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Introduction: The Roman Republic and its Discontents

> The Greeks, after their country had been reduced into a province, imputed the triumphs of Rome, not to the merit, but to the FORTUNE, of the Republic; ... . a wiser Greek, who has composed with a philosophic spirit the memorable history of his own times, deprived his countrymen of this vain and elusive comfort, by opening to their view the deep foundations of the greatness of Rome
>
> (Gibbon, *Decline and Fall*).

For those who were there, whether Greek or Roman, it was a formative moment when the consul Titus Quinctius Flamininus followed up his defeat of Philip V of Macedon at Kynoskephalai with a proclamation of freedom for Hellas. The occasion, at the Isthmian Games of 196 BCE, is described by Plutarch (*Life of Flamininus*, 10.3ff.):

> After the trumpet had signaled for all to be silent, the herald came out before the assembly and proclaimed that the Roman senate and Titus Quinctius Flamininus, consul and general, having defeated King Philip and the Macedonians, granted freedom without garrisons or taxes, and the enjoyment of their ancient laws, to the Corinthians, Locrians, Phocians, Euboaeans, Achaeans of Phthiotis, Magnesians, Thessalians and Perrhaebians.

At first, says Plutarch, the proclamation was not heard clearly, but when it was repeated more loudly:

> a shout of joy arose, so loud that it reached the sea. The whole audience rose to its feet, and paid no attention to the competing athletes; everyone was eager to press forward to greet and hail the savior and champion of Hellas.

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So mighty the clamor, that the air was torn asunder, and ravens flying over the stadium fell to the ground!

Flamininus' proclamation, made on behalf of himself and the Roman senate, is a classic example of the uses of history in the service of politics. In declaring the end of Macedonian tyranny, it echoed the great debates that we know from fourth-century Athens, as Demosthenes warned of the dangers to freedom presented by the rise of the first great Macedonian king, Philip I. Those events were not so very far distant (150 years is not much in the *longue durée* of history), but in the meantime the reign of Philip's son Alexander had changed beyond recognition the shape of east Mediterranean politics. Whether or not they realized or wanted it, the Romans were themselves the heirs of Macedon. Their influence in mainland Greece continued to expand and to be resisted, its true nature made apparent by their victory at the battle of Pydna in 168, the end of the so-called Third Macedonian War. After the battle, the Romans dispatched to Italy 1000 of those "unfriendly" leaders of Achaean cities who had supported Macedon, ostensibly to await trial but in effect as hostages for their cities' good behavior. Installed in various Italian towns, they were left largely to their own devices. After 15 years, 700 of them had died (many of them, leaders of their cities, must have been elderly to start with). The rest were released, but their return home, somewhat bearing out the Romans' caution in detaining them, inspired a revolt of the Achaeans and, in 146, the sacking of Corinth, their capital city. It was another formative moment, for the sack of Corinth was in the same year as the destruction of Carthage in what is blandly called the Third Punic War but was provoked by the Romans specifically to secure this outcome. The power of Carthage had been destroyed in 201, and with the defeat, ten years earlier, of the great Sicilian city of Syracuse, Rome was now indisputably the greatest power in the central and western Mediterranean. Her treatment of the defeated Macedonians and Achaeans also gave her a fair claim to be the most ruthless. It was said that in Epirus seventy cities were destroyed and 150 000 prisoners sold as slaves. But this was how wars ended; the aftermath of the Trojan War, as described by Odysseus to his Phaeacian hosts (*Odyssey* 9.39ff.), was the same, and if that example belongs to the realm of legend there is an indubitably historical parallel in Thucydides (5.116):

> The town being now strongly besieged, there being also some that practiced to have it given up, they yielded themselves to the discretion of the Athenians, who slew all the men of military age, made slaves of the women and children, and inhabited the place with a colony sent thither afterwards of five hundred man of their own (transl. Thomas Hobbes).

There were differences in the scale and consequences of these events. In a sort of moral retribution for their conduct in Melos, the power of the Athenians – beginning with the very next sentence on Thucydides – was soon to be destroyed in Sicily while the Romans, by that indomitable combination of virtue and fortune on which they prided themselves, became ever more powerful.

Among the Achaean hostages sent to Italy after Pydna was the man who became the author of what is by far the most penetrating analysis of the history of this period; this was Polybius of Megalopolis (c. 200–118), whose father had been a leading figure in the Achaean Confederacy. Polybius was allowed to live in Rome, where he won highly-placed friendships, especially with Scipio Aemilianus, grandson of Scipio Africanus, the victor in the second, great Punic War of 218–201; he was with Aemilianus to witness the destruction of Carthage in 146 – to whom else could the Romans entrust this task than to a descendant of Hannibal's conqueror? Polybius was a Hellenistic intellectual, with versatile gifts, and an acerbic polemical tone when discussing his literary rivals. In a startling initiative he was lent some ships by Aemilianus and followed the African coast past the Straits of Gibraltar to the Atlantic. He was with Scipio in Spain and, an enterprise that is the envy of modern antiquarian scholarship, traced Hannibal's invasion route over the Alps. Interested in geography and an explorer, he wrote a book on the habitability of the equatorial regions. Polybius was a man of thought and action such as the Romans liked, a political leader as well as an intellectual.

