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A SHORT HISTORY
OF THE
ROMAN REPUBLIC

BY
W. E. HEITLAND, M.A.

Cambridge :
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used in the special sense here given in brackets. And I do not employ the term *Oligarchy* at all in speaking of Roman politics, as it is liable to convey a false impression.

The division of the matter into chapters differs somewhat from that of the larger book, and a certain amount of new matter has been introduced into the earlier chapters. Of maps, some are repeated from the larger book, and a few are added. The pictures of coins are a new feature.

I take this opportunity of thanking the scholars who have reviewed the larger book. All the reviewers who shew a knowledge of the difficulties of the subject have given me much encouragement. They know how hard it is to deal judicially with so various a collection of evidence as that which makes up our record. But I must in particular acknowledge the private generosity of Mr J. Wells of Wadham College, Oxford, who has kindly sent me a number of notes on points of detail, for which I am most grateful.

A few notes are placed at the foot of the page; in most cases they are cross-references added in order to avoid repetitions. But it is in the Index that this object has principally been kept in view. The existence of Mr P. E. Matheson's *Skeleton Outline* seems to make the addition of a full Chronological Table unnecessary.

The coins figured in the plates are photographed from casts of the originals in the British Museum, and in selecting and describing them I have used Dr B. V. Head's *Guide to the Coins of the Ancients* (1881). In one case I have preferred to choose a coin from the general B.M. catalogue.

W. E. H.

February 1911

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CHAPTER I

INTRODUCTORY

I. The history of Rome first meets us in the dim legendary story of a small community planted on the left bank of the Tiber. We can fix no certain date for its beginning, nor is it easy to say when it ended. It is not the history of a nation, but of a government. The last remains of a government continuously descended from that of ancient Rome did not disappear till 1453 A.D., when Constantinople was taken by the Turks. But Roman law, the supreme product of Roman government, is still living, for it is the foundation of many of the legal systems still in force. We may divide Roman history for convenience sake into periods according to the form of government in use.

(1) Regal period, our knowledge of which is very slight and indirect.

(2) Republican period.

(3) Imperial period.

It is with the second of these that we are concerned. The states of the ancient world, great or small, seem all to have been originally governed by kings, and the rise of republics was not found consistent with great and permanent extension of territory. The history of the free states of Greece is the stock instance of politics on a small scale. The city-states (iro'Acts) of Hellas were weak from want of size and mutual jealousy. The loose cantonal unions lacked the cohesion necessary for exerting joint power with effect. No large political unit was efficiently organized in the Greek world until the rise of the national kingdom of Macedon. In the East large monarchies were the rule. The conquest of the Persian empire by Alexander made no change

in this respect, and the vast dominion divided at his death fell into the great monarchies of the Successor kings. The weakness of a popular government as ruler of subjects was illustrated in the inability of imperial Athens to secure the hearty loyalty of her subordinate allies. The empire of Carthage was essentially a money-making enterprise; to exploit, rather than to govern, was its chief aim. When Carthage had to assert her power, she relied mainly on mercenaries hired abroad, having no solid empire and no mass of loyal allies to support her at a pinch. And, so far as our knowledge goes, the general characteristic of ancient Republics was a jealous exclusiveness. The line between citizen and alien was sharply drawn, and admission of the latter to the privileges and duties of the former was extremely rare. Thus expansion was checked in the several states. On the other hand, there was no necessary limit to the size of monarchies, but their strength varied with the character of the monarch, and the mere fact of subjection to a single ruler was not enough to give cohesion or unity of sentiment to a motley aggregate of various peoples.

2. It was therefore a momentous event when the obscure community by the Tiber began to absorb and incorporate its neighbours, and even more momentous when it threw off monarchic government and still continued to expand. In the case of a city-state this was a new thing, for it was not by conquering, but by keeping her conquests, that Rome became great. Among the ups and downs of her early struggles, recorded only in untrustworthy legends, the one thing certain is that on the whole she had the art of keeping allies and incorporating conquered communities in the stable organization of the Roman state. Progress was in the case of Rome not a brilliant over-running of Italy sword in hand. It was the slow building-up of a fabric able to endure the strain of disaster and gradually to inspire confidence in its solidity. The character of its progress was determined by the nature of its government aided by the condition of the Italian peoples and by the physical configuration of the peninsula, in which Rome occupied a position of peculiar vantage. In ceasing to depend for leadership on one able individual, Rome passed under the rule of an aristocracy with its striking merits and defects. Tradition represents it as selfish and jealous of privilege and power, but capable of concession

in order to avert the disruption of the state. Internal strife was thus not fatal, and the cohesion which was the life of city-states was not destroyed. External policy was continuous and firm, guided by hard-fisted aristocrats whose interests coincided with their patriotism. The success of this government, so long as the governing class remained sound and uncorrupted; its miserable failure, once they became seriously corrupt; the tedious and bloody process by which the inevitable was at length achieved, and the empire brought under a single master:—these are the main features of the story which it is our business to trace. Surely the history of the Roman Republic is the most wonderful phenomenon of the ancient world. With all its clumsiness and blundering, it did its work so thoroughly that all rivalry had ceased, and all the peoples round the Mediterranean confessed the supremacy of Rome. The character of the aristocracy might and did change outwardly. Inwardly it remained practically the same to the last. Democratic movements might disturb it, but true democracy was not a possible form of government at Rome. The suppression of the government virtually aristocratic meant the coming of the Empire.

3. *Italy, The land.* Take a map including the countries round the Mediterranean. The central commanding position of the Italian peninsula strikes the eye at once. But the importance of its position was increased by the fact of its lying between the old civilizations of the East and the undeveloped resources of the ruder West. Then take a map of Italy shewing the physical features of the peninsula. The leading facts are these. The long Apennine range forms a backbone roughly dividing the country, while its spurs in many parts serve to mark off districts. Good natural harbours are singularly few, but ancient shipping was able to use many spots on the coast inaccessible to modern vessels of deeper draught. And we must bear in mind that the coast-line has been much altered in the course of centuries by the deposits of silt, the wastage of the hills, swept down by streams into a practically tideless sea. The region of the Po did not become Italian until Italy had been united under the leadership of Rome. In Italy proper there were no easily navigable rivers: the lower reaches of the Tiber were the only waterway of the kind worth mentioning. Mountain torrents, serving rather to divide than to unite, were the commonest

feature of the land. If Italy was ever to be organized *£ a whole, and thus enabled in virtue of its central position to play a leading part in the history of the Mediterranean world, it was necessary to make or improve communications between the various parts of the peninsula. To control the coasts was not enough. The hill-barriers must be pierced, for the main work of consolidating the strength of Italy had to be done inland. In default of a great conqueror to weld the Italian peoples into one great monarchy, the task was only possible to a community itself at once solid and able to expand without losing its cohesion. Loose leagues of cities or cantons were insufficient for such a work, as events were to shew. A centre, in short a city, must be found, to serve as a nucleus for the gradual concentration of Italian power. And among all the civic communities of Italy none was so favoured by central position, and by ready access to both land and sea, as the city on the Tiber.

4. *Italy. The peoples.* But the union of Italy could hardly have taken place in the way it did, if the various groups of independent communities had been generally alienated from each other by deep-seated differences of race customs and language. The ethnology of ancient Italy is still matter of dispute, but the only people now commonly admitted to have been foreign intruders, not of Indo-European (Aryan) origin, were the Etruscans. In the early twilight of Italian history we find them a conquering race, settled in walled towns as a ruling aristocracy of warrior-nobles. The chief seat of their power was the fine district known as Etruria, but they held also a large part of the northern region beyond the Apennine, and much of Campania in the South: that they were at some time over-lords in a good deal of central Italy is probable. Whether they had entered the peninsula by sea or by way of the Alps has been disputed. Tradition said that they came from Asia Minor. In the mountain district of the North-West were the Ligurians, probably driven back into the hill-country, having once occupied a far wider area. In the South-East, an arid and partly unwholesome district, were the people known as Iapygians or Messapians. The race-affinities of both these groups are still matters of some doubt, but it seems practically certain that they were at least nearer to the Romans than to the Etruscans. The great mass of the Italian peoples, settled along the flanks of the Apennine

range and spreading into the lowlands, were more or less nearly akin to each other, all of Aryan origin. In the North were **the** Umbrians; next came a group of peoples of whom the Sabines were the most important. In the lower country reaching to the southern coast below the Tiber were the Latins, with several smaller peoples to East and South of them. Following the



Map of early Italian peoples (conjectural). (E) Outlying seats of Etruscan power.

Apennine southwards, the rest of central Italy was held by kindred tribes, the most famous group of which were known by the common name of Samnites. The name Sabellian includes them and the Sabines and others as well; their dialect was called Oscan. In the South of Italy were the remains of **weaker** peoples called by various names, probably of Aryan race; among

them were the Itali, from whom the early voyagers are said to have called the country Italia. The Sicels in Sicily belonged to the same stock. Of the Greek colonies on the coast we shall often speak below. Their wealth and splendour caused the southern seaboard to be called the Great Greece. Thus the bulk of Italy was held by peoples not parted off from each other by any insuperable difference. A conquering power of kindred race could form them into a confederate whole, and assimilate rather than exterminate them or reduce them to serfdom.

5. In tracing the union of Italy under the headship of Rome we shall find the extension of Roman dominion promoted by the general attachment of communities to their local independence. The looseness of the ties that bound together the various leagues or groups is clearly to be detected in their incapacity for continuous common action. We find this much the same in the case of Etruscan cities and in the tribal cantons of the Sabellians. The groups recognized some community of race and interests, and common festivals gave expression to this feeling: but, so far as we know, there were no true federal unions, each made effective by possessing a central directing authority. It was the possession of a central authority in Rome that differentiated the Roman confederacy, even in its humble beginnings, from the inefficient unions of her neighbours. Rome furnished the necessary Head, the firm consistent policy, and the far-sighted diplomacy which won more certain triumphs than the sword. These general remarks must serve to introduce a narrative which in its earlier stages can only be an outline sketch.

CHAPTER II

EARLY ROME

6. *Rome*, The city of Rome was formed by the occupation of some low hills about 15 miles from the mouth of the Tiber, and the union of these settlements into a single community. When the first settlement took place is not known; probably it was long before 753 B.C., the conventional date of the foundation of Rome according to the calculation of a Roman antiquary. Nor is it known under what conditions the settlements coalesced or how long the process took. It seems that the first point occupied was the Palatine hill, and that the settlers were all or most of them drawn from the people called Latins, whose towns or hamlets were scattered over the low country east of the Tiber, or perched on the Alban hills or the spurs of the Sabine mountains. These were presently faced by a second settlement of Sabine origin with its headquarters on the Quirinal hill. Somehow these two communities merged in one, probably after conflict, in which the warlike Sabines had the upper hand. The result was the formation of the city *Roma*, membership of which was expressed by calling the men of Roma *Romani*. If this account be correct, we have already the picture of a composite community, and are led to expect that its institutions would shew traces of the mixture that had taken place. Such is indeed the case. In many particulars, mostly connected with religion, modern research has detected Latin and Sabine elements existing side by side. Tradition asserted that at one time the kings were alternately Latin and Sabine, and it is known that a number of the families of the old nobility of birth boasted Sabine descent. Others traced their origin to the noble houses of Latin towns incorporated by Rome, with what right we do not know. It is at

was not a *populus* but a group of *populi*. Thus there was no *populus Latinus*, but a *nomen Latinum*, including the *populi* who called themselves by the name of 'Latins.' But Tusculum, a Latin town, was the headquarters of a *populus Tusculanus* and its territory was *ager Tusculanus*. Belief in common descent, indicated by a common name, was expressed by a common worship. Thus the Tusculans took part with other Latins in the Latin festival (*feriae Latinae*). But each *populus* was an independent unit, and common action was a matter for special agreement of two or more communities for a special purpose. The term to express membership of a community was *avis*; a man was *civis Tusculanus* or *Praenestinus* as belonging to Tusculum or Praeneste. So too with *civis Romanus*, but at Rome we find traces of an earlier term *quiris*, probably derived from a Sabine word meaning 'spear.' It lived on in the custom of addressing a Roman meeting as *quirites*, not as *civcs*, and in certain forms of expression. The civil law peculiar to Roman citizens was *ius quiritium*. The quality of membership was his *civitas* or franchise, which gave him certain rights in the eye of the law. These rights were expressed at Rome by the more ancient term *caput*, his 'head' or legal personality. A citizen could lose his civic rights, wholly or partly, by legal degradation, or incidentally by loss of life. A slave could only acquire *caput* by ceasing to be a slave, when his owner in solemn form set him free from his control (*manu misit*). It is important to note that, while all citizens had civic rights, it did not follow that all enjoyed them in the same degree. Civic rights did not carry with them what we should call political rights. This was marked at Rome by the distinction between 'private' rights (*iura privata*) and 'public' (*iura publico*). The distinction existed elsewhere, as in Greece. But at Rome it was particularly clear.

8. *The Roman people.* That the early Romans were before all things tillers of the soil and keepers of flocks and herds is a probable tradition. The same was doubtless true of the Italians in general. But it is not likely that the presence of the river was without effect on the rise of the city. The Latin towns appear as united in a League, and Rome as having dealings with the League. But we do not know that Rome was ever a mere ordinary member. At all events she was able at a very early date to displace Alba Longa from the presidency of the League and to become herself

the leading member. The record of Alba's former presidency remained in the common temple of Juppiter Latiaris on the Alban mount, but the yearly festival held there was conducted by Rome. It would seem that the growth of Rome was far more rapid than that of an ordinary Latin town, and that she soon came to hold an exceptional position by the side of the League. Now tradition, which points to an early coalition with warlike Sabines and early incorporation of neighbouring towns in the Roman state, also represents the mythical founder Romulus as having opened a refuge for outlaws and other aliens, and as having thus strengthened the population of his infant city. If this legend contains any kernel of fact, it must surely be this, that Rome was from the first a place that attracted immigrants. And this is not hard to believe, if we attach any importance to the river as a means of intercourse with the outer world. However rudimentary the commerce of primitive Rome may have been, no other town in that part of Italy had equal opportunities: if any site was fitted to attract a mixed population, surely it was Rome. Therefore we need not suppose that agriculture, though no doubt the main industry of the early Romans, was the sole occupation of the people gathered together on the spot.

9. *Citizens and inhabitants.* But we must always bear in mind that residence did not confer citizenship. Naturalization and acquisition of the franchise in a state have only been made easy in quite recent times. In ancient communities we find the line of true membership, carrying with it rights and duties, most strictly drawn. At Rome it appears that originally none but the members of recognized clans (*gentes*) were accounted full citizens. The members of each clan all bore its distinctive name (*gentile nomen*) and shared its peculiar religious rites, and originally its common property also. The clan consisted of a number of households (*familiae*) and in course of time it became customary to use a family surname (*cognomen*) in addition to the gentile name. Each male of a family had a fore-name (*praenomen*) of his own, such as Marcus Gaius Lucius Publius Titus, but of these fore-names there were always very few in use. A man was formally described by adding the fore-name of his father (and often of his grandfather) after his gentile name. Thus *Lucius Quinctius Luci filius Luci nepos Cincinnatus* shews us that three successive members of the *Quinctian* clan bore the fore-name

Lucius, and that the last of them at least had the surname *Cincinnatus*, a nickname which became a family surname. This clumsy nomenclature clearly indicates the immense importance of families and clans, and the hereditary nature of membership in the primitive community. The family included all under the government of the head or Father {*paterfamilias*}^ that is, wife children slaves and the family estate. Over all these the Father was supreme ruler, with power even of life and death, but strictly as Father, not as an individual. The maintenance of the household and its religious observances was his duty. But on his death the succession to his rights and duties passed to the next successor in the male line, normally to his eldest son. Sons were qualified to succeed their father, or to found families of their own. Daughters were always subject to the head of some family or other, and the mother or unmarried sister (if any) were in the position of daughters to their son or brother when he became head of the house. But tradition, probably with truth, represents the subjection of women as consistent with high respect and domestic dignity, and the position of slaves as a tolerable bondage, very different from the cruel brutality of later times.

10. *Patricians and Plebs*. The existence of a privileged class, owners of all or most of the land and monopolizing whatever political rights are attached to citizenship, is a common phenomenon in primitive states. This institution, generally a trace of conquest, was sometimes explained by a claim of the nobles to be descended from the original founders of the state. Their laws and customs were paramount, including their religion. At Rome we find a clearly-marked class of this kind, the 'men of fathers' (*patricii*) whose descent was proved genuine by their membership of a family included in some recognized clan. But that these Patricians ever formed the whole population of Rome cannot be proved. The name implies distinction, and we know of no Rome in which there were not other inhabitants. But these others were politically of no account; they merely helped to 'fill up,' and were called the *plebs* or *plebes*, a name suggesting the notion of filling. Thus by the side of the privileged class there was a mass of unprivileged persons, whom we may call the dependent class. In order to carry on their occupations in security, these Plebeians needed the protection of the Patricians. Accordingly we hear that many of them were attached to the

Patrician families and clans as *clientes*, that is listeners or dependants. Some of them were perhaps descended from persons settled on the spot from very early times. Some would be immigrants attracted by the prospects of a growing community. Tradition adds a third element, the lower orders of towns conquered and destroyed by the early Romans, forcibly removed to Rome. It is supposed that these last were in the regal period not clients of the great families, but directly dependent on the ruling king. Be this as it may, we have no reason to doubt the early and rapid growth of a dependent population, or the fact of its long struggle for emancipation and equality. Nor need we doubt that it was mainly if not wholly of Latin origin, drawn from the country near. The settlement of the relations between the two 'Orders' was the making of Rome.

I I . *imperium, Consilium, auctoritas*. Before we go further, it will be well to consider certain notions that underlay the structure of Roman society and powerfully contributed to give the Roman state its peculiar character. They expressed themselves in terms for which it is hardly possible to find exact equivalents. The lawful power of command, implying the power of enforcing commands, the so-called *imperium*, was a notion so ample and fundamental, so necessary for the working of Roman institutions, that a true parallel is hardly to be found elsewhere. The power of an absolute monarch is not the same thing. The *imperium* as we hear of it was clearly a growth from within, following the lines of the rule of the Father in the household. In ages of conflict such a power easily proved its utility. It appears as strictly impersonal, but of course vested in persons; at first in a King, afterwards in magistrates, always as the effective means of directing the forces of the state to definite ends, such for instance as victory in war. In principle the *imperium* was subject to no limits, and so liable to be abused. It was highly characteristic of Rome that the check on its abuse was found in the force of custom. From time immemorial Roman custom enjoined that all holders of sovran power should not take a final irrevocable step without first consulting suitable advisers. The head of a family considered important decisions with the help of relatives or friends. The chief magistrate took the state-council, the Senate, into his confidence. The final act was the act of the individual holder of power, and was in any case valid. But the

moral obligation to hear the views of a *consilium* was so strong that to act without it was felt to be usurpation, save only in the case of military command. To follow the advice given was not necessary. It was necessary to avoid secret and ill-considered decisions. So much was required by the ancestral custom (*mos maiorum*) which, so long as the Roman state remained healthy, it was hardly possible to ignore. Tradition represented it as one of the chief offences of the last King that he passed judgment on citizens without employing a *consilium*. Thus sovran power was morally limited in practice. Of any earlier state of things, that is absolute monarchy, we know nothing. So far we have spoken only of the understood principle that holders of power should exercise it in a formal and deliberate way. But there were departments of private and public life in which the persons primarily concerned could not perform a valid act without the sanction or guarantee of others (*auctoritas*). Thus no woman or minor could act without the consent of an *auctor*, that is the guardian (*tutor*), who must be a person of full legal capacity. And in early Rome we find that many public acts of the people in Assembly were held to require the sanction of the Fathers (*patres*), perhaps the originally Patrician Senate. The gradual change in the relative force of these notions, as the necessity of the 'sanction of the Fathers' died out, while the *imperium* was weakened, and the Senate as the advisory board of the state (*publicum consilium*) more and more took the real direction of affairs, is no small part of the internal history of Rome. For old notions died hard, and constitutional changes were slow. Old institutions survived long after they had lost their effect, and Roman public life was full of make-believe. Hence the gradual modifications of opinion and precedent were in this highly conservative community far more politically important than the actual changes of constitutional law.

12. *Religion and Law.* Roman religion seems originally to have been the simple Nature-worship common among primitive peoples. When we first come upon traces of it in use, it has become the worship of unseen powers or influences (*numina*) sometimes still supposed to reside in natural objects. To avert the ill-will of these powers is the purpose of worship, which consists in the exact performance of special rites. Religion is thus essentially a bargain; if the man does his part without

a flaw, it is assumed that the power addressed will grant his favour. But the god is attached to the worshipper rather than the worshipper to the god. There are gods of the household, of the clan, eventually of the whole community, and they are expected to hear only those entitled to address them. Hence, though a few special gods had each a special priest in very early times, there was no priestly caste. The head of each social group, the Father in the house, the chief magistrate in the state, was the proper representative of the group in its relations to the divine powers. The members of the group were alone concerned to see that their religious observances (*sacra*) were not allowed to lapse. When Rome conquered and destroyed or incorporated another community, it was usual to take over the worships of the conquered. In besieging a town it was usual to invite its local gods to come over to the Roman side and accept Roman worship. For the gods of a state were a part of the state, and its capture, implying their favour to Rome, made that favour an object of Roman care. There was no doubt a general resemblance between the worships of Rome and the Italian peoples. When the gods began to be conceived as human in form, we do not know. Rude images of divine beings early took the place of stocks and stones. Rude shrines would then form the first temples. The impersonal *numen* was then passing into a personal *deus*. But this transition only became complete at a later time when the imagination and art of Greece took hold on Rome. Among the beliefs that powerfully influenced the Roman mind was the notion that natural phenomena (thunder and lightning, rain, earthquakes, etc.) were the outcome of divine agency and had a special significance for mankind. To learn the meaning of such occurrences, and to take the right steps to propitiate the divine anger, were matters of importance. This department of religion was largely developed under Etruscan influence, for among that strange people this form of superstition had been reduced to an elaborate system. In short, any event out of the ordinary, such as monstrous births or unusual behaviour of animals, might be regarded as a *prodigium*^ probably of evil import: in times of nervous strain imagination saw prodigies everywhere. Again, the desire to act only in harmony with the divine will impelled men to try and learn it before acting. This was supposed possible in various ways, chiefly by observing the

flight of birds; this was done in accordance with precise rules, and was the duty and privilege of the magistrate, who 'took the auspices' before every important public act. The hereditary character of religion is shewn in the fact that at first only Patricians were entitled to take auspices on behalf of the state. Its political importance long consisted in the consequent limitation of the magistracy to Patricians. This restriction cost long struggles to remove, and its removal was a momentous change. In general we may say that Roman religion (*religio* almost = 'scruple'), if not exactly a spiritual force, was at least, from its presence in all relations of life, a force promoting caution formality and order.

13. Hand in hand with formal religion went formal law. The two were closely connected, in fact parts of the same set of notions, as seems to have been normally the case in ancient civilizations. The exact use of forms of words and performance of symbolic acts was far more important than the known intention of the actors. In the conveyance of things bought and sold, and in early forms of contract, all turned on the avoidance of any flaw in the ceremonial details. The presence of competent witnesses was necessary for the validity of any legal act, and in the days before written instruments the evidence of the witnesses would be the record of the transaction. All matters affecting the family were the subject of peculiar care. In the highest form of Patrician marriage religion and law met as one. This union could only be dissolved with difficulty, by an exact reversal of the solemn formalities. Plebeian marriages were a simpler matter in every way, and tended to supersede the Patrician form as the old family and clan system gradually decayed. Plebeians it is true appear in the historical period as grouped in families and clans more or less modelled on those of the Patricians, but these groups had no longer the direct political importance of the olden time. The basis of society was changed: the strict claims of descent, confined to the Patrician blood, had disappeared. Now it is clear that the close formal bonds of religion and law were a painful check on all the movements of life. Some device was needed to avoid constant deadlocks. This was found in a system of make-believe, common in primitive societies, and carried to great perfection at Rome. Evasive tricks simplified the fulfilment of religious duties, and fictions made workable the niceties of law. To pretend that

something was something else, that one place was some other place, that a clod of earth from a field was the field itself, and so forth, were the Roman road out of many a difficulty. The best instance of practical fiction is found in the sphere of the family. This is adoption, an institution not peculiar to Rome, but of peculiar importance in Roman life. The reason for it was not sentimental. It was simply a means by which a man who had no son provided a successor to himself in the family headship. The extinction of a family was a calamity to be averted. Some one had to be found to take the position of the Father, a successor (*lures*) to the estate and the rights and duties connected with it. This was done by adopting a son from some other family. The adopted was 'emancipated,' that is freed from the hand or control (*manus*) of his natural father, and thus completely severed from his former family. He passed into the 'hand' of the adopting father, and was thenceforth on exactly the same footing as a natural heir. He would succeed to the control of all female members of the family, and be duly qualified to approach the family gods. It was the emancipation that was the more difficult part of the process. For a Father to divest himself of his power (*patria potestas*) over a son was no light matter according to Roman notions. Not only were the formalities elaborate, but it was a step not to be taken without the advice of the family *consilium*.

14. Law and religion were thus twined together at every turn. There is no better illustration of this than the distinction between lucky and unlucky days (*fasti, nefasti*). As the term for law, regarded as the traditional rule of right, was *ius*, so from the point of view of religious scruple it was *fas*. Very early in the history of Rome a religious gild of Pontiffs (*collegium pontificum*) determined the character of days. But their rules were kept secret and their authoritative calendar also. Now legal acts could only take place on lucky days. Thus the pontiffs not only fixed the dates of religious events such as festivals, but had a direct influence on the administration of law. In their hands too were the traditional rules for the formal acts and phrases necessary to make procedure valid, and these too were kept secret. These prerogatives enabled them to gain enormous power, and they clung to it tenaciously. Even after many of their secrets had been made public, they contrived to keep their position as great lawyers,

and the first professional jurists were all pontiffs. In the primitive age, when written statutes were probably unknown, their importance can hardly be overrated. As witnesses were before written documents, so the pontifical tradition, written or not, was before statutes. The treatment of what we should call Crimes calls for particular notice. There was no general conception of Crime, but only of Wrong requiring redress. Wrong done to the individual (robbery violence murder etc.) was no doubt originally righted by the private revenge of the wronged person or his relatives. This first found recognition in the traditional rule of equivalent retribution (*taiio*, an eye for an eye etc.), and then developed into a system of satisfaction by compensation. But many Wrongs could also be regarded as Sins, breaches of *fas* rather than *ius*, and from this point of view could only be righted by acts of expiation, which it was the province of the pontiffs to prescribe, and so to avert the divine wrath. Wrongs done to the community as a whole (and many acts might be so interpreted) were dealt with by the chief magistrate on behalf of the state, in virtue of his *imperium*. But he could allow the offender to appeal to the community (*provocare ad populum*) against his sentence. To convert this permissive appeal into a legal right, assured to all citizens, appears in tradition as one of the first and most important achievements of the Roman Republic. The procedure was in effect the taking of a vote of the assembled people on the particular case. The question was really whether they did or did not mean to treat the offender as a public enemy (*perduellis*). If they did, * then he would be put to a shameful death; if not, he would go free, subject to expiation as required. This right of appeal remained in force for centuries, and was never formally abolished. It only died out under the gradual development of regular courts of penal jurisdiction. Each appeal led to a separate act of the Assembly, as independent as an act of legislation; but strictly legislative acts were beyond doubt very rare in the early days of Rome, perhaps rarer than appeals.

15. *civis* and *hostis*. In speaking of a modern state, we think of its government under three heads, Legislature Judicature Executive. At Rome, as in primitive states generally, the first and second of these were only rudimentary, the third was all-important. The internal duty of the Executive was chiefly the maintenance of custom, keeping the state solid within. The

means of slow progressive change existed in fiction and creation of precedents. The pressure of an unprivileged population, claiming rights, came in due time. Externally the chief duty of the Executive was to secure the safety of the state. This meant that the relations of the state to other powers must be satisfactory both in peace and war. Success in war meant superiority in peace. To attain this success three things were of use, military organization, alliances, and divine favour. Discipline and diplomacy were early and lasting growths of the Roman system. But the cause of Rome must, to secure divine approval, always appear as the rightful cause. Hence the formalities attending a declaration of war were punctiliously carried out under precise rules of the same character as those governing the relations of citizens to each other, and of each and all to their gods. So too in concluding peace and making treaties. These matters were all managed through an ancient religious gild (*collegium fetialium*). Other Italian peoples had the same institution, and at Rome at least there was an elaborate system of *ius fetiale*. The Fetials decided points of 'international' law, and a deputation from their college went to the frontier to perform the needful acts. The spirit of all these international dealings was the same as that prevailing at home, the aim being to get an advantage and if possible to put the other side technically in the wrong. When the growth of Rome brought her into contact with enemies outside Italy, various difficulties arose, which were met by fiction and modification of practice to suit new circumstances. But the Fetials and Fetial law lasted far into the days of the Empire.

16. When the line of division between communities was so clearly drawn, and their relations on such a formal footing, it was but natural that Citizen and Alien should be sharply distinguished. So we find on the one hand the *civis*, the man whose position is determined by the rules of the state to which he belongs, on the other the *hostis*, the man who has no part in that state or its gods, but whose allegiance is due elsewhere. In Latin the word *hostis* came to mean 'enemy,' and the technical term for 'alien' became *peregrinus*; but the notion of 'alien' still hung about the older word. The stranger had no rights as such in any state. He might be favoured by the grant of privileges, but it was a fixed rule at Rome, and probably elsewhere in Italy, that a man could only be *civis* in one state at a time. The ancient custom of guest-

friendship (*hospitium*) between members of different communities no doubt helped to promote intercourse, but each *hospes* would be protector of his friend at home and protected abroad. It was a further step in civilization when one state guaranteed free access and friendly reception to all citizens of another state; this was *hospitium publicum*. But the clearest and most satisfactory settlement was reached by concluding a definite treaty (*foedus*); this fixed the rights and duties of the two states to each other, and the privileges granted to citizens of each state in the other. Between the states it was a question of an alliance, offensive or defensive or both. What affected the individual citizens was the granting or withholding of two important privileges. One was the right to buy and sell, to hold and inherit property, in the state with which their own had made a treaty, of course under the legal rules of that state. The other was the right to contract legal marriages on equal terms, so that the wife would become a recognized member of her husband's family, and the children legitimate under the rules of the state to which he belonged. These two were known as the rights of *commercium* and *conubium*. To the citizen in his own state they were a birthright, to the alien a granted privilege. To establish reciprocity of this kind between two states tended to bind them together, and the use made of this fact by Roman policy had an immense influence on the history of Italy. For if state A were thus connected with states B C D, while no such reciprocity existed between B C or B D or C D, clearly the gainer by the general arrangement was A. And, the more states there were connected with A but isolated from each other, the greater became the advantage of A relatively to the rest. Now Rome took care to be A, and this policy is the external history of Rome in a nutshell. Where a group of communities were confederated, however loosely, in an union that expressed itself in a common name, such as *Latini Volsci Hernici Marsi* etc., it seems that reciprocal privileges of some kind prevailed throughout the group. This was a part, perhaps the chief part, of what gave them cohesion. Accordingly to make use of the group as a whole so long as it served her purpose, and to break it up when it became troublesome, was the consistent method of Rome in dealing with the Italian Leagues.

17. In order to avoid obscuring the following narrative with frequent explanations I have given a sketch of the conditions

prevailing at Rome and in the neighbourhood, so far as tradition, supported by traces surviving in historical times, enables us to infer them. No attempt is made to furnish an exact chronology, the materials for which do not exist. The picture is neither clear nor brilliant. In the arts of civilization the Italian peoples were undoubtedly far behind the Greeks, whose maritime enterprises led to splendid developments in many lands. From the ninth to the sixth century B.C. Greek colonies were springing up along the coasts of Sicily and southern Italy, and their seaborne commerce, largely displacing that of the Phoenicians, grew in proportion to the spread of their settlements. But the progress of the Italians was slow. Their greatness was only achieved by unification gradually effected from within, a colourless and prosaic process. Rome itself long remained a centre of simple life, the men mostly engaged in the labours of the field, the women busy with the spindle and loom. Value was reckoned in terms of domesticated animals, such as sheep *oxen* or swine. Long after copper came in as a medium of exchange, it was only taken by weight. A real coinage in bronze is thought to have begun only in the fifth century. The coarse grain spelt (*far*) was the staple food of the people. Wooden huts or houses of sun-dried bricks (*lateres*) were their dwellings : earthworks with palisades, and walls of soft local stone rudely hewn in squared blocks, seem to have been their fortification according to the nature of the ground. But progress, if slow, was sure. It was surely an advantage to Rome that she was not too civilized, too far ahead of the hardy and fertile inland peoples, ever spreading in swarms for want of room. She was able to capture and organize their strength, and to save whatever Greek cities they had not already destroyed in the South. In the North, she was able with their support to appear as champion of Italy against invading Gauls. The object of the foregoing pages is to give in brief outline some notion of the conditions under which the Roman community started on its wonderful career.

CHAPTER III

THE REGAL PERIOD

18. *Regal Rome.* The first stage of the Roman constitution recorded by tradition is one in which a sovran guide or ruler (*rex*) presides over the state. His *imperium* is conferred on him by vote of the whole community in Assembly (*comitia*), and held for life. But the Assembly could only approve or disapprove. There was no true 'election.' A name was submitted, and we are left to infer that it was accepted. The Patrician elders, who in these days formed the Senate, nominated a 'between-king' (*interrex*) who proposed a name to the people, acting doubtless under instruction of the elders. Further formalities followed the people's approval, and the new ruler was made. He was supreme in religious functions on the state's behalf, supreme judge, supreme leader in war. He could appoint deputies as he saw fit. The council of elders is represented as chosen by the King from the Patricians, members of the ancient clans. The community in general, the *populus*, appears as divided into *curiae*, sometimes rendered 'wards.' These Curies were the only divisions that had a directly political character. According to the Roman system of voting, each Cury would count as one group-vote, and its vote would be decided by the majority within the group. As the number of Curies was an even one (always 30), an equal division was possible. It was not until later, when state questions had come to be decided by a popular vote, that care was taken to have an odd number of voting-groups. We have a tradition of a time when the whole community was in three parts (*tribus*), each Tribe containing ten Curies, and an assumption that there were ten clans (*gentes*) to each *curia*, ten families in each clan. This assumption could only be an ideal. But that there was

an ideal scheme seems shewn by the further tradition that the primitive army consisted of 3000 foot and 300 horse. Thus the numbers 3 and 10 formed the traditional basis of organization. What was the origin of the three Tribes (*Titus Ramnes Luceres*) is doubtful. So too is the composition of the *curiae*. They probably contained not only the true (Patrician) members of the clans but the dependent *clientes* (Plebeian) attached to each clan or family. Probably there were other Plebeians not so attached, and so not included, for subsequent changes are more satisfactorily accounted for on this supposition. It is important to note the tradition as to the division of the land. Roman territory was either state-land, over which the state retained direct control, or private land (*ager publicus* or *privatus*). The legend was that the first king had assigned the latter in equal allotments to all citizens, meaning no doubt all heads of families. There are traces, very slight, of land owned by clans once upon a time. The word *tribus* seems from the first to have had a territorial meaning, but about the three primitive Tribes we know practically nothing.

19, *Progress in regal period.* Here we have nothing but traditions, for the most part doubtful, some certainly false. Perhaps the most credible is that of the occupation of the river mouth (*ostium*) by a fortified post. This was a *colonia*, a town of settlers each having an allotment of land (*colonus*, from *colere*). It was called Ostia, the first of a long series of colonies. The land was part of the *ager Romanus*, and the colonists citizens, who remained part of the Roman community. We hear also of the conquest of small towns in the low country now called the Campagna, which appears as thickly inhabited in early times, and presumably healthy. The destruction of Alba Longa, and the succession of Rome to the presidency of the Latin League, referred to above, are also attributed to the time of the Kings. The tradition that the conquered people were in many cases removed to Rome, and the leading men received as Patricians, will account for the growth of the city, which it is clear from the sequel took place somehow or other, and in particular for the increase of the Plebeians. It is now supposed that the great works, such as the Main Drain (*cloaca maxima*) by which the swampy ground between the hills of Rome was cleared of water, and the so-called 'Servian' wall enclosing the whole city, do not

belong to the Regal period. That is, the existing remains are assigned by experts to a later date. That some drainage took place, and that some fortification was erected, is possible. It is said that a fort was also built on the Janiculan hill on the right side of the river, and access provided by construction of the famous pile-bridge (*pons sublicius*). In early times great works seem to have been commonly carried out under single rulers, and we cannot assume that Rome was an exception. But the most famous event traditionally connected with the regal period is the great internal reform attributed to Servius Tullius, last but one of the traditional kings.

20. Omitting details, this change appears as a new organization of the whole community for military purposes, only later becoming invested with a political character. Whatever its details and date, it marks a great step in the transition from birth to wealth as the foundation of civic importance. We are left to infer that the original military system was inadequate, throwing on members of the ancient clans a burden greater than they could well bear. Religion would forbid interference with these clans, so a new principle of organization had to be applied, if the army of the state was to keep pace with its growth. We must assume that some Plebeians had acquired considerable property, while some Patrician families may have become poorer. The notion that the citizen settled on the land (*adsiduus*) was bound to bear arms for the state was probably of immemorial antiquity, and not peculiar to Rome. So long as all owners of land belonged to the old nobility of birth, it was natural that the core of the army, serving in full panoply, should consist of Patrician clansmen, Plebeians furnishing at most a body of light troops. But it was commonly recognized in ancient communities that only men of property could provide for themselves a suit of armour and good weapons. We find this distinction in Greece, and it has been thought that the Servian reform was partly copied from a Greek model. The Patricians being no longer the sole landowners, the principle of the change was to provide that owners of land, Patrician and Plebeian alike, should share the duty of army service in proportion to their property. For this purpose the people were divided into five 'callings' or 'summonings' (*classes*), from the rich in the first class (called specially *classici*) down to the poor in the fifth. Those who had nothing

worth taking into account were lumped together in a single group and were not liable to military service. The richest of all were those able to afford to serve on horseback, and required to do so. A few special services, artificers and musicians, were also provided for. The military nature of the scheme appears in the division of the classes into Centuries. The word *centuria* (100 of anything) had ceased to bear its primary meaning, as is clear from the fact that half the centuries in each class were of *seniores* (men from 47 to 60), half of *iuniores* (men 17 to 46). The latter of course contained more men. The seniors formed the home-army or garrison, the juniors the field-army. Thus beside the distinction based on property there was that based on age. The number of centuries in the several classes is given thus 1 (80) 11 (20) 111 (20) iv (20) v (30) = 170 of infantry. Add 4 for the artificers and trumpeters, and 18 centuries of cavalry (*equites*), and the total was 192. The mass of unqualified poor were counted as a single century, making the final total 193. The equipment of the combatant centuries varied from the full outfit of the first class down to that of the fourth, who carried spear and javelin only. In battle order the first class stood in front, with the second and third behind them. The fourth and fifth seem to have served as skirmishers, the latter being slingers. Thus there was a sort of solid phalanx of heavy-armed foot with light troops moving freely. The cavalry according to tradition were the flower of the army, far more important than in later times. The word for an army embodied for service was *legio*, a 'picking' or 'levy.' At some early date the necessity of forming more than one such military unit caused it to be applied to two or more corps. So it came to mean a 'legion' in the well-known sense.

21. To establish such a system as this, a general review of the people and their estates was necessary. Tradition therefore ascribed to Servius the institution of the periodic assessment (*census*) which was a notable feature of Roman public life. It is most probable that at first it took account of landed property only. Also that the owning of land up to a given amount laid the obligation to serve in a given class on all members of the family of military age. We hear of no place assigned to men over 60, but they would often be heads of families. It would seem that they had no place themselves, but their sons had.

It is said that a special arrangement was made to meet the expenses of the cavalry-service. The state found horses, but feeding and grooming would be costly. So we hear of a tax laid on the estates of women and minors towards this outlay. These cases can only have been few, for such persons would nearly always be under the power of some head of a family, and so have no estate of their own. Expensive the service of *equites* was and remained. But no part of the reform was more important than the introduction of a Tribe-system wholly different from that of the three primitive divisions. Servius is said to have divided the community into parts (*tribus*) on a purely local basis, a measure represented as being taken for the convenience of the census. We hear of four Tribes in the city, but whether this division included the country outside, whether the four are meant to be the total, does not appear. At any rate the principle of locality was one that became more and more firmly established as time went on. Tradition adds that, when the various details of the new scheme were complete, the king held a grand review of the whole people assembled under their new divisions as an army (*exercitus*), and that he performed a solemn religious purification with sacrifice. This ceremony, the *lustratio*, was always the proper conclusion of a Roman census, and the presiding magistrate was said first *censum agere*, and then to 'put by' or complete the purification (*condere lustrum*). Whether the origin of this reform is rightly placed in the regal period and connected with a king Servius (whom some declare to be a mythical figure), I cannot say. It is at all events ancient, and the power of organization implied in it is fully consistent with what we know of Roman growth. For it was surely her early advance in respect of systematic organization that gave Rome a permanent advantage over her neighbours. But that such business as that of a census could be carried out effectively without some kind of written record is hardly to be assumed.

22. *End of the Kingdom.* The tradition that the ancient monarchy lasted 244 years (753—510) deserves no credit. And the legends of its latter days are mostly wild stories, some of them directly borrowed from the Greek. The reigns of the last three kings, Tarquin the Elder, Servius Tullius, and Tarquin the Tyrant (*superbus*), are made to appear a time of great activity and progress at home and abroad. Some have thought that we

have in the name Tarquin a trace of an Etruscan (*Tarchna*) dynasty, but this is very doubtful. The accounts of the growth of the city, of the predominance of Rome among the Latins, of the spread of Roman power, of collision with other groups, Rutuli Volsci Aequi, to the South and East, may contain some truth. But the last king is a figure modelled on that of a Greek Tyrant, a work of imagination, formed to account for his expulsion by a justly enraged people. When we note that the fall of the monarchy was followed by an aristocracy of Patrician nobles, it appears certain that the portrait of Tarquin, as an usurper who disregarded all customary rules of right and oppressed the poor, is historically worthless. It has even been doubted whether such an event as the sudden deposition of the last king ever took place. But the suggestion that the monarchy died out very gradually, functions being taken from the kings bit by bit, is hardly more easy to believe. We have in short a drama before us. The curtain falls on the single ruler, and rises again on a chief magistracy held by two colleagues. I do not think we can with reasonable confidence say any more. The circumstances in which the election of consuls first took place are no less fictitious than the tragedy of Lucretia. Somehow or other the Patrician nobles had their will.

CHAPTER IV

THE REPUBLIC 509—449 B.c.

23. *Magistracy.* Little trust can be placed in the dates of this period, and they are given for whatever the tradition may be worth. We hear that the sovran *imperium* was now held by two 'leaders' (*praetores*) at once. Both had it in full, for there was no division of function, so that each could neutralize at will the command of the other. Their power was thus in effect limited by the possibility of disagreement, and another limit was that of yearly tenure. We do hear of disagreements, but as rare occurrences, never pushed so far as to endanger the safety of the state. Friction was lessened by the growth of a custom of taking turns to officiate. One *praetor* took duty for a month, attended by his beadles (*lictors*) bearing the bundles of rods (*fascēs*) which were the sign of *imperium*. His partner took the next month, and so on alternately. At the end of the year there was no power to compel them to resign office or to hold an election of successors. It seems that custom, created by general understanding, was enough. Nor need we doubt that common-sense and good faith sufficed to establish a wholesome tradition in the early Republic. Aristocratic governments, ever jealous of individual encroachment, have always taken care to keep their magistrates in order. And the moral force of precedent was the soul of Roman politics. At some early but uncertain date the name *consules* (almost = 'colleagues') superseded that of *praetores* as the title of the chief magistrates, thus laying the chief stress on their equality. Clear traces of the old kingship remained. A titular King was still kept (*rex sacrorum*) for the performance of certain religious functions. This post, of no political import-

ance, was never abolished, and was held to the last by Patricians only. Moreover, in the event of neither consul being able to hold the election of successors, the same old plan was followed as on a vacancy of the throne, namely the appointment of an *interrex* by the Patrician senators, with a temporary *imperium* for the purpose. When the consuls had to assign some special function, such as command in war, to one of the two, this was done either by voluntary agreement or by casting lots. Such was Roman unity in duality.

24. *Senate*, The Senate of this period was a continuation of the old Council of the King, but the choice of members had passed to the consuls. The normal or ideal number was 300. Senators had to be men of ripe age, at all events over 46 years. In practice they held their places for life, unless removed on the ground of acts customarily regarded as disgraceful. Whether any Plebeians were actually included in their number has been doubted. In any case they must have been very few. No doubt the choice of members amounted to a sort of rough representation of the Patrician clans. The House seem to have been addressed collectively as *patres*, for after the admission of Plebeians we hear that the *patres* and those enrolled with them (*conscripti*) were addressed jointly as *patres conscripti*. Senators soon, if not from the first, came to be allowed a foremost place on all public occasions, and certain distinctions of dress. Grades of rank soon arose among the members, for those who had held public office continued to wear the semi-royal gown of the consul. At first no doubt the Fathers were simply the Advisory Board of the consuls, but as a permanent body by the side of changing magistrates they could hardly help acquiring more and more influence. The Senate quickly became the store-house of experience, the exponent of public custom and precedent. It was able to meet on short notice and give advice in emergencies, for the members normally lived in the city or within easy reach. The right to make proposals (*sententiam dicere*) and to vote by division (*discessio*) existed early, and enabled the opinion of the majority to be ascertained with ease. But the power of the presiding magistrate, great even in later times, was probably dominant at first to an extraordinary degree. It lay with him to put a question to the House or not, and opinions could only be expressed at his invitation. But in this primitive procedure

were the germs of the senatorial debates of a later age. For the present we need only remark that the republican Senate began its wonderful career as the organ of Patrician conservatism, the headquarters of opposition to those Plebeian claims of which tradition has so much to say in the next 150 years.

25. *Assemblies.* The history of popular Assemblies in the first years of the Republic is very obscure. Tradition represents the election of the first consuls as taking place in the Assembly by Centuries. This cannot be trusted, but it is possible. That military organization did at some early date become a voting body, but we do not know when. At all events two forms of Assembly existed side by side, that meeting by Curies and that by Centuries. Both alike were group-systems, in which the vote of each group, large or small, counted as one. No Assembly voting by heads as a single body ever existed in Rome. The only body of political importance in which account was taken of the majority of the whole number of those present and voting was the Senate. Of the Curies we know that they were connected with the ancient Patrician organization of clans. Whether all Plebeians were included in them we do not know; probably not. At any rate many of the Plebeians were clients of Patrician houses, and compelled to follow the lead of their protectors (*patroni*). But all men of military age were included in the Centuries, and those over 60 soon found a place there, when once the civic army became a political Assembly. The Curies were based on the hereditary system of the past, the Centuries on the property-standards of the present. The transfer of power from the former to the latter was probably a gradual process, of which we hear nothing. One thing is clear. The revolution that ended the old monarchy was not in the interest of the mass of poor Plebeians. By the arrangement of the Centuries the power was in the hands of the wealthy, for the first Class (80 Centuries) together with the *equites* (18 Centuries) controlled more than half of the total (193 Centuries) of group-votes. And these wealthier classes voted first, and seldom disagreed, so that by Roman custom, once a majority of Centuries had voted one way, voting ceased, and the rest were seldom called on to vote at all. It is plain that elections could be, and doubtless were, in practice a mere matter of agreement among the rich, chiefly Patricians. As for legislation (probably a rare event in these

days), or for the use of political pressure, to remove grievances and better the condition of the poorer classes, the Assemblies provided no machinery at all. If any movement were to be made in this direction, some new machinery must be devised. It was and remained a fixed rule in Roman public life that no formal Assembly could do anything but vote for or against a proposal laid before it by the presiding magistrate. There could be no amendments and no debate. If the magistrate wanted to address the people (surely a rare thing in this period), he spoke to an informal meeting (*contio*). Once the people broke up into their voting-units, the stage of 'groupings' (*comitia*) was reached; it was an Assembly. And the power of the magistrate was immense, even at an election. He could refuse to receive votes for a candidate if he thought him unfit. And all public formal proceedings began with taking auspices to secure the approval of the gods. This reminded all men of the sacred character which the consul inherited from the king. In truth we may say that in these early days the awe inspired by the consuls as men accepted by the gods was more important than the fact of their election by the votes of men. They were Patricians, nominees of Patricians, and utterly unlikely to take part in any movement calculated to lessen the privileges attached to Patrician birth. To gain anything, it was necessary for the Plebeians to find a means of putting forward their claims.

26. *The Tribune.* Tradition represents the cruel law of debt as the main grievance of the Roman Commons. This is credible enough, for the debt-question appears as causing trouble in the early history of many states. A good instance is found in ancient Athens. High rates of interest and inability to pay, followed by the loss of the debtor's land and bondage of his person, pledged to the creditor, are the common phenomena. At Rome we hear that this question was complicated with that of the state domain-lands. The *ager publicus* was being more and more granted to the rich, chiefly or wholly to Patricians, as tenants of the state. Poor Plebeians wanted allotments, but there was now no king able if willing to protect their interests. So the land was passing more and more into Patrician hands, either under the pretext of reserving state-domains or under the operation of the law of debt. This picture is probably coloured by details borrowed from the circumstances of a later age, but that there

was some sort of land-question already is likely enough. We can also believe that frequent wars led to the devastation of farms, and so impoverished many. It appears also that one who had become his creditor's bondman still remained a citizen liable to serve in war. The situation, however doubtful the details may be, was intolerable, and the only means of extorting any concession from the ruling class was to refuse army service under present conditions. Here we come upon the famous story of the first 'withdrawal' (*secessio*) of the Plebs. We hear that they marched out in a body to a spot by the river Anio, the 'sacred mount' (*mons sacer*), and only consented to return under conditions which amounted to a treaty solemnly sworn to by both parts of the state, in fact to a recognition of the Plebs as a separate community within the state. The story is made up of legendary details; all we can gather from it is that the Roman Commons insisted on having officers of their own to look after their interests, and the military necessities of the time enabled them to carry their point. These officers they called 'tribe-leaders' (*tribuni*) of the Commons (*plebis*), taking the name from the tribe-officers of the army-system. They were at first two in number (like the consuls), but were soon raised to five, and afterwards to ten. Their duty was to protect the Plebeians against oppressive use of the *imperium*. Theirs was a negative power, known as 'succour' (*auxilium*). If one consul gave an order, and his colleague refused to interfere, a tribune could ¹ 'come between' (*intercessit*) and block proceedings. This power could be used at critical moments to extort further concessions, and so it was; tradition records a rapid growth of Plebeian privileges through the use of this weapon. The power of the Tribunes gradually became positive as well as negative. Why then did it not supersede that of the consuls and completely dominate the state? First, it carried no *imperium*. The tribune of the Plebs could not command the army. Secondly, it was confined to the city precinct. The tribune could not block the orders of the consul in the field. Thirdly, a single tribune could block the proceedings of the rest, and unanimity was not always to be attained. And in point of yearly tenure it was on the same footing as the consulship, while it lacked the awe inspired by the consulship in virtue of its religious character and the outward ensigns of magisterial power. Still it is evident that we have

before us a fact of the first importance in the knowledge that the long political conflict between these two offices did not bring about the disruption of the Roman state. We may call this a proof of the political genius of the Roman people, thereby meaning that the ruling class, with all their stubbornness, knew when to give way rather than push opposition to fatal extremes.

27. *Imperium* and *provocatio*. In connexion with the beginnings of the Tribunate we may look at the changes which the overthrow of the kingdom unavoidably caused in the powers of the chief magistracy. We are told that the privilege of appealing (*provocatio*) against the magistrate's sentence was made a general legal right, not a matter of special leave. But appeal was to the *populus* in Assembly, and no Assembly existed in which the Plebs had effective voting-power. Moreover it did not avail beyond the city precinct as against the decision of a consul commanding an army in the field. In short a marked distinction was growing up between two degrees of the *imperium*, the apparently-regal at home (*domi*) and the truly-regal in the field (*mi/itiae*). It must have begun very soon, and the clear limitations of the right of appeal and tribunician *auxilium* shew how firmly it took root. The distinction was a thoroughly sound and practical one, restoring unity of power just where it was most wanted, in war. Not less practical was the arrangement soon developed to make the local distinction work efficiently. The so-called *pomerium*, a sacred space within and without the whole line of the city wall, was the boundary of the district in which the citizen could always appeal and the tribune interpose. An ideal line drawn at the distance of a Roman mile beyond the wall, probably marked in some way on the roads leading in the various directions, was the boundary beyond which the *imperium* of the consul became automatically regal, subject to no checks. Between these bounds was a space in which the effect of the limitations depended on circumstances. If the consul had duly taken the auspices, made his vows to Capitoline Jove, and solemnly marched out arrayed for war, then his full powers as general began the moment he passed the *pomerium*. But formal acts of the *imperium*, such as the holding of a military levy or the great census-review, could take place in the between-space. In the city they were not allowed, and the review-ground was the 'plain of Mars' (*campus Martins*) to the north of the Capitoline hill. On such occasions *provocatio* and

auxilium were not barred. An outward sign of the greater or less fullness of the *imperium* was seen in the *fasces* borne by the consul's lictors. In war-array each bundle of rods had an axe in the middle of it; otherwise he was escorted with the rods alone.

28. *Dictatorship.* In the early days of the Republic Rome was constantly engaged in wars with her neighbours. The consuls were often absent in the field, either in joint command of the army, or operating at different points with separate forces. To maintain the executive in vigour at home was meanwhile a necessity. It was natural that the old regal power of delegating authority should pass to the consuls, and custom soon regulated the principles of its use. Only the absence of both consuls made it necessary. The one last to leave the city then appointed a deputy to perform the functions of the magistracy at home until one or both of them should return. The deputy was 'set over the city' (*praefectus urbi*), and no doubt administration of justice was his chief duty, though he could summon the Senate and Assembly at need. It seems to have been the rule that such delegation of powers must take place whenever the consuls were going beyond the frontier. This was in these days generally a distance of about six miles, more or less. The Alban mount was not in the *ager Romanicus*, so a prefect was appointed during the absence of the consuls at the Latin festival. Afterwards, when the executive during war was otherwise provided for, the custom of leaving a formal deputy during the festival still remained. But, apart from the provision to meet the absence of consuls, it was sometimes convenient in seasons of internal trouble or external danger to place the sovran executive power in the hands of one man, and thus regain for a time the unity of direction lost by abolition of monarchy. Very early under the Republic this need was met. One of the consuls (chosen by lot or agreement) solemnly named a particular person as 'sovran of the community' (*magister populi*). This was an act not likely to be undertaken without consulting the Senate, and it was probably in connexion with such emergencies that the influence of the Senate on the magistrates became established. The new supreme magistrate might also be a consul, and the acting consul not seldom did name his colleague. There was no form of popular election. But even in the city the axe appeared among the rods, and the right of appeal and the succour

of tribunes fell into abeyance for a while. The appointment was strictly for a purpose; the *dictator*, as he was afterwards called, was expected to lay down his office so soon as his work was done, and in any case not to hold it more than six months, a term calculated no doubt to suffice for a campaign, war being waged only in the milder or warmer seasons of the year. He was in effect a temporary King.

29. *Working of government.* We have sketched Magistracy Senate and People and considered their relations to each other. It remains to speak of three important departments of public life, responsibility, initiative, and what we may call nomination. The Roman constitution at no time found room for an official body or person authorized by statute to supervise the Magistrates and bring them to account for misdeeds. Nor was there any power to force the present holder of *imperium* to stand a trial, had there been a court to try him. Thus while in office he was practically irresponsible for his acts. On leaving office he came under the *imperium* of his successors, who could judge him a traitor or enemy to the state, leaving him to appeal to the Assembly. But the Assembly by Centuries, which now heard these appeals, was arranged so that its decisions turned on the votes of the rich, mostly his brother Patricians, the very men who had previously conferred sovran power on him in the name of the sovran people. They would not lightly condemn one of their own order to the loss of his life or civic existence (*caput*). Moreover he could not have acted without at least the acquiescence of his equal colleague: thus the moral guilt was not all his own. If such trials ever did occur (which is doubtful), responsibility so enforced was illusory. Later it became more serious, when the tribunes became strong enough to deal with offences against the Plebs. For the present it was practically non-existent, and never became regular or effective under the Republic. As for power of initiative, in form it rested with the Magistrate, but in practice the consultation of the Senate no doubt enabled that body to influence Magistrates from the first. So too in matters of nomination. Either in meetings of the Senate or in private gatherings, the Patrician elders were able to promote the choice of trustworthy candidates for office, to advise a consul when and whom to name Dictator, to put pressure on him to choose a suitable man to serve under him in the subordinate post of *quaestor*. These three topics

are concerned with the practical working of the constitution **rather** than its outward form. We have no tradition of any value to help us, but imagination may perhaps safely venture thus far. And we must not forget that in the back-ground of public life was the ever-present force of religion, directed by the permanent college of pontiffs, who would lose no opportunity of adding to their power.

30. *Progress under the Republic* 509—449 B.C. Tradition records a few points, but neither dates nor details are above suspicion. As to the land, we hear of its being divided into 21 parts (*tribus*) in 495. That there were 21 such divisions (4 in city and 17 in country) at this early date is very hard to believe. In 486 we hear that the consul Spurius Cassius proposed to distribute some land in allotments to the poor citizens and to the Latin Allies who had helped to conquer it. The story adds that he was defeated, chiefly owing to the jealousy of the Roman poor, and put to death on the charge that his aim was to make himself king. This is surely nothing but a fancy picture made up of details belonging to a later age. But that there was land-hunger in early times we may well believe, and there are stories of pestilence and famine. In 456 it is said that the Aventine hill, hitherto state-land, was allotted in parcels to poor Plebeians and became a regular dwelling-place. It seems too that the Tribes were felt to be the natural basis for the grouping of the Plebs. In 471 we hear that a law authorized the Plebs to hold its own meetings (*concilia*) arranged by Tribes. Hitherto they are supposed to have been arranged by Curies. In any case they were simply meetings of the Plebs, not Assemblies of the whole community (*comitia*) competent to make laws. The result of their voting was a 'resolution' (*scitum*), not a binding statute (*lex*), which must be passed by the *populus*. But the tribunes had now a powerful lever in their control of these great meetings. Their persons were inviolable (*sacro-sancti*) in virtue of the solemn compact sworn to in 494. They were even protected from interruption when addressing the Commons by a law or compact of 492, under severe penalties. Thus their power steadily increased, for as presidents of the ever-growing Plebs they were more and more supported by the irresistible force of numbers. As the consuls had their subordinates the quaestors, so the tribunes had under them two *aediles*. The tribune claimed the **power to arrest**

and fine the consul himself if he ventured to injure Plebeian interests. The encroachment was no doubt gradual, but in time the Plebeian officer became a match for the Patrician magistrate in civil life, and the Roman community openly split into two antagonistic sections.

31. How far the planting of town settlements (*coloniae*), in which each *colonus* received an allotment of land, may have appeased the land-hunger of Roman Plebeians, is an obscure matter. That these 'colonies' were primarily garrisons is clear from their position. All those traditionally referred to this period were planted in the country of the Volsci or on the fringe of it, thus serving to hold a persistent enemy in check. It appears that they were founded by the Latins and Romans in common, and were nominally offshoots of the League. But no doubt they were in practice more nearly related to Rome than to any single Latin city, and the chief gainer by their foundation was Rome. This institution was greatly developed later. Meanwhile it is probable that Roman Plebeians joined these garrison-settlements freely, becoming 'Latins,' citizens of the towns in which they settled. Where there was a considerable old population, as at Antium on the coast, we hear of difficulties. Traditionally founded in 467, the place was not securely held by Rome till 338. This matter of colonies, closely connected with foreign policy, leads us to the wars of the early Republic, of which we can extract but a very hazy story from a mass of legends and fictions put together in a later age and coloured to satisfy Roman vanity.

32. The legends connected with the fall of the monarchy dwell upon the wars with Etruscans and Latins, attributing them to attempts of the banished Tarquins to recover their lost kingdom. We hear of a great Etruscan invasion under Porsenna. It seems that Rome was taken, or at least compelled to accept hard terms, a truth disguised by the stories of Roman heroism, Horatius holding the bridge, Scaevola and his burnt-ofT hand, Cloelia and her maidens swimming the Tiber. The Etruscan lords in their strongholds were a great power, whenever the several cities chose to act together, and their friendship with the Phoenicians of Carthage added to their other resources the control of the sea. But their cities never acted together for long, and the danger from Etruria died down into a rivalry between Rome and

the Etruscan city of Veii, some ten miles away. The legend of the destruction of the 306 Fabii, the males of a Patrician clan, is an ornamental fiction in the story of the Veian wars. But in 474 the first great blow fell on the Etruscan power south of the Apennine. The Greeks of Sicily had destroyed a Carthaginian force which invaded the island in 480. Led by Hiero the ruler of Syracuse, they now asserted their power at sea, and in a great battle off Cumae in Campania they defeated the Etruscan navy. The Etruscan power in Campania now quickly declined, and the



Neighbourhood of Rome.

blow was doubtless felt in Etruria also. Turning to the Latins, we hear of a coalition of the League-cities against Rome, and a war so alarming that it led (501) to the appointment of the first Dictator. This was ended by the famous battle of the lake Regillus. But it seems that Rome and the Latins needed each other, for in 493 the league between them was renewed through the consul Sp. Cassius. In 487 we hear of a war in which the Hernici were subdued and, as usual in such cases, a large part ($\frac{2}{3}$) of their territory annexed. But the League of Hernican communities lay in a position of great strategic value, between

the Volsci and Aequi, the two peoples especially troublesome to Rome and the Latins on the South and East. So the Hernici were admitted or compelled to join the alliance of Rome and the Latins. This is the first instance of a far-sighted foreign policy never afterwards neglected by Roman diplomacy. Wars with Volsci and Aequi were chronic, and lasted on well into the next period. The stories of Coriolanus and Cincinnatus are legendary episodes of the long struggle. But so long as the triple alliance remained unbroken under Roman guidance the result was a certainty. Another characteristic trait of Roman policy appears in the tradition of Rome's relations with the Sabines. We still hear of wars, and Roman victories are claimed. It is not unlikely that the hill-men wanted more room for their surplus population, and that Rome had to resist pressure on the north-eastern border. This she must have been able to do, for the expansion of the Sabines and other Sabellian peoples was diverted to the South. But tradition speaks of them as troubled by internal quarrels, and in 504 a chief named Attius Clausus is said to have migrated with all his clan and clients, and to have been received as an accession to the Roman state. Land was assigned them beyond the Anio, where they held the border for Rome. Under the name of Appius Claudius the chief became a Roman Patrician, the founder of a family that played a notable part in Roman history. We must bear in mind that many of the Patrician houses were confessedly of Sabine origin, and in a later period we shall find an exceptional readiness to admit the Sabine communities to the full franchise of Rome. The story of Clausus seems to imply that the Roman nobility of birth kept up a friendly connexion with the nobles elsewhere. So the tradition that the Tarquins allied themselves with the chief men of other states finds a parallel. In general, the traditional picture of Rome's external relations in this period is consistent and probable. The weakness that followed the expulsion of the Tarquins was gradually overcome by the wise policy of the aristocratic leaders, as the internal troubles were met by wise concessions, unwilling, but enough to avert the disruption of the state. The tradition that Rome made a treaty with Carthage at the very beginning of the Republic is too doubtful to be discussed here.

33. *The Decemvirate*. In the latter years of this period we hear of a momentous struggle, which must be treated by itself.

We are told that in 462 a tribune, C. Terentilius Harsa, began an attack upon the *imperium* vested in the consuls. Their power of jurisdiction was the chief point assailed. It was very great; and it is said that one of their early titles was that of *indices*. Their decisions were arbitrary, for there was no written law to control them. The tribune proposed that a commission should be appointed for drafting statutes to put an end to this evil. The details of what followed are very doubtful, for legends soon formed about so striking an event as the change to written law. Not until 454 was an agreement reached. Three envoys were sent to Greece to study the laws of various states, in particular those of Solon at Athens. They returned in 452, and in 451, after more bickering, the constitution was suspended by the appointment of ten commissioners to draw up statutes (*decemviri legibus scribundis*). They had consular *imperium*, and there were meanwhile to be neither consuls nor tribunes. Their power was absolute during their year of office, for there was no appeal against their decisions. Plebeians, it is said, were to be eligible, but in fact only Patricians were chosen. Their leader was Appius Claudius, probably son of the Sabine immigrant. Their year's work, besides a popular administration, was ten tables of law, which were exposed for criticism and, after some amendment, passed as statutes by the Centuriate Assembly. But there was still enough matter left to fill two tables more, so it was agreed to appoint Decemvirs for another year to finish the work. Appius now appears in the story as laying aside all scruples. He procured *by various arts the election of nine insignificant persons, five of them probably Plebeians, all amenable to his influence, and in defiance of custom (for he presided at the election) himself as the tenth. After this he threw off the mask. A reign of terror followed, and men soon longed for the restoration of the old form of government. The treacherous murder of the popular champion Siccus, and the affair of the maiden Verginia, are episodes in the tradition of decemviral tyranny. As usual in the story of early Rome, what relieved the internal distress was the pressure of external war. Two armies had to be raised to meet the Sabines and Aequi, and the march of these armies on the city, followed by a 'secession' of Plebeians, overthrew the Decemvirs. The tribunate and the consulship were restored, and two Patricians of popular tendencies, L. Valerius and M. Horatius, were made

consuls. The two supplementary tables were passed, and the whole set, the famous Twelve, engraved on bronze tablets and posted up in public view.

34. *The Twelve Tables.* A few points in reference to these statutes must be mentioned. From the fragments preserved by later writers it is clear that they were drafted in a brief and jerky style, needing comment to extract the meaning. From this necessity arose Roman jurisprudence, a science which began with explaining the intended effect of the clauses in relation to actual cases, but soon felt constrained to interpret more freely, reading into the text more than its framers had intended. It appears that the laws regulated legal procedure, but did not supply the verbal forms on which the validity of pleadings generally turned. Thus a most important part of the procedure still remained in the hands of the pontiffs. It is said that the sums of fines etc. were not stated in heads of stock but in metallic money, a striking innovation. Whether this was strictly coin (taken by the piece) or stamped copper or bronze (taken by weight) is not certain, but *pecunia* took the place of *pecus*. The statutes were mainly concerned with the law of property, family rights, successions (including a limited power of testamentary disposition), contracts (including debt), personal wrongs admitting retaliation or compensation. But there were also rules for upholding good customs such as simplicity of funeral rites. There were also constitutional rules, as that by which the appeals in cases affecting a man's civic existence (*caput*) were reserved to the Assembly by Centuries, and that by which it was forbidden to propose laws aimed at individuals (*prwilegia*). Two notable provisions are attributed to the supplementary tables. First, the refusal to legalize marriage between Patricians and Plebeians, that is to allow the children of such a marriage to succeed to the status of the father. Secondly, the affirmation of the principle that a later law supersedes an earlier one on the same subject. The Twelve Tables as a whole may be said to have contained three elements. First, Survivals, or the translation of old customary law into written Statutes. Secondly, simplifications and improvements. Thirdly, direct borrowings from foreign systems. Of these three the first was surely much the most important. And the mere fact of having something fixed in writing, as a point of departure for future development, was perhaps a greater achievement than any immediate gain.

35. *The Valerio-Horatian Laws*, The consulship of Valerius and Horatius (449) was in later days held to have marked a great advance in the political growth of Rome. They carried laws which were famous as the charter of the recovered rights of the Plebs. One of these enacted that the Plebs meeting by Tribes should have power to pass resolutions binding on the whole community. Probably some confirmation of these was required. It is suggested that a regular method of procuring the sanction of the Senate or the Centuriate Assembly, or both, was provided. The tradition is incomplete. But it seems that this change led to the institution of another formal legislative Assembly (*comitia tributa*) which included Patricians as well as Plebeians, and was grouped by Tribes. The number of Tribes was small (not more than 21), the members of each were landholders enrolled in that Tribe; rich or poor, each man had an equal voice in determining the vote of his Tribe. This simple grouping had been used in Plebeian meetings since 471. But the steps by which a regular Assembly of the *populus* on a Tribe-basis was evolved are not known. It had no appeal-jurisdiction in cases of a 'capital' kind. These the Twelve Tables reserved to the Centuries, perhaps because tribunes had been usurping jurisdiction over opponents of Plebeian claims, with appeal to their separate Plebeian meetings. On this supposition the Plebeians now lost their capital jurisdiction, retaining a power to impose fines, while they gained in the direction of legislative power. This latter power was not completely freed from restrictions till 162 years after. Another law forbade the election of any magistrate from whose judgment there should be no appeal. To make this rule operative the responsibility was laid on the presiding magistrate guilty of declaring such an election: he was outlawed, and might be put to death with impunity. But the non-elective dictatorship, and the sovran power of the consul in the field, were left as absolute as before. To this law a corollary was added in a resolution of the Plebs, declaring that whosoever 'left the Plebs without tribunes' should be scourged and put to death. This was a direction to the tribunes to provide successors in their office. No Plebeian institution existed corresponding to the Patrician *interregnum*, and we may believe that by this time the Roman Commoners had learnt the impossibility of dispensing with the power of initiative vested in regular leaders. The Plebs had now recovered its hard-won rights, and gained something more;

and the scene closes dramatically with victories over the Aequi and Sabines.

36. Such is in outline the picture of the early Republic and its progress within and without under conditions of strain and stress. The struggle of the two Orders was only begun, but each concession gave the Plebeians a lever to extort more, and their growth in numbers (and probably in wealth) foreshadowed the inevitable end. The extension of Roman dominion was as yet trivial, but the avoidance of bloody revolutions, the slow consolidation of the state, and the beginnings of a far-sighted foreign policy, were signs of something hitherto unknown in the history of the world. The Roman People was in the making, growing from within and incorporating or attacking others from without, in a way never seen before. Among all the legendary corruption of annals composed long after this period, of which we have but reports at second or third hand, without any statistics to check them, this much may I think safely be affirmed.

CHAPTER V

THE REPUBLIC 448—367 B.c.

37. *Magistracy.* In a period of just over 80 years the republican system now took a form which later generations were to modify in practice but not professedly to reconstruct. The development of the Roman magistracy was made necessary by the growth of the state, but it was carried out only after a series of concessions and evasions which make up the long struggle of the Orders. The first consular prerogative to go was the right of the consul to appoint his own quaestor. In 447 we hear that election took the place of nomination. The quaestors would be elected for the following year, and clearly they were on their way to become real magistrates. In 421 their number was raised from two to four, and Plebeians made eligible. In 445 a proposal of the tribunes to throw open the consulship to Plebeians was met by an evasive Patrician scheme, which was carried. Each year there was to be an option. The chief magistrates might be either two Patrician consuls, or 'tribunes of the soldiers with consular power,' who might be Plebeians. In the ensuing 78 years we hear of this makeshift office 51 times. The number of these consular tribunes was at first three, then four, and in the latter part of the period six. The increase in the number of holders of *imperium* was an important step, perhaps dictated by growing needs. The advance of the Plebs was seen in the election of the first Plebeian to this office in 400. Things were moving; in 407 three out of four quaestors were Plebeians. In 443¹ the recent proposal (445) in regard to the consulship probably had some effect in hastening the reasonable transference of some hitherto consular duties to new officers.

¹ In 435 according to Mommsen.

These duties were those connected with the *census*, and the officials were called *censores*, two equal colleagues, charged with the periodical revision of the register of citizens and their properties. The normal revision-period was every fourth year, the fifth by the old Roman reckoning, and the consuls had not the leisure to do the work regularly. It was necessary to see that every citizen was placed in his proper Class Century and Tribe, in order to determine what his rights and duties in relation to the state were to be until the next census. This involved the preparation of the list of senators, and that of the *equites* or 'Knights' liable to cavalry-service. Such functions, at first regarded as subordinate (the censor had no *imperium*), were likely to become more important in time. And the classification of citizens according to property was not all. It was the censors' duty to degrade those whose behaviour in peace or war was a scandal to Roman notions of right. Thus they had to inquire into men's life and conduct (*mores*) judged by the standard of approved Roman practice (*disciplina*), an arbitrary jurisdiction which was soon held to include the right of interference in matters of private life. That the powers of the censorship grew we shall see later. An important department of its work was the supervision of state-contracts (*publico*), whether the right to collect state dues was granted to lessees for a fixed payment, or public works let to contractors at a fixed price. The bargain held good until the next census. Under this farming-out system a regular class of state-contractors (*publicani*) grew up, and the censorship became the chief organ of finance. No responsibility attached to ex-censors for official acts. The term of office was a year and a half. The censorial period of four (afterwards five) years was at first not strictly observed. No statute seems to have confined the office to Patricians, but in practice it was so confined till 351. No doubt the religious function of the closing purification (*lustrum*) had much to do with this, for no Plebeian censor performed that ceremony till 280. The office was soon regarded as one of supreme dignity, only to be held by ex-consuls, in short the crown of an official career.

38. Thus by the loss of certain powers and functions the consulship was steadily becoming less regal in character. But it was still felt to be the normal chief magistracy, and the Patricians clung firmly to their monopoly of it. The expedient of consular tribunes was a temporary one. Once Plebeians began to be

elected, and no harm came of it, their demand to share the consulship grew stronger. Another Patrician device was the appointment of dictators, resorted to 15 times in this period, not always under the pressure of war. M. Furius Camillus, the great man of the time, was five times dictator. But this plan also was one that could not be in constant use, for fear of reviving the monarchy. Yet the Patricians struggled on. It seems that already there was a division of interests among Plebeians, and that the Tribunes of the Commons were not unanimous. Thus in 417 we hear of a bill (*rogatio*) for allotments of some conquered land, which is said to have fallen through owing to some tribunes blocking the proposal made by others. We shall see below how this weakening division was ended and the Plebeians won the consulship. Meanwhile the tribunate was steadily gaining ground. It appears that the tribunes had acquired the right to sit by the door of the senate-house and watch proceedings. We hear of their *intercessio* against decrees of the House. In fact, so long as they pulled together and had the whole Plebs to support them, there was no way of resisting their obstructive power.

39. *Senate.* Two sets of causes affecting the position of the Senate were at work in this period ; their effects become manifest in the next. On the one hand, great emergencies threw the direction of state policy more and more into the hands of a body which according to traditional dates (509, 449) had now the authority given by 60 years of free experience. On the other, the growth of the Plebs and the struggle of the Orders tended to weaken the hands of a body still in the main Patrician. That Plebeians of wealth and position were finding their way into the House may be inferred from the fact that they had been eligible for the Decemvirate and were now admitted to the quaestorship and consular tribunate. But it seems certain that they were few. With the extinction of some old Patrician houses it was necessary to strengthen the Senate by including Plebeians, but the men of the old clans were slow to recognize the necessity. It was probably in this period that the procedure of the House took its regular form, little modified in later times. The order in which the presiding magistrate called on members to express their views, magistrates and ex-magistrates having the precedence, the rules of debate, the methods of division, with power to count votes when desired, were the chief features. A final order or ruling of

the House was a 'conclusion reached in common' (called *consultum*): viewed as a concurrence in the magistrate's order it was a 'decision' (*decretum*). The two terms were afterwards used loosely as equivalents, when the Senate had become in practice a governing body. It was recorded in writing at the end of the sitting, and the correctness of the draft attested by adding the names of those senators who had watched its preparation. But a magistrate of powers equal to those of the chairman could interpose a Veto, so that the conclusion became invalid, and this right was in this period successfully claimed by tribunes of the Plebs. In these circumstances it soon became the custom to record the conclusion nevertheless. It was not a formal *consultum* but a 'resolution of the House' (*senatus auctoritas*) which on removal of the hindrance might be agreed to as a final order without further debate. We can see how strong the power of magistrates still was. The presiding consul decided what question he would put, and the old notion that the Senate was his Advisory Board was by no means extinct. In bringing the matter to a vote he was said to make (*facere*) an order of the Senate.

40. But the real influence of the Senate was certainly growing. A strong dictator backed up by the collective wisdom of the Fathers gave Rome at a critical moment six months of the most effective government known, concentrated power and moral force. And it became more and more difficult for the strongest magistrate to ignore or reject the opinion of the House. By degrees it was getting into its hands all matters in which the policy of the state, rather than the enactment of statutes, was in question. Thus it dealt with public religious worships, with jurisdiction in cases where a precedent had to be created, with the provisions for raising and equipping an army. Commanders sought its advice on doubtful points, and received from it the honours that rewarded victory. Dealings with Allies, the treatment of conquests, terms of peace with enemies, and external policy generally, came before the Senate. The finance of the state was soon brought under its control, and this enabled the House to interfere in other departments, by voting or refusing special grants of money. In internal administration, such as the maintenance of order or provision against dearth, it became the regular custom for magistrates to seek the approval of the Senate for the measures necessary, in short for every departure from

routine. And every time its approval was thus sought one more precedent was added to the existing heap, till the weight became irresistible. For the present magistrates still kept some independent power, and the right of the Senate to interfere in so many various departments was not conferred on that House by statute-law. But unwritten custom was at work, slowly converting the power of 'sanction' or 'guarantee' (*auctoritas*) into a means of controlling the whole machinery of government. It was only the struggle of the Orders during this period that effectually delayed the Senate's attainment of such a control. Let the Plebeian once be equalized with the Patrician, and this check on senatorial aggrandizement would be removed.

41. *Assemblies.* The Assemblies of the community could now be held in three forms, by Curies Centuries or Tribes (*curiatim, centuriatim, tributim*). The first method was in practice obsolete, save for certain formal and religious purposes. The second was the sovran Assembly for legislation, capital appeal-trials, and declaration of war. The third was new, hardly as yet in full activity, not yet possessed of final legislative power, but on the way to gain it. Meanwhile it could pass resolutions, and the growth of the Plebeian majority made it more and more difficult for the Centuries and the Senate to refuse to accept and confirm them. These three were *comitia* of the *populus*, and it was recognized that from the *populus* all sovran power was derived. The Assembly by Tribes grew out of the 'meeting of the Commons' (*concilium plebis*), in which Patricians had no part, but in true Roman fashion the development of the *comitia tributa* did not abolish the Plebeian meeting. Strange it is, but it seems certain, that the two existed side by side to the last age of the Republic. As the ancient clans dwindled, and Patricians became few, the composition of the voting Tribes was practically the same in both cases. But they differed in respect of their presiding officers. For regular *comitia* a regular magistrate was required, but the tribune of the Commons, not as yet a regular magistrate and never possessed of *imperium*, was from the first the regular president of Plebeian meetings, and it was in these meetings that the tribunes were elected. Nor did they stand in the same relation to religion. The Plebeian officer could not as such take the auspices on behalf of the state (*publico*), for his powers were not derived from the *populus*, so the exclusively Plebeian meeting

did without them. This does not mean that an unlucky sign (an earthquake etc.) would be disregarded, but that signs from birds would not be looked for, or only as a personal matter (*privata*). The number of Tribes was raised in this period (389) from 21 to 25.

42. *Progress under the Republic 448—367 B.C.* The first serious sign of the coming collapse of Patrician opposition appeared in the year 445, when the tribune Canuleius succeeded in having his proposal, to recognize marriages between Patricians and Plebeians as legal, passed into law. If the tradition be sound, he would seem to have thus procured the repeal of a law of the Twelve Tables. Henceforth the child of a mixed marriage would be Patrician or Plebeian according to the status of the father; the child of a Plebeian mother could succeed to all the religious quality hitherto vested solely in those of pure Patrician blood. This change clearly points to a recognition of the simpler forms of a Plebeian marriage as valid from the point of view of Patrician family law. Patricians could and did still use their elaborate ancestral forms among themselves, and a few old priest-hoods were still reserved to the offspring of such marriages. But the door was opened for a blending of the Orders, and the case for Patrician monopoly of *imperium* and *auspicium* was given up from the religious side, just as it was from the political side by the expedient of consular tribunes. The capacity of the Plebeians for equal rights was virtually admitted, and the tendency of the formal Roman religion to become a mere political instrument no doubt strengthened. In short, we are at the beginning of a new division of interests in the state, a cleavage marked by a line between Rich and Poor, destined to shew itself clearly, and to become permanent, so soon as the struggle of the Orders came to an end. The frequent wars and devastation of farms would assuredly cause much distress. It is not wonderful that we hear of a great dearth of food. Tradition tells how one Sp. Maelius tried to relieve the poor by doles of imported corn, and was put to death (439) on the ground that he aimed at monarchy in thus courting popular favour. So too we hear of the pressure of debt, of the attempt of M. Manlius (the defender of the Capitol against the Gauls) to give relief, and his execution (384) on the same ground. These stories are coloured by later imagination, but the picture of distress is probably founded on fact, and it helps to

explain the long agitation at the end of this period, ending in the Licinian laws.

43. In a state where Citizen and Soldier were the same, two characters in one person, where the Army and the sovran Assembly were one, in an age when the sword was the active organ of foreign policy, the importance of a good military system was naturally immense. We hear that in 406, when the warfare with Veii entered on its last stage, the necessity of winter operations led to a change in the conditions of service. It is said that the state-treasury undertook to provide pay. The details of the change are obscure, but it is enough that the burdens of the citizen drawn away from his civil occupations were in some way lightened. And it seems fairly certain that the new organization of the field army, which was in working order during the next period, was at least begun in the present, and probably due to Camillus. It was partly a change of formation. The old order of battle consisted mainly in a solid phalanx or column of foot, with the best-armed men in front. It must have been very clumsy, and hardly to be reformed when once broken. We may guess that in 390 it had proved a failure against the Gauls. In the new order each corps or army-unit (*legid*) consisted of thirty companies or 'handfuls' {*manipuli*} and each manipule was divided into two sections (*centuriae*). There were three fighting lines. First stood 10 maniples (120 men each) of *hastati*, the younger men. Next 10 (120 each) of *principes*, men of ripe manhood. Behind them were 10 (60 each) of *triarii*, old soldiers. Their special functions, to lead the attack, to push it home, and to act as a steady reserve, are obvious. To these 3000 infantry of the line were added 1200 light troops {*velites*) and 300 cavalry, and the combatant legion was complete. The foot were so arranged that there was standing-room for a manipule between each two maniples of the same line, while those of the next line stood opposite these gaps. Thus the new order gave great freedom of movement, and, if one part of the line was thrown into disorder, the rest of the companies, trained to act as separate units, need not lose their fighting efficiency. Moreover, the skirmishers could retreat through the gaps without throwing the main body into confusion. The horse, in this period still efficient, fought on the wings. The one grave defect of the manipular legion was that it could be rolled up into a mass by a sudden charge of cavalry.

44. The arms and armour of the soldiers were also improved. A handy sword, good for thrusting, was introduced now or soon after, and other changes made. The chief of these was that the spear (*hasta*) was used by the *triarii* only. To the men in the first and second lines was given a heavy javelin (*pilum*), which was hurled at the enemy and followed up at close quarters with the sword. This method of attack, perhaps developed by experience in the next period, became the characteristic movement of Roman tactics. When the regular system of encampments, with earthwork and palisade, first came in, is not known, but it seems to have been already in use, and the spade did much to promote the advance of Roman power. Of officers we need only note that each legion had six captains (*tribuni piilitum*), and each manipule two centurions or sergeants, one to each century. On the embodiment of a legion every man took the solemn military oath (*sacramentum*), binding him to obey orders and flinch from no danger, and there were no limits to the power of a general in the field. Such in brief outline was the Roman army. But we must not forget the Allies, the Latin and Hernican contingents furnished according to treaties. No doubt they were good soldiers, probably equipped and organized very much like the Romans, perhaps not with quite the same uniformity. And troops drawn from a number of scattered communities would hardly attain full military cohesion in the course of a short campaign. But on the whole we have good reason to believe that no combination so effective and so capable of development as that of Rome and her Allies existed in any part of Italy. It is clear that the tendency of the Roman army-reform was to employ each soldier-citizen in the kind of work for which he was best fitted, discarding obsolete considerations of social and political status. In the long run this would have a levelling influence on politics. And frequent contact with the Allies as comrades in arms would surely promote some assimilation, enough to make jealousies and quarrels less bitter. These tendencies should be borne in mind, for they were working powerfully both now and in a later age.

45. The general course of Roman expansion in this period is to be traced by the foundation of colonies and the allotment of land. The tradition on these points agrees on the whole with the story of the wars. We hear of five 'Latin' colonies, Ardea

(442) Satricum (385) and Setia (382) in the land of the Rutuli and Volsci, and Sutrium with Nepete (383) in Etruria. These mark the advance of Rome southwards and northwards. The settlers would be 'Latins,' some perhaps drawn from the Latin or Hernican Allies, but probably most of them Roman Plebeians who migrated to secure plots of land, giving up their Roman citizenship. We also hear of land allotted in parcels to Roman citizens, as the territory of conquered Veii (393) and some of the Pomptine lowland (383). Whether the earlier allotment at Labici (418 or 417) took the form of founding a citizen-colony is doubtful. But in any case it seems clear that a considerable relief of land-hunger took place without a corresponding increase of Plebeian citizens. This was surely no accident, but deliberate policy guided by the Senate. In 387 there were four new Tribes formed in the Veientine district, but this was all. That the land-hunger was not at an end we shall see below. It is also clear that the removal of discontented Plebeians to garrison-towns both relieved political pressure within and strengthened the hold of Rome on her own territory. The first shock of invasion, and the damage of border-raids, would fall either on the garrison colonies or on the Latin-Hernican Allies, while the old *ager Romanus* would suffer little. The stories of conflict and the temporary loss of colonies, which had to be recovered or reinforced, particularly on the Volscian seaboard, serve to confirm this view. We must also note that most of the advance of Roman posts is placed after the Gaulish invasion (traditional date 390). That willing colonists were found may be a result of Roman distress. That posts could be found in which to plant them may be a sign of the extent to which the neighbouring peoples had been shaken by the coming of the Gauls.

46. The story of the wars of Rome is still full of legendary matter, dressed up by later writers to please the Romans and gratify the pride of great houses. A few points are fairly certain. First, the Aequi and Volsci had by the end of this period ceased to be serious rivals of Rome and her Allies. They never recovered from their overthrow in the war of 431. We hear of risings in 389 and 385, both unsuccessful. But our tradition says that in these later wars they had sympathy and secret help of volunteers from Roman Allies. This tradition is not to be ignored, for about this time the relations of Rome and her Allies seem to

have been changed, a change of which we have no direct account. It is inferred that Rome put a stop to extensions of the Latin League. Henceforth no newly-founded Latin community was admitted a member of the League. The League as a federal organization was left on its present footing, to become more and more a shadow. The new Latin colonies were connected by reciprocity of private rights (*commercium* and *conubiutri*) with Rome only, not with the old Latin towns or with each other. This ingenious device, doubtless the Senate's work, became a fixed principle of Roman policy. The connecting threads formed by the blending of private interests were meant to meet in Rome as a centre. By this centralizing influence, always operative, Rome could go on binding new communities to herself over a wider and wider area, without sacrificing her position as their natural leader or creating rivals. The final settlement with the League had to wait for another half-century, but the present change of policy foreshadowed the end. Meanwhile we hear of war between Rome and some old Latin cities, such as Praeneste and Tusculum. The latter, on its submission in 381, is said to have received the Roman franchise. Whether this was the full *civitas*, including the 'public rights' with enrolment in a Roman Tribe, or the half-franchise (the later *civitas sine suffragio*) is not certain. In either case the Tusculans would have no political connexion with any other power than Rome.

47. The advance of Rome northwards is a strange story, not to be trusted in details, but its general truth will be shewn by explanations given below. At first we hear of border warfare as before. Fidenae, the town commanding a well-known passage of the Tiber, is taken and retaken, but Veii, backed by Capena, is the centre of Etruscan resistance. Then comes the ten-years siege of Veii (406—396) full of edifying legends, in short a later Roman echo of the tale of the Trojan war. The hero is Camillus. Rome is now in so strong a position that Camillus, charged with embezzling booty, is driven into exile. The Etruscans of Clusium in 391 appeal to her for aid against the Gauls, though she had been striking at their kinsmen of Falerii and Volsinii since Veii fell. Rome provokes the Gauls by an injudicious embassy, and in 390 they march southwards and defeat and break up the Roman army by the river Allia. Rome is taken and burnt, but amid general disaster and paralysis the Capitoline citadel holds

out for more than six months. This part of the story is a mass of legends, such as the tale how M. Manlius, waked by the sacred geese, drove off a surprise-party of the besiegers. Such too is the dramatic scene when Camillus, recalled from banishment, rescues Rome just when a ransom was being paid to Brennus the Gaulish king. No doubt the Gauls, unskilled in sieges and probably reduced by hunger and sickness, agreed to go on payment of a ransom. The damage done to the power of Rome was surely exaggerated in a later age as a background for pictures of Roman heroism. The burning of the city may well be true, and with it the destruction of all or most of whatever records then existed. We hear that the citizens were helped by the state to rebuild their houses, but no care was taken to enforce building in regular streets. Some modern archaeologists hold that this was the time when Rome was girt with the great line of fortification commonly called the Servian Wall. After the departure of the Gauls we have an astounding picture of the Roman revival. We have already seen her advance to the South and her treatment of the Latins. But we hear also of her pressing on into the district of Tarquinii, one of the chief Etruscan cities, and becoming so dominant in southern Etruria that she could hold her fortress-colonies in the teeth of Etruscan opposition.

48. We must now look far beyond the Roman borders, where we find events happening that account for most of the above strange story. About 425 B.C. the power of the Etruscans was falling fast. In the North it had been hard pressed by the Celtic invasion from beyond the Alps. Tribe after tribe of Gauls poured into the lowlands, and by 396 they were practically masters in the region of the Po, afterwards known as Cisalpine Gaul. In the South the Etruscan hold on Campania was lost. Their chief city Volturnum (later Capua) was taken in 424 by the Samnites, who soon occupied all that rich country, and in 420 even took the Greek city of Cumae. The Etruscan system was clearly out of date. The lords of the cities of Etruria could neither assimilate their serf-population nor act effectively in concert among themselves. Hence Rome had been able to hold her ground against them, and the pressure of the Gauls had so occupied the northern cities that they now allowed southern Etruria to fall into Roman hands. When the Gauls came upon them from beyond the Apennine, they sought Roman aid to little purpose. When the

remnant of the barbarians, after burning Rome, withdrew with their booty to the North, the disastrous effect of their invasion probably left the cities of Etruria exhausted. They were evidently not growing communities like Rome, and so Rome was for the present able to work her will. It is said that one reason for the retreat of the Gauls was that their own Cisalpine homes were threatened by an invasion of the Veneti, an amphibious people dwelling among the lagoons and mouths of the Po. Their presence at Rome had perhaps had another effect. Latins and other peoples near had witnessed the fury of their onset, and the impression made was never forgotten. At Rome the term 'disturbance' or 'alarm' (*tumultus*), suggesting sudden peril in Italy, became almost the technical name for a Gaulish inroad. And the Gaulish terror was not confined to Rome. Among the claims of Rome to Italian support in later times not the least was this, that she shewed herself the only competent champion of Italy against the dreaded Gauls.

49. Not less important were the events happening in the South, though their effects did not appear clearly until the next period. The Greek cities of southern Italy and Sicily were to suffer for their splendid isolation and their quarrels. In Sicily the utter destruction of the Athenian expedition (413) had lulled them into vain security. In 409 and 406 Carthage took her revenge for the past. Great mercenary armies overran most of the island and destroyed several of the chief cities. The remnant of Greek power was only saved by concentration under the tyranny of Dionysius of Syracuse. He waged war against the Carthaginians with various fortune, but his efforts to create a Greek empire in southern Italy greatly damaged the Greek cities there. At his death (368 or 367) Syracuse was strong but the Greek cause weakened. Indeed the 'Great Greece' was in no small danger. The southward movement of the fertile and warlike Sabellian peoples went on unchecked all through the fifth century B.C. We have seen how Samnites conquered Campania; only a few spots such as the Greek Neapolis kept their freedom. Another swarm pushed on and conquered the district known after them as Lucania, while some penetrated almost to the Sicilian strait, and were known as Bruttians. The pressure of these migrations was fatal to some of the smaller Greek cities; the larger still existed, but became subject either to the Lucanians or to

Dionysius. Tarentum alone was strong and independent, **but** its danger was plain. Western Greek civilization was sorely shaken by all these disasters, and in some coast-districts the Greek tongue gave way to Oscan. But it was not in the West alone that the gifted Greeks were working out their own ruin. The notable fact in southern Italy was the spread of the Sabellian peoples. By the end of the fifth century they held most of the country. They covered a much larger area than Rome and her Allies. But we find no trace of any common purpose or direction. They settled down in separate cantons as conquerors. Those in Campania seem to have lost touch with their kinsmen of Samnium. Modified by easier life in a genial climate, they still kept their restless and warlike character. Mercenary service abroad drew off numbers of the Campanian and Samnite youth. They competed with Gauls and Iberians for the blood-wages of Carthage or Syracuse, according to the demand. In short their progress was a striking contrast to that of Rome.

50. *The Licinian laws.* We now turn to the great political agitation by which the end of this period is marked, the effect of which was to close the long struggle of the Orders and give unity to the Roman people. Doubtful details do not discredit the main outlines of the traditional story. Of the Plebeians, the mass were poor. But there were also men of substance. The latter doubtless filled all or most of the Plebeian offices, and had made their way to the state-offices of the quaestorship and the consular tribunate. But they had set their hearts upon gaining the consulship. And they saw from past experience that they must stand out for a reserved right to one place: to be eligible and not elected would not be enough. In order to create the popular pressure needed for their purpose, they must engage the support of the poor Plebeians. Now what the poor wanted was more land and relief from debt. The result was a combined movement uniting the claims of both sections. The Plebeian leaders were C. Licinius Stolo and L. Sextius, tribunes in 377. The scheme of their bills was as follows. First, that interest already paid should be deducted from the principal of a loan, and the balance repaid in yearly instalments within three years. Secondly, no one was to be allowed to hold as tenant of the state (*possidere*) more than 500 *iugera* (c domain-land, or to keep (so it is said) r

of cattle or sheep on the part devoted to pasture. The story that there was a proposal to compel the employment of a certain minimum of free labourers on farms in proportion to the slaves is surely no more than an anticipation of a much later time, when great slave-gangs were common. Thirdly, the consulship was to be restored as the regular chief magistracy, and one consul was always to be a Plebeian. The first was a temporary measure to relieve an intolerable situation. The second provided no allotments, but it offered a prospect of resuming land for future allotment. The third was meant to confer a share of Patrician privileges, and to bar all Patrician attempts to nullify the concession in practice. To carry these projects into law needed a stubborn fight, said to have lasted ten years. Year after year Licinius and Sextius were reelected tribunes. At first their efforts were foiled by the 'intercession' of some of their colleagues, for the Patrician nobles bought off some of the wealthier Plebeians by letting them share the 'possession' of state-land. The two leaders retorted by blocking the elections of the regular magistrates. Tradition says that the *imperium* was thus held in abeyance for five years. Be this as it may, the struggle was evidently an obstinate one. In 368 it reached its height. But the end was at hand. The credit of having dealt with the crisis so as to avert a violent revolution is given to Camillus. The bills became law in 367. But the Patricians, though compelled to yield on the matter of the consulship, managed to extort a concession of practical importance. The ordinary duties of civil jurisdiction were becoming too much for the busy chief magistrates. If Rome was henceforth to have only the two consuls, not six consular tribunes, there was good reason why these duties should be otherwise provided for. It was agreed to create a special office for the purpose. The new magistrate was an inferior colleague of the consuls: he too bore the title of *praetor*, but their *imperium* was superior to his. Whether the new office was by law confined to Patricians is doubtful; at all events it remained in their hands for some 30 years. Thus the sphere of the consulship was further limited, and the office lost something more of its regal character. At the same time two 'curule' aediles were to be appointed, officers of the whole *populus* (not of the Plebs only) **and** as such entitled to use the official chair of state (*sella furulis*). These were also meant to be Patricians, but it soon

became the practice for them to be Patrician and Plebeian in alternate years.

51. So the great struggle of the Orders was virtually at an end, at least as far as legislation could end it. To pass laws was easier than to get them carried out. The richer Plebeians had fought their way to the consulship, and all other offices were in time sure to be gained also. But even the law opening the consulship was evaded now and then in the following years. That regulating the possession of public land was found not easy to enforce. Among those who evaded it and were fined for land-grabbing shortly after (357) was Licinius himself. So at least says our tradition. And the relief of debtors was temporary. The general result then was that the rich Plebeians won a lasting advantage, while the poor did not. Improvement in the condition of the poor did take place in the next period, but it was mainly due to allotments of land and foundation of colonies in new territory acquired by conquest.

CHAPTER VI

THE REPUBLIC 366—265 B.C.

52. The century after the passing of the Licinian laws may be called the first half of the golden age of Republican Rome. The vital question of the constitution was now settled. It had only to develop in the course of working, as its various parts gradually found their places in relation to each other. In this period the Roman system, clumsy but effective, begins clearly to shew its superiority to other governments, and Rome acquires the strength which was to prove irresistible in the course of the next hundred years.

The equalizing of the Orders was in progress. The new praetorship was first held by a Plebeian in 337, the censorship in 351. In 339 it was made law that one censor must be a Plebeian. The dictatorship was held by a Plebeian as early as 356. But the struggle for actual possession of the consulship, now once more the normal chief magistracy, was not yet ended. By some means or other the Patricians managed to secure both places in several of the years between 356 and 342, but in the latter year a threat¹ of further legislation in the Plebeian interest put an end to this evasion. There was evidently a difficulty in getting the poorer Plebeians to support the richer continuously. However, in the long run the Licinian law was observed. And the strength of the levelling movement was finally proved by the legislation³ of the year 300, when the number of members of the great religious colleges was raised, and Plebeians admitted to these strongholds of the Patrician Order. In short, the old nobility of birth gave place to a new nobility of wealth and office. Great Plebeian

¹ See § 63.

² *lex Ogulnia*.

families grew up. Wealth brought them to the front, and the attainment of offices carrying the *imperium* marked their members as 'known' or 'men of mark' (*nobiles*). The clan-system took root among them, and they soon formed a powerful class, as proud and as devoted to their own interests as their Patrician models. Only ten years after the passing of the Licinian laws we hear that Licinius Stolo himself was punished for an evasion of the rule limiting the amount of public domain-land that could legally be 'possessed*' by an individual.

53. But the position of the restored consulship, now open to both Orders, was not the same as it had once been. On the one hand its range of functions had been narrowed by assigning some of its old duties to the censors and the new praetor. During the last period the state had done without it for many years, and employed a substitute. On the other hand the vast expansion of Roman activities and Roman dominion in this period undoubtedly added to its importance. The consuls were the normal representatives of Rome beyond the frontiers, and these hundred years 366—265 include the conquest of Italy. What, with campaigning abroad and routine duties at home, they had generally quite enough to do, and the functions of military command and civic presidency were just those most held in honour. Thus the consulship was changed, but by no means degraded. It certainly lost somewhat of its independent initiative, as the Senate more and more assumed direction of public policy. But the influence of a consul was still great, and senatorial control as yet only beginning. It was neither possible nor desirable to interfere much with a consul commanding in the field, and tradition represents the generals as acting with great freedom. In 327 a notable step was taken for practical reasons. Neapolis was being besieged, and its surrender was expected. In order not to withdraw the consul in charge of the siege, it was arranged¹ that he should remain at his post 'in a consul's stead' (*pro consule*) until his work was done. This device gave him consular *imperium* within his special sphere of operations, not in Rome. This innovation was the beginning of a practice which became common in later times. The so-called Pro-magistracy, an extension of magisterial power on service abroad, was one of the most important institutions of the later Republic.

¹ See § 68.

54. The same method of extension was soon applied to the Praetorship also. For the frequent need of generals to command detached forces acting in support of the main armies led to the employment of praetors in the field, at least during the campaigning season, and it was not always convenient to supersede an experienced man at a given moment. Judicial business must have been chiefly despatched in the winter months. The strain of wars sometimes prevented either consul from presiding at the consular elections. Then it was necessary to proceed either by an *interregnum* or by appointment of a dictator. The latter plan was feasible, for a consul could make the nomination at his own headquarters. But the dictatorship, like the consulship, was gradually changing its character. We begin to hear of dictators appointed to discharge certain formal duties, such as holding an election of consuls, and not with a view to revive a concentrated monarchic power for military purposes. In this period we find dictators of both kinds, old and new. This exceptional office was evidently no longer in favour. It could no longer be used as a party weapon of the Patrician nobility. And, as the two Orders gradually coalesced, the new senatorial nobility more and more preferred the consular system. It suited the aristocratic ideal, of sharing preferment among the members of a limited class, better than the exceptional autocracy of an individual. But this limitation of a dictator's sphere of action seems to have been enjoined by moral pressure only; we hear of no statute passed for the purpose. It is possible that the right to appeal to the Assembly against a dictator's sentence (within the city precinct) may have been granted in this period by a *lex Valeria* of the year 300. If so, this is a further indication of the tendency to weaken the office. For the present it remained in use during a time of great wars, but in the next period we shall see it decay and disappear.

55. The censorship was steadily rising in importance. The spread of Roman dominion and the settlement of Roman citizens on conquered territory led to the formation of new Tribes (two in each of the years 332, 318, 299, bringing the total to 33), and there was also the admission of new citizens. There was also on occasion the undertaking of great public works, of which the chief instances were the great road and aqueduct named after Appius Claudius, censor in 312. The improvement of the city water-

supply was a great boon. The *via Appia* was a solidly-built military road from Rome to Capua by the coast-route. It secured Roman communications with Campania, an object of the first importance in the crisis of the Samnite wars. But it was the radical policy expressed in the work of registration that made the censorship of Appius a landmark in Roman history. He placed on the senatorial roll a number of his own supporters, even sons of freedmen, and distributed the mass of city handworkers¹ among all the 31 Tribes, thus leaving the rural freeholders liable to be outvoted by those better able to attend. We hear of much indignation, and it is said that his list of the Senate was even disregarded. Tradition attributed to him further acts of wilful usurpation : it is at least clear that the Patrician reformer was well hated by the aristocratic class from whom the Roman annalists were drawn. The leaders who looked for support in the lower ranks never appear to advantage in the traditions of Rome.

56. Of the minor offices, the aediles, once subordinates of the tribunes, were now more independent. Their police duties in the city, supervision of markets, repairs of public buildings, and the duty of bringing to justice all breakers of the public law, gave them plenty to do. And they were already charged with providing for the shows held on public festivals, a duty destined to grow. In short, their business brought them more into contact with consuls, and sometimes perhaps with censors, than with the tribunes. The quaestorship was much as before, but the wars, carried on now at a greater distance from Rome, probably made it more important. Besides the charge of the military chest, the quaestor attached to a consul in the field had often to act under his chief in operations of war, and so enjoyed opportunities of distinction. We also hear of legionary officers (*iribuni militum*), some of them chosen by the people, and of two officers appointed now and then to superintend the fitting-out of a fleet when required. But of the beginnings of a Roman navy little is known.

57. The tribunate of the Commons has been kept to the last, because it is best considered in connexion with the Senate. Its original work, the championship of the Plebeian Order as

¹ These no doubt were many of them freedmen. The censors of 304 upset this arrangement by placing the 'rabble of the Forum' in the four city Tribes only. See § H I.

such, was now for the most part done. Patrician supremacy was at an end, and a crude embodiment of negative power was no longer needed. But the office remained, and the right of any tribune to thwart the wishes of the rest was enough to prevent serious trouble arising from official agitators. Its position rapidly changed. It became normally the tool of the wealthy Plebeians now passing freely into the Senate. As the Patricio-Plebeian nobility became a more united body, it was to the tribunes that the Senate more and more looked for the means of enforcing its will. For about two centuries, in spite of occasional outbreaks of independence, the tribunate normally served the Senate as a check on other magistracies. It appears now as a magistracy of the community; at what date first so regarded, is uncertain, but tribunes now sat in the Senate. It is however clear that it was still so far devoted to the interests of the Plebeian Order that, in case of friction between the leading Plebeians and the Patricians, the tribunes took the side of the former. But hostility to Patricians as such seems to have passed away. As a distinctly civilian office the tribunate was naturally jealous of the military power. When in 357 a consul held an Assembly in his camp and passed a law, the tribunes announced that they would in future treat such an act as a 'capital' matter. For they were now the regular accusers in cases of a political nature, and public trials before the Assembly were the only means of punishing offences against the state. But instances of men being brought to trial for misconduct while in office were at present very rare.

58. In general the most striking fact about the Roman magistracy is the smallness of the numbers. The censorship was intermittent, the dictatorship exceptional. The yearly officials for the work of peace and war were—consuls (2), praetor (1), aediles (4), quaestors (4), in all 11. Adding the tribunes (10), we have only 21, but we can hardly class the tribunes as administrative officers. That so small an administrative staff sufficed for the work of the state in a period of rapid expansion is indeed wonderful. When we reflect that the power of colleagues was equal and a deadlock possible at any moment, that the assignment of special spheres of duty was left to private arrangement (*comparatio*) or the working of the lot (*sortitio*), our wonder is increased. Moreover, there were no official salaries, and, if we may trust tradition, honesty and devotion to public duty were normal with hardly an

exception. The clashing of official colleagues seems to have been, indeed must have been, extremely rare. This long-continued exhibition of patriotism and good sense may remind us that moral force was the secret of Roman government and Roman success. And the moral force of Rome in the golden age found its most effective expression in the Senate.

59. We have already noted the permanence of the Senate, its steady accumulation of experience, and the residence of its members, as causes of its acquisition of power. Its ranks were now being more and more recruited by admission of leading Plebeians. In fact a senatorial Order was beginning to form. Patricians and Plebeians in the House were assimilating as common aims and sympathies, not to mention intermarriage, overcame old jealousy. Naturally its power grew. The times called for much intelligent direction of foreign policy, and conspicuous success justified the Senate's management. It was not itself the Executive, but to the magistrates it was a prudent guide. It was not a Legislature, but a harmonious Senate could exercise much influence in promoting or checking legislation. Indeed most of its powers were the product of circumstances, assumed under stress of real or apparent necessity. Precedents once created hardened into custom, and became a part of the constitution for lack of challenge. Thus the growing power of the Senate rested on no statute; the Assembly had not abdicated its sovereignty, and a later age was to learn that the powers usurped in days when the Roman People were a sound community could be resumed by the people in the days of their corruption. No doubt the leading men in the Senate were mostly ex-magistrates, who in their term of office had been largely guided by the advice of the great Council, and would expect to exercise the same influence on their successors. These men would tend to promote the growth of the Senate's power at the expense of the magistrates. And so guidance would tend to become control, as we shall see it did. Two old survivals may be noted in connexion with the Senate. In the event of an *interregnum* the Interreges were still Patrician. And the formal 'sanction of the Fathers' was still a step in completing legislation and elections. Who these *patres* were is not quite certain, but they were either the whole Senate or its Patrician members. As their *auctoritas* was clearly a relic of the past, and was in this period turned into a meaningless form,

it is more probable that the Patricians alone are meant, and that the custom was a survival from the time when the ancient clans were a political power.

60. A change was coming over the popular Assemblies. Both the Centuries and the Tribes appear in this period as sovran legislative bodies. Both were presided over by regular magistrates with *imperium*, being Assemblies of the whole people. But in practice legislation was more and more passing into the hands of the Tribe-Assembly. Its simplicity may have been partly the reason for this, but Plebeian magistrates may have preferred the Tribe-grouping for its own sake. No legislative sanction seems to have been required for the change: the *comitia tributa* was a lawful Assembly, and its right to give a final answer to the question put by a regular magistrate seems to have been admitted. It became in course of time the ordinary Assembly for general purposes. In election the Centuries held their ground. They elected consuls praetors and censors, the Tribes only curule aediles, quaestors, and some minor officials. Beside these Assemblies it is strange, but apparently the fact, that the separate Meeting of the Plebs still went on. It elected tribunes and Plebeian aediles, and its proper president was a tribune. This last fact was probably the chief cause of its continuance, for the tribunes would not readily give up the meetings in which they played the chief part. The vigour of the *concilium plebis* is shewn in this period by the final removal (287) of all restrictions on its capacity for legislation. Tradition loosely asserts that Resolutions of the Commons (*plebi scita*) were made binding on the whole *populus* by a Valerio-Horatian law of 449, a Publilian law of 339, and a Hortensian law of 287. This was either a case of reenacting a rule that had been evaded, or (more probably) restrictions still remaining were successively removed by the later laws. At all events after 287 the Plebs by itself was free to legislate for all. The Plebeian dictator Hortensius is said to have been appointed to deal with a crisis arising from debt and distress. The sedition had even got so far that a 'secession of the Plebs' took place in the old style, and the result was some concession of their claims. With the attainment of this full right of concurrent legislation by the Plebs the Roman Republic had outwardly reached its complete form, a mass of inconsistencies and makeshifts. But the new nobility understood how to make the clumsy machine work: the

checks and causes of friction were overcome somehow, and the ship of state went ahead. Beyond all doubt one of their chief cares was to prevent the election of self-willed and refractory tribunes. Another was to see that, in appointing members of the sacred colleges, suitable men were chosen, that the scruples of religion might at least not be used to impede the policy of the Senate.

CHAPTER VII

CONQUEST OF ITALY, 366—265 B.C.

61. In order to keep this book within moderate limits it is necessary to give a very brief outline of the Roman wars. And the wars by which Rome became the mistress of Italy cannot be described with any fulness and certainty, for our record, chiefly preserved in Livy, is far from trustworthy. The annalists whom Livy followed wrote with a patriotic bias, and family traditions tending to glorify ancestors of great houses have undoubtedly corrupted the story. Some of its main features are sufficiently clear to be stated with confidence. The conquest falls naturally into four periods or stages in the advance of Rome.

62. First stage, 366—338. The interest centres chiefly on two points, the failure of hostile powers to the North, and the spread of Roman influence and organization to the South-East. The second was made possible by the first. We hear of two wars with the Gauls, 361 to 358 and 350 to 349, in both of which the advantage is claimed for Rome. Single combats are recorded in both cases; in the former a Manlius wins the honourable nickname *Torquatus* from the golden collar (*torquis*) of the slain Gaulish champion; in the latter a Valerius is helped at a pinch by a raven perching on his helmet and disconcerting the Gaul. Hence *Corvus* became an after-name of his Valerian house. Such stories perhaps indicate that the victories in these wars were hardly won, and that the repulse of invading swarms seeking easy conquest and plunder was the net result. Between these two wars is placed one with some of the Etruscan cities, ending in Roman victory and a long truce with Tarquinii and

Falerii, two of the leading cities of southern Etruria. Caere, which lay nearer to hand and had for some time been on friendly terms with Rome, was in 351 incorporated on special conditions. The Caerites became Roman citizens without the 'public' rights of voting or holding office. It seems that they retained self-government for strictly local affairs, but they were not enrolled in any of the Roman Tribes. This arrangement left them subject to the Roman government in all external relations, and bound to bear all the burdens of citizenship. It was found a convenient plan for keeping certain communities in a state of dependence, and the precedent was often followed afterwards. But more important for Rome than even these wars were the strained relations with their own Allies. A Hernican revolt is dimly recorded as suppressed, and it is probable that the terms of their treaty were now revised in favour of Rome. The wavering of the Latins was far more serious. It seems that they did not stand firmly by Rome against the Gauls: Tibur is even charged with helping the enemy. But some revision of the terms of the confederacy took place, and the help of Latin contingents enabled Rome to end the war. The discontents however revived with the withdrawal of the enemy, and after the second repulse of the Gauls matters came to a head. The rupture between Rome and the League was inevitable. We hear that Rome had made an alliance with the Samnites, and that the Volsci intrigued with the Latins. In 349 the Latins refused contingents for the Gaulish war, but for some reason did not immediately rise in arms.

63. During the years 345 to 341 Rome was pushing southwards. Our confused tradition tells of the occupation of the district between the Volsci and Campania. The Roman policy seems to have been to cut the Volsci off from the sea. So the small peoples, Aurunci and Sidicini, were subdued, and Rome came into touch with Campania. The Samnites settled there, threatened by an invasion of their kinsmen in Samnium, sought Roman protection. This brought Rome and the hill-Samnites to blows. We hear of a Samnite war 343—1, followed by renewal of their treaty. But it was fortunate for Rome that Latins and Samnites did not draw together. Tradition even said that when Rome made peace the Latins carried on the war themselves, a doubtful story. In 340 the Latins openly

demanded equality with Rome, claiming it is said that one consul should be a Latin. Union on these terms was refused, and Rome had to face a great Latin war (340, 339), in which her adversaries had Volscian and Campanian aid. The story of this war is a confused mass of legends. There is some reason to think that more perfect unanimity promptitude and discipline were the true causes of the Roman victories. This is the war in which were placed two heroic episodes. Manlius Torquatus the consul put to death his son, who had slain a Latin champion



The Southward advance of Rome.

in single combat, for disobeying the order forbidding acceptance of such challenges. His Plebeian colleague P. Decius Mus, in obedience to divine warnings, devoted himself to certain death in battle when his part of the army was giving way, and with the help of the gods restored the fortune of the field. The stories, true or not, suggest a record favouring the Plebeian nobility: it is remarkable that the Patrician attempts to recover their lost monopoly of the consulship were only repressed by the Plebeian resistance¹ two years before, and that the need of active harmony between the Orders was in this present crisis supreme.

¹ See § 52.

64. But it was not by valour and victories that Rome became mistress of Italy. It was the politic settlements made in the hour of triumph that enabled her to secure her gains as no other power had hitherto done. The year 338 saw one of her masterpieces. The Latins were reorganized to suit Roman purposes. Some communities were merged in the Roman people, with the full Roman franchise. Others remained Allies, nominally free, but placed in relation to Rome, and isolated from each other, by new treaties. Each treaty-state enjoyed the rights (spoken of above) of *conubium* and *commercium* with Rome only, but Rome with them all. Thus the Latins were either made Romans, or placed in a position where their connexion with Rome must ever tend to grow more close through the steady operation of private intercourse in time of peace. The old League, with its meetings and mutual rights between city and city, was ended. The Latin festival, already under Roman presidency, remained as a religious function only. The Volscian League was further weakened by the loss of the coast-district. Rome now took over the troublesome Antium and planted a colony of citizens there. In Campania the revolted Allies were dealt with after the precedent of Caere. They were made half-citizens of Rome with only the 'private' rights. Thus business-connexions and intermarriage were left gradually to attach them to Rome, while the Roman government could interfere as it saw fit. This half-franchise seems to have been specially suited to peoples not closely related to Rome by race and language. In Campania Oscan and Greek were spoken, and some Etruscan may still have lingered in parts. We hear also of a policy destined to be often repeated in later times. The 'knights' of Capua (*equites Campani*), evidently a warrior-aristocracy of Samnite origin, had been faithful to Rome in the recent troubles. They were now confirmed in a privileged position. The principle was a simple one; the wealthy minority who had something to lose were more likely to be true to the Roman connexion than the poorer majority. So a pro-Roman party was kept alive by self-interest in all inferior communities connected with Rome.

