1–3: doc. 12.67), show that 110,000 were left to return home, out of an original number of 368,000 (including women, children, and the elderly).

Caesar now turned to deal with Ariovistus, technically a 'friend' of the Roman people, with the Aedui and Treveri complaining of his plundering, and the Sequani of sequestration of their land. Caesar drove him from Gaul, and large numbers of the Germans were killed, and the remainder pursued to the Rhine. Caesar credits much of the Roman victory to young Publius Crassus, son of the triumvir (Figure 12.3). The Roman province had been secured, although Caesar had arguably overstepped the parameters of his own command in attacking an ally, while his army wintered in 58 not in the Roman province but in the territory of the Sequani.

Caesar's campaigns, 57–56 BC

In 57 BC, most of the year was spent campaigning against the Belgic tribes in north-west Gaul and the most critical engagement was that against the Nervii, where he was nearly defeated after an unexpected attack on his camp at the river Sambre, where the Nervii crossed the river in an all-out assault and the Romans were only saved by Labienus and the Tenth Legion (Caes. *BG* 2.15.2, 27.3–28.3: doc. 12.68). Caesar's laconic prose shows that his audience in Rome had an interest in barbarian lifestyles, and particularly that of the noble, warlike Nervii who outdid all the other Belgae in courage and tenacity. They died in the line of battle, fighting from on top of their fallen comrades' corpses to the last man, with their 'nation and name' brought almost

to extinction. From 600 ‘senators’ they were reduced to three, and from 60,000 men who could bear arms to 500. Caesar notes his own magnanimity to the women, children, and elders who survived, leaving them unharmed and instructing their neighbours to refrain from any hostile action against them.

Caesar then continued into the north-east to deal with the Aduatuci, who had intended to assist the Nervii, and who had now shut themselves inside their fortress above the Meuse river. Caesar enclosed the town with a rampart 12 feet high and 15,000 feet in circumference and they surrendered at the sight of Caesar’s siege preparations, in particular a huge mobile siege-tower (*Caes. BG* 2.30–31: doc. 5.17). Later they unsuccessfully tried to break out at night, and Caesar sold all 53,000 of them in a single lot at auction (*BG* 2.33.1–7: doc. 6.10). After dealing with the Belgic coalition in the north-west Caesar had conquered most of Gaul and it was now that he was voted, on the proposal of Cicero, the unprecedented 15-day *supplicatio* for his victories (Pompey had been awarded a ten-day *supplicatio* at the death of Mithridates). The whole of Gaul up to the Rhine and Atlantic was now under Roman control after two years of campaigning, and Rome had been informed in detail of the achievements through Caesar’s own reports and letters regularly dispatched to Rome.

Caesar’s campaigns in 56 brought the rest of Gaul under Roman authority, in particular the tribes of the Atlantic coast, such as the Veneti. But, the following year (55) saw German tribes advance into Gaul across the Rhine, where Caesar defeated them and made a show of force across the Rhine into German territory. This year and the next (54) he went to Britain, but in 54 there was an uprising in northern Gaul amongst the Treviri and the Eburones which continued into 53, when Caesar marched across the Rhine again. His conquests in Gaul were certainly not consolidated at this point.



Figure 12.3 A denarius issued by P. Licinius Crassus, son of M. Licinius Crassus, in 55 BC, depicting Venus, and a soldier leading a horse by the bridle, with a trophy and shield. Publius served with Caesar in Gaul, and then joined his father in his expedition against Parthia. The legend reads P CRASSVS M F. The coin celebrated the successes of Caesar in Gaul.

Source: Courtesy of Classical Numismatic Group

The conference at Luca, 56 BC

Pompey's unpopularity

At the beginning of 56, Clodius and his antagonism towards Pompey still dominated Roman politics, and Cicero described Pompey's unpopularity in writing to Quintus, between 12 and 15 February (Cic. *Quint.* 2.3.2–4: doc. 12.69). On 7 February Clodius had prosecuted his rival Milo for the violence which had marked politics during 57, and when Pompey spoke in Milo's favour Clodius' supporters interrupted and abused him. In turn Clodius was heckled and insulted with rude verses about his relationship with his sister. Cicero also informed Quintus that Pompey suspected an assassination plot against himself, while Pompey had told him that Crassus was supporting the tribune C. Porcius Cato, who was one of Clodius' men. Pompey also suspected that Crassus was financing Clodius in his political machinations, and that Curio and Bibulus were behind Clodius as well. Certainly during Milo's trial Clodius called on his gang to support Crassus for the Alexandrian embassy which was under debate, and not Pompey. Relations between Pompey and Crassus were clearly breaking down, under Clodius' practised machinations.

The Egyptian issue

In 57 Ptolemy XII Auletes, who had paid 6,000 talents in 59 to be recognised as king of Egypt, had been deposed by the Egyptian people, and succeeded by his eldest daughter Berenice IV (his second daughter was Cleopatra VII). Ptolemy came to Rome and took refuge in Pompey's Alban villa, while asking for armed help to return him to the throne. Cicero with Hortensius and Lucullus proposed that one of the consuls for 57, P. Cornelius Lentulus Spinther, restore Ptolemy once he took up his proconsulship in Cilicia, with force if necessary. However, a Sibylline oracle that the Romans not assist the king of Egypt 'with a multitude' (i.e., an army) was circulated by the tribune C. Cato, and Cn. Cornelius Lentulus Marcellinus as consul in 56 upheld that force should not be used. The other consul, L. Marcius Philippus who was married to Caesar's niece Atia (mother of Octavian), appears to have remained neutral over the issue. It was proposed by Crassus that a commission of three chosen from those already holding imperium (and therefore not excluding Pompey) effect the king's restoration. Bibulus, to circumvent this, proposed that it be three privati, private citizens without imperium instead (i.e., not Pompey). Hortensius then proposed that Lentulus Spinther restore Ptolemy, but without force; Cicero supported this. L. Volcatius Tullus (cos. 66), with the backing of the tribune P. Rutilius Lupus, proposed that Pompey carry out the restoration, while Clodius pushed for Crassus to receive the commission. To put an end to the discussion P. Servilius Isauricus (cos. 79) proposed that the king not be restored at all. Pompey's friends (his *familiares*) made it clear that Pompey wanted the commission, but this was exactly what the optimates did not want – another extraordinary command for Pompey. The debate lasted throughout 13 January 56 and was continued on 14 and 15 January: the senate could not meet after 15 January as the rest of the month was made up of comitial (assembly) days.

The matter then came before the assembly, inconclusively, with the consul Marcellinus blocking meetings by pronouncing various festivals and supplications for

the comitium days when the assembly would have met, even ordaining that the Latin Festival had to be repeated, winning Cicero's approval. Finally the senate (the date of the meeting is unknown) voted not to restore Ptolemy at all: while this decision was vetoed, no further action was taken by the senate. Pompey's opponents had won out, and he was not given the opportunity to interfere in the affairs of Egypt. Ptolemy was in fact to be returned to the throne by Gabinius (cos. 58) as proconsul of Syria in 55 without authorisation from Rome, but with encouragement from Pompey; Ptolemy paid Gabinius 10,000 talents (240 million sesterces) for the favour (*Cic. Rab. Post.* 21). Pompey's connection with Ptolemy appears to have damaged his prestige with the populace (one of the envoys from the Alexandrians asking that Ptolemy not be restored had been assassinated in Rome, and the price of grain had not yet fallen), and Pompey now appears to have been unpopular both with the plebs and the boni. The senate was giving their support to Crassus, while Cicero speaks to Quintus of Milo's forces as 'theirs' (i.e., promoting the interests of Pompey) and superior to Clodius' gangs, with reinforcements from Picenum and Gaul arriving shortly to block any action by Clodius (*Cic. Quint.* 2.3.4: doc. 12.69).

Cicero again offends Caesar

In December 54 Cicero wrote to Lentulus Spinther, who was proconsul in Cilicia, to explain why he had come round to support Caesar ('to include Caesar' in his policy) following the reset of the triumvirate at Luca in April 56 (*Cic. Fam.* 1.9.7–9, 11–12: doc. 12.70). He explained that he needed to be on good terms with him because of Caesar's connections with Pompey, with whose interests he had always associated himself. He also mentioned the promises that had been made by Pompey to Caesar, and by Quintus, Cicero's brother, to Pompey that Cicero would, in effect, 'behave himself' for the immediate future. Caesar had, like Pompey, recently come under attack: with Pompey's popularity in Rome fallen as a result of Clodius' attacks, against which he had needed to employ Milo's rival gang, and the rivalry between Pompey and Crassus once again out in the open, Caesar's activities as consul had again been under scrutiny. In 58 L. Domitius Ahenobarbus as praetor had unsuccessfully attacked Caesar's legislation and was now threatening to renew these attacks by representing his command in Gaul as invalid. Caesar was also meeting with setbacks in Gaul: there was revolt in the north-west and he was requesting ten legates and money to pay the additional four legions he had recruited, with his request being blocked by Marcelinus. Pompey also needed money for his oversight of the grain supply: the price of grain was still high, and Pompey had been given 40 million sesterces as grain commissioner, and was planning a trip to Sardinia.

On 5 April 56, the senators debated the issue of the ager Campanus, which was always a bone of contention and its inclusion in Caesar's agrarian legislation deeply resented by the senate. The aim was to withdraw the land from distribution and restore public funds using the rents on this land. Cicero at this senate meeting successfully proposed that the question of the ager Campanus 'should be referred to a full senate on the Ides of May (15 May)'. This was an attack on Caesar's land legislation, and his speech provoked a pointed reaction, 'not only where I had intended (presumably Caesar), but even with people I had never imagined (Pompey)'. Cicero was becoming bolder in his attacks on Caesar and his supporters, and in February he

had subjected Vatinius to a hostile cross-examination as a witness in the trial of Sestius, criticising ‘the use of violence, the auspices and the grants of kingdoms’, meant as a deliberate criticism of his tribunate: Vatinius as tribune in 59 had been a major ally of the triumvirs and had proposed the bill granting Caesar his Gallic command. Caesar was incensed by both of these episodes, and, after Luca, Cicero would have to defend Vatinius in August 54 at a trial for bribery, with Caesar particularly insistent that Cicero appear for the defence. The Campanian land was indeed debated by the senate on 15 and 16 May 56, but Cicero, warned that it would be wise for him to be absent, did not attend.

The meeting at Luca, 56 BC

When Pompey left on his trip to Sardinia and Africa, he went via Luca, clearly annoyed with Cicero over the question of the ager Campanus, though he did not show this to Cicero himself, but laid the law down to Cicero’s brother Quintus when they later met in Sardinia (Quintus was one of Pompey’s legates). Quintus passed this on to Marcus, as well as reminding him that he ought to be grateful to Caesar for having approved his recall from exile. Caesar, who had come south from Gaul for the purpose, had already seen Crassus at Ravenna, where, stirred up by Crassus over Cicero’s proposal on the ager Campanus, he ‘complained a great deal’ about Cicero’s planned debate. He had then proceeded to meet with Pompey at Luca, and Cicero makes it quite clear that Caesar met first with Crassus at Ravenna, and then with Pompey at Luca, although later sources, Plutarch, Suetonius, and Appian describe all three of them meeting at Luca. As part of the discussion, Caesar was able to organise a reconciliation between Pompey and Crassus, and agreements were put in place which would benefit all three. Pompey, for his part, undertook to ensure Cicero’s silence regarding Caesar, whom he was not to attack, even if he was unwilling or unable to defend him. Cicero himself excused his change of direction by the need to enhance Pompey’s reputation, ‘a great man who had performed many services on my behalf’, explaining to Lentulus Spinther that this involved support for Caesar too, after the promises made for him by Pompey and Quintus (*Cic. Fam.* 1.9.7–12; doc. 12.70). The immediate result of this communication from Pompey was Cicero’s decision to absent himself from the senate for the debate on the ager Campanus in May 56.

The meeting between Caesar and Pompey at Luca was attended by a number of their high-ranking clients and supporters (App. 2.61–63; doc. 12.71), and it was clear that there would be plenty of favours awarded as a result of the renewal of the informal compact. Caesar organised with his partners that they should be consuls for the following year, arranging for some of his troops to return to Rome to vote, if Pompey and Crassus could manage to have the elections delayed until after the end of campaigning for the year. This would have the additional advantage for Caesar of blocking the candidature of L. Domitius Ahenobarbus, who was working to have Caesar’s command terminated and Caesar recalled to Rome. The new consuls could then be granted prestigious proconsular commands for the following year, and Caesar’s own command could be extended at the same time. All three were to be given five-year commands: Pompey the governorship of both Spains; Crassus, who still wanted to emulate Pompey’s victories, Syria; and Caesar an extension of his command in Gaul and Illyricum.

The meeting at Luca attracted many of their supporters: Appian (2.62) estimates that 120 lictors were present (consuls were attended by 12, praetors by 6), and more than 200 senators may have been present (*Plut. Pomp.* 51.1–5). Metellus Nepos (cos. 57) and App. Claudius Pulcher, Clodius' brother, were certainly there (Appius' reward was the consulship for 54, while a further brother, Gaius, was currently praetor and Clodius himself aedile), and Appius' daughter was to marry Pompey's elder son Gnaeus. Clodius was now happy to support the triumvirate, dropped the prosecution of Milo, and attacked the consul Cn. Cornelius Lentulus Marcellinus for opposing the candidature of Pompey and Crassus for the consulship of 55.

Pompey and Crassus, having decided to stand for the consulship for 55, still had to be elected in the comitia centuriata, and they ensured by the use of violence and intimidation that there would be no competition (Dio 39.31.1–2: doc. 12.72). When initially asked by the consul Marcellinus if they would stand, both were evasive, but declared their candidature after the date for nominations had closed. They then prevented Marcellinus from holding elections, using Clodius' loyal supporter, the tribune C. Porcius Cato, to interpose his veto and thus delay elections until Marcellinus had left office. The elections were finally held early in 55 after an interregnum (C. Cato would later be tried for delaying the elections, but acquitted). P. Crassus, who was serving with Caesar, brought soldiers from Gaul to assist in the election of his father and Pompey. Domitius Ahenobarbus also stood as a candidate for the consulship, encouraged by his brother-in-law M. Porcius Cato, but withdrew when the slave who preceded him with a torch was killed, and he, Cato, and other supporters wounded (Ahenobarbus would, however, be consul in 54). In other elections for 55, Pompey's supporters Vatinius and Milo won praetorships, defeating M. Porcius Cato, showing the degree to which the triumvirs were in political control in Rome.

The extension of Caesar's Gallic command

Following the conference at Luca, and Cicero's promise to his brother that he would refrain from attacking Caesar, Cicero ceased his opposition to Caesar's Campanian land legislation. He also supported an extension of Caesar's command in Gaul. His speech *On the Consular Provinces* delivered in June 56 related to the allocation of the provinces of Macedonia, Syria, and the two Gauls (Cic. *Prov.* 19, 29, 34–35: doc. 12.73). The proposal had been made that Caesar be deprived of one or both Gallic provinces and that they be assigned to the consuls of 55, and Cicero successfully spoke against this, enthusiastically praising both Caesar and his victories in Gaul and arguing for the immediate replacement of Calpurnius Piso in Macedonia and Gabinius in Syria (both consuls in 58). He maintained that it was for the good of the state that Caesar remain in control of Gaul to complete his conquests, and he spoke in favour of the allocation of ten additional legates and pay for the four new legions recruited by Caesar (raising the number to ten). He also reviewed his relationship with Caesar, expressing gratitude that Caesar had acquiesced in his recall from exile.

Cicero described his own predicament at this point to Atticus in April 55 as one of being seen either as a madman (*insanus*) if he said what he should, or of being a slave (*servus*) if he said what he was told to (*Att.* 4.6.2). He nevertheless used this speech to continue his feud with Calpurnius Piso and Gabinius (supporters of Clodius and

Cicero's exile), arguing that their provinces be reassigned because of their incompetence. Gabinius did not deserve this criticism and continued as proconsul to the end of 55, putting down uprisings in Judaea and dealing with pirates. Calpurnius Piso, Caesar's father-in-law, was recalled in 55, when Cicero delivered a scalding attack on him, but did not bring him to trial for misconduct in his province.

Cicero's speech on the consular provinces, or perhaps a letter to Pompey on the same topic, was probably the 'palinode' to which Cicero refers in a letter to Atticus, written in 56 (*Cic. Att. 4.5.1–2*: doc. 12.74). In it he admitted that he had said goodbye to 'principles, truth and honour' in his support of Caesar and the triumvirate, but argued that it was an expedient move to bind himself to their fortunes and to prevent himself from having second thoughts and realigning himself with the optimates. He characterised these, especially Bibulus, Cato, and the rest, as constantly jealous of him, though he overestimated his own political significance in his assessment of his career. They, who did not want to be his friends, were now powerless, so it made sense that instead he cultivated the friendship of those who actually were in power.

The second consulship of Crassus and Pompey

Once elected consuls for the second time, Pompey and Crassus were allocated provinces by a popular bill in the assembly proposed by C. Trebonius (*Plut. Pomp. 52.3–5*: doc. 12.75). The commands were for five years, with unlimited manpower and the right to make peace or war: for Pompey in Spain (he did not receive Africa as well, as stated by Plutarch), there was still plenty of room to expand Roman control to the Atlantic, while in Syria Crassus would have the chance to deal with the Parthians, and perhaps also interfere in Egyptian affairs, where Archelaus, the son of one of Mithridates' generals, had taken control in Alexandria (Gabinius was to deal with this while governor). Plutarch even suggests that Crassus' Alexander-like ambitions extended to Bactria and India. There was considerable opposition to the bill, and one tribune was locked in the senate house, while another was prevented from entering the forum. Cato was removed from the rostra by force, and there were a number of casualties (*Plut. Cat. Min. 43.1–5*). The consuls then proposed a five-year extension of Caesar's command in Gaul (not three, as at Dio 39.33.3: doc. 12.76). According to Plutarch (*Cato Min. 42.1–5*: doc. 3.75), Pompey used the practice of *obnuntiatio* to prevent Cato's election to the praetorship; his attempt, however, was unsuccessful. There was further violence at the elections for the curule aedileship, when Pompey was splattered with blood, at the sight of which his wife Julia fainted and miscarried.

Dio records that Pompey and Crassus pretended that they were really not interested in provincial commands following their consulships, and had to be persuaded into accepting them (Dio 39.33.1–34.1: doc. 12.76). He sees some division within the triumvirate at this point, with supporters of Caesar concerned over Pompey and Crassus's commands, but according to Appian and Plutarch all three commands had been prearranged. The two tribunes, P. Aquillius Gallus and C. Ateius Capito, who opposed the *lex Trebonia* tried to block the consuls' recruitment programme, and Crassus' departure from the city was marked by an announcement of inauspicious omens, an attempt to arrest Crassus, and a formal curse by Ateius Capito. Crassus' son Publius was still serving with Caesar and was needed for Caesar's campaign

against Britain in 54 (Figure 12.3). Accordingly Crassus spent a year preparing for his Parthian expedition, delaying it until Publius could join him with 1,000 Gallic cavalry at the end of 54.

Pompey's theatre (Figure 12.4), begun in 61, was dedicated in September 55, though not finally completed for several years. It showcased the wealth and spoils he had won in the East, and comprised a large garden complex with porticoes and fountains, as well as room to display the many works of art collected in Pompey's campaigns: one of the statues represented Pompey, surrounded by the 14 nations he had conquered. It also included a curia for senate meetings (where Caesar was murdered in 44), and a temple to Venus Victrix. Situated on the Campus Martius it was for several decades the only permanent theatre in Rome. It may have seated 10,000 spectators. Cicero described to an absent friend the performances and wild beast hunts (two a day for five days, with 500 lions killed) that celebrated the dedication, including a display of 20 elephants (*Cic. Fam. 7.1.2–3: doc. 2.73*), and there were gladiatorial shows, as well as musical and gymnastic competitions.

As part of his 'palinode' or recantation, Cicero was expected to defend his old enemies, supporters of Pompey and Caesar, in court in 56–54, and he complained to a close friend, M. Marius, that his life now was 'just not worth living' (*Cic. Fam. 7.1.4: doc. 12.77*). Caesar insisted that Cicero personally take part in the defence of Vatinius for misconduct in his election for praetor for 55, and Vatinius was acquitted. This was particularly galling as Cicero had previously publicly attacked him in his defence of Sestius. Cicero had also to defend Gabinius, who had restored Ptolemy Auletes in 55 for 10,000 talents. On 23 October he was acquitted on a charge of treason (*maiestas*) over his restoration of Ptolemy without the authorisation of the

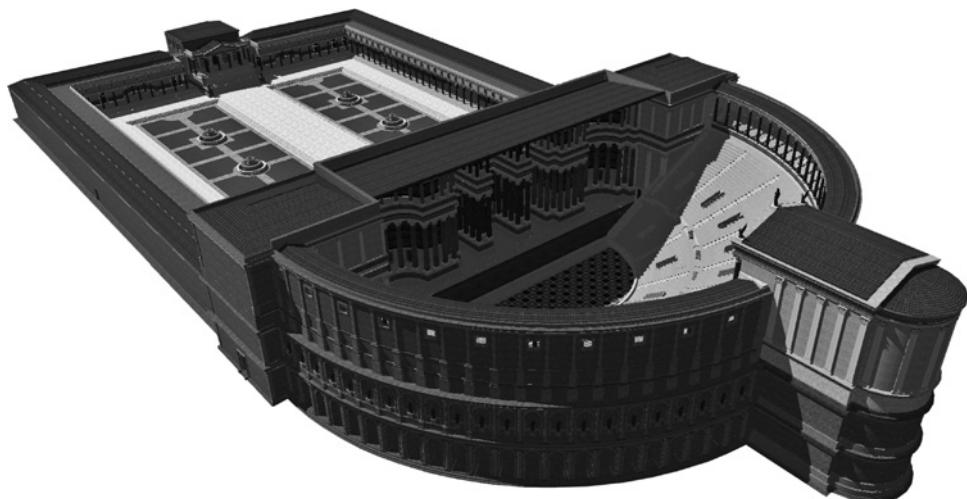


Figure 12.4 A reconstruction of Pompey's theatre, on the Campus Martius looking south-east, dedicated in 55 BC.

Source: Lasha Tskhondia – L.VII.C. via Wikimedia Commons

senate, but later in the same day was convicted of extortion in Syria (where he had alienated the publicani). Gabinius as consul had permitted Clodius to drive Cicero into exile, and Cicero wrote to Quintus in September 54 that Pompey was pressuring him for a reconciliation with Gabinius but that he would never give in: nevertheless he was a witness for the defence in the *maiestas* trial, and defended Gabinius unsuccessfully in the extortion trial.

Further cases that Cicero had to undertake were a defence, at Caesar's request, of L. Cornelius Balbus (the *pro Balbo*), a Spaniard granted citizenship by Pompey for services against Sertorius, who had been Caesar's *praefectus fabrum*. Pompey also wanted him to take on the defence of L. Caninius Gallus, who as tribune in 56 had proposed that Pompey restore Ptolemy Auletes, and of M. Aemilius Scaurus for misconduct as a candidate in the consular elections for 53 (he seems to have been Pompey's preferred choice for consul, and was married to Mucia, Pompey's ex-wife). Caninius Gallus was convicted, the other two acquitted. Cicero lamented to Quintus and other friends in 55 and 54 the hardship of defending his enemies: even his hatred was 'not free' (Cic. *Quint.* 3.5.4: doc. 12.77). He did, however, receive one benefit from his support of the triumvirs, election to the augurate in 53 or 52, on the proposal of Pompey and Hortensius. He had long coveted the position, and in 59 had said to Atticus that it was the one offer that might have tempted him to support the triumvirate (*Att.* 2.26.2).

The events of 54 BC

In 54 Rome was shaken by electoral scandals relating to the consular elections for 53, and the situation was to be little better in the following year. Late in 55 (possibly December) at the elections for 54, opponents of the triumvirs were successful: L. Domitius Ahenobarbus became consul-elect, and M. Porcius Cato praetor, both of whom had been blocked by Pompey and Crassus in the elections for 55. Clodius, now a supporter of the triumvirate, saw his brother Appius elected as the other consul, with Pompey and Caesar's support. Ahenobarbus continued his attacks on Caesar's legislation and pushed for his recall, but once more unsuccessfully.

In 54 M. Valerius Messalla Rufus and M. Aemilius Scaurus (who was defended by Cicero) were prosecuted for misconduct in their campaigns for the consulship of 53. In 52 Scaurus was prosecuted again for the same offence and convicted: a law proposed by Pompey as consul on bribery may have encouraged the retrial. Also in 54, one of the candidates for 53, C. Memmius, admitted in the senate at the instigation of Pompey that he and another candidate, Cn. Domitius Calvinus, had an agreement in place with the consuls for 54 over the election and the consular provinces, which was fully documented in writing (Cic. *Att.* 4.17.2–3, 5: doc. 12.78). The elections of 53 were postponed and all four candidates for election were prosecuted for bribery. Such was the scandal that elections for 53 did not take place until July of that year, when Calvinus and Messalla Rufus were successful. Cicero wrote to Quintus in October that *obnuntiatio* was being constantly used to block the elections to the great delight of the optimates, and that all four candidates had been charged. It was at this point that Gabinius was being prosecuted for treason and extortion, with Pompey urgently trying to influence the jurors: although Gabinius' defence counsel for extortion, and

a witness in the treason case, Cicero was ‘very unworried by the thought of his ruin’ (Cic. *Quint.* 3.3.2–3: doc. 12.78).

The death of Julia, 54 BC

The death of Julia in September 54 weakened the link between Pompey (who adored her) and Caesar (Plut. *Caes.* 23.5–7: doc. 12.79). Plutarch is, however, probably judging from hindsight when he suggests that people were ‘disturbed’ at this break in the relationship with Caesar. It was, in fact, the sole consulship of Pompey in 52, and his restoration of friendly relations with the senate that saw the beginnings of the breakdown in their political alliance. The marriage compact between the two, however, was not renewed. Pompey planned to bury Julia at his Alban villa, but the crowds carried the body to the Campus Martius. The tribunes and the consul Ahenobarbus opposed her burial there as sacrilegious, but to no effect (Suet. *Jul.* 26.2–3: doc. 2.79). Julia had earlier in 55 suffered a miscarriage, and died while giving birth to a child who only survived a few days. Caesar was in Britain at the time of her death and learnt of it on his return to Gaul. He put on gladiatorial funerary games in her honour in 46.

Caesar offered Pompey the chance of another marriage alliance, this time with his great-niece Octavia, the granddaughter of Caesar’s younger sister (Suet. *Jul.* 27.1: doc. 12.80). Caesar himself asked for Pompey’s daughter, who was betrothed to Faustus Sulla, son of the dictator (this would have meant Caesar’s divorcing Calpurnia, daughter of Calpurnius Piso who was to become censor in 50). His great-niece Octavia was married to C. Claudius Marcellus (cos. 50) and was the elder sister of Octavian, later Augustus. Partly because of this suggestion that his wife should be divorced from him in order to marry Pompey, Marcellus was to be an implacable enemy of Caesar, like the rest of his family, who were consuls also in 51 (his cousin Marcus) and 49 (his cousin Gaius). Pompey, for his part, had other views, and instead married Cornelia, daughter of P. Cornelius Scipio Nasica (who after adoption by Metellus Pius had become Q. Caecilius Metellus Pius Scipio), soon after entering his sole consulship in 52; Metellus Scipio would become his consular colleague. Cornelia’s first husband had been Publius Crassus, who had just been killed in Parthia on his father’s staff. In this way Pompey aligned himself more closely with the senate.

Cicero’s letters to Quintus show the degree to which Cicero empathised with Caesar on the death of his only daughter (Cic. *Quint.* 3.1.17, 3.6.3: doc. 12.81). In September, after the news of Julia’s death had reached Gaul, Cicero received a letter from his brother, 27 days in the mail, reporting how Caesar had taken the news, and including a note from Caesar himself. In November, obviously after enquiring on the matter, Cicero heard again from Quintus how Caesar was bearing up with courage and dignity ‘in his immense sorrow’: Julia was Caesar’s only legitimate child, though he later had a son, Caesarion, by Cleopatra. Cicero especially felt for Caesar because he was himself devoted to his own daughter Tullia, who after two earlier marriages was to die in February 45, a month after giving birth to a son who died soon after (an earlier boy had also died shortly after birth in 49). Cicero’s reaction to his own daughter’s death was one of desolation, and his friend Ser. Sulpicius Rufus wrote him a poignant letter of condolence on the event (*Fam.* 4.5, *Att.* 12.46: docs 7.26–27).

Crassus in Parthia

While Pompey remained in Rome, governing his province of the Spains through legates, Crassus planned a glorious campaign against Parthia (Plut. *Crass.* 15.7–16.3: doc. 12.82). He set out for his province of Syria in November 55, cursed by the tribune Ateius as he left through the city gate (on the grounds that Parthia had a treaty with Rome). He reportedly envisaged not just a war against Parthia, but wanted to overshadow Lucullus' campaigns against Tigranes and Pompey's against Mithridates, and even to reach Bactria and India (like Alexander the Great) and 'the Ocean'. His main military successes to date had been in the 80s and 70s, at the Colline Gate in November 82 and against Spartacus in 71. During 54 he made preparations for the war, fortifying towns, and seizing the Temple treasures of Jerusalem.

After the arrival of Publius with his 1,000 Gallic cavalry, Crassus invaded Parthia in the spring of 53 with seven legions (Map 7). Rather than approach through Armenia from the north, the strategy was initially to march along the Euphrates towards Ctesiphon, but the Romans crossed the Euphrates at Zeugma, against the advice of Crassus' quaestor C. Cassius Longinus. Orodes II had expected the Romans to advance from the north, but his general Surena was on the watch in Mesopotamia with 1,000 cataphracts (heavily armoured cavalry) and 9,000 horse archers with composite bows, with supplementary arrows supplied by 1,000 camels. The armies engaged at the river Balik south of Carrhae, where the Parthian archers had the advantage of the Romans with their hit-and-run 'Parthian tactics', despite the force being only a quarter of the size of that of the Romans' seven legions. When Publius made a desperate break with his cavalry, he was surrounded and decapitated, and his head, fixed to a spear, shown to Crassus and his men. The survivors retreated to Carrhae (modern Harran), where on 9 June the Parthians completed their task. Crassus was killed in flight, and some 30,000 of the Roman army lost their lives: the 10,000 that escaped were regrouped by Cassius and taken back to defend Syria.

This was one of the most spectacular defeats the Roman army had ever experienced, not to be rivalled until Valens was defeated at Adrianople by the Visigoths in AD 376. Crassus' defeat was not due to lack of military experience or ineptitude, but to the unexpected and unprecedented tactics employed against him. Caesar had been in favour of the expedition, and was himself planning an invasion to Parthia to avenge Crassus at the time of his assassination. Later reports include anecdotes that the Parthians poured molten gold down Crassus' throat to symbolise Rome's rapacity, and that his head was shown to Orodes II and Artavasdes II, the Armenian king, as a prop in a production of Euripides' *Bacchae* (Plut. *Crass.* 33.1–4).

Cicero's opinion of Crassus was not favourable (Cic. *Off.* 1.25, 3.75: doc. 12.83). Crassus had amassed great wealth during Sulla's proscriptions (often by very dubious methods), and his final fortune of more than 7,000 talents was huge, considering that it had not been won through provincial extortion, but through taking advantage of public calamities in Rome, such as employing slave architects and construction workers to rebuild houses destroyed by fire, bought on the cheap. Cicero criticises Crassus for his willingness to do anything, however illegal, for money, such as inheriting a property that was not legally his own. Crassus' statement that a leading statesman should possess enough income to be able to keep an army (perhaps four legions of 4,200 men, plus auxiliaries) also shows the value that Crassus put on the possession of wealth. In

an age without Pompey or Caesar, Crassus may well have become a leading statesman and general, but rivalry with Pompey dominated his career, and in an attempt to create a power-base he became the spokesman of the equites, while financing the political career of many young nobiles like Caesar. Pompey had ensured that Crassus and Cicero were reconciled prior to Crassus' departure for the East, but Cicero had never forgotten his suspicions that Crassus had been involved in the Catilinarian conspiracy, or that Crassus' fortunes had funded both Caesar and Clodius in their careers.

The death of Crassus and his son, and even more the loss of the Roman legionary standards, the eagles, was considered a terrible tragedy: Augustus was to portray his recovery of the eagles as one of his own most important achievements (*RG* 29.1: doc. 15.1). Ovid, born in 43 a decade after the defeat, mentions the battle of Carrhae in his *Fasti*, written between AD 1 and 8, as a contrast to the victories of D. Junius Brutus Callaicus in Spain in 138–137 (Ovid *Fasti* 6.463–68: doc. 12.84). The emphasis is on the fact that there will be an avenger (Augustus) ‘who shall take vengeance for the death of Crassus’. The return of the standards was shown as a personal triumph on Augustan coinage, while the temple of Mars the Avenger (Mars Ultor) constructed in honour of Julius Caesar was to house the returned standards from the defeats of Crassus, Decidius Saxa, and Mark Antony which were returned by Phraates IV of Parthia in 20 BC (Figures 15.2, 15.5).

Caesar's invasions of Britain

In 55 Caesar made a brief expedition to Britain, with a further, more extensive invasion in 54 BC (Dio 39.50.1–53.2: doc. 12.85). His declared motive was the fact that the Britons were giving military assistance to the Gauls, but there was also the allure of another conquest in regions where no Roman commander had gone before. Presumably there was also the hope of booty, including precious metals and pearls. The fact that in 55 Caesar had been the first Roman to take an army across the Rhine, and then in the autumn of the same year the first to set foot in Britain, the island beyond the Ocean, had a romantic and exotic appeal to Romans excited by the thought of new conquests and further empire. Although Caesar had been taken by surprise in the English Channel by storms and tides, and no real conquest was achieved, this time a 20-day thanksgiving was voted for his achievements. Caesar himself commented that what he had primarily gained from the expedition of 55 was the prestige of having made it (Dio 39.53.1), and while the achievement was magnified at Rome as something extraordinary and the forerunner of yet more conquests, the excursion of 55 was essentially a reconnaissance.

The expedition of 55 was to be followed up in 54 by a more intensive campaign, for which Caesar took five legions rather than the two for the previous incursion, as well as 2,000 cavalry plus an elephant that caused consternation amongst the Britons. Cicero's brother Quintus was serving with him at the time, and they kept up a correspondence while Quintus was in Britain (Cic. *Quint.* 2.16.4–5: doc. 12.86). Quintus was collecting material for a literary enterprise on the geography, topography, and lifestyle of Britain, plus the achievements there of Caesar himself. Cicero had also written an account of Caesar's earlier expedition to Britain (though he elsewhere stated that he was not sufficiently stimulated to write a poem on the British tides),

and was also working on the poem ‘On his own life and times’ and was hoping for comments from Caesar as to the content and style, as Caesar had had some criticisms on the first section. Written in August 54, the day of his defence of Vatinius, the letter shows more interest in literary matters than the details of the expedition.

In October or November 54 Cicero wrote to Atticus passing on news from Quintus and Caesar sent from Britain during Caesar’s second expedition (Cic. *Att.* 4.18.5: doc. 12.87). The news was good, that Britain had been ‘subdued’ and hostages taken, but there was no booty: the hope that there was gold and silver there had proved fruitless (as Cicero had written earlier in the year to Trebatius), but Caesar had supposedly imposed ‘tribute’ on Cassivellaunus, ruler of the Catuvellauni, the supreme commander at the time of Caesar’s second expedition. There were in fact no territorial gains from either expedition, and no garrisoning force was left behind, and it is hardly likely that any of the tribute imposed was paid. Actual conquest only began in AD 43 in the reign of the emperor Claudius.

Caesar had had to return from Britain to counter possible revolts in Gaul, and by December 54 there were rumours of a catastrophe. For once, Caesar did not return to Cisalpine Gaul over the winter, but continued fighting in the north, where the Eburones, under their leader Ambiorix, had attacked his winter camps, one of which he had lost, together with an entire legion commanded by L. Aurelius Cotta, Caesar’s worst defeat in Gaul to date. In November 54 Marcus wrote to Quintus (Cic. *Quint.* 3.6.1: doc. 12.88) who had clearly been complaining to his brother, and others, about serving in Gaul (in an earlier letter Marcus had commented on Quintus having completed the composition of four tragedies in 16 days, so he still had had time for literary pursuits). Quintus had been engaged against the Nervii in the uprising of 54/3 (in 53 he lost two cohorts against Ambiorix). Cicero himself, muzzled by the agreement at Luca and Quintus’ and Pompey’s promises on his behalf, had been consoling himself with writing, when not reluctantly conducting legal defences of the triumvirs’ friends and supporters. He reminded Quintus in no uncertain terms why Quintus was in Gaul in the first place: to win the support of ‘a great and extremely powerful man’ to ensure the brothers’ political standing, as they were not (like others, presumably) in search of money, but of political capital. Quintus must, therefore, just put up with the ‘military labours and other annoyances’ and keep his mind on the real advantages of serving with Caesar and what they hoped to gain from his patronage.

Mamurra, the praefectus fabrum

Caesar’s victories aroused envy and hostility at Rome, and not only Caesar himself, but his legates and associates were vilified by his opponents and other interested parties. A particular target was Mamurra, who was now Caesar’s praefectus fabrum (chief engineer or contractor) in Gaul. He was the target of some of the poet Catullus’ most searing invective (Cat. 29, 57: doc. 12.89): another object of attack was Vatinius (Cat. 52). C. Valerius Catullus, from an equestrian family at Verona, was one of the Republic’s most outstanding elegiac poets, despite his early death at the age of 30 years, probably between 52 and 50. His father frequently acted as host to Caesar while Caesar was proconsul in Gaul and wintering at Verona. Catullus was an unashamed satirist of Roman politicians and their hangers-on in the 50s, and noted



Figure 12.5 A gold coin of the Parisii in northern Gaul, from the end of the second century BC, depicting a head and a stylised horse on the reverse. The Parisii joined Vercingetorix in 52 (Caes. BG 7.4) and the city of Paris was named for them.

Source: Photo courtesy of The Metropolitan Museum of Art (accession no. 17.191.121), Gift of J. Pierpont Morgan, 1917

for his unrestrained invective. Lesbia, the subject of many of his love poems, may have been Clodia, one of the sisters of Clodius, wife of Q. Caecilius Metellus Celer (Cat. 7: doc. 7.47).

Mamurra (possibly M. Vitruvius Mamurra), an equestrian from Formiae, served as praefectus fabrum with Pompey c. 66 against Mithridates, and then with Caesar, first in Spain in 61 and then in Gaul. He may have been responsible for the bridge over the Rhine constructed in 55 and the circumvallation of Alesia in 52. He had made enormous profits from his military service and the extravagance of his house on the Caelian hill in Rome (with its marble veneer and solid marble columns) was considered scandalous (Pliny 36.48). In poem 29 Catullus portrays Mamurra as a profiteer from warfare, and as having squandered three patrimonies (his own, one from Pontus, and one from Spain), who was now making inroads into Gaul and Britain. He also attacks Caesar ('Romulus') and Pompey as father and son-in-law who in supporting Mamurra have 'ruined the entire world'. Cicero, in a letter to Atticus from Formiae in December 50 (Att. 7.7: doc. 13.20), as part of his complaints about the current

political climate includes a disapproving comment on the fortunes amassed by Caesar's protégés: 'the wealth of Labienus and Mamurra and Balbus' gardens and estate at Tusculum'.

Catullus attacks Mamurra's womanising and profligate lifestyle (he calls him *mentula*, or 'prick' in several poems) and is unflattering to Ameana, mistress of 'the bankrupt of Formiae' (Cat. 41, 43: doc. 7.49), who is presumably Mamurra. In poem 57 he also accuses Caesar and Mamurra of having a homosexual relationship and of both being 'pathics' or sodomites, who rival young girls in their affairs with adult men. Caesar was the subject of jokes about his bisexuality throughout his career and this rumour of a liaison with Mamurra, however unlikely, must have stung, but, when Catullus apologised, Caesar invited him to dinner (Suet. *Jul.* 73). Mamurra may also (Cat. 105) have had literary pretensions.

Caesar on Britain

Caesar's description of Britain has long intrigued scholars, and in a tantalising passage Caesar gives his own observations of Britain for his Roman readership (Caes. *BG* 5.12.1–6, 14.1–5: doc. 12.90). Originally known as Albion, Britannia or Pretannia was a term used by the first century BC: the island had been known to the Greeks and Romans from at least the third century BC, especially as a source of tin. Pytheas, a Greek geographer from Massalia, circumnavigated and explored Britain c. 325. Caesar is probably drawing on his work, as well as on personal observation. From the late second century BC there were close trading contacts with Transalpine Gaul (Italian amphorae have also been found), and the tribes of the south-east used imported Gallo-Belgic coinage or minted their own (Figure 12.5). The links between Britain and Gaul, like the expeditions of the Belgae to Britain to which Caesar refers, were one of the main reasons for his expeditions in 55 and 54, seeing Britain as a threat to the stability of Gaul.

Prior to Caesar's invasions the interior of Britain was mostly unknown, with the most important kingdoms being those of the Trinovantes, Catuvellauni, and Atrebates. Britain possessed mineral resources such as lead, iron, copper, gold, and tin, though Cicero stated in a letter to Trebatius that he had heard that there was no gold or silver (*Fam.* 7.7.1), and was relatively sophisticated agriculturally. Strabo in the early first century AD recorded Britain's main exports as grain, cattle, gold and silver, iron, hides, slaves, and hunting dogs (2.5.8, 4.5.1–3). In describing the south-eastern region, Kent, Essex, and the lower Thames, the only areas he encountered personally, Caesar comments on the large number of cattle, which were used as a source of wealth, stating that the inhabitants lived on meat and milk rather than grain. He also describes the use of two-man horse-drawn chariots in battle (as shown on a denarius of 48: Figure 12.6), and woad, a blue dye used as war-paint, which gave the warriors a frightful appearance in battle; both of these were unknown to his Roman readership.

There are some inaccuracies in Caesar's account: following Pytheas' geography, Caesar describes the island as triangular, with one of its sides opposite to Gaul, and with the western side facing Spain. Tin is actually found in the south-west of the country, not the midlands, and historians have been puzzled as to why Caesar specifically remarks the absence of beech trees (perhaps '*fagus*', the term used by Caesar, does not correspond exactly with the English beech). That women are described as



Figure 12.6 A denarius issued by L. Hostilius Saserna in 48 BC, with the head of a Gallic chieftain (possibly Vercingetorix) on the obverse, and two warriors in a galloping biga. The chieftain is shown with long hair floating backwards and a pointed beard, with a chain around his neck and a Gallic shield behind. The reverse shows two warriors in a two-horse chariot, one driving holding a whip and reins, the other facing backwards with a shield in his left hand and brandishing a spear in his right. Caesar (*BG* 4.33) describes the warriors of the British tribes as dismounting to fight on foot, and being able to run along the pole and stand on the yoke while the chariot was in motion.

Source: Courtesy of Classical Numismatic Group

polyandrous, with multiple husbands, has also confused scholars as this contradicts other evidence, but might have been at attempt to highlight the barbarian characteristics and un-Roman lifestyle of the Britons.

Vercingetorix

The account of the revolt led by Vercingetorix is perhaps the most gripping episode in Caesar's *Gallic War* (7.1.1–8, 3.1–4.2: doc. 12.91; Figures 12.5–12.6). In general, Caesar's campaigns had been against a disunited Gaul, which he and his legates tackled region by region, but at the beginning of 52 the Gauls united in one great rebellion against the Romans, led by Vercingetorix, ruler of the Arverni and leader of a coalition joined by nearly all the Gallic peoples. His father Celillus had been considered the first man (*princeps*) of Gaul by the Romans, and was murdered for attempting to become king. As Caesar notes, one of the contributing factors in this revolt was the fate of Acco, chief of the Suessiones, who had been executed by Caesar in the traditional Roman way (flogging to death) as the ringleader of the revolt in 53 (*BG* 6.4, 6.44). After various closely fought encounters, including Caesar's capture of Avaricum (the main town of the Bituriges) and his massacre of its inhabitants (despite which the pro-Roman Aedui defected to Vercingetorix), Caesar besieged Vercingetorix and his 80,000 men in Alesia. He in turn was encircled by a besieging Gallic force, and had to construct two walls, one around Alesia, and one on the outside of his position against

the Gauls who had surrounded him. Their attack failed and Alesia was starved out and capitulated. Vercingetorix surrendered personally to Caesar, and was imprisoned at Rome until his appearance in Caesar's triumph six years later, after which he was executed (Suet. *Jul.* 37–39: doc. 2.35). A 20-day supplicatio was decreed by the senate. Even then Caesar still had to fight some last battles. It was against the Bellovaci in the north-west that the last real warfare took place, followed by a final battle in the south-west of Gaul at Uxellodunum in 51, where after its surrender, he cut off the hands of the defenders (*BG* 8.1–48; *BG* 8 was the continuation of Caesar's *Gallic War* by his legate Hirtius). By 51, despite some minor pockets of resistance, Gaul was pacified and subdued and 'Gallia comata' (long-haired Gaul) became a province. Caesar, while organising the administrative arrangements of the region, now had leisure to turn his attention more closely to the increasingly ominous political currents at Rome.

Further reading for this chapter

- (This supplements the reading lists in Dillon and Garland, *Ancient Rome: Social and Historical Documents from the Early Republic to the Death of Augustus*, 2015.)
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Chapter 13

The civil war and Caesar's dictatorship

Anarchy in Rome, 53–52 BC

Bribery and corruption were endemic in the consular elections for 53, with all four candidates prosecuted for electoral bribery. The situation in Rome had been so unstable that the elections for 53 did not take place until the middle of 53 itself, when Pompey returned to Rome in July. To resolve the situation he was offered a dictatorship, but he turned it down (Cicero considered the dictatorship a possibility as early as November 54: *Quint.* 3.6.4, 6). Pompey presided over the elections, and Cn. Domitius Calvinus and M. Valerius Messella Rufus were finally successful. Three of the candidates up for election for the consulship of 52 then orchestrated riots and disturbances for the remainder of the year: Q. Caecilius Metellus Pius Scipio, T. Annus Milo, and P. Plautius Hypsaeus. In addition, Clodius, who had the support of Pompey and the plebs, was standing for the praetorship, with a programme of popularis legislation already well in preparation. In the hope of election as consul, Milo had spent huge sums on games and spectacles in 53 to win the popular vote, squandering three patrimonies in so doing (Cic. *Mil.* 95; Asc. 31), but Clodius and Pompey supported Milo's two rivals. With both Clodius and Milo employing the services of gangs and gladiators, unprecedented levels of bribery, rioting, and bloodshed continued throughout the year, with no magistrates elected at the beginning of 52 (Dio 40.46.3). Calls for Pompey to assume the dictatorship became more urgent.

The murder of Clodius

The new year commenced with an interregnum, with senators nominated in turn as the interrex for five-day periods until elections could take place. But on 18 January the peace was shattered when Clodius' corpse was transported to Rome, after an encounter with Milo on the Appian Way. Milo, who was travelling to his home-town of Lanuvium with his wife Fausta and his entourage to fulfil municipal duties there (the appointment of a flamen), was accompanied by slaves and gladiators. These well outnumbered the 30 or so lightly armed slaves with Clodius, who was returning to Rome after addressing officials at Aricia. A brawl broke out between two gladiators in Milo's team, Eudamus and Birra, and Clodius' slaves, and Clodius was wounded when Birra threw a spear through his shoulder. He was taken to a nearby inn at Bovillae, but dragged out and murdered on Milo's instructions, who thought it more risky to leave him alive (Asc. 30–36: doc. 13.1).

Clodius' body was taken to his house in Rome, where his wife Fulvia pointed out his wounds to the onlookers who gathered to pay their respects. On the following day, the tribunes T. Munatius Plancus and Q. Pompeius Rufus urged the mob to carry the corpse to the forum, where it was placed in state on the rostra, while they harangued the crowd whipping up fury against Milo and his senatorial friends, including Cicero. Clodius' body was then taken to the senate house, where under the direction of his secretary Sex. Cloelius it was cremated, with the building itself destroyed by fire (the neighbouring basilica Porcia was also damaged). The house of the interrex, M. Aemilius Lepidus, was attacked (he was trapped there for five days: Cic. *Mil.* 13), as was that of Milo. The senatus consultum ultimum was passed by the senate, entrusting Rome's safety to the interrex, the tribunes, and Pompey, who still possessed proconsular imperium, while troops were to be levied throughout Italy (Asc. 34). Meanwhile, the tribunes Munatius Plancus, Pompeius Rufus, and C. Sallustius Crispus (the historian Sallust) continued to inflame the passions of the crowd by daily public meetings.

Pompey as sole consul, 52 bc

Milo continued his candidature for the consulship, distributing 1,000 asses to every citizen voter (Asc. 33). Calls for Pompey to be named dictator were countered by the tribunes' proposal for him instead to become consul, with Caesar as his colleague: both suggestions were distasteful to the senate. The disaster suffered by Crassus at Carrhae and Caesar's recent reverses in Gaul added to the general concern, and the crisis was resolved after considerable debate by his being elected sole consul. The proposal was made in the senate by Bibulus, with the support of Cato, the elections taking place on the 24th of the intercalary month before March when Ser. Sulpicius Rufus was interrex. The provision was included that he could choose someone appropriate to join him after two months.

Pompey immediately brought in legislation to impose order in Rome, as well as to curb electoral bribery (Asc. 36). Caesar's long-term opponent, L. Domitius Ahenobarbus (cos. 54), who had threatened to prosecute him as soon as his command terminated, was put in charge of presiding over the ensuing trials. Caesar may also have been concerned at the fact that, having turned down the chance to marry Caesar's great-niece Octavia, Pompey had now arranged to marry Cornelia, widow of Publius Crassus and daughter of Q. Caecilius Metellus Pius Scipio, the son of P. Scipio Nasica and adopted son of Q. Metellus Pius and a candidate for the consulship of 52, who was currently under investigation for misconduct leading up to the elections. The case was dropped when Pompey chose him as his consular colleague in July (Plut. *Pomp.* 55.1–5).

The increasing violence in Rome between the rival gangs of Clodius and Milo (and those of the other candidates for the consulship), the murder of Clodius on the Appian Way on 18 January, and the subsequent riots in the city had led directly to Pompey's election as sole consul for 52 at the suggestion of the optimates. This was the first real breach in his relationship with Caesar, and Pompey's marriage to Cornelia and nomination of her father as his consular colleague further widened the division between the two. The senators had no wish for Pompey to be made dictator, or to see him as consul in tandem with Caesar, and so had taken the opportunity to draw Pompey into their orbit by creating the unprecedented position of sole consul. This had the advantage

of pre-empting any similar action by the populace or tribunes, and was proposed by Bibulus, who was one of Caesar's bitterest enemies (Dio 40.50.3–5; doc. 13.3). Cato made it clear that his approval of Pompey's election as sole consul was not an endorsement of Pompey personally: his agreement was based on the fact that 'he preferred any government to no government, and thought that Pompey would govern better than anyone else in times of such chaos' (Plut. *Pomp.* 54.5–9; doc. 13.4). On the other hand, he made it clear that part of his own agenda, if elected consul for 51, would be to recall Caesar and make him stand trial for his actions during his consulship in 59.

Pompey's legislation

In this, his third consulship, Pompey positioned himself as the champion of law and order, though he deliberately influenced the outcome of the trial of his father-in-law Metellus Pius Scipio, and tried to influence that of the tribune Munatius Plancus (Plut. *Cato Min.* 48.4–5). Three days into his consulship, according to Asconius (36), Pompey had introduced two laws, one on violence (*de vi*), which mentioned the murder on the Appian Way, destruction of the senate house, and the attack on the house of Lepidus, and another on electoral bribery (*de ambitu*). The *lex Pompeia de ambitu* was a retrospective piece of legislation, covering events back to Pompey's first consulship in 70. This led Caesar's supporters to be suspicious that Caesar was being targeted (App. 2.87–88). As a result of the first law, the *lex Pompeia de vi*, Milo was charged with murder and related offences on 26 March, and tried on 4–7 April. The outcome was already clear, as Pompey had previously declared that he would not support him. He had refused to grant Milo an interview on 22 January, and remained at home heavily guarded, and dismissed a senate meeting, fearing that Milo might be present (Asc. 36).

In the prosecution for violence in April 52, Milo was defended by Cicero and the optimate M. Claudius Marcellus (cos. 51), and prosecuted by Mark Antony and App. Claudius Pulcher, Clodius' brother. Clodius' wife Fulvia was amongst those called as witnesses: she had done her part to inflame the crowd when Clodius' body had been brought into the forum and won the sympathy of the crowd in court. She would later marry Mark Antony as her third husband. In this trial for violence Milo was convicted and condemned to exile, while under Pompey's second law, the *lex Pompeia de ambitu*, he was convicted for offences in the consular campaign for 52: his debts amounted to 70 million sesterces (Pliny 36.104). Laws about violence and bribery existed already (Milo was prosecuted under both the existing laws and the new ones), but Pompey's laws provided for quicker procedures and harsher penalties. Milo was convicted again under the *lex Licinia de sodaliciis*, passed by Crassus in 55 banning illegal associations, and again convicted (this time in *absentia*) for Clodius' murder.

Pompey had soldiers posted in the forum to intimidate the witnesses for the defence and jurors, and the outcome of Milo's trial was not in doubt. Cicero's defence was weak, and he later wrote up the speech that he wished he had given on Milo's behalf (Dio 40.54.1–2; doc. 13.5). He sent this version to Milo in his exile, to which Milo sarcastically replied that, if Cicero had delivered it, he would not now be enjoying the sea-food at Massilia (Dio 40.54.3).

Milo's two competitors for the consulship of 52 were also prosecuted under Pompey's laws. Hypsaeus had been Pompey's quaestor in the East, but he was now

abandoned by him despite a personal appeal, and was condemned for bribery (*Plut. Pomp.* 55.10–11). The trial of Metellus Scipio, Pompey's erstwhile father-in-law, was aborted when Pompey called the jurors to his house and asked for their support: the prosecutor abandoned the case when he saw the defendant escorted in the forum by the jurors. Pompey was able to influence Metellus Scipio's case, but others were not so lucky. The tribune Munatius Plancus, who had orchestrated the riots over Clodius' corpse, was prosecuted at the end of his year of office by Cicero and convicted, as was his colleague Pompeius Rufus. Pompey attempted to interfere in Plancus' case by delivering an encomium on him in court, but this was prevented by Cato, one of the jurors (*Plut. Cato Min.* 48.9–10).

Pompey now appointed Metellus Scipio as his consular colleague for the remainder of the year. His career to date had not been outstanding, although he had assisted Cicero in the Catilinarian conspiracy and must have held the praetorship in 56 or 55. For the senate, he was a sound choice and the optimates were well-pleased with the aims of Pompey's legislation and the outcomes of the trials, while they hoped they were successfully driving a wedge between Pompey and Caesar, of whom they were still jealous and bitter about his high-handedness during his consulship. His allocation of the ager Campanus, five-year provincial command, and total disregard for Bibulus as his colleague had alienated even the moderates. To have Pompey behaving in a manner which they saw as constitutional ('Pompey swiftly helped the state recover from its illness'), without annoying or offending them during this consulship, was seen as a great triumph by the senate (App. 2.95: doc. 13.6). This acceptance, partial though it was, went to Pompey's head. As part of their attempt to keep Pompey a committed member of the elite, he was granted a five-year extension of his command in Spain, which he continued to govern through legates. This command was presumably intended to terminate in mid-47, considerably after the end of Caesar's command in Gaul.

While the tribunes for 52 had proposed that Pompey and Caesar share the consulship in that year, Caesar preferred the option of standing in absentia ('in his absence') for a later consulship. In 52 he was occupied with the revolt of Vercingetorix, while there was still much to do in terms of the pacification and organisation of the new territory: in any case, his second consulship would not actually be legal until 48. To accommodate Caesar's wishes, all ten tribunes proposed a law allowing him to stand in absentia at some later date, which Pompey supported, though it was opposed by Cato and the other optimates (App. 2.96–97: doc. 13.7).

Soon afterwards, Pompey had a related law passed, laying down that candidates for office had to announce their candidature for election (their *professio*) in person in Rome, which appears to have contradicted or overridden the earlier law by banning candidature in absentia. Caesar's friends at Rome were angry at this development, but Pompey formally exempted Caesar from it. He may have seen the tribunician law as qualifying his own later one, with no attack on Caesar intended, as the tribunician law had had his support. However, many of those exiled under Pompey's legislation had joined Caesar and warned him to beware of Pompey, as the law on bribery had been particularly aimed at him. It must have been obvious to them all that the optimates were anxious to terminate Caesar's command in order to prosecute him under both of Pompey's laws.

As Caesar would be eligible to stand for a consulship for 48, he needed his command to run to the middle of 49, when he could stand in absentia for the consular



Figure 13.1 The curia Julia in the Roman forum. This meeting-place of the senate was begun by Caesar in 44 BC and completed by Octavian in 29 (Figure 13.9). The interior had three steps for the senators' seats on either side of the hall, and a speaker's podium opposite the door. The early curia Hostilia (attributed to Tullus Hostilius, third king of Rome), which had been enlarged by Sulla, had been burnt down in the riots of 52 and rebuilt by Faustus Cornelius Sulla.

Source: Photograph © sailko via Wikimedia Commons

elections. As consul-elect he would be immune from prosecution by his enemies such as Cato or Cato's brother-in-law Domitius Ahenobarbus. It was therefore important for Caesar that his command in Gaul, or at least in one of his three provinces, stayed in force until the consular elections in 49. M. Claudius Marcellus, however, the consul who was to succeed Pompey in 51, was adamantly opposed to any extension of Caesar's command, and when this was reported to Caesar he apparently threatened

to use force in order to achieve the extension (App. 2.97: doc. 13.7). Caesar expected that any senatorial legislation on his replacement would be stalled by tribunician veto, although he must have been concerned at Pompey's rapprochement with the optimates and what this implied for his own position. One cause of contention was that there was no clear date for the termination of Caesar's command, as in practice a governor stepped down at the arrival of his successor.

A further factor which affected Caesar was that the senate in 53 had decreed that there should be a five-year gap between holding the consulship or praetorship and taking up a provincial command. Pompey now had this made into law (the *lex Pompeia de provinciis*). This was to ensure that there was adequate time for prosecutions for bribery or violence committed by candidates for office between the end of their magistracy and their departure for their province, a period in which they would not possess imperium. Until five years had elapsed, and the magistrates currently in office could take up their commands, governors were to be chosen by lot from ex-consuls and praetors who had not previously held a province. This meant that ex-magistrates such as Cicero and Bibulus were called on immediately to be governors for 51: Cicero was selected as governor of Cilicia, and left Rome in May 51 to take up his post. This legislation did not apply to Pompey, as his new five-year command in Spain was to commence immediately. It would, however, apply to Caesar after the end of his next consulship.

The lead-up to civil war

Growing hostility to Caesar

The successful candidates for the consulship of 51 were M. Claudius Marcellus and the jurist Ser. Sulpicius Rufus. In elections that were remarkably untainted by bribery (Pompey's legislation proved to have been effective), M. Porcius Cato failed to be elected. Marcellus was a strong anti-Caesarian and had announced that he would be raising the question of superseding Caesar, even though the conquest of Gaul, with the revolt of the Bellovaci and the on-going subjugation of the Eburones, was not yet completed. As consuls in the years 51, 50, and 49 there were to be three Claudi Marcelli, all inexorably opposed to Caesar (Marcus in 51, his cousin Gaius in 50, and Marcus' brother Gaius in 49). M. Marcellus now argued that a successor needed to be appointed before Caesar's command expired, and spoke strongly against Caesar being allowed to stand for a second consulship in absentia. He also maintained that the additional clause exempting Caesar from Pompey's decree requiring candidates for the consulship to submit their candidature in person was not valid, as it had been added by Pompey and was not part of the original decree. Tribunes vetoed Marcellus' proposals on Caesar's behalf, while the other consul, Sulpicius Rufus, supported Caesar's interests against Marcellus.

The situation became more heated when Marcellus ordered the flogging of a Transpadane Gaul, a decurion from the colony with Latin rights founded by Caesar at Novum Comum (modern Como). It was not legal to flog Roman citizens (as a magistrate of a Latin colony the decurion possessed Roman citizenship), and Marcellus' actions challenged the validity of Vatinus' law granting Latin status to Comum and by implication that of Caesar's provincial command itself awarded by the *lex Vatinia*.

As Cicero wrote to Atticus on 6 July, the insult should also have annoyed ‘our friend’, Pompey, who was patron of the Transpadane Gauls (Cic. *Att.* 5.11.2: doc. 13.8). Marcellus also instructed the man to take his blows and show them to Caesar, turning the incident into a specific warning of future attacks on Caesar himself (App. 2.98–100: doc. 13.9).

Caesar must also have been concerned when C. Claudius Marcellus, M. Marcellus’ cousin was successful in the consular elections for 50. C. Marcellus had personal reasons for opposing Caesar, as he was married to his great-niece Octavia, whom Caesar had wanted to divorce from Marcellus and marry to Pompey after Julia’s death in 54. L. Aemilius Lepidus Paullus was the other successful candidate, to whom Caesar had loaned 1,500 talents (9 million denarii) for the construction of his basilica, the basilica Aemilia (or basilica Paulli) in the Roman forum (App. 2.100: doc. 13.9): Paullus therefore would support Caesar’s position. C. Scribonius Curio, who had opposed the triumvirs publicly in 59, would be one of the tribunes and was something of a wild card, but the fact that he had married Fulvia, Clodius’ widow, suggested that he would pursue a popularis agenda. In the event, as Curio, like so many young aristocrats with political aspirations, was also heavily in debt, Caesar was able to buy his loyalty, at a cost of even more than he had outlaid on Paullus. With this tribune and a consul on his side, Caesar hoped that he would be able to delay debate on his replacement and eventually make use of the law of 52 allowing him to stand for election in absentia without laying down his provincial command.

The debate on Caesar’s command, 51 BC

Following the consular elections for 50, the senate met in the temple of Apollo on the Campus Martius so that Pompey could be present. Cicero was now in Cilicia, and on 1 August 51 M. Caelius Rufus (tr. pl. 52), one of his regular correspondents, sent him an account of the discussions. The matters raised included payment for Pompey’s troops, and the question of the legion, lent by Pompey to Caesar in 53 (Caes. *BG* 6.1) – which commander it actually belonged to and how long it should stay in Gaul. Pompey’s response was that he would demand the legion back, but not immediately (Caelius in [Cic.] *Fam.* 8.4: doc. 13.10). Then the question of Caesar’s replacement as governor of Gaul was brought up. Pompey was on the point of joining his army at Ariminum, but it was agreed that the issue should be discussed immediately after his return – on 13 August, Caelius estimated, and in his view a decision would be reached, unless the matter was ‘disgracefully’ vetoed by Caesar’s supporters. Caelius mischievously noted that he would look forward to Paullus’ views, who as consul-elect would speak first: as a Caesarian, known to be in Caesar’s pocket and promoting Caesar’s agenda, Paullus would be in a difficult position when asked to lead the discussion.

The foreshadowed senate meeting finally took place on 29 September with Pompey in attendance. M. Marcellus, as he had threatened, brought up the question of Caesar’s replacement. The *Gallic War* gives the Caesarian view that the motion was brought prematurely in contravention of the lex Licinia Pompeia in 55, which had extended Caesar’s command by another five-year term. According to Caesar, the extension ran from the conclusion of the first tenure at the end of 54 into the second half of 49; Marcellus, on the other hand, appears to have considered that the second period of command began when it was granted early in 55 and terminated at the end of 51 or early

in 50 ([Caes.] *BG* 8.53.1–2: doc. 13.11). When a division was called for, the majority voted that Caesar should not be replaced, though it was clear that Pompey was in favour of new proconsuls being dispatched to the Gallic provinces in March 50: earlier, on 2 September 51, Caelius had written to Cicero that Pompey was openly against Caesar being elected consul while retaining his province and army (*Fam.* 8.9.5). If Caesar were replaced early in 50, he would have had to lay down his command before the elections of 50 for 49, which would normally take place in July. This would put him in an untenable position, as he would then be a private citizen until he could stand in 49 for the consulship of 48. The decision of the senate was that the consuls of 50 were to bring the matter of Caesar's command to the senate on 1 March and that no other issue would be discussed until this was resolved. This was not vetoed, though a further motion, that no one with the power of veto would be able to prevent the discussion, was vetoed by four tribunes (Caelius in [Cic.] *Fam.* 8.8: doc. 13.12).

Pompey made it clear that after 1 March 50 he would have no hesitation in making a decision regarding Caesar's command, while more informal remarks of his suggested that it would make no difference if Caesar refused to follow senatorial instructions or if a veto was imposed. When asked what would happen if Caesar wanted to keep his army while a candidate for election ('while consul': *Fam.* 8.8.9), he is said to have replied, 'What if my son wants to take his stick to me?' – a response implying that, however illegally Caesar behaved, Pompey would be able to handle him, and that if Caesar did insist on retaining his command he would be behaving badly. The general impression, however, was that Pompey 'was having trouble with Caesar' (*Fam.* 8.8.9), the first real indication of a rift between the pair.

Problems with Parthia

With the question of Caesar's replacement in abeyance until the beginning of March 50, attention turned to a Parthian threat against Syria. In September 51 a Parthian army had crossed the Euphrates at Zeugma and was threatening the provinces of Syria and Cilicia. Cicero had just reached Cilicia, and Bibulus was travelling to Syria, currently still held by Crassus' quaestor C. Cassius Longinus. Neither of the new governors inspired much confidence back at Rome. Caelius on 17 November described to Cicero some of the solutions proposed: Pompey should be sent to take command; Pompey should stay in Rome; Caesar should be sent; the consuls should go. No one was willing to consider the possibility of private citizens being dispatched. Paullus, as consul in 51, was quite unjustifiably hoping for a province in view of the mandated five-year delay following the consulship, but was being opposed by the tribune-elect Furnius. The consuls were concerned that someone might be chosen other than themselves, and were unwilling to hold meetings of the senate where this might happen, although pretending that they did not really want commands. Government was therefore nearly at a standstill ([Cic.] *Fam.* 8.10.2–3: doc. 13.13). Even though Pompey must have wanted the command, for the moment any conflict with the Parthians was left to Cicero and Bibulus as the regular governors of the provinces under threat.

Two legions were now demanded from Pompey and Caesar's troops, one apiece, to serve against the Parthians, but were not dispatched to the East. Pompey nominated the legion he had lent Caesar in 53, and so Caesar ended up providing both legions, which in late 50 were incorporated into Pompey's forces. If a Parthian war was not

going to dominate affairs in the first months of 50, Caelius anticipated action from Curio as tribune in the New Year (*Fam.* 8.10.3). Curio was still seen by Caelius as ‘sound’ and as an opponent of Caesar: he had not as yet openly declared himself as one of Caesar’s supporters.

The events of 50 BC

C. Scribonius Curio ‘the Younger’

From Caelius’ letters it is clear that attention was focussed on the tribune-elect Curio. He was expected to be one of the leading opponents of Caesar, and, after his opposition to the triumvirate in 59, the optimates were hopeful that he would be their champion over the question of Caesar’s Gallic command. In fact, he was now serving Caesar’s interests, though for the time being he disguised this change of allegiance.

The debate about consular provinces, due to take place on 1 March 50, was put off, presumably by Paullus who was the presiding consul in that month. Caelius in February 50 made fun of the ‘industrious’ consuls who, to date, had not managed to get a single decree through the senate except regarding the date of the Latin festival (Caelius in [Cic.] *Fam.* 8.6.3–5: doc. 13.14). Legislation was dominated by Curio, who early in 50 put forward a popularis programme, which included a measure relating to the ager Campanus, apparently involving the purchase of land from existing occupants, for which the money was to be raised through a tax on slave owners. He also wanted to dispossess King Juba of Mauretania to find additional land for settlement in Africa. He began supporting Caesar openly in February 50, when the pontifices refused his request for a month to be intercalated: this sensible move would have corrected the calendar which was badly out of synchronisation with the seasons, but would also have allowed more time for his legislation to be put forward before the question of Caesar’s Gallic command came up for debate on 1 March. After this opposition, Curio brought in two further bills on road-building and grain distribution and championed Caesar’s cause in his speeches to the people. His measures might from the beginning have had Caesar’s interests in mind: the ager Campanus could have been used to settle Caesar’s veterans, and the road bill (‘rather like Rullus’ agrarian bill’: Caelius in [Cic.] *Fam.* 8.6.5) included a five-year commission on which Caesar could have served, immune from prosecution, while awaiting election to the consulship.