Polybius' most famous work, and the only one to survive even in part, is his *History* in 40 books, its subject the rise of Rome from the second Punic War to the battle of Pydna – the moment when Rome's expansion seemed to demand from the Greeks an understanding of their antagonists. Its purpose can be seen in two ways, one a mirror image of the other; as an attempt to explain Rome to Greek readers, and to explain the Romans to themselves, as an educated Greek saw them in the context of Greek political thinking. It was not the first history of Rome to be written, for that had been done by the Roman Fabius Pictor, writing also in Greek, in Polybius' early lifetime. Polybius, however, wrote from a standpoint refined through generations of historical writing and philosophy; the idea of history as containing recurrent patterns with a predictive value, a process subject to general interpretation. It is not so much that history repeats itself, but that similar events recur over time and that one can learn from experience, a historian's task being to find the levels of analysis at which these patterns can be found, and to present the result for the instruction of those who would read it as a lesson for their own times.

Polybius attributed Roman success to a combination of factors: the loyalty of her allies, which gave her unparalleled resources of manpower, her practical inventiveness, her willingness to learn from experience, her military organization, the disciplines imposed by her religion. He especially noted what he called her "restraint in internal politics," meaning that unlike other states, Rome was not disturbed by revolution brought on by external events – as, for example, the Athenian defeat in Sicily brought on the oligarchic revolutions of 411. He supported this view by adducing a theory of the Roman constitution deriving from Greek philosophical discussion as we know it from Plato and Aristotle, but which in Polybius' experience was much more widely current.

The essential idea was that "constitutions" (what Greeks called *politeiai*, a word for which Romans had no exact equivalent though it yields the English "polity"), experience a cycle of changes, in a pattern of external and internal transformations. Polybius

argued his case from first principles. In the beginning is: (i) a state of primeval chaos, which issues into a monarchy or kingship as some great man seizes control to impose order. After a time (ii) kingship declines into tyranny, which in turn (iii) is replaced by aristocracy, when the "best men" depose the tyrant through outrage at his conduct. The next stages come about when (iv) aristocracy degrades into oligarchy, the "rule of the best" declining into the "rule of the few" without maintaining the same standards of integrity, and (v) when the people take power in a democracy. In due course (vi) democracy declines into "ochlocracy" or the rule of the mob (Greek *okhlos*), and (vii) ochlocracy declines into chaos, setting off the return of the cycle. Each form of government is transformed into its less desirable version, which is then deposed by discontented elements in the state, progressively becoming more and more democratic and beyond that point, as each phase self-destructs into the next.

It is a schematic account, though realistic at certain moments; the fall of the monarchy at Rome could well be characterized as a transition from a discredited tyranny to an aristocracy, for no-one should run off with the idea that the original Roman Republic was a democratic institution. It is also a predictive model; by identifying the point of the cycle reached by any particular *politeia*, it would be possible to anticipate the next stage.

But Polybius was not predicting the decline of Rome, and he introduces a new element, to break the inexorable cycle he has described. This is the idea of the "mixed constitution," examples of which Polybius found at Sparta and at Rome. In such cases the *politeia* does not process from better to worse in a spiral of decline, but all elements, aristocratic and democratic, reconcile their differences and work in harmony for the good of the community. The theory of a "mixed constitution" has a fashionable origin in Thucydides' description of the Athenian constitution of the 5 000, which briefly held power after the oligarchy of 411, as a "mixture" (*synkrasis*) of the interests of the many and the few. The idea appeals both to a philosophical instinct for moderation and to a conservative claim to broadmindedness, but it is fallacious. The "moderate" constitution of the 5 000 included the few who had taken part in the oligarchic regime preceding it, but it excluded the many who had formed the democracy that they both replaced; how could it then be a *mixture* of these two components?

It is important to distinguish the idea of a *mixed* from that of a *balanced* constitution; the first, an ideal situation in which all interests are accommodated by a proportionate representation of the parties, is not the same as one in which the sectional interests of a society remain but are balanced by constitutional restraints. At Rome, there were many such restraints. Magistrates were elected to colleges in which each magistrate possessed a veto (the right of "intercession") over his colleagues of equal rank, and tribunes, the people's magistrates, could exercise an *intercessio* to defend the people's interests against the actions of any other magistrates; and there were other checks and balances designed to prevent abuse, and to avert the danger of monarchy arising from the power and prestige of any individual. Polybius was unduly optimistic about the restraining effects of this system. As the future would show, the restraints were potentially negative in effect, producing not collaborative action but stalemate, and violence when the obstructions became impossible for one party or another to tolerate.

What most threatens Polybius' judgment, is that the Roman political system was driven not so much by compromise as by competition; by family pride and claims of ancestry, one's standing among clients and dependants, summed up in the word "dignity" – *dignitas*, or "what one is worth," a concept covering much more than the modern idea of personal deportment, rather one's entire social, political and individual standing. The aspiring senator needs to win the consulship, the highest magistracy, to maintain the status of his family – or, in the case of a "new man" from a non-senatorial background, to establish it – as part of the *nobilitas*. It does not matter so much what a man does in office, so long as he can avoid prosecution for maladministration, and if this occurred he can expect his senatorial peers to rally round in his defence, in case some day they too were impeached and needed his support. It is a dangerous mixture of ingredients, especially with the acquisition of overseas possessions and the influx of foreign wealth. It was the habit of those contending for high office to incur debt to win election, and its corollary, the need to recoup one's electoral expenses, generated mismanagement and corruption. Meanwhile, the price of competition rose, with immense wealth pouring into Rome from its newly acquired overseas territories.

Polybius' interpretation is a classic example of a theory succumbing to the force of events. Within ten years of his writing, and still within his own lifetime, his image of a stable Roman society saved from revolution by its institutions, was shattered. There are several issues which his balanced constitution failed to contain; the agrarian problem in Italy; the Roman citizenship; the question of the provinces; and war, the army and the nature of power. I will take them in turn and as briefly as possible; it will be obvious that they interlock at many points. The idea is not to explore these issues in their own right, but to show how in their various ways they exposed the institutional weaknesses of the Roman *res publica* and invited the creation of a remedy.