65. All the conquered peoples were required to cede a portion of their territory, and all classes of Romans benefited thereby in some degree. The rich no doubt profited largely as lessees of the lands reserved for state-domain. The allotments

of land in private ownership served to relieve the necessities of the poor, and to place districts of strategic value in the firm grasp of Rome. Thus the rich Falernian country was occupied by Roman settlers, and others were planted on land taken from Latin and Volscian communities. The distinction between Latin and Volscian districts was disappearing as the latter became merged in an extended Latium. The remaining Volscians were now hemmed in by Rome on most sides, for the Aurunci to the South submitted to Roman overlordship. Rome had now fairly started on her imperial career. There could be no turning back. To conquer or be conquered was the only choice. Already she was a considerable Italian power, and we hear of her importance being recognized by the visits of embassies from Carthage. The first, in 348, is said to have led to a treaty, perhaps the renewal of an earlier one. The second, in 343, is represented as a formal visit to congratulate the Romans on successes against the Samnites. But the relations between the two powers were at present only agreements to define the facilities offered for commerce and the restrictions imposed on such intercourse. Campania was a Carthaginian market, and it was probably the interest of the great trading city to be on good terms with the new masters of that wealthy land.

66. Second stage, 337—303. The early years of this period were comparatively quiet, but further pacification of the districts to the South-East was soon necessary. In 330 a revolt of the Volscian town Privernum gave a pretext for putting an end to the last relics of Volscian independence. The plan followed was to give the half-franchise to the conquered, and to plant full citizens on some forfeited land. The intention of Rome to control communications with the South had been recently shewn by subjugating the Aurunci more completely, and by founding the Latin colony of Cales (334) between the Liris and Volturnus to command the inland route to Capua. Now a citizen colony on the coast at Anxur (329) and a Latin colony at Fregellae on the Liris (328) served to command both routes at points nearer Rome, and to secure the new territory. The Latin colonies are to be noted as the first founded by Rome since the suppression of the Latin League. There was now no pretence of cooperation in founding these colonies. They were strictly *coloniae Latinae populi Romania* fortress-towns holding strategic positions for

Rome. The status of the settlers as 'Latins' marked them out as different from ordinary Allies. They were part of the 'Latin name' as much as old Latin cities like Praeneste or Tibur.

67. We must now turn to Rome's dealings with the Greeks and Samnites, for the two ran together with momentous results. Let us first note that the old Hellas was now under the new Macedonian power. Alexander the Great ran his career in 336—323. The eyes of most of the Greek world were turned to the East. In the West Syracuse still held part of Sicily, though weakened by internal troubles. The pressure of Carthage, successfully repelled for a time under the guidance of Timoleon (344—337), again was felt under a weaker government. In 317 the ruffian Agathocles became tyrant, and ruled in blood till 289, the terror alike of Carthage and the western Greeks. In Italy many Greek cities had either disappeared or become 'barbarized,' losing their Greek character by conquest or forced union with Bruttian or Lucanian masters. Tarentum alone stood strong in a position of exceptional vantage and wealth gained by commerce. But she too was affected by the degeneracy widespread in the Greek world of this age, unable to use freedom with judgment, and to allow for changed circumstances. The scale of states was larger than in the great age of Greece, and the city-state on old Greek lines was out of date. To withstand the advance of Samnites and Lucanians needed a military strength such as the easygoing Tarentines could not or would not create by their own exertions. They looked for champions to defend them. First came king Archidamus of Sparta (338), only to fall in battle against the Lucanians. A few years later Alexander of Epirus, king of the Molossi, landed in southern Italy to uphold the Greek cause, but evidently with imperial designs. He won victories over Samnites Lucanians and Bruttians, and saved some Greek cities for a time. He is said to have come to a friendly understanding with Rome. But he was murdered by a Lucanian, and so ended, in the year 327. Nothing effectual had been achieved by these means in the way of averting disaster from the Greeks, but for Rome they had done much. The attention of the Samnites was diverted to the South, while Roman organization was taking root in newly-acquired districts. For the strength of Rome was built up by sure and silent development in times of

peace. It was now that she got a grip of the upper valley of the Liris, which the Samnites claimed as their own.

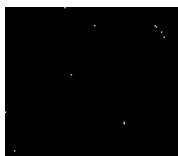
68. The remnant of Greeks in Campania were in as bad plight as the rest. Their strength was centred in the city of Neapolis. This was still Greek, but had in it Campanians also, probably confined to a quarter walled off from the rest. Somehow they quarrelled with Rome, now mistress of most of Campania. They looked round for help. Tarentum failed them, but they received a Samnite garrison and stood a siege. This was in 327. The great importance attached to winning Neapolis is shewn by the retention¹ of Q. Publilius Philo in command as *pro consuls*. In 326 some of the chief Neapolitans betrayed the town to Rome. It was granted favourable terms, and became an Ally, the principal condition of its treaty being the provision of a naval contingent. Neapolis had really found a protector. The decay of Greek civilization was so far stayed that 300 years later the city still kept a Greek character. It was more than ever the local centre of Greek influences, holding a territory of its own, and steadily loyal to Rome from the time of its alliance. But meanwhile war had broken out between the Romans and the Samnites, who were now free to turn their attention to the North. Our traditions of this struggle, known as the second or great Samnite war, are hopelessly corrupted by the bias of Roman annalists and family legends. But we can detect the advantage enjoyed by Rome in the more effective organization of her forces, the concentration of authority, and in the far-sighted guidance of a tenacious policy. It was doubtless not easy to maintain cooperation among the cantons of independent dalesmen for any length of time under direction of a single leader. Personal bravery was not enough, and the fine temper of Roman discipline was probably never attained in Samnite armies. Nor had the armies at their back any such wise and permanent body as the Roman Senate, consistently keen to turn circumstances to account. The general impression left by our imperfect record is this. To the Samnites the war was mainly a matter of military effort, with a certain consciousness that victory would leave them lords of Italy. To the Romans, that is to the Senate, it was more a matter of business. It was skilful diplomacy, and the pains taken to secure new acquisitions, that brought about their final triumph, far more

¹ See § 53.

Coin of Tarentum [Taras], 4th cent. B.C.
obv. Horseman.
rev. Taras on dolphin. TAP AS.
 See § 67.



Coin of Massalia.
obv. Artemis with sprigs of olive in hair.
rev. Lion. MASZA.
 See § 79.



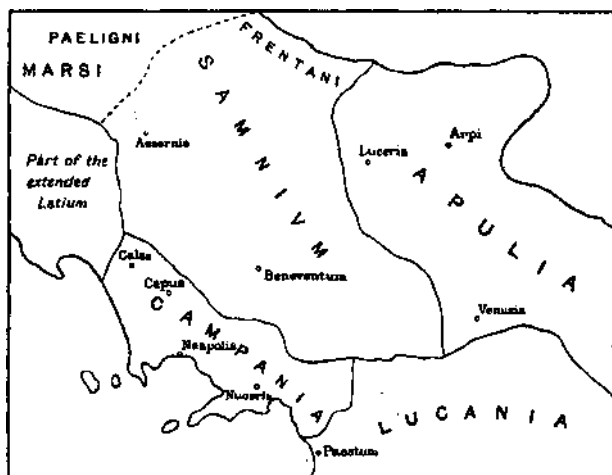
Coin of Carthage, ? late 4th cent. B.C.
obv. Head of Persephone, copied from coins of Syracuse.
rev. Horse and palm tree.
 The work of a Greek artist.
 See § 92.

than clever strategy of commanders or enthusiasm in the rank and file.

69. The war lasted from 327 to 304, with a temporary truce in 318. The stories of Roman victories cannot be trusted. The most famous episode was the entrapping of two consuls and their armies (321) in a defile known as the Caudine Forks. Pontius the Samnite is said to have exacted severe terms and then to have let the Romans go, first degrading them by making the whole force pass beneath the so-called 'yoke.' But the consuls had no power to make final concessions, and the Roman government disowned the compact. The chief Roman heroes of the war were L. Papirius Cursor and Q. Fabius Rullianus. The strength of Roman discipline is illustrated by the determination of the former when dictator to put Fabius his master of horse to death for disregard of orders, and the extreme difficulty with which his wrath was appeased by the entreaties of the people at large. In such traditions the Romans portray the quibbling legality and the sternness which were confessedly marked traits in their character. Traces of the true story of this great struggle appear in the notices of Roman relations with the Apulians and Lucanians. The Apulian country, lying beyond the Apennine, was strategically important as a position from which to threaten the rear of the Samnite confederacy. Of the peoples dwelling there the Dauni in the North were at present chiefly concerned, but all were probably willing to secure the help of Rome against their aggressive neighbours. Rome came to terms with them, but communications with them were not easy, and the alliance seems to have been interrupted for a time by fear of the Samnites. In Lucania there seems to have been disunion, the leading men favouring Rome. But the Greeks of Tarentum were now more afraid of the Romans than of the Samnites, and alarmed at the fall of Neapolis. Their agents contrived to effect a democratic revolution and detached the Lucanians from Rome. Roman efforts were now directed to getting a firm footing in Apulia, where they established a strong post at Luceria, a much-contested city in the course of the war. Clearly the Samnites had a hard task, for the other Sabellian groups did little*. The Vestini seem to have made a small diversion in their favour, soon suppressed, but at present the northern peoples mostly stood aloof. After 319 the war continued in obscure campaigns, but on the whole

Rome held what she had won, and improved her organization in the Campanian district.

70. In the course of the war (320) the Tarentines had tried to dictate peace to the armies facing each other in Apulia, but a vain threat of intervention was disregarded. In the following years Rome gained the upper hand in that region and in 314 occupied Luceria with a strong Latin colony. A victory over the Samnite Frentani opened another route to northern Apulia. Lucania too was invaded. The warfare in Campania 314—310 was also in favour of Rome. Nola and Nuceria were taken, and became Roman Allies, with arrangements placing the richer citizens in



Campania and Samnium.

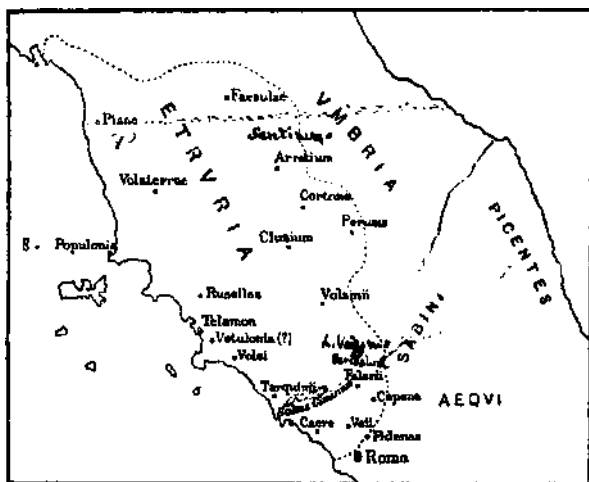
power. Meanwhile a vigorous advance of the Samnites was repelled and Roman dominion forcibly asserted in the valley of the Liris. Further planting of Latin colonies proved the intention of Rome to hold the disputed borders, Suessa and Saticula 313, Interamna 312. Another was sent to the Pontian islands in 313. The ways to Campania were to be in Roman control by land and sea. The improvement of the coast-route by construction of the solid *via Appia* has been mentioned above. When the Romans were able to strengthen their position by these means, and the Samnites could not keep them out of Apulia, it is manifest that the Samnite cause was already failing. It was probably the

striking superiority of Rome, and the fear of falling under Roman dominion, that led to a number of risings in various parts of Italy. To overcome these immense efforts were necessary, but the soundness of the Roman system was equal to the strain.

71. In 311 we hear of an Etruscan invasion. The war lasted about three years. Roman victories were followed up by an advance into the heart of Etruria through the Ciminian forest, hitherto a barrier, and also into Umbria, where resistance was soon overcome. In 308 quiet was restored in these parts, and the Sabellian Marsi and Paeligni forced to submit to Rome or at least abandon the Samnites. It is clear that the northern peoples, not at present threatened by the Gauls, were alarmed at the growth of Rome, but that their attempt to check it was made without proper combination and too late. Next came the turn of Rome's old Allies the Hernici. Among the Samnite prisoners (for war was going on in Samnium) Hernican volunteers were found. Rome required explanations, and part of the Hernican League rose in rebellion. The rising was promptly put down. The rebel towns received the half-franchise, the loyal were left as Allies with all their old privileges, and we hear no more of the Hernici. While this settlement was going on (306) the Samnites made further efforts, but in vain. A truce in 304 led to a peace and renewal of their old treaty with Rome. Rome, it seems, had had enough of them for the present. But the regular work of consolidation went on. In 304 the remnant of the Aequi were crushed, and a strong Latin colony at Alba (303) near the lake Fucinus asserted the sovereignty of Rome in that district. Another at Sora, beyond the Hernici, held an important position on the direct line between Rome and Samnium. The Marsi and Paeligni were compelled to become Roman Allies, and order was restored in Umbria. The rise of Rome is very manifest at this stage. It surely had not escaped the notice of foreign powers. In 306 came another embassy from Carthage and a new treaty was the result. And about the same time friendly relations, not a treaty, were established between Rome and the honourable island-republic of Rhodes.

72. Third stage, 302—282. The advance of Rome had for some time caused uneasiness at Tarentum. It was no doubt Greek intrigues that had promoted a rising in the Iapygian or Sallentine country, the heel of Italy, in 307. The Tarentines now

(302) induced the Spartan prince Cleonymus to land in Italy. His freebooting expeditions with mercenary forces did no good, and only left the Greek interest weaker. But it seems that Rome acted as protector of the Sallentine district. She was in truth claiming to be the leader of Italy. In the North she intervened in the affairs of Etruria, and pacified the smaller Sabellian peoples, Marsi Paeligni Vestini Marrucini, who were still restless. Force was used where necessary, as with the Aequi, who drop out of history: a Latin colony at Carseoli (298 or 302) strengthened the hold of Rome on these parts, and another at Narnia (299, formerly Nequinum) in southern Umbria commanded the route to the North along the line of the Nar. An Umbrian rising was put down, and a treaty made with the Picentes. Rome was



The chief Etrurian cities.

beginning to look towards the Adriatic, while her citizens were elsewhere spreading over a wider area. Between 318 and 295 four new Tribes were formed of Romans settled on confiscated land. But a desperate struggle was coming. Hitherto, thanks to diplomacy and good fortune, Rome had been able to deal with her enemies one by one or in small ineffective combinations. It remained to be seen whether she could withstand a widespread coalition, able to bring into the field great armies working for a

common end. We shall see that she was equal to the task. **Our** tradition incidentally betrays the secret of her success, when we hear that her legions were supported by strong contingents of Latins and other Allies. That is, the peoples who had sufficient experience of the Roman alliance were persuaded of two things. They could not stand alone, and no other connexion seemed to offer them a better alternative. Moreover the merits of Rome were recalled to the minds of men by the reappearance of the Gauls.

73. Under the year 299 we hear of Gauls threatening Etruria, and an attempt to hire their services for a war with Rome. But they treated the bribe as a ransom, and withdrew. Meanwhile war broke out again, but soon shifted to the South, where the Samnites were busy in Lucania and Apulia. In both these districts Roman intervention was necessary, but it was not until 296 that a serious crisis was reached. Samnite forces had to be driven out of the Aurunco-Campanian borderland, and citizen colonies were planted at Minturnae and Sinuessa to guard the coast-route. Other Samnite armies were beaten in Samnium. But now a sudden change took place. The bulk of the Samnite forces marched off to Etruria, where an army of Gauls was in the field. Rome now had to face a grand coalition of Etruscans Umbrians Samnites and Gauls. But the failing Etruscans were drawn off by an invasion of their country, while the main army of Rome and her Allies routed that of the confederates in the great battle of Sentinum (295) in Umbria. The consul Decius is said to have devoted himself to death, as his father had done in the Latin war, to restore the fortune of the day. The great coalition had failed, and the cities of the North had to submit for the time on various terms. The stubborn resistance of the Samnites went on for a time, but they were exhausted. In 292 their great leader Pontius was taken and beheaded after the consul's triumph. In 291 Roman supremacy in the South was declared by the foundation of the great Latin colony of Venusia in the Daunian country, a fortress to watch Apulia and Lucania in the rear of Samnium. Then in 290 we hear that the Samnites sued for peace and obtained again renewal of their old treaty. This may be true, for Rome was weary, and could afford to wait the effect of time.

74. At this point the Sabines, who had apparently **held** aloof from the struggles of the age, are suddenly mentioned as at war with Rome. We hear of their being subdued **and made**

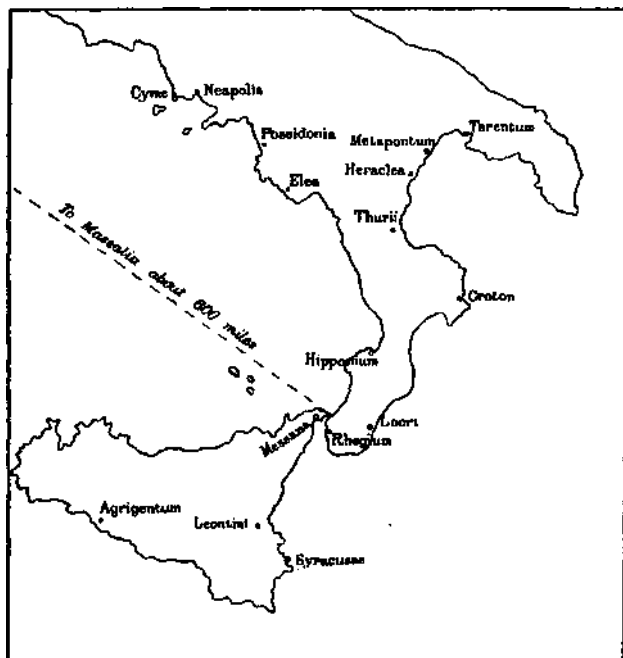
Roman half-citizens, but the record is incomplete. The next business was in the South. Agathocles of Syracuse, whose activities had extended from Carthage to Corcyra, died in 289, and a change came over the fortunes of the Western Greeks. In Sicily the Carthaginians soon began to recover lost ground, and a body of mercenaries, paid off after the tyrant's death, treacherously seized Messina, killing the men and taking their wives and properties. They were Campanian Samnites, and, rather than return to their homes under Roman rule, they formed themselves into a new robber-state. They called themselves *Mamertint* (sons of *Mamers* or *Mars*), and ravaged much of Sicily to the injury of the Greek interest. But in Italy the Greeks, relieved from the fear of Agathocles, breathed more freely, and hopes of expansion revived in Tarentum. Rome however was now free to turn her attention to the South. She intervened in Lucania, where the Greek town of Thurii was in danger, and compelled the Lucanians to cease their attacks. For some years (289—282) she had to keep watch in these parts and chastise both the Lucanians and the Bruttians beyond them. The Tarentines were busy making trouble for Rome in southern Italy, for they did not want to see the Greek cities pass under Roman protection. At last in 282 the inevitable collision took place. A squadron of Roman ships appeared north of the Lacinian foreland, in contravention of a treaty. A Tarentine fleet put to sea and captured them; but, instead of making complaint at Rome, the Greek government put to death or enslaved the prisoners. A Roman embassy sent to demand satisfaction was insulted. The sequel will be described below.

75. Meanwhile in the years 285—283 there had been war on a large scale in the North, of which we have a very dim record. Internal quarrels in Etruria led to the invitation of Gaulish aid against Roman intervention. Two Gaulish tribes responded to the call. The Senones were cut to pieces in battle. Their territory, a strip of land in the coast-district of northern Umbria, was invaded and cleared by exterminating the rest of the tribe. In this district a citizen colony was planted on the coast at Sena Gallica (283) and the whole strip, known henceforth as *ager Gallicus*, annexed by Rome. The Boii also suffered severely in the fighting, and were driven back into their own territory in the region of the Po. The Roman government had now taken

a long stride towards the ever-menacing Gauls, and for more than forty years there was peace on the northern frontier. The district along the Adriatic south of the *ager Gallicus*, known as Picenum, had not been overlooked. A Latin colony had been planted at Hatria in 289, and was now followed by a citizen colony at Castrum Novum in 283. The Roman heroes of this latter part of the period of conquest were Manius Curius Dentatus and Gaius Fabricius Luscinus, names renowned in Roman tradition, not only for military success, but as classic patterns of public virtue and frugal simplicity of life.

76. Fourth stage, 281—265. The Tarentines found themselves at war with Rome, and under a new protector. This was Pyrrhus of Epirus, the Molossian king, one of the most adventurous and brilliant figures among the younger Successors of the great Alexander. In defying Rome their trust was in him and in a hoped-for rising of the southern Sabellians. The democratic party came into power. But when Pyrrhus arrived, with his Epirotes and Greek mercenaries trained on the Macedonian model, he found the citizens indisposed to submit to his drilling, and had to act as an autocrat. Hence there was discontent with the new deliverer, and the Sabellian peoples were not eager to back him. But he added to his army, and his battle-elephants were an alarming force, new in Italian warfare. Meanwhile a Roman consul was despatched with an army to watch him, and a Roman garrison, chiefly Campanians, posted at Rhegium to guard the strait commanded by the Mamertines of Messina. This garrison mutinied, seized Rhegium for themselves in imitation of their neighbours, and for about ten years lived as a robber-state. Pyrrhus gained a victory over the Romans in Lucania (280) at Heraclea, and pushed on into Campania, and even into the Hernican country, not far from Rome. But the Romans had now two armies to meet him, for a local rising in Etruria had been suppressed. Already aware of the magnitude of his undertaking, he made proposals of peace, but was told that he must first leave Italy. He fell back on Tarentum to prepare for another campaign. But the Samnite and Lucanian auxiliaries, of whom his victory had led numbers to join him, were less forward since his retreat. In 279 he entered Apulia and again defeated the Romans at Ausculum. But his losses were again heavy. His Epirotes were thinned out, and troubles in Epirus

stopped the supply. The resources of Rome were too great. Above all (so Roman tradition boasted) offers of bribes, a normal engine of Greek and Oriental war, did not buy him the help of Roman traitors. His allies were selfish, and he could not find trusty garrisons to hold the Greek towns. So he withdrew to Tarentum once more, and shortly sailed for Syracuse, on an invitation to expel the Carthaginian forces now overrunning the



The region of Magna Graecia. Only those cities that play a considerable part in Roman history are marked.

island. This move was not wholly unexpected. In 279 Rome and Carthage concluded a special treaty for defence against the invader. But not much came of this, owing to the jealousy of the two parties. In about two years Pyrrhus conquered all Sicily save Lilybaeum and Messana. He could neither force his terms upon Carthage nor induce the Greeks to make further sacrifices. Nobody wanted him now, so he fought his way back by sea and land, assailed by Carthaginians Mamertines and the men at

Rhegium, to his depot at Tarentum some time in 276. Next year he marched into Samnium for one more effort, but was badly beaten by M.' Curius near Beneventum. The game was up. He left Italy for Greece, where he fell in a street-fight (272) at the siege of Argos.

77. Samnites Lucanians Bruttians, all had been punished by Roman armies while Pyrrhus was in Sicily. They had now only to submit and become Allies, with their swords at the service of Rome. The mutineers at Rhegium were then dealt with. The town fell in 271 and no mercy was shewn. At Syracuse a young soldier named Hiero had come into power. He attacked the Mamertine ruffians, but they were saved by Carthage, and Messana was held by a Punic garrison. Things were becoming complicated in those parts, with two great powers each wishing to command the strait. Hiero wished to be at peace with both, but he helped the Romans at Rhegium. That city was now refounded as a Greek Ally of Rome, and the surviving exiles restored. Rome was now the patron of the Italiot Greeks. At Tarentum Milo an officer of Pyrrhus held the citadel for about three years. After his master's death he came to terms with the Romans and withdrew, leaving them the fortress. A Punic fleet cruising off the city had to withdraw also, and Carthage had to explain its presence as a friendly design. A few outlying districts only remained to be brought under Roman dominion more effectively. A small Samnite rising was quelled, the northern Umbrians and the Picentes finally subdued, and a part of the latter transplanted to southern Campania. When the Sallentini of the far South-East had shared the common fate, Italy from the Gaulish frontier to the Sicilian strait was united under the headship of Rome.

78. The closing years of the conquest saw the foundation of a number of Latin colonies. Of these, Cosa on the Etrurian coast (273) watched a district now obedient to Rome. The last Etruscan rising was put down in 280, and Rome now only interfered (as at Volsinii in 265) to keep the decaying aristocracies in power. Paestum, a revival (273) of the Greek Poseidonia, was on the western coast of Lucania. Ariminum (268), on the northern coast of the *Ager Gallicus*, watched the frontier. Beneventum (268), in the heart of Samnium, served to watch and divide Rome's most stubborn adversaries. In 263 it was followed by Aesernia, doing the same for the northern Samnite cantons.

Another was planted at Firmum in Picenum (264) to secure a district recently disturbed. Thus Roman fortresses, holding important points, were spread over a wider area, and roads connecting them, improved as time went on, gave ready communication with every part of Italy. Moreover Rome now held not only the Campanian harbours but the two best ports of the South-East, Tarentum and Brundisium. All the Greek nautical skill remaining in the ports of the South was at her disposal. Rhegium Locri Croton and other towns could regain some of their old prosperity under her protection. And the actual territory of the Republic, the *ager Romanus*, had been greatly extended in the course of a century of conquest by the annexation of forfeited lands. Her beaten enemies, now her Allies, were split up by colonies (each with its territory) or by wedges of Roman land driven in between them. Samnium in particular was so reduced and broken up that an effective revival of the Samnite confederacy was hardly possible. But in order to rule Italy with any comfort it was desirable to increase the number of full Roman citizens. This was probably the reason why the full franchise was in 268 granted to the Sabines. We have seen that many of the old Patrician families claimed a Sabine origin, and there was probably little to be done in the way of assimilation.

79. But supremacy in Italy brought with it a wider outlook in foreign relations. As a protector of Greeks Rome came into touch with the outer world far more than she had done hitherto. Her alliance with Massalia was of very old standing, and she was also on friendly terms with Rhodes and with Apollonia on the Adriatic. And now her new position as a Mediterranean power was strikingly recognized. In 273 an embassy came from the court of Alexandria. Ptolemy II Philadelphus had grasped the meaning of events, and it seems that his proposals were well received and a treaty made. But Egypt was thriving under the Macedonian dynasty largely at the expense of the cities of Phoenicia. Fear of Carthage (for the Cyrenaic province of Egypt bordered on Punic territory) was felt at Alexandria as well as by the western Greeks. There was thus a prospect of a conflict between the two great powers watching each other across the Sicilian strait, and a certainty that in it Greeks would bear a part and be deeply interested in the result.

CHAPTER VIII

ORGANIZATION OF ITALY

80. The main causes of Roman supremacy in Italy are not far to seek. A superior military organization did much, a consistent policy did more. The divisions of her opponents and her own central position enabled her to profit by useful alliances and to operate on 'inner lines.' Moreover there was enough affinity of race between the Romans and most of the Italian peoples to make a general union, and eventually a blending, not too difficult. But all these advantages would hardly have sufficed, had not the Roman headship rested on a moral superiority. Without a leader, Italy might well have been parcelled out, like the East, under royal dynasties, rising and falling with the personal qualities of the rulers, or overrun by the barbarians from the North. Now Rome was the best leader to be had in the age of which we have been speaking. Clumsy as the republican government was, it had gone far towards inventing a machinery effective in maintaining order and promoting unity, without a precarious dependence on the virtues of a single ruler. Roman rule was hard, but on the whole just. Above all, it was not wavering or capricious. And her protectorate was real. It was not Rome that invited Gaulish tribes or Epirote kings into Italy: and her dealings with these invaders were to foreigners as well as Italians an object-lesson not to be mistaken. That 'Italy for Italians' meant Italy under Rome, was the practical logic of circumstances. As things stood, to object to it was idle.

81 Let us briefly consider the organization of Italy, reaching from Ariminum down to Rhegium. Connexion with Rome rested

either on citizenship {*civitas*) or treaties (*foedera*). That is, all free men were in some sense either *cives* or *socii*. We may tabulate them thus

A. *cives* with full rights, domiciled (a) in Rome (b) on the *ager Romanus* (c) in the citizen colonies.

cives with 'private' rights only, domiciled (a) in *municipia* with or without local government (b) as a subordinate class in the citizen colonies.

B. *socii* of the 'Latin name,' domiciled (a) in old Latin towns (b) in Latin colonies, on various terms.

socii not of Latin status, domiciled in treaty-states {*civitates foederatae*), on various terms.

In group A there was only one *civitas*, that of Rome. But it differed in degree, according as the holders were enrolled in Roman tribes and enjoyed the 'public' rights, or were placed on a separate list and so excluded from the Assemblies and from office. In group B each community had a *civitas* of its own, and was technically a state (*civitas* in the concrete sense), nominally independent. But its sovereignty was limited by the terms of its treaty; for the charter {*lex*) of a Latin colony was virtually equivalent to *difoedus* creating a new *civitas*. The territory of group A was *ager Romanus*, and it was under Roman law. Even in the communities of half-citizens (*municipes*) the local laws were gradually superseded by Roman, as the jurisdiction of circuit-judges (*praefecti*) sent from Rome got into working order. The territories of group B were all *ager peregrinus*, and the laws those of the several states, unless any community by its own act chose with the leave of Rome to adopt Roman law. The one restriction common to them all was that they could have no foreign policy. From this point of view Rome was Italy, and the mark of Allies (in this period all Italian save perhaps Massalia) was that they were by treaty bound to furnish contingents to Roman armies or fleets, while Friends (*amici*, such as Rhodes) were not. But the contingents furnished by the *socii* were clearly distinguished from the citizen troops of Rome. They were organized in smaller bodies, commanded by their own local officers of subordinate position, and equipped and paid by their several states. The maximum number due from each state was fixed by a schedule {*formula*), but it would seldom be necessary for the consuls when raising an army to call out all the available forces at once.

82. It would seem that the Italian Allies, from the point of view of mere defence, got powerful protection at a very moderate price. No doubt they did, and there is reason to think that in the golden age of the Roman Republic treaties were faithfully observed and interpreted with strict and formal justice. But all subordination of state to state is apt to gall the weaker party to a compact. The system of graduated privilege, which made some communities fear to lose their present advantages, while others might hope to better their position, was a masterpiece of Roman statecraft. The yoke probably pressed most severely on the Roman half-citizens, but they had the best prospect of promotion. The main differences in the status of the Allies lay in the degree of dependence on Rome required by the terms of the treaty in each case. If the two contracting parties were mutually bound by the same conditions, the treaty was 'level' (*aequum*); if one was in some respect bound while the other remained free, it was 'uphill' or 'unfair' (*iniquum*) to the inferior party. At its best, the sovereignty of an Ally included the right to receive Roman exiles and protect them. This reciprocity existed between Rome and a few favoured cities such as Tibur Praeneste and Neapolis. At its worst, it left a local government, but reserved the citadel for a Roman garrison, as at Tarentum. Few details are known, but the lines of the system are clear. Of the Latin colonies we may say that they took the place of the old League as a favoured class of Allies. But there was no League, nor anything to connect them with each other, any more than in the case of other Allies. Their connexion with Rome was direct, at first including the rights of *conubium* and *commercium*, and a 'Latin' colonist could migrate to Rome and become a Roman, provided he left a son behind able to fill his place. There is reason to think that in the later colonies, from 268 onward, some of these privileges were reduced. The military character of the Latin colonies was marked in the ceremonies of foundation, and we must not forget that the poorer class of Romans supplied some, perhaps many, of the *coloni*. For in them the allotments of land were substantial farms, while the Roman franchise was not as yet valued for exemptions and perquisites attached to it. Others were drawn from the Treaty-states, and so the total was made up, generally a large one. We hear of 20000 sent to Venusia, but 2500, 4000, 6000, are the ordinary figures.

83. The Latin colonies were as a rule planted inland, and the citizen colonies always on the seaboard. Such at least was the practice in this period. Concerning the Treaty-states it may be remarked that they were very various in structure, and that the Roman government wisely took them for what they were. If they were detached cities (such as the Greek or Etruscan), the city was the unit dealt with in a treaty. If they were cantonal groups of hamlets (as in Samnium and other Sabelian lands), the canton-group was treated as a whole. If a city stood at the head of some confederate towns (as Nuceria), that group formed the unit. In short there was the least possible interference consistent with efficiency. We must not suppose that, when open resistance came to an end, Rome at once stepped into the position of a proud imperial mistress in a conquered Italy. Her statesmen knew better than to act thus, and the system established by their judgment, after enduring the uttermost strains of war and the internal wrongs of a later age, was not finally overthrown for nearly 200 years.

CHAPTER IX

ROME AND THE ROMANS 366—265 B.C.

84. I have spoken of this period as the first half of Rome's golden age. It was surely the better half, for the spread of Roman power beyond Italy, while giving her imperial grandeur, undermined the moral strength necessary for the Republic, and led in due course to the conversion of the state into an imperial machine. For moral force was the backbone of the whole Roman system. The Italian confederacy had no true Federal Government, but a strong Head, whose place no other power was competent to take. Rome herself was under no Oligarchy on a Greek model, but all the chief items of state policy were in practice settled by a small body of leading men, whose fitness for the work none could deny. By brute force Rome could not have ruled in Italy or the Senate in Rome.

85. The qualities summed up under the term 'moral strength' were both the cause and the effect of a sound private life, passed in the wholesome atmosphere of the Roman home. The power and responsibility of the Father, the dignified domestic position of the Mother, the apprenticeship of the sons to the former and the daughters to the latter, were the main features of the family world. The system was good for both old and young: so far as it went, it could hardly have been bettered. Its weak point was its narrowness, for it tended to keep men in a groove. This defect was destined to do serious harm in later times, but for the age of Italian conquest the old training sufficed. Slaves there were, human chattels in the eye of the law, but probably not in great number. The slave was generally speaking a mere personal helper, often highly trusted, a bondman with a good prospect

of freedom as the reward of useful service. Tradition, probably with truth, represents the typical Roman home as the seat of order and obedience, and the ways of life as simple and frugal. The meals, mostly of vegetable food, were taken sitting. Wine was little drunk by men, by women not at all. Silver plate was hardly in use. Fabricius when censor is said to have struck an ex-consul off the roll of the Senate for keeping some. Thrift was a virtue in high esteem, and the duty of keeping careful accounts was always a part of Roman ideals of life. A close-fisted people, the Romans expected a man to keep what he inherited and if possible to add to it. Vain display was discouraged, and even the Twelve Tables had forbidden extravagant funerals. But a funeral in a great family was a solemn affair. The ancestors of the dead, represented by men wearing their portrait-masks, were in attendance, and the head of the house held forth to those present in the Forum on the virtues of the late departed. So the feeling of continuity was maintained, and the young generation, ever reminded of the past, were invited to share and extend their fathers' renown.

86. If I speak mainly of the great houses, it is because in social matters the great houses were Rome, and we have little or no knowledge of the ways and feelings of the poor. It would seem that their first object was to keep out of debt and the clutches of the laws that bore hardly on the debtor. Connected with this was the constant land-hunger, much relieved in this period of conquest by allotments of land forfeited to Rome. But we hear of attempts to limit the rate of interest or even to get rid of it altogether, and of restrictions on the power of the creditor. The story of the 'Recession' of 287 has been referred to above. Clearly there were discontents in Rome, and it is a reasonable inference that the removal of clamorous Plebeians to colonies or distant farms left the new nobility a free hand to carry on the government and deal with problems of policy as they arose. The agitations leading to the Valerian legislation of 300 and the Hortensian of 287 were temporary ripples on a generally quiet surface of public life. As a rule the Roman Assemblies did what the governing class, whose organ was the Senate, told them to do. But they did not surrender their sovran power. The Senate had to humour them, and did. Thus the Roman constitution, outwardly a balance of monarchic aristocratic and popular forces, was in practice steadily becoming a veiled aristocracy. The

Commons had their votes, and in moments of excitement they could rally and enforce their will. Meanwhile the real direction of the state was in the hands of the men most competent to guide it.

87. Agriculture was still the chief industry, and it was in a thriving condition. Pyrrhus is said to have been impressed by the discipline and bravery of Roman soldiers, and also by the good cultivation of Roman farms. The two things were in truth the same, for the average soldier of the legions was a yeoman tilling his land in time of peace. The age of farmer-heroes, rightly honoured in Roman literature, was not yet gone: Manius Curius is a successor of the half-legendary Cincinnatus, a historical figure, and on a larger scale. Among the domestic duties of women the weaving of wool still held an important place, for woollen clothing, from the jersey (*tunica*) to the gown (*toga*), was the ordinary wear. Of these two articles, the former was worn by all. The latter was by custom indispensable on all public occasions. The farmer doffed it in his working hours, and donned it to attend an Assembly or when called to arms. The soldier wore it girt up in a special way, if it be true that it was worn in the field. But the *sagum*, which eventually superseded it as the military uniform, is mentioned in this period. The Italian Allies had the right to wear the gown, and the register according to which their contingents were called out for service was styled *formula togatorum*. In Rome and other towns there was a population engaged in the manual trades suited to the requirements of common life. What were their numbers, and what proportion of them were freemen, we do not know. The sedentary trades were not highly esteemed, and we hear that persons of this class were only enrolled for army-service in great emergencies.

88. Rome itself was not a splendid city. Narrow streets and low houses seem to have been the rule. Public buildings other than temples must have been few and small; and the temples, even that of Capitoline Juppiter, were chiefly built of wood. Wooden shingles were still used for roofing houses, and the quantity of wood present in beams rafters doors, not to mention the numerous shops and booths, made fire an ever-present danger. Unbaked bricks (*lateres*) were a common material for walls, and were liable to give way when reached by a Tiber flood. The stone in use was all or mostly of soft

kinds, easily cut, but unsuited for columns and too weak to supply architraves. The houses even of great men were humble dwellings. The chief feature was the *atrium*, a small court into which various rooms opened. The roof sloped inwards, dripping, when rain fell, into a central tank or cistern (*impluvium*). No windows opened on the street. This exclusive privacy was one of the most characteristic points about Roman houses of importance. Shrines, small chapels, and other sacred spots abounded in the city, some of them very ancient, and in every house there was a place for the household gods. Public business was transacted in the open air. The Senate alone met under cover. Hence it was easy to know what was going on. To listen to speakers addressing informal meetings (*contiones*), to watch the proceedings in law-courts, Assemblies, and business-transactions of all sorts, was no small part of a young Roman's education.

89. The arts seem to have been in a very rudimentary state. We hear of statues set up in public places, and of a painting on a temple wall. But at present Etruscan influences were prevalent in matters of decoration, and no doubt the works were rude. Gold ornaments are said to have been worn by ladies, but men only wore gold rings when acting as ambassadors abroad. As in the city, so in the people, a plain exterior was the rule. Silver, long used by weight, was first coined at Rome in 269. Rome was now in direct relations with the Italian Greeks, and the new standard coin, the 'tenner' (*denarius*- 10 *asses*), was equivalent to the Attic drachma, widely current in Mediterranean commerce. For the present the old copper and new silver currencies went on side by side as legal tender, silver no doubt gaining ground as more convenient. But if Rome lagged behind in these respects, there were matters of public utility in which she had made a good beginning. How far the sewers (*cloacae*) served to carry off filth as well as flood-water and rain, is not easy to say. The open drains were converted into arched culverts; when, is uncertain, but this step is probably to be connected with a gradual raising of the level of the Forum. The most striking and useful of the public works of this period were the two aqueducts, *aqua Appia* (312), already referred to, and the *Anio*, led from the upper waters of that stream in a circuitous course of 43 miles. The latter was begun by Manius Curius in 272, and the spoils of the Pyrrhic war applied towards the cost, but was not finished till about ten years

later. These works did something to improve the water-supply, hitherto confined to rain water and surface-wells. That we hear less of pestilences may be partly due to an improvement of public health from this cause.

90. Compared with any of the great Greek or Graeco-oriental cities, such as Syracuse Tarentum or Alexandria, Rome would no doubt have seemed commonplace or even mean. Nor were the Romans a brilliant people, impressive to a casual observer. Greek writers seem already to have included Rome in the fictions that professed to continue the tale of Troy. But there is little reason to think that the significance of the rise of Rome was as yet understood by the Greek literary world. The gallery of Roman worthies was not a showy series: the greatness of the Roman state was a new phenomenon, a new experiment in government, and its testing was yet to come. Among the Roman figures of this period Appius Claudius the bold reformer occupies a notable place. His censorship and his public works have been noticed above. Another enterprise with which he was connected will bear mention at the end of this chapter. In the work of the Roman law-courts two points were all-important; first, the knowledge of the days left free for legal proceedings by the religious rules of the calendar, and secondly, the observance of minute correctness in the forms of pleading (*actiones*) by which alone legal remedies could be secured. Both these details were in possession of the Pontiffs, and this gave them excessive power. We hear that a certain Gnaeus Flavius patiently acquired the necessary knowledge by attendance in court, consultation of the pontifical lawyers, and carefully noting down the details as learnt. At length in 304 he was able to publish a sort of handbook of court-days and pleading-forms, and so to break the monopoly of the pontiffs. The man was son of a freedman, and a dependant of Aggius Claudius, under encouragement from whom he is said to have ventured on this bold step. The pontiffs did not cease to supply most of the legal skill of Rome, but the rise of a class of non-pontifical lawyers was now possible. The way in which this reform was carried out was clumsy; but it was better than a great agitation, and the thing was done.

CHAPTER X

CARTHAGE

91. From their cities, Tyre Sidon and others, planted in a little strip of land on the Syrian coast, the Phoenician navigators sailed to foreign countries, and in early times most of the seaborne commerce was in their hands. As Greek competition developed, they were driven to turn their attention mainly to the West. Their habit was to occupy fortified posts on the seaboard as centres of trade, and islands in convenient positions. In working westwards they pitched on the North of Africa as a suitable region for their purposes, and held the island of Malta, with stations on the coast of Sicily. Among their colonies in northern Africa was Carthage, the advantageous site of which caused it to grow into a great city. Tradition placed its foundation in the ninth century B.C. As the need of holding their ground against barbarian neighbours, and the Western expansion of the Greeks, became pressing, the Phoenicians ceased to be purely commercial and became imperial. A concentration of their power took place in the form of an alliance of the western Phoenician colonies, and the disproportionate growth of Carthage converted this into a Carthaginian empire. But conquest was not the object of the Phoenicians. As they kept their Semitic language and their eastern religion, so wealth gained by commerce was still their aim. They spread westward along the African coast, and their far-off colony of Gades shews their firm determination to find markets in Spain. Their posts on the seaboard were numerous, and no effort was spared to prevent intruders from interfering with their monopoly of commercial exploitation. In the fourth century B.C. three great movements seriously affected the balance of power in the Mediterranean world. The free Greek states were weakened by their

long-continued quarrels. The rise of the Macedonian kingdom was followed by the eastern conquests of Alexander. The union of Italy under the headship of Rome was in full progress. Thus Greek rivalry in its old form no longer menaced Phoenician commercialism. But the parent-cities of Phoenicia were either ruined or passed under an imperial power less easy-going than the old Persian monarchy: moreover a strong competitor in the eastern Mediterranean appeared in the rising city of Alexandria. In the West, if the Greeks were weaker, the growth of an imperial power in Italy changed the situation, how greatly, none could tell. Then came the expedition of Pyrrhus, which left Rome stronger than it found her, and revealed the fact that neither of the western rivals could afford to leave the other in possession of Sicily.

92. Events had made Carthage the real centre of Phoenician power, and the wealthiest city in the world of that age. Her dominion included (*a*) the home-province, which the Romans called Africa, (*b*) a long strip of land reaching eastwards along the coast some 600 miles to the Cyrenaic frontier, and (*c*) a great part at least of the seaboard westwards up to and beyond the Pillars of Hercules. Her control over the various districts varied in degree, from supremacy over trading colonies and their territories to friendly relations with local chiefs and tribes. The western islands were held for her, and in Sardinia and Corsica she was mistress by her occupation of the ports. In short her empire was a great commercial concern, and it was only in the interest of her commerce that she resorted to the use of force. In Sicily her position was peculiar. Over and over again the Greeks had rallied under some great leader and won great victories over the Punic armies, but had never been able to expel them altogether. Carthage always kept some foothold, from which her forces in due time advanced to win back all she had lost, and more. The failure of Pyrrhus before Lilybaeum had left her free to reoccupy the greater part of the island. Some even of the Greeks, worn out with fruitless warfare, were ready to accept her yoke: it was less wretched to be exploited by Carthage than to go on indefinitely suffering the miseries entailed by the political futility of their own race. Unable to act in effective concert save under pressure of danger from without, and even then only under the irregular despotism of a Tyrant, they could never find strength in a free Union.

Syracuse alone had never succumbed to Carthaginian attacks, and even Syracuse now had a population no longer purely Greek. The weakness following the withdrawal of Pyrrhus was ended by the rise to power of a young soldier named Hiero, who built up a Syracusan kingdom in south-eastern Sicily and ruled it well. But its prosperity was only that of a minor power, and the king wisely strove to keep on good terms with mighty neighbours. We have seen that Messina was held by the Mamertine robbers. The rest of the island owned the supremacy of Carthage, and the policy of Carthage was to avoid provoking rebellions by gross misgovernment

93. But if Carthaginian rule was at its best in Sicily, we have no reason to suppose that it was anywhere utterly bad. Its weak point seems to have been the absence of sympathy between rulers and ruled. The differences of race and religion were too great. The eastern civilization of the Phoenicians gave them an advantage over rude peoples, but it did not promote the blending of conquerors and conquered. We have no trace of any institutions such as the incorporations and alliances by which Rome built up her Italian confederacy. In the third century B.C. ruling power was centralized at Carthage to a degree then unknown in Rome. And what little is known of the constitution of Carthage agrees with the narrow-minded and jealous policy traditionally imputed to its Home Government. We hear of two Suffets, yearly magistrates, compared with the Roman consuls in many respects, of a Senate, and of a popular Assembly, apparently more like a Greek Ecclesia than the group-Assemblies of Rome. We also hear of the excessive influence of great families from time to time, and of the creation of a special supreme court or committee to hold such influences in check. The jealousy of the Punic merchant-princes was evidently as active as that of Roman nobles a century later. But the characteristic and vital force in Carthaginian politics was before all things money. The fortunes of the rich were colossal, and bribery, the sheer purchase of official power, was normal. In a population chiefly devoted to buying and selling, many of them often absent at sea, this traffic in the interests of the state easily took root, with fatal results. We are not to suppose that the Assembly was often called together to vote for any other purpose than elections. If the two Suffets and the Senate agreed, their decision was final, and the Assembly was

only appealed to in case of their not agreeing. Thus a chief magistrate of strong views could in the last resort seek the support of the popular body, and perhaps carry through his designs. Such cases were most likely rare. To effect anything considerable, a Suffet would have to secure his own reelection (which seems to have been allowed) and also to keep the favour of the Assembly at his back. But the government as conducted by a clique of millionaires did at times arouse general discontent, and we shall see that, when Carthage came to blows with Rome, a kind of democratic movement in support of great leaders gave a peculiar character to the Punic wars.

94. If it be true that the population of Carthage in 149 B.C. was 700,000, after all her disasters, it may well have been over a million in 265, at the height of her prosperity. What percentage of the whole were Phoenician citizens we do not know. Probably there were many aliens, certainly many slaves. The number of hands employed in the labour of the port must have been very great, for it was the policy of the government to centralize all foreign sea-borne trade at Carthage itself. Carthage was the headquarters of the navy, and the centre of military organization. But her means of waging war were in striking contrast to those of Rome. There was a citizen army, once perhaps efficient, but in these days only embodied for service in great emergencies. Arms and armour, engines, and service-elephants, in short all materials of war, were kept ready, and the vast fortifications of the city defied a sudden attack. A standing army was not needed, and for wars abroad Carthage depended mostly on mercenaries. Contingents were furnished by her subjects, Liby-Phoenician crossbreeds and Libyan tribesmen. But the allegiance of these subject allies was not trustworthy enough to make it safe to rely on them alone. Money was the foundation of a Punic army. It hired men of warlike races, Gauls, Iberians, Ligurians, Campanian Samnites, and for special services a few Greeks, whose skill was worth a good price. Carthage supplied a commander and the higher officers, probably also a bodyguard at headquarters. The general's business was to make an army out of his motley forces, and to conquer at all costs. He had ample powers, and the blood of hirelings was of no account. Failure made him liable to crucifixion. So the wars of Carthage were apt to be carried on with great brutality and bloodshed, of which the Greek cities in Sicily

had had awful experience. Of the navy we know that ships of war, oars and tackle, stores of timber and so forth, were kept ready in great quantity. The docks and arsenal were famous models of their kind, and the post of High Admiral was one of great importance. Of skilled navigators there were plenty: the merchant captains of Carthage were of the best, and as explorers they were unrivalled.

95. It is therefore remarkable that we hear of no signal achievements of the Punic navy in war, either in the past or in the time now coming. There must be some good reason for this. Now we do not hear that the fleet of war-ships was kept in commission, indeed it is practically certain that it was not. Vessels of war were manoeuvred by means of rowing, and in the third century B.C. the prevailing type of battle-ship was large and clumsy. Even great maritime communities found their own citizens averse to the labours of the oar. Slaves, bought or captured, were regularly employed for this service. Hired oarsmen were probably few in all navies of the time. When the lower classes of the local population, such as freedmen, served as rowers, it was under compulsion in all or most cases. Polybius reckons the normal rowing crew at 300 men, and we hear of over 300 ships in a single fleet. None but strong men were of use as oarsmen, and to control a vast throng of sturdy pressed-men, if kept in and about the port, would have needed a standing army. No wonder then that we find the Punic war-fleet laid up in time of peace, and hastily manned with crews drawn from any and every quarter on the outbreak of war. Once afloat, the unarmed rowers were at the mercy of the fighting crew of 120 men per ship. The officers were Carthaginians, perhaps also some of the fighting men, but mercenaries in the pay of Carthage seem to have been the majority. Under such conditions it is clear that the mobilization of a Punic fleet would take no small time, and that to make it thoroughly efficient as a fighting force would be a long business. From the subsequent course of events it is equally clear that the inherent difficulties of the system were never fully overcome. That Carthage was a great naval power, a true ruler of the waves, like Athens in the fifth century, is surely a notion unwarranted by facts. Even in nautical skill as applied to warfare it is not clear that her seamen were superior to those of the western Greeks, who had on the whole held their own on the water. The one

marked advantage of the Phoenician power in a conflict with Rome lay in its prodigious wealth.

96. Perhaps the most wonderful characteristic of Carthage was that which drew the attention of the greatest of Greek political observers. Aristotle speaks of the remarkable stability of the government, though in criticizing the constitution he finds far more to blame than to praise. Carthage had been free from revolutionary faction and from Tyranny to an extent quite amazing to one who judged by Greek experience. Nor does the later history of Carthage seem to have followed a different course. Many causes may have contributed to this general stability. It was not by pushing principles to an extreme in pursuit of a logical perfection that the Carthaginian plutocrats retained their political power. It was by keeping their trading population in general good humour. No doubt a large percentage of the citizens were constantly on the move. What with bribes at home, and opportunities of gain abroad as traders or colonists, their desires were fairly well satisfied. Politics afforded sufficient scope for party struggles and individual ambitions, provided only that sufficient money were forthcoming. The rich might use power selfishly in their own interest, but their interest would seldom be directly opposed to the interests of the state. And so Carthage was able to 'muddle along.' Such is the explanation to which the few facts at our disposal seem to guide us. No doubt Phoenician blood and Phoenician traditions, and in particular the mysterious force of their religion, contributed to keep up a certain continuity in Carthaginian public life. But our knowledge of these influences is too scanty to enable us to trace their effects with any confidence. From a political point of view it is to be noted that, as Carthage was to Aristotle a specimen of a 'mixed*' constitution, so was Rome to Polybius. That is, neither could be classified as a government of One or the Few or the Many, according to the political philosophy of Greece. In Greece the mixed constitution of Sparta was felt to be abnormal. But it was just this mixture, with all its imperfections, that enabled the various parts of the state to act at a pinch, to check each other so far as to stave off revolutions, and to keep the machine working somehow. Gradual change was possible, and the political career of the city-states of Carthage and Rome was more permanently successful than that of the city-states modelled by the far more gifted Greeks.

CHAPTER XI

FIRST PUNIC WAR. 264—241 B.c.

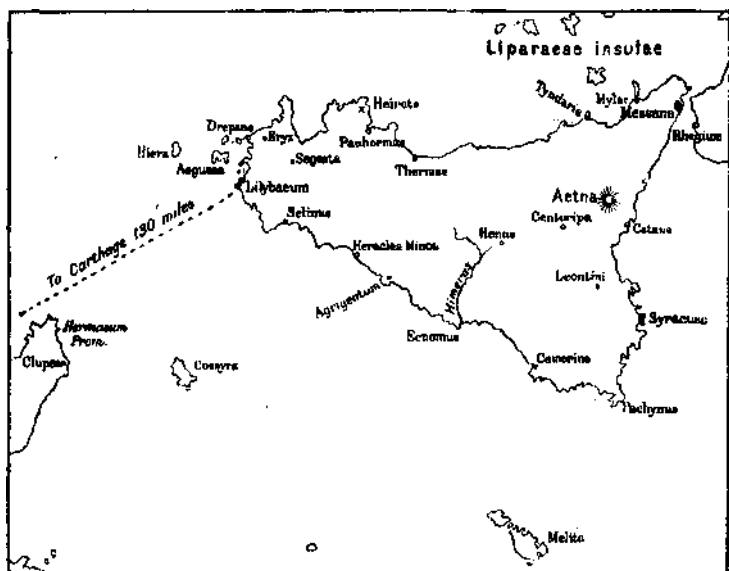
97. Outbreak of war 264 B.C. The inevitable war for possession of Sicily was at last brought about by that troublesome community of robbers, the Mamertines of Messina. The story is very obscure. Neither Carthage nor Hiero of Syracuse could put up with their aggressions; the two powers combined to chastise the freebooters. Rome could not sit still and see Messina added (as it surely would be) to the dominion of Carthage, unless she meant to let all Sicily fall into her rival's hand. The pressure of circumstances drove her to accept the invitation of a party among the Mamertines, and undertake the relief of Messina. A Roman army was suddenly landed near the city. The besieging forces were defeated and the siege raised. Rome was now at war with two powers with whom she had hitherto been on terms of friendship. But in 263 Hiero made peace with Rome, and became her faithful ally. The long and mismanaged struggle of the next 22 years was with Carthage. The Latin name for Phoenicians was *Poeni* and the war was called by Romans the first Poenic or Punic war.

98. First stage, 263—260 B.C. Rome had now two strong bases at Messina and Syracuse. Carthage raised a great mercenary army, the headquarters of which were at Agrigentum. She had naval bases in the harbours of Drepana (Trapani) and Panormus (Palermo), but her strongest post was at Lilybaeum (Marsala). The Romans pushed on to the West, receiving the submission of a number of towns, and laid siege to Agrigentum in 262. After a long siege the town fell. The Punic army escaped, and left the helpless citizens to the mercy of Rome.

They were barbarously sold as slaves, a blunder which brought its own punishment. The war dragged heavily, and the only hope of making progress seemed to lie in creating a fleet and ceasing to leave Carthage the unchallenged ruler of the western seas. Our tradition records how this task was undertaken, how vessels of war were built with surprising speed on the model of a stranded Punic ship, how crews of oarsmen were meanwhile taught to swing together in skeleton ships, great stages or frames erected on dry land. But it was not likely that landsmen new to the work would at once rival the skill of a seafaring people in naval evolutions. Therefore the Roman aim was to reproduce as far as possible on the water the fighting conditions of a battle on land. A kind of moveable gangway was invented for the purpose. When two ships met, the Roman let the gangway fall on the enemy's vessel, and Roman soldiers were thus enabled to board her and fight hand to hand. Thus the Carthaginian superiority in manoeuvring was neutralized, and the superiority of the Roman fighting-crews could make itself felt. The value of this device was seen in the first great naval action, fought off Mylae in 260, when the bold use of these gangways resulted in a great victory for Rome. This story of the sudden appearance of Rome as a great naval power is not so miraculous as it might seem. Roman tradition was seldom generous in recognizing the services of the allies whose help the Roman government so unsparingly employed. Rome had at her disposal all the maritime resources of the western Greeks. Those in Italy belonged to the Italian confederacy of which Rome was the head. Massalia was her old and faithful ally; Syracuse, lately won, was zealous in her cause. The old enmity of Greek and Phoenician told strongly in favour of Rome. All that was most efficient in the Roman fleet was probably Greek in design. The seamanship was Greek, and the great disasters that occurred in the course of the war were in general due to the stupidity of Roman admirals, wilfully deaf to the warnings of their Greek nautical advisers.

99. Second stage 259—255. The Romans were now emboldened to attempt larger enterprises. We hear of an expedition against Sardinia and Corsica, and some successes. But to keep up the naval service was no easy matter. Each quinquereme or ship of the line needed 300 rowers, and to make up the numbers required for fleets composed of some hundreds of ships was very

difficult. The service was hated, and in default of sufficient slaves it seems to have been found necessary to press Italian Allies for the work. This led to discontent, perhaps to mutiny. But the difficulty was somehow overcome, and great fleets were maintained. In 257 we hear of an indecisive sea-fight off the north coast of Sicily. Meanwhile the war on land dragged on slowly, and the position of Carthage in the West of the island was as



Map of Sicily for the Punic Wars.

strong as ever. Great preparations were made for the campaign of 256. The Roman plan was to invade Africa in force, while the Carthaginians hoped to confine the land-war to Sicily by gaining a great victory at sea. Near Ecnomus on the south coast of Sicily the two fleets met. We read of 350 Punic ships of war and 330 Roman, with transports in addition, of a battle clumsy and confused, and of another Roman victory won by boarding in the same style as at Mylae. So the Romans went on, and landed near Clupea in Africa. At this point a bold advance with their whole army might perhaps have ended the war. But the Senate misjudged the situation. Roman armies were meant to

be changed yearly, like the consuls who commanded them, and even in a war beyond Italy it was not thought desirable to keep troops in the field longer than was absolutely necessary. So one consul was recalled, with the bulk of the army; the other, M. Atilius Regulus, was left well posted in Africa, but with wholly inadequate forces. Still the weakness of Carthage in her Home-province was so pitiful that Regulus made a most successful campaign. Immense booty was gained in a rich and defenceless country, the Punic generals were defeated in a battle, and Carthage seemed lost. The traditional story is that Regulus now offered to treat for peace, wishing to keep the credit of his successes to himself rather than leave his expected successor to reap the fruit of his victory. But he is said to have spoilt his own chances by demanding terms that nerved the Carthaginians to a desperate resistance. Just then a body of mercenaries, hired for Carthage in Greece, arrived. Their chief, the Spartan Xanthippus, gained the confidence of the Punic government, and soon turned the tables on Regulus. Few of the Roman army escaped from their defeat. Regulus was taken prisoner. But the naval superiority of the Romans enabled them to beat a Carthaginian fleet and bring off the remnant of their troops. Nautical skill alone was required to complete the homeward voyage; but the Roman consuls would not heed the warnings of their Greek skippers. A storm caught them before they could double cape Pachynus, and three quarters of their fleet were wrecked on the southern coast of Sicily.

100. Third stage, 254—250. There was now little prospect of an early peace. New fleets were built, and new expeditions undertaken, but no great sea-fight is recorded. A Roman fleet sailed to ravage the African coast, but narrowly escaped utter destruction through ignorance of the perils of navigation in those waters. On the voyage home half their number perished in a storm. At sea Carthage now had the advantage, but as usual nothing came of it. The chief events of the war in these years were connected with Panhormus. This important fortress and naval station was taken by the Romans in 254 and held with a garrison. A good base of operations in western Sicily, in easy communication with Italian ports, was thus secured. In 251 Hasdrubal the Punic commander felt strong enough to attempt the recovery of the place, and led a great army, including

elephants, to besiege it. The Roman consul L. Caecilius Metellus made a stout defence, and early in 250 utterly defeated the besiegers in a battle which broke up the chief Punic army for the time. But the money no longer needed to pay those captured or slain could be used to engage new mercenaries. The resources of Carthage were not seriously impaired by the disaster of Panormus. Roman confidence revived, and shipbuilding, neglected since the late losses at sea, was by order of the Senate resumed. The exhibition of captive elephants signalized the triumph of Metellus, and mint-masters of that famous family in later times were proud to stamp the figure of an elephant on their coins.

101. *Fourth stage, 249—241.* Fourteen years of war waged without consistent strategy had produced small results. Still Rome had gained ground. But it was clear that a peaceful possession of Sicily, not necessitating the presence of a Roman army, was impossible so long as Carthage retained a firm footing in the island. This footing was the maritime fortress of Lilybaeum. As its walls had defied Pyrrhus, so they now foiled all the vast efforts of the Romans. Year after year the fruitless siege went on. The approach from the sea was difficult, owing to reefs; but the seamanship of Phoenician skippers and Greeks in the Punic service was equal to the task of revictualling the town. Even when repeated disasters had compelled the Romans to turn the siege into a blockade, food still found its way in. All the movements of the last nine weary years of the war were conducted with reference to the winning or keeping of the western stronghold. A Punic fleet lay at Drepana, which was no doubt a station of blockade-runners. In 249 the consul P. Claudius Pulcher attempted to surprise and destroy this fleet, but was outmanoeuvred by Adherbal and defeated with the loss of most of his force. At last a Carthaginian admiral seemed to know his business. Roman ships off Lilybaeum were taken or burnt. Roman convoys off the southern coast were chased and driven to perish in a storm. Only the land-route was open to send food to the besiegers of Lilybaeum. Still the Romans doggedly kept up the **war** in the West. But their financial resources were failing. **For some four** or five years they seem to have given up the naval **war** and built no ships. Here was the opportunity of Carthage. But it was missed, no doubt owing to the blindness or jealousy of her rulers, and it did not come again.

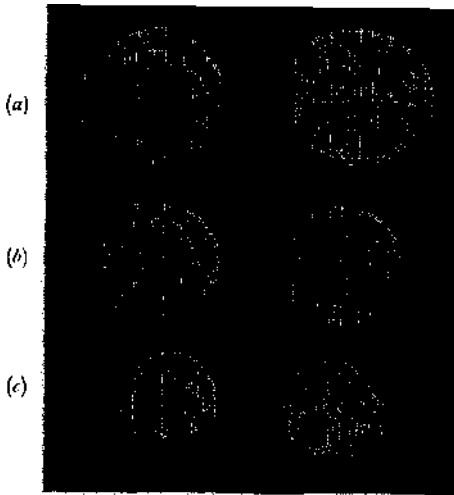
102. In 247, while the Romans with Hiero's help still watched Lilybaeum, a strong man was sent from Carthage to face them in Sicily. This was Hamilcar, of the great family of Barcas. He was not properly backed up by the government at home. But he saw the most effective way of using his mercenary troops, by avoiding pitched battles, and harassing the Romans in irregular warfare by sea and land. He made sudden descents on the Italian coast. At last he ventured to seize a rocky stronghold near Panhormus, and here he held his ground for years, raiding the rich country as he chose, and defying the power of Rome. As time went by, he grew more enterprising, and weakened the position of the Romans in western Sicily. It became clear that the war could only be ended by one side winning the command of the sea. Tradition records that Roman patriotism solved the problem. A fleet of 200 ships was provided by the voluntary generosity of the wealthier citizens, and every care was taken to make it thoroughly efficient. The main object was to destroy a Punic fleet, on its way with supplies for their western garrisons. The consul C. Lutatius Catulus (whose year ran from 1st May 242) won a great victory over this fleet, ill equipped for a battle, off the island of Aegussa in March 241. Rome had now the mastery at sea, and the end was in sight. Carthage sued for peace, and left Hamilcar to make the best terms he could. Rome was exhausted, and Catulus eager to have the credit of ending the war.

103. *Peace.* The terms agreed upon by the commanders were that Carthage should evacuate Sicily, make no war upon Syracuse, give up all Roman prisoners, and pay to Rome 2209 talents (over £500,000) in 20 yearly instalments. Ten commissioners sent from Rome with full powers insisted on the evacuation of all the smaller islands between Sicily and Italy, and made the indemnity 3200 talents payable in 10 years. Carthage submitted. Her hireling troops were shipped off in batches to Africa, to be paid off and rewarded for their great services, and Rome took over the fortress of Lilybaeum. The position in Sicily was **now** this. The Syracusan kingdom, in area about \ or \ of the island, was of course undisturbed. The much larger part fell to Rome as the successor of Carthage. Rome had no experience in governing subjects, and the arrangements of the Italian confederacy were not thought suitable to be applied outside Italy.

But it was necessary to find some method of asserting the sovereignty of Rome in her newly-acquired territory. The Senate found a way of doing this by an extension of old Roman principles. Each state official had a sphere or department (*provincia*) in which he acted. So Roman Sicily was made the 'province' of a Roman Governor, a yearly officer, endowed with ample powers, charged with the general superintendence of the administration. The details of his appointment are obscure. Local precedent was followed in the important matter of revenue. Hence came the tithes¹ of yearly produce and the customs dues, which were the normal imposts levied in Sicily. Thus Rome began a new experiment, the taxation of subjects for her own benefit. The so-called allies (*socii*) in Sicily were thus on a different footing from the Italian Allies, whose obligation to the leading power consisted in furnishing and paying fixed military contingents. They were subjects of Rome as they had been of Carthage. In peace or war, they were tributary, save in so far as exemptions were specially granted to a few favoured communities. The old Roman policy of isolating the towns by graduation of privileges seems to have been employed in Sicily. In particular the right of acquiring property outside a man's own township (the *commerciutn* enjoyed by Roman citizens) was only granted in a very few cases. The several towns were left free to manage their internal affairs under local governments, but care was taken to place the power in the hands of the wealthier burgesses. Of course the communities that had resisted longest were placed in the most unfavourable position. But we have no reason to think that the province was harshly governed in its early days. The miseries of Roman Sicily belong to a later time.

104. *The combatant powers*, Polybius well remarks that the different character and resources of Rome and Carthage are best displayed in the story of this war. From her own citizens and from her Italian confederates Rome could draw an inexhaustible supply of loyal soldiers, an indigenous army of fairly uniform quality, amenable to discipline, and able to bear up under the strain of waiting and hardship, even of repeated disasters. But **they** were a raw militia, not a standing army, and in Italian warfare the custom had been to raise fresh legions year by year. In Sicily **the** men must some of them at least have been kept under

¹ See § 288.



4. Roman silver coins, after 268 B.C.

- (a) *denarius* [x] *obv.* Roma in winged helmet.
 (b) *quinarius* [v] *rev.* The Twin Brethren, mounted, cliarg-
 (c) *sestertius* [11s] *ing.* ROMA.
 See §§89, 104, 175.



5. Coin of Hiero II of Syracuse, 3rd cent. B.C.
obv. Head of Hiero with diadem.
rev. Nike in chariot. BAZIAEOZ IEPNΩOZ.
 See §§ 77, 97.

arms for more than one campaign. If the soldiers were not regular professionals, the generals were «ven less so. Year by year new consuls took over the command, untrained in the art of war, and seldom able to use with effect the fine material abundant in the ranks. Moreover the Romans were in great straits for want of ready money. Their financial system was still very rude. A silver coinage had only begun in 268. During the war the clumsy bronze coin (the *as*), already reduced far below its original weight, was further¹ lowered. We have seen with what difficulty the cost of keeping up a navy was met. There is no reason to doubt the tradition that only patriotic devotion to duty enabled the financial burdens to be borne. In general the Roman people was still simple and sound. The constitution was a lumbering machine, but it worked somehow, thanks to the guidance of the Senate. The citizen body, uncorrupted as yet by faction and bribery, were of one mind in devotion to the state. Beside them stood the Allies, of whom we hear little in our record. But it was their support that made the Rome of this period a power of the first rank, and their loyalty that was the surest proof of the merits of the Roman system.

105. Carthage, to judge from such evidence as has reached us, presented a very different picture. No confederacy of loyal allies stood at her back. Her armies, bought with pay or promises, seem generally to have held to their bargain, and they could be kept in the field continuously, till they became professional soldiers. But the faith of mercenaries has never been an effective substitute for a patriotic sense of duty in enabling men to bear discouragement and defeat. Late in the war we hear of mutiny in a Punic fleet and desertions from the Punic army. And worse was soon to come. Nor was the navy a credit to a great maritime state. The reasons for its disgraceful inefficiency, which the war exposed, have been discussed above, Carthage had good admirals, but she did not give them a fair chance; when she might have seized command of the sea, she left Rome time to revive. The one merit of her war-policy was that she kept a good general in command for years together. But when Hamilcar did great things in western Sicily, he appears to have been left without sufficient reinforcements or pay for his

¹ For this difficult question see Mr G. F. Hill's *Historical Roman Coins*, pp. 28—33.

troops, and the final effort to send in supplies was mismanaged. It is almost certain that the state of Carthaginian politics was to blame for most of this blundering. The government was in the hands of a clique of wealthy nobles, who controlled the senate. Party-spirit ran high in Carthage, and the Barcid family, to which Hamilcar belonged, leant on the support of the popular Assembly. The noble clique led by Hanno (the 'Great' as he was called) seem to have been more concerned to keep their opponents out of power at home than to do the best for their country abroad. In short Carthage, wealthier by far than Rome, but already corrupt and factious, was no match for her poorer rival. Her weakness in Africa was shewn in the campaign of Regulus. Only the clumsiness of the Roman system enabled her to make a fight of it so long, while using but a part of her resources.

106. That this comparison of the two combatants is a fair one I think the sequel will shew. The help derived from Greek skill by both sides has been noted. It was the destiny of that brilliant race to serve peoples intellectually inferior to themselves, not to build up a great Greek empire and rule it according to Greek ideas. Why they could not turn their cleverness to account in imperial politics on their own behalf, is a question not within the scope of this book. The fact remains, and is worth noting, that great empire-states were formed, not Greek, and that Greek influences penetrated them, inspiring or corrupting, sowing seeds of good and evil. As seeker creator teacher and critic the Greek was unrivalled and irresistible. We shall see Rome become supreme in the civilized world only to become dependent on Greek leading in Art and Literature, and in all progressive departments of thought. Such was the power of a subject race, whom the Romans had some excuse for despising. So profound is the difference between intellectual brilliancy and the duller qualities that go to make up what we call political capacity.

107. During the first Punic war the public life of Rome seems to have moved on the old lines. A Plebeian chief pontiff in 252 reminds us that the blending of the two Orders was practically complete. On his death Metellus the victor of Panormus succeeded to the post. He was the typical hero of the period, a man distinguished in all things in which a Roman noble loved to excel. Another honoured figure was C. Duilius, the

victor in the sea-fight of Mylae. Simple privileges granted to such men still sufficed to shew Roman appreciation of merit. The first appearance of gladiators as a show at a funeral, a horrible spectacle of bloodshed destined to become common at Rome, is placed in 264. The custom is said to have been borrowed from Etruria, but Roman society does not seem to have been shocked by it. In politics we hear of the appointment (in 243) of a second praetor, for jurisdiction in legal disputes in which aliens (*peregrini*) were concerned. This increase of the magistracy was a good thing, and it points to the growth of legal business. But at first the new officer was wanted for military duties. Indeed it happened that the consul Catulus was laid up with a wound, and the new praetor commanded the fleet in the final battle of the war.

108. Meanwhile the founding of colonies, to guard the coasts and secure the hold of Rome on Italy, went on in spite of the war, partly because of the war. Citizen-colonies occupied the coast of southern Etruria, threatened by Punic fleets. Colonies in Umbria seem to be a preparation for dealing with the Gauls in the North. In the South-East a Latin Colony was planted at Brundisium in 244. Thus the best harbour on the Adriatic was held by a Roman fortress, and was destined to become more and more important as Rome became interested in the peoples and questions of the East. In short, even the exhausting struggle with Carthage did not interrupt the steady consolidation of Roman power. This was the work of the Senate, the Standing Committee for watching over the interests of Rome. The efficiency of this wonderful body in the third century B.C. was at its height. It could neither pass a law, nor elect a magistrate, nor judge an offender, nor declare war. Yet its moral force was the mainspring of the political machine, and the fact that moral force was able to guide public policy is the simplest and truest explanation of the greatness of Rome.

CHAPTER XII

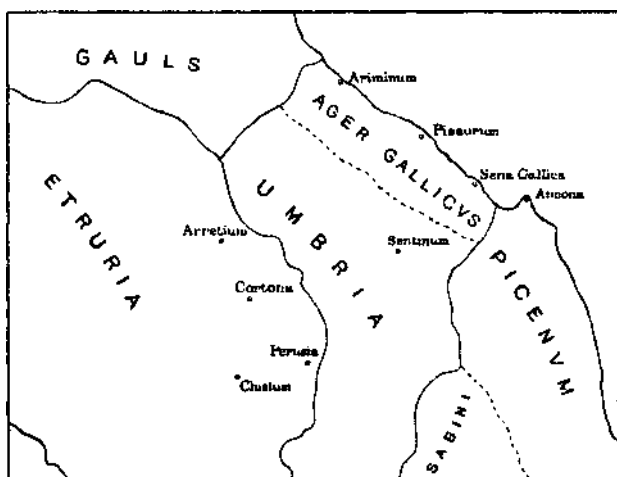
THE INTERVAL 241—218 B.C.

109. The first Punic war lasted 23 years : 23 years only passed before Rome and Carthage were again actually at war. The difference between the two powers shewed itself more clearly than ever in their several experiences during this interval.

Carthage. The Punic government was shortsighted enough to concentrate all its returned mercenaries in one place and then mean enough to try and cheat them of part of their promised pay. The revolt provoked by this criminal folly came near to being the ruin of Carthage. For about three years Africa was the scene of a war in which no quarter was given, waged with ever-increasing barbarity on both sides. The warlike mercenaries, drawn from various races, had no common language and no one supreme leader. But Hanno and the government forces could make no head against them ; only the employment of Hamilcar saved the state when all seemed lost. Mercy was of course out of the question. But prompt and generous payment would probably have been far less costly than the horrible struggle in which they were at length exterminated. Moreover new mercenaries had to be employed for their suppression, and doubtless well paid. This revolt had not been encouraged by foreign powers. Both Rome and Syracuse in various ways helped the Carthaginian government. Rome did not occupy Sardinia when a revolt of the Punic mercenaries there left the island at her mercy. But in 238, when Carthage at last felt able to reassert her control of Sardinia and Corsica, Roman jealousy forbade it, and even extorted a further indemnity as the price of abstaining from war. Rome herself annexed the islands as a province, occupied some ports, and

appointed a governor. So the near presence of Punic garrisons was prevented, but Rome was busy in Italy, and the effective conquest of the new territories was not completed for many years. At Carthage the popular party, headed by the Barcid family, now got the upper hand. Their policy was to increase the resources of the state with a view to settling scores with Rome. After the recent losses there still remained one land in which Carthage already had a footing, and in which it was possible to build up a new Punic empire. In Spain Hamilcar hoped to find the means of avenging his country's sufferings. But before he left for the West he had to organize means for holding in check the peace-party at home. They had, when in power, never loyally supported him in Sicily, and he could not trust them now.

n^o. *Rome*. From 241 to 231 the record is very meagre. It seems that there was war with the Ligurian hillmen on the



Occupation of the *ager Gallicus*.

northern frontier of Etruria, probably in connexion with the annexation of Sardinia and Corsica, where there was also fighting. But the chief move in Italy was directed against the Gauls. They were restless and menacing, but seldom able to act together for long. They wanted to win back the strip of land from which Rome had expelled the Senones in 283, but an expedition for this purpose in 236 was a failure. The Romans soon shewed

their intention to keep the territory, the so-called *ager Gallicus*. In 232 the tribune C. Flaminius carried a law for assigning this land in allotments to Roman citizens. Of the war provoked by this challenge we shall speak below. But Roman policy was now beginning to look beyond Italy. Rome and her Allies were now interested in the Adriatic, and the nuisance of Illyrian piracy could not be endured. An embassy to the court at Scodra was refused redress. War followed in 230—228. The defeat and submission of the Illyrians put an end to their raids for the time. But the chief importance of this little war was that it brought Rome into touch with a number of the Greek states beyond the sea. Some cities on the seaboard of Illyria and Epirus became 'friends' of Rome, and some inland tribes also. To the republics and federations of Greece proper the suppression of piracy was most welcome, and they expressed their gratitude in various ways. But there was another side to the picture. The present king of Macedon, Antigonus Doson, resented the interference of Rome in Greek affairs. It might be a bar to his regaining the practical control of the Greek states that had been enjoyed by some of his predecessors. So from this time onward persons hostile to Rome were received with favour at the Macedonian court.

111. The period between the two great Punic wars was one of great internal activity at Rome. After the peace of 241 we find the formation of new Tribes resumed. The two then added brought up the number to 35, and this total was never exceeded. Why, we do not know. Districts continued to be added to Roman territory, but the citizens settled there were enrolled in existing Tribes, which thus no longer stood for local units, their members being scattered. And it cannot have been long after this that a great change was made in the Assembly by Centuries. All we know is that in some way Centuries and Tribes were brought into connexion, so that a Century was in future a part of a Tribe. The details of the reform and the process by which it was carried out are alike obscure. It seems that changes in the order of voting and the distribution of voting-power both tended to lessen the great advantage hitherto enjoyed by the rich, and that the movement was presumably of a popular character. The great popular leader of this period was Gaius Flaminius, and he may have been the moving spirit, but we do not know. The clumsiness of the Centuriate Assembly was not lessened, perhaps

even increased. But this Assembly was now seldom employed for anything but elections; for passing laws the people were generally summoned by Tribes. In this period we meet with a question that afterwards became one of the great troubles of the Roman Republic. When a slave was set free by his owner (*dominus*), he ceased to be *servus*, and became the freedman (*libertus*) of his former master as protector (*patronus*). But his position in the state was that of a free man bearing a taint of former slavery. As a citizen he was not recognized as an equal of the free-born (*ingenuus*). How were such persons to be admitted as citizens and yet not treated as equals? This question was answered by reviving the old distinction¹ between country-Tribes and city-Tribes. The latter were only four in all, the former were 31. By enrolling citizens of servile extraction (*libertini*) only in the city-Tribes they would only have a share in determining four Tribe-votes. This appears to have been the policy of the Roman reform-party, carried out by Flaminius as censor in 220. The object was to put all free-born Romans as far as possible on a level, not to equalize Romans born and citizens of alien birth.

112. The same jealous spirit, and the absence of levelling ideas, were shewn in a law (*lex Claudia* of 218) forbidding a senator to own more than one ship of burden. Its effect was to shut out the active governing class from taking a direct part in commerce. Thus they were practically compelled, so far as law could make them, to invest their growing fortunes in land, and become more than ever a nobility of great landlords. The need of providing for the government of Rome's new acquisitions led to an increase of the magistracy. About 227 the number of praetors was raised from two to four. The two new posts were for the charge of the Sicilian and Sardinian departments (*provinciae*), and with them began the regular series of provincial governors. That is, Roman magistrates were set to rule subject peoples, and Rome took up an imperial position outside Italy, different from that which she held as head of the Italian confederacy. In the inner life of Rome we hear of a few details, the first signs of things destined to become important later on. Such was a free distribution of corn in the city, the bounty of Hiero of Syracuse when he visited Rome. A story of a citizen divorcing his wife for barrenness is recorded as a notable fact in those days. The

¹ See § 55.

first free foreigner (a Greek) to settle in Rome as a practising surgeon is said to have come in the year 219. Greek specialists in this and other professions were generally slaves or freedmen. The rude beginnings of a written Roman literature also belong to this period. A Greek named Andronicus, brought as a slave from Tarentum, took the name Livius from the master who emancipated him, and kept a school. He translated the *Odyssey* and some Greek tragedies into Latin. Younger than Livius was Cn. Naevius, a Campanian. Beside versions from the Greek, he attempted original poetry on the model of the native songs of Italy. Very little is known of either of these men. But the mere fact of a beginning being made is worth noting as a sign of the development of Rome during the interval of the Punic wars.

113. *The Barcids in Spain.* For nine or ten years Hamilcar worked hard, fighting and negotiating. He brought a number of the southern tribes to accept the overlordship of Carthage. He raised a strong force of native troops, but the army thus formed was quite different from the mercenary hosts of the old model. The men were not simply hired for a campaign, but kept on the regular establishment, drawing Carthaginian pay year after year, and becoming a professional standing army, proud of their great leader. With these and his African troops, he was well able to make Carthage respected, and the resources of the country supplied him with money. In 228 he fell in battle. His son-in-law and successor Hasdrubal maintained the Punic cause by diplomacy and skilful management. He took a great step forward in shifting the headquarters from the old Phoenician city of Gades (Cadiz) in the far South-West to a point on the South-East coast. Here he founded a 'New Carthage' (Carthagera) and fortified it strongly. The new civil and military centre was in fact a challenge to Rome. But neither side was as yet ready for war. A Roman embassy visited Hasdrubal, and an agreement was come to, by which the river Iberus (Ebro) was to be the boundary between the spheres of the two powers. But after this the Roman government did not take possession of northern Spain. They only formed alliances with some towns on the seaboard, and one of these, towns, Saguntum, was South of the Ebro. And it is not certain that the agreement with Hasdrubal was ever officially approved by the government of Carthage.

114. Hasdrubal was assassinated in 221, and Hannibal the eldest son of Hamilcar, then 26 years old, succeeded him. He was already a thorough soldier, and both the natives and the Punic officers in Spain could see in him a chief of exceptional powers. But what gave the young man his chance of putting his father's designs in practice was the fact that the popular party led by the Barcids was in power at Carthage. On the other hand, it was no easy matter to hold that party together for a length of time, and so to give effectual support to an absent leader on whose success the fate of Carthage depended. Hannibal needed a great loyal statesman at home to cooperate with him in his efforts abroad. Now we hear of no Barcid partisan equal to the task. Our tradition is all from the Roman side, but there is no reason to doubt its truth when it represents Hannibal as being thwarted and crippled by the folly of the Home government in the critical moments of the second Punic war. That is, the rich merchant-princes of the peace-party stood their ground, and regained enough power to make the policy of Carthage weak and wavering. Meanwhile Hannibal was wholly possessed by the resolve to humble his country's great foe, and he went ahead with an intensity that seems to have blinded him to the real strength of Rome. To a Carthaginian it was perhaps impossible to believe that the Allies of the Italian confederacy had good reasons for loyalty to their Head, and would hesitate to rebel unless sure of bettering their condition. Certainly no such bond of common interest existed between Carthage and her subjects in Punic Africa.

115. For about two years Hannibal was busy consolidating and extending the Carthaginian power in Spain, perfecting his army, filling his war-chest; in short, preparing for his great enterprise. In 219 he felt ready for war, and Rome was engaged elsewhere. So he picked a quarrel with the Saguntines and laid siege to the city, though allied with Rome. The Roman Senate vainly hoped to save Saguntum by negotiations and protests, addressed first to Hannibal and then to the government at Carthage. But the Punic government did not repudiate Hannibal's action. Saguntum fell early in 218. The prestige of Rome was broken. Carthage had defied her former conqueror, and the rival powers were once more openly at war. We must now turn and see what had lately been occupying the attention of the

Roman government and causing it to display such feeble indecision in its foreign policy in the West.

116. *Rome and the Gauls.* The truth is that one of Rome's chief claims to the support of her Allies was her employing the forces of united Italy to keep at bay the restless Gauls, and that this part of her task was incomplete. A forward policy in the North was necessary, for not to go forward was, in dealing with such warlike tribes, the same as going backward. The Gauls saw that it was time for a great effort to stop the Roman advance. So they called to their aid a number of their kinsmen beyond the Alps, and in 226 an immense host of them poured into Etruria. Irresistible at first in the open field, the barbarians ruined themselves by stupid strategy, and in 225 were destroyed at the great battle of Telamon. The Romans now pushed on boldly to occupy the region of the Po. They had long been friends with the Veneti who held the mouths of the great river, and had lately made terms with the Gaulish Cenomani. The years 224—222 were employed in conquering the two chief tribes of hostile Gauls, the Boii and Insubres. In 223 the popular leader Flaminius was consul, in 222 M. Claudius Marcellus, the dashing soldier afterwards famous for his services in the second Punic war. In 221 a campaign in Istria quieted some restless local tribes. Rome clearly meant to be supreme in the country called Cisalpine or *hither' Gaul, and to extend Italy up to the Alps. The northern way to Ariminum was turned into a great military road in 220 by the censor Flaminius, and in 218 two strong Latin colonies, Placentia (Piacenza) and Cremona, were founded on the Po. But the conquest of the country was far from complete, and the beaten Gauls were longing for their revenge.

117. Polybius tells us that at the time of this struggle with the Gauls the forces at the disposal of Rome were officially reckoned at 700,000 foot and 70,000 horse. He also records that in the pressure of danger the Allies eagerly came forward to back up their Head in a common cause. Evidently their terror of the Gauls was a powerful stimulant to their loyalty: this we must bear in mind. But the victories over the barbarians were mainly due to the superiority of Roman discipline and Roman weapons. They were 'soldiers' battles.' The strategy of the civil magistrates who commanded in the field was very crude, and they trusted to their men to 'pull them through' at a pinch.

No Roman general understood the art of handling large bodies of troops with effect. And the government seems to have been quite unaware that this deficiency was a serious danger in the face of the great general and the highly-trained army now on the march from Spain.

118. But it was not only the war with the Gauls that had kept Rome from asserting herself in the West. In 219 the Illyrian war broke out again. It is true that the pirates were promptly put down and order restored. But Demetrius of Pharos, the adventurer who had caused the trouble, escaped to Macedon, where he was received by king Philip, who had lately succeeded to the throne. At this time the Macedonian kingdom was more predominant in Greece than it had been for many years; and the young king was especially desirous to expel the Romans from their foothold on the eastern side of the Adriatic. Their presence was a check to his ambition. So he was watching for an opportunity, and Demetrius remained at the Macedonian court, intriguing against Rome. On the other hand the Aetolians, whom Philip had defeated in war, were longing to be revenged on him. Thus there were the materials for a fresh conflict in the Greek peninsula. But in the middle of the year 218 there was no obvious reason for alarm in Italy. Nobody imagined that the approach of Hannibal could mean actual fighting south of the Alps before the end of the year. Even were this possible, the Roman government, with its vast numbers of brave men at disposal, seemed able to crush an invader at once. We shall see that the masters of Italy had still much to learn.

CHAPTER XIII

SECOND PUNIC WAR 218-201 B.C.

119. *Importance of the war.* The Hannibalic or second Punic war was the turning-point in the history of Rome both internal and external. Internally it found the Senate powerful, it is true. But the close of the war left the Senate so much more powerful that it became for a long period the virtual government of Rome. The constitution stood nominally unchanged, but its working was different. In the course of this war many things happened that were foreshadowings of the coming supremacy of the Senate: there were also a few signs of popular discontents by which individual leaders rose for a time to power. In these leaders we may see the early fore-runners of the great anti-senatorial movement, the revolution in which the Republic (again without ostensible change) became a mere name, an unconfessed but real monarchy. Externally Rome began the war as Head of Italy, sovran of the greater part of Sicily, and over-lord of Sardinia Corsica and the N.W. part of Spain. But none of the last three countries were as yet conquered: Rome had just enough hold on them to keep out a rival. When the war ended, the overthrow of Carthage left Rome supreme in the western Mediterranean, and practically committed to a struggle with the eastern powers. Less than forty years of wars and diplomacy were then enough to destroy her opponents one by one and leave her the one Great Power in the Mediterranean world. That the process took so long was largely due to the obstinate reluctance of the Roman aristocracy to profit by the military lessons of the second Punic war.

120. *Factors in the struggle.* We have seen what enormous numbers of men were at the disposal of Rome. But we must bear in mind that these forces were a raw militia, brave but untrained, and that the cavalry was always a weak point in the Roman armies. On the other hand the army of Hannibal was no longer a mere mercenary force hastily got together, like the old Carthaginian armies, but a highly-trained force, used to warfare and accustomed to follow a great leader in whom they had full trust. The cavalry was particularly efficient, as events were to prove. The elephants may be ignored, as they were of no service. Hannibal's greatest advantage was in his own genius and independent control of his army. Roman generals were a succession of honest soldiers, who had not learnt to handle large bodies of troops with effect, and who were on the Roman system superseded just when they were beginning to learn. The strain of the war forced the Roman government to give up this system of constant changes for the time, but it was revived after the war. On the other hand the citizen-generals were backed up by Rome with all available resources, while Hannibal received hardly any support from Carthage. Hannibal's party at home could prevent concessions to Rome and so virtually declare war. But they seem to have been unable or even unwilling to carry on the government in exact accord with the instructions of their absent leader. And so it came that the resources of Carthage were not, as they needed to be, effectively directed by a single mind. The mismanagement that resulted from this is clearly shewn in the Carthaginian naval policy. The war was not a naval war. Not a single great sea-fight occurred in the course of it. But it was surely of the first importance to gain the mastery at sea and to keep in touch with the Punic leader in Italy. The sea was not swept by Roman fleets able to stop a great armada from Carthage. That Hannibal was able to communicate with Carthage by sea shews that it would have been possible to send him men and money enough, if the Punic government had only chosen to do so.

121. But we shall see that the Punic government chose to judge for themselves rather than follow the better judgment of Hannibal, and with fatal results. There was however a weak point in the calculations of Hannibal also. In boldly invading Italy he reckoned on finding support from two quarters. By representing himself as come to put an end to Roman supremacy

he hoped to induce Rome's Italian Allies to rise against the Head of the Confederacy, and at the same time to procure the numbers necessary for his undertaking by enlisting great forces of Gauls. He had yet to learn that these two hopes were inconsistent with each other. To lead Gauls into Italy was a step certain to alarm the Italian Allies : fear of the Gauls would check secession. Moreover the Gauls were not to be trusted. Whether the advantages of employing them would be so great as to outweigh the disadvantages was the question; a question which, looking back on the past, we may answer in the negative. How was Hannibal led into this miscalculation ? Surely by information falsely coloured. He took vast pains to learn the facts bearing on his enterprise. But he was misled by an influence that is always present when two or more forces try to cooperate against one. His aim was to use Gauls and Italians against Rome, while they wanted to use him. Each partner would expect too much from the other, and give too little. Accordingly both Gauls and Italians were willing to be relieved by Hannibal from the yoke of Rome, and his spies brought encouraging reports. But neither Italians nor Gauls desired to set up a Carthaginian empire in Italy. They wanted him to set them free and then withdraw, and this state of mind made them unwilling to submit to his control. He was never in a position to give them freedom, even if he wished it, without great sacrifices on their part. Thus in Italy he was leaning on a broken reed, while he was never properly backed up by the people at home.

122. Meanwhile the power *[of]* placing great armies in the field was only a part of the defence of Italy. All the best harbours and landing-places in the long seaboard were guarded by fortified colonies or allied cities. Many of the cities were Greek, and the western Greeks were true to Rome, their protector against their old Phœnician enemy. The inland peoples were some of them very willing to see Rome humbled. But they were watched by fortresses planted in carefully chosen spots, the Latin colonies, which for their own security against hostile neighbours depended on their connexion with Rome. To them no invader could be welcome, and these fortresses formed invaluable bases for the operations of Roman armies. They could only be taken by siege, and Hannibal's forces, excellently fitted for movements in the field, were wholly unfitted for the strain of siege-works or the

slow patience of a blockade. Hannibal in short had to carry Italy with a rush or to be baffled by circumstances; and this is the simple story of the second Punic war.

123. *The three stages of the war.* We may divide the war into three parts, (a) 218—216 B.C., ending with the defection of certain Allies that followed the great disaster of Cannae, (b) 215—209 B.C., ending with the recovery of Tarentum by the Romans, (c) 208—201 B.C., ending with the collapse of Carthage. The first left Rome apparently prostrate, the second ruined Hannibal's projects by proving that he could not protect those who joined him, the third is a series of vain efforts to avert the final defeat already certain.

Authorities. We have the whole narrative comprised in ten books of Livy's History, written about 200 years after the war; also considerable fragments of the History of the Greek statesman Polybius, who wrote about 50 years after the war, and had conversed with survivors. Both these, our chief authorities, write from the Roman side. For Polybius was long resident in Rome, and became a great admirer of Roman institutions. He enjoyed the favour of the noble family of the Scipios, and doubtless made the most of their exploits. The other authorities are of less importance, and also represent the Roman tradition. Two Roman writers left contemporary accounts, used by their successors. These were Q. Fabius Pictor and L. Cincius Alimentus. Both wrote in Greek, the dominant literary language of the civilized world. A single fragment (Greek) of a writer on the other side only serves to shew that Greeks were as usual to the fore in Roman naval operations. A narrative of this war must therefore be given with hesitation for whatever it may be worth. The general outlines do not admit a serious doubt, but the personal details are certainly coloured by patriotic bias and the partiality of Roman tradition in glorifying certain great families.

124. *First stage, 218—216 B.C.* In 218 Hannibal crossed the Ebro and quickly occupied the part of northern Spain that belonged to the Roman sphere. He left his brother Hasdrubal in charge of Spain and entered Transalpine Gaul, where he had already secured friends among the local tribes. He skilfully forced the passage of the Rhone, and made his way with the help of friendly Gauls to an Alpine pass. Winter was coming on, but in spite of the difficulties of the march and the hostility

of the mountain tribes he brought his army safely down into Italy, that is Cisalpine Gaul. He was soon joined by large numbers of Gauls. After leaving behind him an army in Spain, and after the losses incurred on his journey, his force was probably from 20,000 to 30,000 strong. In training it was immeasurably superior to any troops that Rome could bring against it. But it was too small to support the wastage of war for any length of time. It was therefore Hannibal's policy to economize such valuable lives. He contrived that the losses in battle should fall mainly on the auxiliary Gauls, of whom there was a plentiful supply. His troubles with these fickle and quarrelsome allies seem to have begun early. But they were on the whole ready to back him up, for the Romans by confiscating lands and founding colonies had shewn that they meant to be masters in the region of the Po.

125. Meanwhile the Roman government had been expecting the conflict to take place in Africa and Spain, and was in no hurry. The consul Sempronius with a fleet and army was to assail Carthage at home, while P. Cornelius Scipio met Hannibal south of the Pyrenees. A Punic naval expedition against Sicily was feebly conducted, and easily beaten off. Sempronius took Melita (Malta) and was in a fair way to carry out his plans, when he was recalled with his army to take part in the defence of northern Italy. All the Roman arrangements had been upset by the movements of Hannibal. Scipio, delayed by the diversion of some of his force to meet a Gaulish rising in the North, had started too late. At Massalia he learnt that the Punic general had crossed the Rhone, and he could not force him to give battle. So the consul sent on his army to Spain with his brother Gnaeus Scipio in command, and returned to meet Hannibal in the North with the forces already posted there. The first battle was an affair of cavalry on the Alpine stream Ticinus, in which the Romans were beaten and Scipio badly wounded. When Sempronius came up he took command. Hannibal soon lured him into a general engagement on the river Trebia and defeated him with great loss. By this time the Gauls had practically all revolted from Rome and joined the Punic deliverer. Yet Rome still kept a hold on Cisalpine Gaul. The fortresses of Placentia and Cremona, and other posts along the Po, were victualled by way of the river: for the Veneti, who held the mouths, were in alliance with Rome. Hannibal wintered in Liguria, much worried by the

tiresome Gauls, who were anxious that the conqueror and his army should move on.

126. Early in 217 he crossed the Apennine into Etruria. At Rome the people were angry at the news of defeat, and had made the great reformer C. Flaminius a second time consul. His colleague Servilius went to command in the North, while Flaminius faced Hannibal in Etruria. The reformer was even less successful than the nobles whom he had blamed. On the northern edge of the Trasimene lake he was entrapped by Hannibal and destroyed with most of his army. It was said that he had neglected due formalities, particularly in matters of religion. At all events his rashness had lost a great army, and left Hannibal, after a signal victory, posted between Rome and the other consul's army in the North. The alarm in Rome was extreme. It was decided to place supreme power in the hands of a dictator, and, as no consul was within reach, to appoint the dictator by election. This was a departure from precedent, justified by necessity. The Senate managed to secure the election of Q. Fabius Maximus, a noble with a reputation for firmness and caution. He performed the observances of religion with precise care, and raised a fresh army. Fabius was the first among the Roman commanders to perceive that he had to deal with a general and an army wholly different in kind from the adversaries hitherto encountered by Rome.

127. We must turn for a moment to the war in the West. Cn. Scipio had to recover the footing of Rome in Spain, and he appears to have done so speedily. The hold of Carthage on the Roman sphere was destroyed, and naval operations in 217 were all to the advantage of Rome, helped by the Greeks of Massalia. Another fleet sent from Carthage effected nothing. Meanwhile P. Scipio was sent out as proconsul to take the chief command with additional forces, and the two brothers began a series of successful campaigns. The Celtiberian tribes (of mixed Gaulish and Iberian blood), who held most of central Spain, were hostile to the Carthaginian power. A number of hostages, detained in the interest of the Punic government, were betrayed by a trusted Spaniard to the Scipios. This chance enabled the Roman leaders to win the help of many tribes by sending the boys home. The importance of the Spanish war was understood at Rome, for the military resources of Carthage were largely dependent on the

control of her empire in Spain. Hence we find both sides earnestly set upon winning the upper hand in that country. For the present the Romans were gaining ground.

128. Hannibal had from the first treated Italian prisoners with special favour, Roman citizens with severity, hoping to induce the Italian Allies to rise against Rome. After Trasimene he set the Italian captives free. But when he entered Umbria he met with a disappointment. The Latin colony of Spoletium refused to admit him, and repulsed an assault. Checked by a fortress that he was not prepared to besiege, he moved eastward to the Adriatic and passed on towards southern Italy, laying waste the country in his leisurely march. He re-armed his African troops with captured Roman armour, and generally improved his army. But the expected support of Latins and other Roman Allies was not forthcoming. He reached Apulia, unopposed but unwelcomed. Evidently there was no belief in his offers of freedom: an invader bringing with him Gauls was not wanted in Italy. At Carthage the news of his victories was received with joy, and reinforcements voted, but for the present nothing seems to have been done.

129. When his army was ready, the dictator set out to find the enemy; not to give him battle with raw troops, but to watch and annoy him, while he trained his own army. He played a waiting game with such extreme caution that he earned the nickname of Slow-goer or Dawdler (*cunctator*). He followed Hannibal as he moved from Apulia into Samnium and from Samnium into the rich district of Campania. Hannibal could neither shake him off nor beat him, and the great city of Capua was for the present saved to Rome. But in an attempt to entrap Hannibal's army in the mountains Fabius failed, and the enemy got safely back to winter in Apulia. The discontent both in the army and at Rome was great, for even now men had not learnt that in pitched battles they had no chance against Hannibal. The dictator's second in command, Minucius, blamed the strategy of Fabius. He claimed a victory in a trifling engagement fought while Fabius was in Rome for a temporary duty. Soon the popular leaders in Rome induced the Assembly to give the Master of the Horse equal powers with the dictator. There were thus two dictators, which was an absurdity, for the use of the office consisted in its being held by a single person. The

story goes on to say that Minucius soon proved his own incapacity, and was only saved from a great disaster by Fabius. We cannot trust the details, but it seems that Fabius resumed the supreme command and avoided defeat as before. The effect of this affair was to weaken the dictatorship, for the advantage of having a single ruler, to deal with urgent dangers calling for united action, could no longer be relied on.

130. Defeats and losses had not driven the Senate to despair. Embassies were sent to uphold the claims and interests of Rome abroad. And the loyalty of her Greek allies was attested by some deputations offering gifts. Money was at present declined with thanks, but military aid in corn and light troops sent by Hiero of Syracuse was accepted. The Senate however was not Rome. The popular irritation at the delay and sacrifices of the war shewed itself in the election of consuls for the next (216) year. After much friction the popular leader C. Terentius Varro was elected, and the nobles had to be content with carrying L. Aemilius Paullus as his colleague. Varro was certainly not the mere demagogue that tradition depicts him, but he seems to have had little or no military experience. Vast preparations were made for the coming campaign, and care taken to keep the armies efficient in northern Italy, Sicily, and Spain. It should also be remembered that in all seasons of great nervous excitement the Romans were deeply affected by religious terrors. Any occurrence, however trivial, that did not lend itself to immediate explanation in the present state of knowledge, was regarded as a 'prodigy,' an event foreboding some evil to come. There were means employed, under the direction of the college of pontiffs, for appeasing the supposed wrath of the gods and so averting calamities. Thus the popular nervousness was calmed, In all the great crises of the second Punic war these outbreaks of superstitious fears occurred. Indeed they form no small part of the Roman story of the war as told at length by Livy.

131. In the summer of 216 we find the consuls Varro and Paullus with an army of some 80,000 men facing Hannibal with about 50,000 in Apulia. Hannibal drew the Romans after him into country suited to the operations of his superior cavalry. It was near the little town of Cannae on the river Aufidus that the armies met. The consuls were under instructions to fight, and Varro was eager to do so. They were taking command in turns,

so that Paullus, who preferred to wait for a good opportunity, was not able to prevent his colleague from giving battle. The tactics of Hannibal made the Roman numbers useless. He routed the Roman cavalry, and rolled the bodies of foot into one great helpless mass: only the men on the edges could use their weapons. Few escaped the butchery that followed. The Roman losses seem to have been about 50,000; Hannibal's about 6000 or 7000, the greater part of whom were Gauls. Paullus and a number of noble Romans were among the dead. We hear of survivors some 15,000 or more, who escaped to Canusium or Venusia. After a few days of utter despair, when a party of young nobles are said to have thought of flying from Italy and taking service with one of the eastern kings, the remnants of the beaten army were collected, and Varro resumed command. The disaster of Cannae was one of the blackest spots in the history of Rome. But the story abounds in exaggerations and doubtful legends. There can be no doubt that Roman tradition painted it in the darkest colours, that the wonderful recovery of Rome might stand out all the more glorious by the contrast.

132. For the Roman system was not destroyed even by the blow of Cannae. The Italian confederacy was not broken up, and the Senate in Rome, led by Fabius, and now supported by the people, took matters in hand. All possible precautions were taken to prevent a panic at home. Forces meant for other service were sent to the front. New troops were raised, and even slaves enlisted as volunteers, and allowed so to earn their freedom. An army had to be kept in the field at all costs. But for the moment Sicily, menaced by hostile fleets, had to be left to shift for itself. As usual, the Punic commanders did not use their chance vigorously, while old Hiero stood firmly by Rome, and the island was saved. The return of Varro, recalled to Rome, is the subject of a famous story. Citizens poured out to meet the unlucky consul, and the Senate thanked him for not having despaired of the commonwealth. Such, said Roman tradition, was the patriotic resolve to pull together and save the state. And indeed we find Varro afterwards entrusted with important public duties. But the policy of Fabius is seen in the changed conduct of the war. Pitched battles were avoided, and the young troops allowed time to learn their business. It was clear that the war could not be ended in a hurry, and that

mere numbers were of no avail against a trained force under a Hannibal. Tradition also records a story to illustrate Roman constancy. Hannibal offered to let the Romans redeem the prisoners, of whom he had now many, at a price. This the Senate refused. Rather than make a precedent for approving the surrender of Roman soldiers, they would buy slaves from their owners to fill the ranks. Of the truth of such stories we cannot judge: they served at least to edify young Romans in a later age, and we need not wholly disbelieve them.

133. The fear that Hannibal would march on Rome passed away; he knew better than to attempt a great siege. But the day of Cannae had a powerful effect in southern Italy. The South had been conquered and brought into the confederacy later than the rest of Italy, and the Samnites in particular were willing to shake off the supremacy of Rome. Roman influence was largely maintained by keeping the local governments of the several communities in the hands of the wealthier members. The poorer folk, who had little or nothing to lose, saw their chance of power by gaining the help of Hannibal. The movement spread, and soon the bulk of southern and south-eastern Italy joined the invader. But even in this dark time the Latin Colonies and the Greek cities on the coast remained true to Rome, a most significant fact. Hannibal had nothing to offer that it was worth their while to accept. If he went away, who would protect them against Rome? If he were come to stay, who was willing to be a subject of Carthage? Surely not those whose interests were bound up with those of Rome, and who found in her confederacy a freedom far greater than Carthage allowed to her subjects in Africa. And those Italians who did join Hannibal wanted protection and freedom. Now he had not troops enough to protect them without their own hearty cooperation. This burden it was their tendency to shirk; and, if he forced them to bear it, what became of their freedom? So the first stage of the war ended with great losses to Rome. But what was lost to Rome was by no means clear gain to Hannibal. And the Punic government seems never to have grasped the truth that, if their champion's victories were to be turned to account, they must at once reinforce him.

134. *Second stage* 215—209 B.C. That the Roman Senate had at least learnt something from defeat, is shewn by the

new strategy. The attempt to crush the invader was given up, the new method was to wear him out. Smaller armies were employed, and more of them. While one force faced Hannibal, but avoided a battle, other forces could do useful work in other quarters. The great enemy could not be everywhere. For Hannibal the most pressing need was to get possession of a good harbour within easy sail of Carthage, that he might be in constant communication with the Punic government. For the present Tarentum was not to be had, so he naturally looked toward the Campanian coast, the most convenient seaport on which was Neapolis. Into Campania he therefore marched, but he could make no impression on the walled Greek city. At this juncture he was helped by one of the weaknesses of the Roman system. There was much discontent in the great city of Capua, which commanded the rich Campanian plain. The people were not Allies, but Roman citizens of the inferior class (the so-called 'half-citizens'), bearing the burdens of Roman citizenship, but only sharing a part of its privileges. The Roman government saw to it that the local government of Capua was in the hands of the 'knights' or men of property. The poorer classes got no benefit from the connexion with Rome, and a democratic revolution placed the city in the power of Hannibal. The leaders are said to have hoped that with his aid they might raise Capua to the headship of Italy in the stead of Rome. But they were not inclined to be his obedient subjects. He was driven to use arbitrary measures, and it soon appeared that he and his new allies had very different ends in view. Meanwhile the Punic government, roused by the report of his victories, voted to send him fresh troops, but for the present no reinforcements reached him, while his responsibilities were growing and his army wasting.

135. The period of great defeats was over. Religious matters had been carefully attended to, partly in consequence of a message brought back from the Greek oracle at Delphi, and Roman confidence was reviving. By the side of Fabius M. Claudius Marcellus plays a great part in the war. He was a prompt and enterprising soldier, ready to seize opportunities of acting on the offensive. But the traditions of the war in Campania during the winter of 216—5 are very obscure and defective. Hannibal gained ground, but the important town of Nola was saved for Rome by Marcellus. The fortress of

Casilinum on the Volturnus was stoutly defended by a garrison of Roman Allies, and only surrendered after a blockade. Some of them were Latins. It is said that these declined the offer of Roman citizenship made to them as part of the reward of loyalty; so well content were they with their present condition. If this be true, Hannibal had indeed misunderstood the nature of the Italian confederacy. That he won over a few of the Greek or half-Greek towns in the far South, such as Croton and Locri, gave him one or two second-rate harbours. And some reinforcement seems to have reached him from Carthage, but not enough for the work in hand. The main fabric of the confederacy was as yet hardly shaken. It is at this time that our confused tradition brings in the story of the demoralization of Hannibal's army. It is said that he put the bulk of his force into winter-quarters at Capua, and that they were never again equal to their old reputation in the field, enervated by debauchery and ease. This is almost certainly an exaggerated moral tale.

136. Outside Italy the war dragged on. Rome was so far exhausted that she could not act effectively in Sicily or Sardinia. In Spain Hasdrubal under orders from Carthage tried to lead an army to support his brother in Italy. But the power of Carthage was not what it had been in Spain. Hasdrubal was met and utterly defeated by the Scipios. Roman fears were relieved, and Carthage had to make great efforts to keep her footing in the country. A number of Spanish tribes now went over to Rome. On the other hand a Roman force was waylaid and destroyed in Cisalpine Gaul. Meanwhile important things were happening at Rome during the winter months.

137. The treasury was empty, and exceptional measures of finance were needed. But the chief business was the filling up of vacancies in the Senate. Many members had fallen in the war, and the numbers were far below the normal 300. A remarkable proposal was made in the House. It was that from each Latin town two members of the local senate should be made Roman citizens and put into the Senate of Rome. The proposal came from a man connected in politics with the reformer Flaminius. The House, led by Fabius, rejected it as likely to unsettle the ordinary Allies rather than gratify the communities now enjoying the 'Latin right,' probably¹ about 36 at this time,

¹ See §§ 154, 171.

The choice of new senators was not left to censors. The senior ex-censor was nominated dictator for this purpose only. He added to the roll ex-magistrates as usual, but the majority had to be freely chosen on the ground of military merit. It is to be noted that there was already a dictator commanding an army in the field. The appointment of a second dictator for a special purpose is a clear sign that this great office was decaying. At the election of consuls for 215 L. Postumius and Tiberius Sempronius Gracchus were chosen. The former was absent in the North. News soon came of his death in battle, and a successor had to be elected. Marcellus was then chosen, but a thunderclap followed. The augurs declared this an evil omen, and he resigned office. Religious precautions were receiving special attention. The vacancy was filled by the election of old Fabius.

138. The strain on the resources of Rome was now extreme. The war-tax (*tributum*) had to be doubled, and of its repayment (for it was a loan) there was at present no prospect. Armies of various strengths were maintained at all points of the theatre of war. Three were in Campania, one in Apulia. Another was at Tarentum, with a fleet cruising to watch the Adriatic coast up to Brundisium. A force in Picenum was on guard in the North. Troubles in Sardinia kept another army and fleet employed. There seems to have been a second northern army at Ariminum to hold back the Gauls in the Cisalpine. To Sicily a force of inferior quality, in which were the survivors of Cannae, was sent; there was also a fleet, with its base at Lilybaeum. And beside all these there were the army and fleet under the Scipios in Spain. Nor was Rome itself wholly denuded of troops, for the practice was to keep two new legions at home in training for later service in the field. We have no trustworthy statistics as to the exact numbers under arms, how they were fed and communications kept up. But we can form some faint notion of the greatness of the task. And some at least of the garrisons of fortresses consisted of the men on the spot, not mobilized for campaigns.

139. The meaning of these great scattered efforts is plain. The blunder of Cannae was not to be repeated. Hannibal was to be watched, and foiled by declining battle: meanwhile chances would occur of gaining successes at other points. This was a sound policy, The interest of Carthage was to defeat it by

concentrating her forces in Italy, where they could and would be turned to the best account. Roman power once destroyed in Italy, it would fall of itself outside Italy. But the Punic government made a fatal blunder. News came of the disaster in Spain, and the force made ready to support Hannibal was diverted to support Hasdrubal in the West. Another force was raised to recover Sardinia. Thus the war in Italy was left to languish, and time was telling in favour of Rome.

140. The futile warfare in Greece had ended in 217, and the king of Macedon was free to resent the interference of Rome in Illyria. The news of Hannibal's great victories led him to send envoys and propose an alliance against Rome. Those sent in 216 were captured on their way home by Roman cruisers, but in 215 the alliance was actually concluded. Whatever were the terms of the compact, it is clear that the first necessity was for Philip to support Hannibal at once in Italy, that Hannibal might be free to support Philip in Greece. But Philip was too much occupied with his own designs to act thus boldly. The Romans had time to strengthen their fleet and army at Tarentum, and with little additional effort to provide for keeping the king of Macedon employed at home. The failure of the Punic expedition against Sardinia, and a victory over the Sards, removed an anxiety and left the island in the power of Rome.

141. In the season of 215 no great events occurred in Italy. But a number of minor operations proved that the Roman forces were alive, and various successes were gained. The duty of protecting his allies was too much even for Hannibal, with his insufficient forces. When he drove back one Roman army, another took advantage of his absence. To guard Capua he had a camp on mount Tifata. But even the Campanian plain was ravaged by the Romans. And he could not take Nola, still less Neapolis. The long awaited reinforcements from Carthage are said to have joined him, and shared his repulse from Nola. We hear also of desertions from his army. But all these stories are doubtful. At last he withdrew to winter-quarters in Apulia. The Romans were now free to post their armies as suited their needs, and to prepare for the coming year. Their chief difficulty was to get money for the costs of the war in Spain. We read that the *publicani*, the capitalists who undertook state contracts (*publica*), consented to furnish supplies and wait for their payment

till better times. But they made a hard bargain, insisting on being indemnified by the state for all losses at sea. We shall see that this led to great abuses. However, the government made shift to clothe and feed the armies.

142. At this point in the war the Roman cause received a serious blow. In 215 old Hiero of Syracuse died. He had been a most loyal and helpful ally, and would in any case have been sadly missed. Under him Syracuse had flourished wonderfully. As a fortress it was stronger than ever; for to the walls of Dionysius were now added the ingenious machines of the mathematician Archimedes. But the old Greek population was now mixed with all manner of aliens, mercenary soldiers, runaway slaves, and deserters from Roman fleets. Hieronymus, Hiero's grandson, who succeeded him, was a lad of 15, wholly unfit to rule this mongrel mass. He fell under the influence of agents sent by Hannibal. After a short spell of misrule, he was assassinated in 214. Revolution and utter confusion followed. War was declared against Rome. The two Punic agents were the real chiefs of the city, and instead of a valuable ally Rome, already exhausted by the war, had another dangerous enemy.

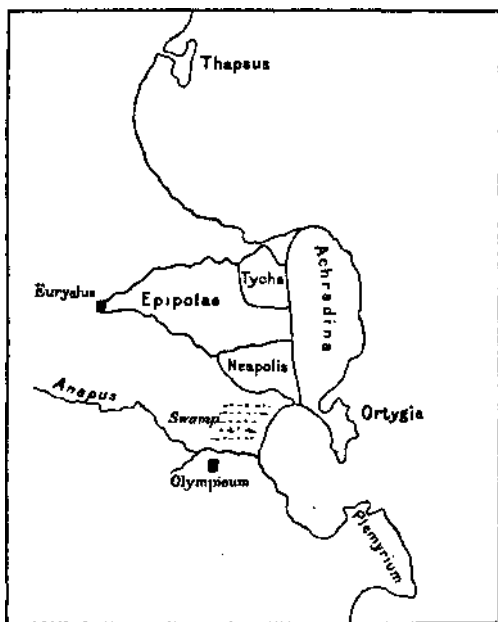
143. And yet the position of Rome was not really worse. It was her own blundering that had brought her disaster. It was wiser management that enabled her to hold her ground now, and to wear out her enemies by her superior strength. The consuls for 214 had both held office before, and were elected on the ground of former good service. The same principle guided other elections and appointments. Good officers were kept on in various commands as proconsuls or propraetors, and this not only in Spain. Thus experience was turned to account. Till the end of the war it became the normal practice to continue generals of tried capacity in their commands, either by reelecting them as magistrates or by continuing them as pro-magistrates. The forces employed were as large as before, or larger. In order to man the great fleets, the wealthier citizens were called upon to provide slaves as oarsmen, and they did. The tradition of this time is a scene of patriotic economy and sacrifice, perhaps not much exaggerated. It includes a sumptuary law (*lex Oppia*), passed to restrict the dress and ornaments of Roman ladies in this season of sore need. In short, Rome was not yet beaten, and did not mean to be. We are told that in the army the cavalry and centurions agreed to wait for their

pay; also that capitalists again offered to let their claims stand over. The last, if the story be true, were probably keen unsentimental judges of the final result of the war.