Further debate on Caesar’s command, 50 BC

Discussion of Caesar’s replacement was resumed when C. Claudius Marcellus was presiding in April; Paullus stayed silent in the debate, indicating his opposition. Curio suggested that both Caesar and Pompey should lay down their arms and that Pompey should give up his provinces and army like Caesar. This proposal for joint disarmament was considered unfair by many senators, as Pompey’s term lasted until mid-47. Curio doubled down on his suggestion, stating that, as Caesar and Pompey were suspicious of each other, Rome would know no peace until they both became private citizens (App. 2.103–105: doc. 13.15). He was aware that Pompey had no intention of laying down his command, and hoped to increase Pompey’s unpopularity with the

people, who were unhappy with him over his prosecutions for bribery which impacted on the conduct of elections.

In April 50, Caelius again wrote to Cicero about the only issue under debate, ‘the provinces’, informing him that Pompey was agreeing with the senate that Caesar should terminate his command on 13 November 50, while Curio had put aside the rest of his legislative programme to uphold Caesar’s cause (Caelius in [Cic.] *Fam.* 8.11.3: doc. 13.16). The optimates (‘our friends, whom you know well’) were reluctant to take the issue to the point of outright conflict, and Pompey was pretending not to be attacking Caesar, but to be acting reasonably in agreeing that 13 November should be the deadline. Curio was doing his best to attack Pompey, even over his actions as sole consul in 52, and, in Caelius’ opinion, the optimates would not have the backbone to take matters to their logical conclusion. As 48 was technically the first year in which Caesar could hold his next consulship, it appears that Pompey was trying to ensure that Caesar would have to lay down his imperium before standing at the elections in 49 for 48.

The consuls for 49 were unlikely to be favourable to Caesar. C. Claudius Marcellus (brother of the consul of 51) was elected alongside L. Cornelius Lentulus Crus, the main prosecutor of Clodius over the profanation of the Bona Dea rites in 61. Caesar’s candidate, Ser. Sulpicius Galba, was defeated, although Mark Antony was elected tribune. Censors had also been elected for 50: App. Claudius Pulcher (cos. 54), Clodius’ brother, and L. Calpurnius Piso Caesoninus (cos. 58), Caesar’s father-in-law. Appius expelled senators for a variety of reasons, including the possession of art collections, and attempted to expel Curio. The senators who were unseated went to join Caesar.

The situation polarised further when Pompey fell ill in Campania. His recovery was spontaneously celebrated throughout Italy, where he was seen as the only hope for peace and security (App. 2.107–111: doc. 13.17). This encouraged him to see himself as universally beloved and invincible, and Plutarch records an anecdote in which Pompey boasted that, if Caesar marched on the city, ‘in whatever part of Italy I stamp my foot on the ground, armies of infantry and cavalry will spring up’ (Plut. *Pomp.* 57.9). While sick, he had written to the senate stating, somewhat disingenuously, that he was willing to lay his command down without waiting for the date of termination. This helped to further prejudice the senators against Caesar, who appeared unwilling to lay down his command even when it was due to expire.

Once back in the city, Pompey repeated his assurances, promising on Caesar’s behalf, as his friend and relative, that he would give up his command, in the hope that the senate would assign successors to Caesar’s provinces. Curio called his bluff, telling him to lay down his own command, as once he was a privatus Caesar would then disarm. Curio argued that it was unwise to have one man, Pompey, in possession of sole power: the fact that both were in control of armies was what protected Rome from violence. By trying to force Caesar’s disarmament, Pompey was aiming at tyranny and then would never lay down his command.

By early August, Caelius was forecasting the outbreak of war; peace would not last another year. Pompey was not going to allow Caesar to become consul unless he gave up his command, while Caesar was aware that dismissing his army would leave him open to the attacks of his enemies, and was pushing for both of them to disarm. In the course of a decade their ‘love-affair and scandalous alliance’, the triumvirate formed in 60, had broken out into war (Caelius in [Cic.] *Fam.* 8.14.2–4: doc. 13.18). Caelius

was unsure whom to support, and expected the same question to trouble Cicero. Senators and ‘those who sit on juries’, Pompey’s anti-corruption jurors, would be on Pompey’s side, while Caesar would attract those less happy with the status quo. Caesar’s army, however, was without parallel. Caelius foresaw that, if neither were sent to Parthia, there would be an armed struggle between two well-prepared and resolute adversaries. An entertaining show – if it could be enjoyed without personal risk!

Cicero’s return to Italy, 50 bc

Cicero landed at Brundisium on 24 November 50: he had departed for Cilicia on 1 May 51, and believed he had discharged his duties as governor superlatively. In April 50 he had written to Cato, requesting his support for a supplicatio to mark his ‘defeat’ of brigands on Mount Amanus (he had made a similar request at the end of 51 to C. Marcellus, as consul-elect for 50: Cic. *Fam.* 15.10: doc. 2.49). He was clearly angling for this as a prelude to a triumph, of which, in his letters to Atticus, he was quietly confident. The supplicatio was awarded, although Cato voted against it, even though he had supported a 20-day supplicatio for his son-in-law Bibulus for minimal achievements in his province of Syria. Cato’s response in late April explained why he was unable to support the supplicatio (Cato in [Cic.] *Fam.* 15.5: doc. 13.19). He praised the courage, integrity, and diligence Cicero had shown as a civilian in the face of the Catilinarian conspiracy, and rejoiced (sarcastically?) that Cicero had also displayed these same qualities in his role as soldier, but queried why Cicero would want to have the gods praised for his achievements rather than have himself given the credit. Cicero should be proud if the senate passed a resolution that the province had been preserved by the clemency and integrity of its governor, rather than by ‘the force of soldiers and the goodwill of the gods’ (*Fam.* 15.5.2). This made Cicero furious, especially as Caesar, writing from Ravenna, was courteous enough to write his congratulations, while making fun of Cato’s ‘most ungrateful ill-usage’ of Cicero (*Att.* 7.2.7: 25 November 50). Hearing that Bibulus had been exerting himself to get a triumph, Cicero wrote on 1 October 50 to Atticus that Bibulus had not set foot out of Antioch until every single Parthian had left Syria, reflecting the way he had remained at home during his consulship with Caesar (*Att.* 6.8.5).

Cicero arrived back in January 49: his hopes of a triumph were to be denied, but he was still pleased to be home, and on his departure for Cilicia he had asked both Hortensius and Curio to ensure that his term was not extended. He heard from Pompey en route to Rome that war was to be expected, and realised that Pompey had no desire for peace (*Att.* 7.4.2, 7.8). In mid-December he had written to Atticus that his triumph looked as if it would eventuate (unless Caesar tried something underhand through his tribunes), but that he was quite unworried about the outcome, the more so as he had heard it said that, as he had imperium, Pompey and his advisors would now send him to Sicily (Cic. *Att.* 7.7.4: doc. 13.20). If so, he stated baldly, he would enter Rome by the first gate he saw.

Cicero felt strongly that the senate was at fault in having failed to replace Caesar or muzzle Curio, but above all wanted peace. Writing to Atticus in December 50 he bemoaned the way events had turned out, but now that Caesar had 11 legions, cavalry, his Gallic provinces, popularity with the plebs, tribunician support, the backing of ‘our desperate young men’, and experience and prestige as a general, it was too

late to oppose him (*Cic. Att.* 7.7.5–7: doc. 13.20). While it was all very well to make grandiose statements about fighting being better than slavery, defeat would bring proscription, and victory would still mean slavery. Gloomily, he forecast that Caesar would follow the examples of Cinna and Sulla, with the leading men slaughtered and the wealthy plundered. His position, in so far as he had one clearly formulated, was that he supported Pompey, but that the focus should be on avoiding war at all costs.

Caesar's friends – and enemies

When the senate decided at the end of 51 that both Pompey and Caesar should give up one legion to send to Syria, Pompey had nominated the one loaned to Caesar in 53 (Legio I). Caesar had returned the legion to Pompey, along with Legio XV, in accordance with the senate's resolution ([*Caes.*] *BG* 8.54.1–55.2: doc. 13.21). These legions, however, were not needed, as the Parthian heir, Pacorus, was in conflict with his father Orodes, and they remained in Campania. Caesar was unhappy, as they had been requested under false pretences, but while this manoeuvre left no doubt about the intentions of the senate Caesar still hoped that the potential conflict could be resolved constitutionally without resorting to warfare.

Plutarch summarised the events leading up to the outbreak of war (*Pomp.* 58.1–59.2; doc. 13.22). On 1 December, it had been Curio who again put forward the suggestion that both Caesar and Pompey should resign their commands and disarm simultaneously. This was seen by many senators to be unfair to Pompey as his command had another three years to run, but it expressed the majority view in the senate. Curio's proposal had the support of Piso, Caesar's father-in-law and censor, and Mark Antony, but the consul C. Marcellus threatened to have Caesar declared a public enemy if he did not resign his command. Curio was able to force a vote on whether both should resign their commands, which won overwhelmingly, with only 22 senators dissenting (*Plut. Pomp.* 58.8). Marcellus, however, stated that he was not going to wait around for the imminent arrival of ten legions marching over the Alps, and immediately made his way to Pompey outside the city and entrusted him with the two legions stationed in Italy in order to defend Rome, together with the right to levy further troops. In this he had the backing of the consuls-elect Lentulus Crus and his cousin, the other C. Marcellus.

Appian gives a more detailed account (App. 2.112–123: doc. 13.23), reporting that when Curio proposed his motion, Marcellus as presiding consul divided it into two separate proposals: to send out successors to Caesar (which passed), and to have Pompey resign his command (which did not). The senate was suspicious of both of them, but they considered Pompey the 'better republican', while they loathed Caesar because he had been contemptuous of senatorial government while consul. Curio then reintroduced his earlier motion, that both men should disarm, which achieved an overwhelming majority in favour, 370 votes to 22; most of the senate wished to avoid civil war. Marcellus then took matters into his own hands, dismissing the senate with the cry, 'Have it your own way – with Caesar as your master!' (App. 2.119).

The rumour that Caesar was crossing the Alps and marching on the city caused panic, and Marcellus proposed that the legions at Capua should be put on a war footing. When this was opposed by Curio on the grounds that the report was false, Marcellus, on his own authority as consul and with Paullus accompanying him, went to

Pompey at his Alban villa and presented him with a sword, instructing him to march against Caesar with the army at Capua and any other troops he wished to levy. Even at this point, Pompey only agreed to undertake the commission, ‘if there were no better way’, but he had made up his mind for war (as he was to make clear to Cicero), and accepted Marcellus’ commission readily enough. Many of the recruits he raised, however, were reluctant to serve, and the prevailing wish in Italy was for a settlement (*Plut. Pomp.* 59.1–2). Curio was unsuccessful in demanding that the consuls proclaim that joining the levy was not compulsory, and as his term was coming to an end on 10 December, and his use to Caesar over, he left to join him in Cisalpine Gaul (App. 2.120–123).

The flight of the tribunes

Caesar’s dispatch to the senate

For 49, Mark Antony and Q. Cassius Longinus were to replace Curio as tribunes to oversee Caesar’s interests in Rome, taking up office on 10 December 50. Towards the end of December Antony delivered a speech criticising Pompey’s career to date, with particular emphasis on the convictions resulting from his laws as consul in 52. He represented these as a perversion of the justice system and himself as spokesman for those condemned by these laws, many of whom had joined Caesar. At this point Curio returned from Ravenna with a dispatch from Caesar to the senate and consuls, which he delivered to the meeting convened on 1 January 49 on the Capitol. Caesar expected his readership to be familiar with the contents of the dispatch, and the discussion of its reception commenced his work on the civil war (*Caes. BC* 1.1.1–5.5: doc. 13.24). The new consuls, C. Marcellus and Lentulus Cris at first refused to accept it, but it was read out at the insistence of Antony and Cassius.

After outlining his services to Rome, Caesar proposed, along the lines of the offer made by Curio, that both he and Pompey resign their commands and submit themselves to the judgement of the Roman people. Alternatively, if Pompey would not lay down arms, then neither would he, and he would defend himself by force. The tribunes were unable to pressure Lentulus as presiding consul into allowing a debate, while Lentulus flatly stated that he would accept no compromise with Caesar. Metellus Scipio, for his part, stated that Pompey (his son-in-law) would not fail the Republic if he had the support of the senate; but if they now put off asking for his assistance, it would not be forthcoming at a later date (*Caes. BC* 1.1.2–4).

Metellus Scipio appeared to be expressing the views of Pompey himself, while other views were more measured: some like M. Marcellus (cos. 51) wanted discussion to be deferred until troops had been levied throughout Italy; others like M. Calidius (praetor in 57) preferred that Pompey set out for his provinces to prevent the outbreak of hostilities. Calidius’ suggestion had some support, but Lentulus refused to put the motion, and Marcellus withdrew his proposal in response to Lentulus’ abuse. Metellus Scipio’s motion was then put to the vote, that if Caesar had not dismissed his army by a certain date (perhaps the deadline for candidature in person for the consular elections in 49), he would be declared a public enemy. The majority concurred with the proposal, ‘forced by the language of the consul, fear at the presence of the army, and the threats of Pompey’s friends, against their will and under pressure’ (*Caes. BC* 2.6).

Mark Antony and Q. Cassius vetoed the resolution, and the validity of this veto was hotly debated. The senators were then summoned outside the city to meet Pompey, who encouraged the senators in their belligerence and began enlisting his veterans and volunteers.

The *senatus consultum ultimum*, 49 BC

Events moved quickly: when Cicero, who had reached Brundisium at the end of November, arrived back in Rome on 4 January, he was unable to achieve a consensus for peace. He agreed with those who thought that Caesar should be allowed to keep one of his provinces and one or two legions until he was elected consul, and was concerned at the senatorial hostility that was inexorably dragging Rome into war: this compromise was not acceptable to the consul Lentulus and the other diehards. On 7 January, Lentulus, with the support of Cato, was able to pressure the optimates into passing the *senatus consultum ultimum*. Caesar presents this as a total overreaction to the situation, the ultimate recourse never before called upon ‘except when the city was on the point of destruction and when, through the temerity of evil-doers, everyone despaired of safety’ (*BC* 1.5.3: doc. 13.24). Antony and Cassius were warned that their sacrosanctity as tribunes might not be respected, and along with Caelius and Curio they fled to Caesar: their flight allowed Caesar a *casus belli* – the justification that the senate had violated the sacrosanctity of the tribunes in making them leave Rome. Caesar waited at Ravenna for the replies ‘to his very moderate requests, in case men’s sense of justice might be able to bring matters to a peaceful conclusion’ (*Caes. BC* 1.5.5). He felt he was being robbed of some months of his rightful command, while Pompey was motivated by pressure from Caesar’s enemies and ‘by his wish to have no one his equal in prestige’: prestige – *dignitas* – was to be the major factor on both sides in bringing about war.

Cicero’s view of Caesar’s dispatch was rather different: he calls it ‘a sharp threatening letter’, declaring that Caesar would keep his army and province against the senate’s wishes (*Cic. Fam.* 16.11: doc. 13.25). Pompey was earnestly mustering and equipping troops, but in Cicero’s view he had left it rather late to become afraid of Caesar. The state had never been in greater danger, with a leader of ‘wicked citizens’ (Caesar) poised and ready for action (*Fam.* 16.11.3).

Crossing the Rubicon

News of the decree had reached Caesar by 10 January and he made the epoch-making decision immediately to resort to arms. On the night of 10–11 January he crossed the Rubicon at the frontier of Italy (the exact location of the river is uncertain), leading Legio XIII into Italy and taking Ariminum, the first town in Italy proper. While Pompey and the senate had begun recruiting their forces, Caesar took his enemies unawares and unprepared, relying as usual on the ‘surprise caused by his speed and the terror caused by his audacity, rather than on the immensity of his preparations’ (*App.* 2.134–140: doc. 13.26). He decided to pre-empt Pompey by seizing strategic positions in Italy, with most of his legions still on the other side of the Alps under the command of Trebonius. Caesar’s much-quoted comment, ‘Let the die be cast!’, is from a play by the Greek dramatist, Menander (die is the singular of dice), and according

to Plutarch (*Pomp.* 60.4) Caesar spoke this in Greek. Appian adds that he said to his companions, 'My friends, my not crossing will bring about evils for me – my crossing will for all mankind' (App. 2.140). His *dignitas* would otherwise have been compromised and his political career been at an end, with only exile as a possible outcome. Technically, however, by bringing an army into Italy, Caesar was guilty of treason, even if his provincial command was still legally valid, and his action was a declaration of war against the state.

In the *Civil War* Caesar is at pains to justify his actions. Metellus Scipio's proposal, that he should dismiss his army, would have left him open to prosecution as a private citizen, a situation he would not countenance. He also complained (whether justly or not) that in his view he had been deprived of six months of command, and so considered that his second period of command ran from the end of 54 into 49, while the senators' insisted that 1 March 50 marked the end of the extension granted by Pompey and Crassus in January 55. He believed his own demands to be reasonable: election to the consulship in 48 after a constitutional ten-year interval (the first year he could hold a second consulship: *BC* 3.1.1: doc. 13.42). A further rationale for his decision was the defence of the constitution: he was protecting tribunician rights, while the *senatus consultum ultimum* had been passed on inadequate grounds by a narrow faction that did not represent the state as a whole.

At Ariminum Caesar received envoys from the senate, the praetor L. Roscius Fabatus and L. Julius Caesar (a relative), who also brought a private message from Pompey, that he was acting not out of personal hostility, but for the good of Rome, and that Caesar should give up 'his partisanship and grievances and not be so bitterly angry with his enemies as to harm the state in his desire to harm them' (Caes. *BC* 1.8.1–11.4: doc. 13.27). The reply he sent back to Pompey stated that:

his prestige (*dignitas*) had always been of prime importance to him, and preferable to life itself. He had been grieved that a kindness bestowed on him by the Roman people should be insultingly wrested from him by his enemies, and that he should be dragged back to the city deprived of six months of command, when the people had decreed that he could be a candidate in absentia at the next elections.

(BC 1.9.2)

His proposal of joint disarmament had been ignored, and two legions taken from him on false pretences. But he was still prepared to compromise: Pompey could go to his provinces and they would both disband their armies, after which free elections would be held, and 'the control of the whole state be entrusted to the senate and Roman people' (*BC* 1.9.5). He wanted to meet Pompey personally for a conference to discuss and swear on terms: in this way conflict could be avoided. Until Pompey's departure from Italy later in the year, Caesar continued to request a face-to-face meeting that Pompey was determined not to grant.

Pompey received Caesar's communication at Capua. His response was that Caesar should return to Gaul and disband his army. If he did so, Pompey would go to Spain. If no pledge to this effect were received, Pompey and the consuls would continue levying troops. Caesar saw this demand as unfair: only Caesar was to disarm and Pompey would keep Caesar's legions in Italy and his own provinces. Moreover Pompey was giving no indication when he would go to his province, or agreeing to arrangements

for a conference with Caesar. In consequence, Caesar then sent Antony to Arretium, held levies at Ariminum, and occupied Pisaurum, Fanum, and Ancona, each with one cohort.

To Caesar his right to stand in absentia for the consulship while retaining his Gallic command was the critical issue. Caesar's opponents had very different views of his motives: they considered that his 'defence' of the sacrosanctity of the tribunes was only an excuse, while Pompey's voiced opinion was that Caesar wanted anarchy because he had insufficient wealth to finish the public works he had undertaken. Others believed that he was afraid of standing trial: Cato had threatened him with prosecution the moment he dismissed his army, and Caesar was convinced that he would defend his case, like Milo, before jurors surrounded by armed men, with conviction the inevitable outcome (Suet. *Jul.* 30.1–4: doc. 13.28). Suetonius cited Asinius Pollio, who was on Caesar's staff, for his words when he saw the carnage after Pharsalus: 'they wanted it like this; with all my great achievements, I, Gaius Caesar, would have been condemned, if I had not looked to my army for help' (Suet. *Jul.* 30.4).

Preparations for war

Pompey had been commissioned to raise 130,000 troops in Italy, and was given control of the public treasury, but for war to arrive so quickly and at Caesar's instigation caused consternation: despite the concern expressed by C. Marcellus that ten legions would soon be marching over the Alps, no one had actually considered this a possibility. The initiative for war, it had been thought, would lie with Pompey and the senate, and conflict would begin when the senatorial forces were mustered and ready. As a result, when news arrived that Caesar controlled the via Cassia and via Flaminia, major highways to Rome, the senatorial side was caught off guard. Unable to defend Rome with his current forces, even had that been a strategic possibility, Pompey decided to abandon Rome to Caesar, and ordered the senate to join him at Capua.

Pompey's determination to leave Italy was probably wise, though it appears to have taken many, like Cicero, entirely by surprise. Cicero wrote to Atticus, probably between 21 and 23 January, of his astonishment that Pompey had abandoned Rome: 'nothing seemed more stupid'. Rome, in his view, without protection and with all its valuable resources, had been handed on a plate to Caesar, while people were disillusioned by the idea of Pompey as a 'run-away' (Cic. *Att.* 7.11.3–4, 7.13.1: doc. 13.29). Pompey was also in a position of military weakness: while he had seven legions in Spain, in Italy he only possessed three legions, including the two taken from Caesar (I and XV), whose loyalty was questionable after their service under Caesar, although he did have control of the fleet. But his withdrawal from Rome sent an unfortunate message that when he returned, he would, like Sulla, be at the head of a victorious army. Pompey had boasted in 50, after the whole of Italy had joined in thanksgiving for his recovery, that he had only to stamp his feet and troops would spring from the soil: when news reached Rome that Caesar had crossed the Rubicon, Pompey's lack of preparedness provoked criticism, and the praetor M. Favonius sarcastically asked Pompey to stamp on the ground (Plut. *Pomp.* 57.9, 60.7).

Cicero informed Tiro of Caesar's terms, proposed after the withdrawal of the senators from Rome, writing from Capua on 27 January: that Pompey go to Spain and

the senate's forces be disbanded, while he would hand over Transalpine and Cisalpine Gaul to successors (implicitly keeping control of Illyricum), and come to Rome to canvas in person for the consulship, remaining in the city for three market-days (markets were held every eight days). Of course he had no intention of laying down his imperium. The senate was prepared to consider these terms, as long as Caesar withdrew his troops from the places occupied (Ariminum, Pisaurum, Ancona, and Arretium), so a senate meeting could be held in Rome without fear of intimidation. Cicero thought this to be a dishonourable compromise, with the terms forced on the senate, but better than outright warfare (*Cic. Fam.* 16.12.2–4: doc. 13.30).

Caesar, however, felt that the senate could not be trusted, and that it would repudiate any such arrangement once his troops had been pulled back. He tried again to arrange a meeting with Pompey, but it was refused, and shortly afterwards Pompey's response was that he could not negotiate further, as the consuls had left Italy. Pompey had not been granted the overall command of the senatorial forces, even though Cato had proposed this. It is unclear whether this was because the senate thought that Pompey might still come to some arrangement with Caesar, or because the consuls were unwilling to give up their authority (or perhaps both).

Pompey had withdrawn to Brundisium, to take ship for northern Greece, and the consuls left Italy on 4 March. Shortly afterwards Caesar arrived outside the city with six legions, but Pompey was able to get away by sea on 17 March, crossing to Epirus and establishing his troops at Dyrrachium. To follow them Caesar needed naval transport, and he returned to Rome for two weeks, meeting with Cicero en route at Formiae (*Cic. Att.* 9.18: doc. 13.37). While Cicero strongly disapproved of Pompey's decision to leave Rome and then Italy, there was a precedent in Sulla's returning from the East to take over Rome. Pompey, moreover, had considerable connections and resources in the region, and he wrote to all the provinces and to client-kings and cities for their assistance (*App.* 2.152: doc. 13.31). He also had his own army in Spain, where there were seven legions ready to head for Italy when needed.

While Cicero never ceased to see Caesar as acting unconstitutionally and unreasonably, he was undecided as to how to react to this state of affairs, unsure whether he should stay in Italy or follow Pompey. On 18–19 February, writing from Cales, he shared his uncertainty with Atticus (*Cic. Att.* 8.3.1–4: doc. 13.32). After his brilliant career as consul he could hardly demean himself by staying in the city, with diminished status. But should he join Pompey? Pompey had 'done nothing which has not lacked wisdom and courage', had always acted against Cicero's advice, and now was abandoning his country: any peace terms would have been an improvement (*Att.* 8.3.3). Cicero had ships ready at Caieta and Brundisium, but news that Afranius might be on his way from Spain led him to hope that Italy might not have to be abandoned: Atticus must advise him.

A day or so later, on 20 February, Pompey wrote to Cicero ([*Cic.*] *Att.* 8.11c; doc. 13.33). He had earlier advised Cicero to join them. The consuls and army were now in Apulia and Pompey 'strongly urged' him to come to Brundisium so they could work together to bring aid and assistance to 'our afflicted country'. Cicero still temporised, being unable to make up his mind, and did not leave to join Pompey, losing the chance to sail with him to Epirus. He was then delayed by Caesar's taking control of Italy, and only made the journey to Greece in June.

Civil war

As Caesar marched south in his attempt to forestall Pompey's departure from Brundisium, he wrote c. 5 March to two of his lieutenants, C. Oppius, an eques, and his former praefectus fabrum, L. Cornelius Balbus. L. Domitius Ahenobarbus, appointed Caesar's successor in Transalpine Gaul, had made a stand at Corfinium in February against Pompey's advice, but his men forced him to surrender. Caesar released all the senators and equestrians, and recruited the soldiers into his own army. Oppius and Balbus clearly approved of this policy, and Caesar wrote to them that he had made a conscious decision to show as much clemency as possible and work towards a reconciliation with Pompey: he refused to imitate Sulla, the only person to succeed by cruelty ([Cic.] *Att.* 9.7c; doc. 13.34). Numerius Magius, one of Pompey's prefects of engineers, had fallen into his hands, and 'of course' Caesar had as usual immediately released him, hoping that he would urge Pompey to be friends with him, rather than with 'his and my bitter enemies, whose intrigues have brought Rome to its present condition' (*Att.* 9.7c.2). Caesar sent Magius to Pompey to suggest once more that they have a face-to-face meeting, but Pompey was still unwilling. Caesar's policy of clemency was in striking contrast to that of Pompey, who warned senators that those who did not join him would be considered hostes, while his camp was full of talk of proscriptions and confiscations of property (Cic. *Fam.* 7.3.1–3: doc. 13.43).

One of Cicero's problems was that, like many other aristocrats, he was in debt to Caesar, who on a number of occasions had lent him money. In an earlier letter to Atticus he computed the debt as 800,000 sesterces (*Att.* 5.5.2), and in December 50 was anxious that it be repaid, as it had 'an ugly look' to be in debt to a political opponent. It would also mean using the funds he had specifically put aside for his triumph (Cic. *Att.* 5.6.2, 7.8.5: doc. 13.35). Cicero was courted by both of the protagonists in this conflict, and Caesar was concerned to have him remain in Italy. He wrote to Cicero



Figure 13.2 A denarius issued by the Pompeian proquaestor Terentius Varro in spring 48 BC from an uncertain Greek mint, depicting a diademed bust of Jupiter Terminus, and a vertical sceptre with a dolphin and eagle. The dolphin and eagle mark Pompey's command of sea and land. MAGN PRO COS (Magnus, proconsul) is in the exergue.

Source: Courtesy of Classical Numismatic Group

en route to Brundisium, at about the same time as he corresponded with Oppius and Balbus (c. 5 March). Caesar was following his legions in haste, but found time to send Cicero a letter expressing his thanks for past services, and hoping to see him in Rome, where he could make use of Cicero's 'advice, influence, prestige and help in everything' ([Cic.] *Att.* 9.6a: doc. 13.36). The letter was delivered via C. Furnius, tribune in 50.

Ten days after Pompey left Italy, Caesar called on Cicero at Formiae, on his way back to Rome hoping to persuade him to return to Rome and attend the senate, but Cicero wrote to Atticus on 28 March that he was adamant on the question of not going to Rome. This displeased Caesar, who argued that if Cicero did not comply then others would be less willing to do so (Cic. *Att.* 9.18.1: doc. 13.37). Cicero flagged that, if he did, he would have to express his disapproval of an expedition to Spain and the transportation of armies to Greece, as well as his support for Pompey. Caesar admitted that these were not the sorts of things he wanted said, and Cicero explained that that was why it was inadvisable for him to come to Rome, as if he did he would have to state his views. Caesar left, after asking him to continue to keep thinking things over, not exactly pleased with him, although Cicero was, for the first time in a long while, pleased with himself. When he finally decided to depart for Greece, Antony, who was in charge of Italy in Caesar's absence, refused to allow him to leave, and Cicero did not reach Pompey's forces at Dyrrachium until June. He may have been critical of Pompey and his decision to quit Italy, but his loyalties lay with those who most closely represented Rome's constitutional values. On board the ship bound for Dyrrachium he wrote to Terentia, 'I shall at last be with my peers fighting to defend the Republic' (*Fam.* 14.7.2).

In Rome, where he spent some two weeks in April, Caesar addressed the senate, summoned outside the pomerium by the tribunes Antony and Cassius, and requested cooperation, reminding the senators of the injuries done him and his attempts at negotiation and compromise (Caes. *BC* 1.32.1–33.4: doc. 13.38). A few senators remained in Rome, or had returned after the first wave of panic, but the leaders of the optimates were either with Pompey or out of Rome trying to appear neutral. Even Calpurnius Piso, Caesar's father-in-law, appears to have remained away from the senate, though the praetor M. Aemilius Lepidus (younger son of the consul of 78) attended, as did several tribunes. A decree was passed that an embassy be sent to Pompey, but no one was willing to serve on it, 'primarily through fear': Pompey and his supporters were unlikely to welcome anyone conveying a message from Caesar, as he had stated prior to departure that 'he would take the same view of those who remained in Rome and those who were in Caesar's camp' (*BC* 1.33.1–2). The tribune L. Metellus, who vetoed everything put forward in Rome, wasted as much time as possible, and attempted to prevent Caesar from sequestering the funds in the treasury, although Caesar crossed the pomerium and took them anyway (strangely Pompey had failed to appropriate them before his departure). He also sent troops to take control of the grain supply from Sicily and Sardinia to ensure that the populace was not threatened with famine, and set off for Spain to deal with Pompey's legions there, with Lepidus remaining in charge in Rome.

Meanwhile Cicero increasingly lamented over the demise of the Republic. In late April he wrote to Atticus that the struggle was for autocracy, but that he could foresee horrors ahead whoever should be the victor. Pompey ('the king who has been expelled') was the 'more moderate, honourable and blameless' of the two, and, if he

were defeated, even the name of the Roman people would inevitably be wiped out. On the other hand, were he to win, his victory would follow the example of Sulla: bloodshed and proscriptions (Cic. *Att.* 10.7.1: doc. 13.39). He advises Atticus to support neither side openly: his own case is different, because of past obligations to Pompey and others, but he still finds it difficult to decide how to act, and he is pessimistic about either outcome.

In lamenting his own fate earlier in the month, Cicero spared a thought for Pompey and Caesar too, whose apparent good fortune had been ephemeral: one had deserted his country, the other oppressed it (Cic. *Att.* 10.4.4: doc. 13.41). Both, in Cicero's view, had always put their own power and personal profit above the safety and honour of their country. Velleius considered that the conflict was the result not of Caesar's but of Pompey's personality: unable to endure an equal; preferring to be the only one in power, not merely the first; craving glory; and greedy for magistracies. At the same time, he was diffident once actually in office, happy to lay down positions once he had acquired them, and persuadable, in that while he would always take what he wanted, he would give it up at the request of others – ambitious, but lacking in judgement (Vell. 2.33.3: doc. 13.40). Caesar's characterisation of Pompey in the *Civil War* is very similar (BC 1.5.3: doc. 13.24): that Pompey did not want anyone to rival him in prestige (*dignitas*) was a natural result of his remarkable early career, in which he had gone out of his way to ensure that his commands lay outside the parameters of the normal *cursus honorum*.

En route for Spain, to deal with Pompey's armies there, Caesar was forced to lay siege to Massilia, which had declared for Pompey and harboured Domitius Ahenobarbus. Leaving this for D. Brutus and C. Trebonius to invest (its siege took several months), he engaged in Spain in a hard-fought campaign, with Afranius and Petreius surrendering to him in August, followed shortly afterwards by M. Terentius Varro. Issues of his coinage at the time, along with an elephant trampling a serpent, depict the emblems of the pontificate, a reminder of his status as *pontifex maximus* and the justice of his cause (Figure 13.3). Returning to Rome in the autumn, dealing with the surrender of Massalia on the way, he took his consulship for 48 in his legal year, though not perhaps under the circumstances he had initially envisaged (Caes. BC 3.1.1–2.2: doc. 13.42). Since he failed to have a decree passed that Lepidus (as *praetor*) could preside over the elections, he arranged for Lepidus to propose a law that he be made dictator, and, on returning to Rome, presided as dictator over his own election to the consulship together with P. Servilius Isauricus as his colleague.

Caesar's legislation during the 11 days he was dictator included debt relief to cope with the financial crisis caused by the outbreak of war: debts were not cancelled, but assessments of property were made at pre-war values and creditors were paid at these rates, while he also banned the hoarding of sums over 60,000 sesterces. He recalled all those who had gone into exile as a result of Pompey's legislation (on the grounds that they had not had a fair trial), and political rights were restored to the descendants of those proscribed by Sulla. He also saw to the celebration of the Latin Festival. He then resigned the dictatorship and headed for northern Greece, with Lepidus once more in charge in Rome. His legions and cavalry were to meet him at Brundisium, but there was only sufficient naval transport for 15,000 soldiers and 500 cavalry, which, he notes, was the reason for the war not being immediately concluded (BC 3.2.2). In all, he managed to arrange the transportation of seven legions, but the



Figure 13.3 A denarius issued by a military mint travelling with Caesar between April and August 49 BC, depicting an elephant treading on a serpent, and emblems of the pontificate: the simpulum, aspergillum, securis, and apex (ladle, sprinkler, axe, and pointed cap used by pontifices).

Source: Courtesy of Classical Numismatic Group

rest had to remain with Antony in Italy for several months. Bibulus had been given the Pompeian naval command and unsuccessfully tried to prevent Caesar crossing to Epirus (he was later to die of his exertions as commander of the fleet).

Pompey and his followers

Pompey was meanwhile engaged in gathering troops from across the Eastern Mediterranean (two legions were raised in Asia by Lentulus Cris, and two in Syria by Metellus Scipio), with client kings and peoples dispatching auxiliaries. His coinage depicted a dolphin and an eagle, denoting his command by land and sea (Figure 13.2). Pompey's senate, which comprised a large majority of the senators from Rome (200 senators: Dio 41.43), was based at Thessalonica, and Cicero later described the unpleasantries of the ambience there, writing to his relative M. Marius in mid-April 46 (*Cic. Fam.* 7.3: doc. 13.43). He had decided to leave Italy for reasons of honour, but had soon repented of his decision after arriving at Dyrrachium: the troops were inadequate and unwarlike; the majority of the principal leaders (leaving aside Pompey himself and a few others) greedy for plunder and so bloodthirsty he shuddered at the thought of their victory; even the best of them were deep in debt – only the cause was good. In Cicero's eyes, Pompey's followers were no longer the 'boni', the good or honest men. He tried to raise the question of peace again, to which Pompey was totally opposed, and then counselled that the war be delayed. Over this Pompey vacillated, but, following an engagement at Dyrrachium, after Caesar had unsuccessfully besieged him in July, began to have confidence in his troops. From this point, Cicero states, Pompey's skill as a general vanished. Caesar's opinion was similar to Cicero's: Pompey should not have drawn any conclusions from this apparent success (*Caes. BC* 3.72.1–4).

Pharsalus and afterwards

At Pharsalus on 9 August, Pompey faced Caesar's battle-hardened legions with an inexperienced and hastily assembled force, twice the size of Caesar's (Map 7): the result was defeat, even the camp was lost, and Pompey withdrew in 'shameful flight' to Egypt (*Cic. Fam.* 7.2: doc. 13.43). Pompey had been badly counselled by his advisory body, a group of self-professed 'experts', who considered that he was deliberately prolonging the war for his own glory. He had therefore risked battle, despite the advice of both Cato and Cicero. Caesar was in the weaker position and short of supplies, and Pompey's position of strength would only have improved had he been prepared to wait before engaging.

Cicero bluntly stated that as far as he was concerned that was the end of the war: they had been no match for the enemy with their forces intact, and, now these were shattered, they stood no chance. On Corcyra he refused the command of the remaining troops (offered him by Cato as the most senior consular), infuriating Pompey's elder son, and returned to Italy, where Antony kept him waiting for a year at Brundisium for Caesar's permission to return to Rome. Caesar burnt Pompey's correspondence unread, offering an amnesty to any of his supporters who were prepared to ask for it, an example of the clemency which he was to display throughout the war: coins issued by a mint travelling with Caesar after Pharsalus depict the head of a goddess, perhaps Clementia (Figure 13.4). One of those who accepted his offer was Brutus.

Caesar's criticism of those in Pompey's camp concurred with that of Cicero (*Caes. BC* 3.82.2–83.4: doc. 13.44). Over-confidence was rife, and whenever Pompey took some measured or deliberate action he was criticised for 'making the most of his command and behaving to men of consular and praetorian rank as though they were slaves' (*BC* 3.82.2). There were open squabbles over the rewards of victory, such as priesthoods and the consulship for years in advance, not to mention the estates and



Figure 13.4 A denarius issued by a military mint travelling with Caesar in 48–47 BC, depicting the diademed and oak-wreathed head of a goddess (perhaps Clementia), and a Gallic trophy. The trophy consists of an oval shield and carnyx (war-trumpet), with a securis (axe) surmounted by a wolf's head to the right.

Source: Courtesy of Classical Numismatic Group

possessions of the Caesarians. Caesar particularly criticised the conduct of Domitius Ahenobarbus, Metellus Scipio, and P. Cornelius Lentulus Spinther, all three of whom fought viciously over who would get Caesar's position of pontifex maximus, while Pompey's supporters in general were engaged in reckoning up potential honours, profits, and opportunities for revenge, rather than focussing on how to win the war.

In an attempt to make Cicero change his mind about joining Pompey, his son-in-law P. Cornelius Dolabella, one of Caesar's legates, had written to him in May from Caesar's camp outside Dyrrachium: Caesar may have prompted the writing of the letter. Dolabella recognises Cicero's adherence to Pompey and the optimates, but argues that it is time for him to abandon this political position ([Cic.] *Fam.* 9.9.2–3: doc. 13.45). He has to live in the present world, rather than hanker after one that is already over. Should Pompey take flight with his fleet, he should consider his own interests. Cicero had already done enough for his party and his vision of the traditional state – now it was time for him to deal with the current realities of government.

Pompey headed for Egypt, via Lesbos where his wife Cornelia joined him, arriving off the coast of Alexandria on 28 September. Cicero, sickened with the company and the fighting, had returned to Italy. Cato and Pompey's two sons went to Cyrenaica, expecting to join up with their father in Africa. Pompey had received military assistance from Egypt, and had probably recognised the young Ptolemy XIII as king (as usual there were feuds between various members of the Egyptian royal house), while a number of the garrison in Alexandria were his veterans. Ptolemy's advisors, however, Achillas (his prefect), the eunuch Potheinus, and the teacher of rhetoric Theodotus, decided it was more expedient to kill Pompey than risk Caesar's enmity by harbouring him.

One of Pompey's veterans there was L. Septimius, a military tribune who had served with Pompey in the war against the pirates, and who had been left in Egypt with other soldiers in 55 by Gabinius when governor of Syria. Achillas and Septimius were sent out in a small boat with Salvius (a centurion) and some servants, and Achillas invited Pompey into their craft, on the grounds that the sea was too shallow for a trireme. Pompey took with him two centurions and his freedman Philip, and after greeting Septimius, whom he apparently recognised, continued to study the text of a speech in Greek which he was going to make to Ptolemy (Plut. *Pomp.* 79.1–80.3: doc. 13.46). A royal entourage on the shore suggested that he would be given an honourable reception, but he was stabbed by Septimius, Salvius, and Achillas. Pompey's trireme weighed anchor and fled, with Cornelia, who had foreseen events, and the rest of the crew lamenting his fate. Pompey's head was cut off and thrown on the shore; he was later cremated by his freedman Philip. He was actually one day off his 59th birthday (he was born on 29 September 106). His remains were later retrieved and buried by Cornelia at his Alban villa.

Caesar arrived in Egypt three days after Pompey's death, on 2 October, and was presented with his head and signet-ring. Pompey had been his son-in-law and an old friend, and Caesar had Achillas and Potheinus executed. Theodotus escaped, but either Brutus later had him slowly tortured to death or Cassius had him crucified for his role in the assassination. Lentulus Crus, who had followed Pompey to Egypt, was killed in prison the day after Pompey's death. Cicero, when he heard the news, commented when writing to Atticus in late November that he had never had any doubt as to Pompey's fate. His situation was so hopeless that wherever he went this would

have happened. Yet Cicero could not help grieving for his ‘wretched fate’. His epitaph for Pompey was that he was ‘man of integrity, clean living, and good character’ – not perhaps the most eulogistic of memorials for one who had for decades wanted to be seen as the pre-eminent man in Rome (*Cic. Att.* 11.6.5: doc. 13.47).

As a sign of the supineness of the senators who had remained in Rome, when news of Pharsalus reached Rome in September 48, Caesar was made dictator for a year, with Mark Antony as his magister equitum.

Caesar in the East

In Alexandria Caesar became involved in supporting the right to the throne of the 21-year-old Cleopatra, who evaded the forces of her rival brother/husband Ptolemy XIII and supposedly engaged Caesar’s attention by being smuggled into the palace in a ‘bed-sack’, a type of bag in which slaves kept the bed-clothes when not in use (*Plut. Caes.* 49.1; Figure 13.5). Caesar supported her in the Egyptian power struggle and was besieged in the royal palace by the populace, but was rescued by the arrival of troops from Judaea and forces raised by Mithridates of Pergamum (a holder of priestly office there and reputedly an illegitimate son of Mithridates VI); during the conflict Ptolemy XIII drowned. Caesar and Cleopatra became romantically involved, and Caesar’s son by Cleopatra, Caesarion (Ptolemy XV), was born in June 47.



Figure 13.5 A bust believed to depict Cleopatra VII of Egypt (51–30 BC). Caesar encountered Cleopatra after Pompey was killed by advisors of Ptolemy XIII in September 48.

Source: Courtesy of Antikensammlung, Staatliche Museen zu Berlin, Preussischer Kulturbesitz

Caesar stayed in Egypt for a few weeks more, leaving Cleopatra and a younger brother to rule Egypt (Cleopatra came to Rome in 46), then moved north to deal with Pharnaces, king of the Crimea and son of Mithridates VI, who had recently defeated Cn. Domitius Calvinus (cos. 53), whom Caesar had put in command of Asia Minor after Pharsalus, and was occupying Bithynia and Cappadocia (Plut. *Caes.* 49.10–50.4: doc. 13.48). Caesar defeated Pharnaces on 2 August 47 at Zela and drove him out of Pontus (Map 7). The victory was so swift, his fastest victory ever, that Caesar summed it up in three words on a sign carried in his triumph: *veni, vidi, vici*, ‘I came, I saw, I conquered’ (Suet. *Jul.* 37.2: doc. 2.35). He was then free to return to Italy, despite the fact that his opponents were consolidating their forces in North Africa.

Like Pompey before him, Caesar was honoured in the East in 48 as ‘saviour and benefactor’. In the late 50s he had made gifts out of his booty in Gaul to Greek and Asian cities, and he refused to punish those communities in the East that had supported Pompey. His arrangements for tax collection were also generous, in contrast to the harsh exactions of Metellus Scipio, and he allowed cities to collect the revenues themselves instead of leaving this to the publicani. The cities of Asia dedicated at Ephesus a statue to him as ‘pontifex maximus and imperator and consul for the second time, (descendant) of Ares and Aphrodite, god manifest and common saviour of human life’ (*SIG³* 760: doc. 13.49). The ancestry of the Julii from the goddess Venus was well propagandised, both by Caesar himself and later by Augustus, and the inscription deliberately flattered this family connection with the divine. Caesar’s coinage issued by a military mint travelling in North Africa in 47–46 depicted not only the head of Venus, but also Aeneas, the ancestor of the Julian family, fleeing Troy and carrying his father Anchises and the palladium, the ancient statue of Athena, which was housed in Rome with the Vestals (Figure 13.6). The people of Ephesus were grateful to Caesar because, while following Pompey to Egypt, he arrived there in time to stop T. Ampius, Pompey’s legate, appropriating the treasures of Artemis’ temple (BC 3.105). The people of Pergamum also dedicated a statue to him ‘because of his piety and justice’: it may have been now that he restored to Pergamum the status of allied city it had lost for supporting Mithridates (*IGRR* 4.305: doc. 13.49).

Caesar’s dictatorships

Cicero’s regrets

Cicero meanwhile was in limbo at Brundisium. He had miscalculated in thinking that Pompey’s defeat and death meant that the war was over, for it was continued by Pompey’s sons and supporters, and Caesar’s dominance was by no means wholly secure until after the defeat in 45 of the Pompeians at Munda in Spain (Map 7). On Cicero’s arrival in Italy Antony made it clear to him that Caesar was reviewing the situation of those supporters of Pompey who wished to return to Italy on a case-by-case basis. On 3 January 47, still at Brundisium, Cicero wrote to Atticus admitting that he had acted incautiously and hastily in trying to return to Italy. He knew that he was being slandered by many, including his brother Quintus, who obviously thought that Marcus had been unwise in joining Pompey, and had little to hope from Antony, who was ‘never his friend’: even Balbus’ letters were growing less friendly, perhaps a sign of a coolness towards him on Caesar’s part (Cic. *Att.* 11.9.1: doc. 13.50). Cicero was



Figure 13.6 A denarius issued by a military mint travelling with Caesar in North Africa in 47–46 BC, depicting Aeneas fleeing Troy. Aeneas carries his father Anchises on his shoulder and in his right hand the palladium, the ancient statue of Athena from her Trojan temple which was said to be housed in the temple of Vesta. Venus and Anchises were the parents of Aeneas and ancestors of the gens Julia.

Source: Photo courtesy of The Metropolitan Museum of Art (accession no. 08.170.80), Rogers Fund, 1908

just one of a queue and had to wait in line for several months, though Caesar did write to him in August 47 from the East (*Fam.* 14.23). The fact that Cicero's son-in-law Dolabella was tribune in 47 had no impact on his situation. He lamented that everything he was suffering was his own fault: had he been sensible, he could have stayed in some place of retirement until Caesar was ready to deal with his case. Moreover, he feared confiscation of his property, which would leave his darling Tullia destitute. Cicero was, however, finally 'pardoned' in September, and was allowed to retain his property, arriving in Rome in October 47.

The events of 47–46 BC

From September 48, when Caesar had been made dictator for a year, Antony as his magister equitum had been in charge of events in Italy. In 47 Dolabella as tribune

supported the cause of debtors, many of whom had been ruined by the war, which led to unrest and bloodshed at Rome (in the previous year M. Caelius Rufus as praetor had also pushed for the cancellation of debts). Antony only restored calm with some difficulty and considerable loss of popularity, while at the same time facing a mutiny of troops in Campania. Moreover, while Caesar was in Alexandria, the remaining optimates had not been quiescent. After the news of Pompey's death, Cato had led a heroic march across the North African coast from Cyrenaica to the province of Libya, where he joined Metellus Scipio, now leader of the republicans, and fortified the city of Utica. The Pompeians had the support of Juba of Numidia and Pompey's fleet. Furthermore Caesar's troops in Spain and the provincials were restless under the incompetent and extortionate leadership of Q. Cassius (tr. pl. 49).

In September, after his return to Rome following Zela, Caesar had magistrates elected for the remainder of 47 (Q. Fufius Calenus and Vatinius became the consuls) and for 46, when he was to be consul again with Lepidus as his colleague. He dealt with the mutinous soldiers in Campania and the unrest stirred up by Dolabella, and side-lined Antony, who was to remain out of favour until 45. After raising money through the sale of the property belonging to Pompey and his other opponents he set sail in December for Africa. Despite transport and supply problems, he defeated the Pompeians at Thapsus on 6 April 46. Metellus Scipio committed suicide while attempting to flee to Spain, as did Cato at Utica, preferring to kill himself rather than be the object of Caesar's clemency (Figure 13.11). Cicero (*Off.* 1.112) described Cato as choosing to die rather than look on the face of a tyrant (i.e., Caesar).

Labienus and Pompey's younger son Sextus escaped to Spain with four legions (the older, Gnaeus, had already been dispatched there to foment rebellion). In June, Caesar again headed for Rome, visiting Sardinia en route, arriving back in July 46. He was consul for the third time in 46, and early in the year, perhaps in April, he had been granted annual dictatorships for a ten-year period. Late in September he celebrated four triumphs, over Gaul, Egypt, Pontus (Pharnaces), and Africa (Juba), all technically over foreign enemies; the fact of the civil war against Pompey and his supporters was ignored (Suet. *Jul.* 37.1–39.4: doc. 2.35). Vercingetorix (who had been in prison for six years), Cleopatra's sister Arsinoe, and Juba's young son were featured in the triumphal procession; Vercingetorix was then executed. Forty elephants carrying torches flanked him as he ascended to the Capitol in his Gallic triumph, and the citizens of Rome received munificent gifts of money and food, 400 sestertes apiece, and his soldiers the equivalent of a lifetime's pay, 24,000 sestertes each. To add to his public works in Rome, Caesar now commenced the construction of a temple to Venus Genitrix ('Ancestress'), which he had vowed at Pharsalus, and began the forum Iulium. Gladiatorial contests and a public banquet were held in honour of the memory of his daughter Julia (Suet. *Jul.* 26.2–3: doc. 2.79). Nevertheless, the war was not yet over, and in late 46 Caesar had to depart for Spain to deal with yet another Pompeian threat.

When Cicero finally arrived home at Rome in October 47, he was extremely critical of the current political situation. With Caesar appointed in 46 as dictator for ten years as well as being one of the two consuls, and with many of the consulars dead or in disgrace because of the civil war, republican constitutional government as understood by Cicero was no longer in existence. In a letter written in 46 to an old friend of his at Naples, L. Papirius Paetus, Cicero made fun of senatorial procedures at the time

(Cic. *Fam.* 9.15.3–4: doc. 13.51). The old days of Q. Lutatius Catulus were now gone forever: then Cicero had been ‘in the stern in charge of the helm’ – now he hardly even has a place in the hold! Even his absence in Naples makes no difference to affairs at Rome. Decrees of the senate are actually written, he complains, at the home of ‘your admirer, my intimate acquaintance’ (probably L. Cornelius Balbus). When Balbus remembers, he puts down Cicero’s name as having been present at the drafting of measures, and Cicero is sometimes thanked for proposing motions for decrees which reach Armenia or Syria without his having heard anything about it. It’s no laughing matter: he has received letters from kings thanking him for his motion to grant them their royal title, when he has never even heard of them! While he could joke about the situation, Cicero was unhappy both with the processes of government and his own lack of influence, and from the time of his return to Rome remained silent in the senate or failed to attend.

Caesar’s policy of clemency

Caesar’s clemency towards his opponents prevented further opposition against him, although criticism of affairs of state was silenced in the senate. In 46 the senate petitioned Caesar on behalf of M. Marcellus (cos. 51), one of Caesar’s most vocal opponents prior to the civil war, who had lived on Mytilene after Pharsalus and refused to throw himself on Caesar’s mercy (as others did, including his cousin C. Marcellus). Cicero delivered the *pro Marcello* on his behalf, the first time he had spoken in the senate after his return to Italy, explicitly praising Caesar’s policy of clemency. The followers of Pompey, like himself, had been impelled by some disastrous fate as well as human error (but not by criminality), and many of these were now in the senate for this speech, pardoned by Caesar on the grounds that most people had been ‘induced by ignorance and false and groundless fears to go to war, not by greed or bloodthirstiness’ (Cic. *Marcell.* 13, 15: doc. 13.52). Caesar had treated the advocates of peace with respect, having preferred not to fight, rather than to win, while the city had not seen the naked sword. In a letter to M. Marcellus at this time, Cicero pointed out to him that while one might not be free to express one’s thoughts, one was at least free to keep silent, while Caesar was no more autocratic than Pompey would have been under the same circumstances (*Fam.* 4.9.2). With proscriptions avoided, Cicero displayed hopes in his speech that some form of restitution of the traditional constitution might be possible, but, by 44, Cicero was less optimistic. M. Marcellus was recalled, but murdered at the Piraeus on his return journey in May 45, by an unknown assassin, perhaps a friend of his, and buried in Athens.

Despite his thorough disapproval of Caesar’s methods of government, Cicero was unable not to approve of many of his actions. In a letter late in 46 to a Pompeian, A. Caecina, in exile after Pharsalus and currently in Sicily, Cicero commented on the way in which Caesar valued remarkable talents and opinions held from duty and conviction, as well as his sense of responsibility, justice, and wisdom (Cic. *Fam.* 6.6.8, 10: doc. 13.53). He respected Pompey’s supporters, and never mentioned him but in the most courteous terms. Cassius, Brutus, and Ser. Sulpicius Rufus have all been welcomed and given positions of responsibility as legates or governors, and even M. Marcellus was being honourably restored to his senatorial position.



Figure 13.7 A denarius minted by M. Poblicius, legatus pro praetore for Gnaeus Pompey the Younger at Corduba in Spain, between summer 46 and spring 45 BC, depicting Roma and Hispania. The helmeted head of Roma on the obverse is paralleled by the figure of Hispania on the reverse, holding two spears and presenting a palm frond to a Pompeian soldier armed with a sword and standing on a ship's prow.

Source: Courtesy of Classical Numismatic Group

The Pompeians in Spain

At the end of 46 there was catastrophic news for Caesar from Spain, the centre of Pompeian resistance after Thapsus. He had hoped to conduct the war there through his legates, but found it necessary to take charge himself, making the journey from Rome in 27 days. Pompey's sons Gnaeus and Sextus were in control of most of Further Spain with 13 legions, and while Caesar had pardoned nearly all those who fought for Pompey, he now treated those opposed to him as rebels. Pompeian coinage from Spain depicted both Roma and Hispania (Spain), who presents a palm frond of victory to a Pompeian soldier. The fact that the soldier is armed with a sword and stands on a ship's prow is a boast of supremacy by land and sea (Figure 13.7). Caesar's coinage shows Venus (his ancestress) and Cupid, and a trophy of Gallic arms with prisoners, reminders of his spectacular victories in Gaul (Figure 13.8). After a winter campaign he defeated the Pompeians at Munda on 17 March 45 in perhaps the hardest fought battle of the war: according to Plutarch, he commented that for the first time he was fighting not for victory but for his life (Plut. *Caes.* 56.3). Gnaeus was killed in flight; Sextus continued the revolt in Further Spain; Labienus, who had also fought at Thapsus, was killed at Munda.

After spending some time in Gaul and northern Italy, Caesar returned home in October 45, when a triumph for Munda was celebrated. Unlike Caesar's previous four, this one openly marked a defeat over Romans, incurring the displeasure of the public (Plut. *Caes.* 56.7–9). By now Cicero was much less optimistic about the long-term political situation. During 45 elections had not been held, and Rome was under the control of Lepidus as magister equitum, while Oppius and Balbus had considerable administrative powers, though no official position. Caesar had been sole consul (as well as dictator) during 45 until 1 October, when he resigned and was replaced

by Q. Fabius Maximus and C. Trebonius as suffect consuls. When Fabius, who as Caesar's legate had recently captured Munda, died on the last day of the year Caesar replaced him with C. Caninius Rebilus, taking the auspices for a comitia, turning a comitia tributa into a centuriate assembly, and proclaiming Caninius consul: Caninius only remained in office until the morning of the following day. In writing to his friend M'. Curius in Greece, at the beginning of 44, Cicero was to joke sarcastically that no one had had breakfast in Caninius' consulship. Moreover, his vigilance was such that he did not close an eye in the whole of his magistracy! (*Cic. Fam.* 7.30.1–2: doc. 13.54). This was not the only example of such absurdities, and Cicero felt disgraced that the Rome that he lived in saw such examples of the abuse of power: this might all *seem* laughable, but in his view the reality was heart-breaking.

Exceptional honours for Caesar

Caesar had been made dictator for the first time in 49 for an 11-day period to hold consular elections; for a second time in late 48 for a year; for a third time in April 46 for a period of ten years on annual terms; and in February 44 became dictator for life, dictator perpetuo. The second and third dictatorships, like that of Sulla, were probably for 'regulating the republic (*rei publicae constituendae*)', but the parameters of the perpetual dictatorship are not known. He held the consulship in 48 (with P. Servilius Isauricus), in 46 (with M. Aemilius Lepidus), in 45 was sole consul (with suffect consuls appointed on 1 October), and in 44 was consul for the fifth time (with Mark Antony). In March 44 he intended to depart for Parthia, with Dolabella succeeding him in the consulship for the remainder of the year. Following the victory at Thapsus in 46, the senate had voted Caesar not just annual dictatorships for ten years, but the position of *curator morum* ('overseer of morals') for three years, and a range of privileges, such as the right to preside over all games and to sit between the consuls in the senate. He was also voted a 40-day *supplicatio*, 24 lictors who wore laurel wreaths, and the right to use white horses in his triumphs.

Honours began to be offered to Caesar in earnest from 20 April 45, with the news that he had prevailed at Munda. A *supplicatio* of an unprecedented 50 days was voted, and he was granted the right to wear a laurel wreath, a privilege for which he was particularly grateful due to his increasing baldness. 'Imperator' was bestowed on him as a hereditary title, and he was also awarded the name *Liberator*. He was the only one permitted to command the army and oversee public finances (he put his slaves in charge of the mint and taxation). He was granted a public residence, a statue on the Capitol, and the consulship for ten years (which he declined). Annual races were to be held in the circus on 21 April in his honour, and the month *Quintilis*, in which he was born (on the 13th), was renamed *July*. He was also named 'Father of his Country', *parens patriae*. Suetonius notes that some of these were 'honours too great for the mortal condition' (*Suet. Jul.* 76, 78.1–80.1: doc. 13.55). Cicero in a letter to Atticus written on 14 July (*Att.* 13.44.1) mentioned Caesar's statue being carried next to that of Victory along with those of the other gods in the procession prior to games in the circus in honour of his victories.

In the first weeks of 44, when Caesar was made perpetual dictator, he was voted even further honours, such as the right to wear triumphal garb (like Jupiter) and use

a curule chair at all times, his statue which was carried in processions was to have its own pulvinar (a couch for a deity used in religious rituals), his image wearing a golden wreath appeared on coinage with Venus Victrix (he was the first living man to be represented on Roman currency: Figure 13.10), his house was to have a pediment like a temple, and there were to be temples dedicated to him in Rome and Italian towns. In a rash of senatorial adulation he was also made sole censor for life, given tribunician sacrosanctity, and voted a bodyguard of senators and equites (which he did not accept). Finally he was to be worshipped as a god, a temple was to be built to him and his Clemency, statues of him were to be placed in all the temples in Rome, and Antony was named his flamen.

Caesar, however, appears to have become increasingly tired of senatorial protocol and this constant round of flattery and tributes (which may have been the idea of some of those proposing the unending stream of honorifics). His nomination of Caninius to the consulship for half a day caused great offence, as did his appointing consuls for three years in advance for the duration of his Parthian campaign. Furthermore, when the senate came to announce new honours that they had voted him, when he was with his architects at the temple of Venus Genitrix, he greeted them without rising from his seat. This was seen as an unparalleled insult. His time in Rome dealing with the trivialities of government appears to have exacerbated his irritability: the tribune L. Pontius Aquila failed to rise from the tribunician bench as Caesar passed in his Spanish triumph, and for several days afterwards Caesar would only agree to anything with the rider, 'That is, if Pontius Aquila will permit it!' Considering that he had spent most of the last decade on campaign, it is not surprising that Caesar's focus was on his forthcoming command against Parthia, for which he was due to start on 18 March with 16 legions and 10,000 cavalry, to avenge Crassus and his son Publius: six legions had been sent ahead to the Adriatic port of Apollonia.

Rumours of kingship

Prior to 15 February 44, when he was made perpetual dictator, Caesar was still within republican norms: his powers had been conferred by the senate and the third dictatorship of 46 was held in annual terms (though traditionally a dictatorship lasted six months). There were, however, rumours that Caesar was planning to become king, and a report circulated that, according to a Sibylline oracle, only a king could conquer Parthia (*Cic. Div.* 2.110: doc. 3.39). When two tribunes, L. Caesetius Flavus and C. Epidius Marullus, removed from his statue on the rostra a laurel wreath with a woolen fillet attached, and ordered the person responsible for it to be taken to prison, Caesar had them deposed and expelled from the senate, though this was later rescinded: the ribbon-like diadem was the Hellenistic mark of kingship. Suetonius (*Jul.* 79.1) suggests that Caesar may have been unhappy not because it was removed, but because he was deprived of the prestige of refusing it. As he rode into Rome from the Latin festival early in 44, some of the crowd addressed him as rex, but he responded that his name was not Rex but Caesar (Rex was a family name: he was descended from the Marcii Reges through Marcia, his paternal grandmother).

In a much-debated episode at the Lupercalia on 15 February, Antony attempted several times to crown Caesar, who was seated on his golden chair in the forum dressed as a triumphator, with a diadem bound with laurel. Caesar refused the diadem, and

instructed that it be taken to the only king in Rome, Jupiter Capitolinus, and that it should be recorded in the fasti that he had refused a diadem offered by the consul. It is possible that Caesar was testing public opinion, to see what the reaction would be to his becoming king, or that the incident at the Lupercalia was meant as a public demonstration that he intended to reject kingship: Antony's offer could hardly have been spontaneous. Cicero does not appear to have thought that he was seeking the title: rather, he considered that Caesar had already achieved his ambition to be the king of Rome and master of the world (*Off.* 3.83), and referred to him sarcastically as 'rex' when writing to Atticus in 45 (*Att.* 13.37.2). But, even though he refused the designation of king, Caesar had adopted the dress and ornaments of the old kings of Rome, and visibly presented himself in that role in the capital. For Caesar to have accepted the royal title prior to a three-year absence would have been unwise, but the belief that he intended to accept it was almost certainly a factor in his assassination.

To what extent Caesar planned to accept deification is less certain: Antony had been named his flamen, though not yet inaugurated. Caesar had already been granted divine honours in the East, as at Ephesus (*SIG³* 760: doc. 13.49), like Hellenistic kings and other Roman generals. In Rome he had now been honoured with privileges previously reserved for the gods: triumphal dress like Jupiter, a couch for his statue, his image carried in the procession of deities through the circus, a pediment for his house like that of a temple, and statues of himself in all temples, with one titled the 'unconquered god' in the temple of Quirinus. Whether he had become a god or not by 15 March 44 is unclear: formal deification came after his death. But in 45 and 44 he was approaching divine status, even if outright worship was not yet in place. Sulla, Pompey, and Caesar all claimed a special relationship with Venus, but it was only Caesar with his emphasis on Venus Genetrix ('Ancestress', mother of Aeneas) who



Figure 13.8 A denarius issued by a military mint travelling with Caesar in Spain, late 46–early 45 BC, depicting the draped bust of Venus, and a trophy of Gallic arms with a male and female captive. On the obverse Venus wearing a stephane (a decorative wreath or head-band in metal), between a lituus (left) and sceptre (right), with Cupid on her shoulder; on the reverse a trophy with a spear, shield, and carnyx on each crossbar. Below a kneeling and bound bearded male captive and a seated female captive, resting her head in her hand.

Source: Courtesy of Classical Numismatic Group

claimed divine ancestry. Pompey and Sulla had enjoyed some form of veneration in the east: Caesar alone of the three brought this into Rome itself.

Caesar's legislation

Caesar introduced many measures as dictator, most of which cannot be dated. They were wide-ranging, covering Rome itself, Italy, and the provinces, and included reform of the senate, new colonial settlements, and the restructure of administration and local government, with further projects in view such as the codification of the law. Many of these measures were passed after Caesar's death by Antony, who stated that he was working on drafts found amongst Caesar's papers, though that these had been Caesar's initiatives was not always accepted without question. Within Rome, the vacancies in the senate caused by the civil war were filled. The size of the senate was increased to 900 members, some of whom would have been Caesar's supporters from other parts of Italy or further afield, like the younger L. Cornelius Balbus of Gades in Spain (his uncle, the praefectus fabrum, became consul in 40). Not all approved of new senators from Gaul: there was a popular song that they had changed their trousers for the toga praetexta (Suet. *Jul.* 80.2). The sons of the proscribed were permitted to stand for office, and many of those condemned for bribery and violence under Pompey, or expelled from the senate by the censors, now could continue their career pathways (Suet. *Jul.* 41.1–43.2: doc. 13.56). Dio's account presents Caesar as deliberately conciliating the Pompeians: they were promoted to magistracies, dowries returned to the wives of those that had been killed, and their children given a proportion of their estates (Dio 43.50.1–51.9: doc. 13.57). Elections continued but in a controlled manner, with Caesar nominating half the magistrates and the people electing the rest, apart from the consulship, for which he selected appointees in advance for the period of his campaign in Parthia. He intended to hold the title of dictator for at least the first two years of the campaign, and nominated masters of the horse, one of whom was Octavian, his grand-nephew, who now enters the historical record. Dolabella was to replace Caesar himself as consul for the rest of 44, as Antony's colleague.

Caesar also increased the number of magistracies available, to keep up the senate's numbers, and allowed for sufficient senators to man the law-courts, now shared between senators and equites. The increased number of provinces also called for more magistrates with imperium, and these needed quaestors as their financial deputies. There were now to be 16 praetors and 40 quaestors annually, plus two curule and four plebeian aediles, two of whom, the aediles cereales, were from 44 in charge of the grain supply. To facilitate this there were improvements planned to the harbour facilities at Ostia, as well as a canal from the Tiber to Tarracina, some 90 kilometres from Rome in southern Latium. Caesar also created some 500 new patrician families, as patrician status was still necessary for a number of religious offices like the major flamines, rex sacrorum ('king for sacred rights'), and Salii. He also added extra positions to the colleges of the pontifices, augurs, keepers of the Sibylline Books, and epulones.

Suetonius lists some of the most important of Caesar's reforms (Suet. *Jul.* 41–43: doc. 13.56): in 46 the number of recipients for free grain was pruned from 320,000 to 150,000, and citizens were now registered on a street-by-street basis, while Caesar also laid down that one-third of herdsmen were to be freeborn, presumably to

counter rural unemployment. Many of the urban poor, and presumably rural poor from Italy, were settled overseas in an extensive programme of colonisation, with some 80,000 citizens from Rome settled in the provinces, primarily Spain, Transalpine Gaul, Greece, North Africa, and Asia Minor. This was a radical departure, although Gaius Gracchus had proposed colonies overseas for the plebs (such as Carthage), and Saturninus settled Marius' veterans in Transalpine Gaul. There was little public land now available in Italy, but some of Caesar's veterans received land in the peninsula, probably in Campania and generally in small groups to avoid the disturbances caused by Sulla's settlers. Caesar also planned to drain the Fucine Lake and Pomptine Marshes, which would have made more land available for distribution. Other veterans were settled overseas, in Provence, Africa, and probably Spain. He also planned to resettle Carthage and Corinth, specifically including freedmen among the settlers as well as veterans and the urban poor, to encourage trade, and one of his projects was to cut a canal through the Isthmus of Corinth. There is, however, little direct evidence for a policy of Romanisation of the Mediterranean. Citizenship and Latin rights were given sparingly, and to communities where it might logically have been expected because of their ties to Rome. All Latin colonies in Transpadane Gaul were granted citizenship (in 49) by a lex Roscia, and Caesar planned that all communities in Sicily were to be given Latin rights, which was enacted by Antony after Caesar's death (Cic. *Att.* 14.12: doc. 14.9).

Caesar had a long-term interest in provincial government, and penalties were increased for convictions for extortion, with the penalty not just exile but confiscation of half the offender's property. In an effect to curb electoral and other violence he abolished collegia (Jewish synagogues were exempted), and probably passed a law against public violence. Sumptuary laws were put in place to limit extravagance in diet, with illegal foods seized in the market, while dishes could even be taken off dinner-tables by his lictors and soldiers. Women were forbidden the use of litters and the wearing of purple robes and pearls except on certain days, and these were allowed only to those of 'a certain standing and age' (Suet. *Jul.* 53.1), perhaps legislation directed against women who were unmarried or childless.

