

**The Emergence of the Roman Politically Interventionist
Legion in 88 BC: An Integrated Theory**

by

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The Roman Empire in the East
A History of the Roman Empire

by
Anthony Jones

A History of the Roman Empire
in the East

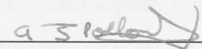
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Acknowledgements

Statement of Originality

The work presented in the thesis is, to the best of my knowledge and belief, original and my own work except as acknowledged in the text. The material has not been submitted either in whole or in part, for a degree at the Australian National University or any other university.

Signature: 

August 2014

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It hardly needs to be said that responsibility for any errors in this thesis remains my own.

Abstract

The conventional explanation, ancient and modern, for the emergence for the first time of the politically interventionist legion in the Roman Republic's history outside the southern Italian city of Nola in 88 BC, rests primarily on the idea that soldiers intervened in politics because of pecuniary self-interest: that is, what they could materially gain from the arrangement. According to this perspective, a mercenary spirit had infected the late-republican citizen-militia which was subsequently exploited by insurrectionist generals such as L. Cornelius Sulla. This was largely possible because C. Marius in 107 BC abolished the traditional timocratic underpinnings of republican military service by allowing the previously-ineligible poor into the army, making pecuniary self-interest the dominant motivation for service in late-republican armies. In isolation and out of context, however, this is an unsatisfactory explanation for intervention. Soldiers had always expected to profit from war: this was a factor in 88 BC, but it was not the new, critical ingredient of late-republican military service that led to large-scale political intervention. Marius' 107 BC recruitment reform did not change the demographic makeup of the army, and the poor had always been represented in service in large numbers without this previously leading to insurrectionist or mercenary armies that were a danger to the state. Instead, Sulla's soldiers intervened for a range of other factors. A process of desensitisation to the risk of fighting fellow citizens, the citizen-militia's tradition of insubordination in political cause and as a forum for the redress of personal grievance, and the pernicious influence of contemporary endemic violence on Roman political discourse – along with the desire to profit from war – all played their part in persuading the army to support Sulla's sedition. In the background, too, was confusion among Sulla's soldiers over who legitimately represented the state. This confusion allowed Sulla to reinforce his credentials to legitimacy, reinforcing the soldiers' decision to help him. There was thus no single economic motive dominating the explanation for intervention. Rather, all these factors acted in unison, and on that day outside Nola in 88 BC, together they proved decisive. For the Republic, it meant that the emergence of the politically interventionist legion, and its subsequent persistent presence in late-republican political dynamics, was all but inevitable.

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Map of Italy 88 BC¹

Showing Nola



¹ <http://awmc.unc.edu/wordpress/>

Chapter One

Introduction

Response to Political Adversity: Studies in Contrast

P. Cornelius Scipio in 184 BC: Political Competition and Withdrawal

In 184 BC, the Roman general and statesman, P. Cornelius Scipio Africanus – conqueror of Hannibal, censor, consul, and multiple times *princeps senatus* – retired from political life to the small southern Italian coastal town of Liternum after a series of political, personal and legal attacks by political opponents on his family, character, judgement and military record.² It was a sort of exile. As long as Scipio remained there and took no further part in the political life of the Republic, his political opponents would not resurrect and prosecute charges against him.³ Scipio was bitter over his fate: when he died soon after,⁴ he gave instructions, according to literary tradition, that his body should be buried in Liternum, his tomb erected there, and that no funeral take place in his ungrateful homeland.⁵ It was an ignominious end to a distinguished public career. Both Scipio and his erstwhile Carthaginian enemy, Hannibal, had suffered in the years after the Second Punic War from conflict with fellow citizens,⁶ but Rome's treatment of Scipio was, according to Livy, worse because it drove out a successful and victorious citizen.⁷

² Liv. 38.53; Zon. 19.9; App., *Syr.* 40; Diod. 29.21.

³ Liv. 38.53; Zon. 19.20; Gabriel, 2008, p. 233. See also Andreola, 2004, p. 7. Gruen, however, downplays the political conflict that involved the Scipios. He argues, for example, that there was no actual trial of P. Scipio: and in any case, the attacks against the Scipios did little to curb their influence or disrupt their political machinations. In short, there was no 'fall of the Scipios' (Gruen, 1995, pp. 88 ff). In my view, however, this is an unpersuasive argument; Gruen is too interested in nuance, and misses what the consistent vein of literary tradition from multiple sources says about the attacks against the Scipios, and the attempts to curb their influence. In all this, Gruen does admit there was a trial in 187 BC of L. Scipio, and there were attacks against P. Scipio (Gruen, 1995, p. 86).

⁴ It is not clear when Scipio actually died. Livy in 38.53 suggests he died 187 BC, but contradicts himself later in 39.52 when he writes that Scipio died in 183 BC. I assume that he needed to retire first to Liternum before dying, so I accept the later date.

⁵ Liv. 38.53.

⁶ Hannibal, after being defeated by Scipio, for example, was in 196 BC elected *sufete* in Carthage, and attempted to introduce a number of economic and political reforms inimical to powerful interests in the

For more than a decade after his return from Africa in 201 BC, P. Scipio had been the most famous and influential person in Rome.⁸ If the election of Cornelii to the consulship was a reliable indicator of political influence, then P. Scipio and his family largely dominated politics in the years after Zama⁹ between 201 BC and 190 BC: of the twenty four consuls elected during this period, for example, six were directly related to P. Scipio,¹⁰ there were another six who supported Scipio's policies,¹¹ and P. Scipio himself won a second consulship¹² – an unusual event during peacetime. In Rome's dealings with the Macedonians and the Hellenistic kingdom of Antiochus III in the early second century BC, where much of Rome's foreign policy effort was focussed, P. Scipio was also an important influence in the development of that policy,¹³ and travelled to the east as part of commissions to help determine Rome's approach there.¹⁴ In 190 BC, Scipio's brother, L. Scipio, was elected to the consulship and allocated Greece as his province to prosecute the campaign against Antiochus;¹⁵ P. Scipio travelled with him ostensibly as his legate.¹⁶ At the

Carthaginian state. According to the literary tradition, they thus conspired to have the Romans send a commission to Carthage to investigate rumours that Hannibal was in alliance with the eastern potentate, Antiochus; Hannibal subsequently fled, never to return (Liv. 33.47).

⁷ Liv. 38.50; cf. Diod. 29.20.

⁸ Gabriel, 2008, p. 203; Scullard, 1970, p. 174.

⁹ The battle was fought in north Africa in 202 BC, and ended the long Second Punic War in Rome's favour (Plb. 15.19).

¹⁰ For example, in 201 BC: Gn. Cornelius Lentulus (Liv. 30.40); 199 BC: L. Cornelius Lentulus (Liv. 31.49); 197 BC: C. Cornelius Cethegus (Plb. 18.11, Liv. 32.28); 194 BC: P. Cornelius Scipio Africanus (Liv. 34.43); 193 BC: L. Cornelius Merula (Liv. 34.54); 191 BC: P. Cornelius Scipio Nasica (Liv. 35.24); 190 BC: L. Cornelius Scipio Asiaticus (Liv. 36.45).

¹¹ Gabriel, 2008, p. 206.

¹² Liv. 34.43.

¹³ Gabriel, 2008, p. 206. For a detailed discussion within the governing elite on the differences and arguments in the approach to foreign policy toward the east, see Gabriel, 2008, pp. 218 ff. Gabriel, for example, outlines the strategic preferences of Scipio toward the Greeks: his policy included establishing a basis of policy on a series of free alliances and relationships with the eastern kingdoms. Others, however, believed Rome needed security over any federation, and wanted to place an emphasis on actions which would achieve that outcome.

¹⁴ Liv. 35.14.

¹⁵ Liv. 37.3.

¹⁶ Liv. 37.6. For Gabriel, however, there is no question which one of the Scipio brothers was really in charge in 190 BC: P. Scipio. He presents a persuasive argument to show why this was so (Gabriel, 2008, pp. 220 ff). Gabriel cites the fact, for example, that Antiochus repeatedly attempted to negotiate with the legate, P. Scipio, and not the consul, to discuss terms and conditions of treaties as evidence that Antiochus, at least, knew who the commander was, and where real power lay (Gabriel, 2008, pp. 220 and 221). In Liv. 37.7, in the lead-up to the battle of Magnesia, P. Scipio does seem to be approving the choice of route that his brother selected, although this may have been more like advice and agreement, rather than a necessary approval process. I would also point out that P. Scipio was not at the decisive battle of Magnesia that same year; he was sick at another location, and his brother managed to destroy the Seleucid phalanx on his own (App., *Syr.* 30.35). L. Scipio was not, apparently, without his own abilities, and I suggest that the relationship between the two brothers may have been more complex.

decisive battle of Magnesia in 190 BC,¹⁷ the Roman army defeated the Seleucid phalanx, and routed Antiochus' forces; Antiochus subsequently sued for peace,¹⁸ and the Scipios were back in Rome by 187 BC,¹⁹ having failed in their attempt at prorogation.²⁰

Political and legal attacks against the Scipio brothers in the senate and assemblies²¹ started soon afterwards, but it was not the first time that P. Scipio had encountered serious political opposition.²² In 205 BC, he was in conflict with much of the governing elite over his proposal to expand the war to Africa.²³ After much debate in the senate, however, he eventually secured permission to cross to Africa if he thought it in the public interest.²⁴ The following year, members of the governing elite criticised Scipio for his love of Greek culture, as well as his handling of the army.²⁵ In 187 BC, however, the attack on his reputation, character and family was more sustained, determined, and invasive. P. Scipio's political enemy, M. Porcius Cato, for example, instigated in the senate and assemblies a series of investigations and arraignments against the Scipios.²⁶ In particular, he persuaded the two Petillii tribunes²⁷ to prosecute P. Scipio on charges of bribery over his dealings with Antiochus, and for allowing the terms of Antiochus' peace to be milder than warranted

¹⁷ Gabriel uses January, 189 BC as the date of the battle (Gabriel, 2008, p. 226); it is not clear why, when the sources seem clear on the date (see also Roth, 2009, p. 79).

¹⁸ App., *Syr.* 36,37; Liv. 37.44.

¹⁹ Liv. 38.50.

²⁰ Gabriel, 2008, p. 230.

²¹ For a discussion on the various electoral and policy-setting assemblies present in the Roman constitution, including their different roles, responsibilities and limitations as it applied to ordinary citizens and members of the governing elite, see Chapter Six below.

²² The existence of strong political competition and opposition within the Roman political system, especially among the highly-competitive members of the governing elite, was a normal – often highly-disruptive – part of republican political life: see Chapter Six below.

²³ Liv. 28.40. Of the opposition to Scipio's proposal, the most distinguished and powerful individual was the former dictator and five-time consul, Q. Fabius Maximus; he said *vincere ego prohibui Hannibalem, ut a vobis quorum vigent nunc vires etiam vinci posset*. "I have prevented Hannibal from defeating us, and so enabled you who are young and strong to conquer him" (Liv. 28.40). Maximus argued forcefully that Hannibal first needed to be defeated in Italy before expanding the campaign to Africa; he saw Scipio's proposal as having more to do with personal ambition and glory than sound strategic considerations, and there was, at times, strong invective levelled against Scipio (Liv. 28.42).

²⁴ Naturally, he did (Liv. 28.45).

²⁵ Liv. 29.19.

²⁶ These series of attacks, confused and disjointed in the sources, are referred to in some scholarly accounts of the period as the "*Trials of the Scipios*", as in Ruebei, 1977, p. 161. Having reviewed and attempted to make sense of the source evidence, I find myself agreeing with Gabriel: they are some of the most confused and uncertain episodes in Roman history (Gabriel, 2008, p. 228). Despite this, however, it is clear to me that the Scipios came under some sort of sustained and determined attack during 187 BC, which probably extended into the following years.

²⁷ Unusually, both tribunes elected for 187 BC were named Q. Petillius (Liv. 38.50). It is not clear from the source evidence, scant as it is, if they were closely related.

because of family considerations.²⁸ That failed when P. Scipio appealed to the memory of the victory over Carthage.²⁹ Cato and the tribunes then switched their attack to L. Scipio with charges of peculation over his conduct of the war against Antiochus; L. Scipio was condemned for stealing a large share of the war indemnity,³⁰ and convicted.³¹ P. Scipio did not react well to the attacks. In front of senatorial colleagues who were demanding an account of the war's finances, for example, he tore up the account book, and asked how they could quibble over such a small amount when he had brought a fortune into the treasury: *ab ipso P. Scipione requisitam esse in senatu tradunt librumque rationis eius cum Lucium fratrem adferre iussisset, inspectante senatu suis ipsum manibus concerpsisse indignantem quod, cum bis milliens in aerarium intulisset, quadragiens ratio ab se posceretur.*³² Nevertheless, Cato and the tribunes again moved against P. Scipio, resurrecting old charges of luxury in his winter quarters at Syracuse; they also accused him of stealing money during the campaign against Antiochus and acting like a dictator.³³ Realising that his enemies would continue their attacks, that further charges were inevitable,³⁴ and that they would not cease until they had a conviction, P. Scipio withdrew from public life, ceding the political ground to his enemies; the charges thus did not proceed.

Intense competition between members of the governing elite, and the use of official position and the law to attack political opponents, may have been a normal part of republican political discourse.³⁵ Nevertheless, I argue that P. Scipio had cause to feel indignant at the treatment of his fellow citizens. He arguably had done more than any citizen, for example, to resurrect the fortunes of Rome during the long and traumatic

²⁸ Zon. 19.20; Liv. 38.51; App., *Syr.* 40. Antiochus had returned P. Scipio's captured son free of ransom (Zon. 19.20). For a detailed narrative which attempts to unravel the charges and actions brought against the Scipios, see Gabriel, 2008, pp. 228 ff.

²⁹ App., *Syr.* 40; Liv. 38.51.

³⁰ Zon. 19.20.

³¹ Liv. 38.50, 55, 58; Val. Max. 8.1. This conviction, however, did not greatly damage L. Scipio's career: he was not so disgraced or poor, for example, that he could not finance and celebrate large games in 186 BC (Liv. 39.22), or be a candidate for the censorship in 184 BC (Liv. 39.40).

³² Liv. 38.55. "They demanded from Publius Scipio himself an account in the senate, and when he had directed his brother Lucius to bring the account book, he had himself with his own hands torn it up, angry that after he had brought two hundred million [sesterces] into the treasury, he should be asked to account for four million [sesterces]."

³³ Liv. 38.51.

³⁴ Liv. 38.52.

³⁵ See Chapter Six below.

Second Punic War.³⁶ As a result of Rome's victory in that war, its dominion extended far beyond Italy, and the foundations for empire and wealth were laid. Scipio's talent for wining campaigns against his Carthaginian and Spanish enemies, his diplomatic judgment in securing those gains, and his firm grasp of political realities, had been a major part of this reality.³⁷ P. Scipio's treatment, and the attacks against his reputation and family, occurred in the decades following the war; I argue that they could thus be interpreted as part of the larger effort by the state to return individual power and influence of its key magistrates to more conventional proportions within the political system.³⁸ None of this, however, was a comfort for Scipio; to him, as I have shown above, the political competition he faced looked like the actions of an ungrateful nation, and it embittered him.

³⁶ Diod. 29.20: according to Diodorus, he rescued his country. In my view, there was some truth in Diodorus' statement: not least, for example, was his vital contribution in the military sphere. He introduced into the army the practice of using units as separate parts, where they had been used before only as a part of the whole (Plb. 10.39). It gave commanders greater options to deploy their units, and the army greater tactical flexibility needed to defeat more skilful and experienced professional opponents. I argue that Scipio forged the army into something different by altering the way the maniples were used (on the structure of the Roman army, see Chapter Two below). From this moment, legions were capable of more flexible manoeuvres on the battlefield (on this point, see Gabriel, 2008, pp. 209 and 210; Grant, 1978, p. 107). As well as representing a physical change in the tactical disposition and handling of the army, Scipio's innovations also represented an evolution in military spirit; Scipio developed commanders who could conceive of using the army's component parts separately to take advantage of opportunities during battle. These reforms endured. When the legions faced the massed phalanx of Macedon at the battle of Cynoscephalae in 197 BC, units were capable of operating separately to take advantage of fleeting tactical opportunities – a legacy of Scipio's reforms. The battle, for example, was won when an unnamed tribune detached the second and third maniples of his legion and turned inwards to attack the rear of the phalanx which had pushed past. The densely arrayed Macedonian pikemen, formidable front on, could not easily turn to meet an attack from the flank or behind, and were routed (Plb. 18.26). The innovative use of maniples like this was, I argue, a result of the reforms in handling and thinking initially introduced into the army in Spain under P. Scipio's command.

³⁷ Plb. 10.40; Liv. 38.53. For Eckstein, P. Scipio's contribution was especially significant for securing not only the peace deal with Carthage at the end of the Second Punic War, but for underpinning Rome's subsequent ascendancy in the Mediterranean (Eckstein, 1987, p. 234). On the contribution of Scipio to Rome's security, see also Gruen, 1995, p. 59.

³⁸ The Second Punic War, for example, had done much to provide opportunities to inflate the power and influence of individual commanders, especially those who were regularly successful; as a result, it is not surprising that the state would want to readjust personal expectations in the aftermath, and reassert its control. There were, for example, attempts at reigning in prorogation in the years following the end of the Second Punic War. It had been a relatively rare event prior to the war (Gruen, 1995, p. 66), but the exigencies of long campaigns far from Rome had necessarily resulted in a growth of the practice (Liv. 28.40; Plut., *Fab.* 25; App., *Pun.* 6). In the decades after the war, the practice of extending command to magistrates beyond one year again became rarer, as the state attempted to limit its occurrence; L. Scipio and P. Scipio themselves were denied a prorogation in Greece after the battle of Magnesia, and new magistrates were appointed (Liv. 37.50). In 189 BC, however, the magistrates made a case to the senate for prorogation, and were successful (Liv. 38.35). But the point had been made: the senate reasserted its authority to limit individual aspiration (for more on this topic, see Gabriel, 2008, pp. 203 ff; Gruen, 1995, pp. 66 ff; Ruebei, 1977, p. 172).

L. Cornelius Sulla in 88 BC: Political Competition and Insurrection

When P. Scipio was faced with intractable and seemingly insurmountable political opposition and the price of continued resistance became too high personally, his reaction was to withdraw from Rome, leave political life, and retire quietly amongst his veterans at Liternum.³⁹ When the consul, L. Cornelius Sulla, found himself in a similar position a century later in 88 BC, and was faced with the same intractable political opposition, his response was entirely different. Like Scipio, he left Rome, but he did not go into retirement. Instead, he fled to his veterans besieging the Campanian city of Nola south of Rome.⁴⁰ He discovered there that his political opponents had used force to manipulate the institutions of state and remove him from command of the impending campaign against the Pontic king, Mithridates.⁴¹ Sulla, now reduced to irrelevance by the actions of his enemies, refused to hand over command of the army to two tribunes dispatched from Rome. Instead, he asked his soldiers to support him in his personal *inimicitiae*, and, when the army agreed, used it to march on Rome, defeat his political opponents, and impose a political solution on the state.⁴²

The responses to political adversity of these two men thus could not have been more different. Nevertheless, there were similarities between their individual circumstances, although a century separated them. Both, for example, were successful, charismatic, and skilled generals, who had made their reputations in war by defeating competent enemies.⁴³ Both men found a loyal support base amongst the veteran armies that they had built up,⁴⁴

³⁹ Liternum was one of five maritime colonies established in Campania for citizens by P. Scipio when he was consul in 194 BC (Liv. 34.45). As a result, I suggest that there was a good chance he settled many of his veterans there; this might explain why he decided to move to the colony, despite its reputation as an unhealthy location (Gabriel, 2008, p. 233).

⁴⁰ This was at during the last stages of the Social War; Nola was one of the last cities still occupied by the Italian rebels. See Chapters Two and Five below.

⁴¹ App., *BC* 1.55; Plut., *Sull.* 8. The question of the leadership of the campaign against Mithridates, which promised to be lucrative, was the catalyst for Sulla's decision to turn the army against Rome, and reputedly the reason the army supported Sulla. It is thus critical to the narrative of insurrection: for a full discussion, see Chapters Three, Four, and Eight below.

⁴² App., *BC* 1.57-59.

⁴³ P. Scipio in the late third century BC Second Punic War, where he defeated the Carthaginians and their predominantly mercenary armies in Spain and Africa (Plb. 3.6 ff), and Sulla in the early first century BC Social War against the erstwhile Italian allies (App., *BC* 1.39 ff; Plut., *Sull.* 6; see also Chapter Two below).

⁴⁴ For example, I argue that nothing quite tests the loyalty of soldiers to their general like a mutiny in the ranks. The loyalty of the majority of Scipio's army was thus demonstrated at Sucro in Spain in 206 BC, when a portion of it mutinied (Liv. 28.27 ff). Scipio needed the rest of the army to remain loyal, which they did, but also to demonstrate that loyalty by participating in his plan to suppress the mutiny, and then help execute the

and both in turn reciprocated with loyalty to their soldiers, and were careful to look after their interests.⁴⁵ Significantly, both men were also defeated in public life by the intense political competition of their opponents, and left Rome. As I have shown above, Scipio was forced from politics by an alliance of his enemies which included Cato and the tribunes; Sulla, who was the consul at the time,⁴⁶ was defeated politically by an alliance between his enemy, C. Marius, and the tribune, P. Sulpicius Rufus. In Sulla's case, his defeat occurred at a time of endemic political violence which characterised the decline of Roman political culture, the emergence of more assertive tribunes, the use of unconventional methods to pass controversial legislative programs, and the alienation of much of the governing elite.⁴⁷ Against this background, Sulla's enemies forced him to make a number of political concessions, and then flee Rome.⁴⁸ In 187 BC, there were fears among members of the governing elite that the extent and reach of Scipio's power and influence had become a danger to consensus government⁴⁹ more than 50 years before such concerns would accompany the rise of assertive tribunes and populist politicians.⁵⁰ Scipio's personal reaction to the attacks fed these fears: he was often arrogant and dismissive, even to respected institutions such as the senate and the office of tribunate.⁵¹ Moreover, he had at

35 ring leaders in a piece of theatre designed to maximise the impact of the punishment, which they enthusiastically did (Liv. 28.29). In Sulla's case, the army displayed its loyalty, and the fact that Sulla had successfully built up a support base inside it, most obviously by agreeing to help him in 88 BC (App., *BC* 1.57).

⁴⁵ In Scipio's case, the care and obligation he felt toward his soldiers was most obviously on display when he used his influence and standing to persuade the state at the end of the Second Punic Wars to make highly-unusual virgane allocations from the *ager publicus* to his many veterans (Liv. 31.4; 31.49, see also Gabriel, 2008, pp. 205 and 206). It was one of the few occasions that the republican state, which normally left veterans to fall back on their civilian occupations after discharge (see Chapter Two below), made provision for discharged soldiers. Sulla similarly ensured his soldiers were looked after with land grants and booty (Plut., *Sull.* 12, 33; App., *BC* 1.96).

⁴⁶ App., *BC* 1.52.

⁴⁷ For a full discussion on the decline of Roman political culture, and the rise of violence as an accepted feature of political discourse in the second half of the second century BC, including its implications for the emergence of soldiers willing to intervene in politics, see Chapter Seven below.

⁴⁸ App., *BC* 1.56; Plut., *Sull.* 9. For a detailed discussion on the political situation in Rome in 88 BC as it affected Sulla and his army at Nola, including the concessions Sulla was forced to make, see Chapter Eight below.

⁴⁹ Diod. 29.21. On this point, see also Gabriel, 2008, p. 204; Scullard, 1970, p. 182. It has to be pointed out, however, that Scipio himself did not specifically encourage such pretensions; on the contrary, he did everything he could to suppress them. In Spain in 209 BC, during the Second Punic War, for example, Scipio defeated Hasdrubal, and in the aftermath of this victory captured Spanish troops hailed him as a king, and performed obeisance to him. Scipio rebuffed them, distanced himself from the attempt to hail him king, and asked that they instead call him *imperator* (Plb. 10.40).

⁵⁰ Plut., *TG*. 10.; App., *BC*. 12. On this point, and the rise of more assertive, populist tribunes from 151 BC onwards, see Chapter Seven below.

⁵¹ Diod. 29.21; Liv. 38.45; Gabriel, 2008, p. 204.

least on one occasion threatened to go to the people when obstructed by members of the governing elite.⁵²

There was, however, one crucial difference: when faced with political defeat, Scipio did not invite his veterans to become involved in his personal *inimicitiae*, or ask them to help him defeat his political opponents, march on Rome, and use violence to settle his grievances with Cato and the tribunes. Regardless of how bitter he felt toward his enemies, Scipio competed within the accepted political standards of the day;⁵³ when he was given authority to raise troops, he used them in service of the state, not as a weapon against his political enemies. Sulla, however, did do this,⁵⁴ and thus created a legacy which would inspire a future generation of insurrectionists: *Sulla potuit, ego non potero?*⁵⁵

The Thesis: Its Central Question, Scope, Limitations, Contribution, Methodology and Definitions

The Central Question

It is hard to overestimate the significance of Sulla's actions in 88 BC. The use of the army to intervene in politics made an indelible mark on the cultural memory of the late Republic: the thread that united late-republican writers who lived through the period – M. Tullius Cicero, C. Sallustius Crispus, and C. Julius Caesar⁵⁶ – was the belief that the *tempus Sullanum* was a catastrophe, that Sulla's example was pernicious, and that a repetition of a *tempus Sullanum* should be avoided.⁵⁷ The emergence of the politically interventionist

⁵² Liv. 28.40. This was during the debate over whether to allow Scipio to cross to Africa in 205 BC. In other words, the threat meant that if he could not get his way in the senate, Scipio would bypass the governing elite and the senate in the manner of the Gracchi, and obtain approval for his African expedition directly from a vote in the popular assemblies. Technically, this was possible, but it was a highly-symbolic and provocative threat to make, let alone actually carry out: see Chapter Seven below.

⁵³ See Chapter Seven below.

⁵⁴ For a discussion on the events immediately preceding Sulla's march to Rome while he was still at Nola, and the implications of the army's decision to support him, see Chapter Eight below.

⁵⁵ Cic., *Att.* 9.10: "If Sulla could do it, why not me?" Cicero ascribed this comment to Cn. Pompey when he threatened those senators who remained in Italy at the start of the second civil war with C. Julius Caesar.

⁵⁶ With regard to Caesar, somewhat ironically, given the turmoil and civil war that he unleashed upon the state by taking the initiative to use his army against his political opponents in the manner of Sulla.

⁵⁷ Lacey, 1970, p. 7. Lacey's analysis of Sulla's legacy is uniformly negative; Dowling, on the other hand, presents a more nuanced – and in my opinion interesting – picture. She argues that Sulla's example was presented by later authors in varied ways: at times he was an *exemplum* of good generalship and clemency; at other times, a picture of tyranny and brutality (for more on this complicated picture, see Dowling, 2000, pp. 303 ff).

legion in 88 BC was certainly unprecedented:⁵⁸ for the first time in the history of the Republic, a Roman army marched on Rome as if it were an enemy capital with the firm intention of capturing and holding it by force of arms, intervened decisively in large numbers in politics, and helped its insurrectionist general defeat his political enemies and impose a permanent political solution on the state. After centuries of service to the Roman state, the army had turned against it. There was now a new, decisive element in political discourse: military strength, and access to soldiers willing to support political ambitions, was from this point on the most important factor underwriting the legitimacy of political aspirants. All that followed would be different from what had come before;⁵⁹ not least among the consequences were dictatorship, mass proscriptions,⁶⁰ large-scale property seizures,⁶¹ and the Republic's first civil war. The army's role in this narrative was critical: generals such as Sulla were able to impose their will upon the state, suppress their enemies, and engage in civil war, only because ordinary citizens serving in the citizen-militia decided to support them.⁶² Without their willing involvement, seditious generals could not have constituted a threat to each other, much less to the Republic. Moreover, the most direct agent of destruction of the Republic was the army: the Republic fell when armies fought in civil conflict in Italy and abroad in a contest that endured for nearly twenty years, and swept away the prior governmental system.⁶³ All that became subsequently possible at the precise moment in 88 BC when the army first decided to interfere in political discourse.

Why, then, did the citizen-militia, traditional protectors of the state, defy centuries of tradition and turn on it in 88 BC, support Sulla in his personal *inimicitiae*, interfere directly in political discourse, and risk engaging fellow citizens in civil war? Why did Sulla, bested by political opponents in the street battles of Rome, feel he could approach the army in this manner and ask for its help? This was something that did not occur to P. Scipio a century earlier when faced with similarly intractable political opposition, or if it did, he felt that he could not approach the army in this way.⁶⁴ What had changed in the intervening period between P. Scipio and Sulla that created the necessary conditions for the army to do what

⁵⁸ Plut., *Sull.* 7; App., *BC* 1.3.