144. Hannibal was bound to protect Capua, where the determined attitude of Rome caused alarm. But his campaign of 214 in Campania was barren. An attempt to gain the rising seaport of Puteoli was a failure, Fabius having fortified the place. Cumae Neapolis and Nola were strongly held for Rome, and Casilinum threatened. And while Hannibal was kept occupied in Campania some of his other forces were defeated on their way to join him. Samnium Lucania and Apulia began to suffer from the vengeance of Rome, while he was tied by Capua. At last he moved away, tempted by an offer of some Tarentine democrats to betray their city. Tarentum was the very place to suit his requirements, particularly with a view to his receiving aid from Philip. But the Roman garrison had been reinforced and the plan failed. So he was compelled to retire and find winter-quarters in Apulia once more.

145. Late in 214 the consul Marcellus reached Sicily and began his difficult task with the help of the praetor Appius Claudius. Syracuse could not be taken by storm, and it could easily be victualled by sea. The siege lasted the greater part of two years, in spite of extraordinary efforts of the besiegers. For the first time in the history of the city the besieging forces did not melt away by pestilence through encamping in the neighbouring swamp. We cannot here discuss this interesting siege in detail. It was the lack of discipline and loyalty within that in the end caused the fall of Syracuse. Attacks on the walls by land and sea were utterly foiled by the machines of Archimedes. The delay enabled a Punic force to stir up a rebellion in other parts of Sicily. But the most important posts, above all Lilybaeum, were held by Rome, and no real conquest was possible. And Carthage as usual conducted naval operations weakly. Supplies of food were thrown into the city, for an effective blockade could not be maintained day and night in all weathers. But there was no fighting at sea. At last Marcellus got news of a great religious feast on a fixed day, when the sentinels would probably be careless; and a party of his men scaled the northern wall by night. Thus he won the western part of the city, but Achradina and the Island (Ortygia) held out, for the garrison were a desperate band, deserters many of them.

An army attempted to relieve the place, but were compelled to encamp on the swampy ground, and wasted away. The last convoy of food-ships was driven off by the Roman fleet. The Punic admiral had more vessels of war than Marcellus, but did not dare to risk a battle. The Island was soon betrayed by a Spanish captain of mercenaries, and the surrender of Achradina followed. The sack of the city so long Rome's faithful ally, the



Syracuse in 214 B.C.

carrying away of the glorious works of art with which it abounded, the death of Archimedes, killed it is said by mistake, all made the siege and fall of Syracuse an impressive and shameful story. But the feeble policy of Carthage, and the danger of trusting to her for protection, were no doubt far more impressive to contemporaries than the greater or less brutality of Rome.

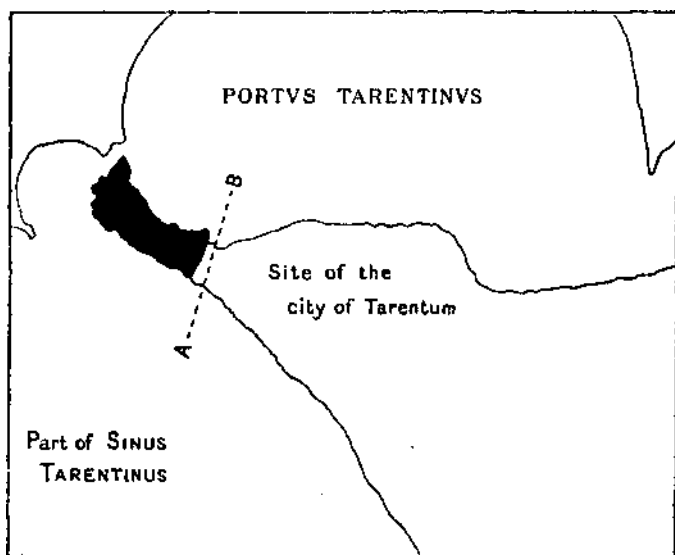
146, In these years (214—212) the fortune of war varied. To the East, a vigorous officer took the offensive against Philip in the Adriatic, and upset the king's plans. Roman allies on the

Illyrian coast were protected and no invasion of Italy was now possible. In the West, Syphax king of western Numidia was induced to join Rome, but was defeated by the king of eastern Numidia, an ally of Carthage. Rome thus gained no foothold in Africa. In Spain things were worse. The Carthaginian army there had been reinforced; while the Scipios seem to have trusted too much to the support of the native tribes, who were not heartily attached to either Rome or Carthage. In 212 the two brothers, each at the head of an army, were in turn defeated and destroyed. A brave officer collected the remnants of the beaten armies, and kept some hold on northern Spain. But for the time the power of Rome in the peninsula was broken. In this campaign a body of Numidian cavalry did good service for Carthage, as their countrymen had done in Italy under Hannibal. Their leader was Masinissa, son of Gala, king of eastern Numidia. He was one of the most notable men of the age.

147. The situation in Italy remained unfavourable to Hannibal. Roman Allies no longer came over to him, a few returned to the Roman alliance. Roman armies kept the field and took advantage of opportunities. They interfered with the supply of Gaulish recruits by blocking the way from the North. The result of minor engagements was various, but the losses on the whole told against the side weaker in numbers. The change in the character of the war is seen in this, that the chief object of each side was now to gain a city. The Romans wanted to retake Capua, Hannibal to become master of Tarentum. But at this stage of the war Rome appears to have suffered from internal troubles, which shew that all was not well within. We hear of a great outbreak of 'superstition,' that is following after strange gods and foreign rites. With some difficulty this was checked. Public festivals were celebrated with peculiar care. The duties of the two praetors concerned with jurisdiction (*urbanus* and *peregrinus*) were entrusted to one individual, thus setting more praetors free for military duties. Special measures were found necessary for raising sufficient recruits to keep up the strength of the armies. These however were old troubles. The collision with the capitalists was far more serious. Great frauds had been committed by contractors engaged in supplying the forces. Old hulks laden with rubbish had been scuttled, and the state held liable for the loss of sound ships and good cargoes. The trial of a notorious

offender before the popular Assembly was broken up by a riotous attack from the *publicani* and their friends. The end of the affair was that the chief offender and his associates had to go into exile to escape the penalties of high treason (*perduellio*). But the power and audacity of the Roman capitalists had been revealed. Their mischievous influence was destined to grow and to become the worst instrument in the later corruption of Roman policy.

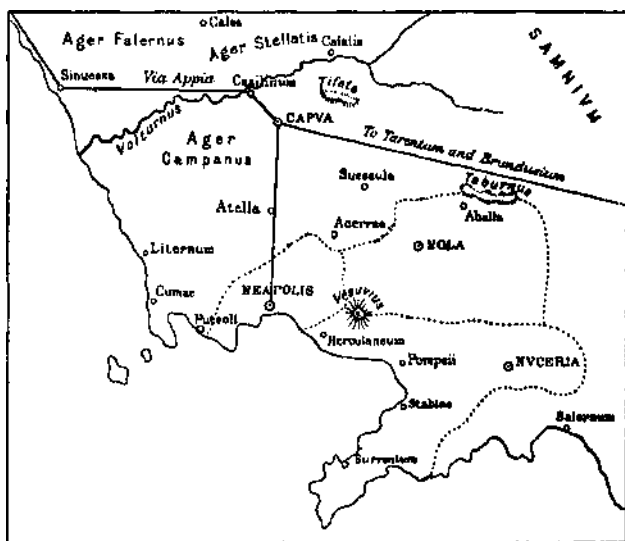
148. It was of course the power of this greedy and selfish class that had prevented the Senate from bringing offenders to justice before. Soldiers were dealt with severely enough. The survivors



The outer roadstead is sheltered by two islands. The old entrance to the inner harbour was spanned by a bridge, probably in part a drawbridge, in ancient times. The citadel is marked in black. AB is the line of the artificial cut, dating from the 15th century of our era, enlarged in the 18th, and recently adapted to admit the largest vessels of war. See Nissen, *Italische Landeskunde*, II pp. 865—70.

of Cannae, cooped up in Sicilian garrisons, begged to be allowed once more a place in the line of battle. Whatever concession was made, it is said that at least they were still disqualified for any rewards of valour. Roman tradition always represented the men of this great generation as hard. Soon after, the hostages held to

insure the fidelity of certain Greek cities tried to escape, but were caught and put to death. No mercy was shewn, though there was good reason for conciliating the Allies. Disaffection was suspected in Etruria, and a Roman force was actually watching that district. But nothing that looked like giving way to pressure seemed wise to the Roman government. It happened that one of the Greek cities affected by the recent severity was Tarentum. The news strengthened the anti-Roman democrats. A plot for betraying the city to Hannibal now succeeded. But the citadel was still



Map of Campania in the second Punic war. Only the chief roads, mountains, etc. are shewn. The territories of three Roman Allies are indicated (after Beloch) by dotted lines: (1) Neapolis, (2) Nola with Abella, (3) the confederation of the four towns headed by Nuceria.

held by a Roman garrison, and it commanded the mouth of the great inner harbour, which it was Hannibal's chief object to secure. Nor could he ever win the citadel, which was revictualled by sea, for all his efforts. Without it, he was only in possession of one more city which he was bound to defend. And the people of Tarentum soon tired of obedience and discipline. As their fathers had treated Pyrrhus, so they treated Hannibal.

149. We must bear in mind that in this year occurred two

other great events, the disaster in Spain and the taking of Syracuse. The exact chronology is not known, but this was clearly one of the most momentous years of the war. In Italy several minor battles were fought, some victories for Rome, some defeats. But the revival of Rome was marked by the persistent effort to retake Capua. Casilinum had been recovered, and great preparations made. The armies closed in on Capua, and began the siege. Hannibal appeared and relieved the place. But he withdrew to carry on operations against Brundisium and the Tarentine citadel. As yet he had received no help from Philip of Macedon, and the need of a good harbour was urgent. But he failed at both points, and meanwhile the Roman forces closed in again on Capua. Three great camps were formed, and double lines of palisaded earthworks constructed to unite the camps and complete the blockade. Hannibal promised to come again in time to scatter the Roman armies. But the months went by; the Roman generals, continued in command, completed the circuit of the siege-works, and kept a tight grip upon the town through the winter. Could Hannibal save his allies? That was the question, in which Italians generally were deeply interested.

150. To finish the story of Capua. In 211 a last appeal came from the starving city, and Hannibal was forced to give up operations at Tarentum and march to its relief. But it was too late, and he could not force the Roman lines. The only chance left was to draw off the siege armies by marching on Rome. But his design leaked out through deserters, and it was found possible to provide for the defence of Rome without slackening the blockade of Capua. The walls of Rome had lately been repaired, and with the help of a corps from Capua there were plenty of troops to man them. He could not besiege the city, and withdrew again to the South. A Roman army pursued him, only to be soundly beaten. For on the battlefield he was still supreme. But he did not turn aside into Campania. He hurried southwards in hope to surprise Rhegium, but was once more too late. Abandoned Capua soon fell, and the Romans made it an object-lesson to Italy. Those of the local senate who did not take their own lives were scourged and beheaded. The mass of the people were sold for slaves. The city of Capua was left for the convenience of its buildings, but it was to be a mere group of buildings, not a city. No civic institutions were allowed to exist: justice was to be administered by an

officer from Rome. The whole territory of Capua and its dependent towns (the *ager Campanus*) became state property of Rome. It was farmed out to state tenants, the rents from whom were afterwards a mainstay of the Roman treasury. Such in brief were the consequences of putting trust in the great Carthaginian. The prestige of Hannibal in Italy never recovered from this blow.

151. No help came to Hannibal from Philip. The naval activity of Rome in the Adriatic, and her skilful diplomacy, were enough to prevent it. In 211 the warlike Aetolians were induced to join Rome, and some other Greek states soon after. In particular, Attalus king of Pergamum was a hearty ally, fearing that Philip had designs on his kingdom. Philip was kept more than busy, for when he marched into Greece Macedonia was raided by Thracian and Illyrian chiefs stirred up by Rome. From him then there was no prospect of aid. In Sicily too the rebellion fostered by Carthage was gradually put down after the fall of Syracuse. The year 210 saw peace restored in the island, and Rome could withdraw a part of her forces for other service. In Spain the Romans kept a footing, but at present not much more. Till the fall of Capua in 211 little was done to regain the ground lost by the disaster of the Scipios. The commander now sent out, C. Claudius Nero, is said to have done no great things in Campania. Nor did he do much in Spain, but he distinguished himself greatly later on, if our record is to be trusted. The importance of the war in the West was well understood, for no one could tell what might happen if Hasdrubal were free to bring a second highly-trained army to join his brother in Italy.

152. Publius Scipio who fell in Spain had left a son of the same name. The young man had served in Italy with distinction. He was now only 24 years of age, but we find that he was appointed to the command in Spain as proconsul. To account for so strange a fact, a number of fictitious stories were handed down by later writers. These stories doubtless come from the family traditions of the Scipios, who were a powerful family belonging to the great Cornelian clan. The new proconsul was a man popular energetic ambitious and proud, but he would hardly have been promoted to so great a charge had he not been a Cornelius. In 210 he reached Spain with a fleet and army. As usual, the Greeks of Massalia were helpful allies. He learnt that the three Punic armies were none of them within easy reach of their great naval

and military base, New Carthage. Early in 209 he made a sudden attack on this place, and took it. The stores of war-material, workshops, artisans, ships, oarsmen, money, and hostages for the fidelity of Spanish tribes, all fell into his hands. All were turned to good account. Here was a case in which the one side really gained as much as the other lost. The Carthaginian generals had henceforth to wage war at a great disadvantage. Their base was now as in former times the city of Gades, far away in the South-West.

153- Eight years of war had strained to the utmost the resources of Rome. To keep effective fleets at sea was wisely recognized as necessary, but to find rowers was a difficult matter. We hear that the wealthier classes made great sacrifices to meet the need, but the financial distress was extreme. The one naval defeat suffered by the Romans in this war was in an attempt to revictual the citadel of Tarentum. The victors in this fight were a Tarentine squadron. Naval apathy or mismanagement seems to have marked the policy of Carthage throughout. We read of expeditions of Punic fleets, but ever misdirected and futile. Meanwhile Hannibal was never sufficiently reinforced, and of his original army a large part must by this have perished. Our accounts of the fighting in Italy in 210 are obscure, but Hannibal at least gained no important success. His Italian allies began to make their peace with Rome, and he could only operate in a restricted area of the South and South-East. Rome it is true was in great straits. Corn was scarce, and the motive of an embassy to Egypt, and renewal of alliance and friendship with the king (Ptolemy IV), was probably to get a supply. We hear of religious observances, expiation of prodigies, and so forth. But the chief cause of nervousness was the fear that Hasdrubal would soon come from Spain. The last reserves of the treasury were taken to equip the forces for a supreme effort in the year 209.

154. At this point our very dramatic record brings in a strange story, no doubt true in the main, but imperfect in detail. There were at this time thirty Latin colonies. All had hitherto borne their share in the burdens of the war. Twelve of them now refused to furnish their yearly contingents, professing that they had neither the men nor money to pay them. The other eighteen stood by Rome as before. Somehow (it is not clear how) the Senate managed to keep the armies in strength at the front. Hannibal was kept occupied, and bit by bit the revolted Allies in

Samnium and Lucania were being brought back into obedience to Rome. The great event of the year was the recapture of Tarentum. Old Fabius, aided by treachery within, took the city. The usual scenes of slaughter, slave-market, and plundering were enacted here. No more Roman Allies would now risk Roman vengeance. The only remaining hope of effecting anything against Rome in Italy lay in the coming of Hasdrubal from Spain.

155. *Third stage, 208—201 B.C.* The last years of the war comprise two matters of great interest, the battle of the Metaurus and the final defeat of Carthage in Africa. But there is no doubt that our record consists of stories highly coloured by family partiality. The general outline is probably true : the exploits of Nero and Scipio are mixed with legendary detail.

156. It is an indication of the discontent still smouldering in Italy that an army of observation had to be kept in Etruria to prevent a local rising. Even now no Roman commander could cope with Hannibal in battle. With reduced forces, abandoned by allies, he was able to move freely from Bruttium to Apulia and back again as suited him. In 208 he faced the armies of the two consuls, of whom Marcellus was one. Both these Roman generals fell into a trap. Marcellus died on the field, and his colleague soon after. But here Hannibal's success ended. An attempt to use the signet ring of Marcellus, for the purpose of procuring the surrender of a town in obedience to a forged order, only ended in the loss of a detachment of his best fighting men, entrapped and killed by the forewarned garrison. He could effect nothing of importance, while the Romans had leisure to choose with care two consuls for the coming year (207). Their fleets were strong and active. The war in Greece was serving its purpose in keeping Philip busy, but the fear of Hasdrubal remained. The story says that the choice of consuls was difficult, but C. Claudius Nero and M. Livius, long personal enemies, were induced to waive their hatred and serve the state together.

157. Scipio had continued his successful career in Spain. That he won some victories and gained ground for Rome, is probably true. But he seems to have been also busied in forming connexions in Africa, particularly with Masinissa the Numidian. At all events he failed in what was perhaps his first duty. Hasdrubal gave him the slip, and entered Gaul, where he wintered among friendly tribes and raised more troops for his expedition.

The news of his coming caused great alarm in Rome. Every nerve was strained to strengthen the two main armies. The lot assigned to Nero the charge of facing Hannibal in the South, to Livius the duty of meeting the new invader in the North. In the spring of 207, so soon as the Alpine passes were open, Hasdrubal entered Cisalpine Gaul unopposed. His army is said to have been over 50,000 strong, but only a part consisted of trained troops from Spain. He sent a letter to his brother, to arrange for their junction. The bearers fell into the hands of the Romans, and were brought to Nero. Nero left most of his army to watch Hannibal, and set out by night with a picked corps for the North. The eager cooperation of the country people on the line of march, the agony of suspense at Rome, the crowding of Nero's men into the camp of Livius in order to conceal the reinforcement, the discovery of the presence of both consuls through the double bugle-call next morning, are details that survive in the dramatic tradition of this supreme moment. Hasdrubal fell back to gain time, but his army, disordered by a night march, was brought to battle by the pursuing Romans at the river Metaurus, and annihilated. The failure of the attempt to conquer Rome in Italy had been certain ever since the experiences of Syracuse Capua and Tarentum. It was now plain even to men whose nerves had been shaken by Cannae. But it took some six years more to gather the fruits of the victory. In Rome business revived with the removal of a great fear, and money circulated freely. Nero marched back to his own district, and broke the news to Hannibal by flinging him his brother's head. On their own shewing the Romans were close-fisted and hard, at times downright brutal.!. Such they had been, and such they were yet to be.

158. The years 207 and 206 passed without any great events in the West. It is probably true that Scipio gained some victories over the Punic generals, and that very little of Spain remained subject to Carthage. But Spain was not conquered for Rome. The Spanish tribes wanted to be independent. Rebellions took place, probably encouraged by Carthage. Long service and pay in arrear caused a mutiny among the Roman troops. And Scipio was now chiefly interested in preparing the way for war in Africa. He became close friends with Masinissa, and negotiated with Syphax the king of western Numidia. Meanwhile the Punic government, at last understanding that the war in Italy was the

main thing, changed its policy. Mago, Hannibal's youngest brother, was ordered to leave Gades, to proceed by sea to the Ligurian coast, to raise a force of Gauls and Ligurians, and renew the Italian war. By the end of 206 Gades had surrendered, Carthage had lost her footing in Spain, and Scipio had returned to Rome.

159. In the years 208 to 206 the eastern war went on, wasting the resources of the Greek states, whether they fought for or against the king of Macedon. The efforts of Rhodes, Egypt, and other powers interested in peace, to put an end to the war, were unsuccessful. Philip, beset on all sides, made a good fight of it on land, while the Romans, no longer fearing him in Italy, were less active at sea. Attalus of Pergamum was drawn off to defend his own kingdom, invaded by Philip's ally Prusias of Bithynia. The year 205 brought peace, for all were weary of the war. But the Aetolians led the way by coming to terms with Philip on their own account, without reference to their allies, and this conduct gave offence at Rome. When shortly after Rome and Philip concluded a treaty of peace for themselves and their allies on both sides, no mention was made of the Aetolian League. In general we may note that Rome was now connected with a number of states in Greece and the Aegean. Her foreign policy had undergone a marked extension. To any intervention of the Romans in Greece Philip was firmly opposed, as being an encroachment on the sphere of Macedonian influence. But Macedon needed rest, and Rome had not yet done with Carthage, so a peace suited both parties for the time.

160. After the battle of the Metaurus it was natural that attention should be turned to measures for restoring order in Italy and strengthening the position of Rome. We hear that Etruria still needed watching, and that efforts were made to revive the prosperity of the colonies of Placentia and Cremona. They had been held as fortresses during the war, and supplies had no doubt reached them by river through help of the friendly Veneti. Now pressure was put upon colonists who had left their homes to return, under protection of a Roman force stationed in the North. It is also said that an attempt was made to induce the refugee farmers, who had fled from the country to Rome when Hannibal was ravaging Italy, to go back to their farms. This, it is added, was not easy. It seems that the corn procured from various quarters had in part served to feed these people in idleness,

and that many preferred this life to resuming hard work on derelict lands. Here we may see the beginnings of that Roman populace which we find later as a monstrous urban mob, the plague of Roman public life. But the record of all these things is slight and doubtful. It is more certain that activity in matters of religion, referred to above, continued to the end of the war. In 208 the games of Apollo, hitherto held irregularly on occasions, were made a fixed yearly festival. In 205 the worship of the 'Great Mother,' with its exciting orgies, was introduced from the East, and gave rise to the Megalensia, another regular festival. Both these innovations seem to have been connected with outbreaks of epidemic sickness. The longing for superhuman aid, and the readiness to receive religious novelties, are not to be overlooked. They are signs of Roman feelings at the time of the great war.

161. It is said, perhaps truly, that Scipio on his return from Spain was warmly welcomed by the people in general, but viewed with jealousy by the Senate. He was elected consul for 205. His intention of carrying the war into Africa was no secret. The Senate yielded so far as to assign him the war-province of Sicily. He might if necessary cross over to Africa, but this forward policy was hindered by giving him insufficient forces. It took him some time to raise additional volunteers and complete his preparations. We hear that a number of Italian Allies sent contingents and war-material. Delay was caused by the barbarous misconduct of one of his subordinates at Locri in southern Italy. Scipio had recovered this city from Hannibal, and the man left in charge by him had made it a scene of horrors. A senatorial commission was sent to inquire and make redress, at the same time to keep an eye on Scipio. What was done to the culprit from Locri is uncertain : Scipio proved that he at least was not neglecting his business. With great skill he had organized his naval and military forces, and no further attempt was made to molest him. In 204 he was able to start, and he landed unopposed on the Hermaean promontory to the East of Carthage.

162. We have no Carthaginian version of these events, but the Roman tradition is probable, and of a piece with the general policy of Carthage. The government had all along missed its chances. Its fleets were generally ineffective; even the squadron sent to help Philip in the Greek war had been useless. Alarmed by a descent already made by Scipio's friend Laelius, they were

hurriedly trying to save themselves at home by vigorous action abroad. Hannibal had done wonders, but was now much too weak to do as they wished and keep back Scipio by offensive operations in Italy. Nor could Mago in the North, though reinforced, do more than just hold his ground. Philip had now made peace with Rome, and in any case he could not have invaded Italy. The simple truth was that Carthage had no national army or navy. She depended on her wealth, and to turn money into the means of war needed time. It was now too late. True, the wavering Syphax was at last won over to the cause of Carthage. But against him there was to be set Masinissa, claimant of the kingdom of eastern Numidia; a prince at present driven from his country by Syphax, but who in the sequel proved to be a valuable ally of Rome. Scipio seems to have plundered Punic territory as he chose, but no notable success was achieved in the season of 204, owing to the numbers brought into the field by Syphax. In 203 he surprised and burnt the enemies' camp, and killed many, but the war went on. In a great battle he defeated them with great loss. Now at last the Punic government sent to recall Hannibal and Mago.

163. The war was dying down in Italy, and Rome could act more freely. In 204 the twelve Latin colonies, disobedient five years before, were taken in hand. They were made to furnish contingents of double strength, a tax (perhaps only till the end of the war) was imposed on them, and their census, the schedule of their citizens and properties, was in future to be conducted on the Roman model and delivered to the Roman censors. This was a beginning of interference in the internal affairs of members of the Italian confederacy, a first sign of the inferior position of the Allies in relation to Rome, which was a result of the Hannibalic war. A beginning was also made of repaying some of the debts of the state. A census was held. The censors were Livius and Nero, the consuls of 207, who are said to have indulged in unseemly squabbling, their old animosities having revived since the triumph for the victory of Metaurus. But the general trend of Roman policy was judicious. Commanders as a rule were continued in office, and the fleets kept in good fighting trim. Care was taken to supply the forces in Africa with all things needed for the campaign of the year 203. Meanwhile a consul took severe measures in Etruria, and quelled the disaffection renewed by

hopes from the expedition of Mago. In 203 Mago's turn came. His army, a motley force raised with difficulty, was met and defeated by the Roman army of the North. On his retreat he received the order of recall, and sailed with the remnant of his troops for Carthage, but died at sea of a wound. Hannibal had been standing at bay in the South, holding a district near Croton, from which the Romans were unable to dislodge him. He too obeyed the call of Carthage, and went. He left behind in the temple of Hera Lacinia a Punic inscription to record his doings, a monument afterwards consulted by the Greek historian Polybius. Italy was now clear, and Africa the seat of war.

164. It was no light task for Hannibal to form an army in haste out of miscellaneous mercenaries and African troops. His remaining veterans from Italy were a sound nucleus. But they were few, and much of the material at hand was unmilitary or untrustworthy. Roman tradition alleged that Philip sent a Macedonian corps. Scipio on the other hand was much strengthened by the result of his recent victory, which had been followed by the overthrow and capture of Syphax. Masinissa recovered his father's kingdom, and was now in a position to be of great service to Rome. In Carthage itself there was a peace-party, and a truce had been arranged to allow an embassy to visit Rome. This truce was said to have been broken by an attack upon some Roman corn-ships, and war was renewed. When the two armies met in 202, Scipio gained a decisive¹ victory. Carthage had now to submit, and Hannibal, ever a true patriot, undertook the unpopular duty of persuading his fellow-citizens to bow to this necessity. Scipio, still in command, but fearing to be superseded through the intrigues of ambitious nobles at home, was glad to expedite matters, and dictated terms.

165. *Peace 0/201 B.C.* Carthage was left in possession of the African territory that had belonged to her before the war. She retained her self-government, and was not to receive a Roman garrison. But she was forbidden to go to war with any power outside Africa. In Africa she was not to engage in war without the leave of Rome. She was to surrender all her elephants, and all her ships of war save ten triremes, that is, all her larger war-ships. All territory that had ever belonged to the ancestors of Masinissa was to be restored to him: the settlement of boundaries

¹ Battle of Zama, fought near a place called Naraggara.

was deferred. Carthage was to pay a war-indemnity of 10,000 talents (about ,£2,350,000) in instalments spread over 50 years. She was to give up all prisoners, deserters, runaway slaves, and captured goods of every kind; to feed and pay the Roman forces till ratification of peace, and to hand over picked hostages. Thus Carthage became a purely African power, depending on Rome in all matters of foreign policy. The war-indemnity was a light burden. But the 'open question' of boundaries was a menace to her prosperity. Any quarrel with Masinissa would have to be referred to Rome, and the interest of the umpire was not likely to be in favour of Carthage. But at the time it was hardly possible to stand out for better conditions. And it must be borne in mind that the clique of rich merchant princes, who had always been opposed to the war and who had often hampered the activity of the popular war-party, were quite willing to court the favour of Rome by subserving Roman interests. They do not seem to have been able even now to control the Carthaginian government, but they remained a pro-Roman influence, blighting the hopes of patriots for another fifty years.

166. In spite of opposition at Rome, the peace was ratified and Scipio left in command with full powers to make the necessary arrangements. The surrendered fleet was burnt, the deserters put to death. Scipio on his return was the first man in Rome beyond comparison. But the credit of having seen the state safely through the dark days of the war, and thereby made the success of Scipio possible, belonged to the Senate rather than to any one man. And that aristocratic council was not inclined to let any one man, however successful and popular, engross such power as to weaken the collective authority of their body. It has been already pointed out that, though the yearly magistrates shared the sovran *imperium*, and though sovran power ultimately rested with the popular Assemblies, the real working of the government was controlled by the Senate. And the republican principle as represented in the Senate was this, that the noble families should so far as possible share office and power among themselves, and not be thrust into the background by the preeminence of an individual. Scipio received by general consent the title *Africanus*, an unofficial nickname of honour. But the old system of changing the commanders of armies year by year was at once revived now that the danger from Carthage had passed away.

CHAPTER XIV

THE SITUATION CREATED BY THE WAR

167. From a time when Rome had to fight for her existence as the Head of Italy we shall pass to a period of great conquests, only delayed by the clumsiness of Rome herself in bringing her superior strength to bear. It is well to pause and take stock of the condition of the Roman state as shewn in the traditions of the second Punic war. Most of the matters to be considered have been already referred to in passing, but in order to make clear the connexion of the story of the Republic before and after the great struggle with Carthage it is desirable to sum them up briefly and to look at them from a special point of view,

168. We have seen that circumstances had tended to increase the power of the Senate. But we must remember that the constitution remained in form unchanged, and that the power of the Senate, resting on no law, was always liable to be overridden by the act of the Assembly. Now the Assembly could only vote on what was laid before it. Thus it depended for the means of exercising its sovran power on the will of magistrates who convened it. Therefore it was quite possible to gain a practical control over its action, by gaining control of the magistracy. This was what the Senate had long been doing, and after the war did more than ever. We have noted that the practice of changing the commanders of armies year by year was at once resumed. But this only concerned magistrates with *imperium*, capable of holding military command. The tribunes, who presided in purely Plebeian Assemblies, had no *imperium*. It was necessary to control these also, and the Senate saw to it. As the war dragged on, the popular movements, begun by Flaminius in 232 and continued by Varro in 217, died away, and the tribunate ceased to be

troublesome. After the war it became the regular tool of the Senate. It was also desirable in the interest of the great families to control the composition of the Senate itself. The time of the great war was unfavourable to the free action of the censors, who revised the roll of members. After the war we find the appointment of censors at intervals of five years regularly observed for a long time, and pains taken to make the House a close body of nobles. But the most significant change in political practice is seen in the fate of the dictatorship. It had been found necessary to resort to it after Trasimene, but when Minucius was raised to an equality with Fabius the whole meaning of the office ceased. We find dictators in later stages of the war, but none filling the important position implied by the greatness of the office. Most of them were appointed to perform some special duty not of a military kind, which no consul was at hand to undertake. In this we may trace the dislike of the Senate for an office carrying such unlimited powers. In order not to raise individuals to so great a height above their fellow nobles, the Senate contrived first to limit the sphere of its functions and after the great war to do without it altogether. The revived dictatorship of 120 years later was a tyranny created by victory in civil war, only bearing an old name. As for the popular Assemblies, they must surely have been much disorganized in consequence of the war, by the absence of so many men in the armies, by the presence of refugees from the ravaged country, and the general disturbance of life. Indeed we have several strange scenes in the record transmitted by Livy, at elections and state-trials, which are indications of the helplessness that was coming over these Assemblies. They had to be carefully managed to prevent their acting foolishly. This is probably not very greatly exaggerated by the noble writers of Roman annals. In the next period the Senate brought the art of management to great perfection.

169. While aristocratic jealousy insisted that the choice of commanders on the ground of efficiency should cease with the great war, something had certainly been learnt as to the defects of Roman armies. It seems that Scipio had in the last stage of the war improved the Roman cavalry. Through Masinissa he had also secured the help of Numidian horse, once the favourite fighting arm of Hannibal. In his two victories in Africa, well-handled cavalry had played a leading part. But there can be no

doubt that an improvement, of which we have no record, had also taken place in the fighting skill of the infantry. There was however no standing army in the system of the Roman Republic. So long as the war lasted, and it was necessary to keep men under arms for a considerable time, the improvement in skill continued. With the return of peace armies were disbanded; only a few garrisons and the force in Spain were needed. If then a long period of peace had followed, what had been learnt under the sharp tuition of Hannibal would speedily have been forgotten. But wars followed fast. The military tradition was kept up, for in every new army there was a nucleus of old soldiers. Many men had become used to the excitement of campaigns, and were not disposed to return to the monotony of rural life. Hence we begin to hear of volunteers. These would be trained soldiers, excellent from a purely military point of view. In the wars that followed, such men served to leaven the mass of raw lads in the ranks, and to supply centurions, on whom the efficiency of the legions mainly depended. Only bad generalship was responsible for the checks suffered by Roman armies in the later wars. The lack of a standing army explains the increased tendency to depend on allies and auxiliaries for mounted troops. A cavalry soldier is not made in a day, but troopers could be found more or less ready-made in countries where the horse was more an animal of common use than was the case in Italy.

170. A navy, even more than an army, cannot be produced in a hurry. Ship-building did not take long. The training of oarsmen was a slow process, the learning to manoeuvre clumsy ships no easy matter. Greek skippers could be had to navigate the vessels. But the sea-fights of the age were conducted mainly by the fighting-crews, who overawed their own slave-rowers and engaged the enemy. We have seen¹ that the difficulty of finding suitable fighting-crews was probably a cause of the naval weakness of Carthage. Rome was evidently better off in this respect. And the Roman government shewed wisdom in maintaining efficient fleets all through the war and using them boldly. But the navy, like the army, was not a standing force. When a fleet was needed for a new war, it had to be got together in small detachments from the allies (chiefly Greek) who were bound to provide naval contingents. Rome herself did little in this department, and Roman

¹ §§ 94, 95.

citizens were not willing to serve on shipboard. The duty was generally performed by freedmen, and the naval service was never a strong point in the Roman system. In the second Punic war the work of the fleets was chiefly in guarding the great convoys of transports bearing troops or supplies. Of actual fighting there was little.

171. Hannibal's failure left those Italians who had joined him to submit to Rome. We have no detailed account, but it seems to have been only at the very last that the rebels were harshly treated. Thus the Bruttians, subdued after Hannibal's departure, were made a people of public serfs, employed in degrading duties such as executions: for some time *Brattianus* meant 'common hangman.' Most of Bruttium became Roman state-land. There were some confiscations of land in other parts also. The 'Latins,' that is the 30 Latin Colonies and about six old Latin or Hernican towns, had on the whole shewn a splendid loyalty to Rome. They had been the saving of Italy. We hear of no reward for the faithful, and even the twelve recusant colonies of the year 209 seem to have been punished lightly. The truth is that the result of the struggle with Carthage had been to differentiate Rome from her Italian Allies much more than had been the case. Sicily was now wholly a Roman 'province,' the department of a Roman governor. Sardinia and Corsica were Roman possessions, only needing complete conquest. Spain was not conquered, but Rome claimed a great part of it as overlord, and certainly meant to admit no other. But all these provincial territories were attached, not to the Italian confederacy, but to Rome. Foreign relations were wholly in Roman hands. Rome made peace with Philip and with Carthage. Rome was on terms of friendship or alliance with the kings of Egypt and Pergamum, with Rhodes and Massalia and other republics, and she was the protector to whom Masinissa owed his throne. Thus she was above all things an imperial state. Her Italian Allies had no share in her empire. They were an aggregate of local communities, their citizens were not citizens of Rome. In the view of the outside world they were of no account. For international purposes Rome was Italy. And we can see that further extensions of Roman dominion would tend to increase the difference between Rome and her Italian Allies. The more the Head of the confederacy became imperial, the more its inferior members became virtually subjects.

172. The devastation of Italian land in the second Punic war has perhaps been exaggerated by tradition. Yet it was no doubt considerable, and the diversion of so many men from agriculture to war would surely lead to some neglect of tillage even in undisturbed districts. But the indirect effects of the war were more serious still. It had been necessary to import corn on a large scale, to feed both the armies and the refugees in the city. To the latter it had to be sold cheap, and the practice once begun was not easily discontinued. The state therefore needed to get it cheap, and it soon appeared that it could be got from abroad more cheaply than in Italy. Foreign countries such as Egypt were able to export great quantities at low rates : transport by sea was cheaper than by road. Moreover there were now great sources of supply under Roman control. Not to mention Sardinia, Sicily was beginning to send provincial tribute in the form of corn. A momentous lesson was also learnt from Carthaginian agriculture. It was practised on a large scale by slave labour, and the profits made by great land-owners soon whetted the appetite of the capitalists of Rome. Thus, while cheap corn was an object to Roman statesmen, the greed of gain suggested to rich men the wholesale introduction of slave-tillage into Italy. Three circumstances favoured this movement at the time. The gradual repayment of debts by the state left more capital seeking investments. Many small freeholders, unwilling to return to their lands, were willing to sell them. And the supply of slaves was larger than usual, owing to the war. Nor must we forget that a law (*lex Claudia*) of 218 B.C. had forbidden senators to own ships and engage in commerce. . On the whole senators were the wealthiest class of Romans, and they were under strong pressure to invest in land. The convenience and dignity of being great Italian landlords was attractive. Already they held as ' possessors ' a large part of the Roman domain-land (*ager publicus*), subject to a small quit-rent collected irregularly or not at all. They had only to buy out the small owners of neighbouring farms, and they would become the territorial lords of a large part of Italy. Furthermore, they had only to obliterate the boundaries between their own freeholds and the land held in ' possession,' and the rights of the state would be so obscured that to distinguish and resume public property would be impossible without a revolution.

173. Thus the effect of the struggle **with** Carthage **was** to make it likely that the numbers of small farmers, hitherto the real backbone of the Roman state, would be reduced. And all through the following period this process was in fact going on, at least in such districts as Etruria Apulia Lucania and wherever land suited for agriculture on a large scale was to be found. We meet with three main kinds of farming. First, tillage by slave-gangs, producing cereal crops on great estates of arable land. Second, stock-farming over large areas of highland and lowland pasture according to the season of the year. Third, the cultivation of the vine and olive on estates of moderate size. All required plenty of capital, all employed slaves. The wine and oil of Italy were not yet famous, and commanded only a local market. But the returns from such crops were slow, and fell to the man who could afford to wait.

174. We have seen that the system of state-contracts had been greatly developed by the necessities of the war. The close-fisted Roman took readily to this form of enterprise. Joint-stock companies or syndicates (*societates publicanorum*) became common. By allowing the state to defer payment for services they had established a sort of claim to favour. They had, in short, speculated in patriotism and won. Henceforth their wealth and power steadily grew, until they became able to influence public policy in their own interest. And their interests were purely financial. The general good of Rome was not their business; still less the good of Rome's subjects abroad, as we shall see. It was largely owing to them that patriotism remained narrowly Roman, and did not become imperial with the extension of empire. The true interest of the imperial Republic was to make its subjects happy and prosperous. But the race for wealth that set in after the second Punic war corrupted the spirit of Roman administration till it became a machine for extorting money to fill private purses.

175. *The currency.* At the beginning of the war the current coin of Rome was on a double standard.

bronze, the *as* of 2 ounces (*unciae*). It is said **to have** been originally 12 ounces = a Roman pound (*libra*). In 268 it seems to have been already¹ lowered.

¹ To 2 ounces, according to Mr G. F. Hill (see above § 104), who points out (p. 48) that in 217 the weight of the *denarius* was reduced by about one sixth.

silver, the *denarius* or 'tenner,' first coined in 268 as an equivalent for the Greek Drachma. It was worth 10 *asses* of 2 *unciae* each. The half, *quinarius* or 'fiver,' was worth 5 *asses*, the quarter, *sestertius* or 'two-and-a-half,' was worth 2½.

In 217 we hear of a further lowering of the bronze standard, said to have been meant for the relief of poor debtors. The *as*, then of 2 ounces, was evidently the trouble. It was reduced to a single ounce, and made $\frac{1}{16}$ of the Denarius. The weight of the Denarius was somewhat reduced. The quarter coin or Sesterce was now worth four of the new *asses*. It became the regular unit of reckoning in business, but the old reckoning by the *as* of 4 ounces long remained in use for soldiers' pay. The currency was henceforth on a single standard of silver. Bronze was a token-coinage. The financial straits of Rome in the war were shewn not only in the state's deferring its payments but in the issue of base coin, copper *denarii* plated with silver.

176. We may well believe that people in Rome lived for several years under a distressing strain of hope suspense or despair, and that superstitious fears added to their nervousness. We have noted two occasions on which there was a demand for foreign rites, partly met by the introduction of a new worship from the East. But the old religion had not lost its hold on the people. Pontiffs and augurs were busy, and no pains were spared to propitiate the traditional jealousy of the gods. It must be borne in mind that every public act had its religious side. An evil sign could break up an Assembly or vitiate an election. Even the Senate, engaged in endless details of business, met in a consecrated place. And the members of the religious colleges, who judged questions of religious scruple, held their places for life. They were men of high standing, most if not all senators, and assuredly inclined to lend their support to the policy of the Senate. The general success of the Senate in overcoming outbreaks of popular discontent was doubtless in great part due to their influence. In the next period, as the upper classes gradually lost their faith in the ancient religion, while the masses remained superstitious, the use of religious scruples became more and more a piece of purely political machinery, in the interest of the nobles who led the Senate. For the present Greek scepticism had not as yet taken root in Rome. But the great war had prepared the

way for it by bringing Roman officers into close contact with Greeks. Roman deputations still sought responses from the Delphic Apollo. Apollo was now honoured by a yearly festival in Rome. Greek works of art forwarded the tendency to clothe divinities with a human form. Above all, there were not a few Romans who understood spoken Greek. We have seen that the first Roman historians wrote in Greek. And the Latin poets who appeared at the end of the war gave to Roman literature its final bent of dependence on Greek models.

177. T. Maccius Plautus, from Umbria, was a translator or adapter of Greek comedies. He used a number of Greek metres, but his language was pure Latin, and his verses depended largely on accent, for the quantity of syllables was often very doubtful in early Latin. He produced a great many plays, the popularity of which was long-lived. Twenty are still extant. Plautus skilfully adapted them to a Roman audience by Roman allusions and broad humour of his own. As a writer of Latin he quickly became a classic. Tradition places his birth in 254 B.C., his death in 184. He began to write during the great war.

Q. Ennius, born at Rudiae in Calabria, spoke Greek, and taught it at Rome. He is said to have lived from 239 to 169. He too influenced the Latin language greatly, and became a classic. In particular, he made a start in fixing the quantity of syllables, and the prosody of Latin verse is thus mainly due to him. He also brought in the Greek hexameter metre, which became the favourite measure of Latin poetry. In it he wrote his great poem on Roman history, called *annales*. But he adapted Greek tragedies with success, and wrote a number of miscellaneous works based on Greek originals. He is an important figure in the history of Rome, for through him Greek views on many subjects reached men unable to read Greek. He belongs chiefly to the period after the great war, but he was a contemporary, and served in the army. Later generations regarded him with a peculiar reverence. He was to them the patriotic voice of a great past, the strong unpolished singer of Roman endurance and Roman triumph. But it was only in the latter part of his life that he became a citizen of Rome.

178. *Imperial Rome*, 201 B.C. Thus we find the Roman state advanced a long step further on the road of its destinies. Danger at home no longer threatened Rome. Her mighty rival

was overthrown. The long war had put to the proof the solid qualities of her citizens and the merits of her Italian policy, and they had stood the test. A larger policy was henceforth inevitable. But Roman statesmen still acted, and long continued to act, as if Rome were simply and necessarily an Italian power. Conquests abroad were 'departments' (*provinciae*) under governors invested with both civil and military authority. The whole of her present Provinces had fallen to her by the accident of her struggle with Carthage. That Carthage might not reoccupy Spain and the islands, Rome must keep them. So, in spite of imperfect conquest, she was the paramount power in the western Mediterranean, where no local powers existed able to defy her. But the rise of Rome was not a matter of indifference to the eastern powers, and the condition of the East was wholly unlike that of the West. We shall see that in her eastern conquests Rome had to deal with peoples more advanced in civilization, and accustomed to forms of government which Roman statesmen did not understand. Rome in short was not trained for the new imperial duties that came upon her as the sequel of the second Punic war. We now enter upon a story of blundering, most of it due to sheer ignorance and the defects of her own republican constitution, destined to inflict needless misery for many years upon millions of the human race.

CHAPTER XV

WARS AND POLICY IN THE EAST 200—168 B.a AND IN THE WEST 200—194 B.C.

179. The union of Italy under Roman headship had made Rome by 265 B.C. the first of Mediterranean powers. But her superiority to possible rivals in the vital elements of strength was as yet not understood. The end of the long duel with Carthage left her clearly the head of the West. But it was not yet plain to eastern powers that Rome could if she chose overthrow them and take her place as mistress of the East. Only a loyal combination of the eastern powers offered any chance of opposing permanently her eastward progress once begun. But the East was the East. The great monarchies, mutually jealous, could not combine, and the independent Greek states viewed the kings with suspicion. Therefore the wars from 200 to 168 B.C. ended by establishing Rome as paramount in the whole Mediterranean. And her control in the East became effective more quickly than in the West. The West had to be conquered piecemeal by long wasteful wars. The East was the scene of a few great decisive battles, but the extension of Roman dominion was achieved quite as much by diplomacy as by the sword.

180. The wars of the period 200—168 may be arranged thus

<i>East</i>	<i>West</i>
Second Macedonian war 200—197.	Wars with Cisalpine Gauls 200—191.
War with Antiochus 192—190.	Wars in Spain 197—195, 185—179.
Aetolian war 189.	Ligurian wars 187—163.
Galatian war 189.	
Third Macedonian war 171—168.	
Illyrian war 169, 168.	

181. *The situation in the East.* To begin with Greece. Few single city-states now remained. Athens was living on her

past; the philosophic schools presided over by more or less eminent professors were the chief feature of the life in the once imperial city; as a military unit Athens did not count. Sparta still retained military traditions, but her once famous constitution had disappeared. Military tyranny was now the government, upheld by mercenaries. The present ruler, one Nabis, was a faithless and brutal ruffian. The normal form of government in Greece seems to have been that of cities in groups, confederations more or less loose. Boeotia is a case in which the several communities, though recognizing a common interest, evidently retained so much independence that they did not always pursue a common policy. The disunion of the cities of Thessaly was more marked. But none of these small groups was strong enough to pursue a really independent policy. Ever since 221, when Antigonus Doson of Macedon had relieved the Achaean League by crushing Cleomenes of Sparta, the Macedonian kingdom had overshadowed Greece, and the question for each of the minor powers was how it could best keep such freedom as it yet enjoyed. The choice lay between subservience to the king and taking part with his enemies in hope of bettering their own condition thereby.

182. *The Leagues*, What remained of Greek freedom was most effectively represented by the Aetolians. This people had come to the front when the great ages of Greece were over, and the citizens of the more civilized states took to employing mercenary troops in their wars. The hardy Aetolians were among the best of hired soldiers. From early times they seem to have had some confederate union, and they had no great cities to hinder combination by local jealousies. Increase of wealth and power only strengthened their union. It became a true Federal Government, the authority of the central power overriding that of its constituent parts. But there seems to have been no means of preventing individuals from enlisting for service under foreign governments, tempted by prospects of high pay and plunder. Thus the military force at disposal in Aetolia varied greatly from **time to time**. The Federation however grew, and now included **some** states in Peloponnesus, others far away, islands, or coast-cities in the Propontis. Naupactus was the station of an Aetolian **fleet**. The cities of southern Thessaly had been forcibly attached to **the** League, but in the peace of 205 Philip had brought **them** **again under** Macedonian influence. The prestige of the Aetolians

in Greece rested on the leading part taken by them in resisting the inroad of the Gauls in 280—279, and on their opposition to the encroachments of the royal house of Macedon. Polybius gives the Achaean view of them as a band of robbers. And it is probably true that they were somewhat informal and rough. But they had a policy of their own.

183. The Achaean League was a revival and extension of an ancient local union of the small cities of Achaia in the north of Peloponnesus. Its great statesman, Aratus of Sicyon, to whom its extension was mainly due, was a typical subtle Greek. Old city-states, Sicyon Argos Corinth and others, were brought into the League, until it included a large part of the Peloponnese. But Aratus was a poor soldier, and the revival of Sparta in the middle of the third century B.C. was a blow to the Achaeans. Aratus was no match for the warrior-king Cleomenes III, and only saved the League by calling in Macedonian aid. The price of this was the surrender of the Corinthian citadel (Acrocorinthus) to Antigonus. Henceforth the king of Macedon held the key of Peloponnesus, and the Achaean League, though free, was in foreign policy obliged to consult his wishes. The war begun in 214, owing to the alliance of Philip with Hannibal, dragged on till general exhaustion led to a general peace in 205, Aratus died in 213. The army of the League was inefficient, but a few years later it was reformed by a good soldier, Philopoemen, who became President or General (a yearly office) for the first time in 208. Under him the League prospered. But the outbreak of war in 200 between Rome and Macedon placed the Achaeans in a difficult position, as we shall see.

184. The Achaean League was a more highly-organized union than the Aetolian, partly because it was made up of cities (each with its territory) rather than rural cantons. The central power was effective. Its assemblies, held at the small city of Aegium, were in general orderly and cautious, led by the federal magistrates. The vote of each city counted as one. The franchise was democratic, but the wealthier citizens could more easily attend meetings away from home, and thus their assemblies, held at rare intervals, usually consisted of men who had something to lose. The relations of the Leagues to Rome in the period before us (and later) are painfully interesting. Roman statesmen could not or would not understand a Federation. The Greek Leagues,

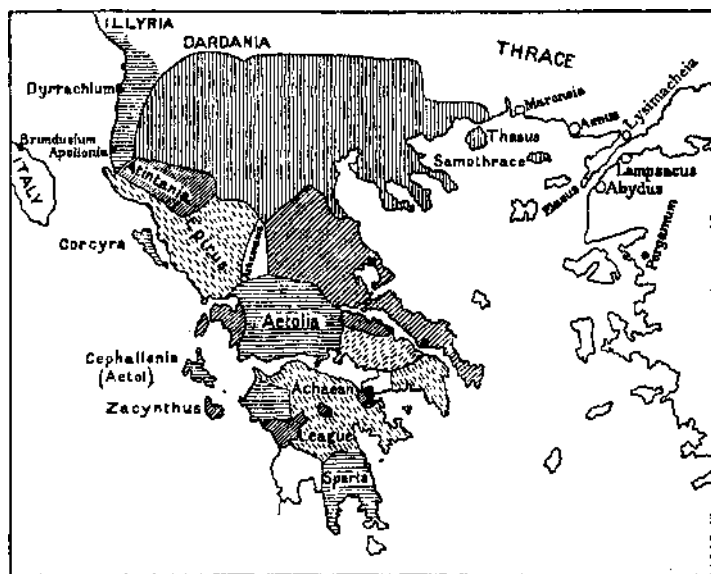
more especially the Achæan, were more thorough unions than any in Italy. The persistent attempts of Rome to ignore the central government and deal with the members singly, at first perhaps in good faith, were the cause of much of the miseries of Greece.

185. Beside the states of old Greece, and the Hellenistic or half-Greek cities belonging to the great kingdoms, there were still a few independent republics. Such were Rhodes, long on terms of friendship with Rome, and in the north the ancient colonies of Byzantium and the Pontic Heraclea. Some of the Aegean islands, for instance Chios, were also free states; and a number of them belonged to a confederacy, headed by Rhodes, for the protection of sea-borne trade against piracy. The coast-cities were some of them dependencies of the Egyptian kingdom. Crete was a peculiar island. It contained a number of cities, each ruled by a warrior-caste, often at war with one another, but ready to combine against a common enemy. The Cretan bowmen and light troops served abroad for hire in foreign armies. Cretans were a byword for treachery and guile, a contrast to the Rhodians, whose government, famed for its good faith and honesty, was everywhere respected. Rhodes was the banker, and sometimes the umpire of disputes, in a large part of the eastern Mediterranean.

186. *The Successor-Kingdoms.* Of the kingdoms formed out of the empire of the great Alexander three, to all appearance great powers, still remained. In each the royal house was descended from one of Alexander's marshals, Antigonus Seleucus or Ptolemy son of Lagos. Thus the Antigonid Seleucid and Lagid dynasties were all Macedonian. The three monarchies differed much, but in most important respects were alike. The reigning king was practically absolute, and surrounded by a court. Greek was the common language. Their diplomacy was formal but unscrupulous, for mutual jealousy was extreme.

187. *Antigonids.* The present king of Macedon, Philip, reigned from 220 to 179. Though nominally bound to consult the Macedonian chiefs and notables, he was really supreme in the kingdom welded together in the fourth century B.C by Philip the father of Alexander. For the Macedonians were a true nation, strong in unity, and a king was the expression of that unity, a national institution supported by national loyalty. Cities were few, and the court at Pella less splendid than those of the eastern

kings. Beyond the limits of Macedonia Philip owned a few islands and cities, in particular the three fortresses known as the 'fettters' of Greece, Demetrias Chalcis and Corinth. He was overlord of Thessaly, and allied more or less closely with several Greek states, such as the Acarnanian League. In the recent wars he had shewn much vigour and little mercy. Hence the more independent Greek powers feared him. With the Achaeans he was on friendly terms, but they had had enough of him: the Aetolians, whom he had humbled, were waiting for a chance of revenge.



Sketch map of Balkan peninsula 200 B. c. Macedonian kingdom .  Macedonian dependencies.  States inclined to Macedonia.  Anti-Macedonian or allies of Rome.  Inclined to Rome or joined Rome for various reasons.  The three 'Fettters.'

188. *Seleucids.* Antiochus III ruled from 224 to 187. The vast empire of Seleucus had once included a part of Thrace in the West and most of Asia Minor. Its eastern provinces reached far into central Asia, including Bactria to the N.E. and to the S.E., the Punjab. Thus it comprised the parts of Alexander's empire in which that conqueror had taken the place of the Great Kings

of Persia. But invasions and rebellions had shorn away many of the eastern possessions, and it was only in Syria and the neighbouring countries that the young Antiochus was effectively obeyed. He reconquered some of the lost provinces in the East. His ambition now was to reestablish Seleucid dominion to the westward, in Asia Minor and even beyond. The city of Antioch, famed for beauty splendour and luxury, was the capital of his kingdom. The peoples over whom he reigned were united only by subjection to a common master. Thus there was no nation, but an empire of Oriental type. It contained many flourishing Greek cities, enjoying special privileges ; but the ' Greeks ' of the East were a mongrel race, largely of Oriental blood. In these cities Greek was spoken, and Greek notions and Greek ways formed, imperfectly no doubt, the standard of civilization. The court of Antioch was, in spite of some Greek details, really the court of a Macedonian Sultan, the absolute lord of as much territory as he could win and keep.

189. *Lagids.* The Egyptian kingdom had the advantage of exceptional security. To invade it was most difficult, for the desert borderlands were a natural protection. A submissive people furnished an immense revenue to the Lagid kings, whose capital was Alexandria, named after its great founder. This city had succeeded to a large share of the commerce lost by Tyre and Sidon in their decay. It was now the most famous city of the Greek-speaking world. For relations with the outside world Alexandria was Egypt. It was the most cosmopolitan of all the great capitals. Beside the privileged Greek and Macedonian population there were many foreigners, among them a colony of Jews, and the growing mass of native Egyptians. A strong force of mercenaries, largely Greek, were kept to support the royal power. There was money to pay them well, but under a weak king they were apt to give trouble. As a centre of learning Alexandria was unrivalled. Special studies, needing the best known appliances, were the peculiar glory of the great school of research known as the Museum. Under the earlier Ptolemies the power of Egypt had been great. A strong fleet had enabled them to extend their influence abroad. Cyprus and the district of Cyrene were provinces of the kingdom. A number of Aegean islands and coast-towns of Asia Minor were dependencies of Egypt, also a large part of Cilicia. But the policy of the Lagids was not really warlike. Commerce and security were its chief aims. They

were old friends of Rhodes, and we have seen that they had long ago entered into relations with Rome. But after the death of Ptolemy **III** (222) the Lagid house degenerated. Under weak kings the native race began to come to the front, and the power of Egypt was declining. The fifth Ptolemy (205—181) succeeded to the throne as a boy, and the intrigues of courtiers and the outbreaks of the turbulent mob of Alexandria form henceforth a great part of Egyptian history.

190. *Pergamum and the Attalids.* If we roughly label Macedon as a national kingdom, Syria as a semi-oriental empire, and Egypt as a snug property of a foreign crown, we may call the Pergamene kingdom a successful enterprise. Attalus I (241 to 197) succeeded to the fortress treasure and territory which his uncle had seized during the wars of Alexander's Successors. He defeated the restless Galatians and took the title of King. The country over which he ruled in western Asia Minor was not large but rich, and the wealth of Attalus was his strength. He could keep up considerable armies and fleets. His capital Pergamum was a famous art-centre, and he was much concerned to maintain friendly relations abroad, particularly with the Greek states. But the three great Successor-Kings looked on him as an upstart, and his fear of Philip and Antiochus drove him into alliance with Rome. For his kingdom was artificial, not national, and his frontiers insecure.

191. *The Roman position.* Thus the Roman Senate had to face the prospect of disturbance in the East through the action of two aggressive kings, Philip and Antiochus. The fatal results of letting things drift had been seen in the case of Spain, where the neglect to resist Carthage in time had made possible the Hannibalic war. Of the ambitions of the two kings there was no doubt, for they had in 203 made a compact to divide between them most of the outlying dependencies of Egypt. The resistance offered by Rhodes and Pergamum had for the moment checked this attempted robbery. There was therefore still time for Rome to intervene with effect and save her friends. The Senate could see that duty and interest alike required her to do so. But the people were weary of war, and it was extremely difficult to induce the Assembly to accept the challenge of Philip, particularly as there were armies needed elsewhere. Spain had to be held by a force on the spot, and it was plainly necessary to pacify northern

Italy by conquering the Gauls who had given so much trouble. But the Senate found a way out of their difficulties. The troops for service in Spain were raised among the Italian Allies. For war in Greece pains were taken to secure as many Greek allies as possible and keep down the numbers of Roman troops. Thus the burden was made lighter for Roman citizens, and the Assembly was at last persuaded to declare war.

192. *Second Macedonian war* 200—197 B.C. Rome could not look on while Philip made himself master in the Aegean and Antiochus overpowered Egypt. Interest and duty urged her to support her friends, Egypt Pergamum and Rhodes, powers whose policy was one of peace and trade. But the Senate wisely took in hand only the case of Philip for the present. Their plan was to fight him in Greece, with the help of Greek allies, and to drive him out of the Aegean with a strong fleet. On the water the allied fleet was completely successful. On land progress was slow. The Greek states generally waited to see what would happen. The campaign of the consul Galba in 200 was indecisive, and also that of P. Villrus in 199. But Rome seemed to be in earnest and there was a chance of putting an end to Macedonian domination in Greece. Roman diplomacy began to work on the hopes of freedom. In 199 the Aetolian League declared war against Philip, but many of their men were serving for hire in Egypt. Philip defeated their forces in Thessaly, and also beat back an invasion of barbarians from the North. Meanwhile Antiochus was victorious in the Syrian war: he patched up a peace with Egypt and turned to Asia Minor, hoping to make great conquests there while Philip and the Romans were busy.

193. So far the Roman government had not effected much. The old soldiers serving in the army as volunteers were discontented, and the system of placing the yearly consuls, average men, in command had not been a success. Greater efforts and an able general were clearly needed. The Senate changed its policy. Scruples were overruled, and a young noble, Titus Quinctius Flaminius, was elected consul for 198, though not yet 30 years of age. He had served in the Hannibalic war, and his knowledge of Greek and sympathy with Greeks made him peculiarly qualified for conducting a war in Greece, where diplomacy was not less important than the force of arms. While Flaminius was raising an army, among them many volunteers, there was danger that

Rome might lose the help of Attalus. Pergamum was menaced by the movements of Antiochus, and Attalus needed all his forces to defend his kingdom. But the Senate sent a humble embassy and persuaded the Syrian king not to molest their ally. Antiochus cared nothing for his ally Philip, and the mutual suspicions of eastern kings were thus turned to account in the interest of Rome.

194. Flamininus drove Philip out of a strong position in Epirus and forced him to retreat into Thessaly. The Roman army wintered in Phocis, drawing supplies by sea. Meanwhile the Roman commander was winning favour in Greece by his considerate treatment of the people. At the autumn meeting of the Achaean League a great debate took place. Against the old connexion of the Achaeans with Macedon was set the prospect of recovering Corinth, the key of Peloponnesus, which was still in Macedonian hands. After hearing the speeches of envoys from both sides, the Federal Assembly voted to join Rome. Omitting minor details, it is enough to say that the chief Greek powers were now arrayed against Philip. The allied fleet commanded the sea, and the armies of the coalition, Roman Aetolian Pergamene and Achaean, were free to operate by land. The extent of Roman authority was shewn in the supplies forwarded from Sicily and Sardinia, and in the coming of an auxiliary force from Numidia, sent by king Masinissa to fight for Rome. Flamininus was kept on in command as proconsul in 197. Negotiations for peace failed, Philip not being as yet prepared to give up the three great fortresses, the 'fettors' of Greece. So a victory in the field was necessary to bring the war to an end.

195. The armies that faced each other in Thessaly differed widely in the organization of their main bodies, the infantry. The system of massing men in bodies of great depth, a Greek invention, had been developed in the fourth century B.C. by the Macedonian kings Philip II and his son Alexander the Great. This famous formation, known as the Phalanx, was very effective in a direct charge. It broke through the shallower formation of an enemies' line, and the disorder thus produced was generally fatal, being followed up by cavalry. The weapon of the phalanx infantry was the *sarisa*, a long pike of considerable weight. But when the men were formed in the usual depth of 16 files, there was a great waste of offensive power. Only five pike-heads could project before the front rank: the eleven ranks in the rear held their

pikes pointing upwards, their weight alone adding **to the shock of the charge**. The phalanx was a close and clumsy column, **very liable to be** itself thrown into disorder on broken ground, and so **to** become helpless. But it was irresistible when circumstances **favoured it**. Some 70 years before this Pyrrhus had employed **it** in Italy with skill and success. But in course of time military pedantry had intensified its defects, and it was now more than **ever** unfitted for the changing conditions of the battlefield. The Roman Legion was an elastic formation. The maniples of which it was made up had each its own organization, and the rout of one did not disorder the rest. The pilum and sword were a far handier equipment than the sarisa. The legionary had great freedom of movement, and could at need change his front quickly, while the phalangite, wedged fast by pressure, was in no position to withstand a sudden flank attack. Moreover Roman military skill had doubtless improved owing to the recent lessons of the second Punic war.

196. So it was that when the armies met in misty weather on the hills known as the 'Dog's Heads' the rigid phalanx was a failure. Flamininus won a complete victory. But the Aetolian horse had done good service in the battle, and claimed the chief credit of the day. The Roman general could not put up with the boasting and pretensions of the Aetolian leaders, and was driven to ignore their claims in dealing with the affairs of Greece. He refused to prolong the war for the purpose of destroying Philip, or to allow the League to reannex Thessalian cities of which Philip had deprived them. Peace, and freedom for Greek cities, were the aim of his policy. Philip made submission, agreeing to give up his possessions in Greece, such as Thessaly and Euboea, to evacuate the three fetter-fortresses, and to pay a war indemnity. The peace was ratified at Rome, and in the next year (196) Flamininus, still proconsul, was joined by the usual ten commissioners, who under his presidency were to see to the details, and **to** settle Greek affairs generally. Several minor operations **of** war occurred in the meantime in various parts, but we need **not** dwell on them. The victory of Cynoscephalae had **decided that Greek** questions should for the present be submitted **to Roman arbitration**: and so they were, to the disgust **of the enraged** Aetolians. But it was the policy of Rome to **restore order and** contentment in Greece so far as possible. **The move-**

ments of Antiochus were causing anxiety, and there had been grave disasters in Spain.

197. *'Freedom' of the Greeks*, The peace in its final form, dictated by the Senate, included the evacuation by Philip of towns held by him in Asia Minor, the surrender of his fleet, and clauses restricting his freedom of warlike action. If he was forbidden to keep an army of more than 5000 men, the clause was not strictly enforced. In short, he was confined to his ancestral kingdom, but not destroyed : his power would suffice to make him a bulwark against the restless barbarians of the North. That his presence would serve to keep the Greeks quiet, and conscious of depending on Rome, was a point probably not overlooked. The decisions of the Roman commission in the affairs of Greece were announced at the Isthmian festival to the eager assembled multitude. When it was understood that those Greeks who had been subject to Philip were declared free, while nothing was said about the rest (their freedom being assumed), the enthusiasm of the meeting was unbounded. But wild demonstrations of joy were not enough to give peace and unity to the jealous states of Greece. Moreover 'freedom' in the Roman sense did not include the freedom to take any step displeasing to Rome. Henceforth there was a distinction, very galling to Greeks, between what they had technically a full right to do and what they could in practice venture to do without offending Rome. The misunderstandings arising from the difference in their respective views of 'freedom' were a large part of Greek history in the next 50 years.

198. The war was over, but the awards of the commissioners did not give universal satisfaction. Some allies, such as the Achaean League, received extensions of territory, but it seems clear that Rome did not mean to allow another great warlike power to be built up in Greece, perhaps to be as troublesome as Macedon had lately been. The Aetolians seemed to have some such ambition, and it was therefore thought wise to refuse their extreme claims. They were sulky and did not conceal their indignation. They had never intended to submit to Roman dictation, nor was it as yet clear that this was the inevitable result of Roman intervention. Philip's position was different. After the conclusion of peace, acting on Roman advice, he applied to be made an 'ally and friend' of Rome. The request was granted, and he thereby became bound not to fight against Rome, remaining free to help

Rome in her wars or to stand neutral if he preferred to do so. Thus Rome bound him over not to help Antiochus. Antiochus had left him to be humbled by Rome, and was even turning his misfortunes to account by annexing Greek cities in Asia to which Philip laid claim. The Roman commissioners were now free to deal boldly with Antiochus. Antiochus, ignoring their previous warnings, crossed the Hellespont in 196 and began to carry out his project of reconquering the parts of Thrace which he claimed as having once belonged to the empire of Seleucus. The Roman envoys found him in the Thracian Chersonese, busy in restoring the fortress of Lysimacheia. This commanded the isthmus, and it meant that he was come to stay. The parties could not agree. The king would not withdraw from Europe at the order of Rome. He asserted his right to recover his ancestral dominions. The Romans could not consent to let him establish himself in Europe. When they ordered him to give up the Greek cities he had seized, formerly subject to the kings of Egypt or Macedon, he replied that Rome had no concern in the affairs of Asia. A false report of the death of Ptolemy V caused both sides to end the conference and find a pretext for hurrying off to Alexandria to watch over their several interests. By this futile diversion the development of the main quarrel was suspended for a time.

199. In considering the relations of Rome with Antiochus we must bear in mind that neither side knew what we know now. The Romans feared Antiochus as a dangerous enemy who must at all costs be prevented from coming within reach of Italy. The king had no fear of the Romans assailing him in Asia, and little doubt that he could, if he chose, face them successfully in Europe. So great was their misjudgment of each other's strength. And the king's confidence was fatally increased by the flattery of courtiers who did not venture to report to him unwelcome facts, necessary for judging situations rightly. At Rome there was no lack of information, derived chiefly from Pergamum and Rhodes. These powers looked to Rome for protection against Antiochus, and were concerned to keep alive the fear of the king's designs. They made much of the king's strength in order to alarm their powerful ally. The Senate saw that it was not Rome's interest to allow her eastern allies to be crushed, for Antiochus would then be free to employ all his forces in the West. Even more alarming was the news that the king had been joined by Hannibal. For

this Rome had to thank her own jealousy. She had encouraged Masinissa to watch Carthage, and she had on occasion dealt hardly with her beaten enemy. But still Carthage thrived, reviving under the reforms and good administration introduced by Hannibal as leader of the popular party. Roman suspicion was aroused, and *fed* by the reports received from the wealthy clique whom Hannibal had driven from power. These men were base enough to play upon Roman fears in order to get rid of the one great Carthaginian. A Roman embassy came to impeach Hannibal before the Punic senate; and he, to avoid being sacrificed to please Rome, fled to the East.

200. Meanwhile (195) Flaminius, still in, charge of Greek affairs, had to deal with a burning question. Argos, once a member of the Achaean League, but of late subject to Philip, had been transferred by Philip to Nabis the tyrant of Sparta. The Achaeans were eager to recover it, all the more as Nabis, though he deserted Philip, had acted with great cruelty at Argos. A congress of Greek delegates voted for war with Nabis, in spite of the furious opposition of the Aetolians. Nabis was beaten, but the proconsul, anxious to have quiet in Greece, and more concerned to watch Antiochus than to destroy Nabis, did his best for peace. But his terms were severe, and the tyrant did not accept them till a second conflict had ended in the assault of Sparta, in which the city was only saved by setting it on fire. Nabis had now to give up Argos and some other towns, to surrender his fleet, to pay war-indemnities, and to submit to restriction of his liberty to make alliances and war. But the ruffian was still left in being as ruler of Sparta, and the Greeks guessed rightly that the Spartan question would still be a source of trouble. So far we have no right to charge the Romans with a deliberate aim of promoting quarrels and dissensions to keep the Greek states weak. Greek jealousy was of home growth. The Aetolians denounced the lenient treatment of Nabis, but they were far more angry to see Argos restored to their Achaean rivals.

201. *Greece for the Greeks.* At this stage orders from Rome intervened. The Senate was resolved to avoid wars so far as possible. But the ambition of leading men, of Scipio in particular, pointed to command in war. In order to thwart it, the Senate appear to have decided to patch up matters East and

West and to withdraw the armies from Greece and Spain. It was premature and unwise, but Flamininus had to go. He did what he could to strengthen a Roman interest in Greece by placing Roman partisans (generally the wealthier citizens) in power in a number of Greek cities. He delighted the assembled delegates by announcing the immediate evacuation of the three fetter-fortresses, and returned to Rome, where he celebrated a splendid triumph. Thus in 194 Greece was left nominally free and at peace. Such was the Roman policy. The Senate wished for no wars, above all for no annexations likely to provoke wars. Flamininus and the rest of the new school of statesmen, men inspired by admiration of Greek literature and art, fancied that in removing the Macedonian yoke, and establishing a balance of power among the chief Greek states, they had done enough. Freedom would surely be turned to good account by so gifted a race, and Rome their benefactress would have no further trouble from the quarrels of the Greeks. The sequel proved that this was a mistake. Rome could not allow the Greeks a genuine independence, and if she meant to guide them peaceably it was needful that she should rule them effectively. A policy of leaving them to their own devices, and now and then intervening as umpire, could only succeed if founded on a thorough understanding of Greek ideas and Greek institutions. And this understanding the Romans lacked. In particular, they never understood the nature of Federal governments. In Italy it had been the Roman policy to break up Leagues, and to attach their members separately to Rome. But she did rule Italy, and at present she did not and would not rule Greece. Yet she was ever seeking to deal separately with the several members of the Leagues. At first she seems to have acted in ignorance: the time came when she acted with malignant purpose.

202. *Roman doings in the West.* The experience of the Hannibalic war had taught the Roman government that the power paramount in Italy must for its own security advance its frontier to the Alps. The Cisalpine Gauls in the rich lowlands of the Po must not be left free to help invaders. The Ligurians of the north-western hills were a troublesome race. Sometimes they raided Etruria; now and then they combined with the Gauls to resist the advance of Rome. But the conquest of Liguria might wait for a time; the conquest of Cisalpine Gaul could not.



6. Coin of Philip V of Macedon (220—178 B.C.).
obv. Head of Philip.
rev. Athena Alkis. BASIAEDS IAIHIIIO .
 See §§ 140, 187.



7. Coin of Aetolian League (? 192—1 B.C.).
obv. ? Head of Antiochus III, elected
 of the League.
rev. Meleager. AITΩAON.
 See §§ 204—207.



8. Coin of Rhodes, about 200 B.C.
obv. Head of Sun-god (? after Colossus).
rev. Rose (*p65ov*). PO below. ? Persephone. Name of
 magistrate above.
 See §§ 185, 217, 222, 226.

So the years 201—194 were years of warfare in northern Italy. We have no trustworthy record of these wars, but we know that they were aggressive wars, probably mismanaged. No sufficient effort at any one time was made. When the Gauls made a feigned submission, there was a temporary lull in the operations, then a fresh outbreak and more bloodshed. Average Roman magistrates held command, and the armies were such as could be spared while other forces were on service in Greece and Spain. No doubt the Gaulish tribes were weakened, but at the cost of great Roman losses. The colonies on the Po were maintained, but with difficulty. In short, a beginning had been made, but as yet there was no effective conquest of Cisalpine Gaul.

203. *Spain.* In the far West also Rome meant to be mistress, and blundered by attempting to solve the Spanish problem with insufficient means. The native tribes were glad to be rid of Carthage, but unwilling to be controlled by Rome. Rome had two 'provinces' there, known as the Nearer and Further Spain. But the frontiers were disturbed and uncertain. The governors of these provinces had no easy task. Each had an army, inadequate to carry on a serious war, and composed of contingents of Italian Allies, always more or less discontented. The service in Spain was most unpopular. In 197 a step was taken to provide a regular succession of governors. The number of praetors was raised from four to six, and two were intended for the Spanish posts. A delimitation of the provincial spheres was carried out, and some concessions made to the great trading city of Gades. But risings of the native tribes and disasters to the Roman arms soon shewed the need of a great effort. In the year 195 we find the consul M. Porcius Cato at work in Spain with a strong army, including Roman legions. He was a man of exceptional energy, and he not only gained victories and pacified the country for the time, but took steps to increase its prosperity and contentment. In particular, he promoted mining, as Hannibal had done before him. But political movements at Rome led, as we have seen, to his premature recall; and Spain, quiet for the moment, was left under two praetors as before. The peninsula had to suffer dreadful things under Roman mismanagement in the course of the next 60 years. The policy of Rome may be now stated in few words. In the East she made final conquests, but shrank from the needful annexations : in the West (for Sardi-

nia and Corsica are further instances) she was ready to annex, but cruelly slow to carry out the needful conquests.

204. *The war with Antiochus* 192—190 B.C. We have seen that by the year 195 it was clear that a war was inevitable. But it did not break out at once. Antiochus, having gained a footing in Europe, was for a time busy asserting his power in southern Asia Minor. The Romans were in no hurry. They took matters very seriously. In 194 they founded a number of colonies in southern Italy, fortresses to protect the coast, and prepared to guard Sicily also, fearing an invasion by sea. The year* 193 was a time of negotiations, each side trying to put the other in the wrong, but nothing came of the embassies. It was the situation in Greece that brought on actual hostilities. The Aetolians stirred up Nabis to try and recover by war the towns of which he had been deprived in Laconia. Of the minor Greek states several were ready to follow the lead of the Aetolians. But Philip of Macedon and the Achaean League were loyal to Rome. Nothing could be done against Rome in Greece without the aid of a great military power. It is said that the Aetolians tried to win the support of Philip, who detested them and refused. But they seem to have thought that he was only waiting to see whether a strong coalition could be formed against Rome. They turned to Antiochus, holding out prospects of a great rising in Greece if the king would but come to head it. This he undertook to do, relying on the boasted forces of the League and its sympathizers. They were in fact trusting to the vast resources of Antiochus. It was a partnership in which each partner relied on the other, and mutual deception led naturally to common ruin.

205. Antiochus had indeed no trusty allies, willing to make great sacrifices in a common cause. Even in and beyond the Aegean Rome was sure of the zealous support of the Rhodian republic and some other maritime Greek cities, also of Eumenes II king of Pergamum, not to mention Egypt. All these powers looked to Rome for protection against the ambition of Antiochus. The effective military strength of the Seleucid empire was greatly overrated by its opponents. It consisted of contingents drawn from eastern peoples owning a lukewarm or forced allegiance to the ruler of Antioch, and of mercenaries, Galatian or Cretan, ready to serve for hire in any cause. If the weakness of a power so lacking in national cohesion was at all clearly understood, it

was assumed that the presence of Hannibal would lead to the formation of efficient armaments and supply the best of contemporary generalship. Hannibal knew the mettle of the Romans, and we hear that in his opinion the only chance of success lay in a vigorous invasion of Italy, which he offered to conduct. An attempt to gain the support of Carthage was foiled by the party in power there. Meanwhile Hannibal lost favour at court through insisting on unwelcome truths. The king decided on a campaign in Greece. This plan was foredoomed to failure, unless he at once placed in the field a large and well-trained army, and sent large sums of money to maintain it and his Greek allies as well. But he did not do so. In Peloponnesus war broke out in 192. The Achaeans defeated Nabis, who was soon after murdered by an Aetolian force nominally sent to his aid. These Aetolians were massacred by the Spartans, and Sparta was attached to the Achaean League by its general Philopoemen. The Aetolians were busy occupying positions in readiness for the coming of Antiochus, and Flamininus, who was again acting for Rome in Greece, could get no satisfaction from them.

206. In 192 Antiochus came with something over 10,000 men and insufficient supplies. The Aetolians voted him the chief command of their forces. But their enthusiasm was much damped by the weakness of the king's army. A far stronger force was necessary if Greek states were to be induced to declare for him. He promised to furnish immense armaments on land and sea, and supplies to match. But he had made a bad beginning. A section of the Aetolians mistrusted him, and the Achaean League, after hearing the envoys of Antiochus and the Aetolians, and Flamininus in reply, decided to cooperate with Rome. At this stage he was cheered by a few strokes of luck. Chalcis fell into his hands, and became his base of operations. In a short time he was master of Euboea and a considerable part of the adjoining mainland. The Boeotians joined him, and he won a number of Thessalian towns in a short campaign. But the adhesion of these petty states was worthless, as Hannibal is said to have pointed out. The help of Macedon would be worth securing. But Philip held aloof. The Epirotes would not commit themselves to a war with Rome. Meanwhile the reinforcements from Asia were delayed, and when they arrived **they** were insufficient for the work in hand. At this time the Romans

had already sent over an army to Epirus, and had declared war. Antiochus passed a luxurious winter at Chalcis, apparently unconscious of his danger.

207. The Romans were usually slow to take the field, and on this occasion their preparations were more than usually deliberate and complete. Home defence, the fleet, religious precautions, supplies, were carefully attended to. The foreign allies, Masinissa, Carthage, Ptolemy, Philip, all zealously sent contingents or money and corn. Eumenes and the Rhodians were of course hard at work. In 191 the consul Manius Acilius Glabrio crossed the Adriatic with a strong force. The army sent to Epirus was already recovering Thessaian cities with the help of Philip. The Aetolians, who had invited Antiochus to Greece, now failed him, sending only 4000 men to his aid. The king fell back upon the famous pass of Thermopylae, where he was defeated by Glabrio with the loss of nearly all his army. The pass had been turned by a Roman detachment led by the ever-active Cato. After his recent victories in Spain, the ex-consul was ready to serve as a subordinate against Rome's enemy. Such was the spirit against which the misguided Antiochus had to contend. The king fled to Chalcis, and so to Ephesus, where he fondly imagined himself out of Roman reach. The general submission of the Greek states that had joined him was made without delay. The Aetolians too were driven to negotiate, and persuaded to 'entrust themselves to the faith of the Roman people,' not understanding that this was the Roman phrase for unconditional surrender. A quarrel arose, and the Assembly of their League, encouraged by money and promises from Antiochus, went on with the war.

208. *Roman policy.* The siege of Naupactus, where the Aetolians were making a stand, was a difficult undertaking, but it was not the most important part of the Roman proceedings in Greece. Rome's allies, Philip and the Achaeans, were acting independently. The Achaeans were annexing the Peloponnesian states that had belonged to the Aetolian League, and were buying the island of Zacynthus from the present occupant. The Messenians objected to submit to the Achaeans, and put themselves in the hands of Flamininus. The Roman agent insisted on the withdrawal of the Achaean force, but ordered the Messenians to join the League and to recall their

own exiles. Thus an unwilling member was added to the League, while Messene itself was exposed to the certainty of sedition within. Flaminius then claimed Zacynthus for Rome, warning the Achaeans not to risk their compact sovereignty in the Peloponnese by seeking extensions abroad. To this the League was forced to consent. Philip was making conquests in the North with leave of the consul Glabrio. But Flaminius pointed out that it was not Rome's interest to let him win and keep these territories, or to weaken the Aetolians further. The siege of Naupactus was raised, and the decision of policy referred to Rome. It seems clear that a change was coming over Roman policy in Greece. The philhellene party in the Senate might wish to treat the Greeks kindly and interfere with them as little as possible. But Antiochus had proved that Greece might at any time be made a base of operations against Rome. By keeping all the Greek states weak and disunited (and Greek jealousy made this easy) the danger might be reduced to a minimum, and Rome would thus be spared much trouble and expense. As time went on, this policy became cruel and malignant. For the present it was simply an attempt to avoid future embarrassments. But what to Rome was a saving of trouble was a slow torture to the Greek Leagues, particularly to a highly-organized federation like that of the Achaeans. The Roman claim to deal directly with separate members superseded the central authority of the League. Sparta was already giving trouble in this respect, and was destined to give more later on, under Roman encouragement. So the Achaeans, the loyal friends of Rome, had to learn that in their case 'freedom' meant the liability to have their internal relations subjected to Roman interference and revision. Philip, their former overlord, was for the moment treated with kindness and civility by the Romans, who were about to require his further help. The Aetolians were let off easily. In short, there was henceforth to be only one interest dominating the whole Balkan peninsula, and that interest the selfish policy of Rome.

209. The Aetolians were not willing to accept the terms offered by the Senate, so war began again. But to put down Antiochus was the chief business in hand. The joint fleets of Rome Rhodes and Pergamum defeated his fleet, but it was seen that only a crushing defeat on land could force the king to

withdraw from Europe and western Asia Minor. Nothing less than this would render him harmless. So all preparations were carefully made as before, and the consul appointed to command, Lucius Cornelius Scipio, had with him his brother, the great Africanus, as his adviser. The Scipios, eager to win the glory of victory within the year (190), gave the Aetolians another truce for a fresh embassy, and set out to deal with Antiochus. They had to choose between two risks. If they took their army across the Aegean, a single disaster might be fatal. If they took the land-route, it was necessary to rely on the friendly cooperation of Philip. Inquiry shewed that Philip was both loyal and ready, so the latter course was chosen. While they were on their way, Pergamum was attacked by the king's forces, but without success. The fleets too were at work. A Rhodian squadron was destroyed, but the Rhodians equipped another, and prevented Hannibal, who was bringing up a fleet from the East, from joining the king's other fleet at Ephesus. Soon after this, the allied fleet gained a great victory off Myonnesus in Ionia and held command of the sea. The Roman army was approaching the Hellespont, and Antiochus, who had hoped to be safe in Asia, was now thoroughly frightened. He evacuated Lysimacheia, giving up his hold on Europe. An attempt to negotiate had failed, and he set himself to increase his army by contingents of various peoples. But it was not numbers that were needed, and spirit and discipline were lacking in his splendid and motley host. Again he tried to negotiate, but the Roman terms were too hard. The armies met near Magnesia by mount Sipylus. Tactical errors on the king's part seem to have rendered even the best part of his army, the phalanx drawn up in sections 32 files deep, quite ineffective. Rout quickly followed. It is said that out of 70,000 men 50,000 were killed or taken prisoners. Africanus had been sick, and bore no part in the battle. L. Scipio the consul had the credit of the victory, but the effective commander was his subordinate Cn. Domitius, and Eumenes of Pergamum had distinguished himself on the field.

210. So far as Antiochus was concerned, the war was at an end. He had to accept the Taurus range as the north-western boundary of his kingdom, to pay a great war-indemnity, to feed the Roman army while in Asia, and to deliver up certain dangerous persons. Among the last was Hannibal, who managed

to escape. All now knew where the real centre of power lay, and numerous embassies came to seek favour at Rome. A senatorial commission was as usual sent to the East to arrange the details of the territorial settlement. A vast area in Asia Minor and a small district in Europe, ceded by Antiochus, had to be disposed of. The Roman Senate had no desire for annexation with all its responsibilities. There were three parties anxious to share the pickings of the provinces detached from the Seleucid realm; Philip, Eumenes, and the Rhodian republic. To the last, already possessed of a province on the Asiatic mainland, were assigned Lycia and southern Caria. To Eumenes were granted immense territories, many times larger than his present kingdom. His frontier was to touch Bithynia Galatia Cappadocia Cilicia and Lycia, and to include northern Caria. It seems certain that the generosity of Rome was part of a far-sighted policy. If Eumenes could establish himself firmly in this great new territory, he would serve to watch Antiochus and Philip, while his exertions in securing his sovereignty would keep him employed. To Philip, beyond a few compliments and remission of the outstanding balance of his war-indemnity, no reward was given. The three claimants were jealous of each other, as plainly appeared in the discussion of the future status of the Greek cities in the coast-lands of the Aegean. Eumenes wished to have them as tributaries. Philip coveted those in Thrace. Rhodes was all for having them free. This, said Eumenes, would make them in effect dependencies of Rhodes. The Senate finally decided to let Eumenes have some that had formerly been tributary to Pergamum, and to declare the rest free. Thus Rome fostered the jealousy of her 'friends' in her own interest, as she had done in Greece, and left herself free to intervene as umpire in disputes that were only too likely to arise.

211. But there were still two quarters in which there was some reason for the forcible assertion of Roman power. Of the consuls for 189, M. Fulvius Nobilior was sent to humble the Aetolians and teach them a lesson, for they were still giving trouble. The chief operation of this war was the siege of the stubbornly defended city of Ambracia. The terms of peace finally imposed on the Aetolians included, beside the usual penalties of defeat, two special provisions. The foreign policy of the League was to be wholly dependent on that of Rome,

and it was to cede the island of Cephallenia. Thus Rome did not destroy the League, but kept it as a vassal-state, useful for maintaining a balance of power in Greece. She annexed another island, according to her usual practice. The other consul, Cn. Manlius Vulso, took over the command in Asia. Whether the Senate meant him to engage in war or not, there seems to have been good ground for a demonstration in force, that the peoples annexed to the Pergamene kingdom might understand the necessity of submission. Eumenes, in short, was to have a fair start; and Manlius thirsted for military glory. In the uplands of Asia Minor were the restless Galatian tribes. What with their own wars and their mercenary service in foreign armies, they had been disturbing the peace and accumulating booty for about 100 years. With the help of Attalus, the brother of Eumenes, Manlius carried out a successful expedition into the interior, and ended by two great victories over the Galatians. The effect of this long march and the defeat of the brave barbarians was to prepare the ground for Eumenes, while making it clear that the real overlord of these parts was Rome.

212. Manlius was continued in command as proconsul, and early in 188 Eumenes and the ten commissioners arrived from Rome. The detailed settlement now taken in hand shewed clearly the intentions of the Senate. Peace was to be secured in the East: nearer home, Philip was not to be strengthened so as to become once more dangerous. Antiochus was deprived of his fleet and elephants, and strictly bound by treaty excluding him from all interference in the western countries where Roman influence was supreme. The Thracian district with Lysimacheia and other cities was assigned to Eumenes, not to Philip. The king of Cappadocia, on whom a heavy fine had been laid for his support of Antiochus, was excused half the penalty, as a further favour to Eumenes, who thus gained a friend on his new eastern frontier. In fact Rome acted on a principle of lowering the high and raising the low. The latter would be dependent on her protection, and thereby bound to loyalty. And the arbitration on which she insisted in treaties as a substitute for wars meant simply that no movements were to be allowed without Roman leave. But, if Rome gained vast prestige by her rapid advance to the first place in the East, the reaction of the East on Rome was, if we may trust Roman tradition, not

less momentous. It had been shewn that oriental armies were no match in battle for the armies of Italy. The enormous booty, in particular the hoarded Galatian gold, looted by the troops of Manlius, opened the eyes of Roman soldiers. The easy gains and glory of eastern wars made a deep impression, and henceforth we find men regarding military service as a source of profit, and more than ever loth to serve in the hard and unremunerative warfare of the West.

213. Manlius took back his army by land, perhaps to overawe Philip. Waggonen laden with spoil made their progress slow, but they got through somehow, losing some men and booty by the attacks of Thracian tribesmen. They crossed the Adriatic early in 187. While he had been in Asia, Fulvius had been busy in Greece. Here also the change in Roman policy was manifest. In 188 Sparta was giving trouble to the Achæan League. The League, lately strengthened by the wise reforms of Philopoemen, was well able to coerce Sparta. Sparta appealed to Fulvius, who at once forbade the League to coerce its unruly member till the Senate gave its decision. The decision was ambiguous. Sparta was subdued and restored to the League. But the Achæans were of course greatly annoyed at this interference in their federal affairs, while the Romans were more than ever jealous of a power possessed of so much vital energy and even capable of growth under the eyes of Rome. Rome had now risen to a marked predominance in the Mediterranean world, and her aim was peace, in other words the retention of this predominance without effort. From this point of view there was no room for gratitude or grudge. Friend and foe stood on the same footing, and to be strong and independent without Roman leave was to be suspected. There was also a change coming over Roman public life. Contact with the East had brought wealth and with it luxury. Roman nobles were losing the simple patriotism of their fathers. Old-fashioned politicians were alarmed at the signs of the times. We find an Old-Roman party beginning to form, in opposition to the new school, stubbornly endeavouring to withstand the growth of greed and ambition, and to uphold the honesty frugality and scrupulousness to which they attributed the success of Rome in the past. The struggle went on for many years, and the chief figure among these narrow-minded but well-meaning reactionaries was Cato.

214. For the present this movement resulted in three open attacks on men distinguished by recent victories. The details, in part obscure, may be omitted. The general line taken was to impute to a commander improper ambition, shewn in rash or brutal conduct to foreign peoples, contrary to the true interest of Rome. Thus great efforts were made to rob Fulvius and Manlius of the coveted honour of a triumph. In both cases the assailants had the advantage at first, but time and private influence were too strong for them, and both the triumphs were granted. Suggestions of a corrupt appropriation of state-moneys and booty were another form of imputation. In the famous but obscure case of the Scipios they seem to have been the staple of a formal charge tried before a specially appointed court. It was urged that the circumstances of the peace granted to Antiochus were highly suspicious, and pointed to bribery. Africanus had made many enemies by his haughty bearing, particularly among the jealous nobles, and he is said to have acted in a bold defiant manner now. His brother Lucius was condemned to a heavy fine. The intervention of a tribune prevented the completion of the proceedings, and the great Africanus, disgusted with public life, passed the rest of his days in retirement. These affairs shew us that the control of commanders abroad was becoming more difficult as Rome advanced. They remind us that the responsibility of Roman officials was always difficult to enforce, depending as it did on the action of party-spirit, capricious and devoid of legal principle. To rise above the ordinary level of Roman nobles was a fault less easily condoned than gross misconduct.

215. We shall see below that the years 186—173 were not barren of important events either in the internal politics of Rome or in her dealings with Italy and the West. For the present let us trace the course of affairs in Greece down to the war of 171—168, in which the Macedonian kingdom perished.

Philip, enraged at his treatment by Rome, set himself to repair the exhausted resources of Macedon, and to build up a fresh army. Roman suspicions were soon roused. A Roman commission forbade him to retain his conquests in northern Greece. When even the Thracian coast-cities were denied him, his fury vented itself in a massacre of the people of Maronea. Unable to conceal this deed, he sent his son Demetrius to Rome

to pacify the Senate. But he went on with his schemes, and bided his time. He was still Rome's 'Friend and ally,' and as such was closely watched. He was visited by Roman commissioners, and it was well known that hostile reports from other witnesses would find a hearing at Rome. The same jealousy appeared in Roman dealings with the Achaeans. That the League was eminently loyal and pacific made no difference. In 185 they received embassies from the kings of Pergamum Syria and Egypt. Great care was taken to accept no offers of which Rome might fairly complain. But the mere fact of friendly diplomatic intercourse between powers connected with Rome was displeasing to the Senate. The Senate wished to keep Rome's 'Friends and allies' apart from each other, while bound to dependence on the paramount power. It was her old policy, but it was henceforth carried out with less and less scruple as to the means. Chronic interference in Achaean affairs kept the League in a constant state of unrest, and the rules of the federal constitution were disregarded to suit the convenience of Roman commissioners. As in other parts of Greece, men of the baser sort were beginning to form a party abjectly subservient to Rome. The chief source of trouble arose from the inclusion of unwilling members in the League. The friction with Sparta continued, and Roman commissions only fomented the evil. Messene seceded in 183, and in the war that followed old Philopoemen was taken prisoner and put to death. It was a bad time for Achaean patriots. In Crete too Rome intervened as umpire, with the same result of leaving that distracted island more disunited than ever. In this same year Hannibal was at last hunted down. He had taken refuge with the meanest of kings, Prusias of Bithynia. A Roman embassy with a military escort came to demand his extradition, and he took poison to avoid capture. All these proceedings must have served to enlighten the Greek and half-Greek world as to the meaning of Friendship and Freedom when enjoyed under the overlordship of Rome.

216. Philip had sought to stave off Roman hostility by sending his favourite son Demetrius to plead his cause at Rome. We hear that the Senate deferred a final decision, and that leading nobles tried, by paying great attention to the young prince, to estrange him from his father. Meanwhile another son, Perseus, was busy at Pella, undermining the influence of

his brother. Perseus hoped to succeed to the throne, posing as champion of a national interest against Demetrius favoured by Rome. We have no reason to doubt that he was an unscrupulous villain, ambitious, but weak and nerveless in character. Philip in his latter days was arbitrary and cruel. Perseus found agents at court, and his spies watched Demetrius. The old king was led to suspect his favourite son of designs upon his father's life. A forged letter from Rome was taken as proof of guilt, and Demetrius was put to death in 181. In 179 Philip learnt that he had been foully tricked, but before he could exclude Perseus from the succession he died. Perseus now hoped to revive and extend the power of Macedon. The first step necessary was to get rid of Roman control. With this view he took great pains to improve the Macedonian army and to heap up vast stores of money. While he sought and procured recognition as king and Friend of Rome, it seems that he tried to induce some northern barbarians to invade Italy. Nothing came of this, but the Senate heard of the design. He surrounded himself at home with a gang of men wholly dependent on his favour, and looked abroad for allies. By dynastic marriages he connected himself with Prusias of Bithynia and Seleucus IV now king of Syria. He exchanged civilities with the Rhodian republic. All these moves were viewed uneasily by the Senate, particularly the last.

217. The cities of Lycia, handed over to Rhodes in 189, were united in a federal League. They rose against the Rhodians, who for the time put down the rebellion. They appealed to Rome, and the Senate now held that according to the terms of the award the Lycians were friends and allies of Rhodes, not subjects. This seems to have been in 177. The Rhodian government was too cautious to resent this malign treatment openly, but henceforth their relations with Rome were less warm and certain; there was now a party in Rhodes inclined to look more kindly on the approaches of Perseus. Perseus went on with his intrigues, and grew bolder. In 174 he visited northern Greece, winning favour in various quarters. He knew that Roman interventions had brought little happiness to the Greek states. In particular, he tried to renew friendly relations, long broken off, with the Achaean League. The partisans of Rome with difficulty prevented this, and the plausible king had sown the seeds of dissension in the League. It was a time of un-

easiness. There was trouble in Aetolia, in Crete, in Lycia; and Rome, engaged in wearisome western wars and afflicted with plague in the city, was in no mood for another Macedonian war. The Senate sent commissioners to keep things quiet, but the Greeks remained restless. In 173 the report of envoys was alarming. Disorders were spreading, Perseus meant war, and was fast gaining popularity in Greece. Temporary quiet was restored, but the situation was now serious, and Roman embassies were sent to watch Roman interests at Pella, Alexandria and Antioch. In Egypt the old friendship was to be renewed with the young Ptolemy (VI or VII) Philometor, who had come to the throne in 181. In Syria Antiochus IV Epiphanes had succeeded his brother Seleucus in 175. He had in his youth lived at Rome for some time as a hostage for his father Antiochus III, and had become an admirer of Roman institutions. He was now a crazy autocrat, with a mania for reproducing in Antioch the elections, law-courts, even gladiatorial shows, that he had seen in Rome. Of course the result was a silly travesty. But this madman was destined to make trouble in the East.

218. The Greek East saw that a conflict was inevitable. The growing influence of Perseus, and the dallying policy of Rome, alarmed Roman partisans. If things followed their present course, and Perseus superseded Rome as master of Greece, with backers in Asia also, what was the prospect of Rome's allies? Embassies flocked to Rome to get light on the situation. Eumenes came in person. But the Senate, aware that it would take some time to place an army in the field, still refrained from shewing its warlike intentions. It was Perseus who made the first move, by sending men to assassinate Eumenes on his way home. Eumenes was stunned and left for dead, but recovered. The report of this outrage was followed by further evidence of the murderous plots of Perseus. It appeared that he had tried to arrange a regular scheme for poisoning Roman representatives on their way to and from Greece. Thus in 172 the Senate could delay no longer. They declared the king of Macedon a public enemy and began openly to prepare for war. A commission was sent to ascertain the temper of some of Rome's eastern friends. On their return they reported that there was general loyalty, in spite of the wide-spread intrigues of Perseus: of Rhodes they

spoke with less confidence. But, as the Romans had feared Antiochus overmuch, so now they underrated the power of Perseus. That one of the consuls for 171 would be equal to the task in hand seems to have been assumed. Military and naval preparations were made, and religious observances ordered. A force was sent over the Adriatic in advance, and corn bought abroad. But the most important measures were those directed to lessen the strain on Roman resources in the West until Rome had settled accounts with Macedon. Spain was just now fairly quiet, but Sardinia Corsica and Sicily had to be firmly held. Complaints from Carthage as to the aggressions of Masinissa had to be shelved, for the help of that king was badly needed. The chief saving was effected in the North, where Ligurian wars were now chronic. Rome refrained from conquest for a while, and the hillmen enjoyed a rest.

219. The total of Roman and Italian troops sent to the front is not certain. Great attention was paid to quality. Two choice legions were the backbone of the army. Seasoned soldiers, Romans and Allies, were drawn from the army in Liguria. Veteran centurions were procured, and the military tribunes were to be nominated by the consul in command, not elected by the Assembly. The fleet had fighting crews of citizens (freedmen) and Allies. Of foreign kings, Rome could rely on Eumenes and Masinissa. Antiochus and Ptolemy were preparing to fight for possession of the district known as Hollow Syria, and could send only their promises. Perseus seems to have had in all about 43,000 men, of whom some 21,000 were Macedonian phalangites. The rest were mercenaries, Gauls, Thracians, with Cretans and other Greeks, and the whole formed a well-equipped and efficient army. Cotys, a Thracian chief, was on his side, but some Thracian tribes favoured Rome. Prusias of Bithynia and Gentius of Illyria were at present neutral, but Perseus had hopes of the latter. Of the Greek states in general we hear that the poorer citizens mostly favoured Perseus, for Roman policy always was to give power to the rich. But the wealthier citizens were not all of one mind. Some leant to Rome, some to Macedon, as their private interests led them. Some patriotic statesmen hoped that neither power would crush the other, and so room be left for more free action than the Greek states now enjoyed. This is the analysis of the Achaean Polybius. We may add that all these smaller powers

were agreed in wishing to be on the winning side, for fear of losing what freedom they still had.

220. War was formally declared, and an embassy from the nervous Perseus ordered out of Italy. A Roman commission visited the Greek states, calling on them as Friends to get ready contingents and declare for Rome. It is to be noted that the Achaeans, though offended at recent treatment, were consistently and actively loyal to Rome all through the war. Meanwhile Perseus was quite ready, the Romans at first not. The king made yet another attempt to negotiate through Q. Marcius Philippus, the chief Roman commissioner. He met his match. Marcius allowed him to send another embassy to Rome, thus gaining time, which the Romans wanted. The Rhodians, called upon to support Rome, provided a fine naval contingent, and for the present, though desiring peace, refused to stand neutral as Perseus asked them to do. The war opened feebly on the part of Rome. The consul in command, P. Licinius Crassus, was no skilled soldier, and competent advisers were sent to guide him. Perseus advanced and easily occupied most of northern Thessaly, but, instead of pressing on, he then formed a camp and waited to be attacked. Crassus did much the same, and his inactivity revived the* king's courage. In some minor engagements the Romans had the worst of it, and the men were losing heart. Things looked badly: the Greek contingents were below their expected strength, and, though a few Boeotian towns declared for Perseus and were cruelly punished, this was not enough to restore confidence. The success of the king was popular in Greece, but for the present the fear of the Romans prevented any open rising in his favour. On the one hand the arrival of the Numidian contingent shewed the wide extent of Roman power. On the other hand a revolution in Epirus, provoked by Roman partisans, added the Epirotes to the forces of Perseus. It was the king himself who best helped the cause of Rome. Evidently he did not understand that the Senate were in earnest, and that he had no choice but either to lose his kingdom or to fight and win without delay. He made offer of peace on the terms granted to his father in 196. The Roman answer was a demand for an unconditional surrender. Even so he went on bargaining to no purpose, till the moral effect of his successes was fooled away. After one or two indecisive combats the war ended for the season, leaving the Romans worse off than when it began.

221.] Matters were not mended in the campaign of 170. The consul A. Hostilius Mancinus seems to have done something to improve the tone of the demoralized army. But he gained no ground, and Perseus was able to chastise the Dardani and to invade Illyria and Epirus, while the Romans could not enter Macedonia. And the impotence of the Roman government was to blame for most of these failures. The Senate, loth to employ none but competent commanders, for fear of raising up a new Africanus, was not able to control bad ones. Barbarity accompanied inefficiency as before. The fleet, engaged in no serious naval war, was even a greater terror than the army to loyal or peaceful people. The cruel treatment of Coronea in 171 was followed by the destruction of Abdera and outrages at Chalcis. Redress of these misdeeds was a farce, and the punishment of guilty officers generally eluded. For the moment the fear of Roman severities kept the Greeks quiet, and drew humble embassies to Rome. Failures had not made the Senate less domineering in foreign policy: the Cretans were warned that their friendly relations with Rome were in danger. To send a corps of bowmen to the Roman army was not enough : they must recall those sent to Perseus, or take the consequences. This was not a Greek (least of all a Cretan) view. It was an object with both sides to gain the support of Gentius the Iliyrian chief. His warlike people would be a great help to whoever could win their support and find money to keep them in the field. He defeated a Roman expeditionary force. In the winter of 170—169 Perseus approached Gentius, but would not give him a subsidy, so for the present no bargain was struck. The operations of 170 were unimportant, but the Senate had cause for uneasiness both at home and in Greece. A commission sent to report on the state of things at the front brought back alarming news of the army. Its weakness was lamentable, the allies of Rome were losing heart, and Perseus gaining ground. To raise troops for the next campaign **was** not easy. Only after some pressure on feeble magistrates **was** compulsion firmly applied and the levy completed. The censors for 169, both strong men, had to begin work by using their authority to enforce enrolment and even to send absentees on furlough back to Greece. The Senate strove to check the **harm** done to the Roman cause by the exactions of Roman officers. They instructed the Greek allies to supply nothing without an



9. Coin of Perseus of Macedon (179—168 B.C.).
obv. Head of Perseus. Below, name of mint-officer.
rev. Eagle on thunderbolt. BASIAEQZ HEP2EQZ.
 See §§ 216—226.



10. Coin of the second of the 4 Macedonian republics 167—146.
 Struck after the grant of the right to coin in silver, 158 B.C.
obv. Head of Artemis in a Macedonian shield.
rev. Club in oak-wreath. MAKEAONQN AETTEPAZ.
 See §§ 228, 243.



- Coin struck by Faustus Sulla about 62 B.C.
obv. Head of Diana, *lituus*. FAVSTVS.
rev. Sulla (L., the Dictator) seated, receiving Jugurtha from
 Bocchus, who holds olive-branch. FELIX.
 See § 366.

order of the House. This step was well received, but the state of quarrelling and disorder in many parts of Greece shewed that there was good ground for anxiety.

222. The consul commanding in 169 was the same Marcius who had been too wily for Perseus two years before. He was a crafty diplomatist: in a former military command he had failed. But he boldly advanced into Macedonia. It is true he found himself in an awkward fix, unable to move without exposing his army to attack in both front and rear. But the nerve of Perseus again gave way. He withdrew the detachments that commanded the consul's line of retreat, and fell back, thus relieving the distress of the Romans. In his panic he sent orders to have his treasure sunk in the sea. When Marcius retired after a futile advance, the king recovered his treasure and tried to hide the fact of his fright. He once more fortified a strong position and waited to be attacked. While this season was passing, still without any decisive result, many things were happening, of which we have no satisfactory accounts. Antiochus (IV) of Syria had defeated Ptolemy's army. He invaded Egypt, and the disorder of Egypt interrupted trade. The Rhodians, who were the chief sufferers, sent to Rome for leave to buy corn in Sicily, which was granted. They protested that doubts lately thrown on their loyalty were groundless, and this protest was conveyed by other envoys to the consul Marcius also. Now Marcius (if Polybius is to be trusted) had lately been dealing with the Achaeans in a very strange manner, discouraging them from giving much-needed aid to the Roman force in Epirus. Perhaps he mistrusted them; at any rate Eumenes was trying to improve his own connexion with the League, and Eumenes was already under some suspicion. It may be that there was reason for Roman uneasiness just now; for the mismanagement of the war might well shake the faith of allies whose first interest was their own safety. Marcius now suggested to the Rhodian envoys that Rhodes, a power ever desirous of peace, might come forward with proposals for ending the war. Whether this suggestion was a base trick to lure the Rhodians into a false move, or was prompted by genuine alarm at the growing complications in Egypt, we cannot tell. What came of it we shall see below.

223. It was manifestly high time for a complete change, if the position of Rome beyond the Adriatic was to be retained. In the Rome of this period it was an unusual step to put a man for-

ward for the consulship merely on the ground of his fitness for the work in hand. But it had to be done. A good soldier was now needed, one who would be master in his own camp, who would be incorruptible himself and put an end to corruption and outrages. The choice fell on L. Aemilius Paullus, a noble of old Patrician family, son of the consul killed at Cannae, a man of 60 years. He was noted for his scrupulous attention to matters of religion and civic duty. He may be called the representative man of this age, in which Old and New were meeting and often conflicting. In him old Roman traditions and temper were smoothed and mollified by Greek influences, which do not seem to have weakened his character as they did in the case of some others. By his first wife he had two sons, to whom he gave the best education to be had, partly through Greek teachers. One of them was adopted by a Fabius, the other by a Scipio, sons of the two heroes of the Hannibalic war: the latter became famous afterwards as Scipio Aemilianus. Paullus had been consul in 182 and had seen a good deal of service. But he had no record of great victories. It seems certain that a general trust in his moral qualities was the reason why men pressed him to undertake a task in which three ordinary nobles had failed.

224. The winter of 169—168 was eventful. While Paullus was busy raising troops, he ascertained by inquiry the miserable state of things at the front. A complete reorganization was necessary, both in Macedonia and Ilyria. But it was carried out, and a praetor, L. Anicius, selected for Ilyria. Perseus had at last drawn Gentius into the war, at the same time cheating him out of nearly all the promised money. But Gentius had now to be conquered without delay. Still more alarming was the report (recorded and believed by Polybius) that Eumenes also was negotiating with Perseus, and willing to abandon the Romans for a price. It was said that the transaction only miscarried because Eumenes insisted on ready money, while Perseus wanted to swindle him as he had swindled Gentius. Moreover the Macedonian fleet, handled no doubt by Greeks, profited by the breakdown of the Roman naval service. It commanded the Aegean, and spared only the merchantmen of Rhodes. The Roman partisans in that republic could no longer control the popular movement called forth by an embassy from Perseus and Gentius. Rhodian envoys were sent to Rome and to the consul in com-

mand, charged to insist on the ending of the war, and military preparations were begun in order to give effect to intervention. When we add that Antiochus was now besieging Alexandria, and that a Roman embassy, sent to warn him off and save the kingdom of the Ptolemies, was at present unable to get further than Delos, where the sanctity of the island protected them; and further, that Perseus had been in communication with Antiochus; it is clear that Rome had now to face a situation more complicated and perilous than ever.

225. But Rome was now in earnest, and had taken the proper means to achieve her end. In a month's time Gentius was a captive, and firmness combined with lenity put an end to the war in Iliyria. In Macedonia Paullus speedily brought his army to full efficiency, aided by his well-selected staff. He turned the king's position and drove him back on Pydna, where he defeated him with great slaughter. After all the heaping-up of resources, the formation of armies, the subtle diplomacy, the doubts and dreams of wavering powers, one hearty stroke brought down the whole fabric. The sudden end of a weary drama left Rome beyond all doubt supreme, and the revelation of what had all along been the truth caused the changed situation to be accepted at once.

226. We need not dwell on the prompt submission of Macedonia, or on the flight of Perseus, losing his cherished money as he went by the pilfering or swindling of his associates. In the island of Samothrace he was blockaded by the Roman fleet and forced to surrender. At Rome the Rhodian envoys offered congratulations and suppressed their original message. But their errand was known, and they were sent back without an answer. Rhodes was in terror. The Roman ambassadors, now released from Delos, were entreated to hear their defence. C. Popilius, head of the embassy, bullied them into a frenzy of fear and went on to Egypt, while the unhappy Rhodians sentenced Macedonian partisans to death. The story of Popilius in Egypt is famous. The Roman handed the king the written order of the Senate. Antiochus asked for time to consider it. Popilius with his stick drew a circle on the ground and required the king to answer Yes or No before he left the circle. Antiochus submitted, and was then recognized as being still a Friend of Rome. The envoys next ordered a Syrian force out of Cyprus and re-

united the island to Egypt. Antiochus on his way home vented his rage on the Jews, and provoked the famous revolt headed by the Maccabees.

227. The Senate had now to dictate terms to a large part of the civilized world, and to appoint commissioners for settlement of details. It is well to consider some of the motives that guided their policy. First, they wished to secure a lasting peace, that the



Sketch map of Balkan peninsula about 170 B.C. Roman dominions in black.

Aetolia a dependent ally of Rome since 189. Greece in 'free' Leagues, the Achaean now including the whole Peloponnesus. The 'free Laconian' district dotted. The divisions of Macedonia 167—148 B.C. roughly indicated by dotted lines.

armies abroad and the reserve forces at home might be disbanded without delay. The conquest of Liguria was enough to have on hand. Secondly, they meant to teach the Greek East such a lesson that it should give no trouble in future. There was to be no more trusting to the loyalty of Friends and allies. Doubtful friends or conquered foes, all must be paralysed. The guilty would of course be punished; the suspected must not go scot-free for mere defect of convincing proof. On the other hand the Senate was still resolved to annex no provinces. The ruling nobles, jealous of

equality among themselves, knew that the governors of civilized lands, many of them rich fields for plunder, would be beyond control. At home they would rise above their peers, abroad they were only too likely to provoke fresh wars. The old-Roman party dreaded the influence of the East on Roman character. And the abuses that might arise out of the exploitation of mines and other resources by companies of Roman capitalists were, it is said, already foreseen. Let us now review briefly the chief points of the great settlement of 167.

228. '*Freedom.*' The conquered peoples were to be 'free.' That is, they were to have no kings, no central authorities to which they might rally and become powerful. In Macedon this meant that the one bond of union known to the people, the monarchy under which they had become a nation, was taken away. The country was to be cut up into districts (three in Illyria, four in Macedonia), each with a centre and constitution of its own. Each was a self-governing unit, isolated on an old Roman plan. Its members could contract legal marriages and hold property only within their own district. These new republics were an utterly strange system to the peoples of that part of the world. And all the men who had any experience of administration were ordered to depart for Italy and await the pleasure of the Roman government. Thus the inexperienced mass were left helpless, deprived of their natural leaders. They were to pay to Rome a tribute, half the amount hitherto paid to their kings. This reduced taxation seems meant to reconcile the conquered to the new system. But the commercial restrictions, such as prohibition of the export of Macedonian timber and the import of salt, tended to check the growth of trade, and the closing of gold and silver mines stopped another industry for the present. The people in general were disarmed, but the dwellers in border districts were allowed the means of defence against barbarian neighbours. It may be that the parcelling-out of a large country mattered little in rude Illyria: *in* Macedonia it was the cutting-up of a nation. We must note that Rome, implicitly if not expressly, reserved to herself the sovran power over the whole area. She was the only possible umpire in any dispute: her leave was needed for everything. She declined to be responsible for the administration, but the appointment of Roman governors would at any time convert the conquered countries into provinces.

229. *'Friendship?'* Whatever were the truth as to the suspected intrigues of Eumenes, the Senate meant to teach him that he ruled by Roman leave and must obey orders. An invasion of Galatians was probably not undertaken without Roman connivance. When he sent Attalus to complain of it, Attalus was privately prompted to ask for a part of his brother's kingdom. A message from Eumenes caused him to decline this insidious proposal. So the Attalid house was not weakened by a dynastic quarrel. It is said that leading senators, who had looked for bribes to favour his claim, were disgusted at the failure of this dirty intrigue, and sent a hint to the Galatians that they might worry Pergamum.

230. The harsh treatment of Rhodes is remarkable, when contrasted with the comparative leniency shewn to Eumenes. Perhaps the republic, unable to act with regal secrecy, was thought to have offered a more flagrant insult to the majesty of Rome. But the fact of Rhodes being primarily a naval power was surely one reason for Roman severity. Rome kept no regular fleet in commission. Her policy was to annex islands in the seas round Italy, and to trust to maritime Greeks for the speedy provision of a fleet when needed. Above all she relied on Rhodes to hold in check all attempts to create a hostile sea-power in eastern waters. Roman confidence was now shaken; it was even proposed to declare war against the Rhodians. Cato and others managed to prevent this, but the Rhodians were terribly frightened. In the settlement, they were deprived of the Lycian and Carian territories granted them in 189, thereby losing a considerable revenue. Their commerce was injured by the establishment of Delos as a free port, to which most of the Aegean trade was soon attracted. Even in their old province on the mainland there was a rebellion, the suppression of which was a further drain on their resources. They learnt that the days of simple Friendship with Rome were over, and applied for a treaty. Thus they became allies of Rome. They lost all power of independent action. This could not be helped; at least they had a clearly defined position stated in official terms.