From 1 April 45 the calendar was reformed with the aid of the Alexandrian astronomer Sosigenes, who composed a work *On Stars* published in Caesar's name (Suet. *Jul.* 40.1–2: doc. 3.31). By 46 the Roman year of 355 days, despite the insertion of intercalary months, was three months ahead of the solar year. Caesar had the shorter months lengthened to bring the total of calendar days to 365, with an extra day added every fourth year. So that 45 started on the correct solar date, the year 46 was lengthened to 445 days. The agricultural festivals were now in tune with the seasons, and this was Caesar's most lasting achievement, in place until the reforms of Pope Gregory XIII in 1582.

Caesar also envisaged large-scale improvements to the infrastructure of Rome. While in Gaul he had financed works such as the saepa Julia, an enclosure for voting purposes on the Campus Martius, and the forum Julium, basilica Julia, and curia Julia (Figures 13.1, 13.9). While these were still on-going at the time of his death and completed by Augustus, the forum Julium was dedicated after his triumphs in 46, together with the temple of Venus Genetrix, which contained numerous works of art. The senate had commissioned him to build a new senate house, the curia Julia, to replace that of Faustus Sulla, destroyed by fire in the riots over Clodius' death (Map 3). He



Figure 13.9 A denarius issued in autumn 30–summer 29 BC by Octavian to commemorate the inauguration of the curia Julia. The curia Julia (Figure 13.1) is shown on the reverse of the coin, with IMP CAESAR on the architrave of the building, the porch supported by four columns, a statue of Victory on the globe on the apex of the roof, and statues each holding a spear and parazonium (dagger) at the extremities of the architrave.

Source: Courtesy of Classical Numismatic Group

extended the pomerium and planned to enlarge the Campus Martius by diverting the Tiber, with an impressive temple to Mars on the Campus Martius and a theatre at the foot of the Capitol to rival Pompey's. There was to be a public library of all major works in Greek and Latin, and doctors and teachers were encouraged to come to Rome by the promise of citizenship. He envisaged Rome as a well-run and efficient city, with improved harbour facilities, and was also concerned with the intricacies of town-planning and the day-to-day running of the capital (*ILS* 6085: doc. 2.8).

Caesar's administrative measures

Caesar clearly did not have a 'blueprint' for reform, but carried out what he considered to be necessary measures as he saw need for them. His plans included constructing a highway from the Adriatic, the restructure of local government, and the codification of the law. There is, however, no evidence that Caesar intended any profound or lasting changes to the constitution, and most of his measures prior to his departure for Parthia were in response to specific issues, many of which were long-standing, and which an autocratic government with no lack of resources was finally able to address successfully.

Rights for Jews

In his measures for the Eastern Mediterranean, Caesar was concerned to protect Jewish rights (the Jews had signed a treaty of friendship with Rome in 161: I Macc. 8.17–32: doc. 5.40). An inscription records a letter sent in 47, after Caesar's stay in Alexandria during the civil war, to the magistrates and people of Sidon regarding a

decree concerning Hyrcanus II, high priest and ethnarch of the Jews, and one of the family of Hasmoneans, hereditary high priests and kings descended from Mattathias father of Judas Maccabaeus (Joseph. AJ 14.10.2.190–195: doc. 13.58). Hyrcanus had been high priest since 76, although Pompey had had to intervene in a power struggle between Hyrcanus and his brother Aristoboulus (who appeared in Pompey's triumph). In 57 Gabinius had organised the ethnarchy into five self-governing communities, but Hyrcanus was reinstalled as ruler by Caesar in 48, and given the title 'ethnarch and Roman ally': he had sent 1,500 soldiers to assist Caesar in Alexandria during the struggle between Cleopatra and Ptolemy XIII.

Caesar's decree laid down that Hyrcanus and his children were to be ethnarchs of the Jews and hold the priesthood in perpetuity and any decision as to the Jews' way of life was to rest with them. Copies of the decree on bronze tablets were to be set up on the Capitol, and at Sidon, Tyre, and Ascalon in Greek and Latin, and communicated throughout Asia to city magistrates. Hyrcanus had won the patronage of Caesar for Jewish communities, and Mark Antony and Augustus also allowed the Jews to observe their customary practices. Although synagogues technically classed as collegia (associations, guilds), they were exempted from Caesar's ban on them, and Jews could be excused from military service and court appearances when Sabbath observances made these impossible. Caesar was popular with the Jews in Rome: at his funeral the Jews were conspicuous among other foreigners for their lamentation over his death, and they even returned to the site of his funeral several nights running (Suet. *Jul.* 84).

The lex Julia municipalis

The lex Julia municipalis, passed probably at the end of 45, is found on the tabula Heracleensis, two parts of a bronze tablet with an inscription relating to the regulations of the municipium of Heraclea in Lucania near the Gulf of Tarentum. This is a copy of Caesar's law, which regulated the organisation of towns throughout Italy. This lex Julia attempts to regulate a common type of constitution and government for all towns, allowing for minor modifications and differences (Bruns 102: doc. 13.59). Magistrates were to be annually elected by popular assemblies, with a senate usually of 100 decurions (or 'conscripts', 'senators') who served for life, on the Roman model. The priests of the town, three augurs and three pontifices, were also elected by the populace. The senate was the deliberative body, which passed decrees on games, buildings, finances, embassies, and honours, and directed the magistrates. Generally these had to be of free birth, but at Urso in Spain there were freedmen magistrates. The government was oligarchic, with the senate the governing body, and a property qualification for its membership.

The chief magistrates consisted of two duoviri (duumvirs) supported by two aediles, or four quattuorviri if the two duoviri were joined in the executive by the two aediles. The two senior magistrates possessed full judicial powers, and took the municipal census every five years and revised the membership of the senate. They also held elections, presided over the senate, let out taxes, oversaw the revenues (with two quaestors), and were responsible for law and order. The aediles' duties included the care of the streets, markets, and public buildings, and the law also covered the issues of grain distribution and road repair and traffic (ILS 6085: doc. 2.8).

There was an age restriction, 30 years, as to who could stand for magistracies, although this could be waived after service in a legion (three campaigns in the cavalry or six in the infantry), and a list of disqualifications for senators, generally relating to convictions for crimes or unsuitable occupations, with a penalty for non-compliance of 50,000 sesterces. Anyone convicted of theft, fraud, injury towards minors, insolvency, false witness, or who had been condemned in a court at Rome or his municipality or had been cashiered from the army, was prohibited from becoming a member of the senate, as were male prostitutes, gladiators, and stage actors. Any agents who had worked for Sulla in the proscriptions ('anyone who has taken or takes money or another reward for the head of a Roman citizen': line 123) were specifically excluded.

The colony at Urso (Colonia Genetiva Julia)

The regulations laid down by Caesar for colonies are best illustrated in the case of Urso, a city in Spain in the lower Baetis valley (Map 7), one of the Lusitanian centres of resistance to Rome under Viriathus in 139. It opposed Caesar in 45, who decided to found a Roman colony there, the *Colonia Genetiva Julia*. The foundation took place after his death with the draft law being enacted by Mark Antony in 44 (the document included Caesar's marginal comments). The inscription, found near modern Osuna, is on four bronze tablets, only one of which is complete (five or six are missing), and has more than 140 sections (Bruns 122: doc. 13.60). Romans and Italians came to Spain in large numbers (the region of Baetica had nine colonies of Roman citizens) to exploit the mines or the land, and formed wealthy and influential associations, while indigenous tribes and villages were combined with Roman settlements for ease of administration. Both Roman and Latin towns were governed according to charters which were closely modelled on the government of Rome itself.

Typically, at Urso, the populace appears to have had little participation in government, except as an electoral body, with all legislation vested in the senate. The magistrates consisted of duumvirs, aediles, augurs, and priests, with one of the most important duties of magistrates being to oversee games and festivals (Bruns 122: doc. 2.80). The law lays down regulations as to when court cases can be held and at what hours, and the allocation of time permitted to the prosecution and defence. In war, the duumvir charged with that jurisdiction may, on the instructions of the senate, draft colonists and native inhabitants for the defence of the colony, and exact the same right of punishment among recruits as a Roman military tribune, as long as his actions are in accordance with the resolve of the majority of the decurions. Patrons of the colony, whether a senator or son of a senator, must be private persons without imperium, and chosen by a three-quarter majority of the decurions using voting tablets: the penalty for trying to circumvent this regulation is a fine of 100,000 sesterces, showing the critically important nature of this clause in terms of the colony's standing at Rome. To circumvent electoral bribery, only candidates for election are permitted to put on entertainments or banquets, or even issue dinner-invitations, and even then the candidate may invite no more than nine persons per day, with the fine for acting in contravention of this law being assessed at 5,000 sesterces. Furthermore all colonists' wives are to obey the laws of the colony *Genetiva Julia*, in the same way as their husbands, and possess to the same degree all rights laid down in this law.

Caesar and his image

Caesar's appearance

Julius Caesar's is perhaps one of the most recognisable faces from the Roman world: according to Suetonius he had a 'slightly broad face' (presumably meaning a broad forehead), with light complexion, and overlarge mouth and dark lively eyes (Suet. *Jul.* 45.1–3: doc. 13.61). A number of portrait busts survive, which despite differences have certain features in common, especially the shape of the face (Figure 12.2, cf. 13.10). In figure Caesar was tall and well-built, and sources record that in his statues he preferred to be depicted in military garb, as in the statue in the temple of Victory at Tralles (Plut. *Caes.* 47.1). Suetonius notes that Caesar was particular about the cut of his hair and the way he was shaved, and sensitive about his baldness, combing his hair forward from the crown of his head to mask it. Apart from the bust from Tusculum (now in Turin), which depicts a high-furrowed brow, prominent nose, pinched cheeks, and wide mouth, the earliest portraits are those on coins. Caesar was the first living person to be depicted on contemporary coinage, and these coins, minted in the last months of his life, match Suetonius' physical description to a high degree. He is shown with a receding hairline and wearing a laurel wreath to hide it, and with a prominent Adam's apple (Figure 13.10).

According to Plutarch (*Caes.* 17), Caesar suffered from 'distemper' in the head (perhaps migraine), and epileptic fits, which he experienced in Corduba in Spain. He overcame these by hard service on campaign, and by a simple diet. Suetonius describes him as subject to fainting fits and nightmares towards the end of his life, and as having experienced two attacks of epilepsy on campaign (*Jul.* 1.2): one of these appears to have been while he was leading his troops at Thapsus (Plut. *Caes.* 53.5). His failure to stand up to greet the senate at the temple of Venus Genetrix may, in fact, have been because of poor health.



Figure 13.10 A denarius minted January–February 44 BC, by P. Sepullius Macer, in Caesar's own lifetime, showing his wreathed head; on the reverse Venus Victrix holding a winged Victory. On the obverse CAESAR to the right and DICT PERPETUO to the left.

Source: Courtesy of Classical Numismatic Group

Caesar in his youth is described as vain, wearing eye-catching clothing, including a tunic with wrist-length fringed sleeves with a loosely tied belt, which Sulla commented on in his warning to the optimates to watch out for the ‘ill-girt boy’ (Suet. *Jul.* 45.3: doc. 13.61). A taste for dress could signal effeminacy, as well as a desire to attract women, and Caesar was attacked for both passive homosexuality and affairs with married women by his opponents. His political enemies kept bringing up a supposed liaison with Nicomedes IV of Bithynia in his youth, and Bibulus in his consular edicts called him ‘Queen of Bithynia, who first desired a king, and now a kingdom’ (Suet. *Jul.* 49.1–4: doc. 7.60). The report that Caesar had his body hair plucked also fostered this depiction of his sexual preferences. As for his relationships with women, his troops in his Gallic triumph chorused, ‘Men of Rome, lock up your wives – we are bringing home the bald adulterer!’ (Suet. *Jul.* 51) and Suetonius records that he was generally thought to have seduced many noble women, including Tertulla, wife of Crassus, and Mucia, wife of Pompey, and to have had a long-standing affair with Servilia, mother of Brutus and sister of Cato (Suet. *Jul.* 50.1–2: doc. 7.45). His relationship with Cleopatra was well-known and her presence disapproved of when she came to Rome in 46; Caesarian was tacitly admitted to be his son by the permitted use of the name.

Caesar and Cato

In his *Conspiracy of Catiline*, written c. 42, Sallust compared Caesar and Cato, two of his main protagonists, whose debate decided the fate of the conspirators (Sall. *Cat.* 53.6–54.6: doc. 13.62). In commenting that both had ‘extreme good qualities’, though very different characters, he may have been intending a tacit criticism – implying that both overdid their excellences: Caesar his liberality and clemency, and Cato his justice and integrity. Sallust positions the two, despite their similar family background, age, and greatness of spirit, as polar opposites: Caesar was noted for his compassion, his liberality, his good nature; Cato for his severity, his refusal to make gifts, his firmness. One was a ‘refuge for the wretched’, the other ‘the destruction of evildoers’. Caesar desired imperium, an army, a new war in which to showcase his virtue; Cato wanted to pursue moderation, decency, and ‘gravitas’ (or dignified seriousness): his aim was not to rival the rich or ambitious, and he preferred ‘rather to be than to seem good; thus the less he sought glory, the more it followed him’.

After his suicide at Utica, Cato was seen as the incarnation of republican values and the upholder of ancient traditions and virtues: he had refused to accept Caesar’s clemency and fell on his sword, after dining with his friends and the magistrates of Utica and reading Plato’s *Phaedo*, which described the death of Socrates. With Caesar as ‘ruler’, Cato saw no place for himself in Rome, while to have accepted Caesar’s pardon would have been giving him legitimacy. He did, however, urge his son and followers to accept Caesar’s pardon, and his son Marcus was pardoned by Caesar in 44, gave Brutus his support, and died at Philippi. His daughter Porcia was married first to Bibulus, and then c. 44 became the wife of Brutus her cousin; she committed suicide in 42 (Figure 13.11). Caesar resented this ‘apotheosis’ of Cato as the ideal republican, and in his *Civil War* downplayed Cato’s role among the optimates, attempting a partial demonisation by focussing on Cato’s personal hatred of Caesar himself and his envy at missing out on the consulship. After the publication of the eulogy of Cato



Figure 13.11 Sketch of a bust of M. Porcius Cato Uticensis and his daughter, Porcia, late first century BC (original in the Vatican Museums). Cato committed suicide at Utica in April 46 following Caesar's victory at Thapsus.

Source: Photo © FALKENSTEINFOTO/Alamy Stock

written by Cicero at Brutus' request (Brutus later wrote his own, as he was dissatisfied with Cicero's), Caesar responded with his own *Anticato*, now lost, in an attempt to destroy the legend that was being shaped by Cato's admirers, portraying him instead as intransigent, reactionary, contentious, and uncompromising. Caesar's version, however, gained less traction than the praises of Cicero, Brutus, and others of Cato as an inexorable tyrant-hater, unwavering in his principles even in defeat. Doubtless at Caesar's instigation Hirtius also wrote an *Anticato*, but this overplayed the picture of Cato and was ridiculed for its exaggeration.

Invectives against Caesar

As a prominent political figure, Caesar attracted literary polemics and satirical attacks not only from his political opponents, but from younger literary figures in Rome. The poet Catullus was noted for his vilification of Caesar and Pompey and his invectives against Caesar's praefectus fabrum Mamurra ('Mentula', or prick, as he called him: Cat. 29: doc. 12.89). Cicero uses the term 'neoteroi', avant-garde or modernisers,

for the group of poets to which he belonged (*Att.* 7.2.1), which included C. Licinius Macer Calvus, C. Helvius Cinna (lynched after Caesar's assassination in mistake for Cinna the conspirator), and Q. Cornificius. In poem 93 (doc. 13.63), Catullus demonstrates his total lack of interest in Caesar, even to the extent of unconcern as to the colour of his complexion, and makes clear that he has no desire to flatter or please him in any way. His conquest of long-haired Gaul, and 'the furthest island in the West', far from being eulogised by him, has only presented a chance for Caesar's 'friend' Mamurra to squander 200 or 300 times their worth, and Pompey and Caesar have 'ruined the entire world' (*Cat.* 29: doc. 12.89).

Catullus also attacks Caesar, as did Caesar's political opponents, for adultery and for passive homosexuality, denunciations that were said by Suetonius to have inflicted a 'lasting stain' on Caesar's character (*Jul.* 49.1: doc. 7.60), addressing him as 'Romulus, you sodomite', and describing Caesar and Mamurra as voracious adulterers and shameless sodomites, 'friendly rivals even of young girls' (*Cat.* 57: doc. 12.89). Calvus' verses about Nicomedes as 'Caesar's sodomiser' were also well-known to Suetonius. Caesar demonstrated his famed clemency towards Catullus, and invited him to dinner the same day that he apologised for his invective, and overlooked Calvus' attacks after an approach from his friends (Suet. *Jul.* 73).

Caesar as author

Caesar himself was one of the greatest orators of his time, though no speeches of his are extant. Cicero praised him for his power of speech and choice of expression (his 'elegantia' and 'latinitas'), while in a letter to Cornelius Nepos he praised his witty comments, and attractive and apposite vocabulary (*Brut.* 261–262; Suet. *Jul.* 55.1–2: doc. 2.68). Caesar wrote a two-book work *On analogy* (*De analogia*), while crossing the Alps in 55 or 54, defending the basis of his rhetorical style and its approach to language, which he believed should be founded on everyday speech. His seven books of the Gallic War, the *Commentarii rerum gestarum belli Gallici* (covering the seven campaign periods 58–52), were written in Gaul, with an eighth book added later by his legate Hirtius (cos. 43). While intended to promote Caesar's image at Rome, they are written in the third person and were meant to appear as a dispassionate and methodical account of events. The fact that Caesar titled them *Commentarii*, or notebooks, suggests that he may have considered writing them up in a more sophisticated style, as Asinius Pollio believed (Suet. *Jul.* 56.1–7: doc. 13.64). Cicero praised them as 'simply, straightforwardly, and gracefully composed, with all the clothing of rhetorical ornamentation removed', intended as material for others to use as history, but which all sensible men would choose to leave in their present form (*Brut.* 262). The three books on the war against Pompey, the *Civil War*, may have been written in 48/47 in Alexandria, and dealt with the conflict down to the defeat of Pompey at Pharsalus. Pompey is portrayed as provoking the war to protect his dignitas, and forced into defeat by his incompetent and self-seeking senatorial advisors.

As well as the *Gallic* and *Civil Wars*, which dominated the lives of children in British public schools in the nineteenth and twentieth centuries, five letters to Oppius and Cicero written in 49 are extant (Caes. in [Cic.] *Att.* 9.6a, 9.7a: docs. 13.34, 13.36): some of his letters, where the matter was confidential, were written in cipher, with the order of the letters changed. Hirtius commented in *Gallic War* book 8, how beautifully

and faultlessly Caesar wrote, and how easily and rapidly he completed the task (Suet. *Jul.* 56.1–3: doc. 13.64). Caesar also wrote poetry, even when a captive of the Cilician pirates (Plut. *Caes.* 2; Suet. *Jul.* 4.1–2: doc. 6.13), and one work, *Iter* or *Journey*, was composed at the end of 46, in a period of 24 days while he was travelling between Italy and Spain. Augustus, however, forbade the publication of the minor works of his youth, such as his *Praises of Hercules* and a tragedy titled *Oedipus*, and his poetic output was not highly commended by Tacitus (*Dial.* 21.6).

Caesar's unique abilities

Caesar was considered remarkable for his outstanding intellect by Pliny the Elder, who speaks of his 'native vigour and quickness winged as if with fire' (Pliny 7.91–94: doc. 13.65). He was able to read or write and dictate or listen simultaneously, and had an amazing ability to multitask, being able to dictate four letters at a time to four secretaries (or to seven, if the letters were merely social): this anecdote probably derives from Oppius' memoirs. Cicero had praised Ser. Sulpicius Galba for the ability to dictate to two secretaries at once (*Brut.* 87). On campaign Caesar either had his secretary in the carriage with him so that he could dictate letters, or did so from horseback (Plut. *Caes.* 17). He read and answered letters and petitions even at the games, and was, as usual, signing letters at a dinner-party given by Lepidus on the night before his death (Plut. *Caes.* 63.4).

Pliny also recorded the fact that Caesar fought 50 pitched battles (more than M. Marcellus, consul in 222, who only fought 39), but he preferred not to dwell on the casualty rate, with some 1,192,000 people killed in his battles and massacres, 'a huge, if unavoidable, injury to the human race, as he himself admitted' by his not publishing the number of those slaughtered in the civil wars (Pliny 7.92). Pompey was more to be credited for having captured 846 ships from the pirates. But where Caesar was unique was in his clemency, in which he surpassed all others, 'even to the point of regretting it later' as those he pardoned became his assassins, and his magnanimity – his greatness of mind. This was not shown so much in his games, munificence, and public works, but in the fact that, when Pompey's letter-cases were captured at Pharsalus and Metellus Scipio's at Thapsus, Caesar exhibited the 'highest integrity', burning them rather than reading them. This showed his true generosity of spirit.

The Ides of March

After Caesar was made perpetual dictator in February 44, he exacted an oath of loyalty from all senators, like a Hellenistic monarch, and tied up the top magistracies in Rome for the next three years: for the remainder of 44 Dolabella was to replace him as consul, as Antony's colleague. The consuls designated for 43 were Caesar's ex-legates Hirtius and Pansa; for 42 Decimus Brutus Albinus and Munatius Plancus (both also ex-legates); and for 41 Brutus and Cassius (ex-Pompeians, now Caesar's supporters and currently praetors). Many senators must have felt cheated of their chance to compete for and enjoy senior magistracies. Despite Caesar's famed clemency, a number of those he had pardoned after the civil war were not reconciled to the way he was governing Rome, and by his acceptance of the dictatorship for life he showed that he had no intention of restoring the traditional Republic: this was now one-man rule (Plut.

Caes. 57.1). The numerous and often exaggerated honours voted him, and which he had mostly accepted, may have been intended to test how far he was prepared to go towards kingship and deification, and to highlight what was seen as his arrogance and contempt for senatorial consultative norms.

The knowledge that Caesar was departing for Parthia on a three-year campaign on 18 March precipitated action against him before he was out of Italy and protected by his army. There were also rumours known to Cicero that there was an oracle in the Sibylline Books that the Parthians could only be conquered by a king (Cic. *Div.* 2.110: doc. 3.39), and it was widely believed that this would be announced in the senate meeting on 15 March and a motion put forward that Caesar be awarded that title (Suet. *Jul.* 80.1: doc. 13.55). This would have put his critics into a difficult position as to whether or not to endorse the proposal. Fears over Caesar's future plans may also have influenced some of the conspirators: there were rumours that he was considering relocating the capital from Rome to the East, to Alexandria (presumably with Cleopatra, who with Caesarion was living in Caesar's villa across the Tiber), or Troy, leaving his friends in charge of Rome (Suet. *Jul.* 79.2: doc. 13.55).

About 60 conspirators were involved in the plot against Caesar. Many of these had been Pompeians, but others had until now supported Caesar and served under him in Gaul and elsewhere. M. Junius Brutus was the figurehead of the conspiracy, but had been pressured into joining it by his brother-in-law, C. Cassius Longinus: only Dio has Brutus as the instigator of the conspiracy (44.12–22). Both had been pardoned by Caesar after Pharsalus, and Caesar had enjoyed a long-term friendship with Brutus' mother Servilia. Caesar made Brutus governor of Cisalpine Gaul in 46, as well as urban praetor for 44 and consul-designate for 41. Brutus was descended from two opponents of tyranny in early Rome, L. Junius Brutus and C. Servilius Ahala, and both of these appeared on his coinage (Figures 1.3, 14.4). In about 44 he had divorced his wife Claudia Pulchra and married his cousin Porcia, daughter of Cato and widow of Bibulus (Plut. *Brut.* 13.3). Cassius had been Crassus' quaestor in Syria, surviving Carrhae and organising the defence of Syria as proquaestor in 52/1. He commanded a fleet for Pompey, but after Pharsalus surrendered it to Caesar in the Hellespont, and was pardoned, serving with him as a legate against Pharnaces. Like Brutus he was praetor in 44 and consul-designate for 41.

More surprisingly, Decimus Junius Brutus Albinus and Trebonius, long-term legates of Caesar, were part of the conspiracy. Trebonius, tribune in 55 when he proposed the legislation for the extension of Caesar's command, had been Caesar's legate in Gaul from 54 to 49, led the siege of Massalia for Caesar in 49, was praetor urbanus in 48, suffect consul in 45, and designated proconsul of Asia for 43. Decimus Brutus whom Caesar had chosen as consul for 42 and who was one of Caesar's secondary heirs in his will, had commanded a fleet for Caesar against the Veneti, fought with him in Gaul against Vercingetorix, been one of his legates at Massilia in 49, and administered Gallia Comata in 47–46, as well as praetor in 45, with Cisalpine Gaul as his province for 44. While many of the conspirators, like the tribune Pontius Aquila, were motivated by a mixture of resentment and republicanism (real or otherwise), Decimus Brutus and Trebonius are evidence that there was clear concern about the direction in which Caesar was taking Rome. Furthermore, they both played critical roles: Decimus Brutus encouraged Caesar to attend the senate on that day and escorted him into the meeting, while Trebonius was engaged in distracting Antony and separating him from

Caesar while the murder took place. A further conspirator named by Appian (2.474), L. Minucius Basilus, had served in Gaul and in the Adriatic with Caesar, but resented being passed over for magistracies, and L. Tillius Cimber, who was perhaps praetor in 45 and designated governor of Bithynia and Pontus by Caesar, appears to have been motivated by the exile of his brother (the cause of which is not known), and it was an appeal for Caesar's clemency over this that signalled the murder.

By portraying Caesar as a tyrant, and themselves as 'tyrannicides' (like Harmodius and Aristogeiton in Athens) Caesar's murder could be classed as an execution, and justified for the sake of the preservation of the state, like the 'executions' of the Gracchi. Even Caesar's friends and colleagues could not tolerate the thought of being ruled from overseas by a quasi-divine ruler for several years. Caesar's comment on Sulla, that he did not know his political ABC, may also have sent the message that unlike Sulla he had no intention of resigning the position of dictator (Suet. *Jul.* 77). The location of the assassination, the theatre of Pompey at the foot of Pompey's statue, was surely symbolic (the Campus Martius had also been considered, as well as the via Sacra), although not all the assassins were Pompeians.

Caesar was persuaded to attend the senate meeting by Decimus Brutus despite the bad dreams and warnings of Calpurnia. He also ignored, according to the sources, a variety of forewarnings (including balls of fire in the sky and rains of blood, portentous birds in the forum, and a sacrificial victim without a heart): Suetonius (*Jul.* 81.1–3: doc. 3.43) described the most significant, including the warning from the haruspex Spurinna, 'Beware the danger, which will not come later than the Ides of March', and Caesar's dream the night before his murder of flying above the clouds and shaking hands with Jupiter; Calpurnia also had a dream in which the gable ornament of the house collapsed and she saw Caesar lying stabbed in her embrace. All of these are perhaps post-eventum inventions of the sources.

The assassination took place on 15 March (the Ides) 44. Caesar seems to have been suffering from ill-health, but was persuaded by Decimus Brutus not to disappoint the meeting, which was to discuss Antony's reluctance to proclaim Dolabella his consular colleague. According to Plutarch, Decimus also informed Caesar that the senate was prepared to vote that he should be king outside of Italy, and told him that they could hardly be told to disperse and come back later when Calpurnia had had better dreams (*Caes.* 64.3). On the way to the meeting Caesar was handed a scroll with details of the plot but did not read it (the warning is said to have come from Artemidoros, a teacher of Greek philosophy), and entered the senate meeting, despite unfavourable omens from the victims sacrificed beforehand (Cic. *Div.* 1.118–119: doc. 13.69).

Trebonius detained Antony outside, to ensure that he did not interfere; according to Plutarch (*Caes.* 66.4) Decimus Brutus performed this role. The conspirators approached Caesar, pretending to request his clemency for Tillius Cimber's exiled brother, and surrounded his chair. As Caesar grew angry with their importunity, Tillius Cimber gave the sign for the attack, manhandling Caesar by pulling his toga away from his neck. Caesar, who had suspected nothing, called out, according to Suetonius, 'This is violence' ('ista quidem vis est!': Suet. *Jul.* 82.2). The first blow was ineffectually struck by P. Servilius Casca Longus (tr. pl. 43) to Caesar's neck, and Caesar was able to grab the dagger, calling out in Latin, according to Plutarch, 'You villain, Casca, what are you doing?' (Plut. *Caes.* 66.4–14: doc. 13.66). The senators who were not in the plot were unsure how to proceed and did not interfere, while the rest of the

conspirators pulled out their daggers. The assassination was clumsy, with all of those involved trying to participate in ‘the sacrifice’, and many of them wounded each other. Brutus gave Caesar a wound in the groin, at which Caesar stopped fighting back, covered his head with a fold of his toga and collapsed against the pedestal of Pompey’s statue, ensuring that the lower part of his body was decently covered (*Jul.* 82.2: doc. 13.67; Figure 13.13).

The earliest source, Nikolaos of Damascus, states that Caesar received 35 blows from the knives of the assassins, while, of the 23 wounds Suetonius mentions, the doctor Antistius pronounced only the second fatal (*Suet. Jul.* 82.3). Daggers were used, as easy to wear and hide under the toga, and two military daggers together with a freed-man’s cap (pilleus) were depicted on Brutus’ coins with the legend ‘Ides of March’; one has an unusual cross-shaped hilt and possibly these daggers were meant to represent the specific weapons used by Brutus and Cassius (Figure 13.12). Suetonius states that Caesar did not speak again after his rebuke to Casca, though other sources reported that he addressed Brutus in Greek, as ‘You too, my child!’ (*Suet. Jul.* 82.2), suggesting not that Caesar was Brutus’ biological father, but that he loved him as his own son. Caesar was now 56 years of age. On his last night, at dinner with Lepidus, the conversation had turned to dying, and, when asked what type of death he would prefer, Caesar replied ‘the unexpected’ (*Suet. Jul.* 87). His wish had been granted.

There had been no forward planning and the senators fled in panic without waiting to hear what Brutus had to say. Three slaves carried Caesar home on a litter. Decimus Brutus had posted gladiators to act as a guard, and with their assistance the conspirators made their way to the forum and then occupied the Capitol, while Antony barricaded himself in his house. On the following day envoys were sent to negotiate with Antony and Lepidus. Cicero, who was left out of the conspiracy, frequently complained later that Antony should have been killed as well (*Fam.* 10.28.1: doc. 14.16), but, though the idea had been flagged, Appian (2.478) and Plutarch (*Brut.* 18.4–6) record that Brutus vetoed this as an act of faction, not liberation from tyranny.



Figure 13.12 A denarius issued by a mint moving with Brutus in northern Greece in late summer-autumn 42 BC by the magistrate L. Plaetorius Cestianus, depicting Brutus, and a pilleus between two daggers with EID MAR (the Ides of March).

Source: Courtesy of Classical Numismatic Group

Lepidus, the magister equitum, brought troops from the Campus Martius for Antony to command, as he was now the chief magistrate (Dolabella had not as yet been confirmed as consul). An amnesty was voted in the senate meeting on 17 March at Cicero's instigation, and the senate ratified Caesar's appointments to magistracies and all his measures, even if they were merely in draft form, voting that he should have a public funeral. On 18 March the senate authorised the publication of Caesar's will.

The populace was whipped up to hostility towards the conspirators on 20 March by the reading of Caesar's will in the forum, with its generous gifts to the plebs. According to Suetonius (*Jul.* 84.2), Antony had the decree of the senate read out which voted Caesar all divine and human honours and named him the father of his country, as well as the oath for Caesar's safety taken by the senate, saying only a few words himself in eulogy (unlike in Shakespeare's play), but this was enough to inflame the crowd. When Caesar's wounds were displayed, the people went on a manhunt for the murderers in which the wrong Cinna (the tribune, not the praetor) was lynched. Caesar's body was cremated on a pyre in the forum and the funeral was followed by violent disturbances in which the houses of the tyrannicides were attacked. Those who had been 'liberated' by Caesar's murder did not, it seems, appreciate the actions of the liberators.

Caesar's will

In his will, made in September 45, Caesar's main heir was named as his great-nephew, C. Octavius, now 18 years of age. Octavius had joined Caesar in Spain for his Munda campaign in 45, and was now at Apollonia with the legions intended for the Parthian expedition. He had been made pontifex in 47, and designated as master of horse after Lepidus in 44. He was to receive three-quarters of the estate, and to be adopted posthumously, hence becoming C. Julius Caesar Octavianus (Suet. *Jul.* 83.2: doc. 13.68).

Octavian was the grandson of Caesar's younger sister Julia, who had two daughters by her husband M. Atius Balbus, and who supervised Octavian's education from about 58 to 51; Octavian delivered her funeral eulogy. Octavian's mother Atia had married C. Octavius (pr. 61), and produced two children, Octavia and Octavian, later marrying L. Marcius Philippus (cos. 56). Through his elder sister Julia, Caesar also had a great-nephew L. Pinarius Scarpus, and a nephew Q. Pedius, the son of this Julia and Q. Pedius (not her grandson as in Suetonius' account; Family Tree 3). Pedius had been Caesar's legate in Gaul in 58–55, praetor in 48, and in 46/5 began the Spanish campaign with Q. Fabius Maximus, triumphing on 13 December 45; he was to become suffect consul with Octavian in August 43. Pinarius and Pedius were to share the remaining quarter of Caesar's estate. Decimus Brutus was named among Caesar's heirs in the second degree, and several of the assassins were nominated as guardians of his son, if he had one (guardianship of a posthumous son was a mandatory clause in wills). Caesar left generous gifts to the populace: 300 sesterces were given to each citizen, and the public were to have the use of his gardens near the Tiber (Suet. *Jul.* 83.2).

Cicero on destiny

In Cicero's *De divinatione* Quintus Cicero discusses the significance of the omens prior to Caesar's assassination (Cic. *Div.* 1.118–119: doc. 13.69). He argues for the divine origins and efficacy of divination, and explains how it could have happened

that sacrificial victims prior to Caesar's death lacked essential organs. On the first occasion on which Caesar sat on his golden throne and wore the robe of a triumphator, the sacrificial ox was found to have had no heart: the explanation must be that at the moment of sacrifice a change takes place in the vitals of the victim with an organ removed or changed by the gods, for no animal can exist without one. The haruspex Spurinna had warned Caesar of the significance of the occurrence – that he should take care not to lose his life and thought, both of which are dependant on the heart. This episode left Caesar unperturbed, while at a sacrifice on the following day the liver of the sacrificial beast had no 'head' (the primary lobe). Quintus maintains that these omens were delivered to Caesar by the immortal gods, not so that he might be on his guard against death, but so that he might be aware of its imminence.

In the second book of this work Cicero makes a case against the validity of divination (*Cic. Div.* 2.22–23; doc. 13.70), maintaining that if events are controlled by Fate, then knowledge of the future would be of no practical or moral use. All the triumphs and achievements of great men would have been meaningless, or would never have taken place at all, if they had known to what destiny these would lead. He uses as his example the triumvirs, the three greatest men of his time: Crassus, the wealthiest man in Rome, perished beyond the Euphrates in shame and dishonour after beholding the death of his son Publius and the destruction of his own army; Pompey, despite his three consulships and three triumphs, saw his army defeated and was slaughtered in a lonely spot, with these events followed by a catastrophic civil war; Caesar was murdered in front of a senate he had mostly selected himself, in Pompey's theatre, at the foot of Pompey's statue, by the most aristocratic Romans, some of whom were indebted to him for everything they possessed, with his friends and servants too afraid



Figure 13.13 Vincenzo Camuccini, *The Death of Julius Caesar*, 1804–1805, Galleria Nazionale d'Arte Moderna, Rome. Caesar was killed in the curia of Pompey's theatre, at the foot of Pompey's statue.

Source: Photo © GL Archive/Alamy Stock

to approach his corpse. Had he known this in advance, his life, rather than being employed in conquests and glory, would have been spent in torment of mind.

For Cicero, Crassus, Pompey, and particularly Caesar were object lessons in the evils of ambition and hubris: if it were possible to know the future, the fates of these three clearly showed that the disadvantages of foresight would by far outweigh the benefits of such knowledge. His assessment was correct: had Cicero himself had the foreknowledge of his own proscription in the following year, when he was to be executed by the henchmen of the Second Triumvirate, this would certainly have damaged the complacency with which he viewed himself as a senior statesman and mentor of the young Octavian, and made him far more cautious in the invective he delighted in hurling at Antony.

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Chapter 14

Octavian's rise to power

The period between Caesar's assassination in March 44 and the suicide of Antony in Alexandria in August 30 was quickly to become a struggle for power between two very different antagonists, the experienced general Mark Antony, Caesar's second-in-command, and the teenage C. Julius Caesar 'Octavianus' (Octavian), the 18 year-old great-nephew whom Caesar had adopted and made his main heir in his will. Within months of Caesar's death, the two were to become relentless antagonists in competition for the command of Caesar's legions and leadership of the Caesarians. A decade later, after an uneasy alliance for the purpose of eliminating Caesar's assassins and entrenching themselves in power, they had become implacable enemies, fighting for control of Rome and its empire in a civil war that was to result in the fall of the Republic and the surreptitious, if unremitting, establishment of one-man rule.

Mark Antony (M. Antonius)

Antony, who was probably born in 83, at Caesar's death was nearly 40 years of age. He was one of the Antonii, a prominent plebeian family with mildly optimate sympathies, and the eldest son of M. Antonius 'Creticus', who had been given command against the pirates in the Mediterranean as praetor in 74. The cognomen Creticus was ironically bestowed on him in imperial times, and Sallust considered him greedy and idle (*Sall. Hist.* 3.3). Antony's grandfather M. Antonius the orator (cos. 99, cens. 97), who was killed by the Marians, was one of the outstanding legal orators of the period and had celebrated a triumph in 100 for a naval victory over the Cilician pirates. Antony's uncle, the orator's son C. Antonius Hybrida, was consul in 63 with Cicero, and helped defeat Catiline, but had had a chequered past (expelled previously from the senate), and was later condemned for misconduct in his province.

Antony had two younger brothers, Gaius and Lucius, both of whom were to play a part in events following Caesar's assassination. The mother of the three boys was Julia, daughter of L. Julius Caesar (cos. 90, cens. 89), who was also killed in 87 by the Marians, and in his account of Antony's early career, Plutarch praised Julia highly for her upbringing of the boys (*Plut. Ant.* 2.1–4.4: doc. 14.1). After the death of Antonius 'Creticus' in 71, Julia had married P. Cornelius Lentulus Sura, who was consul in 71 but expelled from the senate because of his disreputable lifestyle. He became praetor again in 63, when he was the leader in Rome of the Catilinarian conspirators and was executed by Cicero in December with the concurrence of two of Antony's uncles, C. Antonius Hybrida, Cicero's colleague, and L. Julius Caesar, Julia's brother. L. Caesar

had been consul in 64 and censor in 61, and was notable for the hard line he took on demanding the death penalty for the conspirators, including his brother-in-law; nevertheless, Julia was so attached to her brother that she defied Antony to save his life in the proscriptions of 43 (Plut. *Ant.* 20). Antony would have been about 20 years of age at the time of the conspiracy and execution of his step-father.

Antony married his uncle Antonius Hybrida's daughter Antonia, as his first wife. He divorced her in 47, reportedly because she was having an affair with the tribune P. Cornelius Dolabella. There was considerable antagonism between Antony and Dolabella at the time, and this can be discounted as political propaganda (Cic. *Phil.* 2.99; Plut. *Ant.* 9.1–2). The daughter of this marriage, Antonia ('Prima', 'First'), was betrothed to Lepidus' son after Caesar's assassination.

After studying rhetoric in Athens, Antony served from 57 to 54 with Gabinius (cos. 58 and earlier Pompey's legate) as his praefectus equitum (cavalry commander) in Syria and Egypt. Josephus, like Plutarch (*Ant.* 3.2–3), mentions Antony's leadership and bravery while in conflict in Judaea against Aristoboulus, who was rebelling against his brother Hyrcanus, whom Pompey had made ethnarch of Judaea (Plut. *Ant.* 3.1–3: doc. 14.1; Joseph. *BJ* 1.162–165). After this service in the East, Antony joined Caesar in Gaul in 54, serving as his legate until 50: he took part in the siege of Alesia and was quaestor in 51. In 50 he was elected augur (perhaps assisted by money from Caesar), and in December took up his tribunate for 49, when he represented Caesar's interests for the few weeks before the outbreak of civil war.

Once war was imminent, Antony left Rome with Curio and his fellow tribune Q. Cassius to join Caesar (Cic. *Fam.* 16.11.2: doc. 13.25). He then assisted Caesar in securing the towns of northern Italy after the crossing of the Rubicon. After Pompey's departure for Greece, he was in charge of Italy, acting as propraetor during 49 while Caesar was in Spain. He fought at Pharsalus in 48 where he commanded Caesar's left wing, and from October was in Italy as Caesar's magister equitum. In 47, while Caesar was in the East, he was unable to suppress unrest in Rome stirred up by Dolabella, who was agitating for debt relief, which only ended with the return of Caesar in October 47. Antony suffered something of a political eclipse for the next two years, but was consul in 44 as Caesar's colleague. At the Lupercalia festival on 15 February it was he who offered the royal diadem to Caesar, which Caesar refused (Suet. *Jul.* 79.2: doc. 13.55).

Stories of Antony's debauched youth owe much to the later invective of his enemies and should mostly be discounted, although both his step-father, Lentulus, and his father's brother (also his father-in-law) Antonius Hybrida, were expelled from the senate for inappropriate conduct, and Antony's grandfather, the orator, had been prosecuted but acquitted in the Cassian trials in 113 for misconduct with a Vestal (Val. Max. 3.7.9, 6.8.1). Antony's relationship with Cytheris ('belonging to Aphrodite'), a freedwoman and mime actress whose real name was Volumnia, was vilified by Cicero. The love elegies of C. Cornelius Gallus (the first prefect of Egypt) to his 'Lycoris' were addressed to her, according to Servius (*Ecl.* 10.1). In May 49 Cicero described to Atticus how Cytheris had accompanied Antony when he visited him at Cumae: she was carried around with him in an open litter, like 'a second wife', with seven other litters conveying mistresses, and others containing 'friends' (Cic. *Att.* 10.10.5; Plut. *Ant.* 9.7). In a reprise of this episode in late 43 in the *Philippics* (2.58–61), Cicero describes Antony as accompanied by his lictors, and carriages full of pimps and debauched

companions (including Volumnia), with the litter of Julia, Antony's mother, trailing behind that of his mistress. The liaison may have lasted until Antony's divorce from Antonia and marriage to Fulvia, probably in 47. In June 44, in a further letter to Atticus, Cicero was still referring to Antony as 'our Cytherian friend', clearly a favourite jibe (*Att.* 15.22.1).

Antony's choice of Fulvia as his second wife suggests a close link with the popular side in politics, as Fulvia had previously been married to the firebrand tribune P. Clodius Pulcher (until 52), and then to C. Scribonius Curio 'the Younger' (until 49), both career-oriented radical politicians and Antony's close friends (*Plut. Ant.* 2.4–7: doc. 14.1). Cicero, in February 61, described Curio as one of the leaders of the fashionable youth of the day, the 'barbatuli iuvenes' ('youths with little foppish beards': *Att.* 1.14.5), members of the 'whole Catilinarian gang headed by that little daughter of Curio's'. Clodius and Curio in Cicero's mind were associated with the moral and political improbity of Catiline and his supporters, and Plutarch considers Antony an intimate member of their coterie. Like most of the senatorial youth of their time they were probably heavily in debt: Plutarch's estimate of Antony's debts as a youth at 250 talents is too well-rounded a sum to be entirely plausible, although Caesar had loaned Lepidus Paullus 1,500 talents, and was said to have bought Curio's loyalty by an even greater amount (*Ant.* 2.5; *App.* 2.100: doc. 13.9). At this point, Antony had not yet progressed far enough up the *cursus honorum* to be able to recoup any of the sums he owed, and would certainly have been in debt, but Cicero and Plutarch's depictions of his general profligacy have to be taken with caution.

While the Antonii were a plebeian family in evidence from the fifth century, the pseudo-genealogical descent from Anton, a son of Herakles (Hercules), is only found in Plutarch, who records Antony as justifying his liaison with Cleopatra and his children by her through a comparison with his progenitor Herakles who was the founder of multiple families (*Ant.* 4.2, 36.4). Antony's physique and machismo were also thought to mirror those depicted in the statues of Herakles (*Plut. Ant.* 4.1; Figure 14.1). When in the East, Antony not only associated himself with Herakles as his ancestor, but identified himself on his coinage with Dionysus, the god of eastern conquest, and issued cistophori in Athens in 39 representing himself as Dionysus (Figure 14.8). In the 'Donations of Alexandria' in 34, he was presented as Dionysus and Cleopatra VII as Isis, and in Egypt they were celebrated as the 'New Dionysus' and 'New Isis' (*Plut. Ant.* 60.3, 54.9: doc. 14.43). The cognomen of Antony's elder son by Fulvia (M. Antonius) Antyllus, recalled the name of their ancestor Anton, Herakles' son.

Assessments of Antony's character have been coloured by later Augustan propaganda and the virulent denunciations by Cicero in his *Philippics*, which influenced Plutarch's account. His *Life*, for example, focusses on Antony's intimacy as a youth with the notorious Curio, and his intemperance, licentiousness, and extravagance. But his picture of Antony is contradictory, depicting him as possessing courage, generosity, and integrity, as well as cruelty, vanity, ambition, and lechery (*Plut. Ant.* 2–4: doc. 14.1). Antony appears to have been a charismatic military leader and an experienced and audacious general, beloved by his troops and veterans, and possessed of charm and generosity, but undermined by his own lack of judgement. He was also an efficient administrator and Octavian kept in place most of his reorganisation of the East. From his first consulship in 44, down to his suicide at Alexandria in 30, he was the most prominent figure in the Roman world and until Actium itself it looked as if he would



Figure 14.1 A denarius issued by the Ephesus mint in spring–summer 41 BC, depicting Mark Antony and Octavian. On the obverse Antony with the legend M ANT IMP AVG III VIR RPC (M. Antonius, imperator, augur, triumvir republicae constituendae), and on the reverse Octavian bareheaded, with a slight beard, with the legend CAESAR IMP PONT III VIR RPC (Caesar, imperator, pontifex, triumvir republicae constituendae). The moneyer was M. Barbatius Pollio, quaestor pro praetore. The differences in age and experience of these two colleagues are clearly denoted in their depictions (Antony, probably born 14 January 83, was 20 years older than Octavian, who was born on 23 September 63).

Source: Courtesy of Classical Numismatic Group

be the victor over the much younger, sickly, and inexperienced Octavian, who was challenging his position as the leading Caesarian.

C. Julius Caesar ‘Octavianus’

Octavian’s family

Octavian, Caesar’s great-nephew, who was 18 years of age at the time of Caesar’s death (he was born on 23 September 63), would have appeared an unlikely adversary to challenge Antony successfully. He was studying at Apollonia where the legions waiting to depart for the Parthian expedition were stationed and had been nominated to take over from Lepidus as Caesar’s master of horse in Italy, when Lepidus joined Caesar on campaign. He was one of the very few close relatives of Caesar, his grandmother being Julia, Caesar’s younger sister.

His father, C. Octavius, had been praetor in 61 and propraetor in Macedonia, en route clearing the area around Thurii of the remnants of slave rebellions from the Spartacus and Catiline eras, who won the title of imperator against the Bessi, a Thracian tribe (Suet. *Aug.* 3.1–2: doc. 14.2). Suetonius speaks highly of his skills as a provincial governor, which were praised by Cicero himself. He died unexpectedly on his way home in 59 when Octavian was 4. Octavian’s mother Atia was Octavius’ second wife, and the mother of Octavian and an older sister Octavia. Atia’s mother, Caesar’s younger sister, had married M. Atius (or Attius) Balbus of Aricia (Family Tree 3), and Octavian’s opponents attacked the family for this lowly connection: despite Suetonius’

assertion of the family's prominence it seems to have become notable only in this generation (Suet. *Aug.* 4.1–2): Balbus was praetor at an unknown date and, as Caesar's brother-in-law, served on Caesar's 20-person agrarian commission set up in 59, his only claim to fame in the historical record, but evidence that Caesar encouraged the careers of those related to his family.

After Octavius' death, Atia had married L. Marcius Philippus, a good match and one which her uncle Caesar must have been played some part in arranging. Philippus had been praetor in 62 with Caesar, and was governor of Syria in 61–60. He was an astute politician, who was careful not to side obtrusively with any one faction, and as consul, a position he achieved in 56 – presumably with Caesar's support – he remained relatively neutral over the triumvirate, while in the civil war he did not take sides with either Caesar or Pompey. The marriage alliances in his family speak for themselves: while he was married to Caesar's niece (Octavian's mother), his daughter Marcia by his first wife was married to M. Porcius Cato 'the Younger': it was this Marcia who was divorced by Cato to allow her to marry his friend Hortensius the orator, at Hortensius' request, at some point between 55 and 52. Cato then remarried her in 50 (considerably richer) after Hortensius' death. Philippus was an expert at maintaining useful relations across all political spectrums, which involved some complexity in terms of family relationships: to ensure a double alliance with Caesar's family, Philippus' son by his first marriage (another Lucius) married Atia's younger sister (father and son thus married sisters). Philippus therefore had marriage connections with Cato (through his daughter) and with Caesar (through himself and his son). The younger L. Marcius Philippus was suffect consul in 38. Octavian was close to his mother and when Atia died in 43/2 he ensured that she was given a public funeral.

Julius Caesar and Octavian

Octavian adopted the toga virilis on 18 October 48 and was elected pontifex to replace Domitius Ahenobarbus who had been killed at Pharsalus. At the beginning of 47 he also held the position of praefectus urbi feriarum Latinarum causa, a minor official who represented the consuls during the Latin festival. Nikolaos of Damascus, whose *Life of Augustus* relies heavily on Augustus' own memoirs (now lost), stresses the degree to which in 46 Octavian publicly attended Caesar at the theatre and social occasions (Nik. Dam. *Aug.* FF 127–129). He participated in Caesar's African triumph in 46 although he had not taken part in the war, and travelled to meet Caesar in Spain in 45 for the Munda campaign, despite shipwreck and the ill-health from which he was to suffer throughout his life (Suet. *Aug.* 8.1: doc. 14.2). He does not appear to have fought at Munda, but acted as spokesperson for the Saguntines and won their pardon from Caesar. It was after his return from Spain, where his qualities must have impressed his great-uncle, that Caesar in September 45 made him his heir and adopted him posthumously. He inherited most of Caesar's immense fortune, being left three-quarters of the total: the remainder was shared between his cousins, Caesar's nephew Q. Pedius and his great-nephew L. Pinarius Scarpus, both descended from Caesar's elder sister Julia (Suet. *Jul.* 83.2: doc. 13.68).

Caesar had also ensured that Octavian was made a patrician (the Octavii were a plebeian family), as well as designated magister equitum for 44 to replace Lepidus. He was sent ahead to Apollonia in Illyricum where the troops were mustering for the

Parthian campaign, with his old friends C. Agrippa and Q. Salvidienus Rufus, supposedly to study as well as to associate with the military officers there. On learning of Caesar's assassination, and perhaps of the fact that he had been named as Caesar's heir (though he probably only heard the details of this when he arrived at Brundisium), he returned to Rome to claim his inheritance. Although Suetonius suggests that he considered calling on the troops to support him at the news of Caesar's death (*Aug.* 8.2), there is no evidence that he envisaged an armed struggle for leadership of the Caesarians until considerably later. Despite the doubts of his mother and step-father, he immediately assumed the name C. Julius Caesar, and never himself used Octavianus. 'Octavian' has been adopted by modern scholars as a convenience to distinguish him from his great-uncle, but even Cicero only used Octavianus until November 44: as far as the Romans were concerned he was, from 44, C. Julius Caesar, Caesar's (adopted) son and heir.

The aftermath of Caesar's assassination

Events following Caesar's murder, March 44 BC

Antony was sole consul at the time of Caesar's murder, though he was to be joined by Dolabella as his consular colleague. Antony and Dolabella had been in conflict during Dolabella's tribunate in 47, and Antony had not approved of Dolabella's designation as suffect consul to replace Caesar on his departure for Parthia, refusing to ratify it by declaring unfavourable omens on the occasion. The appointment was, however, confirmed following the assassination.

Antony had been detained by Trebonius during Caesar's murder in the senate meeting (*Plut. Caes.* 66: doc. 13.66), and then fled to his house, while the senate broke up in turmoil. Cicero later regretted that Antony had not been killed too (*Cic. Fam.* 10.28.1: doc. 14.16), but Brutus, when this had earlier been suggested, considered that it would have undermined the symbolism of the assassination of the 'tyrant' Caesar. The conspirators took possession of the Capitol with the assistance of gladiators belonging to Decimus Brutus, but, disappointed that there was no spontaneous outcry of support from the people, they decided to negotiate with both Antony and Lepidus, who as Caesar's master of the horse had command of Caesar's troops on the Campus Martius. On the following day Lepidus' forces took control of the forum, while Antony and Calpurnia had Caesar's paperwork and draft legislation transferred to Antony's possession (*Plut. Ant.* 15.1–2). Antony, either now or shortly afterwards, also secured the state treasury in the temple of Ops, which contained 700 million sesterces, a large proportion of it presumably intended for financing the Parthian campaign (*Nik. Dam. Aug.* 28.110: doc. 14.10; *Cic. Phil.* 8.8.26: doc. 14.15).

On 17 March, the festival of the Liberalia, Antony summoned the senate, though the conspirators were not present. The meeting was held at the temple of Tellus near Antony's house and surrounded by Caesar's veterans as well as by Lepidus' troops. The liberators had hoped that Caesar would be declared a tyrant by the senators, thus invalidating his legislation and his will, but Antony proposed both that the assassins receive an amnesty for the murder, and that all Caesar's measures be ratified. On the motion of Cicero, whose view was that the cause of the liberators was already lost, the senate voted for this amnesty, and the ratification of Caesar's acts, including those

decrees that were only in draft form (*Cic. Att.* 14.10.1: doc. 14.4). This *lex Vibia de actis Caesaris confirmandis* (C. Vibius Pansa was consul-designate for 43) included the confirmation of designated appointments to magistracies, due to be held by a number of those present at the meeting who did not wish to face public elections. It was also agreed that Caesar should receive a public funeral, thus legitimising his dictatorship. A show of reconciliation took place between Antony and Lepidus on the one hand and Brutus and Cassius for the liberators on the other. After the senate meeting, Brutus and the others were invited down from the Capitol, and Antony and Lepidus sent their sons there as hostages. On the next day the senate, with the conspirators present, authorised the validation and publication of Caesar's will, which adopted Octavian and proclaimed him his main heir (*Suet. Jul.* 83.2: doc. 13.68).

Caesar's funeral and its consequences

In the forum, on 20 March, Antony stirred up the sentiments of the crowd with his reading of Caesar's will and an emotional display of Caesar's corpse, which was cremated there by an impassioned mob, inflamed by the news that Caesar had left 300 sesterces to every citizen, and his gardens to the public. Violent disturbances took place, and the crowd then hastened to attack the conspirators and burn their houses (*App. 4.57*: doc. 14.3). C. Helvius Cinna, a poetic tribune, was killed in error for one of the supposed conspirators (L. Cornelius Cinna the praetor), and feelings continued to run so high in the city that Brutus and Cassius, who were praetors for the year, had to leave Rome for Latium in mid-April; they were initially offered control of the grain supply from Asia and Sicily, which they turned down, and, then governorships of the minor provinces of Cyrene and Crete, which they also refused, later achieving for themselves control of the provinces of Macedonia and Syria.

Antony made sure that he was awarded Macedonia as his province, where the six legions for the Parthian war were stationed, while Dolabella took Syria and one legion, as well as command of the war against Parthia (*App. 4.57–58*: doc. 14.3). On 11 April Cicero wrote to Atticus that Brutus and Cassius and the others, 'who ought to be guarded by all mankind, not only for their protection but also for their glorification', were essentially prisoners within their own homes because of the popular unrest (*Cic. Att.* 14.5.2: doc. 14.4). It was in everyone's interests that Brutus and Cassius remove themselves from Rome, and at Antony's request they were given special permission by the senate to leave the city (they were currently praetors), while Antony's brother Gaius took over from Brutus as urban praetor; his other brother Lucius was also conspicuous in Rome as tribune for 44. Coinage issued by Antony in April–May 44 commemorated the 'Clemency of Caesar' (Figure 14.2), a gentle reminder to the populace and veterans that Antony had not forgotten that Caesar had been killed by those he had pardoned and promoted to high magistracies. Cleopatra too left Rome in April (Cicero mentioned to Atticus her departure from Rome on 16 April: *Att.* 14.8), while one of the main conspirators, Decimus Brutus, also left to take command of his province of Cisalpine Gaul.

Antony and Lepidus confirmed their alliance with each other by a betrothal of Antony's daughter Antonia Prima to Lepidus' son. Lepidus had been consul with Caesar in 46, and now, with Antony's support, he replaced Caesar as pontifex maximus – rather irregularly: Antony transferred the election of the pontifex from the people



Figure 14.2 A denarius minted by P. Sepullius Macer, under Mark Antony, in April–May 44 BC shortly after the assassination of Caesar. On the obverse a tetrastyle temple with a globe in the pediment, with *clementiae c]aesaris* (to the Clemency of Caesar) around it; on the reverse a desultor with a conical cap and whip and a palm frond and wreath to the left. The desultor, a horseman who leapt from one horse to another while they were in motion, refers to the Parilian games at which this was an event. This festival took place on 21 April and in 44 celebrated Caesar's victory at Munda. Clemency reminded the public of the clemency Caesar had showed his opponents such as Brutus and Cassius, who had fought on Pompey's side but been pardoned and given magistracies by Caesar.

Source: Courtesy of Classical Numismatic Group

back to co-option by the priests themselves, and Livy's *Periochae* speaks of the 'appropriation' of the office under conditions of disruption and insurrection (Livy *Per.* 117: doc. 14.5). Livy, of course, was writing under the regime of Augustus, and Augustus succeeded Lepidus as pontifex maximus, taking up the position after his death in 12. Lepidus then departed for his provinces of Narbonese Gaul and Hither Spain, leaving Antony in control at Rome. Antony now abolished the office of dictator, and it was made illegal even to put a motion that a dictator be appointed (Cic. *Phil.* 2.91). This must have reassured those in the senate who had sympathies with the liberators, and veterans who had been assigned land were sent off to their colonies to lessen the threat of unrest in Rome.

Cicero on the Ides of March

Cicero's views on the Ides of March were mixed. He was triumphant that Caesar, the tyrant, had been killed, yet two days after the assassination, on 17 March (the Liberalia), he had put the motion in the senate that Caesar's acts should be ratified. He realised that the control of events had already slipped away from the conspirators: their lack of any plan following the murder had left the field free for Antony to shape the popular reaction to events. Cicero saw the conspirators as heroes, but he realised that, while the senate as a whole sympathised with them, this was not to the extent of giving up honours and magistracies designated them by Caesar. He also noted with frustration the reaction of the populace to Caesar's assassination, sending off letters to

Atticus on an almost daily basis. On 10 April he wrote that 'our heroes' had played their part 'gloriously and magnificently', even though their party was impotent, as they lacked money and men (*Att.* 14.4.2: doc. 14.4). They should, however, be happy with their achievement, even if the state as a whole was wretched. On 11 April he had already learnt of Octavian's arrival in Italy and was interested to hear whether Atticus had heard whether anyone was rallying to him or whether there had been any hint of a coup, though he suspected not (*Att.* 14.5.2: doc. 14.4).

On 17 April, he wrote from Puteoli, a favourite holiday destination, to tell Atticus that there was a great crowd there, while he was awaiting the imminent arrival of Hirtius and Pansa. As Caesar's legates and consuls-designate for 43, they had not aligned themselves with the liberators, and stayed on the side-lines. As Cicero saw it, 'the tyranny lives on, (though) the tyrant is dead': even after Caesar's assassination his measures continued without him. As far as Cicero could see there would be no end to this state of affairs, and it would have been better to 'die 1,000 times' than to put up with this (*Att.* 14.9.2: doc. 14.4).

He expanded on this two days later on 19 April writing from the beach resort of Cumae (*Att.* 14.10.1: doc. 14.4). Brutus had withdrawn to Lanuvium in Latium, 18 miles from Rome, while Trebonius had left for his province of Asia, somewhat deviously to avoid notice. All that the conspirators had achieved was that everything planned by Caesar now had more weight than it would have done if he had still been alive! After running through all his past advice in a fit of 'I told-you-so', Cicero says he can no longer bear it in Italy and is planning a trip overseas (quoting Aeschylus *Prometheus Bound* 682: 'driven by the divine scourge I am driven on land beyond land'). Atticus was currently at Athens, where Cicero's son Marcus was studying.

Octavian arrives in Italy

Octavian's acceptance of his inheritance

After hearing the news of Caesar's death, Octavian had returned to Italy, arriving at Brundisium in April. Though there was as yet no suggestion that armed force would be necessary against Antony or the tyrannicides, in his journey from Brundisium to Rome he courted the support of Caesar's veterans by presenting himself as Caesar's son, and used the name C. Julius Caesar, though his adoption was not yet official. His mother and step-father, the astute ex-consul Marcius Philippus, advised him against accepting the inheritance and the adoption: according to Appian this advice reached him while he was in Apollonia, but it is more probable that he received letters from his mother and step-father informing him of the will and adoption at Brundisium (*App.* 3.11–13: doc. 14.6). Appian reports that Octavian considered that to refuse the inheritance would have been 'shameful' (3.11), and that when he left for Brundisium, his desire to avenge Caesar was already a motive for his actions. From Brundisium on, his journey was marked by ecstatic receptions by the general populace, including soldiers who were en route to Macedonia or transporting revenues to Rome from the eastern provinces. Appian hints that Octavian now took control of revenue from the East coming into Brundisium, which the account of Nikolaos of Damascus confirms (*Nik. Dam. Aug.* 18.54–57: doc. 14.7).

While not all towns in Italy gave him their complete support, crowds of veterans came to meet him, criticising Antony for not having taken action against Caesar's murderers, and volunteering their services. It was when he was at Tarracina, some 50 miles from Rome, that he learnt that Brutus and Cassius had been offered the minor provinces of Cyrene and Crete, and that Caesar's acts had been ratified, with additional members already enrolled into the senate along the lines of Caesar's memoranda (App. 3.12). According to Appian, Pompey's son Sextus Pompeius had been recalled from Spain, but this actually took place later in the year, when Sextus, whose base was now at Massalia from whence he raided the Italian coastline, reached a short-lived compromise with Lepidus and Antony by which he regained control of his father's property.

Octavian's mother and step-father and his other connections were concerned that the senate had approved an amnesty for the conspirators and that Caesar's murder was not to be punished (App. 3.13: doc. 14.6). They were also apprehensive that Antony had not acknowledged Octavian's arrival, either by meeting him himself or sending a nominee. But Octavian made it clear that he was prepared, as a private citizen and the junior in status (Antony being consul), to take it upon himself to approach Antony and that he would respect the position of the senate. When a prosecution of the murderers was initiated, the senate and people, as well as Antony, would give him their full support. It was only right that he should be prepared to face danger or even death, considering how Caesar had honoured him, just as Achilles had risked his life for his friend Patroclus in the *Iliad* (illustrating this with a suitable, if rather grandiloquent, Homeric quotation: *Il.* 18.98, 'Might I straightway die, who was not able to defend his slain comrade!'). Such action was owed to Caesar as his father, his general, and one who had fallen not in war, but been 'sacrilegiously assassinated in the very senate-house itself' (App. 3.13).

Nikolaos of Damascus recorded that Atia was the first to support his decision to accept the adoption by Caesar, and that his friends approved the decision (Nik. Dam. *Aug.* 18.54–57: doc. 14.7). He had acquired access to resources by appropriating the taxes from Asia which flowed through Brundisium (as hinted by App. 3.11), and may even have proactively sent off to Asia for the money and assets dispatched there for the Parthian war (Caesar's 'war chest'), and acquired in addition a year's worth of taxes coming into Italy from Asia. Nikolaos (18.55) adds that he only kept for himself 'just the amount that had belonged to Caesar', while receipting what was public property over to the treasury, but he had in fact gained control of unparalleled financial assets. His friends, according to Nikolaos, encouraged him to make use of the name 'Caesar' and visit Caesar's colonies and raise an army, but he thought this was premature, hoping first to acquire from the senate the honours held by his great-uncle. So, in accordance with the advice of his friends, and 'those with most experience' (doubtless his step-father Philippus), Octavian set out for Rome. He now had access to more than adequate resources for any eventualities – such as the need to raise troops – should there be any difficulties in accessing the fortune left him by Caesar (Nik. Dam. 18.57).

Tension between Antony and Octavian, April/May 44 BC

Towards the end of April, Antony had left Rome for Campania and Samnium, where new colonies were being established for Caesar's veterans: the townspeople of Capua resisted the settlements violently, but large numbers of veterans began to rally in Rome

in support of Antony's measures. When he arrived back at Rome in May, tensions immediately flared between himself and Octavian, who wished to make the payments of 300 sesterces promised to the plebs in Caesar's will. On 11 May Antony's brother, Lucius, who was tribune, had presented Octavian to the people as Caesar's heir (Cic. *Att.* 14.20.5). Antony seems to have treated Octavian dismissively and tried to dissuade him from taking up his inheritance, arguing that he would find it an 'unmanageable burden' (Plut. *Ant.* 16.1–3: doc. 14.8). It was suspected that Antony might already have used some of the money to cover his own debts, and in fairness it would have been almost impossible to distinguish between Caesar's personal fortune and government money, while there were numerous law-suits demanding the return of property confiscated by Caesar. When Antony made difficulties about handing over the inheritance, Octavian raised funds by selling property, both Caesar's and estates which had belonged to his father C. Octavius and his cousins. He also may have called on financial assistance from Caesar's old associates, the wealthy Balbus, Oppius, and Matius. The payment of the legacy gained him great popularity, as did his adoption of the name Caesar, from all those who respected Caesar's memory (Nik. Dam. *Aug.* 28.109: doc. 14.10).

The populace considered that Antony was deliberately blocking the handover of Caesar's legacy, while sources favourable to Octavian presented Antony as continuing to thwart Octavian's wishes, including his desire to stand for the tribunate, although as a patrician Octavian was not legally entitled to do so: the Julii were patricians, and Caesar had granted Octavian patrician status: Octavian may have wanted to use the tribunate as a political and legislative platform from which to attack the conspirators (Plut. *Ant.* 16.5: doc. 14.8). Antony also used tribunes to delay the passing of a lex curiata to ratify Octavian's adoption, which was not actually validated until August 43, when Octavian himself oversaw it as consul. He also attempted to prevent Octavian placing a golden chair for Caesar at the ludi victoriae Caesaris, the games held from 20 to 30 July in honour of Caesar's victories: Octavian financed them by selling property which he had inherited from Caesar. The move was a popular one and, according to Plutarch (*Ant.* 16.5), Antony even went so far as to threaten Octavian with prison if he did not stop currying favour with the people. Meanwhile, veterans from Caesar's colonies continued to flock to Rome, and, following the payment of Caesar's legacy, Antony found it prudent to come to some agreement with Octavian (Plut. *Ant.* 16.6).

Octavian and Cicero, April 44 BC

On his way to Rome, Octavian had joined his mother and step-father at Puteoli on 21 April. While there he also met Cicero, who owned the villa next door to that belonging to Philippus, as well as Cicero's guests the consuls-designate for 43, Hirtius and Pansa, who were moderate Caesarians. Also visiting was Caesar's friend, the Spaniard Cornelius Balbus (who was to become one of Octavian's advisors), while C. Lentulus Spinther (quaestor in 44) was also staying with Cicero for the night. Octavian was prepared to flatter Cicero, and Cicero was only too ready to be flattered: he wrote to Atticus on 21 April that Octavian, who was staying next door, 'pays me the highest respect' (Cic. *Att.* 14.11.3: doc. 14.9). Octavian obviously considered that, if Antony were going to be difficult, he would find Cicero a useful ally. On the following day they met again, and Octavian was 'extremely respectful and friendly'. While Cicero

notes that Octavian's entourage called him Caesar, significantly, for the time being at least, neither Cicero nor his step-father Philippus used the name and continued to call him Octavius (*Att.* 14.12.2: doc. 14.9). Octavian had already decided to avenge his great-uncle, and, as Cicero notes, he was accompanied by many people (presumably Agrippa and Octavian's other old associates like Maecenas and Salvidienus Rufus) who threatened death 'to our (Cicero's) friends', and were declaring that there would have to be changes at Rome (*Att.* 14.12.2).