⁵⁹ Plut., *Sull.* 7.

⁶⁰ More than 1600 names of citizens, for example, appeared on Sulla's proscription lists; up to a third of the governing elite may have perished (App., *BC* 1.95,96).

⁶¹ App., *BC* 1.65.

⁶² See Chapter Two below.

⁶³ Gruen, 1974, pp. 365 and 366.

⁶⁴ In Scipio's case, of course, he had no standing army to appeal to.

none of its predecessors had done, and respond positively to Sulla's invitation? Answering these questions is essential to understanding why the military interfered for the first time in the civilian political processes of the Republic: this thesis tackles this conundrum by positing an integrated theory of intervention that explains the emergence of the politically interventionist legion in 88 BC.

Scope and Limitations

This thesis looks to the field of enquiry into Roman late-republican military service and its nexus with late-republican political discourse as it relates to the first military intervention into the political process in 88 BC. It is not a general study of the Roman republican army, or a history of the army's involvement in civil war. In particular, it is neither a history of the generational civil wars that destroyed republican government, nor a general account of the long-running conflict between Rome and her Italian allies over citizenship and political integration. Nor is it an economic, political or general account of the revolutionary period of the late Republic. Instead, it is an explanation of the decision of ordinary soldiers to intervene in political discourse on behalf of their general. The thesis thus presents a fresh, holistic explanation for the emergence in 88 BC of the politically interventionist legion. It reappraises and challenges the orthodoxy conventionally used to explain the soldiers' decision to involve themselves in politics, exposing the limitations of its arguments. After arguing that the conventional explanation is an unsatisfactory explanation for intervention, the thesis offers an alternative explanation: a range of factors that induced Sulla's soldiers to help him against his political enemies. Some factors represented changes in the nature of military service; some, like the desire to profit from war,⁶⁵ were traditional aspects of serving in the citizen-militia. Analysis of these factors, which comprises the bulk of this thesis,⁶⁶ forms the foundation of a holistic, integrated theory of intervention that applies to the situation at Nola in 88 BC, and which more comprehensively explains why the army was receptive to Sulla's invitation to intervene directly in political discourse with organised military force.

⁶⁵ See Chapter Four below.

⁶⁶ With the role of pecuniary self-interest acknowledged, but placed in a proper context, these factors are laid out in Chapters Four to Seven below. They are then brought together in the specific context of 88 BC at Nola in Chapter Eight below.

The focus of the thesis is to explain the actions of soldiers at a specific point in the history of the late Republic: the precise moment in 88 BC outside Nola when the citizen-militia decided for the first time to support a general in his personal *inimicitiae* with large-scale, organised military force.⁶⁷ It focuses on this point in time because this is when the politically interventionist legion first became a reality for the Republic, and when the latent political potential of the army was first clearly demonstrated.⁶⁸ This was the pivotal moment;⁶⁹ from this point on, Sulla's use of the army in this way found immediate imitators,⁷⁰ and armies could draw inspiration for subsequent forays into politics from that first, seminal intervention.⁷¹ I argue, therefore, that this is the moment that most requires our attention if we are to understand why the army turned on the state, began supporting its generals in their political quarrels, and was willing to engage in civil war. As a result, the thesis does not concern itself with events beyond the decision of the soldiers at Nola in 88 BC; after this, and with the example of Sulla's soldiers before it, I suggest that the cultural prohibition on the citizen-militia involving itself in politics no longer had any force. Given that the issue, however, of change in the nature of military service in the intervening century between P. Scipio and Sulla has a bearing on the central question, the thesis will draw upon key relevant events and developments in Roman military, social, political and economic life prior to 88 BC.⁷² This discussion will be anchored mainly in the second century BC and the early first century BC; on occasion, however, it will examine relevant evidence from earlier periods of Rome's history.

⁶⁷ App., *BC* 1.57.

⁶⁸ For example, Keaveney, 2007, p. 38.

⁶⁹ App., *BC* 1.60. Appian makes the point here that once the army had intervened in politics on Sulla's behalf, sedition was decided only by fighting, and there was no restraint upon violence, either from the sense of shame, or regard for law, institutions, or country.

⁷⁰ Keaveney, 2007, p. 96.

⁷¹ For example, a year later, after Sulla had left Italy for the eastern campaign against Mithridates, L. Cornelius Cinna, bested by factional violence in Rome, disowned by a hostile senate, and forced to flee Rome, used the promise of financial gain, combined with personal appeals to justice, to help persuade the legion left behind at Nola to accept him as consul and act against his political enemies (Liv., *Per.* 79; App., *BC* 1.65; Vell. 2.20). The legion had the example of Sulla's army before it to justify and condone its subsequent intervention.

⁷² For example, the thesis will examine the decline in Roman political culture of the late Republic, and the emergence of normative violence in political discourse, as they have a direct relevance to the emergence of soldiers willing to intervene in politics, and on Sulla's request to his army in 88 BC (see Chapter Seven below).

As part of this enquiry, the thesis examines closely the role of the Social War⁷³ in desensitising ordinary citizen-soldiers to the concept of civil war: through the Social War against their erstwhile Italian allies, I argue, soldiers first became inured to the idea of civil war against fellow citizens. To support this contention, the thesis offers a new hypothesis: full integration theory, which describes how Italian allied units serving with Roman field armies gradually over time adopted Roman tactics, equipment, organisation, uniforms, and military culture, to the point that they were indistinguishable in form and function from their citizen counterparts.⁷⁴

The thesis also focuses on a particular element of the army: the soldiers who supported Sulla, and without whose help his plan for intervention would not have been possible. Seditious generals were a threat to no one unless they had the willing support of ordinary citizens in the army, citizens who were ready to risk civil war on behalf of their general. I argue that a study on intervention needs to be focussed on these factors if we want to understand the behaviour of the army at Nola in 88 BC. The thesis thus approaches the rationale for intervention from the perspective of ordinary soldiers; it concerns itself with their motivations, and the influences acting upon them that day at Nola. With few exceptions,⁷⁵ it does not concern itself with the motivations of the principal actors normally the focus of scholarly study on the history of republican civil war, or Sulla's march on Rome⁷⁶ – except where they have a direct bearing on the central question of the thesis. Moreover, a work of this size cannot be exhaustive. A full account, for example, of every piece of scholarship and opinion that constitutes the conventional view in scholarship would alone consume a thesis-sized work, as would even a general account of the change to the nature of service in the Roman citizen-militia over the second century BC. Instead, the thesis necessarily narrows its scope to focus only on those themes, authors, perspectives and historical events that are subjectively considered to be relevant to the study.

⁷³ See Chapter Two below.

⁷⁴ See Chapter Five below.

⁷⁵ The thesis does, for example, examine the major characters of the increasing tension between ordinary citizens, an increasingly assertive tribunate, and members of the governing elite that accompanied the decline of political culture from 151 BC onwards. Their place in the discussion, however, is always relevant to the central question of the thesis (see Chapter Seven below).

⁷⁶ For example, Flower, 2010, pp. 77 and 78; Keaveney, 2007, p. 37; Konrad, 2006, p. 180.

The Contribution of the Thesis

In the broadest sense, the thesis contributes in its field to the general understanding of the crucial relationship that existed between the Roman military system, and the emergence of military power as a political force in the late Republic – and, ultimately, its place in the eclipse of the Republic by the imperial state. More specifically, there have been – of course – attempts in ancient literature and contemporary scholarship to explain the emergence of soldiers willing to support their generals' political aspirations, and intervene in late-republican politics. The reason conventionally advanced for the behaviour of Sulla's soldiers, for example, was pecuniary self-interest: the soldiers supported Sulla in his sedition and risked civil war in 88 BC for what they could gain materially from the arrangement.⁷⁷ Ordinary soldiers are overwhelmingly portrayed as one dimensional, economic creatures.⁷⁸ According to the conventional explanation, pecuniary self-interest as dominant motivator was a new factor of late-republican military service. Against a background of societal moral decay,⁷⁹ it helped create the conditions in which interventionist soldiers could emerge. Moreover, such soldiers emerged largely because C. Marius in 107 BC had undermined the timocratic ideal that underpinned service in republican armies by opening up legionary service to the previously-ineligible poor. This infected the army with a mercenary spirit, and made it susceptible to the financial inducements of generals who wanted to engage in insurrection, and use military force to suppress their political enemies.⁸⁰ This is the extent of the ancient perspective on the motivations of ordinary soldiers serving in late-republican armies who decided to intervene; their own voices are largely missing from the narratives of intervention in which they played so important a part.⁸¹ The explanation of pecuniary self-interest also permeates contemporary interpretations of the republican army's intervention into politics, and its subsequent involvement in civil war.⁸²

⁷⁷ App., *BC* 1.57; Sal., *Jug.* 86; Plut., *Sull.* 12.

⁷⁸ As they are in Martin, 2012, p. 94.

⁷⁹ Sal., *Cat.* 10; Luc. 1.160; Vell. 2.48 (see Chapter Three below).

⁸⁰ Sal., *Jug.* 86; Gel. 16.10; Plut., *Mar.* 9.

⁸¹ For a detailed survey of the conventional view as it is manifested in ancient sources, see Chapter Three below.

⁸² For the purposes of this thesis, and to place some reasonable limits to the size of the project, I have focused primarily on English speaking scholarship.

Given the centrality of ordinary soldiers to the events at Nola in 88 BC, their motivations should be the focus of deep analysis. I argue, however, that such depth of focus is largely missing. Instead, modern scholarship largely reproduces ancient economic themes as a rationale for intervention, and replicates the ancient emphasis given to the role of Marius.⁸³ Even Keaveney, who recently produced one of the more nuanced accounts of the events at Nola in 88 BC,⁸⁴ and who challenged the conventional focus on Marius as the creator of the revolutionary army,⁸⁵ does not question the economic motive as the dominant reason Sulla's men followed him to Rome.⁸⁶ Moreover, in attempting to understand the events at Nola, the army's intervention, and the descent of the Republic into its first civil war, scholars primarily focus on the actions and motivations of key individuals such as Sulla,⁸⁷ or on the broader political currents that contributed to the conditions of general unrest and tension between the main actors.⁸⁸ There is little focus in this narrative on the one critical element that made intervention, civil war, and the decline of the Republic possible:⁸⁹ ordinary citizens organised not in their civilian assemblies, but as soldiers under *sacramentum*, willing to support the political ambitions of their generals and risk civil war.

This thesis corrects that oversight; it brings to the field a sustained focus on the motivations of ordinary soldiers, a necessary ingredient for understanding why the army intervened that is lacking in ancient explanations, and absent in much of modern scholarship.⁹⁰ In doing so, it provides a fresh analysis of – and challenge to – the suitability of the conventional explanation for intervention; something, I argue, which is much needed. It thus contributes to the field the view that the ancient and contemporary emphasis on pecuniary self-interest

⁸³ For example, Cagniard, 2008, p. 82; de Blois, 1987, p. 5. For a survey of modern explanations for the army's intervention into politics, and its subsequent willingness to risk – and engage in – civil war, see Chapter Three below.

⁸⁴ Keaveney, 2007, pp. 37 ff.

⁸⁵ Keaveney, 2007, p. 37. Keaveney argues that Sulla, rather than Marius, politicised the army by abolishing the traditional delineation between a civil *contio* and a military *contio* at Nola by placing a domestic political issue before them (Keaveney, 2007, p. 42). For my response to this, see Chapter Eight below.

⁸⁶ Keaveney, 2007, p. 94. Keaveney's analysis, for example, simply replicates ancient interpretations: Sulla's troops followed him to Rome because they feared they would miss out on the Mithridatic booty.

⁸⁷ For example, Keaveney's analysis of the role of Sulla in the events at Nola: Keaveney, 2005, pp. 50-51 (for more on this point, see Chapter Eight below). He devotes a whole book to the career of Sulla and his reaction and actions in 88 BC.

⁸⁸ For example, Flower's work on the causes behind the first civil war: Flower, 2010, p. 79 (for more on Flower's analysis, see Chapter Eight below).

⁸⁹ Gruen, 1974, p. 358.

⁹⁰ As I have indicated above, one partial exception is Keaveney (Keaveney, 2007, pp. 93 ff). He at least focuses some of his scholarly attention on the ordinary soldiers of Sulla's army, even though he succumbs to the conventional explanation when it comes to their motivations (see Chapter Eight below).

as the dominant explanation for the motivations of late-republican soldiers engaged in insurrection is exaggerated and misplaced.⁹¹ This is not to argue that pecuniary self-interest did not have a role to play at Nola; profiting from war was always an important benefit of republican military service.⁹² Rather, I will show that pecuniary self-interest, in isolation and out of context, is ultimately an unsatisfactory explanation for intervention. As I will argue below, a desire to profit from service was not the only – nor even the most important – factor making itself felt on the motivations of the army at Nola;⁹³ by itself, pecuniary self-interest cannot fully explain why Sulla's soldiers decided to support him. What is missing from the conventional account of the events at Nola is an analysis of other factors that influenced the decision of the soldiers. The thesis thus opens up fresh enquiries into the motivations of ordinary soldiers and the nature of late-republican military service; its major contribution is to present a new, integrated theory of intervention with an original perspective on the underlying reasons for the army's intervention in 88 BC.

Moreover, I argue that much of contemporary scholarship of the revolutionary period presents the army's insurrection of 88 BC as an accepted fact without ever providing a cogent explanation of how soldiers could get to the point where they were willing to defy centuries of tradition, risk civil war, and intervene in political discourse – beyond the conventional view that they did it for money.⁹⁴ Whereas 12 years before during the campaign against Germanic invaders, the army was seen as the protector of the state, we now observe the army as its oppressor; the citizen-militia in the historical narrative is just suddenly 'there'. Yet, to understand why intervention occurred, I argue that it is critical to first understand how republican soldiers could plausibly make such a shift. To address this gap, this study offers a cogent and plausible explanation of the process by which late-republican military service could conceivably produce soldiers willing to interfere in the political processes of the Republic – an explanation which is mostly missing from contemporary scholarship.

⁹¹ See Chapter Four below.

⁹² Liv. 7.16. For more on this point, see Chapters Four and Eight below.

⁹³ See Chapter Eight below.

⁹⁴ An example of this oversight is Lintott, 1999(b), pp. 1 and 187. Lintott argues, for example, that there is little doubt strife in the city was the first step to civil war; the transition from fighting with gangs in the streets to fighting with armies in the field was essentially one of scale. Beyond pecuniary self-interest, however, Lintott provides no cogent explanation of how civil strife could produce such soldiers willing to act against the state, or make the significant step to go from street violence to engaging in civil war as part of formed armies. Instead, we are left to guess how that was possible (see Chapter Seven below).

Methodology

This thesis accepts the intervention of Sulla's army into politics in 88 BC as fact. It reinterprets existing ancient and contemporary explanations for intervention, and constructs alternative arguments from ancient evidence and contemporary insights. It draws on primary source analysis of ancient texts and, in some cases, on archaeological evidence to support conclusions drawn from primary source evidence.⁹⁵ The thesis deals with the credibility of sources when this has a bearing on the argument.⁹⁶ In essence, it is fundamentally a study of a narrow slice of Roman republican military history; it investigates primary ancient textual sources to build a foundation for a series of arguments, which are informed by insights drawn from a wide selection of relevant secondary sources – but only as they sustain the argument, and have a bearing on answering the conundrum that is central to this thesis. In doing this, it touches almost every aspect of late-republican history: political, military, social, economic.

The thesis uses a wide range of ancient Greek and Latin sources: major sources include Polybius, the best source on the mid Republican Roman military system,⁹⁷ Appian, whose works contain the most complete surviving narrative of the revolutionary period,⁹⁸ and Sallust, whose works on the war against Jugurtha and the Catiline conspiracy are important

⁹⁵ See Chapter Five below.

⁹⁶ It has to be acknowledged that ancient historians, for example, had a tendency to project contemporary attitudes and language into the past (Raaflaub, 2005, pp. 10-11). For an opposing view that argues ancient historians were also capable of recognising their own biases, and accurately transmitting historical fact, see Cornell, 2005, pp. 48 and 49. For my thesis, however, this disagreement over the historicity of sources has less significance; I argue that it only matters as far as we can see the probable views of history as they were held by soldiers and ordinary citizens in 88 BC (see Chapter Six and Chapter Eight). In other words, it is their perception of history – not its literal accuracy – that is important to my argument.

⁹⁷ Matthew, 2010(a), p. 1; Hoyos, 2008, p. 68; Rosenstein, 2012, p. 272 (see also Chapter Five below). Polybius' Book Six of *Histories* is the primary source (Plb. 6.19 ff). He was a former soldier himself, accompanied Roman armies in the field, and recorded in meticulous detail the organisation, equipment and management of the army. He could also be clear-eyed about the Romans: they retain Demetrius at Rome against his pleas because it was in their own interests (Plb. 31.11), and continually arbitrated against the Carthaginians, not because they were always right, but because this is what was in their interests to do (Plb. 31.21). For an excellent discussion on the motivations and historical career of Polybius, see Pelling, 2007, pp. 245 ff.

⁹⁸ De Blois, 2008, p. 170. De Blois points out that Appian, although he could be prone to some exaggeration at times, is one of our better sources on the civil war period, using good information based on earlier works. He provides our only connecting narrative of the wars in Spain after 155 BC and of the Third Punic War. Rosenstein argues that the quality of Appian's work on these foreign wars is inferior to Livy and Polybius (Rosenstein, 2012, p. 273). Nevertheless, as our only complete narrative of the civil war period, I argue that Appian's contribution to our understanding of the motives of Sulla, and the events in Rome and at Nola leading up to the intervention – particularly the Social War (see Chapter Two below) – are especially valuable.

sources for the decades leading up to the Social War, changes in the nature of late-republican military service, and of the later civil war period.⁹⁹ Livy is also an important source; although primarily a literary stylist interested in portraying history as a moral inspiration for contemporary generations,¹⁰⁰ he nevertheless drew heavily on the accounts of earlier historians,¹⁰¹ and thus preserves particularly useful narratives on the evolution of the Roman army, and on the army's centuries-long record of insubordination toward the state as it is recorded as literary memory.¹⁰²

Where the sources are largely silent on topics important to the study, such as the social relationship that developed between citizen-soldiers and Italian soldiers serving in campaigning Roman armies, the thesis deploys original research gathered in interview – relevant sections of which are then used to help deduce the nature of military service in Roman consular armies, and to cross-check assumptions. Research into the experience of the modern Afghan National Army in building cohesion and social bonds between ethnically and tribally distinct recruits,¹⁰³ for example, is used to inform deductions about

⁹⁹ Sallust's contribution to our understanding of the revolutionary period is important; he provides an interesting and politically-informed analysis of many significant events. He makes it clear in his work on the war with Jugurtha that his focus is not so much on a minor war, but on the entire sweep of Roman history in the final centuries of the Republic; this sets his work apart from other contemporaries (Levene, 2007, p. 281). As a historian, Sallust could be moralistic and pessimistic, comparing the revolutionary period unfavourably with the period before 150 BC (Sal., *Jug.* 41); a main theme of his works was inevitable decline: for example, *at contra quis est omnium his moribus...* "On the contrary, who is there in these degenerate days..." (Sal. *Jug.* 4).

¹⁰⁰ Rosenstein, 2012, p. 272.

¹⁰¹ Rosenstein, 2012, p. 272; Forsythe, 1994, p. 71; Chrissanthos, 2001, pp. 28-29.

¹⁰² For example, Livy's account is the first record we have of the reformed fourth century BC army that had adopted maniples (Liv. 8.8), and preserves details of the army on its way to the second century BC army that Polybius describes (Plb. 6.19 ff). On the question of Livy's credentials as an historical source, I would note that Livy was aware of the problem of historical accuracy and bias; he admits, for example, that Rome's 'semi-mythical past' was hard to penetrate (Liv. 6.1), and retained enough historical sensibility to flag in his narrative when he thought a source that he used had its own bias (Liv. 7.42; see also Cornell, 2005, p. 48). For an analysis of the contribution of Livy to the historical narrative, which brings nuance and sophistication to his conclusions (arguing, for example, that criticism of Livy as a celebrator of Roman imperialism often fails to acknowledge Livy's clear-sighted account of the incompetence and immorality of Roman imperialists in Books 42-43), see Levene, 2005, 283 ff. Again, I make the point that Livy's credentials as an accurate historical source are less important to my argument. What matters more is whether common citizens and soldiers in 88 BC were aware of the stories from Rome's past as preserved in the literary tradition, and whether that tradition was used to place contemporary events into context. I will argue that they were, and that they did (see Chapter Six below).

¹⁰³ Elements of the new Afghan National Army are being prepared for combat with the Taliban, and to take over responsibility for security in Afghanistan post-withdrawal of the allied coalition forces. Australia, along with the US, UK and Canada, is training Afghan soldiers and units. It is being formed into a cohesive whole from recruits from a wide variety of different ethnic and tribal areas throughout Afghanistan. Given that the dynamics of bonds formed between soldiers under the pressure of combat are relatively constant across time (see Chapter Five below), regardless of technological advances, the experience of the modern Afghan

the social dynamics that may have conceivably existed between similarly ethnically-distinct citizen and Italian recruits that normally made up Roman consular armies. Interviews were conducted with a professional, high-ranking Australian Regular Army officer who is not only an expert in building cohesion between soldiers, with years of relevant operational experience to draw upon in making his observations, but is also well-placed to comment on the recent recruitment and training experience of the Afghan National Army, and the social dynamics that exist between its diverse recruits. Major General Angus Campbell, AM, is currently Deputy Chief of the Australian Army.¹⁰⁴ In 2011, however, he was Commander Joint Task Force 633, United Arab Emirates (UAE), responsible for commanding all Australian forces in the Middle East and Afghanistan, including the Australian army units training the new, integrated Afghan army. In this capacity, he was in a unique position to observe the social and cohesive bonds that are developing between Afghan soldiers as they prepare to take over more responsibility for security in Afghanistan. The observations he thus makes, drawing on this experience, and his more general points about the imperative of maintaining cohesion between units on the battlefield, are useful for informing conclusions about the dynamics that may have plausibly existed in Roman consular armies.¹⁰⁵

Definitions

Citizen-militia

This term is used extensively, and is central to understanding the nature of republican military service. It describes the backbone of the Republic's military system; in this thesis, the citizen-militia means the traditional, land-based, part-time military institution which had a close association with Roman society and its political institutions,¹⁰⁶ and upon which Roman power was based for most of the Republic's existence, and in which every citizen who met the minimum Servian property qualification had an obligation to serve. The term is used interchangeably with 'the army'; it does not refer to the Roman navy. The basic

National Army can inform the process of building cohesion in ancient armies, and the existence of social bonds that conceivably existed between Italian allied soldiers serving in Roman armies, and their citizen counterparts. The Afghan National Army, for example, shares similarities with Roman armies: recruits that are ethnically and tribally distinct, of poor education, and primarily from an agrarian background.

¹⁰⁴ For a complete biography of Maj Gen Campbell, see the official Department of Defence website 2013 posting: <http://www.defence.gov.au/op/afghanistan/bio/angusCampbell/campbell.htm>

¹⁰⁵ Arguments that benefit from Maj Gen Campbell's observations are contained in Chapter Five below.

¹⁰⁶ For more on the nexus between the citizen-militia and general society, see Chapter Two below.

military unit of the citizen-militia was the legion; the citizen-militia was first organised as a phalanx, but evolved into the more flexible arrangement of the three-ranked legion based on maniples, and later cohorts. This arrangement would provide the basic structure of the citizen-militia for centuries.¹⁰⁷ The citizen-militia was not meant to be permanent; armies were raised each year personally by consuls at the start of the campaigning season, and then disbanded when the campaign was finished.¹⁰⁸ The citizen-militia was never a 'professional' institution in the sense of providing a vocation for citizens, having permanency, or being the kind of mercenary institution that could be hired. Early on, however, it inculcated professional standards of competency under the pressure of continuous war and expansion. The citizen-militia as a concept is the antithesis of the standing, vocational army characteristic of the imperial period.

Roman Military System

The Roman military system describes all the components that constituted the armed power and capability of the Republic: the way it was organised, its operating ethos, its institutions, the way it recruited its soldiers, integrated allied units, and the way individual citizens and allies interacted with military service.¹⁰⁹ The citizen-militia was, for example, part of the Roman military system, as was the timocratic ideal which governed eligibility for service in the army. As the term is used in this thesis, the military system is considered part of the structure of the Roman state, and a major arm of its ability to force, dominate and persuade other populations to acquiesce to Roman sovereignty. In particular, its close and enduring relationship with civilian power structures, society, and its role in integrating and eliminating practical difference between citizen and allied soldiers, rather than accentuating it, is emphasised.

Full Integration Theory

This is a new theory posited in Chapter Five which helps explain how the Social War could have plausibly felt like a civil war to the Roman citizens who fought it. It describes the process of homogenisation that Italian allied peoples serving over a long period of time in

¹⁰⁷ See Chapter Two below.

¹⁰⁸ For more on the evolutionary pressures which altered this traditional concept of service of the citizen-militia, see Chapter Two below.

¹⁰⁹ For more on the characteristics of the Roman military system, see Chapters Two and Five below.

republican consular armies were subjected to as a result of the imperative to maintain battlefield integrity of Roman battle lines. By such a process Italian peoples may have begun their military association with Rome as distinct soldiers, but ended up over time being fully integrated into Roman armies; although they still served in separate units alongside citizen legions, allied Italian soldiers nevertheless looked like citizen-soldiers, fought like them, used the same arms and equipment, and, I suggest, developed close social bonds with their citizen counterparts.¹¹⁰ This would become important in an experiential sense during the Social War when Roman citizens were asked to fight their former, fully-integrated, Italian allies.

Politically Interventionist Legion

This thesis is about the emergence of the politically interventionist legion; the term is used extensively. It refers to the specific behaviour – a peculiarly late-republican phenomenon – of the citizen-militia interfering directly and consciously in Roman political discourse in the form of an organised military unit, and on behalf of its general. The term signifies the emergence of soldiers or armies willing to intervene on scale in politics. To constitute a politically interventionist legion, it is not enough for the soldiers or commander to express political opinions or represent political sentiments; the soldiers must physically act as a formed body directly in support of their leaders' political aspirations while under *sacramentum*. This very often required an illegal act, or the suppression of political enemies, their own loyal military units, or the broader population. The citizen-militia, behaving as politically interventionist legions, manifests itself primarily as supporters of individual generals and aspirants to power in the late Republic. A critical factor in Sulla's ability in 88 BC to impose his will on the state, the politically interventionist legion contrasts with citizens acting politically, individually or collectively, in their traditional civic assemblies, or individual veterans acting as members of street gangs. Its emergence represents a critical change in the psyche of the Roman military system and a seminal event in the history of the Republic; it made possible the subsequent civil wars, and ultimately, the eclipse of the Republic.¹¹¹

¹¹⁰ See Chapter Five below.

¹¹¹ See Chapter Eight below.

Inimicitia/ae

This Latin term, used extensively in this thesis, refers to the state of enduring, deep-seated unfriendly relations that exists between enemies and opponents. The term can technically refer to ill will and enmity across the spectrum of social and private life, but in this thesis, it is the larger sense of intense competition and rivalry that is played out in public life that is emphasised. To that end, it is used most commonly to describe the sense of enduring deep enmity between opponents and rivals in the political realm, such as that which existed between Sulla and Marius. I also mean it to describe a condition which exists primarily between two individuals and their immediate supporters, although I acknowledge that the enmity generated between individuals could spread to include family members, friends, and more widely to other political partisans. It is into this essentially personal political quarrel with Marius and his supporters that Sulla invited his soldiers to intervene, thus changing decisively the dynamic of that rivalry, and involving the whole Roman state in the subsequent consequences.

Volunteers

Throughout the Republic's history, citizens went beyond their civic obligation, and volunteered to serve in the army under popular or successful generals for various reasons, not least the prospect of improving their economic condition. Volunteers often augmented recruits assembled through the formal and annual *dilectus*. P. Scipio and Marius used them; such volunteers were particularly attracted to campaigns that promised much booty, and were generally hard to find where the obverse was true. In this thesis, the term denotes citizens who voluntarily offered themselves for service in the army. They were distinct from those citizens who were required to serve to meet their civic obligations or were conscripted – although, once in the legions, they were generally indistinguishable from them. This thesis does not use the term 'volunteers' interchangeably with 'mercenaries'; they were not able to be hired by anyone of any nationality rich enough to afford them. They were Roman or allied Italian citizens, joined only Roman armies, served under normal conditions of service under *sacramentum*. Furthermore, they were not clients of powerful individuals; when they joined the citizen-militia, they joined a national asset which served the state commanded by consuls who changed regularly.