We need first to recall what has been happening during the century before Polybius' mature lifetime; sustained war, with all its consequences for manpower and economic growth, against Carthage, Macedon, and in Spain, where Rome was engaged after the Punic Wars until the fall of Numantia in 133 BCE. To judge by the recorded census figures, manpower losses in the second Punic war of 218–201 were substantial, with a decline from 214 000 Roman citizens in 203 to 144 000 ten years later (or, on a different basis of estimation, from 240 000 to 183 000), repeating an equally distinctive pattern of loss at the time of the first Punic War of 264–241. In both cases the figures reflect both casualties in war and the ensuing decline in the reproductive capacity of society. We must add the economic losses entailed in long absences of citizens from their lands, as they were summoned to serve in the wars. The consequences of these factors were neglect, foreclosures and bankruptcies, abandoned farms and their seizure by more powerful neighbors and creditors. There were settlements of discharged soldiers on confiscated public land such as that taken from Capua in retribution for its support of Hannibal, but much of this was usurped by powerful families, who turned it over, or let it lapse, from agriculture to unsupervised pasturage. This caused further insecurity, shepherds being next to bandits as they herd flocks between hill and plain and find shelter and support where they can. Another disruptive factor was the growth of slavery from the wars. Many of the captives were put to work as agricultural slaves in appalling living conditions, creating the threat of slave wars, such as broke out in Sicily in 136–131, and sixty years later in Italy.

The challenges to the social order inherent in these conditions led to the reform attempts of the brothers, Tiberius and Gaius Gracchus. From a family of the high nobility, connected through their mother with the Scipios, the Gracchi are a paradigm of the link that, whether through enlightenment or desperation, one may find between aristocratic background and reforming tendencies. Tiberius Gracchus served under Scipio Aemilianus at Carthage in 146 BCE (it is interesting to think that he was there with Polybius) and at Numantia in 137. A story is told that he had observed the results of depopulation while travelling to Spain to serve there, presumably by a route through northern Italy; in any case, the problems were not confined to the south.

Elected tribune of the people as a young senator in 133, Ti. Gracchus introduced forward legislation on land reform, beginning with the recovery of public land. This was to be achieved by a combination of expulsions when illegal occupation could be demonstrated and buying out when it could not. A land commission was appointed to supervise the work, to be funded from the estate of the recently deceased king Attalus III of Pergamum, a connection that goes back to Rome's friendship with his grandfather Attalus I at the time of Macedonian Wars. When Attalus III died in 133, having no heirs of the line he bequeathed his kingdom to Rome. This legally challenging situation (under whose law was the bequest made?) would not mean that Rome gained unrestrained possession of all his property, but that she accepted the inheritance with whatever obligations might be attached to it, such as the payment of debts and bequests to individual legatees. If Attalus had named as his heirs the Roman senate and people (and whom else could he name?), this immediately thrust the question of the ownership and use of the proceeds into the heart of the conflict that was now developing, against Polybius' predictions, between senate and people. Which was the sovereign body?

When an alternative proposal was put forward, to spend the bequest on public distributions that would increase the popularity of the senators who voted it, Tiberius Gracchus challenged the claims of the senate to authority and took his proposals straight to the popular assembly known as the "concilium plebis." This was a politically charged move, but legitimate, and rooted in the distant past. The *concilium plebis* was not a feature of the original Republican constitution, but had come into being shortly afterwards, in the rebellion against that constitution known as the "Secession of the People," conventionally dated to 494 BCE. The people had withdrawn from Rome to the Aventine Hill, which at that time lay outside the city, and had established its own assembly and its own magistrates, the tribunes, who quickly acquired diverse rights as the people's champions. Long denied legal force, the resolutions of the assembly known as "decisions of the plebs" or plebiscites (*plebiscita*) had, more than a century before the time of the Gracchi, acquired the same legal authority as those of the tribal assembly of the original constitution.

In the *concilium plebis* Gracchus the tribune was on home territory, but the senate took him on by planting another tribune to veto the legislation. The people responded by deposing the hostile tribune from office, probably the first action in this sequence of events that was definitely illegal, though one can make the case for it. Gracchus then stood for a second tribunate, which if not illegal was certainly irregular, but before holding it was killed by a senatorial posse led by, of all people, the *pontifex maximus*.

Not only was this action illegal by any measure; it was a violation of the religious protection (*sacrosancitas*) attaching to the figure of a tribune. Gracchus' killers had committed an act of sacrilege. They had also defined the issue as one of senate against people, and set a pattern of violence to be repeated in the years that followed.

The issue of the Roman citizenship came to a head under Tiberius' younger brother C. Gracchus, who was elected tribune in 123/2 BCE and again in 122/1, and brought in a major program of legislation. From the beginning, the Romans had been far more generous than the Greeks in extending the citizenship to those whom they conquered. Not that this was entirely based on idealism, for it was on their inclusive policies that an expanding Rome had built its manpower resources, as the communities that received the citizenship also acquired military obligations and shared in the benefits of the further wars they made possible. Over the years, however, this policy too had begun to be a cause of dissension between popular and aristocratic institutions, and between Rome and the allies. The citizenship brought political and legal benefits, including rights of intermarriage and the vote, and protections against exploitation. However, new voters disturbed the status quo, reduced the influence of the original citizen population, and their voting behavior might tend to favor the Roman magistrates who had won them the citizenship – which also attracted immigrants to an increasingly over-crowded city.