Cicero was afraid that Octavian was not going to be a 'good citizen', a coded term for a supporter of the liberators (although Cicero could hardly have imagined that Octavian might support the assassins of his great-uncle), and concerned about what would happen when Octavian arrived at Rome. The Ides had brought 'joy and a recompense for our hatred and grief', but nothing else (*Att.* 14.12.1–2). Cicero still regretted that Antony had not been included in the murder (the deed had only been half done, in his view), and was infuriated at the news that Antony (of course in return for a bribe) was passing legislation allegedly approved by Caesar, granting Roman citizenship to all inhabitants of Sicily (*Att.* 14.12.1). Cicero comments that he had a tremendous affection for his clients the Sicilians, where he had been quaestor at Lilybaeum (*Planc.* 64–67: doc. 2.43), but this was outrageous. Antony must have fabricated legislation for his own purposes, pretending that he had found them among Caesar's drafts. The fact that Hirtius and Pansa expected Cicero to give them lessons in oratory while staying with him as his guests was a further aggravation.

Some two months later, on about 10 June, Cicero was still deceiving himself into seeing Octavian as favourable to their 'heroes', and as a person of intelligence and spirit. But how much he could be depended upon was another matter, he wrote to Atticus (*Att.* 15.12.2: doc. 4.9): Philippus, at least, did not think his support could be relied on. One of Cicero's main priorities was to drive a wedge between Octavian and Antony, the two most prominent Caesarians, and he ignored Philippus' advice. Cicero summed up his views of the young lad by crediting him as having 'a good character' as long as he was able to hold his ground (presumably against Antony), not realising that Octavian's highest priority at this point was the prosecution and punishment of the assassins. Cicero was also unaware of Octavian's remarkable facility for political flexibility and disingenuousness in pursuit of his longer-term aims.

Octavian and the populace

On 2 June Antony had put legislation through the assembly illegally (it was not a comitial day and notice had not been given) to exchange his province of Macedonia, which his brother Gaius would take over as propraetorian governor, for Cisalpine Gaul and the new province of Transalpine Gaul for a five-year period: Cisalpine Gaul had already been assigned to Decimus Brutus. He was to keep control of five of the six legions which were in Macedonia for the Parthian war. This irregular change of provinces meant that Decimus Brutus (one of the conspirators) would lose his command of a province dangerously close to Rome. The consuls, Antony and Dolabella, also proposed agrarian legislation in the interests of veterans and the plebs, with a supervisory Board of Seven to be chaired by Antony's brother, the tribune Lucius. Some 6,000 veterans had assembled at Rome in support of Antony's measures.

The Macedonian legions for the Parthian campaign were summoned back to Italy (Antony was to meet them in October at Brundisium). Brutus and Cassius had left Rome, and refused control of the grain supply, and then of the minor provinces of Crete (Brutus) and Cyrene (Cassius). They were determined to lay claim to more prestigious provinces, and threatened to leave for Asia and Greece to find their own commands. Decimus Brutus, who possessed two legions, likewise refused to give up Cisalpine Gaul to Antony. On the Caesarian side, Lepidus had taken up the governorship of his province in Hither Spain and Narbonese Gaul, with Munatius Plancus in command in Gallia Comata and Asinius Pollio in Further Spain (Nik. Dam. *Aug.* 28.112–113: doc. 14.10). Octavian, for his part, possessed neither a magistracy nor a military command (and was not eligible for either).

The ludi victoriae Caesaris and the 'Julian star', July 44 BC

Octavian made use of Antony's overt hostility towards him, as at the games in honour of Caesar's victories in July, when he was applauded on numerous occasions by the people who appreciated the payment of Caesar's bequest (Nik. Dam. *Aug.* 28.108–110: doc. 14.10). He financed the games with money borrowed from Matius and other associates of Caesar, while the consuls according to Nikolaos (a partisan source), instead of honouring their debts to Octavian and handing over his inheritance, had emptied the treasury in the two months following Caesar's death (Nik. Dam. 110). In an extraordinarily fortunate coincidence, Caesar's victory games coincided with the appearance of a comet, which was believed (Octavian promoted this view) to herald the translation of Caesar's soul to heaven and thus to deification (Suet. *Jul.* 88). Following the comet, the 'sidus Iulium' (Julian star), taken as evidence of Caesar's divinity, Octavian could now promote himself as son of the god (*divi filius*): he set up a statue of Caesar in the temple of Venus Genetrix, star and all, and the star was to be featured on Octavian's coinage, with Caesar officially accepted as *divus Iulius* (the god Julius) at the beginning of 42.

Matius wrote to Cicero in mid-October 44, answering criticisms of his assistance to Octavian in organising Caesar's victory games (Cic. *Fam.* 11.28.2–6: doc. 14.11). He replied that Caesar had been a good friend, and that he could not deny 'the request of a most promising young man (Octavian), entirely worthy of the name of Caesar'. Even his paying his respects to Antony had called forth criticism, while Caesar, in contrast, 'never stopped my associating with anyone I chose, even those he did not like' (*Fam.* 11.28.6). Those people who saw themselves as 'authors of our liberty' were trying to intimidate others into following their agenda, but their arrogance and presumption would have no effect on him – perhaps an implicit criticism of Cicero himself.

Antony was now rightly worried about the unexpected challenge from Octavian to the leadership of the Caesarian party and his own popularity, particularly with Caesar's veterans. He was, after all, open to criticism for allowing the 'tyrannicides' an amnesty. At some point the veterans decided that hostility between Antony and Octavian was non-productive and forced a reconciliation between the two, while Antony was manoeuvred into proposing an edict against the liberators on the grounds that they had been preparing for war and interfering in the province of Macedonia, although it is not clear that the liberators were planning for war at this point. But

just in case, to ensure that he was distant from any actual conflict, Cicero decided to leave Italy and visit his son Marcus in Athens, until his friends took over the consulship in 43. He turned back, however, when he heard that Brutus was blaming him for his plans to leave Italy instead of assisting their cause, and that Calpurnius Piso had mounted an attack on Antony in the senate on 1 August. Piso, who had been Caesar's father-in-law, may have objected to legislation from Antony that was more popularis than that of Caesar, such as that relating to the composition of the juries, which now included army veterans as a third group of jurors, and the provision that verdicts could be appealed to the people.

On 2 September in the senate Cicero delivered his *First Philippic* against Antony (Antony was absent), presenting his actions as unconstitutional, unpopular with the people, and deviating from Caesar's plans: the *Philippics* were named for the speeches of the Athenian orator Demosthenes against Philip II of Macedon, and portrayed Antony as a would-be tyrant and oppressor. Cicero continued to make no secret of the fact that, had he been consulted, he would have had Antony killed alongside Caesar (*Fam.* 10.28.1: doc. 14.16). Antony's reaction to the speech caused Cicero to retreat prudently to the country to continue work on his philosophical treatises *On Duties* and *On Friendship* (*de officiis* and *de amicitia*).

In October, in order to attract the support of hard-line Caesarians and vie with Octavian for the people's approval, Antony erected a statue to Caesar as 'Parent of His Country', and alleged that Octavian had tried to use Antony's own bodyguard to have him assassinated (Cicero regretted he had not succeeded). Cicero wrote to Q. Cornificius, proconsul in Africa, from Rome on about 10 October, saying that the public believed that the accusation had been trumped up by Antony, although 'men of sense' believed it and applauded Octavian's endeavour. Antony had actually caught the assassins in his house, but was so aware of his own unpopularity that he was keeping the matter quiet (*Cic. Fam.* 12.23.2–3: doc. 14.11). In another development, four of the Macedonian legions had now arrived at Brundisium, and Antony had left Rome on 9 October to take command, so that he could purchase their loyalty and 'place them on our necks': Antony viewed those on the side of the liberators (like Cicero himself) as 'people who could have no place in the state while he – Antony – is alive and well!'

Octavian recruits Caesar's veterans, November 44 BC

In November Octavian began a tour of the colonies of Caesar's veterans in Campania, and, by promising vengeance on Caesar's murderers and an immediate payment of 2,000 sesterces (500 denarii) per person, more than two year's pay, plus the promise of more later, he managed to raise a force of 3,000 veterans, supposedly to protect him against Antony. He also tried to ensure that Cicero supported him in the senate, and wrote to him on 1 November telling him that he was giving the veterans this bonus, and planning to make a tour of the colonies. In Cicero's view this was because Octavian could foresee the probability of a war with Antony: the situation was so fraught that conflict might even break out in a few days (*Cic. Att.* 16.8.1: doc. 14.12).

A day or so later, writing on 2 or 3 November to Atticus, Cicero was still uncertain as to what action to take. Octavian wanted to have confidential talks with him near Capua, but was being childish if he thought this could be achieved secretly, as

Cicero had already told him. Octavian had also sent him a message via Caecina, that Antony was heading for Rome, marching in battle formation with the Alaudae legion which had arrived from Macedonia (the famous Legio V, the ‘Larks’, raised by Caesar in Transpadane Gaul), and requisitioning funds en route (*Att.* 16.8.2: doc. 14.12). Octavian had asked Cicero whether he should head for Rome with his 3,000 veterans, hold Capua and block Antony’s approach, or join the other three Macedonian legions which had arrived at Brundisium and were now marching up the eastern coast. According to Octavian, these three legions from Macedonia had refused to take a bounty from Antony (he had offered 400 sesterces apiece), and had abused him, but Cicero was not sure he believed the story. Cicero had advised Octavian to head for Rome, where the people and the ‘honest’ men (if they could be made to trust him) would be on his side. As for himself, perhaps Atticus could advise him whether he should go to Rome, or stay here at Puteoli, or flee for safety to Arpinum: probably he should decide to head for Rome – but he couldn’t make up his mind.

On the following day, 4 November, Cicero received two letters from Octavian, asking him to come to Rome immediately, to help him handle matters through the senate, though Cicero replied that the senate would not normally meet until 1 January. He wrote to Atticus that he had no confidence in Octavian’s age (he was now only 19 years), and was unsure how to respond, preferring to wait for support from the consul-designate Pansa. He was also worried about threats from Antony, and wanted to stay close to the sea in case he had to leave Italy in a hurry, but was afraid of missing any ‘valiant deeds’ that might take place in Rome (*Att.* 6.9: doc. 14.12). In Cicero’s view Octavian was in a good position, with troops of his own and with the possibility of support from Decimus Brutus and his army in Cisalpine Gaul (blinded by his hatred of Antony, it did not occur to Cicero that Octavian would have issues with Decimus Brutus, one of the tyrannicides). In fact, Cicero expected war to break out at any minute.

On 5 November other letters went from Octavian to Cicero and from Cicero to Atticus: Octavian was entreating Cicero to come to Capua or Rome and ‘save the Republic’. Cicero believed that Octavian had plenty of energy and a large following, but was still ‘obviously a boy’. If the senate did meet, as Octavian thought it would, who would want to attend and upset Antony? (*Att.* 16.11.6: doc. 14.12). As Octavian had been receiving great support and acclamation in his travels through Samnium, Cicero would probably be in Rome earlier than he had expected, but he had not made up his mind, although Octavian had been indicating that he intended to work through the senate and wanted Cicero’s collaboration.

A week or so later Cicero wrote again to Atticus of the events of 12 November. Octavian had given an address at a contio in Rome, in which he praised Caesar and begged that he be permitted to attain his father’s honours! This was worrying. But Oppius had asked Cicero to take Octavian under his wing, though Cicero could only do so if Octavian would positively undertake to befriend the tyrannicides. Oppius had assured him of this, but Cicero wanted to wait and see what came of Casca’s tribunate (P. Servilius Casca Longus, one of the tyrannicides, was tribune-elect for 43), before the senate met on 1 January (*Att.* 16.15.3: doc. 14.12).

Octavian’s veterans were unhappy at the possibility of conflict with Antony, and Octavian left Rome for Etruria to raise more troops: it seemed to have escaped Cicero’s notice that Octavian was raising a private army, with no authorisation, against

a consul who was still in office. Octavian's associates had been disseminating propaganda amongst Antony's troops, accusing Antony of failing to avenge Caesar, as well as offering any deserters who joined Octavian the bounty of 2,000 sesterces per person. Antony at Brundisium was forced to resort to severe punishments, which Fulvia attended, to prevent Octavian's propaganda being distributed amongst his soldiers (*Cic. Phil.* 3.2.4: doc. 14.15). Cicero finally made up his mind to return to Rome in mid-November, and was present when Antony, on his march north to Ariminum to take the field against Decimus Brutus (still governor of Cisalpine Gaul), called a senate meeting at Rome for 24 November, in the hopes of having Octavian declared a public enemy (*hostis*). The meeting would also finalise the allocation of provinces for the coming year. Antony was clearly expecting the possibility of conflict, keeping a bodyguard at his house and having regular passwords and changes of the watch in place even in the city (*App. 3.45*: doc. 14.13). The senate meeting was postponed to 28 November, after Antony had heard that two of his four Macedonian legions had defected to Octavian, the Martian and then the Fourth: Octavian had promised them the 2,000 sesterces each for joining him and 20,000 on demobilisation, and had acquired Antony's battle elephants (intended for Caesar's Parthian campaign), which were enough of an exotic prestige item to be mentioned in Cicero's motion to the senate on 1 January 43, granting Octavian imperium (*Phil. 5.17.46*: doc. 14.15).

Cicero and Antony

Antony takes the field against Decimus Brutus

Antony decided, in view of this desertion by the legions, to forego having Octavian declared a *hostis*, but wanted the remaining provinces allocated for the following year, and those assigned to Brutus and Cassius reallocated. He then left Rome to begin his march to Gaul, which Decimus Brutus was refusing to give up, shutting himself up in Mutina and proclaiming that his services were at the disposal of the senate. Antony was unable to make any impression on his own deserters at Alba, and marched to Tibur where on 29 November he swore in his troops (*App. 3.45–46*: doc. 14.13). Most of the senate and equites, as well as the most important of the plebs, who came to pay their respects, also took the oath of loyalty, as well as crowds of veterans, and Antony then promised 2,000 sesterces to all soldiers loyal to him (thus matching Octavian's offer). He then marched against Decimus with four experienced legions, three from Macedonia and one of veterans, plus new recruits, and Mutina was soon under siege. Lepidus, Asinius Pollio, and Munatius Plancus, governors of Spain and Narbonese Gaul with a further nine legions between them, all appeared to be likely to take Antony's side.

Octavian, in contrast, commanded the two legions which had deserted from Antony, two of Caesar's veterans and one of recruits. He again offered 2,000 sesterces per person to recruits, plus the bounty of 20,000 more on victory. Significantly, he now made the decision to support the senate and turn his army on Antony, not Decimus, one of the conspirators. He stationed his army at Alba and sent word to the senate, which congratulated him on his achievements to date, though there was concern that the legions had defected to Octavian personally and not to the senate, which had no troops to mobilise, and had to wait for the incoming consuls for 43, Hirtius and

Pansa, to raise armies. Until then they had to make use of Octavian's forces against Antony. Since Octavian still as yet had no formal imperium, his soldiers granted him lictors and fasces and urged him to assume the rank of propraetor. Octavian deferred in this to the senate, and deterred his troops from sending envoys to demand this on his behalf, as he believed that the senate would grant this of its own accord. He was correct, and Cicero would shortly propose this on the first day of 43 when the senate met (App. 3.47–48: doc. 14.13).

Cicero's attacks on Antony: the Third Philippic, December 44 BC

In mid-December Cicero had written to Decimus Brutus urging him in the strongest terms to remember his role as a tyrannicide and to resist Antony and his army (Cic. *Fam.* 11.7.2–3: doc. 14.14). Decimus should not wait for senatorial authorisation because the senate is ‘not yet free’, and should rely on Octavian: Decimus had obviously expressed his concern to Cicero that Octavian had acted inappropriately in taking on so much on his own initiative, but Cicero responded that Decimus should trust in the good sense of those who had rallied to him, including the Martian and Fourth legions, who had judged their consul to be a public enemy and decided to defend the Republic. Decimus should anticipate the will of the senate rather than wait for its specific authorisation, as its authority has been checked by fear (of Antony), and must continue to act on his own initiative, which will ensure that he receives the ‘greatest praise and commendation from everyone’ (*Fam.* 11.7.3).

A critically important senate meeting took place on 20 December, when Cicero continued his crusade against Antony as an enemy of the state. The *Philippics* depict Antony in the blackest colours, in pursuit of power for its own sake and inexorably opposed to the authority of the senate and the ideology of Republican Rome. While the *First Philippic* was delivered in the senate on 2 September 44, the *Second Philippic* was more prudently circulated only in writing: its highly personal critique of Antony's conduct and depravity since boyhood engaged in the most virulent form of political invective. On 20 December Cicero delivered the *Third Philippic*, in which he urged the senate to back Decimus Brutus (who was refusing to stand down), and to reward Octavian and the two legions that had deserted to him, presenting them as the saviours of the state (Cic. *Phil.* 3.2.3–5: doc. 14.15). The senate should also ratify the commands of current provincial governors (like Decimus) to delegitimise Antony's claim to Gaul as his province.

Cicero portrayed Octavian to the senators as ‘a young man – or rather almost a boy – of incredible and nearly superhuman intelligence and courage’, who has lavished his patrimony on raising an army to defend the state (Cic. *Phil.* 3.2.3). Had Antony reached Rome with his forces intact, Cicero thundered, he would have engaged in all forms of cruelty: his actions at Brundisium in October 44, where he had seditious members of his troops ('the bravest of men and best of citizens!') put to death in the presence of Fulvia for their mutinous activities, which included spreading propaganda for Octavian, show that no honest man would have been spared by him. Under the influence of Cicero's rhetoric the senate declared against Antony, despite the oath sworn to him by a number of their members less than a month earlier. He was not declared a public enemy, but all governors were confirmed in their provinces, including

Decimus Brutus, whose resistance to Antony was thus legitimised. The preservation of the state from Antony's brutality, Cicero declared, was entirely due to Octavian.

Octavian's imperium, January 43 bc

Cicero's injunction to the senate to give Octavian official authority to defend the state was reiterated at the first meeting in 43. On 1 January Pansa as the incoming consul opened the senatorial debate concerning war against Antony, a discussion which lasted several days. Cicero's *Fifth Philippic* delivered on this occasion presented Octavian as the saviour of the state against the ferocity, hatred, brazenness, and villainy of Antony, who would otherwise have had Rome at his mercy. The senate, he urged, must award Octavian a grant of propraetorian imperium: while exceptional at his age, this was necessitated by the force of circumstances, 'not just for the sake of his prestige' (*Cic. Phil.* 5.16.42–45: doc. 14.15). The debate was to end with Octavian being granted, on Cicero's motion, the propraetorian imperium proposed by his soldiers and – even more unprecedently – membership of the senate, with special eligibility to stand for office ten years ahead of the normal age; he was allowed to compete for any magistracy as if he had held the quaestorship in the previous year; and he also had the right to speak among the consulares (*Phil.* 15.17.45: doc. 14.15). The motion was passed on 3 January. At the same time the senate agreed to find land for his veterans, and the donatives (the 20,000 sesterces promised to the Fourth and Martian legions) as well as their land were to be funded by the treasury. If Antony's soldiers deserted, they would receive similar grants. These financial concessions on the part of the senate show their concern at the situation, and Octavian now became, at the age of 19 years, and with no experience of military leadership, the senate's official champion against Antony, at least until the new consuls were able to recruit armies.

Cicero had been unable to have a *senatus consultum ultimum* proclaimed, or Antony declared a public enemy without the chance of making a defence, and a three-person embassy, comprising Calpurnius Piso, L. Marcius Philippus (Octavian's step-father), and Ser. Sulpicius Rufus, was sent urging Antony to withdraw from Cisalpine Gaul (he could keep Transalpine Gaul), warning him that otherwise war would ensue. Not all Antony's legislation was invalidated, but the agrarian law of June 44 was repealed. The consuls were to start recruiting troops, and Hirtius was to join Octavian's army on the march to Mutina to support Decimus Brutus. Octavian was now officially authorised to lead his army against Antony, but, as he only possessed propraetorian imperium, he was subordinate to the consuls. His imperium officially commenced on 7 January and henceforth he celebrated this date as the start of his military command, as he expressed it himself at the beginning of his *Res Gestae*: 'At the age of nineteen [43 BC], on my own decision and at my own expense, I raised an army with which I liberated the state, which had been oppressed by a tyrannical faction' (*RG* 1.1: doc. 15.1). No one at the time could have envisaged that he would continue to hold unbroken imperium for more than 55 years.

Antony's demands

In early February 43, Cicero's diatribes against Antony continued in his *Eighth Philippic* which dealt with the outcomes of the senatorial embassy to Antony. The embassy

(Sulpicius Rufus, who was already ill, had died on the trip) returned with the report that Antony would be satisfied with a five-year governorship of Transalpine Gaul and six legions, providing that, when he laid down his own command, Brutus and Cassius would have left the provinces they would have held after their consulships, tacitly accepting that they would be elected for 41, which meant that his own brother Gaius would not be able to stand for election. He also wanted his agrarian legislation and his *acta* ratified, including decrees originally drafted by Caesar, and rewards for his men equal to those given to Octavian's troops; no enquiry should be made into the funds taken from the temple of Ops or into the Commission of Seven (his agrarian commission), and an amnesty should be decreed for his supporters (Cic. *Phil.* 8.8.25–27: doc. 14.15).

Cicero satirised the 'modesty' of his outrageous demands – retention of a province, bounties for his men, his legislation to remain in force – and reiterated the charges that Antony had added measures to Caesar's draft legislation for financial gain, and stolen the funds from the treasury in the temple of Ops, as well as hinting at dubious motives behind his agrarian legislation as consul (Cic. *Phil.* 8.8.26). The senate after some debate refused to comply with Antony's requests, and declared a state of emergency, possibly passing the *senatus consultum ultimum*. L. Julius Caesar, Antony's uncle, prevented his being declared a *hostis*, substituting the word 'tumultus' (emergency) for Cicero's proposed term 'bellum' (war) for the current crisis.

Cicero wrote to Trebonius, in Asia as proconsul, in February 43 shortly after the senate meeting, again lamenting that Antony had not been killed, blaming Trebonius for merely distracting him and leaving 'left-overs' from the banquet on the Ides of March, and giving him a summary of his speech in the senate on 20 December and the effect it had had on energising the senate against Antony (Cic. *Fam.* 10.28.1–3: doc. 14.16). Ser. Sulpicius' death had been a great loss; L. Caesar is sound, but careful in what he says as befits his position as Antony's uncle; the consuls, friends of Cicero, are 'extraordinary'; Decimus Brutus splendid; and 'the boy Caesar' also 'extraordinary' ('egregius': *Fam.* 10.28.3). Cicero has great hopes of him, and without his involvement Antony would have left no crime or cruelty undone. Writing to Q. Cornificius in March 43, Cicero again used the term 'extraordinary boy' ('puer egregius') for Octavian, depicting him as having saved the Republic from the destruction that Antony would have wrecked upon it by raising an army (Cic. *Fam.* 12.25.4: doc. 14.16).

Cicero saw himself as manipulating events and people, though he had not the slightest prescience of forthcoming events: the neutralisation of Antony was all-important to him and he foresaw no other dangers. But already matters had begun moving more swiftly than anticipated: Cicero's correspondent, Trebonius, had been killed at Smyrna by Dolabella in January 43 for his part in Caesar's murder (after torture according to Cicero: *Phil.* 11.1–9). The news reached Rome at the end of February, and Dolabella was named an enemy of the state by the senate; he committed suicide after being trapped at Laodicea by Cassius, who had now taken control of Syria and its legions, overcoming the Pompeian Q. Caecilius Bassus. Brutus had peacefully taken over Macedonia from the previous governor Q. Hortensius, and controlled most of Macedonia and Greece, and captured C. Antonius, who had been designated governor of Macedonia by his brother, Mark Antony, but whose command had been revoked by the senate. Brutus communicated to the senate that he was at their disposal, and at Cicero's urging he was confirmed in the governorship of Macedonia, a valuable base for the 'liberators'.

Events at Mutina

In April 43 Cicero continued to present Octavian in letters to his friends and in speeches to the senate as the salvation of the state in the absence of consular armies. As for himself, Cicero saw his role as a senior statesman counselling a willing apprentice. After the senate declared a state of 'tumultus' (rather than war), from 4 February all citizens put on military dress to mark the emergency, and while consuls were exempted Cicero wore a sagum (military cloak) to show his awareness of the danger threatening Rome.

Antony was therefore faced with an alliance, which consisted of Octavian, who possessed praetorian imperium, Decimus Brutus, whom Antony was blockading in Mutina, and the two consuls for 43, Hirtius and Pansa, as well as the influential (in his own mind) statesman Cicero. Sex. Pompeius, now based at Massalia, was also commissioned by the senate as praefectus classis et orae maritimae (prefect of the fleet and coast) against Antony (Figure 14.3). A further attempt at reaching a compromise solution was discussed, with a new embassy to be dispatched to Antony, including Cicero and L. Caesar (Antony's uncle), but Cicero was less than enthusiastic and it did not take place. He continued to disregard any possibility of reconciliation, such as the proposition made by Antony to Hirtius and Octavian that they should all unite against the liberators, the assassins of Caesar, and favoured outright war against Antony himself.

As Antony's siege of Mutina began to take effect, Pansa was sent with four legions of new recruits to join Hirtius and Octavian. Antony attacked Pansa's troops at Forum



Figure 14.3 An aureus minted in Sicily in 42 BC, depicting Pompey the Great and his two sons. The obverse depicts Sextus Pompeius, bare-headed, within an oak wreath (the corona civica); on the reverse the heads of his father Pompey the Great and his brother Gnaeus, with a lituus to left and a tripod to right, signifying Pompey's membership of the augural college. The MAG PIUS IMP ITER (Magnus Pius Imperator for the second time) on the obverse refers to Sextus' assumption of his father's cognomen Magnus and his own filial piety (Pius), while 'imperator' commemorates his battle against Octavian's admiral Salvidienus Rufus off the coast of Sicily. CLAS ET ORAE MARIT EX SC refers to the title 'praefectus classis et orae maritimae' given him by the senate in 43. Sextus is here emphasising his dynastic position as Pompey's son and his legitimacy as a general.

Source: Courtesy of Classical Numismatic Group

Gallorum on 14 April, and when the news reached Rome on 20 April there was a momentary panic (Cic. *ad Brut.* 1.3.2: doc. 14.17). Pansa was severely wounded, but Hirtius arrived in time to defeat Antony: Octavian had not taken part in the battle but remained in charge of protecting the camp. At a second battle, on 21 April, Hirtius was victorious and Antony withdrew into Gaul, but Hirtius himself was killed in the engagement, while Pansa died of his wounds (later accounts suggested that their deaths were very convenient for Octavian: Suet. *Aug.* 11; Tac. *Ann.* 1.10.2: docs 14.49, 15.117). Antony was declared a public enemy and his property and that of his followers confiscated. The most significant outcome, however, was that Rome was now left without consuls, while Octavian officially possessed imperium and a loyal army.

Though Cicero had initially had concerns about Octavian, he praised him effusively from the beginning of 43, and after Mutina wrote to Brutus in late April that Octavian had extraordinary qualities, though he still saw himself as his guide and mentor, hoping that when Octavian achieved his position and influence that:

I will be able to guide and control him with the same ease as I do now. Of course that will be more difficult, but I don't despair of it. The young man is convinced that his job is to see to our survival.

(Cic. *ad Brut.* 1.3.2–3: doc. 14.17)

Cicero unrealistically still hoped to ally Octavian with the murderers of his uncle. He informed Brutus with delight of the great scenes of enthusiasm which greeted him at the news of the victory over Antony. No citizen has ever deserved harsher punishment than Antony, while the three brothers, the Antonii, are ‘three of a kind’. He also hints that there is a general wish for Brutus to bring his troops to Italy, presumably to unite with Octavian’s forces against Antony.

Events after Mutina

On 27 April, following the death of the Caesarian consuls, the senate was able to show itself in its true colours: Cicero had proposed the title imperator for Octavian and 50 days of thanksgiving in the names of all three commanders, arguing that, in his defence of the army camp, Octavian had justified all the hope placed in him by the bestowal of imperium (Cic. *Phil.* 14.10.28–29: doc. 14.17). The senate was not entirely convinced: a triumph was awarded to Decimus Brutus, but the ovatio proposed for Octavian by Cicero was blocked (Octavian himself wanted a triumph). The pro-tyrannicide bias of much of the senate was shown by Decimus Brutus being given command of Antony’s forces, while Octavian was instructed to hand over his troops to him, including those he had taken over from Hirtius and Pansa’s legions; Sextus Pompeius was given control of the navy; Cassius’ imperium in Syria was confirmed along with conduct of the war against Dolabella (who had killed C. Trebonius, the governor of Asia); Brutus and Cassius were given maius imperium, allowing them to override normal provincial governors; and Illyricum was added to Brutus’ command in Macedonia (App. 4.58: doc. 14.3). Unwisely, the senate, which was short of cash and considered that it no longer had any need of Octavian’s troops, also reduced the payments promised to the Fourth and Martian legions. With Antony out of the way,

the anti-Caesarians in the senate thought their time for triumph had finally come, and that it was safe to disregard Octavian.

Not everyone, however, had been as confident of Octavian's good intentions as Cicero. From May, Octavian had been in communication with Antony and Lepidus, and a letter from Decimus Brutus on 24 May written from Eporedia (near modern Turin) reported to Cicero that Octavian had been talking about Cicero, at least according to Labeo Segulius (*Cic. Fam.* 11.20: doc. 14.18). Decimus warned Cicero that he should be concerned about this, even though Octavian had made no actual complaints against him, except to comment on a witticism he had made: Cicero had made a joke that, following Antony's defeat, Octavian could now be 'praised, honoured – and disposed of', and Octavian had responded (or Labeo had said that he had) that he had no intention of being disposed of (*Fam.* 11.20.1). Labeo had also reported that the veterans were unhappy with Cicero, concerned that neither Decimus nor Octavian were on the Board of Ten to review Antony's acts as consul, which the senate had set up after Mutina, with everything left 'to the judgment of you chaps'.

Decimus advised Cicero to give in to whatever the veterans wanted regarding this commission and their bounties. He should propose that the two of them (Decimus and Cicero) should allocate land for Antony's veterans, while the cash payments would have to depend on the senate and the financial situation. The four legions, which had been allocated land, should be provided for out of the ager Campanus and this should be distributed equally or by lot. Decimus at this point did not plan to leave Italy, and was arming and training his troops to meet 'all contingencies and enemy attacks'. There was also an issue about a legion of Pansa's that was infuriating Decimus: Octavian had borrowed it but was not handing it over even though Decimus was supposed to be in charge of all senatorial forces (*Fam.* 11.20.4). At this point there was dissatisfaction in Octavian's forces, too, doubtless fomented by himself, over the fact that they had not yet been paid by the senate for their services, that their leader was not on the commission, and that they might have to serve under Decimus, one of Caesar's murderers.

Antony's new supporters, May–August 43 bc

Antony, who was still far from beaten, had managed to join up with three legions led by his legate Ventidius, and crossed the Alps to Lepidus' province of Narbonese Gaul. Lepidus was not anxious for conflict with Antony, nor were his troops, and on 29 May the two armies integrated (Antony's Legio X starting the process). Lepidus now promised his troops the bounty of 2,000 sesterces, which had become the standard pay for fighting, plus the other rewards of victory. Accordingly, at the end of June Lepidus was also declared a public enemy by the senate, and his property confiscated. Decimus had meanwhile made his way to Munatius Plancus, the consul-elect in Gallia Comata, reaching him at the end of June. Lepidus, Munatius, and Pollio (in Further Spain) were logically supporters of Antony rather than of the senate, and when Pollio brought his legions into Gaul in late July or early August he persuaded Munatius to join Antony's side. Decimus Brutus, outnumbered, fled in the direction of Macedonia to join the liberators in Greece by the land route, but was killed by a Gallic chieftain who did not want to offend Antony. His army was taken over by the new alliance.

Munatius Plancus wrote one of many letters to Cicero from Gaul on 28 July. In this he still spoke of a victory over Antony as being a desirable outcome, but expressed his concerns as to what would happen in the event of a defeat (*Cic. Fam.* 10.24: doc. 14.18). Their fortunes would be much stronger if joined by the African army, or by Octavian's – and this was closer. Munatius had been sending Octavian letters for some time urging him to join them, and Octavian had continued to reply that he was on his way. Munatius had even sent Furnius to him to see if he could get him moving. He has some very real concerns about Octavian's possible duplicity, and on looking at recent events Octavian can be blamed for Antony's survival, as well as the fact that Antony and Lepidus have now combined their armies, with high hopes of victory. If Octavian had joined Munatius when he was asked, Antony would either have been defeated or pushed back into Spain. And he now appears to be engrossed with the idea of being elected to a six-month consulship (for the rest of 43), which he is pursuing 'to the alarm of everyone and with such absurd perseverance' (*Fam.* 10.24.6). If Rome is to be safe from Antony either the African legions have to arrive or 'Caesar [Octavian] be mindful of his own best interests' (*Fam.* 10.24.8).

Octavian obviously saw the advantages of making an alliance with Antony, before the senate, which was clearly on the side of the liberators, had the chance to drop him entirely. His desire to hold the consulship for the rest of the year was common knowledge by the end of July, and this could only be achieved by retaining possession of a body of loyal soldiers. Shortly after this letter Munatius was to join Antony, perhaps impelled by his suspicions that Octavian was planning to align himself with Antony; possibly too his men wanted a share in the bounties being offered to 'loyal' soldiers, and were aware that the senate was unlikely to fund these. Cicero's lack of perception regarding current political realities, in particular his belief that he could control Octavian, did much to hasten the debacle which he was so anxious to avoid.

Octavian's first consulship, 43 bc

In early 43 Octavian was only 19 years of age, and elections still needed to be held not only for 42, but for suffect consuls for the current year (Hirtius and Pansa having died at Mutina), with the senate obviously unable to act on the issue. There had even been discussion of Octavian and Cicero jointly holding the consulship for the remainder of the year, a proposal made by Octavian, but Cicero, despite some doubts, was not in favour of the idea, though Octavian was playing up to Cicero's view of himself as the 'boy's' mentor to keep his goodwill as long as possible (*Plut. Cic.* 45.5–46.2: doc. 14.21; *App.* 3.82–83).

Octavian's army sent a party of centurions to state the case to the senate for Octavian's election, arguing that others (like the Scipios and Pompey) had taken office when not yet of age and had served the state well. The interests of the troops as a whole were involved, they argued, as they felt that only in this way could they achieve their promised bounties and grants of land, while Octavian was the only one still promising to punish the 'liberators'. The senate, however, was not convinced that the appointment would be in the interests of the Republic and was unimpressed by their talking points, proposing to the troops that they serve a further campaign before receiving their promised bounties of 20,000 sesterces, and advising the legions that had deserted

from Antony that it would be more appropriate for them to give their allegiance to the senate, rather than to an individual commander (i.e., Octavian; App. 3.87–88: doc. 14.19). In response to this attempt to undermine the loyalty of his soldiers, Octavian promised them that the rewards in their entirety, plus their settlement in colonies, would be assured if they helped him procure the consulship. He would also bring the murderers of Caesar to justice.

Octavian crosses the Rubicon, August 43 bc

The troops were enraged at what they saw as the senate's disdain for hard-working soldiers and their commander. Accordingly, with their support and supposedly in their interests, in August 43 Octavian, like his great-uncle six years earlier, led his army of eight legions over the Rubicon into Italy demanding the consulship for the rest of 43 for himself and his cousin Q. Pedius. It was a logical move as far as he and his supporters were concerned: the senate had made it clear that he was only valuable as and when needed against Antony, and the consulship was vacant, with no suggestion that it would be filled in the near future. This was a good opportunity to rationalise his position within a constitutional framework. The senate had no troops to withstand him, as the legions that had arrived from Africa went over to Octavian (they had served under Caesar), and the only legion in Rome was of recruits raised by Pansa. While he was on the march, the senate belatedly offered him the consulship (even allowing him to stand in *absentia*), and sent some money towards paying his troops (10,000 sesterces to each of the men of the Martian and Fourth legions), an offer which Octavian successfully concealed from his men. As he approached Rome, the senate reluctantly swarmed out to greet him, and after the pretence of elections Octavian and his cousin Pedius were elected for the remainder of 43. Cicero now left Rome for the final time (App. 3.89–94). Even the gods – reportedly – gave signs of their approval: vultures were sighted over the Campus Martius as he approached, and 12 appeared when he took the auspices for the first time – an omen similar to that manifested to Romulus – showing that, as a second Romulus, he would refound Rome (App. 3.94; Dio 46.46.2).

Octavian wanted the consulship in 43 for his own specific reasons, and once it had served its purpose he was content to hand it over to P. Ventidius, Antony's legate. As heir and avenger of Caesar, it gave him the chance to finalise his adoption and the details of his legal inheritance, as well as orchestrate his first formal moves against the conspirators, who now had considerable resources in the Eastern Mediterranean. He would also be able to reward his soldiers to a degree that would ensure their lasting loyalty. When elected on 19 August he was still 19 years of age, and the political *status quo* was quickly undone: Antony and Lepidus were proclaimed by the senate no longer to be public enemies; the amnesty for Caesar's assassins was revoked, and they were condemned and outlawed (Livy *Per. 120*: doc. 14.23), as was Sextus Pompeius; Dolabella was declared to be no longer a hostis; Octavian's men were paid half the bounty he had promised from public funds, 10,000 sesterces each; the remainder of Caesar's legacy to the citizens was paid in full; and he finally had the *lex curiata* passed legalising his adoption as Caesar's son, and consequently had the right to use the name Caesar (App. 3.94).

The Caesarians – Antony and Octavian, supported by the forces of Lepidus, Munatius, and Pollio – were firmly in control in the West. Antony led no less than 17 legions

as he crossed the Alps back into Italy, and, now that Antony and Octavian had settled their differences, they were in a position to take action against the now outlawed conspirators, whatever the views of the senate. Even though the commands of Brutus and Cassius had been repealed, they were still in control of their armies and on his own Octavian had no hope of taking them on successfully: he needed armies to match their own, and the assistance of an experienced general, which meant Antony. In Octavian's view it was a logical move: his default position had to be with the Caesarians, Antony and Lepidus, against the tyrannicides.

Triumvirate and proscriptions

Octavian headed north to meet Antony and Lepidus in Cisalpine Gaul where Antony and Octavian (Caesar's heirs in the view of their troops) were to celebrate a public reconciliation. The three of them held a carefully orchestrated meeting on an island in the river Lavinius, not far from Bononia, modern Bologna (App. 4.2–11: doc. 14.20). Lepidus was in charge of securing the site, as Antony and Octavian were clearly still wary of each other. All three had five legions at hand, as well as 300 men who manned the bridges to the island, while Lepidus checked the site for hidden assassins. The three leaders were also searched for concealed weapons.

After a three-day conference they reached the following agreement: they were to become triumvirs 'for the restoration of the state' – *tresviri rei publicae constituendae*. The triumvirate (Board of Three – Antony, Lepidus, Octavian) would be ratified by a law formally passed in Rome. Each of the three would possess consular imperium for a five-year period, and the empire was divided between them (apart from the East which was currently under the control of Brutus and Cassius): Antony received Cisalpine Gaul and Gallia Comata; Lepidus Gallia Narbonensis and Spain (as consul in 42 he would remain in Rome governing his provinces through legates); and Octavian Africa, Sardinia, and Sicily. Octavian's provinces were more potential than real, with Sicily held by Sextus Pompeius and Africa under the control of the Pompeian proconsul, Q. Cornificius, and at this moment he was clearly seen as the junior, most inexperienced partner (App. 4.2–3). It was also his role to oversee the settlement of troops in Italy, a difficult and unpopular, but finally a rewarding task which would win him the gratitude of the veterans.

They were to have the power to make and rescind laws and to nominate consuls for the next five years: Brutus and Cassius, as public enemies, were deemed to have forfeited their consul-designate status for 41. Antony and Octavian were each to command 20 legions and engage in war against the conspirators, while Lepidus was to retain three of his, with the remaining seven divided between Antony and Octavian, and Octavian was to step down from the consulship for the rest of the year in favour of Antony's legate Ventidius. The arrangement was broadcast to the troops, who insisted on the betrothal of Octavian to Clodia, Antony's step-daughter by his wife Fulvia, whose first husband had been P. Clodius Pulcher (Plut. *Ant.* 20.1). Octavian's current engagement to Servilia, daughter of P. Servilius Isauricus (cos. 48, 41) was broken off.

The triumvirate was legalised by the assembly in an irregular fashion (no time was allowed for discussion) through the *lex Titia*, proposed by the tribune P. Titius on 27 November 43 (App. 4.7). The triumvirs now had the power for a five-year

period of making and annulling laws, appointing magistrates, and exercising judgements with no right of appeal. They had carefully avoided using the term dictator and refrained from granting themselves an unlimited term of office, but their power was still quasi-dictatorial.

The triumvirs were still extremely short of money to pay off and discharge large numbers of troops. They also had to fund a massive war in the East, with Brutus and Cassius currently in control of all the Eastern revenues. Italy was exhausted and bankrupt after several years of war and heavy taxation. As part of their agreement at Bononia, therefore, the triumvirs decided on a two-pronged strategy: they would instigate a proscription of their enemies and others, while they would acquire assets for their soldiers by the requisitioning of 18 Italian towns: 'cities renowned for their wealth and the beauty of their estates and houses, which would be divided amongst them – estates and houses included – just as if they had been captured from an enemy in battle' (App. 4.3: doc. 14.20). Harsh taxes were also imposed. The proscriptions served more than one purpose, as it was in the triumvirs' interests to remove past and potential enemies who might put up opposition to their plans.

The triumvirs believed that Caesar's policy of clemency to his opponents had been unsuccessful and that stricter measures had to be taken against enemies and dissidents (App. 4.8–10: doc. 14.20), hence they decided to institute a proscription. The initial ('urgent') list of victims to be targeted immediately consisted of 17 names according to Appian (other sources say 12), which were sent to the consul Pedius at Rome. These included Cicero (as well as his brother, nephew, and son) at Antony's insistence. The triumvirs were prepared to sacrifice their nearest and dearest: Antony his uncle L. Julius Caesar (who was saved by his sister, Antony's mother Julia, who denounced herself to Antony for harbouring her proscribed brother, and he had Lucius restored to citizenship: App. 4.37), and Lepidus his brother L. Aemilius Paulus (who fled to Brutus). Rome was sealed off for some days to prevent victims escaping, with or without their cash. Almost immediately, another list proscribed a further 130 victims, with yet a further one of 150 more following. A bounty was paid at the presentation of the head of one of the proscribed: 25,000 drachmas to a citizen, and 10,000 drachmas and citizenship to a slave, with the identity of killers or informers to remain secret to preserve their anonymity. The property of the proscribed was of course confiscated. Those who colluded with or protected a proscribed person were subject themselves to execution, and it was legal to search private property (App. 4.7, 11).

The final tally grew to some 300 senators and 2,000 equites according to Appian (4.5: doc. 14.20), though Livy (*Per. 120*: doc. 14.23) has 130 senators killed, and many proscribed for personal reasons or simply because of their possession of wealth and property. Names were added retrospectively as well as the names of those killed in error. One of the intended victims was the author of the *Laudatio Turiae* (perhaps Q. Lucretius Vespillo, cos. 19) who described his wife's courage in pleading his case before a merciless Lepidus in an inscription after her death (ILS 8393: doc. 7.37). The triumvirs wanted to ensure that they could finance the war against the conspirators, and that there would be no opposition left in Italy while the war was being fought. For this reason they were concerned to fill the main magistracies down to 40: Antony's men, P. Ventidius Bassus and C. Carrinas, were designated consuls for the rest of 43 (Pedius had died unexpectedly); Lepidus and Munatius Plancus for 42; P. Servilius

Isauricus (also cos. 48) and L. Antonius for 41; and Asinius Pollio and Cn. Domitius Calvinus (also cos. 53) for 40.

The *lex Titia*

The wording of the *lex Titia* is remarkable for its insistence on the legitimacy of the triumvirs as the successors of Caesar. Appian translated the law as closely as he could into Greek for his readers (App. 4.11: doc. 14.20). The triumvirs were now taking pre-emptive measures against Caesar's assassins, men he had spared and made his heirs or to whom he had given magistracies, who had murdered him even though he was supreme commander and pontifex maximus, in sacred space, through villainous butchery. These conspirators were now raising troops against the triumvirs, destroying cities under Roman rule, and forcing others to join their armies. Some had already been punished (Trebonius and D. Brutus), but the triumvirs still had the duty 'to march against Gaius' [Caesar's] assassins over the sea'. As the war was to be fought overseas, it would be unwise to leave other enemies behind and the triumvirs have chosen to proscribe them, rather than arrest them unawares, so that the soldiery would not be able to exceed their instructions, and the innocent would be spared during this necessary exercise (App. 4.8–10).

The proscriptions were presented as a way of protecting those loyal citizens who remained in Rome from the machinations of the tyrannicides, during the period when the army would be waging war against those responsible for Caesar's murder. Caesar's own famous clemency, it was argued, with his enemies actually enrolled in the senate and given prestigious appointments, had led directly to his assassination, and, having learnt from experience, the triumvirs were not going to make the same mistake. In the event many of the proscribed escaped to Brutus in Macedonia or fled to join Sextus Pompeius, and their property was confiscated.

The proscription of Cicero, December 43 bc

Octavian's 'respect' for Cicero was shown through this episode to have been purely an exercise in political manoeuvring. Cicero was proscribed along with other senators, although, according to Plutarch, Octavian was not prepared to give him up till the third day of the very private discussions at Bononia (Plut. *Cic.* 46.3–5: doc. 14.21). Octavian's behaviour towards Cicero is hard to justify, even when Cicero's narcissistic belief that he was manipulating the young man is taken into account: certainly Cicero had been warned both by Brutus, according to Plutarch (*Cic.* 45.2), as well as by other friends such as Decimus Brutus and Munatius Plancus (*Fam.* 11.20, 10.24: doc. 14.18), that Octavian's actions were not necessarily in the senate's interests. Cicero's hatred of Antony, however, blinded him to other scenarios, and he saw the empowerment of Octavian as a way of enhancing his own political standing and prestige. He certainly failed to understand that his enthusiastic support of Caesar's assassination and praise for the conspirators would hardly endear him to Caesar's great-nephew and heir. In proposing propraetorian imperium for Octavian at the beginning of 43, and legitimising him as the 'saviour of the republic' to the senate, Cicero played right into his hands. Despite clear evidence that Octavian was pursuing his own agenda,

Cicero was willing to believe that Octavian was a senatorial asset, forgetting that his own praise of the 'liberators' would hardly have recommended him to Caesar's great-nephew or aligned with Octavian's clearly stated aim of avenging Caesar's death.

Cicero's vacillation is seen in his reaction to the news of his proscription: after some ineffectual journeying along the coast, presumably with the aim of sailing to join Brutus in Macedonia, he was found by his assassins at his country home at Caieta on 7 December, being carried to the shore in a litter. He calmly assented to his execution, showing more firmness in death than he had at some crises during his life, refusing to let his slaves fight his assassins and stretching out his neck for decapitation (Plut. *Cic.* 47.4–48.6: doc. 14.21). Even at this point Livy records that he did not forget his past services for Rome, stating 'I shall die in the native land I have so often saved' (Livy F50: doc. 14.22). His brother and nephew had already been killed, but his son Marcus was to escape execution as he was serving with Brutus in the East. Antony had Cicero's hands as well as his head placed on the Rostra – the hands with which he wrote the *Philippics* – and Dio (47.8) records that his unfeminine wife Fulvia pulled out the tongue and stabbed it with her hairpins. Antony may also have remembered that his step-father Lentulus had been executed by Cicero for involvement in the conspiracy of Catiline (Sall. *Cat.* 55.5–6; Plut. *Ant.* 2.1–3: docs 12.22, 14.1). Plutarch recorded that the Romans saw on the rostra not Cicero's face, but a 'likeness of Antony's soul' (*Cic.* 49.2), and Livy (F50) that 'people could hardly raise their eyes for tears to gaze on his butchered appendages'. He was 63 years old, a not unseasonable age as Livy suggests, who sums up Cicero's career with the judgement that, despite his vanity and indecisiveness, he had been a man of greatness, dynamism, and pre-eminence, who needed a eulogist like himself to do his merits justice.

The 'liberators' and civil war

Along with the proscriptions came additional and unprecedented taxation. The conspirators were in control of the revenues from the East, and the West was far less wealthy as well as exhausted from warfare, while it still had to finance the settlement of thousands of veterans. The triumvirs were therefore forced to bring in new and revive old taxes. Not only were those with a property qualification of 400,000 sesterces who possessed rented properties obliged to pay a tax equivalent to a year's rent, and landowners made to surrender half their year's produce, slave owners were taxed 100 sesterces for each slave and – still worse – a tax was imposed on 1,400 of Rome's most wealthy women (App. 4.31–34: doc. 7.75). For once the women of Rome, supported by Antony's mother and Octavian's sister, and led by Hortensia, the daughter of the great orator Hortensius Hortalus, spoke out: they would provide resources for the defence of Italy against an external enemy, but had no intention of helping to fund a civil war. Even though the original 1,400 women were reduced after violent protests to 400, this move was unprecedented, and a forecast of still greater financial troubles to come, when treasures and moneys left with the Vestals were appropriated. Essentially the issue was that Rome was no longer able to pay its armies, which had multiplied many times since 59, when there were some 15 legions in arms: in 43, in the West alone, Antony and Octavian each controlled 20 legions (although only 19 fought at Philippi), while Lepidus had three in Rome. Furthermore, Octavian and Antony had promised, and to some extent paid, unprecedented

donatives to secure their troops' loyalty, and undertaken to provide further bounties and land at the end of the veterans' service.

'Divus Iulius'

With these resources at hand – still not enough to cover their financial commitments – and with dissident voices silenced or fled East or to Sextus Pompeius in Sicily, the triumvirs were at leisure to pursue their mission against the conspirators stated in the lex Titia: 'to march against Gaius' assassins over the sea' (App. 4.9: doc. 14.20). As part of the legitimisation of their mission, the formal deification of Julius Caesar (now *divus Iulius*, the god Julius) was to take place at the beginning of 42, a momentous step for Rome itself, although generals had for some time (from Flamininus onwards) enjoyed divine acclamations and festivals in the East. On 1 January, Caesar was proclaimed a god, with a temple to be built over the site of his funeral pyre in the forum, and his cult was officially established in Italy. Octavian was now entitled to be called '*divi filius*' (son of the god), a term which he did not fail to use, and at least by 40 coins bore the legend '*divi Iuli f(ilius)*'. Slingshots at Perusia in 41 were also inscribed '*divum Iulium*' (the god Julius), implying that Caesar was the army's protector.

The comet, which had appeared during the ludi victoriae Caesaris in July 44, had been seen as an indication that Caesar's soul had ascended to heaven as a deity, and this star was later depicted on the coinage as a sign of Caesar's deification. Every honour paid to Caesar of course redounded to the credit and standing of Octavian as well. The senate and magistrates in 42 (Munatius Plancus and Lepidus were the consuls) took an oath to preserve Caesar's *acta*, he was included in every thanksgiving, and everyone had to celebrate his birthday on pain of a fine of 250,000 sesterces for senators and their sons (Dio 47.18.1–19.2: doc. 14.24). The day of his assassination was now nefas, and the room in which he had been murdered was closed (and later turned into a lavatory). Now that Caesar was a god, the pursuit of his assassins was an even greater imperative and Antony and Octavian set in motion the war against the conspirators.

Brutus and Cassius in the East, 44–42 BC

Brutus had been raising troops in Macedonia and Thrace, and by early 43 controlled most of Macedonia and Greece, plus troops from Illyricum (which had been under the command of Vatinius, whose troops defected to Brutus). He had been recognised as governor of Macedonia and Illyricum by the senate in 43, while Cassius was confirmed in Syria, and the two of them had been given *maius imperium*, granting them power to override other provincial governors. Antony had made his brother Gaius governor of Macedonia, but he was captured and later executed by Brutus early in 42. As well as Macedonia, Greece, and Illyricum, Brutus also gained control of the province of Asia, where he raised funds and troops in the second half of 43 and confiscated the remaining supplies stockpiled for Caesar's Parthian campaign.

Cassius, whose reputation as Crassus' quaestor after Carrhae was high in the East, controlled Syria and 11 legions, and from late 43 campaigned against Dolabella, proconsul of Syria, whom the senate had declared a public enemy after his execution of Trebonius in January 43 (Livy *Per. 121*: doc. 14.26). Other cities in

Asia were required to pay the liberators the equivalent of ten years' tribute. Brutus and Cassius were now in control of the taxes and treasures of the East, and were raising other moneys by dubious means: for its support of Dolabella, Cassius fined Tarsus 1,500 talents, which caused the city to start selling citizens into slavery to pay the debt (App. 4.64) until Cassius thought better of it. Brutus and Cassius met up at Smyrna in the spring of 42: between them they probably had some 21 legions, and delayed moving into Greece until they had implemented some terrible requisitions at Rhodes (extorting perhaps 8,500 talents) after a siege by Cassius when 50 leading citizens were executed. Similarly in Lycia Brutus stormed Xanthus, and there was mass suicide by the inhabitants in preference to surrender.

Both Brutus and Cassius proved to be oppressors of the provincials (Brutus especially was known for his rapacious dealings in the provinces: Cic. *Att.* 6.1.5–6: doc. 5.72), though he had been welcomed on his arrival in Greece, and his earlier government of Cisalpine Gaul in 46 appears to have been fair (Mediolanum put up a bronze statue commemorating his governorship: Plut. *Comparison of Dio and Brutus* 5.1–4). According to Dio, the Athenians voted both Brutus and Cassius bronze statues, which they set up, hopefully, next to those of the earlier tyrannicides Harmodius and Aristogeiton, while the inhabitants of Greece and Macedonia dreamt unavailingly that Brutus might liberate them from the Romans. A dedication was also made in honour of Brutus at Oropus, home of the god Amphiaraus (SEG 17.75, 17.209: doc. 14.25).

Brutus was proud of his lineage and, when moneyer, probably in 54, issued coins depicting the goddess Libertas and his ancestors, the tyrant-haters L. Junius Brutus and C. Servilius Ahala (Figure 14.4). In 42, when he minted coinage in the East, he put his own head on the currency (the 'Ides of March denarius'), with the daggers used in



Figure 14.4 A denarius issued by M. Junius Brutus with portraits of L. Junius Brutus (cos. 509 BC), who drove the Tarquinii from Rome and instituted the Republic, and C. Servilius Ahala (magister equitum in 439), who prevented an attempt at monarchy by Sp. Maelius. This denarius was issued by M. Junius Brutus (Caesar's assassin) as moneyer in 54 (or 55 or 59 BC). Brutus claimed to be descended from both tyrannicides. The theme of libertas here may have been linked to concerns over Pompey's increased power during this period, but also stresses Brutus' pride in his ancestral heritage and his family's services to Rome in defence of liberty.

Source: Courtesy of Classical Numismatic Group

the assassination and liberty cap ('pilleus') worn by freedmen (Figure 13.12). He had been adopted c. 59 by his uncle, Q. Servilius Caepio his mother's brother, and took the name Q. Servilius Caepio Brutus, but after Caesar's assassination reverted to his original name to mark his relationship with Brutus the famous regicide. He married his cousin, Cato's daughter Porcia (widow of Bibulus) c. 44. This marriage marked his political independence from Caesar and identification with the values of the Republic.

The battle of Philippi, October 42 BC

The fact that Brutus and Cassius dealt with Rhodes and Lycia before moving west gave Antony an opportunity to pre-empt them in the positioning of the triumvirs' forces in Greece, and by the time of the battle of Philippi the triumvirs were in charge of Macedonia and northern Greece. Brutus and Cassius met up at Sardis in the middle of 42, and marched north to cross the Hellespont in August, reaching Philippi in September. Philippi was in Macedonia, not far from Pharsalus, the site of the critical battle of the earlier civil war. Ignoring the threat caused by Sextus Pompeius (a naval expedition against him led by Salvidienus Rufus in 42 was indecisive, despite Livy's recording it as a victory for Pompeius: *Livy Per.* 123: doc. 14.26), Octavian and Antony had moved into Greece with 28 legions against the liberators, who had control of the sea and hence could block their supply line. Antony reached Philippi before Octavian, who had been taken ill yet again and was to suffer serious illness during the first part of the campaign.

During the first encounter of the two armies, on 3 October, Octavian's forces faced Brutus and Antony's Cassius, each side fielding 19 legions. Brutus and Cassius possessed superior cavalry, and had both reserves of money and more than adequate supplies; they were also well positioned on high ground between mountains and a marsh. In early October Antony forced an encounter (App. 4.110–111), with the troops again promised 20,000 sesterces per man should they be victorious. Brutus' troops on the right wing devastated those of Octavian, who lost three legions, and at this point he went into hiding in a marsh (*Pliny* 7.148: doc. 15.116), while Antony pushed Cassius into retreat and captured his camp. Believing that Brutus had been equally unsuccessful Cassius, who was apparently myopic, instructed his freedman Pindarus to assist him to commit suicide (*Livy Per.* 124: doc. 14.26).

Despite Antony's victory, the triumvirs were in a difficult position: they had lost some 16,000 soldiers, twice those of their opponents, and their camp was flooded by heavy rain, while the enemy's fleet had conquered reinforcements that were coming to their aid. Brutus' best plan was to wait until the triumvirs were starved out. But later in the month, on 23 October, Brutus was pressured by his subordinates into accepting the challenge to fight again: on this occasion his right wing, which he led himself, was victorious but his left was defeated and that night he fell on his sword (*Livy Per.* 124: doc. 14.26). Octavian had succeeded in capturing his camp, but Antony gained all the prestige of the victory. Many of the vanquished fled to Sextus Pompeius or to Domitius Ahenobarbus who still commanded the liberators' fleet, while most of the troops joined the triumvirs. Antony had Q. Hortensius, who had been involved in the execution of his brother, killed over Gaius' tomb, though he gave Brutus himself an honourable funeral and sent his ashes to his mother Servilia. Cato's son Marcus died valiantly in the second battle, and Cato's daughter, Brutus' wife Porcia, either now

or earlier, reportedly committed suicide by swallowing hot coals (*Plut. Brut.* 49.9, 53.1–7; *Ant.* 22.4).

The outcomes of victory

According to Appian never had such massive and well-matched forces – all citizens, relatives, and fellow-soldiers – come into conflict, or the outcome of battle been so decisive. It had, in fact, determined for the worse the fate of the Roman Republic: ‘Rome’s government was explicitly decided by that one action and it has not yet returned to being a democracy’. The only similar conflict since that engagement, in Appian’s view, was that to occur between Antony and Octavian themselves (App. 4.137–138: doc. 14.27). Both sides had lost some 20,000 men. The empire was now divided again between the triumvirs: Antony was to keep Gaul, and the East; Octavian Sicily, Sardinia, Spain (a large proportion of these being under the control of Sextus Pompeius). Lepidus, suspect it was said because of his dealings with Pompeius, was side-lined and lost both Gallia Narbonensis (to Antony) and Spain (to Octavian), but in exchange was allowed possession of Africa. Cisalpine Gaul became part of Italy, as had been intended by Caesar, so that no one commanded troops south of the Alps, which now became Italy’s northern boundary (App. 5.3: doc. 14.27).

Octavian was given the task of settling the veterans in their colonies in Italy, a task he appears to have chosen himself because of his ill-health and lack of military experience. He also had to deal with the naval threat of Sextus Pompeius. In fact, on reaching Italy, he was again seriously ill and had to spend some time at Brundisium convalescing before returning to Rome in 41 (App. 5.3). There were large numbers of veterans, in the 60 or more legions in service, who were due for bounties and settlement; only 8,000 of these veterans were retained in arms at their request and formed into praetorian cohorts. With the rest discharged, the triumvirs’ army in the East consisted of 11 legions and 14,000 cavalry: Antony, who had the task of reorganising the East, and taking command of a war planned against the Parthians, took six legions and 10,000 cavalry for his campaigns, while Octavian had five, exchanging two of these with Antony for legions left in Italy under the command of Calenus (this exchange in fact did not occur). Antony was clearly considered the senior partner in all these arrangements.

Fulvia, Lucius Antonius, and the dispossessed

Discontent in Italy, 42–41 BC

As part of the agreement when the Second Triumvirate was established, 18 Italian cities and their possessions had been nominated to provide land and resources for the settlement of veterans (App. 4.3: doc. 14.20). Octavian’s most important role was now to organise these colonies, which involved dispossessing large numbers of Italians, with no compensation, to make way for soldier settlement. The veterans that were to be settled initially perhaps numbered some 40,000–50,000 in total. Senators’ estates were exempted, and a large proportion of the middle class in Italy was now to be dispossessed, with their land organised into allotments of some 50 iugera per soldier, with 100 for officers (approximately 12.5 or 25 hectares). Eighteen cities went nowhere near

providing enough land, and eventually 40 cities were appropriated, though the towns of Vibo and Rhegium were later exempted from sequestration (App. 4.85–86). With large numbers of people now homeless, banditry became rife in the peninsula for at least the next decade, while many of those evicted fled to Rome or to Sextus Pompeius in the hope of a livelihood. Italy was already at great risk of famine, with Pompeius' fleet preventing grain from reaching Rome, and there were violent disturbances, with the dispossessed protesting their eviction and veterans demanding immediate settlement.

Vergil's *Eclogues* present a vivid picture of the impact on small farmers: Vergil's own family, from Mantua in Cisalpine Gaul, was reported to have lost its estate, until the poet's friends appealed to Octavian on his behalf, and Maecenas, Octavian's old friend, was to be the patron of many literati and poets like Vergil, for the next few decades. In *Eclogue 1*, written perhaps in 41, the dispossessed farmer Meliboeus chats to his friend Tityrus, who has been lucky enough to have been exempted from the general expropriation by that youth (Octavian), 'in whose praise twelve days a year my altars will give smoke. He was the first to answer my request with, "pasture your cattle, as before, and raise your bulls"' (Verg. *Ecl. 1*: doc. 14.28).

Meliboeus, in contrast to the fortunate Tityrus who can sit at ease under a tree singing love songs, has to leave his old home for foreign parts – thirsty Africa, Scythia, or far off Britain – while some 'godless soldier' will now possess his well-farmed land. 'What misery civil strife has brought us!' exclaim both Meliboeus and Vergil. Vergil's later work, the *Aeneid*, disseminates Augustan ideology, but the *Eclogues* (especially 1 and 9) present a genuine picture of the misery and turmoil caused by civil strife and soldier settlement in Italy.

The siege of Perusia, 41 bc

The dispossessed found a ready champion in Antony's younger brother Lucius, who was consul in 41 with P. Servilius Isauricus, and played the situation to his own advantage, gaining considerable popular support and not being averse to embarrassing Octavian. In an attempt to ameliorate the economic situation, Octavian had proclaimed a year's amnesty on rents up to 2,000 sesterces in Rome, and a rent reduction of a quarter throughout Italy, which may have granted some short-term relief, but at the same time put further financial pressure on the owners of property. Lucius, who was supported by Antony's wife Fulvia, whom Livy presents as the instigator of much of the trouble (Livy *Per. 125*: doc. 14.29), took advantage of the situation to incite the dispossessed against Octavian, while claiming that Octavian was giving the preference to his own veterans in land settlement rather than Antony's, and that their settlements should in fairness be overseen by one of Antony's men. It is not clear to what extent Antony in the East was aware of or approved of Lucius and Fulvia's activities at this point, but Lucius does appear to have had the support of much of the senate (which was always opposed to large-scale land distribution for veterans), as well as the towns of Italy, and presented himself as an opponent of the triumvirs and a champion of the established laws and the republican constitution. He even took the agnomen 'Pietas' to show his devotion to republican ideology and traditional values.

By the summer of 41 the situation had broken out into open conflict. Octavian cannot have been entirely sure of Antony's position on events, and dispatched one legion to Brundisium in case any troops arrived from the East, while Lepidus was stationed in



Figure 14.5 A quinarius from the Lugdunum mint in 43 BC, depicting a winged bust of Victory, resembling Fulvia, Mark Antony's wife, and a walking lion. On the obverse the winged bust, and on the reverse the walking lion, with the number XLI (41), Antony's age at the time of issue. Fulvia (c. 83–40 BC) had been married to P. Clodius Pulcher and to C. Sempronius Curio, both prominent popularist politicians and supporters of Julius Caesar.

Source: Courtesy of Classical Numismatic Group

Rome with two legions. Agrippa was also given a formal command for the first time. Despite this Lucius (the consul) briefly occupied Rome where he promised to abolish the triumvirate, and then marched north with an army, taking refuge in Perusia after some confused manoeuvring. Octavian besieged him there (hence the term 'Perusine War' for this episode), while Lucius expected support from Antony's lieutenants Pollio and Ventidius in Gaul and Munatius in Campania. These, however, awaited events, unsure as to how Antony would like them to respond, while Lucius became trapped between Agrippa and Salvidienus Rufus, who was bringing an army from Spain.

Octavian was in a difficult position: the last thing he wanted was for the situation to slip so greatly out of control that Antony would be justified in intervening in the affairs of Italy. His response was to distinguish between the roles played by Lucius and Fulvia (Figure 14.5), with one of his first actions being to divorce Fulvia's daughter Clodia (Antony's step-daughter), whom he swore was still a virgin. Her age is not known (the couple may just have been betrothed rather than married at this point). This was a studied insult aimed specifically at Fulvia, rather than at Lucius or Antony himself. Octavian then besieged the town in force, and Lucius was forced to surrender early in 40. He was pardoned and sent to Spain, where he soon died; the citizens of the town were generally spared, though Octavian is recorded to have executed the 300 members of the town council in honour of Caesar, and Livy's comment that the war was ended without bloodshed (*Livy Per. 125–126: doc. 14.29*) does not consider the cost to the people of Perusia, which was razed by fire while being plundered by Octavian's troops.

Octavian and Fulvia

Octavian represented the war as directed against Fulvia, an out-of-control virago, rather than against Lucius, who was after all consul in 41 and commanded considerable

popular support. Martial records a vituperative epigram which Octavian himself was said to have written attacking her reputation and character (*Mart. Ep.* 11.20: doc. 14.30). The epigram, which is more than outspoken about Fulvia's sexuality, makes a connection between the Perusine War and Fulvia's jealousy of Antony's affairs: he was rumoured to be enjoying one in the East with Glaphyra, mother of Archelaus IV, whom Antony had put on the Cappadocian throne after Philippi. Fulvia is presented as sexually attracted to young Octavian, her ex-son-in-law, who has had to resort to war in order to avoid having to have sex with her, and the blunt tone of the poem reads as if written for soldiers on campaign; outright warfare is better than having to have sex with such a hellcat. Octavian is no more willing to fuck Fulvia, than he will bugger her agent Manius. The epigram attacks Antony through his wife (and Lucius implicitly through his sister-in-law), with Octavian putting himself forward as possessed of an aggressively masculine personality, perhaps to counter some of the charges of homosexuality that his opponents circulated about him (*Suet. Aug.* 68: doc. 14.49).

The same point of attack appears in the inscriptions on slingshots, which both sides used to send flying insults at the other: appropriately, the term for a slingshot was *glans*, which meant both acorn and the head of the penis, and these slingshots are known as the 'glandes perusinae' (*CIL XI.6721.5, 7, 9a, 11, 14*: doc. 14.31; Figure 14.7). Octavian's troops vilified Fulvia's reputation, with inscriptions commenting on her genitalia and dispatching themselves in their direction, while the besieged fired their shots in the direction of 'Octavian's ass'. Lucius was the target of abuse in his turn, and it is interesting that insults over his baldness are borne out by his coinage (Figure 14.6). Fulvia may not have been present in Perusia during the siege, and may have been left at Praeneste (*App. 5.21*; *Dio 48.10.3*), but the fact that she is named



Figure 14.6 A denarius issued in summer 41 BC by the Ephesus mint, depicting Mark Antony and his brother Lucius. On the obverse the bare head of Mark Antony, with the legend *M ANT I(MP) (AV)G III VIR RPC* (*M. Antonius, imperator, augur, triumvir republicae constituendae*); on the reverse the bare head of his brother Lucius, Antony's younger brother, consul in 41 with the legend *L ANTONIUS cos*. Lucius' receding hairline suggests that the insults on his baldness inscribed on slingshots were based on his appearance.