Professional

The term 'professional' is used in this thesis to refer to two conditions describing soldiers or armies. In the first case, it describes a high state of technical competency; a condition where the army or soldiers had become so proficient at war that they approached 'professional' standards. In this sense, it contrasts with 'amateur', where standards and proficiency are low. The Roman army was traditionally a citizen-militia, for example, but generally approached professional standards of competency, especially when engaged in war for long periods of time. In the second case, the term denotes a vocational calling which describes soldiers whose full-time profession is soldiering. They self-identify as soldiers first, civilians second, consider service in the army their only employment and source of remuneration, regard the legion as their only home, closely identify with its institutional character and serve in it for decades until retirement, incapacitation, or death. Even for the professional, however, Roman citizenship is still a pre-requisite to service. 'Professional' also describes military institutions most closely associated with the permanent, professional legions of the imperial period. 'Professional' in this sense is the antithesis of the principles underpinning the citizen-militia.

Pecuniary Self-interest

I have used this term extensively throughout the thesis. I mean it to refer to the mercenary impulse – that could become a strong motivating factor – of common citizen and allied Italian soldiers to profit from military service. It describes the sense that republican soldiers wanted to improve their economic condition from what they could gain materially from service in the Roman republican citizen-militia, and would act accordingly to satisfy it. As such, it covers a broad sweep of how common Roman and allied Italian soldiers might profit from service, including receiving donatives during, or at the end, of a campaign from successful generals, very commonly the acquisition of booty gained from sacking settlements, enemy camps or depots after a successful battle, the gathering of slaves during a campaign which could be sold to generate income, or – in some cases – the receiving of plots of land at the end of a campaign.

The Chapter Outline

This thesis comprises eight chapters in total: an introductory chapter, a background chapter, and six chapters addressing the substance of my arguments. Chapter One, this present chapter, introduces the topic, sets out the scope and limitations of the study, and provides the necessary structural and methodological information with which to approach the remainder of the thesis. Chapter Two provides the foundation and background that I consider necessary for the subsequent discussion of the reasons for the army's first decisive and large-scale intervention into Roman political discourse. It examines the key elements and underlying principles of the Roman military system, including its origins, structure and important characteristics. The crucial timocratic principle that governed military service for most of the Republic's existence – and which Marius reputedly undermined – is covered. The chapter explores key evolutionary pressures that acted on the army; it also covers the background of the difficult and bloody late-republican Social War between Rome and her erstwhile Italian allies which immediately preceded Sulla's march on the capital.

Having provided this necessary military background, Chapter Three will outline the view that has conventionally been advanced to explain the emergence of politically interventionist armies: pecuniary self-interest. The chapter will survey the main proponents – ancient and modern – of this dominant perspective, and outline its key tenets. I will also demonstrate the emphasis that the conventional view places on the role of Marius in undermining the timocratic ideal that underpinned service in republican armies, opening up legions to the previously-ineligible poor, infecting the army with a mercenary spirit – and making it more receptive to the economic inducements of insurrectionist generals. Chapter Four will then contest the conventional explanation, in particular, the emphasis it places on pecuniary self-interest as the exclusive factor motivating soldiers to intervene in late-republican political discourse. The chapter will argue that while the desire to profit had a part to play in motivating the army at Nola, it was not the vital, new ingredient of late-republican military service; Roman soldiers had always looked toward military service to improve their economic condition. It will thus be argued that pecuniary self-interest was not the only factor shaping the actions of soldiers, and certainly not the unique, decisive factor of late-republican armies that made Sulla's plan possible. Furthermore, the Chapter will demonstrate that too much has been made of Marius' role. His 107 BC recruitment reform

is placed into its proper context: the chapter will demonstrate that it did not lead to armies filled with poor willing to do anything for financial reward. Chapter Four will demonstrate that, in isolation and out of context, pecuniary self-interest is ultimately an unsatisfactory explanation for the rise of the politically interventionist legion.

Having placed pecuniary self-interest into a proper context, the thesis will examine alternative factors which, I shall suggest, more accurately explain the behaviour of the army in 88 BC, and which explain why Sulla was able to suborn it to his ambitions. Chapter Five will thus argue that the decisive experience of the citizen-militia in the Social War against its Italian allies 'desensitised' the army to the idea of civil war, and helped overcome any residual reluctance soldiers might have had to the prospect of fighting other citizens that Sulla's plan so clearly risked. Significantly, the chapter provides a cogent explanation of how soldiers could have made this shift: the Social War prepared soldiers for civil war because the citizen-militia, for the first time in its history, fought an enemy that was identical to it in form, function and ethos, and with whom many citizen-soldiers shared ties of kinship. To support this argument, Chapter Five introduces a new paradigm, full integration theory: Italian allied units serving with consular armies gradually over time adopted Roman tactics, equipment, organisation, uniforms, and military culture under the imperative to maintain battlefield cohesion, changing not only the way the allied soldiers felt about Rome, but crucially how Roman soldiers felt about their allied counterparts. The consequence was that allied units became fully integrated into the Roman military system, to the point that they were indistinguishable on the battlefield from their Roman counterparts; for citizens, the Social War thus felt like a civil war.

Chapter Six argues that another factor which influenced the motivations of Sulla's soldiers was the army's tradition of political activism and insubordination. The chapter will argue that the citizen-militia was always a politically-interested institution, willing to act over not only incompetence, booty, or ill-treatment, but more abstract notions such as a sense of justice, economic hardship in society, and political or social reform. The chapter will demonstrate that this history of activism manifested itself primarily as *sedition* and insubordination against commanders, and through them, against the state; it could also appear as advocacy in the field for preferred individual political candidates in Rome. Moreover, Chapter Six will show that this activism was well known among late-republican

citizen-soldiers as an inherited tradition; it provided a crucial reference point against which they could legitimise and situate their own insubordination against the state in 88 BC. Crucially, the tradition included stories of individuals with grievances appealing directly to the army as an ultimate source of legitimacy and authority; they enabled Sulla to tap into the tradition of insubordination inherent in the army with his appeal to justice.

Chapter Seven turns to the pernicious rise of political violence in late-republican politics, and the decisive influence it had on the army as a catalyst for intervention. I will demonstrate here that Sulla's soldiers had already become unprecedented killers of Roman magistrates in a way no previous army had, and that, by 88 BC, the citizen-militia had learned to use and accept violence against traditional symbols of republican power and their office bearers. Chapter Seven will argue that this happened because of the rise of violence in the decades leading up to Nola as part of normative political expression in the conflict between the governing elite, a re-assertive tribunate, and their partisans. Against this background, soldiers ingested the lessons that violence worked, and that it had a kind of brutal legitimacy. The chapter will show that the army learned these lessons on the streets of Rome; soldiers were deeply involved in political violence well before 88 BC. Moreover, it will be argued that elements of the citizen-militia were used formally to suppress factional violence in Rome; exposing citizen-soldiers to mob and large-scale factional violence made it easier for them to accept the idea of the army using force to influence politics when Sulla requested their help. The chapter will show that this was a new – perhaps the most decisive – factor in the life of the Republic unknown to previous generations; the events at Nola took to its logical conclusion the decades-long drift of the citizen-soldier into political violence.

Chapter Eight, the concluding chapter, plays an important role in the study by drawing together the range of factors discussed in the previous chapters that, as I argue, helped persuade Sulla's soldiers in 88 BC to assist him, and placing them in the specific context of 88 BC at Nola. Summarising the findings, the chapter suggests that a series of factors – the desire to profit from war, desensitisation to the risk of fighting fellow citizens, the citizen-militia tradition of insubordination in political cause and as the ultimate redress of grievance, and the pernicious influence of endemic violence on political discourse – all played their part in motivating the army. The chapter introduces a further consideration that

existed at Nola: background confusion among Sulla's soldiers over who legitimately represented the state, allowing Sulla to emphasise his own credentials at the expense of his enemies. As well as providing the context of events that immediately preceded Sulla's flight to Nola, Chapter Eight explains how these factors practically framed the decision of the soldiers on the day. In doing so, the chapter argues that rather than a single factor dominating – long the conventional explanation for intervention – it was a grouping of factors acting in unison, which proved decisive. Despite these findings, however, Chapter Eight also acknowledges that much remains unknown in the deepest motivations of Sulla's soldiers; their voices are largely silent in the narrative of the history of the late Republic. But given their crucial role in the emergence of the politically interventionist legion, and the subsequent place the existence of such armies had in the fall of the Republic, the chapter concludes by making the point that the subject of the motivations of ordinary citizen-soldiers would benefit from further study – particularly with a view to understanding more comprehensively the various political, social and economic factors and influences over time that were likely to have affected the perspectives of citizen-soldiers.

Chapter Two

The Roman Military System – Key Concepts

Introduction

In this chapter, I will examine the key elements and underlying principles of the Roman military system. I will outline its origins, structure and important characteristics, including the crucial timocratic¹¹² principle that governed military service for most of the Republic's existence, and particularly the concomitant assumption that linked a minimum amount of personal wealth to suitability for service in the army. The chapter will explore evolutionary pressures that acted on the army – and the resulting changes for the traditional concept of a citizen-militia and its expectations of service. Additionally, I will cover the background and causes of the difficult and bloody late-republican Social War between Rome and her erstwhile Italian allies which immediately preceded L. Cornelius Sulla's march on the capital, and which, I argue later in Chapter Five, had significant implications for the emergence of politically interventionist soldiers.

A good knowledge of the military system and its place in Roman society is a prerequisite for understanding the history of the Republic, specifically the decline of the republican political system and its descent into the first civil war. I argue that the army was at the centre of the narrative of this decline and conflict: the civil war between C. Marius and Sulla was made possible, for example, because the army decided to intervene in politics; it did not intervene because civil war broke out. Moreover, the first indication in 151 BC that relative solidarity in political discourse was yielding to a period of increased conflict between the governing elite and a more assertive tribunate related to the army: it involved ordinary citizens and their obligation to make themselves available for military service for

¹¹² The underlying principle of the timocratic ideal is that the higher a citizen's wealth and census qualifications, the greater the obligation to serve in the military, and consequently, the greater his political rights (for more on the definition of a timocratic system in republican Rome, see Gabba, 1976, pp. 20 ff).

the unpopular war in Spain.¹¹³ Additionally, the one event that attracted more ancient and contemporary criticism than any other for creating the conditions that led to political intervention by the army, to civil war, and to the eventual extinction of the Republic, was a military one: Marius' 107 BC recruitment reform.¹¹⁴

More specifically, the evolution of the citizen-militia, the pressures acting upon it, and perceived changes in military service that occurred leading up to the start of the Social War in 91 BC are important to an appreciation of the significance of the events of 88 BC. The army was again at the centre of those events: Sulla was able to impose a political solution upon the state only because the army decided to risk civil war and support him. Moreover, Sulla himself, and his chief antagonist Marius, made their reputations in the army, and subsequently achieved political prominence by their record of public service achieved primarily through war.¹¹⁵ This chapter will thus provide the necessary foundation for the subsequent discussion of the reasons for the army's first decisive and large-scale intervention into Roman political discourse.

The Roman Military System: Origins and Structure

The origins of the republican military system are found in Rome's semi-mythical past: war, the practice of war, and the organisation of society for war, were fundamental elements of Roman public life *ab urbe condita*.¹¹⁶ The army itself originated in the Servian constitution. According to the Roman literary tradition, the penultimate king of Rome, Servius Tullius,¹¹⁷ conducted the first census, and used its results to organise citizens into various

¹¹³ It was, for example, the first sign that the tribunate was prepared to act in a more obstructionist and revolutionary manner against the wishes of the governing elite. The tribunes forcibly interceded in the levy on behalf of ordinary citizens who complained of unfair treatment by consuls pursuing the levy for Spain with great thoroughness. When the consuls refused to grant exceptions, the tribunes imprisoned them (*App., Hisp.* 45 ff; *Liv., Per.* 48). For more on the significance of this event, see Chapter Seven below.

¹¹⁴ *Sal., Jug.* 86; *Flor., Epit.* 1.36; *Plut., Mar.* 9; *Gel.* 16.10. This reform, and its implications for the emergence of politically interventionist soldiers, will be covered in extensive detail in Chapters Three, Four and Eight below.

¹¹⁵ Marius first achieved prominence serving in the army, and derived much of his reputation, character, approach to leadership, and political influence from his military experiences (*Plut., Mar.* 2). Sulla also derived his reputation from his military record, having first come to prominence while serving as Marius' *quaestor* in the army during the war against Jugurtha (*Plut., Sull.* 3).

¹¹⁶ Roth, 2009, p. 10.

¹¹⁷ This was during the regal period, traditionally dated to 753 BC – 534 BC (Forsythe, 2008, p. 24). According to Livy, who drew on information provided by the ancient historian Fabius Pictor (*Liv.* 1.43), the introduction of the Servian constitution occurred sometime between 578 BC and 534 BC (*Liv.* 1.44).

military classes based on wealth, so that participation in the military system was in proportion to personal wealth and status in society. The military system he created was interlinked with the *comitia centuriata*,¹¹⁸ one of Rome's three traditional voting assemblies: the organisational structure of the *comitia centuriata* provided the foundation for the formation and battle-deployment of the Roman army in the field.¹¹⁹ Citizens were arranged into different centuries;¹²⁰ this original criterion determined their role in the army. The richest citizens, for example, were divided into a separate group of 18 centuries; the cavalry was drawn from this class.¹²¹ The other classes provided heavy infantry and skirmishers: the next richest citizens were divided into the first class of 80 centuries, with two centuries of *fabri*.¹²² The second, third and fourth classes were each made up of 20 centuries. The fifth class, representing the minimum property requirement needed to serve, consisted of 30 centuries and two centuries of horn blowers and trumpeters.¹²³ Those who could not meet the minimum wealth requirements for enrolment in the fifth Servian class were placed in a single large century and excluded from service in the army:¹²⁴ *hoc minor census reliquam multitudinem habuit; inde una centuria facta est immunis militia*.¹²⁵ The poor, however, were still citizens, and thus had an obligation to serve in emergencies in non-regular units, separate from the main army.¹²⁶ The Servian system originally required

¹¹⁸ In its voting role, the *comitia centuriata* decided the election of senior magistrates, passed laws and ratified decisions of war or peace (Lintott, 1999(a), p. 55); it was one of the most important and long-lived popular assemblies, lasting for more than five centuries, and it continued to operate into the reign of Augustus as an electoral assembly. For more on the various Roman voting assemblies, and their effectiveness as fora for ordinary citizens to express their political will, see Chapter Six below.

¹¹⁹ This military and political system was thus called the 'Servian constitution' (for examples of the term used in this manner, see Forsyth, 2008, p. 24; North, 2006, p. 261).

¹²⁰ The 'century' was the most basic Servian organisational structure of the Roman people arranged for civic and military purposes in the *comitia centuriata*; the use of centuries as the basic building blocks of the legion survived for hundreds of years, well into the imperial period: men organised into centuries, and commanded by centurions, formed maniples, and later cohorts. Their use in the army was thus a visible manifestation of the ancient link between the citizen-militia and the *comitia centuriata*.

¹²¹ Liv. 1.43.

¹²² Liv. 1.43. Given the etymology of the word, *fabri* were probably military engineers, responsible for building fortifications, obstacles and other military structures.

¹²³ Liv. 1.43. For a detailed discussion on the lowering of the minimum property qualification required for the fifth Servian class over time, and the important implications of this for the demographic makeup of the late-republican army and the 107 BC recruitment reform of C. Marius, see Chapter Four below.

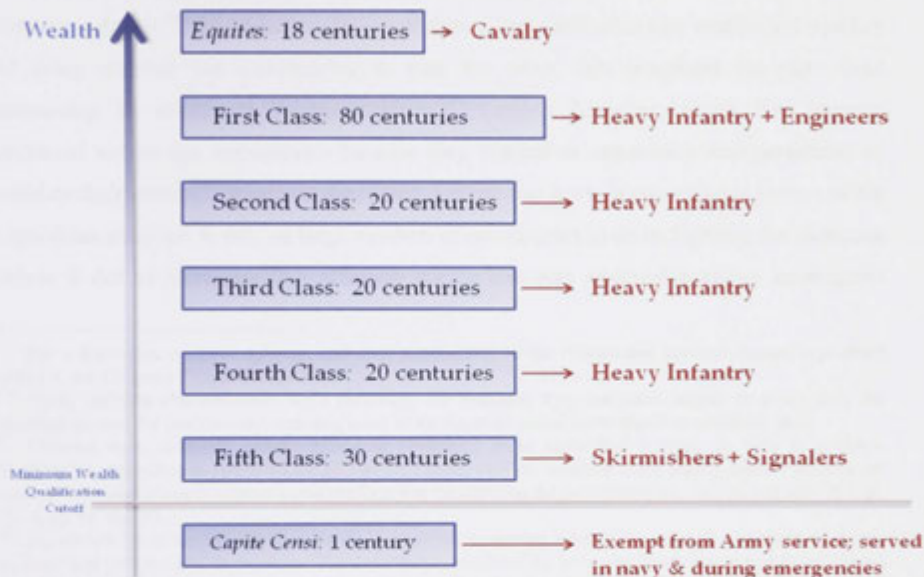
¹²⁴ D.H. 4.19. They were called *proletarii* or *capite censi*; the name *proletarii* suggests their only service to the state was to produce offspring (Forsythe, 2008, p. 32). Also at Gel.16.10: see this chapter below.

¹²⁵ Liv. 1.43: "Those who were assessed at less than this amount, being all the rest of the population, were made into a single century, exempt from military service."

¹²⁶ They could, for example, serve in the navy (Plb. 6.19).

citizens to pay for their own weapons and equipment;¹²⁷ by the second century BC, however, the state was providing arms and equipment to soldiers unable to afford the initial cost, and recouping the money from their *stipendium*.¹²⁸

The Servian Constitution: The Roman People Arranged for War¹²⁹



The army and the *comitia centuriata* were thus inextricably linked; as well as organising the Roman people militarily, electing the army's leaders, and deciding if the state should go to war, the *comitia* was considered first and foremost an army of citizens sitting as a civic assembly,¹³⁰ and as a result, was not allowed to meet inside the *pomerium*.¹³¹ Instead, the *comitia* met outside on the *Campus Martius*. Through wealth discrimination, the Servian

¹²⁷ Liv. 1.43; D.H. 4.19; Gabba, 1976, p. 2. For more on the issue of pay, and the introduction of state financial support for military service, and the implications of this for poor citizens and the demographic composition of the army, see Chapter Four below.

¹²⁸ Plb. 6.39. Presumably, as Matthew suggests, the money was recouped in instalments (Matthew, 2010(a), p. 2; see also pp. 24 ff). For the significance of this fact to the demographic makeup of the late-republican army, see Chapter Four below.

¹²⁹ Liv. 1.43; D.H. 4.19.

¹³⁰ Forsyth, 2008, p. 26.

¹³¹ The ancient religious and geographic line around Rome which separated the civil from military spheres of public life (Liv. 24.7). For more on its significance to the emergence of politically interventionist soldiers, see Chapter Eight below.

constitution introduced role distinctions into the army: these distinctions persisted in various forms until the army was reformed at the end of the second century BC, and functional differences were abolished.¹³² The constitution established the defining characteristics¹³³ of the republican military system: service as a civic obligation for citizen *assidui*,¹³⁴ and thus compulsory; the poor excluded from the army, but still available in an emergency; and a close relationship between citizen-soldiers and the society from which they were drawn.¹³⁵ According to literary tradition, Servius Tullius also established a policy of using citizens, not mercenaries, to man the army; this prevented the state from exhausting its wealth on foreign soldiers.¹³⁶ Lendon, however, argues that Romans preferred not to use mercenaries because they wanted to experience war personally to validate their *virtus*.¹³⁷ Whatever the reason, I argue that it was a conspicuous feature of the republican army not to rely on large numbers of mercenaries to do its fighting; the instances where it did so were rare¹³⁸ – although regular use was made of auxiliary contingents

¹³² For a discussion of these reforms, and their significance to the relationship between Roman and allied soldiers, see Chapters Five and Eight below.

¹³³ These defining characteristics were persistent: for example, they remained largely in place until the establishment of the professional, standing army of the imperial period more than four centuries later.

¹³⁴ Citizens were classified either *assidui* or *proletarii*; these terms had a legal, as well as military, connotation: according to Rome's Law of Twelve Tables, only an *assiduus* could legally assume liability for another *assiduus*, whereas anyone could perform this function for the *proletarii* (Gel. 16.10). See also de Lig, 2012, pp. 98 and 99.

¹³⁵ The historicity of the Servian constitution is, however, contested. Lintott, for example, doubts its existence as described by Livy and Dionysius: "The descriptions provided by Livy and Dionysius are perhaps nothing more than antiquarian reconstructions of the reform attributed to Servius Tullius, based on the number of 193 centuries (though the figures in the manuscripts of Livy produce a total of 194) and the principle that the cavalry and the first class must have a majority (Lintott, 1999(a), pp. 56 and 57). Lintott argues that the Servian system described by Livy and Dionysius cannot have reflected the military of the middle and late Republic; there was no place in it for legions, cohorts, and maniples, nor was there any necessary match between centuries in the assemblies and centuries in the army. Lintott is right to caution against using the Servian system described by Livy and Dionysius as a literal account of the early Roman army. Certainly by the time Polybius was describing the army of the middle Republic, age had replaced wealth as the functional discriminator which determined where a citizen would serve and his primary role (Pib. 6.21). As such, it can be argued that it is hazardous to categorically associate the *comitia centuriata* with any particular period in Roman history, although given the hoplite equipment associated with the first three classes (Liv. 1.43), it seems likely that Livy and Dionysius were describing a pre-manipular army, and thus before the end of the fourth century BC (see Chapter Five below). Lintott, while challenging the historicity of the Servian constitution, nevertheless acknowledges that the *comitia centuriata* and its rationale existed in some form, and went back to some point in the early Republic (Lintott, 1999(a), p. 58).

¹³⁶ D.H. 4.23.

¹³⁷ Lendon, 2007, pp. 508 and 509. He argues, for example, that if there was one state in the ancient world that could afford mercenaries in its rise to hegemony, it was Rome. Instead, the Romans did not employ mercenaries because they saw no reason to pay others to do something they yearned to do themselves. They had allies who shared their outlook, and for centuries Romans of all classes – and many of their Italian allies – felt a powerful urge to go to war in order to demonstrate their courage, their *virtus*.

¹³⁸ The use of mercenaries was unusual enough to draw a comment. Livy, for example, paused in his narrative of Rome's struggle with Carthage for Spain during the Second Punic War to announce that it was here in 213 BC, that the Romans first used mercenaries: *id modo eius anni in Hispania ad memoriam insigne est, quod*

supplied by foreign allies, especially during the wars of expansion during the second century BC.¹³⁹

The Roman army was originally organised as an Italic hoplite phalanx; the first three Servian classes, for example, were equipped with round shields, helmets, bronze breastplates, greaves, and long spear, consistent with the panoply of a phalangite,¹⁴⁰ and the Roman army decisively defeated by the Gauls at Allia in 390 BC used a phalanx.¹⁴¹ Under the pressure to improve effectiveness in battle, however, the Romans fundamentally restructured the army, the first of two significant restructures they would make during the Republic's ascendancy to hegemony and empire.¹⁴² By the early third century BC,¹⁴³ they had replaced the phalanx with a more flexible manipular army; each of four legions raised annually used maniples¹⁴⁴ as their basic tactical component arranged into three battle lines: the *triplex acies*.¹⁴⁵ The army of the second century BC, as described by Polybius,¹⁴⁶

mercenarium militem in castris neminem ante quam tum Celtiberos Romani habuerunt (Liv. 24.49). "This is the only occurrence of that year in Spain that is worthy of record, since the Romans had no mercenary soldiers in their camps before the Celtiberians whom they had at that time." Moreover, I also point out that there are a number of times where the status of Roman *auxilia* was not clear, and these troops may in fact have been paid mercenaries. For example: *Hispanis duplicia cibaria dari iussa; operaque eorum forti ac fideli persaepe res publica usa est* (Liv. 24.47), and *Eorum forti fidelique opera in eo bello usi sunt saepe Romani. Ager Hispanis in Hispania et Numidis in Africa post bellum virtutis causa datus est* (Liv. 23.45).

¹³⁹ Cretan archers are a good example. By the first century BC, these units had a long association with Roman consular armies, and were habitually attached to armies as missile troops to support the infantry (Liv. 22.37; Val.Max. 9.3.7; Plb. 3.75. See also Cagniat, 2008, p. 88). For their use in political violence, and the significant implication of this for evidence of the army's involvement in civil strife, see Chapter Seven below. See also Hoyos, 2008, p. 68.

¹⁴⁰ Liv. 1.43. For more discussion on the structure and organisation of the early Roman phalanx, see Forsythe, 2008, pp. 30 and 31, and Roth, 2009, pp. 10 and 11.

¹⁴¹ Liv. 5.38. The Allia was a tributary of the river Tiber.

¹⁴² Rosenstein argues that the defeat at Allia is unlikely to have been the catalyst for the shift of phalanx to manipular army; the phalanx arrangement had worked well up until that point, and, instead, there are likely to have been gradual changes to the army over time, rather than a single, momentous shift (Rosenstein, 2010, pp. 294 and 295). I argue, however, that Rosenstein is downplaying the implications of the defeat at Allia; it was no ordinary loss. It led, for example, to the unprecedented and traumatic sack of Rome. If there was ever going to be a catalytic event to prompt the Romans to fundamentally change their structure of the army, then Allia was the most likely candidate. But we cannot know for sure, and all we can say with certainty is that the army was in its manipular formation by the end of the fourth century BC, and certainly by the Pyrrhic wars of the early third century BC (for example, maniples and *pila* were used by the Roman army operating against Pyrrhus' phalanx; see D.H. 20.11).

¹⁴³ In my view, the most likely time for the change from phalanx to manipular army occurred around 340 BC during the wars to impose Roman hegemony over Italy; it is at this time that the newly organised Roman army first appears in the sources. Livy, describing the new army, wrote that the Romans formerly used small round shields, but now had oblong ones. Where there was previously a phalanx, there was now a battle line of maniples, with a line of skirmishers carrying light spears in front of the main line (Liv. 8.8).

¹⁴⁴ *Manipuli*, meaning 'handfuls'. On this point, see also Rosenstein, 2012, pp. 96 and 97.

¹⁴⁵ Plb. 6.19.

¹⁴⁶ As I have pointed out in Chapter One above, Polybius is our best source on the mid-republican army (Matthew, 2010(a), p. 1; Hoyos, 2008, p. 68); book 6 of *Histories* is a primary source (Plb. 6.19 ff). De Ligt

retained the Servian functional distinctions, but age and experience now determined role and place in the battle line; a residue of Servian wealth discrimination survived, however, in the practice of placing poorest *assidui* into the skirmishing *velites*.¹⁴⁷ The Romans also changed the equipment of soldiers: they made the *gladius* and *pila* the primary weapons of the legionnaire, and replaced the original round shield with a body-length oval *scutum*¹⁴⁸ – although the hoplite origins of the army were still evident in the long spears carried by older soldiers manning the rear battle line.¹⁴⁹ As Rome expanded its hegemony across Italy, allied contingents became an important part of the Polybian army;¹⁵⁰ the number of their infantry in a consular army typically equalled the Roman infantry, while the number of allied cavalry was normally three times that of citizen horse.¹⁵¹ In theory, each consul commanded an army of two Roman legions,¹⁵² two allied formations of similar size, and Roman and allied cavalry contingents – although armies could be joined together for specific battles.¹⁵³

Polybian Consular Army¹⁵⁴



suggests that, given that Polybius' description of the military system is often described from the point of view of the military tribune, he may in part have been drawing his information from a 'self-help' handbook for the tribune officer class, responsible for running the *dilectus* raising the armies (de Ligt, 2012, pp. 92 ff).

¹⁴⁷ Pib. 6.21.

¹⁴⁸ Liv. 8.8; Pib. 6.21 ff.

¹⁴⁹ Archaeological evidence corroborates Polybius' description of republican weapons and equipment. The major pictorial source for the mid to late-republican legionnaire is the altar of Domitius Ahenobarbus. The relief depicts a *dilectus* or a census, with representations of soldiers in uniform and carrying arms, probably from the late second century BC (Southern, 2006, p.13. For a facsimile of the altar, see Keppie, 1984, p. 54). The oval *scutum* that Livy and Polybius described is clearly shown, as is Polybius' coat of chain-mail (*lorica*). The sword and a dagger are also shown, although at variance with Polybius' description of the sword worn on the right hip, as the relief shows a dagger on the right hip, and the *gladius* on the left. Other sculptures, however, show the *gladius* clearly worn on the right as Polybius suggests. For example, a relief of an early empire soldier belonging to *legio* XIV *Gemina* called Flavoleius, shows a sword on the right hip, and dagger on the left (Keppie, 1984, plate 19; see also Roth, 2009, p. 89). The sculptors for the Ahenobarbus altar may simply have got it wrong, or used artistic license to illustrate the symbolism of the sword used by legionnaires, rather than its exact position. We will never know.