At the same time, Roman policies towards their Italian allies were becoming more restrictive. Aspiring citizens who were excluded resented it, while at the same time some of those who had been admitted felt exploited, with all those wars to fight, ever further from their homes. Gaius Gracchus revived a proposal to extend the citizenship to all Italians, and proposed founding colonies at Carthage, Capua, and Tarentum. However, the citizenship bill was defeated as existing citizens defended their rights, and the colony at Carthage was abandoned on religious grounds. After their destruction of the city, the Romans had sworn never to allow the site to be repopulated, and had spread salt on its fields to make them uncultivable. The effects of the salt would wear off as it leached away, but the oath remained a formidable obstacle to resettlement. Gaius Gracchus also introduced a Grain Law (*Lex Frumentaria*) to secure state-purchased grain, to be made available at a rate subsidized below the market price, but this too was a divisive issue, for it was only citizens fully resident at Rome who enjoyed the entitlement.

Like his brother, Gaius Gracchus died in a counter-revolution. The senate had passed what it styled the "the ultimate decree" (*senatus consultum ultimum*) "to protect the state from danger," a procedure with no legal authority except the senate's self-appointed role as the guardian of the constitution. Italian resentment at the withholding of the citizenship led to the "Social" (in the sense of "Allied") Wars of 91–83, which were brought to an end by the granting of it. Even then, the senate engaged in gerrymandering to exclude the new citizens from their legitimate rights.

An ever-present factor in these events was the growth of the city of Rome itself as an urban community, as a rapidly enlarging population challenged a divided government's ability to maintain order and tranquillity. With a population perhaps already rising towards a million, the city was behind its times in looking after their needs; in such matters, cities like Alexandria and Antioch were far in advance. Without any substantial improvements to its physical amenities, the safety and living conditions of the city were

constantly exposed to the dangers of fire, floods from the Tiber, polluted water and pestilence, afflictions reported only sporadically in our historical sources but a constant cause of misery. The last of them, pestilence, is powerfully illustrated by the mass grave that came to light in 1876 at the huge cemetery on the Esquiline just outside the Servian walls, when the foundations of a new construction fell into the void left by the decomposed bodies. It was measured as 160 ft. long by 100 ft. wide and 30 ft. deep, and estimated by its excavator, Rodolfo Lanciani, to have contained the astonishing number of 24 000 corpses – the result, in Lanciani's opinion, of a single epidemic, totally undocumented in our written sources. As to normal practice, the bodies of slaves and the very poor were disposed of by burning or dumping, or thrown with other refuse into the unmarked pits, again outside the Esquiline Gate, known to Varro and the grammarian Festus as *puticuli*, many of which have been found and their typical measurements established; with surface dimensions of 5 x 4 meters and a depth of 10 meters, these are seriously disturbing monuments of the funerary history of Rome and, by extension, of living conditions in the Republican city. No wonder that the poet Horace, supported by his ancient commentators, could write of the area as strewn with the bones of the dead, where witches might gather to summon up their spirits (*Satires* 1.8.8–13). That was before the area was acquired by Augustus' supporter Maecenas and converted into pleasure gardens, which gives Horace the opportunity to cite its overall dimensions as 1000 x 300 feet – poetically imprecise no doubt, but giving us a sense of the scale of it.

As to the provinces, there are three overriding questions, first the rudimentary system of government Rome applied to them. Senatorial governors, known as "praetors," were sometimes appointed and magistracies occasionally prolonged to permit continuity of government, but there was no system of what were later known as "pro-consular" positions, that is to say regular appointments held in provinces "in place of the consul." Rome was improvising a system of government, without wanting to disrupt the established systems of promotion to the Roman magistracies, or to change the nature of the magistracies, which remained rigorously annual.

The provinces were acquired piecemeal, and without an overall plan. Macedonia was acquired after the Macedonian Wars with which this chapter began, while Asia Minor fell to Rome by the will of Attalus III of Pergamum. Narbonensis, the original "provincia" that still gives its name to Provence, was established in 121 BCE, in a moment of opportunism that Polybius would have admired; it combined a campaign against Gallic tribes, undertaken in concert with Massilia (Marseilles), Rome's oldest ally in the west, with the securing of the land route to Spain. The colony that gave its name to the province, Narbo (modern Narbonne), was founded in 118.

Newly acquired territories were taxed – but under what legal definition is not clear. Was it tribute, in the form of indemnity payments or reparations after war, as might be said of Carthage in 202? or was it (an extraordinary theory advanced by Cicero) rent paid by provincials for the continued occupation of land now owned by Rome? If there was reciprocity of benefits given for taxes paid, it was not made explicit. In the Athenian empires of the fifth and fourth centuries, a supposition was maintained that the tribute (styled *phoros* in the first empire, *eisphora* in the second) was for services rendered in commerce and common defence, but no such rationale was offered by Rome, unless it was the provincials' betterment through involvement in Rome's expansion.

The tribute was exacted by contractors (*publicani*) who bid for the right to collect the taxes and recouped their expenditure as they did so. The result was that the *res publica* got its money at the start of the process with no further incentive to intervene, while the *publicani*, effectively unsupervised, could look for their profits by the end of it. This was a royal road to extortion, restrained only by a legal process that was difficult to access since it had to be pursued at Rome, where the contractors and their friends, including predatory senators, could gang up and obstruct the legal process. At the formal levels of government, too, there was notorious corruption, extortion, and abuse, not to mention the ransacking of provinces for anything of value. Cicero, as governor of Cilicia, made it a point of pride that he had not confiscated works of art for his own enjoyment. He had made his own reputation as an orator by prosecuting the proconsul C. Verres for maladministration in Sicily. Verres was patently guilty, but there was a precedent for the theft and importation of provincial treasures in L. Mummius' ransacking of Corinth in 146 BCE.