Source: Courtesy of Classical Numismatic Group

on the slingshots shows the extent to which Octavian had been able to present her as a major antagonist.

After their defeat, many of Lucius' troops now joined Sextus Pompeius, while Agrippa persuaded two of the legions of Munatius Plancus to defect to Octavian. Munatius and Fulvia left for Greece where they met Antony in Athens early in 40. When Q. Fufius Calenus, Antony's governor in Transalpine Gaul, died shortly afterwards, Octavian ensured that Salvidienus, his own nominee, took charge of this highly strategic province and Calenus' legions. Antony clearly thought that it was now time for him to return, arriving back in Italy in the summer of 40.

Antony's reorganisation of the East

Preparations for war with Parthia, 42–41 bc

In the meantime, Antony had been reorganising the East, which was in desperate straits after the harsh exactions of the liberators, while still more money had to be extracted from the provinces to relieve Italy's financial predicament and fund the settlement of veterans. Antony also had to finance and prepare for a war with Parthia: King Orodos II had sent assistance to Brutus and Cassius, and the rebel commander Q. Labienus, the son of one of Pompey's generals in the civil war, was serving at the Parthian court. Antony wintered in Greece in 42/41, crossing to Asia in the spring of 41, where at Ephesus he was acclaimed as a god, although his financial impositions soon put an end to the rejoicing. Not only did he need to build a fleet and prepare for the Parthian war, there were vast numbers of legionaries that needed demobilising, all of whom had been promised the now standard bounty of 20,000 sesterces, plus an allocation of land.

Antony demanded that Asia should send Rome ten years' worth of taxes over the next year (after pleas of poverty this was reduced to nine years of taxes paid over two years). The normal tax from the province of Asia was 2,000 talents a year, nominally at least, and even nine times this amount would not suffice to pay the promised bounties to some 28 legions. Asia Minor was already impoverished as Brutus and Cassius had recently raised ten years of taxes over the last two years, and Antony did treat states like Lycia and Rhodes that had suffered most brutally under the conspirators more leniently. Moderation was also shown to individuals, except to those who had actually played a part in Caesar's assassination. In reorganising the provinces, Antony installed client kings and deposed tyrants; of the existing provinces he only retained Asia, Bithynia, and Syria, and rumour had it that the young, newly appointed king of Cappadocia, Sisina, owed his throne to Antony's relationship with his mother Glaphyra, gossip which was current at the time of the Perusine War in late 41 (*Mart. Ep.* 11.20: doc. 14.30).

Antony and the provincials

Throughout his time in the East, particularly in Athens and Alexandria, Antony demonstrated an interest in Greek culture and Hellenism generally, and now showed his philhellenism by granting certain privileges to Athens and other Greek cultural

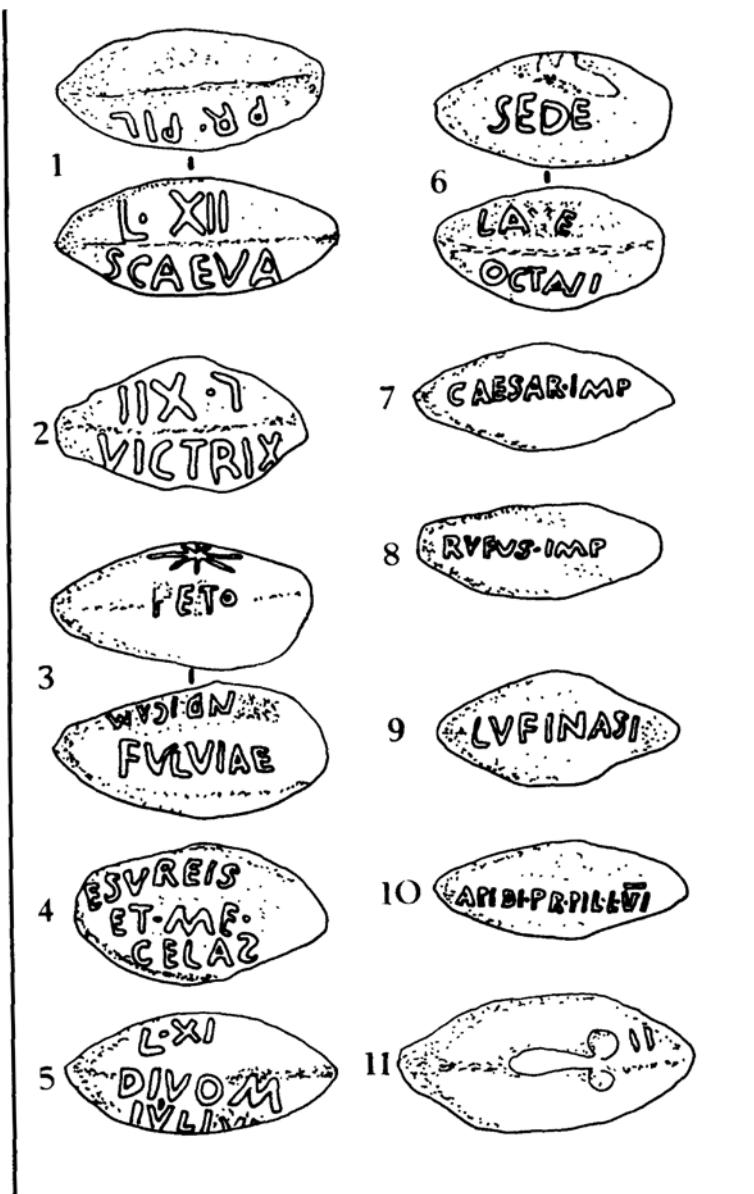


Figure 14.7 Inscribed slingshots from Perusia. It was customary for troops to inscribe insults on the shots before they were dispatched (as in the Social War), and on this occasion these included personal attacks on Fulvia and Octavian (doc. 14.31).

Source: From Keppie, *The Making of the Roman Army from Republic to Empire*, Routledge, Figure 36, p. 109

centres: it was probably at this point, while he was at Ephesus, that he gave immunities to members of the association of crowned victors at the festival games (*RDGE* 57: doc. 14.32). The association, which may have included artists and poets as well as athletes, comprised those who had won wreaths for events at sacred festivals. At Ephesus Antony was approached by his 'anointer' (his physical trainer) M. Antonius Artemidoros (presumably his freedman) and Charopeinos of Ephesus, the eponymous priest of this society, asking for exemption from military service, liturgies, and billeting, plus inviolability during festivals, and the right to wear the purple stripe, an honour granted to distinguished citizens. Antony willingly granted their requests, and permitted Artemidoros to dedicate a bronze tablet inscribed with these privileges at Ephesus.

Since Philippi, Antony had been touring the eastern provinces, raising money for the settlement of veterans in Italy. Areas such as Syria needed careful handling as most of its cities had supported Cassius, who had received 7,000 talents from Antipater of Judaea, father of Phasael and Herod the Great, and had ruined four Judaean cities, Goffa, Emmaeus, Lydda, and Tamma, with their inhabitants sold as slaves. While Antony was at Ephesus, he was approached by a Jewish embassy dispatched by the high priest Hyrcanus, which presented him with a golden crown and asked for the restoration of Jews who had been captured and imprisoned by Cassius, or sold as slaves ('under the spear'), and for the return of territory appropriated by Tyre. Antony granted their request and both now and later protected the interests of the Jews in Asia and the cities of the Mediterranean (*Joseph. AJ* 14.12.4.301–323: doc. 14.33).

His letter to Hyrcanus and the Jews in response to their request shows some feeling for the people of the provinces, and he described the whole of Asia as now 'restored as if from an illness through our victory'. He understands the lifestyle of the Jews to be 'steadfast and god-fearing', and makes much of the brutality with which the liberators had behaved (*Joseph. AJ* 14.12.4.309–312). Since the decree affected Jews throughout Asia, Antony had the information about the release of Jews and the return of their property broadcast to the major cities, and Josephus uses him as an example of Romans who 'showed consideration towards our people'. Hyrcanus, whose role was now religious, advised Antony to rely on Herod and Phasael, and Antony made them both tetrarchs, while Herod was installed by him as king of Judaea in 37.

Cleopatra VII and Antony, 41 BC

Of all the countries in the East, Egypt, though not a province, was vital to Rome because of its wealth and grain supply. As part of his reorganisation of the region Antony summoned Cleopatra VII to meet him at Tarsus in Cilicia in mid-41 (App. 5.8–11: doc. 14.34). Even according to Appian the meeting was highly charged, while Plutarch (*Ant.* 25–26) makes it sound like a romantic novelette. The queen of Egypt, daughter of Ptolemy XII Auletes, was now about 28 years of age, and had outlasted her four siblings, two other sisters (Berenice and Arsinoe) and two younger brother-husbands (Ptolemies XIII and XIV). Plutarch gives a lyrical description about how she sailed up the river Cydnus to Tarsus in a barge with gilded stern, oars of silver and sails of purple, dressed like Aphrodite and fanned by boys resembling Cupids, highlighting the fabled wealth of Egypt. She had been a valuable ally of the Caesarians, not least because of her liaison with Caesar (their son Ptolemy XV Caesarion was born in 47),

and had supported them by sending four legions to assist Dolabella and refusing to help Cassius (App. 4.263). Appian suggests that Cleopatra and Antony may have met much earlier when Antony was serving at Alexandria under Gabinius in 55 BC (App. 5.8: doc. 14.34), but in any case Antony must have been acquainted with her when she was residing in Rome under Caesar's protection.

Egypt was a logical place for Antony to winter, and he stayed in Alexandria for the winter of 41/40. Appian (5.11) comments that he was accused of 'going native' because of his adoption of non-Roman dress and enthusiasm for Hellenic pursuits, though these demonstrate the breadth of his intellectual interests, comprising excursions to the temples and gymnasia and attendance at philosophical debates. In the third century BC Alexandria had taken over from Athens as the intellectual and cultural capital of the Greek world. Cleopatra and Antony's twins, Alexander Helios ('Sun') and Cleopatra Selene ('Moon') were born in the middle of 40. Later sources portray Antony's decisions and actions from this point as stemming from infatuation with Cleopatra, but they were the logical corollary of accepting and supporting her position as ruler of Egypt. Appian (5.9) criticises Antony for targeting enemies of Cleopatra, such as her sister Arsinoe who was murdered on the steps of the temple of Artemis Leukophryene at Miletus in 41 (App. 5.9: the temple was actually at Magnesia not Miletus). Arsinoe had competed with her siblings for the Egyptian throne in 48 and then featured in Caesar's Egyptian triumph, after which she had been allowed to live in exile at Miletus. Cleopatra's admiral Serapion who had supported Cassius was another victim supposedly dealt with by Antony in Cleopatra's interests.

Notwithstanding Cleopatra's pregnancy, when Antony left Egypt early in 40, before their twins were born, he and Cleopatra were not to meet again for some four years: Antony married Octavia late in 40, after the Treaty of Brundisium, only divorcing her in 32. The 'Donations of Alexandria', in which Antony allowed quasi-dynastic status to Cleopatra and their children, did not take place until 34. After spending the winter in Egypt, despite the criticism of the sources, he wasted no time and left in February 40 for Tyre, to be closer to the Parthian front.

Parthian aggression, 40–39 BC

In anticipation of the attack on Parthia, Antony in 41 had captured the important border city of Palmyra. Labienus was still at the Parthian court, and when news of the defeat of the liberators arrived he was given command of a Parthian army. He decided to pre-empt Antony's invasion of Parthia and attacked Syria early in 40, along with Orodēs' son, the prince Pacorus, while Antony was still in Alexandria. Syria was easily overrun, with the governor L. Decidius Saxa killed. Many of the cities retained sympathies with the conspirators, and the province had fallen before Antony could get as far as Tyre. He was then distracted by affairs in the West and had to sail to Italy to patch up the aftermath of the Perusine affair, instigated by Fulvia and his brother Lucius.

Pacorus continued his conquests by invading Palestine where he placed a pretender, Antigonus, on the throne: he also captured Hyrcanus and Phasael by treachery, whereupon Phasael committed suicide, although Herod escaped to Rome. Labienus successfully invaded Cilicia, Caria, Phrygia, and Lydia, and adopted the title 'Parthicus Imperator', which appeared on his coinage. In 39 he was eventually checked and killed by Antony's general Ventidius, but a letter of Octavian's written in 31 highlights

the suffering still experienced by cities ravaged by the Parthians, such as Mylasa in Caria, a town only 20 kilometres from the Asia Minor coastline. Its financial situation nearly ten years later was still critical: their city had been conquered and burnt, many citizens had been taken as prisoners of war or murdered, land had been plundered, farm buildings torched, and shrines and temples destroyed – as Octavian states, they had endured ‘every misfortune’ (*RDGE* 60: doc. 14.35). This invasion and its horrendous impact on the East only strengthened Rome’s resolve, and Antony’s, to deal with Parthia at the earliest opportunity, but for the time being this had to wait until Antony returned from the West.

Events in Italy

Despite the Parthian menace in the East, matters in Italy were still more worrying, and Antony had to attend to patching up the relationship with Octavian. By 40 both armies were enthusiastic for some kind of compromise between their leaders. Sextus Pompeius had now become a major factor in Roman politics, possessing some 250 ships and a naval empire, which encompassed much of Spain and Sicily, with the power to cut off Rome’s grain supply at will. He now presented himself as the son of Neptune, and used the name *Sextus Pompeius Magnus Pius* (with ‘pius’ denoting his devotion to the memory of his father and the feud he had inherited against his father’s enemies: Figure 14.3). Not only the defeated Antonine forces from Perusia, but many of the evicted farmers in Italy had chosen to join him. Antony’s mother Julia, who had supported Lucius’ actions as consul, had also fled to Sextus after the fall of Perusia, suggesting that there may have been an informal agreement in place between Sextus and Antony, not just between Sextus and Lucius. One consequence of the Perusine affair was Maecenas’ negotiation of Octavian’s marriage to Scribonia in the summer of 40: her brother L. Scribonius Libo was Sextus Pompeius’ father-in-law and one of his lieutenants. The fact that the connection with Sextus was not close, and that Scribonia was older than Octavian and had been married twice before (to Cn. Cornelius Lentulus Marcellinus [cos. 56] and a P. Cornelius Scipio) shows the degree to which some form of alliance with Sextus was considered expedient. She was the only one of Octavian’s wives by whom he was to have a child: Julia in 39.

The treaty of Brundisium, 40 BC

When Antony tried to land at Brundisium, he was refused entry on the orders of Octavian, who had five legions stationed there with Agrippa in command. Antony blockaded the port and incited Sextus to further attacks on the Italian coast: Sextus had Julia honourably escorted to her son and offered him an alliance, which Antony was keen to encourage, knowing that he could use Sextus’ fleet to embarrass Octavian. Sextus continued to Italy, and occupied Sardinia and Corsica which further worsened grain shortages in Rome. Once again Octavian’s troops had no desire to fight Antony, and, after so much internecine warfare, both armies were keen for a compromise. The consequence was the Treaty of Brundisium, an agreement initiated by the troops on both sides, who sent envoys to negotiate with the commanders, including Pollio on Antony’s behalf and Maecenas for Octavian (App. 5.64–68: doc. 14.36).

Octavian and Antony met at Brundisium, in September, and they renegotiated the terms which they had made after Philippi, replicating the original division of provinces, except that Octavian, not Antony, was now recognised as controlling Transalpine Gaul following the death of Calenus: Salvidienus Rufus was put in charge of the province. Consequently the empire was divided into two, with Octavian commanding the western provinces including Illyricum, and Antony the East (Lepidus in Africa was of little importance). Octavian was to be in charge of the war against Sextus (unless an agreement was reached with him) and Antony of that against the Parthians. Both would be permitted to recruit troops in Italy, in equal numbers (App. 7.65). Sextus for the time being was recognised as being in control of Sicily, if only because it would have been impossible to take it from him, while Octavian undertook to be on friendly terms with Ahenobarbus, Antony's naval commander.

To support the alliance, as Fulvia had recently died in Greece, Antony was to marry Octavian's sister Octavia, whose husband C. Marcellus was also recently deceased: this pleased the triumvirs' troops who remained incurably romantic (Family Tree 3). The two triumvirs feasted each other magnificently and then proceeded to Rome where they received a rapturous welcome. This rapprochement was marked by a double ovatio and coins in both their names, struck with the legend 'M. Anton. C. Caesar. Imp.', and depicting the head of Concordia, the goddess Concord. While in Rome, Antony finally took up his position of flamen divi Julii, the priest of Caesar's cult, thus reaffirming his connections with Caesar, while Octavian began to use the name Imperator Caesar divi filius ('son of the god'). As part of the entente cordiale, Antony also revealed to Octavian that Salvidienus Rufus, consul-designate for 39 and Octavian's old friend, had proposed defecting to him: according to Livy (*Per. 127: doc. 14.40*) Salvidienus was condemned and committed suicide, although Appian (5.66) has him executed after the proclamation of a senatus consultum ultimum. Agrippa was given the command of Gaul in place of Salvidienus, where he achieved marked success, though he would later refuse a triumph out of deference to Octavian, whose military record remained undistinguished. The triumvirs also took the precaution of ensuring that all their acts, past and future, were confirmed by the senate before Antony returned to the East. The new division of responsibilities focussed Antony more exclusively on the East, while Octavian's interests in Italy were to enable him to establish himself over the next few years as the defender of Italy.

Food shortages and the treaty of Misenum, 40–39 BC

This concord and the associated festivities were not to last. The continuing blockade of grain by Sextus, who was not happy with the terms of the agreement, had resulted in serious famine again in Rome in 40, trade was dislocated, and prices rose steeply. By November Rome was again suffering severe food shortages and there were popular riots. Italy was already impoverished, but the triumvirs imposed a slave tax and an inheritance tax to fund further aggression against Sextus to the people's fury (App. 5.67–68: doc. 14.36). Their ire was focussed on Octavian, as they saw Antony as prepared to make peace with Sextus, and when Octavian tried to reason with the populace in the forum, he was stoned and had to be rescued by Antony and his troops, with the corpses of the numerous fatalities thrown into the Tiber. In consequence the leaders were more unpopular than ever, and the famine continued.

The unrest in Rome led to a meeting between Antony, Octavian, and Sextus off the promontory of Misenum, near Puteoli on the Bay of Naples (Map 9), in the summer of 39 (perhaps in August) to forge a workable agreement by which Sextus could be persuaded to refrain from blockading Italy's grain supply. This accord is known as the Treaty of Misenum (or Treaty of Puteoli), and was facilitated by Sextus' mother Mucia and his wife, whom Appian incorrectly calls Julia, rather than Scribonia the daughter of L. Scribonius Libo (App. 5.72–74; doc. 14.37). A formal arrangement was made whereby Sextus would govern Corsica, Sicily, and Sardinia, with the Peloponnese to be added later, for a five-year period. He would then hold the consulship in 33, as well as an augurship, in return for not interfering with trade or receiving runaway slaves, while he undertook to send grain to Rome and clear the seas of pirates. Any nobles with Sextus (except Caesar's assassins), who had not been proscribed, could return and have their property restored; the proscribed could also return and receive one-quarter of their property. Any slaves who served with Sextus would be freed, and free men fighting with him would receive the same bounties as those who were serving under the triumvirs.

Octavian married Scribonia in 40, and Sextus' daughter Pompeia was now betrothed to the young M. Claudius Marcellus, Octavia's son (Octavian's nephew and Antony's step-son). The consulship was also parcelled out for the next few years: Antony and Scribonius Libo were to hold it in 34; Octavian and Sextus Pompeius in 33; Ahenobarbus and Sosius (both Antony's men) in 32; and Antony and Octavian in 31 (App. 5.73). The treaty was followed by three days of banquets hosted by each of the three in turn on their ships. The reaction of the people, who sacrificed to Antony and Octavian 'as if to saviours', shows the hardships which the on-going conflict had caused, including civil war, conscription, the absconding of slaves, devastation of agriculture, and oppressive famine. Antony finally left Italy in early October 39, together with his new wife Octavia – this was the last time he was to see Rome.

The early 30s were the occasion for further marriages. Cicero's friend Atticus was as tireless a correspondent as ever, remaining on friendly terms with both Octavian and Antony, even when the two of them were at war (*Nepos Att.* 19.4–20.5; doc. 14.38). A marriage took place between Atticus' daughter Caecilia Attica, who was born in 51, and Octavian's old friend the general Agrippa, perhaps in 37. Agrippa, with Maecenas, was instrumental in arranging the treaty of Tarentum, and he had shown his usefulness, most notably in the military engagements at Philippi and Perusia. He was also consul-designate for 37, after two years as governor in Gaul. As the architect of Octavian's victories over Sextus Pompeius in 36 and over Antony at Actium in 31, Agrippa was to be almost single-handedly responsible for the outcome of the civil war.

The marriage alliances between the families continued into the following generation: Octavian had the daughter of Agrippa and Caecilia, Vipsania Agrippina who was born c. 33, betrothed to his step-son Tiberius (later the emperor), and both Agrippa and Tiberius (Agrippa's son-in-law) ended up marrying Octavian's daughter Julia for dynastic reasons. The rapport between Atticus, merely an extremely wealthy eques, and Octavian is shown by the fact that Octavian had Atticus' daughter married to his (Octavian's) best friend, and that their daughter then married Octavian's elder step-son Tiberius.



Figure 14.8 A cistophorus, issued in the summer-autumn of 39 BC by the Ephesus mint, with the heads of Mark Antony and his wife Octavia Minor. The cistophorus includes the legend M ANTONIUS IMP COS DESIG ITER ET TERT (M. Antonius, imperator, twice consul-designate). Antony had been consul in 44 and was consul-designate for 34 and 31. On the reverse Dionysus holds a cantharus (drinking cup) and thyrsus (Dionysiac staff) and stands on a cista mystica (a basket used in mystery cults), flanked by interlaced serpents, with the legend III VIR RP[c] (triumvir reipublicae constituendae). Antony is wreathed with ivy, and the coin illustrates his identification in the East with the god Dionysus.

Source: Courtesy of Classical Numismatic Group

Livia Drusilla

At the beginning of 38, Octavian married Livia Drusilla (Family Tree 3). He had been betrothed to Fulvia's daughter Clodia Puchra, and then married to Scribonia, the aunt-in-law of Sextus Pompeius in 40, whom he divorced the day after their daughter Julia was born in 39 (Dio 48.34.3): he was said to have complained that Scribonia was bad-tempered, but the alliance was already beginning to outlive its usefulness. Octavian was now 25 years of age, and he had found the woman with whom he wanted to spend his life. Livia, who had been born on 30 January 58, was already married, and connected at the highest levels to the Claudi and Livii. She was the daughter of M. Livius Drusus Claudianus (the son of App. Claudius Pulcher, who had been adopted by M. Livius Drusus, tr. pl. 91). Her father had been praetor in 50 and was proscribed by the triumvirs after supporting the senate at Mutina in 43: a republican, he fought alongside Brutus and Cassius at Philippi where he committed suicide. Livia had been married in 43 to her cousin Tiberius Claudius Nero, and currently had one child, Tiberius, born on 16 November 42. Claudius Nero had served under Caesar, commanding the fleet at Alexandria, and settled veterans in Gaul in 46–45, although in 44 he had supported the liberators. Praetor in 42 or 41 he had backed L. Antonius in the Perusine War, after which he attempted to raise a slave rebellion in Campania. When this failed he had joined first Sextus Pompeius, and then Antony in Greece, returning to Rome after the Treaty of Misenum. Livia had accompanied her husband to Sicily and Greece in

40–39, and met Octavian in 39 when they had returned to Rome. Livia at this point was pregnant with her second son Drusus.

Despite the fact that Livia was six months pregnant, her husband agreed to divorce her amicably and she married Octavian on 17 January 38. They remained married for 51 years. The pontifices waived the traditional waiting period, as Livia was clearly pregnant and the paternity of her son was in no doubt. It was considered a little unusual that Claudius Nero was present at the wedding and gave his soon-to-be ex-wife away (Dio 48.44.1–5: doc. 14.39). Dio gives an amusing account of the marriage feast, at which one of the slaves kept for their amusement by aristocratic women ('a little boy, one of the chatterers which women keep for fun, naked as a rule': Dio 48.44.3), was shocked to see Livia reclining not with her 'husband', but with Octavian. When Drusus was born three months later, Octavian sent the baby to his father as he noted formally in his memoranda, and after Nero's death in 33 his sons went to live with Livia and Octavian, who was now their guardian. Dio reports that Drusus' birth gave rise to a popular quip that 'the lucky have children in three months'.

Octavian and Livia had no children (one child was born prematurely: Suet. *Aug.* 63.1), and Tiberius was eventually to be Octavian's heir, but she was one of his most important advisors and accompanied him on his travels, presenting to the world the image of the traditional and reproachless Roman matron. Despite having been the daughter and wife of two impassioned republicans, she supported Octavian with commitment throughout his life. Yet another betrothal that took place at this point or shortly afterwards was that of Octavian's baby daughter Julia to Antyllus (M. Antonius Antyllus), Antony's older son by Fulvia, to strengthen the alliance between the triumvirs (Suet. *Aug.* 63.2). It also appears that in 37 Antony married his eldest daughter Antonia Prima to Pythodorus of Tralles, one of the leading wealthy figures in the province of Asia: if so, she was the mother of Pythodorus Philometor, who was confirmed by Augustus in 3/2 as queen of the client kingdom of Pontus and Colchis, and later wife of the king of Cappadocia (Strabo 12.3.29, 31).

The downfall of Sextus Pompeius and Lepidus, 36 bc

As famine still continued in Italy, relations with Sextus worsened, and in 38 he was accused by Octavian of piracy and of conducting raids on the coast (Livy *Per.* 127–129: doc. 14.40). Octavian prepared for war, fortifying Italian coastal towns, building ships and summoning an army from Illyricum. Sextus' admiral Menodorus (or Menas) defected to Octavian early in 38, handing him the islands of Sardinia and Corsica and a fleet of some 60 ships. Octavian was, however, defeated in naval battles off Cumae, where most of his fleet was destroyed in a storm, and in the Straits of Messana. There were riots again in Rome as a result and in the autumn of 38 Octavian sent Maeccenas to Antony to ask for his help against Sextus, to which Antony agreed. During 38 Octavian also had to face a revolt in Aquitania, which was dealt with by Agrippa (who again declined a triumph). There were also serious issues in government, with a shortage of candidates for office and numerous resignations: according to Dio in 38 there were 67 praetors, the norm at this point being 16 (Dio 48.43.2).

In view of this unrest, Antony again visited Italy in the spring of 37. Octavia, wife to one and sister to the other, played a vital role in the negotiations, as Antony highlighted

on his coinage (Figure 14.8). The fact that he took with him 300 ships implies that he went in strength, publicly demonstrating that he was willing to assist Octavian against Sextus Pompeius. After he was refused admittance at Brundisium, he sailed to Tarentum and a treaty was signed there between Octavian and Antony (Lepidus was not present). This treaty (perhaps finally agreed in July or August 37) laid down that Octavian would send Antony four legions to use against Parthia (these were never dispatched), while Antony would allow Octavian the use of 120 ships with their crews against Sextus. At the same time they agreed, without putting it to the senate or people for ratification, that the triumvirate which had technically expired at the end of 38 would be renewed for a second term of five years, presumably to end on the last day of 33, and Octavian had a law passed retrospectively confirming this. Sextus' designated consulship for 33 and priesthood were taken from him, and Octavian was to make war on him in the following year, while Antony attacked Parthia. Agrippa, consul in 37, was instructed to prepare a navy which could defeat Sextus: 20,000 slaves were freed and trained as rowers, and with Agrippa's usual ingenuity he made a harbour, the portus Julius, of the Lucrine Lake in Campania and joined it by canal to Lake Avernus where the slaves could train (Map 9). Agrippa also made changes to ship design, including a new form of grappling hook that could be shot from a catapult. Antony meanwhile returned to the East to prepare for full-scale war with Parthia.

On 1 July 36, Octavian's final attack on Sextus' base in Sicily began from three directions: Agrippa and Octavian set out from Campania to attack the north of Sicily, while Lepidus with 12 legions from Africa, soon to be followed by four more (two of which were destroyed at sea), made for the west coast, while T. Statilius Taurus, consul with Agrippa in 37, attacked the east of the island from Tarentum. Statilius Taurus was driven back by a gale to Tarentum, but Agrippa rallied the fleet and fought a successful naval battle at Mylae, though Octavian was defeated off Tauromenium. Octavian was however able to land 21 legions in Sicily in August, in addition to Lepidus' forces. Restricted to the north-eastern corner of the island, Sextus risked battle at sea again. The terms of the naval battle were formally agreed upon beforehand, and the final confrontation took place at Naulochus on 3 September 36 between 300 ships on each side: Agrippa took charge of Octavian's fleet and his modifications to the grappling hook ensured that Octavian only lost three ships, while Sextus lost all but 17. He fled to join Antony in Greece, leaving his ten legions to surrender to Lepidus.

With more than 20 legions now under his command Lepidus attempted to regain his former position as the equal of Octavian and Antony and claimed control of the whole of Sicily (although he was willing to exchange this for Narbonese Gaul and Spain). His troops, however, were unimpressed by this power-play and deserted to Octavian. Lepidus was spared, but lost his place in the triumvirate and was kept from then on under house arrest in Italy, although he remained pontifex maximus until his death in 13 (Livy *Per. 127–129: doc. 14.40*). More importantly, without reference to Antony, Octavian added Africa and Sicily to his own command. Some 30,000 slaves serving with Sextus were now returned to their owners (and 6,000 without owners crucified), which was a popular move. Lepidus and Sextus had now been neutralised, with all the benefits flowing to Octavian. Agrippa, who had been responsible for the victory, was awarded the naval crown, the corona rostrata, the first ever granted (Figure 14.15).

Rome honours Octavian, 36 BC

When Octavian reached Rome in 36, the senate and people came to meet him and escorted him into the city, first to the temples and then to his home, and offered him numerous honours. He accepted an ovatio (not a triumph, because the war was against Romans), which was celebrated on 13 November, annual supplications on the anniversaries of his victories, and a golden statue of himself erected on a column in the forum surrounded by the rams of ships, with the legend, 'Peace which had long been disrupted he re-established by land and sea' (App. 5.130: doc. 14.41). He was only 28 years of age. He was also granted the privilege of wearing a laurel wreath (as Caesar had, when dictator), which from now on appeared on his coinage. The civil wars, he assured the Romans, had ended, and all special taxes still owed were remitted. Italian cities dedicated statues of him in their temples alongside their gods. He was also awarded tribunician sacrosanctity (an honour awarded to Caesar in 44) including the right to sit on the tribunes' bench, but not full tribunician potestas: Octavian himself only started dating his years as tribune from 23. With clemency perhaps reminiscent of that of Caesar after Pharsalus, he burnt all records of the civil war, as well as handing many duties back to the traditional magistrates and promising to restore the republican constitution entirely once Antony returned from Parthia. Antony for his part commissioned L. Calpurnius Bibulus (the son of Caesar's consular colleague and Porcia) to consult with Octavian regarding this programme. Constitutional government and traditional institutions were apparently in the process of being restored, and, although Octavian clearly did not intend to lay down his power while Antony was still in charge of the East, at least the point had been made that he was willing to do so. Appian hinted that the people hoped that by granting him tribunician sacrosanctity he might be encouraged to lay aside his triumviral powers (App. 5.132: doc. 14.41).

The food supply to Rome was now stabilised, but at the same time there was still civil conflict in Italy which needed attention. The dissension between veterans and farmers, and the unrest which famine had brought to the countryside, had led to a proliferation of robbers and brigands. Octavian put C. Calvisius Sabinus (cos. 39) in charge of dealing with this crisis, and the problem was solved in less than a year (App. 5.132). Agrippa himself in an unusual career move, although he had been consul in 37, now became aedile in 33 to oversee improvements to the city's infrastructure, such as the water supply, sewers, and aqueducts (Pliny 36.121: doc. 15.40).

Antony, Cleopatra, and Parthia

In the East, the Parthians under Labienus and Pacorus had overrun Syria in 40 and defeated and killed Antony's legate Decidius Saxa. While Antony was in the West, Judaea also fell: Antigonus was put on the throne and Herod fled to Rome. Matters worsened still further when Cilicia was also taken, Lydia and parts of Bithynia in the north of Asia Minor were overrun, and Labienus reached the Ionian coastline, where cities such as Aphrodisias and perhaps even Miletus were affected (RDGE 60: doc. 14.35).

Antony's general Ventidius, dispatched as proconsul with 11 legions in Antony's absence, had been able to reverse the situation. Labienus withdrew into Cilicia and the Parthian army was defeated and Labienus killed by Ventidius, possibly at the

Cilician Gates in mid-39 (Livy *Per.* 127: doc. 14.42). With the Parthians forced out of Syria, Antony was able to turn to the reorganisation of the Syria-Palestine area, and he supported Herod's return to Palestine. In addition, Cyprus and part of Cilicia were added to Cleopatra's domains, both of which could provide timber for his fleet. After spending the winter of 39/38 in Athens with Octavia, Antony then joined his army early in 38. Ventidius had recently won a decisive victory north-east of Antioch, where he captured and killed Pacorus (whose head was carried round to various Syrian cities to convince them of his demise), and was awarded the first Parthian triumph, which he celebrated in Rome in November 38 (Livy *Per.* 128: doc. 14.42). Some Parthian survivors had taken refuge in Commagene: first Ventidius and then Antony besieged them in Samosata, which surrendered on terms, and Antony returned for the winter of 38/37 to Athens to plan his campaign for the invasion of Parthia. The timing was propitious because the Parthian ruler Orodes II had recently abdicated in favour of his son Phraates IV (Figure 14.9), who then killed him, his own son and all his 29 brothers, whereupon the Parthian nobility had revolted.

After the agreement at Tarentum, Antony returned again to the East in the autumn of 37, too late for campaigning. He was concerned that he had not as yet received the four legions promised him at Tarentum, although he had handed over the 120 ships as his part of the bargain at the time and had come to Octavian's aid when asked to do so. When he returned to the East, it was to continue preparations against Parthia, and to resolve issues with client kings in Pontus, Galatia, and Cappadocia. Sosius, Antony's governor of Syria and Cilicia from 38, had taken Jerusalem from Antigonus in July 37 and installed Herod as king. Antony wintered at Antioch in 37/36 and by late 37 had apparently decided to break with Octavian: at least, it was Cleopatra



Figure 14.9 A tetradrachm from the mint of Seleuceia on the Tigris, August 37 BC, depicting the diademed and draped bust of King Phraates IV of Parthia. Phraates (c. 38–2 BC) is depicted with a short beard, wart on his forehead, and three-banded spiral torque. On the reverse Phraates is seated on his throne holding a sceptre, with Tyche (Fortune) holding a cornucopia and presenting him with a diadem. The Greek inscription denotes him as King of Kings. Mark Antony led an army against him in 36, but suffered losses. In 20 Phraates returned to Rome the standards captured from Antony, as well as those from the battle of Carrhae.

Source: Courtesy of Classical Numismatic Group

whom he summoned to his side, four years after their last meeting (he was not to see Octavia again, having left her in Italy), and in 36 Cleopatra bore their third child, Ptolemy Philadelphus.

While in Antioch, Cleopatra was given parts of coastal Phoenicia and Nabataean Arabia and other prosperous territories, while her area of control in Cilicia was perhaps extended. If not before, then she was now granted Crete and Cyrene, though Antony refused to give her areas of Judaea that she had her eye on; his grants were part of his policy of strengthening the rule of Rome's client kingdoms of which Egypt was the most important and wealthy. This relationship of Antony with a foreign queen was used to the full in Octavian's damaging propaganda, though Antony may not have realised the strength of disapproval back in Italy. Cleopatra was one of the richest and most powerful client rulers in the East and her support was essential for successful campaigning in the region.

The aim of the Parthian expedition was explicitly to win back the standards lost by the armies of Crassus and Decidius Saxa, but the incursions of 40–39 had devastated areas of Syria and Asia Minor, and the Parthians were a very real threat to the eastern provinces. Possibly following the strategy planned by Caesar in 44, Antony decided to invade from the north, from Armenia into Media Atropatene (Figure 14.10), and King Artavasdes of Armenia supplied him with troops (cataphracts and perhaps 16,000 light-armed cavalry). Livy (*Per. 130*: doc. 14.42) estimates Antony's force as 18 legions and 16,000 cavalry, not including troops supplied by other nations. In the event the expedition was a disaster, with Antony losing a third of his men, but this was not, as was later claimed at Rome, because he was in a hurry to return to the Egyptian queen. Starting early in 36 Antony mustered his army in June or July in Armenia and then marched his troops through the hostile territory of Media Atropatene, heading for the Median capital Phraata. To arrive there before the Median king Artavasdes (a different Artavasdes from the ruler of Armenia), who was with the Parthian force in Mesopotamia, he raced ahead of his siege-engines. Without them he was unable to take the city, and, when Phraates' cavalry captured Antony's wagon train with the engines and overcame the two legions accompanying it, Artavasdes of Armenia and his cavalry deserted. With the siege engines captured Antony was unable to take the Median capital, and his men were forced into the mountains and had to retreat, beset by Parthian archers in starvation conditions, losing some 20,000 infantry and 4,000 cavalry to enemy attacks and disease, 8,000 of these to weather conditions. The retreat took some 27 days and Livy records that in their flight they covered 300 miles in 21 days (Livy *Per. 130*): in all a third of the army had been lost.

Antony made terms with the untrustworthy Artavasdes, and the army reached Cappadocia by mid-winter, with Cleopatra joining Antony in Syria with much-needed supplies of food and clothing for his troops. There had been no question of his hastening, and losing, the Parthian campaign in order to join her despite the criticism of Livy (*Per. 130*) and other sources, but this was in many ways the turning point in the relationship between Antony and Octavian, with Antony's prestige as an experienced and successful general damaged for the first time, while Octavian was beginning to acquire himself a reputation as a military figure, first against Sextus and then in Illyricum (Dalmatia and Pannonia) in 35, Octavian's first military victory without the assistance of Agrippa (Livy *Per. 131–132*: doc. 14.46).



Figure 14.10 A denarius minted in Antioch or by a military mint in Armenia moving with Mark Antony's general P. Canidius Crassus in autumn 37 BC, depicting Antony and an Armenian tiara. Canidius through an initial victory had ensured the support of Artavasdes II of Armenia for Rome. On the obverse Antony is shown bareheaded with the legend ANTONIVS AVGVR COS DES ITER ET TERT (M. Antonius, augur, twice consul-designate); on the reverse an Armenian tiara with crossed bow and arrow with IMP TERTIO III VIR R P C (imperator for the third time, triumvir for restoring the Republic). Canidius' expedition was in preparation for Antony's campaign of 36, which planned to attack Parthia from the north.

Source: Courtesy of Classical Numismatic Group

It was now that the last was seen of Sextus Pompeius. In the winter of 36/35 he turned up at Mytilene to negotiate an agreement with Antony, but then decided to intrigue against him when he heard of the Parthian defeat. It was discovered that he was recruiting troops and offering his services to the Parthians, and he successfully attacked some cities in the Troad and Bithynia. However, he fell into the hands of Antony's general M. Titius who executed him at Miletus in the middle of 35, either with or without Antony's knowledge (Livy *Per. 131*: doc. 14.46). Meanwhile Antony had begun further preparations for another Eastern campaign, initially against Armenia and its treacherous king Artavasdes, to be followed by an expedition against Parthia. On this occasion Artavasdes, the king of Media Atropatene, offered an alliance and Antony set out in the summer of 35, but the invasion was postponed until the following year.

Octavia had arrived at Athens in 35, undoubtedly urged to do so by Octavian, though she refused to make trouble between her brother and husband. She brought with her money and supplies, including 2,000 soldiers (but not the four legions Octavian still owed him). Antony did not come to Athens to meet her, though he accepted the troops (he could do little else), and sent her instructions to return to Rome. Once there she remained in the marital home and until their divorce in 32 looked after Antony's children as part of her household: her children by Marcellus (two daughters, Claudia Marcella Maior and Minor, and her son M. Claudius Marcellus) and by Antony (Antonia Maior and Minor), as well as Iullus, Antony's son by Fulvia; the

elder boy, Antyllus, was with Antony (Family Tree 3). After Antony's death, Octavia invited Cleopatra's children as well into her household and brought them up (Plut. *Ant.* 54.1–4: doc. 14.43).

Antony returned to Alexandria and Cleopatra for the winter of 35/34 without meeting Octavia, and early in 34 he began his Armenian campaign by asking Artavasdes for his daughter, claiming that he wanted her as a bride for his eldest son by Cleopatra, Alexander Helios. When the king refused, aware what use might be made of her as a hostage, Antony arrived at the Armenian border to discuss a new Parthian campaign: Artavasdes' soldiers insisted he meet Antony, whereupon he was taken prisoner and his country occupied, with Antony leaving his troops in Armenia for a further expedition (Livy *Per.* 131: doc. 14.46).

The 'Donations of Alexandria', 34 BC

After the conquest of Armenia and capture of Artavasdes, Antony in the character of Dionysus-Osiris celebrated a Dionysian 'triumph' back in Alexandria late in 34, and issued coins with the proud legend 'Armenia devicta' ('Armenia subdued': doc. 14.44; Figure 14.11): he was highlighting his identification with Dionysus, the god of Eastern conquest. Plutarch describes him, when he visited Ephesus after Philippi, as greeted with ivy, thyrsus-wands, harps, pipes, and flutes and hailed as 'Dionysus the Giver of Joy' (*Ant.* 24.3), and in Athens in the winter of 39 he was celebrated as the New



Figure 14.11 A denarius issued by the Alexandrian mint in 34 BC to celebrate Antony's victory over the Armenians, depicting Antony and Cleopatra. Antony is shown bareheaded, with an Armenian tiara behind and the legend ANTONI. ARMINIA DEVICTA ('of Antony, Armenia defeated'); on the reverse the diadem and draped bust of Cleopatra, with earring and necklace, the stem of a prow in front of her and the legend CLEOPATR[AE] REGINAE REGVM FILIO[RVM RE]GVM ('Cleopatra, Queen of Kings, and of her Sons who are Kings'). Cleopatra is clearly associated with Antony's victory, and his use of the Egyptian fleet is emphasised. The reference to her sons being 'kings' relates to the 'Donations of Alexandria' in 34. This was the first portrait of a non-Roman woman on an official coin with a Latin inscription.

Source: Courtesy of Classical Numismatic Group

Dionysus, issuing cistophori representing himself as Dionysus, while he and Octavia were acclaimed as the ‘*theoi euergetai*’ (beneficent gods). On the reverse of these cistophori Dionysus was shown with his cult objects: the cantharus (drinking cup), thyrsus (staff), and cista mystica (secret basket), flanked by serpents (Figure 14.8). Divine status was quite acceptable in the East, and in this way Antony could also rival Octavian’s standing as ‘*divi filius*’. Antony also identified himself with Herakles, another divine conqueror, whom he represented as the ancestor of the Antonii (Plut. *Ant.* 3.2–3: doc. 14.1).

In the East, and especially in Egypt, where Cleopatra presented herself as the ‘New Isis’ (and, in Greek, the ‘Younger Goddess’, *Thea Neotera*: Plut. *Ant.* 54.9), it was logical for Antony to partner her by identifying himself with Dionysus-Osiris (Osiris was the consort of Isis) as the ‘New Dionysus’ (*Ant.* 60.3). However, his actions in Alexandria strongly offended Roman sensibilities (triumphs were held in honour of Jupiter Optimus Maximus, not foreign gods), and had unrivalled propaganda value for Octavian. Furthermore, Antony held a stage-managed public ceremonial, the ‘Donations of Alexandria’, where with magnificent pomp Cleopatra’s territories were confirmed, and others allocated to their children (Plut. *Ant.* 54.1–55.4: doc. 14.43). In the gymnasium at Alexandria, golden thrones were set up for Cleopatra and himself, and lower ones for their children: Armenia, Media, and Parthia (when conquered) were bestowed on their eldest son, Alexander Helios; while the infant Ptolemy was given control of Phoenicia, Syria, and Cilicia; and Cleopatra herself, dressed as Isis, was proclaimed ruler of Egypt, Cyprus, and Coele Syria, with her son Caesarion as her co-ruler. Cleopatra Selene was given the kingdom of Cyrene. The young Alexander appeared at the ceremony in Median dress and tiara, and little Ptolemy in Macedonian garb and a diadem to underline their royal prerogatives.

Such a performance meant little in terms of the governance of empire, and was very much a stage-managed production for the Alexandrian audience, but Octavian was able to make good use of it to denounce Antony’s lack of Roman values and dependence on a foreign and barbaric queen, as well as his dynastic ambitions at the expense of Rome. Antony was able to respond in turn with accusations of his own: that Octavian had not returned the loan of his 120 ships; that he had hung onto the armies, revenue, and territory of Lepidus; and that he had left no settlements available for Antony’s veterans (Plut. *Ant.* 55.1–4: doc. 14.43). But this apparent programme of dynastic succession in the East for the children of Cleopatra, and the fact that Antony’s coinage featured her portrait, were a source of deep disquiet in Rome. The denarius celebrating Antony’s capture of Armenia portrayed the bust of Cleopatra, wearing a diadem, with the legend: ‘Of Cleopatra, Queen of Kings and of her Sons who are Kings’ (Figure 14.11). The legend was in Latin, and this was the first portrait of a non-Roman woman – a foreign, and oriental queen, in fact – on an official coin with a Latin inscription. Antony appears to have miscalculated the degree to which this issue of coinage and its political implications could be used to his political detriment in Italy, however little it actually meant in practice in the East.

Cleopatra VII as ruler

Cleopatra, who had joined Caesar in Rome, had returned to Alexandria after Caesar’s assassination, where her young husband-brother Ptolemy XIV was soon killed

and Cleopatra then ruled with her son Ptolemy XV Caesarion. Through her relationship with Antony, and her use of the title 'Queen of Kings', she became to the Romans a symbol of the decadent and treacherous East, and was easily demonised as the aggressor towards Rome. She was, however, an efficient and unusually cultured Ptolemaic monarch. The Ptolemies had ruled Egypt since 323, insisting on maintaining Macedonian-Greek elitism over the Egyptian people and without adopting the Egyptian language or customs. Cleopatra, in contrast, was an expert linguist and the first Ptolemy to speak Egyptian: Plutarch (*Ant.* 27.4) records that she only needed an interpreter in meetings with a few non-Greek-speakers, and was able to converse with Ethiopians, Troglodytes, Hebrews, Arabs, Syrians, Medes, and Parthians, as well as Egyptians. She hired the historian and philosopher Nikolaos of Damascus to tutor her twins by Antony. As well as the title 'Philopator' (father-loving), she also adopted that of 'Philopatris' (lover of her country), and supported traditional Egyptian cults. Born in 70/69, at this point she was some 36 years of age, about 12 years younger than Antony. Despite the descriptions of her surpassing beauty, Plutarch ascribes her charm to her conversation rather than her looks, and speaks of her wit, charm, and the sweetness of her voice (Plut. *Ant.* 27.3–4: doc. 14.45). Dio, too, mentions her charming voice and her knowledge of how to make herself agreeable to everyone, though he also comments on her physical attractions (Dio 42.34.4). There are no certain portraits of Cleopatra except those on her coinage, and these depict a prominent chin and nose (a family trait), with her hair drawn back into a bun: there is no attempt to idealise her depiction (Figure 14.11). It is unlikely that she was conventionally beautiful, but she possessed intelligence and charm. She is credited in later medical sources, Galen and Paul of Aegina, with a pharmacological work on beauty treatments for conditions such as alopecia and dandruff. This is no doubt due to her reputation for exotic beauty (and possibly Caesar's baldness), but there is no evidence that she was the author.

Cleopatra was a politically astute ruler, and, as the most important of Rome's client kings in the East, it was vital for Antony to maintain her support and his access to Egypt's resources. Certainly Livy's insistence that one of the reasons for the civil war between Antony and Octavian was Antony's reluctance to leave Cleopatra and return to Rome (Livy *Per.* 132: doc. 14.46) misjudges the extent to which both Antony and Cleopatra were experienced and talented diplomats, and Cleopatra was as committed to the well-being of her kingdom Egypt, as Antony was to the world of the Roman Republic.

Propaganda and invective

Demonisation of Antony and Cleopatra

Octavian had hoped to use Antony's treatment of Octavia as an excuse for war, but was foiled by her discretion. However, he could make much of the coinage featuring the heads of both Antony and Cleopatra (Figure 14.11) and the 'Donations of Alexandria', while Antony's actions and behaviour were portrayed by Octavian as inappropriate for a Roman general, and vilified by him in the senate. There was also, reportedly, a Sibylline oracle which forecast Cleopatra as a ruler who would inaugurate a golden age for both Asia and Europe, while it was reputed that she was much

given to using the phrase ‘when I dispense justice on the Capitol’ to show her ambition for world domination from Rome (Dio 50.5.4). Rumour also said that the couple planned to move the capital of the empire from Rome to Alexandria. By portraying Cleopatra as desirous of conquering and ruling Rome, Octavian was able to demonise her, just as he had Fulvia, and avoid the public perception that he was too aggressive in his opposition to Antony. His coinage in 32–31 promoted him as the champion of peace, and Caesar’s legitimate heir, while at the same time presenting him as the defender of Rome (Figure 14.12).

While Octavian was careful to broadcast the fact that Antony had apparently ‘gone native’ in Egypt, and his emotional dependence on Cleopatra which was so threatening to Rome, Antony and his supporters produced counter-propaganda to damage Octavian’s reputation. Pliny the Elder records that Antony wrote a work ‘On His Own Drunkenness’, produced shortly before Actium to counter scandalous accusations about his reckless lifestyle as a youth and his general intemperance (Pliny 14.147–148: doc. 14.47): these attacks dated back at least to Cicero’s *Philippics*. According to Pliny, the work was a celebration by Antony of his ability to revel in his own vices, and revealed what evils he had brought about because of his intemperance (‘drunk as he already was with the blood of citizens’), but more probably the work was intended to refute the sorts of slanders that were being circulated at Rome. Pliny does, however, provide the interesting anecdote that young Marcus Cicero, in attempting to rival Antony, had been accustomed to drink seven litres (two *congii*) of wine at a time (of course well watered), and that he had once thrown a cup at Agrippa when intoxicated.

In preference to targeting Antony directly (it was much more satisfying to present the civil war against a rapacious barbaric queen), Cleopatra retrospectively became a prime target for Roman poets anxious to gain the favour of Augustus or his literary advisor Maecenas. Propertius, ten years after Actium, portrayed Cleopatra as demanding rule over the walls and senators of Rome ‘as the price for her foul marriage (to Antony)’; she is ‘the harlot queen of incestuous Canopus’; opposing yapping Anubis to Jupiter, the Nile to the Tiber, and the Egyptian sistrum to Rome’s war-trumpet. She even intended, once in Rome, to cover the Tarpeian rock with mosquito-nets. All the clichés of licentious female dominion (except eunuchs) are invoked: unbridled sexuality, incest, adultery, luxury and enervation, intoxication, ambition, deviousness, treachery, tyranny, cowardliness, and everything un-Roman (Propert. *Eleg.* 3.11: doc. 14.48). Similar attacks on Cleopatra, and through her Antony, were current in the mid- to late 30s, instigated by Octavian and his propagandists like Maecenas. The vilification, however, was not merely one-sided – and Antony and his supporters responded equally vitriolically.

Attacks on Octavian

Suetonius documents many of the accusations and attacks made on Octavian from 44 onwards (*Aug.* 10, 11, 15, 27, 68–70: doc. 14.49): claims made against him included his hiring of assassins to target Antony in 44 (*Aug.* 10.3); flight at the first engagement at Mutina (*Aug.* 10.4); responsibility for the deaths of Hirtius and Pansa in 43 to give him a chance of the consulship (with specific details of the doctor employed to poison Pansa: *Aug.* 11); absence from the battle at Philippi (*Aug.* 13.1); arrogance and brutality towards the defeated (*Aug.* 13.2); the slaughter of 300 high-ranking men at Perusia

(*Aug.* 15); pre-emptive aggression, without justification, against possible opponents (*Aug.* 27.3–4); depravity as a youth, debauching himself to his great-uncle and Hirtius (even singeing his leg hairs: *Aug.* 68); and his numerous adulterous affairs, use of his friends as pimps to seduce Roman matrons, hurried marriage to Livia, and divorce of Scribonia because she complained of a mistress of his (*Aug.* 69.1–2).

Suetonius had access to correspondence between Antony and Octavian prior to the final rift, in which Antony accused Octavian of hypocrisy in his attacks on Antony's morals when his own were as bad or worse. He turns Octavian's accusations on their head: Antony may be screwing Cleopatra, but she's not his wife and he's been sleeping with her for nine years now. Is Octavian only sleeping with (Livia) Drusilla? What about Tertulla, Terentilla (Maecenas' wife), Rufilla, Salvia Titisenia – is Octavian really any different or better than Antony? In a masculine mind-set, typical of Roman aristocrats, Antony turns the question back on Octavian: 'Does it make any difference where or whom you are fucking?' (*Aug.* 69.2). Why should Cleopatra in Egypt be any different from Octavian's women in Rome, even if she is a queen? For a Roman, it was immaterial whom one slept with, and Antony was rumoured to have had some success with a number of Eastern royals, not just Cleopatra.

Much of the criticism of Octavian must have been deleted from the historical record, but he was clearly satirised at Rome, not only for his love affairs, but for his passion for collecting expensive furniture and bronzes, as well as for gaming with dice (an amusement he enjoyed as emperor: Suet. *Aug.* 71.1–4: doc. 15.65). As early as 43, there was a vituperative graffito on his statue to the effect that, 'My father was a money-dealer, and I'm now a Corinthian-bronze-dealer' (Suet. *Aug.* 70.2: doc. 14.49), since he was thought to have had people proscribed to gain possession of their Corinthian bronze art-works, and he was accused of spending his time at dice to ensure at least one victory, since he had twice been beaten at sea by Sextus Pompeius.

Civil war

Octavian's propaganda campaign

Antony's 'distribution' of provinces to his children by Cleopatra and public acknowledgement of their parentage, while a charade to ensure support within Egypt and continued access to Egypt's resources, was easily promoted in Italy as a sign of outright dynastic ambition and hostility to Rome. Moreover, Antony's acceptance of Caesarion as the true son of Julius Caesar struck at the heart of Octavian's position as Caesar's adopted (and only) son and heir. Octavian accordingly in 33 ignored Antony's demands for the legions he had been promised, the return of the ships he had lent against Sextus, and the opportunity to recruit soldiers in Italy and settle his veterans there: Antony had not gained in terms of territory or troops from the side-lining of Lepidus. Octavian was also able to emphasise Antony's disaster in the Parthian campaign: he had finally achieved victories of his own in Illyricum, with the support of Agrippa in 35–34, and Statilius Taurus in 34–33, even receiving honourable wounds in the process.

This success was of great value for Octavian, who had been overshadowed by Antony's military reputation, and whose victories to date had depended on Agrippa's strategic and tactical brilliance. There was no real reason for the war in the Balkans, other than that the area formed part of the route to Macedonia, and that the Illyrians

had defeated Gabinius when he was campaigning there in 48–47 and had taken some Roman standards. Octavian had now won these back (App. *Illyrian Wars* 28). The war, in which Octavian promised good bounties, had also kept his men under arms with no need to settle them as yet, and won him prestige as a commander. Early in 33 he returned to Rome to take up his new consulship, a list of his achievements and the tribes he had conquered in the Balkans was read out in the senate, and he was awarded a triumph, to be celebrated in his triple triumph in 29.

Octavian had the advantage of being based in Rome, and able to present himself as the patron of Italy, while his friends like Agrippa were engaged in beautifying the capital, and the citizens of Rome were directly benefitting from their strategic generosity. Agrippa as aedile in 33 gave the populace 59 days of games and free baths for a year, while in 34 he had commenced his repairs to the aqueduct and sewer systems. Octavian restored the theatre of Pompey in 32, built the Porticus Octaviae c. 27 (where his sister founded a major library), and continued the construction of the temples of *divus Julius*, Jupiter Feretrius, and Palatine Apollo. His mausoleum on the Campus Martius was also under construction: the much-quoted transformation of Rome from brick to marble was underway (Suet. *Aug.* 28.3: doc. 15.81). Antony could not compete with this programme of public beneficence in Italy – his friends and associates were mostly in the East, although some left their mark on the Roman landscape (Suet. *Aug.* 29.5: doc. 15.81). In 33, Antony's attention was still directed to the East, as he was planning another war against Parthia with the assistance of Artavasdes of Media Atropatene, whose daughter Iotape was now betrothed to his son Alexander Helios. Sixteen of his legions were being readied for a campaign in Armenia, well away from any potential confrontation with Octavian, and at this point he was certainly not envisaging a civil war.



Figure 14.12 A denarius of Octavian from an Italian or Roman mint, autumn 32–summer 31 BC, depicting the diademed head of Pax (Peace) with a cornucopia and olive branch, and Octavian in military garb. On the reverse Octavian holds a transverse spear over his left shoulder, raising his right hand in adlocutio (an address to the army or populace), with the legend CAESAR DIVI F (Caesar, son of the god). Octavian was portraying himself as Caesar's heir and the advocate of peace and prosperity (though prepared for war).

Source: Courtesy of Classical Numismatic Group

Antony's supporters join him in the East, 32 bc

The second five-year term of the triumvirate expired on 31 December 33. The consuls for 32, C. Sosius and Cn. Domitius Ahenobarbus, strong supporters of Antony, had hoped to persuade the senate to ratify Antony's acta in the East (all triumviral acts had already been ratified in advance, but it did no harm to ask). Furthermore, on 1 February 32, Sosius tried to bring a motion of censure in the senate against Octavian, which was vetoed by a tribune. Octavian was not in Rome and when he returned he addressed the senate, attacking Antony and Sosius, sitting formally between the consuls and surrounded by an armed guard. This appeared to constitute a physical threat to the senators, and at this departure from tradition the consuls, together with a number of other senators, left Rome to join Antony. To highlight the fact that both consuls were now in the East with him, Antony formed these supporters into an 'anti-senate'. It was only now that he began organising the transportation of his large army – some 100,000 men (he had been recruiting in the East) – to Greece, and while Plutarch implies that Antony had commenced his preparations for war in 33 (*Ant.* 58.1–8: doc. 14.50), the movement of his legions and preliminaries to actual hostilities began in 32. Cleopatra was with Antony at Ephesus and then Samos, and the issue arose as to whether she should return to Egypt or stay with the army. The 200 ships and military aid Egypt provided rendered her presence expedient, although many of Antony's supporters like Domitius Ahenobarbus and Munatius Plancus strongly disapproved. It was now that Antony finally made the decision to divorce Octavia, from which Octavian was again able to craft valuable propaganda in Rome, depicting Antony as abandoning his lawful Roman wife for his barbaric Eastern consort.

For whatever reason (and distaste at Cleopatra's involvement with the army and presence at its formal councils played a large part in this), Antony's adherents M. Titius (consul-designate for 31) and his uncle Munatius Plancus changed sides and returned to Rome. Having been witnesses to Antony's will, they now advised Octavian of its alleged contents and Octavian was quick to acquire it – illegally – from its guardians, the Vestals: they would not hand it to him, but told him to come and take it. After studying it himself, he then proclaimed its purported contents to the senate: it was supposed to have stated that Antony was to be buried at Alexandria ('Antony's body, even if he died in Rome, should be carried in procession through the forum and then sent to Alexandria to Cleopatra'), Caesarion should be recognised as Caesar's son (an interesting inclusion, since Antony had no power of enforcing this), and the vast inheritances in the East given to Cleopatra's children be ratified (Plut. *Ant.* 58.4–8: doc. 14.50). Octavian was able to make much of these provisions to promote his campaign against Antony, even if, as was patently clear, he had falsified much of the content himself – a technique he was later to employ with the *spolia opima* debate (Livy 4.20.7: doc. 15.14).

War declared, 32 bc

With Antony's forces assembling in Greece in 32, it was now time for Octavian to declare war against the demonised Egyptian queen, who (it was rumoured) was planning to use these troops to invade Italy. Although Antony was not declared a public enemy, his consulship for 31, which he was to share with Octavian, was revoked and

given to M. Valerius Messalla Corvinus. The triumvirate had lapsed at the end of 33, and Octavian's status in 32 was that of a promagistrate with imperium in command of Gaul, Spain, Sicily, Sardinia, and Africa. The remaining members of the senate in Italy supported Octavian in his declaration of war against Egypt, but new taxes were necessary to finance the conflict, and this once more brought about rioting. To highlight his stance as defender of Italy and champion of the war against Cleopatra, Octavian had an oath of loyalty to himself administered throughout Italy 'of its own accord', he maintained later, as well as the western provinces (*RG* 25.2: doc. 15.1), although some areas, like colonies of Antony's veterans, were exempted. This was unprecedented because made to Octavian personally, and the oath of allegiance became a standard act of loyalty to new emperors at their accession.

Octavian even resorted to the antiquarian fetial ritual (*Livy* 1.24.5–14: doc. 3.14), which was now revived in a show of traditional Roman values, with a spear cast into a 'hostile' patch of land outside the city walls denoting the commencement of war against Cleopatra and Egypt (*Dio* 50.4.5). Meanwhile Antony's army wintered in Greece over 32/31. His fleet was mostly stationed at Actium on the west coast (Map 8), though he also defended a number of other harbours along the western coastline. He probably commanded 100,000 men against Octavian's 80,000, while his fleet was superior. He also had greater monetary resources on which to draw, while Octavian had had to tax Italy heavily once again for some ready money. With Octavian in control of Brundisium and Tarentum, Antony (like Pompey in 48) was unable to invade Italy and had to wait for Octavian to cross to Greece to meet him: he hoped that he would be able to cause extensive damage to Octavian's army during the crossing.

It was unfortunate for Antony that Agrippa was able, early in 31, to make a number of successful attacks on the Greek coastline and islands, and that Octavian was able to cross the Adriatic and dig himself in at Actium. Antony was unable to stop Agrippa taking Methone, followed by Corcyra, Leucas, Patrae, and Corinth, and this crippled his supply-chain (*Vell.* 2.84.2: doc. 14.51). His troops and fleet were hemmed in by sea, and his commander C. Sosius was defeated in a naval encounter with Agrippa when he tried to break out, while Octavian's forces were successful on land in a number of cavalry encounters. Antony was running short of supplies and his troops were struck with disease, which ruled out the possibility of abandoning the fleet and breaking out by land to Thessaly: in any case Antony's strategy depended on the superiority of his fleet. While Octavian deliberately delayed a full-scale engagement, waiting for disease and defection to weaken Antony's army, a number of allied kings defected, followed by Domitius Ahenobarbus and other Romans. By the autumn, Antony's fleet was no longer superior; Agrippa had destroyed a large number of his vessels, and he lacked the manpower to crew those he had. By September, Antony probably could only launch 200–250 ships, while Octavian still possessed some 400 and the advantage of Agrippa as his naval commander.

The battle of Actium, September 31 bc

The battle at Actium took place on 2 September 31, initiated by Antony after long drawn-out preliminaries (Map 8). The defections and the presence of Cleopatra with the fleet had had a demoralising effect on Antony's troops. His intention was

apparently to break out through Octavian's line, and Cleopatra's 60 ships were positioned behind his centre. As his plan was not to provoke a naval battle but to escape from the blockade with as many ships as possible, he instructed the fleet to carry sails, as well as shipping his campaign treasure chest, and waited till the afternoon for favourable winds for a flight to the south, at which point the Egyptian squadron broke through, together with Antony, heading for Alexandria. Perhaps a third of his fleet were able to escape but the rest and nearly all the land troops were left behind. The legions surrendered without a fight when deserted by Canidius (P. Canidius Crassus was in charge of the land forces), encouraged to do so by Octavian with the pre-emptive promise of pardon (Vell. 2.85.1–5: doc. 14.51). To his troops, it looked as if Antony had abandoned them, even if he had had little choice under the circumstances: as Velleius stated 'the commander who should have had the responsibility for severely disciplining deserters, now deserted his own army' (Vell. 2.85.3). The battle as such was rather an anti-climax, with few casualties, and Octavian's victory was complete, if unexpected in the long term.

Antony's departure meant defeat and the loss of his army, even if he had ensured his primary objective in this manoeuvre, which was to break through the barricade. The decision by the Egyptian squadron to make their escape only affected the timing of the break-out, not its overall aim. However, it suited the victors to use Actium as another opportunity to demonise Cleopatra, and to portray Antony as basely deserting his own army because of his subjection to the cowardly queen. There was an underlying strategy in his actions, as he had left four legions at Cyrene under the command of L. Pinarius Scarpus, but on Antony's approach Pinarius pledged his allegiance to Octavian, and Antony had to make for Alexandria. His client kings too, like Herod of Judaea, decided that alignment with Octavian was now politically expedient.

Horace in celebrating Octavian's victory painted a humiliating picture of Roman soldiers in Antony's camp forced to serve 'wrinkled eunuchs' in a poem addressed to Horace's literary patron Maecenas (Hor. *Epodes* 9: doc. 14.52). Vergil had introduced him to Maecenas' literary circle in 38: like Vergil, he appears to have lost his family estate during the settlement of veterans. Both poets accompanied Maecenas when he travelled to Tarentum to arrange the treaty between Octavian and Antony in 37. Horace's works increasingly showcased the ideology of Augustus' regime, and *Epoche* 9 (the *Epodes* were written from c. 35 to 30) celebrates Actium and Octavian's triumph over the effeminate Egyptians, with their most un-Roman and unwarlike eunuchs and mosquito-nets (for some reason the Romans seem to have taken particular exception to mosquito-nets, as at Varro *Rust.* 2.10.8: doc. 6.40). The poem targeted Cleopatra, a theme to which he also returned in his odes (*Odes* 1.37), although he demonised her to a lesser extent than Propertius and Vergil (Propert. *Eleg.* 3.11; Verg. *Aen.* 8.675–690: docs 14.48, 15.11), and respected her for her courageous decision to commit suicide as befitted a queen.

After visiting Samos and Ephesus, by the end of 31 Octavian had made himself master of Asia Minor, with Q. Didius installed as governor of Syria. Greek cities like Mylasa (RDGE 60: doc. 14.35) were quick to send congratulatory embassies. Before proceeding to Egypt to confront Antony, he had to return to Italy to deal with yet more troubles arising from the settlement of veterans in Italy, including those who had come over to him at Actium, who wanted demobilisation and the standard land grants. There may have been as many as 40,000 who needed to be discharged, and the

Antonians were to receive only money, not an allocation of land. The civil war was, to all intents and purposes, at an end, and Octavian had, as reported by Velleius, treated his opponents with clemency, with only those exiled who were not prepared to beg for pardon: he was contrasted favourably with Antony, who could now be portrayed as the brutal killer of Decimus Brutus and Sextus Pompeius (Vell. 2.87.2: doc. 14.51), while Octavian could present himself as the restorer of the Republic and the saviour of the world.

Beaks of the ships captured at Actium were dedicated on the rostra at Rome as a sign of ‘Caesar’s righteous government’ and ‘the fruits of peace’ (Philip *Anth. Pal.* 6.236: doc. 14.54). There was only the minor problem left of what to do with Antony and Cleopatra, but as they lacked an army of comparative size they could wait. Some of the veterans were encouraged to engage in new campaigns, others were discharged, and, to make more land available, Octavian financed some of the settlement himself, selling his own property both to pay bounties and to buy further land for distribution. He also promised that further allocations would be financed from the wealth of Egypt – once captured. This only increased his popularity, though Lepidus’ son at this point appears to have promoted a conspiracy against Octavian: the date, however, is unclear, and it may have taken place after the fall of Alexandria rather than in 31. Significantly, Octavian’s friend Maecenas was at hand to deal with the plot, even though there were consuls in office.