¹⁵⁰ For example, in 218 BC, at the start of the Second Punic War, the Romans levied six legions totalling 24,000 citizen infantry and 1800 cavalry, and 40000 allied infantry and 4400 horse (Liv. 21.17).

¹⁵¹ Pib. 6. 26. For an extensive discussion of the role and scale of the allied contribution to the Roman military system, including the implications of this for the emergence of politically interventionist armies in the late Republic, see Chapter Five below.

¹⁵² Pib. 6.15; Roth, 2009, p. 28. The size of this army was around 18,000 fighting men. See also de Ligt, 2008, p. 116.

¹⁵³ As occurred often during the large, set-piece battles of the Second Punic War, 218 BC – 202 BC (Pib. 3.68).

¹⁵⁴ Pib. 6.19 ff.

The army now used four different types of soldiers: the youngest soldiers, or the poorest *assidui*, were placed in the skirmishers that operated in front of the main battle line, and were armed with light throwing spears and round shields.¹⁵⁵ The heavy infantry were placed in the main battle lines: the next youngest soldiers were in the first battle line, and called *hastati*;¹⁵⁶ behind these came the second battle line of older men called *principes*.¹⁵⁷ The third battle line comprised the veteran *triarii*. Polybius' legion, arrayed in its three battle lines,¹⁵⁸ worked by a complex interplay between maniples in the various battle lines. The *hastati* fell back through gaps in the second *principes* battle line, for example, if they could not defeat the enemy. The *principes* would then advance, and if they were unsuccessful, retreated behind the *triarii* battle line, which provided a final force with which to either commit to battle in a last attempt to break the enemy line, or provide a defensive hedge of long spears behind which the army could safely disengage.¹⁵⁹

Under this system, the sequential commitment of each battle line normally kept the older veterans out of the fighting; in most cases, battles were decided before the *triarii* were committed. The arrangement of the army on the battlefield, with separate maniples aligned in battle lines, and each battle line covering the gaps in the previous line, has been described as a three-line *quincunx* formation;¹⁶⁰ the maniples at Asculum in 279 BC, during the campaign against Pyrrhus, retreat and advance during the fighting: these manoeuvres probably reflected the operation of this three-lined *quincunx* formation in battle, as the maniples advanced, made parallel manoeuvres, and retreated through each other.¹⁶¹ Most

¹⁵⁵ Plb. 6.21. For more detail on the Polybian legion, see also Sekunda, 2007, pp. 348 ff.

¹⁵⁶ Plb. 6.23. The *hastati* probably carried spears originally, as well as the *triarii*: the etymology of the word '*hastati*' suggests they were armed with spears (*hasta*; a spear, so '*hastati*' – spearmen).

¹⁵⁷ Plb. 6.23.

¹⁵⁸ The Polybian legion was made up of 30 maniples: each maniple of *hastati* and *principes* was 120 men strong (two centuries of 60 men), while the maniples of the *triarii* were smaller – 60 men (two centuries of 30 men each). In addition, there were 1200 skirmishing *velites*: including cavalry, the base strength of the Polybian legion was around 4200 men (see Matthew, 2010(a), p. 3). The size of the legion could also be increased in times of danger to 5000 men (Plb. 6.20).

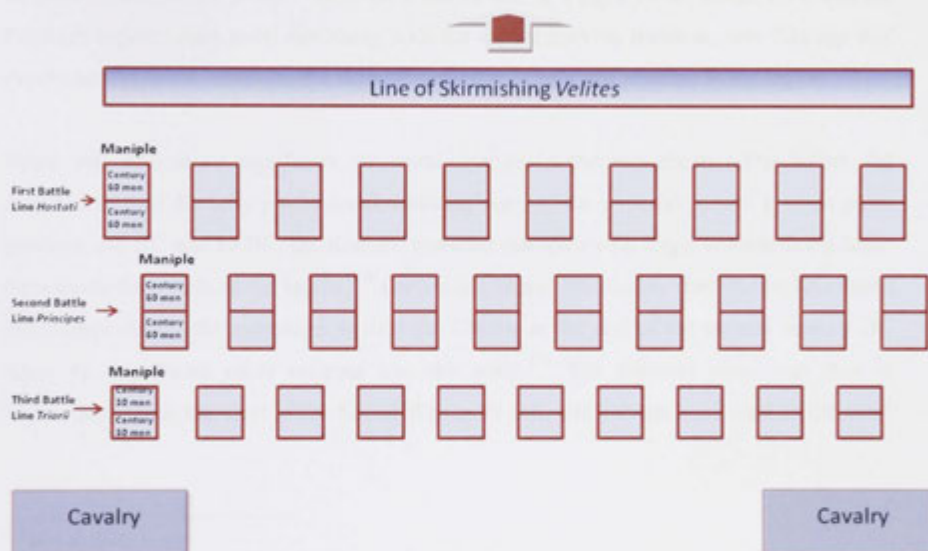
¹⁵⁹ Liv. 8.14. The *triarii* were kept from the fighting if at all possible, and maintained as a tactical reserve. For excellent summaries of the Polybian legion, see Matthew, 2010(a), pp. 1–4; Connolly, 1988, pp. 188 ff. Interestingly, the long spears of *triarii* could be passed forward to battle lines in front if the tactical situation dictated. For example, military tribunes in 225 BC ordered the *triarii* to pass their spears to the front line *hastati* during a battle with a much larger force of Gauls (Plb. 2.33).

¹⁶⁰ For example, Rosenstein, 2010, p. 302; Matthew, 2010(a), p. 3; Keppie, 1984, p. 39. It was called this because the army's layout resembled the five dots on a dice cube.

¹⁶¹ Plut., *Vit. Pyrrh.* 21.6. I cite the presence of maniples in the army that fought Pyrrhus, and the concomitant employment of more sophisticated battlefield manoeuvres, as further evidence that the transformation from phalanx to manipular army had been fully completed by the start of the third century BC (see also Rosenstein, 2010, p. 302).

likely the gaps between the maniples in the battle line, however, were closed up before the battle line made contact with the enemy. This was most probably achieved by the rear century of the maniple moving up to align itself with the front century;¹⁶² not to do so would have allowed an enemy, such as the fluid and fast-moving Gallic battle formation,¹⁶³ to infiltrate the battle line through the gaps, get behind the maniples, and thus compromise the integrity and cohesion of the whole battle line.

Polybian Manipular Legion in Battle Formation: 4200 Fighting Men¹⁶⁴



The manipular army was the basic tactical formation of the Roman military system until the Marian reforms at the end of the second century BC. Although its structure, tactics, weapons, and equipment changed, the army of the mid Republic retained continuity with the principles of the original Servian constitution. The military system, for example, still relied on its own population, not large numbers of mercenaries; from the second century on, however, small contingents of specialised troops, such as Balearic slingers and Cretan

¹⁶² A maniple was formed by combining two centuries, each century with its own centurion, standard bearer and *optio* (Plb. 6.24).

¹⁶³ For example, the Gallic army that overwhelmed the Roman phalanx at Allia in 390 BC was fast-moving and flexible, lapping around the flanks of the Roman army (Liv. 5.38).

¹⁶⁴ Plb. 6.20.

archers, started to accompany consular armies, and may have been paid.¹⁶⁵ Soldiers still had to be citizens; this basic stipulation survived into the imperial period. By 225 BC,¹⁶⁶ however, increasingly large allied contingents, who were not full citizens, also served in consular armies.¹⁶⁷ Citizens also had to be *assidui*, and meet a minimum wealth qualification, to serve in the legions.¹⁶⁸ Those who could not declare to the censors the minimum wealth requirement for the fifth Servian class remained excluded from the army, although I argue in Chapter Four below that the pressure of continuous war, and the need to man large armies from the Second Punic War onwards, weakened the artificial barrier to the poor serving in the army.¹⁶⁹ As I have shown above, a significant change, by which the Polybian legion broke most obviously with the earlier Servian tradition, was that age and experience replaced wealth as the main determinant of role and position in the legion.

There was one more significant structural change to the republican army before the establishment of the fully professional, standing army of the imperial period: at some point between 105 BC and 59 BC, the Romans replaced maniples with larger cohorts as the basic manoeuvre formation of the legion.¹⁷⁰ I argue in Chapter Five below that Marius introduced the change during the campaign against the Cimbri at the end of the second century BC when he introduced other reforms into the army.¹⁷¹ The cohortal army was thus in widespread use at the start of the Social War in 91 BC, and cohorts were used in the army

¹⁶⁵ Hoyos, 2008, p. 68.

¹⁶⁶ This was the date of the *formula togatorum* which Polybius recorded, and which showed the allied contributions to the army for that year (for more discussion on the significance of the *formula togatorum*, see Chapter Five below). This is a conservative estimate; allied contributions in numbers to Roman armies, in my view, probably went further back to the First Punic War (264 BC-241 BC).

¹⁶⁷ On the critical importance of the Italian contributions to the Roman military system, including the scale of their involvement, the seminal consequences this had for changing Roman views of their Italian allies over time, and the implications of this for the emergence of politically interventionist legions, see Chapters Five and Eight below.

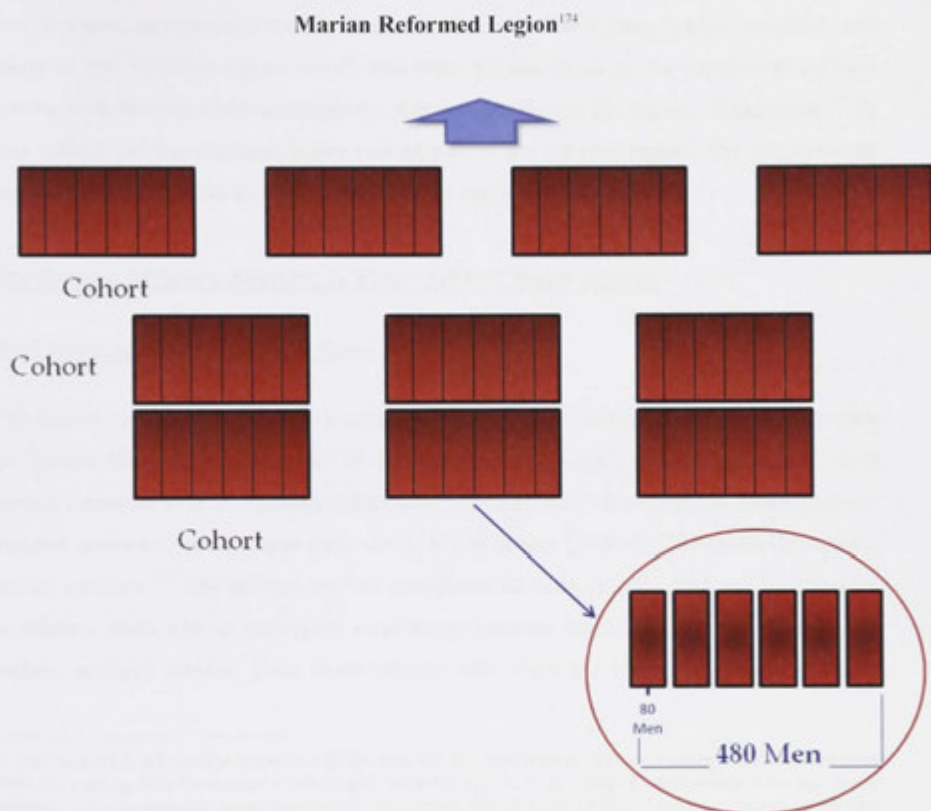
¹⁶⁸ Plb. 6.19.

¹⁶⁹ I refer here specifically to the successive lowering of the minimum property qualification for the fifth Servian class, and the implications this had, as I argue, for the demographic composition of the republican army over time, and the presence of professionals in the early second century BC army who were technically *proletarii*. For a detailed discussion of this issue, see Chapter Four below.

¹⁷⁰ A cohort consisted of six enlarged centuries of eighty men each, giving it strength of 480 men (Matthew, 2010(a), pp. 29 and 30). It had been in selective use in the army throughout the second century BC (see Chapter Five below on this point), but was not in widespread use as the basic tactical formation of the legion until Marius' reforms at the end of the second century BC. The last time maniples are encountered in a Roman army is during the war against Jugurtha in 109 BC (Sal., *Jug.* 50). For more detail, see Chapter Five below.

¹⁷¹ For more on the role of Marius and cohorts, see Matthew, 2010(a), p. 29 ff; Sekunda, 2007, p. 356.

that Sulla took with him to Rome four years later.¹⁷² The reformed legion had ten cohorts: four in the front line and three each in the remaining two posterior lines in *quincunx* formation.¹⁷³



Replacing smaller maniples with larger cohorts meant the legion now had less tactical manoeuvre elements, but those elements were stronger, and were probably introduced under the pressure of a series of significant battlefield losses during the campaign to defeat

¹⁷² See Chapters Five and Eight below.

¹⁷³ For more detail on the formation of the cohortal army, see Matthew, 2010(a), p. 31. For a battle description that neatly illustrates the three-lined cohortal army arranged in the *quincunx* formation, with its signature gaps in the line for units to pass through, see Sulla's disposition of his army in 86 BC as he awaited the more numerous infantry of Archelaus (Fron., *Str.* 2.3).

¹⁷⁴ Matthew, 2010(a), pp. 30 and 31.

the Germanic invasions in the final decades of the second century BC.¹⁷⁵ Very significantly, I argue that the reform also meant that the functional distinctions within the army, which had endured for more than four centuries, were eliminated: all soldiers were now equipped identically, had the same heavy infantry role within the legion, and could thus be placed anywhere within the three battle lines.¹⁷⁶ The *velites*, *hastati*, *principes*, and *triarii* of the Polybian legion which had been the backbone of the republican military system, with their distinctive equipment, role and position in the legion, disappeared.¹⁷⁷ In their stead stood the standard, heavy infantryman of the cohortal legion. The cohort would provide the army's basic tactical formation well into the imperial period.

The Roman Military System: A Thoroughly Citizen-Militia

The Citizen and the Obligation to Serve

The Roman republican army was a citizen-militia: it relied on a part-time citizenry to man the legions. Since the establishment of the Republic, for example, citizens had to leave their normal vocations to fulfil military obligations: *idem bellator, idem agricola, genera tantum mutabat armorum; quod usque adeo verum est, ut aranti Quintio Cincinnato dictaturum constet oblatum*.¹⁷⁸ The military system considered all male citizens, first and foremost, to be soldiers: there was an indivisible relationship between citizenship and the obligation to perform military service. Even those citizens who could not meet the minimum wealth

¹⁷⁵ This was the Cimbric War between 113 BC and 101 BC. The Roman military system initially had serious difficulty dealing with the massed Cimbric and Teutonic armies; several large Roman armies were decisively defeated, with catastrophic manpower losses. As a result, the invasion of Italy became a serious threat that eventually required the full resources of the Roman state to overcome (see Chapter Five below). Rosenstein, while arguing broadly for a more gradual process of evolution of the army's structure, admits that these tactical defeats of the Roman army by the Germanic armies led to the widespread adoption of cohorts (Rosenstein, 2010, p. 295). I find nothing to contradict this conclusion.

¹⁷⁶ The homogenisation of function, equipment and place within the legion that necessarily accompanied the shift from maniple to cohort as the basic tactical formation, would – I argue – have significant implications for the relationship between citizen-soldiers and allied soldiers serving with Roman armies, and thus for the emergence of soldiers willing to intervene in political discourse. For a detailed discussion of these implications, see Chapters Five and Eight below.

¹⁷⁷ There is a last certain reference to *velites* in the war against Jugurtha (Sal., *Jug.* 46), although there also appears to be a reference to *velites* in Sulla's army that conducts a battle in the east against Archelaus in 86 BC (Fron., *Str.* 2.3). That this was categorically referring to *velites* is, however, contested; see Sekunda, 2007, p. 356. I share this scepticism, and argue that Frontinus' mention of lightly-armed skirmishers is too scant and isolated to support any firm conclusions. They could easily have been allied auxiliary troops.

¹⁷⁸ Vegetius, *Epitoma Rei Militaris* 3: "The same man was both soldier and farmer, he changed the type of iron implement he carried, the truth of which is confirmed by the instance of Quintius Cincinnatus who was following the plough when they came to offer him the dictatorship."

qualification of the fifth Servian class were required to defend the state in emergencies, or serve in the navy. As I have shown above, the Republic drew upon a steadily increasing network of alliances with Italian allies to supply annual consular armies with large contributions of infantry and cavalry who were not citizens.¹⁷⁹ To serve in a Roman legion alongside them, however, a soldier had to be a citizen, and this characteristic could not be ignored by the army's leaders.¹⁸⁰ The fact that soldiers, for example, were also citizens who could vote in the *comitia centuriata* and other assemblies, and thus potentially influence the career of a member of the governing elite,¹⁸¹ acted as a form of influence to restrain risk-taking and reckless behaviour among army commanders.¹⁸² Citizens were theoretically eligible for service in consular field armies between the ages of 17 and 46;¹⁸³ the functional organisation of citizens within the Polybian legion, which was based largely on age and experience, however, suggests that republican armies were predominantly made up of young men under the age of 30.¹⁸⁴ The oldest soldiers in a legion of 4,200 men, for example, were the 600 *triarii* of the third battle line; this amounted to just 14 percent of a legion's total strength.¹⁸⁵ Older citizens aged up to 60 were normally exempt from service in field armies,¹⁸⁶ although the universal obligation to defend the state meant they could still be armed in emergencies, or man garrisons protecting settlements. During serious Gallic incursions, for example, an old republican law had a provision that allowed priests and old men, normally exempt from service, to be called up.¹⁸⁷ After defeat at Lake Trasimene in 217 BC during the Second Punic War, the senate feared the Carthaginians

¹⁷⁹ The crucial advantage that Rome had over her strategic competitors because of her network of alliances with the Italian and Latin allies, and thus her access to large pools of Italian manpower to augment her own citizen legions, is explored fully in the context of the importance of the allied contribution to the Roman military system in Chapter Five below.

¹⁸⁰ Polybius, in his description of the Roman military system, makes a point of this fact: during the First Punic War (264 BC – 241 BC), for example, he reminded his readers that the Romans possessed four legions consisting of full citizens, as distinct from the contributions to consular armies made by the Italian allies (Pib. 1.16).

¹⁸¹ For the very real limits of that political influence, however, see Chapter Six below.

¹⁸² Roth, 2007, p. 377. Political influence, limited as it was, could not, however, account for the sheer incompetence of army commanders, nor could it limit the effects on the army of destructive competition between members of the governing elite (see Chapters Seven and Eight below).

¹⁸³ Pib. 6.19.

¹⁸⁴ On this point, and its relation to the demographic history of Roman Italy, see de Ligt, 2012, pp. 55 ff.

¹⁸⁵ Rosenstein also argues the legions were made up of mostly young men, and points out that most of them were probably unmarried (Rosenstein, 2004, pp. 85 and 86). Rosenstein uses this conclusion to support his larger argument that military service in the second century BC was easily handled within rural family structures, and that extended military service did thus not ruin the small farming class in the second century BC (see Chapter Three below). For more discussion on this point, see also de Ligt, 2012, p. 166.

¹⁸⁶ The 60 age limit for service seems to have survived well into the late Republic; Atticus took advantage of it in 49 BC to avoid leaving Rome on service: he had reached 60 years of age (Nep., *Att.* 7.1).

¹⁸⁷ App., *BC* 2.150.

would march on Rome, and thus repaired walls, and armed old men.¹⁸⁸ In 171 BC, during the careful preparations for the Third Macedonian War, consuls received dispensation to recruit veterans up to the age of 50 in the effort to build as much experience as possible into the army before confronting the Macedonian phalanx.¹⁸⁹

As military service was a primary duty of the citizen,¹⁹⁰ the universal obligation of service was arguably the one thing which bound together all strata of republican society, except the poorest:

Just as military service was incumbent upon every male citizen, an obligation embedded at the very core of what it meant to be a Roman citizen, so, too, was military command simply a facet of political leadership, part of what it meant to be a Roman aristocrat and the fruit of electoral success.¹⁹¹

I argue that this obligation, and the experience of service in the national army, provided a unifying and homogenising influence on the citizenry.¹⁹² Military service, for example, transcended familial, social or regional differences and loyalties, and replaced them with a universal experience. A citizen, once deemed eligible for the army by virtue of his wealth, and then allocated a role according to age and experience, could not know who his immediate comrades would be: within broad functional classifications, the military system acted without regard to regional or social distinctions, and inside the maniples, it mixed up the citizenry. The selection process for the legions during the *dilectus*, for example, was specifically designed to even out the distribution of soldiers without respect to their civilian status or loyalties: four recruits at a time were brought forward and officers of the different legions took sequential turns selecting individuals.¹⁹³ A recruit could thus find himself in any of the four legions. In this way, the social, regional or familial obligations that may have dominated the civilian lives of recruits, were neutralised, and replaced with a shared experience of campaigning in the national army.¹⁹⁴ This mixing of the citizenry, and the concomitant neutralising of social or regional obligations between them, necessitated the

¹⁸⁸ App., *Hann.* 11.

¹⁸⁹ Liv. 41.33; 42.31.

¹⁹⁰ Erdkamp, 2008, p. 2.

¹⁹¹ Rosenstein, 2008, p. 133. On the importance of military service to the political careers of the governing elite, see Roth, 2007, pp. 486 and 487.

¹⁹² For the specific and important effect of homogenisation of military service over time on allied soldiers serving in Roman armies, see Chapter Five below.

¹⁹³ Pib. 6.20.

¹⁹⁴ For more on the effect military service had on changing loyalty hierarchies between soldiers, see Chapter Five below.

application of an oath to help bind the recruits to each other, and to the new social order and the expectations that existed in the army. The oath required soldiers to pledge to stand by each other in battle, to obey their officers, and not to quit the ranks except to seek a weapon, strike a foe, or save a comrade.¹⁹⁵ I argue that the oath was necessary because of the transcendent nature of serving in the national army; having mixed the citizenry, the military system could not rely on the regional or social obligations that recruits brought with them to keep soldiers faithful to each other in the stress of battle, and so implemented an oath to create social bonds and new obligations.

Discharges and the Civic Nexus

In theory, republican armies were not permanent:¹⁹⁶ most legions between 200 BC and 150 BC, for example, were disbanded after only a couple of years' service; with a few notable exceptions, such as the Cannae legions,¹⁹⁷ or those campaigning in the protracted war in Spain,¹⁹⁸ the average second century BC republican legion remained in continuous service for 2.5 years.¹⁹⁹ Imperial expansion, wars fought overseas, and longer campaigns, however, meant that a few armies remained in service for many years.²⁰⁰ Instead of standing armies, republican legions were enrolled each season for specific campaigns by the consuls and their military officers: consuls were then expected to train, lead and supply them. In particular, commanders were expected to reward their soldiers.²⁰¹ The army, for example, expected that it would benefit financially from military service, and that their commander would provide opportunities for them to do so, especially as continuous success in wars led to increasingly ostentatious and extravagant displays of captured wealth during triumphs.²⁰²

¹⁹⁵ Fron., *Str.* 4.1; Plb. 6. 21. For more on the implications of the mixing of the citizenry by military service, see Rosenstein, 2010, pp. 298 and 299.

¹⁹⁶ Rathbone, 2007, p. 166.

¹⁹⁷ Liv. 25.5.

¹⁹⁸ App., *Hisp.* 45. ff.

¹⁹⁹ De Ligt, 2012, p. 146. During the late Republic, however, the time a legion remained formed varied greatly. The legions which L. Valerius Flaccus took with him to Asia in 86 BC during the civil war between Sulla and Marius were not discharged for twenty years, while those raised by L. Piso in 58 BC were disbanded in 55 BC (Brunt, 1962, p. 75).

²⁰⁰ For example, at Liv. 40.1. For more on this point, see below.

²⁰¹ Plb. 6.19 ff. For a concomitant discussion that argues that Polybius in his description of the *dilectus* was referring to the second stage of recruitment, after the men had been selected – most probably away from Rome, given the space limitations inherent in Rome: see de Ligt, 2008, p. 115 ff. For more on the duties and expectations placed by society on Roman commanders, especially in regard to their responsibility to financially reward soldiers, see Chapter Four below.

²⁰² For more on the expectation of financial benefit, the commander's key role, and the scale of wealth displayed by a series of triumphs during the second century BC, see Chapter Four below.

To reinforce the personal nature of the compact between citizens entering military service and their general, recruits were sworn in by naming the consul who commanded the army. A military tribune, for example, began the oath ceremony referring to the commanding consuls: *C. Laelii C. filii consulis, L. Cornelii P. filii consulis in exercitu...*²⁰³ Armies thus were closely associated with their commanders, and the state gave them a high degree of autonomy;²⁰⁴ the military forces available to the Republic in 214 BC included the armies of Q. Fabius Maximus Verrucosus and M. Claudius Marcellus – consuls for that year who personally raised, trained and led the legions.

Conversely, the consul was responsible for disbanding the army, or discharging its veterans, if the army stayed in the field for longer periods.²⁰⁵ There were expectations of limited terms of service inherent in the social contract between the state and its citizen-soldiers. These expectations were deeply embedded in the tradition of the citizen-militia; they were present in the army, for example, when it first remained in the field over winter in 403 BC. The governing elite was reminded that its soldiers were not slaves, but fellow citizens, and expected to be returned to civilian life for part of the year so they could fulfil their civic obligations, attend to their farms, and look after families.²⁰⁶ The military system normally ensured that citizens between the ages of 17 and 46 did not have to do too many consecutive years under *sacramentum*; the rhythm of service alternated short periods in the army with work back on the family farm, or in other employment.²⁰⁷ Regular discharges were thus a manifestation of the impermanent nature of republican armies, and of the expectation of society to return soldiers to the community after they had met their obligations. Such discharges remained a feature of republican military service, even in times of significant danger to the state. In 210 BC, for example, during the difficult Second Punic War, the Republic was careful not only to ensure that its military dispositions were sound, but that eligible veterans were properly discharged. The senate ordered two legions protecting Capua to be combined, and veterans with the longest service discharged, while

²⁰³ Gel. 16.4: "In the army of the consuls Gaius Laelius, son of Gaius, and Lucius Cornelius, son of Publius..."

²⁰⁴ Roth, 2007, p. 375.

²⁰⁵ For example, in 187 BC as at Liv. 38.44.

²⁰⁶ Liv. 5.2: *admoneat collegas liberos et cives eorum, non servos, militare, quos hieme saltem in domos ac tecta reduci oporteat et aliquot tempore anni parentes liberosque ac coniuges invisere et usurpare libertatem et creare magistratus*. On the expectation to be released back into the community, see Rich, 1993, pp. 44 ff.

²⁰⁷ De Ligt, 2012, p. 146.

in Apulia, the commanding consul discharged all his forces except naval crews.²⁰⁸ In Sicily, praetor P. Cornelius Lentulus disbanded his army when the replacement consul arrived with a new one.²⁰⁹ This compact between the state and citizen-soldier of limited terms of service could be broken, however, if it was perceived that soldiers had performed poorly in a battle. Soldiers, for example, were blamed for losing the battle of Cannae in 216 BC: its survivors were mustered into two legions and sent to Sicily for the duration of the war.²¹⁰ They were still serving more than a decade later.²¹¹

Parallels between the citizenry organised for electoral purposes and the *assidui* arranged in their various Servian classes for war helped reinforce the ideology of a citizen-militia, and emphasised its nexus with society. The *comitia centuriata*, for example, comprised all citizens, and combined their responsibilities for electing the chief magistrates of the Republic²¹² – censors, consuls and praetors – with their organisation for military service.²¹³ I argue that the combination in a single electoral assembly of military and civic roles gave an emphasis to the ideological link between membership of the citizenry and service in the army.²¹⁴ Republican soldiers were thus drawn from a wide section of society, ensuring that martial effectiveness was never confined to a small portion of the citizenry or aristocratic elite. The Roman military system, drawing on its own integral strength and that of its Italian allies, prevailed over powerful rivals, such as the Carthaginians and Seleucids, who used large numbers of mercenaries, and where – as some scholars argue – the link between citizenship and military service was not as strong, or had been altered because of the reliance on mercenary soldiers.²¹⁵ Moreover, I argue that the symbiotic relationship between citizenship and military service conferred an ideological strength upon the army; it enabled soldiers to draw upon the tradition of service deeply ingrained in society, helping reinforce the concept of obligation and duty to the state. For citizens fighting for the

²⁰⁸ Liv. 26.27.

²⁰⁹ Liv. 26.27.