231. In Greece the malignant policy of promoting disunion and impotence was pursued more thoroughly than ever. In most of the states vile men came to the front as Roman partisans, and murders of anti-Roman or patriotic leaders were the order of the day. Aetolia in particular was a scene of massacres and banish-

ments. A black-list of the chief men in the northern Greek states was published by the Roman commission: they were to go and stand their trial in Rome. The steady loyalty of the Achaean League did not protect it. Infamous traitors accused the best patriots of disloyalty, and 1000 men, the very pick of their citizens, were deported to Italy. Thus Greek public life was robbed of all its soundest and most competent elements. Epirus was for the moment the scene of the worst atrocities. Its chief men had been removed or murdered. Finally, by an act of cruel treachery, the defenceless country was swept by the Roman army. It is said that 150,000 people were carried off into slavery. The kindly Paullus, deservedly popular in Greece, had to preside over the commission and to carry out these abominations ; but he was not the man to question the orders of the Senate.

232. The old-fashioned scruples of Paullus caused him to keep for the Roman treasury the rich war-booty that properly belonged to it. For himself he took only the royal library of Macedon, as a prize for his grown-up sons. In his army he had maintained discipline, and the largess given to the soldiers at his triumph was on a moderate scale. We hear that the men were sulky at the poor returns from the sale of captives, and grumbled at the stingy dole. The triumph itself was splendid beyond precedent. But it was the state-finances that profited. The old war-tax or forced loan (*tributum*), formerly one of the regular burdens of citizenship, ceased to be levied. It was indeed a turning-point in Roman history. The Roman soldier-citizen was developing into a greedy mercenary, and an honest commander like Paullus, thinking only of his duty, was already exceptional. And the position of Rome was now one of unchallenged supremacy. The virtues of her people and government had been a wondrous growth, stimulated by the actual or probable competition of rivals. Now there was no rival power, nor the smallest likelihood of one to come. The hand of Rome was everywhere, and no fugitive enemy could find a safe refuge from her vengeance. Nor could her prisoners in Italy escape. The custody of Perseus and Gentius, and also of the suspected Greeks, was provided for by placing them out in towns of the Italian Allies. No doubt this was a great nuisance and responsibility laid on the local authorities, but it was a saving of trouble to the Roman government. We may see in it an additional proof

of the tendency to treat the Allies as subjects, ever since the second Punic war. And the unhappy Greeks were left to pine away in confinement. The Senate would not bring them to trial. One by one they died off: what became of the survivors we shall see below. Very few had the good luck of the Achaean Polybius, who found favour with some cultivated Romans and lived in some of the best society in Rome.

These struggles in which Rome became the paramount power in the East were affairs of little fighting and much diplomacy. Let us turn to the striking contrast presented by her doings in the West.

CHAPTER XVI

WARS AND POLICY IN THE WEST, 193—167 B.C.

233. *Spain*¹. Our knowledge of Spanish affairs in this period is very fragmentary. We read of obscure wars to put down native risings, generally provoked by Roman misdeeds, of insincere submissions and renewed rebellions. The Roman forces in Spain, mostly Allies, were in a chronic state of discontent. It was not only the soldiers that disliked the Spanish service, with its hardships and dangers, and small prospect of rich booty to compensate them (in case they survived it) for their long exile from Italy. Praetors also shirked the Spanish provinces. In 176 both the praetors to whom the lot assigned these departments contrived to evade the duty. Yet the occasional employment of native levies to cooperate with Roman armies suggests that better management might have made things work more smoothly. In the years 171—168, when Rome was busy with Perseus, a single praetor was left in charge of both provinces. The previous wars had been due to the irritating policy of the Roman governors, and this had to cease for a time. The chief war of this period was that of 181—180, when a great rising of the Celtiberians in central Spain was suppressed. Roman policy appeared at its best in Tiberius Sempronius Gracchus, who ruled the Hither Spain in 180 and 179. By kindly and fair treatment he gained the confidence of the natives and led them to more settled and peaceful ways of life. After his return to Rome he watched over their interests, and the land had rest for some 25 years. Oppression did not wholly cease. In 171 a deputation came from the Spanish provinces to complain of recent extortions. Two or three ex-governors were brought to trial in the form of civil actions for

¹ This chapter resumes the narrative from §§ 203, 218.

recovery of sums wrung by them from the provincials. Senators of the old-Roman party, among them Cato and Paullus, conducted the several cases on behalf of the Spaniards. Two of the culprits went into exile to avoid judgment; but this merely meant a change of residence (probably not permanent) to Latin towns hard by. No effective redress was gained. But the Macedonian war was on foot, and the Senate did what it could to gratify the Spaniards by passing strict orders forbidding certain practices of governors. These abuses were connected with the collection of tribute, particularly with the valuation of corn. But to get good regulations carried out was the really difficult matter, and so it remained. And yet it had been wise to resent oppression. The worst abuses of provincial government were never established in Spain. Another Spanish question was that of the half-breeds, children of Italians and Spanish mothers. A number of these were granted a town¹ on the southern coast, where they formed with the present inhabitants a peculiar colony, linked to Rome on special terms. It seems that the amalgamation of races and Romanizing of the peninsula, which took place much later, might have made great strides now. But Roman misgovernment was destined to do much more mischief yet in Spain, as we shall see.

234. *Sardinia and Corsica.* These islands, necessary to Rome as lying near Italy on the way to Spain, had been annexed when Carthage was helpless after the first Punic war. But after half a century they had still never been really conquered. The combined province was ruled by a succession of yearly praetors, who often had to fight the natives of the interior. Of the final result there could be no doubt, but the reluctance to act boldly and firmly led the Romans here as elsewhere into wasteful wars, in which much blood was shed needlessly. In 177 Sardinia was taken in hand. Gracchus was sent there as consul, and kept on as proconsul in 176. He quelled all resistance. The slave-market was glutted with his captives, so that 'Sards for sale' became a phrase for anything dirt-cheap. But there was an end of general risings, and the conquest of Corsica in 173 left the province normally a quiet one; that is, unable to give Rome serious trouble or escape the extortions of bad governors. When a spare praetor was wanted for some special purpose it was usual to employ the man to whom the Sardinian province had fallen.

¹ *Carteia.*

235. *Liguria*. The broken hill-country, cut up by ravines, formed by the northwestern Apennine and the southwestern Alps, was inhabited by the people known as Ligures. In early times they had probably covered a much wider area, and had been driven back into the hills by other races. Even now they still held the highlands that looked down upon the Arno and the Rhone. The Romans in Etruria and the Massaliots in their seaboard territories found the Ligurian highlanders troublesome neighbours. It was the occupation of the rich lowlands of Cisalpine Gaul that shewed the Romans the necessity of conquering Liguria. Until this was done there could be no security in the region of the Po. It was a case of deliberate conquest, carried on intermittently and piecemeal. There was no central power in Liguria, and the submission of one tribe did little or nothing to effect the subjugation of the rest. So the warfare begun in 193 dragged on for about forty years with varying fortune and vast expenditure of human lives. The Ligurians were attacked from several quarters, mainly from the North, for most of the country slopes that way, and the streams are affluents of the Po. From 193 to 173 the war was practically continuous. It was the 'province' of a consul, often of both consuls, ordinary Roman yearly magistrates. Some won, or claimed to have won, victories, and had triumphs, so cheaply earned that Ligurian triumphs became a byword. The defeats of others were not disasters of supreme importance: the assertion of Roman power was delayed, but Roman dominion in Italy was unshaken. And consuls were kept employed in an undertaking where there was no prospect of great glory, nothing likely to raise a man far above his fellow nobles.

236. The systematic nature of the Roman advance is shewn in the foundation of fortress-colonies. Of those in Cisalpine Gaul we will speak below. In northern Etruria we find a Latin colony, Luca (Lucca), planted inland in 180, and in 177 a citizen colony, Luna, near the *portus Veneris* (Bay of Spezia). On the Ligurian coast the Romans held the port of Genua (Genoa), and the operations on this side included the suppression of the local piracy, at times troublesome even after the Roman annexation of Sardinia and Corsica. But descents on that coast were not easy, nor always successful. The stubborn resistance of the Ligurians at last caused the Romans to try a new policy. This was the transplantation of large bodies of natives to places far

from their home. After a period of great efforts, 40,000 of them were taken away (180) and settled in Samnium, where there were some vacant state-lands, and 7000 more soon after. Other bodies were removed to lands in Cisalpine Gaul about this time. Thus the highland population was somewhat thinned out, while the settlers in new homes were not likely to be too friendly with their neighbours to the embarrassment of Rome. But the Ligurians were not subdued yet. The warfare became more ferocious, and in 177 a Roman fortress was taken. In 173, just when the Senate wanted to have quiet for a time until they had dealt with Perseus, a consul provoked the Ligurians by selling into slavery men who had surrendered. The Senate tried hard to cancel the transaction and make the fullest redress for this barbarous act and others of the same kind. But in spite of all their efforts it does not appear that the Ligurians were effectively compensated or the offender punished. Mutual exasperation was the characteristic feature of these wretched wars, and it was only because it suited Roman convenience that the years 171—168 were an interval of comparative peace.

237. *Cisalpine Gaul.* Of the forward movements of Rome, in this period the most judicious and well-managed was that by which she secured the region of the Po and advanced her northern frontier to the Alps. We must bear in mind from the first that the country known as Cisalpine Gaul did not become a Province, with a charter and a governor, for about a century more. It did not become technically a part of Italy till after the fall of the Roman Republic. But it was virtually, attached to Italy, and great pains were taken to Romanize the inhabitants. Colonies and roads helped to introduce Roman civilization as well as to facilitate the movement of Roman armies. In short, we are entering on a time in which careful policy, rather than great battles, is the chief feature. The Gauls had learnt the power of Rome: Rome had learnt the value of the Gauls, and meant to control them.

238. The grouping of population between Alps and Apennine was roughly as follows. North-West, in the district about Mediolanum (Milan) dwelt the Insubres, the most independent of the Gaulish tribes. Under the middle Alps, about Verona and Brixia (Brescia) were the Cenomani, who had long been on friendly terms with Rome. South of the Po, in the district about Bononia

(Bologna) were the Boii. These were in the direct line of the Roman advance, lying between the frontier-post at Ariminum (Rimini) and the colonies of Placentia and Cremona, founded in 218. The Boii had already suffered much in wars. In 192 we hear that they submitted to Rome, on terms which suggest that the wealthier tribesmen were as usual favoured and thus a Roman party formed among them. The confiscation of half their territory provided room for Roman colonies. The Veneti in the Po-delta and northeastern lowlands were old friends or allies of Rome. They had been very useful in former times, and seem to have been ready to fall into the Roman system.

239. It was clear that the success of a forward movement would add a vast area of rich country to the dominions of Rome. The undertaking made it necessary to provide for the security of the country on two sides where it lay open to attack. The Ligurians were troublesome as raiders; when they sent aid to rebellious Gauls, they were a danger. Hence the Ligurian wars referred to above. On the North-East there was manifest need of a more defensible frontier, if Rome intended to protect the low country of the Veneti. Already the northern barbarians (Gauls, it is said,) were finding their way over the passes of the Carnic Alps. We hear of two parties who came, in 186 and 179, professing a desire to settle peaceably at the head of the Adriatic. This might be the beginning of a great migration, and could not be allowed. The intruders were sent back with no more show of force than was necessary. Rome had had quite enough of Transalpine Gauls in Italy, and it had been rumoured that Philip of Macedon designed to promote a barbarian invasion by this route. It was therefore a precautionary measure when the peninsula of Istria (or Histria) was conquered in 183—181. Roman supremacy was established there, and the control of the harbours was convenient for checking the pirates of Illyria.

240. We must now sketch the course of occupation by which the Romans took possession of Cisalpine Gaul. In 190 fresh colonists were sent to reinforce Placentia and Cremona. In 189 a Latin colony was founded at Bononia. In 187 two important roads were undertaken. One was carried over the Apennine from Arretium in Etruria to Bononia. The other, the famous *via Aemilia*, ran parallel with the range, along the low ground, from Ariminum to Placentia, taking Bononia on the way. There were

thus two alternative routes from Rome to Bononia, and a good military road beyond, connecting Bononia with the fortress commanding the passage of the great river. In 183 the stretch of road from Bononia to Placentia was guarded by the foundation of two colonies, Mutina (Modena) and Parma. These mark a change in Roman policy. They were citizen colonies, but organized on the scale of Latin colonies and designed to fulfil the same purpose. Each had 2000 colonists; each was a new fortress, holding an important line of inland communications. In 181 an outlying fortress was established at the head of the Adriatic, to give Rome a firm foothold in the North-East. This was a step connected with the frontier-policy of the Istrian war. It was Aquileia, a Latin colony of 3000 men, the last of its kind. Since the second Punic war, the increased predominance of Rome in Italy had caused Roman citizenship to be valued for the privileges that went with it, such as the more favourable conditions of military service. This feeling was destined to grow stronger, and to have a great influence on the course of Roman history. It seems to have been already strong enough to create some difficulty in finding colonists willing to settle in new homes on no better terms than the 'Latin right.' But the system of roads and colonies was not the only means employed to consolidate Roman dominion in the Cisalpine. It seems that a real effort was made to conciliate the Gauls by friendly treatment. When a praetor in 187 disarmed the Cenomani, the Senate took vigorous measures to enforce full redress for the wrong, and for once the good intention seems to have been carried out. In 171 a self-willed consul set out on an unauthorized expedition into Illyria, hoping to win glory in the Macedonian war. Recalled by strict orders, he turned upon some Alpine tribes, wantonly ravaging the lands of peaceful neighbours whom it was folly to provoke. Their appeal to the Senate was met with civility and presents, but the author of the outrage eluded punishment. In these episodes we may find traces of Roman policy in the North during the war of conquest in Liguria.

241. In speaking of the war with Antiochus, reference was made to foundation of colonies as one of the means employed to protect southern Italy against invasion by sea. It was in the South that Hannibal had found support among the Italian Allies, and the experience must not be repeated. So in 194 no less than eight

points on the southern coasts were occupied by citizen colonies of the old sort, in which a garrison of Roman citizens became a kind of local aristocracy in an existing town. Of these eight, Puteoli alone was a place of commercial importance. In 193—192 two Latin colonies were added, one of them also on the coast. We have seen that the invasion feared did not take place. What with colonies of earlier date and the Greek Allies, such as Neapolis and Rhegium, the southern seaboard was safe enough. If Samnites or other Allies inland were still discontented, they could at least receive no new deliverer by sea. Rome was determined that neither should a new Hannibal come from the North. It is to be noted that the defeat of Antiochus (190) was at once followed by the foundation of Bononia (189). To keep out all foreign intruders, and to have the undisputed control of the resources of the Italian Confederacy, were the first objects of the Senate, and each helped to secure the other. As in playing off Masinissa against Carthage, as in the policy of balancing and weakening followed in Greece and the East, the ultimate aim was to maintain peace with the least possible trouble and exertion. Therefore, within the ever-widening sphere of Roman influence, no movement could be permitted unless authorized by Rome. Such was the circular argument of imperial policy. Conquest for conquest's sake was not the Roman way. But *pax Romana* was not less costly: it led inevitably to hypocrisies, jealousy, misunderstandings, frictions, wars; and it came to much the same thing in the end.

CHAPTER XVII

EXTERNAL AFFAIRS 167—133 B.C.

242. We are now come to the period immediately preceding that revolutionary century (133—31) which ended by establishing a disguised but effective monarchy. In that age of seditions and civil wars the prominent fact is that the Roman Republic, unable to cure its internal maladies, rent itself, while the subject world passively looked on. It is the present period, in which all the remaining powers that might cause any uneasiness to the governing class at Rome were suppressed, that explains the strange sequel. The weakness of distracted Rome was not the opportunity of the subject peoples, because each unit was too weak to stand alone, while combined action was impossible. Nor was there any imperial power other than Rome by submitting to which they might in despair of liberty at least better their condition. So they waited, not in vain. The same internal corruption that cankered and destroyed the Roman Republic was also at the bottom of provincial extortion and misgovernment ; and when Augustus made an end of corrupt public life in Rome, he at once relieved the suffering of the provinces. We have now to give a short account of the last steps by which the *pax Romana* was imposed on the Mediterranean world, and Romans set free to work their will on the subject peoples.

243. *Macedon and Greece.* The suppression of the Macedonian monarchy was a great blow to a population mainly rustic, whose national unity had been the work of kings and who were quite unaccustomed to self-government. The four republics did not work well. After some years of discomfort and discontent, in 149 a pretender appeared, one Andriscus, who professed to be a natural son of Perseus. He soon drew after him a large

following of men who hoped to restore the kingdom and be a nation once more. After some success at first, he was defeated and captured by the praetor Q. Caecilius Metellus. In 146 the unsatisfactory arrangements were ended by the annexation of Macedonia as a Roman Province. Henceforth it was the department of a Roman governor, but no unnecessary changes were made in the regulations drawn up by Paullus and the commission of 167.

244. In Greece the Achaean League was by far the most powerful state remaining. As such, it incurred Roman jealousy. We have seen how the chief Achaean patriots were deported to Italy, and the Roman partisans were left in power. But patriotism was not extinct, and Achaean embassies pleaded for the restoration, or at least the trial, of the lost leaders. The Senate refused this, and addressed its answers not to the League but to the several members, thus ignoring the federal union and seeking to sow discord in its ranks. And, when Sparta once more began to give trouble, an appeal to Roman arbitration was used as an opportunity of making further mischief. But the League still held together. In 150 the survivors of the exiled 1000, about 300 in all, were allowed to return, mostly embittered by their dreary captivity. Among them was Polybius, who soon felt out of place and returned to Rome. Roman malignity at last produced a violent reaction in the League. The anti-Roman party came into power, and a conflict became inevitable. An obscure quarrel in which Athens was concerned set going other causes of friction in Greece. In 149 an ambiguous decision from Rome left Sparta and the League at war. Rome had just then enough to do in Macedonia Africa and Spain. So the party ruling the League went on their way, heedless of warnings.

245. The defeat of the Spartans did not restore harmony in the League. By 147 the Macedonian rising was put down, and Rome could act freely. A Roman commission arrived, and announced the Senate's orders. The rules and constitution of the League were disregarded, and certain cities, among them Corinth, were no longer to be members of it. At this there was a riot, and the Romans withdrew. A second commission came with a milder message, which was taken to shew that Rome had her hands full in Africa and Spain, and might safely be defied. Meanwhile Metellus drew near with his army from

the North. He tried hard to preserve peace, and continued to do so, even when his envoys were insulted and war declared, nominally against Sparta. The frantic leaders of the League set to work releasing debtors, liberating slaves, and giving over the cities to mob-rule. Their army entered central Greece and was joined by some local allies. Metellus now had to act, and routed them at Scarphea in Locris. While they were raising more troops and reforming their army, Metellus was superseded by L. Mummius, under instructions to make an end of the business. This he speedily did. He utterly defeated the Achaean force at Leucopetra on the Isthmus. Corinth at once fell. The inhabitants were slain or sold for slaves; the city, plundered of its artistic and other treasures, was burnt; the site, long famed as a centre of commerce, was laid under a solemn curse and left desolate.

246. So at last in 146 B.C. the vain pretence of Greek freedom came to an end. It was well it did so, for Greek and Roman notions of freedom could never have been reconciled, and one or other had to go. Ever since Rome became mixed up with the affairs of Greece things had been going from bad to worse. A true Greek nation had never existed, and the growth of great powers had made it impossible for the small to enjoy a real independence. Little republics were unable to stand alone, and the Greek federations were on too small a scale to solve the problem. Roman interference was perhaps well-meaning at first. But it was unintelligent. Selfish motives soon guided it: for many years it had been hypocritical and malignant: to a gifted and sensitive race like the Greeks it was a slow and cruel torture. Compared with this abominable system, the work of Mummius was mercy.

247. The settlement proceeded under a commission in the usual way and on the usual principles. All Leagues were dissolved, and the several communities effectually isolated by allowing no reciprocity of property-rights (*commercium*) between them. The growth of common interests was further checked by differential treatment. While the territory of Corinth Chalcis and Thebes became domain-land of Rome, Athens and Sparta were declared Free States. Athens kept her old island-dependencies of Lemnos Imbros and Scyros, and received also Delos. Treated with indulgence and respect, the famous city was no more in-

dependent than others; hence she was made in form mistress of the Delian free port, Rome wishing to be spared the trouble of administering what in effect was a Roman possession. The mass of the Greek cities were on various footings between these extremes, and the work of the commission was largely concerned with details. Roman precedent was followed in regulating the constitutions under which the cities were still to carry on their local government. Rome would not tolerate democracies swayed by men with nothing to lose, so all franchises were confined to owners of property. We are told that the Greek communities were made subject to a tribute of some sort, but the particulars are not given. It seems certain however that the country was not made into a Province with a Roman governor. It remained a bunch of separate states free or 'autonomous' in the sense that they had local governments and might not meddle with each other. Any questions arising between them were referred in the first instance to the governor of Macedonia, who was thus a kind of standing commissioner for Greek affairs. Rome was the sovereign power, and we may describe Greece as a Roman protectorate.

248. The settlement was not in itself harsh. The oppressions of which we sometimes hear later on were the doing of Roman officials insufficiently controlled by the home government. Indeed we learn that after a time the revival of federal Leagues was allowed (of course as mere shadows), and the restrictions on reciprocal property-rights withdrawn. Nevertheless the Greeks of old Hellas were neither prosperous nor happy. Freedom of action, wise or unwise, was to their little states the very breath of life. Decay had already gone far before federation took a practical form: federation was only partial, and it came too late. Rome freed them from Macedonian control, but was driven to substitute her own. And under control of any kind they could not thrive. Trade had long been declining, and its revival was now more impossible than ever. Economic and political deadness only hastened the decay of literature and art. The Greeks of whose influence Roman life was destined to feel the power were the Greeks or half-Greeks chiefly drawn from the cities of the East. The transition to the new system was somewhat smoothed by the services of Polybius the Achaean. He did his best to explain things to his countrymen and reconcile them to the inevitable. Perhaps no man ever understood the necessities

of his own time better than this worthy and experienced man. But he could do nothing to arrest the withering effects of poverty helplessness and dulness. Athens herself, still the seat of philosophic schools claiming descent from the great leaders of thought, more and more was driven to draw her professors from abroad. As the resort of Roman tourists and students she was able to profit by a steady patronage, the fruit of a glorious past.

249. Among the islands, the great fact is the rise of Delos since it had been made a free port. Merchants flocked there, and the dealings, particularly in the slave-market, became immense. The little island was a centre of Roman financial and trading companies, and the influence of capitalists in Rome, interested in these operations, probably had something to do with the destruction of Corinth. But, while Delos was the scene of an unwholesome 'boom,' the commerce of Rhodes declined. The time was now near at hand when Rhodes would be more famous as a centre of culture and rhetoric than as a naval power. This had one very serious consequence. The Rhodian fleets had been the most effective protectors of sea-borne trade, and Rome made no provision for the performance of this duty. Hence came the monstrous growth of piracy, of which we shall speak below.

250. Of the kingdoms, Pergamum was ruled by Eumenes till his death in 159. His brother Attalus II, who succeeded him, was more in favour with the Senate, and ruled prosperously till 138. He sent a contingent to the Achaean war, and was rewarded with a dole of the spoils of Corinth. After him his nephew Attalus III, a poor creature, reigned till 133. We may look forward so far as to note that, having no successor, he bequeathed his kingdom to the Roman people. Whether his will was made under Roman influences is not certain. But the Province (called *Asia*) made out of the Attalid kingdom at once became the sphere of extortions and iniquities even beyond the ordinary standard of Roman misrule. For the present Pergamum was a centre where art, and in some degree literature also, flourished under royal patronage.

251. The Bithynian kings, a dynasty of doubtful inclinations, were watched by Rome. They were a factor in the balance of power. To the East of Bithynia was the growing kingdom of Pontus. The reigning king Mithradates III (169—100 B.C.) was on friendly terms with Rome, and he too had a place in the

balance-scheme. The king of Cappadocia, Ariarathes V (163—130), was also a 'friend.' It was his misfortune to become involved in the wars of succession now chronic in the neighbour-kingdom of Syria, and to suffer losses thereby. Of the Galatian tribes we hear little in this period. It was in wars that they chiefly made their mark as mercenaries, and wars in Asia Minor were less frequent, owing to the policy of Rome. It should be observed that in the kingdoms of this part of the world Hellenism was gaining ground. Both on the coast and inland, cities with Greek institutions and populations partly Greek were prospering greatly under the favour of the kings. Greeks were in demand, for it was seen that no other race could match them in the intellectual gifts necessary for success in peace or war. These cities, whether old colonies from the free-states of Hellas or royal foundations of Alexander's Successors, were nearly all merged in this or that kingdom. But they generally enjoyed a good deal of freedom in local government, seldom interfered with so long as their allegiance was secure.

252. The importance of the Greek cities in Syria (including eastern or 'Iber Cilicia) has been referred to above. Their loyalty was now the mainstay of the failing Seleucid dynasty. We need not follow out the wearisome tale of disorders and the succession of kings unfortunate illegitimate or incapable. Suffice it to note that the average length of reigns, which between 312 and 187 B.C. had been nearly 21 years, between 187 and 129 was just over 7 years. The Senate watched this kingdom carefully, and for a good many years required a prince of the royal house to reside in Rome as a hostage for the good behaviour of the ruler of Antioch. On the death of Antiochus IV (Epiphanes) in 165 a significant incident occurred. The Senate would not let the hostage-prince Demetrius go to claim the throne, but recognized a child, son of Epiphanes, as Antiochus V. Thus they claimed to determine the succession, meaning no doubt to weaken the Seleucid kingdom. But this made the Syrian minister Lysias the real ruler, and he began to raise forces beyond the scale fixed in the treaty of 189. Commissioners were then sent to upset these arrangements in the interests of Rome. They went without an armed escort, and the majesty of Rome proved to be no sufficient protection. One of them was killed in a riot. An embassy of apology was disregarded.

To avenge the outrage by war was out of the question, owing to the distance, so the Senate waited. But in 162 Demetrius escaped from Rome and seized the crown, which he held till ejected in 150 by a pretender encouraged by Rome. The story is a good illustration of the Senate's policy. Whoso dared to defy the sovran power must be punished, but patience and diplomacy were less costly and embarrassing, while generally not less effective, than a resort to arms.

253. It may be well to refer here to the growth of another power in the further East, destined to give Rome much trouble in later times. This was the Parthian kingdom. In the middle of the third century B.C., when the empire of Seleucus was losing provinces in central Asia, this monarchy was founded in the rebellion of Arsaces. Under Mithradates I, the present Arsacid, the Parthians had been working westwards, occupying the provinces temporarily¹ reannexed by Antiochus III. The Seleucid kingdom in this period was thus a mere remnant. In Judaea its authority was being extinguished by degrees. The High Priests of Jerusalem took advantage of the disputed successions at Antioch, and of the wars between Syria and Egypt for the possession of the 'hollow' Syria. At last the Jewish tribute was redeemed by payment of a capital sum to a needy king, and in 141 the expulsion of the Syrian garrison from the citadel left Jerusalem free. Antiochus VII reconquered it for a moment, but the Jews remained practically independent after 129, on friendly terms with Rome, for more than 50 years. So this small people, nerved by their religion, made a stout resistance to the hellenizing influences promoted by Seleucid kings.

254. In Egypt under the degenerate Lagids Greek influence was declining. The contests of two brothers, Ptolemy VII Philometor and Ptolemy VIII (or IX) Euergetes II compose the story of the royal house. The latter, best known by his nickname Physcon (fat-belly), was an unscrupulous and cruel monster. The kingdom was virtually protected by Rome, as we saw above. To Rome the brothers in turn appealed, and the Senate decided in accordance with what were held to be Roman interests. The old game was played again. A partition was made by restoring Philometor to Alexandria, and giving the outlying provinces of Cyrene and Cyprus to Physcon. In 146 Philometor perished in

¹ See § 188.

a Syrian war, and Physcon reigned over the whole kingdom till 117, countenanced by Rome. He knew how to keep the favour of greedy Roman nobles, and quenched in blood the hatred of the Alexandrines. To support his tyranny he relied mainly on the native Egyptians, whose priests he conciliated, and on mixed foreign mercenaries. Such, under Roman protection, was the kingdom of the Lagids.

255. *Africa.* Let us now turn to Africa, that is the middle part of the northern coast-lands of the great southern continent, the part once dominated by Carthage. The present Punic territory was now only the block of land about 300 x 200 miles in extent, the old Home-province of Carthage, and a long strip of seaboard to the East. But the loss of empire had not ruined Punic commerce, and rumours of Carthaginian wealth kept alive the jealousy of Rome. The Senate might dally with other dangers; the vitality of Rome's old rival was sleeplessly watched. The merchant princes had sacrificed Hannibal, and their subservience to Roman dictation would go almost any lengths, if they could but be suffered to enjoy their wealth in peace. But we have seen how Rome connived at the constant encroachments of Masinissa. Commissions came in answer to Carthaginian appeals, but the word that would have restrained the Numidian was never spoken, and so the persecution was not abated. The commission of 157 included the vigorous and prejudiced Cato. Himself a close-fisted man of business, he came home deeply impressed with the evidence of the vast resources of Carthage, and convinced that the safety of Rome was thereby directly menaced. So he ceased not to clamour for the destruction of Carthage. Less narrow-minded opponents delayed open action for a time. The old methods were still employed. The pressure of Masinissa grew worse and worse. In 152 the Punic government began arming to resist him. The report of this soon reached Rome, and Cato, backed no doubt by greedy capitalists, eager to exploit a rich country and to rid themselves of commercial rivals, insisted on war. On the return of a commission sent to verify the report, orders were sent to Carthage that they must disband their army and burn their fleet. Meanwhile Rome still waited.

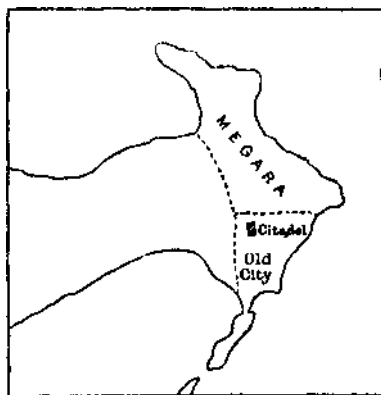
256. In 151 the Carthaginians, perhaps emboldened by Roman dallying, began war with Masinissa. In 150 Rome declared war. Utica, the oldest of the Phoenician cities in Africa,

now went over to Rome. It ~~was~~ hopeless to fight against both Masinissa and Rome, so Carthage sued for peace on any terms. In 149 all the Punic war-material, arms etc., a vast store, was handed over to the consuls of the year when they reached Utica. By thus complying with orders Carthage was left helpless, for to raise great mercenary forces was no longer possible as of old. Then came the final order: the city must be destroyed, and the population removed not less than ten miles inland. It is said that they numbered 700,000. Only the trade of Carthage could support such a number, and the trade depended on the advantages of the present site. The cruel order was a mere pretext for the destruction of Carthage. Our information as to the so-called third Punic war all comes from the Roman side, and it seems certain that the Roman government had from the first resolved to shew neither scruple nor mercy.

257. Semitic peoples driven to bay have more, than once made a surprising stand against fearful odds. About 200 years earlier Alexander tasted their mettle at the siege of Tyre, as Titus was to do about 200 years later at Jerusalem. We need not follow in detail the story of over-confident and bungling consuls. The Carthaginians by supreme efforts made shift to forge new weapons and build new engines and a new fleet. They even raised a new field army in place of that lately defeated by Masinissa. Their cavalry scoured the country and kept open a route for the entrance of supplies by land. No impression could be made on the great city walls, and the Roman operations consisted chiefly in blunders retrieved by a military tribune, in whom alone the army found a competent leader. This was P. Cornelius Scipio Aemilianus, son of Aemilius Paullus, adopted by the son of Scipio Africanus. It was not only as a soldier that his presence was important; from Africanus he inherited the connexion of the Scipios with the royal house of Numidia. His young brother-in-law Tiberius Sempronius Gracchus distinguished himself greatly in the later course of the siege.

258. Old Cato did not live to hear of the fall of Carthage. In 149 he died; also Masinissa, in extreme old age. The king left to Scipio the charge of apportioning his kingdom among his three sons. This Scipio did, not by dividing the territory, but by a separation of functions. One was to have Cirta the capital **and** the dignity of a general presidency, another the administra-

tion of justice. But the command of the army was assigned to Gulussa, the prince who had already shewn marked attachment to the cause of Rome. Thus the award of Scipio was guided by Roman interests. In the conduct of the war too he performed many services. The new consul commanding in 148 was as ineffective as his predecessors. Hope revived in Carthage, while Rome was now preoccupied with the troubles in Macedonia and Greece, and with the rising in Spain. Punic envoys were sent to stir up disaffection in Numidia and elsewhere. The situation was getting worse, and some practical step was clearly needed. So when Scipio returned to Rome men looked to him as the natural commander against Carthage. He stood for the aedileship, being under the existing rules not of age for the consulship. But in this emergency means were found to suspend the rules, to elect him consul for 147, and to entrust him with the charge of the Punic war.



Outline of Carthage.

259- Under Scipio the siege of Carthage began in earnest. The first thing was to clear the Roman camp of non-combatants and restore the discipline of the army. After this, the quarters of the city were to be attacked and captured one by one. The taking of Megara, the great garden-suburb, drove the defenders back into the old city, but they still had plenty of room. Hasdrubal the Punic general, by torturing his Roman prisoners to death in view of both armies, confessed that nothing remained to them but a resistance of despair. Scipio cut off the supply

of food by land, and by sea blockade-running was difficult and uncertain. So the besieged began to suffer famine. The next move was to close the harbour mouth by an artificial dam. This was met by cutting a new entrance, opening into the sea at a different point. But when the Punic fleet came out (no doubt at a great disadvantage from want of training) it suffered defeat. Meanwhile Scipio won and kept a footing on the sea front, commanding the harbour. In the winter 147—146 he destroyed the remains of the Carthaginian field army. The starving multitude in the city was all that was left of the once imperial Carthage.

260. In 146 Scipio was kept on as proconsul to finish his task. After the old commercial quarter of the city was seized, the Romans fought their way up to the Byrsa or citadel, taking houses one by one in a slow progress of looting burning and awful, carnage. A remnant (50,000, it is said) now surrendered, and the Byrsa was occupied. In the temple of the healing god Eshmun, on the summit of the hill, a body of Roman deserters (probably not Roman citizens), aware that they could expect no mercy, made a last stand. Hasdrubal left them and went to beg his own life. So they set the temple afire and perished. Scipio had done what he was sent to do. As he looked out on the ruins of the famous city, Polybius heard him quote some lines of the Iliad, foretelling the fall of Troy. This was not the expression of triumph or remorse: it was that his mind misgave him as to the future of Rome.

261. In dealing with the booty, the sale of captives was held as usual, and the proper share of spoils reserved for the Roman state. But there were found in Carthage a number of marble statues, carried away from Sicily in old wars. These Scipio restored to the cities that had formerly owned them, thus winning the hearts of the island Greeks, and proving that the Greek culture of his youth had not been in vain. And now the usual commissioners arrived from Rome, and the settlement of the conquered territory began. It became a Province, under the name of Africa. The various towns were rewarded or punished by gain or loss of lands,_v according to the parts they had taken in the war. Utica received special privileges, and became the chief city of the province, a centre frequented by Roman financiers and merchants. The site of Carthage was cleared and left desolate

under a solemn curse. The restrictions on reciprocal property-rights were probably of the same character as in Sicily, favouring the gradual transfer of landed property to Romans. The great estates of Roman landowners were a marked feature of this province in later times. Tillage by slave-gangs on the Carthaginian model was the normal form of agriculture. The governorship of Africa was one of the prizes of Roman public life. The provincial tribute took the form of a fixed impost (*stipendium*) which at all events relieved the subjects of the irregular extortion practised under a system of tithes.

262. *Spain.* As in the last period, the Spanish difficulties of Rome illustrate most forcibly the differences of East and West. In Spain the tribal units were warlike, but numerous and small. Each one could only answer for itself, and Roman supremacy, implied in the creation of Provinces, rested on the power of the sword. Romanization had as yet not gone far, and the difficulty of providing armies for a hated service stood in the way of a bold and thorough conquest. So Roman policy, temporizing and hesitating elsewhere, was naturally not less so in Spain. In the present period the results were disastrous. The great Celtiberian and Lusitanian wars were sheer waste of energy, provoked and protracted by the misdeeds and incapacity of Roman officers, conducted with shameless treachery and barbarity, and ended without glory. The occasional successes of better commanders were again and again cancelled by the utter failures of commonplace nobles to whom the cause of Rome was entrusted. Exhaustion and tardy alarm at last compelled resort to the services of a picked man. After his horrible victory the bulk of the peninsula recognized that the disunited tribes were no match for the power of Rome firmly applied. Rome too had learnt a lesson, and the abuses of provincial administration were nowhere more effectively checked than in pacified Spain.

263. The wise and conciliatory policy of Gracchus in 179 kept the country generally quiet for some 24 years. But then fighting, and Roman defeats, began on the Lusitanian border. In 153 the great Celtiberian rebellion broke out in central Spain. Thus both the Further and the Hither province were involved. In the latter case the right to fortify towns was in question. The views of natives and Romans as to the treaty of Gracchus differed, and war followed. That the matter was taken seriously at Rome

appears from the appointment of a consul to command, of course with a full consular army, and from the recorded fact that the change, by which the consular year was made to begin on the first of January, belongs to this date and was connected with the Spanish rising. The consul of 153 failed; his successor did better, but the Senate rejected Spanish overtures for peace. In 151 the consul L. Licinius Lucullus was sent with more troops. But these had been raised with great difficulty, and there were grave collisions between consuls and tribunes over the levy in Rome. We are told that the patriotic offer of Scipio Aemilianus to serve as military tribune overcame the reluctance of men of position to volunteer as officers, and so the trouble ended: but this story is doubtful. In the field Lucullus was no bad specimen of a consul of the period, wantonly attacking natives, granting them terms, and butchering them in defiance of his pledge. After a fruitless campaign he had to withdraw his suffering army to winter quarters further south. Galba the praetor in Further Spain had also fared badly. In 150 the two, now proconsul and proprætor, joined in attacking the Lusitanians, on whom they avenged their previous failures. Both acted with brutal cruelty. Galba made a treaty with the barbarians under promise of finding lands for them, divided them into three bodies, disarmed them, and cut them to pieces. Such was Roman faith in these days; as in Liguria, so in Spain. And these two ruffians escaped punishment. Lucullus was not even impeached. Galba was brought to trial, but by bribery and appealing to the pity of the court he escaped, and was consul five years later.

264. Viriathus, a Lusitanian shepherd, had escaped the massacre, and in 149 we find him heading the great rising of his people which taxed the utmost energies of Rome for nearly ten years. For some four years his success was unbroken. He kept to guerrilla warfare, avoiding sieges and pitched battles, and ranging with his mobile forces over a great part of Spain. But to effect a concerted war of liberation was beyond his power. The Spanish tribes were too divided, and some even furnished contingents to Roman armies. After 146 the Senate, having settled matters in Greece and Africa, resolved to deal more thoroughly with the problem of Spain. Henceforth we find consuls or proconsuls employed with full consular armies, and Viriathus was somewhat checked. Yet he was able to raise a

rebellion among some Celtiberian tribes. Thus began the ten-years Celtiberian war (143—133), to which we will return in speaking of Numantia. Still the noble generals could not beat the shepherd-chief. Failure barbarity and breaches of faith continued to be the Roman record. But to keep his guerrilla bands together was not easy for Viriathus, and the consul Q. Servilius Caepio was more successful. But treachery was more effective than arms. Under cover of sham negotiations, he found a traitor in the patriot camp, and procured the murder of Viriathus. This exploit soon led to the submission of the Lusitanians. And now the plan tried in the later stages of the Ligurian wars was tried in Spain: a number of the surrendered enemy were transplanted to a district on the east coast. This more humane policy was carried out and continued by the consul D. Junius Brutus, who came in 138 and ruled the Further province for several years. By putting down resistance in Lusitania, and by defeating the Callaici of the far North-West, he taught the natives that they must bow to the yoke of Rome. By treating them with mercy and good faith he laid the foundations of a better state of things, so that Roman civilization could spread in peace.

265. Meanwhile the Celtiberian war dragged on. Some years were more disastrous than others. If the Roman commanders were maligned, the slanders come to us on Roman authority. At all events from 143 to 135 we have a story of utter failure. As early as 140 the war, fruitless elsewhere, had centred on the siege of Numantia, a fortified stronghold the capture of which was expected to break down the resistance of the rebel tribes. Not only was the siege raised in consequence of Roman losses: a treaty was made with the Numantines (and carried out by them), only to be repudiated by the proconsul who made it, and ignored at Rome. A hypocritical proposal to hand him over to the enemy was foiled. Again in 138 we hear of the difficulty of raising troops for this miserable war, and a renewal of quarrels between consuls and tribunes. In 137 the consul C. Hostilius Mancinus did even worse than his predecessors, being routed by a Numantine force less than $\frac{1}{7}$ of his own. He only escaped utter destruction by a treaty guaranteeing the independence of Numantia. Even this was only granted on the faith of his quaestor, young Tiberius Gracchus, son of the good governor of 179, for the consul was not trusted. The treaty was of course

repudiated, and this time Mancinus was actually exposed half-stripped between the opposing lines, and left for the enemy to take. But they would not have him, and after a day of suspense he was fetched back. It was a shameful business, but strictly in order from the legal point of view. What interested later generations of Romans was the question whether he had or had not lost his rights as a Roman citizen. For the present a law passed in his favour served to cut the knot.

266. In 136 and 135 no progress was made: indeed the state of the army made progress impossible. The camp was full of disorderly non-combatants, and a strong hand was needed to restore discipline. Yet the country in general was quieting down, thanks to the work of Brutus in the West. In Rome there was indignation at the gross mismanagement of the war, so the Senate had to give way and employ a man chosen for his efficiency. Once more Scipio was called upon to retrieve the failures of others. Once more a constitutional rule (against reelections) was suspended, and he was elected consul a second time for 134. His charge was to destroy Numantia, and by this object-lesson to clear the ground for a permanent settlement of Spain. The first business was to purge and reform the army. This he did thoroughly. In his unpopular duty he found it well to have a bodyguard, which was furnished by a corps of volunteer friends and dependants, about 500 men, personally attached to him. He had also some contingents sent by allied states and kings. Some Spanish levies were employed later, when discipline had been restored. After training his soldiers in a short campaign, he sat down to reduce Numantia by famine. A complete circuit of works blockaded the town, and its fall was only a question of time. His forces seem to have outnumbered the enemy by about eight to one. As Rome was resolved to be mistress in Spain, this great clumsy effort was in truth less cruel than the vacillations of the past, certainly not unwise.

267. Scipio had with him several remarkable men. Two of his military tribunes, P. Sempronius Asellio and P. Rutilius Rufus, afterwards wrote histories of the war. Of the latter we shall hear again. In the cavalry was G. Marius of Arpinum, famous as a soldier in later days. C. Gracchus, younger brother of Tiberius, served with credit; Tiberius was in Rome. Polybius too may have visited his patron's headquarters. In command of

the Numidian contingent was the vigorous young prince Jugurtha, who distinguished himself greatly. In the company of young Roman nobles this ambitious man listened to the scandalous gossip of Roman corruption, and learnt to fancy that it was possible, purse in hand, to defy the whole power of Rome. This was so nearly true that it was a dangerous delusion. For fifteen months the weary siege dragged on: inside the town it was a time of horrors, ending in cannibalism. But the thing was done at last. The Spanish tribes bowed to their fate, and there were no more great rebellions in Spain. A regular settlement followed in the usual form. The tribute was a fixed impost. Roads opened up the country, Roman civilization effected the real conquest so long and wastefully delayed. Roman capital developed mines and other resources. Spanish soldiers served in Roman armies. In short, from the time of Brutus and Scipio Spain was on its way to become one of the most Romanized and prosperous parts of the Roman empire.

268. In northern Italy things were a stage further advanced than in Spain. Only small local outbreaks interrupted the progress of Romanization now and then. Roman supremacy was no longer in question, though the Ligurians had still to be watched. In the years 156—154 we find Roman forces engaged beyond the frontiers both East and West. The necessity of controlling the Adriatic led to a Dalmatian expedition, and the chastisement of these barbarians checked their raids for a time. On the other side, Rome's old ally Massalia was troubled by Ligurians, who descended on the Massaliot territory along the coast and did much damage. A campaign conducted by Q. Opimius, consul 154, put an end to this annoyance. This little war is worth notice as the first step in the Roman advance towards Transalpine Gaul. But Rome annexed no territory. In 148 a practical measure was undertaken by the consul Sp. Postumius Albinus. This was the *via Postumia*, a road connecting Genua on the coast with Placentia on the Po, by way of an Apennine pass. For facilitating military movements this connexion was most important. The real trouble remaining in these parts arose from the presence of consuls with armies in the Cisalpine. They had no regular war to occupy them, and were tempted to seek cheap glory and triumphs by getting up quarrels with Alpine tribes. The case of a Claudius, consul 143, who attacked the Saiassi in the North-West on a pretext connected

with a watercourse and some gold-washings, was thought a scandal. But, so long as the Senate could not effectively control commanders of armies, such misconduct was liable to happen. And northern Italy was not under an ordinary provincial governor. It was an appendage to Italy proper, and as such it naturally came under a consul. With the consulship a man reached the goal of his ambition, and it became no easy matter to control him. So ineffective, under the Roman constitution, were the means at the disposal of the government.

269. We have now reviewed the last steps by which the Roman nobility and capitalists cleared the ground for a career of monstrous tyranny and extortion. That Roman society and Roman government were inwardly rotten, we shall presently see. But conquest went on nevertheless. We have seen, and shall see, the peoples used to effect each other's subjection, or even their own. As in Italy, so on a larger scale abroad, to isolate and so to rule was ever the guiding principle of the policy of Rome.

CHAPTER XVIII

INTERNAL HISTORY 201 — 133 B.C.

270. In the foregoing chapters we have often met with signs of a change for the worse in the Roman commonwealth, and it has now and then been necessary to call particular attention thereto. In the story of the next period we shall find Roman public life carried on under conditions widely differing from those under which Rome bore the strain of the second Punic war. From the peace with Carthage in 201 to the destruction of Numantia in 133 we have traced the development of Roman policy abroad. Looking back over this period, we have seen the Roman system prove itself superior to opposing systems of two clearly-marked types. Where local independence was the rule, neither barbarian tribes nor small Greek unions could stand against the force of the centralized Italian confederacy. That force was too great, if used in earnest by the great Head of Italy. In the case of great kingdoms, Rome's easy victories were largely due to the exercise of intelligence and sound appreciation of facts. The truth of things seldom reached the ears of autocrats, unpalatable advice was scorned, and the personal bias of a king generally corrupted his own judgment. In the Roman Senate there was a store of experience, such as no king could acquire on any terms. There was a continuity of policy, such as no dynasty of hereditary rulers could long maintain. Lastly, in an age when it was hardly possible for states to live side by side on an equal footing, when ¹ 'eat or be eaten' was the unconfessed rule of international practice, the fears of the weaker powers exercised a marked influence. The warnings and information that poured into Rome kept the Senate well supplied with the materials for forming a judgment, and enabled it to employ the resources of diplomacy with effect. Yet

with all these advantages the imperial progress of Rome was far slower than it might conceivably have been. Truth is, the obstacles abroad were trifling compared with those at home. The Roman government, though better adapted than others to face the struggles of an age of conflict, was already suffering from diseases both political and social. Let us review briefly the inner history of Rome from 200 to 133 B.C. We shall see enough to explain how it was that the great republic could neither conquer with a wise economy of effort nor rule her subjects with justice and decency.

271. *The working of the constitution.* Rome had no system of written constitutional laws. Certain changes had in the past been made by statute, chiefly under popular pressure acting in Assemblies led by tribunes. But for more than a century this pressure had been becoming weaker and more fitful, and had now practically ceased. The tribunate survived mainly as an organ of the Senate. The Senate, once a council of picked men chosen by the censors on the ground of official position or merit otherwise attested, was fast becoming a close body of nobles; for those members who were not magistrates past or present nearly all belonged to noble families. And the Senate was now virtually the Government. Aristocratic bodies always tend to close their ranks against intruders and to aim (more or less imperfectly) at equality within their own circle. The distinction of Patrician and Plebeian had now no political importance. In 172 both consuls were Plebeians, and the same was often the case later on. The line of division in the community was more nearly that between Rich and Poor. But the Rich were now forming two distinct classes. Senators, debarred from openly taking a part in commerce, were in the main a landholding aristocracy. Beside them were a number of non-noble capitalists. This class, long existing in Rome, carried on banking, money-lending, and speculation in various enterprises of a financial kind, particularly in state-contracts. In this period these men became more numerous. The growth of empire added to their opportunities. Wars found employment for army-contractors and slave-dealers, and in newly-annexed countries land-speculators and moneylenders reaped a golden harvest. In Rome their influence was on the rise, largely owing to the increase of the companies or syndicates (*sodetates*) referred to above. Through these a host of smaller capitalists were able to share in the profits of exploiting enterprises that would other-

wise have been beyond their reach, without being obliged to travel in search of investments. And these men had votes.

272. In speaking of the rapid growth and organization of a capitalist class, who in the next period became a recognized Order, we are touching on a great economic and social change that passed over Rome and a large part of Italy. Whence came the funds that enabled men to start as investors in a small way of business? Once started, most Romans, keen in money-matters, were well able to make their capital grow. Two sources may be suggested, from which original small nest-eggs were probably derived. First, the profits of military service. There is good reason to think that even in the field the soldiers of this period often amassed considerable sums, and there were generally some pickings on the occasion of a triumph. We even hear of money carried on foreign service to be used in loans at interest. Second, the sale of small holdings of land. We know that the formation of large landed estates was going on in several parts of Italy, and that this process consisted partly in the big landlords buying out the small. The wide estates (*latifundia*) of the new style were tilled by gangs of slaves; the grazing business employed slave-herdsmen. The free small farmer was in large districts (such as most of Etruria Lucania and Apulia) unable to compete with large-scale husbandry. But there was a growing market for slaves, and the soldier who received a slave or two as a reward after victory could always get cash from the dealers who followed the army. The dealers in slaves would themselves usually be old soldiers, or ex-farmers, or both, and would be either speculating on their own account or agents for a syndicate in Rome. In any case the dealers' profit was doubtless great. To many men these openings for acquiring a competence would be irresistible, compared with a farmer's life, always hard and now unremunerative. So the old principle, that the citizen was a soldier who served for duty's sake and then returned to rural life, was now an obsolete theory. We have seen that the attempt to enforce an old-fashioned military levy was at times attended with serious difficulties. Italian Allies could be employed in the less attractive campaigns. When a better prospect offered itself, the Roman citizen was ready to come forward as a mercenary volunteer.

273. Another great change, silent and continuous, not effected by any one deliberate act, was upsetting the balance of

the constitution. The Assemblies were becoming less and less the genuine mouthpiece of the Roman people. Roman citizens were in this period more scattered than of old. Numbers went off to the new citizen colonies founded in northern and southern Italy at great distances from Rome. These would probably be men rather above the average in energy. But they could seldom attend an Assembly in Rome. Nor should we forget that a large number of citizens were at any time absent on service or on their own occasions abroad. Meanwhile the mass of those at any time within reach was becoming less and less fit to represent the views of the whole citizen body. The lazy and thriftless tended to drift into Rome and stay there, enjoying privileges and perquisites denied to the rustic folk. The more their numbers grew, the more it was the interest of the ruling class to keep them in good humour, for they at least were always able to use their votes at elections. After the second Punic war it had not been easy to induce refugees to return to rural life, and the effect of changes in agriculture was to send a steady stream of rustics into the city, the less capable of whom remained. As these immigrants were still registered in their original Tribes, it was not merely the four city Tribes in which these city residents voted. Thus the formation of an urban mob, ignorant and fickle, went on apace, and this mob tended to become more and more corrupt. But the mob was further recruited from sources not Roman. The great rise of Rome had made the full Roman franchise an object of desire to the Latin communities, hitherto content with their local freedom. They now saw Romans gradually monopolizing imperial privileges, and leaving to them the greater share of the burdens. Hence enterprising Latins often migrated¹ to Rome, and sometimes succeeded in passing themselves off for Roman citizens. Moreover there were a number of freedmen, and they were increasing with the increase of slaves.

274. Neither the Latin immigrants nor the citizens of servile extraction were necessarily paupers. It seems probable that the pauper element was in this period mainly Roman by birth. But the two non-Roman elements were themselves very different in their political character. The Latins represented the claim of the Italian Allies (the mainstay of Roman power) to be placed on an equality with Romans. The freedmen were aliens. They

¹ See §§ 82, 283.

had no Italian traditions, and their connexion with Rome was a purely personal one. Their former owners, to whom they owed their emancipation, would all be men of property, and to them they owed allegiance according to all-powerful custom, to some extent even by law. Now we must bear in mind that the rule of the Senate was a fact, not a right. It was the effect of causes that we have considered above, not of a statute. The Assembly alone could legislate; indeed to its power there was no limit, for there was no means of challenging its decisions other than the discovery of some religious flaw in the proceedings. Therefore the nobles who controlled the Senate had to manage the Assembly, or lose the direction of affairs. In general, their control of the tribunate was enough for the purpose, but this could not always be relied on. From their point of view it was most important to see that the Assembly was amenable to their influence. This could only be done by watching the composition and organization of that body. There were two questions, (*a*) to whom should the Roman franchise be granted (*b*) in what Tribes should new citizens be enrolled.

275. Now the attempts made to answer these questions were the chief constitutional movements of this period. It is characteristic of the Roman system that these attempts were not made in a series of laws but in the action of various censors. Very little legislation took place on such matters. Every five years the censors had to decide whom they would recognize as citizens and in what voting groups they would place them. This then was the period in which the censorship reached the height of its importance. It was the organ of the senatorial nobles, by which they (or the party at any time dominant among them) strove to model the citizen body in accordance with their own interest. Therefore we find none of the old irregularity in the periodical revision. From 199 to 154 the succession of censors is perfectly regular at intervals of five years, and even then it was only interrupted for a moment. The policy of various censors differed widely, but the general tendency continued, corresponding to the general course of the influences prevailing at different times in public life. There was ebbing and flowing, but the ebbing of old-Roman principles was on the whole stronger than the flow. In the long run the practice of the new school prevailed. Perhaps nothing could have prevented the formation of a Roman mob,

such as we find it in the next period. At all events the censors did not prevent it, nor was their policy, so far as we can trace it, likely to do so. In dealing with the freedmen, the new school were lax. Their bent was to put these easily-influenced voters into any of the 35 Tribes, that the Assembly might be more easy to control. The reformers, starting from old Roman¹ principles, strove to confine citizens of servile extraction to the four city Tribes, that their votes might have less weight. But on the question of the Latins both schools agreed. To the new school the intruders were unwelcome, as being men on the average more independent than suited the nobles bent on monopolizing power. The reformers, led by Cato, took a narrowly legal view. The relations between Rome and the various Italian Allies were defined by treaties. A bargain was a bargain, and to make any allowance for change of circumstances was no doubt too statesman-like a policy for these well-meaning men. So both parties watched the Latin intruders and did their best to exclude them.

276, It is not possible in the space at disposal to discuss the proceedings of the several pairs of censors, so far as we know them from our fragmentary record. But we can hardly omit altogether the two notable censorships of leading reformers. The failure of the attacks on Vulso and Nobilior in 187, and the disgrace of L. Scipio, shew² the discontent then prevailing and how it was thwarted. The old-Roman party gained strength for the moment, and in 185 they were able to get Cato and his friend L. Valerius Flaccus elected censors for the next year. The result was a census carried out with a severity long unknown. The Senate was purged of its unworthy members. The interests of the state were firmly guarded in the letting of contracts. In valuing citizens' property, liable to taxation in the event of war, luxuries were assessed at ten times their market price. It is most probable that they admitted freedmen to the four city Tribes only, and excluded Latins—of course when detected. It is clear that a reform-movement undertaken in so unbending a spirit was likely to provoke a reaction. And the work of one census was only in force till the next. So the censorship of Cato, a byword for priggish self-righteousness, was productive of no permanent effect. Things slipped back into their former groove, and a spell of slackness at home was accompanied by grave scandals in the wars

¹ See § 111.

² See §214.

abroad. It was during the war with Perseus that the old-Roman reformers once more came to the front. In 169 C. Claudius Pulcher and Tiberius Sempronius Gracchus were censors. The latter was the man who had done good service in Spain and elsewhere. Both were strong men: we have seen¹ how they used their censorial powers to overcome the difficulties connected with the military levy. In the work of revision they were severe. But an attempt to get rid of jobbery in letting the state contracts soon brought them into violent collision with the now powerful class of capitalists, backed by a tribune. After a bitter quarrel, the censors were accused of high treason (*perduellio*) before the Assembly of Centuries, and only the exertions of leading nobles and the personal popularity of Gracchus procured their acquittal.

277. Here we get a glimpse of the political situation in Rome at this time. Senate and censors defeated capitalists and tribune, but with great difficulty. The mass of poor citizens had to decide the issue, though the voting was by Centuries, not by Tribes. For the moment they decided in favour of the nobles. But it was clear that their support could not be relied on, and the need of care in controlling the composition and organization of the citizen body was unmistakeable. Accordingly the censors made a distinction between the wealthier and poorer freedmen. The former they admitted to any of the 35 Tribes, the latter to only one of the four city Tribes. Detected Latin claimants they excluded altogether. But their work was short-lived. After the victory of Pydna Rome seemed so secure that reformers could not get a sympathetic hearing. In the race for wealth and luxury men disregarded the principles and practice of old Rome, and censorial vigour died away. There were those who saw and lamented the demoralization of the age, and confessed that corrupt and unpatriotic Assemblies were a grave danger. Such was Scipio Aemilianus, censor in 142. It is said that in closing the purification (*lustrum*) he prayed the gods to keep Rome safe, not (as in the usual form) to make her greater. Nor was this a groundless pessimism. The Roman constitution had hitherto only been made to work through the high moral qualities of the people. Wise concessions made in time had brought good new blood into the citizen body and bound all together in a common patriotism. Now, in the full flush of Roman greatness, a jealous

¹ See § 221.

exclusiveness prevailed. The ruling nobles wanted to share public offices among themselves, and to shut out the lower orders. The mass of citizens, loth to share their advantages with others, were less and less willing to see the franchise granted to the Italian Allies,

278. To begin with the nobles. It was their aim to prevent young men of their own order from rising too fast and so overtopping their peers, and to shut out 'new men' from office (at least from the consulship) altogether. The latter object had to be achieved mainly by the steady pressure of influence, but it would no doubt be helped on by attaining the former. Existing custom enjoined the leaving of an interval between the tenure of one office and the next. The ordinary course of honours (*konores* = offices) was quaestor aedile praetor consul. But there had been cases, such as those of Scipio Africanus and Flamininus, in which the steps of office had been partly skipped by men of mark in special circumstances. To stop this it was at length found necessary to resort to legislation. In 180 the 'law of years' (*lex annalis*) was carried by the tribune L. Villius. It enacted a regular statutory scale of eligibility. After ten years of liability to military service (17—27), a man could hold the quaestorship at 28, the praetorship at 31, and the consulship at 34. If after the quaestorship he became aedile, he might hold it at 31. Then he might be praetor at 34, and consul at 37. Thus between any two offices there was to be a minimum interval of two years. The aedileship was an optional step in the course, for there were only four aediles, not enough to supply candidates for the six praetorships. But the office of aedile was becoming more and more identified with the duty of providing for the games or shows (*ludi*) in which the idle populace delighted. The state allotted funds for the purpose, but more and more was expected, and ambitious men found it worth their while to win popular favour by lavish outlay from their own purses. Thus the road to the consulship was generally a costly one, and the extravagance of those who meant to compete later for the highest honour was a chief cause of Roman iniquities abroad. For empty purses were to be refilled at the expense of the subject world.

279. The *lex Villia* long remained in force, suiting as it did the convenience of the great majority of the class interested. To hold each office in a man's 'own year' (*anno suo*), that is at the

earliest lawful date, became an object of ambition. But there was the further question of reelections. An old law required an interval of ten years between two consulships. In order to prevent reelections from lessening average men's chances of holding the chief office, it was thought desirable to forbid reelection altogether. This seems to have been done by a law passed in 151. Scipio Aemilianus had to receive a special exemption from it, that he might be consul a second time in 134. But under the strain of events this rule was broken to pieces in the following period. It is to be noted that the strictly Plebeian office of tribune was not touched by these laws, which only applied to the regular magistracies. At some date 'continuation' (immediate reelection) seems to have been forbidden; when, is uncertain. And the tribunate was not greatly sought after in an age of great wars, for it did not lead to military command. We find tribunes taking part in public affairs, generally as tools of the Senate, but now and then apparently acting on behalf of some personal interest in opposition to consuls. In 151 C. Laelius, friend of Aemilianus, is said to have made agrarian proposals, meant to get the people back to the land. But he could effect nothing, and dropped his scheme. The revival of the active tribunate had to wait.

280. We have seen that the degradation of the Assembly was in full progress, and that more and more care was taken to govern the official career by rigid rules, under which a regular succession of commonplace magistrates was secured, and only departed from under pressure of some great emergency. Yet a Republic can hardly thrive under a system of suppressing ambitions, a truth which appears most clearly in connexion with the Senate. That body had now to guide the policy of Rome, but in the last resort it was the Assembly with which the sovran power rested. It was therefore of the utmost importance that the internal relations of the Senate should be harmonious. There is reason to think that they were not so. Jealousies prevailed, and found open expression on such occasions as the discussion of claims to triumphs, approval of acts of provincial governors, and so forth. The efforts of the old-Roman party were reinforced by personal animosities. Proconsuls returned with all the glories of victory followed by a great settlement fresh upon them, and after a triumph had to become once more the peers of a number. For men who had been in an almost regal position this was hard at

first Nor did time make it easier, for there was a succession of men returning with more or less claims to distinction, and former achievements were passing out of notice. There would also be men rightly or wrongly regarded as failures, and some who had attempted nothing remarkable, from lack of enterprise or opportunity. The younger members, bent on climbing the ladder of office, would look at things chiefly from the point of view of their own interests. Enough has been said to shew that the elements of discomfort were already rife. No wonder there were cliques and factions in the Senate, and that the House was often too divided to enforce its will.

281. *The Allies*, On one all-important matter of policy there was unhappily no real difference between Senate Magistrates and Assembly. The old system of half-citizenship, a stage through which a number of Italians had passed to the full Roman franchise, was no longer in use. In 188 the citizens of Fundi Formiae and Arpinum were thus promoted. Even the Campanians punished for the misdeeds of Capua in the Hannibalic war received an instalment of forgiveness. They were on the way to the full citizenship. It seems certain that they and any other half-citizens now remaining received the full *civitas* in this period or very soon after. Thus there were in Italy only the two classes of *cives* and *soai*, and the new growth of Rome as an imperial power had completely changed the relations between them. In the distant wars of the age, ever extending Roman power, the Allies as such had no concern. Provinces were annexed to Rome: to Rome, not to united Italy, tributes were paid: Roman, not Italian, officers were at the head of provinces and armies, and Roman purses were filled by exploiting the results of war. Yet it was on the Allies that the most irksome burdens of warfare fell. Thousands and thousands of their youth perished in Spain alone. Still, when Romans and Allies had fought side by side, it was the old custom to give them equal largess at the triumph. At a triumph in 177 and on several later occasions the Allies received only half. It had formerly been a privilege to be made a member of a Latin colony founded by Rome, where the colonist was given an allotment of land. But in this period Latin colonies were giving place to citizen colonies, to which very few Allies could gain admission. As early as 194, some 'Latins' had tried to gain the Roman franchise in this way, but the Senate decided

that their admission would not make them Romans. A very few Allies, such as Ennius, were granted the franchise by this means as a favour. And all the while the value of the franchise went on rising.

282. For not only did the privileges of Romans automatically grow by the growth of the opportunities offered by empire. Legislation directly conferred privileges denied to the Ally. The three *leges Porciae* belong to this period. Their exact dates and scope are uncertain, but we know that in some form or other they protected the citizen's back. That is, the Roman was no longer exposed to be cruelly scourged at the will of a magistrate holding the military *imperium*. He could claim the right of appeal, at all events in some circumstances. The Ally, even the favoured Latin, could not. Here was a galling distinction, felt whenever an army was raised. If we may believe a passage from a speech of Cato, even the chief men of an allied town were not safe from the brutality of a Roman magistrate who took offence at some act on their part. The overbearing pride of some Roman nobles found various ways of displaying itself. In 174 a censor, wishing to adorn a new temple that he was building in Rome, stripped the famous Greek temple of Hera Lacinia (near Croton) of its marble tiles. It was an outrage on Greek feeling, and the Senate ordered him to restore the tiles. But they were only shot down in the temple court, not restored to their proper place. In 173 a consul was instructed to see to some boundary-questions in Campania. He had a grudge against the people of Praeneste, an old Latin city, a Roman Ally of the first rank, long faithful and useful to Rome. He chose to travel by way of Praeneste, and wrote requiring a public reception and entertainment, and conveyance on the next stage of his journey at the cost of the town. He had no right to do this. But the Praenestine authorities thought it better to submit to an illegal exaction than to risk the ill turns that the consul and his friends might do them. They did as he ordered, and an evil precedent was made. There was in fact no protection for the Allies against the insolence of a Roman noble.

283. It is not wonderful that 'Latins' often migrated to Rome and tried to register themselves as Roman citizens. The old rules relative to migration from Latin communities no doubt offered facilities for removal, and it was not easy to detect evasion

of the conditions. But there were also some new devices. A Latin sold his son to a Roman, who agreed to emancipate the young man, and so make him a citizen. It seems to have been understood that a freedman of this sort was on a different social footing from the ordinary manumitted slave. The process was very like adoption, and Romans were found to carry it out, probably for a consideration. But the movement of Latins to Rome set going a movement of ordinary Allies to Latin towns. This attempt of Allies to better themselves might suit the individual migrants. But it bore hardly on those left behind in their proper homes, for the depleted communities had still to furnish their military contingents. We are told that both Latins and other Allies complained of these migrations, and the Senate had to deal with the matter. In 187 we hear of a commission of inquiry, followed by the expulsion from Rome of 12,000 Latins. In 177 the *lex Claudia de sociis* was passed to check migrations, ordering the Latins back to their homes, and providing against certain evasions. It had now come to actual legislation, and the Assembly endorsed the policy of the Senate. In 174 a consul issued a stringent edict, to put the law in force. But there was no regular machinery in the Roman system for continuous enforcement of such regulations. The attractions remained, and it seems certain that no prohibition of migrations was permanently successful in stopping them.

284. It is quite clear that the Allies were in a far worse position than before the Second Punic war. Their various grades of privilege and divergent interests hindered combination for common ends. Meanwhile the Romans scattered over Italy were more united and more exclusive, and the military services of the Allies only extended the empire of Rome. Yet they had not lost all hope of bettering their condition, and the insults referred to above were no doubt exceptional. The situation was perhaps not easily understood at the time. By incorporating her early conquests in the Roman state, Rome had built up a power stronger than any Italian rival, had overcome the disunited Italian powers in detail, and had organized the whole in a confederacy of which she was the Head. She was now dealing with powers abroad, and overcoming them in detail by Italian strength. But her success only made the Allies wish for incorporation and a share of imperial privileges. This Rome refused. But they still

had their local self-government. They were not under the rule of a Roman governor, and they paid no tribute.

285. *The Provinces.* It was in her transmarine possessions that the sovereignty of Rome appeared at its worst. We have already spoken of the way in which the provincial system grew up, of the charter (*iex*, organic statute) regulating each province, of the succession of governors holding civil and military power, and of the graduated variety of privileges by which the interests of the several communities within the province were kept apart. In the hands of virtuous governors, with honest and competent subordinates, the system might have worked well. The Senate did not intentionally encourage ill treatment of Rome's tributary subjects, but there was no effective machinery for training or controlling either the governors or their staff. They were amateurs, whom yearly change prevented from learning their duties and becoming experts. They were ordinary Roman nobles, generally in want of money, and exposed to temptations which they were quite unable to resist. The best of them were liable to err from ignorance; the worse were certain to oppress the provincials from greed.

286. The staff of a provincial governor was arranged on a military model. First came the quaestor, in charge of the finances, but often employed as deputy in other work. Next the *legati* or *attachts* appointed by the Senate to act as subordinates, and a number of clerks orderlies and men skilled in some special function or other. There were also a number of unofficial companions (*comites*) whom a governor was allowed to take out with him. One characteristic was common to all: they went abroad with an eye to their own advancement. Some meant to rise in public life, others were seeking a competence to live in comfort. All looked to Rome, and all wanted money. The governor, usually a praetor or proprætor, wanted to be consul. He therefore wanted the support of his staff later on, and money too. He could not afford to offend these people. But there were others whom it was necessary to please. There were Roman traders (*mercatores*), always pushing to the front, even beyond the frontier of the province. These had to be protected when (as happened) they got into trouble. Then there were the financiers (*negotiatores*), principals or agents of syndicates, who did the banking and money-lending. These men swarmed in the Provinces, where they operated at a great advantage; for by putting

pressure on governors they were able to influence the courts of law, composed of Roman residents, with the governor as supreme judge. Thus backed by official favour, they got all financial business into their hands, and made immense profits by usury. Lastly there were the *publicani*, the farmers of tolls and dues of various kinds, not officials, but persons acting under licence from the Roman state in virtue of a definite contract for a certain purpose, valid for a certain term.

287. We have already seen that the system of farming out the collection of revenues was of old standing, and had been first applied in Italy and then extended to the provinces. The syndicates each paid a lump sum to the state for the right to collect a particular set of dues. Of course the shareholders expected to make a good profit: the state, having no regular civil service, was glad to be relieved of the task of collection: the governor, representing the state, was bound to facilitate the work of the actual collectors. It was in this connexion that the evils of the system most readily developed. For the agents of the *publicani* had only to report that a too scrupulous governor was hindering collection; investors, furious at the prospect of a poor dividend, would make themselves felt in Rome. The provincials had no voice in the matter, and, as the growth of luxury and corruption in Rome created a growing demand for money, the pressure on governors grew also. The causes of provincial extortion were in Rome, and the working of Roman politics in this period offered no prospect of their abatement or removal. While the farming of customs rents royalties and other dues of a simple kind was probably a source of some grumbling, the chief trouble arose in connexion with the provincial tributes. Where the tribute took the form of a fixed impost (*stipendium*) there was little difficulty. This was the system to which the Romans inclined. In Spain the subjects even won the right to collect it themselves. The amount was not excessive, and this tribute-system was applied later to Africa and Macedonia. When part of the tribute was levied in corn, abuses might occur, as we saw¹ above. But on the whole this system worked well.

288. Things were very different in provinces where Roman statesmen, ever loth to change existing institutions, had adopted a system of exacting yearly percentages of crops. These varied

¹ § 233.

with the crop from year to year, and to farm the collection of such dues was in any case a venture of the most speculative kind. The work came with a rush at the time of harvest. To prevent fraud, the growers of corn or other crops had to be watched. To avoid loss, it was almost necessary to have a small margin beyond the strict amount. Here was a rich field for progressive extortion. There were also further opportunities. The most notorious was this. A grower was required to deliver the corn due, not at the place of growth, but at some distant centre. The cost of transport was used to force him to commute his liability for a cash payment far greater than the market value of the corn. By ringing changes on this iniquity a vast scheme of extortion was built up. Such was the working of the system of tithes (*decumae*)¹, prevailing in Sicily, applied together with the other system in Sardinia, and carried to infamous perfection in Asia, after that province was formed out of the kingdom of Pergamum. Against the tithe-farmers (*decumani*) the best of governors was powerless: too many people's incomes in Rome depended on their squeezing of the provincials, and no laws availed to stop the abuses. Ordinary governors were concerned to enrich themselves. They had no official salaries, and the absolute nature of their power made their favours a marketable commodity. Presents were offered and received, for hastening or delaying judicial proceedings, to avert burdens such as an official visit or the quartering of soldiers in a town, the last a contingency peculiarly dreaded. And when precedents were created, these and other voluntary gifts quickly became normal exactions. Moreover the governor's staff looked for some pickings on their own account, and for his own sake he had to connive at their doings.

289. These horrible abuses were in full play during the next period, but they began in the present. How inevitable they were, and how unable the Roman government was to check them, appears from the vain attempts made to punish governors. Any court before which an ex-governor could be brought must sit in Rome, and the cause of provincials could only be pleaded by Romans. Competent and willing advocates were hardly ever to be had, unless they had some personal or party grudge against the culprit, or were seeking notoriety to forward their own ambition. There were men who pitied the provincials, or at least thought that it was Rome's interest to keep them prosperous. Such was Cato.

¹ See § 103.

But Cato died in 149. It was in this very year that a notable law was carried, honestly meant to reform the iniquities of provincial administration. Its author was a highly respected tribune, L. Calpurnius Piso. Public trials before the Assembly were known to be in these days a mischievous farce. Special judicial commissions to try particular cases were generally ineffective, probably owing to the selection of the court being made a party affair. The attempt to enforce restitution of extorted moneys by means of a civil action in a Recovery court had, as we saw¹ above, been made and failed. The *lex Calpurnia* took a new line, a development of previous methods. It created a standing court for the recovery of 'reclaimable moneys' (*pecuniae repetundae*). A list of senators was to be prepared each year, out of whom a court was to be formed for the trial of particular cases as they arose. The parties each staked a deposit (*sacramentum*), which the loser forfeited. Beside this, the accused, if he lost his cause, had to restore the sum wrongfully exacted. And it seems that this was all.

290. Apart from its actual enactments, this law had an exceptional importance from the precedent created by it. The new courts were real juries, deciding issues by a majority of votes, under the chairmanship of a praetor. The decision was theirs, not the praetor's on their advice, and it was final. For the passing of the law by the Tribe-Assembly made these juries the delegates of the Assembly for a special purpose, and therefore there could be no appeal from them to the Assembly itself. The Assembly had abdicated a function. That the Tribes, having no power to impose the capital penalty, could not give that power to the juries, was a minor point. Even in the treason-jurisdiction of the Centuries, the capital penalty had practically ceased to mean death, and treason trials were very rare. On the other hand, the new courts, being for the present merely a development of old civil procedure, were not subject to the 'intercession' of a tribune. The *iudex* in civil suits was not a magistrate. His verdict was on the point of fact, and final. The new jurors were *iudices*, and were so called. Thus the effect of the Calpurnian law was to set up a permanent commission for providing civil courts as required, competent to deal with imperial questions in virtue of statutory powers.

¹ § 233.

291. That such a law could be passed is a notable fact. It only applied to senators, that is to ex-governors of provinces. But the juries were to be composed of senators. This probably was the reason why we hear of no great conflict over the passing of the measure. Distance and delays made it very hard to get up a case and produce the provincial evidence of extortion. Good Roman pleaders were seldom to be had for the purpose, and senators would not be too eager to condemn a man of their own Order. So the law, while it affirmed a principle, could not create a practice. We shall see that the 'public courts' (*indicia publico*) became in course of time one of the most corrupt institutions of the Republic. To capture the privilege of supplying jurors became a prize competed for by the partisans of the governing and capitalist classes in the next age, and these courts (for the system was soon extended to other offences) were the centre of some of the gravest scandals of Rome. The court of *repetundae* established in 149 was the most important and the most scandalous. Justice was generally foiled, and its miscarriage was one of the many ways in which the government of the provinces reacted as a corrupting influence on Roman public life. Personal and party feuds might now and then lead to the successful accusation of some evildoer. As a rule it was the shameful truth that to submit in silence to wrong was both cheaper and safer than to seek redress at Rome.

292. *Roman life.* The inner corruption of Rome was both an effect and a cause of the race for wealth. Many were enriched by the great wars between 200 and 168 B.C. The standard of living became higher, and contact with the East brought in new tastes, sometimes more refined, always more expensive. As the great wars ceased, the plunder of armed enemies gave place to the fleecing of peaceful subjects. As affecting Roman character, it was not a change for the better. This robbery did not end, like wars, but tended to perpetuate itself. The increase of extravagance at home increased the drain on the sources of supply abroad. The vast expenses of the Roman nobles in this period (in the next even greater) were chiefly incurred in luxury and the support of pride, and in political corruption. Luxury took many forms. Houses were becoming grand mansions. Great households of slaves, mainly oriental, were kept up for ostentation. The service of the toilet employed some, the kitchen others.

Gluttony and other vices were spreading; gout, common later, began to appear. The only hope of the slave lay in currying favour with his (or her) owner, and the means employed were generally degrading. Children were spoilt by the indulgence and connivance of the slave-tutor or nurse. A few sturdy fellows were kept to act as porters or escort their master in the jostling streets. As a rule the domestic slaves were pampered menials, the young and handsome bought as pets at scandalous prices. There were some few of a better kind, valued for their special attainments, literary medical and so forth. Artisans of all kinds were numerous, but they were not a part of the household.

293. Of the great landed estates and country mansions, in which the senatorial landlords took pride, we shall speak below. Of the extravagant outlay on public shows to please the city populace we have spoken above. Vast sums were already being wasted thus, and even direct bribery was beginning. All men knew that corruption, political and social, was undermining the health of the state, and the old-Roman reformers tried hard to cure the disease by legislative remedies. In 181 a *lex Baebia* punished corrupt practices (*ambitus*) at elections by excluding the offender from office for ten years. In 159 another law raised the penalty to death, that is exile. To check bribery, voting by ballot was introduced, in 139 for elections, in 137 for popular trials before the Tribes. Looking forward, we find that in 131 it was extended to legislative Assemblies; and in 107 even to treason-trials before the Centuries. But these long-continued efforts were vain. Bribery increased, and votes were sold so long as they were worth buying. Sumptuary laws in 181, 161, 143, passed to check extravagant entertainments and gluttony, were ineffective. In the matter of inheritances also new and lax practices were coming in, subversive of old-Roman notions. The permanence of families was threatened by large bequests to persons other than the heir, who then took over the burdens of the family succession with reduced means. That testators under undue influence should thus break up estates and weaken families, disregarding family religion and the custom of their ancestors, was a serious matter. With it was connected another symptom of the new notions now prevailing, in the growing emancipation of women.

294. Of the traditional position of women under Roman law we have spoken above. The wife in the 'hand' of her

husband, the widow or maid controlled by her guardian (*tutor*), are the female figures of the upper classes, to which Roman tradition refers. But new and less complete forms of marriage, of Plebeian origin, had long been superseding the old Patrician one. Wives were now seldom their husbands' property in the old sense. And other women, aided by ingenious lawyers, were making the restraints of wardship a dead letter. They were gaining the power of appointing their own guardians. They influenced testators, and took large bequests. But they could not be heads of families. To make a woman heir was therefore to break the family succession: to impoverish a male heir, by leaving large bequests to women, came to much the same in the end. And Roman ladies of the new school gave occasion to several scandals in this period, so that things were unsatisfactory from that point of view also. Attempts to revive the old customs of inheritance and the old order of family government were made by a law of wills (*testamentarid*) passed in 183, restricting the freedom of bequest. In 169 it was followed by the famous law (*lex Voconia*) forbidding a testator to make a woman his heir or to bequeath to any legatee more than was left to the heir. Even so the male succession could be made not worth accepting, if many legacies were bequeathed. Something was effected by these statutes, but evasions took place, and there is no reason to think that the wealthy classes were led to reform their ways.

295. It has been remarked that the only check upon the sovran power of Assemblies lay in the necessity of avoiding all flaws in the religious part of the proceedings. Here was an opening for the governing nobles to exert some control over the popular body. Nothing could be done without favour of the gods, and the interpretation of signs was in the hands of noble augurs. The lore of the augural college had long been used on these occasions in good faith. If a strange ingenuity had at times been shewn in evading a difficulty, this was but a phase of the same temperament that clung to the formalities and quibbles of the law. But now, when religious beliefs were losing their hold upon educated men, while the masses were intensely superstitious, political convenience gave a new importance to religious rules. Accordingly we find that in this period the management of signs from heaven was regu-

lated by statute. The Aelian and Fufian laws, in some way or other not clearly recorded, dealt with the matter, probably by giving legal force to existing custom. The magistrate saw a sign, or had it reported to him; the augur pronounced on its meaning, good or bad. The magistrate had also the right to watch for signs, and nothing could be done while he was so engaged. From the point of view of the governing class, these powers furnished a twofold remedy against the mischievous action of Assemblies which were becoming more and more unfit to exercise popular sovereignty, yet could not be deprived of it. They were meant to be obstructive, and in course of time they came to be so employed as a party weapon. Not only could action be impeded thereby: if a popular leader disregarded these hindrances, he would now be breaking laws of the state. His laws, carried in defiance of religion, would not be binding on the people. We shall see that the Senate, whenever it felt strong enough, assumed the right of annulling unwelcome laws on this very ground.

296. The state religion, with all its punctilious formality and scruples, was indeed still a potent force in Roman public life. The great conquests of the period might well seem a sufficient proof of the power and goodwill of the Roman gods, and of the skill of religious experts in bargaining for divine aid. Some of the nobles still had a genuine belief in the traditional religion: such were Paullus and Cato. In a system the spirit of which was little more than legality, it was enough to conform. Anything like enthusiasm was only possible in moments of suspense and fear. Such moments were becoming rare. Conformity was tending to become indifference. Meanwhile Roman gods were being more and more identified with foreign gods, chiefly Greek, and Greek works of art helped on the change. But contact with Greeks brought in Greek rationalism, and was fast sapping the beliefs of educated men. The superstitious fears of the ignorant remained, and could be turned to account in politics. And they were thus utilized by the governing class, whether they themselves shared them or not. So the observances of the state religion were in no danger of disuse: destructive criticism of this useful political engine was a private matter.

297. Greek thinkers had long questioned the truth of the popular mythology, and the educated Greeks of this age had as a rule no belief in it. Many no doubt, such as Polybius, had a

general faith in the moral government of the **world, without** a definite theological system. For the plainer and more practical Romans such a position was too intellectual and refined. At least their society was not yet educated up to this point, and the removal of superstitious fear tended to destroy in them all self-restraint. A notable event in the first half of this period was the appearance of Euhemerism in a Latin dress. About 315 B.C. Euhemerus wrote a book in which he accepted the view that the gods were only great men of the past, deified by human admiration. Ennius now translated this into Latin, and applied its principles in passages of his own works. The simplicity of the theory fitted it for reception in Roman minds: that Ennius dared to propound it in Rome shews that some were prepared to receive it. But these would be more or less thoughtful people; not the choicest natures, who were attracted by Stoicism, nor the emotional and weak, whose dissatisfaction with the old religion expressed itself differently. The craving for excitement is best illustrated by the affair of the Bacchanalia in 186. The old worship of the wine-god had been developed into a system of mysteries on a Graeco-oriental model. Nightly orgies, immoralities, murders, were imputed to its votaries. The movement, in which women took the chief part, was especially strong in the Greek districts of the South and in Etruria, but it was widespread in Italy, and found its way into Rome. On receipt of sure information the Senate, alive to the danger of secret societies, commissioned the consuls to hold an inquiry in Rome and through Italy, and to stamp out the evil. But in spite of great severities (for numbers were executed) it took some five years to put it down. Soon after, the detected forgery of the so-called 'Books of Numa,' probably an attempt to smuggle foreign notions into Rome, caused further uneasiness.

298. But it was impossible to shut out Greek influences. The Senate instinctively felt that the upsetting of reverence for **old** Roman tradition and custom was dangerous, in fact a cutting-adrift from principles that had made Rome what she was. In 173 two Epicurean philosophers were ordered to leave Rome. In 155 came the famous embassy of the three philosophers from Athens. In intervals of their business they gave lectures, which were well attended by a number of **young Romans** **who** understood Greek. In these discourses, those of **Carneades**

in particular, there was much to unsettle young minds, for the clever statement of arguments for and against current principles undermined respect for authority, and left the hearers in doubt whether there were such a thing as truth at all. The Senate, urged by Cato, settled their business quickly and got rid of them. But religion and speculative thought were not the only spheres in which Greek influence was felt. Works of Greek art came and began to arouse interest. In literature the irresistible Greek was dominant. The plays of the freed man Terence, translated or adapted from the New Comedy of Athens, belong to the middle of this period, and conveyed in pure Latin the naughty morals of their originals. In the best society Greek education was the mode. A few parents, such as Paullus, Cato, and Cornelia mother of the Gracchi, took pains to see that their children imbibed culture without corruption. But they were no doubt exceptions. Generally speaking, all special studies, such as astronomy, were Greek. Cato warned his son against Greek physicians and Greek literature, but he had to learn Greek himself.

299. Nothing however was so effective in propagating Hellenism as the conversation in private houses. For nearly 200 years Greek freedom had been precarious or unreal. Talented Greeks still abounded, but the public men among them were very different from the bold and intense men of thought and action produced in their golden age. The philosophers were occupied with questions bearing on practical conduct of life, the statesmen with diplomatic expedients and with the study of the changes in policy at home and abroad since the days of Alexander. The fierce energy and stimulating life of little republics was a thing of the past, and the typical Greeks of the present age were supple and cosmopolitan. To cultivated Romans the company of such men, with their store of new ideas and their rich fund of observation and experience, was an intellectual treat. Of the social coteries in which able Greeks were welcomed, the most famous was the so-called 'Scipionic circle,' the centre of which was the genial and accomplished Aemilianus. It included orators lawyers poets historians soldiers and men noted for high principles and practice. As the elder Africanus had an inseparable friend in the elder C. Laelius, so the younger Laelius represented personal attachment in this brilliant company. Two

distinguished Greeks enjoyed a favoured position among these eminent Romans. Panaetius of Rhodes was a Stoic philosopher, who had the skill to adapt the stiff principles of his school to the practical needs of Roman life. Polybius the Achaean statesman was a man of unrivalled experience, to whom the study of politics, and not least of Roman politics, was the most absorbing interest of his life. Conversation often turned on ethical and political subjects. Greek inquirers, these two in particular, had many thoughts to offer and problems to suggest. New ideas were developed in friendly discussion, and spread beyond the immediate circle. The effect could not be confined to Scipio and his intimates. And there was always the danger that new ideas, working in eager minds, might lead hasty men into political ventures without sufficient allowance for the practical difficulties created by the Roman constitution and past history. The reality of this danger was soon to be proved by the careers of Scipio's near connexions, the two Gracchi.

300. *Rural economy.* There was no lack of great and growing evils to tempt a patriot into projects of reform. Of domestic slavery as tainting the home life of the rich we have spoken. That the use of slaves as gladiators was a horrible evil, can hardly be denied. It is on the social and economic evils of industrial slavery that it is most necessary to dwell. The employment of slave-gangs by contractors for works in Rome or elsewhere tended to degrade labour and to drive free labour out of the market. Even in skilled work, it was not easy for the poor Roman freeman to compete with slaves imported from countries of old civilization, trained in arts and trades which they practised for the profit of their owners. Such was the deadly fruit of empire won in successful wars, and of ancient views on the subject of human bondage. But it was on the *latifundia*, the great landed estates in the country, that slavery appeared in its worst form. The plantation-system of agriculture was spreading fast in Italy, particularly in Etruria and parts of the South. It made possible the cultivation of great blocks of land by slave-gangs working under slave-overseers. The rustic slaves were treated as brute beasts. Some worked in chains during the day: all were locked up in foul pens or barracoons (*ergastula*) at night. An overseer was forced to exact from them the utmost labour, for to save his own skin

he dared not be merciful. The owner wanted money to spend in Rome. Orders must be obeyed, for there was no limit to the power of the lord over his human chattels.

301. The system was not Italian in origin. In Africa it had been long normal under Punic rule. The Roman conquest made no difference there, unless perhaps by extending it. Its prevalence in Sicily we shall see fully proved below. But in subject lands its evils did not, at least directly, injure the Roman state. In Italy they did, by reducing the number of freeholders in large districts. The citizen-soldier who went back to his little farm after service in the field of war was becoming a rare type. Yet such men had formerly been the mainstay of Rome. Nor was it tillage alone that was passing into servile hands and being organized on a large scale. There was a tendency to give up tillage for grazing, and the employment of slaves in charge of flocks and herds had a disastrous effect on the country side. It was not merely that slaves displaced free-men, in winter on the lowland meadows or in summer on the hills; nor that the great herds of the rich monopolized the public pastures, driving out the few cattle of the poor. The slave herdsman had to carry weapons in order to guard his lord's property from wolves and robbers. He became familiar with vast stretches of country. Peaceful travellers at times went by, and the armed slave was tempted to rob them. Thus the new system was a school of brigandage, the curse of rural Italy for centuries. Rural police there was none, and neither the owner of the slave-brigand nor his bailiff were concerned to protect travellers. There were districts, not affected by these changes in rural economy. The upland peoples of central Italy for the most part remained farmer-dalesmen, and in the North, beyond the official border, a great and prosperous population, favoured by peace, was now growing up in Cisalpine Gaul.

302. But it seems certain that another change was in progress. The growth of corn for market, if ever remunerative in Italy, could now, in the face of provincial competition, only be made to pay in a few favourably-situated districts. It was a better speculation to cultivate the olive and vine. This required much skill and patience, and the grower had to be a man of capital, able to wait for slow but good returns. Agriculture of this sort called for close personal attention, and was best

suited to an estate of moderate size. That no small **interest** was being taken in this form of enterprise is clear from Cato's treatise on Agriculture, which has come down to us more or less complete. This remarkable work tells us many things. In particular it leaves no doubt that such estates as Cato had in view were worked by slave labour, and that the aim of cultivation was simply profit. It would seem that already some landlords were building country houses too fine and large for the scale of their estates. Cato insists on the wisdom of keeping the estate *{fundus}* [and the country house (*villa*)] in due proportion. The owner must visit the farm often, for only the master's eye can check mismanagement and waste. The responsibility of the bailiff is very great, and he must be kept up to the mark. The live and dead stock under his charge makes a long list. Whatever is worn out is to be sold off. Cleanliness and forethought are most necessary. Household medicine (including incantations), instructions for making oil and wine, kitchen receipts, and rules for certain religious formalities, find a place in the book.

303. We do not know whether there were many estates of this kind, but we may be pretty sure that few landlords came up to Cato's standard in respect of knowledge and energy. Another proof of the consciousness that there was something lacking in the agriculture of the day is seen in the action of the Senate after Cato's death. The Punic libraries found in Africa were given to the Numidian princes, but one book, the treatise of Mago on agriculture, was kept and translated into Latin. Its technical value was recognized later by Greeks. But the Punic system was based on slave labour, and Mago's precepts could do nothing to arrest the disease that was weakening Italy. The farmer-class of the older type continued to decay, and the slave-worked estates to grow. That the *latifundia* were the ruin of Italy, was remarked afterwards by Roman writers. The phrase was perhaps too sweeping, but in the main true. Rome had now an empire to rule, won by the sword. In the past the backbone of her strength had been the small farmers, serving in wars at the call of duty, men with something to lose, not paupers or mercenaries. This period saw a grievous change. The soldier-yeomen were disappearing, the city-rabble was increasing, and the growing slave-population, so far from adding recruits to the armies, was fast becoming in itself a source of the gravest danger.

304. Turning to the city of Rome, we have first of all to lament our want of statistics. We have no record of births and deaths, of the number of manumissions of slaves, or details of the numbers of claimants admitted to the Tribes or excluded by the various censors. If the figures of the census are to be trusted, there was a fall in the number of citizens registered on several occasions in this period. This decrease is probably a fact. Of course this gives us no clue to the total (free or slave) population resident in Rome. It is clear that the free element was not all Roman, and that the Roman element consisted largely of persons drawn to the city by the great facilities for idleness offered by urban life. A chief attraction was the regular supply of cheap corn. We have seen that the government was forced to take this matter in hand after the second Punic war. The aediles had to provide the people with corn at half the market price or less. The system became normal, and the state was burdened with an ever-increasing charge. The mob of state-paupers grew, and demagogues could always win cheap popularity by proposing to reduce the price further. Whatever industrial life there was among the poorer citizens was fatally discouraged, and later, when the distribution of corn became gratuitous, rich men were not loth to manumit slaves whose maintenance as freedmen was borne by the state. In this period it is a fair guess that the citizens (if any) who left Rome to join the citizen colonies were the pick of the poor, and that the worthless in general remained.

305. For keeping these idle and indigent voters in a good humour, amusements on a grand scale had to be found. The established shows or games of Rome were some of them very ancient. All were connected with religious festivals. The new tendency was to increase their duration and splendour. The cost was becoming enormous, and we have seen how they were being used by ambitious men for political purposes, and the provincial extortions to which they indirectly led. But there were exactions of a direct kind. Provincials, dependent kings, even Italian Allies, were pressed to contribute to the cost of shows provided by influential men, and no orders of the Senate availed to stop the practice. The victims were 'free' to refuse—and to take the consequences of a noble Roman's enmity. The splendid triumphal processions after the wars of this period, and

the special games held by generals in fulfilment of vows made in the field, all contributed to raise the standard of popular expectations, and so to promote extravagance in the regular official festivals also. Horse and chariot races were old traditional events. Dramatic shows followed, and were regular since 240, when Livius Andronicus began to exhibit. The novelties added later were mostly importations from eastern lands, such as performances of Greek athletes, singers, dancers, and so forth : also the wild beast fight (*venatio*), the animals for which were procured from abroad. The military show (*decursio*) of special evolutions by picked men was another of these varieties. Some of the shows were demoralizing, but the actresses were slaves, indecent to order. Worst of all were the gladiatorial shows in which trained slaves killed each other. These were private affairs, part of funeral ceremonies, held according to very ancient notions in honour of the dead. But the public were freely admitted, and these entertainments became the most popular of all. In this period they became common and lavish. In 174 we hear of one lasting three days, in which 37 pairs of swordsmen fought. There were no permanent theatres or amphitheatres; seats or stands were temporary structures of wood. The regular place for shows was the Circus, but gladiators fought in the Forum. The only serious objection to any of these exhibitions was that felt by the Senate on the score of expense, and this referred only to the public shows, the cost of which was partly borne by the state.

306. The outward aspect of the city in this period was probably still very homely, though a good deal had been done since the great Punic wars. The chief streets were paved with blocks of lava (*silex*). The piers of a new bridge over the Tiber were built in 179, and the arches added in 142. A quay at which vessels could discharge cargoes was built in 193, and paved in **174**. In 179 an attempt to construct a third aqueduct failed through the opposition of a landlord whose estate was in the way, but in **144** the *aqua Marcia* was built. Public Halls (*basilicae*) were a public convenience, serving as Exchanges and as places for the courts of law. We find three erected (184, 179, 169) in this period. The number of temples was increasing, and we begin to hear of arches and a public colonnade. But splendour was not the **mark of** the buildings of the age, nor were Roman works up to Greek artistic standards. The Greek statues, spoils of war, were **probably**

a great contrast to their surroundings. Private dwellings of course made up the bulk of the city, and these must have increased considerably with the increase of the city population. But, so far as we know, the domestic architecture did not add to the dignity or brightness of the streets. Even the houses of the rich presented a dull front. Any improvement in comfort or elegance within was hidden by the plain and solid wall facing the street, pierced by a single door. The dwellings of the poor, mostly on the low ground, were surely mean enough. The age of high buildings was not yet come, but there is reason to think that upper storeys of wood were now commonly added to the ground-floors of unbaked brick. The latter gave way in floods, the former suffered from fires. We have recorded instances of both these dangers. Fire-risks indeed tended to become greater, for the quantity of wood in benches and stalls, or brought into the city for temporary erections, was ever on the increase.

307. We have a few details to indicate the change in the habits of the people, chiefly among the upper classes. Scipio Aemilianus set the fashion of a daily shave. The practice of washing the whole body daily was coming in. It may be that public baths were started in this period, but certainly not yet as free luxury for the masses, and in any case they were very simple affairs. Baking, formerly a household duty of women, was becoming a specialized trade. Only the rich had the room and the domestic staff to do such things comfortably at home. A doubtful story suggests that the corrupting example of rich men's banquets led to drunkenness among the poor. This may be only an exaggerated account, due to some fervid reformer. But that gluttony and wine-bibbing were now established in Roman society is doubtless true.

308. The literary movement of the age was very important in many ways. It was still inspired by Greek models, and translations and adaptations went on. Plautus did most of his work in this period, and he was followed by others, such as Terence. Pacuvius and Ennius did the same in tragedies, and Accius somewhat later. There was however a beginning made of an independent kind. Titinius Pacuvius and Accius produced plays the scene of which was laid in Italy, or the plots drawn from Roman history or legend. But these efforts did not result in the creation of a true Roman drama. Of Ennius and his great

historical poem I have spoken above. Latin in fact was becoming a literary language, the verse-writers leading the way. But the great step in advance was the foundation of a Latin prose. The use of Greek for historical narratives was still in fashion, but Cato wrote in Latin. His work *Origines*, treating of the early history of the Romans and other peoples of Italy, set an example soon followed by others, among them Piso the author of the Calpurnian law. A number of great lawyers too lived in this period and promoted the progress of jurisprudence, beyond all others a Roman study. But nothing was more flourishing, or more important in the history of Roman literature, than oratory. Only a very few fragments remain, quoted by later writers, but many of the speeches of this time were preserved, and we have the testimony of Cicero. Public men in Rome had to deliver their opinions in the Senate, to address mass meetings now and then, not to mention pleading for clients in the courts. So oratory began to be cultivated. The next period was its golden age, from the Gracchi to Cicero. At present it was the ornament of a distinguished man, not a gift by which a man could rise to distinction. In this department too Cato made his mark, but he was only one of a considerable number.

309. It was surely a great stimulus to literature when it began to concern itself with public questions and public characters. Intensity of feeling gave it warmth and vigour. And this not only in the form of speeches preserved as party pamphlets. We know next to nothing of the occasional pieces (*saturae*) produced by Ennius. But in the latter part of this period there flourished a man whom Roman tradition regards as the true father of Satire, the one branch of literature claimed by Romans as their very own. C. Lucilius was a native of Suessa Aurunca, a Latin colony, but he may have been a Roman citizen. He was a friend of Scipio Aemilianus, and a member of the Scipionic circle. He served in Scipio's bodyguard at Numantia, and his chief had no more devoted admirer. Though his writings belong to the next generation, he was in spirit a contemporary of Aemilianus (185—129) whom he outlived by some 27 years. From that eminent but politically ineffective man he perhaps caught the combination of hating corruption and shrinking from reform. In his satires (*sermones*, talks) he dealt out praise and blame, especially blame, with a free hand. The form of his poems varied greatly; also the

metres, but he ended by preferring the hexameter. He boldly lashed the vices follies and affectations of private life, and referred to persons by name with a freedom envied by his literary successors. He was wealthy, and himself apparently a very free liver. While keenly alive to the defects of the world around him, he seems to have distrusted change. At least in public affairs he wrote as a warm partisan, and his leader Scipio was opposed to the Gracchan movement. It is a pity that we have nothing but fragments of his satires, for it is certain that they presented a lively picture of Roman life in the middle of the second century B.C., drawn from the inside. He wrote as a Roman of Romans, and it is interesting to note that he, like some others of the day, was concerned to maintain the purity of the Latin tongue.

310. We have now passed in review the influences, political social intellectual moral and economic, that were working in the Roman state and empire, changing the character of the government and people. Outwardly and nominally all things remained the same as before 200 B.C. Inwardly and vitally the Rome of 133 B.C. was a new Rome, and the relation of the central power to Allies and subjects was so changed as to be full of difficult problems. Men of the time, in Rome as in other states and other ages, were not prophets. Yet there were some who saw that all was not well, though they could not guess what a long and terrible period of revolution was coming. Thorough reform was urgently needed, but to succeed in reformation a power was needed, not only irresistible but continuous. And the constitution in its present working was in this respect weaker than it had been two centuries before, during the struggle for the Licinian laws. The power needed could not be got peaceably. So we must not wonder that Laelius in 151 dropped his project of land-reform, the thorniest question of all. Men feared to attempt reforms, and the majority, for their own present comfort, were only too ready to let things drift from bad to worse. How strong the constitution of the Republic still was, had now to be proved by the length of time that it took to overthrow it.

CHAPTER XIX

THE SICILIAN SLAVE-WAR 134—132 B.C.

311. The arbitrary division of periods at the years 134—3 is a mere matter of convenience. In 134 a war broke out in Sicily the horrors of which were an awful illustration of the evils now at work in the Roman world. Local slave-risings had occurred in Italy in 198 and 185. They had been suppressed, and the danger was well known. In recent years there had been trouble in Sicily also, not to mention small outbreaks or conspiracies elsewhere. But the Roman government, slack and dilatory as usual, took no proper precautions. In the end they had to employ consuls with consular armies, and the Sicilian rebellion was only put down in 132, after vast destruction of property and shedding of blood. But the causes of evil were not removed; this event registers the effect of misgovernment in the past, and prepares us for that which was to come.

312. The war brings to our notice several classes of people in Sicily. Roman capitalists, favoured by their right *{commercium}* of acquiring property in any part of the Roman dominions, now held much of the land. Some of these would be non-resident. Sicilians of a few privileged communities enjoyed the same right within the province, others only within the territories of their own communities. These Sicilian landlords would be all or mostly Greeks or half-Greeks. The above had one thing in common \ they were slave-owners, and needed protection, surrounded as they were by an immense population of hardy and discontented slaves. There seem to have been also a number of poorer Sicilians, of whom some still farmed small holdings. The spread of great slave-worked estates would surely tell against these men, as the same system had been ruining small farmers in Italy

They had no reason to be content with the present state of things. It is probable that there were also a good many landless poor, though the numbers of the free population can hardly have been as great as they had been in better days. For the Carthaginian plantation-system of agriculture was now extended all over the island. Money was drained away. The great cities had never recovered their old prosperity. Some had been destroyed utterly; others were shrunk, as Syracuse and Agrigentum.

313. It was at Enna, a strong hill-town in the middle of Sicily, that the first outbreak occurred. Some slaves rose, massacred wealthy masters, and seized the town. They were mostly patient orientals from Syria, only roused to vengeance by great brutality. Eunus their ringleader was a Syrian, skilled in divination and jugglery. Him they made their king, and he set up a court of the oriental pattern. The rustic slaves rose in thousands. Small Roman forces were routed, and the arms captured were added to those seized or made at Enna. A second rising took place in the West, and the two chiefs did not fall out, but combined. In a short time a great army was formed, which is said to have reached a total of 200,000 able-bodied men. The leaders checked devastation, with a view to supplies. In 134 the consul C. Fulvius Flaccus seems to have been unable to retrieve the preceding defeats. The rebels held most of the island. In 133 Piso (the author of the Calpurnian law) made some progress, and left to his successor an army in better heart. In 132 P. Rupilius was able to capture the strongholds of the slave-power. Enna fell, rebel bands were hunted down. Those taken alive were tortured or crucified. A commission under Rupilius reorganized the province by a fresh charter (*lex Rupiliid*). New slaves took the places of the old, and things went on as before.

CHAPTER XX

TIBERIUS GRACCHUS 133 B.c

314. While Scipio was engaged in destroying Numantia, and the Sicilian slave-war was causing grave uneasiness nearer home, the city itself was the centre of a disturbance the momentous consequences of which none could then foresee. Among the ten tribunes for 133, who entered on office 10th December 134, was Tiberius Sempronius Gracchus, the elder son of the consul and censor of the same name by his wife Cornelia, daughter of Scipio the conqueror of Hannibal. He was a man of 30, and had served abroad with distinction. He belonged to the best society in Rome, and was closely connected with Scipio Aemilianus. In temperament he was quite (unlike that eminent man. His education, guided by his noble mother, had been mainly conducted by Greek tutors from whom he learnt high principles, and doubtless imbibed an admiration for the Reformers famous in the history of ancient Greece. But the circumstances of political life in the little Greek republics were widely different from those with which a Roman statesman of this age would have to deal. The problems to be faced were now far more complicated and vast. Most of the leading men were interested in the continuance of present abuses, or timidly averse to change. Therefore a reformer must not reckon on the support of the Senate. The Assemblies were already so far degenerate that no steady and loyal backing could be relied on from them. The whole tendency of law and custom had long been to weaken the yearly magistracy and make it more and more into a succession of average men, cramped by the Senate at home and insufficiently controlled abroad. Thus there was no means of dealing with problems the solution of which would in any case require the work of years. Even a tribune could not

hold office two years running, and of a succession of tribunes to keep up a continuous movement for reform there was no prospect whatever.

315. Yet Gracchus, either not fully conscious of dangers ahead, or too hopeful of overcoming them, boldly proceeded to grapple with the most difficult and complex problem of the day, the land-question. To get any notion of this we must look back into the past, and bear in mind that we are not speaking of private property but of land owned by the state. The *ager publicus* of the Roman people had been won in the conquest of Italy or forfeited to Rome in the Hannibalic war. Out of it a good deal had in course of time been granted to colonists on the foundation of colonies, or to individual citizens when a district was settled without founding a colony. These allotments were private property, which the state could not resume. But to the rest, probably the larger part, the state had never resigned its claim as owner. Some of this state property was regularly leased out by the censors, and yielded yearly rents. Some arable land, and a great deal of grazing runs (*saltus*) woodlands etc, were dealt with thus, and to disturb so safe a financial resource was out of the question. The land on which Gracchus had his eye was that part (probably very large) of which the state retained the property (*dominium*) while individuals or communes held it in effective occupation (*possessio*). It is said that such lands had been originally granted on condition of payment (according to the kinds of land) of a tithe or quit-rent. But in course of time the collection of these dues had been allowed to fall into arrear, and they had by this ceased or become nominal.

316. No doubt the original grants had been matters of favour. In some cases a community of Allies had been rewarded by assigning to them a block of land in [£] possession,' adjoining their own territory. But most of the original grantees had been influential Romans, for we hear of this sort of land-grabbing very early in the history of the Republic. Centuries had gone by, and the neglect of the state to assert its rights had caused the rights to be forgotten. Rearrangements of estates had led to the obliteration of boundaries, and it was often impossible to tell where the private freehold ended and possession began. Money had been invested in land, or lent on mortgage, without inquiry into, the varieties of tenure under which the various parts of an estate were held. Such distinctions had come to be ignored as obsolete, and

the evidence to justify them had mostly disappeared. Any attempt to disturb the present state of things, by investigating titles and resuming rights that had been allowed to lapse, was certain to arouse fierce opposition, not only from the present possessors but from many others also, whose interests would be indirectly touched. On the other hand it was true that this appropriation of state lands had been carried out in defiance of the Licinian land-law of 367 B.C. By that law the amount of land that an individual might hold in possession (500 *iugera*) was strictly limited, and the maintenance of boundaries was necessary to prevent evasion. The existing abuse was illegal, but it was in nearly all (perhaps all) cases the work of the earlier 'possessors,' to whom the present holders had succeeded by inheritance or purchase. Was it wise in the interest of Rome to endeavour to upset a system the growth of centuries? The advantages of a radical reform could only be guessed: the dangers were sure.

317. But Gracchus feared no danger, and he traced the failure of the Licinian law to the lack of machinery for enforcing it. He intended not only to reenact it but to provide a standing land-commission, empowered to resume for the state all lands illegally held, and to allot the same in parcels to poor citizens. Thus he would put the people back on the land, to the lasting benefit of Rome. By the time of his entry on office he had prepared his famous land-bill, with the help of some of the first lawyers of the day. Indeed he did not lack influential support at this stage, and with the common folk he was popular enough. The question now was, could he peaceably and constitutionally carry the law, and on what support could he reckon in case he were driven to resort to unconstitutional means? Further, if he carried it by whatever means, could he insure the continuance of his policy after he himself ceased to be tribune?

318. Of the law we know a few main points. It reenacted the limit of the Licinian, but allowed a possessor to hold also half the amount (250 *iugera*) for each of two sons. It seems that the smaller possessors (below 500 *iugera*) were not touched, but this is not clear. Some compensation to present possessors for unexhausted improvements is mentioned. But whether this was in the form of a cash payment is very doubtful. The land still left to possessors, after the resumption of excess-amounts, was to be guaranteed to them in future free of all dues and claims for

arrears. The law also set up a standing land-commission, with power to inquire into cases and to distribute allotments out of land resumed on behalf of the state. Power of jurisdiction in disputed cases was included either now or at a later stage. The publication of the bill at once raised a storm, for the possessors were not to be soothed by the concessions offered. Gracchus was giving them what in their view was already their own. But the tradition of the discontent expressed, and of the harangues in which the tribune stirred up the multitude to insist on a share of the state land, is so sensationally dressed up that it can hardly be accepted as a trustworthy picture of what actually happened. We do not know how many of the poorer citizens addressed by Gracchus were influenced by genuine land-hunger rather than by a general discontent the effect of indigence.

319. Our authorities speak of a great influx of country folk into Rome to support Gracchus. This seems to imply that many at least of those who desired allotments of land were rustic citizens who hoped to better their present position. Nor is this unlikely. Such men would be the first to feel and resent the pressure of the great landlords who were squeezing out the small holders, and most of them would have sons. Voters of this class would be steady supporters of the new policy, and they might well determine the votes of a majority of the Tribes, whenever they flocked to Rome. But at seasons of urgent farm work they could not well leave their farms. It is not clear that there was any other class of citizens on whose loyal support Gracchus could safely rely; for the city mob was easily corrupted by various influences, and a leader who trusted them was likely to be left in the lurch. In the absence of statistics we are driven to guess-work. The above considerations are at least consistent with the sequel. The opponents of the bill were not merely the great landlords and those under their influence. The communities of Allies to whom Roman state-land had been granted in possession raised an outcry against the harshness of disturbing their tenure after all their long and faithful service. This was not without effect on the more moderate of the nobles, who were conscious that to provoke the already ill-treated Allies still further was both inexpedient and unjust. But Gracchus had no time to lose, if he meant to get anything done, so he prepared to carry the bill. The opposition now induced another tribune, M. Octavius, to block it. Gracchus tried in vain

to buy off his 'intercession.' Much debate followed. Gracchus used his official powers to stop all public business, and even sealed up the treasury. But rioting prevented the voting on the bill, and the Senate would do nothing to help him. At last he was driven to take an unconstitutional course. He declared that Octavius, by thwarting the people's will, had betrayed his trust. He called upon the Tribes to depose their unfaithful servant. The Tribes voted for deposition. The first step in the Roman revolution was thus taken; it remained to abide the consequences.

320. The bill now quickly became law. A new tribune was put into the place of Octavius. A commission of three was appointed. The three were Gracchus himself, his brother Gaius, and his father-in-law Appius Claudius. The rural voters went home, and the tribune was left to face a storm of calumny and spite. And now came the news that Attalus III king of Pergamum was dead, and had left his kingdom and treasure to the Roman people. Gracchus at once prepared to take the matter out of the hands of the Senate, by a bill for appropriating the treasure to meet the expenses of stocking the new land-allotments. The encroachments of the popular tribune were beginning to alienate many supporters. Romans were hardly ripe as yet for the methods of Greek demagogues. His enemies worried him fiercely, most of all on the matter of Octavius. He was driven into the weak position of justifying his action in a public speech. By slanders and heckling he was made to appear as aiming at unconstitutional power, and in this charge there was only too much truth. But he had gone too far to stop. Immediate re-election was his only chance of effecting reform, and this meant breaking another rule of the constitution. The summer elections were coming on, and the rural voters were busy. Gracchus was in a fix. He strove to win the support of the resident voters by a number of proposals of a demagogic kind. He seems by such despairing efforts to have regained some popularity, but not to have aroused enough enthusiasm to overawe his bitter enemies.

321. At the election, voting for Gracchus was stopped by the squabble that took place over an objection to his eligibility. An adjournment followed. The tribunes were evidently unwilling or afraid to back up their leader. A party-fight was now in prospect. The next morning Gracchan partisans occupied the Capitoline temple. The Senate met conveniently near, and the

great majority of the members, headed by P. Cornelius Scipio Nasica the chief pontiff, only waited for a chance of intervening with effect. They had armed their slaves and dependants, meaning to use force. The voting was again stopped by a riot; the tribunes fled. Then Nasica and his band of furious senators led their followers into the Capitol yard and fell upon the ill-prepared Gracchans, of whom with clubs and stones they slew 300 or more, among them Tiberius Gracchus. Nor did religious sentiment respect the corpses of the dead. They were cast into the river. Roman politics had come to this pass, that a precedent had been set for massacre as a means of party-strife. And it was the rich landlords that had set this precedent, in defence of their privileges against a movement for reform.

322. The massacre was followed up by the appointment of a judicial commission to inquire into the complicity of survivors in the designs of Gracchus. Some are said to have been outlawed by this court. His Greek tutor Blossius had friends on the commission, and escaped. But he left Rome and went to join the rebellion in Asia. It is clear that the nobles did not feel strong enough to defy public feeling. Men mourned for Gracchus, and shewed such hatred for Nasica, that a pretext was found for sending him on a mission to Asia, where he soon after died. Nor were the new laws directly attacked. The vacant place on the land-commission was filled by the election of a friend of Gracchus, P. Licinius Crassus. In 132 Scipio Aemilianus returned from Spain. An opportunity was found to draw from him an opinion on the Gracchan affair. He plainly disapproved his brother-in-law's projects and condoned his murder. We are told that the common people were disgusted with him. This seems to indicate that the Sempronian land-law was really a popular measure, and the Roman mob perhaps still capable of some genuine land-hunger. Anyhow Scipio's attitude made him the associate of the violent and selfish nobles, the tool of a clique with which he could have little or no sympathy.

Such in brief is the story of Tiberius Gracchus the Reformer, the record of which leaves only too many points open to serious doubt.

CHAPTER XXI

THE INTERVAL 132—123 B.C.

323. After the death of Tiberius Gracchus in 133, more than nine years passed before Gaius Gracchus could take up and extend his brother's projects. In this interval things were moving on both at home and abroad, not for the better. A short narrative will shew that the situation in 123, as compared with 133, was less favourable to any peaceable and effective reform.

324. In the East, the bequest of the Pergamene kingdom seemed to promise new and profitable spheres of activity both for noble governors and for enterprising capitalists. A Province called Asia was to be formed out of countries notoriously rich. No resistance was expected. The people were to be *free'; that is, to have no more kings, but to be dominated by Roman interests. But a certain Aristonicus appeared as pretender to the throne of Pergamum, and drew away many after him. Repelled by the Greek cities of the coast, he raised an army of slaves and barbarians inland, and withstood the forces of Rome for about two years. A large part of these forces consisted of contingents furnished by the kings of Bithynia Paphlagonia Pontus and Cappadocia, for Rome drew upon her own resources as little as possible. There was serious fighting. P. Licinius Crassus, consul in 131, was defeated and fell in battle: Ariarathes of Cappadocia also died fighting for Rome. In 130 M. Perperna brought the war to an end, but it was Manius Aquilius (consul 129) who presided over the following settlement. The after-effects of the Gracchan affair are visible in this war. The Greek Blossius killed himself in despair after the defeat of Aristonicus. Crassus, though chief pontiff after Nasica's death,

was appointed to command in Asia, though Scipio wished for the post. The matter was decided by the Assembly, and the influence of the Gracchan party surely contributed to the result.