The destruction of Corinth and Carthage and the siege of Numantia were followed by a generation of relative peace, but in the last decades of the century the limits of Roman power were tested by successive wars; the Jugurthine War in Africa (111–106), arising from the disputed inheritance of a Moorish prince, and, in a new phase of migration of northern peoples, Teutonic and Celtic invasions of Italy (107–101). The wars were prolonged, and they required new forms of recruitment and structures of command. The response to these needs created a new estate in Roman society and new players in Roman politics: the army and its generals.

By the late second century BCE the effectiveness of the traditional citizen army had reached its limit. As we have just seen, the burden of service fell heavily upon the contributing Italians, not only through losses of manpower in warfare and by attrition, but through the damage to the agricultural economy caused by absence and neglect. There was also growing resentment among the allies, as Rome began to deny them citizenship and its benefits began to seem more dubious. Polybius' claim that they fought willingly against Hannibal would not have been as true a century later. There were also the strategic limitations of a citizen army, as serving soldiers were released for the harvest. As in the wars described by Thucydides, campaigning was limited by the agricultural seasons, with obvious difficulties for the more continuous military operations that might be necessary in overseas theatres of war.

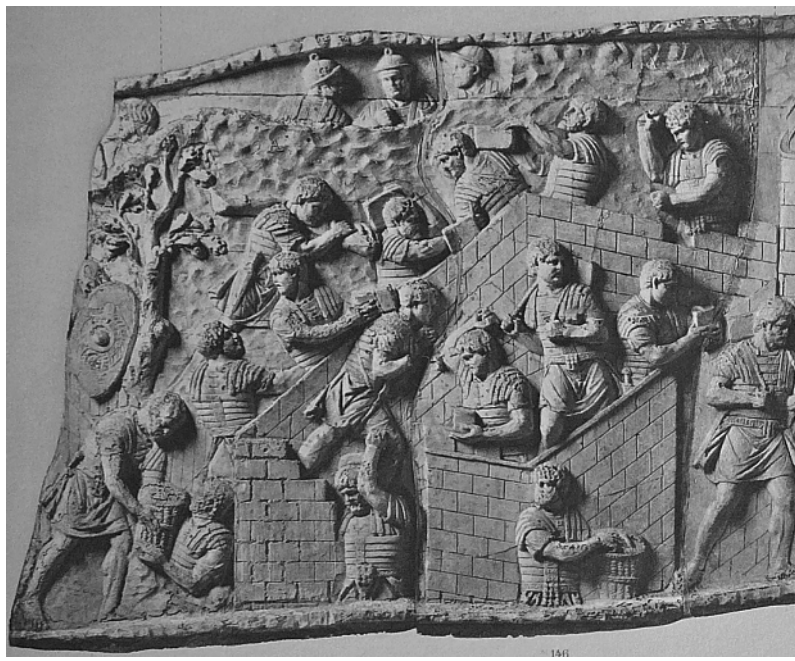
The Romans also lacked a structure of command adapted for the demands of prolonged campaigning. The powers of magistracies were confined to the year in which they were held, but the consequence of this, frequent changes of command as magistrate succeeded magistrate, was to deprive campaigns of continuity and the benefits of experience. It was necessary for C. Marius, the Roman commander in the Jugurthine and the Teutonic wars, to hold five successive consulships in order to build up a strategic advantage. This was not the best way to secure continuity of command, nor was it what was intended for the consulship.

Marius followed his victories in Africa by the wars against the Cimbri and Teutones in north Italy and southern Gaul. The essence of the reform by which he achieved his successes was in the recruiting of a fully professional, paid army, replacing the citizen army based on the ancient property classes defined in the constitutional settlements of

the sixth century. Marius extended the opportunity of service to any person who offered himself, on the strict basis of his fitness as a soldier. Such men, styled "capite censi," because they had no property but only their person ("caput") to declare, had previously been enrolled in crises such as the Hannibalic War, but were now made the basis of a full-time professional army, serving winter and summer alike. Despite the absence of a property requirement, however, it was still necessary to be a citizen to be accepted for service, for which the regular term either was or soon became 15 years. The stipend was enhanced by incentives in the form of booty; success was rewarded by bonuses. The soldiers were equipped for practical use, carrying not only standard weapons (shield, sword, pike), but also a shovel for digging in fortifications, essential for defence and consolidating the results of a campaign. The descendants of "Marius' mules" appear on the reliefs of Trajan's Column at Rome, where soldiers are seen digging in fortifications and building camps as well as killing the enemy and standing in parade (Figure 1.1).

With these and other reforms, soldiering became a viable full-time career, offering a steady income and the chance of a stable retirement. One price to pay was deracination, as soldiers were required to serve in many regions and might be settled in military colonies far from their land of origin. Family life is a regular victim of a professional army, in which men are removed from the home country and are often away from base. On the other hand, a young man recruited at eighteen, who handled himself well

Figure 1.1 Roman soldiers as builders and laborers: distant descendants of "Marius' mules" taken from Trajan's column of the early second century. Source: Conrad Cichorius *Die Reliefs der Traianssäule* (Verlag Georg Reimer, Berlin 1896), Tafel XLII. Wikimedia Commons, Category:Trajan's Column – Cichorius Plates.



and survived military action might find himself settled as a small farmer at well under forty, after a career whose usefulness none would doubt. It was enough to attract many to the service. For all the nostalgia of conservative commentators, there is no doubt that the new one was better trained and more effective in meeting the military needs of the time.