²¹⁰ Liv. 22.61; 23.25; 24.18. In contrast to this punishment, the surviving consul, C. Terentius Varro, was thanked by the senate for not losing faith in the state. On the issue of blaming soldiers for defeat where religious or ritualistic errors are not considered, see also Rosenstein, 2010, p. 295.

²¹¹ Liv. 25.5.

²¹² These magistrates, with the exception of the censors, also led the armies into war.

²¹³ North, 2006, p.261; Lintott, 1999(a), pp. 55-57. See also Chapter Six below.

²¹⁴ On the nexus between the procedures to marshal the citizen for war and his electoral responsibilities, see also Patterson, 1993, pp. 95 ff.

²¹⁵ Such as at Erdkamp, 2008, p. 2; De Ligt, 2008, 114.

Republic, national defense was a duty, a responsibility and a privilege.²¹⁶ This tradition of service helped nurture other republican traits:

A blind devotion to one's native land, which may be said to reflect the conservative instinct: it is, in a sense, passive, although the individual's subordination to the community was carried to a much higher degree in Rome than in other cities.²¹⁷

The purpose of the army was to defend the state, win at war, and extend the *ager publicus*;²¹⁸ a function which was a dominant part of the fabric of the Roman state.²¹⁹ The army was not expected to involve itself in domestic politics, although by the end of the second century BC serving soldiers and veterans found themselves inexorably drawn into the civil strife that characterised increasing tensions between ordinary citizens, assertive tribunes, and the governing elite.²²⁰ Citizens under *sacramentum* ostensibly left their civic status behind at the *pomerium* when they enlisted; the army was not expected to have its own political agenda. It was inevitable, however, given the close nexus between military service, citizenship, and political assemblies such as the *comitia centuriata*, that the army would, on occasion, retain a political conscience. I argue that this was the nature of a citizen-militia, and this conscience would manifest itself in a surprising record of insubordination and mutiny against the state and its elected representatives in civic cause during the Republic.²²¹ Moreover, as I have shown above, the citizen-militia at its core was not a professional service: despite its centrality to public life, and the importance of war to the Roman state, republican citizens did not consider the army a vocation – although soldiers still expected to profit from war, and there were examples of citizens who

²¹⁶ Keppie, 1984, p. 17.

²¹⁷ Nicolet, 1980, p. 90.

²¹⁸ Serrati argues for Roman exceptionalism on the nexus of war and the Republic. He contends that warfare and the state were intrinsically linked during the Republic; with the possible exception of Sparta, in no other society in the ancient world were the two more fundamentally related (Serrati, 2007, p. 482).

²¹⁹ Such was the frequency of war that Oakley suggests the Roman state looked for war when there was none (Oakley, 1993, p. 16). This idea was originally articulated in detail in a monograph by William Harris in 1979 called *War and Imperialism in Republican Rome: 327 BC – 90 BC*. A passage from Livy, which if an authentic reflection of the Roman attitude toward war, supports Oakley's conclusion, indicates that the state expected, even desired, annual warfare. Livy is referring to 303 BC, a year where so far there has been no reference to fighting: *tamen ne prorsus imbellem agerent annum, parva expeditio in Umbriam facta est, quod muntiabatur ex spelunca quadam excursiones armatorum in agros fieri* (Liv. 10.1). "Nevertheless, that their year might not go by without any war whatever, they [the consuls] made a little expedition into Umbria, because of a report that armed men issuing from a cave were making raids upon the farms." See also Pib.32.14.

²²⁰ I will argue later that the army and soldiers were at the centre of this violence, and this would have significant consequences for the emergence of politically interventionist armies: see Chapters Seven and Eight below.

²²¹ This would also be significant to the emergence of soldiers willing to intercede in politics; see Chapters Six and Eight below.

considered the army as a type of career.²²² This fact, however, did not mean that the citizen-militia was an amateur institution with regard to effectiveness. Constant war against competent enemies meant consular armies, especially those which remained together for longer periods,²²³ or included a higher proportion of veterans in their ranks,²²⁴ approached very high standards of effectiveness and efficiency.²²⁵ This was evident in the military system's emphasis on organisation, discipline, punishment and reward, and in its tactical habits in the field.²²⁶ The army's competence was also manifested in its record of success in campaigns, as measured by the frequency of triumphs held for victorious generals.²²⁷ Between 282 BC and 264 BC, there were 22 triumphs, at least one a year; in the 42 years between 264 BC and 222 BC, there were 30 triumphs.²²⁸ The frequency of triumphs continued into the later Republic; there were 16 between 178 BC and 155 BC, and 17 between 126 BC and 104 BC.²²⁹ The republican army may have been a citizen-militia, and it may have been defeated on occasion in battle, but from the middle of the third century BC onwards, it never lost a war.²³⁰

Recruiting from the Countryside

Most of the army's recruits during the Republic came from the countryside; there were never many recruits from the cities²³¹ – although there were instances of legions raised

²²² See Chapters Four and Eight below.

²²³ Such as L. Scipio's army that fought the battle of Zama in Africa against Hannibal in 202 BC during the Second Punic War (Plb. 15.10).

²²⁴ For example, in the army that was carefully prepared for the Third Macedonian War in 171 BC against King Perseus (Liv. 42.31).

²²⁵ Serrati, 2007, p. 484.

²²⁶ See Chapter Five below.

²²⁷ The success of Roman arms proved enduring, not just during its conquest of Italy, but also during the later Republic. This is reflected in the frequency of triumphs: I argue that this marker of major success in war is a reasonably reliable indicator that Roman armies, although a citizen-militia, were frequently successful, and enabled the state to expand and consolidate and hold its expanded territories. For more on evidence of the standard of Roman armies, and of its professional approach to war, see Chapter Five below.

²²⁸ Oakley, 1993, p.29. Oakley's study of triumphs is an important contribution to the understanding of Roman effectiveness at war; Oakley's work indicates that there was a consistent and sustained record of military success throughout the Republic; although battles were lost, campaigns were invariably won.

²²⁹ Oakley, 1993, pp. 29 ff.

²³⁰ I refer here to the army's record of strategic success in wars during the second century BC and early first century BC. During the second century BC, it suffered setbacks and defeats (the catastrophic losses at Arausio in 105 BC against the invading Germanic tribesmen come to mind), but invariably won the war: the series of campaigns against Macedon, for example, and the wars in Spain, Africa and in the first century BC, the Social War. On this point, see de Ligt, 2008, p. 114.

²³¹ Keaveney, 2007, p. 16; Brunt, 1988, pp. 253 ff; Crawford, 1978, p. 37. Crawford argues that farmers made up the majority of the citizen electorate; it was, he asserts, a community of freeholders, for whom military service was as central an element of the citizenship as voting in the assembly.

from urban populations, especially during periods of crisis. Two city legions, for example, were raised in 210 BC at the height of the difficult Second Punic War.²³² For the most part, however, the military system relied on citizen and Italian small freeholders to supply the bulk of the manpower for the citizen-militia. The traditional link between the army and farmers was believed to go back to Rome's semi-mythical past. The dictator, for example, of 458 BC, L. Quinctius Cincinnatus, was said to have been called from the plough on his farm to rescue the army trapped by the Aequi, to win a major victory, and to celebrate a triumph.²³³

This relationship between army and countryside continued to dominate the demographic makeup of the citizen-militia for most of the Republic; the evidence for this conclusion is extensive. At Veii in 403 BC, for example, the army was filled with soldiers who normally spent half the year farming their own lands.²³⁴ During the First Punic War in 262 BC, knowledge of farming enabled the army investing the Sicilian city of Agrigentum to harvest the local grain crop to supplement their supplies; I suggest that it was thus composed of primarily of citizen-farmers.²³⁵ After the Second Punic War in 201 BC, the state, on one of the rare occasions it directly assisted veterans financially to resettle into civilian life,²³⁶ made the first of two large-scale *virgane* distributions for the African veterans of P. Cornelius Scipio Africanus in southern Italy from the *ager publicus* in Samnium and Apulia.²³⁷ In 199 BC, another large-scale land allocation was made to veterans from Spain, Sardinia and Africa;²³⁸ it is estimated that up to 40,000 veterans subsequently received plots of land from these state initiatives.²³⁹ I argue that these soldiers were farmers, or had knowledge of farming; otherwise, the gesture of allocating land to help them readjust to civilian life after discharge did not make sense. The career soldier, Spurius Ligustinus, who

²³² Liv. 26.29.

²³³ Liv. 3.26; D.H. 10.23.

²³⁴ Liv. 5.4: "Formerly, the soldier was angry that he had to serve the state at his own cost; yet he was happy to be able, for half of the year, to till his own field and gain the means of keeping himself and his family, whether he were at home or with the army."

²³⁵ Plb. 1.17.

²³⁶ It may have been the extraordinary circumstances of the long and difficult Second Punic War, and an acknowledgement that these circumstances had strained the normal social compact between soldier and state which governed military service, that prompted the Republic to take on the task of providing for veterans after discharge, an area normally left to the commanding general, and to the civilian vocation of the citizen-soldiers (for more on the pecuniary obligations of republican commanders to provide opportunities for their men to benefit economically from war, see Chapter Four below).

²³⁷ Liv. 31.4; 31.49.

²³⁸ Liv. 32.1.

²³⁹ De Lig, 2012, p. 151.

had amassed more than 20 years continuous service by 171 BC, was from a small Sabine farm.²⁴⁰ Moreover, Roman and Italian veterans from the land, or with rural interests, were at the centre of the conflict which accompanied the passage of the agrarian bill of Ti. Sempronius Gracchus in 133 BC.²⁴¹ I argue that soldiers and veterans were among those who came in from the fields to support the struggle against urban opposition to pass the legislation, and subsequently fought for his re-election in the violence that followed.²⁴² Moreover, in 129 BC, P. Cornelius Scipio Africanus Aemilianus advocated in the senate for the land grievances of his former Italian veterans living in the countryside, or with rural interests, because they had made such good soldiers.²⁴³

Pressures of Service

Reliance on predominantly rural recruits, however, with their own agricultural obligations, meant that the use of the citizen-militia on campaign was initially seasonal, and aligned closely with the agricultural cycles of the land.²⁴⁴ Winter, especially when wars were

²⁴⁰ Liv. 42.43. It has to be acknowledged that there is a question over Ligustinus' historicity (for example, Keaveney, 2007, p. 18); it always remains possible that he is a fictional character – although there is also nothing categorically to suggest this. In the end, however, his presence in literary record indicates, as Keaveney puts it, that the Romans could easily imagine a character such as Ligustinus existing, and his circumstances, including his poverty, rural origins, and career of extensive soldiering, as plausible (Keaveney, 2007, p. 18). For this reason, I argue that Ligustinus's example remains credible.

²⁴¹ The legislative package included, for example, a provision which reduced the time required for military service (Plut., *TG*. 16). Moreover, the supposed decline of the population of citizen and Italian small freeholders in the 130s, as it adversely affected the ability of the army to man its legions, was the fundamental background against which was framed the legislative agenda of Ti. Gracchus and his agrarian reforms (Plut., *TG*. 9; also see Chapter Seven below). For a recent discussion of the various modern archaeological surveys which attempt to provide an archaeological foundation for the Gracchan land crisis as preserved in the literary tradition, and a discussion of the implications of their findings for the demographic history of ancient Italy, as well as the methodological problems associated with these surveys, see de Ligt's extensive analysis (de Ligt, 2012, pp. 177 ff).

²⁴² App., *BC*. 1.10. ff; 1.14. For more on the argument for involvement of soldiers and the army in the political violence of the late Republic leading up to the Social War and Sulla's march on Rome in 88 BC, and its important implications for the emergence of politically interventionist armies, see Chapters Seven and Eight below.

²⁴³ App., *BC*. 1.19.

²⁴⁴ Rosenstein, 2004, pp. 26 ff. The Mediterranean agricultural cycle saw farmers sowing their crops in autumn and harvesting them early next summer, after which, for the remainder of the long summer, little agricultural work was done until it was time to prepare the fields in autumn for next summer's crops again. These arable crops, argues Rosenstein, were the main target of an aggressor's attack in Mediterranean warfare; invading armies destroyed the enemy's means of sustenance and compelled them to come out from behind city walls to fight. States such as Rome using farmer-soldiers integrated military service into this schedule by ensuring they campaigned when the grain in the enemy's fields was ready to be harvested in late spring or early summer, but not collected and stored away out of reach. As a result, argues Rosenstein, campaigns were generally brief because provisioning the invading army became problematic after four or five weeks, even if the soldiers were living off the land and harvesting the enemy's crops. Moreover, the fact that

fought close to Rome, provided a natural terminus to the campaigning season – and an opportunity to discharge soldiers.²⁴⁵ At Veii in 403 BC, for example, the expectation among soldiers of the length of their obligation to serve matched the seasonal cycle: army leaders had an obligation to return them to their farms before the onset of winter.²⁴⁶ By the middle Republic,²⁴⁷ however, Rome had broken any link that persisted between agricultural seasons, the use of the army, and the length of campaigns.²⁴⁸ This occurred because of the imperatives of expanding empire; as Rome expanded first into Italy, and then overseas, campaigns were conducted further away from Rome, and the length of service expected of ordinary citizens concomitantly increased.²⁴⁹ These pressures were evident by the end of the fifth century BC;²⁵⁰ from this point on, armies could be kept in the field for longer, and serve in places further away.²⁵¹ In 264 BC, at the start of the First Punic War, the Roman military system sent armies overseas for the first time to Sicily against the Carthaginians;²⁵² they were kept in the field conducting sieges for long periods.²⁵³ The Second Punic War with Carthage²⁵⁴ exacerbated the pressure on conditions of service for ordinary citizens.

attackers were also farmers restricted the duration of warfare, for their own crops might be ready to harvest at the same time the enemy's were ripening.

²⁴⁵ This was especially the case when enemies were close and logistics systems undeveloped. As well as the citizen-soldiers, invaders also needed to prepare and sow their own fields in autumn before winter rains and cold restricted movement. On the dependence of early Roman armies to the agricultural cycle, see also Rich, 1993, pp. 44 ff. He argues, for example, that for the period to 264 BC, when the Romans' military activity was confined to Italy, their warfare had an annual rhythm. For the most part it was restricted to the summer campaigning season. An army was levied, marched out to fight for a few months, and then returned to be discharged.

²⁴⁶ Liv. 5.2.

²⁴⁷ This was certainly the case by the start of the Second Punic War in 218 BC, and probably by the end of the First Punic War in the middle of the third century BC, when Rome had to support overseas armies for the first time.

²⁴⁸ Having said this, winter cold still retain the ability to halt fighting. Liv. 22.32: *Cum ad Gereonium iam hieme impediende constitisset bellum, Neapolitani legati Romam venerunt.* "Winter had already brought the fighting about Gereonium to a standstill when the envoys of Neapolis arrived in Rome." This passage referred to fighting between the Roman and Carthaginian forces in 217 BC during Hannibal's invasion of Italy.

²⁴⁹ Keppie, 1984, pp. 51-52.

²⁵⁰ Liv. 5.2. At Veii in 403 BC: *cum spes maior imperatoribus Romanis in obsidione quam in oppugnatione esset, hibernacula etiam, res nova militia Romano, aedificari coepta, consiliumque erat hiemando continuare bellum.* "As the Roman generals hoped more from a siege than from an assault, they even began the erection of winter quarters, a new thing to the soldier of Rome, and planned to carry the campaign on straight through the winter."

²⁵¹ For example, the consuls for 335 BC, 334 BC and 333 BC took over legions in the field from their predecessors. This suggests that the legions had spent the winter under arms and had not disbanded at the end of summer (Liv. 16.6). The consuls for 316 BC through to 313 BC, and again in 310 BC, during the Third Samnite War, did the same (Liv. 9.22).

²⁵² Plb. 1.12.

²⁵³ The siege of Agrigentum in Sicily, for example, began in June 262 BC and concluded in January 261 BC, when the consuls retired with their legions to Messina for the winter (Plb. 1.17-20). For a further discussion on the instances of Roman armies remaining in the field over winter, see Rosenstein, 2004, pp. 31-45.

²⁵⁴ 218 BC-202 BC (Roth, 2009, p. 268).

The war, for example, expanded into Spain and Africa, and legions served at unprecedented distances and for increasing periods of time,²⁵⁵ placing communities under particular strain:

*Fremitus enim inter Latinos sociosque in conciliis ortus, decimum annum dilectibus, stipendiis se exhaustos esse; quotannis ferme clade magna pugnare; alios in acie occidi, alios morbo absumi; magis perire sibi civem qui ab Romano miles lectus sit quam qui ab Poeno captus: quippe ab hoste gratis remitti in patriam, ab Romanis extra Italiam in exsilium verius quam in militiam ablegari... Si veteres milites non redeant in patriam, novi legantur, brevi neminem superfuturum.*²⁵⁶

By the second century BC, wars were thus habitually fought overseas; as I have shown, discharges occurred and armies were disbanded, but the link between seasonal cycles and the use of the army was by that time a distant memory. The more unpopular campaigns, such as the drawn-out and unprofitable struggle in Spain in the 150s, could also become significant sources of friction between ordinary citizens and the governing elite.²⁵⁷ Conditions of service now bore little resemblance to the original compact evident outside Veii: no recruit could be sure for how long he would serve, and where he would serve.²⁵⁸

Second Century BC 'Agrarian Crisis'?

These pressures, the growth of empire, and the concomitant influx of slaves into Italy in the late 3rd century BC due to a series of successful wars starting with the Second Punic War, have been conventionally held to have had severe implications for the legions' rural recruiting grounds, particularly for the free small-farm holder who was the mainstay of the Roman military system. The conventional view takes its lead in large part from the sources; Appian in his explanation for the Gracchan land reforms leading up to 133 BC cites the practice of the rich buying up uncultivated land to set up large estates run by slaves,²⁵⁹ and,

²⁵⁵ Although, as I have pointed out above, regular discharges of veterans were made during this period, helping alleviate the pressure of service.

²⁵⁶ Liv. 27.9: "At local meetings of Latins and allies complaints began to be heard: for the tenth year now levies of money and men had been draining them dry; almost every year they suffered a grave defeat; some were killed in battle, others killed by disease. The townsman who was drafted into the Roman army were more completely lost to them than prisoners of war in Carthaginian hands; for the enemy sent prisoners home without a ransom, but the Romans dragged them off to fight outside Italy in what was more like exile than war. If veterans did not come home and new ones conscripted, soon there would be no one left."

²⁵⁷ App., *Hisp.* 45 ff; Liv., *Per.* 48.

²⁵⁸ The most striking difference between war in the late Republic and that of earlier times was multiple theatres of war (Adams, 2007, p. 199).

²⁵⁹ *Latifundia*.

as a result, many poor farmers were bought out or driven off their holdings.²⁶⁰ The result – by the second half of the second century BC – was a crisis on the land: de-population and a shortage of free military-aged men for the army, many of whom were now landless, destitute, and worn out by military service supporting an expanding empire outside Italy.²⁶¹ According to the sources, it was for this reason – to counter the effects of the large slave-run estates that were ruining the traditional small farm-holder and to restore the recruitment base for the army – that Ti. Gracchus launched his controversial programme of agrarian reform returning land to the rural poor.²⁶²

The narrative found in the sources of the delictious effects of expanding empire became important in modern scholarship as part of the broader conventional hypothesis for a breakdown in consensus between the governing elite and ordinary citizens, and for the supposed rise in the numbers of rural poor which fed into the ‘mercenary’ army which made the decline and eventual fall of the Republic possible.²⁶³ Scullard, for example, believed that slave labour fuelled the growth of the plantation system in the second century BC, and supplanted the free farmers who were increasingly called away to serve in the army.²⁶⁴ Brunt goes further, and places the cause of insurrection against the Republic firmly in the impoverishment of large numbers of rural poor in Italy by 133 BC,²⁶⁵ while Gabba argues the needs of expanding empire were incompatible with traditional notions of military service under the Republic, and led to an impoverishment of the rural recruiting base and a ‘proletisation’ of the army by the end of the second century BC.²⁶⁶ Hopkins, a strong proponent of the expansion of slavery in Italy after the Second Punic War, argues that the wars of the early second century BC, especially the Hellenistic wars, generated enormous riches and war indemnities for the Republic, much of which found its way into the pockets of the rich who then used it to buy up Italian land. Since most of this land was

²⁶⁰ App., *BC*. 1.7-8. See also Plut., *TG*. 8. In these sources, we are told that the owners of these large estates preferred slaves to free men to run and work on them because free men were liable for army service, and thus would be absent for periods of time, while slaves were not.

²⁶¹ Of course, it follows that if a free farmer is forced from his land, he then is likely to fall below the minimum property qualification needed to serve in the legions. This is how the decline of free farmers could lead to a manpower shortage; the farmers are still physically there in most cases, but they are no longer eligible for the army.

²⁶² App., *BC*. 1.9.; Plut., *TG*. 9.

²⁶³ See Chapter Three below for more detail on this perspective.

²⁶⁴ Scullard, 2013, p. 322.

²⁶⁵ Brunt, 1988, pp. 73, 246. See Chapter Three below for a more detailed explanation of Brunt's view, and its nexus with the conventional explanation for insurrection.

²⁶⁶ Gabba, 1976, pp. 23, 37 ff. See Chapter Three below.

previously farmed by small free-holders, the result was a growth of the slave run estates, and a decline of small Italian farmers.²⁶⁷ Moreover, in an influential article re-appraising the effects of the Second Punic War on Italy, Cornell characterises the growth of large landed estates and the rise of a slave economy in the Republic as products of Roman imperialism, and argues the decline of the free small farm holder in Italy can be found as early as the middle of the third century BC.²⁶⁸ But according to Cornell, it was the large-scale devastation of much of southern and central Italy during the Second Punic War²⁶⁹ which intensified and accelerated the decline of the farming population; the conditions which drove subsistence farmers off the land, however, benefited the rich and powerful:

It was a different matter, however, for large landowners whose aim was to produce a surplus for sale in the market. Such people had the necessary capital resources to recover quickly from the temporary setback of a visitation by the enemy; they were able to use slave labour, and even in times of real danger they could hire the services of men reduced to desperation by poverty and hunger. Inevitably this situation gave the larger landowners an incentive to increase the size of their estates, at a time when the poor were being forced to relinquish or abandon their holdings.²⁷⁰

Cornell argues that, combined with the demand of land from rich investors and the plenty availability of slave labour, subsistence farmers and their families could not cope with the with the pressures of military service in the new empire, and this generational crisis formed the backdrop leading up to the Gracchan agrarian reforms in 133 BC.²⁷¹ More recently, Martin has re-emphasised Cornell's themes: he cites the occupation and use for private gain of Roman public land in Italy by rich landowners and increasing debt – along with the growth of *latifundia* – as the reason for the displacement and decline of Italy's small

²⁶⁷ Hopkins, 1978, pp. 23 ff.

²⁶⁸ Cornell, 1996, p. 98. Cornell cites the enslavement of 25,000 inhabitants of Agrigentum in 262 BC (Pib. 1.29.) by the Roman army during the First Punic War to show that slaves had started flowing back into Italy well before the start of the second century BC. The First Punic War probably netted Rome more than 70,000 slaves, the sale of which earned the Roman treasury around 15 million denarii (Scullard, 2013, p. 322).

²⁶⁹ For 15 years (218 BC to 203 BC), the primary areas where the armies of Rome and Hannibal were located. Raiding, devastation and systematic devastation of supplies and farm land were routinely carried out by both sides (Cornell, 1996, p. 101). The effects were accentuated by the 'scorched earth' policy of the Romans (esp., F. Cunctator) which was in place by 217 BC (Liv. 22.11.), and which involved removing the farming population to safety, and destroying all supplies, crops, and buildings in the path of the Punic armies.

²⁷⁰ Cornell, 1996, p. 109.

²⁷¹ Cornell, 1996, pp. 110-111. The reason, according to Cornell, as to why the agrarian crisis took a generation to come to a head in the later half of the Second Century BC was because there had been land taken in the Second Punic War from rebellious allies and in Cisapline Gaul to allocate to ruined farmers, and this helped soften the effects of the war in Italy. But after 177 BC, the available land largely ran out, and the effects were disastrous, leading eventually to a build up of social pressure that, by 133 BC, had reached the point where it could no longer be ignored (Cornell, 1996, pp. 111 ff.).

farmers.²⁷² Meanwhile, Southern argues that many of the soldiers disposed by the large slave-run estates and their families either migrated to the provinces or joined the urban poor in Rome; their plight became the perennial feature of the political programmes of the late second century BC reformers.²⁷³

This traditional narrative, however, of an agrarian crisis²⁷⁴ in Italy in the final decades of the second century BC leading to a manpower shortage for the army – and of unsustainable pressures on rural families caused by military service – is contested. Rich, for example, disagrees with the manpower shortage argument, pointing out that although there was a slight demographic decline observable in census figures by the middle of the second century BC, this has to be set against the much faster decline in the average number of legions required after the conclusion of the Third Macedonian War.²⁷⁵ Thus, according to Rich, there was no manpower shortage, and the Gracchan land reforms were instead not meant to solve a recruitment problem, rather deal with a more vague concern over the slow contraction of the free Italian population. Adams contests the basic assumption of an economic decline of the small landholding class, arguing that the narrative of agricultural decline has been much exaggerated, and that any damage done to land and its farmers was not irretrievable.²⁷⁶ Rosenstein also delinks the Gracchan agrarian programme from a crisis in manpower for the army. In a variation of Cornell's argument about a shortage of available land for re-settlement of destitute farmers,²⁷⁷ Rosenstein argues that there was simply not enough land available by 133 BC to satisfy the needs of a high birth rate, and Gracchus applied the wrong remedy.²⁷⁸ In de Ligt's view, the challenge to the conventional interpretation is convincing enough "to the extent that it has become difficult to explain the

²⁷² Martin, 212, pp. 84-85 ff.

²⁷³ Southern, 2007, pp. 54-55.

²⁷⁴ Cornell makes a distinction between 'an agricultural crisis' and 'an agrarian crisis' (Cornell, 1996, p. 109). According to Cornell, there was no crisis of Italian agriculture; the large slave owned estates flourished, the land continued to be productive, and the devastation and depopulation of southern and central Italy caused by the Second Punic War may have actually helped the land recover its fertility by thinning out the farming population. It is a persuasive point.

²⁷⁵ Rich, 1983, pp. 287 ff.

²⁷⁶ Adams, 2007, pp. 204-225. For an argument in support of the ability of the land to recover quickly from deprivations and devastation caused by warring armies, see Cornell (Cornell, 1996, pp. 109 ff.). Cornell makes this distinction to argue that there was no agricultural crisis of the land *per se*, but an agrarian crisis (see note above).

²⁷⁷ Cornell, 1996, pp. 111-112.

²⁷⁸ Rosenstein, 2004, p. 169.

Gracchan land reforms as an attempt to alleviate the immediate shortage of recruitable citizens.²⁷⁹

Yet another challenge to the conventional view has come from specialists in Italian survey archaeology and archeological evidence on settlement patterns in Italy which seems to show not a profusion of large estates, but rather traces of numerous small farms, and of unprecedented density, dating to the second century BC.²⁸⁰ The archeological evidence itself, however, has been questioned; much of what was originally dated to the end of the second century BC may in fact be much older, originating from before the start of the Second Punic War.²⁸¹ Cornell, in an early attack on the veracity of the archeological evidence, argued that the archeological evidence, patchy and confused as it is, is too partial and too enigmatic to have any serious bearing on the question of changing patterns of land tenure in the second century BC.²⁸²

Many scholars have now also argued that the Roman military system was probably able to effectively manage the pressures of a growing empire, and contest the traditional narrative: it could secure an empire while limiting the damage done to society by changed conditions of service. It was able to do so partly because of the natural flexibility inherent in rural communities to accommodate relatively easily the absence of a male family member in service for longer periods. The major challenge to the theory of military service as an unsustainable pressure on rural families has come from Rosenstein; he highlighted the weakness of the conventional argument by pointing out that Roman armies began to campaign beyond the end of summer – the traditional end of the campaigning season – from as early as the second half of the fourth century BC, and that rural families were well

²⁷⁹ De Ligt, 2008, p. 119. De Ligt, in his 2012 monograph on the demographic trends of ancient Italy, points to a significant rise in census figures in 125/124 BC (i.e.; the majority of which reflect numbers of citizens eligible for army service, and which also presumably largely reflects the rural population) to undermine the conventional theory of rural population decline (De Ligt, 2012, pp. 164, 167 ff.). Of course, as I argue in Chapter Four below, this could also plausibly be a reflection of the artificial lowering of the minimum property qualification which admitted large numbers of previously ineligible poor into the lowest qualification band – as easily as it could be a reflection of a strong rural population. Thus, in my view, the meaning of these census figures are not conclusive, and must remain contested.