325. The boundaries of the new province Asia had no doubt been fixed by the Senate in general terms, leaving discretion to the commissioners in dealing with the further districts. Not to annex too much, but to reward client-kings with territories of doubtful present value, was a practice well established. So a wide region was added to Cappadocia. The district known as the Greater Phrygia was important from its position and wealth. Nicomedes of Bithynia and Mithradates IV of Pontus both wanted it. The latter got it, having it was said bribed Aquilius. But he did not keep it long. The award was challenged in Rome as the needless sacrifice of a valuable property. It seems that before this king's death in 120 the concession was withdrawn, and another safe outlet found for Roman capital. For the present Asia included Mysia Lydia and Caria, with most of the adjacent islands.

326. In the North and West there were a few movements worth noting. In 129 the consul C. Sempronius Tuditanus made a campaign in northern Illyria, probably to keep the peace of the Adriatic and secure the route to the East. In Sardinia a rebellion in 126 was not put down till 124. Gaius Gracchus served there as quaestor. He did as his brother had done in Spain, winning the confidence of the natives and being otherwise helpful. So the Senate, in order to keep him away from politics, continued the consul L. Aurelius Orestes in command. This meant by custom the detention of his quaestor, but Gracchus saw through the trick and returned to Rome in 124. In the South of Transalpine Gaul the Romans again intervened to protect their old ally Massalia. This time also the enemy were a Ligurian tribe, the Salluvii or Salyes, in the country north of Massalia and east of the Rhone. In 125 the consul M. Fulvius Flaccus defeated them, and by 123 they were no longer a menace to the Massaliots. The land-route to Spain was now safer, and a step was taken which indicates that the possibility of a forward policy was now in view. In 122, at a spot behind the Massaliot territory, where there were some hot springs, the proconsul C. Sextius founded a military station called *Aquae Sextiae* (Aix en Provence). In 123 the consul Q. Caecilius Metellus conquered and occupied the Balearic isles. Thus the

sea-passage to Spain was better secured, and Balearic slingers were some of the most useful among the auxiliaries now commonly employed in Roman armies.

327. To return to Italy. The land-commission was at work settling boundary questions, perhaps granting allotments. After the deaths of Crassus and Appius Claudius two new colleagues were found for C. Gracchus. These were M. Fulvius Flaccus and C. Papirius Carbo, both at present hot reformers. Of course they, like the Gracchi, belonged to the noble class. In the preceding period the nobles had been splitting up into two factions, which now became regularly labelled with party-names. The genuine aristocrats or 'best men' (*optimates*) had a majority in the Senate, and were stubborn upholders of senatorial government. The other section, the 'people's men' (*populares*), included some patriotic reformers, but consisted mainly of men who saw a better prospect of pushing themselves forward by courting the multitude than by trusting to a share of the patronage of their own Order. The revived activity of the Assembly encouraged these men, of whom Flaccus and Carbo were specimens. Such politicians could not be relied on for consistency, for their patriotism rested on no principle strong enough to overcome personal interests. We shall often come across these two factions, and find them equally selfish and mischievous.

328. The arbitrary powers of the commission were in practice clogged by the delay of possessors to make returns of their holdings. To quicken matters, informations were invited. A mass of litigation was the result. Many awkward questions arose, for in the lax management of former times the evidences of previous transactions had often disappeared, and the proof of titles was impossible. So the outcry against the commission grew stronger, and the Allies who feared to be dispossessed added their protests to those of the citizen possessors. Scipio, who owed much to the Allies, and disliked the Gracchan policy, now interposed. He procured the transference of the judicial powers of the commission to a consul. This was in 129. The consul soon wearied of the tiresome work; he went off to the Illyrian campaign. The commission were now powerless, and their work came to a standstill. Scipio was in fact now a leader of obstruction in the interest of the great landlords. In 131 a bill was brought forward to revive the old right of reelecting tribunes continuously

Scipio and Laelius got it rejected, but some measure of the kind seems to have passed a few years later.

329. It is clear that in these years there was much friction and unpleasantness in Roman public life. The 'best men/ or conservative aristocrats, were glad to use Scipio against the still vigorous Gracchan party, but they did not share his scruples. It was not he, but Metellus¹ Macedonicus, that had the ear of the Senate or the senatorial juries. At this time the Metelli were the most powerful family in Rome. But the Gracchan revival of the tribunate was a fact. In 131, when Macedonicus was censor, he came into collision with a tribune, and a scandalous squabble followed. The position of Scipio and his clique as moderate men in a factious society was a difficult one, and the great man was now both unpopular and ineffective. One morning in the year 129 he was found dead in his bed. There were rumours of foul play, but no proof, nor even an inquiry. His health had never been strong. So the first Roman of the day passed from the scene under mysterious circumstances at a critical moment. Neither the selfish rich nor the fanatical reformers seem to have mourned one who was too scrupulous to please either. Tradition did homage to his nobility of character, but as a statesman he was out of place in a turbulent and self-seeking age.

330. The death of Aemilianus made the treatment of the Allies a practical issue in Roman politics. True, they had no votes, but their importance to the Roman state was not to be ignored. The Gracchan reformers, checked in their agrarian scheme, began to try and quicken matters by a proposal to make the Allies Roman citizens. It is said that this was meant to buy off their opposition to the resumption of state domains by the state, and that they were willing to accept the offer on those terms. The matter is most obscure: anyhow the Senate thwarted the design. In 126 a strong measure was taken to prevent anything of the kind. The tribune M. Iunius Pennus brought forward a bill for the expulsion of aliens (*peregrini*) from Rome. Gaius Gracchus led the opposition, but it passed into law. We see that the 'popular' party could not rely on the Assembly, at least in such a question as this. Too many citizens were jealous of the Allies, and the 'best men' probably appealed

¹ See § 245.

to this feeling with success. The cause of the Allies was being made the plaything of Roman factions. The *optimates* would not grant them the Roman franchise; the *populares* would not guarantee them perpetual possession of Roman domain-land. And now the Allies were further irritated by an insulting law. They knew that the strength of Rome depended on their support. To some of them the land-question was the most important point. All no doubt wished to be no longer exposed to the tyrannical insolence of Roman nobles. In using their claims as a party weapon, the Roman politicians were playing with fire.

331, Gracchus went off to duty in Sardinia. Party-spirit was very bitter in Rome, and the acquittal of M'. Aquilius by a senatorial jury on a charge of extortion in Asia was scandal enough to make things worse. Flaccus and Carbo were leading the 'popular' reform-party, and the former was elected consul for 125. He began office by a bill for granting the Roman franchise to the Allies, apparently reserving to those who might prefer it the choice of receiving the right of appeal (*provocatio*) instead. This would give them a certain personal protection, while leaving them local autonomy. But Flaccus seems to have found the opposition too strong. He dropped the proposal, and went off to Gaul. The consequences of raising and dashing hopes were shewn at once. The Latin colony of Fregellae, founded 328 B.C., had served the cause of Rome with conspicuous loyalty for 200 years. The people were 'Latins,' Roman Allies of the most favoured class. They rose in revolt, declaring their secession from the Italian confederacy. If they hoped for support from other Allies, they were mistaken. The rising was ill-timed, for the Allies had not yet fully learnt that they must stand or fall together, and that their wrongs could only be righted by the sword. The praetor L. Opimius was promptly sent with a force to quell the revolt, and he soon took the town by the aid of treachery within. Fregellae was dismantled. A citizen colony, Fabrateria, was founded near, and took its place as a centre. But the shameful story did not end there. The 'best men' in Rome declared that the secession had only been brought about through the encouragement of Gracchan sympathizers. Thus they hoped to discredit their opponents. A judicial inquiry was held, and no effort spared to attach the guilt of treason to the popular leaders.

33a. Among those accused of complicity in the revolt of Fregellae was Gaius Gracchus himself, on his return from Sardinia. He defended himself with success. But his services in the island, particularly his wide influence, shewn in procuring a gift of corn for the army from the Numidian king, had only alarmed the Senate. The censors of 125—4, before quitting office, called him to account for coming home before his commander. Again he justified himself, by shewing that his conduct had been above the ordinary standards of the day. In the summer of 124 he stood for the tribunate, and was elected, but only fourth in order. We hear of great enthusiasm and crowds of country voters, perhaps attracted by the wish to set the land-reform going again. But events had strengthened the influence of the 'best men,' and Gaius was not able to secure the unanimous vote of the Tribes.

CHAPTER XXII

GAIUS GRACCHUS 124—121 B.C.

333. The two tribunes of Gaius Gracchus lasted from 10 December 124 to 9 December 122. The details of his acts and the order of events are in many points far from certain, for our record is incomplete and comes almost wholly from prejudiced sources, hostile to the hero of the story. It is most important to bear in mind that the work of a tribune's official year was almost unavoidably done in the first half. Contemplated measures could be (and were) prepared beforehand in the form of bills, which he introduced in the regular way as soon as he entered on office. In the course of the summer the tribunes for the next year were elected, and their presence could not but weaken the hands of men whose successors were already known. The power of immediate reelection, even if only for a second year, greatly extended the range of a tribune's activity; for the second half of his first year, and the first half of his second, were both made effective. Therefore the work of Gracchus is better understood if we treat it as carried on in three divisions.

(a) Summer 124 to summer 123, including election, preparation, popular legislation, and reelection.

(b) Summer 123 to summer 122, including legislation of a more contentious kind, ending in defeat at the election for 121.

(c) Summer 122 to winter 122, when the end of his office was in sight. The attack on his measures, and his death, bring us to the early days of 121.

334. Gaius was as well-meaning as his brother, but more eager and impatient, and embittered by the murder of Tiberius. That murder had shewn that, to effect anything, he must put an end to the usurped supremacy of the Senate. He seems to have

believed that the Assembly could be trusted to give a hearty and consistent support to a popular leader who could and would shew it the way to recover and assert its sovran power. The sequel proved his error. Selfishness indifference and corruption had already destroyed the once solid patriotism of Roman Assemblies: the non-attendance of rural voters generally made them unfit to express public opinion: even those present did not decide by a total majority, but by the majorities, however small, in not less than 18 of the 35 Tribes. Thus the power at which Gracchus, consciously or unconsciously, aimed was that of a popular leader in a Greek Demos; and there was nothing like a Greek Demos in Rome. But the rule of the Senate was to him unbearable, and he set to work at once. The judicial commission that sat after the murder of Tiberius, and put to death or outlawed his adherents, was appointed by the Senate. The Senate itself could not act as a court of justice. Therefore this act was one more encroachment on the Assembly's sovran power, and must not be passed over. The act of the court was strictly the act of its president. Gracchus then carried a law declaring illegal any sentence affecting the bodily or civil life (*caput*) of any citizen, passed without the leave of the Assembly, and he made it retrospective. Under this law P. Popilius Laenas, who had presided in the special court, was clearly guilty. Gracchus then denounced Popilius before the Assembly, and got him outlawed in the regular form. This Sempronian law in fact revived the old popular jurisdiction, chiefly in order to ruin an obnoxious individual.

335. It was plain that the leading tribune had the complete mastery of his nine colleagues, and that he was for the present the ruler of the Assembly, controlling the legislative power. The only thing to be done was to let him alone and to wait. But he, with great and growing designs, could not have too much popular support, and therefore it was probably now that he produced and carried his famous corn-law. The state was to buy corn, and to retail it to citizens in Rome at half the cost-price. That is, an expedient hitherto used for temporary relief in time of dearth was to be henceforth a regular system of poor-relief. That the treasury would be sadly crippled by such a burden was obvious. We are told that Gracchus posed as a guardian of the treasury. By what sophistry he justified the corn-law on economic grounds

we do not know. But it is certain that the direct financial drain was but a small part of the evils created or fostered by the law. Its pauperizing bounty drew more immigrants into Rome. The demand for corn grew, and the state had to buy it in the cheapest markets. This encouraged the large-scale agriculture of such lands as Sicily and Africa, whence slave-grown corn was easily transported by sea. Further, it discouraged most of all the remaining small farmers of Italy. In some districts men continued to exist as true country-folk, living mainly on the produce of their labour. To many, edged out by the pressure of great landlords, the increased attractions of the city were more irresistible than ever. Thus the policy of Gaius Gracchus, in quest of sufficient power to effect reforms, directly tended to nullify the agrarian revival, which he well knew to be the first necessity, and which had been the first object of his brother. We can see now that politics were travelling in a vicious circle, from which there was no escape. But at the time this would not be evident to a hopeful mind.

336. The corn-law was followed by other measures the order of which is uncertain. The land-law of Tiberius was reenacted and the judicial powers probably restored to the commissioners. Another law improved the conditions of military service, removing certain grievances. It may be that the law dealing with the province of Asia belongs to this stage. Evidently this new province was not as yet satisfying the expectations of Roman financiers, and they put pressure on the tribune, who could not do without their support. The law provided that the dues of the province (tithes in kind, customs, etc.) were henceforth to be farmed out for collection to Roman contractors. The imposts in the several departments would be put up to auction : this auction was to be held in Rome. Thus a peaceful and very rich country was handed over to be exploited by unscrupulous and greedy capitalists. We have seen what this meant, and that ordinary governors could not or did not restrain the iniquitous exactions of these persons. It was cheaper for a governor to risk a prosecution in the court of *repetundae*, and to buy his acquittal, than to face the bitter hostility of the whole body of financiers in Rome. Gracchus surely knew that he was dooming millions of the human race to utter misery. But we must judge him by the standard of his own day. In ages of

civilization based on slavery, the voice of humanity could seldom find a hearing. Even to the best of Romans the claims of the human race seldom meant more than the claims of Roman citizens. We have also an obscure reference to some measure for insuring that public trials should not be used as a means of ruining men, Romans of course. This probably refers to some clause or law to check judicial commissions, such as that which condemned the followers of his brother.

337. By the summer of 123 Gracchus had a number of enterprises in full swing. Among these we hear particularly of the granaries (*horrea Sempronia*) built for the storage of corn. But his best work was done in improving communications. New roads were made for economic rather than strategic purposes. Old ones were better levelled and constructed, and provided with better milestones and bridges. Over a host of engineers contractors and other subordinates the tribune exercised a general supervision. The amount of business transacted by him caused general wonder. The tribunate had never been meant for an office to undertake the direction of public affairs; but Gracchus, by his power over the Assembly, could procure any extension of his own authority as need arose. He was the first man in Rome for the moment, and his enemies did not omit to suggest that he was a tyrant-demagogue aiming at monarchy. What happened was that he procured the election of his nominee C. Fannius Strabo to the consulship, defeating Opimius who destroyed Fregellae. He was himself again elected tribune, and with him his friend Flaccus the consul of 125, now home from Gaul.

338. The next important measure was most likely the law dealing with the jury-courts. Gracchus needed the support of an influence that he could play off against the irreconcilable hostility of the Senate. This could only be found in the wealthy non-noble class, the so-called 'knights' (*equites*). They were now simply a class of capitalist speculators, the younger men of whom still furnished officers to the army: the old corps of Roman citizen cavalry was no longer employed in the field. We have seen how powerful this class, numerous and used to cooperation in companies, was in public life. Gracchus had already handed over Asia to their mercies. He now gave them the means of preventing any interference with their extortions. The new law

took away from the senators the right of sitting on juries, and gave it to the 'knights.' Henceforth a governor, who from whatever motive checked the iniquities of the revenue-farmers abroad, was liable to be put on his trial before a jury of men whose first object was to screw an income out of enterprises of this very kind. Gracchus is said to have denounced the scandalous acquittals of guilty governors by senatorial juries. But the equestrian juries were no better. What he did effect was to weaken the Senate. The law was only carried with great difficulty, so strong was the opposition. But there were henceforth two privileged Orders recognized by statute, for the Knights were now a regular Order or rank. And the struggle of these two Orders for the control of the public courts, in order to use the privilege of judgment as a means of party vengeance or private gain, became a leading political issue in the revolutionary age. To win a momentary advantage Gracchus had done lasting harm. But he was for the moment supreme. Even the preparation of the first list of the new *indices* was not left to a praetor, but entrusted to the tribune. Yet there was no guarantee that, having carried so much legislation, and disturbed so many interests, he would remain in power long enough to bring his reforms into practical working.

339. After this open defiance there could be no accommodation between the tribune and the Senate. Even the known supporters of Gracchus in the House began to draw back. To keep up his popularity he seems now to have taken up colonial projects. We hear nothing of the doings of the land-commission, and the foundation of citizen colonies (if places could be found) may well have been a more attractive proposal than the offer of isolated farms. Capua and Tarentum were suggested, and there was public land round both of them. The design on Capua was dropped, perhaps because of the objections to it on financial grounds. To turn out the present tenants of the *ager Campanus* meant the sacrifice of their rents, one of the safest revenues of the Roman state. To Tarentum colonists were actually sent, and the city officially named Neptunia. Little is known of this matter. But the Greek character of Tarentum was at all events not materially altered. The scheme for a transmarine colony at Carthage was perhaps somewhat later. Meanwhile the year 123 wore out, and in December Gracchus began his second tribunate

with new colleagues. Among these was M. Livius Drusus, a much-respected noble, in whom the Senate found an instrument for offering an artful indirect opposition to the policy of Gracchus. The plan was to outbid the reforming demagogue by showy proposals, not meant to be seriously carried out. His popularity once undermined, Gracchus must either submit or take the consequences.

340. The chief points of the Livian laws are best seen by placing them alongside the Sempronian laws with which they were meant to compete.

GRACCHUS.

2 colonies of respectable citizens.

Holders of allotments under the land-law to pay a quit-rent to the state.

DRUSUS.

12 colonies of indigent citizens.

The quit-rent of the allotments to be remitted,

Beside these, Gracchus was preparing a bill for granting the Roman franchise to the Latins. Drusus met this by a bill to grant the Latin soldier the same protection against cruel military punishment that the citizen enjoyed. Thus he would remove a notorious grievance, while the present Roman citizens would retain their exclusive right to the perquisites of citizenship. The programme of Drusus was more attractive to the Roman populace. Bit by bit the sham demagogue weakened the position of the real one. Gracchus could not block the proposals of his colleague without further loss of popularity.

341. A law for founding a colony on the site of Carthage was followed by one¹ for reorganizing the court of *repetundae* and improving its procedure. Conviction was to be followed by restitution of twice the amount extorted. Senators were expressly excluded from the juries; and some hold that this law, and no other, was that by which the change of jurors was effected. By another law (*lex Sempronia de provinciis consularibus*) Gracchus deprived the Senate of a means of putting pressure on consuls year after year. The Senate assigned the departments to the magistrates after each election. Some of these *provinciae* were far more desirable than others. By naming undesirable posts as reserved for the consuls of the coming year **the Senate** could keep the best things out of the reach of a

¹ *lex A cilia repetundarum*. See § 443 below.

consul whom they wished to punish for contumacy. The new law wisely left the selection of 'consular' posts in the hands of the Senate, but required it to be made in each year before the elections for next year were held, while it was still uncertain for whom the posts were being selected. The Senate was still able to leave a man in command as proconsul, by not assigning his province to a successor. Surely this moderate measure shews us the tribune at his very best: it was not mere playing to the mob, but a practical reform. It is said that he designed to give the Assemblies a more democratic character. The plan was to do away with the privileges of the property-classes altogether in the Centuriate Assembly. The first-voting Century (*praerogativa*) was still chosen by lot from the First Class. Henceforth it was to be chosen from any Class, and the whole order determined by lot. Whether Gracchus actually carried a law to this effect is not known.

342. It was the competition between Gracchus and Drusus in the early months of the year 122 that decided the fate of the former. To be in earnest was a fatal disadvantage. The most awkward question was that of the Allies, how to conciliate them without offending the Roman mob. Gracchus had a bill for granting the Roman franchise to the Latins, and perhaps the 'Latin right' to the other Allies. The Latin communities might, if they preferred it, receive the right of appeal instead of the citizenship, thus gaining personal protection while keeping their local autonomy. The grievances of the Allies were by this time notorious, but we have seen that neither Senate nor Assembly wished to remedy them by an extension of the franchise. It was very difficult for a sincere reformer to get steady support for an honest treatment of this question in the teeth of jealous prejudices easily roused. Opponents of Gracchus had a fair ground for objecting to an influx of Latins at the time of voting, and for taking steps to prevent a riot. The absence of Gracchus caused delay. He had gone to mark out the colony at Carthage. This scheme too was violently denounced. Evil omens were eagerly reported. Roman citizens did not come forward in sufficient numbers, so the commissioners invited other Italians. It seems that Roman voters took little interest in the colony. The nobles naturally objected to having a Gracchan outpost set up in Africa, and the capitalists owning

land in the province can hardly have welcomed the scheme. Meanwhile the situation had become worse in the absence of Gracchus. Flaccus was alarming people by real or suspected intrigues with the Allies. Fannius had joined the opposition. Opimius was standing for next year's (121) consulship. A great effort was being organized for repealing the law establishing the colony at Carthage. Thus in the middle of 122 things already looked bad for Gracchus.

343. A project for planting a large number of citizen colonies in Italy was sure to annoy the Allies. But to Drusus this mattered not: he was acting for the Senate, not for the Allies, and the project was a sham. The proposal to enfranchise the Latins was no doubt seriously meant, but it was most difficult for Gracchus to commend it to the Roman mob, who now, having secured cheap corn, wanted more favours, not for the Latins but for themselves. He addressed meetings, and pleaded the cause of the Latins bravely. But all his eloquent exposure of their wrongs fell flat on the ears of men used to selfishness and unused to philanthropy. When Fannius said 'don't let yourselves be crowded out by a mass of new citizens,' this was something that spectators of shows could understand. The Senate induced Fannius as consul to issue an edict forbidding Allies to come within five miles of Rome during the voting on the bill, and the tribune found that he had not moral force behind him strong enough to enable him to defy the consul. So the hope of putting pressure on the Assembly by a great concourse of Latins was frustrated, and the bill did not pass.' A last vain attempt to recover the favour of resident voters, by pulling down the stands erected for a gladiatorial show, and so clearing the space for the poorer spectators, was made by Gracchus. But he irritated the other tribunes, and gained nothing. The elections soon followed. Gracchus was not reelected tribune. His enemy Opimius was elected consul. The power of Gracchus was virtually ended. His opponents made ready to attack his policy, first and foremost the law for the colony *lunonia* on the site of Carthage. On the 10th December the new tribunes came into office. Notice of a bill for repealing the law was promptly given. On the first of January Opimius entered office, and an early date was fixed for voting on the bill.

344. We have a very confused and imperfect record of the

events that followed. Gracchus, now a mere commissioner **under** certain laws, was sure to have to face a public trial very shortly, and it seems that he was prepared for this risk but averse to violence. Flaccus and others were for a fight. So the Gracchans went to the Assembly with hidden daggers, and a quarrel led to the murder of an attendant of the consul. The Assembly broke up. Next day the corpse was exposed, and no pains spared to rouse public indignation against the Gracchans. Gracchus tried to express his horror at the crime: his enemies raised the cry that he was interrupting a tribune, traditionally a grave offence. The senatorial majority now saw their way to making an end of him. The Senate met and passed its 'Mast order' or 'decree,' calling upon the consuls to 'see that the commonwealth took no hurt.' When this famous form of words was first used we do not know. Its effect was to strengthen the executive power by declaring a state of siege. It was supposed to remove for the moment the restrictions on the *imperium* within the city (*domi*) so as to make it equal to that in the field (*militiae*). It rested on no statutory enactment. But some such power was needed in great emergencies, and it seems to have been thought constitutional by all parties. Whatever was done under such authority was the act of the acting magistrate, not of the Senate. Could he be afterwards called to account? To this question we must recur in a later chapter.

345. A fight to the death was now inevitable. Men passed the night under arms, and next morning Flaccus and the more desperate section of the reform-party occupied the Aventine hill. Gracchus did not desert them, though he still hoped for peace. Negotiations were futile, for the Gracchans would not surrender, and the government-party would grant no other terms. So the consul led his forces to the assault. We must remember that Roman nobles were themselves as a rule fighting men, and that each one would be escorted by sturdy slaves, not to mention other retainers. Opimius had also some mercenary bowmen from Crete; for mercenaries were already a part of the military forces of Rome. The mass of the population seem to have looked on at the rout and massacre of the ill-prepared Gracchans. We need not relate the deaths of the leaders. They died: so did many more; in the battle about 250 fell, **and** a number were **put** to death **later**. Mourning was forbidden, the estates **of** Gracchus **and** Flaccus

were confiscated, the city was religiously purified. In honour of the victory, a temple of Concord was restored by order of the Senate. Plutarch tells us that it was regarded as an insolent record of civil bloodshed, and that the populace honoured the memory of the lost Gracchi. But the Gracchi were gone, and their careers had at least proved that it was a fatal error to rely on the support of the Roman People.

346. Did the Roman commonwealth as a whole find itself the better for the reform-movement headed by the Gracchi? I think not. The tribunate had once more become active, but it had never been a good office for governing purposes. In the present period its activity was almost an unmixed evil, for the tide of tendency was steadily running towards the supremacy of military power. The tribunate conferred no *imperium*. Its later history is that of fitful and often violent demagoguery, and we shall see it become the tool and satellite of military leaders. The consulate, now that the succession of consuls to important provinces was made more regular, tended to become a home-magistracy, with a provincial government to follow; that is, eventually proconsulship would be more valued than consulship. And the rise of great proconsuls was a main cause of the fall of the Republic. That the Senate had lost ground as a power in the state is clear enough. The nobles seemed to have recovered their dominating position, but only by a shameful and clumsy resort to civil warfare. The prestige and moral force of the Senate was weakened, yet no new and better organ of state policy was found to take its place. This, as things now stood, was a sheer calamity. The Assemblies were going from bad to worse. The open endowment of the mob by the corn-law perpetuated disorder, for the state-paupers became more numerous and more worthless, and their votes enabled them to insist on their own corruption. That the attempt to recreate a race of small citizen-farmers was a failure, the sequel will shew. One class alone emerged from the shock of the Gracchan disturbances with a clear gain. The capitalist Knights, now recognized as an Order and armed with the control of the public courts, were henceforth well able to make their power felt. But their interest seldom coincided with the true interest of the state, and neither their present opposition to the senatorial nobles, nor their later combination with them, contributed to the health and permanence of the Republic.

347. If we look beyond the citizen body, to raise hopes in the Italian Allies, and then to disappoint them, was surely a disastrous result of agitation. The edict of Fannius and the fall of Gaius Gracchus proved that neither Senate nor Assembly would do justice to those on whose loyal support the Roman state depended more than ever. But as yet the Allies had no common organization, so the revolt of Fregellae found no imitators. The day of reckoning came thirty years later. As to the provincials there can be no doubt. The new jury-law changed their position for the worse. The class that supplied governors might be degenerating, but an honest and kindly governor was not unheard of. I know of no suggestion that a Roman money-lender or revenue-farmer ever regarded Roman subjects abroad from any other point of view than his own immediate profit. Not to shear the sheep close was only to leave wool for the next shearer. This policy filled private purses, not the Roman treasury, and it reached its full perfection under the system of Gaius Gracchus.

348. It would be unfair to blame the Gracchi for the sad result of their exertions. They miscalculated the means at their disposal, and paid for the error with their lives. All parts of the state were corrupt. In the face of senatorial opposition, a magistrate could only depend on the Assembly, and the Assembly could only be managed by continuous and progressive bribery. The short tenure of office paralysed a reformer. The unofficial Greek demagogue had no place in Rome. Yet the Gracchi both acted as if the Rome of their day had been the Athens of Pericles. In truth there remained but one possible means of gaining the continuous power necessary for effecting reforms. This was armed force. This force could not be made effective in mere faction-fights. Only the army could overawe opposition, and an army must have a leader. With the appearance of such a leader republican government would become utterly unreal. It is easy enough to see these things now. But to the republican aristocrats of the revolutionary period the one thing clear was that they had to fight for their privileges. Fight they did, and they were not finally beaten till about 80 years after the death of Gaius Gracchus.

CHAPTER XXIII

FROM THE DEATH OF C. GRACCHUS TO THE END OF THE JUGURTHINE WAR. 121–105 B.C.

349. The years included in this chapter form a period of great interest. The first part, say 121—112, contains the reaction against the Gracchan movement, and the wars connected with the advance of the Roman frontier in the North. The second contains the war with a client-prince, and the scandals connected therewith, the rise of Marius, and the appearance of Sulla. All through the connexion of internal and external policy is close. It is a time of transition, in which we see the gradual revelation of a dissembled truth, that the real power in the state could no longer be grasped by civilians. Marius begins the inevitable predominance of military men.

350. The anti-Gracchan reaction is chiefly remarkable for its significant limits. The senatorial leaders did not dare to tamper with those parts of the Gracchan policy in which the mob or the capitalist *equites* were seriously interested. A modification of the corn-law, carried by the tribune M. Octavius, was certainly no reversal of the law, whatever it may have been in detail. But the law for a colony at Carthage was repealed. The Gracchan land-laws were indirectly set aside by piecemeal legislation; not openly attacked, but insidiously undermined. In 121 or 120 the clause forbidding the sale of allotments was repealed. In 119 or 118 a law forbade further allotments, thus abolishing the commission. It had probably done nothing since the death of C. Gracchus and Flaccus. Carbo, the survivor, had come to terms with the reactionary nobles, and safe do-nothing men were most likely put into the vacant places. Now the state was made to guarantee present possessors against future disturbance; the

received quit-rents were to form a fund towards the provision of cheap corn under the corn-law. In 111 the final step was taken : the quit-rents were abolished, and the 'possessions' made private property. Thus the wealthy could resume their old game of absorbing small holdings by purchase, and even hasten the process by annoying their poorer neighbours. They became owners of a vast area of what had been *ager publicus*. The old name *possessiones* remained in general use, attesting the origin of numerous large estates, but they were practically freeholds. So the result of all the efforts to repeople Italy with free farmers was to legalize admitted evils, removing all checks on *latifundia* and slave-gangs. Meanwhile the state lost most of its domains, and had to pay for corn-doles to the Roman mob.

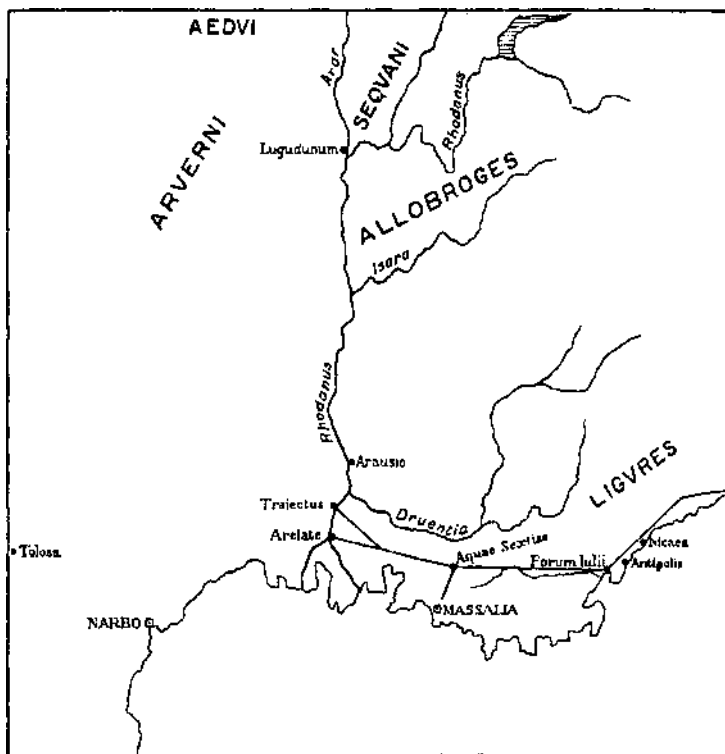
351. So far the *optimates* had the upper hand of the *populares*, and their victory was illustrated by the treatment of some persons concerned in the events of recent years. Opimius had put citizens to death without trial, acting under the authority of the Senate's 'last decree.' He was brought to trial, defended by the Gracchan renegade Carbo, and acquitted. Possibly the whole affair was got up with a view to give a public recognition to the Senate's assumption of sovran power in emergencies; such certainly was its effect. Popilius, exiled in 123, was now recalled: a tribune proposed a bill for the purpose, and the Assembly passed it. On the other hand the rising orator, L. Licinius Crassus, impeached Carbo for treason, and the 'best men' could not save him. Probably they did not try. He thought it best to commit suicide. The death of the hated turncoat was a relief to the 'popular' party, but they had no leaders, and for the present were helpless. Such was the state of things in 120—119, but in the latter year the appearance of Gaius Marius in politics was a sign of their revival.

352. Marius belonged to the municipal town of Arpinum, the citizens of which had received the full Roman franchise in 188. His family were farmers of the old sort, thrifty folk, certainly not paupers. When Marius went with Scipio to Numantia, he served as an *eques*, and was received with favour at headquarters. But he was not rich, and to the last he retained the simple and even boorish ways of his youth. He was ambitious, but it was not easy for him to rise. He was not at his ease among polished Roman aristocrats, and they looked down on him. On his return

from Spain he seems to have given up the land and taken to the life of a *publicanus* sharing state-contracts. Thus he made money and became known to the numerous small capitalists, a connexion very important in his later career. He became a hanger-on of the Caecilii Metelli, no doubt intending to use the influence of the most powerful Roman family of the day for his own advancement. With their support he was elected in 120 tribune for the next year. It may fairly be assumed that he had some sympathy with the Gracchan movements, but he had evidently not compromised himself by hasty action. As tribune he was bold enough to force through a law to hinder the nobles from putting pressure on their dependants. Access to voters while voting was forbidden. He had to defy Senate and consuls (one of them a Metellus), and he did so. But he opposed a bill for further lowering the price of corn in Rome. His independent attitude seems to have lost him support, for he could not win the aedileship in 117. In 116 he won the praetorship for 115 with difficulty. He was accused of bribery, and it was said that his acquittal through equal division of votes was only gained by bribing some of the court. In 114 he governed the Further Spain as *propraetor*, and is said to have done good service in suppressing brigandage. But in the chief military operations of these years 120—he had no part.

353. The attention of the Roman government was directed to three spheres of activity abroad, (1) the advance into Transalpine Gaul (2) the Macedonian frontier (3) the secure control of the Cisalpine country, not yet incorporated in Italy. The first of these was a continuation of the movement already begun in defence of Massalia, Rome's old and useful Ally. One object was to gain a land-route to the Spanish frontier under Roman control. It would also be convenient to hold the seaboard of southern Gaul where not already held by Massalia, and so to prevent molestation of the sea-route by the growth of local piracy. And there was no lack of influences in Rome to promote a forward policy. Consuls hoped to win triumphs in wars. Capitalists hoped that a Roman advance would lead to the annexation of new territories as a field for financial enterprise. So leading men of both parties were ready to move on. Roman diplomacy had prepared the way in the traditional Roman manner. Rome was already allied with the Aedui, a powerful Gaulish tribe. The Aedui wanted to get the better of their enemies the Allobroges,

and could not, the latter tribe being protected by their alliance with the Arverni, who dominated a number of smaller tribes, and were the leading power of south-central Gaul. The Romans were well informed as to the relations of the Gaulish tribes, for Massaliot traders knew the country. Through them the Gauls had long



Southern Transalpine Gaul, shewing the probable line of the road from Italy to Spain, avoiding the strip of coast belonging to Massalia.

been introduced to various appliances of civilized life: Greek coins were rudely copied in Gaulish mints.

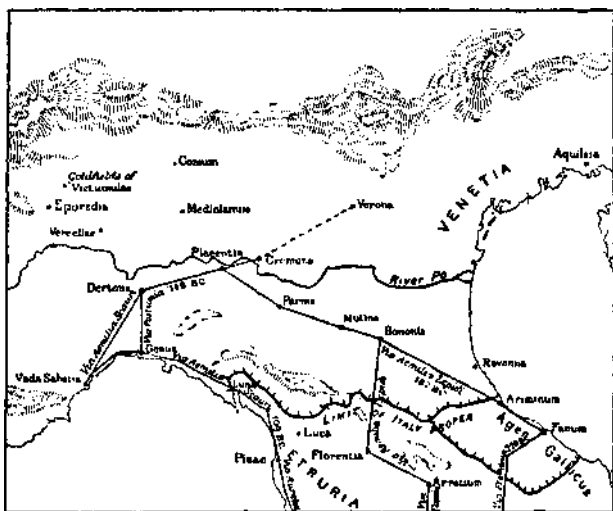
354. Rome therefore acted deliberately and with effect. In 122 the consul Cn. Domitius Ahenobarbus entered Gaul with an army. In 121 he met the advancing Allobroges in the Rhone country, and defeated them with heavy loss. The Arverni came

to their aid, but the new consul Q. Fabius Maximus and the proconsul Domitius joined forces and gained a crushing victory over the combined Gauls. Submission followed, but Rome annexed no territory. What she needed was a free hand further to the South. The Arvernian king was decoyed into Roman power and detained in Italy. We hear of his great wealth and of the abundance of gold hoarded in Gaul. This would not tend to dull the Roman appetite for annexation. The real aims of Roman policy were shewn in the next steps. A road was built (*via Domitia*), running by way of Aquae Sextiae (Aix) to the Rhone. A strip of land, enclosing the Massaliot territory, and reaching from the Alps to the border of Spain, was annexed and made a Province. In 118 a colony of Roman citizens was founded in the West of the new province. It was at Narbo (Narbonne), and served as a military and trading centre. Its official name was Narbo Martius, and the province was afterwards commonly called Narbonese Gaul. The foundation of Narbo was a triumph for the 'popular' party in Rome; that is, for the great financial interest, who overcame the opposition of the Senate.

355. In the years 119—115 there were small wars, out of which Roman nobles contrived to win triumphal honours, in Dalmatia and against the tribes of the north-eastern Alps. The pretext was of course the pacification of the northern and eastern frontier. The defence of Macedonia was a more serious matter. There was generally some trouble with the warlike barbarians pressing down from the North. In 114 a Roman army was defeated with very heavy loss. Later governors recovered the lost ground, and pushed back the invaders beyond the Danube. After no there was peace for a time, but it was never safe to neglect this part of the Roman borders. To return to Italy, the recent advance of Rome made it desirable to improve communications by land along the Ligurian seaboard, and also between that difficult coast and the region of the Po. The road from Rome (*via Aurelia*) led as far as Pisae (or perhaps Luna). Since 148 the Postumian road had given access from Genua to Cisalpine Gaul by a difficult pass. Now in 109 the censor M. Aemilius Scaurus undertook a great piece of work. His *via Aemilia* ran from Pisae or Luna through the rocky district to Genua, then on to *vada Sabata* (Vado) on the coast some 30 miles beyond. After

this it turned back northwards, joined the *via Postumia* at Dertona (Tortona) by an easier pass, and thus opened up an alternative route to Placentia on the Po. Dertona became a colony. The strategic importance of the new road was of course the motive for making it. Before ten years had passed, its value was strikingly proved in a way perhaps hardly foreseen. But that northern barbarians were on the move, and might become dangerous, was already known.

356. In Rome, where politics were now a struggle between two selfish and worthless factions, things were not going well.



Cisalpine Gaul with Liguria about 100 B.C. Only the river Po and the chief roads are shewn. The advance of the boundary of Italy from the Aesis to the Rubicon [? 82 B.C.] is indicated. See §

The rise of Scaurus was a sign of the times. He was a Patrician, of a family that had come down in the world. He set himself to raise it again by recovering wealth and position. As one of the 'best men' he had borne a leading part against C. Gracchus. He lost no chance of coming to the front, posing as a virtuous patriot of conservative views. Whether he was quite so great a rogue as the 'popular' party thought him, is hard to say. It is certain that he made solemn respectability a very paying game in a very

corrupt age. He was consul in 115, and the censors of that year made him 'first man' of the Senate (*princeps senatus*). This place he kept for over 25 years. We have seen that he was censor in 109. Though a time-server, he was masterful when in office. In 114 there was a grave scandal. Three Vestal virgins were said to have misconducted themselves with Roman Knights, and the pontifical court was thought to have shewn culpable laxity in acquitting two of them. This alarmed the superstitious masses. In 113 a special court was appointed to deal with the matter, and punishments and public purifications followed. In 111, the year of the reactionary land-law, a new law¹ against extortion, the *lex Servilia repetundarum*, was carried by the tribune C. Servilius Glaucia. That a new law was already wanted, was not a good sign, and this law, like its predecessors, was ineffective. These few details are enough to shew that we need not be surprised to find much evidence of corruption in Rome. Let us now turn to the story of the Jugurthine war.

357. *Numidia.* To the West of the Roman province of Africa lay the kingdoms of Numidia and Mauretania. Both were independent. With the latter Rome had as yet no regular relations. In Numidia, since the days of Masinissa, Roman overlordship was so far recognized that changes in the royal succession took place under the approval and guarantee of Rome. But the practical freedom of this client-kingdom was not seriously impaired by Roman interference. Numidian contingents, by request or voluntary offer, served Rome in foreign wars. Roman traders and financiers settled and carried on business in Numidia. There was no design of annexing the country: that things should go on as they were was enough for Roman interests. But Rome as an imperial power could not afford to let herself be openly defied. Nor would the capitalists now powerful in Rome allow Roman business-men to be left helpless at the mercy of a foreign potentate. Therefore the Senate would have no easy task in case trouble arose in Numidia. To assert the power and prestige of Rome by armed intervention would be necessary, and to do this effectively grave difficulties had to be overcome. That Rome had no standing army was an old difficulty, in fact a part of the Roman

¹ Supposed to have restored to the Knights the complete control of the public courts, interrupted by a previous *lex Servilia* carried by Caepio afterwards consul in 106. But this matter is very obscure.

constitution. A new army had to be created for each war. Moreover, no sooner had one ordinary consul got his army into trim and learnt something of the conditions of campaigning in a strange land, than he was superseded by another consul, generally of the same ordinary type. Time had not lessened these obstacles to efficiency. Meanwhile the Senate itself had deteriorated. Many noble members needed money to support their extravagance, and could not be trusted to refuse a bribe. No wonder the House acted weakly, and sought every pretext for shirking a necessary war.

358. The relationships in the Numidian royal house are best shewn in a table

Masinissa (died 149)

Micipsa		Gulussa	Mastanabal	
Adherbal	Hiempsal	Massiva	(Jugurtha)	Gauda

Micipsa had outlived his brothers, and was sole king till his death in 118. He left the kingdom to his two sons and his bastard nephew Jugurtha as joint rulers, hoping that the last would be satisfied with a share and that the succession of his own sons would be secured. Of course the plan failed. Hiempsal soon fell out with Jugurtha, and was murdered. War between the two survivors then followed: Adherbal, beaten in the field, fled to Rome. The Senate heard his appeal for restoration, but many members were bribed by agents of Jugurtha. A commission was sent out, probably in 116, instructed to divide the kingdom between the two princes. The commissioners gave Jugurtha the richer western part. Adherbal received the eastern part with Cirta (Constantine) the capital. It was said that this award also was the result of bribery. So Jugurtha, confirmed in the view of Roman corruption learnt from camp-gossip at Numantia, felt free to work his will. He went on provoking Adherbal till war was renewed. In 113 Adherbal was again defeated and besieged in Cirta. He awaited a reply to an embassy sent for succour to Rome. Meanwhile, with the help of resident Romans and others, the strong city was stoutly defended. An incompetent embassy from Rome, sent to stop hostilities, was coolly dismissed by Jugurtha, and the siege went on. Adherbal contrived to send another message to Rome, imploring aid and pointing out that it must come quickly or Cirta would fall.

359. At this time (112) the Roman government was nervous on account of recent disasters on the northern frontier. The Senate's reluctance to engage in a Numidian war was natural, and we are told that corrupt members were acting in the interest of Jugurtha. Another embassy, headed by Scaurus, was sent to warn the king. But he managed to get rid of them somehow. Cirta was starved out: terms of surrender were disregarded: Adherbal and his garrison, Romans and all, were massacred. Jugurtha was master of all Numidia, and he had demonstrated the futility of trusting in the protection of Rome. At last something practical had, to be done. A tribune-elect took up the matter and forced the Senate to act. Africa was named as a consular province for the next year (in), and in due course the lot assigned it to L. Calpurnius Bestia, consul-elect. He raised an army, and in war began. Bestia had on his star! the respectable Scaurus and other nobles. After some successes, Bestia consented to negotiate. Soon peace was concluded between the parties, on terms strangely favourable to the king. We are told that in this affair also corruption was the true explanation of what happened, and we have no good ground for doubting it. But Jugurtha had gone too far. The scandal roused great indignation in Rome, and in moments of excitement the influence of a few corrupt nobles could not check the popular wrath. The tribune Memmius carried a motion for an inquiry, and for fetching Jugurtha to Rome under safe-conduct. The king's evidence was needed to prove the guilt of the culprits.

360. To understand the position in Rome we must bear in mind certain points. The common people and their leaders were not sharing the bribes of Jugurtha. The non-noble capitalists were angry that men of their own class had been left to their fate at Cirta. And it was not Jugurtha's interest to ruin such men as Scaurus and Bestia, and thus spoil his own game. How then was he to come to Rome and yet not betray his associates? Roman institutions supplied an answer. He came, and he bought a tribune. When brought before a mass-meeting and urged to make a full confession, this tribune forbade him to speak. The activity of the tribunate had not been revived for nothing, and popular rage was foiled. Of the consuls for no, Sp. Postumius Albinus was to succeed Bestia in command. He wanted a triumph, and is said to have prompted Massiva, then a refugee in Rome,

to claim the Numidian throne. Jugurtha at once procured his cousin's murder. His agent Bomilcar, who had engaged the assassin, was brought to trial, and bolted, leaving fifty of the king's friends to forfeit the bail. The Senate at last ordered Jugurtha out of Italy. War began again, but Albinus could effect nothing. He soon had to return to Rome to hold elections for next year, and a deadlock in politics kept him there for some time. Meanwhile his brother Aulus was left in charge of the army. A mismanaged campaign ended with a crushing disaster. The survivors were made to pass under the yoke, and Roman prestige in Africa was for the present at an end. Rightly or wrongly, the consul and his brother were supposed to have been corrupted by Jugurtha.

361. Rome was now full of suspicion and alarm, and the popular indignation at last found vent. C. Mamilius, tribune in 109, carried a law appointing a special commission to inquire into recent scandals and punish the guilty. The leading nobles were in a fright, but we are told that one of them at least coolly provided for his own safety. Scaurus contrived to get himself elected one of the three commissioners. Nevertheless the inquiry was carried on with much bitterness. Bestia and Sp. Albinus were among the victims. But the chief result was that henceforth some regard was paid to efficiency in the conduct of the Numidian war. The consul Q. Caecilius Metellus, who took over the command in 109, was a noble of the best type, honest and devoted to duty. In reconstructing the army he had the help of two practical soldiers on his staff. P. Rutilius Rufus, a man of Stoic principles, distinguished as a lawyer and noted for virtue, reformed the drill and swordsmanship of the men. Marius, jealous and ambitious, but a masterly handler of troops, returned to military life resolved to raise himself by success in war. Under these men discipline and efficiency were restored.

362. Jugurtha had now to learn that there were Romans who would neither be deceived nor bribed. Metellus advanced cautiously into Numidia, gaining ground and at the same time pretending to negotiate. He tried to seduce the king's envoys. In a battle by the river Muthul Jugurtha could not break up the Roman army, and his own, though not defeated, melted away. Metellus went on, occupying posts and devastating the country. Jugurtha with new and inferior forces waged a guerrilla warfare.

Such campaigning was wearing out the Roman army. Metellus tried to bring on a pitched battle by attacking the city of Zama. But he was thwarted by a defect of the Roman military system. Deserters, probably Allies or auxiliaries, seem to have gone over in some numbers, and the king learnt the design from them and added some of them to the garrison of Zama. The siege was a failure, and Metellus retired into winter quarters. Plotting was resumed, and Bomilcar, in fear for himself, turned traitor. He frightened Jugurtha into a surrender, but at the last the king would not put his person in the consul's power. War was renewed, and the conquest of Numidia was yet far off. Still the success of Metellus had been welcomed at Rome, and he was left in command for the next year (108) as proconsul.

363. But there was trouble at headquarters. Marius had done remarkably good service, and now wanted to stand for the consulship.' Metellus would not grant him leave to visit Rome for the purpose of a canvass. The ambition of the 'new man' seemed to the great noble a grotesque presumption. Marius set to work in his own way. He could canvass indirectly by contriving that letters and messages from Africa should carry his fame to Rome as the efficient man of the hour. So he indulged the rank and file, and took particular care to win the favour of the financiers gathered at Utica, weary of waiting for the opportunities depending on the victory of Rome. While the campaign of 108 was proceeding in Numidia, the people at home were being prepared for the candidature of Marius. The discomfort of Metellus grew worse, as the stories of this time shew. Jugurtha was again strong in the field, and he discovered the plot against him. Bomilcar and others were put to death, but henceforth the faithless king knew not whom to trust. So much Metellus had gained. He now pushed on the war vigorously, and at last gave Marius leave of absence. In the summer of 108 Marius reached Rome, just in time for the election. The 'popular' party carried all before them. He not only became consul-elect for 107, but was appointed to command in Numidia by a vote of the Assembly taken in defiance of the Senate. A recent defeat (109) in Gaul no doubt tended to discredit the management of wars by the senatorial nobles.

364. The soldier-demagogue now had a free hand, for the Senate voted all he asked. But he did not, as they hoped, wear

out his popularity by levying troops. Old soldiers **volunteered** for service. Paupers 'rated by the head' (*capite censi*) had hitherto not been accepted for legionary service, at least not openly and wholesale. The tradition that the infantry of the line consisted of owners of property was not extinct, but Marius made an end of it. He enlisted men solely on the ground of fitness for service. He meant to have a fighting force devoted to himself, and the formation of this army was one of the most decisive steps in the Roman revolution. Military efficiency was gained, but from this time forth Roman politics were never free from the power of the sword, as we shall see. Contingents of Allies and foreign auxiliaries were raised as usual. It remained to appoint a quaestor. The office was of great importance, for the quaestor with a field-army was the consul's right-hand man. The choice of L. Cornelius Sulla was a momentous one. He was a Patrician, a man of education, cool and unscrupulous, who had passed a somewhat dissipated youth. His adaptability and force of character were destined to be a surprise to his contemporaries, and his relations with Marius to be the cause of some of the worst horrors in the whole history of Rome.

365. Before Marius reached the seat of war, probably in the spring of 107, Metellus had gained various successes, but was little if at all nearer to capturing Jugurtha. And a victorious peace was impossible so long as the king remained at large. Moreover Bocchus, king of Mauretania, was now induced to intervene. It is said that he had offered to join Rome at the beginning of the war, and that Jugurtha's friends in the Senate had procured the refusal of the offer. He now joined Jugurtha. Metellus, hearing that Marius was coming to supersede him, ceased his active campaigning, and soon set out for Rome, where he had a great reception, a triumph, and the nickname of honour *Numidicus*. Marius took over the proconsul's army from Rutilius, and set to work. It seems clear that his operations were successful, but the chronology and the details are most obscure. The important point to notice is that successful campaigning was not productive of the decisive result aimed at. But the army of Marius was good, and Bocchus became alarmed when he found that no impression could be made on it, even when attacked on the march at every disadvantage of circumstance. Some time in 106 he shewed a willingness to treat **for** peace

and Marius sent Sulla to negotiate. For the present nothing came of the conference, but further successes of Marius brought an embassy from Bocchus. The envoys, referred to Rome by Marius, brought back the answer that the king could only earn Roman friendship and alliance by doing something to deserve it. Bocchus asked for a second conference with Sulla. So Sulla was sent again.

366. The Mauretanian king had now to choose between surrendering Sulla to Jugurtha or Jugurtha to Sulla. His wavering was a dramatic episode, famous in later literature. At length the nerve of the barbarian gave way under the cool insistence of the Roman. Sulla brought back Jugurtha a prisoner, and the war was at an end. Bocchus became an ally of Rome, and received a part of western Numidia. The eastern part was assigned to Jugurtha's half-brother Gauda. The overlordship of Rome was now firmly established in these regions. Near the end of the year 105 the proconsul Marius returned to Rome and held his well-earned triumph. Jugurtha was put to death in the old style. The recent news of a terrible disaster in the Rhone country had revived previous alarms. The fear of an invasion by the warlike northern barbarians was a Roman nightmare. There was no time to be lost, so constitutional scruples about reelection were set aside. Marius found himself already elected consul for 104 and appointed to the chief command in the North. But the beginnings of the troubles in which his career was destined to involve the Roman state were soon apparent. He had humbled the great noble houses, and they took their revenge by magnifying the exploit of Sulla. To Sulla, they urged, the triumph was really due : as Marius had unfairly stolen the glory of Metellus, it served him right to be robbed of his own. Henceforth there was a deadly rivalry between Marius and Sulla, for the moment not openly expressed, but the jealousy of the elder man and the ambition of the younger never slept.

367. The story of the Jugurthine war has revealed to us more clearly than ever the internal decay of Rome. The one class in the state consistent and able to make themselves felt whenever they chose were the keen and selfish capitalists. In backing the 'popular' leaders and insisting on having the war vigorously fought to a finish, they were surely right. Rome could **not** afford to abdicate her position of suzerainty in Numidia. Nor

would Sulla have been able to overawe Bocchus, had it not been for the victories of Marius. In one department of state the war led to an increase of efficiency. Numidian campaigning was not a series of pitched battles. To deal with the mobility of the enemy it was necessary to give more attention to the light troops and cavalry, and even our imperfect record contains traces of an improvement in this respect. But we must not forget that these arms were made up of Allies and auxiliaries. The Roman citizens serving in the legions were on the way to become a force of pauper volunteers, attached to their own generals, not simple patriots fighting for their country. This change was no sudden one, but the new model developed by Marius organized a tendency that had long been at work, and conducted it to a logical result.

CHAPTER XXIV

THE INVASION FROM THE NORTH. 109-101 B.C.

368, The history of Rome in the years 104—101 B.C. includes two wars, that against the northern barbarians, and the second slave-war in Sicily. The contemporary movements and influences at work in Rome are of great interest. The end of an old state of things is announced by the predominance of an individual. After the events of these years, government by an aristocratic clique has lost its vigour, and we enter on a new stage in the Roman revolution, a scene in which leading figures compete for unconstitutional power, and rival claims are in the last resort settled by the sword.

369. For some years the northern countries had been troubled by a great migration, such as often took place in ancient times when uncivilized peoples were driven by increase of numbers to overflow into new lands. At this time the wanderers were drawn from Germany and Switzerland. Some were certainly of Teutonic stock, some probably Celtic. We hear of them under the names of Cimbri, Teutoni, Tigurini, Ambrones. They were not raiders, but swarms 'trekking' in search of new homes, slowly moving with wives and children in long caravans of covered waggons. They changed their direction from time to time according to circumstances. When they started is uncertain. The Tigurini and Ambrones appear to have joined the first body after they entered Gaul. In 113 we hear of them further eastward, where they routed the army of Carbo in Noricum. After this we find them, about in and no, on the move in Gaul, masters of the open country in their line of march, but unable to capture the Gaulish strongholds or to settle down. In 109 the consul M. Iunius Silanus received from them a request for lands, which was sent on to the Senate and refused. A battle in the Rhone country ended in the defeat of the Romans with great loss. The main

body of the invaders seem to have been still content to seek conquests in central Gaul: at least Roman territory was not directly menaced till 107, when the Tigurini appeared in the West. The consul L. Cassius Longinus advanced to meet them and guard the Roman province. But he perished with a great part of his army, and the remnant only escaped by agreeing to degrading terms. In 106 the consul Q. Servilius Caepio, one of the regular nobles, did not improve matters. He recovered the city of Tolosa (Toulouse), lately lost. In it he captured a great treasure, for the holy places there contained vast hoards of gold. This gold, seized for Rome as prize of war, mysteriously disappeared, and never reached the Roman treasury. Rumour accused the consul of having organized the robbery, but for the present he escaped an inquiry and remained as proconsul in 105. To relieve public anxiety, a second army was sent to Gaul under Cn. Manlius Maximus. He was a 'new man,' put forward by the 'popular' party. As consul he ranked above a proconsul, and it was Caepio's duty to cooperate with him loyally. This Caepio did not do. The neglect of mutual support led up to the bloody defeat of Arausio (Orange), in which two Roman armies were practically destroyed. Rome and Italy were now clearly in imminent danger. There was nothing to be done but to send Gaius Marius to command in Gaul. It was fortunate for Rome that the barbarians did not at once push on into Italy. True to their first design, they turned aside to Spain, hoping there at last to find a dwelling-place.

370. Before we speak of the effect of this series of disasters on public life in Rome, let us see what the one trusted man did in the way of military reform during the respite afforded by the departure of the barbarians to Spain. Many points are somewhat obscure, especially as to the order and date of the various changes. The improvement in swordsmanship was due to Rutilius, and consisted in training the legionaries to fence by thrusting rather than cutting, a practice copied from gladiatorial schools. But the new organization was the work of Marius, probably begun in Numidia, and now completed in Gaul. Hitherto the third line (*triarii*) had borne spears. They were now armed like the rest with javelins (*pila*), so that the equipment of the whole legion was uniform. The old divisions of maniple and century were not abolished, but the cohort, a larger division long used in the contingents of the

Allies, became the effective tactical unit. A legion at full strength was to be ten cohorts of 600 men each. Each cohort had a standard, and Marius added the famous silver eagle as a standard for the whole legion. Romans and Allies were now organized alike: we may note that the galling political difference still remained. The cavalry were not neglected, but we should bear in mind that Roman *equites* no longer served as a corps. The troopers were either Allies, or foreigners from certain provinces or client kingdoms, and the latter were becoming more numerous. Light troops were drawn from Liguria, slingers from the Balearic isles, mercenary bowmen from independent Crete.

371. To bring so composite a force into a state of cohesion and efficiency was a work of time. Yet the employment of foreigners was more than ever necessary, owing to the terrible losses of recent years, which had drained so much of the best blood of Italy. Abroad too all was not well. It is said that Nicomedes of Bithynia, when called upon to furnish a contingent, replied that more than half his men were slaves on the plantations of Roman capitalists, and therefore he had none to send. True or not as an excuse, it is certain that piracy and kidnapping supplied most of the slaves at this time imported from the East. But the formation of the army went on, and the army of the new model put on a decisively professional character. Circumstances had long compelled the enlistment of men for campaigns of more than a year. This necessity was now accepted as normal; soldiers took the oath once for all, and served, if wanted, continuously for 16 years. Marius also took great pains to increase the mobility of the infantry, by reducing the baggage-train and inventing appliances by which the soldier could carry his kit with ease and yet lay it aside quickly when attacked on the march. Among the officers who served under the consul were Sulla and Q. Sertorius, a good soldier who had added to his usefulness by learning the Gaulish tongue.

372. In Rome, the years of disaster followed by preparation for defence were naturally a time of unrest. Commanders, whether unlucky or blameworthy, were brought to trial as having imperilled the state by their conduct. Most notable was the case of Caepio. In 105 a vote of the Assembly took away¹ his *im-*

¹ He was not consul but proconsul, but in any case the proceeding was exceptional.

perium. In 104 a law disqualified a person so deprived from sitting in the Senate. Then a commission was appointed to inquire into the disappearance of the Tolosan treasure. The nobles were not able to prevent this measure. Caepio went into exile to escape condemnation, and ended his days in shame. The 'gold of Tolosa' became a byword for ill-gotten gain bringing bad luck. Silanus, the man defeated in 109, was tried before the Tribe-Assembly in 104, but was acquitted. In 104 a notable law changed the method of appointing members of the great religious colleges. These close corporations had hitherto coopted new members to fill vacancies. Only the choice of one member of the pontifical college to be Chief Pontiff was determined by the votes of 17 Tribes (a minority of 35) selected by lot. This method was now introduced for all appointments of pontiffs, augurs, and *decemviri sacrorum*. The mover was the tribune Cn. Domitius Ahenobarbus, and it appears that he was induced to agitate for this change by irritation at being passed over in favour of others when vacancies occurred. We have seen above how important in Roman politics the religious colleges were. This *lex Domitia*, like the trials just referred to, shews the activity of the 'popular' party in Rome. They were busy assailing the noble 'best men' at home, while their champion Marius represented them in the field. If the reelection of Marius as consul year after year violated constitutional rules, the interference with the religious colleges deprived the nobles of much of their power to check the hasty action of Assemblies. Hence Sulla 23 years later, when he had overthrown the Marians, repealed the Domitian law.

373. In the years 104—103 Marius was forging the weapon to strike the enemy when the time came. He formed a military base at the mouth of the Rhone and secured his communications with Italy by sea. He made his men cut a new channel to improve an outfall of the river. No great campaign was undertaken, but the army was kept in fine condition and discipline, and the Gaulish tribes carefully watched. Late in 103 the barbarian host came back from Spain, having failed in their enterprise and doubtless suffered some loss. Marius was reelected consul for the fourth time. The popular leaders, in particular the noisy tribune L. Apuleius Saturninus, insisted on it, and Marius was nothing loth. The other consul for 102 was Q. Lutatius Catulus, a noble of high

character, but more of a literary than a military man. The work for the coming year was determined by the movements of the ejtiemy, who, having found no homes for permanent settlement in Gaul or Spain, now resolved to force their way into Italy. Their plan was to advance in two bodies by separate routes. Teutoni and Ambrones were to pass through the Roman province and enter the Po-country by way of Liguria. Cimbri and Tigurini were to pass round the great Alpine range and descend upon Italy from the North-East. The result may be briefly told. Marius let the Teuton caravan trek slowly by, and followed at leisure, refusing to fight till his own good time. Near Aquae Sextiae his chance came. In two battles he defeated them utterly. Some prisoners were taken, but most of the brave barbarians perished by the sword. The western column had ceased to exist. Meanwhile the Cimbric column, after their long march, broke into Italy. Catulus, though helped by Sulla, who had now parted from Marius, could not stop them. They forced the passage of the Athesis (Adige) and he had to fall back. The armies wintered in the Cisalpine. Marius was elected consul for the fifth time, and Catulus was continued in command as proconsul.

374. In the spring of 101 Marius brought his army to share the defence of Italy. The great battle of Vercellae (about half way between Milan and Turin) was not fought till the summer, when the heat told against the northern invaders. Our authorities, writing from sources hostile to Marius, give the chief glory of victory to Catulus, but popular opinion seems to have regarded Marius with good reason as the hero of the day. The carnage was again frightful; the prisoners many, but fewer than the slain. The presence of the women and children with the barbarian warriors explains this result. The women drove back their routed men-folk on the Roman swords, and slew themselves in despair when all was over. The military resources of a civilized power, when wielded by competent hands, were as yet far too strong for barbarian hosts, however brave. For about 500 years Italy remained secure from northern invaders, and Italy did not soon forget the services of Marius. But for the present the most serious question was, how Rome's great military workman would bear himself in political life. He had overshadowed others: would he now use his preeminent position for the lasting benefit of the Roman state?

CHAPTER XXV

THE SECOND SICILIAN SLAVE-WAR, AND EXTERNAL AFFAIRS 105--92 B.C.

375. A grave internal danger, by which the evils at work in the Roman system were again rudely exposed, was contemporary with the life-and-death struggle in the North. The partisans of Marius were strengthened by the horrors of a second slave-war in Sicily, which gave a further shock to the nerves of the Roman public. This war was preceded, and in its first stages accompanied, by smaller outbreaks in Italy itself, all symptoms of the morbid state of rural economy, worse than ever since the failure of the Gracchan land-reform. They were put down, in one case with some difficulty, but the evil of the plantation-system remained. Discontent was not extinct. In 104 or 103 the tribune L. Marcius Philippus proposed some land-bill of a radical nature. Evidently the landlord interest was too strong for him: he could not carry the bill, and the matter dropped.

376. The spark that set Sicily aflame was an order of the Senate in the year 104. The excuse¹ offered by Nicomedes for not sending men to serve in the northern war led the House to vote that the enslavement of free allies of Rome was illegal, and to instruct provincial governors to redress the grievance. C. Licinius Nerva, governor of Sicily, promptly acted on this order. The ferment produced among the slaves called forth a protest from the slaveowners, and Nerva ceased the work of liberation. Disappointment of hopes soon produced a rising, with which the governor, having no sufficient force at his disposal, was unable to cope. We

¹ See §371.

need not follow the war in detail. It followed very closely the lines of the great insurrection thirty years before. A Syrian slave-king, professing to be a prophet, joined by a warrior leader from the West of the island, the combination of the two slave-armies, the defeat of Roman detachments, the capture of Roman arms, the bands of the poorer freemen engaged in brigandage, all repeated the phenomena of the former war. But the forces employed by Rome were now more miscellaneous. Beside the troops from Italy (not the pick, of course,) there were auxiliaries from Greece and Bithynia, and a Mauretanian contingent sent by Bocchus. The praetors who commanded in 103 and 102 were not able to suppress the rising. Both were tried and punished on their return to Rome. Meanwhile the state of the province was deplorable. In 101, after the destruction of the Teutoni, the affair of Sicily was more seriously taken in hand. The consul M\ Aquilius, an officer trained under Marius, was sent to restore order in the oldest province of Rome.

377. Aquilius had no easy task. Devastation had gone so far in this granary-province that in some parts it was necessary to import corn and advance it to the people as a loan. But the new consul ended the war. He remained as proconsul to see things through, and returned to Rome in 99. A typical Roman of his time, his better qualities were marred by greed. In 98 he was tried on a charge of extortion, but escaped, mainly through appealing to evidence of his bravery in the field. And now Sicily settled down once more into hopeless acquiescence in the abominations of the plantation-system. It is said that the war had cost 100,000 lives. The dead would be mostly slaves, and the captives in other wars of this time would find a ready market. How Sicily was henceforth kept quiet may be gathered from the story of what once happened under the administration of the next governor. A fine wild boar was sent to grace the governor's table. Inquiry shewed that it had been killed by a slave-herdsman with a spear. It was a strict regulation of the province that no slave might go armed. So the governor stifled his compassionate feelings (if any), and at once had the fellow crucified.

378. In outlying parts of the Roman dominions there was also trouble, but from other causes. Rome had no standing army, and the forces at the disposal of provincial governors were seldom adequate to deal with any serious rising or invasion. Spain had

been lately invaded by the Cimbri, and the tribesmen had been left unprotected to make their own defence. A doubt of the power of Rome either to defend or to coerce her subjects probably contributed to produce Spanish rebellions. Between 102 and 94 there were risings in Lusitania and in central (Celtiberian) Spain. After fierce and brutal warfare peace was at length restored, but it seems certain that the whole miserable business was the outcome of Roman neglect. To look forward a few years, we may remark that the old frontier troubles still harassed the Macedonian province. It was indeed in these days a department full of worry and danger, and a governor had hard work to make head against raids and invasions. A little later, when the hands of the Roman government were tied by the troubles in Italy, we find C. Sentius left in charge year after year. That he held the province for Rome under great difficulties was probably due to his good government: for, when the people of Macedonia were contented, good local forces could be raised for defence. But one of the most serious questions abroad was the horrible state of things created by the rapid development of piracy in the eastern Mediterranean.

379. Of the immense demand for slaves we have seen proof enough. The supply was partly met by prisoners taken in wars, but its most regular source was the slave-trade, the chief centre of which was at Delos. Sea-rovers soon found it profitable to capture men by sea or land and sell them in the Delian slave-market, and this form of enterprise put free voyagers and residents on the seacoasts in constant danger of enslavement. Rhodes, now the humble dependant of Rome, could no longer protect sea-borne commerce as of old. Rome kept up no navy in time of peace, and did nothing to put down the growing evil of piracy. No doubt many Roman capitalists were profiting directly or indirectly by the transactions at Delos, and in no hurry to raise a clamour against iniquities on which they thrived. At last however things became so bad that something had to be done. In 103, with Cimbric and Sicilian wars still on hand, the praetor M. Antonius (the famous orator) was sent out with a fleet, doubtless chiefly Greek. He did something to check piracy for the time, by taking some pirate strongholds in the western or rocky Cilicia, one of their favourite haunts. But he did not conquer the **hill**-country inland; indeed he had no army for that purpose. It **may**

be that a large part of Asia Minor was nominally annexed as a province Cilicia. No real occupation took place, and piracy was soon as active as ever.

380. The Syrian and Egyptian kingdoms were now in decay. Since the death of Ptolemy Physcon in 117, the Cyrenaic province had been under a prince independent of Alexandria. He died in 96, and bequeathed his kingdom to Rome. The Senate, loth to accept fresh responsibilities, would not annex the country as a Roman province, but took over the royal domains for the sake of the rents. The five Greek cities were declared free states, a shirking policy doomed to failure. In short, the slackness of Roman policy was of itself enough to weaken the position of Rome as the leading power in the East. But there was also a great external change in that part of the world. The place of the Successors of Alexander had been taken by new monarchies, one of which, in the hands of an able and ambitious king, had already reached a degree of strength unsuspected by Rome. This was the kingdom of Pontus, in the northern part of Asia Minor. Bithynia, dependent on Rome, had not a free hand. Between it and Pontus lay the weak principalities of Paphlagonia, and the power further from Rome was better placed for a policy of absorption even here. Galatia, still tribally divided, was weak as a political unit, and its mercenary warriors would serve any master in war. Cappadocia was next to Pontus, and the peoples of the two were connected by affinity of race. In the further East were two great kingdoms. Of Parthia, built upon the ruin of the Seleucid empire, we have spoken above. It represented the reaction of East against West. For the present it did not count in the imperial calculations of Rome. Nor in truth did Armenia, a wide stretch of lands chiefly mountainous, from which the Euphrates and Tigris flow to the South-East. The relations between these two oriental monarchies were not always friendly, so the Armenian king was not likely to provoke a quarrel with the king of Pontus, his neighbour to the West. In all these countries, though the Hellenism spread by the conquests of Alexander was no longer politically a ruling force, the value of Greek talent and the superiority of Greek civilization were recognized, and the events that followed could hardly have occurred without the cooperation of the Greeks.

381. Mithradates (V or VI) Eupator succeeded his murdered

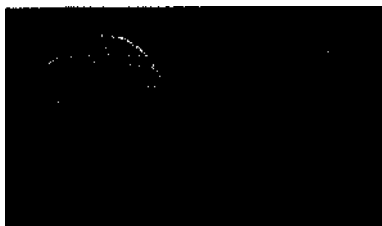
father on the Pontic throne in 121 as a boy of 11 or 12 years. After escaping perils at home he fled abroad. Hardened by years of wandering, he returned about 113 and assumed the government. His bodily strength and mental vigour were remarkable, and under him the kingdom, lately mismanaged, soon began to revive. The Greek colonies of northern Asia Minor were already many of them dependent on the Pontic kings : his father had made Sinope the royal capital. But there were other Greek colonies scattered around the shores of the Euxine sea, old trading centres, mostly pressed by the barbarous peoples at their back, and willing to welcome a powerful protector. The young king saw the advantages to be gained by undertaking their defence and converting them into loyal dependencies of his crown. Success would give him the control of the Euxine and the mouths of navigable rivers, and enable him not only to draw a revenue from the Greek commerce but to create a powerful navy with the aid of Greek seamen. He raised an efficient fleet and army of his own under competent Greek officers. When the Greeks of the Bosporan (Crimean) kingdom, which comprised several cities about the Cimmerian Bosphorus (strait of Kertch), sent to beg his help, he was ready to appear as the saviour of Greek civilization in barbarous lands. By about 106 he had established himself as sovran protector of these and other Greek cities, and added their resources to those of his ancestral realm. The conquest of the south-eastern seaboard from Colchis to the Pontic frontier soon followed, and also that of the mountain district known as Lesser Armenia. Mithradates was now strong enough to move more boldly, in fact to make trial of the temper of Rome.

382. In 105 he drew Nicomedes of Bithynia into a partition of Paphlagonia, then into a joint intervention in Galatia. Soon the two fell out over the affairs of Cappadocia. Till then they had disregarded protests from Rome. Time went by, and the troubles in Cappadocia at last led the Senate to send orders for the evacuation of that country, about 96 B.C. Mithradates then induced Tigranes of Armenia (in 94 or 93) to invade Cappadocia and drive out the new king recognized by Rome, Ariobarzanes. In 92 Sulla was sent as *propraetor* to the so-called Cilician province, with orders to restore the ejected king, and did so, supplementing his weak force with auxiliary levies. He even pushed on

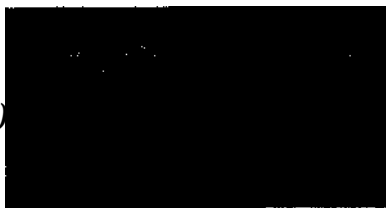
to the Euphrates, where he met an ambassador from the Parthian king, sent with friendly intentions. Sulla, it is said, did not lose the chance of asserting the primacy of Rome. Mithradates thought it wise not to resent openly the thwarting of his designs. He waited for an opportunity, perhaps aware of the coming struggle in Italy. Sulla returned to Rome in 91. We must now see what had been going on in Roman public life during several momentous years.



12. Coin of Mithradates VI Eupator, 75 B.C.
obv. Head of Mithradates.
rev. Stag, feeding, and sun and crescent moon, in ivy wreath.
 BASIAEFIS MI PAAATOT ETIIATOPOZ.
 See §§ 381—2.



(b)



13. Coins of Italian confederates, 90 b.C.
 (a) *obv.* Head of Mars. VITELIV (= Italia).
rev. Four soldiers taking oath of alliance,
 (b) *obv.* Head of Bacchante.
rev. Samnite bull goring Roman wolf.
 Both coins bear Oscan inscriptions and the name of Papius.
 See § 402.

CHAPTER XXVI

INTERNAL HISTORY 104-91 B.c.

383. While there was so much trouble abroad, things were not going well in Rome. The struggle of factions continued. The *populates*, thanks to military necessities, overcame the *optimates*, but neither side had any consistent policy likely to remedy existing evils. Of the men who came to the front in the years 104—100 as popular leaders connected with Marius, the most notorious were Saturninus and C. Servilius Glaucia, Roman tradition (from hostile sources) gives them both bad characters. Saturninus in truth seems to have been a hasty demagogue at best, to some extent an imitator of the Gracchi, and a violent opponent of the Senate. Glaucia, a man of lower type, had won the favour of the Equestrian Order by a law¹ on extortion in which he had restored to them the control of the jury-courts, taken away from them by a previous law. Both were unscrupulous mob-orators, detested by the nobles. Among the 'best men' none was more respected than Metellus, now known as *Numidialis*. He was one of the censors of 102, and would have turned both Saturninus and Glaucia out of the Senate, had not his colleague refused his consent. Metellus, already hated by Marius, had now all three leaders of the 'popular' faction eager to do him an ill turn. And Rome was seething with intrigues. The various stories shew that men did not agree as to the credit due to Marius and Catulus respectively for the victory over the Cimbri in 101, or as to the motives of the former in sharing a joint triumph with the proconsul in whose province the battle was fought.

384. Marius had held five consulships. The great emergency, by which the disregard of constitutional rules might be

¹ See § 356.

excused, was at an end. He now desired a sixth, thus openly violating republican principles for the sake of personal ambition. This desire led him to join forces with Saturninus and Glaucia. Saturninus had lately embroiled himself with the Senate more than ever, by insulting an embassy from Mithradates. But the coalition triumphed. Marius was elected consul for the year 100, Glaucia praetor, Saturninus tribune. But the elections were stormy. Blood was shed in riots, and it is said that Marius owed his success partly to bribery. In the obscurity of our record we can detect that his popularity was waning. At the back of all movements of the time there was always something likely to remind citizens of the claims and discontent of the Allies. They were apt to appear in Rome and bear a hand in disturbances. And the jealousy of citizens had lately been revived by an act of Marius. Some Allies had distinguished themselves in the battle with the Cimbri, and the consul had promised them the Roman franchise as a reward. He defended his action on the ground of necessity at a critical moment. But there seem to have been about 1000 of these men, and Roman jealousy was easily led to think that he had gone too far. What with this affair and his association with two noisy demagogues, who only agreed with the great soldier and with each other for their own immediate ends, the position of Marius was hardly a comfortable one, and the political situation complicated, not to say dangerous.

385. Our authorities are very onesided, for Roman history was chiefly written by nobles, or based on their memoirs: and men of the noble class generally hated both Marius and Saturninus. It is however clear that Marius was now, thanks to his own services, no longer indispensable; and further, that he was a failure in political life. A consul in Rome depended much on the Senate, and the Senate disliked Marius, both as a 'new man' who overshadowed nobles of old family, and for clumsy breaches of etiquette. Moreover he made but a poor figure in addressing the mob, being no orator, and at a loss among the humours of mass-meetings. Nor had he any clear scheme of policy. He wanted to be popular, but by submitting to be dragged along by his associates he made himself ridiculous. Yet he could only assert his own dignity by suppressing them, and Saturninus at least had some sort of policy, and was not likely to take suppression tamely. Before we proceed to speak of the measures in which the three leaders jointly were

concerned, we must again note that no leader could carry out any considerable policy without an unconstitutional continuation of power.

386. Saturninus was the active legislator, and the bunch of measures now carried were named *leges Appuleiae* after him. An agrarian law dealt with certain lands in the North, occupied by the Cimbri, and recovered through their defeat. This land was regarded as having fallen to the Roman state by conquest (not to the disturbed Cisalpine Gauls), and it was now to be distributed in allotments to Roman citizens. The law passed. What steps were taken to carry it out, we do not learn. As a party move it was turned to account. In order to prevent the Senate from getting it annulled like the Gracchan land-laws, a clause required all senators to take an oath to observe it, on pain of losing their seats in the House and being fined. But this clause had also a personal aim. The story is that Marius, by declaring that he would not swear, led Metellus Numidicus to say the same. Marius then got out of his promise by equivocating, which Metellus was too honourable to do. Saturninus prepared a bill to outlaw the recusant, and Metellus would not let his sympathizers resist the bill by rioting. He went into exile, and the bill passed. Thus a great and good noble was got rid of for the time. We have no Marian version of this affair. Next came a corn-law, reducing the price of corn in Rome to a merely nominal figure. (Already the sale of corn below cost-price was a heavy burden on the treasury. The city quaestor declared that it was impossible to bear the cost of the new scheme, and the Senate found tribunes to block it. Neither this opposition nor a riot availed to stop its passing. Another law provided for the foundation of some colonies outside Italy, and empowered Marius to grant the Roman franchise to three Allies for each colony founded. The colonial designs were not fulfilled, but Marius used his powers,—a good specimen of the doings of this period, and probably a fair indication of the sympathies of Marius.

387. It is unfortunate that we have no clear and certain record as to whether Saturninus did or did not carry a *lex Appuleia de maiestate* establishing a standing court (*quaestio perpetua*) for the trial of persons charged with lessening the inherent greatness (*maiestas*) of the state. Trials for this offence were common enough later, and under the Empire they were a principal means

of repressing the freedom of literature. The term *maesias populi Romania* an undefined something which inferior confederates of Rome were by treaty bound to uphold, had been in use for centuries. To assume that a citizen had by his own act impaired this ¹ 'majesty' was in effect to declare him a public enemy (*perduellis*). The penalty was death, the court was the Assembly by Centuries. Now the death-penalty was out of fashion, and convictions, in ail but the most flagrant cases, very hard to secure. We have seen that the plan of appointing special commissions for the trial of particular cases was resorted to. If the Assembly by Tribes, the old court for the procedure by fine-process, could so delegate its powers to temporary courts, why should it not do so once for all to a standing court? There was no need to abolish the old jurisdiction of either Assembly, and certainly no such course was taken. But it seems on the whole probable that a standing court was set up by Saturninus, and that the charges to be brought before it were expressed in general terms; while the definition of the various acts to which those terms properly applied was left to grow up gradually, the result of the decisions of the court from time to time. This was an improvement, in so far as it was a speedier and more convenient method of dealing with cases of gross misconduct on the part of public men at home or abroad. But it was also a handy weapon to enable those in power at any moment to ruin their adversaries.

388. Whatever was the scope of the Appuleian laws, the means of carrying them was force. The capitalist class, and Marius with them, began to be uneasy. Saturninus and Glaucia could no longer rely on the consul. They resolved to fight for their own continuance in office, and to go on without him. Saturninus was to have a third tribunate; Glaucia, though now praetor and so not yet eligible, was to be consul. But the senatorial leaders saw their chance in the reaction of opinion. The demagogues had lost even rioting-power by estranging old soldiers who followed the lead of Marius. The elections for 99 were interrupted by grave disorders. A competitor of Glaucia was murdered. Expecting an open attack, the two ringleaders got together a band of ruffians and seized the Capitol. The Senate now passed the 'last order,' calling on the consuls to save the state, and Marius sulkily complied. He had to embody an armed force and crush his own associates. With the help of a

general rally of the rich and their slaves he drove **the rebels back to** the Capitol, **and** compelled them to surrender by cutting off their water-supply. He is said to have guaranteed their lives, but the victorious party massacred them. So revolution went forward another step. A democrat consul had become the tool of* the aristocrats, and made it easy for them to destroy their opponents.

389. The senatorial nobility were for the third time restored to power. But each revolutionary shock left the government weaker. Marius was the first man in Rome. He had acted so that neither political faction could trust him, and reduced himself to political nullity. He only served to block the way for other leaders, and without leaders Senate and Assembly were alike ineffective. Great questions called for settlement, and there was no strong man to deal with them. The nobles could only drift along, and make arrangements for their own convenience. It remained the sad truth that popular leaders, so long as they retained office, could defy the Senate; and that force, the only means of putting them down, was more and more taking the character of civil war. The power of law was in fact giving way to the power of the sword. For the present the factions were concerned to see how much of the results of recent movements they could severally destroy or preserve. The Senate declared all or most of the Appuleian laws invalid, as having been passed in disregard of formalities and omens. But a colony was founded in Corsica, apparently to silence and get rid of some of the troublesome disbanded soldiers of Marius. This was the first of the regular military settlements, afterwards a common form of pensions. The recall of Metellus was blocked for the present, but he was restored in 98. At this time we hear of various trials, party moves, the outcome of the doings of Saturninus and the reaction that followed. One of them seems to have been a case of *maiestas*. If this were so, surely Saturninus had legislated **on** the subject, and the law had not been annulled.

390. In 98 the aristocrats made an effort to revive some of the checks on the hasty action of Assemblies. The revived activity of the tribunate had indeed created a real danger. **Two** of the checks already existing were **(1) the prohibition of 'tacking,' that is the combination of matters unconnected with each other in a single bill, (2) the requirement of 24 days notice of**

public business. The consuls of the year now carried a law (*lex Caecilia Didid*) stringently reenacting both these rules. With this law, and the usual religious hindrances, the Senate hoped to regain much of its former power. For the time it might seem that this object was attained; Saturninus had alarmed the non-noble capitalists, and the two wealthy classes could pull together. But there was no real improvement in the administration of the empire. The constitution was out of date, and there were no means of reforming it. With great perils fast maturing in Italy and the East, a dead unsatisfactory time followed for a few years. Marius left Rome in 98, glad to escape from his own blunders. He found an excuse for going to Asia Minor. His enemies said that he wanted to recover his importance by stirring up a new war, and that for this purpose he provoked Mithradates by insulting remarks. This may be a slander. But his absence from Rome is significant, and not less so is the fact that just now we hear nothing of the doings of Sulla. Sulla's ambition was certainly not in abeyance, but we have no reason to think that he had much taste for politics. He was probably biding his time, while richer and weaker men led the Senate. In 93 he was praetor. Of his mission to the East in 92 and his return in 91 we have spoken above.

391. How far the feeling of present security had blinded the Roman nobles to the dangerous disaffection of the Allies, was proved by an act of the consuls of the year 95. They were no ordinary pair; L. Licinius Crassus the famous orator, and Q. Mucius Scaevola, afterwards chief pontiff, the greatest jurist of a family famed for producing lawyers. They undertook to deal with a trouble of long standing, the interference of Latins and other Allies in Roman Assemblies. We have seen that some contrived to get enrolled as Roman citizens without legal right, and that others bore a hand in rioting. These practices were not easily checked. A census was unavoidably a time of hurry and some confusion. Once it was over, the censors went out of office. And the police of Rome was too inefficient (there being no regular force) to act as a firm and impartial preventive of disorder. What the consuls did, doubtless with the Senate's approval, and very likely with the best intentions, was to carry a *lex Licinia Mucia*, of which we know few details. It seems to have set up a commission to try cases of illegal assumption of

Roman citizenship. It is not quite clear what was the extent of their powers. At least they were able to expose unauthorized claims and to compel offenders to revert to their proper local franchises. It does not follow that they expelled them from Rome. Mere roughs, who had come to riot and remained to share the perquisites of citizens (old soldiers probably many of them), would be sent back to their homes without more ado. The law was evidently milder than previous acts of expulsion. Yet it caused the most intense irritation throughout Italy. Times had changed. The blood of Allies had been freely shed for Rome on the great northern battlefields, and after long patience this fresh snub was too much. Moreover the rough men sent home were centres of discontent and unrest. Their return shewed that the selfish mob and nobles of Rome would yield only to force, and the conviction spread that there was nothing for it but a war.

392. It is hardly necessary to dwell on the other stray details which shew the unsatisfactory state of Roman public life. Objects of vice and luxury were rising in price. We hear of men shirking unattractive duties, of squabbles over the repeal of a sumptuary law, of trials involving much scandal. The case of C. Norbanus in 95 is interesting. As tribune in 103 he had brought about the ruin of Caepio on the charge of embezzling the 'gold of Tolosa.' He was now brought to trial by men acting for the senatorial nobles, and the prosecution was strong in influence and talent. But the jury were capitalist Knights, who had not forgotten how Caepio had tried¹ to deprive them of the control of the courts. Therefore they would not punish Norbanus, and acquitted him. The charge was pretty certainly one of *maiestas* (*minuta*), which was becoming a regular political weapon. The consul Crassus, after taking part in this prosecution, went off to northern Italy, and tried to win the honour of a triumph by worrying some Alpine tribes. But his colleague Scaevola prevented the scandal. Among all these signs of degeneracy in public men the trial of P. Rutilius Rufus stands out as exceptionally scandalous. We have seen this man as a trusted military reformer. He was a great lawyer, and a Stoic, like many Roman lawyers; a man of high principles, and an honest patriot. In 98, when Scaevola was governor of Asia, Rutilius went with him as *legatus*, and was left in charge of the

¹ See § 356.

province for three months after the propraetor returned to Rome. These two good men by upright and just administration upset the calculations of Roman financiers, who had reckoned on the continuance of normal conditions, that is on misgovernment favourable to gross extortion. The capitalist class in Rome were furious. As the pontiff Scaevola was out of their reach, they watched for a chance of vengeance on Rutilius.

393. In 92 Rutilius was brought to trial on a charge of extortion. His innocence was notorious. But the Stoic would neither use the services of the leading orators, nor bid for pity in the customary way. He proved himself innocent, and was of course found guilty by a capitalist jury. The whole of his estate proved to be far less than the sum named in the charge of extortion. Rutilius passed the rest of his days in exile at Smyrna, in the province that he had not robbed. He gave himself to study, and wrote on Roman history in Greek. To later generations he was a well-known name, a stock example of unquestionable merit and public ingratitude, and noble writers eagerly recorded the shame of an Equestrian jury. Meanwhile there was a census in the year 92, and some bickering between the censors. They agreed however in ordering the suppression of some Latin schools of rhetoric lately set up in Rome, which they thought inferior to those conducted by skilled Greeks. But the Latin schools were soon at work again. Far more important was the beginning of a movement for a change in the constitution of the public courts. This was not in the direction of appointing trained judges to preside. Without the help of such guidance a Roman jury, even if honest, was ever liable to go wrong; but no such help had yet been devised. The aim was to provide better jurors, if they could be found. The Equestrian Order had used their power scandalously; but they were in possession, and not at all inclined to give up a profitable monopoly. A serious struggle was imminent, and in the present state of Roman politics there was a danger that the jury-question might become complicated with other issues, and raise an unexpected storm.

394. M. Livius Drusus, perhaps son of the opponent of C. Gracchus, a young man of good repute, was a tribune for the year 91. He took up the question of the juries as an independent politician, but from the Senate's point of view. He had the pick of the House at his back. But the Knights were against him, and

the rabble had no special interest in what did not concern themselves. To conciliate the latter he produced a bill for founding some colonies, and another for cheapening corn. But his project for jury-reform at once stirred up opposition, not only from the capitalist body, but from a part of the nobles. The chief of these was the consul L. Marcius Philippus, once a radical of communistic bent, now an obstructive aristocrat, passionate and ready of tongue. It was evidently known that Drusus sympathized with the claims of the Allies. His enemies now set going the rumour that he meant to enfranchise the Italians, and so to swamp the present citizens. Thus they appealed to the selfish populace, unwilling to share their perquisites with aliens. Therefore, of the two reforms for which Drusus really cared, the jury-reform and the enfranchisement of the Allies, each had to win votes on its own merits. If the issues got confused by people thinking of both schemes at the same time (which was inevitable), the unpopularity of the enfranchisement-scheme would tell against the chances of carrying the reform of the juries. And Drusus had not time enough to meet his difficulties. The helplessness of a statesman holding office for a year only was shewn more clearly than ever.

395. The exact scope of the jury-bill is not certain. We are told that the proposal was to add 300 picked men of the Equestrian Order to the Senate, and to draw the jurors from the Senate thus enlarged. We also hear that this plan pleased neither Order. Old senators did not wish to be swamped by a wholesale creation of new members. Knights, the rank-and-file majority at least, did not wish to lose their present power of safeguarding their provincial investments by teaching governors to leave Roman capitalists a free hand. A further proposal of Drusus, intended to punish jurors for taking bribes, only strengthened the opposition. At present the Equestrian jurors claimed that the law of C. Gracchus against judicial corruption, being aimed at the former senatorial juries, did not apply to themselves; and only too many, whether Senators or Knights, preferred to be the keepers of their own venal consciences. So the year wore *on* in a scene of much oratory and occasional violence. Drusus was highly respected as a man, but losing ground as a politician. His temper was at times unequal to the strain of the conflict. His enemies had no scruple in charging him with fomenting Italian discontents,

while his supporters in the Senate were worried and frightened by the long and bitter struggle. The consul Philippus denounced them in public meetings. Drusus protested in the Senate. Crassus the orator backed him up manfully, but died a few days after. Drusus did not himself seek reelection, and the tribunes elected for the year 90 were men hostile to his policy. His proceedings in the two or three months remaining of his own year are obscured by the defects of our record. The following account is an abstract of statements derived from various sources.

396. It seems that Drusus, unable to draw back, was driven, like other reformers, to extend his programme. We hear of two agrarian bills, and of a measure for debasing the currency, in the vain hope of meeting some of the deficit caused by the cheapening of corn. All this was sheer demagogy, and he was now embarked on a course sure to alienate the Senate, while the financiers were against him, and the city mob not to be relied on. He may have been supported by some non-resident voters, but it is probable that he now made a regular bargain with the leaders of the Allies. Preparations for war, in case of refusal of their claims, were already far advanced in Italy, and Drusus in despair seems to have determined to carry his laws by force with their help. At this juncture a form of oath, said to have been taken by Drusus and the Italian leaders, binding both parties to mutual support, was circulated in Rome. It was supposed to have been published by Philippus to discredit Drusus. Drusus could not stop now. He forced through a number of his schemes in a combined statute, disregarding recent laws and bad auspices. Philippus called a meeting of the Senate, and the House declared the *lex Livia* not binding on the people. Drusus did not as tribune block this order of the Senate, but prepared to put his franchise-bill to the vote. Before he could do so he was struck down by an assassin, probably an agent of some of the Roman capitalists. So ended the last of the civilian reformers, in pursuit of ends unattainable by peaceful means. We hear nothing of any relations between him and Marius, nor was any such connexion likely. The problems left unsolved by Drusus could not be solved while the Republic lasted. The question of the franchise was at once settled by the sword. Disbanded soldiers were scattered over Italy, men trained in recent wars, and Rome found herself called upon to fight for her existence at a moment's warning.

CHAPTER XXVII

THE GREAT ITALIAN OR MARSIC WAR 90—87 B.C.

397. We pass now to a scene the full significance of which is not easily to be grasped by minds prepossessed with modern political notions. We find a great part of the military peoples of Italy in arms against Rome, and that what they really wanted was to become Romans. It is certain that the struggle was fierce and devastating, and that it left behind it so much smouldering discontent that it was continued in the form of a civil war. The unceasing discord of Roman factions influenced Roman policy during the main struggle, and its events reacted upon Roman factions. As to the causes of the war there can be no doubt, but the details of the campaigns are utterly obscure. We have nothing that can be called a continuous narrative, even of a partisan colour. Appian, a Greek writer of the second century A.D., is our chief witness, and his account is meagre confused and inaccurate. This part of Livy's work is lost. So too is the contemporary history of Sisenna. A few details survive in the stray notices of other writers. But we have enough evidence to prove that the story of this war was not a topic on which Roman pride was tempted to dwell. It is possible therefore that our lack of information may be partly due to Roman reticence, and not wholly to the accidental ravages of time. As things stand, our best help to understanding the strategic position and the course of the war is to be found in good maps: for beyond all doubt a great deal turned on the situation created by the political and physical geography of Italy.

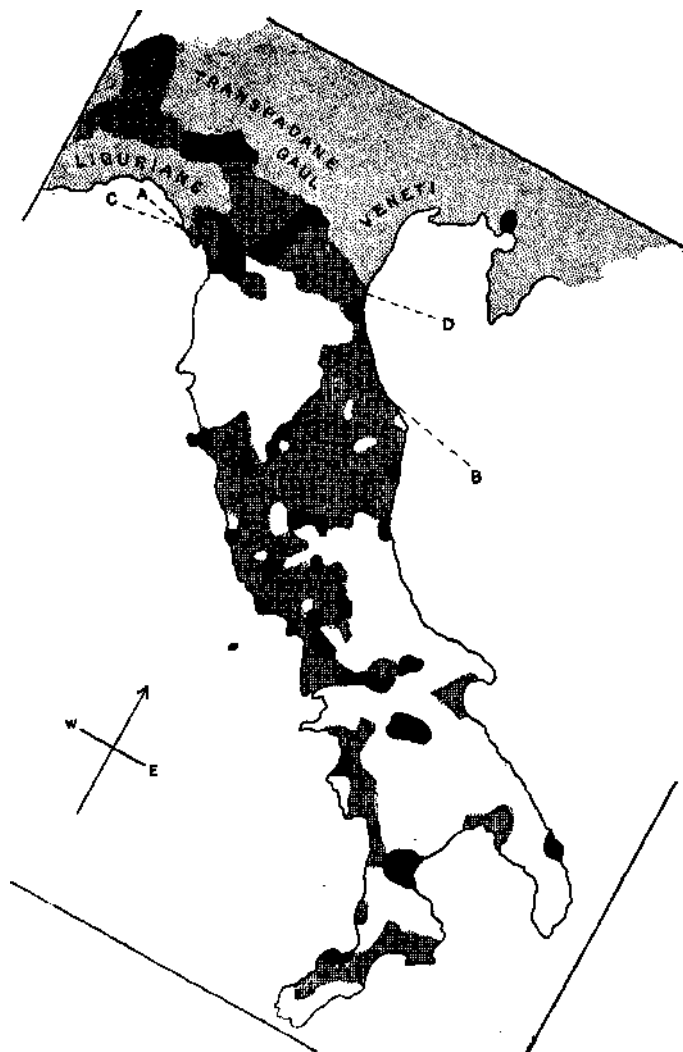
398. In former chapters we have seen how Rome conquered the Italian peoples one by one, and formed them into a confederacy under her own headship on terms varying in the several

cases, but on the whole neither onerous nor unfair. We have also seen how in her earlier days, before she acquired an empire, Rome incorporated some of the conquered as citizens; and how these half-citizens were in course of time admitted to the full Roman franchise. But the Roman Republic had now long been an imperial power, and in Italy incorporation had ceased. Within the confederacy Roman Citizen and Ally were in painful contrast: we have traced the elevation of the one and depression of the other. We have remarked the inevitable growth of the demand for the Roman franchise, and the resistance to the claim. At last, after long patient waiting, great hopes had been raised, and then dashed by the murder of Drusus. But even now the most favoured class of Allies, the old Latin towns and the Latin colonies, stood by Rome. And the Greek cities of the South were also loyal. Indeed the services of Rome to Italy in the past had been great. Her system had been too strong for the Gauls, for Pyrrhus, for Hannibal. Italy had been enabled to prevent foreign invaders from ruling her destinies. But then followed a time in which a Roman empire was won, largely at the cost of Italian lives. The generation living in B.C. 90 might know as a tradition the services of Rome to Italy. Those of Italy to Rome would be far fresher in their memories, and they had a constant reminder in the presence of men who had fought with honour in recent wars. In short, they knew their own value, and meant to compel Rome to receive them on equal terms. Only in one part of Italy can we surely trace a grim desire for the destruction of Rome. A shrunken remnant of the once great Samnite confederacy still kept the old name, the old Oscan dialect, and much of old tradition and habits. The dalesmen, little affected by the Romanizing of Italy, were no doubt well aware that their valiant forefathers had suffered many things from Rome, and brooded over stories of ancestral wrongs.

399. The change in the Roman attitude towards Allies gave them a galling consciousness of their inferiority. The internal degeneration of Rome was meanwhile no secret. If Jugurtha knew of it, so surely did the Italian Allies. This would not tend to make them more contented. They could not like the policy of the corn-laws, encouraging the growth of a pauper mob, whose votes carried measures without regard to the interests or feelings of the Allies. Still rebellion was not to be lightly undertaken.

There must be a reasonable prospect that gains would outweigh losses. In particular the wealthier Allies in the various communities were probably slow to move. Roman policy had always favoured well-to-do minorities in states leagued with Rome, and the benefit of Roman domain-lands granted to Roman confederates was probably enjoyed mainly by the rich. Now the loyalty of these men would be shaken by the land-laws. Resumption of the lands held in possession by Allies may not have gone far in practice: mere uncertainty was enough to create irritation. Therefore, when it became clear that careful organization was necessary, if rebels were to avoid the fate of Fregellae, leaders were forthcoming to head a combined revolt. At the end of the year 91 their preparations were complete. It was not the Allies, isolated by Roman statecraft, but Rome, distracted and blind to her danger, that had to face the great crisis unprepared.

400. Want of space forbids a full discussion of the map of Italy, but a few important points must be noted. There were three large continuous blocks of territory held by Allies, in which disaffection was rife. Northern Etruria and Umbria were cut off from the more active centres of rebellion by a great block of territory reaching from sea to sea, which was either Roman or held by Latin colonies loyal to Rome. In it were imbedded a few communities of Allies, one of which, Asculum in Picenum, was a hotbed of rebellion. The desire of the rebels to open communications with Etruria, and so to extend the revolt, and the determination of the Romans to prevent it, made Asculum a place of strategic importance to both sides. There was at first no open rising in Etruria. The districts mainly concerned in the rebellion lay East and South-East of Rome. The group of hill peoples, Marsi Paeligni Vestini Marrucini, seem to have been still as of old loosely-federated cantons. As soldiers, the men of these parts were the flower of Italy. Armed and trained on the Roman model, they had no superiors in battle. From the Marsi this great struggle was commonly called the Marsic war. But united action on their part had hitherto been conducted under Roman generals for Roman causes: they had now to co-operate independently. Further South were the peoples whom we may roughly call Samnites. For the Frentani Hirpini and Lucani were of Samnite blood and sympathies, though detached



Map of Italy 90 B.C., shewing Roman territory in dark-hatching (Rome is marked with a cross), the Latin Colonies of the Roman People in black, and the territory of Treaty-states in white. The dotted line AB is the official limit of Italy proper, from the Macra (West) to the Aesis (East). CD is the line from the Macra to the Rubicon. For the question of the advance of the official limit see § 440. The map is adapted from that in Beloch's *Italische Bund*. *

from the reduced League that still bore the famous name. These peoples were spread over a wide area, for the inland parts of Lucania were still in their hands. Combination had its difficulties, for some Latin colonies and a block held by transplanted Ligurians formed a territorial bar between the northern and southern divisions. Moreover the Latin colony of Aesernia watched the northern border, while Venusia stood in the way of joint action further South. All the points indicated were of great strategic importance in the war. In Apulia there was discontent, but the presence of Samnite forces seems to have been needed to kindle serious revolt.

401. On the other hand, the city of Rome was shielded by a large block of friendly territory. Southern Etruria and Umbria with Picenum were almost wholly Roman, at least loyal. East and South of the city, beside a few loyal old-Latin cities, were the districts once Sabine Volscian Auruncan etc., now all Roman; the former peoples having either become Romans or disappeared. Northern Campania was either Roman domain or held by colonies. The southern part was mainly in the hands of Allies, but some (as the Greek Neapolis) were loyal. Campania was a chief seat of war, for some cities were drawn into revolt by the inroad of a Samnite army. But by far the greatest element of strength in the strategic position of Rome was the fact of controlling all the important maritime centres. With Brundisium, Tarentum, Rhegium, and the ports of the bay of Naples, in Roman hands, she was able to prevent succours reaching the rebels from abroad, while she could and did import foreign auxiliaries herself. The Numidian horseman, the mercenary bowman from Crete, probably the Balearic slinger also, bore a part in the war for Rome. Gauls seem to have served on both sides. Imperial Rome, taken at a disadvantage, had to seek help from any quarter. In the earlier part of the war it is clear that the confederate rebels were able to place in the field better armies. But it must be remembered that of officers experienced in handling large bodies of troops Rome had probably a far greater number; and in case of need there were Marius and Sulla.

402. Let us now compare the political organizations. The outbreak of war found the rebels equipped with a regular confederate constitution. Corfinium in the land of the Paeligni was renamed *Italia* and made the capital. A Senate of 500 delegates

was the governing body. There was a select inner council for practical deliberation. The magistracy was a copy of Roman models. Two consuls, each with six praetors under him, were to command in the two main theatres of war. Q. Pompeidius Silo the Marsian had the northern department, G. Papius Mutilus the Samnite had the southern. A common coinage was struck, with symbolic figures: the legend was according to the prevailing dialect, Latin for the Marsian district, Oscan for the Samnite. In short, the new confederacy presented an appearance of remarkable unity and imposing strength. Yet at this distance of time it should be clear to us that it was more likely to be effective in the first rush. All would be eager to win victories in battle. But if the war were protracted, and if great sacrifices had to be made for the common cause, the interests and aims of its various members might diverge. The empire of Rome was a property of value. To extort a share in it was no doubt a practical aspiration. To destroy Rome was not to win that empire, but to lose it, for the subject peoples obeyed not Italy but Rome. If Rome offered to make the Italians Romans, the rage of many, having spent its first fury, would be cooled by self-interest. They would have gained their object, and the stubborn hatred of the Samnite would be left to fail. If the great leaders aimed at founding a new Italian compound state, this was surely an ambition not likely to rouse an equal enthusiasm in the rank and file of their followers.

403. The first outbreak of the revolt occurred at Asculum. A Roman officer was murdered and all Romans in the town were massacred. In a few days the confederate rebels were in arms. This seems to have been at the end of the year 91, immediately after the death of Drusus. But even in this hour of panic, with a terrible war at their doors, Roman politicians did not cease their factious strife. The capitalist influence, hostile to Drusus, had got the upper hand, and the magistrates for 90 were all or mostly in their interest. The tribune Q. Varius, a half-breed from Spain, forced through a law appointing a special commission to try all persons suspected of having caused the revolt of the Allies. Nobody who had supported Drusus was safe from a charge of **treason** (*maiestas*), A few, such as old Scaurus, were acquitted, **but many** were driven into exile. In the Senate too the same influences prevailed. The House ordered the suspension of the

ordinary law-courts, while the Varian commission went on. Meanwhile the preparations for war were hastily made. An embassy from the rebels, offering to negotiate, was dismissed by the Senate. The consuls were assigned to command in the two chief seats of war, P. Rutilius Lupus having the northern department, L. Iulius Caesar Strabo the southern. To each were attached five *legati*; among those of Lupus was Marius, while Sulla was with Caesar. The Varian court was still sitting in Rome when the consuls set out for the front with their armies.

404. The southern campaign went badly for Rome. Aesemia was lost. A large part of Apulia was won by the rebels, who even took the great fortress-colony of Venusia. Mutilus with the main Samnite army broke into Campania, and took town after town. The failure of the Roman forces may have been exaggerated, but it is plain that they could not hold their own. And even the imperial connexions of Rome had their disadvantages. A son of Jugurtha, removed from Numidia, had been placed in the custody of the authorities of Venusia. There he fell into the hands of the rebels, and Mutilus, finding that Caesar had under him a Numidian contingent, used the prisoner to entice them to desert. The consul was soon glad to send the remainder home. In the obscurity of our record we can see that in the South Rome had lost ground. In the North the Romans fared somewhat better, though they suffered grave disasters. Party-spirit ran high, and reached the camp. Lupus suspected some of his officers of sending news to the enemy, and this was a cause of uneasiness. Some of his divisional commanders were badly beaten, and in a great battle with the Marsi the consul himself fell. The situation was saved by Marius. But Marius, unpopular in Rome, and probably suspected of being really in favour of the rebels' claims, was not placed in sole command. The Senate joined with him Q. Servilius Caepio, one of the chief opponents of Drusus. But Caepio was soon outgeneralled and destroyed with a large part of his army. Marius, at last in supreme command, had once more to retrieve the blunders of others, and did so. In some quarters of the northern department the Roman generals were more successful, in particular Cn. Pompeius Strabo, who seems to have done much fighting, and eventually to have begun the siege of Asculum. To punish this town as a warning to others was a main object of the Romans. Moreover it was in

itself an important post, commanding as it did the line of communication between the rebels in arms and the Umbro-Etruscan districts. A rising in those parts was likely, and the strategy of the belligerents was directed to promote or prevent it. On the whole the results in the North were something like a drawn game. The Roman losses were great, and the Senate had to take special measures to quiet the alarm in Rome. But Silo, for all his victories, had not achieved his aim of piercing the Roman barrier to the North. That the services of Marius were not valued as they deserved was surely due to party-jealousy. At the end of the year he retired from command.

405. In the winter of 90—89 the Umbro-Etruscan Allies rose in revolt. The rising seems to have been rather tardy than deliberate, prompted by news of the Marsian victories, and neither hearty nor well organized. To draw in the Roman armies, and stand on the defensive, would have been fatal to the cause of Rome. To carry on an offensive war in northern Etruria, when so much lost ground had to be recovered in the South, was impossible. The resources of the Roman state were already strained to the utmost. Some concession had to be made, in the hope of thus detaching some of the more lukewarm rebels from the cause of Mutilus and Silo. Late in the year 90 the consul Caesar came to Rome to hold elections, and he carried a *lex Iulia* by which the Roman franchise was offered to all communities of Allies that either had remained loyal or at once laid down their arms. This law, far more than the doubtful victories dimly recorded of Roman forces, speedily pacified Etruria. Probably it also made possible the raising of recruits there for the Roman legions. But its effects were felt all over Italy. It now rested with the several communities to accept or decline the concession which most of them were in arms to extort. Was it worth while to go on shedding blood and laying waste the land of Italy, for the mere purpose of destroying Rome? The advantages of becoming Romans were known to all, and who could suggest a better alternative? So some accepted the offer at once, and the resolution of others was weakened. That Roman ingenuity might yet delay complete enfranchisement, by juggling in the matter of registration, was a point not likely to attract much attention during the continuance of the war.

406. In the campaign of 89, obscure though the record is,

the turn of the tide is manifest. It was arranged that Sulla should command in the South, while both consuls operated in the North. Of these two, Cn. Pompeius was an astute and competent man. He had the full confidence of the party in power at Rome, which Marius had lacked. The great success of his campaign was when he caught a rebel army on its way to support the Etruscan rising and defeated it with heavy loss. Evidently there was at this time a wish to restore peace in these parts by judicious treatment as well as by victories in battle. Pompeius carried out this policy so adroitly that he gained much popularity in the northern districts as the people gradually returned to their allegiance. His son Gnaeus, afterwards the great Pompey, was with his father in camp. To him the goodwill earned by his father in Picenum was an inheritance of value at a later day. The main struggle in the northern department centred in the siege of Asculum. Great efforts were made to break up the investment, but in vain. The Romans took it late in the year, and dealt severely with their captives. Meanwhile the ravages of Roman forces had made the Marsi weary of the war. We shall see that a fresh concession on the Roman side helped to induce them and the neighbouring rebel peoples to sue for peace. Silo withdrew to the South, and joined the Samnites.

407. In the South great exertions were called for. A large part of southern Campania had to be recovered, and it seems that it was no easy matter for Sulla to raise sufficient forces and maintain discipline. Somehow he managed to hold his ground, and to push back the enemy. Then he fell upon the Hirpini and compelled them to submit. The southern area of the rebel confederacy was thus cut in two, and Sulla now delivered his main stroke. While his divisional commanders held or gained ground in Lucania and Apulia, he burst into Samnium, routed the army of Mutilus with great slaughter, took towns, and stunned the rebel power in its central seat. Even allowing for exaggerations, it is clear that Sulla conducted his campaign with remarkable skill and energy. The war was not at an end, but in the South, as in the North, the real danger was past. The broken Samnite League was no longer a serious menace to Rome. The remaining local conflicts, such as the siege of Nola, would be decided in time, and could only end in one way. Meanwhile the movements of Mithradates had created an imminent danger

in the East. Here was a task worthy of an ambitious soldier. Sulla therefore returned to Rome, bent upon winning the consulship and the eastern command.

408. Let us now consider what was happening in Rome during this momentous year 89, chiefly the legislation that went on side by side with military operations. And first of the franchise-laws. To grant the franchise to loyal Allies actually fighting for Rome was an obvious step. A *lex Calpurnia* conferred on Roman commanders the necessary powers. To promote disunion in the rebel ranks it was desirable to open a way by which individuals might become Romans. Thus some would come over at once, and whole communities, now wavering, would be likely to decide for peace. A period of 60 days of grace was allowed for application¹ to be made to a Roman praetor. It is probable that the *lex Plautia Papiria*, in which this offer was made, had something to do with the final pacification of the more accessible peoples, such as the Marsi. We are told that the Samnites and Lucanians did not receive the franchise at this time. Probably the clauses of the law were so drafted as to exclude them: they were still in arms, and had as yet shewn no sign of submission. Another question that arose was the treatment of Cisalpine Gaul. That district contained (a) citizen-colonies, (&) citizen settlers not in colonies, (c) Latin colonies, to which the *lex Iulia* of 90 applied, (d) the remnants of earlier inhabitants. These last, particularly those South of the Po, were now a good deal Romanized. A *lex Pompeia* of the consul Cn. Pompeius recognized two divisions of the country, Cispadane and Transpadane, and treated the two differently. South of the Po, the non-Roman population received the franchise, and Cispadane Gaul became virtually a part of Italy. In the Transpadane the new policy was to choose or establish urban centres, to which batches of Gaulish neighbours were severally attached in subordinate relations. Each city had the constitution and privileges of a Latin colony, and a Romanizing process under municipal conditions was effectively promoted. In point of form the great Cisalpine district seems to have remained in an anomalous position. It was neither strictly a part of Italy, nor yet a province. To this matter we shall have to return in a later chapter.

¹ See § 418.

409. These laws gave to certain persons or classes of persons certain rights. But to accept the offer of the Roman *civitas* did not at once place a man in a Roman Tribe, still less in a Century. And a citizen could only vote as a member of one of these groups. Now the vote was desired, not as a privilege to be often used by voters dwelling at a distance from Rome, but as a weapon useful in times of agitation, as a means of preventing the passage of measures likely to injure the interests of non-residents. Naturally the new citizens were wanting to know in what groups they would be enrolled as parts of the Roman community. This was a matter for censors. But in this time of disturbance, with Italy in disorder, it was no doubt a matter of much delicacy and difficulty, not to be easily despatched in a hurry. For the old citizens had to be considered, and they feared that the new ones might outvote them. Many would be found to deprecate hasty action, and on plausible grounds. The course followed was truly Roman. There were censors in the year 89, and they did some censorial work. Surely they were appointed partly to carry out the urgent registration, for it was not five years since the census of 92. But no registration took place. At this point our record fails us utterly. Some temporary arrangement seems to have been devised now or soon after. What it was we can only guess, so obscure and conflicting are the notices of our authorities. Two inferences may fairly be drawn : the plan adopted was found unsatisfactory, *and it was not long in force. It is certain that the franchise-agitation continued to be a cause of friction and embarrassment for several years. Piecemeal concessions, dimly recorded, shew that it became a question of party politics within the Roman state. That the new citizens were impatient of Roman delays we may safely assume. For what really ended the Italian rebellion was the belief that Roman pride had at last stooped to a *bona fide* concession of equal rights. And without a place in a Tribe there was no voice in legislation: without a place in a Century there was no voice in the elections of consuls and praetors, and therefore (for leading men) no real chance of being elected. Discontent was inevitable under such conditions.

410. Party-feelings were running high in Rome. We can trace three parties among the wealthier classes, from whom the politicians were drawn. These were the capitalist Knights and two sections of the nobility, the one favouring the concessions,

and including former supporters of Drusus, the other consisting of stiff-necked men, resolved to concede as little and as slowly as possible. The first had to bear the odium of the Varian commission, the second had lost some of their best members through the action of that court. The favourable turn of the war strengthened the third party, to which Sulla belonged. A law passed in this year (89) is a sign of the change in the balance of forces. By it the Knights were for the moment deprived of their monopoly of the public jury-courts. A new elective system, in which the yearly list (*album*) of qualified jurors was made up of 15 members from each Tribe, took its place. This *lex Plautia iudiciaria* marks a reaction, but the capitalist party were strong, and the law was only in force for about two years. Another troublesome matter was the scarcity of ready money. Public and private finances were upset by the war, and a law reducing the weight of the copper *as* to $\frac{1}{2}$ ounce (*semunda*) can hardly have eased things much. Debtors pressed by creditors found a protector in the praetor Asellio. Then the capitalists, enraged at official obstruction, murdered the praetor, and nobody was punished for it.

411. The consular election for 88 expressed the situation so far as the Centuries were concerned. Sulla and Q. Pompeius Rufus were elected. This Pompeius was a man of the same political colour. But the Tribes elected among the tribunes P. Sulpicius Rufus, a young Patrician who had become a Plebeian for the purpose. He was one of the concessionist nobles, and meant to push on the enfranchising policy. It was necessary for him to coalesce with the capitalist party, and for this coalition a figure-head was wanted. The place was filled by Marius. Marius was now about 68, and his enemies called him worn out. They derided his efforts to display his vigour. But he thirsted for a seventh consulship, or at least for the command against Mithradates. This he hoped to gain by joining Sulpicius. The recall of exiles, and the complete equalization of old and new citizens, were the programme resulting from this notable bargain, in which Marius certainly had the best of it. Sulpicius set to work, and carried his laws by sheer force of armed men. Sulla had drawn the lot for the eastern command. Sulpicius forced the Tribes to transfer it from the consul to Marius, a private citizen. This conduct

was openly revolutionary. Sulla went off to his army before Noia. He had the real power, for trained armies now belonged to their general, not to the state. Marius, the chief creator of such armies, must have been blind to fancy for a moment that he could take such an army from such a man by means of a forced popular vote in Rome. The other consul, who had fled with Sulla, was probably deprived of his command in the northern department. There was still work to be done there, and Cn. Pompeius was kept in charge as proconsul.