‘The god abandons Antony’

Shortly afterwards, after only a month in Italy, Octavian set off again for the East, marching his troops overland and approaching Egypt from Syria, while Cornelius Gallus led a force, taken over from Pinarius Scarpus, eastwards from Cyrene. Octavian reached Alexandria almost unopposed, despite a cavalry battle before the city on 31 July. While Antony made preparations for another confrontation, his entire fleet deserted, he was beaten in an infantry engagement, and Alexandria fell on 1 August 30. Plutarch records that on the preceding night, while the city tensely awaited Octavian’s attack, a band of Bacchic revellers could be heard in the streets of the city as if a procession were making its way to the city gates: ‘melodious sounds of all kinds of musical instruments were suddenly heard and the shouting of a crowd, with Dionysiac cries and satyric leapings, as if a thiasos was clamorously departing the city’ (Plut. *Ant.* 75.4–6: doc. 14.53). The popular interpretation of this phenomenon was that the gods were deserting Alexandria, and in particular that Dionysus – the god with whom he identified when in the East – was finally abandoning Antony.

The Alexandrian poet Constantine Cavafy, in a poem written in 1911 titled ‘The God Abandons Antony’, used this passage to mourn in his work not just the fall of Alexandria herself, but of Egyptian civilisation: this was the end not just of the Ptolemaic dynasty, but of Egypt’s independence as a kingdom from the earliest pre-dynastic times, and he exhorted Antony to accept this sign of his final defeat with dignity and courage:

as one long prepared, and graced with courage,
as is right for you who proved worthy of this kind of city,
go firmly to the window

and listen with deep emotion, but not
with the whining, the pleas of a coward;
listen – your final delectation – to the voices,
to the exquisite music of that strange procession,
and say goodbye to her, to the Alexandria you are losing.

Double suicide

Plutarch's account may be evidence that Octavian performed the traditional Roman ritual of evocatio, calling on the city's gods to abandon their worshippers and allow themselves to be escorted to Rome (as at Carthage: Macrob. 3.9.6–9: doc. 3.58). Aware that all was lost, when Octavian attacked on 1 August, Antony retired to the palace and stabbed himself with his sword, perhaps believing that Cleopatra had already committed suicide. When he found out that she was still alive, he was taken to the monument where she was in hiding and, it is said, died in her arms. She was taken captive by Augustus and lived for several days, successfully committing suicide, after at least one earlier attempt, on 12 August (Plut. *Ant.* 77–86).

Octavian appears to have wanted Cleopatra alive for his triumph. The details of her death have been so embellished in the historical tradition as to be opaque, but that she employed an asp (possibly an Egyptian cobra, which as symbol of the goddess Wadjet and depicted in the uraeus on the Egyptian blue crown, had been a potent icon of Egyptian kingship since the Old Kingdom) seems to have been relatively near the truth. Horace at least in his first *Ode*, which praised her for taking her own life, speaks of 'the dark venom of savage serpents in her veins', and Velleius of her 'ending her life by means of the asp's poisonous bite, showing herself unaffected by womanly fears' (87.1). Tradition, enshrined by Plutarch (*Ant.* 85–86), states that she dressed herself regally, and was found seated on a golden couch, though the asp itself, which had been smuggled into her room in a basket of figs, was never discovered; her two confidential maids, Iras and Charmion, died with her. The last of the pharaohs of Egypt, as well as the last of the Ptolemies, she had successfully avoided being displayed in Octavian's triumph (as her sister Arsinoe had been in Caesar's), but had been unable to preserve the Ptolemaic kingdom for her children: the wealth of Egypt was essential to Octavian and he appropriated it.

Antony and Cleopatra were buried together in Alexandria in a mausoleum constructed by the queen, and despite Octavian's 'clemency' he had Caesarion (Caesar's 'other' son) and Antony's eldest son Antyllus executed, together with Canidius Crassus (Plut. *Ant.* 81–82; Vell. 2.87.3). Cleopatra's children by Antony were taken to Rome to be brought up by Octavia – after they had featured in Octavian's triumph. Cleopatra Selene was later married to the Roman-educated Juba II of Mauretania, an author of ethnographic and historical works in his own right, including a work on elephants (Figure 14.13): they were succeeded by their son Ptolemy.

C. Cornelius Gallus

Octavian was to learn a valuable lesson from his conquest of Egypt. C. Cornelius Gallus, an equestrian and his praefectus fabrum at Actium, had played an important part in the campaign against Egypt and in the capture of Alexandria. Although he



Figure 14.13 A denarius struck at Caesarea, AD 11–23, depicting Juba II of Mauretania and Cleopatra Selene. On the obverse the diademed head of Juba II (25 BC–AD 24); on the reverse the diademed head of Cleopatra Selene, daughter of Mark Antony and Cleopatra VII. Augustus arranged their marriage to reward Juba's loyalty to Rome as one of its client kings; he was educated at Rome and fought at Actium. His title is given in Latin (REX IVBA, King Juba), Cleopatra Selene's in Greek (BASILISSA KLEOPATRA, Queen Cleopatra).

Source: Courtesy of Classical Numismatic Group

was an eques, not a senator, Octavian appointed him as the first prefect of Egypt, and he reported directly to Octavian himself. Gallus was also the creator of the Roman love elegy, and wrote four books of elegies (*Amores*), now lost, to ‘Lycoris’, probably Volumnia Cytheris, who was more famous for being Antony’s mistress. Apart from one pentameter line, a papyrus apparently dating from the 20s from Egyptian Nubia contains the only nine surviving lines of Gallus’ poetry. These include a reference to Lycoris, and praise either of Caesar, referring to his departure for Parthia, or, more probably, of Octavian, who will become ‘the most important part of Roman history’, and decorate the temples of many gods with new trophies (Anderson et al. *JRS* 69 (1979), 125: doc. 14.57). Gallus was responsible for constructing a new forum, the forum Iulium, in or near Alexandria, and the obelisk with the inscription stating that it was constructed at Octavian’s command now stands in front of St Peter’s in Rome (*EJ* 374: doc. 14.55).

In 29 Gallus led an expedition to put down a revolt in the Thebaid in southern Egypt, which he subdued in 15 days after two pitched battles. He also marched south beyond the First Cataract, where he states no Roman or Egyptian army had preceded him, and received envoys from the king of Ethiopia. The trilingual monument that he erected at Philae dated to 15 April 29 records that he captured the leaders of five rebel cities, and pacified the Thebaid (*ILS* 8995: doc. 14.56). The inscription was similar to those which had been erected elsewhere in the empire by successful generals, but the content or tone may have sent danger signals to Rome, as did inscriptions he had placed on the pyramids and the statues he had erected (Dio 53.23).

He was apparently accused of speaking disrespectfully or indiscreetly of Octavian (*Ovid Trist.* 2.445–446): Suetonius remarked on his ‘ungrateful and envious spirit’ (*Suet. Aug.* 66.2). He was recalled by Octavian, and banished from Octavian’s house

and provinces, after which he was indicted by the senate and committed suicide in 27 or 26. Suetonius records that Octavian shed tears at his friend's death, bewailing the role of the senate in condemning Gallus. Octavian, partly as a result of this experience, did not make Egypt into a senatorial province, but had it governed by an equestrian appointed by himself, and senators were not even allowed to visit Egypt without his permission. Vergil dedicated his *Tenth Eclogue* to Gallus ('A few verses I must sing for my Gallus, such as Lycoris herself may read'), but following his downfall, he is supposed to have removed praises of him from *Georgics* 4 (Servius *Ecl.* 10.1; *Georg.* 4.1).

The episode of Gallus suggests that it was now becoming dangerous to take too much personal credit in competition with Octavian. After a successful campaign in Thrace in 29–28, M. Licinius Crassus, consul in 30 (whose grandfather had been killed at Carrhae), was allowed to celebrate a triumph over the Getae in July 27, but was not permitted to dedicate the spolia opima for killing the enemy commander of the Bastarnae in personal combat: his family background and wealth made it too dangerous to allow him such prominence. The grounds for disallowal may have been specious, and Livy certainly doubted them (4.20.7: doc. 15.14), but it was now inexpedient for generals outside of the imperial family to claim military pre-eminence.

Octavian's return to Italy

The triple triumph and 'restoration of the Republic', 29 BC

When Octavian began his fifth consulship in 29, which he shared with his nephew Sex. Appuleius (son of his half-sister Octavia: Family Tree 3), he was still in the East, and the senate, at its first meeting on 1 January, formally granted him the right to use Imperator as a first name, and ratified all his acta, the settlements he had made in the East while at Actium and Alexandria and en route to Rome. He arrived back in Italy in August: one highlight of his return was having Vergil's *Georgics* read to him by Vergil and Maecenas at Atella (Donatus 27: doc. 15.90). On 13–15 August he celebrated three triumphs on consecutive days, over Dalmatia, Actium (Cleopatra), and Egypt. His nephew Marcellus and step-son Tiberius, both born in 42, participated, riding alongside his chariot. Every citizen was given 400 sesterces (more than in Caesar's will) from Octavian's own money, while 120,000 discharged veterans ('the colonists who had been my soldiers') each received 1,000 sesterces 'from the booty' (RG 15.3: doc. 15.1).

The civil war had come to an end with the capture of Egypt, and Velleius described the triumphant aftermath, with the Republic restored, wars ended, and peace re-established: Rome had returned to 'the ancient and traditional form of the republic' (Vell. 2.89.3: doc. 14.58). The empire was now free from civil strife, and with the fortunes of Egypt at Rome's disposal the rate of interest fell sharply. It was now up to Octavian, only 33 years of age, to consolidate his position in Rome. He was probably still unclear exactly how his pre-eminence would be established over the next few years, but was totally opposed to accepting the position of dictator (Vell. 2.89.4–5), though 'allowing' himself instead to be elected to 11 consulships in succession. As consul (for the fourth time) in 30 and (for the fifth time) in 29 it was in his interests to look as if he were facilitating the return to constitutional government.

After Actium, Octavian found himself in command of some 70 legions, more than 40 of which needed to be urgently disbanded at great cost to the state. The wealth of Egypt was such that land could now be bought for their settlement, rather than existing farmers evicted, and once the veterans received their bounties and allotments in Italy or overseas Rome was eventually left with 28 standing legions. An edict protected the interests of veterans and exempted them from paying taxes, military service, and the performance of public duties; they could not be dispossessed, and their voting rights were confirmed (Bruns 1.56: doc. 14.59)

On 11 January 29, with Octavian still in the East, the senate had decreed that the doors of the temple of Janus be finally closed, signifying that Rome was now at peace (the uprisings and conflicts in Gaul, Africa, and Spain were not considered to threaten the state). Octavian, now consul for the fifth time, was thus overtly recognised as personally responsible for bringing peace to Rome. According to Suetonius this was only the third time in Rome's history that the temple had been closed (*Aug.* 22: doc. 14.60), and Livy (1.19.3) states that the only previous occasion had been in 235 in the consulship of Titus Manlius after the First Punic War. A triumphal arch was dedicated to Imperator Caesar in the forum by the senate and people (*ILS* 81: doc. 14.61; Figure 14.14), with others at Ariminum and elsewhere (Figure 14.16). Commemorative coins were issued celebrating victory in the East and especially over Egypt, with one denarius depicting a charming standing crocodile with the legend, 'Egypt captured' (cf. Figure 14.15). Temples were built in the East to Rome and the deified Julius, and a cult of Octavian and Rome was established at Pergamum and Nicomedia. At Rome the temple of the deified Julius at the southern end of the forum was dedicated on 18 August 29, followed by the new senate house (the curia Julia) at the northern end, while columns made from the rostra of the ships captured at Actium were positioned outside the new temple to balance the older rostra at the other end of the forum (*Anth. Pal.* 6.236: doc. 14.54; Map 3).



Figure 14.14 A denarius of Octavian from an Italian or Roman mint, autumn 30–summer 29 BC, depicting Octavian and the arch celebrating the victory at Actium. Octavian is shown bareheaded, with the arch on the reverse, surmounted by a statue of himself in a triumphal quadriga with IMP CAESAR on the architrave of the arch.

Source: Courtesy of Classical Numismatic Group



Figure 14.15 A bronze coin struck at Nemausus in AD 10–14, depicting Agrippa wearing a rostral crown (the corona rostrata) and Augustus, and a crocodile chained to a palm tree. On the obverse the head of Agrippa (left) wearing the crown and a wreath, back to back with Augustus (right) laureate, with IMP DIVI F. On the reverse the superb and well-fed crocodile is chained to a palm tree, with a wreath with long ties above and palm fronds below and the legend COL NEM (Colonia Nemausus). Augustus' grandson Gaius had been the colony's patron.

Source: Courtesy of Classical Numismatic Group

Princeps and Augustus

The joint consulships of Augustus and Agrippa, 28–27 BC

Constitutionally, 28 was to be a critical year, with Octavian again consul, this time with Agrippa, as he was to be again in 27 (Octavian's sixth and seventh consulships). Octavian and Agrippa were both granted censorial potestas, and for the first time since 70 a census took place, along with a lustrum, 'purification', of the city. Some 4,063,000 citizens were registered (*RG* 8.2: doc. 15.1), four times more than the total of the last census, concluding the Romanisation of Italy. The two also used their censorial powers to carry out a revision of membership of the senate, a *lectio senatus* (*Vell.* 2.89.3: doc. 14.58). Many senators laid down their positions or were expelled, and the number of senators was reduced from Caesar's 1,000 to some 800. After Actium Octavian had also been given the right to create patricians (proposed by L. Saenius, *suffect consul* in 30), and he used this to help reinvigorate the nobility which had been thinned by civil war and ensure that there were sufficient candidates available for priesthoods. The culling of the senate was not so much a question of rooting out Antony's supporters, but clearing it of members which the rest of the body thought unworthy by reason of birth or background. As Octavian intended to delegate the preparation of public business to the senatorial body (*RG* 34.1: doc. 15.1), this was a necessary move to ensure an efficient administration. He may also at this point have forbidden senators to leave Italy without his permission.

Antony's role in the past conflict was quietly obscured (he is entirely absent from Octavian's account of events in the *Res Gestae*), his monuments were demolished, and

his birthday, 14 January, became an unlucky day (a dies nefastus or vitiosus), while Octavian's became a public holiday. The many important milestones in Octavian's life (his assumption of the toga virilis, his first assumption of imperium, his first acclamation as *imperator*, his first consulship, and his numerous victories) were celebrated in the *Fasti*, while the date of the battle at Actium became a festival day (*Inscr. Ital.* 13.2: doc. 14.63).

By 28 Octavian had the distinction of being *princeps senatus*, the first senator to speak on any proposal, and the apparent restoration of traditional constitutional forms served as the background to the 'settlement' of 27: in fact he speaks of the years 28–27 as the period when he transferred powers back to the senate and people (*RG* 34.1), and that there was a specific 'settlement' at a specific point in 27 is misleading. His aim was to ensure that constitutional normality had apparently returned, and the use of the term 'princeps' (later an official title) implicitly positioned him as the first citizen, but only among equals. In 28 the consuls again held the fasces in alternate months in the traditional way. An aureus depicted Octavian dressed in a toga on a curule chair handing out a scroll, with the legend 'he restored laws and rights to the Roman people', while cistophori struck in Ephesus featured Pax (Peace) and promoted him as 'champion of the liberty of the Roman people'. The gods were not forgotten, and in the same year alone, he claimed to have restored no fewer than 82 temples in Rome (*RG* 20.4: doc. 15.1). The new 'Actian Games' were celebrated in September (Octavian was absent through ill-health), and the city of Nicopolis ('city of victory') was founded on the site of his camp there (Figure 15.6). At the end of December 28 all orders of the triumvirs were annulled, marking the restoration of the *res publica* (*Dio* 53.2.5). From now on he reinvented himself as a beneficent, and above all constitutional leader, and was careful never to accept a 'perpetual' position or a non-traditional title. Although the first man (*princeps*) in Rome, he had no extraordinary powers or titles, having learnt a useful lesson from Caesar's acceptance of the position of perpetual dictator.

The 'First Settlement', January 27 BC

On 13 January 27 (the Ides), as consul for the seventh time again with Agrippa (now married to Octavian's niece Claudia Marcella Maior), Octavian made a pivotal speech in the senate purportedly handing back power to the senate and people and thus 'restoring the republic': this is often called the 'First Settlement'. Dio gives a lengthy version of the speech, which outlines Octavian's various proposals (*Dio* 53.2.5–17.1: doc. 14.64). The whole episode must have been carefully stage-managed, with the prime players rehearsed in their parts. The senators responded by declining to take back the empire and begging him to retain absolute power, demanding, in effect, a monarchy. No doubt some of the senators were concerned about the possibility of another civil war should Octavian step down; others more probably agreed from expediency or lack of courage. His motives and aims were not questioned, and as Dio put it (53.11.4) 'everyone was either compelled to believe him, or pretended that they did'.

After increasing the pay of his bodyguard (the praetorians) to double that of ordinary soldiers to ensure his own protection, Octavian proceeded to lay down the foundation for monarchical rule, though appearing to enter into a compromise with the senate: since

they did not wish him to lay down his current authority, he would take charge of any provinces which were troubled by unrest or at war, while the senate and people could govern those that were deemed to be pacified. Consequently, through his legates who would hold the rank of propraetor, he would control Spain (both Citerior and Ulterior), Gaul (except for Gallia Narbonensis), Syria, Cilicia, and Egypt, which he was in any case to administer directly. The remaining ten provinces were to be the ‘people’s provinces’ (Map 8). This arrangement would hold for ten years – and if his provinces were pacified sooner he would return them to the senate (Dio 53.12.1–13.1). The governors of these provinces were his deputies, and as proconsul he was responsible for any victories in ‘his’ provinces: the governors were merely his legates, while any triumphs and supplications would be awarded to him, not them. The governors of the ‘senatorial provinces’ were to be chosen by lot (not in accordance with experience or aptitude) and were not to wear military dress (Dio 53.13.2–6). In this way Octavian controlled the most important provinces through his hand-picked governors, as well as the armies that went with them (some three-quarters of the legions currently in arms). His power was now immense, but was still held within the constitutional framework of Republican Rome.

As Dio noted (53.15.3–16.1), close inspection revealed the reality behind the charade: Octavian was responsible for sending out the procurators (financial officials) to all the provinces, not merely his own, and gave them their explicit instructions and assigned the amount of their funds, in line with what he considered to be their necessary expenditure. No governor could raise troops or levy money above the amount appointed, unless approved by the senate or princeps, and proconsuls had to be home at Rome within three months of the arrival of their successor (there would be no more extended provincial commands). Octavian did, as Dio pointed out, in fact hold supreme power, but with clearly defined terminal dates for each period of proconsular imperium: ‘when his ten-year period came to an end another five years were voted him, then five more, then ten, then another ten, and the same a fifth time, so that by a succession of ten-year periods he continued sole ruler for life’ (53.16.2). His imperium was extended by five years in 18 and 13, and by ten years in 8, AD 3 and AD 13. Consequently, ‘beginning with him, there was in real truth a monarchy in place’ (Dio 53.17.1).

‘Augustus’ and further honours, 27 BC

The senate responded to the agreed settlement with proposals of appropriate and extravagant honours, which demonstrated in fact the extent to which the Republic had not been entirely restored. He was awarded the corona civica of oak-leaves for saving the state, as Caesar had been (Suet. *Jul.* 2), and his house doors were to be decorated with laurel bushes, and a golden shield commemorating his valour, clemency, justice, and piety displayed in the senate house (RG 34.2: doc. 15.1). All citizens were now indebted to him for their very existence, and his coinage bore the legend ‘ob cives servatos’ (for preserving the citizens; Figure 15.1).

On 16 January 27, he received another, unique designation, the name Augustus, on the proposal of Munatius Plancus, one of Antony’s former supporters who had only come over to Octavian’s side in 32 (Suet. *Aug.* 7.2: doc. 14.65). Romulus had been considered as a possibility, but hinted at monarchy, which had dangerous

connotations (Romulus had also committed fratricide when he murdered his brother Remus). The name Augustus, in contrast, conveyed the qualities of majesty, veneration, and reverence, and Ennius had written that Rome had been founded by ‘august augury’ (*augusto augurio: Ann. 502*). ‘Augustus’ was an entirely new departure, and associated with sacred space and augury, without any negative political overtones. While Octavian was to hold the consulship annually down to 23, from now on he insisted



Figure 14.16 The Arch of Augustus at Rimini (Ariminum), erected in 27 BC by order of the senate to honour Augustus. This is Italy's oldest surviving triumphal arch and probably supported a statue of the emperor on horseback or in a quadriga. Jupiter and Apollo are shown on the external side of the arch and Neptune and Roma on the internal. The breadth of the arch (which is too wide for doors) may have suggested the peace now established after decades of civil war.

Source: Photograph © Carole Raddato via Wikimedia Commons

that it was not the possession of imperium, or control of armies and resources that empowered him, but that he 'excelled all citizens in auctoritas', stressing his influence, prestige, and moral worth: 'After that time I excelled everyone in auctoritas, but had no more power than those who were also my colleagues in any magistracy' (*RG* 34.3: doc. 15.1).

The 'death' of the Republic

Tacitus at the commencement of his *Annals* outlined the way in which the last century of the Republic had evolved into monarchy (*Ann.* 1.1.1–2.2: doc. 14.66). He saw the autocratic rule of Cinna and Sulla as leading to that of Caesar, while 'the armed might of Antony and Lepidus' was naturally superseded by that of Augustus, who 'took the whole state, exhausted by civil discord, into his dominion under the name of "princeps"'. With Brutus and Cassius, Sextus Pompeius, Lepidus, and Antony dead or side-lined there was no leader left but Octavian. Renouncing the title of triumvir, he presented himself as content with the rank of consul and possession of tribunician potestas, and, after winning the support of the soldiery with money and the people with grain, he little by little 'absorbed into himself the functions of the senate, the magistracies, and the laws' (*Ann.* 1.2.1). According to Tacitus, there was no one left to oppose him, while the remaining nobles found that welcoming 'slavery' was the quickest path to wealth and office. The provinces, too, were pleased to see the termination of a system of government marked by civil war, magisterial greed, and the neglect of laws which had been rendered null and void under the pressure of wealth, violence, and corruption. The process towards autocracy that Tacitus saw as beginning with the Gracchi, and accelerating during the last century of the Republic (*Hist.* 2.38: doc. 12.1), had come to its inevitable conclusion.

Further reading for this chapter

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Chapter 15

The age of Augustus

Augustus and the *res gestae divi Augusti*

Augustus entrusted three documents to the Vestals to be read and acted upon after his death: instructions for his funeral, an account of the condition of the empire (a breviarium totius imperii, ‘notebook of the whole empire’), and a record of his achievements (his *Res Gestae*, literally ‘things done’: doc. 15.1), which was to be inscribed on bronze columns at the entrance to the mausoleum, which he had built for himself and his family on the Campus Martius. The columns themselves are lost, but in 1555 a Latin copy of the *Res Gestae*, together with a Greek translation, was discovered on the walls of the temple of Roma and Augustus at Ancyra (modern Ankara in Turkey), the capital of the province of Galatia. The inscription is often known as the Monumentum Ancyranum. A further fragmentary copy of the Latin version was found at Antioch in Pisidia and of the Greek at Apollonia, while other copies, now lost, would have been set up throughout the provinces.

The short prescript of the *Res Gestae* describes the text as a copy of the ‘*res gestae divi Augusti*’ (‘things done of the deified Augustus’) and his ‘*impensae*’ (‘expenditures’) on behalf of the Roman people. In 35 sections it covers the offices and honours held by Augustus and his adopted sons (1–14), his achievements and expenditures (15–24), and his successful undertakings in peace and war (25–35). An appendix, probably added after his death, summarises his financial outlays to the treasury, people, and veterans, and his most important constructions and restorations. The work stresses the constitutional nature of his position as princeps, presenting an ideology rather than a totally factual account of his career from 44, and the preface states that he had left the empire in the best possible condition due to his stewardship, with ‘the whole world subject to the rule of the Roman people’.

Augustus notes (*RG* 35.2) that the document was written in his 76th year (AD 13/14), although it was probably begun considerably earlier. There is no reason to doubt that he wrote the document himself, as he composed in a number of literary genres and was a voluminous letter-writer and note-taker (*Suet. Aug.* 85, 89: doc. 15.3). He begins the narrative with his raising of an army at the age of 19 years to liberate Rome from the faction that had taken power, his imperium and consulship in 43, and his defeat of the assassins of his father, Caesar. He continues by listing all the offices and honours bestowed on him, culminating with the award of the title *pater patriae* (‘father of his country’) in 2 BC (*RG* 35.1), and itemises all the moneys he had outlaid on behalf of the state, his construction projects, and his victories and

military successes. Much is omitted: Antony is not mentioned by name, only as ‘the man against whom I had waged war’, the liberators are ‘a tyrannical faction’, and Sextus Pompeius merely referred to as ‘the threat of pirates’ (*RG* 1.1, 24.1, 25.1). In the final sections (*RG* 34.1–35.2) he describes the pre-eminence he enjoyed by popular consent from the time of his sixth and seventh consulships in 28–27, when he transferred government back to the senate and people. For this, he comments, he was awarded the name Augustus, his doorposts were arrayed in laurels, the civic crown (awarded for saving a citizen’s life: Figures 5.1, 15.1) was fixed above his door, and a golden shield set up in the senate house testifying to his ‘valour, clemency, justice and piety’. As regarded his political position, he states that while supreme in ‘auctoritas’ he possessed no more power than any of his magisterial colleagues, and the regard in



Figure 15.1 An aureus struck in 19/18 BC celebrating the award of the civic crown to Augustus, which he was granted after the end of the civil war with Antony. On the obverse the crown is depicted as an oak wreath with two ties; on the reverse the legend *OB CIVES [S]ERVATOS* ('for saving the citizens'). The civic crown of oak-leaves was awarded to those who saved the lives of citizens in battle.

Source: Courtesy of Classical Numismatic Group

which he was held by ‘the senate and equestrian order and the entire Roman people’ was demonstrated in the bestowal of the title of *pater patriae*, which was inscribed on the vestibule of his house and the senate house, and in the forum Augsteum, below the chariot set up in his honour.

In his insistence that he rejected all offices contrary to Roman tradition (‘I accepted no magistracy conferred contrary to the custom of our ancestors’: *RG* 6.1), Augustus was concerned to play down his formal powers, and it speaks to his skill at dissimulation that he was able to position himself constitutionally as *princeps* in such a way that he could present himself as merely the first among equals with unilateral consent, especially in view of the fact that the ‘first settlement’ of 27 was arguably the critical turning point between the demise of the Roman Republic and the beginnings of imperial rule.

Augustus as *princeps*, 27 BC

Under the year 27, following the ‘settlement’ of that year, Dio summarised what he saw as the ways in which Augustus began taking control of government, commencing with his assumption of the name Augustus in 27 (Dio 53.20.1–2: doc. 15.2). At the end of 28 all orders of the triumvirs had been annulled, and on 13 January 27 Augustus resigned his plenary powers to the senate and people. At this point his authority was based on the fact that he was consul, as well as on the oath taken to him in 32 by Italy and the western provinces (*RG* 25.2): he was to hold the consulship continuously from 31 to 23. By the settlement in 27 he was granted proconsular imperium for a period of ten years and command of a suite of provinces, including Egypt, governed through his legates. He also had direct control over most of the army (some 20 legions), which meant that he was able to decide which wars should be fought and on what terms, and command of unmatched financial resources, which gained and kept the troops’ support (Dio 53.2.5–17.1: doc. 14.64).

Dio from this point considered Augustus’ position to be monarchical. Nevertheless, the pretence was made that the Republic had been restored, and that in his sixth and seventh consulships (28–27 BC), he had ‘transferred government from my own authority to the sovereignty of the senate and Roman people’ (*RG* 6.1, 34.1, 3). Much of his legislation was put through the assembly, and he encouraged debate and comment, even to the extent of allowing the redrafting of some of the proposals. He also worked in conjunction with a consilium, an advisory body, which included the consuls (or his colleague if he were consul), one representative of each of the other magistracies, and 15 senators chosen by lot. Measures were discussed with this group prior to being taken to the senate, and the consilium flagged the proposed decrees to the rest of the senatorial body (Dio 53.21.4–5: doc. 15.2).

The consilium in some circumstances tried judicial cases, although the complete senate continued to sit in judgement as before, and often dealt with embassies and heralds sent by cities or rulers. Moreover the people continued to meet to conduct elections – although Augustus had the final say and nothing was done without his approval. From this point he nominated certain of the magistrates, although the election of others was left entirely to the will of the people, except that he made sure that no candidate was unsuitable or appointed through factional interests or electoral bribery. Dio’s account makes clear the extent to which the realities of government had already changed, and

the fact of Augustus' oversight of elections; that he continued to hold the consulship in absentia while campaigning in Gaul and Spain from the summer of 27 to the beginning of 24 (beginning his eighth and ninth consulship at Tarraco in Spain and his tenth on his journey back to Rome in 24) would have underlined to the senate that what they were experiencing was a new definition of 'normality' rather than a return to traditional republican government.

When Augustus and Livia returned to Rome in 24 he again gave donatives of 400 sesterces to all the plebs, this time from his own patrimony not from the spoils of war as in 29 (*RG* 15.1), and the senators, who on 1 January had confirmed all his acta, exerted themselves once more to award him outstanding honours and privileges. Dio (53.28) even states that he was released from the need to obey the laws, though Augustus would hardly have accepted such an unprecedented dispensation. More tellingly, Augustus' nephew Marcellus had returned home in 25 to marry Augustus' daughter Julia, and in 24 was allowed to sit among the ex-praetors and designated aedile for 23. Augustus had had another serious bout of ill-health while in Spain, and was concerned to ensure some continuity for his family, even if a plan for dynastic succession was premature.

Augustus as author

Apart from the *Res Gestae* Augustus' other writings are lost, but he was the author of a number of works in a variety of literary genres, including a political pamphlet responding to Brutus' panegyric of Cato, an encouragement to study philosophy (his boyhood tutor was the Stoic Athenodorus of Tarsus), a military handbook titled *Disciplina*, and a 13-volume autobiography of his early life down to 25, of which a short extract on the description of the Julian comet was cited by Pliny the Elder (2.93–94): Nikolaos of Damascus made use of the work in his *Life of Augustus* of which large sections are extant. He also composed a biography of his step-son Drusus, as well as an epitaph written for him in 9, and a number of other poems and epigrams, including a short hexameter poem on Sicily. According to Suetonius the epigrams were mostly written at the baths (*Aug.* 85.2: doc. 15.3), and the example that is extant, a vicious and ribald six-line attack on Fulvia quoted by Martial (*Ep.* 11.20: doc. 14.30), suggests that some of them might have been risqué and highly satirical. Macrobius records some examples of Augustus' skill at repartee, including an episode in which he trolled a poor Greek epigrammatist waiting outside his house to offer him a poem by writing an impromptu epigram in Greek on the begging poet instead (Macrobius 2.4.31: doc. 15.66). His play *Ajax* was probably a Latin translation of Sophocles' tragedy, although it might have been an original work (Caesar had also written an *Oedipus* when young: Suet. *Jul.* 56.7: doc. 13.64). Augustus was unhappy with the *Ajax* and destroyed it, commenting to his friends that '*Ajax*' had fallen on his sponge (the hero of the Trojan War committed suicide by falling on his sword after a bout of madness).

According to Suetonius, Augustus was fond of moral advice and maxims, whether in Latin or Greek, and would copy out extracts to send to members of his household, magistrates, or even provincial governors, which he thought might give them valuable instruction. He was not above reading entire volumes to the senate on improving subjects dear to his heart, such as increasing the birth-rate and restricting the height of buildings in Rome (speeches by Q. Caecilius Metellus Macedonicus, cos. 143 and

P. Rutilius Rufus, cos. 105) to show that his measures had a long ancestry. He also encouraged talented writers, and patiently listened to their readings, both of poetry and history, and speeches and dialogues. The great literary patrons of the day were Maecenas and Messalla Corvinus (cos. suff. 31), but Augustus was a personal friend of the poets Vergil (Donatus 27, 32: doc. 15.90) and Horace (Suet. *Hor.* 1–3: doc. 15.93), as well as the historian Livy (Tac. *Ann.* 4.34).

Principal events: the Fasti

The Fasti (the most important of which were the *Fasti Praenestini* compiled by M. Verrius Flaccus, tutor to Augustus' grandsons) provide valuable information on important dates and events in the life of Augustus and his family, many of which now became holidays. His frequent inclusion in the festival calendar underpins the extent to which he was identified with the major festivals and events in Roman history. Important dates included the dedication of the altar of Fortuna Redux in 19 (12 October), and the commencement of the Ara Pacis in 13 and its dedication in 9 (4 July and 30 January); his inauguration as pontifex maximus in 12 (6 March); the bestowal of the title pater patriae in 2 (5 February); sacrifices in honour of Augustus' deceased grandsons in AD 2 and 4 (20 August and 21/22 February); and the granting of divine honours to Augustus himself in the month after his death in AD 14 (17 September). From the time of Cicero, the Fasti were widely circulated in written form, and even used as murals to decorate private homes, while there were multiple copies inscribed on marble in the early principate set up both in Rome and in Italian towns (Figure 3.8).

The ‘Second Settlement’

In 23 Augustus fell sick and was not expected to recover. When gravely ill, it was to his friend Agrippa, not Marcellus (his nephew and son-in-law; Family Tree 3), that Augustus gave his signet-ring, signifying that he was to take on Augustus' role in government, at least in the short term. Augustus also gave his consular colleague, Cn. Calpurnius Piso, an up-to-date record of the ‘armed forces and public revenues’ of the empire (Dio 53.30.1–32.6: doc. 15.5). On his recovery in July, Augustus was concerned to demonstrate that he had not designated a successor, and offered to read his will to the senate in order to show that he had not adopted Marcellus as his own son, an offer which the senate refused (Dio 53.31): in the *Res Gestae* he is always referred to as Augustus' gener (son-in-law) and never his filius (son). While Augustus had jump-started Marcellus' career by designating him aedile for 23 and ensuring that his magistracy was a resounding success, financing extravagant games, including the provision of overhead curtains for shade and the spectacles of an eques dancing and a noblewoman appearing on stage (Dio 53.31.3–4: doc. 15.5), he was not yet in a position to designate a successor as such. Given the youth of Julia and Marcellus he was probably hoping for grandsons to adopt, as he did later with the sons of Julia and Agrippa. In the event, Marcellus himself succumbed to the prevalent epidemic which had nearly taken off Augustus and died shortly afterwards in September at Baiae: Augustus' doctor, Antonius Musa a freedman, had cured Augustus himself through the use of cold baths and drinks of cold water, but his regimen was unable to save Marcellus (Dio 53.30.3: doc. 6.66).

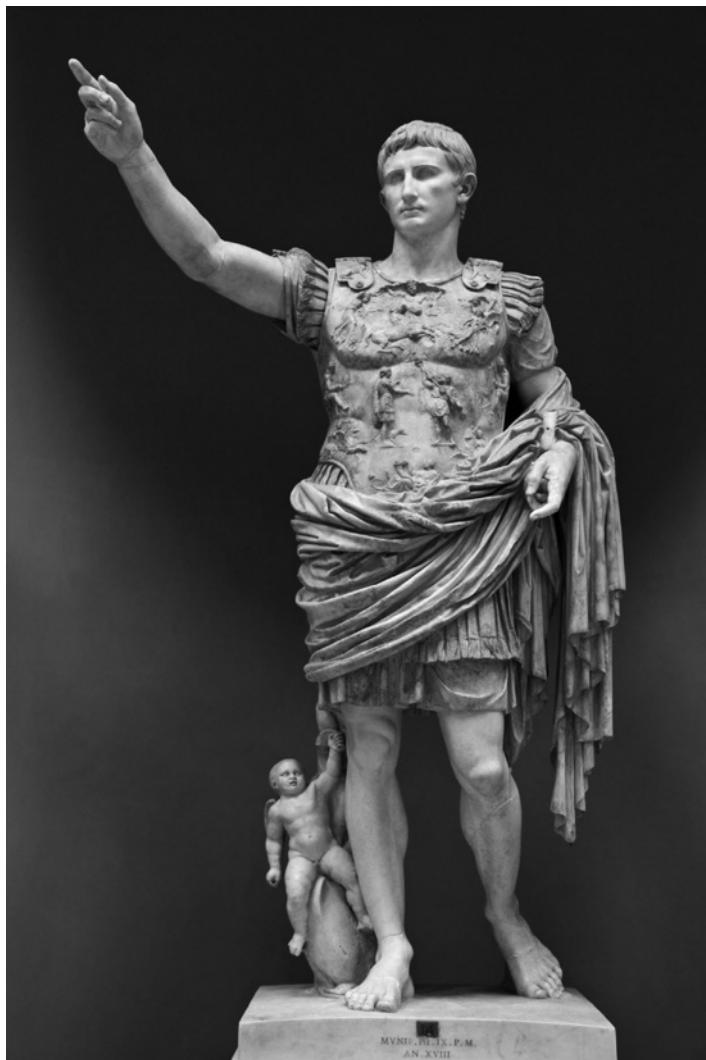


Figure 15.2 The marble statue of Augustus found at Livia's villa at Prima Porta, commemorating the return of the captured legionary standards from Parthia in 20 BC. Augustus is depicted in military regalia in the act of addressing his troops; his cuirass is decorated with images of Roman deities and conquered nations, with the return of the standards taking pride of place. The figure of Cupid hints at the descent of the Julii Caesares from the goddess Venus, while the dolphin on which he rides might refer to the birth of Venus from the sea or to the naval victory at Actium. Augustus is shown barefoot to convey the fact of his divinity, a detail that may have been added when the statue was copied into marble from the bronze original after his death. Vatican Museums.

Source: Photo © Erin Babnik/Alamy Stock Photo

Augustus' state of health, especially in view of his frequent periods of serious indisposition, was a warning that at any time Rome might have to cope without him, and that, accordingly, the powers of the princeps vis-à-vis the senate and magistrates needed to be clarified and defined. In the so-called 'Second Settlement' of July 23 these issues were addressed. Augustus' first move was to resign his 11th consulship on 1 July. For the future he would only accept the consulship on two more occasions, when he introduced his grandsons Gaius and Lucius to public life in 5 and 2 BC, even though pressured by the people a number of times to accept the magistracy. At this point he had held the consulship continuously since 31, which had restricted the career trajectory of high-ranking senators, while from 28 to 24 there had been no suffect consuls appointed. The appointment of L. Sestius Quirinalis as replacement consul for himself for the rest of 23 was notable in that Sestius had been an enthusiastic supporter of Brutus, while the censors elected for 22, L. Aemilius Lepidus Paullus (cos. suff. 34) and Munatius Plancus (cos. 42), had both had family members proscribed by the triumvirate, while Munatius had been a supporter of Mark Antony until shortly before Actium. These were the last censors ever to be appointed.

This retention of the consulship may have been a factor in the conspiracy of Fannius Caepio and Murena, although the conspiracy is not securely dated: Dio dates it to 22, after rather than before the 'Second Settlement' (Dio 54.3). The plot against Augustus by Murena, possibly L. Licinius Varro Murena brother of the consul-elect for 23, together with a certain Fannius Caepio, followed the trial of M. Primus, governor of Macedonia, who had been accused of making war without the authority of the senate, and who claimed to have done so on the instructions of either Augustus or Marcellus. Augustus appeared in court to confute this claim and Primus was convicted. The suggestion that Augustus or his nephew might have bypassed the authority of the senate on a question of making war in a public province was a sensitive one. The conviction appears to have sparked the conspiracy, which Augustus viewed seriously enough to have the conspirators executed without a formal trial.

As a result of the Second Settlement in 23, two senators each year could now become consuls, providing a larger pool of ex-consuls for provincial government and administrative roles. Obviously, however, Augustus had no intention of giving up his consular powers without receiving something of equivalence in return. Suetonius (*Aug.* 37) records that he may have suggested the possibility of their being two consuls apart from himself, but this was surely too alien to the republican mind-set to have been considered. In place of the consulship he was therefore granted tribunician potestas, renewable annually, which he retained continuously until his death in AD 14, a total of 37 years (*RG* 4.4): he was also given the right to bring measures before the senate. From this point he emphasised the tribunate as the main identifier of his position as princeps, using it as the chronological framework for his reign by dating his actions to specific tribunician years, and designating potential successors such as Agrippa and Tiberius by taking them as his tribunician colleague.

Augustus' proconsular imperium and tribunician potestas

Even though no longer consul, Augustus kept control of many of the provinces and most of the armies in the empire. He retained government of these provinces through the grant of a limited term of imperium proconsulare (proconsular imperium),

ensuring that he could continue to govern the imperial provinces and armies through his nominees. Constitutionally Augustus' position was unusual because he continued to govern more than one province at a time, and could keep his imperium while in Rome: he was specifically permitted to retain his proconsular imperium within the pomerium. There has been considerable debate about whether Augustus was now granted imperium maius ('greater' imperium), meaning that his imperium could override that of the governors in the senatorial provinces, or imperium aequum ('equal' imperium), by which he possessed imperium equivalent to that of senatorial governors. Pompey had been granted imperium maius in his command against the pirates in 67 (*Plut. Pomp.* 25.1–2: doc. 12.9), and the senate had awarded it to Brutus and Cassius in 44 (*App. 4.58*: doc. 14.3). Dio's account (53.32.5: doc. 15.5) suggests that Augustus did possess 'greater' imperium, with 'authority in subject territory superior to that of the governors in each case', which allowed him to override the governors of other provinces. This of course meant that he essentially had control over every part of the empire (Map 8).

Augustus was concerned to downplay his powers as proconsul entirely, and focussed attention instead on his tribunician potestas, though he was not in fact tribune as such and did not use the title. He had been granted tribunician sacrosanctity in 30, as well as the right to sit on the tribunician bench and the *ius auxilii* (demonstrating his role as protector of the people). The possession of tribunician potestas meant that he was now able to summon the plebeian assembly and senate and put forward proposals to both bodies, while it was specifically mandated that he had the right to put forward formal motions at senate meetings at any time and on any subject. He also had the right of veto in the senate, though it is not apparent that he ever made use of this, and was immune from the veto of other tribunes. Tacitus (*Ann.* 3.56.2) saw Augustus' tribunician potestas as endowing him with his greatest power. Where it was consequential was in the fact that it distinguished him from all other magistrates and commanders, without overtly bestowing military or other administrative powers on him: in fact it stressed his role as guardian and protector of the people against any who might oppress them. Nevertheless, his position was in fact unprecedented and revolutionary, even though he deliberately eschewed any ostentatious display of non-traditional powers.

Family arrangements, 23–17 BC

After Augustus' recovery in 23, Agrippa, who had been engaged with his building programme on the Campus Martius, was sent to the East with a five-year grant of imperium proconsulare, not to get him out of Marcellus' way, although Dio (53.32.1: doc. 15.5) suggests that there was tension between the two, but to take control of affairs there as Augustus' deputy. Agrippa was also granted maius imperium (or imperium aequum) – as suggested by his funeral oration delivered by Augustus which stated that, in any province, his power was to be not less than any other magistrate's (*P. Köln* 10: doc. 15.48). Agrippa based himself at Lesbos, governing Syria through legates, and on his return in 21 Augustus instructed him to divorce Claudia Marcella Maior ('Elder'), Augustus' niece and Octavia's daughter, who had been his wife since 28, and marry the widowed Julia; Marcella was to marry her step-brother, Mark Antony's son Iullus (Family Tree 3). Agrippa spent the next two years in the West, establishing

infrastructure in Gaul, and then served in Spain against the Cantabrians. His imperium proconsulare was extended for a further five years in 18, together with a grant of five-year tribunician potestas, and Augustus adopted his sons, Gaius and Lucius, in 17. The beginnings of an imperial dynasty were taking shape.

Augustus' constitutional position

According to Strabo (17.3.25: doc. 15.6), Augustus was granted the authority to declare war and make peace across the entire empire, not just in his own provinces, but also in the senatorial ones. Of these Libya (Africa) and Asia were consular, while the praetorian provinces comprised Lusitania in far western Spain, Narbonese Gaul, Sardinia and Corsica, Sicily, Illyricum, Greece, Macedonia, Crete and Cyrenaica, Cyprus, and Bithynia (Narbonese Gaul and Cyprus became provinces in their own right in 23; Map 8). Ten praetors were appointed annually, who with the two consuls, were enough to provide governors for all 12 senatorial provinces, with no need for extended commands. The rest, including the other Spanish and Gallic provinces, Syria, Cilicia, and Egypt were Caesarian provinces, to which Augustus sent consulars, praetorians, or equestrians (as in Egypt), as governors.

Augustus' auctoritas can be seen as early as 27, when he and Agrippa as consuls ruled that properties taken from the gods in the senatorial province of Asia had to be restored (Augustus criticised Antony for plundering temples during the civil war: *RG* 24.1). The test case was that of the temple of Liber Pater (Bacchus) at Kyme which a certain Lysias was refusing to return to the worshippers, despite their offering to pay the recorded sale price (*RDGE* 61: doc. 15.7). Augustus pronounced that, if true, the temple be restored, with the inscription 'Imperator Caesar, son of the god, Augustus restored it': he was clearly to be seen by everyone as the sanctuary's restorer.

Augustus' resignation of the consulship in 23 was highly unpopular with the populace, as there was an epidemic in the city as well as a grain shortage. He took steps to buy grain for the people from his own resources (*RG* 15.1 mentions 12 grain distributions made in 23 reaching not less than 250,000 people), with the distribution overseen by his step-son Tiberius. As conditions worsened in 22, with the Tiber also flooding twice, the people rioted and threatened to torch the senate house, urging Augustus to accept the dictatorship, the consulship for every year of his life, and censorship for life. To defuse the problem, he took on the responsibility for the grain supply and solved the crisis in a few days 'through my own expenditure and management' (*RG* 5.1–3). When he left for the East in September 22 (he was absent for three years), two ex-praetors were placed in charge of the cura annonae (supervision of the grain supply), and these were to be annual appointments, titled the praefecti frumenti dandi.

The populace again insisted on electing him consul for 21. When he declined, they left one place vacant by refusing to elect a substitute until the beginning of the year (M. Lollius and Q. Aemilius Lepidus were the eventual consuls). Augustus remained in the East during 20 and 19, while Agrippa returned to Rome, and Augustus' nephew M. Appuleius, the son of his elder half-sister Octavia, was consul in 20 alongside P. Silius Nerva. However, for 19 the populace again refused to elect more than one consul, C. Sentius Saturninus, keeping the other position for Augustus. M. Egnatius Rufus, who had been a popular aedile (perhaps in 20) because he had established a

troop of firefighters, was currently praetor and stood illegally for this vacant position. There were riots when his candidature was refused, and after passing the senatus consultum ultimum the senate had him executed. Envoys were sent to Augustus in Athens to attempt to persuade him to take on the position, but he selected one of the envoys instead, Q. Lucretius Vesillo (Dio 54.10.1–2: doc. 15.8). Vesillo had been proscribed by the Second Triumvirate, and has been, though improbably, identified as the author of the laudatio Turiae (*ILS* 8393: doc. 7.37).

Further constitutional privileges, 19 BC

When Augustus returned to Italy in 19 he was showered with yet more honours by an obsequious senate. On his arrival in Rome on 12 October, the senate dedicated an altar to the deity Fortuna Redux ('Fortunate Return') and decreed an annual sacrifice by the pontiffs and Vestals, with the day of his return becoming a holiday, the Augustalia. The senators also offered him a triumph, though he turned this down, but accepted the lesser grant of triumphal ornaments. More constitutional privileges offered included the *praefectura morum* (prefecture of morals) and censorial authority for five years, perhaps consular powers for life, and the right to enact any laws he chose as *leges Augustae* without taking them to the assembly.

Augustus appears to have declined these offers, though he may have accepted the right to be escorted by 12 lictors and to sit on a curule chair between the consuls (Dio 54.10.3–6: doc. 15.8). He does state that he conducted the censuses of 8 BC and AD 14 'with consular power' (*RG* 8.3–4), but this prerogative was probably granted specifically for these occasions. Certainly, when at *RG* 6.1 he states that he accepted no magistracy 'contrary to the custom of our ancestors', this implies that the senate's offer was turned down. He also appears to have refused the right to enact *leges Augustae*, instead using his tribunician status to pass laws as *leges Juliae* through the assembly; motions he put forward in the senate were enacted as decrees of the senate. To celebrate his return, he granted privileges to his step-sons, to Tiberius the rank of ex-praetor and to Drusus the right to stand for magistracies five years early, a privilege he was later to give to a number of his young relatives.

In 18 Augustus' *provincia* (his proconsular imperium), which was coming to an end after its first ten-year period, was renewed for five years. Agrippa, now his son-in-law, also received another five-year grant of imperium, as well as tribunician potestas similar to that of Augustus, flagging him as his successor, especially as Agrippa was now the father of Gaius and Julia. Whether or not Augustus formally accepted the *praefectura morum* (prefecture of morals), his concern for morals and traditional values was demonstrated by his social reforms in 18 and 17, which comprised an important and integrated programme, as well as by the celebration of the *ludi saeculares* in 17, and was reflected on his coinage (Figure 7.1). In 18 he again revised the senatorial body, when a further 200 members were removed, shrinking the senate to some 600 members, the number prior to Caesar's reforms (a move which was not entirely popular with the nobiles).

A law of AD 69, the *lex de imperio Vespasiani*, set out the constitutional powers conferred on the emperor Vespasian (AD 69–79), outlining the prerogatives of the emperor, and the precedents set by earlier rulers (Augustus, Tiberius, and Claudius), which allowed the emperor to make treaties, and convene and propose motions to the

senate, as well as put forward candidates for magistracies and extend the pomerium. The sixth clause stated that:

he [Vespasian] shall have the right, to transact and act upon whatever divine, human, private and public matters he considers to serve the advantage and paramount interest of the state, just as the deified Augustus and Tiberius Julius Caesar Augustus [Tiberius] and Tiberius Claudius Caesar Augustus Germanicus [Claudius] had.

(*ILS 244: doc. 15.9*)

This might imply that Augustus had formal constitutional powers to this effect conferred on him in 23, but it is more probable that his powers were granted at different stages, and that it is his ‘exemplum’, as a ‘good’ emperor, which is being showcased here, rather than any formal piece of legislation. It would have been against Augustus’ interests to have had his position as princeps defined in public law, and Strabo’s statement that he had the powers to make peace and war (17.3.25: doc. 15.6) may have referred to his de facto ability to make war based on his command of the provinces in which armies were located.

Augustus’ possession of imperium maius is also apparent from edicts relating to Cyrene dated to 7/6 BC (Crete and Cyrenaica were a senatorial province). In one of these he is seen making decisions with regard to law-suits in which Roman judges were accused of oppressing Greeks and maltreating innocent persons: Augustus’ solution was for equal numbers of Romans and Greeks to be appointed to the juries in capital charges (*SEG 9.8: doc. 15.10*). In a further edict he also ordered that Cyrenaeans who had been granted Roman citizenship were to continue to perform compulsory public services, unless specifically exempted by Julius Caesar or himself, and in any case they still had to perform any duties with regard to property acquired since their grant of citizenship.

Augustus ‘Imperator’

In the *Res Gestae*, Augustus mentions, in addition to his two ovations and triple triumph, that he first possessed imperium in 43, and had been hailed as imperator on 21 occasions; nine kings or their children had been led before his chariot in his triumphs; and the senate had decreed thanksgivings for his achievements on 55 occasions, a total of 890 days (*RG 1.2, 4.1–3*). The military and naval victories won by Augustus against Sextus Pompeius and Antony had mainly been due to the talents of Agrippa, although Augustus acquired some personal kudos for his campaigns in the Balkans in 35–33. He was, however, credited with the successes achieved by Agrippa and other commanders, and at its first meeting in 29 the senate granted him the right to use ‘Imperator’ as a first name. This was a remarkable innovation and the adoption of this praenomen suggested that the bearer was permanently imbued with the rank and virtues of the triumphant general. The senate also decreed that the doors of the temple of Janus should now be closed (*Suet. Aug. 22: doc. 14.60*), as Octavian had ‘put an end to war’ (*Fasti Praenestini: doc. 14.63*; cf. *RG 13*).

On 13–15 October 29 Augustus celebrated three consecutive triumphs over Dalmatia, Cleopatra (Actium), and Egypt. Vergil in the *Aeneid* described a shield made by

the god Vulcan and given to Aeneas by his mother Venus (the ancestress of the Julian house), which depicted these three triumphs as one of the greatest moments in Rome's history (Verg. *Aen.* 8.675–690, 714–731: doc. 15.11). On the shield Agrippa, with his naval crown for the victory over Sextus Pompeius (Figure 14.15) and 'favoured by winds and gods', shared credit for the victory at Actium, while Augustus is shown in triumph, dedicating 300 shrines in Rome and inspecting submissive lines of conquered peoples from Africa, Asia, and Europe. After this magnificent triple celebration, Augustus declined all others (*RG* 4.1), while increasingly triumphs became restricted to members of the imperial family.

Starting in 27, for the next 15 years Augustus alternated three-year trips to the provinces with two years of residence in Rome and visited every province except for Africa and Sardinia (Suet. *Aug.* 47). While absent from Rome in 27 and 26 he was involved in reorganising Gaul, where he held a census, followed by a campaign in north-west Spain. However, he fell seriously ill in 26, and as a result the campaign against the Cantabrians had to be left to legates such as C. Antistius Vetus (cos. suff. 30), while Augustus remained in Spain throughout 25, finally arriving home in 24. Elsewhere in the empire during this period L. Aelius Gallus, as prefect of Egypt in 26, fought an unsuccessful campaign in Arabia Felix (modern Yemen) in an attempt to gain control of the trade in spices, gems, and metals, while A. Terentius Varro Murena defeated the Salassi in the Alps and founded the colony of Augusta Praetoria, modern Aosta (*RG* 26.3). A planned invasion of Britain did not materialise.

Suetonius listed the peoples whom Augustus conquered as general or 'under his own auspices' (i.e., through his legates – he only led two campaigns personally), and praises the fact that in many cases he achieved peace through diplomacy rather than aggression, as he had no wish to expand the empire 'at all costs' (*Aug.* 21.2: doc. 15.12). Such was his reputation for valour and moderation, that peoples from as far away as the Indians and Scythians allegedly requested his friendship, according to Suetonius, who may be here thinking of the embassy with the Buddhist priest who brought splendid diplomatic gifts from India (Nik. Dam. *Hist.* F 100: doc. 15.15).

Triumphs and the spolia opima

The governors of 'imperial' provinces were technically legates of Augustus, legati Augusti pro praetore, with Augustus himself the formal proconsul. Any triumphs and supplicationes were awarded to him, as the governors were merely serving on his behalf. Augustus even banned a triumph voted for Tiberius in 9 for his campaign in Pannonia, as at the time he did not possess independent imperium. Tiberius did, however, celebrate one in 7 BC as consul, and was granted a further triumph in AD 12 for putting down the rebellion in Pannonia between AD 6 and 9. By the 20s triumphs for commanders other than members of the imperial family were almost a thing of the past, partly due to Agrippa, who had always declined celebrating a triumph in his own right. Instead, under Augustus, senatorial administrative roles and priesthoods increasingly became matters for self-congratulation. In his epitaph at Caieta, L. Munatius Plancus (cos. 42, cens. 22) recorded the fact that in 43 he had celebrated a triumph for victories over the Raetians in the Alps as proconsul of Gallia Comata, where he had founded the colonies of Augusta Raurica (Augst) and Lugdunum (Lyons), building the temple of Saturn from his booty (*ILS* 886: doc. 15.13). He was later acclaimed

imperator a second time while serving in the East as one of Antony's legates. He also proudly recorded that he was one of the Seven for Sacred Feasts (*septemviri epulonum*), the college of priests responsible for the feast in honour of Jupiter at the ludi Romani. Augustus also held this position, as he did membership of all the major priesthoods.

The last formal triumph celebrated outside of Augustus' family featured L. Cornelius Balbus (nephew of Caesar's *praefectus fabrum*) in 19 for victories in Africa as proconsul. Balbus was both the first non-Roman born triumphator and the last private individual to triumph in Rome. The norm was now for victorious generals to receive only triumphal ornaments (*ornamenta triumphalia*): military glory belonged by right only to Augustus, although he personally declined any triumphs after 29, and by extension to members of his immediate family.

In republican tradition the greatest military honour of all was for a commander to be granted the right to dedicate the *spolia opima* ('most honourable booty') to mark victorious hand-to-hand combat over an enemy commander, whose armour would then be dedicated in the temple of Jupiter Feretrius on the Capitol: in 31/30 Augustus had recently rebuilt the temple of Jupiter Feretrius as one of the first items in his building programme. Historical examples cited were A. Cornelius Cossus who defeated Lar Tolumnius of the Veientes in 437, and M. Claudius Marcellus (cos. 222) who defeated Viridomarus, king of the Gaesatae at Clastidium. Romulus himself was also said to have slaughtered Acron, ruler of the Caeninenses, after the rape of the Sabine women, after which he built the temple of Jupiter Feretrius, reputedly the first temple in Rome (Livy 1.10.6).

This ancient tradition became relevant in 29/28 when M. Licinius Crassus (cos. 30), grandson of the Crassus of the 'first triumvirate', was campaigning on the Danube frontier as proconsul of Macedonia and Greece. Crassus personally killed Deldo, king of the Bastarnae, in battle, and was awarded a joint triumph with Augustus in 27 for victories over Thrace and the Geti, but claimed in addition the right to dedicate the *spolia opima*. Augustus seems to have felt that his military prestige was being challenged, and perhaps that Crassus was identifying with Romulus. Crassus supposedly cited Cossus as a precedent, in that Cossus was military tribune and so (like Crassus himself) not fighting under his own auspices, but Augustus blocked Crassus' request on a technicality, arguing that he had discovered evidence during the restoration of the temple of Jupiter Feretrius (an inscription on Cossus' linen breastplate), showing that Cossus actually *had* been consul at the time, and fighting under his own auspices, which undercut Crassus' claim. Livy clearly doubted the veracity of Augustus' discovery (Livy 4.20.7: doc. 15.14), and Crassus disappeared into private life after this episode, a victim, like Cornelius Gallus, of Augustus' desire to have the victories of generals outside his own family downplayed.

An embassy from India, 20 bc

Trade relationships between the Greco-Roman world and India were already in place in the Augustan period (Strabo 17.1.45), with Indian goods arriving every year at Myos Hormos on the Red Sea, from where they were transported to the Nile by camel caravans and then down river to Alexandria. While Augustus was in the East in 20, based on the island of Samos, he received an embassy from India which offered him

splendid gifts. Nikolaos of Damascus himself met the embassy at Antioch, and his account is reflected in the narratives of Dio and Strabo (Nik. Dam. F 100: doc. 15.15). According to Nikolaos, only three of the envoys survived the journey, and they conveyed to Augustus a letter from King Porus (Alexander the Great had defeated a King Porus), offering him full access to his kingdom, accompanied by rich and unusual gifts including a ‘hermes’ (a boy without arms, like a Greek ‘herm’), enormous snakes, and a huge tortoise and partridge (‘larger than a vulture’). The embassy even included a Buddhist priest, Zarmanochegas (‘sramana teacher’) who burnt himself to death at Athens ‘in accordance with the customs of the Indians’ when Augustus was there. Dio’s account (54.9.8–10) also mentioned tigers, seen for the first time by the Romans, and Plutarch noted that the priest’s tomb was well known in his day (Plut. *Alex.* 69.8). The exotic embassy clearly made a great impression, and Augustus specifically noted that ‘embassies of kings were frequently sent to me from India, such as had never been seen before that time in the presence of any Roman commander’ (*RG* 31.3).

The Ara Pacis Augustae commissioned, 13 BC

After spending the winter of 20/19 on Samos, Augustus returned to Rome on 12 October 19, when the altar of Fortuna Redux was dedicated. He was then absent again from Rome between 16 and 13, after incursions of tribes across the Rhine. His step-sons Tiberius and Drusus campaigned against the Alpine tribes in 15 and 14, conquering Raetia in 15 (Figure 15.4). On his return to Rome in July 13 the Ara Pacis Augustae (‘altar of Augustan Peace’) was commissioned, which was inaugurated on 30 January in 9 BC. It celebrated the peace which Augustus had brought to Rome after decades of civil strife, and stood in the north-eastern corner of the Campus Martius. Many family members were portrayed on the altar, with the frieze depicting an idealised procession of the ‘divine family’ and major priesthoods. In the passage in the *Fasti* describing the altar, Ovid tells the pontiffs to pray that ‘the house that champions peace last with peace for ever’ (Ovid *Fasti* 1.709–722: doc. 15.16). The altar depicted the rewards of peace, while subtly celebrating the military successes that made them possible. On the west side Aeneas sacrifices to the di penates, balanced by Mars; on the east fertility is highlighted, with Roma resting on her weapons, while a goddess (Tellus, ‘Earth’, Venus, Ceres, or Peace) sits nursing twins (Figure 15.3).

Augustus was not interested in personally engaging in world conquest, but was concerned to portray an image as world conqueror. One of the best known lines in Vergil’s *Aeneid* (6.853) expresses Rome’s mission as to ‘spare the conquered and subdue the proud’, with Augustus portrayed on Aeneas’ shield with conquered peoples ‘as diverse in language as in appearance, dress, and arms’ (*Aen.* 8.720–729: doc. 15.11). Peace was celebrated on the Ara Pacis as the consequence of just conquest, ‘a greater glory to our leaders than war’ (Ovid *Fasti* 1.714: doc. 15.16), and Augustus’ gift of peace to Rome had been marked by the closing of the temple of Janus in January 29.

In 13 Agrippa’s tribunician potestas was extended by another five years, and he was sent to Pannonia early in 12, where he fell ill, dying shortly after his arrival back in Italy. Tiberius then took over the subjection of Dalmatia and Pannonia between 12 and 9 (marrying Julia in 11), while Drusus began the conquest of Germany. Drusus died in Germany in 9 following a fall from his horse, and in 8 Tiberius crossed the Rhine, accepted the surrender of the Germani, and settled 40,000 of them on the left



Figure 15.3 The Ara Pacis Augustae (Altar of Augustan Peace), showing the eastern side, with the so-called 'Tellus' panel (left). A goddess (Tellus, Venus, Ceres, or Peace) nurses twins on her lap, perhaps denoting Gaius and Lucius or the Roman people generally. The figures to left and right, seated on a swan and sea-serpent, may represent air and sea.

Source: Photo © Stefano Politi Markovina/Alamy Stock

bank (Map 8). He was, however, shortly to leave for the East after the emergence into public life of Augustus' two grandsons.

In 6 the tropaeum Augusti ('trophy of Augustus') was erected at la Turbie, on an outcrop above modern Monaco, at the highest point of the via Julia Augusta into Gaul, to celebrate the victories of Tiberius and Drusus in the Alps, recording the 49 Alpine tribes that had been subjugated (Pliny 3.136–137: doc. 15.17; cf. RG 26.3). A circular building surrounded by columns, the monument stood nearly 50 metres tall on a rectangular plinth some 32.5 metres long, with a conical roof topped by a statue of Augustus. It was substantial enough to be used as a fortress in the Middle Ages, and has now been restored.

'Victory' over Parthia

It was in 20 that peace was made with Parthia and Augustus received from Phraates IV the surrender of the standards taken by the Parthians in the campaigns waged by Crassus in 53, Decidius Saxa in 40, and Antony in 36, as well as the last Roman survivors from the engagements. This was part of a deal related to negotiations over Phraates' son, who had been taken to Rome as hostage by Tiridates, a pretender to the Parthian



Figure 15.4 A denarius struck at Lugdunum (Lyons), 15 BC, depicting Augustus receiving laurel branches from two soldiers, possibly Tiberius and Drusus. Augustus is shown bareheaded with the legend *DIVI F* (divi filius); on the reverse he is seated, bareheaded and togate, on a curule chair on a dais, receiving laurel branches from two soldiers who each carry a parazonium (a long dagger worn as a mark of rank by senior officers), perhaps his step-sons.

Source: Courtesy of Classical Numismatic Group

throne: Augustus allowed Tiridates to live at Rome and had Phraates' son returned to his father.

Phraates also recognised Roman supremacy in Armenia: Tiberius had marched through Macedonia and Armenia to join Augustus in the East and put Tigranes III, who had been captured by Antony in 34, on the Armenian throne, transforming Armenia into a Roman client kingdom. An official border was also agreed between the Parthian and Roman empires. This was a great diplomatic triumph, but was portrayed in Rome as a glorious military victory, for which Augustus was personally responsible (*RG* 29.2). A triumphal arch was erected in Rome, and the victory was depicted on the Prima Porta statue, and on the coinage (Figures 15.2, 15.5). According to Suetonius, the Parthians were so cowed that they even deferred to Augustus from now on in their choice of ruler (*Suet. Aug.* 21.3: doc. 15.12).

An aureus of 18–17 depicted the triumphal arch with three portals constructed in Rome to celebrate the occasion: above the central portal Augustus is shown in a quadriga (a triumphal chariot), while on the left a Parthian soldier offers him a standard and on the right, a Parthian, holding a bow, offers him an eagle. The legend on the coin reads: ‘Citizens and military standards recovered from the Parthians’ (*Crawford RRC* 4453: doc. 15.18). A denarius issued in 19/18 similarly depicted the victory as a military one, with a bareheaded Parthian kneeling and extending a standard with a vexillum attached marked with an X (a flag with the name and identity of the legion), and the legend ‘Caesar Augustus standards returned’ (Figure 15.5).

The temple of Mars Ultor, Mars the Avenger, was commenced in 19 to house the recovered standards, the first temple to the god within the pomerium. Octavian committed to the project as early as 42, when he vowed at Philippi to dedicate a temple to



Figure 15.5 A denarius struck in 19/18 BC by the moneyer P. Petronius Turpilianus, depicting the goddess Feronia, and a Parthian returning a captured standard. On the obverse Feronia wears a stephane (diadem) and necklace; on the reverse CAESAR AVGSTVS SIGN RECE ('Caesar Augustus standards returned') with a bareheaded Parthian kneeling and extending a standard.

Source: Courtesy of Classical Numismatic Group

commemorate his defeat of his father's assassins, but it was not finally dedicated until 12 May 2 BC. The temple had a central place in the Augustan forum and reminded Romans of Augustus' descent not just from Caesar, but from Mars as the father of Romulus. The cult statues were Mars, Venus, and Caesar, with Mars, Venus, and Fortuna on the pediment, flanked by Romulus and Roma (Figure 15.13). Ovid in his *Fasti* (5.545–598: doc. 15.96) described the statues that it housed; the porticoes on either side of the temple contained 108 figures of Augustus' ancestors, such as Aeneas carrying Anchises, Romulus, and martial figures from Roman history.

Augustus and the army

The reality of Augustus' hold on power was that he had established a standing army, and positioned himself as the commander to whom every year the troops swore an oath of loyalty. He was able to pay for their allegiance, and from 44 had been prepared to bid highly to attach soldiers and veterans to his cause. After Actium 120,000 veterans settled in colonies each received 1,000 sesterces from war booty (RG 15.3), and, from 30, Augustus spent some 600 million sesterces on settling soldiers in Italy, and 260 million on land for settlement in the provinces (RG 16.1–2). Colonies of veterans were established in Africa, Sicily, Macedonia, Spain, Greece, Syria, Gaul, and Pisidia, and he was responsible for 28 others founded in Italy. From 14 veterans were no longer allocated land, but instead given bounties, and between 7 and 2 BC Augustus paid out 400 million sesterces in cash bounties to soldiers who were settled in their own municipalities. In AD 6 he transferred 170 million sesterces from his patrimony into the newly established military treasury, which from this point took care of retirement pensions for veterans (RG 28.1–2).

At the end of the period there were some 25 legions in arms, stationed across the most vulnerable provinces, as well as nine praetorian and four urban cohorts, which protected the princeps himself and policed the city of Rome. Augustus noted that Gaul, Spain, and Germany had been pacified, and peace imposed across the Alpine region, with armies campaigning as far away as Ethiopia and Arabia (*RG* 16.1–27.3). Nevertheless Rome later faced a real crisis with the defeat of Varus in Germany, which forced Augustus to reconsider the importance of keeping the empire within easily defensible boundaries (Vell. 2.117–119: doc. 15.108).