²⁸⁰ Rathbone, 2007, p.179. If this record is accurate (see below note), then it suggests that the growth of large slave run estates did not really get started until the early decades of the first century BC, undermining the 'agrarian crisis' argument.

²⁸¹ De Ligt, 2008, p.119. De Ligt, a specialist in ancient Italian demography, has flagged a more extensive analysis of the archeological evidence in a forthcoming publication. For now, archeological evidence, and its bearing on the subject, remains inconclusive.

²⁸² Cornell, 1996, p. 110.

placed to deal with the absence of family members on service.²⁸³ Other scholars have built on this theme: Keaveney, for example, argues that irrespective of whether they were male or female, family members could work the farm and ensure its survival.²⁸⁴ De Ligt agrees: when soldiers had a family, there was a good chance that it was an extended family, working a limited amount of land; this made the absence of a soldier away on service for an extended period much easier to sustain.²⁸⁵

There are also some grounds for thinking that many rural households were perfectly capable of dealing with the negative consequences of heavy recruitment and high casualty rates. It has been pointed out, for instance, that much of the productive work normally carried out by men could equally well have been done by women, many of whom are likely to have become the de facto heads of their households during the absence of their husband or sons. Moreover, many rural households are likely to have contained an extended multi-generational family or two co-resident nuclear families. Such households would have been in a good position to adjust to temporary or permanent changes in their manpower.²⁸⁶

If this thesis is accurate, then it made it possible for the governing elite to extend the service of armies without impoverishing rural society, or unduly damaging key social institutions, like the family. Moreover, most recruits were younger men:²⁸⁷ they left behind families which could do the necessary work to ensure a farm's survival. If the soldier on extended service was an older man with a family to support,²⁸⁸ he was concomitantly more likely to survive, and thus continue to send money home to support the farm, and eventually return home himself. The Roman military system, for example, minimised a man's involvement in battle when he was most likely to be married and have a family to support.²⁸⁹ The oldest men in the legion were *triarii*, placed in the third battle line,²⁹⁰ and thus rarely used: as a result, they sustained far fewer casualties on average than the younger *velites*, *hastati* or

²⁸³ Rosenstein, 2004, pp. 26-52.

²⁸⁴ Keaveney, 2007, p.16.

²⁸⁵ De Ligt, 2012, pp. 166 ff.

²⁸⁶ De Ligt, 2008, p. 121.

²⁸⁷ De Ligt, 2012, p. 145. De Ligt points out that Roman women generally married before 20 years of age, while most men married in their late twenties. Most soldiers were thus probably unmarried, with no families to support.

²⁸⁸ If we can believe the rhetoric placed into the speeches of generals, such as P. Cornelius Scipio Africanus, many soldiers in mid Republican armies, especially during the Second Punic War, had wives and children to support (Liv. 28.28; 30.32). This is, in my view, plausible: a big, protracted conflict, such as the Second Punic War, necessitated a wide selection of recruits to man the numbers of legions in the field; it was inevitable that there were many married citizens among them.

²⁸⁹ Rosenstein, 2004, p. 85.

²⁹⁰ Plb. 6.22, 23.

principes.²⁹¹ Even if the farm fell into ruin, booty and donatives could be used to make repairs or buy a new farm; as the empire expanded, soldiers were required to serve for longer, but, at the same time, the expanding empire also increased opportunities for ordinary soldiers to profit from war.²⁹²

In the end, and contested as it is, the question of whether there was a significant decline of the traditional recruitment base among small free-holders in the second half of the second century BC – and a concomitant rise in the numbers of rural poor – remains inconclusive. To quote de Ligt: “The idea that the Gracchi tried to solve an acute manpower crisis has lost much of its appeal; the basic assumption that the free citizen population was in decline remains very much on the table.”²⁹³ This does not, however, present an insuperable obstacle for the objectives of this thesis. The critical issue that needs to be addressed as far as this study is concerned is not whether the numbers of rural poor rose or fell for whatever reason, or even that there was a supposed ‘agrarian crisis’ in Italy; after all, there were always going to be large numbers of poor and destitute present in Roman and Italian rural and urban societies at any point along their historical timelines. Instead, the more relevant point that must be addressed is that the previously ineligible poor were supposedly admitted into army service at the end of the second century BC, where they previously had been barred from legionary service; an event of far greater import to this study, and one which has traditionally been linked to the 107 BC recruitment reform of C. Marius – and which, even today, is conventionally held to have changed the demographic makeup of the army, and, in turn, introduced a fatal mercenary motive into military service. This question will thus be addressed in detail below in Chapters Three and Four.

²⁹¹ The *triarii* were also exempt from some of the more mundane tasks associated with establishing and managing a marching camp. For example, they did not have to provide men to guard or wait upon the military tribunes in camp (Plb. 6.33). This concession may have been an acknowledgement of the *dignitas* of an older man in service; such tasks could be perceived as more servile.

²⁹² Nevertheless, the challenges faced by rural societies in adjusting to changed conditions of service, such as the length of campaigns, should not be underestimated. As I have shown above, it was certainly possible to accommodate the changes, but the transition would have been difficult. Rosenstein: “The difficulties among the soldiers in making the transition from brief campaigns to conducting a long drawn-out struggle would hardly be surprising. Without much prior experience in conducting operations of this type, problems were bound to arise as men sought to reconcile their agricultural responsibilities with the longer terms of service that the city was now asking of them” (Rosenstein, 2004, pp. 54-55). For further discussion on how much soldiers profited from war in the second century BC, see Chapter Four below.

²⁹³ De Ligt, 2008, p. 119.

Supplying the Army

The link between seasons and the length of campaigns was also broken because the Romans established a sophisticated system of logistics to supply field armies with the necessary provisions. Understanding this system is important to the question of the emergence of politically interventionist soldiers: if an army wanted to support an insurrectionist general, such as Sulla or Marius, it necessarily placed itself outside state support. This could be a crucial limitation on the ability of an army to rebel; who paid for its insubordination? Fortunately for insurrectionist generals, and armies that wanted to support them, there was a high degree of independence and flexibility built into the logistics system that meant armies could, and often did, operate outside state support. This helped establish the necessary pre-conditions for Sulla's insurrection in 88 BC. The emergence of a flexible and independent logistics system was an accident of imperial expansion: an effective way of supplying armies was an imperative of this expansion. Without it, Rome could not maintain armies further afield. As a result, it was established early; during the Samnite war in 320 BC, for example, there was an overland supply system in place.²⁹⁴ By the end of the third century BC, armies were operating in Spain and Africa; to supply them, the Republic operated a sophisticated and effective supply chain, with supply depots and magazines.²⁹⁵ At the start of the Second Punic War in 218 BC, there was overland supply route in Cisalpine Gaul supplying armies operating against Hannibal, with a major depot at Clastidium: *ad Clastidium vicum, quo magnum frumenti numerum congesserant Romani...*²⁹⁶ The Roman logistics system worked not only in the alpine regions close to Rome, but also in barren terrain far from Italy: it sustained, for example, an army besieging Thala for 40 days in the north African desert.²⁹⁷

²⁹⁴ Liv.9.13: *tum quoque profetos inde ad Luceriam, iuxta obsidentes obsessosque, inopia vexavit. Omnia ab Arpis Romanis suppeditabantur, ceterum adeo exigue ut militia occupato stationibus vigiliisque et opera eques folliculis in castra ad Arpis frumentum veheret, interdum occurso hostium cogereur abiecto ex equo frumento pugnare.* "As it was, when they arrived in the vicinity of Luceria, besiegers and besieged alike suffered from scarcity of food: everything was carried up from Arpi for the Romans, but so precarious were their supplies, that while the foot-soldiers were busy with outpost-duty, guard-mounting, and entrenching, the cavalry brought up grain for them from Arpi in leather pouches, and now and then, encountering the enemy, were forced to jettison the grain from their horses and fight."

²⁹⁵ Roth, 2007, p. 387.

²⁹⁶ Liv. 21.48: "In Clastidium village, where the Romans had amassed a large amount of grain..." It was, however, captured by Hannibal and largely met his own supply shortages during the descent into Italy.

²⁹⁷ Sal., *Iug.* 75.

The state's role in keeping its armies supplied varied:²⁹⁸ it could provide money to the army,²⁹⁹ send grain shipments,³⁰⁰ or dispatch diplomatic missions to arrange supplies.³⁰¹ The state, however, did not normally play a major role in supplying consular armies:³⁰² that responsibility rested primarily with commanders.³⁰³ As Roman hegemony expanded, distances between Italy and its armies grew; it made sense to allow commanders to procure their own supplies, and the state ceded to them considerable authority to fulfil this essential administrative task. There were many ways a commander could do this: he could use plunder to finance the army,³⁰⁴ or requisition supplies from local merchants.³⁰⁵ The commander could also let contracts to specialist Roman or Italian civilians to supply his army. This was a common method of meeting the victual needs of armies,³⁰⁶ and the contracts were lucrative: the *publicani*,³⁰⁷ who provided specialist supply services to the army, subsequently became a prominent class of wealthy businessmen.³⁰⁸ Alternatively, allies could donate supplies directly to armies in the field,³⁰⁹ or armies themselves live off the land for short periods of time, harvesting ripening crops in the surrounding countryside,³¹⁰ as both the Italian and Roman armies opposing each other in 89 BC during

²⁹⁸ Polybius believed the state's direct role in supply armies was critical: in his analysis of the Roman constitution, he concluded that consuls and their legions were completely dependent on the state for supplies (Plb. 6.15). I argue, however, that he overstated the role of the state, and the army's logistical dependency on Rome; as I show above, the army could operate without direct state support. He may have accentuated the dependency of consuls and armies on the state to support his broader point in his favourable critique of the Roman system of checks and balances in government.

²⁹⁹ For example, Liv. 5.12.

³⁰⁰ Plb. 1.52. For other examples of the state sending grain to the army, see Liv. 27.3; 36.2; 37.50; 42.31.

³⁰¹ Plb. 9.11.

³⁰² Serrati, 2007, p. 489.

³⁰³ Erdkamp, 1995, p. 188.

³⁰⁴ Sulla did this in Greece (Plut., *Sull.* 12).

³⁰⁵ P. Scipio used local merchants in 205 BC when he requisitioned grain from Sicilian towns during preparations for African expedition against Carthage during the Second Punic War (Liv. 29.1). Other examples, primarily involving commanders purchasing grain for their late-republican armies, are at App., *BC* 4.108 and Plut., *Caes.* 41.3.

³⁰⁶ For example, they were transporting supplies to the army during the Second Punic War (Liv. 23.48,49; Liv 25.3). They also extended their services to collect taxes in the provinces by the second century BC (Liv. 34.9).

³⁰⁷ Plb. 6.17.

³⁰⁸ Serrati, 2007, p. 489.

³⁰⁹ Plb. 1.16; Liv. 22.37. The Syracusan king, Hiero II, did this in Sicily during the First Punic War for Roman armies campaigning there against the Carthaginians. Another example on Sicily during the First Punic War was the effort made by the Romans' Sicilian allies to collect supplies and materials for the besieging legions and deposit them at a nearby supply depot at Herbesus, where the supply chain could then move them to the camp (Plb. 1.18).

³¹⁰ Plb. 1.17.

the Social War attempted to do.³¹¹ Nearby cities could also be threatened and coerced to provide supplies:

One of the easiest ways for the Romans to acquire grain for their armies was to extract contributions from other states. The distinction between regular aid by allied states and ad hoc contributions, which were enforced by the presence of the Roman armies, will in some cases have been subtle.³¹²

Armies could also survive off large supply depots captured from the enemy.³¹³ Much more rarely, a general could be offered money by his own troops to finance a campaign.³¹⁴ None of these methods necessarily involved the state: their implementation did not require central direction or large bureaucratic overheads,³¹⁵ and the commanding general could use his initiative.³¹⁶ While direct state help undoubtedly made the administrative task of commanders easier,³¹⁷ the absence of centrally-provided material support or funds was not automatically a crippling impediment to campaigning armies: without it, as I have shown, they could survive by finding alternative means.

Paying the Army

Roman soldiers and their Italian counterparts serving in consular armies received a *stipendium*: they might serve from a sense of civic or treaty obligation, but they still expected to be paid. The *stipendium* was introduced early in the evolution of the citizen-

³¹¹ Diod. 37.24. The question of which army would harvest the ripening grain during harvest time was the cause, on several occasions, of heavy fighting.

³¹² Erdkamp, 1995, p. 74.

³¹³ The army supplied its need in this manner at Acerrae in 222 BC when it captured large stocks of grain in the northern Italian alpine region, fighting Gauls (Plb. 2.34). P. Scipio also supplied his army in this manner in 209 BC when he captured New Carthage in Spain: he captured 400,000 *modii* of wheat, 207,000 of barley, 18,300 Roman pounds of silver coin and bullion, and sixty-three cargo vessels loaded with supplies of every description (Liv. 26.47).

³¹⁴ Sulla benefited from this type of generosity when he began the campaign to re-take Italy during the civil war with Marius: his soldiers saw he needed money to finance the campaign, and offered it to him, each soldier providing what he could (Plut., *Sull.* 27).

³¹⁵ To handle procurement and logistics within the army, a formal position within its officer rank structure was established: the *quaestor*. His duties included arranging the army's provisions and associated matters of administration (see also Erdkamp, 1995, p. 182). There are many examples of the *quaestor* in this role: during the Second and Third Punic Wars, for example (App., *Pun.* 116), and later during the campaign against Jugurtha (Sal., *Jug.* 29). Another example is at Liv. 28.46.

³¹⁶ Erdkamp, 1995, p. 182. Erdkamp goes on to cite examples which support this point; the three *legati* sent to Apulia and Calabria in 172 B.C. to buy corn on behalf of the army, and Octavian's freedmen, whom the triumvir sent during the Civil Wars to acquire grain.

³¹⁷ C. Julius Caesar, at the start of the Second Civil War in the middle of the first century BC, discovered that being placed outside state support presented considerable, but not insurmountable, supply difficulties for his army: his enemies in the governing elite thought that, short of funds and supplies, his army would soon break apart (Plut., *Caes.* 40).

militia; the literary tradition records that the state first began paying soldiers at the start of the fourth century BC during the siege of the Etruscan city of Veii³¹⁸ close to Rome.³¹⁹ This was the first time the state extended service into winter;³²⁰ the *stipendium* was probably intended to compensate soldiers for increasing their length of service. This date, however, is contested: Nicolet, for example, questions the plausibility of Veii as the catalyst for the introduction of pay.³²¹ He argues that payment of the *stipendium* presupposes the existence of money, which was unlikely at that time;³²² Rich also thinks that the *stipendium* was introduced later during the Samnite campaigns.³²³

Regardless of when it was introduced, by the second century BC, a *stipendium* for service was an established part of military service, and soldiers expected it would be paid on time, and in regular allotments. Failure to do this, for example, could lead to unrest; it was one of the main reasons P. Cornelius Scipio's soldiers mutinied in 206 BC at Sucro in Spain.³²⁴ In the Polybian army, the *stipendium* was carefully regulated according to rank and function; an infantryman received (in Greek terms as Polybius wrote) two *obols* a day,³²⁵ a centurion twice as much, and a cavalryman was paid a *drachma*.³²⁶ Allied contingents serving in Roman consular armies also received a *stipendium*:³²⁷ they were allocated a paymaster

³¹⁸ The siege at Veii was significant for a number of reasons: as I have shown, it was there that the terms of service were extended for the first time into winter. For scholars, it has represented a convenient point to mark the start of Rome's annexation of the Italian peninsula; Rich is typical: "The annexation of Veii and distribution of its land were actions on a different, and for the Romans, unprecedented scale, and have rightly been seen as the first step in Rome's advance to an imperial power" (Rich, 2008, p. 13).

³¹⁹ D.C. 7.20; Liv. 4.59. The siege of Veii is traditionally dated between 400 BC – 396 BC (Roth, 2009, p. 267).

³²⁰ Liv. 5.4.

³²¹ See also Rosenstein, 2010, p. 293.

³²² Nicolet, 1980, p. 115.

³²³ Rich, 2008, p. 18; Rathbone, 2007, pp. 158-160.

³²⁴ Liv. 28.24: *flagitatum quoque stipendium procacius quam ex more et modestia militari erat*. "They made demands also for their pay with more petulance than accorded with the customary self-control of soldiers." See also Plb. 11.25.

³²⁵ This equated to a fixed rate of three copper *asses* a day, which was 3/10th of the standard silver *denarius* (Rathbone, 2007, p. 159). Soldiers could also receive increased pay or rations as a reward for exemplary service; for example, in 343 BC, after defeating a Samnite army, where rations were doubled in perpetuity and other rewards allocated to the soldiers (Liv. 7.37). This equated roughly to an annual *stipendium* for an ordinary infantry soldier of about 94 *denarii*.

³²⁶ Plb. 6.39. This equated to 1 silver *denarius*, or 10 *asses* (Gargola, 1989, p. 232). Polybius provided useful detail on the pay and ration system; in addition to pay, the infantry received a ration of wheat equal to about two thirds of an Attic *medimnus* a month, and the cavalry seven *medimni* of barley and two of wheat. Among the allies, the infantry receive the same and the cavalry one and one third *medimni* of wheat and five of barley. These rations are provided free to the allies, but in the case of Roman troops, the *quaestor* deducted from their pay the price of the wheat and their clothes, and any additional arms they needed.

³²⁷ As at Sal., *Iug.* 36. See also Lintott, 1993, p.70; Rosenstein, 2012, pp. 106-107.

during the recruitment process,³²⁸ and paid out of the money levied from allied communities.³²⁹ The introduction of the *stipendium* to help defray the costs of serving increased the administrative and financial burden on commanders to ensure there was enough money to pay their troops. Along with the natural resilience of rural communities, however, and the establishment of an effective logistics system, the *stipendium* helped the state keep soldiers in the field for longer periods. When other sources of finance were not available,³³⁰ the money used to pay the army was raised from a tribute levied on the community;³³¹ this helped to apportion more fairly the cost of war between those who served and those who did not.³³² The *stipendium*, however, was only ever meant to cover basic subsistence needs;³³³ the timocratic military system did not expect to have to support soldiers after discharge, and *assidui* were expected to have their own sources of income to fall back on.³³⁴ I argue that the Polybian pay scales did not represent much money; a slave doing manual work, for example, could earn up to 12 *asses* a day,³³⁵ three times the daily rate for an infantryman.³³⁶ When the costs of arms, food and other equipment were also deducted, the value of the *stipendium* was further reduced. Real money in service came not from pay, but from victory in war and the opportunities it provided to amass booty and donatives.³³⁷

The Roman Military System: The Minimum Property Qualification

Central to the republican concept of a citizen-militia and military service was the ideology that a soldier would fight harder, be more loyal and dependable in battle, and more readily

³²⁸ Plb. 6.21.

³²⁹ Liv. 27.9; App., BC. 1.7.

³³⁰ Those other sources of money could include, for example, reparations and tributes from former enemies defeated in battle (Serrati, 2007, p. 488). The scale of these reparations could be colossal: L. Aemilius Paullus, for example, secured 120,000,000 sesterces for the Roman treasury when he defeated the Macedonians in 167 BC, enough to maintain the pay of soldiers for years (Liv. 45.40; Plut., *Aem.* 32). For more information on the financial aspects of waging war in Republic, see Serrati, 2007, pp. 488 ff.

³³¹ Liv. 4.60.

³³² For Nicolet, the introduction of the *stipendium*, and the necessity to find money from the general community to support its regular allotment, was a definite step towards equalising the 'yoke of war' (Nicolet, 1980, p. 115).

³³³ Cagniat, 2008, p. 81.

³³⁴ On the important question of who was expected to meet the financial expectations of soldiers as it became clear that the state's economy was benefiting considerably from war, see Chapter Four below.

³³⁵ Cic., *Q. Rosc.* 9. It has to be acknowledged that Cicero's example is from the first century BC, but it still gives us a sense of the comparative value of the soldier's labour, even allowing for inflation.

³³⁶ Nicolet also argues that pay was a relatively small sum by the standards of the day, and cannot have been a major incentive to service (Nicolet, 1980, p. 116).

³³⁷ See Chapter Four below.

sacrifice his comfort and life for the state, if he had a material stake in its continued survival.³³⁸

*Sed quoniam res pecuniaque familiaris obsidis vicem pignerisque esse apud rempublicam videbatur amorisque in patriam fides quaedam in ea firmamentumque erat, neque proletarii neque capite censi milites, nisi in tumultu maximo, scribebantur, quia familia pecuniaque his aut tenuis aut nulla esset.*³³⁹

If citizens with such a stake in the Republic were more loyal and committed to it, then it followed that the use of soldiers who did not have such a stake – arming them, and allowing them into the army – was politically dangerous. Being poor, for example, they were dominated by the imperative to improve their economic condition, and would thus do anything for money: sustain the political ambitions of ruthless politicians,³⁴⁰ or even support sedition, attack the state, and engage in civil war.³⁴¹ This belief was manifested in the establishment of the Servian constitution: as I have shown above, it allocated citizens a specific role in the army, along with electoral influence, according to their regularly-assessed wealth. A crucial objective of this timocratic system was to use wealth to exclude from army service those who it considered did not have enough of a material stake in the state to make reliable soldiers. This objective was enforced by the implementation of a wealth barrier to service: the minimum property qualification of the fifth Servian class, and all citizens who served in the army had to meet it.³⁴² In theory, this ensured that the poorest of Roman society were excluded from the legions, were never regularly armed or trained for war, and that the demographic makeup of the republican army remained firmly *assidui*, predominantly small freeholders from the countryside.³⁴³ Along with the reliance on citizens and allied contributions to man the army, the timocratic ideal embodied by the Servian constitution was the ideological and practical foundation of the republican citizen-militia: the minimum property qualification remained in place for centuries, excluding the poor from army service, until its supposed abolition by C. Marius in 107 BC.³⁴⁴

³³⁸ A similar sentiment is at App., *BC* 1.11.

³³⁹ Gel.16.10: "But since property and money were regarded as a hostage and pledge of loyalty to the state, and since there was in them a kind of guarantee and assurance of patriotism, neither the *proletarii* nor the *capite censi* were enrolled as soldiers except in some time of extraordinary disorder, because they had little or no property or money." Similar sentiments are also at Plut., *Mar.* 9; D.H. 4.19.

³⁴⁰ Sal., *Jug.* 86.

³⁴¹ App., *BC* 1.57; 5.17; D.C. 33.108. For more on this line of thought, see Chapter Three below.

³⁴² Initially set at 1,100 *asses* (Liv. 1.43). See discussion at Chapter Four below.

³⁴³ As I have shown above, the poor still had an obligation to defend the state in emergencies. On the assumption that the minimum property qualification kept the poor out of the army, see Chapter Four below.

³⁴⁴ See Chapters Three and Four below.

The insistence on a minimum property qualification was another way the state could link the privilege of citizenship with the obligation to serve. By using wealth to restrict membership of the army, an emphasis was given to the exclusivity of military service, and of being allowed to take up arms to defend the state. This exclusivity was sharpened by the increasingly lucrative economic rewards associated with service as the empire expanded. Not everyone was eligible, and, for those that were, military exclusivity could feed feelings of contempt for the poor: *quae civitas ad id tempus ingenuae quoque originis capite censos habere milites fastidierat, eadem cellis servilibus extracta corpora et a pastoralibus casis collecta mancipia velut praecipuum firmamentum exercitui suo adiecit.*³⁴⁵ There was, however, a more prosaic reason behind the minimum property qualification that had nothing to do with ideology. It is possible that the poor were also excluded, not because they were exempt from the requirement to defend the state, but because the Servian constitution originally required citizens to provide their own equipment:³⁴⁶ the poor could not afford to do this. This rationale was clearly undermined when the state started providing initial arms and equipment to those who needed them against the surety of a future *stipendium*;³⁴⁷ with state support, poor citizens previously excluded from serving in the army could now do so. The ideological prejudice against them serving in the army inculcated by the Servian constitution, however, was deeply embedded in the tradition of republican military service. It was, for example, still firmly in place in the middle of the second century BC when Polybius described the army, even though the state had, by that time, begun meeting the costs of equipment. The result was a citizen-militia which included all but the poorest in its ranks, and reflected the social status of its members.³⁴⁸

³⁴⁵ V.Max. 7.6. "The community that until then had scorned to have *capite censi*, even of free birth as soldiers, added bodies drawn from servants' attics and slaves collected from shepherds' huts to specially strengthen its army." This was during the Second Punic War, when Rome was attempting to quickly replace the catastrophic manpower losses during the early part of the war.

³⁴⁶ Liv. 1.43; D.H. 4.19.

³⁴⁷ Plb. 6.39.

³⁴⁸ Phang, 2008, p. 15. By its recruitment practices and organisation, the Roman military system necessarily mirrored the social, political and economic hierarchy found in wider society among its members. For example, the richest members of Roman society, who formed the governing elite, also provided the generals who commanded the legions on campaign. Other officers, such as the military tribunes, also came from the upper strata of Roman society, and were gaining the ten years obligatory military experience they needed before considering a political career (Plb. 6.19). Conversely, for ordinary citizens, the rationale for serving was different. Whereas enough military service as a tribune or in some other official position opened the possibility of a political career for the sons of Rome's governing elite, service for the common soldiers met their civic obligation and no more. It was not a necessary step to anything beyond an accumulation of years served which counted toward eventual release from the obligation of active service. On the necessity of gaining military experience before starting a political career among the governing elite, see Millar, 1984, pp. 12 ff.

The Social War: Background and Causes

The Social War was fought between Rome and most of her former Italian allies in Italy between 91 BC and 88 BC.³⁴⁹ It began in the years immediately preceding Sulla's march on Rome; the war was in its final stages in 88 BC when Sulla was besieging Nola in the south, mopping up the remaining vestiges of Italian resistance.³⁵⁰ He was there when he was removed from command of the impending campaign against Mithridates:³⁵¹ leaving a small force to continue the siege, he began his assault on Rome from Nola.³⁵²

Modern scholarship on the historiography of the war is often contradictory,³⁵³ for example, Salmon argues categorically that the Umbrians and Etruscans did not join the revolt,³⁵⁴ but Nagle contends that they did, quoting the fighting between these peoples and the Romans in Livy and Orosius.³⁵⁵ Clearly, however, it was a very significant war: its consequences for Rome and the Italian allies were profound.³⁵⁶ For the first time since Hannibal's invasion of Italy during the Second Punic War,³⁵⁷ for example, there was major fighting in Italy, and with peoples who ironically had been integral for more than a century to the military

³⁴⁹ Principal ancient sources include: App., *BC* 1.37 ff; Liv., *Per.* 72 ff; Oros. 5.18; Plut., *Mar.* 32; Plut., *Sull.* 6; Diod. 37.2 ff; Flor. 2.6.5. For succinct summaries of the war, see also Dart, 2009, pp. 215 and 216; Roth, 2009, pp. 96 ff; Salmon, 1962, pp. 107 ff; Salmon, 1958, pp. 159 ff. Note that there is disagreement on when the Social War actually started: some sources say late 91 BC, when the Roman praetor was murdered in Asculum (Dart, 2009, p. 215; Patterson, 2006(b), p. 614); some scholars argue 90 BC, when major fighting between the armies broke out (Roth, 2009, p. 96; App., *BC* 1.39). Both variations are seen. I shall use the murder of the Roman praetor as the starting point, and remain faithful to 91 BC – 88 BC.

³⁵⁰ Vell. 2.17.

³⁵¹ App., *BC* 1.57.

³⁵² Plut., *Sull.* 9.

³⁵³ For further discussion on this aspect of the historiography of the war, in particular, the often patchy nature of scholarship on the war, see Ridley, 2003, p. 51, and Dart, 2009, p. 216. Ridley's discussion is particularly useful in this regard, and provides an exhaustive summary of the various scholarly viewpoints going back to 1738 (Ridley, 2003, p.31). See also Brunt, 1971, pp. 89 ff. for a fundamental analysis of the Italian allies and the Social War.

³⁵⁴ Salmon, 1962, p. 115.

³⁵⁵ Nagle, 1973, p. 372. The Livian tradition indeed records that the Umbrians and the Etruscans were defeated in battle after both regions revolted (Liv., *Per.* 74), as does Orosius (Oros. 5.18.17). It is thus hard to understand why Salmon made such a categorical assertion that the Umbrians and the Etruscans were not involved in the revolt in the face of Livy and Orosius; he may have relied primarily on Appian's list of the insurrectionist peoples which did not include the Umbrians and Etruscans (App., *BC* 1.39). Nagle argues that Appian glossed over the fighting in Umbria and Etruria (Nagle, 1973, p. 372, n.45). Interestingly, Salmon's view seems to have permeated some more contemporary scholarship on the war; Roth, for example, also doubts that the Umbrians and Etruscans remained loyal, but does not give detailed reasons for believing this (Roth, 2009, p. 96; see also Gabba, 1976, p. 72). I cannot explain the persistence of this view.