412. Sulla's army scorned the orders from Rome, and he set out for the city with six devoted legions. All attempts to stop them were futile. Thus early in 88 B.C. Rome was for the first time invaded by a Roman army. Marius Sulpicius and others could not even stay the onset of the troops in a street-fight, though they invited the help of slaves. They fled for their lives, and Sulla at once had them outlawed, with a price set on their heads. Sulpicius was murdered; Marius, after hairbreadth escapes and many hardships, managed to reach Africa. For the moment Sulla was supreme. But for a permanent tyranny things were not ripe; and to stay at home, and send someone else to assert the dominion of Rome in the East, would lead to dangerous consequences, whether the substitute succeeded or failed. So he resolved to patch up things in Rome, and go. What his temporary arrangements were in detail is very uncertain. He seems at least to have tried to strengthen the Senate by a law requiring all bills to have the sanction of the House before being offered to the vote of the Tribes. The Assembly by Centuries was in some way modified so as to give more power to the rich, evidently as a check upon the election of revolutionary magistrates. The Senate was filled up by adding 300 new members, chosen supporters of the aristocratic party. But all these changes could only be lasting if the leading men were strong. When Sulla sent off his army to Capua on the way to embark for Greece, the sulky resentment of the people revived. At the consular election for 87 he carried one aristocrat, Cn. Octavius, as consul; L. Cornelius Cinna, a Patrician, but of the opposite faction, gained the other place. In repealing the acts of Sulpicius, Sulla had restored his own colleague Q. Pompeius to the command in the North. But the men of the northern army would not have him. He was murdered in a mutiny, and Cn. Pompeius resumed the

command. Such was the state of things Sulla was leaving behind him. But he went through the farce of binding Cinna by solemn oaths not to upset arrangements recently made, and set out for the East early in 87.

413. The civil warfare and revolutionary doings in Rome during the year 88 were only possible because the Italian rebellion had ceased to be really dangerous. But Italy was still far from being at rest. In the North there were uneasy movements among the smaller peoples, and an army of observation had to be employed. In the South another force was at work recovering Apulia. The Samnites and Lucanians were still in arms. Silo the Marsian reorganized the Samnite forces and held his ground till the Roman armies closed in upon him, and he fell in battle. So the war died out, and we cease to hear of Italian armies as such holding the field. But we do not hear of any formal submission and pacification of the stubborn remnant of the rebels. It is said that in their latter days of depression they sent an embassy to beg the aid of Mithradates. But the Great King now had his hands full, and the ill-matched combination never took effect. After the death of Silo, open resistance to Rome was at an end, save for a few minor affairs such as the siege of Nola. The general situation in several parts of Italy seems to have been a sort of uneasy truce, with masses of discontented people awaiting developments. Many districts had suffered from the wasteful ravages of war. On the side of Rome, a change had come over the spirit of her armies. The departure of Sulla removed the pick of the Roman troops, doubtless nearly all of them old citizens. In the forces left behind, the ranks were largely filled with new citizens hastily enrolled, probably far more interested in securing their own equal rights as Romans, than willing to wait patiently for a suitable moment to assert their claims. Rome, torn by faction, needed a little breathing-space to settle down and face the difficult problems of the hour. But, with things in the state in which Sulla had left them, such a respite would have been a miracle.

CHAPTER XXVIII

MARIUS AND CINNA 87—86 B.C.

414. Italy, full of dissatisfaction and unrest, sadly needed good and firm government under a great leader. Time alone could assuage resentments. But there was much to be done at once, if things were to settle down peaceably, and there was no one to do it. The aristocrats, left by Sulla in precarious possession of power, had no strong man to lead them. Their adversary Cinna had much ambition and enterprise; he speedily proved that he had neither scruples nor real capacity. His oath of course went for nothing! He at once produced bills to recall the men outlawed by Sulla, and to distribute new citizens and freed-men among all the 35 Tribes. An open conflict with the mass of old citizens, headed by his colleague Octavius, ended in his having to fly from Rome. The Senate voted him a public enemy, no longer consul, and had a harmless man of their own colour elected in his stead. Such a step could only have been effective if followed up with vigour, but vigour was just what these reactionary nobles lacked.

415. Cinna was not the man to be put down by votes. Sulla had taught him the way to deal with Rome. He set out on a tour to rally the new citizens. First he gained the support of the army in Campania, then of a number of cities, where the ex-Allies welcomed him. After picking up other partisans, he was able to march on Rome with a numerous army. In the absence of Sulla the acting government was weak, but they prepared to defend the city. Not being able to raise enough troops by their own exertions, they sent for Cn. Pompeius and his army. But Pompeius dallied. He was not really in favour with either faction, and seems to have been inclined to play a game of

his own. His slow movements gave time for Cinna to organize his forces, and for other combatants to appear. Among Cinna's supporters were Cn. Papirius Carbo, an active and turbulent partisan, and Q. Sertorius, an officer who had done good service, particularly under Marius. Above all, Marius himself started from Africa and landed in Etruria. He had a few ships, and quickly raised troops among the new citizens, and some plantation-slaves also. What followed may be called the Marian revolution, for Marius was the chief figure. The advance on Rome was made in three divisions. A battle between Sertorius and Pompeius was indecisive, and therefore in favour of the assailants. The army of Pompeius did not care for the cause of the old citizens, and discontent spread in the ranks. Marius took Ostia, and cut off the city's supply of corn. Meanwhile the Senate was hoping for aid from the South, where there were still Italians who had been conquered by force of arms, but had not as yet been allowed to benefit by the franchise-laws. They were now offered the Roman citizenship. Metellus (*Pius*, son of *Numidicus*) who commanded an army of observation in those parts, was ordered to come to terms with the Samnites and march to the relief of Rome. It seems that the Samnites demanded a guarantee that enfranchisement should mean perfect equality, and that Metellus, in heart opposed to the concession, refused to give it. So the Samnites joined the Marian side. Metellus led a small force to Rome; but the aid from the South was quite insufficient, and expected reinforcements from the North were held in check by detachments of Marians.

416. Within the city there was a lack of cooperation between the leaders which soon proved fatal. Pompeius was not in earnest, but his death (perhaps murder) removed a bad adviser. His men were deserting. Octavius, a refined and scrupulous patriot, would not resort to desperate measures, such as arming slaves. Metellus would not take command so as to supersede the consul. The troops passed over to the enemy, and food was scarce. Cinna's terms had to be accepted. He was reinstated in the consulship, and allowed to enter Rome on the faith of a mere promise to shew all possible mercy. He at once made the Assembly repeal the outlawries enacted under Sulla. This done, Marius consented to appear in the city. Octavius as consul waited for his murderers; Metellus got away safe to Africa. Then

began the massacres in which Marius took revenge for his past slights and sufferings. With a gang of slaves he went about Rome indicating victims, who were cut down at once. The pursuit and murder of marked men, among them old Antonius the orator, informations, treacheries, betrayals, were long-remembered episodes of this horrible time. We hear that there were also touching instances of loyalty, even among slaves, and that as yet it was not a Roman practice to procure a citizen's death in order to get his property. But, after at least five days of murders, Cinna and Sertorius found means to destroy the ruffians of Marius and stop the slaughter. Sulla was now declared a public enemy, his property confiscated, his laws annulled. Marius and Cinna were elected consuls for the next year (86), now close at hand. The old soldier was worn out, and on the Ides (13th) of January he died. Everything the Marians had done had been effected by fear and use of the sword. It now remained for Cinna to shew whether he could give a practical and lasting turn to the revolution.

417. Cinna took L. Valerius Flaccus as his colleague in place of Marius. Among the reversals of recent policy we may note the repeal of the Plautian law, and consequently the reinstatement of the Knights in control of the public courts. But the most serious internal trouble at the moment was the financial crisis. Not only had events upset the money-market and destroyed credit: the Mithradatic war had stopped remittances from Asia and produced a panic in capitalist circles. A law was carried enabling debtors to discharge their liabilities by paying 25% of the sums owed. So desperate a remedy could not really restore credit, and the financial stringency remained. Political troubles were aggravated by the fact that money was being withheld from circulation. The state chest suffered, and among the efforts made to fill it prosecutions for alleged embezzlement found a place. The bad state of the currency made matters worse. Bad *denarii* had become common since the foolish act¹ of Drusus, and of course the bad drove out the good. The money-changers alone profited by this state of things. Something had to be done to relieve the distress. Tribunes and praetors united to effect a reform, by assaying the pieces and withdrawing the bad ones from circulation. The cost of this reform seems to have fallen

¹ See § 396.

on the treasury, but it was a good move, and assaying became a regular profession.

418. Another urgent matter was the registration of the new citizens. In 86 there were censors, again before the period of five years had expired. This time the registration was carried out somehow, but very little is known about it. Probably the new citizens were distributed over the 35 Tribes. But we are not to assume that an equal number were put into each Tribe: that is very unlikely. And it was incomplete. One known hindrance was the carelessness of the praetors whose duty it had been to receive applications¹ under the law of 89, and who had not kept perfect lists. But the prospects of the present government were clouded by the news from abroad. Sulla was gaining wonderful victories. Cinna was naturally anxious. He wanted to guard against the danger of the bold outlaw's return. The first thing to be done was to recover the control of the veteran army, and Cinna was so blind to the lessons of experience that he fancied himself able to remove Sulla from the command of his devoted troops. He sent out a force under the consul Flaccus, a worthless fellow, with the rough soldier C. Flavius Fimbria to guide him. We shall see what came of this absurd project. Meanwhile Cinna's chief associate was Carbo. The pair assumed the consulships for two years (85 and 84) in advance. Constitutional government was in abeyance at home. Let us see what Sulla was doing in the East.

¹ See § 408.

CHAPTER XXIX

SULLA IN THE EAST 87—84 B.C.

419. We have seen how Mithradates Eupator took advantage of the weakness or jealousies of neighbouring powers and of the reluctance of Rome to engage in distant wars. He had now a large empire, a full treasury, and a strong fleet and army under able Greek officers. His opportunity for further aggression came in 90, when Rome had her hands full with the Italian war. No doubt he was well informed of the wretched state of the province Asia, which was being bled to death by Roman extortioners. There he could appear as a welcome deliverer, for the small Roman force kept in the province to overawe the subjects was quite inadequate for its defence. He set a pretender on the Bithynian throne and reoccupied Cappadocia. No Roman force could be spared to restore the ejected kings, but an embassy was sent to insist on their restoration. Mithradates still shrank from open war, and obeyed for the moment. But the sequel shewed how private greed was apt to spoil the effect of Roman diplomacy. M'. Aquilius, the head of the embassy, was avaricious, and his colleagues probably men of the same type. Bribes were exacted from the restored kings: the kings had to borrow from Roman financiers. Nicomedes of Bithynia was hard pressed by his creditors, till he was driven to make a raid into Pontic territory for booty to satisfy their claims. Mithradates had now what he wanted, a good pretext for war. He could gain no redress by negotiation, and about the end of 89 B.C. hostilities began.

420. The foolish miscalculations of the Romans were soon exposed. Their inadequate and divided forces, mostly raised in Asia Minor, were routed and scattered. The cities of Asia (the province) mostly joined the king, who paraded the country with

his captive Aquilius, and put the unlucky man to death at Pergamum. At sea he was equally successful. The Roman fleet at Byzantium was taken or scattered, and many of the islands surrendered: the Aegean was commanded by the Pontic navy, and communications between Italy and Asia were now practically severed. Rome declared war in 88. We have seen above the causes that delayed effective action, and left Mithradates free to extend his designs. A few maritime republics, such as Rhodes Byzantium Cyzicus and Heraclea Pontica, stood by Rome. But there was no Roman fleet within reach, and they were helpless. The king's first move was to procure a general massacre of the Romans in Asia. It is said that some 80,000 thus perished, and the provincials were thereby committed to his cause. For the moment he remitted some taxes, and was a popular master; but the people were in fact his slaves. He next tried to conquer Rhodes, but was beaten off. Still he was supreme at sea. He knew the value of gifted Greeks, and posed as patron and champion of Hellenism. So he resolved to make himself master of the old Hellas, and chose Athens as the centre of his influence. A Professor in one of the philosophic schools served as his agent, and the dreamy University town was seduced from its alliance with Rome. Hopes of a revival of ancient glories were easily aroused. A nominal democracy was restored, in effect a tyranny under the Professor Aristion, who raised money by the plunder of the rich. Athens was now a dependency of the Pontic empire, and her possessions were occupied by the Pontic fleet. In Delos and other islands another great massacre of Romans took place. The Piraeus and Athens were held by Pontic garrisons, and most of the Greek states were induced to declare for Mithradates.

421. But little help was to be got from the Greek states in their decay. So a second armament was sent to cooperate with the first. This force made descents on the Thessalian coast, but was checked by the energy of C. Sentius the long-resident governor¹ of Macedonia. The two Pontic armies concentrated in Boeotia. At this point Sulla appeared with his army (season of 87) and the enemy fell back on Athens and the Piraeus. The two cities were separate, for there were now no Long Walls. Sulla began the siege of both. But he needed a fleet for the work in

¹ See § 378.

prospect, and sent L. Licinius Lucullus to raise one among the friendly naval powers of the eastern Mediterranean. The Great King dallied at Pergamum, while Sulla was changing the face of things in Greece. After a first repulse from Athens, he renewed the siege in the winter of 87—86, while the Marians were holding Rome, and a new and larger Pontic army was on its way from the North. Even the news of his outlawry did not turn him from his purpose. He defied both the enemy and the home authorities, knowing that his army was all his own. Athens at last fell, and after vast efforts the Piraeus also, all but its citadel Munychia. This too was abandoned when the Pontic force moved away by sea to join the new army in Boeotia. Near Chaeronea Sulla brought them to battle. Fighting against great odds (1 to 4 or more), the well-handled veterans utterly routed the king's motley host. Mithradates was furious at the news from Greece, and made ready another large army. To fight the Romans at a distance from his base was a costly undertaking. But he had good reasons for wishing to keep them busy in Greece. By his despotic and barbarous acts he had angered the Galatians, and caused much discontent in Asia. Ephesus and some other cities even revolted. By his cruelties in those that he reconquered, and by a general policy of putting the city governments in the hands of a rabble, paupers or aliens or liberated slaves, he destroyed all order and ruined the rich. Such a patron of Hellenism was the Great King of Pontus.

422. In the year 86, after the battle of Chaeronea, the Roman army under Flaccus and Fimbria appeared in northern Greece. Sulla went to meet them, but they did not feel able to face him. After some loss by desertions, they went on to Asia by way of Macedonia. Sulla turned back to deal with the Pontic armies, now once more concentrated in Boeotia. Early in 85 he defeated them with great slaughter near Orchomenus. Meanwhile the government army reached Asia Minor, and Lucullus had at last raised a fleet and returned to the Aegean. Mithradates had now to face the attack of two Roman forces acting independently. Fimbria, who murdered Flaccus and took his place, defeated the king's army in Asia. He called upon Lucullus to close in with his fleet and capture the chief enemy. Lucullus refused, and the king escaped by sea. In a sea-fight off Tenedos the Roman-Greek fleet gained a great victory over

that of Mithradates, mainly due to the skill of the Rhodians. Rome now had the upper hand, and Mithradates began to negotiate with Sulla. At first he would not accept Sulla's terms, though these were moderated by Sulla's anxiety to get back to Italy. Sulla marched northwards, and employed the time of waiting in chastising frontier tribes and restoring order in Macedonia. Then he went on to Asia Minor. At a meeting with the king at Dardanus in the Troad Sulla's terms were accepted. Fimbria did not give much trouble. He was isolated, having no fleet; his men deserted to Sulla, and he killed himself. The peace of Dardanus was a restoration of the *status quo*. Mithradates had to give up all his acquisitions, and be content with his kingdom as it stood before the year 90. There were the usual surrenders and stipulations in favour of allies. The war-indemnity was moderate, for Sulla was in a hurry to return.

423. It was necessary to resume possession of Asia, evacuated by Mithradates. No treaty-clauses could prevent Sulla from punishing cities that had been disloyal to Rome. Moreover he wanted money for the task still before him. He exacted sums so enormous that many communities were forced to mortgage their public property. For the ready money required had to be borrowed from Roman capitalists, who flocked to reap the rich harvest of usury. The richest of the Roman provinces entered on a period of poverty hopelessly encumbered with debt. The winter of 85—84 was a season of peculiar misery. Sulla's army wanted a rest, and he put them into winter quarters in provincial cities at the cost of the inhabitants. No burden borne by Roman subjects was so dreaded as this. And the present case was doubtless an extreme one, for the soldiers, ever prone to outrage the households on which they were billeted, knew that punishment was intended. Most of Sulla's administrative arrangements were sound, and long remained in use. But the working of them was corrupted as before by the financial interests of Roman investors, and a happy time for Asia was far off. Sulla was too busy or indifferent to deal with another evil by which the coasts and islands of the Aegean were suffering great losses. Piracy, encouraged by recent disorders, had increased and was increasing. Sulla ignored it. As an army of occupation he left in Asia the Fimbrian legions, with L. Licinius Murena in command and crossed the sea to the Piraeus in the season of 84 B.C.

424. Sulla and his army wintered in Greece. There was much to be done at Athens and elsewhere, and the preparations for his return to Italy in defiance of the Marians had to be made with care. He was interested in Greek arts and letters, and at Athens he came upon a literary treasure, which he transferred to Rome. This was a collection of the most important works of Aristotle, long supposed lost, but lately rediscovered. But Sulla's favourite companions were actors and musicians. There were in Athens also various Romans, driven out of Italy by disgust at the government of Cinna and Carbo. Among them was a young and wealthy man of Equestrian rank, T. Pomponius Atticus. This man is notable for the part played by him during all the later period of revolution and civil wars. He early learnt to take neither side in a quarrel, but to help men in their time of trouble and earn their goodwill in case they returned to power. Atticus gained the favour of Sulla, and used his influence on behalf of the Athenians. He helped them over pressing difficulties by lending money to the state on reasonable terms, but he wisely insisted on punctual repayment. He became immensely popular in Athens, and lived there more than 20 years. Sulla invited him to return to Italy, but his Epicurean temperament made him prefer to keep out of the stormy politics of Rome. Early in 83 Sulla safely landed his army at Brundisium. He was well received, but he had not more than 40,000 men. But the army was a real one, and the prestige of his luck—the luck of which he always boasted—was a force of incalculable value. His veterans swore to stand by him, and they made ready to face great odds. In the last two years he had sent despatches to the Senate, ignoring his outlawry. He protested against the acts of the Marian party, and gave warning of the redress that he would exact on his return. But he shewed his insight into the situation of affairs in Italy by announcing that he did not intend to reverse the enfranchisement of the new citizens. Thus he sought to weaken or remove an apprehension, natural enough, and to pave the way for detaching new citizens from the Marian cause.

CHAPTER XXX

CINNA, CARBO, AND SULLA 85— 82 B.C.

425. In the year 85 the dominant faction, led by Cinna, were above all things anxious to retain their power, and we know that they had still two years in which to prepare for the impending struggle. But they were never able to inspire general confidence and organize Italy as a Roman whole. In the Southern parts men were still in arms. Romans of rank were slipping away, either to join Sulla or to hide in Africa or Spain. At home the Senate was uneasy, distrustful of the ruling Marians, but loth to oppose them, for fear of a massacre. All that Cinna and Carbo could do was to raise troops, but they could not raise enthusiasm for their cause, or provide able and inspiring leaders. If the Marians meant to hold their ground, a Man was wanted, and was not forthcoming. To drift into civil war for sheer lack of plans and rational vigour, was the worst of political crimes. Cinna was weak enough to let the Senate negotiate with Sulla, but meanwhile he went on forming armies. He contemplated taking the offensive against Sulla, and began to send troops over the Adriatic. But the men did not like the prospect of a civil war abroad. In a mutiny at Ancona Cinna was killed early in the year 84, and Carbo was left sole consul.

426. The Roman government had never been in worse hands. Carbo would not provide himself with a colleague. The Senate was for the time helpless, under a consul obstinate without firmness, and rash without the nerve to meet emergencies. Sulla's reply to the Senate's conciliatory offers was alarming. He sneered at a guarantee of safety, and made it plain that he meant to effect a revolution on his own lines by the aid of his army. He represented not only himself, but numbers of exiles and refugees: a

general restoration of properties and privileges was a part of his demand, to be enforced by the sword. Carbo and the Senate no longer pulled together. That the importance of the new citizens was recognized, is clear from an obscure record of an attempt to please them by some concession at this juncture. This was probably a countermove to the reassuring message of Sulla, referred to above. Whatever it may have effected, in the way of attaching the discontented to the Marian cause, was neutralized by the blundering of the Marian leaders. The consuls elected for 83, L. Cornelius Scipio Asiaticus and C. Junius Norbanus, were active men, but unequal to the crisis. Carbo went to the Cisalpine as proconsul, to raise another army. Sertorius, the one good officer they had, was kept in the background. In short, for want of a strong directing head, they were putting their trust in numbers. Far-sighted men began to detect signs of their coming failure. Such was Carbo's quaestor C. Verres. He robbed the military chest and went off to Sulla.

427. The government could not rely on the unanimous support of Italy. For instance, the long-Romanized district of Picenum needed watching. Sulla was free from such anxieties, and was undoubted master in his own camp. At Brundisium he was joined by Metellus with a force from Africa. Stray refugees rallied to him as the news of his return spread. Among his partisans was M. Licinius Crassus, who had been through many adventures. Most cheering was the arrival of young Cn. Pompeius with three legions raised in Picenum. And all accessions to his numbers meant genuine accessions of strength. With able and loyal lieutenants and soldiers devoted to his cause, he pushed on boldly. He defeated Norbanus in Apulia, met Scipio in northern Campania, and by sham negotiations gained time to corrupt his half-hearted troops. The consul's army went over to him in a body. Sertorius, disgusted with these failures, went away to his province in Spain. So far Sulla had done well. But the Marian forces in the field were still far more numerous than his own. The fear that he would, if victorious, annul the privileges of the new citizens had enabled Carbo to raise immense armies in the North. Therefore he employed the winter of 83—82 in negotiating with various new-citizen communities, probably the Marsi and other peoples of that group. It is said that he concluded with them a regular treaty, pledging himself not to disturb them in

their privileges. Of the Samnites we hear nothing at present. They were probably watching events; at least they did not come to terms with Sulla.

428. The real tug of war came in the campaign of 82. On the way to Rome Sulla met an army commanded by the younger Marius. At a spot called Sacriportus a stubborn fight ended in a Sullan victory, partly the result of desertions. Samnites among the prisoners were butchered. Marius, who was now consul with Carbo, fled with a remnant to Praeneste. He sent orders to Rome for the murder of some nobles known to be in favour of Sulla. Among those who were thus put to death was the great lawyer, the chief pontiff Scaevola. Sulla left a force to besiege Praeneste, and pushed on to Rome. The chief Marians fled, so he placed partisans of his own in charge, and hastened northwards. Metellus Pompey and Crassus were at work in Picenum and Umbria, gaining ground. Carbo met Sulla in Etruria, but could gain no decisive success. South and North, the Marian cause, for all its great armies, was failing. Neapolis was taken by a Sullan force; the Cisalpine was invaded and won. The efforts to relieve Praeneste failed. Treachery began to play a leading part in the war. Norbanus escaped to Rhodes, only to commit suicide later, in order to avoid extradition. Carbo himself left his army and fled to Africa. The main strength of opposition to Sulla lay in the desperate valour of a great Samnite and Lucanian army, whose hostility was not so much to Sulla as to Rome. With the addition of some remaining Marians, they may have been 80,000 strong, led by Pontius Telesinus, perhaps a descendant of the old hero of the Caudine Forks. Foiled in other directions, they suddenly marched on Rome. Sulla was only just in time to meet them in battle outside the walls by the Colline Gate. This fierce struggle was a fitting close to a bloody drama. Sulla's own wing of the army was beaten, but that under Crassus was completely victorious. Not till midnight was it certain that Rome was saved.

429. Sulla took a short way with those whom he regarded as rebels. Samnites were slaughtered in thousands. The Senate, alarmed by their shrieks, were requested to attend to the business of the House. After the fall of Praeneste, and the suicide of Marius, the same course was followed. With the exception of some sparks of local resistance, the civil war had now been

stamped out. There was still work to be done in some of the provinces. But to all appearance the Marian party, the champion of the new citizens, the opponent of the senatorial nobility, was so crushed that it could never revive. We shall see that this was not really so. Taking Rome and Italy together (for Rome had practically absorbed Italy) the party crushed by Sulla were a majority. We shall see that the non-noble capitalists were in general Marian, and this class represented the most united and consistent influence in Rome. To suppress them was beyond the power even of a Sulla. The present ruin of the Marian cause was due to the lack of a sound condition of politics. There was no great leader in the state, no one man able to give loyalty and cohesion to the armies. On the other side there was a master, under whom willing and capable men worked in effective harmony. Victory at once made the outlawed Sulla supreme in the Roman world. That the Republic as a form of government was helpless, and a monarchy inevitable, was probably not yet understood. But in viewing the course of events from a distance of many centuries we can see that this was the truth.

CHAPTER XXXI

SULLA 82—78B.C.

430. We have seen how the change of circumstances in the Roman Republic, political, military, economic, moral, had placed one man in an autocratic position. We are now to see how the character and temperament of this one extraordinary man reacted on circumstances, how he dealt with the problems of the time, and what kind of solutions he offered. Whether Sulla saw that things were not ripe for the establishment of a monarchy in Rome, we do not know, nor does it matter. That he did not want to take up such a permanent burden of responsibility, is certain. When he had crushed opposition, and restored the Senate to something like its old power, adding various practical reforms to remove some known abuses, he had done enough. Back he went to his pleasures: if his logical machine was doomed to break down, owing to the weakness of its chief part, he could not help it. His abdication surprised his contemporaries, and interested later generations. Indeed it is a strange story, but to Sulla it was a natural step. He was the same man from first to last, and he died in his bed.

431. Murders following the massacre of prisoners were a cause of alarm in Rome. Sulla consented to relieve anxiety by a regulated procedure. A notice-board briefly gave a list of names of persons doomed to die. Rewards were offered for killing or betraying any of those 'posted' (*proscripti*); to hide or protect them was forbidden under severe penalties. But supplementary lists were soon posted. The strain of uncertainty was terrible enough, but we are told that over 4000 names actually appeared on the lists. Under the terror and temptations Roman society

for the time broke down. None knew whom to trust, relative or friend, free or slave. Old moral principles were no longer a part of Roman life, influencing all Romans; family ties were weaker. The best were powerless to save their dearest: the worst could pay off old grudges or profit by others' ruin : it was the villain's hour. The proscription developed as days went by. Murder first, and posting afterwards, was one of the improvements. Next it was found convenient to post the name of one murdered before the proscription began, so as to insure indemnity for a stale crime. Catiline, afterwards notorious, is said to have done this to hush up the murder of his own brother. But sheer greed of gain was a powerful motive, giving horrid effect to the proscription. Of course it fell almost entirely upon men of property; and the sharing of plunder, particularly the chance of buying up confiscated estates at a fraction of their value, was a great temptation. Buyers would be scarce, for to appear possessed of ready money was itself a danger. Among the speculators who throve on the bargains made at this time was Crassus, the millionaire of Cicero's time. As the majority of the Knights had been on the Marian side, they furnished a great number of victims. We shall see that Sulla tried to get rid of them as an Order, that is, to undo the work of C Gracchus.

432. So murders and confiscations went on without mercy or shame. Sulla coolly spoke of the forfeited property as his booty (*jpraeda*) or prize of war, and presided at sales by auction. Among the vile creatures whom he rewarded, the most dreaded and hated was his favourite Greek freedman Chrysogonus. Romans were indeed slaves when they had to fawn on freedmen. But there was small prospect of any reversal of the confiscations. Too many influential people were directly or indirectly interested in securing their possession of ill-gotten gains. The terror was kept up by signal acts of cruelty and revenge. A relative of Marius was caught and sacrificed by a slow death at the tomb of Catulus, who had been driven to escape the Marian massacres in 87 by suicide. The ashes of old Marius were cast into the river Anio, and his Cimbric trophies pulled down. These are only specimens. And the proscriptions spread all over Italy. Fugitives were hunted down, and men suffered in country towns, either as notorious Marians, or merely to enable a Sullan partisan to seize a desirable estate. That refugees were not safe abroad

we have seen¹ above. None dared to provoke Sulla. But Sulla was a Roman, with a Roman turn for formalities. At what precise stage of his proceedings he ceased to act simply as conqueror, and began to legalize his position, is not clear. His outlawry had doubtless been cancelled, but he was now a proconsul who had entered the city without special leave, and had thereby lost his *imperium*. He soon procured confirmation of his past acts as consul and proconsul, and perhaps a law conferring on him full powers. A more perfect commission was to follow. Meanwhile he paraded his claim to be regarded as the favoured of fortune by assuming the additional surname of *Felix*. Twins were born to him: he named them both 'lucky' (*Faustus* and *Fausta*). He shared the common superstition of the age in this matter.

433. Even in the Provinces there was no strong opposition to the fortunate Sulla. He sent a praetor to turn Sertorius out of Spain, and for the present Sertorius had to go. Of the corn-provinces, important to a ruler of Rome, Sardinia had been recovered. Sicily and Africa were held by Marian governors, and the resident Roman capitalists seem to have been on the Marian side. Among the fugitives in those parts was the consul Carbo, who raised a fleet in Africa and proceeded to Sicily. Hiarbas king of Numidia was induced to support their cause in Africa. Sulla sent young Pompey to remove these obstacles to a general peace. No doubt the state of Italy, much devastated by years of active or smouldering war, was a special reason for prompt attention to the great food-producing countries. Despite his age (24), Pompey was invested with *imperium* and placed in full command. He was required to divorce his present wife and marry a step-daughter of Sulla. This he did, and so became a connexion of the great autocrat. The proceeding would not seem so strange to Romans, who generally married off their children with view to the best bargain, as it might to us. But the case of another young man offered a curious contrast. Gaius Iulius Caesar, one of the old Patrician *Iulii*, was doubly connected with the Marian leaders. He was married to Cinna's daughter Cornelia. His aunt Iulia had been the wife of the elder Marius and mother of the younger. He was of course in great danger, but, when ordered to put away Cornelia, he refused.

¹ See § 428.

Sulla was with difficulty persuaded to spare him. He is said to have told the intercessors that the pleasure-loving and attractive youth had in him the making of a more dangerous person than Marius. Caesar wisely left Rome for the time.

434. It would seem that Sulla was already bearing the title of Dictator. The steps to effect this were probably taken late in the year 82. One consul was dead, the other an outlaw. In order to strain the constitution as little as possible, the procedure by way of *interregnum* was chosen, and the traditional powers of an *interrex* slightly extended. L. Valerius Flaccus, the 'first man' (*princeps*) of the Senate, was employed to do what was required, of course acting under full instructions from Sulla. He carried through the Assembly a *lex Valeria*, which confirmed all Sulla's acts in advance, and set him above the law. The title of 'dictator for drafting statutes and setting the commonwealth in order' (*legibus scribundis et rei publicae constituendae*) practically covered everything. It was a commission of autocracy, not limited to a stated term, but tenable at the will of the holder until such time as he might conceive his task to be fulfilled. The office had little but the name in common with the old dictatorship; it differed widely, in the mode of appointment, in duration, in the imperial scope of its powers. For times had changed since the old office had gone out of favour and fallen into disuse. To be supreme in Rome carried with it the dominion of the whole Roman world. When we find Sulla's position spoken of as a Kingdom or Tyranny, the expression is about the truth. Nor indeed did he seriously try to dissemble the absolute nature of his power. He now set to work establishing the so-called 'Sullan Constitution,' a remodelling of institutions in a reactionary spirit, the aim being to restore the state of things existing before the Gracchan movement. For making such an attempt it was necessary to ignore the past. What Scipio Aemilianus had been unable to maintain, Sulla could not really restore. The sequel shewed that the permanent tendency was against the predominance of an aristocratic council. The Senate, replaced in the seat of power, could only overcome demagogues by coalescing with leaders of armies. It could not really stand alone. To undo what the Gracchi and Marius had done was impossible. But we need not wonder that Sulla, like most men, was no prophet: he could not judge the present with knowledge of that which was to come.

435. To weaken the tribunate was an obvious step. As revived by the Gracchi, the office certainly was liable at any moment to upset the balance of the constitution. Sulla meant to reduce it to its original function of *auxilium*, the protection of Plebeians from the harsh use of the magistrates' *imperium*. His law therefore took away from tribunes the right of proposing laws or impeaching presumed offenders before the Assembly. The power of *intercessio* was limited in scope, and it was provided that no man who had been tribune should be eligible for any curule office. Thus the tribunate would no longer serve as a cheap means of courting popular favour, and would not attract restless and ambitious men. So it was muzzled. The rules governing the sequence of magistracies also needed a thorough revision. The *lex Villia* had often been disregarded in recent years, and illegal reelections and continuations of office had been very common. The separation of civil and military life had already gone far, and the old requirement of ten years military service was practically obsolete. The details of Sulla's new law are uncertain, but a scale of age-limits and compulsory succession of offices was arranged. At 30 a man became of age for the quaestorship, at 39 for the praetorship, at 42 for the consulship. For the aedileship, if held at all, the age was 36. Sulla was evidently bent on raising the minimum ages, and preventing men from stepping into higher office without passing through the regular stages. He also raised the number of praetors to 8 (why, we shall see), and that of quaestors to 20. It seems certain that he also made the quaestorship confer membership of the Senate. Reelection to an office was only allowed after an interval of ten years. All these rules aimed at keeping open the flow of promotion and fixing a rigid system. They were designed to check the rise of prominent leaders, and to distribute power on aristocratic lines among the members of a ruling caste.

436. What with massacres and proscriptions, deaths in war or in the course of nature, and the flight of Marians, the Senate was no doubt reduced in numbers. Sulla wanted the body to be numerous, both on general grounds, and because he meant the senatorial Order to provide the juries. So once more¹ he added to it 300 of the 'best Knights'; that is, capitalists who had taken his side. This addition made the Senate apparently strong.

¹ See § 412.

Then by a law he deprived the Equestrian Order of their control of the public courts, and gave it to the senators. Coming after the proscriptions, these blows left the non-noble capitalists a thinned and weakened Order. But their ranks were constantly being recruited, as men with small capital began a business career, and Rome could not do without them. Sulla had not crushed them out of politics, as he perhaps imagined. Another law dealt with the great religious colleges. The number of the members was raised, and by repeal of the Domitian law of 104 the old plan of filling up vacancies by cooptation was restored. Among the practical needs of the time, it was most desirable to bring the civil affairs of life back into their ordinary course. This could only be done by closing all proceedings connected with the proscriptions. Accordingly the 1st June 81 was fixed as the date for ending them. Thus confidence would gradually revive, and business with it. But two of the results of the proscriptions remained in force. The sons of the men proscribed were still disqualified from holding public office. The slaves included in the confiscated estates had been, or now were, emancipated in large numbers. It was Sulla's policy to interest an active body of new citizens in the permanence of his settlement. He enfranchised many (10,000 it is said) as freedmen of his own, thus becoming the patron of a devoted following. They were *Cornelii*, taking, as was customary, their patron's gentile name.

437. Sulla had found it necessary to remind, not only Romans in general, but his own partisans also, that he was master. When one presumed so far on his services as to persist in his candidature for the consulship of 81 in defiance of orders, the dictator had him killed openly in the Forum. It was now time to remind the public of his own immense services in the East. On the 27th January 81 he held his great triumph for the victories over Mithradates. The notable feature of the splendid show was the procession of restored exiles. But it was the civil war, not the Mithradatic, in which these men's restoration had been won. Sulla merely avoided openly triumphing over Roman citizens. Meanwhile Pompey had recovered Sicily, and put Carbo to death. He went on to Africa, destroyed the Marian force, and placed Hiempsal on the throne of Numidia in the room of Hiarbas. Later in the year 81 Sulla celebrated a great festival,

the *ludi Victor iae*, in special commemoration of the battle by the Colline gate. It is recorded that members of noble families, in deference to the dictator's wishes, appeared as drivers in chariot-races. Probably this outrage on Roman proprieties indicates a wish to degrade a few suspected persons : for it was Sulla's policy in general to elevate the nobility. The festival also included lavish feasting of the whole people. At this time Roman religious scruples, and Sulla's own superstition, were illustrated in a way worth notice. His wife Metella was very ill. Sulla was a pontiff, and his house must not be polluted by the presence of a corpse. So, though fond of Metella, he divorced her and sent her to die in another house. Her death was a great grief to him. Such is the story, preserved by Plutarch.

438. Of all the works of Sulla, none was more directly productive of troublesome consequences than his land-settlement. He had an army of 100,000 men to disband and to satisfy. Grants of land were the only possible means of pensioning them. By planting them here and there in groups he would establish garrisons of men whose rights depended on the maintenance of the Sullan settlement. To provide allotments he had probably some of the land confiscated in the proscriptions. But one form of the punishment of communities for their support of the Marians was the confiscation of their territories. The blocks of land thus set free for distribution were convenient for planting settlers in groups, and it was on these blocks that many of the ¹ Sullan men¹ were placed. Wholesale evictions of former holders were necessary, and a great deal of land changed hands in various parts of Italy. The pity was that the soldiers, long used to a life of violence and hardship with intervals of revelling and wantonness, seldom could settle down to the monotonous drudgery of rural life. A clause in Sulla's colony-laws forbade the sale of the allotments. But, as in the case of the Gracchan land-laws, the prohibition was evaded or ignored. Most of the settlers soon got rid of their plots, which passed into the hands of capitalist land-grabbers. The ejected holders had been ruined. The new holders were a failure. The two classes might hate each other, but in discontent and destitution there was perhaps not much to choose between them. Some of Sulla's men seem to have been settled in towns on the coast, as at Puteoli and Pompeii, where they were soon at loggerheads with the old burgesses.

439. The chief groups of Sullan colonists appear to have been planted in Etruria and parts of Campania and Samnium. In some cases there was resistance, and a few communities were punished by Sulla with loss of civic rights as Romans. At Volaterrae a siege was necessary: it only surrendered early in 79. No doubt the record of many severities has perished: certainly the Samnite dalesmen were not spared. After Sulla the Romanizing of Italy was rapidly completed. Latin drove out Oscan and any Etruscan that remained. Greek alone kept its hold in a few maritime cities of the South. But the land-settlement was an economic disaster, and still more a social one. The new *latifundia* might be farmed with more judgment, and in blocks less continuous, than those of 50 or 100 years earlier. Rich men now commonly owned land in several districts, and kept a slave-bailiff and slave-gang on each farm. Land was in fewer hands than ever, and the remnant of small farmers was still further reduced. Brigandage became a crying evil. To raise a band was easy. Ruined and desperate freemen were numerous, and slaves, inured to hardship, or even trained as gladiators, were always to be had. And the government made no effort to secure order by a force of regular police. As for Sulla, his garrisons of soldiery lasted his time. His methods of finance seem to have been as arbitrary as his policy in the matter of the land. If it be true that he stopped the sale of corn below cost price to the city populace, it was so far well. But only a strong government could have kept such a policy in force, and no such government was set up by Sulla. He is said to have wrung money out of the subject peoples by direct exactions, and by the sale of exemptions from future burdens. He spent lavishly, and enriched his favourites, by gifts and remission of debts. Yet it was afterwards found better to let many of his arrangements stand, for fear of worse confusion in upsetting them.

440. A most important part of the Sullan system was the changes in the regular magistracy. In particular, magistracy and pro-magistracy stood side by side. Circumstances, such as the need of keeping an efficient man in charge of a province for more than a year, led to the frequent employment of proconsuls and propraetors abroad. But the normal governors were praetors or, in case of a serious foreign war, consuls. Whether a magistrate or a pro-magistrate was in charge, was largely a **matter** of

chance. Now there was work for praetors at home, and Sulla meant to find them more. Consuls too were wanted in Rome. The dictator devised a logical reform by creating a Home service and a Provincial service neatly correlated to each other. A man was to serve first as magistrate at home, then as pro-magistrate abroad. It was a truly momentous step. The unpaid jealously-watched office came first: the almost absolute power, with the coveted opportunities of enrichment, now the real objects of desire, came necessarily later. Pro-magistracy was henceforth by law to be the recognized crown of a successful career. It would become more and more imperial, while the Home magistracy tended to become municipal. The numbers corresponded exactly. Two consuls and eight praetors had to be provided for. There were already nine provincial governorships. Sulla added a tenth, Cisalpine Gaul. He moved forward the official boundary of Italy from the Aesis to the Rubicon, and perhaps on the western side from the Macra to the Varus. The new province was a peculiar one. The Cispadane part was already Roman, and the Transpadane fast becoming Romanized. But Sulla did not choose to extend the franchise as a general boon beyond the Po. So the Cisalpine became a Province. It was notable for two reasons. To greedy governors it offered no easy field for extortion. To an ambitious man it was the best of all bases of power, for it was immensely prosperous, and its growing population furnished a plentiful supply of good recruits to Roman armies.

441. On Sulla's plan there would be in each year two posts proconsular and eight *propraetorian*. The Senate was to say which were which, and the consuls and praetors apportioned the vacancies among themselves by lot or agreement. Smooth working of the system was promoted by rules for the transfer of command from an outgoing governor to his successor. Other provisions were meant to protect the subjects from exactions on the part of the governor or his staff. But we must especially notice the point that the whole scheme presupposed the unbroken continuation of a magistrate's *imperium* in pro-magistracy. If the two should ever be separated by an interval, the separation of the services would produce two independent magistracies. We shall find that this actually happened about 30 years later. The scheme also took no account of the accidents that were likely to

disturb the regular course of successions, or of a possible increase in the number of provinces. This *lex Cornelia*, rigid and logical, needed a strong central authority to work it with due allowance for circumstances. And Sulla did not and could not create any such authority. In dealing with the Home magistracy, Sulla's increased number of quaestors (20) had a double importance. These junior officials passed into the Senate, and kept the House full without interference of censors. Sulla distrusted censorial action. It was capricious, and radical censors might change the Senate's character. So he arranged to do without censors. Some parts of censorial duty were left to the consuls. As to the complete registration of citizens in Tribes and Centuries, he was probably not loth to let it wait. In fact there was after 86 no census until the year 70, when the revived activity in that department was an effect of the movement that broke up the political constitution of Sulla.

442. We now come to the reconstruction and development of the public courts, the most permanent part of Sulla's work. First let us briefly sketch the machinery that had been in use hitherto. We have seen that in very early times the magistrate, acting on behalf of the community, imposed a penalty on a person guilty of an act regarded as an offence against the state. Also that it was possible for the offender to appeal to the people in Assembly against the sentence of the magistrate. The establishment of the right of appeal as an integral part of Roman citizenship was one of the most significant and well-attested movements in the early Republic. In the older and smaller Rome this rude method of making the people the judge of offences against itself seems to have sufficed. Side by side with the trials for high treason (*perduellio*) before the Centuries there grew up the fine-processes before the Tribes. But these procedures had this in common, that the Assembly was called upon to decide whether a particular offender should be punished or not. Therefore the people could and did take other circumstances into account in judging his conduct. It was in fact a moral judgment, and as such it contained the germ of criminal law. But these popular trials were a clumsy affair, and, as Rome grew and the citizens were more widely scattered, they were sure to become less and less satisfactory. Cases occurred calling for secrecy and despatch, and it was found convenient to appoint

special judicial commissions (*quaestiones extraordinariae*), to hold inquiries into the facts of particular cases and pass judgment thereon. From the judgment of such a court there was probably no appeal, the Assembly having delegated its powers. In this as in other matters it seems that the Senate at times assumed the right of appointing such commissions on its own authority. There was little to tempt the people to resent this encroachment, for public offences were seldom committed by the poor. The next step was the transition from occasional to permanent courts. A beginning was made by the Calpurnian law of 149 B.C. The need of a regular means of checking extortion in the Provinces had been felt, for the state suffered through rebellions caused by the greed of individuals. So the Assembly once for all delegated its powers in this class of cases to a standing commission, the *quaestio repetundarum*. At first it was virtually a civil court, only empowered to award simple compensation. But the court was not a magistrate, free to accept or reject the advice of assessors (*consilium*). It was a voting jury; a praetor presided, and announced its verdict, from which there was no appeal.

443. Compensation developed into punishment. The Acilian law of 122 required payment of double the amount extorted, and the state undertook to exact the money. The Servilian law of 111 extended the liability. Not only the governor of a province, but all persons who had shared his plunder, could now be compelled to make restitution. This was the law in force. It is to be noted that the transition from the notion of a wrong or 'tort' to that of a charge or 'crime' was accompanied by that from claimant (*petitor*) to prosecutor (*accusator*). The standing courts were first set up to protect the provincials, who had to be represented by Roman protectors (*patroni*). Any citizen was allowed to act thus as their counsel. As standing courts were created for the trial of cases between Roman citizens (some such appear to have existed before Sulla), this general right to act was retained, and young orators found an opening for winning notoriety by conducting cases before the juries. So *paironus* had put on a special meaning as 'counsel.'

444. Sulla's great work was to consolidate and extend the system of *quaestiones perpetuae* so as to meet the needs of the time. A whole group of his Cornelian laws dealt with the public courts, reorganizing those already in existence and setting up

new ones. Each of these statutes enumerated the offences placed under the jurisdiction of a particular court. The time was not yet come for a scientific definition of crimes. It sufficed that an act was an offence under this or that statute, which treated it as criminal and imposed a penalty on the guilty. In public life it was often possible to regard an act as criminal from more than one point of view. Thus the term 'treason against the state' (*tnaestas*) could be strained to cover almost any conduct injurious to the common weal. So a simple method was found without precise definitions: a prosecutor alleged that a particular person had broken a particular law. In course of time the decisions of courts would accumulate, and out of them definitions would gradually grow. In short, the system contained the germ of a regular criminal jurisprudence. That the growth was slow was due not to the defects of the system itself, but to the mischievous influences of Roman party-politics and corruption on the action of the courts.

445. Of the courts established by the *leges Corneliae iudiciariae* seven can be traced with more or less certainty.

(1) *repetundarum*. The penalties for extortion were in some way increased, perhaps by raising the money-penalty and by adding that of outlawry.

(2) *peculates*. Misappropriation of state property made a man liable to enforced restitution, probably to some degree of *infamia*, that is disqualification for public positions and acts. Conviction of this crime (or of extortion) was followed by assessment of damages (*litis aestimatio*) in which juries often leant to leniency.

(3) *maiestatis (tninutae)*. Penalty, outlawry (*aquae et ignis interdictio*),

(4) *de ambitu*. Corrupt practices at elections. Penalty, ten years disqualification from office.

(5) *inter sicarios*. The law was that *de sicariis et veneficis*, kept in force, and supplemented, for many centuries. The court 'among the assassins' dealt with murder, arson, and heinous cases of judicial corruption. The penalty was capital, that is outlawry. Only *parricidium*, murder of a near relative, was punished with death.

(6) *defalsis*. Forgery, coining, etc. Penalty, at least a high degree of *infamia*, perhaps outlawry.

(7) *iniuriarum*. Assault, defamation, insult, seem to have been brought under a criminal prosecution. This matter is obscure. The civil *actio iniuriarum* for compensation was not abolished.

446. Sulla attempted to form a consistent system, capable of amendment and expansion. He succeeded, because he simply developed what he found existing, on the lines indicated by previous developments: a contrast to the failure of his political reforms, guided by reactionary aims. The chairmen of courts under his scheme were as follows. Of eight praetors, two (*urbanus* and *peregrinus*) were required for the civil jurisdiction. Six were left for the public or criminal courts. But the number required was uncertain, for there might be several cases for trial before any of the divisional courts, and cases sometimes dragged on to a great length. The precedent was adopted of putting an additional chairman (*judex quaestionis*) in charge when a praetor was not available. The roll of jurors (*album iudicum*) was made up in each year from the list of the Senate. The juries for particular cases were chosen by lot, with certain rights of challenge (*reiedio*) reserved to the parties concerned. The jurors voted by ballot-tickets, on which they scratched letters denoting 'guilty' or 'not guilty' or 'not proven,' and a majority decided the verdict. Beside the laws above referred to, Sulla carried others, for instance some futile sumptuary laws. The crime of public violence (*vis*) was probably dealt with in 77 after his death by a *lex Plautia*, as a supplement to his work.

447. While Sulla was busy in Rome, there had been trouble in the East. Murena wilfully provoked Mithradates, and disobeyed an order to let the king alone. After a defeat he returned to Rome in obedience to a more preemptory summons. Peace was restored, but Mithradates remained uneasy, and the evil of piracy was becoming unendurable. In the same year (81) the victorious Pompey claimed a triumph for his success in Numidia. It was against all precedent, for he had not been praetor or consul; indeed he was only a young man of Equestrian rank, aged 26. After attempts to evade the claim, Sulla consented, and Pompey began his long career of precedent-breaking. In 80 Sulla was not only dictator, but consul with Metellus Pius. Metellus had to be sent to Spain, where Sertorius was now at the head of a rebellion. Sulla had to restore order in a few places in

Italy. The restoration of the Capitoline temple, burnt during the civil war, was begun. The new law-courts started work with the new juries, and the first case in the murder-court was a charge of parricide, connected with events arising from the proscriptions. In this trial a young man from Arpinum, M. Tullius Cicero, made a successful defence against the leader of the Roman bar, Q. Hortensius, and the secret influence of Sulla's great freedman Chrysogonus. Henceforth Cicero stood in the front rank of forensic orators.

448. Sulla was weary, and longing to retire and enjoy low company in private life. His public policy had been such as to make retirement (the great difficulty of tyrants) reasonably safe. He refused to be elected consul for 79, and laid down the dictatorship early in that year. At his Campanian villa near Puteoli he gathered round him a congenial crew of parasites. He went on writing his memoirs. Though one of the consuls¹ elected for 78 was coming forward as leader of a counter-revolution, and Rome was disturbed, Sulla did not hesitate to interfere despotically in the affairs of the Puteolan municipality. In a fit of rage he broke a blood-vessel and died. His adherents insisted on giving him a splendid funeral, at which his body was burned, contrary to the custom of the Cornelian clan. By his will he made Lucullus (not Pompey) the guardian of his young son. Lucullus was his literary executor also. His death left others to compete for the first place. He had for the moment restored the senatorial nobility to power, but he could not remove their selfishness and jealousies, and restore them to harmony and vigour. Nothing could prevent the rise of individuals, so an autocrat would surely come. But this great change was not to come at once, or in any other way than as the result of sheer exhaustion. With all the tendencies of the age working against them, the Roman aristocrats made a stubborn fight in defence of their Republic. It was their form of patriotism, and many of them were wholly or partly influenced by high motives. In the next period we must bear in mind that Aristocrat and Republican are two names for the same thing.

¹ See §451.

CHAPTER XXXII

ROME AND ITALY 78-70 B.C.

449. At the time of Sulla's death the Roman government was face to face with a number of troublesome problems. In Italy there was much discontent. The normal condition of the Italian communities was that of *municipia*, towns in which each burgess enjoyed the local franchise and the Roman franchise also. Each borough had its own local senate and magistrates. By rights the incorporation of Italy in Rome should have been complete, but it was not. In Etruria and Samnium there were communities punished by Sulla with exclusion from Roman privileges. Moreover, censorial revision being for the present in abeyance, it is hardly doubtful that many new citizens were as yet unregistered in Roman Tribes. Few can have been placed in Centuries; and it was by the Centuriate Assembly that the chief magistrates were elected. But what made the existence of political discontent a serious matter was the economic disturbance caused by Sulla's land-settlement. The dispossessed men, whether they remained near their old homes or migrated to Rome, were a disaffected element, ready to join in revolutionary movements. Many of them would surely be old citizens, suffering for real or imputed sympathy with the Marian cause, and hostile to the rule of the Sullan nobles. There were in fact strong forces at work, tending to promote a counter-reaction against the political institutions of Sulla.

450. And even in Rome the Marian party was by no means dead. The city populace, accustomed to be fed and courted, wished to recover its former importance. The Assemblies were still constitutionally the sovran power. The Senate was ruled by a Ring of aristocrats, and the jealousies of noble cliques were

hardly a secret. Demagogues with a 'popular' policy had a prospect of support from the non-noble capitalists. For the Equestrian Order speedily revived after the proscriptions, and longed to recapture the control of the public courts; while the senatorial juries, whether lax or severe, could not escape incurring unpopularity. This situation naturally resulted in a confused struggle, the two factions being at issue on the question of upholding or overthrowing the Sullan constitution. In the course of some nine years one great truth was fully demonstrated, that the real source of power in the Roman state was the sword. So long as the leaders of armies worked in harmony with the Senate, the Senate could hold its ground fairly well. Once they found their interest in coalescing with the popular party, the Senate could make no stand. The armies of the new model obeyed their own leaders, not the Senate. The work of Marius could not be undone, for it expressed the genuine tendencies of the age. Sulla himself had carried the process a step further, by teaching them that the soldier must look to his master, not to the Senate, for the rewards of service. This was the vital fact underlying Roman politics, the fact governing the course of the revolution in all its later stages.

451. The troubles abroad, in Spain Macedonia and Asia Minor, will be referred to below. It should however be noted here that P. Servilius Vatia, consul in 79, had been sent out to put down the pirates infesting the eastern seas. He gained successes both by sea and land; for he marched up into the hill-country of Isauria and earned the title *Isauricus*. But he did not make an end of piracy, as we shall see. The most urgent danger with which the government had to deal was at home in Italy. The consuls of 78 were M. Aemilius Lepidus and Q. Lutatius Catulus. The former, a restless vain man, was for some reason hostile to Sulla's policy. He had been supported in his candidature by Pompey, against the express warning of Sulla. Sulla died: the two consuls quarrelled over the question of the public funeral. After this Lepidus, relying on the general discontent, began to assail parts of the Sullan arrangements. He proposed to recall exiles, to restore the dispossessed holders to their lands, and to renew the supply of cheap corn in Rome, which last proposal he seems to have carried. His conduct only added to the general unrest. He was not a thorough democrat, for he opposed

a movement for reviving the powers of the tribunate. Catulus could not check him, and the Senate only required the colleagues to swear not to engage in civil war. Lepidus raised an army, having a pretext in his proconsular province for the year 77, Transalpine Gaul. A war followed, the record of which is utterly confused. The government forces eventually defeated him in Etruria, and he sailed with his army to Sardinia, where he made another failure. He died in the island, and the best part of his army was taken by his lieutenant M. Perperna to join Sertorius in Spain. The most important fact in the story of this obscure war is that for military skill the Senate had to rely on Pompey. What precise part he bore in the operations is not clear. At any rate he stamped out the revolt with severity, and found pretexts for keeping his army together. By this means, as we shall see, he was able to advance his claims to further promotion. Sulla had not been dead two years, when a young military man was already in a position to bend the Senate to his will.

452. Lepidus had failed, but the Marian reaction in Rome was a real movement, only needing a leader. The news of Sulla's death brought Caesar back from the East, where he had been serving against the pirates. He had nothing to do with the silly venture of Lepidus, but he soon took his natural place in politics by conducting public prosecutions, in which he contrived to expose the iniquities of the ruling caste. The acquittal of the accused by senatorial juries was no proof of their innocence: it only served to bring discredit on senatorial juries. Meanwhile the Senate had to face the fact that the Spanish rising under Sertorius had not yet been put down by Metellus, and that the reinforcement under Perperna had given a more Italian character to the war. They did not wish to send out Pompey, and thereby to increase his consequence. But his intrigues, backed by the presence of his army, prevailed. He was given command with proconsular *imperium*, on an equal footing with Metellus. So the Senate had to yield to Sulla's pupil, and to violate Sullan principles. While the home government was embarrassed by affairs abroad, the Marian revival went on. In 76 a tribune openly agitated for the restoration of the former tribunician power. And this question was of course the critical point in the movements of the time. For the present nothing came of it, but in 75 the agitation continued, and the populace was irritable, owing to a

scarcity of corn. There was rioting, and C. Aurelius Cotta, one of the consuls of the year, saw the need of concession. He carried a law repealing the disqualification of ex-tribunes from holding further office. So an important detail of Sulla's system was abolished, and the tribunate once more became a post worthy the ambition of enterprising men.

453. In the year 74 the troubles abroad were worse than ever. Spain, the Macedonian frontier warfare, the revival of piracy, above all the preparations of Mithradates, were causes of great anxiety. At the same time it was necessary to decide on a policy in reference to two bequests of territory. The Cyrenaica, bequeathed to Rome in 96, had not yet been taken over as a province, and now in 75 Bithynia had been left to Rome by the will of Nicomedes III. No doubt the financial interests in Rome were pressing for formal annexation, and the two countries were accordingly made provinces. This step made inevitable a double war, for both the king of Pontus and the pirates were certain to oppose it. The command against Mithradates was coveted by one of the consuls, L. Licinius Lucullus, who had been trusted by Sulla, and was a military rival of Pompey. The lot assigned him Cisalpine Gaul, but an unexpected vacancy occurred in Cilicia, and by private influence he got himself transferred to that province, and eventually entrusted with the charge of the Pontic war by land. His colleague M. Aurelius Cotta had Bithynia and the naval part of the war. The praetor M. Antonius, a son of the great orator, was appointed to command against the pirates. At home the agitation against the senatorial government continued, and a grave judicial scandal (the condemnation through bribery of a man said to be innocent) was used to inflame popular indignation. Thus the capitalist Knights were drawn into sympathy with the agitators.

454. The continuance of the troubles abroad will be spoken of in the next chapter. We should note here that M. Lucullus, consul in 73, succeeded to the province of Macedonia, where he commanded for two years¹ with good results. The great event of 73 was the exposure of the ever-present danger in Italy itself, arising from the institution of slavery. We have seen what rural slavery meant, and have referred to the training of slaves as gladiators. Both these employments called for strength **and**

¹ See § 46a.

hardihood. The average slave labourer or swordsman would be an able-bodied man, more than a match for the average freeman. Economic and social changes had reduced the number of freemen in many parts of rural Italy. And there was no regular police force. At Capua a school of gladiators broke out. Rural slaves joined them. The rout of two Roman forces sent to put down the rising furnished the rebels with weapons. Their numbers rose to 70,000, and southern Italy was at their mercy. Preparations had to be made for a serious war conducted by an organized army. The rebellion lasted two years, causing great devastation in the country, and embarrassment to the government in Rome. The Marians, led by the tribune C. Licinius Macer, kept up the agitation against the Sullan system. Young Caesar also bore a leading part in the movement. He had again been in the East, where he went through various adventures, and was now back in Rome. Macer and he could not as yet restore the full powers of the tribunate, but they carried a law for recall of the men in exile on account of the rising of Lepidus. And under their pressure the consuls carried a law (*lex Terentia Cassia*) providing for the yearly purchase of a quantity of corn, to be retailed to the urban populace at a cheap rate. It was meant to secure a regular supply, and to please the mob by removing the risk of sudden dearth. Sicily in particular was the source of supply in view. In this year Verres, after his year as city-praetor, began his three years of propraetorship in Sicily, where, among other misdeeds, he demonstrated the iniquitous plundering to which the provincials could be subjected by a governor licensed to deal in corn.

455. In 72 things were better abroad, but in Italy defeats of several Roman armies by the slave-rebels marked the course of the servile war. Yet the rebellion was really failing. Its great leader, the Thracian Spartacus, could not control his men, now flushed with victory. They would not, as he wished, force their way to the North, and try to regain their native homes in Gaul Germany or Thrace by passing the Alps. They broke up into separate armies, and did not act together. By turning back southwards they lost their only chance of escape. The Senate had at last to find an efficient man to reconquer a large part of wasted Italy. They chose Crassus, Sulla's lieutenant, who had turned to civil life since the battle of the Colline gate. By severe discipline Crassus restored the tone of the Roman troops. He defeated

the enemy's forces in detail, and penned up the main body in the Bruttian peninsula. Spartacus bargained with some pirates cruising off the coast to transport their army to Sicily, but they exacted payment in advance and sailed away. After this the desperate rebels broke away to the northward, but were beaten in detail. Crassus did most of the work of the war. But Pompey, returning from Spain, had the luck to meet and destroy a detachment of fugitives on their way to the North. For this he claimed a good share of the credit due to Crassus. We need not dwell on the ruin caused in Italy by the slave-war, or on the crucifixions and other horrors that marked its close.

456. The year 71 brought four successful commanders to Rome, all claiming triumphs, Metellus Pius and Pompey from Spain, M. Lucullus from Macedonia and the frontier war, Crassus from the war with Spartacus. The coming political crisis involved the fate of the Sullan constitution. All turned on the relations between Pompey and the Senate. Would the nobles secure the attachment of the young general who had risen to be the first soldier of Rome, by gratifying his unconstitutional ambitions? If not, would he combine with the popular leaders and defy the Senate? He had held no public office, yet he claimed both a triumph and the right to stand at once for the consulship. The Senate would not by their own act make Pompey their master, so they refused what they could not prevent. Pompey had been judicious in his references to the Spanish war, ignoring the Marian element in the hostile army, and so not seeming to seek a triumph over fellow-citizens. He had captured letters from men in Rome to Sertorius, and had burnt them. Common folk cared little for the rules by which his claim to the consulship was barred, and the Knights were eager to oust the senators from the jury-courts. The popular leaders saw their chance. Everything favoured the designs of Pompey. Crassus joined forces with him, and the two came to terms with the popular agitators. Such a coalition was irresistible. The programme agreed upon included judicial reform, but the revival of the tribunate was the first article. The new citizens were probably conciliated by an assurance that a census should be held and the registration-question settled at last. The whole affair was an attack on Sulla's aristocratic system. It announced that the aristocratic caste were no longer free to share preferments among themselves on a footing of normal equality.

If eminent nobles could not gain special promotion from the Senate, they could and would get it from the Assembly. To put down such men by force was no longer possible: effective eminence came by the successful command of armies. The days when the Gracchi had been destroyed were a story of the past.

457. So Pompey got the better of the Senate. We need not enlarge upon the various triumphs, the votes of the Assembly by which ail the formal hindrances were swept aside, or the election of Pompey and Crassus as consuls for the year 70. The spirit of Pompey was well shewn in the dramatic choice of the last day of 71 for his triumph. Next morning he entered on office as consul. The man who thus defied precedent and constitutional law had been Sulla's pupil. He was now to bear a leading part in the destruction of his master's system. The jealousy between him and Crassus was smoothed over for the time. The tribunate was restored to its former powers. The question of jury-reform was taken in hand, but differences of opinion arose, and for the present no project became law. Censors were appointed and a census seriously carried out. The Senate was purged of 64 unworthy members, perhaps in the hope that the removal of men suspected of corruption on juries might avert judicial reform. The registration of citizens was more than usually complete. The numbers given may not be wholly trustworthy (910,000, compared with 463,000 in the year 86), but no doubt there was a great increase on those of the last census. What with elections, public shows, and the prospect of registration, it appears that the summer of 70 drew an immense concourse of citizens to Roma. Full details are lacking, but it is clear that this census, the last one effectively carried out under the Republic, was of great importance in consolidating the union of Italy under the Roman franchise.

458. While the jury-question awaited solution, public interest was aroused by the famous trial of Verres. He had been left in charge of Sicily for three years, and his oppressions and extortions had been extreme, a scandal even in an age teeming with evil precedents. Leading residents, natives and Romans too, looked for a trusty protector in Rome, to bring the wicked governor to justice. They wanted a man who would not be bought off by the gold of Verres. They turned to Cicero, whose conduct as quaestor at Lilybaeum five years before had earned their confidence.

Cicero was a 'new man,' and his policy was to oblige people by undertaking the defence of accused persons, not to be notorious as a prosecutor. But here was a chance of fame. Senatorial juries were themselves just now on their trial, and he might force even senators to condemn a fellow-senator whom in ordinary circumstances they would certainly acquit. The Marian party, including the Equestrian Order, would applaud his efforts ; and his own sympathies were with that Order, from which he had sprung, and opposed to the unwise and cruel oppression of Roman subjects. He took up the case with energy. Every kind of obstacle was put in his way, and time was precious. If the trial were protracted into the next year, magistrates friendly to Verres would be in power, and official favour would procure an acquittal. But Cicero overcame every hindrance. In the trial itself he even sacrificed the tempting opportunity of displaying his oratorical powers. Hortensius, the leader of the Bar, was for the defence, but he could do nothing against the overwhelming evidence on which Cicero rested his simple case. Bribery too was tried in vain. Verres went into exile. To explain this strange result is easy. The jury were afraid of causing a fresh scandal at this critical juncture, and Cicero had taken good care to remind them of the imperilled interests of their Order. He even threatened that any one guilty of corruption in this case would be prosecuted by himself without fail. So Cicero won the primacy of the Roman Bar. He followed up his success by composing and publishing a great pamphlet on the subject. It was in the form of a speech, an elaborate pleading such as he would have delivered in court, if the case had come to a second hearing after the ordinary adjournment. This stage had not been reached, for the case of Verres broke down on the first hearing. The great 'second pleading' took a permanent place in Roman literature. For the present it carried the fame of Cicero far and wide. That the picture of the iniquities of Verres was overdrawn, is more than likely. But the trial was over, and to Verres in exile at Massalia the invective of Cicero was a matter of small concern.

459. Late in this year 70 the question of the juries was at last dealt with in a law carried by the praetor L. Aurelius Cotta. It was a compromise. The senatorial monopoly was doomed. A proposal, that the senatorial and equestrian Orders should each furnish half of each jury, was made, but fell through. The

Knights insisted on more than a half share. The *lex Aurelia* made each jury consist of three equal sections or panels (*decuriae*), senators, *equites*, and *tribuni aerarii*. These last seem to have been a class of lesser capitalists, and the name was probably an old survival. At any rate the senators could no longer shield the criminals of their own Order. But bribery and party-feeling remained the canker of the public courts. The political effect of the change was great. Following the revival of the tribunate, it recorded the fall of the Sullan constitution. The Marian or 'popular' party had already regained the upper hand. This did not mean that Rome was on the way to be ruled by a Demos of the Greek model. Neither Assembly nor Senate could really decide anything of vital importance without the leave of the army-leaders who from time to time held the power of the sword. This was henceforth the main fact of Roman politics, to which many good citizens strove to shut their eyes.

CHAPTER XXXIII

WARS ABROAD. SERTORIUS AND MITHRADATES.
79—67 B.C.

460. In this period, though Spain was generally quiet, the natives were not yet so far tamed and Romanized as to resist the temptation to rise in arms on a favourable opportunity. This is more especially true of the Lusitanian tribes in the West. But Sertorius, who left Italy in 83, was at first unable to revive the Marian cause by raising a Spanish rebellion. With a handful of Marian comrades he went through a series of adventures by sea and land, and it was not till the year 80 that he received and accepted an invitation to head a Lusitanian rising. He organized the native forces on the model of a Roman army, but turned their superior mobility and knowledge of the country to good account. He managed the people well, trusting to their generous loyalty and humouring their superstitions. Civil order was promoted by just administration, and he was soon in high repute over a great part of Spain. He even established a Roman school for the sons of native chiefs. For Sertorius did not seek to lessen or destroy the influence of Rome: it was to overthrow the government of Sulla and the aristocratic faction that he fought. As Marian fugitives rallied to him, he employed them in military and civil posts, and even formed a Roman council or Senate of the leading partisans. His victories over the governors of the Spanish provinces so much alarmed Sulla, that in 79 the trusted Metellus Pius was sent to put down the rising. But the career of Sertorius was not checked, and in 77, as we saw above, he was joined by Perpenna with a considerable army from Italy. This was probably not an unmixed gain. The war was henceforth more of a civil war, and

the great leader was exposed to the malign influences of Perperna's ambition and jealousy.

461. We have seen how Pompey contrived to get himself sent to Spain on the same footing as Metellus. But the campaign of 76 was a failure, and that of 75 not much better. Mithradates thought it worth his while to come to a friendly arrangement with Sertorius. The pirates supplied means of communication and some sort of understanding was entered into. The state of things was serious. Pompey, at his urgent request, was reinforced, for fear the war should spread to Italy. The tide now began to turn, not through marked improvement on the Roman side, but rather in consequence of the gradual failure of Sertorius. Perhaps the Spaniards were tired of the war: his Roman helpers were certainly a hindrance. Their conduct alienated the natives, and it is said that Sertorius by various severities was making himself hated. In the year 72 he was assassinated, and Perperna, who had been the chief conspirator, succeeded to the command. Pompey soon after defeated and captured Perperna, and put him to death. The rebellion quickly collapsed, order was restored, and the Marian party were no longer represented by a force in arms. But it was thought wise to encourage those Spaniards who had done good service for the Roman government. Pompey, probably at his own suggestion, was authorized by a special law to bestow the Roman franchise on deserving individuals. One of the recipients, a native of Gades, who took the name L. Cornelius Balbus, migrated to Rome, and became a very important person. He is best known as the chief private agent of Caesar. In 71 Pompey and Metellus returned to Rome.

462. When we turn to the East, we find Roman interests in danger from several quarters. A weak and fitful policy exposed Macedonia to chronic warfare. No practical and effective measures had been taken to suppress piracy. And the king of Pontus had been busy with preparations which might at any time issue in a serious war. The frontier wars in Macedonia employed governor after governor, but victories brought no rest. Dardanians and Thracians, to the N. and N.E. of the province, were driven to invade the Roman territory by the pressure of ruder barbarians behind them, and emissaries of Mithradates helped to make the Thracian tribes more troublesome than ever. Rome kept no strong standing army in the province, and made no further an-

nexations. So the tide of frontier warfare ebbed and flowed fitfully and wastefully, with little prospect of lasting peace. At this time the governors as a rule each held office for two years. When war broke out with Mithradates, it was more necessary than before to reestablish the supremacy of Rome in these parts. The king drew support from both the barbarian tribes and the Greek coast-cities. M. Terentius Varro Lucullus (a Lucullus adopted by a Varro) commanded there in 73—71, and his successes were a great help to his brother L. Lucullus in the Pontic war. He made no real conquest of Thrace, but he greatly strengthened the position of Rome and weakened Mithradates.

463. Piracy and kidnapping were again in full swing, and the demand for slaves in the Roman dominions was a never-failing encouragement to this form of enterprise. Rome shirked the duty of maintaining the police of the seas. The expedition of Servilius had gained him the title *Isauricus*, but had no lasting effect. He went off to triumph in Rome, and the pirates, scattered for a moment, quickly rallied. Crete and the mountainous western Cilicia were their chief haunts, but they infested the whole Mediterranean, and were a nuisance even in the Adriatic. Their numbers were recruited by ruined men from Italy, deserters, and rough adventurers from all quarters. Acting in independent bodies, they felt a common interest and helped each other. At last their operations threatened a stoppage of the Roman corn-supply, and the government was forced to attempt their complete suppression. Half-measures had been proved useless, so in 74 it was decided to hunt them down in all parts of the Mediterranean, and to give a single commander wide powers for the purpose. M. Antonius, a son of the great orator, was chosen. He had *imperium* as a proconsul over the sea and coasts. Governors of provinces had to back him up, and he made requisitions accordingly. He then set to work, apparently without any sufficient organization. That the conquest of Crete was a necessary part of the work in hand, was doubtless true. But Antonius failed miserably in attempting it. A treaty that he was driven to make with the Cretan leaders was not ratified in Rome, and the proconsul died in the island, having lived long enough to be nicknamed *Creticus* in derision. This again brings us to the year 71. The Mithradatic war was by no means at an end, and the failure of naval demonstrations had left behind grave causes for

anxiety. Was it certain that the islands, the bases of Rome's naval power, were now safe? If not, how was it possible to secure free communication with her armies and possessions in the East?

464. To understand the relations of Rome and Mithradates at the time when the war began in 74, we must turn back to remind ourselves that the Armenian and Parthian monarchies were now the chief powers in the further East. The Egyptian and Syrian dynasties had practically ceased to count. A Scythian invasion weakened Parthia for a time. Tigranes of Armenia took the opportunity, and in 83 annexed some Parthian provinces, including Syria, which had lately fallen under Parthian influence. Now Tigranes and Mithradates were for the present working in harmony. But the Pontic king was well aware that he must beat back Rome, if he meant to gratify his imperial ambition. The Armenian had evidently no notion that he must support Mithradates at once, or it would be too late. He went on with his own plans, trying to remodel his empire after the fashion of Alexander's Successors. He too must have a great capital city, and surround himself with Greek civilization. So he made one, which he called Tigranocerta, and to it he transplanted a number of 'Greeks,' drawn from Cilician and Cappadocian cities. Rome did not interfere, and Tigranes was not likely to learn from his courtiers that interference was possible, or that the Pontic kingdom might prove an insufficient buffer. The story of Mithradates and Tigranes was very like that of Philip and Antiochus more than 100 years earlier. The kings were not loyal to each other, and Rome dealt with them one by one.

465. The death of Nicomedes of Bithynia in 75 brought on the inevitable conflict. We have seen that Rome accepted the bequest of Bithynia, and in 74 annexed it as a province. Mithradates accepted the challenge. He had a large well-trained army, and among his officers were Romans, in exile through the troubles of recent years. He had a strong fleet under Greek commanders. He knew that most of the peoples of Asia Minor secretly sympathized with him as leader of a reaction against Rome, though the Galatian tribes were not yet so orientalized as to prefer a despot. His connexions with the pirates and Sertorius have been referred to above; also the appointment of L. Lucullus and M. Cotta to conduct the war on behalf of Rome. At first the king

carried all before him. He found Cotta at Chalcedon, and defeated both his fleet and his army. He overran the northern part of the province Asia, and sat down to besiege Cyzicus. This city, a republic protected by its Roman alliance, he was bent on taking. But the place was stoutly defended, and the great numbers of the Pontic army were an embarrassment, for food ran short. Lucullus came up in time to cut off supplies by land. At last Mithradates had to raise the siege and take away the demoralized remnant of his host, thinned by pestilence and famine. The want of an effective Roman fleet prevented Lucullus from ending the war. But Mithradates, though still powerful at sea, had shewn how disastrous the miscalculations of a self-willed autocrat might easily be.

466. Lucullus saw that the first necessity was to get the upper hand at sea. A new fleet was raised, and the Aegean cleared by two naval victories. A squadron under Cotta now entered the Euxine. On the Bithynian coast stood the Greek city-republic Heraclea Pontica. Into it Mithradates had thrown a barbarian garrison, and forced the citizens to resist the Romans. A siege of about two years was the consequence, and in the end the king's officers betrayed the place to Cotta, who gave it over to massacre or slavery at the hands of the Roman troops. The scandal was grave, and likely to discourage submission to the Roman arms. Efforts were made at Rome to punish Cotta, and a law was passed for making all possible amends to the Heracleots, but it seems that little could be done to undo the past. Lucullus at least was not to blame. In his campaigns of 73 and 72 he won most of the cities on the Pontic coast, and in a march up the country met and defeated the king. Mithradates fled into Armenia, but Tigranes, still busy with his own affairs, did not employ his forces to support the refugee. Meanwhile the chief Pontic cities were falling into Roman hands, and in the year 70 it looked as if the conquest of Pontus were assured. Lucullus left his lieutenants to do this work, while he was attending to administration further West. It appears that he had been granted full power over the province Asia during the war. He found it in great misery, the result of the general indebtedness incurred in meeting the demands of Sulla. The enormous public debts could not be quickly discharged by the cities, so they had gone on mounting till in some twelve years

time they stood at six times the original amount. Public properties were sold, private individuals had to sell their children. Roman bankers and brokers were making a golden harvest, while the province, a chief source of Roman revenue, was drifting to bankruptcy.

467. The proconsul was a just man, and an honest servant of Rome. No mild remedy was of any use. He reduced the legal rate of interest to 1 % per month, and arranged a scheme of payment by fixed instalments for the discharge of private debts. Public debts were to be paid in double, not sixfold. We hear that within four years he cleared off the infamous burden, and set the province going afresh. Thus he ruined his own prospects, for it was at this juncture fatal to offend the Roman capitalists, who had recovered from the blows of Sulla, and were now eager to humble the nobles and regain their power in the provinces by controlling the courts. He was bitterly denounced in Rome, and accused of prolonging the war for his own glory. While the capitalists watched for a chance of procuring his recall, Lucullus was not without his troubles in the field. The legionaries of this age were good fighting men, but hard to keep in hand. They were sadly addicted to plunder, and objected to continued hardship. And Lucullus had not the gift of winning the personal devotion of his men. Hence the difficulty of maintaining discipline became greater as time went by and the army was compelled to winter in inhospitable regions after exhausting campaigns. And when it was reported from Rome that his recall was imminent, even his officers began to lose their loyalty, and the proconsul's control was at an end. A general unpopular both in his own camp and in Rome could only clear the ground by his victories for a more popular man to win the glory.

468. To kill or capture Mithradates was the only visible means of securing Roman supremacy and peace. So in the year 70 Lucullus sent to demand his extradition. Tigranes refused, the Roman envoy declared war, and Tigranes at length prepared for the struggle. Lucullus was now less uneasy as to the safety of his rear. His brother had quieted the Thracians, and a son of Mithradates had sought the friendship of Rome. This was Machares, who had been deputed by his father to rule the Bosporan (Crimean) kingdom. The disloyalty of sons was often a source of trouble in the oriental dynasties, and Machares no

doubt hoped to become an independent king. Lucullus boldly marched up the country to attack the Armenian in his own land. He besieged Tigranocerta. Tigranes advanced with an immense army to relieve it. This host the Roman routed and scattered with great slaughter, though the odds were about one to twenty. The new capital city was taken, and the population, forcibly collected there to give it a Greek character, once more dispersed. Lucullus passed the winter of 69—68 in the land of Gordyene by the upper Tigris, while Mithradates was allowed by Tigranes to organize a new army. Both sides wished to gain the support of the Parthians. But the Parthian king stood neutral. Lucullus resolved to win his alliance by force, but the plan had to be given up owing to the mutinous refusal of his own troops. The campaign of 68 was directed to the North, in hope to take Artaxata, the old capital of Armenia, and conquer the whole kingdom. But it was to no purpose that he met and defeated Mithradates. His men would not face the mountains and the weather, and he had to turn back. In the same winter-quarters as before he passed the winter of 68—67, troubled by his mutinous legions. They were utterly weary, and the two legions left by Fimbria had served 18 years in the East. The officers were unsettled by news from Rome, and the intrigues of Roman politics found their way into the camp.

469. By the season of 67 it had become very necessary to hurry back into Pontus, where Mithradates was carrying all before him. This movement left Tigranes free to invade Cappadocia. All the efforts of Lucullus were foiled by the disobedience of his troops. And the certain news of his recall practically ended his authority. His enemies in Rome had carried their point, and a new governor was coming to Bithynia and Pontus. Commissioners presently arrived to organize Pontus as a Province. But they could do nothing, for meanwhile Mithradates had reconquered most of his kingdom, and Lucullus was helpless. Clearly matters could not be left in this state. The actual sequel will be described below. The story of Lucullus is an instructive one. His personal merits and defects had no doubt a powerful influence on the fortune of his campaigns. But it was the political movements in Rome that were the main cause of his final failure. A man at once honest and ambitious had in these days a difficult game to play. To be scrupulous and strict abroad was to lose the

favour of greedy soldiers. To be just to provincials was to incur the hatred of greedy capitalists. And long absence from Rome gave opportunity to the machinations of a rival. Lucullus was the Senate's man, and the Senate were no longer able to protect him. The events of the year 70 had made the Assembly, under the revived power of the tribunes, the effective disposer of patronage. The alliance of a military leader with a tribune was now the simplest means of controlling the affairs of Rome. As Marius had used Saturninus, so now we shall find that tribunes were the tools of Pompey.

CHAPTER XXXIV

AFFAIRS IN ROME 69-66 B.C., AND THE PREEMINENCE OF POMPEY 67—62 B.C.

470. The fall of Sulla's political fabric gave Roman public life a fresh start under changed conditions. The chief active characters require a brief notice. The party of senatorial nobles was led by Q. Lutatius Catulus, consul in 78 and now first man (*princeps*) of the Senate, but its chief orator was Hortensius, consul in 69 with Q. Caecilius Metellus. Hortensius drew the lot for the charge of the inevitable Cretan war, but resigned it to his colleague, not wishing to leave Rome. C. Calpurnius Piso, consul elect for 67, was of the same party. He is said to have won his election by bribery, and to have bought off those who threatened to prosecute him. The popular or Marian party had various champions, but their efficiency was henceforth largely due to the growing influence of Caesar. As a Patrician, Caesar could not be tribune. But he was in favour with the populace, and already on the way to be a great leader of men, through his unflinching nerve, his intellectual vigour, and his personal charm. He spent money lavishly, and borrowed with apparent recklessness; but there was probably method in it from the first. Money well invested was a condition of the rise to power in the Rome of this age. Caesar got value for his outlay, and his creditors were interested in his welfare. Cicero, the 'new man,' was not yet a political orator, but was steadily raising his public position by successful pleading in the courts. As quaestor in 75 and aedile in 69 he had entered on an official career. His political connexion was with the Equestrian Order from which he sprang, and we shall see that this connexion coloured his whole public

life. But the two most important figures of the time were Pompey and Crassus. They watched each other jealously. Crassus sought popularity by using his vast wealth in bounties and entertainments, and by the judicious employment of moderate gifts as an advocate. He obliged serviceable people with loans, and tried to win his way by affability. But his self-seeking was too transparent, and Crassus by himself was never able to capture public confidence. Pompey's position was different. In military reputation he stood first, and his line was to keep out of common political squabbles. He posed as the Indispensable Military Man, ready at a pinch to repair the blunders of others, but too self-respecting to cheapen his services by quitting his seclusion on ordinary occasions. At the recent census he was (as an *eques*) asked whether he had served the campaigns required by law. He replied 'Yes, and all under my own command.' That is, he had broken all precedents; a position not easy to reconcile with heavy constitutional dignity. These two pupils of Sulla had overcome the opposition of the Senate by coalescing with the leaders of the popular party. But they were not, like Caesar, true Marians. They gratified their immediate ambitions by upsetting their master's system. So in party-politics their position was already ambiguous, while that of Caesar was clear.

471. Caesar was elected quaestor for 68, and appointed to serve in the Further Spain. Before his departure he had to celebrate the funerals of his aunt Julia, widow of Marius, and of his own wife Cornelia. At the former he displayed the face-mask of old Marius, thus announcing the revival of the memory of a popular hero, and defying the Sullan nobility. In Spain he did the usual work for the governor, and returned as soon as he could in 67. On his way back (by land) he found the people of Transpadane Gaul preparing to claim the Roman franchise. He encouraged them, but for the present the opposition of the Senate blocked the way. But the Transpadanes remained attached to him, and he did not forget them. In Rome he found things in a ferment. The pirates were bolder than ever. While Metellus had his hands full in Crete, and Lucullus was known to be in difficulties, the sea-rovers worked their will in the western seas. They had even landed in Campania and Latium, and carried off travellers on the Appian way. At last they raided Ostia, and did great damage, and began to capture corn-ships. The Senate would

do nothing, for fear of having to entrust Pompey with exceptional powers. The prospect of famine roused the hungry mob, and 'popular' tribunes were ready to lead an attack on the Senate and its policy. The two most active were A. Gabinus and C. Cornelius. Pompey was privately in league with them. The opportunity of receiving a great commission over the heads of ordinary nobles was just what he wanted. With his support and that of the capitalists, alarmed by the possible loss of investments, it was possible to assail the nobility with success. So the year 67 was marked by important legislation.

472. First let us take the *lex Gabinia* for suppressing piracy. The proposal was to appoint a single commander. The whole Mediterranean was to be his 'province,' and for 50 miles inland he was to have equal powers with the local governors. Provision was made for a strong fleet, a large staff of lieutenants, and ample supplies of money. In short, there were to be no more half-measures: Rome was hungry, and in earnest. No name was mentioned in the bill, but all knew who was meant. Catulus, Hortensius, and the consul Piso led the opposition. Caesar supported Gabinus. Two tribunes had undertaken to block proceedings, but Gabinus dealt with one of them as Tiberius Gracchus had dealt with Octavius, and the obstructor gave way rather than be deposed from office by a vote of the Tribes. The bill became law, Pompey was then appointed to command, and the revival of confidence at once sent down the price of corn. Whatever the consequences of this great commission might be, the scandalous inefficiency inseparable from the rule of a jealous aristocracy had for the moment been overcome.

473. There were other abuses, dear to those who profited thereby, and hateful to those who did not. The nobles were no longer in direct possession of power as designed by Sulla. Indirectly they were still powerful by reason of their wealth, and they lost no chance of enriching themselves in order to cover their expenses. One very invidious source of gain was found in blackmailing foreign embassies and provincial deputations. The envoys had to fee a consul to obtain a prompt hearing in the Senate, and then to bribe senators in order to secure a favourable answer. These operations implied the borrowing of money at high interest from Roman capitalists, for it was in practice not possible to evade the bankers in whose transactions all wealthy

Roman investors were concerned. So the money went round and round, to the profit of the nobles. They got handsome returns on their own money, lent through bankers or syndicates for the purpose of bribing themselves. No doubt non-noble capitalists snared the pickings arising from high interest, though not the bribes. The foreigners were driven to burden their people at home with debts that could not be repudiated. And a favourable order of the Senate, when procured, could be rescinded or ignored. Now the Senate as a body was not likely to reform this abuse, however much the better members might desire it. The tribunes, backed by popular feeling, offered legislative remedies. Gabinius proposed to forbid loans to provincials in Rome, and to make such debts not recoverable in the provinces. Cornelius dealt in the same way with the case of foreign embassies. The latter bill was defeated on the pretence that an old order of the Senate in reference to Crete had done all that was required. But the bill of Gabinius became law. A law to compel the Senate to receive deputations in February also passed. But bribery did not cease. Cornelius also proposed to increase the penalties for bribery at elections, including some punishment for mere agents. This bill the Senate contrived to delay, handing it over to the consuls for reintroduction in an amended form. The consul meant was Piso¹, for his colleague M\ Acilius Glabrio was gone or going out to Bithynia.

474. Piso was a troublesome man. While politicians were wrangling, Pompey had organized his forces in spite of every hindrance, in particular from the obstructive lieutenants of Piso, who, though detained in Rome, was governor of Narbonese Gaul. A naval campaign of squadrons cooperating from several centres in 40 days forced the pirates to leave the seas West of Italy and fall back on their strongholds in the East. The corn-supply of Rome was now safe, and Pompey was warmly welcomed when he paid a flying visit to the city. Piso still gave trouble, but Pompey wisely discouraged Gabinius from trying to depose him by a special law. By an arbitrary decree the Senate enabled Piso to do business in the Assemblies unhampered by religious hindrances. He managed to hold the consular and praetorian elections, but only with great difficulty, by pressing country voters to attend. The bribery bill as revised was a milder

¹ Hence the law was passed as *lex Calpurnia*.

measure than the original draft of Cornelius. In all the Assemblies there was rioting, and this bill was only carried through by force. Cornelius now sought a way to punish the Senate for thwarting him. He found it in assailing the claim of the House to grant special dispensations from the laws.

475. In the early days of the Republic such dispensations had been granted with a proviso requiring the consent of the Assembly. The Senate gradually dropped this, and assumed full powers. Now the activity of the Assembly was revived, and the right of the Senate challenged. It was strictly speaking unconstitutional, and quite unjustifiable when (as sometimes happened) the order was passed in a thin House. The bill of Cornelius reserved the power to the Assembly. But again the senatorial party, headed by Piso, were able by use of force to prevent its passing. Eventually a compromise was agreed to, and a law carried by which the Senate retained its usurped power, provided that 200 members at least were present in the House at the passing of the order. So the nobles made the best bargain they could. But the efforts to restrict the arbitrary action of the governing class were not yet ended. Praetors now and then assumed the right of deviating in judicial practice from the principles laid down in their notices (*edicta*) published when they entered on office. Cornelius carried a law requiring juridical praetors to abide by their edicts. Other bills were also brought forward, but did not pass. Among all the strife and disturbances of this year 67, an important change was going on in party politics. Senators and Knights not only sat together on juries; they had a real common interest, at least in Home affairs, as the party of the Rich. They were beginning to draw together. Both sections dreaded mob-rule. Already they were so far united that the popular tribunes could not carry all before them. So long as no military leader was present to dominate Rome, the two wealthy Orders in combination could direct the government. And this *harmony of the Orders' did in fact develope, so that it became the mainstay of the Republican constitution. In this year the Equestrian Order were gratified by a law assigning them the honorary privilege of reserved seats in the theatre, 14 rows behind those kept for senators.

476. Meanwhile Pompey was completing the best of his many achievements. His squadrons closed in on the pirates,

and drove them from most parts of the eastern seas. They were brought to bay off their old haunts in Pamphylia and western Cilicia, and at length forced to give battle. In fighting they were at a disadvantage, for their light vessels were built for speed, suited to chase or run. Off Coracesium they were utterly defeated by the Roman ships of war. After this Pompey wisely offered them honourable terms. Their strongholds surrendered, and in 49 days campaign he had restored peace on the waters. He destroyed all their war-material, and planted the pirates as reformed characters here and there in various parts of the Roman world. Thus he broke up their motley bands, while he added colonists to cities or districts in need of population. He had in short really grappled with a serious problem and had solved it. A deputation from Crete begged him to accept their surrender and save them from the blood-and-iron methods of Metellus. This led to a quarrel between the two proconsuls, but Metellus, backed by the Senate, finished his work, made Crete a Province, and had a triumph and the title *Creticus*.

477, There was joy in Rome at the success of Pompey, and men were now ready for a proposal to turn his abilities to account in connexion with the Pontic war. Things could not be left in their present state. The power of Rome must be reasserted in the East, and it was likely that some annexations might be necessary. The prospect of extended fields of enterprise was attractive to capitalists: even senators, though unwilling to have so much power entrusted to one man, were willing to see the number of provincial governorships increased. C. Manilius, one of the tribunes for 66, took the matter up. He carried a law for the appointment of Pompey to the eastern command. The powers conferred by the *lex Manilla* were extraordinarily wide. The Gabinian law was not repealed, so Pompey was made supreme on both land and sea, in fact given a free hand to carry out a complete settlement of the East according to his own views of the real interest of Rome. The immense patronage at his disposal, and the uncertain duration of this great commission, placed him in a position to oblige numbers of people. Even while absent, he would be able to influence politics in Rome, courted and feared as the uncrowned emperor of the East. Yet the bill became law. Catulus and Hortensius spoke against it, but even the senators were divided on the question. Caesar

supported it, and Cicero, now praetor, made his first political appeal on the popular side.

478. Pompey hastened to supersede Lucullus, who had now to submit to all the mortifications that his successor chose to inflict. Pompey was jealous and ungenerous all through his career. Lucullus on his return to Rome was persecuted by the 'popular' faction. Only strenuous efforts of the 'best men' at last procured him the honour of a triumph. But he was disgusted with political life, and very seldom took part in public affairs. He lived in an elegant and luxurious style, a refined and wealthy noble, surrounded by literary men, and famed for his splendid mansions and his fishponds. But his campaigns in the East had broken the power of Mithradates, and he was certainly a man of great merit, worthy of a better fate. He had laboured, and Pompey entered into his labours. Pompey understood how to manage soldiers far better than Lucullus. Even the Fimbrian legions were ready to continue their long service under him. Mithradates was easily defeated, and in 65 he withdrew with the relics of his army to his Bosporan kingdom. There he got rid of his son Machares, and began to raise new forces, intending, it is said, to renew the struggle with Rome by passing through the Danube countries and descending on Italy from the North. For about two years he was scheming and raging, beset by disaffection and treachery. At last his favourite son Pharnaces rebelled against him, and seduced the army. The old king found no refuge but in death. We have no reason to think that, if he had driven Rome out of Asia Minor, civilization would have gained by his victory. Reaction of East against West on the lines of Mithradates was at bottom a reversion to the ancient system of an empire under a Great King or Sultan. He used Greeks for his own purposes, as the Romans did, but it is most unlikely that under his rule the Greeks would have flourished better than they did afterwards under the Romans. In him we see both the weakness and the strength of absolute monarchy. In the Roman Republic we see the enormous difficulty of setting in motion a really irresistible power. The friction caused by the Senate's jealousy of exceptional men had always to be overcome. In overcoming it, the authority of the Senate suffered, but there was no other body able to do the Senate's work. So the Republic was shaken by the rise of individuals to unrepudican power. As

Metellus fell and Marius rose through the party-movements connected with the Jugurthine war, so Lucullus fell and Pompey rose through the intrigues occasioned by the war with Mithradates.

479. The great proconsul, doubly commissioned to act for Rome with ample forces by sea and land, made a victorious progress through countries and peoples accustomed from time immemorial to bow before overwhelming power. His delight in solemn ceremony was congenial to the East. To ensure the due publication of his exploits to the literary world, he took with him the Greek Theophanes as a court-historiographer. The overthrow of Mithradates was quickly followed by the full submission of Tigranes. In 65 a successful campaign among the Albanians and Iberians taught those restless peoples to respect the power of Rome. Pompey made no regular conquest of that region, and did not attempt to pass the mountain barrier of the Caucasus. Turning southwards again, he came to terms with the Parthian king, Phraates. The Euphrates was recognized as the boundary of the two empires, so that Mesopotamia was Parthian territory. Neither party wished for war, but the relations between the two were hardly those of sincere friendship. Armenia was reduced to its former extent: the Parthian recovered some provinces annexed by Tigranes, and Pompey decided to annex Syria as a province to Rome. That country had been cut off from Armenia by Lucullus, and a surviving Seleucid prince, Antiochus XIII, was at present its nominal ruler. In and around the district properly known as Syria were a number of principalities now practically independent, though once vassals of Antioch. There were also a number of Greek cities, self-governing and desirous of peace and order. The Jewish kingdom had grown through profiting by the decay of Syria and Egypt. It was now disturbed by the competition of two rivals for the office of High Priest. What the whole country needed was a strong central power, able to keep the peace. What Pompey did was to substitute Rome, represented by a governor, for the kings of the house of Seleucus.

480. In order to settle the Jewish dispute it was necessary to reduce the temple of Jerusalem, occupied as a fortress by the faction against whose candidate Pompey had decided. The siege gave trouble, and the proconsul thought fit to rebuke the rebellious spirit of the Jews by a deliberate outrage. He, a Gentile, insisted on entering the Holy of Holies. But he did not seize the treasures

of the temple. In his scheme for the Syrian province the Jewish kingdom was included with others. In fact the province was an aggregate of tributary principalities and cities. The latter were mostly 'Greek'; that is, more or less effective centres of the Hellenistic civilization fostered by the Seleucid kings. Pompey recognized the value of these communities as promoting order and prosperity. Both in Syria and elsewhere he encouraged them by grants of privileges, by strengthening those that for any reason had fallen into decay, and by new foundations. This policy, imitated by emperors in later times, served to hellenize the East under the protection of Rome, and much of the later history of these regions was profoundly affected thereby. Another important point in the great Pompeian settlement was the recognition of monarchy as a form of government suited to peoples in a certain stage of civilization. We do not now hear of the deposition of a king as the grant of 'freedom' so-called. The proconsul awards thrones as a matter of course. These kings or chiefs hold their places under Rome, as a part of the Roman system, during good behaviour. It is their duty and their interest to save Rome trouble and expense. This policy also became a regular principle of Roman imperial practice. Pompey left Syria in 63, and spent the winter in organizing northern Asia Minor. Pharnaces had sent him the corpse of Mithradates, which he ordered to be buried with honour at Sinope in the sepulchre of the Pontic kings.

481. The details of the eastern settlement were briefly these. Of Provinces, Cilicia and Bithynia were both enlarged by the inclusion of districts to the East. Syria was new. Of Client kingdoms, Ariobarzanes was recognized in Cappadocia, and a native prince in inland Paphlagonia. Another minor principality was Commagene to the North of Syria. In Galatia the three tribes, each under four tetrarchs, were left as before, but the real head was Deiotarus, the friend of Rome. He received a grant of eastern Pontus, and soon rose to be ruler of Galatia. Two monarchs were recognized as Kings allied with Rome, Tigranes in his ancestral kingdom of Armenia, and Pharnaces in the Cimmerian Bosphorus. We should note that the Province Asia remained as organized by Sulla. Lycia remained a 'free' federal League allied with Rome. Egypt and its dependency Cyprus were not touched. Pompey wisely let the Egyptian question

alone. In fixing boundaries of the recognized divisions of territory, and in determining the relations between the various communities and the sovran power, no doubt many delicate problems had to be considered. In general the proconsul seems to have followed existing arrangements so far as possible, and the settlement as a whole was a reasonable and practical one. That he had understood how to manage oriental peoples was shewn a few years later, when the eastern part of the empire shared his fortunes in the great civil war.

482. In the year 62 Pompey travelled homewards. He was in no hurry, and he was bent upon displaying himself in the cities of the Aegean and engaging the chief centres of Greek culture to spread his fame. At Mitylene, Ephesus, Rhodes, Athens, and other places, he appeared as patron, in some as benefactor, granting privileges or giving money. Poets and rhetoricians performed before him and sang his praises. His army was contented with the rewards and profits of service. Rome was anxiously awaiting his return, not without reason, as we shall see. He did not reach the city till early in 61. During the last four years he must have received from time to time news of strange doings in Rome, which will form the subject of the next chapter.

CHAPTER XXXV

CICERO AND CATILINE. 66—63 B.C.

483. While Pompey was away in the East, the course of events in Rome was proving the extreme need of a strong government and the impossibility of forming one. His absence on the one hand left others free to push their own designs. The prospect of his return, on the other hand, weighed on the minds of all prudent men, and enjoined caution. What if he chose to play the part of a Sulla? Faction, corruption, violence, were the staple of Roman politics. Personal interests overrode public considerations, and behind all was a peculiarly mischievous influence, the pressure of debt on reckless spendthrifts. It was a difficult time for patriots, such as Cicero and M. Porcius Cato. Both were loyal republicans, strongly opposed to any movement imperilling the republican constitution. The immediate danger lay in the promotion of individuals in defiance of constitutional rules. The demand for efficiency was a good cry for the popular party. Cicero knew very well that the policy of the senatorial nobles meant inefficiency, and he had openly supported the Manilian law. But he also knew that such commissions as that given to Pompey must, if often repeated, make an end of the Republic. He therefore felt drawn to the party of the 'best men/ and the endeavour to create a strong government by cooperation of the two wealthy Orders became the aim of his political life. He was an opportunist, ready to sacrifice some of his principles to gain ends that seemed more important. Cato was very different. A hard temperament, developed by Stoic training, made him more the fighting man of the republican cause. But the Republic was an essentially aristocratic institution, and neither of these men were typical aristocrats, such as Catulus, Lucullus,

the Metelli, and others. Cato acted on principle, an eccentric being. Cicero, whom circumstances were about to thrust into a front place, was a 'new man,' with a vast reverence for the great houses, and conscious that to them he was no better than an upstart.

484. But it was the movements of the 'popular' party that made the time of Pompey's absence important in the history of Rome. And direct proposals and indirect intrigues alike derived most of their force from the presence of Crassus and Caesar. It is to be borne in mind that these two were wire-pulling behind the scenes. Crassus was the elder and a millionaire, creditor of many men, of Caesar among them. But it was Caesar's cleverness and popularity that supplied the real guidance and driving-power. In the year 66 political strife continued in the form of trials before the public courts, and rioting. The consuls elected for 65, P. Autronius Paetus and P. Cornelius Sulla, were prosecuted for bribery and unseated. Catiline was only prevented from being a candidate by a threatened prosecution for extortion in Africa, where he had been *propraetor* in 67. A plot was laid to murder the two new consuls, and recover the consulships for Paetus and Sulla by force. It failed, and was renewed, and was thwarted a second time. Catiline and a turbulent young man, Cn. Calpurnius Piso, were probably concerned in it. But later in the year (65), when Catiline was on his trial, the very consul who had foiled the plot appeared with others to support the accused. And the Senate was induced to make a special appointment for Piso in Spain. These mysterious affairs need explanation. There is no doubt that jealousy of Pompey was at the bottom of both. Catiline was likely to be useful to Crassus and Caesar. Piso was sent to Spain to raise forces there and form a military base for the party opposed to Pompey. In the Senate many were desirous to prevent the rise of Pompey to autocratic power. It is to be inferred that a common interest had led the two anti-Pompeian sections to sink differences and work together.

485. In the year 65 there were censors. Both were opposed to the aggrandisement of Pompey, Catulus as a republican, Crassus as a rival. But here their agreement ended. Crassus, prompted by Caesar, was for enrolling the Transpadane 'Latins' as citizens, and for declaring Egypt a Province. Catulus was against both schemes. So the censors presently resigned without

acting, and there was no census. Catuius thus prevailed for the moment, and a law (*lex Papid*) was even carried for expulsion of aliens from Rome. So the Transpadanes were repulsed in the old style. The annexation of Egypt was desired as a means of checking Pompey, for it was to be occupied by Caesar. But this plan was too much for the aristocrats, who wanted to lower Pompey without raising up a rival claimant to excessive power. The trial of Catiline ended in an acquittal in spite of his notorious guilt. He secured a corrupt jury by bribing¹ his accuser, and then bribed a majority of jurors. The trial of C. Cornelius, deferred from the last year, also ended in acquittal. He was attacked, on a charge of *mates fas*, for having when tribune in 67 treated a colleague with disrespect in a legislative Assembly. The aristocrats wanted to ruin him, but the popular party would not let him be sacrificed. Such was the working of the public courts.

486. The state of things is illustrated by the doings of two junior magistrates. Caesar was aedile. He made full use of the office to win popularity by shows and bounties of unprecedented splendour. He borrowed and spent vast sums himself, and managed to join forces with his colleague M. Calpurnius Bibulus so dexterously that he got all the credit for what both had spent. One night he had the old trophies of Marius set up in the places whence Sulla had removed them. Thus he reminded the Roman commons of their popular hero, with whom he claimed connexion. The aristocrats were angry, and Catuius protested; but none dared to remove the trophies. Cato was city quaestor, in charge of the treasury, with its store of specie and documents. He set about reforming the management, neglected by his slack predecessors. Subordinates were no longer allowed to control a lazy superior. Cato learnt the business, and made good progress with getting rid of arrears. While he remained in office he was, both as official and as a senator, a check on jobbery. He made an effort to recover for the state the sums paid out by Sulla as blood-money. In the next year (64) there were several trials, and a few convictions. The Marian *populares* seized the opportunity to prosecute some of Sulla's agents for murders in the time of proscriptions. Caesar was then presiding in the murder-court, and

¹ That is, by procuring his corrupt collusion in the matter of *reiectio iudicum*. See § 446.

the prosecutions went on briskly: but he was said to have managed matters in favour of Catiline, who was acquitted. So the incorruptible Cato, a champion of the republican aristocrats, gave an opportunity to the other side, which Caesar and his 'popular' associates had no scruple in turning to account.

487. The news of Pompey's successes in the East, and the uncertainty as to what would be the effect of his return, weighed heavily on Roman party-politics. The senatorial nobles feared him as a possible autocrat. They were willing to see a rival power created to thwart him, but not to assist that rival power to become itself dangerous. The financial interest, and their spokesman Cicero, were loyal to the absent chief whom they had supported. Crassus and Caesar were bent upon strengthening themselves before it was too late. Their present aim was to capture the consulships for 63, and thus to get control of the constitutional machinery. Catiline, already twice prevented from being a candidate, was now free to stand. If he were elected with a suitable colleague, Caesar and Crassus would be masters of Rome. The elections in the summer of 64 were therefore momentous. Of seven candidates only three need mention. Cicero the 'new man' had at first only the support of his Equestrian connexion, of some non-residents from municipal towns, and of persons attached to him by his services as orator or by skilful canvassing. This was not enough: he must be backed either by the 'popular' party or by the 'best men.' At one time he thought of joining forces with Catiline, whom he had been not unwilling to defend in court, though convinced of his guilt. But other arrangements had been made. The destined partner of Catiline was C. Antonius, a son of the great orator and brother of the man who failed in Crete. He was a man of bad character, deeply in debt, and sure to be a tool of Catiline and his employers. Catiline himself was a leading spirit in the corrupt circles of dissipated society. The 'best men' were lukewarm or divided, and he seemed likely to succeed, and to carry in Antonius.

488. New men seldom reached the consulship, and the tradition was now backed by the influence of Caesar and the purse of Crassus. But Catiline and Antonius could not abstain from words and acts that betrayed their intention to rule Rome by revolutionary violence. Once the aristocrats saw what was in prospect, they swallowed their pride, and threw all their strength

into support of Cicero, in order to keep out the dangerous Catiline. This gave Cicero the lead. He was returned first, and Antonius just secured the second place. The 'best men' had very nearly been caught napping. Shortly before the election, when they were already alarmed, Cicero had strengthened his position by a powerful address to the Senate. This was the 'speech in the white gown,' the robe of a candidate. He not only denounced Antonius and Catiline, but exposed the intrigues that were going on. He did not name Crassus and Caesar, but he described them, and convinced the House of the reality and true source of the danger. By this speech he announced that he had broken with the popular party for good. The support of the two wealthy Orders made him consul: how to keep the great nobles and the Knights in harmony was henceforth his problem. His first anxiety was to prevent Antonius from giving trouble as his colleague in office. This he did cheaply. The provinces selected for the consuls of 63 to hold in 62 were Macedonia and Cisalpine Gaul. Antonius drew the latter, where there was little prospect of plunder to restore him to solvency. Cicero offered him Macedonia in exchange. The bankrupt gladly accepted the offer, and agreed to abstain from factious opposition. Cicero did not want to be drawn away from Rome by a provincial charge, and obliged a friend¹ by getting Cisalpine Gaul transferred to him. Thus, before he entered on office, he deprived the popular leaders of the help of their partisan consul.

489. Rome was now on the eve of a party struggle between *optimates* and *populates*. For the moment there was no great army at hand to overawe either side, so the factions were left to fight it out with the means at their disposal. The war of prosecutions dragged on for a good part of the year 64, and then died down. The wire-pullers of the popular party were not idle. They still hoped to find a base of military power in Spain. Piso's enterprise had failed, for the Spaniards killed him: a certain P. Sittius was now sent out as a private adventurer to watch opportunities. The real director of all their movements was Caesar, who alone understood how to manage Crassus, and most of the tribunes for 63 were at their service. In facing them the aristocrats were at some disadvantage. For his year of office, Cicero must hold the first place. But he was a very recent

¹ Q. Metellus Celer.

recruit in their ranks. Great nobles did not like being led by a New Man. They were willing to make full use of his high character and his eloquence. But they did not mean to let him lead them into trouble, or, if things went wrong, to make any sacrifices in support of an upstart. If the new consul was to carry them with him in an emergency, he would need all his cleverness and tact. Moreover tribunes, who entered office on the 10th December, always had the start of consuls. When Cicero became consul on the 1st January 63, a number of proposals were already before the people, though the actual text of the bills was not in all cases already published. This democratic programme included the restoration of the children of Sulla's victims to full civic rights, reduction of debts, the relief of the two consuls unseated for bribery in 66 by lessening the penalty, and a grand scheme for allotments of land. Some of these proposals were either foiled or withdrawn or deferred. The agrarian scheme at once became the battlefield of a struggle in which the consul's power as an orator was put to an exceptional strain.

490. The bill stood in the name of the tribune P. Servilius Rullus, but its real author was Caesar. It professed to be a beneficent scheme for settling the pauper mob of Rome on allotments in Italy, which (following earlier precedents) were to pass from father to son, but the holders were to have no power of sale. But where was the state to find land for the purpose? There was very little state-land left in Italy, and hardly any that was not already held by state-tenants paying rent. The wild hill-pastures were unsuited for allotments. To resume the lands assigned by Sulla was impossible: the storm raised would wreck the bill. Purchase from private owners was the only possible plan. Therefore the real gist of the bill lay in the means proposed for raising the money. This was in short a power of selling (with a few trifling exceptions) all the state-domains in Italy or abroad. For instance, all Bithynia, and the new annexations of Pompey, were part of the immense area affected. The language was so loose that Cicero could declare that the sale-clauses might be held to include Egypt, which the last genuine Ptolemy was said to have bequeathed to Rome. Of course an actual sale of all these lands was out of the question. Power was therefore given to lay a rent or tax on what was not sold. From these sources, and from the booty lately acquired in the East, a vast

fund would be raised. The purchase-clauses devoted this to **the** purchase of land in Italy for allotment to the poor.

491. These powers were to be vested in a commission of ten, who were authorized to decide what was and was not state property. They were to hold the *imperium* of propraetors in order to enforce their orders. They were to decide what to buy and what not. Candidates for election had to appear in person, and thus Pompey was excluded. Indeed there is little doubt that the whole scheme was designed by Caesar to set up an authority in opposition to Pompey. If it had become law, Caesar would have been master of the commission, and would have used it for his own ends. In opposing it Cicero delivered four speeches. His line was to shew that the professed object of the bill was not the real one, and to expose the infinite openings for favouritism and jobbery created by it. This would be heard without surprise. Moreover the city mob did not want to leave the pleasures and perquisites of city life for hard work on lonely farms. And they would not have access to the great fund that it was proposed to raise. So the project evoked no popular enthusiasm, and Cicero with great skill reminded them of all they stood to lose by accepting the offered boon, if it ever came to a real offer. So the bill had to be withdrawn. Cicero had scored a point. Caesar was for the time foiled, but there was no lack of questions that might be raised to embarrass the party in power. Attacks followed thick and fast, and the consul was compelled to meet them. But, if worried without mercy, he was at heart not sorry for the chance of proving that his oratorical gifts were equal to the task.

492. When the rabble (probably prompted) raised a clamour against the reservation of seats in the theatre for the Knights, Cicero talked them into good humour. Then the right of the Senate to proclaim martial law in emergencies by issuing its 'last decree' was called in question under the form of a trial. An aged senator, C Rabirius, was said to have been the actual slayer of Saturninus in the affray of the year 100. He was now impeached under an obsolete procedure on a charge of high treason (*perduellio*). The Assembly by Centuries had to deal with the case on appeal, and the consul addressed a meeting in his defence, or rather in defence of the Senate. The formal vote of the Centuries was never taken, for the Assembly was broken

up by a trick as obsolete as the procedure. If further proceedings were threatened, nothing came of it. The matter was allowed to drop, and the Senate retained their challenged power. So too the proposal to rehabilitate the children of Sulla's victims was defeated by Cicero on the plea that at the present juncture more harm than good would result. It was not a question of much interest to the pauper mob. But they grudged the perquisites monopolized by the rich, and from this point of view a reform attempted by the consul was popular. Senators who wanted to travel on their own private business contrived, by favour of the House, to do so at the public cost. A man made a titular *legatus* without duties was said to have a *legatio libera*, and such 'free deputations' were a vexatious addition to the burdens of Rome's provincial subjects. Cicero tried to abolish the practice by law, but all he could carry was a limitation to a duration of one year. And this was ineffectual.

493. The real strength of Caesar as a popular favourite appeared in the contest for the place of chief pontiff, vacant by the death of Metellus Pius. This post, tenable for life, made the holder the head of the state religion, chairman of the pontifical college, trustee of sacred property, judge of religious questions and scruples, and gave him in these capacities a great political power. Pompey was absent. Caesar first procured the abolition of the system of selection by the college itself (which Sulla had restored), reverting to the election by 17 of the 35 Tribes. He then stood against two older men of high rank, and bribed heavily. He refused an offer of a large sum if he would retire. He won, and the charge of Roman religious affairs passed under the presidency of a freethinker. Thus the earlier part of the year was a time of much conflict and disturbance. The aristocrats had managed to hold their ground fairly well, thanks to the efforts of Cicero. And now the elections for 62 were coming on. There were four candidates for the consulships. D. Iunius Silianus and L. Licinius Murena were men of ordinary type, and were on the side of the government, as was also Servius Sulpicius Rufus, the first jurist of the day. The fourth was Catiline, probably supported by Crassus and Caesar, though less warmly than before. He was drifting away from party-politics, and his most earnest backers were the debauched and embarrassed men and women who saw their only hope in a general attack on

property and cancelling of debts. He might, if consul, be a thorn in the side of the rich. But men of property were now on their guard, and his chances of success doubtful at the best. Nor would Caesar and Crassus have allowed him to carry out a policy of repudiation. Still he persisted in his candidature.

494. There were plenty of discontented men in Italy, particularly in northern Etruria. A number of impoverished fellows, ready for mischief, were gathered at Faesulae under one C. Manlius, an old Sullan, who was in league with Catiline, and was to bring up a large gang for the election. Others were busy bribing voters. Only Sulpicius refrained. He complained to the Senate, and the House not only voted certain practices illegal under the existing law, but instructed the consuls to prepare a new one. With the help of suspension of religious hindrances, Cicero hurried through a severe *lex Tullia* in time for the election in July. Meanwhile Catiline was becoming desperate. He used language in the Senate that sounded as a threat of bloody revolution. To his supporters he was said to have spoken in plainer terms. Cicero called for a denial of the report in the Senate, but Catiline replied with insult and defiance. Cicero took precautions against open violence, and held the election. Sulpicius had spoilt his own chances by relying on bribery-laws instead of bribing. So, for fear of letting in Catiline, some voters threw over the lawyer and gave their second votes to Murena, who was elected together with Silanus. Sulpicius at once announced that he would prosecute Murena under the Tullian law, and Cato promised to support the charge. The defeat of Catiline threw him back upon his own ruined and desperate circle. What had been an infamous association at once became an anarchist conspiracy.

495. How was it that a plot for overthrowing the government could seem to have any prospect of success? Manlius and his band went back to Faesulae, where he raised and armed more men. As there was no standing police-force, the only way of dispersing his army was by raising troops for the government. This the consul had not yet been authorized to do. The Senate, shaken by the popular movements of recent years, was timid. Men were afraid to commit themselves to a strong policy on the faith of rumours that might prove to be exaggerated. Cicero might enjoy playing a leading part: noble members must take

care that the New Man did not lead them into an untenable position. So the insolence of Catiline had been allowed to pass without any strong resolution of the House, and the consul could not yet take public action against the conspiracy. The forces under Manlius were not of themselves enough to overthrow the government, but the government had none ready. Italy would not of its own accord rise and put down the rebels. All turned on the course of events in Rome. Manlius was waiting for orders from the city. The city was full of gossip and suspicion, and reported prodigies infected the superstitious rabble with alarm. There was no lack of desperate ruffians prepared to pillage and destroy. What really saved Rome was not the inner strength of the government, but the inner weakness of those who plotted to overthrow it. Their aims were inconsistent. To raise outside Rome a force able to carry all before it, rural slaves must be enlisted wholesale. In Rome itself, a mere disorderly outbreak of plunder and massacre would give the spoils of the rich to the roughest elements of the city mob. This was not what the ruined spendthrifts desired. They wanted the spoils of the rich for their own use, to enjoy a fresh start in luxury and dissipation. A new slave-war was not to their taste, so Catiline forbade the arming of slave-gangs in Etruria. Their domestic slaves might be useful in the city when the hour came for rising, but infinite care would be needed to ensure that the plunder should fall into the right hands, their own. This manifestly required organization, and therefore time. And the same waiting that gave time to Catiline also gave time to Cicero.