Augustus and traditional religion

One of Augustus' main aims was to promote traditional values, and his religious programme, marked by the revival and celebration of the ludi saeculares in 17, helped to underpin the propaganda that he was restoring the moral standards of the Republic. The temple of *divus Iulius* was dedicated in August 29, while in 28 Augustus oversaw a wide-ranging programme of temple reconstruction in Rome (the repair of some 82 shrines: *RG* 20.4). In addition, he revived religious institutions and cults, which (whether accurately or not) were presented as having been neglected in the later decades of the Republic. He was himself 'divi filius', and his religiosity was enhanced by his portrayal as 'Augustus' and thus quasi-divine, although he refused divine honours in his lifetime in Rome. The new title, and the honours granted him by the senate helped to reinforce his special standing. His taking of the auspices in his first consulship in 43 had even been marked, it was said, by the manifestation of 12 vultures, foreshadowing the fact that he would be a second Romulus in refounding Rome (Dio 46.46.2). His return to traditional religious standards was to underpin the programme of social reforms in which he engaged from 18, limiting extravagance, regulating divorce, and attaching penalties to celibacy, childlessness, and adultery, at least among the upper classes.

Apollo and the Actian games, 28–27 BC

Augustus' completion of the temple of Apollo on the Palatine, which was connected to his own residence, took place in October 28, and Apollo's supposed intervention at Actium led to greater emphasis being placed on the worship of this god under Augustus. To celebrate his victory over Cleopatra (and Antony), Augustus inaugurated a festival, the Actian Games, at Nicopolis ('Victory City'), which was a new foundation on the site of his camp at Actium (Dio 53.1.3–6: doc. 15.19; Figure 15.6). A festival was already celebrated there in honour of Apollo, but, probably in 27, the games were elevated by Augustus to Olympic status, and became a penteteric festival (held every four years), and Augustus also restored the sanctuary of Apollo. The competitions included gymnastics, the arts (heralds, musicians, and poets), and equestrian events. Augustus also put on quinquennial Actian 'circus games' at Rome which were first celebrated at the consecration of the temple of Apollo on the Palatine in 28. These included athletic competitions, as well as gladiatorial combats. Actian games were soon established by cities across the empire, and from an inscription at Kos it is clear that there were events for boys, youths, and men and that competitors travelled across the Eastern Mediterranean to compete (Moretti no 60: doc. 15.57). Augustus

also gave increased prominence to the performance of the *lusus Troiae* (the ‘game of Troy’), which featured equestrian youths and was played by 6- to 17-year-olds of noble and high-ranking families (cf. Suet. *Jul.* 39.2: doc. 2.35). The game consisted of a display of horsemanship and took place at important festivals, triumphs, and the consecration of temples, including the dedication of the temple of *divus Iulius* in 29, as well as that of Mars Ultor in 2.

Pontifex maximus, 12 bc

Augustus’ unarguable pre-eminence in religious activities at Rome came to its peak with his inauguration as *pontifex maximus*. Lepidus had been elevated somewhat irregularly to the position after Caesar’s assassination, and Augustus scrupulously waited for 30 years until his death in 13 before he took on the role, which he did in March 12 (March was the month in which the *pontifex* traditionally took office): he stated he took on the priesthood ‘at the eventual death of that person who had used the opportunity of civil unrest to seize it’, noting that a huge crowd flooded into Rome for his election (*RG* 10.2). The day (6 March) became an annual festival. To demonstrate the return of traditional religious institutions, he appointed a *flamen Dialis* ('flamen of Jupiter') in 11 as the position had been vacant since 87 after the suicide of Cornelius Merula, and perhaps a *flamen Martialis*: the taboos surrounding the *flamen Dialis* and his wife were slackened to make the role much less inconvenient (Gell. 10.15.1–30: doc. 3.21). Augustus remained in his own house on the Palatine and did not remove to the *domus publica* in the forum, traditionally the residence of the *pontifex maximus*, but dedicated a shrine to *Vesta* in his own home (see Figure 3.8), thus making it at least partially a consecrated site (it was also linked to the temple of *Apollo*). Under Augustus the office of the *pontifex maximus* became central to Rome’s religious system.



Figure 15.6 A denarius from an Italian or Roman mint, 30–29 bc, depicting the laureate head of Apollo of Actium (resembling Octavian), and Octavian establishing the pomerium of Nicopolis in Epirus. Octavian is ploughing with a yoke of oxen to establish the pomerium of his new city. His head is covered for the religious rite and he carries a whip in his left hand; IMP CAESAR is in the exergue.

Source: Courtesy of Classical Numismatic Group

Augustus showed his respect for traditional forms by taking on membership of all important religious bodies (Suet. *Aug.* 31.1–4: doc. 15.20). By 16 he was already a member of every priestly college, becoming pontifex in 48, augur in 41–40, a member of the Fifteen in c. 37 and the Seven by 16 (Caesar had been pontifex and augur). He was also an Arval brother, and a member of the sodales Titii (supposedly created by Romulus for the cult of Titus Tatius) and of the fetials, an ancient priestly college responsible for declaring war. His name was added to the hymn to the Salii in 28 (RG 7.3, 10.1). All of these rites and priesthoods he either revived or reinvented to promote the perception that he was restoring religious observances dating from Rome's ancient past. In Republican Rome it was normal for a patrician to hold a single priestly office, but Augustus held seven (he was a member of every college of priests), and his priestly status was often featured on coinage.

Under Augustus the membership of the four colleges of priests was increased, with the collegia divided between equestrians and senators, and priesthoods were highly prized and sought after (RG 25.3: Augustus stated that he had given priesthoods to 170 of his supporters). Elections were intensely competitive, as priesthoods were held for life and were often valued more highly than an annual magistracy, especially as Augustus and his family were well represented among the membership. However, as bodies the collegia lost importance, with their decision-making functions accreting to Augustus. As pontifex he reorganised the calendar, in which the leap year had been wrongly inserted, and dealt with the recruitment of Vestals, encouraging senators to put forward their children and swearing that he would have put forward his own granddaughters had they been of the right age (between six and ten years: Suet. *Aug.* 31.3). He also granted the Vestals additional privileges, such as reserved seats at the theatre, and they had the use of the domus publica. He may also have increased their public living allowance, and in AD 9 they were given the privileges of ius trium liberorum (see 'More rights for women', later).

To ensure the eradication of any unwelcome or dangerous prophecies, Augustus took control of the Sibylline Books, still in the charge of the Fifteen, and had them transferred from the temple of Capitoline Jupiter to that of Apollo on the Palatine near his own house, where they were housed under the pedestal of the cult statue. He had already ensured that the more recent prophecies, or those considered spurious, had been deleted (they had been reassembled by Sulla after the destruction of the temple of Jupiter in 83). As part of this campaign against the dangers of unlicensed prophecy he had all suspect divinatory books, whether in Greek or Latin, burnt, with only the Sibylline Books exempted as genuine (Suet. *Aug.* 31.1: doc. 15.20).

Household cults and the Compitalia

Augustus also revived the Compitalia, a three-day festival in January celebrated by citizens, freedmen, and slaves at the crossroads in their region of the city, with the date announced by the praetor. Cakes were sacrificed to the Lares, and games, ludi compitacii (or compitales), including boxing matches and dramatic shows took place, with distributions of wine for freepersons and slaves (Suet. *Aug.* 31.4). The celebration had been restricted since the 50s, when the colleges in charge of cults at the crossroads had taken on a political agenda, and were suppressed by Caesar (Suet. *Jul.* 42.3: doc. 13.56). In 7 Augustus divided Rome into 14 regions and 265 wards or 'villages' (vici),

which were now responsible for celebrating the cults of the Lares Augusti and genius Augusti, celebrated on 1 May and 1 August. The Lares were the protecting spirits of the dead, and hence the Lares Augusti were imperial ancestors, while the genius of Augustus was his divine spirit. A shrine was built at the crossroads in every ward with the genius Augusti worshipped alongside the Lares compitales (*RG* 19.2), and the cult, the Compitalia, was in the charge of annual magistrates (magistri vicorum or vicomagistri), generally freedmen, assisted by slaves (ministri vicorum), who were also responsible for putting on the games at these local festivals.

In domestic religion, the Lares of the family, the Lares domestici or privati, as opposed to the Lares publici worshipped at the Compitalia, were the centre of family worship, and their images were usually kept in a specially designated shrine, the lararium, in the atrium or tablinum of the house, often alongside a snake-shaped genius. Lares were the guardians of houses, as well as of villages and regions of the city, and in the home offerings were set before them daily (Figure 3.2). They were especially worshipped on the Kalends, Nones, and Ides of the month (*Cato Agr.* 143.2: doc. 6.37). On festive occasions they were adorned with wreaths, and the first duty of a new bride was to offer a sacrifice to the Lares: offerings could include cakes, garlands, incense, honey, wine, and fruit, while animals could also be sacrificed especially after a birth or death. Boys dedicated their bullae (amulets) to the Lares as a rite of passage, and brides their dolls and breast-bindings. In the *Fasti* Ovid associates Augustus with many rituals such as the worship of the domestic Lares in Roman households. The festival of the Parentalia, which began on 13 February when offerings were made to deceased family members and public mourning observed, was followed on 22 February by the Caristia, which celebrated existing relationships between surviving family members, and small gifts exchanged (Ovid *Fasti* 2.617–634: doc. 15.21). The household Lares played an important role in this festival, and as well as offerings to the Lares of the family Ovid describes prayers and libations being made to Augustus, who was now associated with rituals in private homes, with his image flanking those of the household gods.

Livia and Fortuna Muliebris

Augustus was now part of the religious life of the city at all levels and Livia supported Augustus in his revival of traditional ceremonies and religious rituals. She was particularly concerned with women-only cults and was responsible for restoring the temple of the Bona Dea on the Aventine, as well as the shrine of Fortuna Muliebris ('Fortune of Women') on the via Latina (*CIL VI*.883: doc. 15.22): the shrine of Fortuna Muliebris was associated with Coriolanus, whose mother and wife had persuaded him not to attack Rome, and women who participated were expected to be univirae (only married to one man), unlike Livia who was herself twice married (*Dion. Hal.* 8.55.3: doc. 7.84). She also built a new shrine to Concordia within the Porticus Liviae. It is significant that she showed an interest in traditionally female cults, thus not competing with Augustus as a patron. The Ara Pacis was consecrated on her 50th birthday, 30 January 9, while her family were prominently portrayed in the altar's reliefs.

Religion was an essential part of the way in which Augustus united Romans and Italians in a single cultural identity. Many of the first temples he rebuilt or restored were not necessarily the most important, but those connected with Romulus and

Rome's remote past, such as Jupiter Feretrius (*RG* Appendix 2). He was careful to present any innovations as a return to ancestral traditions, and disapproved of the worship of foreign gods such as Isis, whose rites were periodically banned, and in 28 prohibited Egyptian cults within the pomerium (Dio 53.2.4). While he repaired the temple of the Magna Mater on the Palatine, it was not constructed in marble, and the cult was assigned to freedmen not citizens, and although he revived and restored a number of supposedly traditional cults, it was done in such a way that, whether public or private, they were reshaped around Augustus himself, Imperator Caesar Augustus, as the central figure.

Marriage, divorce, and adultery

In his legislation relating to marriage, divorce, and adultery Augustus was primarily concerned with the marriages and birth-rate of the senatorial and equestrian orders. His laws, *leges Juliae*, put to the assembly by virtue of his tribunician potestas (*RG* 6.2), focussed particularly on marriage as a social institution and the dangers of the declining rate of childbirth among the upper classes. Two laws were passed in 18, the *lex Julia de maritandis ordinibus* ('on the regulation of marriage'), which encouraged marriage among the upper-classes together with restrictions as to whom they could marry, and the *lex Julia de adulteriis coercendis* ('on the repression of adultery'), which made adultery a public crime, and targeted extra-marital sexual relations, pederasty with a citizen boy, and other sexual offences.

As well as penalising the unmarried and childless, Augustus provided incentives to encourage marriage and childbearing, while adultery on the other hand was punished by exile and the confiscation of property, and celibacy by restrictions on the inheritance of certain types of legacy. The legislation was not well received and it arguably had less impact than he would have hoped: it was updated in AD 9 through legislation put forward by the consuls M. Papius Mutilus and Q. Poppaeus Secundus, both of whom were unmarried and childless (Papius was a descendant of the Samnite leader, C. Papius Mutilus, in the Social War). Bearing in mind Augustus' sense of irony it was probably for this reason that he had the legislation passed under their names rather than as a *lex Julia*. These social reforms were part of a package which included a further revision of the membership of the senate in 18, which reduced the body to some 600 members, and reform of the courts.

Augustus claimed (*RG* 8.5) that his social legislation reintroduced traditional standards and set an example to posterity. It certainly demonstrated the degree to which he was concerned with moral and social issues relating to the upper classes in Rome. The new law on marriage in 18 required citizen males between 25 and 60 years and women between 20 and 50 years to marry. Failure to do so incurred penalties, including restricted inheritance rights, with the unmarried or childless only able to inherit from their closest family members. Limits were even imposed on the legacies that husbands and wives could leave to each other, and the amounts that could be accepted depended on the number of their children, while widows were penalised if they did not marry again within a specific timeframe (a year if a widow, or six months if a divorcee). Unmarried persons, caelibes, also appear to have been forbidden to attend public spectacles and banquets, although an exemption was made for the *ludi saeculares*, and they may have been restricted to certain seats at the theatre.

Suetonius speaks of an ‘outcry by objectors’, and the legislation was still unpopular two decades later, when Augustus had it revised in AD 9 (*Suet. Aug.* 34.1–2: doc. 15.23), when he made a public display of the young children of Germanicus and Agrippina (Livia’s grandson and Augustus’ great-niece), to quieten calls by the equites for a repeal of the laws. In a speech to the equites, he painted a picture of the pleasures of home life with a wife to raise children and care for her husband, and with a baby to bring up and educate as ‘a mirror of your body and of your soul, so that as it grows another self comes into being’, thus ensuring the continuation of the family (*Dio* 56.3.3–5: doc. 15.24). At this point loopholes were being employed to evade the legislation, with men engaging themselves to infants to delay the actual marriage, and he was forced to reduce the time period allowed for betrothals.

Augustus’ law on adultery, the *lex de adulteriis*, also passed in 18, made adultery and other sexual offences between citizens public crimes, tried in a new criminal court. The law was not concerned with sexual relations between Roman men and slaves, prostitutes or foreigners, but with adultery and sexual misconduct (*stuprum*) between Roman citizens. For the first time adultery on the part of husbands was targeted, not just misconduct by the wife. The guilty woman lost half her dowry and a third of any other property, and was banished to an island and prohibited from remarriage. The adulterer could lose half his property and be banished to a (different) island. A wife who was complicit in her husband’s affair with a married woman, or anyone who facilitated the relationship, could be prosecuted. Being under age was no excuse for adultery, while it was a punishable offence to marry a woman convicted of adultery, fail to divorce an adulterous wife, make a profit from one’s wife’s adultery, accept a bribe to conceal sexual misconduct, or lend one’s house for such purposes (*Dig.* 4.4.37: doc. 15.25).

Any citizen over the age of 25 years was able to prosecute an adulterer up to six months after the event, if the father and husband of the woman involved had not done so in 60 days, and a husband could have his wife put on trial for adultery in a previous marriage (*Justinian Dig.* 48.5.4.1, 48.5.5: doc. 15.25). If caught in the act (in his own house or that of his son-in-law, and if the woman was under his control), the adulterer could be killed by the woman’s father, although the father had also to attempt to kill his daughter at the same time; the husband was not allowed to kill the lover, because he might be impetuous and misjudge the situation. If the father did not wish or was unable to kill the lover, the guilty party could be held for 20 hours while evidence against him was being sought (*Dig.* 48.5.23.4, 48.5.26: doc. 15.25). The *lex Julia* also punished homosexuality, probably to protect young citizen males from being enticed into pederastic relationships, and the seduction of girls and virtuous widows, the punishment being confiscation of half the seducer’s property, ‘if respectable’, or corporal punishment and banishment ‘if low-born’ (*Justinian Inst.* 4.18.3–4; doc. 15.25). Such legislation was unprecedented, the more so as the law laid down penalties for those who ‘encouraged’ or facilitated adultery or *stuprum*. Tacitus (*Ann.* 3.25) even noted that there was a growing class of professional informers, *delatores*, who investigated family relationships within private households and targeted prominent men for breaking these laws.

The *lex Julia de maritandis ordinibus* not only encouraged marriage, but did so between members of the same class. There were restrictions on senators, and their descendants to the fourth generation, marrying beneath their rank, including

freedwomen, actresses (or the children of actresses), or prostitutes, while ordinary citizens were not allowed to marry procuresses (female pimps), anyone freed by a procuress, women caught in adultery, those convicted in a public court, or any who had ‘practised the dramatic art’ (being an actress and especially a mime was synonymous with being a prostitute). However, despite the restrictions laid down for senators, Augustus otherwise encouraged citizens to marry freedwomen.

Childlessness and the birth-rate in Rome

Under certain circumstances the penalties for being childless were waived, and the survivor could receive the entire inheritance from the deceased spouse; this was permitted if the couple was under the requisite age (the husband less than 25 years and the wife less than 20), or older (the husband more than 60 years and the wife more than 50). There were also exceptions to allow for cases where the husband was absent for a lengthy period, perhaps on military service. Couples were also able to make a will in favour of the other if they had received the ‘right of children’ (*ius liberorum*) from Augustus: the *ius liberorum* was granted to those that had a son or daughter in common, or had had a son of 14 or a daughter of 12 years who had died, or who had lost two children of 3 years of age, or three after their naming day, which was the ninth day after birth for males, the eighth for females. The loss of even one child under the age of puberty allowed the survivor to take the entire inheritance during an 18-month period after the child’s death. Posthumous children allowed a wife the right of inheritance, although this prerogative was lost if the marriage had contravened the legislation regarding appropriate spouses, such as a senator marrying a freedwoman (*Ulpian Epit.* 13.1–2, 14, 16.1–2: doc. 15.26). That part of the bequest which was disallowed went to others named in the will who had children, or otherwise to the treasury.

As well as penalties, there were incentives outlined in the legislation. Those who had three or more children were rewarded by Augustus’ legislation, and citizens were actively encouraged to marry freedwomen, with their resulting offspring being legitimate citizens. The senate protested against compulsory marriage, on the grounds of ‘the disorderly behaviour of women’, which put people off wanting to marry, and on being pressured into answering as to how the conduct of wives could be policed, Augustus was said to have responded that ‘you all ought to counsel your wives and instruct them as to your wishes – that is what I do’ (Dio 54.16.1–6: doc. 15.27). When pushed for further elucidation, he reluctantly suggested that he was accustomed to comment on Livia’s dress and adornments, visits outside the house, and general propriety of behaviour, though as Dio noted his remarks were not thought to be borne out by the reality of the relationship between the couple.

Betrothals to infant girls were now forbidden, as men were putting off their marriages for several years in order to class technically as husbands: there could now be no more than a two-year period between the betrothal and marriage. As girls were thought to be marriageable at the age of 12 years, betrothals could therefore not take place until the girl was 10 years old (Dio 54.16.7: doc. 15.27).

The need to increase the birth-rate in Rome was not a new topic, and Augustus had read out in the senate a speech by the censor Q. Caecilius Metellus Macedonicus delivered in 131, which dealt with the duty of men to marry in order to produce children (Suet. *Aug.* 89.2: doc. 15.3). Caesar as consul in 59 had also given priority in his land

distribution of the ager Campanus to citizens with three or more children (Suet. *Jul.* 20.3). Nevertheless, the legislation aroused a great deal of resistance among the upper classes and according to Tacitus, childlessness remained fashionable during the first century AD (*Ann.* 3.25).

The lex Papia Poppaea, AD 9

According to Augustus, the senate was in favour of his measures of social reform (RG 6.2: Greek version), but there was considerable opposition to the marriage legislation, and Dio considers 18 to have been the year that Augustus was particularly unpopular in Rome, with a number of conspiracies against both him and Agrippa. The fact that these laws were later modified in AD 9 by the lex Papia Poppaea strongly suggests that their unpopularity was unabated, and the equestrians in particular are shown as having been opposed to his reforms.

Freedpersons and the right of inheritance

The birth-rate in Rome was still a matter of concern to Augustus, but the legislation of Papius and Poppaeus in AD 9 focussed on freedpersons rather than the senatorial and equestrian orders, offering them incentives to have three or more children. The relationship between freedpersons and their patrons had involved automatic testamentary rights for the patron, but although wealthier freedpersons, those with a property of 100,000 sesterces or more, had been required to leave a large share of their estate to their patron, this was now removed if they had one or more children. The patron only received half the inheritance if the freedman left one child, a third if two, and if the deceased had three children the patron was excluded from any compulsory legacy. Moreover, while patrons had automatically been the heirs of their freedwomen, being their legal guardians (without whose permission the freedwoman might not make a will), the lex Papia released a freedwoman with children from the guardianship of her patron, so that she was now under certain circumstances allowed to leave a will, in which the patron would receive a share equal to that of each of her children at the time of her death: if she left four children, for example, the patron would receive a fifth of her property. If, however, she survived all her children, the patron would be her sole heir. The same right of inheritance applied to the son of the freedwoman's patron (or his other direct male descendants), who would be the next legal heir after the patron himself. Female heirs were excluded from this inheritance, but by right of being a mother of three children they were able to demand half the property of their freedwomen (even if this was contrary to the provisions of the freedwoman's will or if the freedwoman died intestate).

The rights of patronesses who had children were also strengthened: previously they could not demand a share of the estate of a freedman against the freedman's adoptive son, wife, or daughter-in-law, but a freeborn patroness with two children or a freedwoman patroness with three were now granted almost the same rights as a male patron. Furthermore a freeborn patroness (but not a freedwoman patroness) with three children had the same rights that were given by the lex Papia to a patron (Gaius *Inst.* 3.42–46, 49–50: doc. 15.28).

The lex Papia Poppaea was intended to reinforce the leges Juliae and to block any loopholes. It also relaxed earlier sanctions, and allowed for those who were married but childless to receive one half of inheritances (*Gaius Inst.* 2.111: doc. 15.29). It also extended the period allowed to widows and divorcées before they were subject to penalties, but not by much: widows were now allowed two years and divorcées 18 months in which to remarry before penalties applied.

More rights for women

As a result of the lex Papia Poppaea, there were changes to regulations on guardianship for women: prior to this law Vestals were the only women who did not need to have guardians, and now the right of children (*ius liberorum*) allowed both freeborn women and freedwomen the same status as Vestals (*Plut. Numa* 10.5; *Gaius Inst.* 1.144–145: docs 7.90, 15.30). Citizen women with three children were exempted from guardianship, and freedwomen with four (if in statutory guardianship), or with three if in other forms of guardianship: the ‘*ius trium liberorum*’ (right of three children). Women with this right were permitted to inherit more than the maximum amount allowed by the lex Voconia of 169, 100,000 sesterces (*Dio* 56.10.1–3: doc. 15.27), while widows and divorcées with the prerogative of the *ius liberorum* were also freed from the obligation to remarry. When Drusus, Livia’s younger son, died in 9, Livia had been given the consolation of being classed among ‘the mothers of three children’ (i.e., given the *ius liberorum*), so that she could enjoy all the privileges of this status without suffering the penalties resulting from an insufficiency of children (*Dio* 55.2.5–7: doc. 15.27). Enticements for senators to marry and have children were provided in the form of increased eligibility for office, and, by this law, the consuls who had the most children would possess the senior status, not the candidate who had received the most votes.

As a result of Augustus’ legislation, bachelors, and those without children, had essentially a lower legal status in terms of inheritance rights, and could even be disadvantaged when standing for office. At the same time women with children now had more control over their property as well as additional inheritance rights, in opposition to the lex Voconia of 169. Augustus was attempting to raise the birth-rate among the upper classes, presumably to ensure that senators had sons who could succeed them in their magistracies and military and administrative roles. He may also have been concerned about army recruitment at lower social levels. Even one child brought great advantages, such as seniority in public office and the right to inherit the whole of one’s partner’s estate, while three children exempted a father from public duties in Rome, and allowed a freedman to exclude his patron from a legacy. Freedpersons were positively encouraged to have children, and Augustus was not concerned about any effect this might have on the demography of the Roman citizen population.

Adultery in Augustus’ family: the Juliae

Not only were Augustus and Livia without the requisite number of children to meet Augustus’ goals (Livia suffered a miscarriage: *Suet. Aug.* 63.1), but there were also causes of concern over sexual morality in the imperial family. Augustus’ only child,

Julia, had been married to Marcellus (in 25), Agrippa (in 21), and Tiberius (in 11), and by Agrippa had five children, Gaius, Julia, Lucius, Agrippina, and Agrippa Postumus; a son by Tiberius died as an infant (Family Tree 3). Julia had done her duty by her family, and she is depicted on the Ara Pacis with Agrippa and Gaius, and on coinage with her two elder sons whom Augustus adopted as his own children (Figure 15.11), as well as in the guise of Diana (Figure 15.7). Her marriage to Tiberius, however, was unhappy on both sides (they were separated by 6), and her behaviour is reported to have flouted the parameters of Augustus' own moral and social legislation. In 2, when Tiberius was still in retirement on the island of Rhodes, she was banished to the island of Pandateria for adultery (her mother Scribonia joined her, though they had been separated since Julia's birth), later being moved to Rhegium, while Augustus forbade her burial in his mausoleum.

Julia's alleged lovers included Mark Antony's son Iullus (as an infant she had been betrothed to his brother Antyllus), while Iullus (cos. 10 and proconsul of Asia in 7/6) had been brought up by Julia's aunt Octavia, and married in 21 to her elder daughter Claudia Marcella, Julia's cousin and his step-sister: Julia herself had, of course, previously been married to her cousin Marcellus, Octavia's son. The intimate and convoluted relationships within the imperial family are demonstrated by the fact that Agrippa was married to Claudia Marcella and then Julia, Iullus was married to Claudia Marcella and allegedly had an affair with Julia, and Tiberius was married to Agrippa's daughter Vipsania and then Julia. There were clearly political dimensions to the relationship between Julia and Iullus and he committed suicide. Iullus was so close to Augustus' family, being favoured by Augustus with the consulship in 10 and several provincial governorships including Asia, that his disloyalty was seen as a threat to the regime and as a reminder of the last civil war with Antony, while Julia's actions had threatened the perceived legitimacy of Augustus' heirs and adopted sons.



Figure 15.7 A denarius of 13 BC from Rome depicting Augustus with a lituus, and the draped bust of Julia as Diana. She is portrayed with a diadem, hair knotted at back, and quiver over her left shoulder. Apollo and Diana had figured prominently in the rites at the ludi saeculares in 17. Augustus had adopted Gaius and Lucius, the sons of Julia and Agrippa, in 17 as his presumptive heirs.

Source: Courtesy of Classical Numismatic Group

Julia the Younger, born c. 19, Julia's second child, married her cousin L. Aemilius Paullus (cos. AD 1) in 5/4 BC. In AD 8 she was exiled for adultery with D. Junius Silanus, while her husband was later banished for treason. A child she bore after she was exiled was killed (suggesting that adultery was the real issue on this occasion), and like her mother she was forbidden burial in the family mausoleum. The lex Papia Poppaea of AD 9, which revisited the *legesJuliae* of 18, came therefore at a very awkward time. Tacitus' comment that, in labelling the conduct of his daughter and granddaughter as sacrilege and treason, Augustus overstepped even the penalties laid down by his own laws, underlines the fact that adultery in the imperial house was a far more serious matter than among the general public, and that it was equated with sedition against the princeps.

The ludi saeculares

In 17, on the instructions of the Sibylline Books, Augustus had the *ludi saeculares*, or 'secular games', celebrated to restore the state and signify a time of rebirth and regeneration. The College of Fifteen in charge of the Sibylline Books, to which both Augustus and Agrippa belonged, was responsible for organising the games, which were traditionally held once every *saeculum*, the length of the life of a citizen, or 100 years. The ceremonial had previously been held in 249 and 146 (or 149), with the festival in 249, known as the Terentine games (*ludi Terentini*), consisting of offerings of black sacrificial animals on the Campus Martius in honour of Dis Pater and Proserpina (Pluto and Persephone). In 17 the festival was therefore long overdue (it could not be held in the 40s BC due to the civil wars), but a Sibylline oracle was conveniently unearthed which revealed that the longest age of man was 110 years, and therefore this was the correct interval at which to hold celebrations: to support this assertion the festival held in 249 was redated to 236. The pagan author Zosimus quoted the oracle itself: 'When the longest term of man's life has passed, and travelled the circle of 110 years, remember Romans, and let this not be forgotten . . . to all the immortal gods sacrifice on the plain by the boundless stream of Tiber' (Zos. 2.5.6: doc. 15.34).

From Augustus' point of view the revival of an antique republican festival of rebirth and renewal, with Sibylline approval, was an appropriate way of ushering in a new era. The festival was held from 31 May to 3 June, and was followed by seven days of games and theatrical performances. While records of past celebrations presumably existed, much of the ritual was an Augustan reconstruction, with the legal scholar C. Ateius Capito (cos. suff. AD 5) researching and recreating the antiquarian framework of the rites involved. A new lustrum and new age accordingly began for Rome on 31 May 17 under the auspices of Augustus.

The main location for the rituals was in the north-west of the campus Martius near the Tiber, at an altar known as Tarentum or Terentum, and the main deities featured were Apollo and Diana, Jupiter, and Juno. Prior to the festival, heralds summoned the people to a celebration, proclaiming it as one which no one alive had even beheld and which no one would ever see again, and there was a distribution to the populace, a new departure, of torches, sulphur, and asphalt for purification as well as of wheat, barley, and beans to offer as first-fruits (Zos. 2.5.2–3: doc. 15.34). Augustus and Agrippa respectively led the nocturnal and daytime prayers, each of which ended with a prayer on behalf of 'myself, my family and household': Agrippa was Augustus'

son-in-law and Augustus adopted Agrippa's two sons as his own children in this same year. The nocturnal offerings consisted of black victims and cakes to underworld deities, and these sacrifices were made on the Campus Martius invoking the Fates (*Moe-rae*), *Ilithyiae* (goddesses of childbirth), and Mother Earth, rather than the original deities of *Dis Pater* and *Proserpina*, bringing to the fore the Augustan theme of fertility and renewal. In the daytime offerings were made to Apollo, Diana, Jupiter, and Juno on the Capitoline and Palatine hills, and 110 leading matrons (one for each year of the *saeculum*) held *sellisternia* for Juno and Diana, at which the statues of the goddesses were placed on chairs (*stellae*) and offered a meal, while the women prayed to the goddesses on behalf of the Roman people. Part of the inscribed record of the events, which the senate decreed to be set up on pillars of bronze and marble on the Campus Martius, still survives (ILS 5050: doc. 15.32).

The Carmen Saeculare

The *Carmen Saeculare* (hymn sung at the secular games) was composed by Horace and performed, both at Apollo's temple on the Palatine and on the Capitol, by 27 boys and 27 girls, all of whom had parents still living. The hymn reinforced Augustus' moral and social reform package and implored the protection of the deities for Rome and its citizens for the next lustrum, and specifically mentioned Augustus' marriage legislation: *Ilithyia* is asked to 'help the decrees of the senate to thrive for the joining of women and fruitful progeny by the marriage law' (Hor. *Carm.* lines 19–20: doc. 15.33). Apollo is also invoked as the sun, with the prayer that he may 'never be able to behold a city greater than Rome' and is asked to 'prolong the Roman state and prosperous Latium into future lustra and better ages for ever'.

Games were held at night after the sacrifices, without a theatre or seats, as well as in a wooden theatre built by the Tiber. Then, following the three days of rituals and ceremonies, further games were held over a seven-day period on the Campus Martius, in the theatre of Pompey and the Circus Flaminus, and included theatrical performances, Greek musicians, chariot races, and a wild beast hunt. The next celebration of the games took place in AD 47 in the reign of Claudius. The pagan Zosimus (2.5.5), writing his account of Rome's history in the early sixth century AD, considered that its decline and fall had been the result of failure to uphold ancient republican traditions like the *ludi saeculares*, for 'as long as these were observed the Roman empire remained intact'.

Marcellus and Agrippa

M. Claudius Marcellus

Augustus had initially intended to groom his nephew and son-in-law M. Claudius Marcellus (son of Octavia Minor and C. Marcellus, cos. 50) as his successor, at least in the short term until any children of Marcellus and Julia would be old enough to take over. Born in 42, Marcellus had been betrothed as an infant to the daughter of Sextus Pompeius, and had served with Augustus in the war in Spain against the Cantabrians. After his marriage to Julia in 25 he held the aedileship in 23 (not having held the quaestorship) with Augustus financing lavish games on his behalf. He was also

admitted to the senate with the rank of an ex-praetor, appointed to the pontificate, and given permission to stand for the consulship ten years before the legal age. The promising nature of Marcellus' expectations was shown by the fact that Augustus' step-son Tiberius was given slighter lesser privileges: though born in the same year, he was quaestor in 23 (rather than aedile), and allowed to stand for magistracies five years before the legal age. When Marcellus succumbed to the epidemic in 23 which nearly carried off Augustus himself, dying at Baiae in September at the age of 19 years, Augustus delivered the funerary oration and Marcellus was the first to be buried in the imperial mausoleum. Augustus later commemorated him through the construction of the theatre of Marcellus (*RG* 21.1), while according to Plutarch (*Marcell.* 30.6) Octavia built a library in the Porticus Octaviae in honour of his memory.

In 23 Augustus obviously considered him too immature and passed him over for Agrippa (Dio 53.30.2: doc. 15.5), but in time he would surely have rivalled or surpassed Agrippa in status. Crinagoras of Mytilene, who took part in a delegation to Augustus at Tarraco in 26/25, was one of the poets in the circle of Marcellus' mother Octavia, and wrote a short eulogistic epigram on Marcellus' return from Spain to marry Julia, describing him as shaving his first beard as he came home laden with spoils: 'his country's desire this was – to send him out a boy, and receive him back a man' (Crinagoras *Anth. Pal.* 6.161: doc. 15.35). In the *Aeneid*, he is the last and most regretted figure in the procession of Roman heroes seen by Aeneas in the underworld. Vergil depicts Marcellus as accompanying his famed namesake M. Claudius Marcellus, five times consul and general in the Second Punic War, and presents him as his final descendent (Verg. *Aen.* 6.860–866: doc. 15.36). Aeneas is told that Marcellus' death was the 'great sorrow of your people', and that the Fates would only allow him a short life as otherwise the gods would have thought Rome too powerful. When the passage was read to her by Vergil, Octavia famously fainted at the line: 'if only you may break the dictates of harsh fate – you shall be Marcellus!' (Donatus 31: doc. 15.90). Velleius' comment that Marcellus 'had noble qualities, was cheerful in mind and disposition, and equal to the destiny for which he was being brought up' reflects the propaganda that surrounded Augustus' family, with Marcellus quasi-canonicalised after his death (Vell. 2.93.1–2: doc. 15.38).

M. Vipsanius Agrippa

Agrippa, one of Augustus' childhood friends and loyal supporters, like Maecenas, was during the early part of the principate clearly the designated substitute for Augustus in times of illness, as in 23 and in all military crises. Agrippa was almost entirely responsible for the victories over Sextus Pompeius and Antony. He had been praetor in 40, governor in Gaul in 39/8, consul in 37 and again in 28 and 27 with Augustus, while as aedile in 33 he poured huge amounts of money into Rome's infrastructure. In 23 he received imperium proconsulare for five years, during which he spent 23–22 in the East and in 19 finished the Cantabrian war in Spain. His imperium was extended for a further five years in 18, and he also received tribunician potestas, designating him as Augustus' colleague and deputy. But it was to Agrippa's children, Augustus' grandchildren, that Augustus looked for heirs. Agrippa had been married first to Atticus' daughter, Caecilia Pomponia (Attica), probably in 37 (their daughter Vipsania Agrippina married Tiberius in 16), then to Claudia Marcella Maior, Augustus' niece, in 28,

and then on Marcellus' death to Julia (Family Tree 3). When Augustus adopted the sons of Julia and Agrippa, Gaius born in 20 and Lucius in 17, it was a clear message that he intended them (not Tiberius and Drusus his step-sons) to be his closest male relatives, and their adoption took place in the same year as the ludi saeculares, noting the start of a new era of restoration and renewal. However, his step-sons were not forgotten: in 16 Tiberius and Drusus were praetor and quaestor respectively despite their ages, and Tiberius became consul in 13 when only 28.

Agrippa's public works

As aedile in 33, essentially a retrograde career step (having been consul in 37), Agrippa spent a fortune beautifying Rome, as well as putting on magnificent games to showcase the advantages to Rome of Octavian's presence (as opposed to Antony's absence in the East). He restored roads and completely reorganised the water supply, building the aqua Julia and repairing the Appia, Anio, Tepula, and Marcia aqueducts, and constructing reservoirs and hundreds of water basins and fountains in the city, while at his own cost he repaired public buildings and streets and cleaned out the Cloaca Maxima, the main sewer. From 27 to 24, while Augustus was absent in the West, he began an extensive building programme on the Campus Martius, dedicating the saepta Julia, a voting hall, in 26. This had been planned by Caesar, and Agrippa completed it and adorned it with marble colonnades and paintings. In 25 he finished the Pantheon, a temple to all the gods, with statues of Augustus and himself in the foyer, as well as the porticus Argonautarum ('portico of the Argonauts'), and the laconicum sudatorium, a steam-bath or sauna (Dio 53.26.5–27.5: doc. 15.39). In 19 he also constructed



Figure 15.8 A denarius issued by the moneyer L. Marcius Philippus in 57 or 56 BC, depicting the diademed head of Ancus Marcius, and an equestrian statue with a rearing horse on an aqueduct, the Aqua Marcia. Ancus Marcius was the fourth king of Rome. On the reverse, AQVA MAR within the five arches. The aqua Marcia was constructed in 144–140 by the praetor Q. Marcius Rex (presumably the horseman) and was repaired by Agrippa in 33. Philippus may have been the son of the consul of 56, and Augustus' step-brother; he was praetor in 44 and suffect consul in 38.

Source: Courtesy of Classical Numismatic Group

the aqua Virgo, an aqueduct which brought water into the city to feed the large bathing complex (the first extensive public bath facilities) which he had constructed on the Campus Martius near the Pantheon, and laid out the Campus Agrippa, a park with beautiful laurel trees. He also built a large granary (the horrea Agrippiana) behind the forum, and a bridge over the Tiber. In Gaul in 20/19 he oversaw significant building activity, especially at Nemausus and was responsible for the creation of a road system around Lugdunum.

Pliny documents that Agrippa, as aedile in 33, constructed 700 basins, 500 fountains, and 130 reservoirs, which were adorned with 300 statues and 400 columns of marble as part of his repair of the water-supply infrastructure. All 170 public baths were also opened free of charge, and games put on for 59 days, according to Agrippa's own memoirs of his aedileship (Pliny 36.121: doc. 15.40). Agrippa was also responsible for decorating Rome with paintings, a fashion started by Caesar with frescoes of Ajax and Medea in front of the temple of Venus Genetrix. Pliny denigrates Agrippa's non-senatorial background by depicting him as 'a man whose taste tended towards rustic simplicity rather than elegant refinement', but records his purchase of pictures worth 1.2 million sesterces from the people of Cyzicus when governor of Syria, and his integration of painted panels into his bath complex. While he was a noted collector himself, he was also on record as encouraging the public display of art in Rome, rather than its sequestration in private villas by the wealthy (Pliny 35.26: doc. 15.41).

Agrippa in the East

Following the successful celebration of the ludi saeculares, both Augustus and Agrippa left Rome for a three-year period, leaving T. Statilius Taurus as prefect of the city, while Maecenas also remained in Rome. Augustus spent the period in the West with his grandsons, while in 17 Agrippa once again went to the East where he was on



Figure 15.9 A denarius struck in Rome in 13 BC, depicting Augustus and Agrippa seated side by side on a bisellium. On the obverse Augustus, bare-headed, with the legend CAESAR [AV]GVSTVS; on the reverse Augustus and Agrippa on a bisellium (an honorary seat for two) positioned on a platform decorated with three rostra, with a spear or shaft on the left.

Source: Courtesy of Classical Numismatic Group

friendly terms with Herod of Judaea. Iullus Antonius, proconsul of Asia and Mark Antony's son (married to Agrippa's ex-wife Claudia Marcella Maior), wrote to the Ephesians in 7, depicting the Jews of Asia as grateful to both Augustus and Agrippa, even though Agrippa had died five years earlier, for permitting them to follow their own laws and customs and make their offerings to their divinity. Iullus confirmed their decisions, and the Jews were permitted to continue to act freely in accordance with their ancestral customs (*Joseph. AJ* 16.6.172–173: doc. 15.42).

Agrippa and his family were also honoured in the Greek cities. The people of Athens in 27 had dedicated a statue of Agrippa in a quadriga in front of the propylaea of the acropolis (*IG II²* 4122: doc. 15.43), and, while in Greece in this later period, Agrippa promoted the interests of the Argive gerousia, probably an association of elder citizens concerned with local cults, associated with the imperial cult like the Augustales in Italy (*RDG E* 63: doc. 15.44). Julia and other members of the family were also honoured in the East: a statue of Julia was dedicated at Mytilene where the couple wintered on several occasions and where Agrippina may have been born, as their benefactress, and ‘because of her excellence in every way and her goodwill towards our city’ (*IG XII* 2.204: doc. 15.45). The family attended the festival of the Muses at Thespiae in Boeotia, and an inscription in their honour mentions Agrippa and Julia, and the children Agrippina, Lucius, and Gaius, as well as honouring Livia (*EJ* 76: doc. 15.46).

Prior to the return of Agrippa and Julia to Rome an incident took place in 14 which reveals the realities of Roman rule in the provinces. Julia planned to visit Troy (Ilium), while Agrippa was returning from Sinope on the coast of the Black Sea. The locals were unaware of Julia's arrival and she and her entourage were in danger of being swept away as the river Scamander was in flood. Agrippa was so incensed that he fined the town 100,000 silver drachmas, which bankrupted the city. They were too afraid of Agrippa to appeal the decision, but approached Nikolaos of Damascus to ask him to appeal to Herod, who was accompanying Agrippa, to be their intercessor: Agrippa had been on terms of close friendship with Herod for some years, possibly since his stay on Mytilene in 23–21. Herod agreed to become Troy's protector and had the fine cancelled to the city's great satisfaction (*Nik. Dam. Life F* 134: doc. 15.47).

Agrippa's death and legacy

Both Augustus and Agrippa returned to Rome in 13, when their five-year grants of imperium were due to run out. These were renewed for a further five years, with Agrippa also awarded another term of tribunician potestas (Figure 15.9). Early in 12 he left for Pannonia, but was taken ill, dying in March in Campania on his return, at the age of 51. Augustus had him brought to Rome, and buried him in his own mausoleum with Marcellus. The funeral oration, a few lines of which are preserved in a papyrus fragment, mentions Agrippa's possession of imperium maius (or possibly imperium aequum): ‘into whatever provinces the Romans' state should dispatch you, it had been sanctioned by law that your power was to be not less than any other magistrate's in those’. He is also praised for his virtues and achievements which ‘surpassed all men’ as a colleague in Augustus' rule (*P. Köln* 10: doc. 15.48). The fragment also provides the information that Agrippa's younger daughter by Claudia Marcella, Vipsania Marcella Agrippina, was married to P. Quinctilius Varus (cos. 13), who was to

become notorious for his command against the Germans in the Teutoburg Forest some two decades later. It can hardly have been a coincidence that both of Agrippa's sons-in-law, Varus and Tiberius (who was married to his elder daughter), were consuls in the same year.

Dio's account also supports the idea that Agrippa possessed imperium maius with regards to provincial governors, recording that his imperium in Pannonia was 'greater . . . than that possessed ordinarily by governors outside of Italy' (Dio 54.28.1: doc. 15.50). In his account of events prior to Agrippa's death he states that the Pannonians were so terrified of his approach that they abandoned their rebellion. When he fell ill on his return, Augustus was in Greece, putting on contests at the Panathenaia in the name of Gaius and Lucius, and rushed back, only to find Agrippa had died, to Augustus' great grief (Figure 15.10). He had been a loyal, self-effacing friend, committed to Augustus' agenda, while his skills at lateral thinking had made him Augustus' greatest general. A society of the 'friends of Agrippa' is documented in Smyrna on a monument commemorating one of their members: such societies were groups formed to honour benefactors or cult figures (SEG 18.518: doc. 15.49), and there was at least one athletic festival established in Agrippa's name (Moretti no 60: doc. 15.57).

Agrippa had deliberately kept himself out of the limelight to support Augustus' political agenda. This had made him popular with the populace, and Augustus made a donation of 400 sesterces to all Romans, supposedly at Agrippa's request; Agrippa also left the people his gardens on the Campus Martius and the baths he had constructed. Dio's account, however, hints that Agrippa remained cold-shouldered by the senatorial order, with none of them prepared to attend the gladiatorial contests in his honour (Dio 54.30.6), even though his death was a significant enough event to have been marked, reportedly, by portentous omens in Rome – owls, a thunderbolt and comet, and a fire in the city.



Figure 15.10 A denarius to mourn Agrippa's death, struck c. 12 BC at an uncertain eastern mint, perhaps in Pannonia. On the obverse the head of the young Octavian with the corona civica; on the reverse the funerary motif of a candelabrum, ornamented with rams' heads, within a wreath entwined with two bucrania (ox skulls) and three paterae (libation bowls). The issue may have been struck to pay the Pannonian legions.

Source: Courtesy of Classical Numismatic Group

Agrippa left behind him an autobiography, notes on the water supply of Rome, and a geographical commentary, all now lost. His geographical work was used by Strabo and Pliny, and his world map, carved in marble, was later completed after his death and displayed in the portico completed by his sister Vipsania Polla, the Porticus Vipsania (Pliny 3.16–17: doc. 15.51). One of Agrippa's most important legacies, the overhaul of the water supply, was taken over by Augustus, with the responsibility for its maintenance handed over to the senate. According to Frontinus, Agrippa had possessed his own 'household' of slaves for the purpose of maintaining the aqueducts, reservoirs, and basins, and Augustus inherited this from him and handed it over to the state. The complexity of the arrangements is shown by a senatorial resolution of this year, prescribing infrastructure support for officials engaged on the supply outside the city: each is assigned two lictors, three public slaves, and an architect, and the same number of clerks, copyists, aides, and criers as those possessed by those in charge of the distribution of grain. Within the city they retained the use of all of these subordinates except the lictors. Writing tablets, scrolls, and all other necessary materials for the officials were to be provided by the praetors of the treasury (Front. *Aq.* 2.98–106: doc. 15.52).

Tiberius (Tiberius Claudius Nero)

With both Marcellus and Agrippa deceased, Augustus again needed a colleague to assist with government, until he could associate his grandsons with him in official life. Tiberius, his step-son, was his choice to succeed Agrippa (reluctantly according to Dio: 31.1). He was dispatched to take Agrippa's place against the Pannonians, and in 11 divorced his wife Vipsania Agrippina, Agrippa's daughter by Caecilia Attica, and married Julia, although he had one child already by Vipsania and she was pregnant with a second. The campaign was successful, but Augustus only allowed him triumphal ornaments, not a triumph itself as he was serving under Augustus' imperium not his own. His younger brother Drusus was a favourite of Augustus and the people: there were rumours that he wished to see the Republic restored (Suet. *Tib.* 50.1), and that he was Augustus' natural son, as he had been a 'three-month baby' (Dio 48.44.5: doc. 14.39). Both brothers campaigned in the west from 12 to 9, and it was Drusus who spoke the laudatio over Octavia, Augustus' sister and Drusus' mother-in-law, when she died in 11. Drusus began his consulship of 9 in absentia on campaign, and when he died in September at the age of 29, Tiberius took over his command in Germany.

Tiberius then became consul again for 7, and was also allowed to celebrate a triumph. In 6 he was given tribunician potestas for five years, and despite Dio's suggestion that this was because Augustus was concerned with the conduct of Gaius and Lucius (Dio 55.9.1–4), he was clearly assuming Agrippa's role as Augustus' colleague during his grandsons' minority. Unexpectedly, however, Tiberius then retired to Rhodes after refusing to accept a command in Armenia – the marriage to Julia was unhappy, and there were conflicts within the imperial family. Augustus is said to have been angry at Tiberius' decision, and he did not regain political prominence until after Gaius' death in AD 4. The two boys were popular: they had been featured on the coinage at an early age, and the people insisted on voting Gaius a consulship for 5. Augustus considered that this was far too young, and took on the consulship himself for 5 and 2 to introduce the boys to official life, while both were designated a

consulship when they turned 20 years, in AD 1 and 4 (Augustus states that this choice of them as consuls-designate was ‘in his own honour’, *RG* 14.1). In 5 Gaius was also made pontifex and given title of princeps iuventutis (‘first of the youth’), while in 2 Lucius joined the college of augurs and was elected princeps iuventutis in his turn (*Dio* 55.9–10: doc. 15.100; Figure 15.11). This was also the year in which Augustus turned 60 years of age, and in which he was designated pater patriae, the high point of his reign (*RG* 35.1).

Augustus and imperial cult

While the goddess Roma and Roman commanders had long been the objects of cult-worship in the East, commencing with T. Flamininus at the beginning of the second century BC (*Plut. Flam.* 16.7: doc. 5.26), there was little likelihood of Augustus being worshipped in Rome itself during his lifetime. He was, of course, ‘son of the god’ (*divi filius*), and promoted this both on his coinage, and in his building programme in Rome, in particular with the temple of Mars Ultor in honour of his assassinated father (*Ovid Fasti* 5.545–598: doc. 15.96; Figure 15.13). And as with Caesar in his final year, Augustus was offered many honours in Rome which bordered on identification with the divine. Nevertheless the boundary was not crossed, although the ‘personality cult’ of the ruler, along with his nomenclature Augustus, ensured that he was associated with all manifestations of worship in Rome. While Roman citizens were not allowed to worship the princeps himself, they could pay honours to Roma, the *divus Iulius*, and the Lares, numen, and genius of Augustus. The numen was the divine power which manifested itself in the princeps and the genius his deified personality: a cult of the numen Augusti was established in Rome in AD 6. In 7, with the division of Rome into 14 regions and 265 *vici*, the worship of the Lares of Augustus, the protective spirits of Augustus’ household, became associated with the cult of the Lares compitales. Libations were also made to him at banquets, and his images were part of domestic worship, with statues of him and his family in household shrines alongside the family Lares (*Ovid Fasti* 2.635–638: doc. 15.21).

The senate decreed in 30 that Augustus’ genius be included in prayers for the people and senate of Rome, and once he was awarded the title of pater patriae by unanimous consent in 2 BC it was clear that he had assumed the role of Rome’s paterfamilias; in the Roman household the feast of the genius, the divine guardian of the house, was celebrated on the birthday of the paterfamilias. Augustus records in the *Res Gestae* a decree of the senate that prayers for his safety be offered by the consuls and priests every four years and that games in his honour had ‘often been celebrated’, which Dio dates as beginning in 30 (*Dio* 51.19.1). Augustus also states that ‘the whole citizen body’, citizens across the empire, both privately and as municipalities, had been accustomed to hold pulvinaria, with prayers offered for his good health at the couches of the gods (*RG* 9.1–2).

The oath of loyalty to Augustus

Oaths of loyalty were taken throughout the East to Augustus and his family, and a stele from Gangra in Paphlagonia, dated to March 3 BC, cites the wording of the oath taken by the inhabitants of the province, including Romans, at the altars in the

temples of Augustus (*ILS* 8781: doc. 15.55). The oath was sworn by Zeus, Earth, Sun, all the gods and goddesses, and Augustus himself, that they would bear goodwill not only to Augustus, but to all his children and descendants, vowing to protect him and his family, and calling down upon themselves and their families, ‘destruction and total obliteration until the end of my bloodline and all of my descendants’, if they failed to do so. Similar oaths were taken throughout the empire and are attested for Assos, Samos, and Palaipaphos on Cyprus.

Augustan temples and festivals in Rome

Augustus’ programme of temple building and restoration of shrines throughout Rome, which properly began in 28 with his vaunted repair of Rome’s temples, ensured that all places of public worship in the capital were associated with himself. While in the 30s shrines were constructed or restored by other builders, such as Marcius Philippus’ rebuilding of the temple of Hercules and the Muses, and L. Cornificius’ temple of Diana (the Diana Cornificiana), from 27 temple construction in Rome was initiated only by Augustus and his immediate family, with many of these linked to imperial victories. In the *Res Gestae* (21.2) he listed his gifts to the gods from the spoils of war, worth 100 million sesterces, to the temple on the Capitol and to the shrines of the deified Julius, Apollo, Vesta, and Mars Ultor. Suetonius adds that in a single offering he dedicated 16,000 pounds of gold, as well as gems and pearls worth 50 million sesterces, in the temple of Jupiter Capitolinus (Suet. *Aug.* 30.2: doc. 15.81).

Worship in the East

In the East, following his success at Actium, cults in honour of himself and Roma were established at Pergamum and Nicomedia, and these were soon copied throughout the Eastern Mediterranean, with a temple erected to Roma and Augustus on the Athenian acropolis some time after 27/6. The priest of ‘the goddess Roma and Augustus the Saviour’ was the influential Pammenes, who was also hoplite strategos (general) and a hereditary priest of Apollo, Artemis, and Leto at Delphi (*IG II²* 3173: doc. 15.53). It was at the temple of Roma and Augustus at Ancyra (in modern Turkey) that the text of the *Res Gestae* was displayed.

Paulus Fabius Maximus (cos. 11 and husband of Marcia, the daughter of Augustus’ aunt the younger Atia; Family Tree 3), as proconsul of Asia in 9 made Augustus’ birthday, 23 September, a public holiday, as well as the start of the calendar year throughout the province, since it was ‘the beginning of life and existence for every person, as well as the end and termination of regret that one had been born’. Since most cities in the province were employing the Macedonian calendar, which started close to Augustus’ birthday, this was a relatively simple adjustment. For this innovative flattery, Fabius won himself the crown that had been designated in the province for the person ‘who formulated the highest honours for the god [Augustus]’ (*OGIS* 2.458: doc. 15.54). The decree of the koinon (association) of the province which awarded the crown to Fabius described the birthday of ‘the god’ as being ‘the beginning of the good news to come through him for the world’, who surpassed all other benefactors, and who could never be surpassed by anyone in the future. Augustus’ birthday should

therefore ‘begin the time for life’. A stele with Fabius’ rescript and the province’s decree was to be erected in the temple of Roma and Augustus at Pergamum, as well as in the temples ‘of Caesar’ in the cities at the head of administrative districts in the province.

One of the important functions of magistrates in the East was to hold sacrifices to Imperator Caesar Augustus and his two sons, as well as put on festivals in honour of the imperial family. Such games could be held in honour of the imperial family generally, Roma and Augustus, Julius Caesar, or even Agrippa. At Kyme in Asia Minor, a decree honouring the prytanis (chief magistrate) Kleanax praises his generosity and commitment to public service, which included holding a feast every year in the precinct of Dionysus for ‘citizens and Romans and residents and foreigners’. Kleanax’ duties as prytanis involved sacrifices at the first day of the New Year, and the celebration of the ‘Lark festival’, ‘Throwing ceremony’, and ‘Processions of the Laurel’ (the details of all of these are unknown), as well as performing the sacrifices and festivities at the Games of the Imperial Family in the province (*SEG* 32.1243: doc. 15.56). Because of his magnanimity, the council and people had agreed to present Kleanax with a crown at the Dionysia at the altar of Zeus.

A stele from Kos, c. AD 5, commemorated the victories of a young pentathlete, who, between the age of 12 and 17 years, had been the first of the Koans to be victorious at the imperial family’s Great Actian games, as well as winning victories (among others) at the games of Roma and Augustus at Pergamum, the imperial family’s games established for Julius Caesar (with victories in the stadium and pentathlon on the same day), the games of Agrippa, and the imperial family’s games at Halicarnassus and Sardis. The establishment of games in honour of Augustus and his family had obviously extended the annual and penteteric circuit for competitive athletes (Moretti no 60: doc. 15.57).

Imperial cult in the West

There were fewer cult sites in honour of Augustus in the West, although altars for the worship of Roma and Augustus were set up at Lugdunum (modern Lyons), where the three Gallic provinces worshipped at an altar dedicated by Drusus in 12. There was also the altar of the Ubii (the Ara Ubiorum) at Cologne dedicated to Roma and Augustus, which was established before 9. An altar at Narbonne in honour of Augustus’ divine power (numen) was also established in AD 12 to worship his divine spirit in perpetuity (*ILS* 112: doc. 15.58). Narbo was the capital of all the Gallic provinces, and the regulations for the altar and offerings were clearly laid down, with other laws copying those of the temple of Diana on the Aventine. Augustus’ birthday was to be celebrated by a sacrifice made by three equites and three freedmen who were to provide a victim each, plus incense and wine for the colonists and residents: incense and wine were also to be provided on 1 January and 7 January, the anniversary of Augustus’ first possession of imperium. On 31 May there was a further sacrifice with incense and wine provided for the supplication of Augustus’ divine spirit. In Italy and the West the cult of Augustus was organised by the Augustales in colonies and municipia, who were responsible for the cult of the genius Augusti, numen Augusti, and Lares Augusti. Their role was comparable to that of the vicomagistri in Rome, and many of the office-holders were freedmen.

Augustus' deification

Augustus was deified on 17 September AD 14, shortly after his death, with a temple, flamen, Livia as his priestess, and a priestly college of sodales Augustales ('members of the priestly college of Augustus') established. He was already well on his way to divinity during his lifetime: Tacitus recorded that there were complaints that 'there was no scope left for the worship of the gods, while he [Augustus] wished to be venerated by flamens and priests in temples and statues', and the trend towards deification was already apparent during his principate (*Tac. Ann.* 1.10.6: doc. 15.117).

Legislation on slaves and freedmen

The Junian Latins

One of the important social issues, which Augustus was determined to address, was that of freedpersons in the capital. Perhaps as early as 17, the year after his legislation on marriage, he began to tackle this through the *lex Junia* (possibly proposed by the consul, C. Junius Silanus). There may have been as many as 200,000 freedpersons in Rome at this point, some 25% of the population, and many would have been freed informally, as there was a 5% tax on manumissions. Only three procedures manumitted slaves and made them full citizens: *manumissio vindicta* (before a magistrate), *manumissio censu* (by inscribing the slave in the list of citizens), or *manumissio testamento* (by will). Any slaves freed informally were classed as neither slaves nor citizens and had no citizen rights. Augustus addressed this by recognising these freedpersons as a specific category, and granting them rights similar to the holders of citizenship in the Latin cities (*Gaius Inst.* 3.55–57: doc. 15.59). As a result they did not possess voting or other political rights (such as access to the grain dole), but were allowed to engage in legal transactions with Roman citizens and own property (the right of *commercium*). If their master repeated the manumission formally, or they married a Roman or Latin woman and had a son who survived his first year, they acquired citizenship. Augustus' concern for the birth-rate is shown here, and he was encouraging this class of freedmen to become full citizens through marriage and fatherhood.

These freedmen were, however, disadvantaged in that their property reverted to their patron on their death, not to their family (they were treated upon their death as if they had not been manumitted), and therefore they had a lesser status than citizen Roman freedmen, being unable to make a will or leave any of their possessions to their children. The law, however, for the first time made legal marriage a possibility for slaves who had been freed informally and allowed for legally recognised family relationships. The disadvantage lay on the children of these relationships by depriving them of their rights of inheritance. There must have been a high proportion of residents in Rome like the Junian Latins who from this point were free, but without the rights of citizens.

Restrictions on manumissions

Augustus was concerned to restrict manumissions and regulate the rights of patrons with regard to their freedpersons. Following the *lex Junia*, the *lex Fufia Caninia* in 2 BC

(C. Fufius Geminus and L. Caninius Gallus were suffect consuls) laid down limits as to the number of slaves who could be manumitted by will (*Gaius Inst.* 1.42–44, 46: doc. 15.60). Another law of the same year restricted the recipients of grain to 200,000, perhaps cutting the dole by some 30%, and the desire to restrict this hand-out may have been a factor in preventing unlimited testamentary manumissions. The law employed a sliding scale in deciding how many slaves might be manumitted: a man with two slaves could free both in his will; with two to ten slaves, half could be freed; from 10 to 30, a third; from 30 to 100, a quarter; and from 100 to 500, a fifth of the total. The number of slaves freed by will could never be more than 100, though this did not affect the number that could be freed during the owner's lifetime. Emancipation by will was popular because it was achieved without trouble or expense to the owner: it was a gracious gesture, with the loss of property falling on the heirs.

Another important law concerned the age at which owners were permitted to free slaves. In AD 4, by the *lex Aelia Sentia* (the consuls for the first half of the year were Sex. Aelius Catus and C. Sentius Saturninus), the owner of the slave had to be at least 20 years of age, and the slave 30 years. Owners under the age of 20 needed a reason to free a particular slave, which had to be argued before a council of five senators and five equites in Rome. The slave became a Junian Latin (as if manumitted informally), unless the manumission was approved by the tribunal. The reasons for approving such manumissions could include a close family relationship, such as the manumission of a child, sibling, paedagogus, or a female slave for the sake of matrimony. Any manumitted slave, however, who had been in chains, condemned for a crime, or been in prison or the gladiatorial arena joined the group of dediticii (enemies who had surrendered at discretion, who could not live within 100 miles of Rome and were not permitted to make a will or inherit) and these did not obtain Roman citizenship (*Gaius Inst.* 1.13, 18–20: doc. 15.61).

A manumitted slave under the age of 30 years who had become a Junian Latin because of his age at manumission, was able to achieve citizenship if he formally married before seven witnesses and had a child who reached the age of 1 year: in that case he could address the praetor, or governor if in a province, to gain Roman citizenship for himself and his family. The wife did not need to be a citizen, but could be a Latin or 'someone of his own condition'. In his legislation on manumission, Augustus was perhaps concerned to limit access to the grain dole and ensure that patrons did not benefit by liberating slaves and then acquiring their grain rations or their congiarium (donations of money made on special occasions). He was clearly interested in increasing the number of families with children in Rome and was not opposed to manumission per se. His legislation actually made the attainment of citizenship easier, and Suetonius and Dio are mistaken in assuming that his legislation on manumission was in order to protect the bloodlines of Roman citizens from the taint of 'foreigners'.

Slaves as witnesses in adultery trials

As a result of Augustus' legislation on adultery, making it a public crime with serious penalties for both parties involved, the evidence of slaves within the household became crucial. Previously slaves, under torture, had not been allowed to give evidence against their owner, but to circumvent this Augustus ensured that slaves could be sold to himself or to the state so that they would be able to incriminate their previous master

or mistress. The brutality of the system is shown by the fact that compensation was granted in the case of an acquittal, when slaves had been damaged or died under such interrogation procedures. If their previous owner were convicted, the slaves who survived the process were confiscated by the state. In AD 8 Augustus clarified his position on torture, stating that he did not think it should be used ‘in every case or on every person’, but that when it was necessary to torture slaves in order to investigate capital and atrocious crimes it should be employed as the most effective way of determining the truth (Justinian *Dig.* 48.1.6, 8: doc. 15.62): Dio, however, commented that not everyone agreed with this legislation, although some thought it essential to prevent conspiracies against Augustus and the magistrates (Dio 55.5.3–4: doc. 15.62).

Augustus could show concern for specific slaves, as in the case when he prevented Vedius Pollio throwing one of his slaves to his lampreys, though arguably his anger was incited not so much by the barbarity, as by the fact that the slave would have been killed in ‘the very presence of Caesar’ (Sen. *de Ira* 3.40.1–4: doc. 6.26). He was, however, pragmatist enough to be unworried at the torture of slaves to uphold his social and moral legislation. He could also be brutally decisive when slaves and freedmen within his own household behaved with disrespect or arrogance to family members (Suet. *Aug.* 67.1–2: doc. 6.27).

The family of Augustus

While Augustus’ own marriage to Livia appears to have been successful, despite the fact that they never had a living child, members of his family were expected to divorce and remarry according to his political agenda, in the same way as Livia’s first husband had agreed to divorce her, though six-months pregnant, so she could marry Augustus. His daughter Julia had, as an infant, been betrothed to Mark Antony’s elder son Antyllus, and was married first to her first cousin Marcellus, then to her father’s friend Agrippa, and finally to Livia’s son, her step-brother Tiberius.

The marriages of Augustus and Livia’s family members were carefully and closely orchestrated (Family Tree 3): Tiberius married first Agrippa’s eldest daughter, and had to divorce her to marry Julia; Tiberius’ younger brother Drusus (Drusus Maior) was married to Antonia Minor, the younger daughter of Octavia and Mark Antony and half-sister to Iullus. Julia’s son Gaius, Augustus’ eldest grandson, married Claudia Livia (Livilla) the daughter of Drusus Maior, Livia’s son; after Gaius’ death Livilla married her first cousin Tiberius’ son Drusus (Minor). Julia’s son Lucius was betrothed to Aemilia Lepida, sister of M’. Aemilius Lepidus (cos. AD 11) and granddaughter of the triumvir. Julia’s daughter Agrippina married Drusus Maior’s son Germanicus; her sister, Augustus’ granddaughter Julia, married her cousin L. Aemilius Paullus (cos. AD 1), son of the suffect consul of 34. Octavia’s elder daughter by C. Claudius Marcellus, Claudia Marcella Maior, married Agrippa, and then Iullus, son of Mark Antony; her younger sister, Claudia Marcella Minor, married M. Valerius Messalla Appianus (cos. 12), then Paullus Aemilius Lepidus (probably cos. suff. 34, brother of the triumvir). Octavia’s elder daughter by Antony, Antonia Maior, was married to L. Domitius Ahenobarbus (cos. 16). All family members, including in-laws, were expected to play their part in contributing to the Augustus’ social and political agenda.



Figure 15.11 A denarius struck in 13 BC by the moneyer C. Marius to highlight the status of Augustus' grandsons and adopted sons as heirs to the empire. On the obverse Augustus, bareheaded, with a lituus behind; on the reverse the heads of Lucius, Julia, and Gaius, with a wreath above Julia's head. There is a strong family likeness shown between Augustus, his daughter, and his grandsons.

Source: Courtesy of Classical Numismatic Group

Tiberius and Julia

When Augustus turned to his step-son Tiberius to help support his regime, until Gaius and Lucius, now Tiberius' step-sons, should be old enough to take on their duties as his adopted sons and heirs, Tiberius had to divorce his wife Vipsania Agrippina (Agrippa's daughter by Caecilia Attica), by whom he already had a son, Drusus Minor. According to Suetonius he divorced her unwillingly to marry Julia in 11, and when he caught sight of Vipsania after the divorce he was said to have followed her 'with such eager and tearful eyes that care was taken that she would never come into his sight again' (Suet. *Tib.* 7.2–3: doc. 15.63): Vipsania then married C. Asinius Gallus (cos. 8).

Tiberius may also have had difficulties with Julia's behaviour, which was to end in her banishment for alleged adultery. Julia had had five children by Agrippa in eight years, and now with Tiberius she had a son, known as Tiberillus, who died as an infant (Suet. *Tib.* 7.3). Tiberius' relationship with Julia, and the fact that his political position was secondary to that of her sons, were factors in his retiring to Rhodes, where he spent seven years away from political life, and when he returned in AD 2 he was given no particular public role. As Augustus had his grandchildren as heirs, Tiberius was dispensable, although, now that Agrippa and Drusus were dead, there was a shortage of available generals in the imperial family.

Macrobius records anecdotes of Julia, who was only 28 when she married Tiberius (her third marriage), portraying her as a woman of considerable learning and wit, who was well aware of her status as Caesar's daughter: in fact, Augustus 'used to say that he had two spoilt daughters whom he had to put up with – the state and Julia!' (Macrob. 2.5.4: doc. 15.64). When Augustus on one occasion noted at a gladiatorial spectacle that Julia was surrounded by young, elegant men and Livia by serious dignitaries, he

wrote a memorandum to Julia to take note of the obvious difference between Rome's two principal ladies: her response was '*These* will be old when *I* am'. To a friend who tried to persuade her to conform more closely to her father's austere ways, she replied, 'He forgets that he is Caesar, but I remember that *I* am Caesar's daughter!' (Macrobius 2.5.6–8: doc. 15.64).

Despite the pressure to marry and bear children on command within the imperial family, not all was austerity and formality. Augustus was himself noted for his love of games of dice, and in a letter recorded by Suetonius wrote to Tiberius about the fun they had had at the Quinquatria (20–25 March), when he had been playing dice with Tiberius' brother Drusus all day, and 'keeping the gaming table red-hot'. He often gave his guests or family the stakes to play with and was fond of giving baffling or mysterious presents at the Saturnalia, and auctioning off mysterious artefacts among his dinner-guests (Suet. Aug. 71, 75–76: doc. 15.65). A number of his witticisms were recorded by Macrobius, and one of the best known targeted Herod (who had had three of his sons executed), with the quip in Greek that it was 'better to be Herod's pig ('hus') than Herod's son ('hyios')', evidence that Augustus was aware of Jewish dietary customs (Macrobius 2.4.11: doc. 15.66).