³⁵⁶ Patterson, 2006(b), p. 614; Salmon, 1962, p. 107; Nagle, 1973, 367; Roth, 2009, p. 97.

³⁵⁷ Plb. 3.56.

success and imperial expansion of the Roman state.³⁵⁸ It led to the extension of Roman citizenship to the Italians during the war, and in its immediate aftermath.³⁵⁹ The Roman state was thus reorganised to incorporate the new citizens,³⁶⁰ and, from this point on, what were formerly allied regions and Latin colonies became *municipia populi Romani*. The eventual effect of the incorporation of Italians into the Roman political system, and the opening up of political advancement to Italian elites, significantly enlarged the nature of Roman political discourse.³⁶¹ In 54 BC, for example, the contest for the aedileship was Italy-wide: the candidate Cn. Plancius from Atina³⁶² mustered support from not only his native town, but also from Arpinum, Sora, Casinum, Aquinum, Venafrum, and Allifae.³⁶³ The unification of Italy also provided a stable heartland without which the later imperial expansion and longevity of the Roman state would not have been possible.³⁶⁴ Moreover, the scale of the war was enormous: both sides, for example, may have put into the field more than 100,000 troops,³⁶⁵ the equivalent of 20 legions each.³⁶⁶ The scale of the Roman mobilisation was comparable to the effort that they made during the height of the Second Punic War: in the tenth year of the war in 208 BC, for example, the Romans had 21 legions in the field, not including garrison troops.³⁶⁷ Combined losses from the Social War have been estimated at up to 300,000 men.³⁶⁸ They included almost all of the Italian leadership;³⁶⁹ at one point, casualty levels were so high that both Roman and Italian senates ordered the slain to be buried where they fell, in case the funeral spectacles of so many

³⁵⁸ Plb. 6.26. On the contribution of the allies to the Romans state, see also Rosenstein, 2012, p. 76.

³⁵⁹ App., *BC* 1. 49, 53; Vell. 2.16.17.

³⁶⁰ App., *BC* 1.53; Patterson, 2006(b), p. 614. The way the Romans incorporated the Italians into their tribal voting system is contested, and much of the source evidence contradictory and incomplete: for a summary of this discussion, see Salmon, 1958, pp. 179 ff.

³⁶¹ It would also lead to future tension within the political system; the original Roman citizens attempted – ultimately unsuccessfully – to limit the political and voting power of the new Italian citizens (Vell. 2.20).

³⁶² On the borders of Samnium and Latium.

³⁶³ Cic., *Planc.* 22.

³⁶⁴ Salmon, 1962, p. 107.

³⁶⁵ App., *BC* 1.39. See Mouritsen, 1998, pp. 157–158, for a more complete discussion on the scale of the war. In the end, he doubts the exact numbers that the sources present for the armies fielded by both sides, while acknowledging its undoubted scale (Mouritsen, 1998, pp. 157–158). He also says it is clear that in respect of experience, equipment and technical and strategic skills, both sides were on an equal footing (Mouritsen, 1998, p. 157). In this, he has drawn the right conclusion (see my argument in Chapter Five below).

³⁶⁶ Assuming the higher of Polybius' figures for the size of the mid Republican legion (Plb. 6.20). He stated that the normal size of a legion was 4,200 men, but could rise to 5,000 in times of danger.

³⁶⁷ Liv. 27.22.

³⁶⁸ Vell. 2.15. Ridley, 2003, p. 52. For more detail on the scale of the Social War, including its human cost, see Ridley, 2003, pp. 52 and 53.

³⁶⁹ Ridley, 2003, p. 53.

dead damaged the morale of new recruits.³⁷⁰ Significantly, I argue that the Social War was also critical for helping create the conditions which led to the emergence of soldiers willing to risk civil war and intervene in political discourse.³⁷¹

The exact causes of the revolt are contested. For some scholars, it was the refusal of the Romans to extend suffrage to the Italian allies; this has traditionally made up a large part of the conventional rationale for the war.³⁷² Indeed, this is the principle theme running through Appian's depiction of the conflict and its causes, our only surviving continuous narrative of the era of the Social War and its preceding decades.³⁷³ In particular, it was the murder by political opponents in 91 BC of the tribune, M. Livius Drusus, which did most to convince the allies that they would never peacefully achieve full political rights or legal protections.³⁷⁴ The death of Drusus was highly symbolic to the Italians attempting to achieve greater status under Roman suzerainty:³⁷⁵ he promised to introduce a bill which, *inter alia*, extended full citizenship. His murder quashed that hope, and demonstrated the

³⁷⁰ App., *BC* 1.43.

³⁷¹ At this point of the thesis, I will not dwell on the critical importance of the war as a factor in the emergence of politically interventionist soldiers: that particular aspect will be covered in detail in Chapters Five and Eight below.

³⁷² App., *BC*. 1.39; Vell. 2.15. For modern adherents to this view, see Ridley, 2003, p. 52; Salmon, 1962, p. 107; Nagle, 1973, p. 367. According to the sources, the Italians, on the eve of the war, actually tried one last appeal to the governing elite. They sent ambassadors to Rome complaining that they had been denied full citizenship, even though they had made a very significant contribution to establishing the empire (App., *BC* 1.39). The Roman senate refused to yield, and thus Italian mobilisation continued.

³⁷³ Mellor, 2013, p. 478. Mouritsen, however, distrusts Appian's account, arguing that the theme of suffrage as the principal rationale for the Italian revolt may be a backwards projection from the imperial age when citizenship had become an absolute privilege (Mouritsen, 1998, pp. 109 ff.). Moreover, he argues that the citizenship question in Appian was actually referring to the Latin allies, not the Italian allies. This view fits neatly with Mouritsen's grand thesis that seeks to re-interpret the Italian war aims to one of separation from Rome, not integration. But Mouritsen is not consistent on his mistrust of Appian. In some places, he argues for a reinterpretation of Appian's text (e.g.; Mouritsen, 1998, p. 113.), but at other places in the same argument he is quite happy to accept Appian at his word (e.g.; Mouritsen, 1998, p. 131). In the end, it remains a plausible – but difficult to prove categorically – alternative theory. See Cornell for an argument on the accuracy of Appian as a source (Cornell, 1996, p. 112). See also Morstein-Marx for an argument that a deep *a priori* skepticism of Appian as a source for speeches to the army of 88/87 BC is unwarranted, given that he, in Morstein-Marx's view, presents themes consistent with late-republican contional oratory (Morstein-Marx, 2011, p. 271). He is presenting an argument that these speeches by Sulla and Cinna contained in Appian include appeals to legitimacy, and thus is dependent on Appian being a credible source. With this in mind, Morstein-Marx argues that Appian must have been at least following a very good source for these events, and that these appeals to legitimacy are plausible. It is an argument I agree with, as I will argue below in Chapter Nine.

³⁷⁴ Vell. 2.14; App., *BC* 1.38; Liv., *Per.* 71.

³⁷⁵ The Italians that befriended Drusus, according to the literary record, made an oath to him: that they would, if they became citizens by his law, consider Rome their country, and good things would transpire. If they were frustrated, however, the opposite would occur (Diod. 37.11). See also Gabba, 1976, p. 74.

depth of Roman opposition.³⁷⁶ For other scholars, the ‘franchise issue’ is downplayed in favour of Italian anger at their subordinate political and legal status, and a concomitant growing desire to establish their own state completely independent of the Romans: in short, a ‘separation, not integration’ argument. This view is carried most notably by Mouritsen,³⁷⁷ who, in 1998, presented a persuasive alternative argument to the conventional ‘franchise’ explanation. He argues that Italians had always preserved their ethnic identity and sought not integration with Rome, but independence in their own state, as a remedy to their marginalised political and legal status.³⁷⁸ The immediate trigger for the war was the Asculan riots,³⁷⁹ but the strategic rationale for revolution becomes the establishment of a new Italian confederation which attempted to supplant the position of Rome.³⁸⁰ Mouritsen also emphasises heavily Italian concerns about a planned re-distribution of Roman public land leading up to the Social War, and in which they stood to lose economically.³⁸¹

Whatever the exact reasons behind the Italian decision to rebel from Rome, by late 91 BC, Italian frustration at Roman intransigence, their continued vulnerability to arbitrary Roman abuses of power, and their inferior political and legal status, boiled over: the inhabitants of Asculum murdered the praetor, Q. Servilius, and hundreds of other Roman citizens living there.³⁸² Incited by the Marsi,³⁸³ and encouraged by the Italian leader, Q. Poppaedius Silo, most of Rome’s former allies revolted, set up a rival state,³⁸⁴ established a senate, elected

³⁷⁶ App., *BC* 1.35. For a more detailed discussion on the role of Drusus in exciting Italian expectations of citizenship, and a historical narrative of the events of Drusus’ murder, see Salmon, 1962, pp. 114 and 115.

³⁷⁷ But most recently, also including Rosenstein (Rosenstein, 2012a, p. 103.), who concludes that there was no reason to think that the Italian allies serving in Roman armies wanted to become Romans. I would not disagree with this thesis. In my view, the aim of the Roman military system was not geared toward producing political or legal integration or equality, rather tactical and cohesive integration for strict military efficiency reasons (see my argument below).

³⁷⁸ Mouritsen, 1998, pp. 138-140 ff. His argument is laid out in extensive detail in a *Special Supplement* (Number 70) to the *Bulletin of the Institute of Classical Studies*, 1998.

³⁷⁹ Diod. 37.13.

³⁸⁰ The key conclusion in Mouritsen’s thesis is found at Mouritsen, 1998, p. 141: “The circumstances of the outbreak, in sum, all conform with the theory of the war as a straightforward rebellion against foreign domination.”

³⁸¹ Mouritsen, 1998, p. 150. This is Drusus’ agrarian bill of 91 BC (see below). Mouritsen also argues that the Latins, for centuries partners of Rome, were showing signs of increased agitation and anger with Rome, and this may have encouraged the Italian allies to continue with their rebellion (Mouritsen, 1998, p. 150).

³⁸² As Dart points out, this was a different man from Q. Servilius Caepio, the brother-in-law of the murdered tribune, Livius Drusus. Caepio was eventually killed by the Marsian leader, Q. Poppaedius Silo, during the war (Dart, 2009, p. 215).

³⁸³ Vell. 2.15.

³⁸⁴ For a recent reassessment of the Italian constitution established at the start of the war, including more detail on its political structures, see Dart, 2009, pp. 215ff.

consuls and 12 praetors, recruited armies, and began a war with Rome to secure their independence.³⁸⁵

The riots at Asculum, in combination with Drusus' murder, may have provided the spark which ignited the war, but underlying tensions had eroded the relationship between Romans and their Italian allies for decades. Allied expectations for full citizenship and concerns over land, for example, had been aroused – and frustrated – earlier. In 125 BC, the consul, M. Fulvius Flaccus, proposed full suffrage to Italians as a way to solve tensions over the Gracchan land appropriations;³⁸⁶ as it did in 91 BC, this attempt failed because of Roman determination to limit citizenship, and thus helped remind Italians of their inferior status.³⁸⁷ Even if the aspiration to full suffrage at this time was thwarted, however, there is no doubt that participation in the Roman state brought advantages at many levels for Italian communities. Like Roman citizens, their soldiers, and thus their communities, benefited economically from the increasing opportunities to profit from war that expanding empire produced; when booty was distributed, for example, no distinction was normally made between citizen and ally,³⁸⁸ and if it was, it caused considerable consternation and ill-feeling.³⁸⁹ Allied veterans also benefited from the rare occasions when the state made *virgatae* allocations at the end of long wars. As I have shown above, up to 40,000 veterans of Roman armies stationed overseas were settled on *ager publicus* in southern Italy between 201 BC and 199 BC; given the high proportion of Italians serving in these armies, it is probable that they also received land. Italian civilians also benefited from the expanding empire, especially from the business opportunities that emerged in provinces.³⁹⁰ Large numbers of them were involved in trade at Delos,³⁹¹ in Africa at the end of the

³⁸⁵ App., *BC* 1.39; Liv., *Per.* 72; Diod. 37.2.

³⁸⁶ Some Italians, at least, were concerned they were going to lose land: as I have shown above, they approached their former military commander, P. Scipio Aemilianus, in 129 BC to advocate for their land rights in the senate (App., *BC*. 1.19).

³⁸⁷ App., *BC* 1.21.

³⁸⁸ The Italian contribution to the war effort, as I will argue in Chapter Five below, was appreciated by the Romans: they may, for example, have even instigated a war against the Dalmatians in 157 BC to ensure the fighting skills of their Italian soldiers did not become too enervated by peace (Plb. 32.13). On the universal expectation of booty and donatives between allied and citizen soldiers, also see Chapter Five below.

³⁸⁹ As it did in 177 BC, when, unusually, allied soldiers received half the booty of their citizen counterparts, leading to considerable ill-feeling, and a silent protest at the offending general's triumph (Liv. 41.13).

³⁹⁰ Salmon, 1962, p. 109. Banking services appear to have been a particular area of Italian dominance (Cic., *ad. Fam.* 13.11; Salmon, 1962, p. 112).

³⁹¹ Strab., *Orat.* 14.5.

second century BC,³⁹² and in Asia in the first century BC.³⁹³ The wealth from the provinces flowed back into Italian communities;³⁹⁴ it was manifested, for example, in the extensive second century BC building program of monumental sanctuaries and town beautification projects.³⁹⁵

Nevertheless, there were also serious, structural strains in the relationship – particularly in regard to legal protections and the status of Italian land.³⁹⁶ Italians, for example, were legally marginalised:³⁹⁷ they had no direct legal recourse to defend property rights, and had to seek legal remedies through the services of Roman patrons.³⁹⁸ Italian communities were also at the mercy of Roman policies of forced migration; they could find parts of their lands summarily appropriated for *ager publicus*, with no recourse to appeal. In 180 BC, for example, 47,000 Ligurians were forcibly removed from northern Italy, and resettled in lands that had originally, in the previous century, belonged to the Hirpini.³⁹⁹ Despite this, Italian land owners, especially the elite, were not completely powerless, even if they had to work through Roman citizens:⁴⁰⁰ in 129 BC, for example, at the urging of Italian patron, P. Scipio Aemilianus, the senate directed that the consul adjudicate an inquiry into land held by Italians.⁴⁰¹ There was, however, no guarantee for the future: the inferior legal and political status of Italians meant laws could be introduced at any point inimical to their agrarian or business interests, over which they would have no say, and little recourse.⁴⁰² Moreover, Italians had minimal legal protection against the arbitrary use of Roman power, a fact highlighted when a peasant from the southern Latin colony of Venusia was beaten to death for making a joke about a Roman passing in a litter.⁴⁰³ The destruction of the

³⁹² Sal., *Jug.* 26, 47, 66.

³⁹³ Plut., *Sull.* 24; App., *Mith.* 23; Mithridates, for example, killed many Italians in his uprising against Rome.

³⁹⁴ Gabba, 1976, p. 76.

³⁹⁵ Patterson, 2006(b), pp. 612-614.

³⁹⁶ Indeed, Mouritsen emphasises Italian dissatisfaction at plans for the redistribution of parts of the holdings of Roman public land at the centre of their decision to revolt from Roman suzerainty (Mouritsen, 1998, pp. 150-151).

³⁹⁷ Mouritsen, 2006, p. 424.

³⁹⁸ App., *BC* 1.19.

³⁹⁹ Liv. 40.38. Mass deportations and land expropriations, in particular, accompanied Rome's expansion into Italy during the third century BC, especially in the region of Picenum (for more detail on these events, see Nagle, 1973, pp. 372 and 373). Nagle paints a picture of Roman encroachment and encirclement of Italian lands.

⁴⁰⁰ Salmon, 1962, p. 110.

⁴⁰¹ App., *BC* 1.19. The consul, however, decided to do nothing.

⁴⁰² This fear was manifest in the 90s in greater Italian anxiety and restiveness (App., *BC* 1.36).

⁴⁰³ Gel., 10.3.

rebellious colony of Fregellae by a Roman army in 125 BC,⁴⁰⁴ led by the praetor, L. Opimius,⁴⁰⁵ must have been a further sobering reminder to the Italians of their fragile legal status, and of the brutal arbitrariness of Roman justice.⁴⁰⁶ More specifically, Italian anxiety over the lack of protection from arbitrary Roman power was fed by the behaviour of Q. Servilius at Asculum in 91 BC, and almost certainly contributed to his murder: he treated the Italians like slaves, and with the example of Fregellae before him, threatened them with dire punishments.⁴⁰⁷ Italian anxiety had been further heightened in 95 BC when the Romans decided to purge the citizenship rolls of Italians improperly enrolled as citizens in previous censuses, and expelling not only Italians, but also Latins from the city.⁴⁰⁸ It was clear Rome was not going to entertain Italian expectations of – or hopes for – citizenship, and was content to preserve the political and legal inequality inherent in Roman political dominance; this must have been galling to many Italians, given the major contribution they had made to the security and success of the Roman state.

By the late 90s, mutual hostility thus dominated the relationship; a measure of how volatile it had become was found at a theatre performance in Picenum one day in the late 90s. The Romans in the audience summarily lynched a rebellious Italian comic actor; the Picentines resolved then to do the same to a Latin comic actor known to be admired by the Romans. The Latin saved himself, however, by making it clear on stage that he was no Roman, and was subject to the same Roman power that they were.⁴⁰⁹ Relations between Romans and their Italian allies were poor; regardless of whether some Italian peoples wanted it or not, the extension of full citizenship to the Italians thus was one solution to the arbitrariness of Roman power and the inferior status of the Italians. With it, they gained social mobility,

⁴⁰⁴ Liv., *Per.* 60. The destruction of Fregellae was a potent symbolic act for the Italians; it was established as a Latin colony, but large numbers of Samnite and Paelignian families migrated there in 177 BC (Liv. 41.8), and, at the time of its destruction, its character was more Oscan than Latin. It was destroyed as Carthage and Corinth were destroyed for reasons that were not clear (Patterson, 2006(b), p. 614); it may have rebelled in protest at the Roman refusal to grant legal protections to its citizens (Liv., *Per.* 60).

⁴⁰⁵ This was the same magistrate who would later lead government forces in Rome against C. Gracchus and his supporters: see Chapter Seven below.

⁴⁰⁶ Salmon argues that the Oscan nature of the town explains why the Romans destroyed it so completely; they never would have done this to a Latin colony, as such colonies were integral to their hold over Italy (Salmon, 1962, p. 110). See also Mouritsen, 1998, p. 130, who argues that the example made of Fregellae was a clear indication to the Italians of the immense risks involved in rebellion against Roman suzerainty.

⁴⁰⁷ Diod. 37.13.

⁴⁰⁸ Salmon, 1962, p. 114.

⁴⁰⁹ Diod. 37.12.

political access, legal protection, and inclusion to the framing of Roman agrarian policy.⁴¹⁰ More importantly, they gained a measure of certainty and status at a time when the Roman political system had manifestly become more unstable, violent, and unpredictable.⁴¹¹ As I have shown above, Italian discontent, frustration, and anxiety for various reasons grew to such intensity that continued Roman intransigence provided a *casus belli*, the murder of Drusus a specific impetus for revolution,⁴¹² and the riots at Asculum the spark for action.

Despite the importance of the war, there was not complete ancient agreement on the list of peoples who subsequently revolted.⁴¹³ According to Appian, twelve groups joined the insurrection: the Marsi, Peligni,⁴¹⁴ Vestini, Marrucini, Picentines, Frentani, Hirpini, Pompeiians, Venusini, Apulians, Lucanians and Samnites;⁴¹⁵ he does not include the Umbrians or Etruscans. Livy's list has seven peoples: he agrees with Appian, but excludes the Apulians, Frentani, Hirpini, Pompeiians, Venusini.⁴¹⁶ He later records, however, that the Umbrians and Etruscans also joined the revolt and were suppressed after heavy fighting;⁴¹⁷ nine groups in total were thus involved in the insurrection. Diodorus was less precise: he wrote that the Samnites, Marsi, the people of Asculum, Lucanians, Picentines, the citizens of Nola, and other cities and people of Italy joined the revolt.⁴¹⁸ Orosius, who also records heavy fighting against the Umbrians and Etruscans, takes his list verbatim from Livy.⁴¹⁹ Florus, in a significant departure from other sources, says that all Latium, Campania, Picenum, Etruria, and, finally, all Italy rose against Rome.⁴²⁰ Despite the incompleteness of the sources, there was nevertheless enough agreement to indicate a

⁴¹⁰ Ridley, 2003, p. 52. In his summary of the war, Ridley concludes that, for most Italians, what mattered was protection against Roman law for the political elite, it was the franchise, and, for a smaller radical minority, it was independence from Roman rule.

⁴¹¹ On the decline of political culture at this time, and the emergence of political violence, see Chapter Seven below.

⁴¹² More than a century of involvement in the Roman military system, and the obvious importance of the allies to it, changed allied perceptions of their place in the Roman polity. This made an important contribution to their decision to revolt: for a discussion of these changes, see Chapter Five below.

⁴¹³ The most detailed analysis of the Italian groups that revolted still remains the 1958 article by Salmon (Dart, 2009, p. 217); for a complete list of the leaders of the Italian revolt, see Salmon, 1958, pp. 159 ff.

⁴¹⁴ Also known as Paeligni.

⁴¹⁵ App., *BC* 1.39.

⁴¹⁶ Liv., *Per.* 72.

⁴¹⁷ Liv., *Per.* 74.

⁴¹⁸ Diod. 37. 2. Diodorus' Nolans has been equated to Livy's Pompeiians (Salmon, 1958, p. 161). The point is that both are referring to Campanian rebels; we thus know that Campania was involved in the revolt.

⁴¹⁹ Oros, 5.18.

⁴²⁰ Flor. 2.6.5. With regard to Florus' statement, I agree with Salmon: Florus exaggerates wildly to impress on his readers the seriousness of the situation. This is "rhetorical rubbish" (Salmon, 1958, p. 160).

geographically diverse, wide-spread – and thus serious – insurrection. There were two main centres of resistance: one – primarily Latin speaking⁴²¹ – group of central Italian peoples centred around the Marsi,⁴²² and the other – primarily Oscan speaking – group of southern Italians centred around the Samnites. If the references to Umbria and Etruria joining the revolt were accurate, there was a third, northern centre of resistance. Virtually all of Italy south of the river Liris revolted, including the southern Latin colony of Venusia: these regions provided the primary battlefields of the war.

It is significant that the peoples that revolted had had a long military association with Rome.⁴²³ For more than a century, they provided major contributions to consular armies,⁴²⁴ participated in the overseas campaigns that helped secure Rome's imperial expansion,⁴²⁵ and thus were thoroughly versed in the Roman way of waging war.⁴²⁶ The region around Picenum, for example, was fertile and productive, and one of the foremost recruitment grounds for the Roman army.⁴²⁷ Moreover, I argue that many of the soldiers and commanders in the Italian army had had recent experience in Marius' army defending Italy against the Cimbrian invasions; many knew their Roman enemies, and had served with them.⁴²⁸ Against experienced and capable enemies such as these, the Romans had difficulty defeating the Italian confederation:⁴²⁹ the war was bitter and hard-fought, with little sentiment, and much cruelty, on both sides.⁴³⁰ While besieging the city of Pinna,⁴³¹ for example, the Italians executed the children of the besieged townspeople in front of them in

⁴²¹ Salmon, 1958, p. 161.

⁴²² Another name for the Social War was the Marsic War. Diodorus, for example, refers to the war in this manner (Diod. 37.2). This may be a reference to one of the most skilful, successful, and notable leaders of the Italian armies: the consul Q. Pompaedius Silo, who was a Marsian (Diod. 37. 2). The other consul appointed by the Italians was C. Papius Mutilus, a Samnite, who operated in the south (App., BC 39). I argue, however, that by limiting the war to a reference to the Marsi, it does not adequately capture the broad and widespread Italian nature of the conflict.

⁴²³ Diod. 37.22.

⁴²⁴ For example, the Marsi, Vestini, Marrucini, Frentani, Lucanians and Samnites were recorded as Rome's Italic allies, and furnishing troops, in Polybius' list of 225 BC (Plb. 2.23, 24).

⁴²⁵ Dart, 2009, p. 224; Patterson, 2006(b), p. 610; Nagle, 1973, p. 372; Salmon, 1962, p. 118.

⁴²⁶ For a full discussion of this important fact, and its implications for the emergence of politically interventionist armies, see Chapter Five below.

⁴²⁷ Nagle, 1973, p. 372.

⁴²⁸ Diod. 37.14. For the implications of this fact, including discussions of the characteristics of the Social War that made it feel like a civil war to the Romans soldiers fighting it, see Chapters Five and Eight below.

⁴²⁹ They suffered many reverses and losses, and came close to being defeated (App., BC 1.42; see also Chapter Five below). They were also forced to enrol freedmen for the first time to make up for the manpower losses (App., BC 1.49).

⁴³⁰ Vell. 2.16.

⁴³¹ This was a city of the Vestini which, unusually, stayed loyal to Rome, closing its gates to the Italian army.

an unsuccessful attempt to force surrender;⁴³² they also starved to death Roman officers who refused to join the Italian army when Nola was captured early in the war.⁴³³ The Roman inhabitants of the Latin colony of Aesernia, surrounded by the Italian army and cut off from Roman forces which tried unsuccessfully to lift the siege, ate dogs and animals to avoid starvation.⁴³⁴ When the Romans captured Asculum after a long siege, they scourged the men with staves and beheaded them with axes,⁴³⁵ emptied the town of its remaining population, having first removed their clothes and possessions, and comprehensively plundered it.⁴³⁶ Gradually, after hard fighting, the war turned against the Italians; toward the end, they became so desperate that they invited the Pontic king, Mithridates, to invade Italy and overthrow the Romans; he declined.⁴³⁷ By 88 BC, the revolt had largely been suppressed, the main Italian leaders killed, their armies defeated or dispersed, and the allies given citizenship: only the town of Nola still resisted.⁴³⁸

Conclusion

In this chapter, I have described the origins, evolution, and characteristics of the Roman military system. I have explained the crucial timocratic principle that governed republican military service, particularly the concomitant assumption that linked a minimum amount of personal wealth to suitability for service in the army. The chapter has also explored some of the key pressures that acted on the army – and the changes they produced for expectations of service. Additionally, I have covered the background and causes of the difficult and bloody late-republican Social War between Rome and her erstwhile Italian allies which immediately preceded Sulla's march on the capital. I have argued that an understanding of the Roman military system, and its principal characteristics, was a necessary foundation upon which the subsequent discussion of the reasons for the army's first decisive and large-scale intervention into Roman political discourse could proceed.

⁴³² Diod. 37. 20.

⁴³³ App., *BC* 1.42.

⁴³⁴ Diod. 37. 19.

⁴³⁵ The Romans were clearly making a point here: this was a traditional way to execute political criminals and rebels using both parts of the *fascēs*, the symbols of power of a Roman magistrate.

⁴³⁶ Oros. 5.18.

⁴³⁷ Diod. 37.2.

⁴³⁸ Vell. 2.17; Diod. 37.2.

Chapter Three

Theories of Intervention – The Conventional Explanation

Introduction

In the last chapter, I examined the characteristics and evolution of the Roman military system. This chapter outlines the view that has conventionally been advanced to explain the emergence of politically interventionist armies in scholarship: that is, that soldiers committed sedition and risked civil war because of what they could gain materially from service. Pecuniary self-interest is thus used, for example, to explain why L. Cornelius Sulla's soldiers decided to accept his invitation in 88 BC to become involved in his personal *inimicitiae*, engage in sedition, impose a political solution on the state and, in the process, risk civil war. It occurred largely because C. Marius abolished in 107 BC the minimum property qualification traditionally needed to serve, undermining the timocratic ideal that underpinned service in republican armies, opening up legions to the previously-ineligible poor, and infecting the army with a mercenary spirit – thus making it more receptive to the economic inducements of insurrectionist generals. Significantly, the conventional view argues that this was a new, vital ingredient of military service in late-republican armies, set against a background of moral decay in society which helped create the conditions in which interventionist soldiers could emerge.