496. While the conspirators plotted and took oaths in secret meetings, the consul watched them through spies as best he could. And now the passions of one of the gang led to a betrayal. Enamoured of a mercenary Roman lady named Fulvia, this man divulged his secret. She reported it to the consul, who engaged her as a paid spy. Henceforth he got regular news of their plans and doings, and certain knowledge of the names of the leading men. They were a motley company, ranging from senators to freedmen. A few Knights were of the number, and some came from municipal towns. All were men who had failed, all wanted money. No strong leader for the rising in the city (for Catiline would command their field-army) had been found. The disreputable P. Cornelius Lentulus was a lethargic figure-

head. C. Cornelius Cethegus was hasty and unwise. We should bear in mind that the two parts of the enterprise needed to be carried out in exact combination, and that from Rome to Faesulae was about 200 miles journey. A day late in October was fixed for the rising, and Cicero knew it. But in order to deal with it he needed the authority given by the 'last decree' of the Senate, and the Senate still hung back. One day he produced in the House a packet of sealed letters, addressed to various senators, mysteriously delivered to Crassus the night before. When opened, all were found to contain warnings of the massacre designed by Catiline, and a member told the House some news that had reached him of the doings at Faesulae. Whether the whole affair had been got up by the consul to alarm first Crassus and then the Senate, we cannot tell. At all events it had that effect. It was the 21st October, and Cicero assured members that the day fixed for the outbreak was close at hand. The decree was passed. The consul at once took steps for the public safety. The date named went by, and no rising occurred. Men began to fancy that Cicero's nervousness had made much out of little. But at the very end of October news came that Manlius had begun the revolt. It was clear that he had acted on orders which there had not been enough time to countermand.

497. The project of Catiline was wrecked. The consul's plans had been ready before he was authorized to act, and amid the general alarm of all who had anything to lose he acted boldly. Troops were raised, important positions were guarded, and a force levied in Picenum to protect the North. Rome was patrolled by soldiers. Catiline, anxious to join Manlius, and wanting to leave Rome in confusion, now formed detailed plans for a simultaneous conflagration in several parts of the city, with a massacre of the wealthy. But he dared not start till the consul had been got rid of. So it was agreed at a secret meeting that Cicero was to be murdered next morning, and the ground thus cleared for the city-conspirators. This plan failed, Cicero having timely warning. Next day (8th November) the consul gave the Senate a full account of the designs of Catiline, who even now appeared in the House. Cicero told him to go and join his rebel army. It was to no purpose that he posed as a Patrician of the once illustrious Sergian house, and sneered at the New Man who posed as the saviour of Rome. The members would have no

more of him, and that night he left for Faesulae. On the 9th Cicero addressed a public meeting. It was necessary to calm popular excitement, in particular to let dangerous characters know that disorder and robbery would be promptly suppressed. But he was far from easy in his own mind. The other chief conspirators were still in Rome. He knew that he must do nothing to compromise the senatorial aristocrats on whose behalf he was holding the post of danger. So he continued to walk warily.

498. While the actual conflict was still delayed, Murena's trial in the bribery-court came on. Cicero with Hortensius and Crassus conducted the defence. They had a weak case. It was not the 'innocence of the accused, nor the consul's witty speech, in which he made fun of lawyers (Sulpicius) and Stoic precisians (Cato), that gained an acquittal. The jury, men of property, felt that this was hardly the moment for vindicating purity of election regardless of consequences. Cicero pointed out the danger of having only one consul in office at the beginning of the new year, and this consideration was enough. So the government party kept their two official heads for the year 62. Meanwhile the precautions taken in Rome and elsewhere served their purpose. The only serious rising was that in Etruria. Attempts were made to damage Cicero by representing Catiline as an injured innocent, but they failed. Towards the end of November the conspirators began to get tired of waiting for Catiline, who could not come. An army under the consul Antonius lay between him and Rome, and other forces menaced him from other sides. At last Cethegus moved Lentulus, and the outbreak in the city was fixed for the 19th December, the day of the festival *Saturnalia*. This long delay was a blunder. Still the consul, though eager to arrest the leaders, dared not do so. Nothing short of the most damning evidence would make it safe for him to lay hands on Roman nobles. Accident solved the difficulty. The Allobroges, a tribe in Transalpine Gaul, worried by Roman usurers, sent a deputation to seek relief from the Senate. These envoys, approached on behalf of the city conspirators, and invited to bear a part in the movement by procuring cavalry from home for Catiline's army, thought it more to their people's interest to do a service to the Roman government. Cicero heard their story, and told them to approve the plot and to promise help, but to insist on having documentary proofs written and sealed by the chief conspirators.

These they procured, and set out with them for Gaul by way of Faesulae on the night of the 2nd December, accompanied by one of the men in the plot. Not far from Rome the road crossed the Tiber by the Mulvian bridge. Here an ambush had been laid, and the whole party were taken.

499. Early on the 3rd the consul had a search made. A store of arms and combustibles was found in the house of Cethegus. He laid his evidence before the Senate, the handwriting and seals of the letters were verified, and the guilt of the men was perfectly clear. Lentulus, who was a praetor, was called upon to resign his office, and did. He and the rest, five in all, were placed in the custody of some senators, of whom Caesar and Crassus were two. All the proceedings were carefully reported, and copies sent out to all parts of Italy. The House voted their thanks to Cicero, and a public thanksgiving, as though for a great victory in war. To calm the multitude, and reconcile them to the measures of the government, he addressed a public meeting. He claimed to have saved the poor from having their dwellings burnt and being left without shelter, and this by men who were willing to have brought their old enemies, the Gauls, into Italy. He declared their present safety to be the work of Divine providence. But he also hinted that he, their human protector, might himself yet need their loyal support to defend him from the assaults of enemies provoked in the course of his patriotic duty. For the present he was popular. What awaited him in the sequel we shall see below. On the 4th some futile attempts were made to implicate Crassus and Caesar in the plot, and a plan for rescuing the prisoners was foiled. But the main interest was in the meeting of the Senate on the 5th, when the House decided what was to be done with the guilty five. The Senate was not a court of justice. If the men were to suffer death or banishment, it would be by the act of the consul. In the field he could have sent them to execution, for the full *imperium (militiae)* included this power. Could the 'last decree' of the Senate be held to legalize the infliction of the extreme penalty by one who only had the *imperium (dotni)* in its lesser degree? That was the practical question for the consul, now near the end of his year of office, to consider.

500. Of the famous debate we can only note the main point raised in the speeches of Caesar, praetor-elect, and Cato, tribune-

elect. Caesar deprecated the proposal to put the men to death as un-Roman, unwise, and sure to cause a reaction in public feeling. Thus he played on the fears of the timid and self-regarding majority. But his alternative proposal was no more within the Senate's powers than the death-penalty, and it was in truth only a complicated and ingenious sham. That he dared to make it shews his cool audacity. After some feeble speeches from wavering members, Cicero asked for a prompt decision, and (as he could hardly help doing) promised to carry it out, be it what it might. The men were public enemies, for the Senate had said so, and not citizens, entitled to the protection of the laws hinted at by Caesar. It was Cato who nerved the members to vote boldly, in logical consistency with their 'last decree.' The execution of the guilty as criminals taken in the act would ruin the enterprise of Catiline. He carried his point. Cicero, with the moral support of the Senate, put the five to death in the dungeon under the Capitoline hill.

501. Cicero was now at the height to which he had long and eagerly aspired. He had been the successful champion of the nobles and men *of* property in general. Caesar was under a cloud. His life was threatened. Till the first of January, when he would enter on his praetorship, the chief pontiff avoided the sittings of the Senate. Meanwhile a few small outbreaks in Italy were easily suppressed, and the government forces were closing in on Catiline. The news from Rome thinned his ranks. M. Petreius, deputed by the unwilling Antonius, was in command of the army that met the desperate remnant, about 3000 men only, near Pistoria on the 5th of January. The battle was fierce and bloody. Catiline, and all the free Romans with him, died fighting. So ended one who may have been not so great a villain as our tradition represents him. There were persons to whom his fall was a matter of regret.

CHAPTER XXXVI

THE YEARS OF UNCERTAINTY 62—60 B.C

502. Early in 62 Antonius went off to misgovern the Macedonian province, leaving Cicero, now a private citizen, in Rome. The events of the year 63 had shewn that the civil government could still assert itself without depending on the master of an army. But it had only done so with infinite difficulty, though helped by several instances of good luck, and though the master of the one great army was far away. No real revival of the Republic had taken place, as the circumstances of Pompey's return soon proved. His six years in the East had accustomed him to an imperial position, and left him out of touch with Roman politics. His inclination to stand aloof in conscious preeminence was stronger than ever, and he now required from other men a deference which few, and least of all the Roman aristocrats, were willing to shew. But his preeminence was a fact. His error was in supposing that in Rome he could stand on it, and control affairs, without the support of a party. Neither *optimates* nor *populares* really wanted him. Both were willing to turn him to account for party ends. The ruler of the East, the patron of kings, was in Rome a sort of half-made Emperor. He could not be ignored. Who would capture the great man's favour? Would the republican constitution absorb him as one of the senatorial aristocrats? Or would he once more strain and weaken the constitution by an alliance with the popular leaders? In any case, would he be a real leader and guide, with a policy of his own, or would he fall under the influence of another? These were the important questions, awaiting their answers from events, when Pompey returned to Rome.

503. On his homeward journey in 63 he had heard of the conspiracy and hoped to be recalled in haste to deal with the crisis. He sent Q. Metellus Nepos to Rome in time to be elected tribune for 62. Nepos was elected, but when he entered office (10 Dec. 63) it was too late to send for Pompey. He knew that the great man would be mortified to find that people at home had contrived to do without him, so he set about making trouble for Cicero. As tribune-elect he had questioned the legality of some of the consul's acts. And now, at the end of the year, when Cicero wanted to make a speech on laying down office, he refused as tribune to let him do more than take the customary oath. The year 62 in short opened badly for the 'Father of his country' as Cato called him. Relatives of the men put to death and of those afterwards tried and banished were hostile. Nepos continued to denounce him, and the displeasure of Pompey could be traced in the behaviour of his agent. Now Cicero above all men had been loyal to the absent Pompey. He at least was only too ready to play a second part to his hero, to be a Laelius to this new Scipio. He said so in a letter describing his own exploits, and looked for congratulations, which never came. His offence was that he had done what Pompey would have been willing to do. Meanwhile Caesar had found a cheap and ready means of winning the great man's favour. The Capitoline temple had been dedicated by Catulus, but was not complete. Caesar proposed that Pompey should be appointed to complete it. This was a sly blow at Catulus, a great compliment to Pompey, who never had enough of compliments, and a way of soothing any annoyance that Pompey might feel at not being chief pontiff. The proposal had to be dropped owing to the opposition of the nobles, but it served Caesar's purpose all the better, by shewing Pompey how jealous of him they were. So too with the proposal to recall Pompey in the interests of order. Nepos still urged it, and Caesar supported him. Much squabbling and rioting took place, Cato heading the opposition. Blood was shed, and the Senate had great difficulty in getting quiet restored.

504. The truth is that the government was incurably weak. The mob resented attempts to suppress their favourite Caesar, and even Cato consented to a further cheapening of corn at the state cost, in order to quiet them. Pompey was coming, and no politician could tell what his own position would be, till the great

man came and took his place in public life. Cases connected with politics were being heard in the public courts. Cicero successfully defended P. Cornelius Sulla and the poet Archias. The former was charged with public violence (*vis*), and the aim was to Jiiplicate him in the conspiracy of Catiline. The latter was accused of improperly assuming the Roman franchise, and the attack was really meant to annoy the Greek poet's patron Lucullus. Both these pleadings left the orator more deeply committed to the party of ;he 'best men,' and dependent on maintaining the recent harmony of senators and knights. His position was not an easy one. Porupey's return was now very near. One of the consuls elected for 61 was a nominee of his. At the end of 62 a grave scandal became the talk of Rome. The rites of the Good Goddess (*Bona Dea*), celebrated in December, were held this year in Caesar's house. Only females were admitted. P. Clodius, a dissolute young Patrician enamoured of Caesar's wife Pompeia, managed to enter in female dress, and was detected. The festival was adjourned, and the pontiffs pronounced his act a sacrilege. Caesar took it coolly, but divorced Pompeia. Superstition however was still strong among the masses, and the rites violated were a public function on behalf of the state. The Senate took the matter up, and a bill was proposed for a special court of inquiry with a select jury. While this was still under discussion in January 61, Pompey arrived in Rome. He had reached Brundisium in December, and had surprised everybody by dismissing his army, to reassemble later for his triumph.

505. The Senate had now a great opportunity. But aristocratic jealousy was too strong to allow the House to grasp it. They did not welcome the great man heartily and at once approve his settlement of the East. And Pompey's determination not to make himself cheap tended to keep him and the nobles apart. Cicero was uneasy at finding that he would not commit himself to any definite approval of the recent acts of the government. Meanwhile the bill for the trial of Clodius was carried through after much opposition in a modified form. The jury was to be chosen by lot in the usual way. Some thought that an acquittal was impossible, but the jury were venal, and were bought by Crassus. A plea of *alibi* set up by Clodius had been disproved by Cicero; but this did not affect the verdict, while it angered Clodius. A wrangle between them in the Senate only made

Clodius more determined to have his revenge. But Cicero had no notion that he had injured his own prospects by this affair. True, he had offended Crassus and Caesar, but he fancied that he could trust to the protection of Pompey. Before the elections this year (61) a curious bribery-law was carried at the wish of the Senate. It is said that a man who paid bribes was to go on paying the same sum yearly for the rest of his life. The aristocrats it seems were at last finding corruption both burdensome and *ineffective*. The growing practice of employing bands of armed men was making it difficult to be sure of polling bought votes. Moreover, there were long purses ready to be used in opposition to the politics of their party. It was not easy to compete with such a man as Crassus. Hence no doubt much of the aversion to bribery. A few, like Cato, would object to it on principle. But neither they nor fresh laws could prevent it.

506. Caesar had meanwhile hurried off as *propraetor* to his province, the Further Spain. Crassus quieted his creditors by becoming security for his debts. In Spain he found the means of gaining some military experience. His civil administration was successful. In particular he reformed and improved the city of Gades, partly to oblige his useful subordinate Balbus, the man whom Pompey had made a Roman. Caesar had found out the value of this remarkable man, who became his most trusted agent. Before the middle of the year 60 he had done all he wanted to do in the West, and returned to Rome, having gained reputation, and with money in hand. During his absence Pompey had mismanaged matters sadly. He was ambitious, but he tried to have his way without being either politic or masterful, and this would not do in Rome. At the end of September he held his great triumph. It was a show of unprecedented splendour. Notable captives had been carefully collected during his eastern progress. The records of his victories were followed by those of provinces annexed and cities founded, and the crowd were reminded of strange peoples subdued and new revenues acquired for Rome. The great enemy Mithradates was dead, and on this occasion none of the captives exhibited were put to death. About this time news came from Gaul of a rebellion of the Allobroges, whose grievances seem to have gone unredressed. The governor managed to quell it, but it is to be noted as a sign of coming trouble in the North.

507. The reassembling of soldiers for Pompey's triumph was of necessity a reminder of their claims. Each man had received a bounty on discharge, but the money was wasting, and they wanted a provision for life. In the republican system there was no standing army and no scheme of pensions. Now that the old assumption, that the farmer-soldier went back to his farm on the return of peace, was quite obsolete, veterans needed something to live upon. This could only be land: most occupations of a humble kind were left to slaves. Therefore they looked to their commander for allotments. That they were not as a rule likely to make good farmers, did not matter. Pompey did not want to turn out present holders, and plant colonies of his adherents, as Sulla had done. But he did want to provide for his veterans, and there was no time to be lost. There was money coming in from the new tributes, and he had paid into the treasury large capital sums. So he was anxious to get a purchase-scheme to work without delay. Then there was the general question of his eastern settlement. He claimed that the Senate should approve his acts as a whole. But he had now no embodied army, and the jealous nobles were not afraid to thwart him. He had made enemies of some, such as Lucullus and Metellus¹; others were not sorry to humble him; Cato was opposed on principle to predominant men. So a majority were for discussing the eastern settlement point by point, and the matter of allotments was provokingly delayed.

508. There were just now two awkward questions before the House. Both threatened to cause a split between senators and knights, and so to overthrow the aristocratic government. One was a proposal to make all jurors liable to the penalties for judicial corruption. Hitherto the letter of Sulla's Cornelian law had been held to apply to senators only. The other was a demand from the capitalists who had bought the revenues of the province Asia. They said they had paid too much, and wanted the bargain cancelled. Crassus egged them on. Cicero, fearing the result of a quarrel between the two wealthy Orders, opposed the first and supported the second, but in vain. Cato was against an opportunist policy. Pompey did not seize the chance of putting pressure on the Senate for his own purposes. So these matters dragged on into the next year, while friction and ill feeling developed. The year 60 began badly. A land-bill for allotments was

¹ Creticus.

proposed by a tribune, containing purchase-clauses, but also others upsetting arrangements made in recent times. After much wrangling, the Senate being against it, Pompey caused his satellite tribune to let the matter drop for the time. There was much uneasiness at the news from Gaul. Rome's allies the Aedui had suffered a disastrous defeat from other tribes, aided by Germans. The Roman province was raided by Helvetii. An embassy was sent, and things were reported quieter, but we shall see that this was not for long. A strange proposal for abolishing the dues levied at Italian ports was carried through by Metellus Nepos, probably at the instigation of Pompey. The sacrifice of revenue was a very questionable policy. The differences between Senate and knights were still causing irritation. Clodius was bent on gaining the tribunate, as a means of agitation and revenge. But he was a Patrician, and he found that he must become a Plebeian by adoption. This design, like many other things, was hindered by formal difficulties. But a momentous change in public affairs was near. About the middle of the year Caesar, *propraetor* and chief pontiff, returned from Spain.

509. Caesar wanted two things, a triumph and the consulship. A personal candidature would mean entering the city and breaking the *imperium* required for the triumph. The Senate would not give him leave to be a candidate in absence, so he gave up the triumph. He was elected consul, but his colleague was his old fellow-aedile Bibulus, brought in by the money of the aristocrats as a man likely to hold his own against a restless partner. The precaution was futile. Official power in these days could not stand against military prestige and great wealth. Caesar was not the man to be stopped by shadows. He had come to terms with Pompey and Crassus, contributing to the combination his popularity, his energy, his wits. They helped him to the consulship. He was to help them as consul. They were both disgusted with the Senate. Their mutual jealousies were overcome, and Caesar undertook to gratify their wishes and ambitions. It was however Caesar who (as usual) had the best of the bargain. An irresistible private coalition was to dominate all the machinery of the Republic. This was the triumph of realities over forms. A long and bitter struggle was still to come, but its inevitable end was already beginning to appear.

CHAPTER XXXVII

CAESAR'S FIRST CONSULSHIP AND THE REMOVAL OF CICERO AND CATO 59—58 B.C.

510. When Caesar entered on office in January 59, a time of strong government began. The real holders of power, the three partners, could control all state authorities. They were an unofficial coalition, not recognized by the constitution, and so not bound by its legal or traditional restraints. Of the two consuls, one belonged to the coalition, and was therefore able to reduce his stubborn colleague to impotence. A later generation loosely applied to the Three the name *Triumvirs*, properly used of three official commissioners, which they were not. The weak points of the coalition, such as the inevitable divergence of interests, and the insuperable difficulty of filling up a death-vacancy by cooptation, will appear in the course of the narrative. The point to be noted here is that to contemporaries it was not Caesar but Pompey who seemed the chief partner. The more people came to understand that the partnership was the great fact underlying the movement of public affairs, the less important Caesar's official position would seem to be. Caesar as consul punctually carried out his compacts with Pompey and Crassus. Therefore they shared the resentment of those who disliked the common policy of the coalition. Caesar's year of office would come to an end, and some men evidently imagined that an effective reaction might follow. Even Cicero hardly grasped the truth that Caesar, when he went out of office, would, under the changed conditions, not go out of power. We shall see that it was Caesar who, with his clearness of mind and firmness of purpose, gave effectiveness to the so-called *Triumvirate*: also that while consul he laid the

foundations of the military strength which enabled him a few years later to become master of the Roman world.

511. Caesar began work at once. By some means he provided for the daily publication of proceedings (*acta*) of the Senate and Assembly. Hitherto the reporting of *acta senatus* had been very irregular and incomplete. Only the official copies of orders actually passed were kept in the treasury. Other matters were recorded in the note-books of presiding magistrates, which were their private property. The House was in fact henceforth to be more under observation. But Caesar, though resolved not to suffer obstruction, would not unnecessarily provoke his senatorial adversaries. He made overtures to Bibulus, of course in vain. Bibulus and the aristocrats knew that no cooperation with Caesar was possible for them. The consul's first measure was a land-law, chiefly a scheme for using the great sums of money accruing from Pompey's conquests to purchase land for allotments. He laid this moderate proposal before the House in the most conciliatory manner. He was met with wilful obstruction, in which Cato bore a leading part. At last he told the Senate that he would be driven to proceed without them. He now began to lay bills before the Assembly direct. The aristocrats had thus lost the chance of pressing amendments in debate. They tried to prevent the bills from passing. But they were weak for want of able leaders. Catulus was lately dead, Metellus Celer died early in this year, Lucullus hated political brawls, and was getting old, Cicero was helpless now that senators and knights had fallen out. Cato and Bibulus were not prepared to go to unconstitutional lengths : supported by timid and lazy nobles, they were no match for Caesar.

512. It was in the course of the public discussion of the land-bill that the truth in reference to present politics came out. Bibulus would concede nothing. Caesar appealed to Pompey and Crassus, both private citizens, and both approved the bill. Thus he openly set the support of powerful men against that of a magistrate. There was still the risk of armed violence being used to defeat it. He turned to Pompey, and asked whether his support could in that case be relied on. Pompey replied that he would meet force with force. There was no withstanding such a threat from the chief to whom his veterans were looking for a lead. The bill became law without any more serious disorder than the disregard of a tribune's veto, and a few broken heads. What was

new and revolutionary was the method by which Caesar had checkmated the senatorial aristocrats. As they had used force under cover of their 'last decree' to thwart political opponents, so he used the menace of military power to overawe those who would obstruct his measures with gangs of rioters. The consul defied his colleague and the Senate. The odium of the menace employed fell on Pompey, not on the consul. A clause in the law required all senators to swear to maintain it, and after much protesting all (even Cato) did so. Of its working we know nothing. We shall have to refer to it below.

513. Some time early in the year Caesar carried a law for confirming Pompey's eastern settlement as a whole. Rough means had to be used to overcome the opposition of Lucullus; but Lucullus, thoroughly browbeaten, retired into private life and gave no more trouble. Pompey was also interested in the Egyptian question. The spurious Ptolemy, known as the Piper (Auletes), was hated by his subjects, and wanted to strengthen himself by procuring from Rome his recognition as king. His application was favoured by Pompey. While the usual negotiations with greedy senators dragged on, Caesar took the matter in hand, and carried a law declaring him king, and an ally and friend of the Roman people. Of course the Piper had to pay a large sum for the favour, and so to borrow from Roman financiers. But the Senate had been overridden by the consul, and the senators did not get the money. Now came the turn of Crassus. Another of Caesar's laws relieved the farmers of the Asiatic revenues of a third of the price according to their contract. This scandalous job detached the capitalist class from the aristocrats, and strengthened the Triumvirs. Cato's policy had been a failure. In all these transactions it was the Senate that suffered. Caesar proved to his partners that he was a man who kept his bargains. And, if they gained their desires through his bold and revolutionary proceedings, they also bore most of the discredit.

514. Legislation could now go on freely. Even religious hindrances gave way before the chief pontiff and his followers. A law carried by the praetor Q. Fufius Calenus required the three sections of each jury to vote separately. Henceforth the separate numbers were known, and this rule may have been some little check on the prevailing corruption. A law of the tribune P. Vatinus extended the right of accuser and accused to challenge jurors.

This too was probably an improvement. These measures were really Caesar's. He was a genuine reformer, and the obstruction of Bibulus and Cato had been overcome. Before these laws passed, C. Antonius was brought to trial for his misdeeds as governor of Macedonia. Cicero, his old colleague in 63, felt bound to defend him; but the man was not merely guilty. He was hated by all parties. He had associated with Catiline, and then sold himself to Cicero. His condemnation was celebrated as a triumph by some of Catiline's surviving friends. Now Caesar had his eye on Cicero, whose talents he admired. In pleading for Antonius, Cicero had been driven, for want of a good case, to refer to the unhappy state of public affairs. He was in fact an incorrigible opponent of the coalition. Caesar was going shortly to leave Rome for a considerable time, and he did not mean to let the orator undo his work in his absence. So he at once carried through the adoption which made Clodius a Plebeian, eligible for the tribunate. Pompey was present as augur. But Cicero took no heed of this warning, and continued to delude himself with the belief that silly little popular demonstrations of discontent with the doings of the three 'tyrants' (as he called them) were a serious menace to their power. He gauged their strength by the shuffling hesitation of Pompey, who wanted to be both popular and powerful. He did not discover that Caesar, who cared nothing for the disapproval of opponents, was the managing director of the Triumvirate. Yet this was the most important fact of the present situation. This coalition was not a temporary union for the purposes of a passing moment, but a farsighted attempt to wrest the real control of the government from the selfish and incompetent nobles. Its policy was more than a mere pooling of personal ambitions, for it included a genuine tendency to promote practical reform. Now it was Caesar who gave it this character. Its permanent nature was shewn in the new marriage arrangements made about this time. The most significant of these was the marriage of Pompey to Caesar's daughter Julia, a happy union. The great partners lived in harmony till the domestic tie was severed by Julia's death.

515. A province had to be found for Caesar after his consulship. Bibulus did not want to quit Rome, and the Senate feebly tried to thwart Caesar by naming the most trivial spheres of duty as the 'consular' provinces. A law carried by Vatinius, Caesar's

man, assigned him Cisalpine Gaul with Illyricum for a term of five years from the first of March (59 B.C.), with three legions. To this the Senate, moved by Pompey and Crassus, added the Further Gaul (Transalpine), with another legion. This was for one year only, but could be renewed. Here was another of the great commands, forewarnings of the coming Empire. In appearance it was small compared with that of Pompey in the East. But it comprised the best recruiting-ground for Roman armies, the rich and populous Cisalpine, a district already attached to Caesar. And by a second Vatinian law he received powers enabling him to shew some favour to his old friends the Transpadanes. The whole plan was cleverly devised. Pompey had now given to Caesar the opportunities he sought. Caesar could build up a power such as Rome had not yet seen. None could guess that in a few years time he would have added the great unconquered mass of northern Gaul to the Roman dominions, and be at the critical moment the only leader in possession of a devoted veteran army. Nor is it likely that Caesar himself at this stage foresaw into what gigantic undertakings his fortune was leading him.

516. It would seem that Caesar's first land-law, perhaps only meant as an instalment, did not suffice to satisfy Pompey's claims on behalf of his soldiers. A second Julian land-law was now carried, with enough use of force to quell opposition. In it provision was made for resumption of the leased state-land in Campania, to be distributed in allotments. The policy of this measure was very doubtful, but the thing had to be done. The law was carried out. Under it Capua, a mere group of houses for about 150 years past, became a municipal town with a local government of its own. But as to the scope and working of the law there is great uncertainty. It is most probable that the parcels of land were allotted to a number of Pompey's old soldiers, married men with families being preferred. There was not enough to provide for them all, and that the allottees included some of the ordinary city rabble (as certain writers say) is most unlikely. It is even alleged that a great migration took place, so that the deserted rural districts of Italy were repopulated. This is not borne out by the facts of a few years later, and appears to be a mistake of one¹ who wrote in the third century A.D. At any rate the passing of this law marks the complete supremacy

¹ Dion Cassius,

of the Triumvirate. Bloodshed in Rome for the time ceased, for sufficient force was used to make riotous opposition hopeless. Cato was simply removed when troublesome. Bibulus shut himself up in his house, whence he issued all manner of obstructive notices and protests. His aim was to provide the Senate with a pretext for declaring Caesar's laws invalid: but this the Senate could not do while the coalition ruled Rome.

517. Still there were signs of discontent manifested on public occasions, and the opposition hoped that a political reaction might come. The Triumvirs let it be known that such demonstrations must cease, and they ceased. Bibulus still protested in pungent edicts, for which Caesar cared nothing. To Pompey they were a great annoyance, for they censured the policy in which he was concerned, and he loved being above criticism. Clodius, now a candidate for the tribunate in 58, was blustering. Cicero was still not alive to his coming danger. Pompey assured him that Clodius meant no harm, and the orator fancied that his many friends could and would protect him. But he saw that the Roman Republic was a mere name, and turned to advocacy and literature in sorrow and disgust. Rome was now a very uncomfortable place for republican statesmen. In August occurred the obscure affair of the informer Vettius, who pretended to reveal a plot for murdering Pompey. The design was probably to alarm Pompey and keep him under the influence of Caesar. After it had served its purpose, the informer was got rid of. The matter dropped, but a number of the aristocratic party had been made uneasy by the mention of their names. At this time Cicero was engaged in the defence of his friend L. Valerius Flaccus on a charge of extortion in the province Asia. Flaccus had helped Cicero in the affair of Catiline, and the real aim of the prosecution was to punish him for the part he took on that occasion. It was another of Caesar's moves. Cicero's speech was on lines exactly opposite to those followed in his accusation of Verres. His case was a bad one, but the jury could not resist his appeal, not to let Flaccus be made a victim of Catilinarian reaction. So Flaccus was acquitted, and the provincials of Asia got no redress. But the matter did not end here. Cicero had shewn that he was not to be turned from the policy adopted by him as consul. He was devoted to the 'harmony of the Orders,' and all that it implied. Caesar could not go off to Gaul, leaving the orator at work, in

Rome. Cicero must be removed, and he would not accept offered posts and withdraw on a decent pretext. One course only remained. Caesar signified to Clodius that he would have a free hand to deal with Cicero.

518. Some time before the elections, which Bibulus contrived to defer till October, perhaps in July, Caesar carried one of his measures of reform, the *lex Julia repetundarum*. Its aim was to improve provincial administration. In particular it restricted the right of governors to make war, a power often abused, and endeavoured to lessen the burdens laid on the provincials by the proceedings of accusers collecting evidence. It guarded against the falsification of official accounts by requiring two copies to be kept in the province, besides the one sent to Rome. It provided for safe custody of documents, and for shortening the procedure of a trial. A good law, no doubt, and one long kept in force. But, so long as corruption prevailed in Rome, no laws could really put an end to extortion abroad. Caesar did what he could. And now the offices for the next year (58) had to be filled. The aristocrats must not be allowed to resume power and undo the work of the coalition. The Three were unofficial usurpers, and to their rule there was no alternative but a return to anarchy. They had made their arrangements. L. Calpurnius Piso and A. Gabinius were chosen consuls, and among the tribunes was Clodius. Opposition was futile. When a young man proposed to prosecute Gabinius for bribery, he had a narrow escape from being murdered by ruffians acting for the Triumvirs. While Caesar's army was being organized, the plans for the next year were carefully laid. He evidently guessed that Pompey and Crassus would not be able to direct affairs effectively in his absence. Clodius was to see that Cicero and Cato were sent away from Rome. The consuls were to back up Clodius. Clodius was to see that the inferior provinces assigned to these consuls by the Senate were exchanged for richer ones by a vote of the Assembly. This was to be their reward for subservience. All these arrangements bear the stamp of Caesar. He certainly used power well, but he never forgot that, to do this, he must get power and keep it. And he was coolly indifferent as to the means. Still people regarded Pompey as the real chief, and he was too vain to undeceive them: indeed, under Caesar's dexterous management, he shared the delusion himself.

519. Thus, when Clodius entered on office (10 Dec. 59), his programme was ready. He at once gave notice of four measures, the passing of which would make him for the time master of Rome. First, the mob were to be won by abolishing the small payment still required for the state-corn. Secondly, they were to be organized for political action, by reviving the sham gilds (*collegia*) suppressed by order of the Senate in the year 64. Thirdly, the use of religious hindrances was to be so restricted as to be no check on legislation. Fourthly, the expulsion of members from the Senate was to be permitted only after open challenge of a member's fitness and the joint condemnation of the two censors. This last was to prevent censors, appointed in Caesar's absence, from ejecting Caesarian senators. Early in 58, with Gabinius and Piso consuls, and Caesar on the watch outside with his army, the four bills became law. Rome was at the mercy of Clodius with his organized gangs, including all sorts of ruffians, even slaves. The next stage was the introduction of three bills forming a consistent scheme. One assigned Macedonia to Piso, and Syria to Gabinius, as their provinces for 57—56. Another was aimed at Cicero, to procure his banishment. A third provided a means of getting rid of Cato. Perhaps the first here named was to be voted on last; at any rate the consuls were bound to support all three in order to benefit by the one.

520. Cicero had been lulled into security by the assurances of Pompey and Caesar. He had expected an attack in the form of a trial before a public court, for *mates las* no doubt. With a jury of well-to-do citizens his eloquence would probably prevail. But Clodius named no names. His bill outlawed any person who had put to death a Roman citizen without a regular trial and sentence. Once it became law, Clodius had only to impeach Cicero before the Assembly, and the orator stood no chance. The present Assembly was certain to do the bidding of Clodius. The Father of his country was in dire straits. Vainly he humbled himself in the hope of defeating the bill. Caesar affected to desire that the matter should go no further, but he repeated his opinion of the illegality of the execution of the conspirators, and Clodius knew what this meant. Crassus was hostile. Pompey, true to himself, shuffled, and referred Cicero to the consuls in office. No comfort was to be got from Gabinius or Piso, who had sold themselves (or rather Cicero) for a price. Private friends and supporters could do nothing. Only force could avail them

now, and Caesar had managed matters so that force was on the other side. Therefore the general conclusion was that Cicero must make up his mind to go. Some useless efforts were made to induce the consuls to intervene against Clodius. But about the middle of March the crisis came. Cicero left Rome just before Clodius carried his three laws, and went into exile. Clodius quickly procured his outlawry and the confiscation of his property. He was not to remain within 400 miles of Italy: within that limit, to kill him was no murder. He fled eastwards by way of Dyrrachium. At Thessalonica he was still within the zone of danger, but Cn. Plancius, quaestor to the governor of Macedonia, protected him, so that he was not compelled to move on. There the great orator, to whom the life of Rome was everything, passed weary months in a state of collapse and despair.

521. The removal of Cato was not less adroitly managed. A law was carried by Clodius to annex the island of Cyprus. He then urged the appointment of a thoroughly trustworthy commissioner with full powers, to see that the Roman state was not defrauded of any part of its new property. Cato was the very man, and Cato was forced to go, though sorely against his will. He could not on his own principles definitely refuse to obey the order of the Assembly, even though controlled by Clodius. For fear he should do the work speedily and return too soon, he was also charged with the duty of settling some matters in dispute at Byzantium. Cyprus was taken over without a war. The reigning Ptolemy, a brother of the Piper, poisoned himself. Cato left his nephew M. Brutus to take possession of the royal property, while he dealt with the Byzantine questions. Brutus, reared in Cato's high principles, was like other noble Romans. He took the opportunity of being first in the field to invest capital in the new country. The Cypriotes, no doubt called upon for payments in cash, were driven to borrow from him at ruinous interest, and he remained some years in the East, wringing a fortune out of the subjects of Rome. Cato did all his business thoroughly and incorruptibly. Cyprus was made a part of the great province Cilicia. Over £ 1,500,000 is said to have been collected for the Roman treasury. Cato did not return to Rome till the year 56. Meanwhile many things had happened. Caesar had only waited to see the three Clodian laws safely passed in March 58, and then set out, none too soon, for Gaul.

CHAPTER XXXVIII

CAESAR IN GAUL 58-56 B.C.

522. It may be well to begin this chapter by distinguishing the various countries to which the name *Gallia* was applied by the Romans. First, there was the Cisalpine province, the southern or Cispadane part of which had the Roman franchise, while the Transpadane enjoyed only the 'Latin right.' It was often spoken of as the Hither or Nearer Gaul; also as the 'gown-wearing' Gaul (*togata*); the Romanizing of the people being shewn in wearing the costume of Rome. Beyond the Alps lay Transalpine or Further Gaul. Of this the southern part was the Roman province of Narbonese Gaul, which in the region of the Rhone extended right up to the lake of Geneva, but further to the West was a narrow strip of territory reaching inland about 100 miles from the sea. It enclosed the territory of Massalia, Rome's old and valued ally. The chief Roman city in it was Narbo. In that and other cities many Romans were settled, and Roman habits were spreading: but the old native garb, the treads (*bracae*), still prevailed, so that *Gallia bracata* was a name often given to the Narbonese province. North and West of this lay the great mass of independent Gaul, often called by the general name of *Gallia comata*, from the native fashion of wearing the hair long. The free Gauls were grouped in a great number of tribal units of very various degrees of strength. The weaker tribes followed the lead of the stronger. In every part of the country there was some tribe either accepted as leader or engaged in winning a dominant position by overcoming a rival. There was thus a certain loose confederation in many parts, but no sort of general

union. The people were not all of one stock. A short dark race, probably akin to the Iberians or Ligurians, were still spread over a wide area, but were dominant only in the South-West, under the general name of Aquitani, between the Garonne and the Pyrenees. The ruling race of central Gaul, the *Galli* proper, were known as *Celtae*, and belonged to the stock now called Celtic. In the far North were a number of tribes, known by the general name of *Belgae*, probably in the main Celtic, but said to be partly German. The name or *Celtae* was sometimes used of Germans as well as of Gauls. Caesar distinguished the two, but both races are described as fair and tall.

523. Some tribes were much more civilized than others. Roman traders were now doing business beyond their own frontier, and the influence of Massalia had been felt for centuries. Barges plied on the rivers. The Belgic tribes were in general ruder and more warlike than those more to the South. Most of the Gaulish tribes were now ruled by an aristocratic caste of nobles or 'knights,' and presided over by a yearly magistrate; but a few seem to have been still under chiefs or 'kings.' Wealth was generally in few hands, and the rich kept bands of retainers, and competed for power. As in Asia Minor, and as formerly in Italy, the typical Gaul was lively impatient fickle boastful and fond of display. The golden collar of the Gaulish noble was one of the forms in which the precious metal was hoarded. A mysterious religion pervaded the country, strengthening the resistance to foreign invaders, but apparently unable to create a national spirit and promote union. The priestly class, the Druids, had considerable power. The rites included human sacrifices, the dogmas the belief in the immortality and transmigration of souls. As the Gaulish tribes lacked political cohesion, and were loth to make sacrifices in a common cause, so their military efficiency was greatly impaired by the lack of discipline and willingness to obey. The bravery of Gauls was undoubted, and Gaulish mercenaries had served for centuries in many lands. Hundreds of thousands had perished in the service of Carthage alone. But in their own country, under their own institutions, though able to place great forces in the field, they could not produce an army. Previous victories over the Roman legions in the South had been due to the mismanagement of Roman generals.

524. For some years past affairs in Gaul had been tending to a crisis. Rome had annexed a part of the South, but was more concerned to enjoy this possession than to extend it. Having secured the land-route to Spain, and destroyed the Cimbri-Teuton invaders, she was not desirous of further wars, and pursued a pacific policy. As usual, diplomacy looked beyond the frontier. We have seen¹ her allied with the Aedui, whose misfortunes caused great anxiety, and revived Roman interest in Gaulish questions. It was not likely that a policy of sitting still and sending occasional embassies would long suffice to keep the Roman province unmolested. Pressure from another quarter had changed the situation in Gaul. As the Romans had come northwards along the Rhone, so Germans were coming southwards along the Rhine. Thousands of them were already settled to the West of that river, and many more were ready to follow. In the recent troubles, those Gauls who called in the aid of Germans had utterly defeated those who vainly relied on that of Rome. Roman prestige was consequently low. In all Gaulish tribes there was a 'national' party, to whom the presence of either Roman or German was alike unwelcome. This section was now strong even among the Aedui, where a pro-Roman party had till lately monopolized power. The Gauls seem to have been quite unaware of their own comparative weakness. No one could then guess that a mighty struggle was close at hand, in which the real issue would be, not Gaulish freedom, but whether Roman or German should be master in Gaul for about 400 years.

525. At this moment there was a further complication. The Helvetian Celts, pressed by the Germans behind them, were about to migrate in a body, to seek new homes in the West. Whether they had in view some particular district, and how far it is true that they had great schemes of conquest in Gaul, are matters of doubt. At all events the death of Orgetorix, the first leader of the movement, who was said to have conspired with two chief men in the tribes of the Aedui and Sequani, did not stop their migration. The project was known in Rome early in the year 60. In 59 Caesar, as consul and prospective governor of Roman Gaul, had to deal with the question. He was busy in Rome, so he wisely did what he could to avoid having a collision with the Germans and with the Helvetii at the same

¹ See § 508.

time. Ariovist the king of the intruding Germans was recognized as a Friend of the Roman people, and the compliment served to defer the inevitable conflict for a while. In March 58 news came that the Helvetii were on the move. There was no time to be lost, for to allow all Gaul to be disturbed by the migration of a whole people would surely lead to serious consequences. At the very least it would create an impression of Roman impotence, for the wanderers meant to enter Gaul by way of Roman territory. And this was certain to strengthen the anti-Roman partisans in the Gaulish tribes. Here was a danger menacing the province. Caesar therefore only waited till he had set Clodius to work, and set out post-haste for Gaul. He had only one legion at the front as yet, but he reached Genava in time to prevent the Helvetii crossing the Rhone by the bridge there, which he broke down. Debarred from taking the easier route on the left bank of the river, they now sent to ask his leave to pass that way. Caesar temporized while he built forts to block the fords. Then he refused their request, and beat off their attempts to force a passage. They had to travel by the bad route on the right bank of the river. Caesar left his lieutenant Labienus in charge, and hurried back to bring up his main army from the Cisalpine.

526. We may pause here to note that Caesar was responsible for the administration of a province extending from the border of Macedonia to the Pyrenees. During the wars in Gaul he had to discharge many of his civil duties by deputy; but his practice was, at the end of each campaign, to put his legions into winter quarters, and return to the Cisalpine, sometimes to Illyricum also. There he not only held his *assizes* (*conventus*) in person, but kept an eye on subordinates. This care for the interests of the governed was most important. His popularity enabled him to draw from his province a constant supply of willing recruits, and he was never more popular there than at the very end of his government. Moreover his winters in the Cisalpine brought him nearer to Rome, and into closer touch with men and things at the centre. Even in the far North he kept up regular communications with the city by letters and agents, but in the Po-country he was able to receive visitors. At the present time he had three legions at Aquileia. He raised and equipped two more, took the whole five over the Alps, joined Labienus, and caught up the Helvetii before they had got far on their

journey. Their vast caravan of rude waggons, conveying the women children and stores of a whole people 'trekking,' could only crawl along. Caesar could catch them as Marius caught the Teutons. At this point Caesar's Gallic war really begins, and we may well forestall matters by considering briefly the composition and organization of the great army which was still new and was only brought to perfection in the campaigns of eight momentous years.

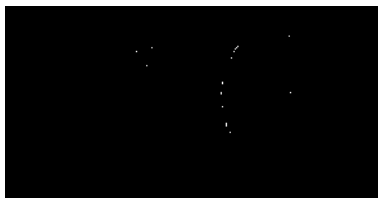
527. Of the legions we need only remark that, as time went on, they were losing their strictly Roman character. Transpadane 'Latins' were taken into the ranks, and perhaps Illyrians also. When he raised a whole legion of Transalpine Gauls is uncertain. Cavalry and light troops were drawn from various parts of the Roman empire. In the later stages of the war considerable auxiliary forces were raised among the Gaulish tribes faithful to Rome, but it was never safe to rely much on their loyalty in a struggle with their countrymen. Caesar's great military discovery was the employment of mercenary Germans, who did him invaluable service in the last campaigns and afterwards in the civil war. In equipment and training the legionaries were far superior to their adversaries, and able to face tremendous odds. The artillery of the time (*ballistae* etc.) also gave the Roman an advantage against the Gaul. This department, and still more that of engineering, had not only a material effect but a moral one, even more important. Siege-works, bridges, and the building of large fleets of ships, were all calculated both to serve some immediate military end and to create an impression of irresistible power. Moreover, the work carried out (such as ship-building) in the winter camps no doubt prevented the men from losing efficiency in dreary idleness. The typical Caesarian soldier was beyond all things a 'handy man.' In days before maps, scouting exploring and surveying were of extreme importance, and these services were carried to a high degree of perfection. There was also a good staff of interpreters. But beyond all these departmental merits the spirit of the army was the main thing. Discipline and enthusiasm went hand in hand under a leader who never overlooked good service in others, and whose own nerve never failed. Caesar had some experience of war, but it was the practical work of the northern wars that made him a great general. Whether, in training his army and himself, he

Gaulish gold coin, imitated from a Macedonian stater.

obv. Head of Apollo.

rev. Chariot.

See § 353.



Gold coin of M. Brutus, coined 43—2 B.C. by one of his lieutenants.

obv. Head of Brutus in laurel wreath. BRVTVS IMP.

rev. Trophy, between 2 ships' prows. CASCA LONGVS.

See §§ 625, 635.

Denarius of 41 B.C.

obv. Head of Antony.

rev. Head of Octavian.

The two chiefs are each called III vir R(ei) P(ublicae)
C(onstituendae).

See § 634.

was already looking forward to a time when he must either perish or dictate terms to the Roman world, is a question to which it is hardly possible to give a confident answer.

528. The Helvetian "migration had to be stopped, and Caesar did stop it. This much is certain. After much slaughter, the rest of the wanderers were sent back to their old homes. The details of the pursuit and the fighting are doubtful and obscure. The point of most interest is the relations of Caesar to the chiefs of parties among the Aedui. The 'nationalists' were powerful, and their leader Dumnorix commanded a contingent of Aeduan cavalry who misbehaved themselves suspiciously in action. Even more serious was the delay in furnishing promised supplies of food. The Roman army had to depend on local supplies, and indeed commissariat difficulties were the greatest obstacle to campaigning in Gaul. Caesar discovered the treachery of his Aeduan allies, but after getting the needful corn he smoothed matters over for the present.. The Helvetii being driven back, Caesar (so he says) was urged by envoys from a number of Gaulish tribes to turn his victorious army against the Germans under Ariovist. New swarms were joining them from beyond the Rhine: was he going to let them spread all over Gaul? The truth is, Caesar needed nobody to teach him that the Germans must be kept out at all costs. Negotiations were no more than a decent preliminary to war. Neither side meant to accept the other's terms, so Caesar set out to settle matters with the sword. Ariovist held the Alsatian country; Caesar marched North-East along the line of the river Doubs. The campaign nearly came to a shameful end at Vesontio (Besangon), owing to a panic in the army. Stories of German strength and ferocity quite unnerved the young gentleman-cadets who according to custom were seeing a little service under the proconsul. Their fright infected others, till even the centurions lost their heads, and the army was utterly demoralized. Caesar was not. If the army was necessary to him, so was he to the army, and he knew it. By sheer magnetic power and force of will he restored their tone, and convinced them that they must fight and conquer. Once in presence of the enemy, insincere negotiations and manoeuvres caused some delay. But in the ensuing battle Roman skill and steadiness prevailed over barbarous valour. After great slaughter the remnant of the Germans

fled, and for the present there was peace along the Rhine. Caesar quartered his troops for the winter in the country of the Sequani. Now the Sequani were not included in the Roman province. It was naturally inferred that a further advance was in contemplation.

529. While Caesar was busy in the Cisalpine during the winter of 58—57, he heard that the Belgic tribes were preparing for war. He raised two more legions, and sent them to the front. When the season opened, he followed himself, and at once set out to face the enemy. A number of strong tribes were in arms, but as usual there was not unanimity. The Remi, mistrusting their neighbours, came to terms with Caesar, and provided him with a base of operations. Indeed they remained the steady friends of Rome, and contributed, far more than the Aedui, to the Roman conquest of Gaul. The first part of the campaign resulted in the submission of the Suessiones Bellovaci and Ambiani, tribes lying to the West of the Remi. They were not really conquered, but Caesar had an object in granting them mild terms. For the moment their pacification isolated the tribes to the North, Nervii and others, from the coast-tribes of the far West in Aremorica, now Normandy and Brittany. And he thereby began a policy to which he steadily adhered, and by which he was enabled to justify his aggressions from a Roman point of view. By placing an enemy in the position of surrendered foes (*dediticii*) he gained two things. If these people broke the peace, they were regarded as rebellious subjects. If any other people molested Roman subjects, Rome was bound to protect her own. In punishing rebels and defending the loyal the proconsul was on the face of it only doing his duty. His rivals and enemies in Rome could not attack him for acting in accordance with Roman traditions. In short, Caesar in his camp never lost sight of the party movements and gossip of the Senate-house and the Forum.

530. The campaign in the North was a hard one. A piece of carelessness on Caesar's part allowed the Nervii to take him at a disadvantage. The steady legions averted a great disaster, and beat off the enemy with immense loss. Again submission was accepted. With the Aduatuci (of German origin) the same course was followed; but they tried to surprise the Romans after surrendering, and Caesar sold the whole captured population into slavery. For slave-dealers were, as usual in these days, in

attendance on the Roman army. Another result of the successful campaign of 57 is seen in the mission of young P. Crassus (son of M. Crassus) to the West with a single legion. He was sent to require the submission of the Veneti and other Aremorican tribes. They thought it best for the moment to acknowledge the sovereignty of Rome, insincerely no doubt. But this was enough for Caesar's purpose. He had by this time resolved to attempt the conquest of all Gaul. He quartered seven legions for the winter in camps along the river Loire. In this position they cut off the Aremorican tribes from those of central Gaul, and lay conveniently for access to the seaboard. Meanwhile the annexation of practically unknown lands made a profound impression in Rome. The Senate decreed a public thanksgiving of the unprecedented length of 15 days. Caesar's agents took care to remind the mob of their absent favourite by the usual means. The proconsul himself spent a busy winter in the Cisalpine and Illyricum. Here he received news of a great Aremorican rising, headed by the Veneti. He at once sent full orders for the building of a fleet on the Loire and preparations for a naval campaign in the following summer. His own return to the front was delayed by urgent questions of Roman politics. In pausing to consider these we shall see that the war in Gaul was not a detached episode of conquest, but closely connected with the inner history of Rome.

CHAPTER XXXIX

AFFAIRS IN ROME 58—55 B.C. THE CONFERENCE OF LUCA 56 B.c.

531. We have seen that Caesar did not set out for Gaul until Clodius was well started on his career, and the removal of Cicero and Cato assured. Caesar's departure left Clodius to act on his own account. Backed by a gang of ruffians, the tribune was for the time master of Rome, and he turned his opportunities to his own profit. The consuls could do nothing with him. He treated even the great Pompey with contempt, and at length drove him to shut himself up at home. Crassus did nothing, and probably was in secret encouraging Clodius. The truth was that Pompey and Crassus could do nothing without Caesar. The republican constitution had been superseded by the power of the three partners. That power had become ineffectual in Caesar's absence, and the result was confusion, at any moment liable to become sheer anarchy. Cicero's friends began to move for his recall, but no practical step was possible while Clodius was tribune. After the elections for 57 the prospect was brighter, for most of the new magistrates were in favour of his restoration. The matter was seriously taken up at the beginning of the new year. To ignore the proceedings of Clodius as illegal would have called in question his other acts, not affecting Cicero, and might have caused great inconvenience. Therefore the Senate, guided by Pompey, wisely decided that it was necessary to proceed by a special law for Cicero's recall. And this necessity involved delay, for Clodius, no longer tribune, was still at the head of armed bands and able to prevent any such proposal becoming law. Rioting and bloodshed, in the absence of Caesar's

army, could only be met by the same use of force. So the men opposed to Clodius raised armed bands, chiefly slave-gladiators, and fought for the mastery. The most notable leader was the tribune T. Annius Milo, a turbulent unscrupulous fellow, well suited for the work in hand.

532. The recall of Cicero was now a sort of test-question in politics. Pompey was in favour of it, but had been corresponding with Caesar, by way of overcoming his own irresolution. Caesar, personally attached to Cicero, only stipulated that the orator, when recalled, should not make himself the mouthpiece of opposition to the triumviral policy. Crassus at all events was not actively hostile, and his son Publius was a devoted admirer of Cicero. In the streets the costly warfare went on, but Milo began to get the upper hand of Clodius, and it became possible to get something done. In June some progress was made. Clodius was isolated in the Senate, and the House proceeded boldly. Voters were summoned from the country towns to support a bill in an Assembly by Centuries, and on the 4th August the bill became law. The exile had for some time been waiting at Dyrrachium, and was well informed of the course of events. He ventured to cross the Adriatic, and landed at Brundisium on the 5th August. Three days later he heard the news of his formal restoration. He had a grand reception as he made his way to Rome, and in the city itself. After an absence of about a year and a quarter he returned in glory to the scene of his former triumphs, and was a Roman public man once more. He began life again with speeches of thanks. For the moment all seemed well. But he had to learn, and soon did learn, some unwelcome truths. He had been restored, not in defiance of the three partners, but with their leave. For the present the Three held together, and the real power was in their hands. In Rome Pompey was the chief figure. Cicero was no longer a public man free to plan and act on his own judgment, so far as he could induce others to follow him. He had no following of his own. He soon discovered that not a few were jealous of his eminence, and his constant harping upon his exile and recall was both tiresome and unwise.

533. Meanwhile Rome was as usual hungry, and short harvests in 57 made the supply of corn difficult. Clodius imputed this to divine anger at the recall of Cicero. A practical

remedy was sought by creating another grand commission with exceptional powers. Of course Pompey was appointed to this charge. For *five* years he was made supreme in the Mediterranean, and his power of organization was again equal to the task. Corn was procured, and Clodius now declared that the scarcity had been artificially produced in order to furnish an excuse for making Pompey commissioner. No doubt Pompey had welcomed the opportunity. His friends had suggested the grant of even wider powers, to make him supreme over all provincial governors, in fact an Emperor. But this could not be carried, for the republican aristocrats were against it. So Pompey was again put to the front, but it was, as Cicero found, not yet possible to bring him into effective union with the 'best men.' Cicero himself was also making enemies by abusive oratory. His position became more and more uncomfortable, for the great nobles would not be led by him. He detected in them a want of sympathy with his claims, and set it down to their jealousy. He had been guaranteed restitution of his property, but the consecration of the site of his town house by Clodius caused him much trouble. When the pontiffs cleared away this difficulty, the question of the compensation due to him for the destruction of this and other houses came up, and he thought that the valuers appointed to assess the damages treated him meanly. Nor was rebuilding accomplished without bloody combats with the gangs of Clodius. Rome was in utter disorder. There was no government able and willing to enforce its will. In this state of things the aristocrats were able to fill both consulships and most of the praetorships for 56 with their own men. But the power of the Triumvirs, though weakened, was not really overthrown. Milo held Clodius in check, but could not prevent his being elected aedile.

534. Among the intrigues that went on in this time of confusion a new Egyptian question deserves notice. The Piper king was begging to be restored to the throne from which a rebellion had lately driven him. A deputation from Alexandria also came to plead against his restoration. Bribery went on freely as usual. The restoration was agreed to, in spite of opposition. The question then was, to whom should the business be entrusted. The real wish of the Senate was to leave it in the hands of the present consul Lentulus Spinther, who was to be

governor of Cilicia (with Cyprus) in the coming year (56). But Pompey wished to be employed. Months went by, and no final decision was reached. A passage in the Sibylline books was cited to prove that the intervention in Egypt must take place without an army. The matter dragged on into the spring of 56. Lentulus was never fully instructed to act, so he did nothing. Pompey did not care to go without a suitable force. This he could not have, thanks to the jealousy of the nobles. Crassus seems to have joined in thwarting his ambition. Such was the pitiful state of Roman politics in the absence of the only man who knew what he wanted, and who, if present, would assuredly not have allowed the government to become a mere scene of deadlock and impotence. In the early months of 56 things were worse than ever in Rome. Clodius was again rampant. He and his associates, probably encouraged by Crassus, were too much for the hesitating Pompey, who was driven by their insults and violence to combine with Milo, and to raise armed bands of his own. Anarchy could hardly go further. Cicero was helpless, and knew not whither to turn. He was disgusted with the aristocrats, though he was a loyal republican. So he was gradually drawn towards Pompey, whom he regarded as the first man in the state. True, Pompey was leagued with Crassus and Caesar. But the coalition seemed to be breaking up. Cicero certainly did not mean to support the three partners in a policy dangerous to the Republic. But he soon learnt that, if he were unwilling to be their open enemy, he must be content to obey their orders.

535. In the joint policy of the Triumvirs no article was more important than the land-law by which Pompey had been enabled to quiet his veterans with allotments. In Campania, the district chiefly affected, there seems to have been some trouble. We do not know exactly what had gone wrong, but on the 10th Dec. 57 one of the new tribunes addressed the Senate on the need of some change. The matter was adjourned to the 5th April 56, that Pompey, who was away on corn-business, might be present. Cicero, who was charmed to note the justification of his own resistance to the allotment of the *ager Campanus*, took part in advocating a change of policy. To Pompey any proposal to disturb his veterans was surely unwelcome, but according to Cicero he made no open objection. The matter was again adjourned to the 15th May, and Pompey again left Rome on the

business of corn-supply. The 15th May came, and the debate on the Campanian land was not resumed. In seeking the reason for the abandonment of the proposal we come upon the most important event of the year 56, an event by which all the remaining history of the Roman Republic was profoundly influenced.

536. Caesar had despatched his administrative business in the winter of 57—56, and had sent orders to the army in northern Gaul. But he waited for a time in the Cisalpine. It was high time to attend directly to Roman affairs, if he meant to guide them. Crassus and Pompey could not by themselves work in harmony. Both had ambitions, and each was jealous of the other. The republican nobles were gaining ground. Cato had either returned or was just returning. Cicero had begun to tamper with the Julian land-law. Some were already talking of recalling Caesar himself from Gaul. Caesar was by no means ready to deal with all these troubles single-handed, if indeed he at this time contemplated the possibility of his ever having to be the master of Rome. His two partners were at present necessary to him. Therefore he must at all costs revive the coalition. He arranged a meeting at Luca, a town in northern Etruria, on the border of his province. Here there were no Senate or Assemblies or tiresome magistrates. Under Caesar's dexterous management Pompey and Crassus were again united to promote their common interest. Their several ambitions were promptly gratified. Pompey was to have the two Spains for five years, and was to be free to govern by deputies, in case he preferred to remain near Rome. Crassus was to have Syria, and to be free to undertake a Parthian war, though Rome and Parthia were at peace. Both were to have armies. Caesar was to have his command prolonged for five years, that is from March 54 to March 49. All this rested on the assumption that the constitutional organs of the Republic could and would be made to work in compliance with the will of the Three. Here we see the hand of Caesar. He knew that the government as conducted by the aristocrats was a mass of corruption and sham, and was quite prepared to use all needful means of coercion for its practical improvement. All the Three wanted to gain their own ends: Caesar alone was masterful or unscrupulous enough to take the necessary steps.

537. In order to control the machinery of government, it was agreed that Pompey and Crassus should be consuls in 55,

and that men willing to serve the coalition should so far as possible fill the other offices. Thus the bargain about the provinces could be made secure. It was said that the names of consuls for years to come were also settled at the conference, and that Pompey had the list in a private note-book. Stubborn opponents, such as L. Domitius Ahenobarbus and Cato, were to be thwarted by all means. In particular the restless Cicero must be brought to book. This Pompey undertook to do. Q. Cicero was serving under him in the charge of the corn-supply. He warned Quintus that his own prospects would depend on his brother's behaviour, and Quintus at once passed on the warning to Marcus. Clodius was for the present put under some restraint, but the orator did not wish to be left a second time at his mercy. It was necessary to submit; so no more was done in the matter of the Campanian land. Nor was this concession enough. Cicero could not bear to retire from politics. Though he had much in common with the aristocratic republicans, he was now disgusted with them. Though he knew that under the control of the coalition his beloved Republic was no more than a name, he was drawn bit by bit into the position of servant to the three partners. Flattering messages from Caesar smoothed the unwelcome transition, and as time went on it was a source of gratification to hear of the respect paid to his letters of recommendation at headquarters in Gaul.

538. The conference of Luca had also a notable effect in raising the position of Caesar. Knowing men had guessed that it would be an important occasion, and numbers (among them more than 200 senators) visited the town in hope of forwarding their own interests. They were well received. Politicians likely to be useful were treated to a share of the gold of Gaul. Conversation with Caesar's staff convinced many that there were opportunities of winning glory and profit in the northern war under a lucky and generous commander. Not a few young nobles were eager to serve a campaign or two in Gaul, and every such cadet was a guarantee against the active hostility of his relatives in Rome. But the ambition was not confined to striplings. Quintus Cicero was fired with it, and in 54 we find him one of Caesar's trusted lieutenants. So Caesar, while obliging his two partners, quietly gained ground, and people in Rome learnt to look with more and more interest for exciting news from

Gaul. Meanwhile the first half of this year 56 was a busy time for Cicero as a pleader. In the earlier speeches, before the conference of Luca in April, he was still more or less free to speak his mind and to take a line of his own in referring to public affairs. After his warning he had to fall in with the general policy of those who were now virtually his masters. It was a relief, in defending M. Caelius on a criminal charge, to be free to abuse Clodia, the notorious sister of his old enemy; but he had Crassus for his fellow-counsel. Rome was still a good deal disturbed, but popular discontent grew less as time went by, and Pompey's organization provided a better supply of corn.

539. We must bear in mind that the compact made at Luca was a private affair. Business went on in the Senate, and votes were passed in accordance with the wish of the Triumvirs, but it was not known that Pompey and Crassus meant to be consuls in the year 55. By the law of C Gracchus the provinces to be held by the consuls of 55 after their year of office had to be fixed in 56 before the election. This matter was debated in June, and it was the occasion of a fine speech by Cicero. In ignorance that they were discussing what had already been decided at Luca, the House treated the matter seriously. The interesting feature of the debate was the attempt to provide for superseding Caesar in Gaul. To all proposals having this tendency Cicero offered a strong opposition. He had to explain his change of front, and he ingeniously justified his support of Caesar as the result of a reconciliation. But the truth was that he had made submission to Caesar, and in letters to friends he confessed that he was ashamed of himself. It seems that nothing came of the debate, which was from first to last an illustration of the unreality of the Republic under present conditions. Yet the republican aristocrats were by no means ready to submit to the permanent control of an informal coalition. Cicero had left them, but in the spring of 56 Cato returned from the East, and paid into the treasury the vast sums of which he had taken possession on behalf of the state. In him the Republic recovered an undaunted champion. He soon fell out with Cicero, and for some time these two sincere patriots were unhappily at variance. The orator remained uneasily obedient to his new masters. Later in the year Balbus the Spaniard was prosecuted on a charge of illegal assumption of the Roman franchise. It was really an attack on the

Triumvirs, and Cicero had to defend him. An acquittal was the result.

540. The republicans evidently hoped to give a new turn to public affairs by success at the elections. But the three partners had agreed to prevent an election being held in the current year. Means were found to effect their purpose, and the year 55 began without consuls or praetors. The consular election was held in January by an *interrex*. L. Domitius was the only rival who persisted in his candidature. He was driven off by armed violence, and Pompey and Crassus became consuls. In February they held the praetorian election, and with their armed gangs and Caesar's gold they managed to keep out Cato and bring in their man P. Vatinius. Caesar's bold policy had triumphed. Before we proceed to consider the momentous events that led up to the great civil war, it will be best to finish the story of Caesar's doings in Gaul.

CHAPTER XL

CAESAR IN GAUL 56— 50 B.C.

541. The campaign of the year 56 opened late, owing to the important business by which Caesar was detained in Italy. His first object now was to conquer the Aremorican tribes in the North-West, in particular the rebellious Veneti. To free himself for the main operations, he detached forces to the South and South-West, and to the East, while another body invaded northern Aremorica (Normandy and N.E. Brittany). His fleet was ready, commanded by Decimus Junius Brutus, but was for some time weather-bound in the mouth of the Loire. He began operations by land, but could make little progress. The enemy were seafaring folk, and he could not catch them: when a headland fort was no longer defensible, they gave him the slip by water. At length the Roman fleet appeared, but it laboured under grave disadvantages. The local waters were strange to the Roman skippers, and the galleys were of the Mediterranean model, ill suited to face Atlantic waves. The skilful seamen of the Veneti knew every channel and shoal, and their stout vessels, impervious to the beaks of galleys, were specially built for service in rough waters and able to take the ground without hurt. But they were heavy sailing vessels, while the Roman galleys were propelled by oars, and thus able to manoeuvre in a dead calm. Caesar and his men ran a great risk by depending on the fleet for safety; but the Veneti staked everything. The battle was a decisive Roman victory, partly won by cutting the slings that carried their yards, so that they could not sail, and then boarding. The wind too died out, and the ships, now helpless, were taken one by one. Fortune had favoured a rash venture. The Veneti had to submit, and Caesar treated them with great severity as a warning to others.

542. His lieutenants were also successful. The northern *Aremoricans* were beaten and forced to surrender. The *Aquitanian* tribes in the South-West, though helped by *Spaniards* who had served under *Sertorius*, fared no better. There was no firm union or discipline, and they easily succumbed to Roman skill. An expedition made by Caesar himself late in the season against the *Morini* and *Menapii* in the far North effected little beyond laying the country waste. The eastern operations under *Labienus* seem to have served their purpose, for there was no great rising in those parts. But there was reason for some uneasiness, for some German tribes were known to be restless. Caesar quartered his army for the winter in the region between the *Seine* and *Loire*, to watch the new conquests, and himself returned to the *Cisalpine*. In the year 55 news from the North brought him back to the front earlier than usual. Masses of Germans were on the move, and the terror inspired by these hardy warriors left no doubt that he would have to fight them. Unless he could prove without delay that the Roman was able to drive out the German, the Gauls would never acquiesce in subjection to Rome. And a sharp lesson was needed. The fertility of the German race was prodigious. They were ever wanting more room, and were ever ready to win new lands with the sword. The stronger tribes, or confederacies of tribes, were ever pushing on the weaker. The *Suebi*, mightiest of all, had lately dislodged the *Usipetes* and *Tencteri*; and these tribes, driven to the North, had passed the *Rhine*, seized a large district in the *Menapian* country, and wintered there. Early in 55 they began to spread southwards, and were in communication with some of the *Gaulish* tribes of the North-East.

543. Negotiation was of course vain. The Germans meant to stay in Gaul: Caesar could not allow them to remain. At all costs they must be driven out. An obscure but effective campaign followed, marked by misunderstandings, and perhaps treachery, on both sides. Caesar found himself in great danger, owing to the disloyalty or panic of his *Gaulish* auxiliaries. From his own narrative we may gather that he stooped to gain an advantage by treacherous dealing. He seized the German leaders who had come to deal with him, and fell upon their main body unawares. They were either cut down or driven into the river. So he saved his army. In Rome his victory was honoured, but

Cato and others made party-capital out of the affair, urging that his barbarity was making enemies for Rome, and ought to be stopped. But nothing came of this talk. Caesar resolved to produce a moral effect on the Germans by passing the Rhine. For this purpose he refused to employ boats, and displayed Roman power by building a trestle-bridge. The army did the work in ten days, and marched over dryshod. After a short stay the demonstration was ended by returning into Gaul and breaking down the bridge. A dramatic expedition occupied what was left of the season. Caesar ordered his fleet to meet him in the land of the Morini, and paid a short visit to Britain. The direct result of this venture was practically nothing. In battle he could beat the natives, but he could not catch or conquer them. After a very brief stay he was glad to return, having lost some of his ships. Further operations in northern Gaul were necessary to quiet some of the Belgic tribes, among whom the legions were quartered for the winter. In Rome the news of the British expedition caused no small stir. The far-off island was only known by name, and imaginative gossip freely suggested possibilities of gain and glory to be won in its conquest. So Caesar had no lack of applicants for employment. He left orders for new and improved transports to be built for a second voyage, and went off to his duties in the Cisalpine and Illyricum.

544. That 600 ships of the new model, with all accessories, were turned out under most difficult conditions in the winter of 55—54, may give us *some* notion of the handiness and industry of Caesar's men. But before they could set out for Britain in the year 54 some precautions had to be taken in Gaul. The powerful Treveri (in the Rhine-Mosel country) were said to be intriguing with Germans, and likely to rebel. The proconsul went to them himself with an army, and settled a tribal quarrel by placing the leader of the Roman party in power. He took hostages for the good behaviour of the nationalist leader. But he found that in other tribes also nationalist chiefs were active. There was much discontent at the restraints caused by Roman overlordship, at the service of Gauls in Roman armies, at Roman consumption of native-grown corn. He resolved to take the malcontent chiefs with him to Britain as hostages. But Dumnorix the Aeduan still plotted to arrange a general refusal of these suspected men to embark. He was put to death, and the armada sailed. The

second expedition was made with a stronger force (5 legions) and several months were spent in Britain. Caesar penetrated some way beyond the Thames, and gained victories. A number of tribes made a show of submission, but there was no real conquest. For form's sake a yearly tribute was imposed, and a Roman protectorate declared. But nothing came of it. The expedition gave Caesar the opportunity of learning many things of interest concerning the country and the people, which he recorded for Roman readers. The material profit of this costly enterprise consisted in a number of captives carried off into slavery.

545 . We are speaking of the war in the North as a part of Roman history. It is therefore important to remember that Caesar was in constant communication with Rome, and that his career was attentively watched by Roman society. His headquarters were not a mere military centre. Much of the business there transacted was directly connected with Roman politics. His correspondence required a regular mail-service. The wealth gained in Gaul was partly spent on judicious loans and gifts in Rome. A few influential men were gratified by the promotion of their friends to positions of trust. The case of Cicero illustrates this careful 'nursing.' Caesar read the orator's works, wrote him flattering letters, lent him money, and in 54 gave his brother Quintus the command of a legion. In short, beside the direction of his military staff and the deputies engaged in the administration of his provinces, Caesar had a private staff of faithful assistants who kept him in touch with affairs at the centre, and discharged his commissions with intelligence and zeal. Such were Matius, who kept up the social life at headquarters; Oppius, who was his resident agent in Rome; above all the Spaniard Balbus, the trusty factotum who travelled to and fro on the most delicate errands, and enjoyed his master's fullest confidence. Thus the proconsul's camp in Gaul was being converted into a political centre, of hardly less practical importance than Rome itself. But we must note two events by which the coalition revived at Luca was severely shaken. Before the end of 55 Crassus had started for the East. Some time in the middle of 54 Julia died. Pompey remained in Italy, no longer watched by a jealous colleague, and no longer attached to Caesar by a beloved wife. No rupture took place openly as yet, but the gradual cooling of relations between Pompey and Caesar had momentous consequences.

546. After the British expedition of 54 Caesar had to prepare for the winter. A short harvest compelled him to quarter his legions in camps more widely scattered than usual. One was in the West, watching *Aremorica*: the rest were spread over the Belgic North. It is clear that there was cause for uneasiness at this time. A rebellious spirit was abroad. The *Carnutes* (between *Seine* and *Loire*) even broke out in revolt, and murdered the chief placed over them by Caesar. But when this rising was put down, and when all the legions were reported safely settled in their winter quarters, the proconsul still did not set out for Italy. His delay was soon justified. In the far North-East the *Eburones*, prompted by *Indutiomar*, the 'nationalist' leader of the *Treveri*, rose and beset the nearest Roman station. The senior officer in command lost his nerve. The whole force were induced to leave their camp and march to join another legion. On the march they were waylaid, and only a few stragglers escaped the massacre. The camp of *Q. Cicero* in the *Nervian* country was next attacked, but a desperate defence against enormous odds foiled the besiegers. At last a message reached Caesar through a Gaulish slave. He arrived with a relieving force just in time. Thus a great general rebellion of the tribes was averted, but Caesar had to spend the whole winter at the front. There was unrest in various quarters. In particular, *Indutiomar* raised the *Treveri* in revolt, but was defeated and slain by *Labienus*. A sort of quiet was restored, but Caesar thought it wise to increase his forces. He had lost about a legion and a half. He sent orders to raise two new ones in the *Cisalpine*, and borrowed a third from *Pompey*, who had more than he needed. By the end of the winter of 54—53 he seems to have had ten legions under arms.

547, The work of the year 53 may be briefly described as the suppression of outbreaks in northern and north-central Gaul. As before, the connexion of the north-eastern tribes with Germans was a cause of trouble, and it was in this region that the most serious difficulties arose. A fresh rebellion of the *Treveri* was quelled by *Labienus*. Caesar ravaged the land of the *Menapii*. But the arch-rebel, *Ambiorix* chief of the *Eburones*, was still at large. In the hope of scaring the Germans, Caesar a second time bridged the *Rhine* and made a short stay beyond the river, but evidently to little purpose. Then he turned upon the *Ebu-*

rones and destroyed the whole tribe to the best of his power. These operations were not conducted without risks and losses, and an isolated post narrowly escaped annihilation by a body of German raiders. In spite of vigorous pursuit, Ambiorix again got away safe, but the North was so far pacified that it was no longer the chief seat of rebellion. After dealing with the disaffection of the Senones and Carnutes in the Seine-Loire country, Caesar quartered his ten legions for the winter, and set out for the Cisalpine. There, in the winter months of 53—52, he had no season of rest. The political situation had been changed by the death of Crassus. The disorderly broils long chronic in Rome at last in January 52 led to the murder of Clodius. To relieve the anarchy that followed, Pompey was entrusted with exceptional powers, and a levy of troops decreed by the Senate. The force of events had once more given to Pompey a predominant position in Rome, and Caesar was doubtless well aware that to his surviving partner he must now stand in the relation of a rival. He did what he could to avert a rupture. And, before Pompey's policy had time to unfold itself, Caesar was forced to start in all haste for the North, to face a danger that threatened to destroy all the achievements of six laborious years.

548. The central or 'Celtic' Gaul had as yet hardly felt the pressure of Roman conquest. It contained several strong tribes, and they were at last thoroughly alarmed at the progress of Caesar. Their turn would soon come. And at this juncture a leader appeared in the tribe of the Arverni. We have seen¹ that these enjoyed a sort of primacy because of their numbers and prowess. Without them, a large union of tribes against Rome was hardly possible in the central region, or at least it had little prospect of victory. But the Arverni were at peace with Rome, of whose power they had had experience long ago, and their leading nobles were opposed to a rising. A young noble named Vercingetorix, at first thwarted by the party of peace, overcame their opposition, and was declared king. He not only carried his own tribe with him in a war with Caesar, but quickly formed a great confederacy, embracing almost all the tribes of central Gaul, pledged to fight for Gaulish freedom. So far his task was easy, for Gaulish enthusiasm was easily roused. But to carry on war with an army of tribal contingents, led by touchy and self-willed

chiefs, was an enterprise of great difficulty. That Vercingetorix did gain no small measure of success proves him to have been a man of exceptional powers. The absence of Caesar, and rumours of the troubles that might detain him in Italy, suggested prompt action in the hope that he might be cut off from his army. So about the beginning of 52 the signal was given by the Carnutes, who rose and massacred the Romans among them. Even in the Aeduan tribe the anti-Roman faction daily grew stronger. Doubtful tribes soon joined the rebels, and there was more unanimity than had yet been known in Gaul. The ordinary campaigning season had not yet opened, and snow lay upon the hills.

549. The daring march by which Caesar foiled the plans of Vercingetorix was perhaps his strategic masterpiece. With a body of young troops he forced his way over the Cevennes range into the Arvernian country. Having drawn the Arvernian chief southwards to its defence, he gave him the slip and hurried northwards with a mounted escort. After reaching the nearest legions, he sent orders to the rest, and in a few days had concentrated his whole army in the land of the Senones. It is to be noted that we find him already employing a few Germans as cavalry. They made excellent troopers, and later in the year he hired more of them. It was still quite early in the year, and the great hindrance to campaigning was the difficulty of feeding his army. Vercingetorix was active in central Gaul, endeavouring to draw the Aedui over to the national cause, when Caesar advanced on Cenabum (Orleans), the scene of the recent massacre. The town was carried with a rush, and a full revenge taken. He next entered the country of the gituriges and made for their chief town Avaricum (Bourges). The Gaulish leader had to meet him, and hoped to stay his progress by destroying ail towns and hamlets and laying the country waste. But local pride thwarted this plan. It was agreed to hold Avaricum, a fatal blunder, which sacrificed the true general interests of Gaul. After a desperate defence the place fell, and few escaped the ensuing butchery. A tribal dispute among the Aedui had next to be settled for the moment. This done, Caesar advanced along the river Allier towards Gergovia, the Arvernian capital. The town stood on a hill difficult of access. Caesar could neither blockade it nor carry it by storm. The population of the district were hostile. There was no prospect of betrayal from within : mean-

while the ferment among the Aedui might at any moment turn to open rebellion and cut him off from Labienus, who was operating with part of the army in the region of the Seine. And Vercingetorix knew better than to come out and face the legions in a pitched battle.

550. Caesar confessed his failure. With great difficulty and danger (for the Aedui now openly joined the revolt) he withdrew his army, and managed to rejoin Labienus, who had meanwhile made a successful campaign. But the failure at Gergovia had put new heart into the Gauls, and the revolt was now more general and enthusiastic than ever. Some of the northern tribes now joined it. Numbers however were not everything. At this critical juncture, when unity of command was most necessary, Vercingetorix had some difficulty in maintaining his ascendancy, but for the present he did. The real tug of war now began. The main object of Gaulish strategy was to sever Caesar's communications with Italy. His army could then be destroyed by cutting off supplies. The plan was probably a good one, but it was not possible to carry it out effectually. The Allobroges on the upper Rhone, perhaps too much Romanized, refused their cooperation. The Gaulish cavalry, whose raids embarrassed the Roman army, proved no match for the Germans in battle. Caesar moved southwards. Vercingetorix attacked him and suffered defeat. After this he fell back on Alesia, a town perhaps already held as a military base. It was a strong position, but not, like Gergovia, incapable of being blockaded. Caesar saw his chance. He gave up the march to the South and closed in on Alesia. If labour and skill could do it, he resolved to invest this stronghold, and to end the war by one dramatic stroke. The siege of Alesia was a supreme effort, not only on his part, but on that of the Gauls, who raised a vast army to relieve it. The double lines of investment, some ten miles long, were a prodigious work. The besieged seem to have outnumbered the besiegers by about two to one. The relieving host was many times more numerous. Yet the Romans just managed to beat off the assaults on both sides: Vercingetorix had to surrender, and the multitude outside melted away.

551. The Gaulish hero was reserved for a cruel fate. After six years in a Roman dungeon, he was exhibited and put to death at Caesar's triumph in the year 46. Caesar had now to set Gaul

in order. He acted on the old Roman principle of treating subjects unequally, so as to make combination difficult. Both Arverni and Aedui were favoured. Some local risings were suppressed in the winter of 52—51, and severe punishments inflicted in some cases. The conquest was now fairly complete. In the year 51 Caesar settled the relations of the Gaulish tribes to the sovran power of Rome. All were to pay a moderate tribute. All were liable to furnish military contingents. All were treated with consideration. But faithful allies, such as the Remi, were left fuller freedom than others in their internal affairs. In this provisional arrangement the sovranity of Rome was no doubt represented by the governor of the Narbonese province, at present Caesar himself. His aim was to leave the new dominion quiet and contented. No regulations were discussed in the Roman Senate and applied by a commission. Events moved on too fast, and it was Augustus who first gave a regular provincial organization to the new Gaul. Ten legions were quartered for the winter of 51—50 in suitable spots, and the proconsul returned to the Cisalpine. Among other occupations he probably wrote out at this time his seven books of the *Gallic War*, to which his friend Hirtius added an eighth. This work, written to influence public opinion, naturally gives a favourable account of his own achievements and motives. But, for a partisan narrative, there is reason to believe that it is in the main trustworthy.

552. Caesar had good reason to feel uneasy as to future developments in Rome. It was already clear that the aristocratic republicans were bent upon ruining him when his long proconsulship ended, and he became a private citizen. It was therefore clear that he must not at once become a private citizen. His enemies had now the prestige and military skill of Pompey at their back. Was he to be coerced? Was it coming to a civil war? He went back to his legions in the summer of 50, and kept them trained in manoeuvres. Meanwhile he used the gold of Gaul with effect in Rome, and waited for the next move.

CHAPTER XLI

ROMAN AFFAIRS FROM THE CONFERENCE OF LUCA TO THE OUTBREAK OF THE GREAT CIVIL WAR. 55—49 B.C.

553. We have seen how Pompey and Crassus, prompted by Caesar, paralysed constitutional government in the latter part of the year 56, and became for the second time consuls in 55. Most of the other magistrates were their creatures. They were both concerned to have the bargain arranged at Luca carried out, and this was done without delay, by laws assigning the Spains to Pompey and Syria to Crassus for five years each with very extensive powers, and prolonging for the same term Caesar's government of Gaul. That Pompey did not mean to leave Italy, but to govern through deputies, seems not to have been known. He evidently thought it advantageous to remain close to the centre of affairs, and did not perceive that the centre of real power was gradually shifting to Gaul, as Caesar became more and more the famous conqueror, master of a devoted army. Nor indeed was the significance of Caesar's exploits clear to many: Pompey at any rate was deaf to warnings. Rome continued to be a scene of violence and disorder, for the aristocrats fought for the Republic as best they could. Gilds and clubs were maintained as organs of intimidation and bribery, Caesar was away, and it was well to be ready for opportunities that might occur.

554. For the present relations between the consuls and the Senate were strained. An attempt to deal with two notorious evils, the misconduct of juries and corruption at elections, was probably a party move of the consuls. Pompey carried a law

enacting that the yearly list of jurors (*album iudicum*) should be made up from all the 35 Tribes, so many from each. Thus a jury could be chosen at need from members of a few Tribes only. As electoral corruption was organized by Tribes, this made it possible to get a verdict from men whose Tribes were not of the number corrupted. A law of Crassus, aimed at the clubs (*sodalicia*) formed for election-purposes, followed the same lines. But it was too late for any legislation to succeed in making elections pure or jurors honest. The government, manipulated by personal interests at home, was impotent abroad. The Egyptian question, which had lately given so much trouble, was settled by Gabinius without any public authority. He coolly left his province of Syria and restored the Ptolemy king by force of arms. It was certain that he had not done this for nothing, or without some guarantee for his own protection on his return to Rome. An immense bribe, and the collusion of Pompey, were the explanation of his reckless conduct. To Cicero it was very galling not to be able to denounce his old enemy. His freedom of speech was checked by his relation to the Triumvirs. It was in this year that he wrote his great book *de oratore*. Literature was a solace in this season of deep depression. In the autumn Pompey opened his great stone theatre, the first permanent building of the kind in Rome, with great shows and a wild-beast-fight on a colossal scale. The latter was too revolting for even Roman spectators, used to the exhibition of gladiators.

555. Crassus, still consul, set out in November for the East. A hostile tribune solemnly cursed him as he left the city, but he went. Pompey remained, a mysterious and shifty head of affairs, cramping others, but himself contributing no light or leading. Politics drifted along. The elections for 54 had included some republican successes. L. Domitius Ahenobarbus, Caesar's bitter enemy, was chosen consul. His colleague was Appius Claudius Pulcher, a brother of P. Clodius, supported by Pompey. And Cato was among the praetors. When the new year (54) came, Pompey, now proconsul, could not reside in the city, the sphere of his *imperium* being Spain. But he remained in Italy, and his *legati* L. Afranius and M. Petreius, carried on his provincial administration. He never went out to his province at all. Thus, after having repeatedly broken the rules of the republican constitution, he paved the way for the coming Empire. The

continuous government of provinces by deputy was the most characteristic mark of an Emperor. Pompey was far from wishing to bear the responsibilities of an autocratic position. He loved to be the First Citizen, and to appear indispensable in times of trouble; in fact to be imperial without being an emperor. But Caesar, by his expeditions to Britain, and his passage of the Rhine, kept his name before the Roman public, while Pompey's military fame was growing stale. Caesar was certainly inferior to Pompey in dignity, and he had held the republican offices in the order prescribed by law. But it was he, not Pompey, who was building up the military strength necessary for asserting himself with effect, if circumstances made war inevitable.

556. It was in 54, the year of the Belgian rising in Gaul, that Crassus began his war with Parthia. He underrated the military power of the Parthians, and his army was not fitted for its work. The mounted bowmen of Parthia were noted for their skill, and the solid Roman legions could not come to close quarters with an enemy of such remarkable mobility. It was before all things needful to conciliate the half-Greek cities still existing as protected trade-centres under the Arsacid kings, and to avoid campaigning in the drought and dust of the Mesopotamian plains. Crassus did neither. He passed the Euphrates into northern Mesopotamia, where the 'Greek' cities submitted, and some of them he treated badly. He contrived to win the hatred of Avgar, prince of Osrhoene. But the Parthians were not ready for war. As if to give them time, Crassus retired to winter in Antioch, and set about raising money by confiscations. Among the treasures seized were those of the temple of Jerusalem. A Parthian embassy was dismissed with a refusal to discuss terms. The blind confidence and pride of Crassus was perhaps exaggerated by moralizing writers in after times, but the main facts are not to be doubted.

557. To return to Rome. The events of the years 54 to 42 are the story of the great Republic's last illness and death. They supplied the final proof that a change of system was inevitable. For Rome could neither do without a master, nor find a master without civil war, nor submit peaceably to the master set over her by conquest, nor revive the republican government after that master's death. The first stage (54 to 50) has its scene chiefly

in Rome, and the gradual change of relations between Pompey and the republican aristocrats form a sort of continuous plot. For the present these two forces checked each other, and the result was confusion and impotence worse than ever. The unhappiness of Cicero has left us in his letters a vivid picture of the state of things. He found some relief in writing his work *de re publico*., dwelling on the period of Roman history in which the state, under the rule of the Senate, passed through what he regarded as its golden age. The conditions of public life were at present utterly miserable. There was plenty of speaking to be done in the public courts, and sometimes in the Senate. But the Father of his country had all the while to remember who were his protectors, and to deliver speeches to order. Corruption and disorder were everywhere. The proceedings of candidates for the consulships of 53 were a flagrant scandal. There was even talk of making Pompey dictator to ensure the holding of the elections. But the Senate ignored the hint, and matters were allowed to drift.

558. Electoral corruption had now gone so far that the present consuls made a formal compact with two of the candidates to promote their election in return for an act of perjury. They were to attest on oath falsely that certain formalities, necessary for the consuls' succession to their provinces, had been completed in their presence. But the bargain was made public, and a secret inquiry ordered. The only election held in 54 was that of tribunes, and this too was the occasion of peculiar scandal. A sort of pooling of corruption took place, with Cato as umpire holding a sum deposited by each candidate, with power to declare it forfeited on proof of unfair play. The courts were busy with trials. Vatinius, Cicero's enemy, and Plancius, his friend, were both accused of corruption through clubs under the law of Crassus. Cicero had to plead for both alike. M. Aemilius Scaurus was charged with extortion in Sardinia. In his case there was an extraordinary union of various interests in support of the accused, who was a son of his namesake noted in the last generation, and connected with Pompey. We find Cicero and Clodius counsel on the same side. Scaurus was acquitted. Later in the year Gabinius returned from Syria, and had soon to face prosecutions on charges of treason (*maiestas*) and extortion. Cicero thirsted to prosecute his enemy, but Pompey held him

back, and screened Gabinius. The first trial ended in an acquittal. On the second charge Pompey even constrained Cicero to conduct the defence; but all efforts¹ were vain. Gabinius was driven into exile. Thus it appeared that Pompey, with all his show of power, could not protect his associate. Henceforth Gabinius looked to Caesar for his restoration. Cicero was heartily ashamed of the part he had been forced to take in the affair.

559. We must bear in mind that it was some time in the middle of 54 that Pompey's marriage-connexion with Caesar was severed by Julia's death. He felt her loss severely, but had not retired from public life, and was interested to make the general perplexity and deadlock in politics a means of increasing his own importance. The year 53 opened with only tribunes in office, and they were in no hurry to have the curule magistracies filled. There were no praetors to hold the courts. A series of *interregna* went on for months, and no consuls were elected till July. Rioting continued, but none of the proposals for relieving the situation could be carried out till the Senate and Pompey came to terms. At last, having let things go far enough, the great man came near the city, and the Senate had to vote him full powers to deal with the deadlock. He held the election of consuls, and the consuls had at once to see to the election of the other regular magistrates. Before they could get their own successors elected for 52, there came the alarming news of the great disaster in the East. Crassus, scorning the advice of the Armenian king, had taken that of the treacherous Avgar, and entered the Mesopotamian plain, where the Parthians were now ready to meet him. Against their cavalry the legions were helpless. Crassus with his son Publius and a great part of the army perished. Many were taken captive and spared only to serve the Parthian king. A small remnant were brought off safely by the quaestor C. Cassius, and this able soldier was doing what he could with small means to provide for the defence of Syria. He did eventually beat off a Parthian invasion. But there could not be any real security on the Euphrates frontier. Parthian and Armenian were now at peace, and for some time it was the internal troubles of the Parthian dynasty, rather than the military superiority of Rome, that guaranteed the integrity of Syria.

¹ It is said that the *publicani* were hostile to Gabinius, and that he did not bribe the jury enough.

560. Later generations with reason viewed the death of Crassus at Carrhae as a momentous stage in the story of the Roman revolution. Two rivals now stood face to face. Pompey would not give way. Caesar, with many enemies waiting to destroy him, dared not. Therefore a conflict must ensue. The republicans, having to make a choice, naturally preferred Pompey. He at least set store by empty dignities, and was not likely to turn them out of their iniquitous but profitable privileges with the strong hand. So they began to draw to Pompey, and Pompey to them. Military prestige and the republican machinery were thus combined. Whether these two forces would strengthen each other more than they weakened each other was a question which only experience could answer. At the present juncture the elections for 52 were a pressing question, and the change of relations between Pompey and the aristocrats was illustrated in the events of the following months. For the consulship Milo was the candidate backed by the republican nobles. Two others were Pompey's men. Clodius was standing for the praetorship. Bribery and affrays of armed bands were in full swing. The Senate was powerless, and Pompey would do nothing, so the year ended before the elections could be held. It appears that some time late in the year an attempt was made to check this scandal, now becoming chronic. The Senate passed a resolution for changing the system of succession to provinces. Consuls and praetors were to pass from office into private life, and not to receive provinces till after an interval of five years. This, it was said, would check the violence and bribery now employed to win, not the office, but the province after it. The change required a law to effect it, so for the present it had to wait. But we shall see¹ that the matter came up again, and that its settlement had very important consequences.

561. The year 52 opened in confusion. Even the appointment of an *interrex* was prevented for a time in the interest of Pompey, who was wishing to extort some more exceptional powers. He had lately married Cornelia, daughter of Q. Caecilius Metellus Scipio², and was thus connected with a great aristocratic family, and not with Caesar. The elections were still delayed, when news came of the death of Clodius. One day in January

¹ § 563.

² A Scipio adopted by a Metellus. See Index under *Caecilii*.

he and Milo met on the Appian way. Both had armed escorts, but Milo's was the stronger, and in the fight that followed Clodius was killed. Rome was quickly in an uproar. The mob burnt the body in the Forum; the fire spread and did much damage, and violent demonstrations were made against Milo and his supporters. The fury died down, but the affair became a question of politics. Milo went on canvassing, but the Senate was forced to pass its *Mast decree*,¹ practically giving Pompey dictatorial power. He raised troops for maintaining order, as authorized. But he let the elections wait, and went on playing his own game. Meanwhile there were two conflicting versions of the late tragedy. Some declared that Milo had acted in self-defence, others alleged that it was a case of deliberate murder. To deal with the matter a regular government was needed. The aristocrats were resolved not to have the old dictatorship revived. So Cato and Bibulus devised a plan for avoiding this by making Pompey sole consul, and this was done. Thus the law and practice of the constitution were broken in three ways. First, the consulship implied a colleague. Secondly, it was not lawful to be consul and proconsul at once. Thirdly, it was not ten years since his last consulship. In short, the strongest republicans were destroying the Republic in the effort to preserve it. This was the practical alternative to the restoration of efficiency and order by the strong hand of Caesar.

562. For Caesar was not forgotten. It had been suggested that he should be consul with Pompey, an alarming prospect for the noble republicans. While wintering in the Cisalpine, after putting down the Belgic rising of 53, he himself sent to decline the proposal. His object was rather to provide for the future. His governorship ended on the first of March 49. He wanted to be consul in 48, and not to return to Rome until he was consul-elect. To do this, he must be allowed to become a candidate in absence. Tribunes acting for him proposed a bill granting him the needful dispensation. Pompey gave his consent, and the bill became law. But Caesar was called away to Gaul earlier than usual, and was for months unable to attend to Roman affairs, owing to the rising under Vercingetorix. Meanwhile his enemies were not idle, and Pompey and the aristocrats were steadily drawing together. It is not surprising that things took a turn unfavourable to Caesar's interests. The matter of Milo

was urgent, and the first batch of Pompey's new laws bore directly upon his case. One provided specially for the trial of the persons concerned in the death of Clodius. For this purpose there was to be a special court, chosen from jurors selected by the sole consul, who thus assumed praetorian functions. In the Senate many opposed the new legislation, for Milo was a sort of champion of the republicans, who were glad to be rid of Clodius. But Pompey persisted, and he had now enough troops under arms to overcome all opposition, so the laws passed.

563. The trial of Milo is famous as a scene in the drama of the Roman revolution. Pompey's soldiers held the Forum, and repressed the violence of the mob. But he did not mean Milo to escape, though Cicero conducted the defence. The masses of armed men and the howling of the mob unnerved the orator, and he spoke feebly. Milo was found guilty, and went into exile at Massalia. So Pompey was relieved of a person who was in the way. His removal left the consul and the Senate more free to join forces against Caesar, of whom Pompey was more and more jealous. Meanwhile Pompey was in practice every bit as unrepublican as Caesar. He treated rules laid down in his own laws as not binding on himself. But the most significant part of his public acts is to be found in the legislation in which he proceeded to deal with the magistracies and the succession to provinces. He gave effect to the Senate's recent vote¹ by enacting that a magistrate should only succeed to a province after an interval of five years. This rule implied, or expressed, some arrangement for providing governors in the transition-period, before the new system could work automatically. Probably a considerable discretion was left to the Senate. It was obvious that some ex-magistrates, who had not governed provinces, would now be forced to take their turn. Moreover, the old practice had been, when a governor's term ended in the middle of a year, to leave him at his post till the end of the year, when his successor was ready in the ordinary course. The Senate were no longer to be bound by this practice. Accordingly Caesar could be superseded on the first of March 49. By another law it was enacted that candidates for office must appear in person. This took no account of the exemption lately granted to Caesar, and so annulled it. Caesar's friends protested, and

¹ See § 560.

it is said that Pompey, to pacify them, put in a clause reserving vested interests, thus tampering with the text of a law already passed. There could be no mistake as to the spirit and intention of these measures. Caesar was to be exposed as a private citizen to the attacks of his enemies. He must either return to Rome, to stand trial before a court probably selected to ensure his condemnation, perhaps watched by Pompey's troops, or go into voluntary exile. This was a belated and clumsy device. The man in Gaul was not a fool, and he quietly prepared to avoid the necessity of accepting either alternative.

564. The strength of Caesar's position was probably not understood. In Rome his agents were employing the gold of Gaul in entertainments and in public buildings to adorn the capital, not to mention private favours. The mob were reminded of their absent leader, and for political purposes this had its value. In his province he had from the first been popular. In particular, the Transpadane 'Latins' were devoted to him. He had (in 67) encouraged them to claim the Roman franchise. He treated them as citizens, enrolling them in his legions, and they hoped to gain their wishes when he became consul. In the new Gaul he was now supreme, and by judicious management he had secured the loyalty, and at need the help, of many leading chiefs and tribes. His army was the only existing force of the first quality. He took pains to gratify them, and at this time probably doubled their pay. We hear that he also found opportunities of doing favours to client kings and important cities in Italy and the provinces. Such was the man whom Pompey, Cato, Bibulus, and the rest, were hoping to overthrow by a little legislative trickery. Meanwhile Pompey was still governing Spain through lieutenants. He procured an extension of his command for five more years, and obliged many in the exercise of his vast patronage. He had as consul a force raised in Italy. The maintenance of order enabled consuls to be elected in time for the year 51. These were, Servius Sulpicius Rufus the great jurist, a cautious man, chiefly concerned to avert a serious crisis; and M. Claudius Marcellus, a heavy aristocrat, bitterly hostile to Caesar. Cato stood and was defeated.

565. With the year 51 we reach a new stage on the road to civil war. Caesar had protested against the steps taken to his disadvantage, requesting the Senate to leave him his provinces to

the end of 49, and not to apply the Pompeian law retrospectively to his case. But the republicans wanted to ruin him, in order to keep themselves in power. Relying more and more on Pompey's secret favour, they became a party united on an anti-Caesarian basis. The one vital question of policy was the succession-question. Marcellus the consul, their official leader, raised it in April without immediate result. As a challenge to Caesar, he found a pretext for scourging a Transpadane then in Rome. The point of this brutality was to assert that the man was not a Roman. In July an attempt was made to draw from Pompey an open declaration on the matter of Caesar, but he only replied that all should obey the Senate. Neither he nor the republicans were eager to move: mutual trust grew but slowly. The elections for the year 50 were important. The consuls-elect were C. Claudius Marcellus, cousin of the present consul, and L. Aemilius Paullus; a Caesarian candidate was defeated. Both were apparently anti-Caesarian, but Paullus had been acting for Caesar in charge of public works. Among the tribunes-elect was a young man as yet reckoned a safe anti-Caesarian, C. Scribonius Curio; the rest were all or mostly Caesar's men. Things went on quietly, in spite of secret uneasiness, till the very end of September, when the succession-question came up again in an acute form.

566. M. Marcellus moved that on the first of March next (50) the then consuls should raise the question of the consular provinces for the year 49. This the Senate passed, and agreed to various arrangements for securing a full House and adjournments of debate to attain a decision. There were other motions, of a more significant bearing. One was an attempt to bar the probable veto of Caesar's tribunes: another was meant to outbid Caesar's bounty, and undermine his soldiers' loyalty. The third was a subtle device to ensure that, in discussing provinces, the Gauls should be taken into account, and the Senate prevented from shirking the one great issue. These motions were recorded as informal resolutions, being vetoed by tribunes in Caesar's interest. We have seen what Caesar's claim was. This proposal was from his point of view iniquitous. He had been appointed long before Pompey's new law. If he was to remain to the end of 49 under the old system, the time to discuss the succession would be six months before the vacancy, that is in June, not in March. It is clear that his views and those of the party now dominant in

Rome could not possibly be reconciled, and that the failure of compromise must lead to a civil war. The main body of the Senate were divided. The majority desired peace, but the militant minority were more resolute, and better able to put pressure on others. It was not easy for them to draw back, and they were encouraged by the attitude of Pompey. His utterances were taken to imply that he saw his way through the perils of the situation, and that they might stand firm without serious risk. This was a mistake: the blind was leading the blind. The general effect was that extreme partisans, Caesarian or anti-Caesarian, were committed to going further still: and the coming question was, which side would capture the waverers?

567. While at Rome the storm was brewing, Pompey's new law had sent out as provincial governors two men to whom it was a sheer penance to quit the centre of affairs. Syria fell to Bibulus, Cilicia to Cicero. Bibulus had chiefly to deal with the Parthian alarms that followed the disaster of Carrhae. With the help of C. Cassius, and by fomenting dissensions in Parthia, he prospered fairly well. Cicero, who had lately published his treatise *de legibus*, was drawn from literature to the administration of an immense province for about a year from the end of July 51. The duties of the post were necessarily laborious, and the misdeeds of his predecessor Appius Claudius had left the province in a wretched state. The poor man, conscientiously striving to do justice and ease the burdens of Rome's subjects, was hampered by the urgent necessity of doing nothing to offend either Claudius or the capitalists powerful in Rome. For he was ever pining for the Senate-house and Forum, and afraid of having to face hostile influences on his return. Pompey and M. Brutus were among the investors whose loans to client kings or cities gave the pro-consul trouble. Do what he might, circumstances were too strong for him, and in the end he had to compromise with evil and leave some flagrant abuses unredressed. Corruption in Rome was the root of the sufferings of the provincials. No central power existed able and willing to reform the central government. We may add that Cicero himself was a strong supporter of that 'harmony of the Orders' which stood in the way of reform. He would not himself oppress and plunder the subjects; but he was the champion, and at length the martyr, of a cause which was bound up with such iniquities. The one bright spot in his governorship

was the chance of winning a triumph for victory in the field. He had good officers on his staff, and a little war with some restless borderers ended successfully. He was saluted *imperator* by his army, to his great delight. He sold his captives into slavery in the usual style. The triumph, it is true, never came. But he was able to start for Italy in August 50, full of self-satisfaction.

568. During Cicero's absence things had been moving, at first slowly, without much public sign of the change going on secretly in the minds of men. It was becoming clear that on the one great question it would be necessary to take a side. Towards the end of the year 51 Caesar judiciously bought the services of the consul-elect Paullus and the tribune-elect Curio. The latter was a very able and quite unprincipled young man, deeply in debt. He had posed as a true republican, and for a time operated by embarrassing his former associates without shewing his colours. He brought forward various bills which he knew the republicans must oppose. What seemed flightiness was calculated policy, to afford pretext for a quarrel. The mob, recovering from their suppression under the recent maintenance of order, and being Caesarian at heart, rallied to Curio when they saw him acting to the annoyance of Pompey and the aristocrats. In the year 50 none served the cause of Caesar better than this famous turncoat. Paullus as consul was able to help quietly in various ways. The struggle of this year was an insincere tug of war between parties, each move of either side being made for the purpose of putting the other side in the wrong. In March and April various dates were proposed for Caesar's retirement, but none of these satisfied his claim. All alike provided an interval in which as a private citizen he could be prosecuted by his enemies and ruined. Curio as tribune would allow no such decree to pass. Pompey fell sick, and his serious illness evoked public prayers in many Italian towns. Curio now openly opposed all motions for the recall of Caesar, and urged that both he and Pompey should be required to resign their provinces and armies for the sake of peace. This the republicans would not accept, so nothing was done. Pompey made an offer to resign before the end of his term. But this seems to have been a mere move in the game, made in full knowledge that the Senate would not allow it: at any rate he could not be induced to give it a solemn and binding character.

569. In June it was agreed that Pompey and Caesar should each furnish a legion for the Parthian war foretold in a despatch of Bibulus. Pompey named the legion lent (in 53) to Caesar, and Caesar had therefore to lose two legions. Meanwhile Curio went on with his worrying proposals for enforcing the resignation of both rivals. In August the consular election was held. A Caesarian candidate was defeated, and two strong republicans were chosen consuls for 49. C. Claudius Marcellus was a cousin of his namesake the present consul, and brother of the consul of 51. L. Cornelius Lentulus Cms was a bitter anti-Caesarian, deeply in debt. Caesar however had two resolute partisans among the tribunes-elect, M. Antonius and Q. Cassius. The rest of the year 50 was passed in intrigues and futile negotiations. Neither side could really afford to give way. Caesar could not abandon his claim to the consulship for 48. The republicans knew, from their experience of his former consulship, that he would not hold office for nothing. Either he would resume his former influence over Pompey, or Pompey would withdraw to his government of Spain. In either case they would lose Pompey's support, and they would be at the mercy of a most unwelcome master. Nor were suggestions of sending one of the rivals to face the Parthians a real solution of present difficulties. The republicans would be at the mercy of the one left behind; and it was evident that these great commands were wrecking the republican system. A keen cynical observer, such as Cicero's friend Caelius, could see that civil war was inevitable, and that Caesar's was the stronger side. It was only in the Senate that Caesar's cause was weak; but it was with the Senate that the decision of the issue, war or not war, now rested.

570. In September a false rumour, that Caesar was moving legions into the Cisalpine, betrayed the nervous vigilance of his enemies. What he really did was to exercise and review his army in Further Gaul. In November the two legions for Parthia reached Rome, and were sent on to Capua, being no longer wanted for the East. It was now the talk that Caesar's veterans were weary and discontented, and this false story, too easily believed, only increased the slackness of the tardy republicans. Another fatal encouragement was the discovery that the trusted Labienus, who was acting deputy in the Cisalpine during the absence of Caesar, was disloyal to his chief. Labienus appears to

have overrated the strength of Pompey's side, and the aristocrats to have taken him as a fair specimen of Caesar's adherents. The truth was that for purposes of war Caesar could rely on a number of effective officers, bound to him by their own interest. Some had, like Labienus, made fortunes in his service. Others were men who, having been condemned by a court or otherwise got into trouble, had found a refuge at Caesar's headquarters, where efficiency was in demand and no awkward questions asked. Reckless fellows of doubtful reputation might be embarrassing associates in civil life. But the immediate business, however much men might dissemble the truth, was war. Caesar was now ready for any event. His adversaries must either grant his demands, or fight at a disadvantage. He was asking something far less unconstitutional than the series of special privileges by which Pompey had been placed above the laws. What made it impossible for the Senate to grant his demands was the well-grounded conviction that under Caesar as consul the mob-ruled Assembly, still in strict law the sovran power of Rome, would again become active. The leading republicans, whether guided by principle like Cato, or fearing the unpleasant effects of a fresh batch of Julian laws, were determined to do battle while they had the services of a famous soldier at command. And from their point of view they were right.

571. When Cicero reached Italy late in November, it did not take him long to discover that civil war, and with it probably disaster, were very near. He urged concession to Caesar, as being better than war. He saw that it was now too late to compete with Caesar in the field. Hoping for a triumph, he could not enter the city, but by letters and interviews he worked for peace. December came, and it was the turn of Marcellus to preside in the Senate. He at once began a vigorous attack on Caesar, and we come to the last stage of the struggle. Curio had still nine days as tribune, and he met the consul's motion for coercing Caesar by repeating his demand for the simultaneous resignation of the rival proconsuls. The House passed resolutions (*a*) that Caesar should be required to resign (*b*) that Pompey should not (*c*) that both should resign together. No formal decree could be carried. Meanwhile Caesar had returned from the Further Gaul, and was watching events. Negotiations, probably insincere, certainly futile, were still going on in private.

Caesar had manoeuvred his opponents into such a position that they were now in a desperate hurry. Wavering senators must be committed to a bold policy, and Pompey (in whom they had no firm trust) irrevocably engaged in the republican cause. On the 9th December Marcellus, finding the Senate still unwilling to declare Caesar a public enemy, took the matter into his own hands. He went off to Pompey, gave him a sword, and authorized him to take command of the troops under arms, to raise further forces, and march against Caesar. This was unconstitutional, and virtually war. But Pompey accepted the commission. It was not only Cicero that was staggered by this sudden stroke. He and others saw that the moral vantage had thereby been lost. To unreadiness was now added illegality. And there was no republican enthusiasm in Italy, or even in Rome: no sign of a general rally to withstand Caesar. Pompey was blindly confident. Antony, who was now Caesar's leading tribune in place of Curio, was uttering threats in Rome. Cicero felt that he would be driven to take the side of Pompey in a civil war, with his debt to Caesar unpaid, and with the dismal prospect of defeat.

572. By the 24th December Caesar was at Ravenna. The act of Pompey put an end to his waiting policy. He at once concentrated the single legion quartered in the Cisalpine, and sent orders for two more to join him. Meanwhile he wrote to the Senate, offering further concessions, but insisting on his main object. He would be content to keep only a part of his provinces, and a legion or two, provided he might step into the consulship for 48 on his own terms. Doubtless he knew that Pompey and the Senate could not accept this proposal. They were too deeply committed to each other, and mutual betrayal would be nothing less than a common surrender. The letter ended with a threat;—the refusal of these terms would compel him to assert his own rights and the freedom of the Roman people. Thus he announced that he meant to pose as the defender of the constitution, forced to unsheath the sword against his will. The only possible reply was to pass the 'last decree' and thus treat him as a public enemy. But this could not be done without overriding the veto of his tribunes, which was a suspension of the constitution. In short, he had outgeneralled them in the campaign of legalities. Curio hurried to Rome with this ultimatum in time for the sitting of the Senate on the first of January 49. Antony read it out in

the House amid indignant comments. But Lentulus the new consul would not receive any motions arising directly from it, and declared the general debate on public affairs to be, according to custom, the business of the day.

573* A number of motions followed, among them a proposal by a Caesarian senator that Pompey should avert a civil war by going to his government of Spain. In the end the motion of Scipio (Pompey's father-in-law) was carried almost unanimously, naming a date for Caesar's resignation, and declaring non-compliance an act of war. This was vetoed by Caesar's tribunes. The adjourned debate on the 2nd was equally vain. During the 3rd and 4th great efforts were made to bring timid senators to the point of daring to vote for the 'Mast decree.' Even now some were for peace on Caesar's terms, but there were a number of men who saw no chance of restoring their fortunes if Caesar came into power. Debtors, seeking solvency through provincial extortions, were doubtless found on both sides, but their influence was not for peace. A meeting on the 5th, held outside the city precinct that Pompey and Cicero¹ might attend, was still unable to take the final plunge. It was not till the 7th that the reports of Caesar's bloodthirsty intentions, and the 'now or never' argument of the extreme republicans, had their full effect. Lentulus announced that he would take a vote on the 'last decree,' and warned the obstructing tribunes that their lives would be in danger when it was passed. Antony and the other Caesarians fled to Ravenna, after a dramatic protest. The decree was passed. The tension of the last few days gave place to certainty. Pompey was instructed 'to see that the commonwealth took no harm/ and the civil war opened with this expression of unconscious irony.

¹ They had *imperium* only as being proconsuls, and would lose it by entering the city. See Index.

CHAPTER XLII

THE CIVIL WAR TO THE BATTLE OF THAPSUS 49—46 B.C.

574. The fate of the Republic was now to be settled in earnest. We must bear in mind that a civil war could not be conducted on the same principles as a foreign war, such as that in Gaul. Political considerations entered into it from the first. Whether Caesar desired it or not, he must make himself supreme; otherwise he could neither carry out his policy nor secure his person. But it was of course not his object to destroy or lessen the resources of the state, which would be at his disposal in the event of his victory. His business then was to achieve victory with the least possible waste of time money and human lives. He had a veteran army, loyal to their chief. He was the real master of subordinates, who depended on him and on nobody else. He had a great aim in view, for it cannot be doubted that he had made up his mind to remodel the state so far as might be necessary for a thorough reform of administration. A selfish aristocracy were no longer to fill their own purses by corruption and plunder. The empire was to be ruled as an empire for the general good, not exploited for the profit of individuals. In short, Caesar was prepared to end what could not be mended, and to attempt the mending of the rest. Moreover he was just now at his very best in body and mind. On the other side there was no effective army in a position to deliver sharp strokes at once. Pompey had a fairly good force under arms in Spain. The troops hastily levied in Italy were raw recruits, unfit and unwilling to fight. Volunteers were few, and the loyalty of the two legions drawn from Caesar's army was doubtful. Nor was

Pompey undisputed master in his own camp. Noble senators in positions of trust were conceited and disobedient. Those gathered at headquarters gave endless trouble by their jealousies and intrigues and ill-timed criticism. They were there to employ Pompey, not to serve him. Besides, there was no vital unity of aims. The aristocrats wanted to destroy Caesar in order to avert reforms by which their own interests would suffer. What Pompey wanted was to preserve the republican system, however corrupt, as a system under which he could still be the one indispensable man. The nobles and he could not do without each other, but there was in truth no love lost between them. He was needed only to give them victory; not to make himself their ruler, but to enable them to take vengeance on their enemies. Now Pompey himself was stale. For more than twelve years he had seen no active service in the field, and recent illness had impaired his powers.

575. The declaration of war at once brought over Labienus to the republican side. Here was a practical soldier, fresh from a great war. But he was not entrusted with an important command. After the 7th January preparations of all kinds were pushed on in a desperate hurry. Italy was full of confusion. Pompey still professed to believe that Caesar's troops would not stand by their leader. But at a very early stage of the war he began to collect a fleet at Brundisium, evidently doubting his ability to hold Italy at all. On the 17th he summoned the magistrates and senators to quit Rome. To this the Senate had to consent. With threats of punishment to all who disobeyed or joined Caesar they withdrew, and for the time Capua was made the seat of government. The evacuation of Rome was caused by the news from the North. Caesar had waited at Ravenna till Antony and the others arrived from Rome. On the nth he passed the frontier-stream (Rubicon) and entered Italy at the head of no more than some 5,300 men. Town after town surrendered to him with little or no resistance. The bulk of the resident population cared nothing for the cause of the Senate, and Caesar harmed nobody. In a few days he occupied northern Umbria and Arretium in Etruria. A vain attempt was made to stop him by negotiations; but, though he replied by counter-proposals, he pushed on. The answer to these (sent from Capua) was a fresh attempt to bargain with him. Caesar had not come

to argue, but to impose his own terms, and by the time this answer reached him he had advanced further without any serious check. The isolated detachments of Pompeian levies made no stand. Some fled and dispersed, others went over to Caesar. By the end of January he held most of Umbria and was making his way in Picenum. There was no local opposition, and he began to receive recruits. The Pompeian officers found it necessary to fall back with their remaining troops and to concentrate at Corfinium.

576, Meanwhile Pompey, sorely hampered by the nobles around him, was learning by experience the difficulties of his task. He had worked hard, but Caesar left him no time to make an army. He was now in a dilemma. The mountain district about Corfinium was the best recruiting ground in Italy proper, south of the Rubicon. It was important to hold it. Several towns in that part were garrisoned, and in Corfinium there were not only troops enough to make up two legions, but several precious nobles, who must be kept safe at all costs. The commander there was the man destined to be Caesar's successor in Gaul, L. Domitius Ahenobarbus. He was one of the most obstinate and conceited aristocrats, and a bitter enemy of Caesar. Now Pompey knew that Caesar would soon be reinforced. He saw that it was not possible to stop him with such troops as were within reach. Therefore he wrote and ordered Domitius to evacuate Corfinium and join him in Apulia. But he could not enforce his order. On the 14th February Caesar appeared. The arrival of two legions and other forces enabled him to invest Corfinium and cut off the retreat of Domitius. By the 21st the situation was clearly hopeless, and the troops surrendered the place and all within it to Caesar. Caesar addressed the captured persons of quality in a reproachful speech, and let them go. The soldiers he added to his own army. There was now no doubt that Pompey could not hold Italy. The question was whether he could withdraw his army by sea before Caesar caught him and brought him to battle. This he succeeded in doing. When Caesar reached Brundisium early in March, the consuls and the greater part of the army had already sailed. An attempt to prevent the embarkation of Pompey and the rest, by blocking the harbour mouth, was foiled. On the 17th the last division put to sea, and on the next day Caesar occupied the town.