Marius' military reform was not in itself a political act, but it had immense political consequences. The "new model army" emerges as a political force, a new estate in the realm. Without anticipating too much, we can see how this came about, as the new recruits, without any census qualification or interest in property and the land, are not beholden to the social order, and have no incentive to uphold it. They profit from their commanders' success in war and depend on their ability to deliver their promises through political influence. But the generals were not always able to do this, even with the authority of success in the field; their proposals fell foul of hostile rivals and a suspicious senate, and there were many ways of obstructing them. This generated hostility between the soldiers and the senate, and exposed the generals between the two.

There is also a new dynamic for imperial expansion. Soldiers need the economic benefits of campaigning and generals need the prestige of victories to advance their careers and to satisfy their promises, but there is no overall conception of the proper size of the army, based on the consideration of public policy by a well-informed sovereign body. Generals could raise armies in the field for specific purposes, with no-one to say how large the military establishment should be, for no-one had a very clear idea of what it was for. That hallowed Roman tradition, belligerency, was driven by economic and political pressures, with no clearly defined purpose.

And finally, a most intractable issue was the search for new forms of command to match the changing needs of Rome and its army. Something more coherent was needed than annual magistracies and pro-magistracies which lapsed with the offices or were given only for short periods and according to no consistent criteria. The implications of this quandary are revealed by the careers of three of the men of power, what Appian called the "dynasts," of the late Republic; Marius, Sulla, Pompey (Vol. II, Chapter 1).

The case of Marius has already arisen; consul in 107 BCE to command in the Jugurthine War, he held the office again every year from 104 until 100, to conduct the wars against the Cimbri and Teutones. To hold five consulships without a break is a contradiction of what was intended by the founders of the Roman Republic. The supreme magistracy, designed to avert kingship, was to be held once only, always with a colleague. It was never intended as a vehicle of extended power; indeed, rather to prevent it.

In 100, in a first test of the procedures set up for his new model army, Marius sought land settlements for his veterans of the Teutonic wars through legislation brought forward by the tribune Saturninus, but in a confusing sub-plot Saturninus disrupted the situation by managing the assassination of a former tribune, a political rival of his own. In a startling *volte-face* Marius responded to the senate's appeal under the device of the *senatus consultum ultimum*, the "ultimate decree" to defend the *res publica* from harm, as we have seen it used against Gaius Gracchus. Marius' men surrounded Saturninus on the Capitol and the tribune surrendered but was slain by a hostile mob, an act of sacrilege

in which Marius was implicated. He then went east, to fulfil a vow, as he claimed, but in effect to take himself off the scene. After some years' absence he returned, to take a leading role in the Social Wars of 91–89. He then sought the command against a new eastern adversary, king Mithradates of Pontus. The command was however given to L. Cornelius Sulla; and when it was taken from him in favor of Marius, Sulla got it back by the practical expedient of marching on Rome with the army already assigned to him and demanding it. In Sulla's absence, Marius made yet another comeback and became consul for the seventh time in 86. He died a few days into his tenure of the office.

The political legacy of Marius is confusing, partly because it was in advance of his time (or because he himself was shaping the future), and also because his reputation was traduced by his enemies. Like his younger compatriot Cicero (both were from the Italian town of Arpinum), Marius was a "new man" (*novus homo*), the first senator in his family; it was not usual for such men to rise to the consulship, and Marius had done so seven times. He was energetic, a good general, and his military reforms show great insight; if he lacked subtlety, it is perhaps because he did not think it an important virtue, or did not perceive the rules of the game he was inventing. But he was obstructed, and no doubt, as a *novus homo*, excluded from his due reward by a jealous senate. He was much feared as a popular leader against the oligarchy of the senate, and his name, transformed into the "Marian" or "popular" faction, survived his death.

Sulla, clever, subtle, disconcerting, is utterly different. His early career was much entangled with that of Marius. We have just seen how in 88 he was given the command against Mithradates, but was then deprived of it and won it back by just marching on Rome and demanding it – an ominous precedent that undermined his later attempts to restore the status quo, as if none of these things had happened.

Mithradates had announced his war against Rome by ordering the massacre of Romans living in Asia, among them the "publicani" or tax-gatherers – 80 000 victims altogether, it was said – and then occupying mainland Greece. Sulla countered by sacking Athens, which had attracted this fate by its unwise support of Mithradates, though it is true that, with its plundering of the cultural capital of Greece after the destruction of Corinth and the reputation of the *publicani*, the Roman record in the Hellenic world could also do with some rehabilitation. Returning to Italy successful (and rich) in 83, Sulla was opposed by Marian partisans with levies of 100 000 men, which Sulla overcame, then marched on Rome (for the second time) and took it at the battle of the Colline Gate (82).

Installed in power, Sulla initiated the first of the political vendettas styled "proscriptions," a procedure, if it deserves the name, by which the names of his enemies were "written up" (*proscripti*) and displayed, which made them marked men; it was safe for anyone to kill them, which, these being prominent individuals and this being a competitive society, many people had the motive to do. The procedure helped to settle old scores and enabled Sulla to dismember the opposition; also to enrich himself, as did the agents of the killing, from confiscated properties. Sulla also removed the monuments commemorating Marius' victories in the Teutonic wars, a petty gesture, were he not so afraid of his predecessor. He is said to have picked out the young Julius Caesar, entering his mid-teens at the time of Marius' death, as a "Marian" more dangerous than his model.