Julia's sedition, 2 BC

The details behind Julia's fall from grace at the age of 38 years are obscured in the sources, but despite the ill-sorted match between Julia and Tiberius (who had been overseas for several years), it is possible that her 'adulterous conduct' in fact was a political threat to Augustus' regime. There may have been a plot to replace him, and even though her two sons were his heirs, and their legitimacy assured by the extent to which they resembled their father (Macrobius 2.5.3: doc. 15.64), misconduct by Julia could still throw doubt on their parentage. Embarrassingly, Julia had featured on Augustus' coinage both with her sons, and as Diana, highlighting her central role in the continuation of the imperial (quasi-divine) family (Figures 15.7, 15.11). Iullus Antonius was one of those accused of being her lover in 2 BC, and it is possible that there was a plot to replace Tiberius with Iullus, now married to Augustus' niece Claudia Marcella (*Maior*): Augustus' reaction, however, suggests that the threat encompassed himself as well as Tiberius, and Pliny suggests that the conspirators planned his assassination (Pliny 7.149: doc. 15.116). The plot of Mark Antony's son, Iullus, brought back uncomfortable reminders of the civil war against Antony and Cleopatra and the political divisions which existed in Rome nearly 30 years before, which were not yet entirely forgotten. Iullus had received preferential treatment from Augustus, and had been aedile in 16, praetor in 13, and consul in 10 at the age of 33 years (Horace refers to him in *Odes* 4.2). He committed suicide, while four 'others', named by Velleius (2.100), were executed or banished to islands. According to Dio, Augustus was so incensed by reports of Julia's behaviour that he revealed it in his rage to the senate, and having admitted it publicly was forced to exile her to the tiny island of Pandateria (modern Ventotene), in line with the treatment of adulterous wives laid down in his legislation. Julia's mother Scribonia joined her in exile in AD 3, but Augustus ensured that Julia's daily life, without wine or any luxury, was relatively uncomfortable for at least the first four years (Suet. Aug. 65.3).

Augustus' comment that he wished he had been Phoebe's father and not Julia's – Phoebe, Julia's freedwoman, committed suicide (Dio 55.10.12–16: doc. 15.67) – suggests that the public scandal was as much of a concern as the hint of treason, and his main anxiety may have been to protect the status of his grandsons as his legitimate heirs. There must, however, have been a political dimension to her banishment, as her high-ranking aristocratic 'lovers' were accused of treason as well as adultery. Augustus may have considered Tiberius to have been to blame for Julia's guilt, even if just through his absence: when his tribunician potestas ended Augustus refused to let him return home from Rhodes, and Tiberius was forced to console himself with philosophy and winning the chariot race at the Olympics in AD 1.

Livia and Augustus

Livia had married Octavian on 17 January 38, when she was 19 years of age, and six months pregnant with her second child, Drusus (Dio 48.44.1–5: doc. 14.39). She appears to have advised Augustus on his policies, while she always accompanied him on his travels across the empire. Her image was that of the decorous and conventional Roman matron, and her own sons were brought up in Augustus' household after the death of their father, as were Augustus' adopted sons Gaius and Lucius and the family of her own son Drusus after he died on campaign in 9. Notable privileges were given her as Augustus' wife, including administration of her own fortune and *sacrosanctitas*, plus the *ius liberorum* (the right of three children) after the death of her younger son Drusus. Tacitus saw her as a domineering mother and compliant wife, and paid tribute to her skill at maintaining traditional values within her home, while 'coping with the cleverness of her husband and the dissimulation of her son' (*Tac. Ann. 5.1.1–4*: doc. 15.69): she was recorded as weaving Augustus' clothes (Suet. *Aug.* 73), and deliberately avoiding any ostentation of dress and entourage.

Livia was not immune from the fashionable tastes of aristocratic women, and possessed a 'pet', the smallest female dwarf of the time named Andromeda, who rivalled in size Conopas, the plaything of Livia's granddaughter the younger Julia (Pliny 7.75: doc. 15.68). Such dwarfs were kept for entertainment value, like the 'little naked chatterer' Livia had possessed in her first marriage (Dio 48.44.3), and were exhibited at shows. The details of some of Livia's household staff can be ascertained from the inscriptions of her freedpersons in the *Monumentum Liviae*, their burial place: they include another 'delicium', a pet child named Prosopas, who had died at the age of 9 (cf. docs. 6.66–72).

Augustus was said not to have been a faithful husband. He may not have been averse to such gossip, since as a youth he had been accused of effeminacy, a much more damaging criticism (Suet. *Aug.* 68: doc. 14.49). When asked how she managed to keep her influence over Augustus, Livia is said to have replied, 'that it was by being totally chaste herself, and happily complying with whatever pleased him, by not interfering in any of his affairs, and neither hearing or seeing the objects of his passion' (Dio 58.2.4–5: doc. 15.70). There was nothing inherently wrong about Roman males indulging their passions with slaves or other women, and Mark Antony in his attacks on Augustus named a number of married women as his lovers, including Terentia, the wife of Maecenas, but it is highly unlikely that after his own legislation on adultery

Augustus would have overtly engaged with relationships with married citizen women in Rome.

Augustus' reliance on Livia's advice can be seen in his letters (he preferred to put all his memoranda in writing) on the subject of Claudius (the future emperor), the younger son of her son Drusus, who was being brought up in the imperial household. As Livia had suggested, he had already talked to Tiberius, and outlines for her the advantages and disadvantages of Claudius' appearing in public and taking on the roles expected of one of the 'divine family': Claudius was considered to be mentally and physically challenged, and there was concern that his behaviour might give rise to mockery of both himself and the family as a whole. Augustus, therefore, asks Livia whether she thinks, in principle, that Claudius would be able to hold down magistracies and follow the career path of his elder brother Germanicus, and specifically whether he should play a part at the forthcoming ludi Martiales in AD 12, and preside at the triclinium of the priests there.

His own view is that Claudius should not be allowed to watch the games from the imperial box, as he would be too much on public view, nor participate in the Latin festival, as he would then be expected to follow his brother's career trajectory, which might not be within his capabilities. This part of the letter can be shown to 'our dear' Antonia, Claudius' mother (Augustus' niece), if Livia wishes, and the question should be settled once and for all to avoid further debate. In another letter he wrote to Livia that in her absence he was going to invite Claudius to dinner every day, and expressed the wish that he would choose companions on whose manners and appearance he could model himself, as his serious studies were evidence of his nobility of mind. In a third letter he praised Claudius' skill at declamation, and wonders how it is that a boy 'who talks so *badly*, should be able to declaim so *clearly* what is to be spoken' (Suet. *Claud.* 4.1–6: doc. 15.71).

Livia was awarded many honours in the provinces, as well as at Rome, and was venerated in the East. An inscription from Samos is evidence that she did intercede with Augustus for communities in which she had an interest and for which she acted as patron: there are also two inscriptions from the sanctuary of Hera recording the dedication by her of two statues to the goddess, one prior to 27. The Samians had petitioned for free status, and Augustus denied the request (though it was granted later, in 20–19). He apologised that he could not carry out his wife's wishes, because such privileges should not be granted too widely: 'I have goodwill towards you and would be willing to do a service for my wife who is enthusiastic on your behalf, but not so far as to contravene my custom' (Reynolds 13: doc. 15.72).

There were rumours, mentioned by Tacitus (*Ann.* 1.3.3, 5.1) and Dio (56.30.1–2), that Livia had had members of the imperial family (Gaius, Lucius, Agrippa Postumus, and even Augustus himself) poisoned to ensure that her own son Tiberius became Augustus' heir and successor, but these have no compelling evidence to support them. She did, however, have an interest in compounding medicaments, and Marcellus of Bordeaux (*Burdigalensis*) in the early fifth century preserved a recipe of Livia's for preventing or curing 'quinsy and inflammation of the throat', a useful resource in a family full of public speakers (Marc. *Burd.* 15.6: doc. 15.73). As well as a number of extremely expensive herbs and spices, including saffron, cinnamon, and myrrh, the recipe calls for 5 denarii (the coin is used as a weight) of the ash of baked chicks of wild swallows.

Livia was also well known as a gardener, and may have developed a new type of fig known as the ‘Liviana’ (Athen. 3.75f), although perhaps it was so named as a joke since she was rumoured to have used fresh figs to poison Augustus (Dio 56.30.2). Her villa ‘ad Gallinas albas’ ('to the white chickens') at Prima Porta, which has magnificent garden frescoes, boasted a grove of laurels which were used for triumphal crowns until the death of Nero. The laurels were propagated from a branch carried by a white chicken, which had been snatched by an eagle and then miraculously dropped, branch and all, into Livia’s lap. The haruspices instructed that the bird, and any chicks she might have, as well as the branch, should be carefully tended; the branch when planted generated an entire grove of triumphal laurels on her estate (Pliny 15.136: doc. 15.74).

Augustus as administrator

Under Augustus the administrative system of the empire was completely reformed, and based on a financial system which was far more efficient than any employed to date. Although he attributed his pre-eminence to his auctoritas alone, his power was based on his control of the army and his command of wealth: in the *Res Gestae* he mentions that he gave money to the state four times, amounting to 150 million sesterces (RG 17.1). Financial planning was an essential factor in maintaining a permanent army, and in 23 he already had a statement of accounts ready to give to his colleague Piso when he believed he was dying. Similarly at the end of his life he completed the breviarium totius imperii, his ‘notebook of the whole empire’ (Suet. *Aug.* 101.4: doc. 15.112), including the names of freedmen and slaves who could be called to account over any of the details. These were the secretaries and accountants of the princeps’ household, the staff of the embryonic and still informal public service, which was later to underpin the entire imperial system.

Augustus was deeply concerned about the efficient operation of provincial government. Legates of his own provinces were appointed for three years or more, though governors in the senatorial provinces still served annual terms. The fact that careers depended on Augustus’ favour, and that candidature for magistracies was forfeited for electoral bribery, meant that governors no longer had to recoup electioneering expenses and there is no evidence under Augustus for the rapacity and greed that had been customary at the end of the Republic. Augustus took an interest in even mundane details of provincial government and the Cyrene decrees show him handing down decisions about the internal operations of a public province (SEG 9.8: doc. 15.10), while he could intervene personally in any provincial dispute. In 6 he was approached by the people of Knidos, a city in south-west Asia Minor, who brought their case directly to him. C. Asinius Gallus (cos. 8) is here acting as one of Augustus’ consilium which he consulted before putting measures to the senate (Dio 53.21.4–5: doc. 15.2).

Envoys from the city of Knidos had come to Rome to accuse Eubulus and his wife Tryphera of the killing of Eubulus, son of Chrysippus (confusingly both men were called Eubulus). Asinius Gallus, as Augustus’ ‘friend’, had had the couple’s slaves examined under torture and learnt that Philinus, the brother of Eubulus son of Chrysippus, had three times attacked their house at night, on the third night being accompanied by his brother. The couple ordered a slave to empty a chamber-pot over Philinus, but the slave had let go of the chamber-pot itself which hit Eubulus and killed him, hence this charge of murder. In his letter in response to the magistrates and people

of Knidos, Augustus rebukes them for their harsh treatment of the couple who were only trying to defend themselves: the original aggressors had been responsible for the disturbance, and that it was their own fault if one of them (the ‘wrong’ brother) was killed accidentally (*RDGE* 67: doc. 15.75).

The grain supply: the cura annonae

The people considered that the smooth running of Rome depended on Augustus personally. In 22 he took on the formal oversight of the cura annonae to satisfy the populace: his resignation of the consulship in 23 had been extremely unpopular with the people, who associated him with the security of their food supply, which had been under constant threat by Sextus Pompeius in the period 42 to 36. In 23 he had distributed rations to some 250,000 people on 12 occasions, while in 2 BC grain was handed out to just over 200,000 citizens, which seems to have become, between 5 and 2, the usual number of recipients (*RG* 51.1, 4): Caesar had limited the dole to 150,000 people in 46. The ration was 5 modii (about 33 kilograms or 44 litres) per month, perhaps half the amount needed to feed a family of four. Augustus provided extraordinary grain hand-outs in 28, 23, 22, and AD 6, while in 18 and other years he gave grain and money to at least 100,000 people, and in 5 he gave 240 sesterces to each citizen instead of grain (*RG* 15.1–2, 18). Even under Augustus, Rome’s stability was dependent on the security of the grain supply, hence Agrippa’s construction of the granary near the forum. By annexing Egypt, and keeping the province in his own hands, Augustus had ensured that the grain produced by Egypt would be securely regulated as the basis of Rome’s food supply.

After taking over the cura annonae himself, he in 18 transferred this to a commission of two ex-praetors chosen by lot, and then in AD 7 at the height of a severe food crisis to two consulars, finally creating the office of prefect of the grain supply, the praefectus annonae, held by an eques. There could still be extensive shortages as in AD 5–9, when there were recurring food crises: in AD 6 Augustus expelled gladiators and slaves who were up for sale, and even foreigners from the city, except for doctors and teachers, and grain was rationed. A lex Julia of 18 had laid down that anyone interfering with the dole to increase the price of grain, or who delayed a ship or sailor involved in its transportation, would pay a fine of 20 gold coins (*Justinian Dig.* 48.12.2.1: doc. 15.76).

Grain destined for Rome was brought from Egypt and North Africa to Puteoli in the Bay of Naples (Map 9), and then transported in smaller ships to the Tiber mouth. Within the city a total of some 1,000,000 modii (c. 6,600,000 kilograms) was distributed to citizens once a month. A text written in 2 BC on a terracotta grain jar, found at Oxyrhynchus in Egypt, records the procedures for one stage of the process by which the grain was transported to Alexandria. The jar contained a sample of the grain being carried down the Nile in two ships, which would be compared with the cargo when it arrived at Alexandria. The two captains were each accompanied by a soldier of Legio XXII, whose full details are given (‘L. Castricius, soldier on marine escort duty of the legion XXII, cohort IV, century of T. Pompeius’). The jar recorded the total amount of wheat carried by each ship, 433-1/4 artabai, and the names of the sitologoi, collectors of grain tax, who had seen to the loading of the wheat. For every 100 artabai an extra 1/2 artabe was added as tax. The loading took three days, and both captains sealed the

jar with their seals (a description of the image being included on the jar). An Egyptian artabe was approximately 30.28 kilograms, and each ship would have carried some 13,125 kilograms. As the city of Rome needed 6,600,000 kilograms per month to feed 200,000 citizens, the whole process was an administrative challenge.

Shipments arrived at Puteoli in early June, and as the grain from Egypt was the previous year's harvest this could be factored into calculations as to how much would be needed from elsewhere. Large amounts also came from North Africa, Sardinia, and Sicily. Some 20 million modii (133,300 tonnes) were imported annually from Egypt to Rome, more than was needed for the dole (which distributed 15 million modii for 250,000 people, or 12 million modii for 200,000), as additional grain had to be available for purchase to supplement the allowance.

Censuses and taxation

As a basis for efficient administrative reforms Augustus needed details of population numbers and resources in the provinces for taxation purposes. In 28 Augustus and Agrippa conducted a census in Italy, which counted some 4,063,000 Roman citizens, and Augustus used his consular powers to conduct censuses of Rome, Italy, and the provinces in 8 BC and AD 14 (*RG* 8.3–4). He also appears to have accepted more limited censorial powers in 19/18 and 12/11. His final census of Rome and Italy lasted almost two years and registered 4,937,000 citizens, with the lustrum completed on 11 May AD 14 (*RG* 8.4). The last elected senatorial censors, Paullus Aemilius Lepidus (cos. suff. 34) and Munatius Plancus (cos. 42), had been in office in 22. From that point Augustus may have considered that consulares would possess too much power if they were able to adjudicate the right to senatorial or citizen status.

In the summer of 27 Augustus went to Gaul and held a census there. This was the first systematic provincial census, and the system gradually extended across the empire, repeated at regular intervals. Drusus organised another census in Gaul in 12, and Germanicus conducted one there in AD 13. The accurate details of the population of a province were needed so that taxation could be assessed, and details included the amount and type of cultivated land owned, as well as slaves and other forms of property. Under P. Sulpicius Quirinius the census was conducted in Syria and Judaea in AD 6 for taxation purposes: this is the census which is referred to in Luke 2:1–5, in connection with the birth of Jesus of Nazareth. A stele in Latin from Syria records the participation of the cohort prefect Q. Aemilius, who surveyed 117,000 citizens in Apamea acting under Quirinius' orders (*CIL* 3.6687: doc. 15.78). Quirinius was consul in 12, after which he won triumphal ornaments in Galatia-Pamphylia. In AD 2/3 he had accompanied Augustus' grandson Gaius as his tutor to the East, and was then made governor of Syria, where he conducted this census.

The tax system was mostly unchanged from the time of the Republic. Since 167 Roman citizens had not paid direct taxation, though indirect taxes and the vectigal, a tax on grazing rights, continued. Taxation of the provincials primarily consisted of the tributum capitis (or poll tax) and the tributum soli (the land tax), paid by all the inhabitants of the province, Roman citizens and others, except for citizens of coloniae, which normally were exempt, as were cities that had been granted immunity. The land tax could be a fixed sum or a tithe paid in kind, and its collection in Asia had been leased to publicani after the tribunate of C. Gracchus. Collection was much

easier once accurate census details had been established, and Augustus' censuses in the provinces formed the basis of the tax evaluation: each city received an assessment, and individuals paid their city, and the city the Roman government, with local magistrates responsible for the collection of the appropriate amount.

Trade and commerce, as well as taxation, were revitalised by a complete reform of the coinage. Nearly all republican coins had been in silver, meaning that most low-cost exchange had been in kind. Augustus in the late 20s established a coinage of gold, silver, brass, and copper, which meant there was now small change available. The brass sestercius (1/4 denarius) became the major unit of currency, with coins ranging from the gold aureus (100 sesterces) to the copper quadrans (1/16 sesterce). Except for in-kind taxation in the provinces, Rome's was a monetary economy, with armies and officials paid in cash; governors from Augustus' time were paid large salaries, as were equestrian officials. The main expenses of the empire were army pay and the grain dole. In emergencies he engaged in deficit financing from his own wealth by distributions of grain or money. He bought land for soldier settlement in 30 and 14, and funded the bounties for veterans in 7, 6, 4, 3, and 2. On four occasions he assisted the treasury from his own resources, and established the military treasury for dealing with discharged veterans with 170 million sesterces from his own patrimony (*RG* 16.1–18).

Legislative reforms

As part of his legislative reforms Augustus passed laws through the assembly (*legesJuliae*), not only regulating the grain supply, but on electoral bribery; violence (armed and unarmed) and rape; embezzlement of state funds; treason; and extortion. Most of these are not clearly dated. The penalty for armed violence was banishment, and for unarmed violence was confiscation of a third of the offender's property. Rape was a capital offence. For the embezzlement of state funds, the penalty was exile, except for judges and their accomplices who suffered the death penalty (*Justinian Inst.* 4.18.8–11: doc. 15.79). As part of his return to traditional values (*RG* 8.5) he, like Caesar, passed one or more sumptuary laws limiting extravagance, particularly at banquets: 200 sesterces was the limit for ordinary occasions, 300 on the Kalends, Ides, Nones, and other holidays, and 1,000 on weddings. There may also have been a further law allowing up to 2,000 to be spent on certain sacred days (*Gell.* 2.24.14–15: doc. 15.80). His legislation restricting the manumission of slaves by will may also have aimed at limiting extravagant displays of wealth.

Infrastructure in Rome and Italy

One of Augustus' proud boasts was that he had 'left Rome in marble, though he had found it in brick', and he claimed that in 28 he had restored 82 temples (*RG* 20.4). He was also concerned to make Rome, which was constantly at risk from floods and fires, 'safe for the future, in so far as this can be provided for by human foresight' (*Suet. Aug.* 28.3: doc. 15.81). Suetonius saw as his major contributions to Rome the forum with the temple of Mars Ultor, the shrine of Apollo on the Palatine, and the temple of Jupiter the Thunderer (*Jupiter Tonans*) on the Capitol (dedicated after Augustus was nearly hit by lightning in Spain). Public monuments erected in the name

of family members included the colonnade and basilica of Gaius and Lucius in 12, the porticoes of Octavia and Livia in 33 and 15, and the theatre of Marcellus. Others were encouraged to contribute to the beautification of Rome, especially prior to 27: L. Marcius Philippus (cos. 38), Augustus' step-brother, was responsible for restoring the temple of Hercules and the Muses with a new portico (the porticus Philippi), L. Cornificius (cos. 35) for the restoration of the temple of Diana on the Aventine, Asinius Pollio (cos. 40) for the Hall of Liberty including Rome's first public library, Munatius Plancus (cos. 42) for the temple of Saturn, the younger L. Cornelius Balbus (cos. 32) for a stone theatre, and T. Statilius Taurus (cos. 37) for an amphitheatre on the Campus Martius.

Following on from Agrippa's work as aedile in 33, in 27 Augustus had the roads in Italy rebuilt, and himself took responsibility for the via Flaminia including all bridges (RG 20.5) with arches built in his honour at both ends (the Milvian bridge and Ariminum), while in 20 he appointed ex-praetors as curatores viarum to supervise work on roads throughout Italy. In 16 he appointed a city prefect, the ex-consul Statilius Taurus (prefect of the city and Italy: Dio 54.19.6): the prefecture of M. Valerius Messala Corvinus in 26 had only lasted six days. The powers of the aediles were curtailed in 28 (Dio 53.2), and public amenities and entertainments became the prerogative of the princeps and his family, while festivals were organised by the praetors and paid for by the treasury. After the death of Agrippa, Augustus took over supervision of the water supply, the cura aquarum, and in 11 the Senate established a board of three water commissioners, the curatores aquarum, which took charge of Agrippa's slave workforce and managed the water supply to all parts of the city (Front. *Aq.* 2.98–100: doc. 15.52). Members were nominated by Augustus, with the curator aquarum appointed for life, the first appointee being M. Valerius Messala Corvinus (cos. 31). This was part of Augustus' strategy of giving senators important administrative duties in the city.

The year 7, following a serious fire, saw Augustus' division of Rome into 14 regions and 265 vici, connected with the cult of the Lares compitales (Suet. Aug. 31.4: doc. 15.20). The vicomagistri in charge were responsible for firefighting duties in their region, which later became the responsibility of the vigiles, seven cohorts of firefighters established in AD 6, supervised by an equestrian prefect, the praefectus vigilum. They later took on the functions of a police force. Also in 7 Augustus appears to have laid down in a further lex Julia that every club or association had to be sanctioned by the senate or emperor (ILS 4966: doc. 15.82).

Senators and new men

After Augustus had stood down from the consulship on 1 July 23, two consuls once again held office annually, but from 5 BC, perhaps to give more opportunities for senators from Italian towns, suffect consulships became the norm, with new consuls taking office mid-year, so that double the number of men could hold the consulship annually. More senators were now available for proconsular and other duties and Augustus himself only held the consulship twice more, in each case to introduce his grandsons to public life. He was doubtless aware that Caesar's policy of restricting the consulship to himself and his close associates had been a major cause of his unpopularity with the senatorial class.

By 13 BC the property qualification for senators, 400,000 sesterces, had been raised to 1 million (Dio 54.26), and from 8 BC candidates had to give a deposit before standing for the consulship. This implies that electoral bribery was still an issue (Dio 55.5), despite Augustus' law *de ambitu*. The fact that there were outcries when in 18 he reduced the senate's membership (Dio 54.13) demonstrates that it remained a prized career pathway. On three occasions (*RG* 8.2) Augustus tried to reduce the number of senators by a *lectio senatus* (a 'review of the membership of the senate'), but was forced to remain content with a body of some 600 members. The number of praetors increased from 8 to 10 in 23, and to 12 by AD 14 (with 16 in AD 11 because of the German crisis) to provide for sufficient governors. From 28 he also selected the praetor for the position of *praetor urbanus*, earlier the prerogative of the candidate with the most votes (Dio 53.2). The senate now provided many of the important administrators in the capital: in AD 6 senators administered the newly established military treasury, and in AD 7 ex-consuls were placed in charge of the grain supply; senatorial curators were also responsible for the water supply, public buildings, and roads, often in long-term positions. The senate also served as a court of law, especially for political trials, treason, and adultery.

The consilium principis (the princeps' advisory council) helped involve the senators in decision-making, as advisors to the princeps and organisers of the business of the senate. This gave the senators in rotation some experience of administration, and, instead of calling on the consulars to give their views in order of precedence, Augustus adopted the habit of asking them to speak or vote at random. There were, however, difficulties in persuading senators to turn up for senate meetings and in 17 fines were increased for late-comers (Dio 54.18), while in 11 the quorum was reduced. Regular fortnightly meetings were also instituted. Despite competition for the consulship, there seems to have been a shortage of candidates for lesser magistracies, such as the tribunate and aedileship.

While the number of senators from Italian towns increased, until AD 3 very few consuls were of non-consular families. An inscription from Histionium on the Adriatic coast charted the career of P. Pauius Scaeva and his impressive record of achievements (*ILS* 915: doc. 15.83). He had failed to reach the consulship, but had been aedile, praetor, and governor of Cyprus, and had held administrative positions created by Augustus, as one of the 'Ten for the settling of disputes by senatorial decree', the 'Four for executions by senatorial decree', and 'curator of roads outside the city of Rome by senatorial decree' for five years. He was also one of the 20 fetials responsible for the ritual of declaring war. The princeps had also nominated him personally for a second governorship of Cyprus, which was normally allocated by lot: Cyprus was a senatorial province, and this appointment might have been made following the earthquake of 15 to deal with a specific crisis.

Townships in Italy could be proud of the achievements of their nobility and their inclusion in the senate. Q. Varius Geminus from Superaequum in Paelignian territory in central Italy (now Castelvecchio Subequo; also home of the poet Ovid) was 'legate of the god Augustus' for two years, as well as praetor and provincial governor. His township boasted of the administrative roles he had undertaken, as prefect for the distribution of grain, one of the Ten for settling disputes, and curator for the supervision of sacred buildings and public monuments. The first of the Paeligni to become a

senator, not just a magistrate, his people set up the monument in their patron's honour at their own expense (*ILS* 932: doc. 15.85). Like Paquius, Varius is evidence of the career opportunities available to 'new men' who came to Augustus' attention.

Membership of the seven priesthoods to which Augustus belonged was fervently prized by members of established senatorial families, and not just new men. At the same time the duties of new committee roles such as membership of the 'Ten for settling disputes', and curatorships for the supervision of sacred buildings or for roads outside Rome, had become key positions to boast about in senatorial career resumés. Augustus had succeeded in presenting membership of the senate as necessarily comprising a role in public administration.

Maecenas and Augustan literature

C. Maecenas was one of Octavian's closest associates, like Agrippa and Salvidienus Rufus, but with less desire for notable achievements and military action than Agrippa, though he was able to act with decision when necessary (Vell. 2.88.1–3: doc. 15.88), and fought at Mutina and Philippi. He was from Etruria, descended on both sides from families from Arretium, and the name Cilnius, rather than being his family nomen (as in C. 'Cilnius' Maecenas), seems to have come from his mother's side: he was known in Rome as C. Maecenas. He undertook to negotiate Octavian's marriage to Scribonia with Sex. Pompeius in 40, helped to arrange the Treaties of Brundisium and Tarentum, and from 36 represented the princeps in Rome in his absence, with unofficial powers.

Just as Agrippa always downplayed his military successes, Maecenas also refused official positions, never becoming a member of the senate or magistrate, and retaining his status as an equestrian. He was, however, extremely wealthy, with a palace on the Esquinal, and was noted for his patronage of poets. When M. Aemilius Lepidus, the son of the ex-triumvir and nephew of Brutus, plotted against Octavian in 31, it was Maecenas who dealt with the situation, even though there were consuls in office, a sign of Augustus' increasing auctoritas in that a personal friend with no official position had the responsibility of dealing with potential sedition. Maecenas dealt with the plot ruthlessly and efficiently, and the young Lepidus was sent to Octavian at Actium, where he was executed; his wife Servilia committed suicide (Vell. 2.88). She had been betrothed to Octavian but this had been broken off in 43, when he became engaged to Antony's step-daughter Clodia and Servilia to Lepidus.

Another of Maecenas' strengths was in administration, and he was obviously feared for his ability to extract money from the wealthy, one of his main roles for the regime. In Augustus' absence during the civil war he made use of a seal-ring very similar to that used by Augustus himself, featuring a sphinx: the two rings had belonged to Augustus' mother Atia. Maecenas' own seal-ring bore a frog, and his seal was an object of terror when sighted, because it meant that money was being demanded of the recipient (Pliny 37.10: doc. 15.89). The frog was considered to be an animal of the underworld, and hence the use of its image had an apotropaic significance (i.e., it protected the wearer from evil). Frogs were also considered to be prophetic, and, when a letter arrived from Maecenas bearing the sign of the frog, it let the correspondent know that he would soon be considerably poorer.

Maecenas as literary patron

The Augustan age was the time when many of Rome's greatest writers flourished, including the poets Vergil, Horace, Ovid, Propertius, and Tibullus, and the historian Livy. This was enabled by the development of circles of patronage, the most famous of which centred around Maecenas, who actively supported the literary careers of Vergil, Horace, and Propertius (Figure 15.12). M. Valerius Messalla Corvinus (suffect consul in 31) was the patron of a rival circle, and he encouraged the works of Tibullus and Ovid. Vergil (P. Vergilius Maro) had been recommended to Maecenas' patronage by Asinius Pollio and Cornelius Gallus, and Maecenas, through his influence with Octavian, had helped Vergil recover his family farm, which had been taken in the confiscations of the Second Triumvirate in 41–40 (Verg. *Ecl.* 1: doc. 14.28). Maecenas commissioned Vergil's agricultural poem, the *Georgics*, which Vergil read to Augustus after Actium over a four-day period, with Maecenas taking over when Vergil's voice failed. Augustus had hoped that Vergil would then write a panegyric in epic, an idea flagged in the proem to book 3 of the *Georgics*, but Vergil decided to write the historical-mythological *Aeneid*, an epic in 12 books rivalling the Homeric poems in terms of content and scope, which recounted the



Figure 15.12 Giovanni-Battista Tiepolo, *Maecenas Presents the Liberal Arts to Augustus*, 1743. State Hermitage Museum, St Petersburg.

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adventures of Aeneas and his Trojans (ancestors of the Romans) en route from Troy to their new home in Italy. Aeneas serves as a prototype of Augustus himself, and the work reflects Augustus' political and social agenda, and promoted his achievements, including the battle of Actium and the triple triumph in 29 (*Aen.* 8.714–728: doc. 15.11). Vergil's praise of the young Marcellus similarly eulogised the 'divine' family (*Aen.* 6.860–886: doc. 15.36). While he had instructed his executors to burn the *Aeneid*, which was unrevised at his death in 19, Augustus countermanded this and had it published with minor revisions by Vergil's executor, the poet L. Varius Rufus (Donatus 20–41: doc. 15.90).

The poet Q. Horatius Flaccus (Horace), the son of a freedman from Venusia in northern Italy, was introduced to Maecenas' literary circle in 38 by Vergil and Varius Rufus, and received from him in the late 30s a Sabine farm which allowed him to be independent: Horace had supported Brutus in the civil wars and lost his inheritance. Horace celebrated the victory over Cleopatra and her Egyptians in a poem addressed to Maecenas (*Epodes* 9: doc. 14.52), and increasingly promoted the ideology of Augustus' regime. Augustus commissioned him to write the *Carmen Saeculare* for the ludi saeculares in 17 (doc. 15.33), as well as poems celebrating the victories of Tiberius and Drusus in the fourth book of his *Odes* ([Suet.] *Hor.* 1–3: doc. 15.93): Horace declined Augustus' offer of a position as his secretary. In book one of his *Epistles* Horace envisages a copy of his poems being delivered to Augustus by a clumsy messenger (*Hor. Ep.* 1.13: doc. 15.94). He was recommended to Augustus in Maecenas' will, and Horace, who died two months after Maecenas, made Augustus his heir.

Sextus Propertius came to Maecenas' attention with his first book of elegiacs, dedicated to his love Cynthia. From book three which appeared c. 23, Propertius began to handle themes of interest to the regime, including a lament for Marcellus and a celebration of Cleopatra's defeat (*Eleg.* 3.11: doc. 14.48), although the political thrust of his works is often undercut by an irreverent comment; for example, he calls on Augustus to make war on Parthia, but explains that he will watch the triumph lounging alongside his 'girl' (*Eleg.* 3.4: doc. 15.95).

Maecenas as author

Maecenas himself was an author, and some 20 or so fragments of his work are extant. He composed a natural history, apparently focussing on fish and gems, and possibly an autobiography or a biography of Augustus. He also wrote dialogues, and his *Symposium*, in imitation of Plato, featured a dialogue between Horace, Vergil, and Messalla Corvinus. His literary style was deliberately obscure, with numerous neologisms, transpositions of words, and intricate phraseology. Seneca the Younger called it pretentious, effeminate, and deliberately incomprehensible (*Sen. Ep.* 114.4–7: doc. 15.91), quoting what he considered to be some of the worst phrases, for example: 'men plough the channel with boats and in turning up the shallows leave behind gardens'. Seneca also criticised his 'ungirt' manner of dress, liaisons with women, and eunuch attendants. Augustus too made fun of his writing, and Macrobius quotes some of the flowery phrases he used in letters to Maecenas, such as his 'ivory from Etruria', 'pearl of Tiber', 'Cilnian emerald', and 'Adriatic carbuncle – or in short softener-up of adulterous wives!' (Macrobius 2.4.12: doc. 15.92).

P. Ovidius Naso

P. Ovidius Naso (Ovid) was one of the protégés of the rival literary circle of Messalla. His poems ranged from a detailed treatment of the theme of love (the *Amores*), and stories of mythical transformations (the *Metamorphoses*) to religious festivals (the *Fasti*) and laments on his exile (the *Tristia*): he was exiled by Augustus in AD 8, the same year that Julia the Younger was banished, although there is no evidence for any connection. One of the reasons may have been the publication of his *Ars Amatoria* (the ‘Art of Love’), a lengthy poem on the art of seduction, although he complains that his ruin has been due to ‘a mistake not a crime’, and that he was ‘undone by his own wit’ (Ovid *Trist.* 3.3.74, 4.10.90: doc. 16.33). The *Fasti*, which remained half finished when he went into exile, were ostensibly written in praise of Augustus’ achievements and religious reforms. In book five he describes the temple of Mars Ultor, dedicated on 12 May 2 BC, celebrating the return of the standards from Parthia which were housed there (Ovid *Fasti* 5.545–598: doc. 15.96; Figure 15.13). At times, however, he appears to be subverting the ideology of the regime, as when he compares Augustus to Romulus, with Romulus described as a fratricide and rapist, and his conquests tiny compared to Augustus’ world empire (*Fasti* 2.127–144: doc. 15.97).

Maecenas’ death, 8 BC

Maecenas’ death, four years after that of Agrippa, greatly affected Augustus. The two had remained friends throughout Augustus’ rise to power, despite the fact that Augustus was said to have had an affair with Maecenas’ wife Terentia (Suet. *Aug.* 69.2:



Figure 15.13 A reconstruction of the temple of Mars Ultor (the Avenger), in the forum of Augustus, dedicated in 2 BC. Octavian vowed to build the temple before the battle of Philippi, and it housed the standards recovered from the Parthians. Reconstruction at Museum of Imperial Forums, Rome.

Source: Photo © Granger Historical Picture Archive/Alamy Stock Photo

doc. 14.49), and that a relation of Terentia, L. Licinius Varro Murena, perhaps her step-brother, had been executed for a conspiracy against Augustus in 23 or 22 (Vell. 2.93.1: doc. 15.38). Maecenas was one of the few able to check Augustus' outbursts of temper, and his innovations to improve the quality of life included construction of a heated swimming-pool and the invention of shorthand. Maecenas, who was childless, left Augustus his vast estate (Dio 55.7.1–6: doc. 15.98). It was ironic that, although Augustus suffered constantly from ill-health, Agrippa and Maecenas, who had done so much to establish the principate, died some 20 years before him.

The golden years

In 17, with the celebration of the ludi saeculares and the adoption of his grandsons Gaius and Lucius, Augustus' regime had seemed assured. Agrippa was at hand to support Augustus in the duties of empire while his grandsons were growing up, and Livia's sons Tiberius and Drusus were available in supporting military roles: Tiberius had already seen service in Spain and Armenia, while Drusus had begun the *cursus honorum* with the quaestorship the previous year. Agrippa's death was an unexpected tragedy, but Tiberius had been available to stand in for Gaius and Lucius while they gained experience, and he took over Agrippa's campaigns in Illyricum as well as becoming the boys' step-father in 11 by marrying Julia.

In 8, Augustus' *imperium* was extended by another ten years, and the month *Sextilis* was renamed in his honour. Augustus' actual birthday was in September, but the month August was closely associated with many of his achievements, being the month in which he held his first command, entered on his first consulship in 43, conquered Egypt in 30, and celebrated his triple triumph in 29. The senate decreed that because of the propitious nature of the month it should be renamed August (Macrob. 1.12.35: doc. 15.99). Augustus, like Caesar, now had the honour of having one of the months of the year named for him. In the same year he completed another census using consular *imperium*, and extended the pomerium of Rome.

Augustus' 'sons': Gaius and Lucius

The first setback to Augustus' plans after the loss of Agrippa was the death of his step-son Drusus after a fall from his horse in Germany in 9. Then, Tiberius, who was becoming jealous of the pre-eminence planned for Augustus' grandsons (and perhaps because of Julia's conduct), retired to Rhodes in 6 for eight years, ignoring Augustus' efforts to appease him. Following his second consulship in 7, Tiberius had celebrated a triumph over the Sugambri and in 6 had been granted tribunician *potestas* and a five-year *imperium* in the East to deal with Armenia, but withdrew to Rhodes to study, and was not to return to Rome until AD 2.

The two boys were well aware of their high destiny to rule Rome, and Dio describes them as insolent and used to a luxurious lifestyle, spoilt by flattery; to his horror, Lucius, on one occasion, even entered the theatre without any attendants (Dio 55.9.1–10.1: doc. 15.100). Augustus was careful not to promote them to honours too soon. He blocked the attempt to have Gaius made consul as a teenager on the grounds that no one under the age of 20 years should hold the position (he had himself been 19 years), and in 5 BC he once more assumed the consulship (his 12th; with L. Cornelius Sulla)

to introduce him to public life. Gaius, who had already been granted a priesthood, now adopted the toga virilis, was admitted to the senate, and made consul-designate for AD 1, as well as princeps iuventutis, head of the equestrian youth and Augustus' presumptive successor. Acclaimed by the equites, the youth was presented with a silver shield and spear to mark his pre-eminent position (*RG* 14.1–2).

Gaius was honoured with statues and appointed (honorary) magistrate in a number of cities. The koinon of Asia and citizens of Sardis decreed that the day on which Gaius put on the toga virilis was to be a public holiday with sacrifices by the magistrates and prayers made by the sacred heralds for his safety, while a statue was to be dedicated and set up in the temple of his father Augustus (*RDGE* 68: doc. 15.101). An embassy was sent to Rome by the city to congratulate both Gaius and Augustus, and present them with a copy of the decree.

The year 2 BC was to be a significant and (mostly) successful one. Augustus, who now turned 60 years of age, was to mark Lucius' introduction to public life in the same way as he had for Gaius in 5, once again taking on the consulship (with M. Plautius Silvanus), and Lucius was designated by the senate to hold the consulship in AD 4. In this year the two brothers put on games in Rome, and Lucius became a member of the college of augurs and was betrothed to Aemilia Lepida, granddaughter of the triumvir. Augustus was carefully planning for the next generation of the family dynasty.

'Pater patriae', 2 BC

On 5 February 2 BC, the senate at the proposal of M. Valerius Messalla Corvinus conferred on Augustus the title of *pater patriae* ('father of his country'), the honour bestowed by the senate on Cicero in 63, and on Caesar in 44. The awarding of this title is positioned as the crowning point of Augustus' career in the *Res Gestae*, completing the narrative of his lifework and achievements (*RG* 35.1). Suetonius records that the honour had previously been declined by Augustus when offered spontaneously by the plebs, but that he accepted it in the senate when proposed by Messalla (*Suet. Aug.* 57.2–58.2: doc. 15.102). Augustus, with tears in his eyes, responded that he had now 'attained his highest ambitions' and had nothing left to ask of the gods but that he might 'be permitted to retain the same unanimous approval of yours to the very end of my life'. The title, conferred by the people, equites, and senate in unison, appeared frequently on his coinage, and signified that he was the father of the entire Roman people, the *paterfamilias* of Rome.

The year 2 BC was also marked by the dedication of Augustus' new forum (on 1 August) and the temple of Mars Ultor (12 May), commemorating the defeat of Caesar's assassins and the recovery of the standards from Parthia (*RG* 29.2). New games, the *ludi Martiales*, were instituted to celebrate the foundation, and Augustus put on a naval battle between the Greeks and the Persians in an artificially constructed lake by the Tiber to entertain the people (*RG* 23). This was also the year that saw the banishment of his daughter Julia, mother of Gaius and Lucius, for 'adultery'. As father of his country, Augustus was even more bound to punish an erring family member, who was casting doubt on the paternity of his adopted sons, and possibly intriguing against him with Mark Antony's son Iullus.

Gaius' first campaign

In 1 BC, Gaius married Livilla (Claudia Livia Julia, daughter of Drusus Maior and Antonia Minor) and was sent to the East with proconsular authority. He travelled in AD 1 to Syria and Egypt, and after a brief campaign in Nabataean Arabia met with the new king of Parthia in a conference at the Euphrates: Phraates IV of Parthia had been murdered and succeeded by his son Phraates V. In AD 2 he marched to Armenia to appoint a Roman-backed king, Ariobarzanes II, and then his son Artavasdes IV. Gaius' successes were celebrated throughout the empire, and a stele from Messene in Greece records that the governor P. Cornelius Scipio decreed a sacrifice to celebrate Gaius' escape from danger on the battlefield, while the province was to commemorate annually the day on which Gaius was designated consul with sacrifices and the wearing of garlands (*SEG* 23.206: doc. 15.103).

Suetonius had access to a volume of letters written by Augustus to Gaius, one of these sent on Augustus' birthday (23 September) in AD 2 to Gaius in Syria. In a chatty and light-hearted tone Augustus calls Gaius his 'dearest little donkey' and hopes that, wherever he is, he is in good spirits and well enough to celebrate his father's 64th birthday (*Gell.* 15.7.1–3: doc. 15.104). He explicitly foreshadows handing over the reins of power to his two adopted sons:

I pray to the gods that whatever time is left me I may get to spend it with you safe and well, and with our country prospering, while you two boys do deeds of valour and get ready to succeed to my position.

The 63rd year was thought to be the 'climacteric', the year which was usually marked by serious illness, death, or mental incapacity, and Augustus congratulates himself for surviving it, hoping that he will be able to spend his remaining time with Gaius, whose presence he constantly misses. He clearly envisaged the principate continuing into a new generation in the hands of his two grandsons.

Disappointment and disaster

The deaths of Lucius and Gaius

While Augustus was writing to Gaius in the East, devastating news was on its way to Rome from the West. Earlier in AD 2 Lucius had been sent to Spain to gain some experience with the army there, but he died en route at Massalia on 20 August. The consuls decreed a period of public mourning at Rome, and his ashes were taken home to Augustus' mausoleum. An inscription from Pisa details the funerary rites that were decreed for him by the colony: every year on 20 August sacrifices were to be offered to his departed spirit, with the magistrates in dark togas (the *toga pulla*), girt in the Gabinian manner. The offerings were to be those suitable for the spirits of the dead: a black ox and ram, adorned with dark fillets, with libations of milk, honey, and oil. Members of the public could offer a taper, torch, or wreath in his honour which the magistrates would burn on a pile of logs, alongside which a large gravestone would be erected with inscriptions of this decree and all earlier ones concerning the honours paid to Lucius (*ILS* 139: doc. 15.105).

Armenia had revolted following Gaius' intervention and he suppressed the rebellion, but was wounded at the siege of Artagira in September AD 3, where he was acclaimed imperator. His wound refused to heal and he died several months later in Lycia on his way home (21 February AD 4). He appears to have asked Augustus for permission to retire to private life in Syria, a request that Augustus refused. Suetonius records that Gaius' pedagogus and servants behaved with arrogance and greed in the province during his illness and after his death. Augustus punished them by having them thrown in a river with weights around their necks (*Suet. Aug.* 67.1–2: doc. 6.27). Gaius' ashes were taken home and he too was buried in Augustus' mausoleum. A porticus was named after him in Rome, and the basilica Julia in the forum Romanum was built by Augustus in honour of Gaius and his brother.

A further stele from Pisa records the colony's ceremonies in memory of Gaius (*ILS* 140: doc. 15.106). The mourning for Lucius, their patron, was not yet concluded, and this further misfortune had 'intensified the grief of everyone, individually and collectively'. Everyone was to dress in mourning, temples, baths, and shops were to be closed, dinner-parties were forbidden, and the matrons of the town had to engage in lamentation. The date of his death was to be a day of mourning like the anniversary of the Gauls' defeat of the Romans at the Allia c. 390, and no public sacrifice, thanksgiving, wedding, public banquet, theatrical performance, or circus games were to be held on that date. Offerings were to be made every year as for Lucius, and an arch was to be erected with a statue of Gaius on foot, and featuring equestrian statues of both brothers.

The adoption of Tiberius and Agrippa Postumus, AD 4

Tiberius had returned to Rome in AD 2, but without being given any political role, and had remained a private citizen. According to Suetonius (*Tib.* 13) Augustus had asked Gaius for his view on this, and Gaius had responded that, as far as he was concerned, Tiberius could return home provided he was given no political position. Augustus' proconsular imperium was renewed for 10 years in AD 3, with no mention of Tiberius. But with Gaius' death there were few members of his family on whom Augustus, now elderly in Roman terms, could call upon as successors. Accordingly, in June AD 4, Augustus adopted Tiberius (now *Ti. Julius Caesar*), as well as Julia's youngest child Agrippa Postumus (now *Agrippa Julius Caesar*). Tiberius had first to adopt and name as his heir his brother Drusus' son Germanicus, who was married to Agrippina, Julia's younger daughter. The widowed Livilla (Gaius' wife) was to marry her first cousin the younger Drusus, Tiberius' son. Augustus was concerned to link his step-son Tiberius as closely as possible with his own Julian line: the mother of both Germanicus and Livilla was Antonia Minor, Octavia's daughter and Augustus' niece. Tiberius was given tribunician potestas for ten years and sent to Germania with proconsular imperium, where he again achieved military successes in AD 4 and 5. According to Suetonius (*Tib.* 21.3), Augustus took an oath at a contio that he was adopting Tiberius for the sake of the state, but his letters to Tiberius suggest that, despite later sources, they were at least sometimes on affectionate terms (*Suet. Aug.* 71.2–3, 76.2: doc. 15.65).



Figure 15.14 White onyx head of Tiberius wearing a laurel wreath, c. AD 4. The surrounding band dates to the 17th century.

Source: Photo © KHM-Museumsverband, Vienna, Austria

Discontent and disaster, AD 5–9

In AD 5 it was clear that the military system needed further reorganisation to improve recruitment, deal with on-going crises, and provide for veterans on retirement. The length of service was increased from 16 to 20 years, and the donations provided to veterans on their discharge were raised to 12,000 sesterces (more than 13 years' pay). There were now some 26 legions in service, and a new aerarium militare (military treasury) was created in AD 5, to finance payments to veterans on their retirement. Augustus provided the treasury with 170 million sesterces of his own money (*RG* 17.2) and on-going funding was to be supplied by a 5% tax on inheritances, in cases where property was left away from the family, which was viewed with outrage as the first direct taxation of Roman citizens since 167.

Between AD 5 and 9 Rome was constantly threatened with crises over the grain supply, with a return to the hunger riots seen in the 20s BC. In addition, a serious fire in AD 6 led to the creation of the vigiles, a fire service overseen by an equestrian prefect,

financed by a new tax on the sale of slaves. The plebs was more discontented than it had been in over 20 years and there was revolutionary talk in the capital. There were also riots at the elections in AD 7, and for the first time Augustus nominated all the magistrates himself. The upper classes, and especially the equestrians, were unhappy with Augustus' marriage legislation, in particular the penalties for childlessness, and in AD 9, the *lex Papia Poppaea* modified the *lex Julia de maritandis ordinibus*. It was on this occasion that Augustus appeared with Germanicus' children to demonstrate publicly the joys of fatherhood (*Suet. Aug.* 34.2: doc. 15.23).

In AD 6, following demands for tribute in Pannonia and Dalmatia to fund a war against Marobodus in Bohemia, there had been a serious uprising. Tiberius was sent to deal with this, and he succeeded only in AD 9 with 15 legions; Germanicus had been sent to assist him in AD 7. Tiberius was heralded with a ceremony of *reditus* (return) on his arrival from Illyricum, and triumphs were awarded to Tiberius and Augustus, and triumphal ornaments to Germanicus. Then five days later the news arrived of the catastrophic defeat of P. Quinctilius Varus by Arminius in Germania (the 'clades Variana'), with three legions and their auxiliary troops annihilated and all Roman possessions beyond the Rhine lost (Map 8). So serious was the situation that Augustus was even rumoured to be contemplating suicide. Roman manpower was already stretched to its limits in Illyricum, and compulsory conscription was now instituted, with the threat of execution for non-compliance. Veterans were called up, and even freedmen were enlisted. Tiberius had to postpone his triumph until 12, and return at once to Germania.

This was the most serious military disaster of Augustus' regime. Suetonius considered that Augustus suffered only two ignominious defeats, both in Germania. The first of these was more a question of disgrace than any threat to Rome (*Suet. Aug.* 23.1–2: doc. 15.107). As governor of Macedonia in 19/18, M. Lollius (cos. 21) had successfully fought in Thrace against the Bessi and was one of the 15 at the *ludi saeculares*, but in 17 was defeated by Germanic tribes in Gaul, where the eagle of Legio V Macedonica was lost: this was known as the 'clades Lolliana' (Lolian disaster). Lollius, however, remained in favour with Augustus, though he was not given a further command, and in 1 BC was 'adiutor and rector' (assistant and director) of Gaius, when he was sent to the East, though he was later accused of taking bribes from the Parthians and others, and died there, perhaps by suicide.

The more serious disaster was the responsibility of Varus, who was one of Augustus' inner circle. His first wife was Vipsania Marcella, the daughter of Agrippa and Claudia Marcella Maior, Augustus' niece (he was mentioned in Augustus' funeral oration for Agrippa: doc. 15.48). He had been consul in 13 with Tiberius (also Agrippa's son-in-law), proconsul in Africa in 8/7 and legate in Syria from 7 to 4 where he supposedly amassed great wealth. His second wife Claudia Pulchra was another great-niece of Augustus, the daughter of Marcella's sister, Claudia Marcella Minor; hence he married first cousins. In AD 6 or 7 he served as consular legate in Germania while Tiberius was in Pannonia, and was later accused of provoking a rebellion by demanding tribute and establishing a Roman legal system in the province (*Vell. 2.117.1–119.5*: doc. 15.108). Realistically, however, Germany had been conquered and was ready, like other provinces, for the introduction of Roman administration.

Varus and his army were ambushed in the Teutoburg Forest by Germanic tribes led by Arminius, who had served with the Roman army and gained Roman citizenship

and equestrian rank. Three entire legions, Legions XVII, XVIII, and XIX, and their accompanying auxiliary troops were lost: this was known as the ‘clades Variana’ and these legionary numbers were never again used in the Roman army. The troops were enticed into marshy terrain where there was no chance of deployment, and they were hampered by rain and the unwieldy baggage train. Velleius records that Varus committed suicide; his legate C. Numonius Vala fled with the cavalry, abandoning the infantry, in an attempt to reach the Rhine, but was overtaken and killed. Varus’ head was sent by Arminius to Marobodus of Bohemia in the hopes of persuading him into an alliance against Rome.

Suetonius records that Augustus was so distraught that he vowed games to Jupiter Optimus Maximus, as in the wars against the Cimbri and Marsi (Marius’ campaigns and the Social War), and refused to cut his hair or beard, frequently banging his head against the door-post and crying out, ‘Quinctilius Varus, give me back my legions!’ (Suet. *Aug.* 23.2). The disaster was nowhere near as devastating in terms of troop losses as those of Crassus and Mark Antony against the Parthians, but reversed the run of Augustus’ successes in the West and raised the spectre of an invasion of Italy from the north.

The centurion of the first cohort of Legio XVIII, M. Caelius, who was 53 years of age, died in the battle; his brother Publius erected a cenotaph depicting his military honours (*ILS* 2244: doc. 15.109). Alongside him were depicted his freedmen, Privatus and Thiaminus, who were also commemorated. The stele is styled like a temple, with a decorated gable, and Caelius, who was well-decorated and experienced, is shown wearing medals (phalerae) on leather straps over his upper-body armour, with armillae, armbands, on his wrists, and torques on his shoulders. He carries a vitis, the centurion’s baton, in his right hand. He also proudly wears the corona civica, showing that he had saved the life of a fellow citizen (Figure 15.15).

The defeat in Germany caused panic in Rome, with the Germans and Gauls expected to march on Rome at any moment. Manpower was already thinly stretched, and severe penalties for avoiding the compulsory conscription included loss of property and disenfranchisement for every fifth man under 35 years, and every tenth man older than that: according to Dio, some people who refused to serve were executed (Dio 56.23.1–24.1: doc. 15.110). Germans and Gauls who were currently in Rome, including those in the praetorian guard, were seen as a threat, and the guard was dispatched to islands offshore, while those not in arms were directed to leave the city. Veterans and even freedmen were forcibly enlisted and sent hastily to Tiberius in Germany, while normal business was interrupted and festivals cancelled. The feared invasion did not arrive, and between 10 and 12 Tiberius pacified the region and reconsolidated the Rhine frontier, followed by extensive campaigns led by Germanicus. Rome’s frontier, however, was now to remain at the Rhine. When Augustus’ own record of the resources of the empire (his breviarium) was read to the senate after his death, it included a final clause advising that the empire remain within its current frontiers (Tac. *Ann.* 1.11.4; Dio 56.33.5–6). Tiberius finally celebrated his Pannonian triumph in AD 12, and in 13, in conjunction with Augustus, he received tribunician potestas for ten years, along with proconsular imperium, demonstrating that his powers were equal to those of Augustus and that he was his collega imperii, ‘colleague in empire’, and his undoubted successor.



Figure 15.15 Cast of the stone cenotaph of M. Caelius, 1st centurion of Legio XVIII who ‘fell in the war of Varus’ in AD 9 at the Teutoburg Forest. Three Roman legions were annihilated there by Arminius. Caelius is shown between busts of his freedmen, M. Caelius Privatus and M. Caelius Thiaminus. He is depicted with the corona civica and his awards for valour, and carries a centurion’s baton in his right hand. Cast of the original on display in the Deutsches Historisches Museum, Berlin (original in the Rheinisches Landesmuseum).

Source: Photo © PRISMA ARCHIVO/Alamy Stock

Family and succession

After Gaius’ death, Augustus adopted Agrippa Postumus, Julia and Agrippa’s youngest child. But within a two-year period Augustus found it necessary to disinherit and banish two of his three remaining grandchildren. Agrippa Postumus was exiled in AD 6, supposedly for speaking ill of Livia, whom Tacitus presents as intriguing for Tiberius, even hinting that she may have been responsible for the deaths of Gaius and Lucius (Tac. *Ann.* 1.3.1–4.2: doc. 15.111). Agrippa was sent first to Surrentum, and then to the island of Planasia. He may have been involved in the conspiracy of a certain P. Rufus, which took place in that year.

A further domestic tragedy occurred in AD 8 when the younger Julia, Augustus' elder granddaughter, was exiled to the island of Trimerus off Apulia, where she gave birth to an infant that Augustus refused to have reared. Slightly earlier her husband L. Aemilius Paullus (who had been consul with Gaius in AD 1) had been accused of treason, and her 'lover', D. Junius Silanus, now went into voluntary exile before a trial. It is probable that in this case, unlike her mother's, Julia's crime was actually that of adultery, as only one lover was implicated and the infant was killed. Augustus now had only one remaining grandchild out of five, his granddaughter Agrippina, who had married Germanicus (Livia's grandson and consul in AD 12), probably in AD 5: the couple already had two sons, and were to have nine children in total, including the future emperor Caligula (Gaius).

The fact that in AD 13 Tiberius was given imperium equal to that held by Augustus across the empire demonstrated publicly that he was clearly the nominated heir. He was now 56 years of age, with successors of his own in place, his nephew Germanicus, whom he had adopted, and his own son Drusus, both of whom were married to blood relatives of Augustus, his granddaughter Agrippina, and his great-niece Livilla. Tiberius, Germanicus, and Drusus were also members of the revised senatorial consilium, Augustus' advisory council, the resolutions of which now became senatus consulta. In 13 Augustus and Tiberius conducted a census, registering 4,937,000 citizens: the lustrum was completed on 11 May 14. It was now more than 40 years since the battle of Actium and Tacitus queried whether there 'was anyone still alive who had actually seen the Republic?' (*Ann.* 1.3.6: doc. 15.111). Rome was now a very different state, with equality abolished, and everyone looking to the commands of the princeps. But there were fears, as well as hopes, of what might happen on his death.

End of an age

In the year AD 14 Augustus was 75 years old, an excellent age at a time when to reach 63 in good health was considered more than reasonable (Livy F 50; Gell. 15.7.1: docs 14.22, 15.104), especially bearing in mind his long periods of ill-health. He had made his will in April AD 13, and deposited it with the Vestals, along with instructions for his funeral, the breviarium (account of the condition of the empire), and *Res Gestae*. In the summer of 14 he spent a few days on the island of Capri, attended the games at Naples, and died en route to Rome at Nola on 19 August. On his deathbed he showed concern over his appearance and asked his friends if they admired the way he had performed in the theatrical show that comprised life: 'whether he had seemed to them to have played life's charade appropriately'. He died, suddenly, 'lucky in his easy death', after kissing Livia and reminding her to 'live mindful of our marriage – and farewell!' (Suet. *Aug.* 99.1–101.4: doc. 15.112).

The Vestals produced his will and other documents, which were read in the senate: the *Res Gestae* were to be engraved on bronze tablets to be set up in front of his mausoleum. His breviarium included the details of the number of soldiers in service and where they were stationed, how much money was in the treasury and privy-purse, and what revenues needed collecting. He gave the names of the freedmen and slaves of his household who could provide additional details and speak to the accounts. Tiberius inherited two-thirds of his estate, and Livia one-third, and both were to take

his name: Livia became Julia Augusta (Figure 7.3), while Tiberius was now Imperator Tiberius Caesar Augustus. The second-degree heirs were Tiberius' son Drusus, and Germanicus and his male children. To the Roman people Augustus left 43.5 million sesterces, and large sums to his troops: 1,000 to each of the praetorian guard, 500 to the city cohorts, and 300 to legionaries. All this was to be given directly in cash, which he had to hand, though he remarked that he had spent for the good of the state the 14 hundred million he had inherited from friends over the last 20 years, as he had his two patrimonies.

Augustus was cremated on the Campus Martius, and his resting place had been long prepared. He had begun work on his mausoleum not long after his return from Actium, and it was completed by 23 when Marcellus was buried there: Agrippa, Octavia, Drusus Maior, and Lucius and Gaius had followed. Inspired by the tomb of Alexander the Great in Alexandria (and possibly by the Mausoleum of Halicarnassus), it was a circular building, some 87 metres in diameter and approximately 42 metres in height, in the shape of a tumulus, at the centre of a public park (Figure 15.16). The



Figure 15.16 The Mausoleum of Augustus on the Campus Martius. The mausoleum, probably begun in 28 BC, was circular, planted with cypresses, and capped by a statue of Augustus. Family members buried within the mausoleum prior to Augustus himself included Marcellus, Agrippa, Drusus Maior, Octavia, Gaius, and Lucius. The *Res Gestae* were inscribed on pillars that stood before the mausoleum.

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exterior wall was constructed of brick, covered with slabs of white marble, while on the dome stood a bronze statue of the emperor. Inside there was a square inner tomb for the urns of Augustus and Livia, surrounded by niches for those of the other members of the family. Two red granite obelisks from Aswan stood outside, reminding the onlooker of the defeat of Cleopatra VII, and pillars displayed the official inscription of Augustus' *Res Gestae*. Strabo described the construction as one of the most remarkable in Rome, an artificial hill covered with evergreen trees, near a park with porticoes and the *ustrinum* (the site of the pyre), surrounded by black poplars (Strabo 5.3.8: doc. 15.113).

Proof of Julius Caesar's deification had been the comet seen at the games in July 44. Augustus now also achieved deification (Figures 5.1, 15.16), after his apotheosis was witnessed by a senator, an ex-praetor called Numerius Atticus, who swore that he had seen the ascension of Augustus into heaven. Livia rewarded the senator with a million sesterces. As Julia Augusta she was made Augustus' priestess, and given a lictor to attend her when engaged in her religious duties. Augustus' consecration, when he was declared a god by the senate, took place on 17 September. Temples were built to Augustus in Rome and Italy (Figure 15.17), the house where he died was dedicated as a shrine, a golden image of him was placed on a couch in the temple of Mars, and his birthday was to be celebrated with games, like those at the *ludi Martiales*. Livia also held a three-day festival in the palace in his honour. Dio notes that the decision as to the appropriate honours was made by Tiberius and Livia, even though they were theoretically voted by the senate (Dio 56.46.1–47.1: doc. 15.114). Augustus' funerary honours and deification marked the transition of the principate into fully fledged autocracy.

Views of Augustus and his regime

Nikolaos of Damascus

Modern views of Augustus and his achievements generally regard him as having successfully engineered Rome into one-man rule in alignment with his own aims from the time of the death of Caesar. Ancient authors were less certain. Nikolaos of Damascus, tutor of the children of Antony and Cleopatra and later a personal friend of Augustus, wrote a eulogistic and politically correct account of his life, seeing him as deserving of deification, because of his wisdom, the breadth of his rule, and his pacification of Greeks and barbarians worldwide, without even using violence. His empire included peoples never even heard of before, as far as the Rhine and beyond the Ionian Sea (Nik. Dam. *Hist.* 1–2: doc. 15.115). Nikolaos probably completed his work under Tiberius, when it would have been impolitic to depict Augustus' career in more pragmatic terms.

Pliny the Elder

In contrast to Nikolaos, Pliny the Elder, who died in the eruption of Vesuvius and wrote under Vespasian, presented Augustus in his *Natural History* as an example of the workings of adverse fate, listing all the difficulties and disappointments that Augustus had been forced to endure, despite the fact that he was generally considered

to have been fortunate (Pliny 7.147–150: doc. 15.116). The list reads as if Pliny had deliberately collated all the rumours and criticisms hostile to Augustus, and suggests that there was a considerable body of malicious gossip circulating in Rome to his detriment. Pliny's query as to whether Augustus was a god by effort or merit shows that he had misgivings about Augustus' deification, and he ends the critique by commenting that at his death he left his enemy's son, Tiberius, son of T. Claudius Nero (who had served with Brutus, Lucius Antonius, and Sextus Pompeius) as his successor. Suetonius recorded that Augustus' will stated that, 'since a cruel fate has bereft me of my sons Gaius and Lucius, let Tiberius Caesar be heir to 2/3 of my estate' (Suet. *Tib.* 23.1), and Pliny, like Tacitus (*Ann.* 1.5.1) and Dio (56.30.1–2), hinted that some believed that Livia had plotted in Augustus' last days to ensure that her son Tiberius became his successor.

Tacitus' assessment

Tacitus, writing about 100 years after Augustus' death, viewed monarchy as inevitable, and the Republic since the time of Marius as a straightforward procession of powerful and ambitious individuals leading to anarchy, civil wars, and autocracy. What Tacitus regretted most about the Republic was the loss of the political morality of the senatorial class, which had allowed it to remain independent of the people and popular generals. He considered that Augustus had successfully imposed personal rule, although in so doing he had corrupted the senate, people, and army of Rome. The fact that Tiberius was named as successor and that there was no questioning of this transfer of power showed in his opinion that one-man rule and dynastic succession were already in place at Augustus' death. He describes the reactions of two different factions to Augustus' achievements, and by leaving the damning critique until last gives an impression of failure and dejection, painting Augustus' last years as ones of melancholy and disappointment (Tac. *Ann.* 1.9–10: doc. 15.117).

An age of autocracy

With the seamless transfer of power to Tiberius as the named heir, the age of autocracy in Rome had begun in earnest. Yet, considering the hatred of the very concept of one-man rule in Rome, Augustus had been remarkably successful in re-establishing it after some 500 years. His decision to use 'princeps' as his title of choice was a far-reaching one, in its overt disavowal of any suggestion of a dictatorship or monarchy. He did everything possible to make it look as if the principate was not one-man rule, and that his position was based solely on his own auctoritas (RG 34.1, 3).

Tacitus saw Augustus' encroachment on the bulwarks of the constitution as being gradual, that he 'edged forward little by little, absorbing into himself the functions of the senate, the magistracies, and the laws', and that after setting aside his position as triumvir he was innovative in parading his position as consul and as 'satisfied with the tribunician power of protecting the people' (Tac. *Ann.* 1.1.1–2.2: doc. 14.66). His use of tribunician potestas to summon the people, put forward laws, and veto meetings and proposals was superimposed on his prerogative as proconsul to command armies and govern provinces through legates chosen by himself. As a result he possessed all



Figure 15.17 The temple of Augustus and Livia in Vienne, south-eastern France. Originally constructed at the end of the first century BC, the temple was partially rebuilt a few years later. ‘To Rome and Caesar Augustus, son of the god’ (perhaps the original dedication) was inscribed on the frieze. ‘And the Goddess Augusta’ (Livia) was added later on the architrave. Livia died in AD 29 and was deified at the beginning of the reign of her grandson Claudius in AD 42.

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the powers of various magistracies without the appearance, and without preventing other senators from rising to the top of the political tree.

Without the overt assumption of any position or title that might have offended republican sensibilities, Augustus created a dynastic political system (albeit not for the heirs he had originally had in mind), which was to last for centuries and then refashion itself into the Byzantine empire: in total, another 1,439 years of empire (the Byzantines, a modern term, called themselves the Romaioi or ‘Romans’). In the 45 years between the deaths of Antony and Augustus himself much of his auctoritas had grown up ‘piecemeal’ and gradually absorbed all the different governmental roles without the titles, stemming from his original mandate against Antony, the ‘universal consent’ he had received in the oath taken to him in the West in 32. It had been clear for decades that the commander with the most powerful army could threaten Rome, and Augustus had unostentatiously created a new professional army, which took an

oath to him personally, while after Actium he commanded most of the forces in active service. These had brought him to power and were loyal to him personally, while following the ‘conquest’ of Egypt he had control of the resources needed to pay them and provide their bounties or allocation of land.

As governor of any provinces in which conflict might still occur, from 27 Augustus commanded the greatest part of Rome’s troops via his legates, and his power over them was absolute as long as he could continue to provide their pay and donatives. When to this was added the position of pontifex maximus, and the title pater patriae, he could arguably be said to have been the ‘paterfamilias’ of Rome, who in truth ‘excelled everyone in auctoritas’. Unlike Caesar, in every case in which he accepted a distinction he waited for the honour or position to be offered him. Furthermore, few of the positions and privileges he accepted were for life, and were renewable in five- or ten-year periods, including his proconsular imperium and tribunician potestas. In AD 14 he had ‘ruled’ the Roman world for more than four decades, leaving a legacy of peace and prosperity across a worldwide empire, which was to last for more than two centuries under the political system he had established. His first consulship had been in 43 at the age of 19 years, and there would have been very few citizens at the time of his death, who would have been able to remember a period in which they had not seen Augustus as the pre-eminent influence in their own lives and the guiding hand in every major event in the Roman world over the last half century.

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General index

Abbreviations used in this index:

aed.: aedile
cen.: censor
cos.: consul
cos. des.: consul designate
dict.: dictator
pr.: praetor
pont. max.: pontifex maximus
procos.: proconsul
suff. cos.: suffect consul
tr. pl.: tribune of the plebs

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