577. Thus Brundisium became a Caesarian port, but Caesar had at present no fleet. He gave orders for ships to be collected there, but this was no easy matter. The maritime centres were mostly in the East and the Pompeian fleets commanded the sea. Their army, quartered on the opposite coast, was sure of its victuals. Meanwhile they held Sardinia, Sicily and Africa, and hoped to starve Rome into submission by stopping the corn-supplies. To recover these sources of supply was necessary, and Caesar selected officers and forces for this service. The main fact of the strategic position was that, while the enemy in Epirus were out of his reach, they were cut off from their legions in Spain. It was therefore Caesar's plan to deal with the western army first, and so to secure his rear before following Pompey to the East. He did not dally at Brundisium, but moved towards Rome, making many arrangements on the way. At the end of March he reached the city, but stayed there only a few days. After providing for the government in his absence, he set out for Spain. He had before leaving emptied the so-called sacred treasury of an emergency-fund which had been accumulating for perhaps 150 years, and had been overlooked by the Pompeians in the hurry of their flight. This and other high-handed proceedings are said to have caused some protests. But he had no time to stand on ceremony.

578. There was trouble on the way to Spain. It was important to be on good terms with Massalia, but the Massaliots did not want to be involved in a Roman civil war. They professed neutrality, but were preparing for war. After refusing to admit Caesar into the city, they admitted Domitius, whom Caesar had spared at Corfinium. Caesar could not allow this defiant partiality. He made his arrangements for a siege, including the building of a fleet, and went on to Spain. Pompey had divided that country into three districts, in each of which he had a deputy. Afranius and Petreius joined forces to meet Caesar, leaving M. Terentius Varro in charge of the South and West. They were well posted at Ilerda on the Sicoris, a tributary of the Ebro, liable to floods. The operations that followed were **for** some time indecisive, and Caesar was in great straits. But he was willing to take risks, and Pompey's lieutenants were not. Perseverance and the skill of his men overcame his difficulties. At last he drove the enemy to retreat, and by cutting them off

from water forced them to surrender. He let them all go free, on condition that the soldiers should be conducted back to Italy and disbanded. Little blood had been shed in this campaign of 40 days. It was now Varro's turn. Caesar pushed on southwards, and in a very short time was master of the country. Varro submitted. Caesar arranged affairs for the time, and left Q. Cassius with four legions in charge. The mercy and moderation of Caesar in Spain were an effective answer to the slanders of his opponents, who had asserted that he was coming at the head of savage barbarians to deluge Italy with Roman blood. He had skilfully and gently removed the Pompeian army of the West.

579. As soon as he was free, Caesar returned to the siege of Massalia. The city, stoutly defended by sea and land, at last yielded under stress of famine. Caesar disarmed and fined the Massaliots, but left them 'free,' that is self-governing under their Greek institutions. While at Massalia he heard that he had been named dictator at Rome, and late in September he was able to start on the homeward journey. While he had been busy in Spain, Sardinia had been easily recovered. Sicily too was won, for Cato, who was in command there, could not raise a force sufficient for its defence. So Curio, whom Caesar had sent out with four legions to recover Sicily and Africa, succeeded thus far. Later in the year (Aug.) he rashly landed in Africa with only the two doubtful legions from Corfinium. The Pompeian governor, P. Attius Varus, was supported by Juba the Numidian king. The disaster that followed was a repetition on a smaller scale of the dreadful affair of Carrhae. Curio and his army perished. The province remained in Pompeian hands, but the victory was the victory of Juba. This failure was of course an annoyance to Caesar, but for the present it had not much influence on the fortunes of the war.

580. Caesar was busy in Rome during the months of October and November. For 11 days he remained dictator. He held the elections, and became himself consul-elect for 48. He filled other offices with his own men, including the vacancies in the sacred colleges, and held the Latin Festival. Laws were passed for restoring civic rights to various persons hardly treated in the past, for granting the full franchise to the Transpadanes, and other purposes. An urgent need was some measure to give relief

to debtors, and at the same time to restore credit, much shaken by the war. There was talk of a general cancelling of debts. But Caesar meant nothing of the kind. He ordained that repayment should be made of the capital sum owing, minus the interest already paid. He also provided that a debt might be discharged by surrender of the debtor's estate, and the creditor bound to accept it at a valuation. Arbitrators were to value it at the estimated selling price according to the state of the market before the war. The creditors might well submit to the loss of a part of their capital, having been not unlikely to lose it all. The plan seems certainly to have done something to relieve present stringency and set money in circulation once more, and payment by transfer of a debtor's estate¹ became in later times a regular part of the legal system of Rome. Another matter calling for attention was the means of keeping the West quiet while Caesar was engaged in the East. New governors were appointed to the provinces already won, and the Mauretanian kings Bocchus and Bogud were honoured with full recognition, to hold in check the Numidian Juba. There was of course no opposition to Caesar's will. The remaining senators were a mere Rump; the Assembly itself was not more completely at his disposal.

581. Meanwhile Pompey had got together a great army of various quality. He had nine full legions, and two more were coming from Syria. He had numerous auxiliary forces, drawn from the eastern peoples, and was therefore strong in cavalry and light troops. The Pompeian fleets commanded the sea, and a success gained against a Caesarian force at the head of the Adriatic had lately encouraged them. Yet there was something wanting. The legionaries were no doubt by this time well drilled, and some of those brought up from the eastern provinces were seasoned troops. But the forced retreat from Italy was a depressing fact. Pompey had begun badly, and the victory in Africa was nothing, compared with the total disappearance of the Pompeian army in Spain. The rank and file probably cared little for the republican cause. The foreign troops were rather vassals of Pompey the conqueror of the East, than retainers of the Roman aristocracy, prepared to risk their lives in doing battle for the Senate. To impart warm enthusiasm and soldierly tone to an army composed of such motley elements was hardly possible.

¹ The so-called *cessio donorum*.

And, whatever might have been possible to a general of Pompey's capacity, if free to act for the best, was made utterly impossible by the magnates at headquarters. They played at Senate, passed resolutions, and wasted time in debate. Cato had come from Sicily, Cicero had at last escaped from Italy. The former was unpractical, the latter worried and sarcastic. The great nobles served only to weaken the authority of the general. The need of money was extreme, and all the East, client-princes as well as provincials, suffered in consequence. The rate of interest being forced up by the general insecurity made the burden greater. The farmers of revenues were required to pay up what was due to the state, and to make advances for the next year. In short, the fruit of Rome's eastern empire was squeezed dry. But the Pompeians reckoned on having plenty of time to complete their preparations during the winter. Pompey quartered a good part of his army in various places, and was himself for a while at Thessalonica. The naval squadrons under commanders subordinate to Bibulus were thought able to prevent Caesar from crossing the Adriatic till the spring.

582. Caesar had 12 legions in Italy, but war and sickness had thinned the ranks. It was in the quality of his effective veterans that his superiority lay. They were used to bold advance and victory. He had Gaulish and German cavalry. His great difficulty was how to make the sea-passage. Two trips were necessary, for he had only transports enough to embark seven thin legions and a few horse. But it was most important to get a footing on the further coast without delay. Quite early in January 48 by the official calendar, two months earlier by the solar year, he gave Bibulus the slip, and landed with the first part of his force on the coast of Epirus. The winter was just beginning. For the present the Pompeian fleet was able to prevent his troops left behind from joining him, but the hardships of constant cruising in the vessels of those days were great. By occupying positions on the coast Caesar could cut them off from the land at many points, and thus add to their difficulties. Oricum and Apollonia quickly submitted to him, and a large part of Epirus soon did the same. His next aim was to capture Dyrrachium, the port-town where the Pompeians had their chief depot. Pompey was on his way westwards from Thessalonica when he heard of Caesar's landing. By forced

marches he arrived just in time to save Dyrrachium. But the need of hurry to meet Caesar's unexpected attack was *of* itself enough to shake the nerve of his untried army. The two armies now lay facing each other along the river Apsus. Insincere negotiations went on from both sides. The outposts conversed under a sort of tacit truce, and strong measures had to be taken to put an end to an intercourse dangerous to the Pompeian cause.

583. The winter dragged on. Caesar, hard pressed by want of supplies, had to wait. He was not yet strong enough to take the offensive. Meanwhile there was some trouble in Italy. The praetor M. Caelius (Cicero's friend) was restless, and entered on wild courses tending to the cancelling of all debts. At length he became intolerable, and the consul Servilius had to suppress him by force. He then sent for Milo, who was still in exile, and the two attempted a brigand rising in southern Italy. Both perished, and Caesar's partisans still held Italy. The urgent question in the early months of the year 48 was, when would the second division of Caesar's forces reach him, if at all? He had staked all on a bold venture, and had succeeded so far, but the moral effect of his forward strategy was being lost by inaction. Fortune now served him well. Antony broke up an attempt of a Pompeian squadron to blockade him in Brundisium, and early in April he put to sea. Weather favoured him, and he landed north of Dyrrachium with four legions. Pompey, being between Caesar and Antori, tried to prevent their junction, but failed. It is to be noted that it was a warning from friendly natives that saved Antony. Already Caesar was gaining goodwill by his kindly treatment of all, even of captured enemies, in contrast to the brutality of the Pompeians on several occasions. He was now able to take the offensive, a marked advantage, especially in civil war.

584. The next stage was to send out detached forces to win aid and supplies in Greece, and to hold in check Scipio, who was bringing troops to Pompey through Macedonia. These moves were more or less successful; but he could not get into Dyrrachium. The Pompeians drew supplies by sea, while he was completely isolated in a poor country. Nevertheless he undertook to blockade them by land with a starving army inferior in numbers. For more than three months he held them fast by

fortified lines which were gradually built to run round them from sea to sea. As time went by, the loss of horses and the impaired health of the besieged army forced Pompey to act. **But** he could not break out until Gaulish deserters betrayed to him the weakness of the unfinished works at the southern end of the lines. By a sudden attack he broke the investment, and indeed gained a real victory in the ensuing battle. But he did not follow it up, and the advantage was lost. It soon became a disadvantage, for the Pompeian army was unduly elated by a moderate success, and the nobles at headquarters were convinced that nothing stood between them and final victory but the caution of their general, and his unwillingness to come down from his position of command. It was found that Caesar had marched inland, and pursuit was vain. To return at once to Italy and reoccupy Rome was tempting, but it meant abandoning Scipio. It was decided to rescue him and to crush Caesar. So, while Caesar's men toiled over rough mountains to Thessaly, recovering their spirits, the Pompeian army moved along the Egnatian road in easy confidence, and descended into Thessaly from the North. A detachment had been left under Cato at Dyrrachium. But of the two main armies that now were meeting to decide the fate of the Roman world, the Pompeian seems to have outnumbered the Caesarian by about two to one.

585. Pompey's situation was pitiful. As a soldier he knew his business. Delay was all in his favour. But as the nominal chief of a circle of conceited aristocrats, eager to return in triumph to Rome and take vengeance on their adversaries, he was at a loss. He could not control them, for he wished to please them. Therefore they controlled him, and compelled him to give battle, against his better judgment, on the 9th August. His tactical scheme, for turning his superiority in numbers to account, was a good one, but commonplace, and easily divined by Caesar. The 'battle in Thessaly' as Caesar calls it, was fought near the town¹ of Old Pharsalus, and ended in the rout and dispersion of the Pompeian army. The number of killed on the beaten side is said to have been large, but many of them were foreigners. Caesar did his best to stop the slaughter of Romans. A great number of prisoners were taken, and kindly treated, but a considerable number of fugitives escaped from the field, and were

¹ *Palaepharsolus*.

afterwards a cause of embarrassment to Caesar's officers employed in Illyricum. While several of the most stubborn aristocrats died fighting, Pompey fled. When Caesar's men burst into the enemy's camp, they found preparations made for a feast in honour of the victory assumed certain. The chief significance of this dramatic battle is that a single general, absolute master of his own movements, overthrew one who was no more than the chairman of a self-satisfied and incompetent clique. In politics this was the tendency of the revolutionary age : the decisive battle expressed this tendency in simple military terms.

586. Two main features of Caesar's strategy were a readiness to take great risks and promptness in following up a victory. He now did the first by leaving the sea still commanded by the republican fleets. Perhaps he guessed that they would soon be weakened by the desertion of some of the eastern contingents, and he had good reason to expect that their commanders would prove unable to conduct naval operations on a large scale without Pompey. He did the second by starting in pursuit of Pompey at once. This step led him on into unforeseen difficulties, and soon brought him into imminent danger of losing all that his splendid victories had won. While he was locked up in the East, the republican leaders had ample time to concentrate their remaining strength in another part of the world, and the really decisive battle had to be fought over again.

587. But Pompey was a broken man. Without any certain plans he fled to the East, where none were willing to receive him. He sought a refuge in Egypt, hoping for protection in a country ruled by children of that Piper king whom his own influence had restored to the throne. But the young Ptolemy, to whom he appealed, did not want him, and the king's advisers did not relish the prospect of losing their present power and profit by involving Egypt in a Roman civil war. The end of it was that they enticed Pompey to quit his ship, and murdered him. Thus they got rid of a tiresome suppliant, and thought themselves now safe from the conqueror's unwelcome interference. So died the man who had for many years been a leading figure in the Roman world. His place in history is that of the man whose ambition was to be indispensable, to have power without seizing it. The conditions of Roman politics in his time made this impossible. The republicans did not really trust him; and indeed no man con*

tributed more to the fall of the Republic, of which he loved to pose as the dignified patron. He had become a dreamer, bent on combining incompatible things, and so passed helplessly to a tragic end.

588. There was no opposition in the East when news of the battle of Pharsalus arrived. Caesar passed over to Asia, and pushed on with a small force from Rhodes to Alexandria. He was disgusted at the murder of Pompey. Misunderstandings soon arose. He did not know the Alexandrian mob. He appeared as Roman consul, representing the sovran power. He undertook to settle a dynastic dispute between young Ptolemy and his sister-wife Cleopatra. It is fairly certain that he wanted to exact money, of which he was in great need. In a short time he found himself entangled in an ignoble conflict with the city mob, supported by the mercenary army, a motley body of ruffians, headed by the king's ministers. He was forced to occupy and barricade the palace, where he was besieged for several months. Few reinforcements reached him, and he had great difficulty in keeping open his communications by sea. In truth he was never in greater danger than at Alexandria. Relief did not come till the spring of the year 47. A certain Mithradates of Pergamum raised a force in Cilicia and Syria, including some Jews. With this he marched into Egypt and joined Caesar. The war was quickly ended. Submission was met with clemency, but the settlement of the kingdom took some time. Cleopatra, who had been with Caesar during the siege, was made joint ruler with her younger brother, to whom (the elder being dead) she was formally married. Some favours were granted to the Alexandrian Jews. To maintain order for the present, Caesar left behind him most of his troops when he sailed for Syria in July.

589. The Alexandrine war had been provoked by interference in the affairs of a protected kingdom. Eastern princes in general took no independent part in the Roman civil war. The contingents sent to Pompey's army were furnished only for fear of the risks of disobedience. The remnants of them were soon withdrawn, even as the Rhodian and Egyptian squadrons had left the Pompeian fleet. But Pharnaces, the ruler of the Bosporan kingdom, took the opportunity of the civil war to attempt the reconquest of the territories that had once belonged to his father, the great Mithradates. The new Caesarian governor

of Asia tried with insufficient forces to stop him, and suffered defeat. For some months Pharnaces was free to work his will. Caesar could not afford to allow this. He hurried through the arrangements necessary in Syria and Cilicia, and marched to meet Pharnaces. The difficulty of raising troops was very great, for he had very few Romans with him. Some Galatians were sent by Deiotarus their principal chief, who was eager to win forgiveness for having supported Pompey. On the 2nd August the decisive victory of Zela put an end to the pretensions of Pharnaces. Then a new territorial settlement had to be made as a guarantee of future tranquillity. Caesar's presence was urgently needed in Italy, but he was not able to arrive till near the end of September.

590. In turning back to see what had been happening in Caesar's absence, we come upon a series of operations on the coasts of the Adriatic and Ionian seas. The fleet of the republicans was still strong, but was not effectively concentrated and employed on a consistent strategic plan, so as to help in deciding the main issues of the war. In Sicily and southern Italy some Caesarian ships were destroyed. In the parts of Illyricum a more serious struggle took place after the battle of Pharsalus. At first it seemed as though the Pompeians would become masters of all the Illyrian seaboard, but in the end Vatinius, who commanded at Brundisium, prevailed. He got together a makeshift fleet, for which restored invalids provided good fighting crews, and gained a decisive victory. The navies of the period were clumsy, and naval strategy in general a neglected art. From the later course of the war it would seem that the superiority of the republicans at sea was now fast wasting away. Meanwhile on land there was a far worse trouble in the West. Q. Cassius, Caesar's deputy in the Further Spain, had under him the peaceful southern district, already much Romanized. It contained many thriving cities, and was a centre of mining enterprise. He had also Lusitania, less civilized, but apparently not now rebellious. By arbitrary and extortionate government, and by corrupting the discipline of his troops, he made his province a scene of confusion, till he provoked a conspiracy, and at length a military mutiny. This was a rising against Cassius, not against Caesar. It was not till the summer of the year 47 that order was restored by Lepidus, proconsul of the Hither

Spain. Cassius was removed, but, the mischief done in the province could not be undone.

591. In Rome Caesar's colleague Servilius kept things fairly quiet during the year 48. The news of Pharsalus, and then of Pompey's death, caused great honours and powers¹ to be voted to Caesar. In particular he received (though a Patrician) the grant of full tribunician power, without holding the office of tribune. He was also named dictator a second time, on much the same footing as Sulla. He entered on this office while at Alexandria, and named Antony, who had taken back some veteran legions to Rome, Master of Horse. In idleness these soldiers began to be troublesome. And the year 47 began without regular magistrates, Caesar not having been able to send his orders. Some of the tribunes raised disturbances by agitating proposals for cancelling debts or violent opposition thereto. At last Antony was forced to act, and order was restored with much shedding of blood. Caesar was badly wanted. Before we speak of his return, we must note the dispersal of the Pompeians after the battle of Pharsalus. Beaten on land, they made their naval station at Corcyra their headquarters for a time. But they soon broke up and went different ways. Cicero in dejection returned to Italy, where Caesar's men treated him kindly. Scipio went to Africa; and, after naval operations had failed, so did the fleet under M. Octavius. Cato and another party sought Pompey in Egypt, and at the news of his death separated. Some gave up the cause, and received pardon from Caesar; most of them went on with Cato to Africa. Africa was the centre to which other fugitives rallied, and when Caesar reached Rome it was already certain that the necessity of another campaign would leave him but a short respite for the despatch of urgent business in the capital.

592. Caesar was in Rome less than three months, and there were endless things to be done. He dealt with the financial crisis by enforcing the rules laid down by him in the year 49. There was no remission of debts, but some temporary relief in the matter of house-rents. We hear also of a measure to encourage the investment of capital in land, and of an edict dissolving some troublesome clubs or gilds which Clodius had revived. To establish order and credit was his object. He held elections,

¹ Among them the right of nomination to magistracies and governorships.

and filled up the magistracies for the small remnant of the year, thus restoring a normal state of things, and also saw to the elections for the next year. Money was his greatest need. He is said to have been driven to exact forced loans, and to sell confiscated estates of Pompey and others. There is no doubt that this policy was sorely against his will. But what was he to do? The veteran legions, waiting in Italy for their promised rewards, were clamouring for cash. Caesar wanted them for the war in Africa. They marched on Rome and claimed their discharge. Caesar met them and granted their request. He could not satisfy their demand for payment, but promised that on his return from Africa he would pay all just claims in full with interest. What now were the soldiers to do? Their hopes of reward depended on Caesar. If he perished or conquered at the head of another army, their prospect of reward would either disappear or be subject to rival claims. What Caesar actually did after their submission (for they did submit) is uncertain. The mass of them at least were sent to Sicily on their way to Africa.

593. For the year 46 Caesar, still dictator, was also consul with Lepidus for colleague. Lepidus was to be at the head of the home government. Among the many appointments made at this time we must note that of M. Junius Brutus as governor of Cisalpine Gaul. He, like his uncle Cato, had been a strong republican, but had sought and found pardon from Caesar. He was now left in a most important charge, while Caesar went to fight against Cato in Africa. Near the end of December 47 Caesar put to sea from Lilybaeum with six legions (only one of veterans) and a small body of horse. Until joined by the rest of his old troops, he was not able to meet the republican army in the field. In the space of about a year and a half his adversaries had got together a large force of various quality, and had so cleared the country of supplies that an invading army was almost wholly dependent on imported food. They had also the support of Juba. It is true, the pretensions of the king were an embarrassment to the Roman leaders, but the Numidian army was no contemptible auxiliary, and with it their superiority to Caesar in cavalry and light troops was so marked that he could only move with difficulty. Of leaders there were plenty, among them Labienus. But the republican weakness betrayed itself in the choice of Scipio as commander in chief. He was a man of

ordinary abilities, not really fit to face Caesar or to guide and control the erratic strategy of Juba. And the energies of Juba were presently diverted by an invasion of Numidia from the West. The two Mauretanian kings, Bocchus and Bogud, had been attached to the Caesarian interest as a check on Juba. At the present time both seem to have been under the influence of P. Sittius, a Roman adventurer who was strongly opposed to the aristocratic party. Sittius now did Caesar a very timely service by leading a Mauretanian army into Numidia.

594. Caesar had at first hard work to hold his ground after landing, and to feed his men. Even when supplies began to arrive, and the missing legions came, he had a wearisome campaign. That his convoys were allowed to reach him is a sign of the inefficiency of the enemy's naval service. Part of their fleet was under Pompey's elder son Gnaeus cruising in the West to little purpose. Caesar's main object was to force on a decisive battle. This Scipio avoided for some time, but Caesar attacked the town of Thapsus, and Scipio had to come to the relief of his garrison. On the 6th April 46 the battle of Thapsus was fought. Caesar's men were not to be restrained, and the rout of the republican army ended in wholesale butchery. The war was over. Most of the chief republican leaders fled and perished in their flight, but Labienus and Varus escaped to Spain, where we shall find them with Pompey's two sons, making one more stand against the fortune of Caesar. The most famous episode of the victorious campaign in Africa was the death of Cato. He was not in the battle, but in charge of Utica, the provincial capital. He thought that his work was done, and that it was time for him, acting on Stoic principles, to leave an intolerable world, and not to survive the Roman Republic. He read again Plato's version of the Socratic views on the immortality of the soul, and calmly killed himself. To later generations Cato was a hero, and his suicide a favourite topic of literature.

595* Caesar spared the lives of captured officers, but sent them into exile. Numidia was divided. Part was given to Bocchus, and Cirta, with the district round it, formed into a principality for Sittius. The rest was annexed as a province under the name of New Africa. In the old province some money was raised by fines levied on the partisans of the beaten side, and by confiscations. In June Caesar sailed for Sardinia, and towards the end of July he reached Rome.

CHAPTER XLIII

FROM THE BATTLE OF THAPSUS TO THE DEATH OF CAESAR. 46—44B.C.

596. Rome was awaiting Caesar's return, and ready to confess her subjection to a single will. Honorary distinctions were voted him, so that on all public occasions he was recognized as sovran head of the state. He accepted most of these honours : but the grant of actual powers, by which his position was rendered more fully monarchic, was to him no doubt more important. He had great designs for reforming and remodelling the government, which the African war had interrupted; and time was slipping by. There was still one department which had so far not been placed under his control, that of the censorship. The office had long been decaying, and since Sulla it had hardly more than a nominal existence. Yet for Caesar's purposes it could be made useful. The census, the state-contracts and other matters of finance, not to mention the general power of interference, were things which it was surely convenient to bring under the master's hand. So he was made 'guardian of manners and morals' (*praefectus moribus*) for three years. Having no colleague, he had the full powers of two censors, and for twice the usual term of function. Formal scruples were evaded by the change of title, and the old office was not abolished. Caesar's official position in the latter half of the year 46 was this. He was dictator on the Sullan footing. He was also consul with Lepidus. He had the dominant tribunician power and the rights of nomination, granted him in 47. Moreover he was chief pontiff for life, and thus the chief authority in matters of religion. Now the state religion was

intimately connected with practical politics, and the charge of the state calendar, now in dire confusion, was a duty of the pontiffs. The total of these powers was virtually monarchy as autocratic as the tyranny of Sulla. But the difference of the two men was immense. Caesar reassured the public by promises of a mild government, and he kept his word. But there is no reason to think that he contemplated retiring after carrying out his intended changes. He did not mean to resign the monarchy in favour of the Senate, whose incompetence he well knew. And there was no other possible claimant. We cannot know all his motives, and we cannot fairly blame him for overthrowing the republican system in the interests of efficiency. He at least did not evade responsibility when assuming power.

597. In August he celebrated four triumphs, Gallic, Egyptian, Pontic, African. The first included the execution of Vercingetorix, the last was nominally over Juba, though the victory of Thapsus was really an episode of the civil war, and Roman sentiment was shocked. The mere bullion displayed in these shows was of vast amount, more than £15,000,000 according to one story. But the charges to be met were enormous. We hear of common soldiers receiving £200 or more a head. Common citizens had a bounty of £4 a head. A general feast, followed by games, stage-plays, shows of gladiators and wild beasts, kept up the entertainment for days on an unexampled scale. A novelty, the exhibition of an actual sea-fight (*naumachia*) on a lake dug specially for the purpose, was a very popular performance, and no doubt a very costly one. Rome was thronged with visitors, but even during this mad carnival there were signs of discontent. That a Roman knight acted on the stage to please Caesar, while others fought as gladiators, was galling to men of position, as reminding them that all alike were in truth slaves of a master. Rough soldiers would gladly have had the spending of money wasted on needless splendour. Some force had to be used to prevent disorder. But the time of excitement ended, and business began again. It was then that patriotic men, such as Cicero, felt the real weight of Caesar's autocracy. They were daily reminded of their utter powerlessness. There was no political life left for them. Caesar was considerate and polite, but he was master, and the views of republicans, however able and eloquent, were of no **importance or effect.**

598. No one could tell what Caesar might choose to do. That he was generous and fair, active and wise, could not be denied. But nothing could reconcile republican patriots to their own political extinction. Caesar took pains to attract the cooperation of men of worth, in order to invest his usurpation with dignity. Such a man was Cicero, at whose request he granted many favours. But the conflicts of public life, in which the orator found his interests and won his triumphs, had ceased. The sensitive man despised himself for his own submission. He turned to literature, and produced a number of treatises dealing with oratory and philosophy. Others, who would feel their servitude less acutely, would also have less resources to enable them to bear the yoke. In short, the republican element in Roman society was conquered for the moment, but not finally crushed or tamed. Even the men pardoned by Caesar resented their subjection. And all the while Caesar was becoming more and more isolated. He was losing touch with men of independent views, for the stress of business kept him surrounded by subordinates and flatterers. This result could not be helped. It was under such conditions that the busy benevolent autocrat set about his work of practical reforms. A necessary preliminary was the discharge of soldiers and provision of land-allotments. This was carried out on principles very different from those of Sulla, for care was taken to avoid the planting of military settlers in continuous blocks, and the disturbance of existing tenures. It seems that the allottees were incorporated in small numbers in existing communities, scattered over Italy proper and Cisalpine Gaul. It is probable that most of the land for the purpose was bought and paid for. The business seems to have gone through peaceably and equitably, and the state can hardly have had enough suitable land without buying it. But it is a pity that we have not statistics of so remarkable a transaction.

599. Some of Caesar's reforms were embodied in laws, others not. His censorial power enabled him to lessen the abuse of the corn-doles, an old-established evil. He revised the list, and cut down the number of receivers to 150,000. It is said that he had found it 320,000. In this matter also the details are obscure, but it would appear that his main object was **to reduce the numbers of the urban mob.** The servile element was **always being** recruited by manumissions. Slaves **no longer worth their**

keep were cheaply provided for as state-paupers. Caesar introduced a better alien element by enfranchising many medical practitioners and other specialists (teachers etc.), and thus encouraged clever Greeks to settle in Rome. We hear of laws to check luxury, and to enforce the employment of more free labour in rural districts: vain efforts, which recorded evils that they could not cure. To meet financial needs, the customs-duties abolished in the year 60 were now restored. An important measure was the *lex Julia municipalise* probably drafted now and passed in 45. Part of it dealt with internal affairs of Rome, regulating various rights and duties with a view to improving the administration of the city, among them roadways, traffic, and the corn-doles. Another part enacted normal rules for the self-government of Italian municipalities. This combination of topics is surely a mark of Caesar's imperial views. We may fairly say that to him the difference between Rome and other cities of Italy was merely that between the capital and local borough-towns, not a difference in kind, but in place and degree. Whether, if he had lived longer, he would have taken the further step of making the subject-peoples politically Romans, we cannot tell. But the coming of an imperial master, with his eye on the empire as a whole, pointed to a general incorporation some day. That Rome was the capital was not a matter of doubt. When chatterers suggested that Caesar meant to move the centre of government to Alexandria, this was idle talk.

600. Among the evils to be remedied was the ineffectiveness of legal penalties for public crimes, such as public violence and treason. The unpleasantness of exile was not enough to deter offenders. They kept their properties, and found pleasant places to live in. Caesar now imposed a forfeit of 50% of their property, 100% in cases of parricide. Other laws dealt with the composition of juries, removing the *Iribuni aerarii*, or with restrictions on the freedom of foreign travel, and on the length of tenure of provincial governorships. It is chiefly as indicating the points in which he desired reform that these measures are interesting, for he did not live to carry out his policy. His relations with the Senate were, in their effect on the sequel, more important than his laws. It seems certain that decrees were drawn up in the Senate's name, and liberties taken with the names of well-known members without their knowledge. The

House valued its privilege of debate, but Caesar's time was precious, and he fell into the habit of consulting only a sort of select Cabinet of leading senators or private friends. Meanwhile his censorial action in filling vacancies was a further cause of discontent. Men who had lost their seats owing to condemnations or political troubles were restored. Thus the remnant of the republican aristocrats was weakened by the inclusion of members who owed their rehabilitation to Caesar. Later, in 45, he went further in this direction. But already he shewed that, while recognizing the Senate as a necessary organ of government, he did not mean to let it resume its former power as an aristocratic clique.

601. We now come to the reform of the calendar. Two year-systems were in use. It was by the official calendar-year, as ordered by the pontiffs, that days of fixed festivals and days available for transaction of public business were ascertained. It began with March. The official year of the regular magistracies had ever since 153 B.C begun with January. Beside these, there was a roughly-computed solar year, followed by farmers, a sort of year of seasons. The problem was how to combine the principles of a lunar and a solar year. The pontiffs attempted it clumsily by a system of intercalation, adding an extra month in alternate years. Thus in a cycle of four years they could make the average very nearly correct. Unfortunately the inequality of years affected business and politics. Terms of office, nominally annual, were lengthened or shortened. Trials in court were hastened or delayed in date, and contracts ran for a longer or shorter period. The pontiffs were tempted to use their power irregularly, intercalating or not intercalating to suit the convenience of their friends. Thus the official year was now in utter confusion, for the management had of late been peculiarly arbitrary. Caesar resolved to put an end to this scandal. For this as for his other reforms he employed qualified specialists, of whom there were plenty. The chief was the Greek astronomer Sosigenes. The official year was to be the same for calendar and magistracies, and the new system to be binding as from the Calends (1st) of January in the following year (45). By adding days to most of the present months a year of 365 days was made up, and the addition of a day to February every fourth year made a normal average of $365\frac{1}{4}$ days. Thus the knowledge long current in

Egypt was turned to account in Rome. To effect the transition from the old system to the new, 67 days were added to the calendar-year 46 B.C. These few details must suffice here. By this bold introduction of order in place of disorder Caesar conferred a boon not only on Rome but on the whole civilized world. In carrying it out great care was taken to respect old scruples as far as was possible, in particular to avoid disturbing festivals held on traditional dates.

602. While Caesar was busy in Rome, and needing for his work a respite from unwelcome war, there was trouble in the West. Labienus and Varus had escaped from Africa to Spain, where they joined Pompey's two sons, Gnaeus and Sextus. They were a desperate and savage crew, and they soon found the means of raising a rebellion in the Further province, which had not fully recovered from the misdeeds of Q. Cassius. The troops quartered there, some of them remnants of the old Pompeian armies, went over to the rebels. Caesar's lieutenants could not put down the rising. While the preparations were being made for a campaign which the master loathed but could not shirk, there were matters to be settled in Rome. Two acts of grace were specially notable. Among the numerous republican exiles were the bitter and sulky M. Marcellus, Caesar's old adversary, and Q. Ligarius, one of the men pardoned in Africa. Both were interceded for, and both allowed to return. The sequel illustrates the temper of the anti-Caesian nobles. Marcellus at first scorned the favour; when at last persuaded to return, he perished on the way home in a private quarrel. Ligarius took advantage of Caesar's grace only to become soon after one of his murderers. Both these cases were the occasions of speeches by Cicero, who had for some time been silent. Another affair, the subject of Roman gossip, was the enrolment of Cleopatra and her boy-husband among the allies and friends of the Roman people. The queen had come to Rome, and was lodged in Caesar's garden-residence beyond the Tiber. The scandal ran that Caesar meant to marry her, a foreigner and a queen, and to rule as king at Alexandria. And it is to be borne in mind that in Rome the imputation of regal ambition was the traditional preface to a public murder.

603. Before quitting the capital Caesar provided for the government in his absence. He would be dictator for the third time in 45, and he meant to be sole consul also. His Master of

Horse, Lepidus, held the election for this purpose. But, while Lepidus was to be the nominal head of the home administration, the duties of the ordinary magistrates (praetors etc.) were entrusted to *praefecti*, deputies of Caesar. This was an arbitrary arrangement, of course not popular. Its imperial nature was manifest, all the more as the real power lay with Caesar's confidential agents Balbus and Oppius, who watched all proceedings on their master's behalf. The position of republicans was now a peculiar one. No respectable patriot could wish to see the desperate gang in Spain masters of the Roman world. Yet there were still those who would gladly be rid of the present master, and so far wished well to the rebels. It was not easy for malcontents at that time to discern the truth, that order and prosperity depended on the control of the one strong master.

604. Caesar started in December 46 and travelled post-haste to Spain. He had to meet an army more numerous than his own, but including native levies and liberated slaves. It was in fact a rebellion rather than a civil war with which he had to deal. The fortresses in the South and West were held by the enemy, and supplies were scarce. The hardships of a winter campaign were great, and the barbarity of Cn. Pompey and his lawless troops provoked reprisals, and gave a savage character to the war. At last Caesar was able to bring on a battle. It was at Munda, not far from Corduba, on the 17th March 45, that he won his last victory. Of the Pompeian leaders only Sextus Pompey got away safe, to give trouble later. The rebellion was put down, but there was work to be done in reconstructing the province, in rewarding and punishing, and in exacting much-needed money. To some communities Caesar granted the Roman franchise. He had now with him his grand-nephew C. Octavius, a youth of less than 18 years, whose discretion and capacity impressed the dictator. Caesar returned to Italy early in September, but did not enter the city for about a month. It was at this time that he made his will, and left Octavius his heir. But this decision was a secret from the Roman public, whatever certain persons may have guessed.

605. To devise any practical extension of Caesar's autocratic powers was no longer possible. In granting him the entire control of the state treasury and the monopoly of the military *imperium*, the Senate and Assembly were recognizing facts. These and

other privileges were voted him as a result of the news of Munda. Some of the honorary distinctions are to us more interesting, from two points of view. The right to wear the all-crimson gown on public occasions, with other distinctions of dress, traditionally regal, suggested the revival of the ancient kingship. The right to bear the title *imperator*, not as an exceptional military honour, but as a first name (*praenomen*) to descend to his family, suggested the more modern type of military monarch. A house on the Palatine, to be built with a pediment or gable, provided a palace, and by its temple-model suggested deification. An inscription on the base of a statue of Caesar, set up in a temple, spoke of him as a god. In a polytheistic system one new divinity was no great matter; but these, with other ceremonial honours, suggested the deification of kings long known in the East. We are told that all this invidious adulation was by many of its promoters deliberately meant to create odium against Caesar. On his return he accepted nearly everything voted him, and soon after he unwisely affronted public sentiment by not only holding a triumph himself but allowing two of his lieutenants to do the same. Spain was a Roman possession, and these triumphs outraged patriotic feelings. Caesar was in short more than ever an isolated autocrat, whose friends were dependants. Cut off from the advice of independent judgments freely expressed, he could only judge for himself on imperfect information, and he was not infallible. He had also great difficulty in dealing with claims to preferment. His partisans looked for their reward. But he wanted to conciliate the pardoned Pompeians as well. Jealousy tended to breed discontent, and discontent to turn both parties against himself. Such was the unhappy dilemma created by a policy of mercy.

606. To satisfy some claims, Caesar resigned the consulship, and had two successors elected for the rest of the year; and by raising the number of praetors to 14, and of quaestors to 40, further openings were found. But to unfriendly critics he seemed to be treating the magistracies with levity. He watched the provincial governors carefully, and made various arrangements for the following year. He was still forgiving; a number of political exiles were pardoned and restored to their civic rights. But his health was not what it had been. He was weary and at times ill-tempered. And every hasty act or word was made the

most of by malignant gossip. Thus the number of secret malcontents was increased, and to them each added honour, such as the title of Father of his country, was but an added provocation. Among the privileges voted him was one which in some form confirmed and extended the personal inviolability which was already a part of his tribunician power. In view of what was soon to happen, this solemn guarantee of his safety deserves remark.

607. The great projects attributed to Caesar bear the stamp of his imperial views. His plans for roads, reclamation of marshes, harbour-works, and so forth, shew his designs for the improvement of Italy. He meant also to make Rome a capital worthy of the empire. He had already, as we saw¹ above, done something in the way of public buildings, and no compliment now pleased him better than when the Senate voted the construction of further works under his direction, of course destined to bear his name. A grand scheme for building on the *campus Martins*, and providing a new Campus beyond the river, must have implied one or more new bridges. Some of these works were begun, and finished by Augustus, others had to wait much longer. One of his designs was the foundation of two public libraries, Greek and Latin. Greatest of all was a projected Digest of the law, in which he would have employed a staff of skilled jurists. But this, and the amendment and codification to follow, were stopped by his death, and were not seriously taken in hand for more than 550 years. Caesar had already shewn his readiness to extend the Roman franchise beyond the bounds of Italy, and this policy he probably meant to continue. He had plans for a general census, and a survey of the empire: also for planting colonies of Roman citizens abroad, to promote the Romanizing of the provinces. With this last scheme a good beginning was made before his death. All tends to shew that he contemplated a grand reorganization of the empire. Indeed it was urgently needed, for its vast area could only be effectively governed and defended by a better organization of its powers than was any longer possible under the chaotic arrangements of the Republic.

608. But this great undertaking was only possible under conditions of public security and peace. Foreign policy therefore demanded his attention, and on the north-eastern and eastern

¹ §§ 564. 565.

frontiers there were signs of trouble. The Macedonian province had long suffered from the inroads of barbarians from beyond the Danube, and a recent union of these rude peoples, Getae or Daci, under a vigorous prince had made them more dangerous neighbours than ever. For the present the anxiety in this quarter was relieved. The Getic king Burebistas died, the kingdom broke up, and the territories of Rome and her Thracian allies were no longer in serious peril. On the side of Parthia things looked badly. Since the disaster of Carrhae the Parthians had been restless, and they were just now tempted to invade Syria. A Pompeian officer had raised a mutiny among the troops quartered there, and had destroyed the governor left there by Caesar in the year 47. Now that Caesar was supreme, this man was a rebel; and, to hold his ground, he invited the aid of an Arabian prince and also of the Parthian king. Forces already sent to recover the province had failed, and Caesar's presence was really needed. The duty of avenging Crassus was put forward to justify the enterprise. Vast preparations were made for effecting a thorough settlement of the eastern question. An army was raised and sent over to Macedonia for training, and young Octavius placed in touch with it as a student at Apollonia. Meanwhile it was rumoured that a passage in the so-called Sibylline books affirmed that a king was needed to conquer the Parthians. This was of course taken as a proof that Caesar meant to be king of Rome.

609. Before setting out for the East, Caesar took precautions to hinder malcontent senators from making mischief during what was likely to be his long absence. He had already put some new members into the House, and now he made a thorough revision of the roll. He struck off some unworthy members, and added many new ones, disregarding old prejudices. Soldiers, sons of freedmen, even enfranchised Gauls, were included, and the total (it is said) raised to 900. Roman gossip sneered at this levelling policy. He also had a law passed to authorize a fresh creation of Patricians. The genuine Patricians were now very few, and there were still purposes for which they were formally required. The chief pontiff then carried out the law. Among the new Patricians was young Octavius; according to one tradition, Cicero was another.

610. Among the cases heard by Caesar (for he assumed judicial functions) was one of some note. It was that of the

Galatian king Deiotarus, who was tried in absence, on an old charge of plotting against Caesar. Caesar wanted a pretext for deposing him. It seems that all Cicero's eloquence could only avail to get sentence deferred. The affair was a mark of the dictator's arbitrary power. Even when he dined with the favoured Cicero, he avoided talking of politics, to the disgust of his host, who was bursting with good advice, and galled to feel himself of no importance. The elections for 44 were interesting, as an indication of Caesar's policy. Antony had of late been out of favour. He was forgiven his offence, and Caesar, in taking a fifth consulship, took him as his colleague. To provide more posts of honour, the number of praetors was raised to 16 and that of aediles to 6, and the same course was followed with some minor offices. Among the praetors were two pardoned republicans, M. Brutus and C. Cassius. Caesar himself was to be for the fourth time dictator. Early in 44 he exchanged the yearly tenure for a life-tenure. Meanwhile Octavius, now 18, was pushed to the front. He was already a pontiff, and it was now arranged that, when Caesar went to the East, he should succeed Lepidus as Master of Horse and act as his great-uncle's representative. Clearly Caesar meant to found a dynasty in the person of this youth.

611. We now come to the last stage of Caesar's life, when those who desired to make an end of him must either act quickly or miss their chance. A last batch of honours, the invention of ingenious servility or malignity, opened the new year 44, and laid further stress on his position, regal and divine. It was now that the name of the month *Quintilis* was changed to *Julius* by decree of the Senate. But in truth the relations between the serious and over-busy autocrat and the solemn but grovelling Senate were more strained than ever. He could not always interrupt business to receive them as politely as they expected. And he was induced to dismiss his bodyguard. Indeed, if votes and oaths meant anything, he was safe enough, at least from senators. But there was by this time a conspiracy on foot, and no pains were spared to make the common people regard him as a tyrant prepared to assume even the hated title of King. He was soon involved in a quarrel with two tribunes, who had intervened to stop demonstrations in favour of his regal power. They alleged that such suggestions were contrary to Caesar's own wish: but Caesar would

have preferred to repudiate them himself, and was annoyed. He arranged to have these tribunes deposed, and the transition from indulgence to severity was unpopular. So bit by bit he was driven into a false position. On the 15th February occurred the famous scene at the festival of the Lupercalia, when Antony repeatedly offered him a crown, and the crowd cheered when he refused it. Of course his refusal, rightly or not, was represented as insincere.

612. The prime mover of the plot against Caesar's life was C. Cassius, the man who had saved Syria after the disaster of Carrhae, and had been pardoned by Caesar for his share in the civil war. He was a bitterly jealous man, whom no favours could reconcile. The actual conspiracy began when M. Brutus was induced to become its respectable figure-head. He too owed his life and his promotion to Caesar. He was a solemn and pedantic being, and professed philosophic principles. As a Roman, he was one of the greediest of usurers ; as a student, he was familiar with Greek views of 'liberty' and the duty of tyrannicide. Above all, he was immensely vain; and the appeal to his vanity drew him to bear a leading part in the treacherous murder of his benefactor. Among the conspirators, more than 60 in all, were Caesarians such as D. Brutus, a man enjoying Caesar's peculiar favour, and ex-Pompeians, such as Ligarius. The dictator had already disregarded rumours of mischief on foot, and he did so still. At last a day was fixed for the deed. On the Ides (15th) of March the Senate was to vote on a proposal to grant Caesar the formal title of King for the purpose of the Parthian war. It was agreed that, as senators, here was their chance. No warnings availed to deter Caesar from coming to that meeting. Even a written information he laid aside unread. The assassins surrounded him and slew him. On his body 23 wounds inflicted by their daggers were afterwards counted. The senators who were not partners in the plot at once fled. It remained to be discovered whether the death of the 'tyrant' meant the ending of the tyranny.

613. It was in Caesar that the great confused movement, which we call the Roman Revolution, reached a logical result. Reformers and agitators had failed. They had weakened the aristocrats, whose corrupt and inefficient government was making a republican system impossible, but had not overthrown them.

On the other hand, Sulla's reaction had also failed, and no one had done more to undermine the institutions of the Republic than Pompey. The career of Caesar is remarkable for its consistency. He was first and foremost a politician, and from first to last he was opposed to the republican nobles, who were exploiting the empire of Rome for their own profit and glory. Experience had shewn that reform could only be achieved, and efficiency restored, through the continuous possession of power, and that the necessary power could only be attained by the pressure, and at need the use, of military force. Otherwise there was nothing to be done but to acquiesce in things as they were. This Caesar would not do: therefore he sought in political life enough power to overcome opposition. For a time the coalition with Pompey and Crassus served his turn. When it came to an end, and his enemies were seeking to destroy him, he had to prepare for destroying them, in case they would not give way. He had to lay aside the demagogue for the soldier. Whatever may or may not have been the scope of his personal ambition, he had now no choice but either to become a hunted exile or to win supremacy with the sword.

614. We shall see that Caesar overthrew the aristocracy so thoroughly that it was impossible to restore the government on the old footing. He might spare the vanquished, and then fall by their daggers; they could not really revive the Republic. Granting his many signal merits, Roman opinion tended on the whole to justify his murder, as guilty of treason to his country. But this view we can hardly accept now. A later generation might idealize the republican system, and ignore the corruption and iniquities that made it utterly intolerable in Caesar's time. It might represent him as the sole author of its overthrow. We can see that he merely gave effect to causes long at work. We have seen economic changes undermining the whole fabric of society, and the decay of the moral forces which had of old been the very life-blood of the state. Greek influences had destroyed the old-fashioned simplicity and obedience in most of the upper classes: the intellectual gain was the property of few, of none more than Caesar. He had caught the inquiring and critical attitude of Greek thinkers with great thoroughness, and no man was better able to detect shams. It was surely in part his contempt for shams that prevented his becoming not only the

founder, but the builder, of the Empire. The sequel of his death shewed clearly that he had underrated the practical obstacles to the establishment of a lasting monarchy. After the long and bloody agonies were over, and his grand-nephew was left supreme, it was necessary to return to the old ways of sham and make-believe before the New Monarchy could be secure.

615. Our record depicts Caesar as tall wiry and handsome, in fact as looking what he was, a Patrician descended from the old nobility of birth. Even his enemies confessed his charm of manner. Soldiers and women alike worshipped him. In an age of excess he was temperate. In a polished society he was a prince of politeness. In literary company no man was more at home, and his whole career shews that he was well able to hold his own with specialists of many kinds. But no characteristic is more clearly marked in him than his calmness of nerve and freedom from vanity. He seems to have had no fear of death. He certainly took no pains to avoid it. Of his own loyalty and honour he gave frequent proofs, and from his own point of view he was surely a true patriot. But, when once resolved on any course of action, he knew few scruples, and went straight to his end. Take him for all in all, he was indeed one of the greatest men known to us in the history of the world.

CHAPTER XLIV

FAILURE OF THE ATTEMPT TO RESTORE THE REPUBLIC. 44—42 B.C.

616. It is impossible to give here more than a very brief sketch of the events by which it was made clear (*a*) that the Roman Republic was not really alive, and (*b*) that there was no power able to revive it. These two points are the subject of the present chapter. The later struggle, in which it was decided who was to be master of the Roman world, does not come within the scope of this book. We may begin by stating the main topics on which our attention will have to be fixed. They are

- (1) the rise and predominance of Antony,
- (2) the return and progress of Octavian,
- (3) the relations between Antony Octavian and Cicero,
- (4) the collapse of Cicero's policy, and the formation of the Triumvirate, and
- (5) the doings of the Triumvirs.

Our record of these years comes, directly or indirectly, from violently partisan authorities. To ascertain the truth is therefore a matter of the greatest difficulty.

617. While the conspirators, having no plans for further action and finding no spontaneous support, occupied the Capitol, the consul Antony was not idle. He could rely on a number of discharged veterans, and he joined forces with Lepidus, who had a legion at hand. Caesar's widow gave up to him all the memoranda and the cash left by the dictator. On the 17th March the Senate met. Many were interested in the maintenance of Caesar's arrangements, but most were in favour of the murderers. The result was a compromise. A general amnesty was decreed,

but the acts of the dictator were declared valid. Thus Antony, who held Caesar's note-books, was left in a position of vantage. It was also agreed that the will of the deceased should be read in public, and that he should have a public funeral. No steps were taken to punish the murderers. These inconsequent proceedings stultified the policy of assassination. Caesar, it appeared, was after all no 'tyrant.' Antony made sure of Lepidus by promising him the vacant chief pontificate. Dolabella, who was to have succeeded to the consulship when Caesar departed for the East, and had been hindered by Antony, was now conciliated by the withdrawal of opposition. Thus a strong anti-republican combination was formed.

618. Soldiers and mob were uneasy at the removal of Caesar, and the reading of his will only excited them more. He had left his pleasure-gardens as a public park, and a gift of money (about £3) to every citizen. By the will C. Octavius was adopted as his son, and made his chief heir. Among others mentioned was D. Brutus. The trust shewn in this man, and others of the murderers, roused popular indignation. Antony in a funeral speech inflamed the rage of the multitude. The body was burnt in the Forum, and great riots followed. The murderers fled for their lives, and the republican majority in the Senate were left in a difficult position. They had lost their more resolute leaders, and could do little to check the proceedings of Antony. Antony's policy was to defer the coming struggle. He pleased the Senate by proposing the perpetual abolition of the dictatorship, by suppressing disorders in the city, and other measures. But meanwhile he was preparing to make profit out of Caesar's papers. He is said to have forged additional documents. Thus he had at disposal a vast number of grants of privileges and immunities, for which he could exact bribes and so strengthen himself financially. He also seized a large sum of public money stored in a temple. Dolabella had a share, and the two acted in harmony. Recent disturbances gave Antony an excuse for raising a military bodyguard. But in April young Octavius arrived in Italy, bent upon taking up his inheritance at all risks. From this boy (as they thought him) men feared and expected little or nothing. Even Cicero had no suspicion that the cool and subtle youth was more than a match for an old and experienced consular.

619. Cicero had left Rome, already disgusted with the turn of events. The death of the 'tyrant' had not restored the Republic. The Senate had blundered. The 'heroes' (Brutus and Cassius) were helpless. Though praetors, they dared not appear in Rome. Caesar's acts were valid, for instance the appointment of D. Brutus to Cisalpine Gaul, of which province he had gone to take possession. There was still trouble in Syria, and Sextus Pompey had not only a strong fleet but was now master of the Further Spain. So alarming was the progress of Sextus that Antony sent Lepidus to pacify him by great concessions. The armies abroad were commanded by nominees of Caesar. In the event of war all depended on their attitude; and war was in prospect, for Antony did not mean to leave D. Brutus in the Cisalpine. The veterans in Italy could not be neglected, and Antony tried to meet their wishes by planting a colony in Campania. But he soon had to return. Octavius had reached Rome at the end of April, and was making way fast. He accepted Caesar's liabilities and claimed his inheritance. Finding that he could not recover what Antony had already spent, he sold his own properties and raised loans. Then he made a start with payment of legacies. By this and other instances of discretion he inspired confidence and gained popularity. In short, he was already a dangerous rival to the careless Antony, whose generosity to dissipated associates was apt to be a mere waste of resources. There was much friction produced by the quarrel over Caesar's estate. Meanwhile Octavius was commonly recognized as Caesar (*C. Julius Caesar Octavianus*) though his formal adoption was not completed till August of the following year.

620. Antony now wanted to get the provincial appointments made for the year 43. Caesar had meant Macedonia for him and Syria for Dolabella. But Antony wanted to have both Gauls. He also wanted a tenure of more than the two years allowed to ex-consuls by Caesar's recent law. He doubted the compliance of the Senate, and turned to the Assembly, which he was able to overawe. On the 1st June the two Gauls were granted to him, and Syria to Dolabella, for six years each; he was probably also given the command of Caesar's legions now in Macedonia. He was in a very strong position. But his main strength lay in the support of the veterans in Italy, and it was

most important to keep his hold on them. No serious republican movement was on foot. Cicero was seeking an excuse to go abroad. The two 'heroes' claimed credit for their peaceful behaviour, but the truth was they had no means of resisting Antony. Brutus did not even dare to shew himself in July at the games of Apollo, which he was bound to conduct as city-praetor. His outlay was to no purpose: Antony's brother C. Antonius presided in his stead. Antony had already contrived to have unimportant provinces assigned them for the year 43. Meanwhile they were offered the duty of procuring corn, Brutus in Asia, Cassius in Sicily. They were very angry, but in the end they had to use the commission as a way of escape to the East. "There was in fact nothing to be done in Italy or in the West. In the struggle now imminent the two 'heroes' bore no part. Cicero, who was in Italy till the middle of July, sought some relief from the worries of the time in literary work. But he had not yet broken with Antony and Dolabella: indeed he did not scruple to accept favours from them, though he deeply regretted that Antony had not shared the fate of Caesar on the Ides of March.

621. There were the faint beginnings of a hope that young Octavian might take up the republican cause in order to get the better of Antony. At present nothing came of it. In the summer there was a kind of lull. The manifold affairs of private life went on. Antony was busy exploiting the 'acts of Caesar' to his own profit. Brutus was vainly dreaming of regaining popular favour and returning to Rome. His folly and narrow-minded bitterness moved the contempt of Cicero, who sailed for Greece on the 17th July. The voyage was stopped by foul winds. News of a rally of republicans, and of a great meeting of the Senate to be held on the first of September, drew Cicero back to Tusculum. In Rome the shadow of the coming conflict was disturbing the money-market, and there was much uneasiness. To this we shall presently return. Meanwhile Antony and his two brothers, Gaius and Lucius, were in power. The Senate could not check his proceedings. But Octavian still firmly pressed his claims as Caesar's heir, and the name of Caesar was popular with the veterans. For his designs, Antony wanted more troops, so he sent for the four legions from Macedonia. To strengthen himself in Rome, he embarked on various projects,

in most cases with little or no result. Two laws were notable as being contrary to Caesar's legislation. One restored the third panel (*decuria*) of juries, and made it consist of centurions; a shameless introduction of the military into the public courts. The other allowed persons condemned by juries to appeal to the Assembly; a flagrant violation of the principle¹ on which the authority of the jury-courts rested. Whatever little good the *quaestiones* might be able to do, would be annulled by this mad resumption of a solemnly delegated power.

622. On the 31st August Cicero entered Rome, and on the first of September the struggle with Antony began, famous in literary history as the occasion of the series of speeches to which the name 'Philippics' is given, borrowed from that of the speeches in which Demosthenes assailed Philip of Macedon. On that day Cicero did not appear. In proposing further honours to the deified Caesar, Antony uttered a sharp warning, that Cicero would not be allowed to hold back. In short, the old statesman must shew his colours. Next day the Senate met again, and Cicero criticized the absent Antony. But his efforts to avoid abuse could not hide the fact that the two were irreconcilably opposed. He contrasted Antony's earlier acts with his later ones, his misuse of Caesar's note-books, his arbitrary destruction of the public courts. It was quite impossible for Antony to put up with such an attack. On the 19th he replied by a scathing denunciation of Cicero, exposing all the inconsistencies and errors of the orator's public career. Cicero feared assassination, but remained for the present in Rome, corresponding with some of the governors in command of armies abroad, and trying hard to induce them to lend their support to the Republic. He hoped to make it once more a reality, and without the aid of the commanders of troops he did not see his way.

623. At the end of September Brutus started for the East, and Cassius soon after. Till they made head, the only hope of the remaining republicans lay in the chance of a breach between Antony and Octavian. Rumours abounded: the truth was that Octavian, dissembling more cleverly than Antony the intention to punish Caesar's murderers, allayed the fears of many, and gained favour. Meanwhile he was tampering with Antony's veteran bodyguard: in short, the young Caesar, and Caesar's

¹ See §§ 290, 443.

great marshal, were rivals. In October Antony went to meet his four legions at Brundisium. Octavian responded by raising troops in Campania. Money was the chief thing needed for the purpose, and it is evident that he received financial support. He not only raised large numbers of men, but sapped the loyalty of Antony's troops, by his liberal largesses, far greater than those his rival was offering. On their way northwards, two of the four legions openly declared for Octavian. When the leaders met in Rome, there was no fighting. Octavian formed a depot in Etruria, where his men, young soldiers and veterans, were embodied and trained. He meant to make use of the Senate, and professed a wish to cooperate with that body. It was now November. Cicero, who was in the country, mistrusted his intentions, and was not yet prepared to come and lead the House on the lines of a joint policy. Antony, who was in a hurry to eject D. Brutus from the Cisalpine before the opposition became serious, and who had still difficulty in satisfying the demands of greedy soldiery, left Rome for the North about the end of the month. The republicans could now take action, provided they found an armed force at their disposal.

624. Now Octavian had a force, and was willing to appear as defender of Rome by coalescing with the Senate. And the Senate was willing to use Caesar's heir against Antony. Cicero had just put the last touches to his Second *Philippic*, a written reply to Antony's attack on him. But this most famous of Roman pamphlets could do little more than provoke applause. The question of the moment was the policy of combination with Octavian. Cicero and the rest saw no other course open, and evidently had no notion that the 'boy' was coolly using them for his own purposes. The republicans had meant to employ a tool: they had really accepted a master. So December went by; Cicero busily writing to confirm the loyalty of provincial governors, such as L. Munatius Plancus in the Further Gaul, and urging D. Brutus to stand firm in the Cisalpine. As to the feeling of Italy he was under delusions. There was no real republican enthusiasm among the mass of the free population, and the wealthier burghers of the country towns were of small importance in a time of war. On the 20th December Cicero openly took the lead of policy in the Senate. He carried resolutions in which a state of war was recognized and opposition

to Antony provided for, with a vote of thanks to Octavian and the two legions that had gone over to him. In short, Antony was defied, Cicero had (as he says) 'laid the foundations of a Republic,' and was at last to all appearance the first man in Rome. But all this was hollow; it meant no real strength. It was not for the patriot orator to confess that the Republic was virtually dead, and to sit down tamely without a struggle. His effort was splendid but futile. Even the Senate only followed him timidly, and there was a Caesarian minority. The one gainer by his policy was Octavian.

625. Meanwhile Antony had driven back D. Brutus and shut him up in the fortress of Mutina. With the new year A. Hirtius and C. Vibius Pansa became consuls. From the first to the 4th January 43 a debate went on in the Senate. Cicero fought hard for a forward policy, encouraging D. Brutus and preparing for his relief, praising the young Caesar as their loyal champion and granting him the *imperium* of a propraetor to legalize his command of state troops. But the House was nervous and in the end it was agreed to send an embassy to warn Antony out of the Cisalpine on threat of war. Antony replied by contemptuous proposals, not meant to be accepted, and early in February it was at last voted that a state of war in Italy (*tumultus*) existed. Cicero tried to rouse the Senate to prompt and decided action, but they were not easy to move. Nor was there much sign of help from provincial governors. No one was inclined to run great risks for the cause of the Republic. Plancus in Further Gaul would not cross the Alps to rescue D. Brutus. He was waiting to see what was most to his own interest. Lepidus, who held the Hither Spain and Narbonese Gaul, had been in league with Antony after Caesar's death, and was suspected of leaning towards him still. Others were either isolated or doubtful. And so the West was waiting. In the East Brutus and Cassius were making great progress. The governors in general were not disposed to become Antony's men. Caesar was dead, and Octavian's position not clearly defined or understood. The governors were senators, and the real wishes of the Senate were represented by Brutus and Cassius. The two had as yet no formal commission to raise troops and occupy provinces in the name of the Republic. But, in default of an autocratic master, the moral support of the Senate was just now of value,

and it soon appeared that some of the men in command were loth to oppose the republicans. Brutus was to secure Macedonia, which he did with surprising ease. In a short time he held the whole Balkan peninsula with a strong army. The forces stationed there had joined him, and he raised more. Cassius had equal good fortune in Syria. Early in May 43 he had n or 12 legions. A strong fleet was being got together, and vast sums of money wrung from the peoples of the East. The province of Macedonia had been assigned to C. Antonius, and Syria to Dolabella. But the republicans treated these appointments as null, and ignored the minor provinces (? Crete and Cyrene) assigned to themselves.

626. Meanwhile Cicero was facing the Caesarians in the Senate. He carried a motion for appointing Brutus to a general command in Macedonia and the adjoining countries, and hoped to find in his army a support against Antony in Italy. He seems to have been blind to the fact that Octavian was playing his own game, and would not wish to see the Republic saved by an army under Brutus. The Senate was hard to manage. They voted Dolabella a public enemy on the ground of his high-handed proceedings in Asia on his way to Syria; but Cicero could not get them as yet to recognize Cassius in the same position of wide command as Brutus. In the early months of the year the war in the Cisalpine dragged slowly along. Mutina was still besieged. Hirtius and Octavian could as yet make no impression on Antony. In March Pansa also went to the seat of war. Cicero and his party were nervous, not without reason. Letters from Lepidus and Plancus advised peace: but things had gone too far for compromise. Antony was defiant, and a letter of his, commented on by Cicero, shewed that he well understood the situation. To Cicero it proved that no terms could be made with Antony. But its main point was to warn others (above all Octavian) that a revival of the Republic under Cicero would not suit their interests. It was a clever move, though it had no immediate effect. The war went on. Cicero still trusted Octavian, and hoped for some help from the young Pompey. The old statesman was beset with troubles. Tiresome republicans worried him by obstruction in the Senate. And Mutina was now (in April) nearly starved out.

627. Yet the place did not fall. On the 15th a battle on the line of the Aemilian road ended in the defeat of Antony by

the armies of Hirtius, Pansa, and Octavian, Pansa was wounded. On the 21st Antony was utterly beaten before Mutina, and the siege raised. But Hirtius fell in battle, and soon after Pansa died. It might seem that the republican cause had triumphed : in truth it was simply ruined. The three armies looked to Caesar's heir as their real head. Caesar's heir would have nothing to do with Caesar's murderer, D. Brutus. The men released from Mutina were quite unfit to move. Octavian would not move. Therefore Antony escaped. In his retreat westward toward Genua he was even joined by a force of three legions, raised in Italy by an adventurer. But the men in Rome fancied that they had now only to gather the fruits of victory, and they went to work under a complete misunderstanding of the situation. They declared Antony and his men public enemies. Their blindness was shewn in the treatment of the two surviving commanders. The highest honours were voted to D. Brutus, who was to command the armies of Hirtius and Pansa, and to pursue Antony. Octavian was to have only the *ovatio* or minor triumph. Cassius was recognized as ruler of the further East, and Sextus Pompey appointed to the charge of the naval forces. So the republicans shewed their hand. To complete their victory they summoned Lepidus and Plancus to close in on the beaten Antony from the West and North. The one thing they succeeded in doing was in giving a warning to Octavian. The young man must either put up with a humble position, or shift for himself. They were rash enough to offer him further humiliations. Vainly, for the soldiers adhered to him, and scorned D. Brutus. There was a temporary deadlock in the North, and secret negotiations were carried on, by which the whole situation was dramatically changed.

628. The truth was that the republicans had no army at their disposal. The death of the two consuls both hampered the government and transferred their two armies to the young Caesar. The rank and file cared nothing for political differences. A commander they must have, and their present commander, from the first devoted to his own interest, was now estranged from the republicans by ill-timed provocation. D. Brutus was helpless, indeed in great danger: this the men in Rome, misjudging the intentions of Octavian, could not see. Plancus was waiting. He did not relish the prospect of Antony in supreme

power, but he would incur no risk. Lepidus was already in treaty with Antony, and actually joined him at the end of May. The army of M. Brutus was far off, but Cicero talked of sending for it to protect Italy. Two legions were expected from Africa. In short, the game was up. For Octavian was secretly treating with Antony and Lepidus, while M. Brutus had made up his mind not to come over from Macedonia to the support of Cicero. In ignorance of these things the Senate declared Lepidus a public enemy. His property was forfeited to the state. Money, it is true, was desperately needed; but this open declaration of war to the death was the still more desperate act of a losing cause,

629. Why would not Brutus come? Partly because a disagreement on a question of policy had come between him and Cicero. He did not share the latter's extreme hatred of Antony. He disliked the coalition with Octavian, and objected to the young Caesar's promotion. He was a pedant judging things from a distance, unable to make allowance for the circumstances that had made concessions necessary. So there was a grave misunderstanding between the two republicans. Brutus blamed Cicero for his real or rumoured dealings with Octavian: Cicero blamed Brutus for lenient treatment of his prisoner¹ C. Antonius. Meanwhile their common cause was perishing in the summer of 43. There was another influence telling on Brutus. A half-sister of his was married to Lepidus. In Roman society these family connexions were powerful. Brutus heard that Lepidus was outlawed, and he was more concerned to protect the interests of his relatives than to march boldly at the eleventh hour to back up Cicero's policy, in which he detected blunders. And now, in July, it was doubtless too late, for things in Italy had gone too far. There were now three great forces under arms, waiting and watching. D. Brutus had at last managed to join Plancus. They had 13 or 14 legions of various quality and doubtful temper. Antony and Lepidus were at least as strong, and they could afford to wait, having more confidence in their men. Octavian in the Cisalpine had also a great army. He was popular with the troops, and negotiations with Antony went on. The one thing that all the soldiers wanted was money. Now the republican government in Rome, despite frantic efforts to raise money, was

¹ Captured by Brutus in Macedonia. Antony had made over that province to this brother.

practically bankrupt. There is no reason to think that cash abounded in the camps of Antony or Octavian. The question was rather, whose promises offered the best security in the event of their victory? Clearly it was more easy to fix responsibility on individuals than on a body like the Senate. Therefore it was more easy for an Antony or an Octavian to retain the loyalty of his army, than it was for the republican D. Brutus or the wavering Plancus.

630. August came. A military deputation appeared in Rome, to demand payment of promised bounties, and the consulship for Octavian. They also claimed the repeal of Antony's outlawry. These claims were refused or evaded. The return of the deputation enraged the army, and Octavian marched upon Rome with about 40,000 men. His coming was the sign for a general collapse. Concessions made in the flurry of impotence were futile. The troops in the city went over to Octavian, and multitudes poured out to welcome him. Cicero fled to Tuscum. The forces of Brutus and Cassius were all that remained to represent the Roman Republic. The young Caesar took matters in hand at once. A special arrangement was devised for holding an election, at which he was made consul with Q. Pedius, his relative. Somehow money was found and the soldiers received their bounties. His adoption was formally completed, and Caesar's outstanding legacies paid off. A *lex Pedia* set up a special court for the trial of all concerned in the dictator's murder. Prosecutions at once began, resulting in outlawries and confiscations, for the accused mostly did not appear. Among the accusers was a young man afterwards famous, M. Vipsanius Agrippa. Octavian was now consul, though not quite 20 years of age. The Senate voted him the legions of D. Brutus, and urged him to raise more, and to march against Antony and Lepidus. There was now only one practical solution of the present problem, how to meet the immense forces collected by Brutus and Cassius. This was a coalition with Antony. So he returned northwards, leaving Pedius in charge. Plancus abandoned D. Brutus, who perished in an attempt to escape to the East. Pollio, from the Further Spain, came to terms with Antony. Antony reentered the Cisalpine at the head of 17 legions. Under careful precautions (for there was mutual mistrust) he with Lepidus met Octavian near Bononia. Their interest was to agree, and two days' discussion

sufficed to complete a scheme for taking possession of the Roman world.

631. Their programme was as follows. The three were to be united as *triumviri reipublicae constituendae* formally appointed by law as joint holders of arbitrary power. Their functions and shares of empire were for the present fixed. Lepidus was to have Narbonese Gaul and the whole of Spain. He was to be consul in 42, and to remain in Italy, while Antony and Octavian went to meet Brutus and Cassius. Antony took the Cisalpine and the Further Gaul. Octavian was assigned Africa and the islands, a poor share at this juncture. These provinces were not yet in their power, and Sextus Pompey's fleet was a serious bar to their occupation. Yet to command an army on equal terms with Antony was for him more important than a better territorial share. Antony was of course for the moment the chief partner, so he took the provinces strongest in military resources. The soldiers were promised great rewards; particularly 18 Italian towns, in which they could find homes by ejecting present possessors. Italy was thus marked for treatment as a conquered country. The armies were delighted with all these arrangements, which were publicly announced. But the measure designed for effecting two of their main objects was not at once made public by the Three. They meant to prevent any republican reaction by removing all possible leaders: they would not err, as Caesar had erred, by an unpractical clemency. Moreover, they needed vast sums of money to discharge their debts and pay the expenses of the coming war. Therefore they had agreed on a proscription. A first list of a few inveterate opponents was sent to Rome: these men were to be put to death at once, and among them was Cicero. The orator met his death bravely at the last. He had indeed run his course. In the coming autocratic government there was no place for such a man. As to his public career there has in modern times been much difference of opinion. I have, as occasion offered, tried to set forth fairly his merits and defects as a statesman. In the last stage of his political life he staked his all on the effort to revive a Republic dominated by the aristocratic class who had already deserted him once in time of trouble. The great houses had never any real love for the clever 'new man': that he should die in their cause, after suffering from their timidity and neglect, was one of the most tragic of historical ironies.

632. Late in November the triumvirs entered Rome, and carried out their programme deliberately. The chief business was the proscription. The methods of Sulla were followed and improved upon in some details. An edict stated the reasons that had made a thorough clearance necessary, and guaranteed the public against disorderly massacre. All would be done in order. Black-lists appeared in due course. The impossibility of telling when the end had been reached both intensified and kept alive the terror. It is said that in all about 300 senators and 2000 knights were doomed to death. The need of money was the underlying fact of this horrible business. Malice and revenge, selfish cowardice, the desire to earn rewards or to acquire coveted properties, all played a part as in the days of Sulla. Instances of treachery and loyalty, in freemen and slaves alike, supplied the same striking contrasts. Some were killed in mistake for others. Some of the destined victims managed to escape and join Sextus Pompey or Brutus and Cassius. Among those who perished was old Verres in his exile at Massalia. Among those who escaped was the learned Varro. A notable fact of the time was the safety of the wealthy Atticus. His policy had long been one of neutrality in this age of revolutionary changes. He had kept on good terms with the party at any time in power, and had earned the gratitude of the beaten side by timely help. He had protected Antony's family from the republicans. He had sent money to Brutus in trouble. So this judicious Friend in Need was able to be useful to others; and this was his practice to the end of his life.

633. But to confiscate estates was one thing; to sell them for a good cash price was another. Holders of ready money were naturally shy, and the sum realized by the sales was far short of the estimate. To meet the deficit, it was decided to tax the properties of wealthy ladies. This led to an indignant demonstration on their part, and a great speech of protest by their leader Hortensia, daughter of the orator. And they actually gained some abatement of the tax. But the need of money was still not met, and a number of other measures were devised to exact more. Meanwhile Italian towns were suffering from the presence of troops billeted in them, inconsiderate and irresistible. Villainous creatures of the triumvirs, freedmen and others, were for the time the ministers of absolute power: whatever evil deeds

might be done here or there, unhappy citizens had little prospect of redress.

634. In arranging for the administration of provinces and the home government in 42, the rulers acted arbitrarily. Further steps were taken to emphasize the deification of Caesar. On the spot in the Forum where his body had been burnt a temple (*pedes divi Iuli*) was erected in his honour, and various special observances decreed. The coinage, on which in Caesar's last days his head had been placed by the Senate, was now stamped by the triumvirs, first with their family symbols, and then with their heads. This, as in the eastern kingdoms, was destined to be the normal assertion of supreme power. Meanwhile great preparations went on for the coming war, and Octavian tried to take possession of his provinces. Africa was gained by the help of a Numidian prince, but Sicily fell into the hands of Sextus Pompey, whose fleet, manned by refugees robbers and desperadoes from all quarters, made all the western Mediterranean unsafe. An expedition to dislodge him from Sicily was a failure. He had to be left in possession when Antony and Octavian set out for the East.

635. Brutus had raised more forces in the Balkan country, and with his strong army had occupied Asia. Cassius had destroyed Dolabella, and was on friendly terms with the Parthians. The two met in Asia Minor, and were masters of all the Roman East. Their fleets commanded the sea, and their war-chests were filled with the money extorted from the subject peoples. They were ready to meet their adversaries, but the matters above mentioned kept Antony and Octavian long employed and delayed the final struggle. Brutus and Cassius were aware that a naval campaign would be in their favour. Indeed a republican squadron did operate in the Adriatic so as to annoy the triumvirs. But the republican leaders could not wait for concerted action with the freebooter Pompey. Their legionaries would not have understood such strategy, and would have imputed it to fear. To retain the confidence of the men it was necessary to fight a pitched battle. So it was decided to cross the Hellespont and meet the enemy in Macedonia. Brutus and Cassius were an ill-assorted pair, but they worked together better than might have been expected. The triumvirs were able to take their forces over the Adriatic in two trips, but had afterwards much

difficulty in feeding them. So great was the advantage of the republicans in this respect, owing to the support of their fleet, that, when the armies at length lay facing each other near Philippi, Cassius was in favour of delaying the battle. Antony, for the same reason, was eager to bring matters to an issue at once. The camps were close to the coast, stretching across the great Egnatian road. Cassius on the left faced Antony, and it was on this side that the result was decided. Cassius had the worst of the first battle, and a misunderstanding led him to take his own life under the impression that Brutus too was beaten. Brutus had been victorious on the right. But with the death of Cassius the republicans lost their best soldier. Then followed about 20 days of waiting, which was still in favour of the republicans. Brutus however had no longer the authority needed to control his officers and men. About the middle of November he gave way to pressure. The second battle of Philippi ended in the victory of the triumvirs after a fierce struggle. Brutus and others who were past mercy killed themselves or each other. Of the captured officers some were put to death: others, for instance Horace, were spared. The surviving soldiers were added to the armies of Antony and Octavian.

636. The republicans had now fought their last battle. The settlement of the question, who was to be master in the Roman world, is part of the story of the Empire. A few points in the sequel of Philippi call for brief notice. Lepidus soon fell into the background. In 41 his sphere of government was limited to Africa. The two chief partners shared the rest. Antony took the East, and followed the oriental precedents of the Successors of Alexander. It was agreed that he should extort more money from the subject peoples, and his exactions, following those of Brutus and Cassius, were the cause of much misery. He was to have remitted large sums to Rome, to enable Octavian to meet the cost of disbanding troops and other liabilities. But his own extravagance and the pilfering of his worthless favourites left an insufficient surplus. He became the slave of Cleopatra, and gradually lost the qualities by which he had risen. His partner returned to Italy, and faced the difficulties and dangers of the situation. Of these the greatest was the provision for the peaceful discharge of more than 150,000 soldiers, some of them barbarians in Roman service. There was not the money to satisfy their

claims in cash. They insisted on allotments of land in Italy, and refusal was impossible. There was not the money to buy lands for the purpose. So there was no choice but to extend the promises of towns for occupation to the whole of Italy, including the Cisalpine, now formally recognized as Italian. It had to be done. A general expropriation followed. We have no lack of references to this cruel business. Vergil and Horace have left a record of their losses. But we have no statistics of the wholesale robbery which seems to have gone on in most parts of Italy. We may infer that the interruption of tillage added to the widespread distress. Nor surely was it from the economic point of view a gain that so much of the best land in Italy changed hands. Even if great estates were broken up, we find them again in the imperial age.

637. It remained to create an effective and consistent government, under which the empire might recover from the wasteful mismanagement of the past. In Italy peace was the first necessity. The military system urgently needed a complete remodelling. It was in the frontier provinces, not in Italy, that armies were required. There it was a duty to assert the power of Rome; for the peoples that had looked on at the Roman civil wars would not wait passively for ever. A standing army under suitable conditions of regular service and provision for retirement was the only way of meeting the need. The provincial administration called loudly for reform. Individuals must no longer be allowed to make a temporary private profit by destroying the permanent resources of what were (as Cicero said) the 'landed estates of the Roman people.' To carry out these and other necessary changes, a central and continuous control was indispensable. The coming problem was how most surely to establish such a control. This problem the coming ruler, once he was found, must try to solve. The experience of Caesar was a warning against too frank and hasty a procedure. In the year 31 the battle of Actium gave the empire to Octavian. We will briefly consider below his method of creating an Empire by transforming the Republic, so far as it comes within the scope of this book.

CHAPTER XLV

LITERATURE AND JURISPRUDENCE AS ILLUSTRATING THE LIFE OF THE REVOLUTIONARY PERIOD

638. The story of the revolutionary period, particularly the later part of it, differs from that of earlier times in one important respect. Surviving literature furnishes contemporary, or very nearly contemporary, evidence of the events and feelings of that troubled age. Some of it gives us a vivid day-to-day picture of public and private life. Such are many of the letters of Cicero and certain of his friends; such are some of the poems of Catullus. The personal and partisan bias of these utterances is of course extreme, and they need to be used with caution, but it is always instructive to learn how things appeared to prejudiced observers, when the nature of their prejudices is not a matter of doubt. We have also more information as to the jurists who flourished in this period. And it is necessary to call attention to this most worthy class of men, whose quiet usefulness may easily be overlooked in reviewing the long noise and disorder of the revolution.

639. The treatise on rhetoric addressed to Herennius, produced soon after the death of Marius in 86, is a practical technical work. The fact of its production is in itself important. It reminds us of the growing demand for oratorical training to meet the requirements of senatorial debates, pleadings in court, and popular harangues. The book contains many references to events of Roman history from the 'popular' point of view. As most of our authorities are on the aristocratic side, the survival of this witness is a welcome help, especially in the period from the Gracchi to Sulla. In connexion with this topic we may note the unfortunate loss of the works of the Roman orators other

than Cicero. No department of Roman literature was so fertile as this. A few little fragments remain, quoted by later writers. But (to mention only a few great names) we can form no notion of the oratory of the great rivals M. Antonius and L. Crassus, contemporaries of Marius, or of Hortensius and Julius Caesar.

640. There is no need to say much of the speeches of Cicero. As historical evidence, the utterances of a skilled advocate are always to be received with suspicion, for the needs of the moment are supreme, and we are not to look for impartiality accuracy or consistency. Nor need we dwell on his letters more than to note the wide difference of tone between those written in confidence to such an intimate friend as Atticus and the guarded or formal epistles addressed to persons with whom he felt less at ease. His treatises are to be noted, not only from the point of view of literary merit and intrinsic value, but also as being his refuge and occupation in seasons of distress. They belong almost entirely to the years 55—44. For the greater part of that period he had little scope for oratory: helpless and cast down by the aspect of public affairs, he sought relief in his books and pen. His treatises are on various subjects. The rhetorical works deal with practical oratory rather than technical rhetoric, and are peculiarly valuable from the unrivalled experience embodied in them. Historically they are of great importance. He has large views as to the mental training needed for ensuring great and genuine success. No industry is too much. Among other objects of study, the formation of a pure and unaffected Latin style holds a high place. This was also a hobby of Caesar, and on this ground the two men could meet in sympathy. They fixed the standard of classical Latin. But we are not to forget that classical Latin was the language of a very few.

641. Political theory was another of his subjects. In treating topics of this kind his remains (for no complete work survives) are of much less value. He is too full of Roman traditions and prepossessions to be a satisfactory theorist; yet much of interest is to be gleaned from these writings, which enjoyed a great vogue in Roman society just before the great civil war. But most of his philosophical discourses are concerned with the moral and theological questions on which he sought to enlighten his countrymen by presenting Greek thought in a Latin dress. His own earlier choice had led him to the New Academy, a school content

to aim at probabilities and prefer doubt to dogma. This suited an orator in training: as a Roman public man he needed something more positive. In later life he inclined to the so-called Old Academy, an eclectic blend of the views of several schools. The two schools most influential in Rome were the Stoic and Epicurean. Cicero's position as a writer was that of a critic. He had no hesitation in condemning the school of Epicurus, but he did not become a Stoic. He had a deep sympathy with the Stoic pantheism, and loathed the agnostic Epicurean theology. Epicurean ethics seemed to him unmanly: the lofty moral system of the Stoics, despite its perversity, he admired. So he treated of such questions as the Supreme Good and Happiness in the spirit of a patriot, conveying in readable form to Romans what he judged to be most wholesome in the philosophy of Greece. These works were produced in a great hurry and in circumstances of sorrow and depression. That he was not a profound thinker, and that much of his interpretation was superficial, is generally admitted. But the general tone, even of his minor essays, is good and noble, and his enduring reputation as a moral writer is due in no small degree to the fact that the great Roman was something more than a mere copyist of Greeks.

642. Of Caesar as politician, soldier, statesman, and language-reformer we have spoken above. Among his lost works it is worth noting that he wrote *Anticato*, a counterblast to the panegyrics on Cato that appeared after that worthy's death. Such was Caesar's method of encountering political opposition; for he was not a Sulla. We have only to consider him here as a witness to the events of his time and his own part in them. First, I would freely admit that he makes the best of his own case. But, while making large allowance for this bias, we must not lose sight of his frank recognition of his own errors and of the good luck by which he was on occasion enabled to retrieve them. His ingenuous manner may be a delusive effect of consummate art. But we have no right coolly to assume that stray details more or less loosely reported by later writers, and somewhat differing from Caesar's own version, are drawn from contemporary sources not tainted by prejudice. These notices must be judged as critically as the story of Caesar. As to the main facts of his wars there is no reasonable doubt. Hirtius and the unknown writers who wrote the later narratives are far inferior in literary

merit They are useful witnesses, and of interest also as giving specimens of the sort of Latin written by commonplace Romans.

643. No writer illustrates the transition of Republic into Empire better than the learned M. Terentius Varro. Born in the Sabine country 116 B.C., he died 27 B.C., and saw through the whole course of events from Marius to Augustus. His public life was one of departmental duty, military and civil. In private he was an omnivorous student, a man of facts. He was a republican, though pardoned by Caesar in Spain and afterwards treated with honour, but was not one of the murderers. Proscribed in 43 for the sake of his wealth, he escaped with his life. When the Republic was clearly at an end, he conformed to the new ruler, and was protected by Octavian. His later years were passed in study, and he was confessedly the most learned man of his time. Industry and efficiency were his great qualities. He was never on intimate terms with Cicero : their two temperaments were indeed mutually incompatible.

644. The works of Varro were numerous, and many of them bulky. In the earlier part of his life he produced a number of occasional pieces in verse or prose or mixed, under the general name of *saturae Menippeae*, miscellanies modelled more or less on the writings of the Greek Menippus. From the fragments we gather that he was a severe critic of contemporary society, as satirists are. But there is plenty of other evidence to bear out his charges. Most of his books were special treatises in various departments of knowledge, historical, antiquarian, technological. From these later writers quarried ready-made erudition. Part of his work on the Latin language has come down to us, bringing many details of great interest to students of the institutions of early Rome. We have one treatise practically complete. Fortunately this is that on rural industries, from which we are able to learn facts of importance concerning the state of rural Italy. He wrote it in his 80th year, and he drew from three sources, his own wide experience, the works of predecessors Roman Greek and Punic, and the conversation of practical men.

645. The *de re rustica* is divided into three books (1) on tillage (2) on ordinary stock-farming (3) on the rearing of fancy-animals for profit. Profit is from first to last Varro's object. The *villa* is to be an old-fashioned country house and farm, not a fine modern country seat. Like old Cato, he is a foe to all

waste. In all appliances due proportion must be observed, and precautions taken to keep off disease and vermin. On the farm order and thrift must prevail. The precepts for actual management of the estate include medical and legal rules for avoiding loss. In the first two books the progress made since Cato's time is seen mainly in a wider knowledge of the products and usages of foreign lands, and the introduction of new species, particularly of animals. But it is to the kind of farming described in the third book that the great economist looks for his solid profits. What really pays is to keep and fatten for market the birds, minor quadrupeds, and fish, desired by the gourmands of Rome. The luxury of the age was to Varro a deplorable fact. But there it was. To a man able to execute at short notice a large order for (say) peafowl or edible snails, the extravagance of public and private banquets promised handsome returns. So Varro took things as he found them.

646. The treatise clearly contemplates large-scale husbandry as normal. Small farmers are briefly referred to, and one instance of success on a small scale is given, that of a bee-farm. But the typical farm is not a broad plantation tilled by gangs of chained slaves, the crude system of which we hear so much in the days of the Gracchi. The spread of knowledge had evidently done something to improve agriculture, and great proprietors commonly owned several estates in different parts of Italy, and in the provinces also. Variety of soil and climate acted as some guarantee against total failure in any year. But the labour employed was almost wholly that of slaves. The free wage-earner only appears as employed where some special intelligence is required, or where unhealthy surroundings would damage the property of the master in the person of the slave. The bailiffs and overseers are all slaves, and the discipline of the whole company is strict. For fear of slave-mutinies it is well not to keep too many of the same nationality. Yet it is on hope rather than fear that Varro would chiefly rely for efficient labour. The upper slaves should have something to lose; for the rest, the less use of the lash the better.

647. In short, the system of Varro offers no prospect of reviving the old race of Italian yeomen. The past was past, and after a century of agrarian legislation and civil wars Italy was both economically and politically very different from what it had

been in the days of the great Punic war. The increase of slavery had degraded free labour. Choice spots were often occupied by the mansions and parks of the rich, who visited them only now and then. To such landlords Rome was the centre of all things : a country-house was a fancy, and some preferred a marine villa with costly fishponds on the bay of Naples. Those who did keep farms were doubtless wiser, and for them Varro wrote. But we are not to think of Italy as all under cultivation, whether for pleasure or profit. There were in the wild uplands large areas of summer pasture. Flocks and herds had to be ever protected from wolves, and brigandage was one of the recognized perils of the country side. Against this pest the farmer had to defend his own, for the government gave him no help. Such in outline is the Italy depicted by Varro.

648. An observer of a different type, who yet confirms in various points the notices of Varro, is the poet Lucretius. He is said to have lived 96—55 B.C. His poem on the 'nature of things' is a splendid attempt to convert Romans to rational principles of life according to the system of Epicurus. To him the evils of contemporary society seemed the fruit of inordinate desires of every kind, desires created by an utter ignorance of the nature of the universe and the conditions of human happiness. Happiness depends on maintaining mental repose, which alone makes men capable of the refined pleasure that is to the Epicurean the one pure good, the guide of life. Man is made up of body and soul, and his life is nothing but their union. Both body and soul are material, and mortal. Death is their separation. The man is dead for ever, but the matter of his body and soul does not die. It passes on to form part of other things, which are subject to dissolution in their turn. What is true of man is true also of the earth. The alternating process of destruction and construction never ceases. The sum of matter ever remains the same, infinite and eternal. Two things only have a real existence, Atoms and Void. Atoms account for the solidity of material objects, Void for the fact of motion. Their mixture in varying proportions explains the various degrees of hardness softness etc. detected by our senses. Now, if death and birth are merely steps in a never-ending series, and if man's wants are (as experience shews) very small, why should we not calmly bow to the inevitable? Why do we not content ourselves with kindly Nature's

boons, and pass our allotted span of life in rational comfort **and joy?**

649. To Lucretius the vain superstitions of the popular mythology appeared the chief poison of humanity. To remove these delusions, and clear the ground for rational principles of life, he preached the gospel of Epicurus. Under the Atomic system all need of supernatural activity is eliminated, and a cool scrutiny reveals the unreality of popular myths. A calmer attitude of mind is the result. We shall be able to repress the passions that now make havoc of our lives. In an atmosphere of Epicurean serenity the mad and bloody competition of modern Rome will cease, the excesses of luxury and the extravagances of foolish love will pass away. We have no reason to think that the doctrines set forth in this philosophic poem had any serious effect on Roman society. Its sublimity in parts reaches the highest level attained by any Roman author, and there is evidence that its merit was recognized. But to a historian its chief importance lies in the bold exposure of contemporary evils. Lucretius was a free-spoken patriot, at times a sharp satirist. To judge the worth of satirists as witnesses is usually difficult. In the case of Lucretius we have some help. As an observer of the phenomena of animate and inanimate nature he impresses the reader by the alertness and intensity of his study. We may guess that he carried his watchful love of truth with him when taking notes among the Romans of his day. His picture strongly confirms the accuracy of those drawn by other writers of the restless and unsatisfactory life of the revolutionary age.

650. In the occasional poems of C. Valerius Catullus we see Roman life from another point of view. Catullus came of a Roman family settled at Verona in Transpadane Gaul. He went as a youth to Rome, and was soon absorbed into the gay and dissolute society of the capital. Reckless amours were the fashion, and he soon attached himself to a lady whom he calls Lesbia. There is little doubt that she was Clodia, the fascinating and notorious sister of P. Clodius. Catullus was but one of a train of 'fast' youths whom this fickle charmer drew after her; but with him passion ran deep, and the affair had a fatal effect on his whole life. Directly or indirectly, love is the motive of most of his poems. His freely-expressed feelings range from hope and elation to disillusionment and despair. He lived about

87—54 B.C. In his later years the shameless profligacy of Lesbia filled him with pain and disgust. He began to take more interest in public matters, and his sympathies were with the republican aristocrats. One of his notable lampoons is a coarse and vehement attack on the coalition of Caesar and Pompey. But his chief historical importance is as a painter of fashionable society from the inside. He depicts not only its serious vices, but also its follies and trifling, and its minor social crimes and failings; and has no mercy for literary pretenders and bores. Short pieces, among them epigrams, were the staple of his writing: such was the taste of the day. Like others, he was greatly influenced by Greek models, and he boldly adapted Latin to a number of Greek metres. But his wit and warmth, his freshness and grace, were all his own. His gross personalities and frank obscenity were the habit of the age: men claimed the right to say anything of anybody without regard for truth and decency. Orators like Cicero, poets like Catullus and his friend Calvus, must needs use their freedom, and they did. A time was coming when the expression of men's opinions and feelings would be bridled by irresistible power. For the present there was social anarchy. Literary freedom ran to licence, and put no restraint upon the utterance of love and hate, of grief and joy.

651. In another department of literature Greek models were awaiting Roman imitation. History had as yet hardly in Latin got beyond mere annals or narratives of a very simple kind. In Greek many readable works existed, in which dramatic structure and moral effect were a great part of the writer's design. None was of more universal repute than the history of Thucydides. It was this famous composition that Sallust attempted to rival. He at least set the fashion of writing history as a work of art, and of placing moral purpose before detailed accuracy. He was born in the Sabine country, and lived 86—35 B.C., from Sulla to Octavian. There were stains on his character, but he was a successful man, thanks to his connexion with Caesar, and very wealthy. In retirement after Caesar's death he wrote his works dealing with Roman history. How far and in what sense his claim to impartiality is to be admitted, is matter of some doubt. He was in many respects a typical man of the transition-period. It is characteristic that he feels the degeneracy of the age, and

laments the decay of the farmer class in Italy, though he has himself a hearty contempt for agriculture and rural life. He was evidently one of those whose interests were centred in Rome.

652. That our record of Roman history is very imperfect and onesided, admits no doubt. How little we know of the common everyday interests, the ordinary concerns of ordinary men, is manifest when we reflect that the narratives of ancient historians very seldom refer to the civil law-courts and that only four of Cicero's surviving speeches deal directly with civil cases. Yet it is certain that, with a few interruptions, the administration of the civil law was in full activity all through the turmoil and strife of the revolutionary age. The civil law in the strict sense consisted of the Twelve Tables, supplemented by such additions and changes as had been made by later statutes. But these taken together seem to have been but a meagre body of law, most of it expressed in very general terms. By far the greater part of the growth of the law was due not to legislation but to interpretation. Whenever an old principle was extended so as to cover a new class of cases, there was growth. The interpreters were originally the pontiffs, for ancient law and religion were closely connected. In course of time non-pontifical jurists appeared, but the pontiffs still held a leading place in what was perhaps the most consistently honoured of Roman professions. The skilled jurist as such held no office. He was a private adviser. If he happened to be a praetor, he might use his official powers to make some improvement in practical legal remedies, which would hold good during his year of office. But praetors were many, jurists comparatively few. The ordinary way by which the influence of jurists became operative was this. A praetor destined for juridical duty in the coming year had to issue a public notice (*edidum*) setting forth the principles by which he would be guided in administering the law. Considerations of his own convenience and credit warned him not to take this important step without the advice of a skilled jurist.

653. It was through the edicts that most of the development of the civil law took place. The process was very gradual. The power of precedent was great, and praetors were slow to depart from the policy of their predecessors. So the bulk of the edict (probably often the whole) was simply copied from that of the

last praetor. When a change did creep in, it was only of force for the year; but, if adopted by successive praetors, it soon became itself a precedent, and passed into the legal system. The changes made under the influence of the jurists were generally in the direction of removing the hardships arising from verbal quibbles and too pedantic construction of the law. It was a great work unobtrusively carried out by men intellectually and morally above the average. We have above noted the attraction that the Stoic philosophy possessed for Roman lawyers. Now and then we have come upon cases of such men setting noble examples in various departments of public life. No more honourable characters appear in Roman history than the pair of Stoic lawyers, Scaevola the pontiff and Rutilius Rufus, who for a brief space ruled the province of Asia on principles of justice. Equity then was the child of jurisprudence, destined to a great development in later times. The jurist's influence was also felt in the present practice of the courts. In any case where technical points of law were involved, the opinions of legal specialists could be cited or given in person. The weight of such an opinion would depend on the reputation of the expert who gave it. It was private advice, not official ruling, whether the jurist appeared to support the contention of a party to the suit, or acted by invitation as assessor to the magistrate.

654. Among the topics that engaged the attention of jurists we may note all questions connected with property, matters of contract, transfer, title, and successions intestate or testamentary. The last often involved questions of religious obligation, though the object in view was often to devise a decent way of evading the performance of *sacra* at the tombs of forgotten ancestors. An important subject in ancient Rome was the law relative to the status of persons, such as women, minors, and freedmen. The names of many of the eminent jurists of the revolutionary period, and the special departments in which they severally laboured, are known. It is enough here to mention Cicero's friend Servius Sulpicius Rufus, who was the first to produce large systematic treatises, in which he began the process of generalization, a stimulus to later writers. C. Trebatius Testa, also a friend of Cicero, was an authority on wills. He was a younger man, and lived to be a friend of Horace. So the civil law, soundest and best of Roman institutions, was kept alive, and handed on to

its development under the Empire, by the force of its practical usefulness and its capacity for change. In the latter respect it is in striking contrast with the political institutions, which, as we have seen, were overthrown by the sword. The obsolete constitution of a city-state had to go; for it contained no mechanism for achieving its own reform.

CHAPTER XLVI

FROM REPUBLIC TO EMPIRE

655. It is now well to consider briefly the state of Rome and the Roman dominions at the time of the fall of the Republic. Taking a few main points, let us see what sort of conditions the new government inherited from the old, and in what respects the disguised monarchy changed them. It will be convenient to begin with the city of Rome and pass on to Italy and the provinces.

One would expect to learn that the capital of the civilized world was a splendid city. For more than 150 years Rome had been the centre to which the tribute of subjects had been drawn. In recent years the progress of annexation had been accelerated under the influence of greedy financiers, and the Romeward stream of money flowed in ever-increasing volume. Fines, war-indemnities, and the produce of looting, in greater or less amount accompanied the advance of conquest. Organization brought with it the imposition of yearly dues, whether fixed payments or percentages farmed out to speculative collectors. Yet it is certain that republican Rome was still a city of mean appearance, compared with the ancient splendours of Athens or the magnificence of later royal capitals such as Antioch or Alexandria. Even the statues robbed from Tarentum or Syracuse, Corinth or Pergamum, must have lost much of their charm for lack of appropriate setting: moreover they were not all exhibited in public, for the great nobles had appropriated some to decorate their courts and gardens. Here we touch the reason why no amount of wealth was able to make Rome a capital worthy of a great empire. It was not merely that in artistic sense the Roman was inferior to the Greek. There was also a political cause at work. In principle

the Roman government might be based on popular sovereignty. We have seen that in practice it was normally aristocratic. We have traced the steps by which it became utterly corrupt, and noted how the new nobility of rank and wealth ruled by manipulating an Assembly that more and more came to consist of an urban mob. This process was inevitably costly. In course of time it became ruinous. Coupled with the growth of private extravagance, it drove the Roman nobles to lay their hands on every resource of enrichment lawful or unlawful, and in the fierce competition of public life supply could not keep pace with demand.

656. Legislation was powerless to check this evil. The revival of activity in the Assembly under demagogic leaders only led to more bribery and corruption, while the increase of luxury and refinement stimulated the rich to spend more on their own mansions and establishments. But this outlay did little or nothing to improve the aspect of the Roman streets. The new splendour was all on the inside. Houses might occupy larger sites and consist of more than a single court. The normal front was a dead wall with a single entrance guarded by a slave-porter. Behind it was a little kingdom to which the public were not admitted, a sphere in which, despite the relaxation of the old family-law, the *pater familias* was still supreme. Meanwhile the need of providing for the accommodation of a growing pauper population was fast changing the poorer quarters of the city, mostly on the lower ground. Tenement-blocks of flats or chambers were rising, to find room for more persons on a given area. The upper storeys of wood were liable to the risks of fire, the ground-floors of sun-baked brick were liable to give way when soaked by a flood: and both these dangers were real enough. Huddled together in these 'islands' (*insulae*) the poor lived as best they might. The blocks were owned by rich capitalists, who drew substantial rents from cheaply-built tenements. So marked a feature of the city were they, that Caesar took them as convenient units when ascertaining by inquiry the number of persons in present receipt of the doles of corn.

657. Small comfort was surely the lot of the dwellers in these 'islands' opening on narrow streets, crowded with a noisy throng. The rich more and more monopolized the better sites on the Roman hills, which then rose far more abruptly from the

lower levels than they do now. In the matter of public works the revolutionary period was a time of slackness. The public treasury was drained by the expense of the corn-supply as well as by the cost of armies. The revenues derived from the provinces might have been much larger than they were in fact. It was not the Senate's policy to burden the subjects with excessive tributes. It was the policy of individual senators to leave a good margin, from which they when their turn came could wring out fortunes for themselves, while enough remained to glut the appetite of the capitalist revenue-farmers. The mob got their share by bribes and entertainments which were now carried out with reckless extravagance. Economy had to be practised somewhere. There were four aqueducts, of which only one (*Tepula* 127 B.C.) comes within this period. The building of stone bridges went on very slowly. Only one of the public halls (*basilicae*) belonged to this age, for Caesar's *basilica Iulia* was completed by Augustus. The conservative opposition to the erection of stone theatres actually promoted extravagance, without checking the taste of the people for excitement. Temporary wooden structures were very costly to put up and take down; above all, costly to decorate. Wonderful stories are recorded of scandalous outlay on such things. Pompey at last overcame the opposition, and erected in 55 a permanent stone theatre.

658. Omitting many details, we must refer to the very crowded state of the Forum. In and around this low-lying space most of the events of public life occurred. Courts of law, Assemblies for legislation, speeches addressed to mass-meetings, all took place there. It was far too small for the Rome of the later Republic. And the increase of banking establishments (for it was the chief centre of business), with offices planted in every available corner, served to cramp movement. Yet it was in the Forum that gladiators still fought and stands were erected for privileged spectators. The extension of public buildings and enclosures to the *campus Martins* beyond the walls was begun, but had not gone far as yet. One department of public building calls for special remark. Not only were the temples built in the period of revolution few in number: those existing were sadly neglected, and some were falling into decay. Even the restoration of the Capitoline temple, burnt in the time of Sulla, was scandalously slow.

659. It was the work of the Empire as established by Augustus to improve and adorn the imperial capital. With the cessation of outlay on electoral corruption a great source of waste was closed. With better administration of the provinces the state enjoyed a larger and more regular revenue. Augustus not only employed public funds in the execution of public works, but encouraged wealthy men to come forward as benefactors in the same kind. Many of his successors followed his example, and by the middle of the second century A.D. Rome, that is the public parts of the city, was splendid enough. To enlarge on this topic is beyond the scope of this book. But the spirit in which Augustus began the building-movement is to be noted as a comment on the apathy of the preceding century. We find it expressed in the utterances of the poets, such as Horace and Vergil, who enjoyed imperial favour through the great minister Maecenas. It was their function to represent the new system as a golden age, a return to older and nobler ways, in contrast to the selfish neglect of public duty characteristic of more recent times. The emperor himself boasted of his achievements, and before his death placed them on record in an inscription of which the greater part has survived. In no department was his policy more clearly marked than in that of the restoration and building of temples. In this he went beyond the schemes of his great-uncle: in utilitarian works the designs of Julius the chief pontiff were more directly his model. The provision of an organized fire-brigade, and measures to lessen the evil of floods by removing obstructions from the bed of the Tiber, were corollaries of his building-policy. In limiting the height of buildings he followed a principle which a republican reformer¹ had vainly sought to enforce. In short, the republican government had left the emperor everything to do for the improvement of the city of Rome.

660. The political condition of Italy in general was what the results of the great war of 90—89 B.C. and the civil war of Sulla had made it. Italians had now a double franchise; the Roman, exercised at Rome only, and the local, exercised in their several places of domicile. Of the former few could make regular use, and its value mainly consisted in the privileges attached to it, such as the qualification for public office, and the legal status

¹ P. Rutilius Kufus.

which gave to a *civis Romanus* a favoured position in all parts of the Roman world. The latter made him a burgess of his own local community, with a voice in its affairs. In practice the Roman franchise now went with the local. Local governments had been established even where they did not previously exist, and the country, unified as Roman, was well provided with administrative centres. Differences of title, due to past history, remained. But the general style was *municipium*, and the adjective in use for 'local' was *municipalis*. The normal type of constitution, with its magistrates senate and assembly, was of the Roman model, and in practice worked as a selfish aristocracy of wealth. The central government seldom intervened in disputes between the local Boroughs, and there was in fact little or no central control. The reliance of the republicans in the great civil war, and of Cicero in the struggle with Antony, on the support of the *municipia*, was not justified by results. The local burgesses were locally-minded, and mostly unwarlike. Nor had Roman pride sincerely accepted perfect equality with citizens of municipal origin: the remains of old feeling now and then betrayed themselves in sneers.

661. Some change in the direction of increased central control was certain to come with the establishment of the new system. But for some time Augustus did not interfere with the Senate in its general oversight of the affairs of Italy. He only took matters in hand when compelled by necessity. But in the restoration of order it was impossible to overlook the chronic evils by which the prosperity of the rural districts was impaired. They were the outcome of slavery. Brigandage was an ordinary risk of country life. Footpads sometimes plied their trade near Rome on the high roads. We have seen that runaway slaves were the army of Spartacus. But another horrid abuse was created by the demand for more labour than the slave-market could supply. Freeman as well as slaves were kidnapped, and added to the slave-gangs. That Augustus should have had to deal with such abominations shews us how completely the selfish neglect of the ruling aristocrats had made the republican system a monstrous anarchy. The rich man travelled with a slave-escort; the poor must take their chance. In the matter of the great land-question the chief point to be noted is the change in its character. The Gracchan movement aimed at planting the poor

on public land resumed by the state. Its failure was followed by a great extension of private property. Then agrarian projects took the form of purchase-schemes. Civil wars introduced a new phase, the confiscation of private property. In this process, with all its cruelty, Augustus in his earlier years had borne no inconsiderable part. Things had now to be left to settle themselves, as death or arrangements between old and new holders bit by bit removed friction, and a stronger government gave titles more permanence.

662. This is not the place to describe the changes brought about in provincial government by the establishment of the Empire. What the state of things was in the latter days of the Republic, we have seen above. Speaking generally, the abuses of the old system arose from the lack of effective control over the men in authority. This control the new system to a great extent supplied. Augustus shared the provincial patronage with the Senate. That the Senate was less able than the Emperor to control the governors of its provinces, was due to its own weakness: that it did so at all was mainly due to the irresistible pressure of the Emperor. The provinces had been public properties exploited by temporary despots for their private profit: to convert them into well-managed estates under trusty agents, prosperous and bringing in a steady income to the central government, was not the work of a day. Governors had to be kept in their posts for longer terms; they had to be paid salaries, and forbidden to plunder. The system of farming out the collection of state-dues had to be ended. The middleman must give place to the official, and the official taught to act as the servant of the state. On the whole the strong central power, conscious of its own interest, did effect these reforms. So far as an improved machinery, promoting continuity of administration and confidence, could add to the happiness and security of the provinces, the change of system was an unmixed boon. An important step in the process of unifying the empire was the improvement of communications. This meant not only the extension of the roads, but the proper regulation of their use. Under the Republic influential persons procured licences to travel free, as though on state service, though their journey was really for private purposes. This was a grievous burden on the provincials who had to find the means of transport.

This abuse also Augustus remedied. He organized a posting-service on a military model, with strict regulations, the beginnings of a regular Imperial Post. The gradual development of an imperial Civil Service was promoted thereby, and another need, neglected under the Republic, was supplied.

663. Closely connected with the provincial arrangements was the army-question. From the lack of taking large imperial views the republican government had never organized a standing army for purposes of defence. Armies were raised by proconsuls for some immediate object, and kept under arms for many years. The men became professional soldiers, and the ever-recurring problem was how to reabsorb them peaceably into the civil population. This drifting policy was a wretched adherence to old notions of enlistment and service, quite out of date since the time of Marius. Veterans made endless trouble in Rome and Italy, while the frontiers of the Roman dominions were left open to invasion. This state of things could not have lasted long. Augustus, probably just in time, ended it. He created a standing army, quartered in strong detachments at important strategic points, and provided a system for regular retirement after fixed periods of service. This plan not only stationed the imperial forces where they could be most useful: it was an immense relief to Italy, which had suffered so much and so long from the presence both of armies and of disbanded soldiers. Only a guard for the Emperor as Commander-in-chief was kept near Rome. Under Augustus they were few, and not all quartered together. His successor brought them all to Rome, where they learnt their power. The doings of these famous Praetorians are a part of the imperial history.

664. It is most difficult for us to grasp the situation in the Mediterranean world at the time of the fall of the Republic, and to bear it constantly in mind. From the Euphrates to the strait of Dover Rome had no rival. The conquered peoples had waited during the great civil wars to ascertain with whom the supreme power in the Roman dominions was to rest. They could not stand alone and prosper; and there was no other organized government to command their respect and to give them protection. Before circumstances could force them to shift for themselves as best they might, Augustus took the empire in hand, and restored the direct control of Rome. This he did

so effectively that his system remained, with small modifications, for nearly 300 years. That is, the empire remained one, and was ruled from Rome. But we must never forget that this union was mechanical. No Roman nation was ever formed. The empire was not a blending of peoples sharing common traditions and hopes, a vital unity from which no part could be torn without fatally weakening the whole. Incorporation by conquest had been the work of the Republic, at first unwilling, then willing; under the Empire it continued for some while yet. The true nature of the system was shewn when decay had gone so far that loss of territory was inevitable. Provinces had to be abandoned, but the main fabric of the empire remained. Constantinople became the capital. The one civilized power was still the greatest of single powers, and proved capable of more than one notable revival of efficiency.

665. But outside Rome (now including Italy) Roman sentiment was an artificial thing. It had really nothing in common with the stolid loyalty of early Romans, the race whose sterling qualities had built up the Roman state under free institutions, and whose degeneration or dispersion had made the Republic impossible. As the armies were more and more filled with men of alien blood (and the process went on fast) Italy became more and more conscious of her own unimportance. The weakness already to be detected in the time of the civil wars gradually became sheer impotence. Augustus, a conservative wherever possible, made it his policy to favour Italy. But he could not stay the course of tendency; the central imperial land was cut up into provinces at last. In Rome as the capital Roman sentiment of a kind lingered long among the upper classes. But it mainly rested on a basis of delusions. The republican freedom of speech was of course at an end, and men who found restriction galling in the present were led to idealize the past. Not content with worshipping Cato, who was out of date in his own day, some honoured the memory of Brutus and Cassius and their contemptible accomplices. A milder folly was the attempt to make Pompey into a republican hero, and to discover in the corrupt Senate of the later Republic a pure and dignified patriotic council. High-minded men, who would surely have loathed the abominations of Cicero's time, deceived themselves with these partial misconceptions, and gave respectability to the vain discontents of an Oppo-

sition which Emperors could not tolerate. Conspiracies began under Augustus, and suspected treason was the cause of the cruel persecution of literature under Tiberius. A last outbreak of republican madness led to the deaths of Seneca and Lucan under Nero. So long-lived was the fond belief in the virtues of the Republic for which Cato and Cicero had died.

666. In the latter days of the Republic Rome was already on the way to become a cosmopolitan city. Manumission of domestic slaves added numbers of aliens to the ranks of the civic body, and these freedmen were a class of whom it is not easy to form a clear notion. We may assume that they were as a rule past the middle of life, and that they were mostly Orientals, with the temperament and superstitions of the Hellenistic East. It was mainly the slaves of this supple and ingenious type that were able to win the favour of their Roman lords. Under the Empire there was certainly no falling-off in the numbers of this class. And the number of free Greek adventurers, medical practitioners, technical specialists, and teachers of all sorts, not to mention astrologers and impostors in general, increased rapidly when once the great market for their talents was securely open to them in an age of Imperial peace. Among the upper classes Hellenism had gone far under the Republic. Learning, literature, arts, morals, all were under Greek influences. Yet the Roman nobles in general despised Greeks, and upheld the superiority of the Roman character. Civil wars and childless marriages thinned out the republican nobility. The surviving great houses could not play a great part in the Imperial system. The demand was for industrious and able men willing to be obedient and contented in a secondary position. Men of humbler origin fell more readily into place in the civil and military services, and the subordinate business-duties were more and more monopolized by Greek freedmen, who by sheer usefulness rose sometimes to great heights of power.

667. Greek influences meant specializing influences, and the transition from Republic to Empire is perhaps most clearly to be noted from this point of view. What had been a tendency long at work in the affairs of individuals now became operative in affairs of state. The assumption that any citizen (in practice any noble), so long as he could secure enough votes, might safely be entrusted with any important duty, had been the guiding principle of the

Roman aristocrats from the first. The growth of the state, and the greater complexity of public interests, had made this principle more fatally inadequate in proportion as it became more established as their rule of policy. The whole story of the revolutionary period shews the need of efficiency expressed in popular indignation at failures. Marius and Pompey were brought to the front when aristocratic mismanagement could be borne no longer. Caesar made efficiency the first qualification for trust, and the central power, once established, was of course directly interested in the fitness of its subordinates. It was therefore on the whole far better served than the old government had ever been. The danger of the new system lay in its tendency to crystallize, to become too rigid, and unable to adapt itself to changed circumstances, as it departed further and further from the republican pattern.

668. Augustus did not destroy the Republic. Practically it had come to an end under Caesar's autocracy and the triumvirate. He transformed it by reverting to the old Roman method of Make-believe. He was First Citizen (*princeps*). The term was not new : men had used it of Pompey in the days of his predominance. Nor was it an official title, but use soon made it virtually so. The Principate expressed itself by concentrating in a single person the essence of powers extracted from the chief republican magistracies, and supplementing them by a few prerogatives specially-conferred as needed. Caesar's method of holding several offices, in particular the Sullan dictatorship, was judiciously avoided. But, when the same man held the full tribunician power in Rome and the full proconsular *imperium* throughout the empire, the actual holders of office were placed in a position wholly different from that of their republican predecessors. They changed from time to time. The *princeps*, who took the style of *imperator* as his personal first name (*praenomen*), went on. Augustus (to give him his honorary title) might disguise the fact of his supremacy in a mass of fictions. The truth remained that he was the real source of the driving-power that kept the imperial machine at work, and that he could at will turn it off or on at any point in the vast empire. Meanwhile he shrank from engrossing functions that others seemed able to perform.

669. The Senate not only remained, being indeed at first indispensable, but even received the added dignity of direct

legislative and judicial power. Its administrative powers have been referred to above. Augustus treated it with great respect, and was very unwilling to interfere with it. But by a right of precedence in speech he could give the House a lead in all matters of moment, and he could block any proposal by tribunician veto. In form an honoured member, in reality he was its master. The Equestrian Order had some compensation for the lost gains of revenue-farming. A system of useful offices in the imperial service, distinct from those tenable by senators, was reserved for them. The Assembly ceased to pass laws. Of its judicial power it was formally deprived. It still nominally elected magistrates under Augustus, but this power was transferred to the Senate by Tiberius. These few details are enough to shew how effectually the republican constitution was converted into a virtual monarchy. Modern writers often speak of it as a Dyarchy, or rule of two coordinate authorities, Emperor and Senate. This is correct enough, provided we bear in mind that there were not really two sovereigns. The one could always override the other in case of a difference. How loth the Emperor was to seem arbitrary is well seen in the matter of the chief pontificate. The post was desired by Augustus, who was bent on reviving the observances of the state religion. Yet he left Lepidus in possession till his death in 12 B.C.

670. There was one institution, inherited from the Republic, which the Empire could neither abolish nor reform. It was the city mob. It could not be abolished. A lifeless capital of the great world-power would have been an absurdity. In the headquarters of sovereignty a populace was necessary: it was out of the question to erect more and more splendid buildings only to look down upon silent streets. Emperors had therefore to continue the practice of feeding and amusing the rabble, and soon began to build great permanent structures for popular entertainment and luxury. Circus, amphitheatre, baths, the imperial *fora* with their colonnades, are specimens. The presence of many thousands, however idle and worthless, had its value in the mere turmoil and applause that impressed provincial or barbarian visitors, whose reports of the doings in the great and wicked city were carried into far-off lands. It was only necessary to see that this mob of loungers did not take themselves seriously as *populus Romanus* and meddle with affairs of state. A few com-

panies of city-troops were enough to secure this, and the Emperor had his Guard. So order was better maintained than under the Republic. To reform the city mob was impossible, owing to industrial conditions. The city swarmed with slaves, many of them pampered domestics; probably a larger number were employed in manual labour of various kinds; there were also many public slaves, serving under departmental officials. The inevitable degradation of free labour forbade the growth of an industrial spirit. The free multitude were content to live as state-paupers, with help of doles at a rich man's door.

671. We have now traced in brief outline the sequel of the events narrated in the foregoing chapters. I have tried to shew how the Roman Republic, having won a great empire, had at length to produce an Emperor to rule it. I have tried to give some notion of the process by which, after horrible agonies, this result was attained, and the extent to which the imperial Founder used or discarded the old republican materials. On the vast importance of Rome, her unique central position in the known history of the world, it is not needful here to enlarge. It is time to bring my story to a close.

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