Sulla was then given a dictatorship, in order "to restore the constitution," a task which he addressed by reactionary legislation directed against the institutions of the people. This is not what the dictatorship was for, but it did respect the convention that it was a temporary office of six months only, bestowed in a crisis; its most famous recipient was Quintus Fabius Maximus at the time of the Hannibalic War. None of his predecessors had used the office as a basis for political action, but Sulla used its powers, in the first instance to strengthen the senate by the recruitment of his own supporters. By an extremely dubious maneuver which, had it lasted, would have retarded Rome's legal development by centuries, he also restored the senate's "authority" (*patrum auctoritas*) over that of the "concilium plebis," the people's assembly which, as explained earlier, had come into being soon after the foundation of the Republic. It need hardly be said that there was no such thing as "patrum auctoritas" except in the minds of senators, but Sulla's reform asserted the authority of the senate over plebiscites, which had since 267 BCE been recognized as a source of law, and over the people's magistrates, the tribunes.

Sulla created new magistracies (twenty quaestors), to manage the provinces and to feed the senate by recruitment. This was a reform of permanent importance, which we need to remember; the quaestorship continued to function as the magistracy that qualified aspiring young candidates for entry to the senate. He established a 10-year gap between consulships, and age-limits for magistracies. This legislation, the so-called "Lex Annalis," was the progenitor of the senatorial *cursus honorum* of the Principate (below, p. 44). Sulla's legislation also prohibited tribunes from holding any higher senatorial office, a provision that would make the tribunate a dead-end in the *cursus*, and was a transparent attempt to neutralize an office exercised in the interests of the people. Sulla left in place legislation about the citizenship; he had no wish to re-open the Social Wars.

Having seen through his program of conservative reform, Sulla gave up the dictatorship and retired to Campania, from where he viewed affairs with ironic detachment, and where he died of an illness in 78. Julius Caesar later remarked that Sulla "did not know his political alphabet" – as we might say, the political facts of life. It is unclear just what Caesar meant; was it that, once having acquired power, Sulla should have held onto it? Whether this is so or not, Sulla presented a problem for potential imitators; his example did not endorse his policies. To have seized Rome with armed force, to have conducted proscriptions – anyone challenging Sulla's policies could appeal to his methods.

If Marius was rough-edged and clumsy, Sulla subtle and disconcerting, Pompey was unfathomable. Conservative and "popular" by turns, his political ambitions evade detection; the sceptical Tacitus described him, with long hindsight, as no better than his predecessors, though more devious ("occultior non melior"; *Historiae* 2.38). Naturally enough, since it was the scenario of his youth, Pompey's early career was tied up with Marius and Sulla, and with the history of Italy in the early first century. His father, Cn. Pompeius Strabo from Picenum in eastern Italy, had raised an army from his lands to help defeat the Italian allies in the Social Wars. Not to be outdone (we begin to see the scale of the resources available to these men), young Pompey raised three legions from the same source to support Sulla on his return from the east in 83.

He was 23 years old. Sulla rewarded him with appointments in Sicily and Africa. He conducted campaigns in both and was allowed to celebrate a triumph – an anomalous privilege, since he was still only 25 years old and not yet even a senator (he had never been quaestor, as Sulla's legislation required). From this still youthful moment, Pompey styled himself Magnus, "the Great," which is how we know him.

After Sulla's death, a radical ex-consul named Lepidus led an uprising to undo his legislation. Pompey helped to suppress the uprising, still acting in the senatorial against the popular interest, and in 77–71 he served in Spain against the rebel Q. Sertorius, a Marian supporter who had been proscribed by Sulla and established himself in Spain as a leader of local resistance. These years of absence represent a chance of pace in Pompey's rise, with experiences that may have helped to enlarge his perspectives. The campaigns in Spain were prolonged and difficult, and his time there enabled Pompey to build up a large network of patronage, a potential power-base for future use. After the defeat of Sertorius, he returned to Italy with an army, cleverly timing his movements to join in Licinius Crassus' suppression of the slave revolt of Spartacus, and was elected consul with Crassus in 70. At 37 years old, he was still below the legal age for the consulship, set at 42 years in Sulla's legislation. As consul he helped to undo Sulla's legislation on the tribunate; the law that achieved this was named Lex Pompeia Licinia in the names of the consuls.

Pompey's early career is opportunistic if not technically illegal, but it reveals great natural ability and powers of leadership, and, in Spain, where Roman policies had been notoriously violent, the capacity for clemency. Biding his time, perhaps, he did not take an overseas province after his consulship, but then two opportunities arose, that changed the face of late Republican politics. By legislation proposed by a tribune, the "Lex Gabinia" of 67, Pompey was given a military command against the pirates who infested the Cilician coast in what is now southern Turkey – a glance at a relief map will show how piracy flourished in this region, with its inhospitable coastline, little hinterland suitable for exploitation, and small harbors requiring local knowledge to navigate. Pompey took three months to report success.

The task required intelligence, sustained attention and coherence of command – qualities rarely to be found together in the late Republic, and there are lessons in all of them. It also required sufficient forces; Pompey was given twenty legions and 500 ships, an immense force for the task. The whole situation set the system at cross-purposes. Acting under the authority of the law, Pompey would himself be expected to raise the forces which, once raised, would be the forces of the *res publica*. But *res publica* would do nothing to finance them (there was no military budget) and, when the task was done, it would be for Pompey to secure the land settlement and other benefits promised upon discharge. Was the army or was it not a public institution?

The command against the pirates was followed in 66 by another law proposed by a tribune, the "Lex Manilia," giving Pompey a five-year command for a renewed war against Mithradates, whom he immediately defeated, and then directed his campaign against Mithradates' ally Tigranes of Armenia. The wide remit of the Lex Manilia, a five-year proconsular *imperium* over the whole of Asia, enabled Pompey further to extend his influence. His comprehensive settlement set in order the eastern provinces,

including Syria, which was annexed. In effect, the limit of Roman power was now at the river Euphrates in its northern sector – which does not mean that everything inside this frontier was securely held, nor that it was a formal frontier; Galatia and Cappadocia, Commagene, Judaea, and Arabia remained under the control of kings friendly to Rome and loyal to her interests.

As important as its scale is the structure of Pompey's command. The connection between military power (*imperium*) and magistracy – the length of the magistracy limiting the duration of *imperium* – is by now familiar; so too the undesirability of extending *imperium* by repeating magistracies. The problem was solved by an imaginative but dangerous innovation; the giving of *imperium*, broadly defined in time and scope, described as proconsular but without the need to hold the underlying magistracy. These grants of power are called "extraordinaria imperia" in the strict sense of "extraordinary" (*extra ordinem*), because they were outside the regular order of magistracies.

Pompey's eastern settlement was a great and enduring achievement. He returned to Rome in 62 to general trepidation; what would he do with his army? Astonishingly to contemporaries, he disbanded it – returning it, one might say, to the people who had granted his powers. But his eastern settlement was not ratified by the senate; nor would it provide for grants of land to Pompey's veterans. The senate's refusal to carry out Pompey's promises led directly to his alliance with Julius Caesar, as is described in the following chapter. It is however worth noting the contrast in the careers of the two of them; Pompey with revolutionary beginnings ending as champion of Republicanism, Caesar overthrowing the Republic but entirely regular in his earlier career except, perhaps, in one respect; the scale of his debt.

As to debt, we end with a famous episode of these years that draws together some of the themes that have arisen in the course of them; the "Catilinarian conspiracy."

L. Sergius Catilina, a noble from an ancient family, had stood for the consulship but repeatedly failed to be elected, and was defeated by the *novus homo* Cicero for the consulship of 63. He had fallen heavily into debt, which he had no way of repaying unless he were successful in winning office. He therefore endorsed a revolutionary program, at its center the abolition of debt. Catiline had his own reasons, but the issue was a real one, with widespread rural debt, especially among discharged soldiers who had been unsuccessful on the land (as must have happened quite commonly). Catiline was accused of fomenting social disorder in Rome, and joined forces with the leader of a discontented army of veteran soldiers in Etruria, but was defeated leading them against a Roman general. Catiline was killed in the battle. His body was found on the battlefield, riddled with wounds but not a single one in his back; in the final challenge, he died like a noble.

The partisans of Catiline were tried by the senate and executed under the authority of the *senatus consultum ultimum*, one of the last and most notorious appearances of that disreputable institution. As presiding consul, Cicero had the executions carried out at once; "they have lived," he portentously announced to the senate. In Cicero's own estimation, it was his finest hour, but he was later exiled for his part in it. Whatever the authority claimed for the *senatus consultum ultimum*, it was illegal to execute Roman citizens without trial before the proper courts, and the senate was not one of these.

The story of this episode is narrated in two sources; Cicero's four orations *Against Catiline,* and the historian Sallust's monograph on the conspiracy. Sallust presented the affair as a moral lesson – a patrician aristocrat turned bad, itself a reflection of Rome's moral decline, which went back to her overseas conquests in the second century, especially over Carthage and Corinth. This flooded Rome with wealth and people were corrupted. It is a powerful though hypocritical presentation. Sallust himself was governor of Africa and accused of maladministration, only escaping because he was supported by his friend Caesar, whose role in the events of 63 he exaggerated, while, in a fantastic act of animus, completely ignoring that of Cicero. But we must respect Sallust's diagnosis that the fabric of politics was affected by wealth pouring into Rome – it led to inflation in the cost of politics, to debt and bankruptcies. The people with the money could build up support by bailing out impoverished nobles, while the impoverished of all social ranks would follow anyone who could save them.

Behind the events described in this chapter lie many questions that will require a solution in what follows; who is it that rules Rome, and in what proportion among the social orders, as the Polybian balance of powers is upset? Is it the popular assemblies, technically sovereign and the makers of law but subject to the manipulations of opportunistic politicians? or is it the senate, a birth- and office-based aristocracy with pretensions to an authority and maturity of judgment based on its own assertions of these advantages? Is it the elected magistrates of the *res publica*, or is it ambitious adventurers, extracting unprecedented powers from the increasingly subservient institutions of the state? Need *res publica* necessarily mean a Republican form of government? The institutional battles between the senate and its magistrates and the tribunes, the people's champions, gave way to a different sort of conflict, between *res publica* and individuals who, if they did not set their own ambitions above the common interests of Rome, took different views as to how those interests were best served. These men, we have seen, were styled the "dynasts" (*dynastai*) by Appian in the introduction to his history of the civil wars – a Greek term, with its Latin equivalent, *potentes*, "the powerful," as used by Tacitus and others; men who acquired power by stretching beyond their limits the legal constraints that had been established precisely to prevent this outcome.

Yet any of these men – Marius, or Sulla, or Pompey, even Catiline – would have been offended to hear that they were driven entirely by private ambition, or that such ambition was an entirely personal matter. As in modern usage, the term has good and bad connotations. Proper ambition is laudable, justified by an array of virtues and behavior that spring from the public position of the ambitious and their families, whose dignity they are bound to uphold. Those virtues that sustain the upper-class Roman – pride in oneself, respect to one's equals, duty to one's colleagues and dependants, piety towards men and the gods, a true sense of family distinction, magnanimous generosity to the people – will also have him compete with his peers, and that, they would have said, is exactly how it should be.