As this chapter will show, it is the conventional view because these themes of pecuniary self-interest, and attendant notions of moral decay, dominated ancient explanations of intervention and civil war. They have also come to permeate modern interpretations of the army's political intervention, and its subsequent involvement in civil war. The chapter will demonstrate, for example, that much of modern scholarship seeking to understand the transition of the Republic to imperial state, especially the place of the army in this transition and the role of Marius's 107 BC recruitment reform, has reproduced ancient themes largely without alteration – and, in many cases, with a remarkable degree of conformity. Thus

Cagniard, faithfully reflecting ancient perspectives, is able to write of the fundamental change wrought by Marius' recruitment reform to the citizen-militia:

Consequently, from 107 onward, soldiers joined the army expecting their generals to provide financial rewards at the end of the campaign. In addition to the booty soldiers could gain from war, the anticipation of tangible benefits at the time of discharge became the motivation to serve, and this transformed the Roman soldier into a mercenary. Soon another consequence was to follow: soldiers understood that their future depended on their commander, the only one able to provide for them. This is at the root of professional and private armies.⁴³⁹

Ancient Explanations: Money, Moral Decay & C. Marius

The Conventional Explanation: Pecuniary Self-Interest as Dominant Motivator

When Sulla appealed to the army outside Nola to assist him in his personal *inimicitiae*, the reason given for the army's agreement to help him was that soldiers were afraid Marius would replace them, and they would thus miss out on the lucrative opportunities to amass booty promised by the eastern campaign against Mithridates.⁴⁴⁰ A strong sense of pecuniary self-interest among Sulla's soldiers, manifested specifically in a desire not for land or donatives but booty,⁴⁴¹ was therefore responsible for persuading the army to support him in his audacious plan to impose a political solution upon the state. The desire to profit from service may have been a factor working on the minds of Sulla's soldiers,⁴⁴² but this explanation admits no other nuance: the desire to improve their economic situation alone motivated soldiers to accept Sulla's invitation, and support his plan to march on Rome as if

⁴³⁹ Cagniard, 2008, p. 82.

⁴⁴⁰ App., *BC* 1.57.

⁴⁴¹ It is important to note here that it is the opportunity to amass booty in the east, not donatives from successful generals at the end of the campaign, or grants of land at the end of their service, that the soldiers want, and are prepared to support Sulla to protect. I argue that this emphasis on booty is in no way surprising: as a manifestation of pecuniary self-interest, booty is perhaps the most immediate, flexible, reliable and tangible reward that can motivate an ordinary soldier. Donatives, for example, rely on the generosity of individual generals, and as such, were inherently unreliable. Land grants, on the other hand, were not common, and anyway, contingent on there being large tracts of spare or appropriated land to allocate to veterans; in that they were usually handed out at the end of a soldier's service, they were a more uncertain and distant form of reward as far as the common soldier was concerned. A soldier might simply not survive his length of service to benefit from a land grant, and if he was, may have been injured so that he could not work the land to provide a living. Booty had none of these disadvantages, and could be allocated and converted to hard cash as the campaign progressed, thus benefiting the soldier in a more immediate way.

⁴⁴² In Chapter Four below, I place pecuniary self-interest in its proper context: it had a part to play at Nola, but, as later chapters below will show, it was not the only factor at work – nor even the most important.

it were an enemy capital.⁴⁴³ For this one ostensible reason, they violated centuries of tradition, interfered directly in civilian politics, and instigated Rome's first civil war. It is hard to overstate the importance of the implications that flowed from that decision of the army to underwrite Sulla's argument with his political enemies. Sulla may have rationalised that he was restoring the traditions of republican political culture, and curbing the power of political demagogues,⁴⁴⁴ especially the tribunate, but the republican system he restored was never the same again, and would not long survive his own death.⁴⁴⁵

The belief that the late-republican citizen-militia would engage in sedition, risk civil war, and support insurrectionist generals for material advancement, whether donatives, booty or land grants, permeated ancient attempts – during the late-republican period and the later imperial era – to explain and understand not only why Sulla's soldiers turned against the state, but the larger question of the Republic's descent into civil strife, and its eventual extinction. It was a view that appears to have been close in space and time to the events upon which it draws; it was largely set, for example, by the first century BC, when some of our most contemporary sources, C. Sallustius Crispus and M. Tullius Cicero, were writing, and followed implicitly by later imperial-era writers to a greater or lesser extent, some of whom, such as Appian, provide cogent narratives of the lead up to Sulla's march on Rome. In his explanation for the intervention of 88 BC, and more broadly for why late-republican armies followed their generals into civil war, for example, Appian⁴⁴⁶ was an exemplar of

⁴⁴³ There is, however, some evidence, albeit inconclusive, that Sulla's soldiers may also have been concerned about the manner of his removal from the Mithridatic command; see Chapter Eight below for the analysis of this evidence and its significance.

⁴⁴⁴ Keaveney, 2005, pp. 56 ff. It is an irony, considering the irreversible consequences for the Republic of Sulla's actions in 88 BC, that Keaveney calls Sulla the "last republican". Sulla may have considered himself a republican, but the reality of his actions and the subsequent consequences for the state – transgressing the bounds of traditional political behavior as he did – was quite a different matter (see Chapter Seven below).

⁴⁴⁵ For example, Flower argues that Sulla's actions meant nothing less than the end of republican government and its political culture, which had taken shape in the late fourth century BC (Flower, 2010(a), pp. 80 ff; Flower, 2010(b), pp. 92 ff.). Traditional government came to an end with Sulla's march on Rome in 88 BC, and the subsequent civil war; as a political watershed, it was stark, and resulted in a political construction that was different from any that had come before. While I agree with Flower on the significance of the consequences of the events of 88 BC, I argue that the watershed in political behaviour, especially the emergence of political violence, occurred long before 88 BC (see Chapter Seven below). I also contest her exclusivist focus on the actions of the governing elite as an explanation for the emergence of civil war; I argue instead that any holistic analysis should also include the motivations of the soldiers, since nothing could have been achieved without their support (see Chapter Eight below).

⁴⁴⁶ Nevertheless, Appian, the most expansive narrator for the events at Nola in 88 BC, and on the civil war period more generally, is conventionally regarded as one of the more reliable sources (for example, see de Blois, 2008, p. 170). An ardent admirer of Rome and a stout conservative, his contribution to our understanding of the events of 88 BC and the events immediately preceding it, stems primarily from his

this perspective, and his explanation was entirely consistent with its key tenets. He believed that pecuniary self-interest, and the rise of material inducement as the principal factor motivating soldiers, not only undermined traditional notions of military service, but dominated the relationship between commander and soldier in the late-republican armies.⁴⁴⁷ In Appian's view, soldiers no longer served in the common interest to meet their civic obligation, but exclusively for commanders who enlisted them, and to satisfy their own desire to profit from war.⁴⁴⁸

Rather than a nuanced perspective which allowed for other influences, there was instead a persistent emphasis on a simple financial arrangement between commander and his men that explained how an unscrupulous general could corrupt the army and align it with his personal political agenda. It is present in the belief, for example, that the inducement of material gain was the dominant factor motivating M. Antonius' army in the civil war that followed the assassination of C. Iulius Caesar in the middle of the first century BC: *in hac tam dispari ratione belli miserrimum illud est quod ille latronibus suis pollicetur primum domos – urbem enim divisurum se confirmat – deinde omnibus portis quo velint deducturum.*⁴⁴⁹ The imperial-era Greek historian, L. Cassius Dio, also focuses on the transactional relationship between general and soldier; although not specifically referring to events of 88 BC, rather to the civil wars of the mid first century BC, he nevertheless follows a familiar pattern, and emphasises the larger dynamic that he believes existed between money, soldiers, and the preservation of power in the late Republic. These two

attempt to choose and carefully organise his material from a number of Greek and Latin sources, in his continuous narrative of the civil war period, and in his preservation of social and economic information relevant to the events he was describing.

⁴⁴⁷ In this chapter, I term this working relationship between soldier and general in the army the 'command relationship'. It encapsulates concepts such as the lawful legitimacy of the commander to order, punish, reward and direct citizens while they were in service. There was also a pecuniary element of the traditional command relationship: Roman soldiers always expected their generals to provide opportunities for them to profit from war (see Chapters Four and Eight below). The conventional view, as I will show, distorts the pecuniary element of the traditional command relationship, elevating it in importance above all other factors as an explanation for the behavior of both commanders and soldiers in late-republican armies, especially those engaged in civil war and sedition.

⁴⁴⁸ App., *BC* 5.17.

⁴⁴⁹ Cic., *Phil.* 8.9: "In this quite different conception of war by the two sides, the most despicable aspects are the promises he [Antonius] is making to his cutthroats: first our town houses – for he assures them that he will divide up the city – that that he will lead them out of all the city gates and settle them wherever they wish." M. Tullius Cicero was writing of soldiers more than 40 years after Sulla's first march on Rome, at a time when any reluctance to fight fellow citizens had long gone. But his opinion is valuable as a reflection on the motivations that, he thought, impelled Antonius' men: consistent with the conventional view, it is entirely what they can get materially out of the arrangement.

things – material rewards and soldiers – create, preserve and perpetuate the domination of individuals over the state, and they remain dependent on each other.⁴⁵⁰

The moralising⁴⁵¹ first century BC Roman historian, Sallust, reflects these themes of pecuniary self-interest as the primary factor influencing soldiers of the late Republic when he analyses the actions of Marius in 107 BC; in that case, he considers that economic considerations were crucial in motivating the poor serving in the army. It was the anti-timocratic act of acceptance into the army of previously-ineligible poor that represented the primary political danger: he warns of a nexus between the poor in service, the impulse to improve their economic condition which naturally followed, and the exploitation of this desire by unscrupulous generals seeking to suborn the army for their own political ends. An unscrupulous politician and ambitious general such as Marius, for example, was wise to cultivate the poor, for they would naturally and necessarily do anything for money: *et homini potentiam quaerenti egentissimus quisque opportunissimus, cui neque sua cara, quippe quae nulla sunt, et omnia cum pretio honesta videntur.*⁴⁵² Along with pecuniary self-interest, the leitmotif of military service, at least as it refers to Marius' army, is thus the presence of the poor. The poor were the new factor, and the consequences of their inclusion fundamentally changed the character of the army. Sallust believes, for example, that the demographic composition of the army changed at the end of the second century BC: during

⁴⁵⁰ D.C. 42.49.

⁴⁵¹ I note, for example, that Sallust's main theme in his works was decline; for example: *At contra quis est moribus, quin divitiis et sumptibus, non probitate neque industria cum maioribus suis contendat?* "On the contrary, in these degenerate days, who does not vie with his ancestors in riches and extravagance rather than in uprightness and diligence?" (Sal. *Jug.* 4). This is evident in his second work, *Bellum Jugurthinum*, where Sallust depicts this period as the time when the arrogance of the nobility was first challenged. He has limitations as a historian; his themes of moral decline and decay are presented unsubtly. His fundamental conclusions are also open to query: he described, for example, the last decade of the second century BC as the time when the governing elite was first challenged. Yet, in my view, it was in fact in 151 BC, with the imprisonment of the consuls by an assertive tribune over the levy for the war in Spain, that the relative harmony between the senate, governing elite and ordinary citizens first started to unravel (Liv., *Per.* 48; see also Chapter Seven below). By the time of the Gracchi, there was outright disharmony and conflict, but there is no significant reflection of that in Sallust's works. Yet, despite this, he is still an important and influential source; it is largely through him that the Marian recruitment reform attains its historical status, and his detail on the operations of the late-republican army is valuable (for example, it is during Sallust's account of the war against Jugurtha that the use of *triarii* is last recorded in a Roman army: Sal., *Jug.* 50; see Chapter Five below). Sallust also attempted to go beyond the simple recitation of events and to explain their meaning and larger consequences for the state. His comment at Sal., *Jug.* 86 is a case in point.

⁴⁵² Sal. *Jug.* 86: "For one who aspires to power, the poorest man is the most helpful; since he has none, he has no regard for his property, and considers anything honourable for which he receives payment." He may be referring specifically to Marius, but given that Sallust's stated aim at the start of his narrative about the war with Jugurtha was to illustrate the broader decline of standards and morals in society at the time (Sal. *Jug.* 2-5.), I argue he is also making a larger comment about the type of recruit that was responsible for the moral decline of the army.

the *bellum Iugurthinum*,⁴⁵³ and specifically following the Marian recruitment reform of 107 BC.⁴⁵⁴ From this point on, the presence of the *proletarii* was increasingly a fact of service life.⁴⁵⁵ According to Sallust, this period, and the war against Jugurtha, was a catalyst for all the civil strife that followed. This began during the war, and it was the reason Sallust focusses his literary attention upon it: *quae contentio divina et humana cuncta permiscuit eoque vecordiae processit, ut studiis civilibus bellum atque vastitas Italiae finem faceret*.⁴⁵⁶

According to this view, the emergence of pecuniary self-interest, something new in late-republican military service, was thus both the reason insurrectionist generals could suborn the army, and the primary factor which motivated soldiers to support them in their personal *inimicitiae*. Its nexus with the influx of poor soldiers into the legions, also something unprecedented, created insurrectionist armies that could be exploited by their generals, and which had no fear of the civil consequences of their actions, particularly the risk of instigating civil war. Seditious generals and their opponents on the edge of momentous events might also include non-pecuniary factors in their appeals to soldiers, such as injustice, constitutional legalities, or the defence of the state.⁴⁵⁷ Cicero could thus argue that *nos libertatem nostris militibus, leges, iura, iudicia, imperium orbis terrae, dignitatem, pacem, otium pollicemur*,⁴⁵⁸ and the insurrectionist commander, L. Sergius Catilina, could invoke the public interest in pre-battle rhetoric to his soldiers in 62 BC at Pistoria: *nos pro patria, pro libertate, pro vita certamus, illis supervacaneum est pro potentia paucorum pugnare*.⁴⁵⁹ By this time, however, sentiments like these were not the main drivers; according to the conventional view, inducement which appealed to the pecuniary self-interest of soldiers dominated.

⁴⁵³ An account of the difficult and protracted war fought in Africa between Rome and the Numidian prince, Jugurtha, in the last decade of the second century BC.

⁴⁵⁴ I will cover the significance of Marius and his 107 BC *dilectus* to the conventional explanation for intervention later in this chapter.

⁴⁵⁵ Sal., *Iug.* 86.

⁴⁵⁶ Sal. *Iug.* 5: "The beginning of a struggle which threw everything, human and divine, into confusion, and rose to such a pitch of frenzy that civil discord ended in war and the devastation of Italy."

⁴⁵⁷ Such arguments, indeed, tell us much about what privileged and educated Romans believed motivated the ordinary soldier of the late Republic, especially those involved in civil war – or those armies about to risk it.

⁴⁵⁸ Cic., *Phil.* 8.9: "We promise our soldiers freedom, laws, justice, law courts, dominion over the world, dignity, peace and tranquility."

⁴⁵⁹ Sal., *Cat.* 58: "We are fighting for country, for freedom, for life; theirs is a futile contest, to uphold the power of a few men."

The Conventional Explanation: The Ancillary Effect of Moral Decay

In the view of ancient authors, pecuniary self-interest as an explanation why late-republican armies engaged in sedition and civil war was in turn part manifestation and symptom of a broader civil malaise: moral and ethical decay which weakened and corrupted Roman public life. The feeling that the late Republic faced a deep moral crisis was invoked as part of the explanation to help rationalise the emergence of politically interventionist soldiers, to explain changes that occurred in the army – and as a broader reason for the endemic military violence of the late Republic. It was persistent in rationales of violence and civil strife that, I propose, probably reflected the anxieties of those who wrote them:⁴⁶⁰ the sense of the Romans themselves that decay of morals and public life played a part in the political and social turbulence of the late Republic. Significantly, the moralising attempted to establish a causal relationship between the rise of soldiers willing to risk – and engage in – civil war, and moral degeneration, corruption, foreign luxuries in the army and society – and the pervasive obsession with increasing personal wealth at all costs.

For Sallust, the obsession with money and power, along with a concomitant decline in civic morals and increase in public corruption, underpinned his rationale for the emergence of interventionist soldiers, and the subsequent decline of the Republic.⁴⁶¹ He attempted to explain the emergence in 88 BC of the new factor present in the traditional pathways of power and position: the use of organised military violence by the army. He lamented that avarice, unbridled ambition and love of power were the dominant civic 'virtues' of the late Republic, adversely comparing morals at that time with traditional republican virtues: *boni mores, minima avaritia, ius bonumque, audacia in bello*.⁴⁶² Sallust believed that the transition from noble to ignoble, good to bad in public life, and honour to dishonour, not only changed the nature of Roman society, but provided the circumstances in which civil strife could thrive: *igitur primo pecuniae, deinde imperi cupido crevit; ea quasi materies omnium malorum fuit. Namque avaritia fidem, probitatem ceterasque artis bonas subvertit; pro his superbiam, crudelitatem, deos neglegere, omnia venalia habere*

⁴⁶⁰ For more on the subject of anxiety, and its manifestation in Roman texts, see Edwards, 1993, pp. 176 ff.

⁴⁶¹ Batstone, 2010, pp. 57 ff.

⁴⁶² Sal., *Cat.* 9: "good morals, minimum avarice, justice and probity, boldness in war." For a full description of what Sallust considered to be traditional republican virtues, see Sal., *Cat.* 8, 9.

educuit.⁴⁶³ Central to Sallust's critique was the judgment that pursuit of money *per se* was the dominant corrupting influence, whether manifested by the poor serving in the army, or among ambitious members of the governing elite in public life. Returning to this key theme,⁴⁶⁴ he reserved particular censure for Sulla and his mercenary soldiers, asking whether, with seditious generals and mercenary soldiers: *ne illi corruptis moribus victoriae temperarent?*⁴⁶⁵

Sallust's critique of Sulla embodied themes familiar to the conventional view: Sulla secured the army's loyalty, now filled with the poor, by appealing to its pecuniary self-interest. There was also, however, a moralising element to the criticism: exposure to enervating luxury, easy victories, and foreign temptations, corrupted the army, led to a decline of spirit, morale and discipline, and made it easier for Sulla to suborn it to his political agenda.⁴⁶⁶ Sulla's army was not the first to indulge in rapacious sacking or insubordinate behaviour while on campaign:⁴⁶⁷ in 146 BC, during fighting for the Carthaginian harbour of Cothon in Africa, troops of P. Cornelius Scipio Africanus Aemilianus stopped to sack the temple of Apollo, looting the gold, and ignoring the commands of their officers.⁴⁶⁸ Sallust's point, however, was unambiguous: the army had a special role in the moral turpitude infecting the Republic. Returning to Italy from overseas campaigns, it transmitted

⁴⁶³ Sal., *Cat.* 10: "Hence, the lust for money first, then for power, grew upon them; these were, I may say, the root of all evils. For avarice destroyed honour, integrity, and all other noble qualities; taught in their place insolence, cruelty, to neglect the gods, to set a price on everything."

⁴⁶⁴ For example, again at Sal., *Cat.* 11: "*Avaritia pecuniae studium habet, quam nemo sapiens concupivit; ea quasi venenis malis imbuta corpus animunque virilem effeminat, semper infinita, insatiabilis est, neque copia neque inopia mimitur.*" "Avarice implies a desire for money, which no wise man covets; steeped as it were with noxious poisons, it renders the most manly body and soul effeminate; it is unbounded and insatiable, nor can plenty or want make it less."

⁴⁶⁵ Sal., *Cat.* 11: "how then can men of corrupted character like this make a moderate use of their victory?"

⁴⁶⁶ Sal., *Cat.* 11: *Sed postquam L. Sulla armis recepta re publica bonis initiis malos eventus habuit, rapere omnes, trahere, domum alius alius agros cupere, neque modum neque modestiam victores habere, foeda crudeliaque in civis facinora facere. Huc accedebat quod L. Sulla exercitum quem in Asia ductaverat, quo sibi fidum faceret, contra morem maiorum luxuriose nimisque liberaliter habuerat. Loca amoena, voluptaria facile in otio ferocis militum animos molliverant. Ibi primum insuevit exercitus populi Romani amare; ea privatim et publice rapere, delubra spoliare, sacra profanaque omnia polluere.* "But after Lucius Sulla, having captured the state by force of arms, from a good beginning brought everything to a bad end, all men began to rob and pillage. One coveted a house, another lands; the victors showed neither moderation nor restraint, but shamefully and cruelly wronged their fellow citizens. Besides all this, Lucius Sulla, in order to secure the loyalty of the army which he led into Asia, had allowed it luxury and license foreign to the ways of our forefathers, and in the intervals of leisure those charming and voluptuous lands easily demoralised the warlike spirit of his soldiers. There it was that an army of the Roman people first learned to indulge in women and drink, to admire statues, paintings and chased vases, to steal them from private houses and public places, to pillage shrines and to desecrate everything, both sacred and profane."

⁴⁶⁷ For more on the army's record of insubordination and mutiny, see Chapter Six below.

⁴⁶⁸ App., *Pun.* 127.

corrupting influences into broader society; for Sallust, this process began with the military campaign against the Carthaginians in 146 BC.⁴⁶⁹ Other ancient authors, although they disagreed on dates, also believed that soldiers, exposed to enervating foreign influences, could act as a conduit into society for corrupting morals when they returned to Italy, disbanded, and rejoined civic life. Livy, for example, dated the start of the decline in morals to the return of Cn. Manlius Vulso's army in 187 BC after defeating the Gauls of Asia,⁴⁷⁰ while Polybius wrote that the army was first corrupted by eastern influences, such as Greek laxity, during the campaign in 168 BC to defeat the Macedonian king Perseus.⁴⁷¹ This topos reflected the belief that service overseas, and exposure to foreign influences, first corrupted the army, then weakened its discipline, and finally allowed the conditions for pecuniary self-interest to emerge as the dominate motivating factor of late-republican service.

Sallust was not alone in moralising in the first century BC about moral decay, or linking it to the emergence of interventionist armies. The early imperial Roman poet, M. Annaeus Lucanus, believed moral decay was the direct cause of civil war. By his logic, excess of wealth corrupted public morality, and led to unbridled ambition, a sense that 'might was right', and a willingness to surmount traditional bounds of political behaviour, the law, and the interests of the state, to achieve financial and personal success.⁴⁷² The poet's moralising critique on the causes of civil war and the emergence of soldiers willing to fight it focussed not only on the influence of moral decay among the major actors of the governing elite, such as Caesar or Pompey, but also the effect it had on ordinary citizens, who manned the army: *suberant: sed publica belli / semina, quae populos semper mersere potentes*.⁴⁷³ They too shared the blame for the emergence of late-republican civil strife. Lucan followed a familiar path:⁴⁷⁴ others also blamed a deterioration of Roman character for the outbreak of

⁴⁶⁹ Sal., *Cat.* 10.

⁴⁷⁰ Liv. 39.6.

⁴⁷¹ Pib. 31.25.

⁴⁷² Luc. 1.160-167: *Namque, ut opes nimias mundo fortuna subacto / intulit et rebus mores cessere secundis, / praedaque et hostiles luxum suasere rapinae, / non auro tectisve modus, mensasque priores / aspernata fames; / cultus gestare decoros / vix muribus rapuere mares; / fecunda virorum / paupertas fugitur, totoque accersitur orbe / quo gens quaeque perit.* "For when Rome conquered the world and fortune showered excess wealth upon her, virtue was supplanted by prosperity, and the spoil taken from the enemy lured men to extravagance: they set no limit to their wealth or their dwellings; greed rejected the food that once sufficed; men seized garments to use scarcely decent for women to wear; poverty, that creator of manhood, became a bugbear, and from all the earth was brought the special bane of each nation."

⁴⁷³ Luc. 1.158-159: "But the causes of war were hidden among the common people too; the causes which have always brought ruin upon the powerful nations."

⁴⁷⁴ For an excellent summary of Lucan's conception of civil war, see Fantham, 2010, pp. 207 ff.

civil war. Livy, for example, argued that empire and extravagance led to a relaxation of discipline at the personal level,⁴⁷⁵ a decline in public morals, and a concomitant descent into civil strife.⁴⁷⁶ The early imperial historical writer, Velleius Paterculus, reflected Lucan's emphasis on the causes of internal moral decay found in imperial expansion and victory: *potentiae Romanorum prior Scipio viam aperuerat, luxuriate posterior aperuit: quippe remoto Carthaginiis metu sublataque imperii aemula non gradu, sed praecipiti cursu a virtute descitum, ad vitia transcursum; vetus disciplina deserta, nova inducta; in somnum a vigiliis, ab armis ad voluptates, a negotiis in otium conversa civitas.*⁴⁷⁷ To some, adultery and neglect of religion amongst ordinary citizens of the late Republic also had a role in moral decline and societal collapse which manifested itself in armies willing to engage in civil war. The late first century BC lyric poet, Q. Horatius Flaccus, lamented that vice had, by his time, produced a degenerate and inferior generation, unlike their stout and morally upright ancestors who had defeated Carthage and won Rome its empire; this was the primary cause of the civil war and the turmoil which befell the Republic.⁴⁷⁸

The Conventional Explanation: The Pivotal Role of C. Marius

An important part of the conventional explanation for intervention is the role traditionally ascribed to the late second century BC general and military reformer, C. Marius. According to this view, firmly set through writers such as Sallust by the late-republican era, Marius transformed the army by discarding the timocratic property qualification for legionary service with fatal results for the Republic, allowing the poorest of society into the army, and thus infecting it with a mercenary spirit which unscrupulous generals subsequently exploited.⁴⁷⁹

⁴⁷⁵ Velleius Paterculus also believed personal vices could have significant implications for history. For example, he blamed by name the corrupt tribune, C. Curio, for doing as much as anyone to start the civil war between Pompey and Caesar: *Bello autem civili et tot, quae deinde per continuos viginti annos consecuta sunt, malis non alius maiorem flagrantioremque quam C. Curio tribunus plebis subiecit facem* (Vell. 2.48). "It was Gaius Curio, however, a tribune of the people, who more than anyone else, applied the flaming torch which kindled the civil war, and all the evils which followed for twenty consecutive years."

⁴⁷⁶ Liv. 1.9.

⁴⁷⁷ Vell. 1.17: "The first Scipio opened the way of world power for Rome, the second opened the way for luxury. When Rome was freed of the fear of Carthage, and her rival for empire was gone, the path of virtue was abandoned for that of corruption, not gradually, but in a headlong rush. The older discipline gave way to the new; the state passed from vigilance to slumber, from the pursuit of arms to the pursuit of pleasure, from activity to idleness."

⁴⁷⁸ Hor., *Carm.* 3.6.

⁴⁷⁹ Sal., *Jug.* 86; Flor., *Epit.* 1.36; Plut., *Mar.* 9; Gel. 16.10.

In 107 BC, during the difficult war against Jugurtha, Marius was elected consul for the first time and conducted a *dilectus*⁴⁸⁰ to raise new recruits to reinforce the army campaigning in Africa. The use of the *dilectus* to enrol new soldiers was routine, but, according to Sallust, Marius did something unexpected: *ipse interea milites scribere, non more maiorum neque ex classibus, sed uti cuiusque lubido erat, capite censos plerosque*.⁴⁸¹ The core of Sallust's criticism of Marius was that with this single reform he introduced into the increasingly competitive arena of Roman politics the one weapon unscrupulous generals needed to dominate the governing elite and seize control of the state: a volunteer army of *proletarii*, their impecunious condition giving them little stake in the established Republic, and willing to fight other Romans in civil war to advance the political interests of their general in return for material reward.⁴⁸² The imperial-era Roman miscellanist, Aulus Gellius, also emphasised the unprecedented nature of Marius' abolition of the Servian property threshold:⁴⁸³ *capite censos autem primus C. Marius, ut quidam ferunt bello Cimbrico, difficillimis reipublicae temporibus, vel potius, ut Sallustius ait, bello Iugurthino, milites scripsisse traditur, cum id factum ante in nulla memoria extaret*.⁴⁸⁴ The early imperial-era Greek philosopher and biographer, L. Mestrius Plutarchus, however, was more expansive: Marius' act of enlisting many poor and insignificant men into the army was against law and custom, and had been rejected by previous commanders who were careful to arm only those whose wealth, it was thought, gave them an interest in the continued wellbeing of the republican state.⁴⁸⁵ For Plutarch, abandoning the property qualification thus inverted the timocratic tradition, undermining the basis of the civic obligation to serve.

According to the conventional view, Marius thus discarded centuries of precedent and tradition, and the transactional compact between general and soldier was consequently altered. A reflection of this change in the command relationship could possibly be read into Marius' priorities when he returned to Africa. There was, for example, a need to train

⁴⁸⁰ *Dilectus*: the traditional and orderly selection of recruits in the annual business of raising Rome's legions. See Chapter Two above for more information.

⁴⁸¹ Sal., *Iug.* 86: "In the meantime, he himself enrolled soldiers, not according to the manner of the forefathers and not from the classes, but allowing anyone to volunteer, for the most part the proletariat."

⁴⁸² *Et homini potentiam quaerenti egentissimus quisque opportunissimus, cui neque sua cara, quippe quae nulla sunt, et omnia cum pretio honesta videntur* (Sal., *Iug.* 86; also see above).

⁴⁸³ See Chapter Two above.

⁴⁸⁴ Gel. 16.10: "Gaius Marius is said to have been the first to have enrolled soldiers from the *capite censi*, according to some in the war against the Cimbri in a most critical time for our country, or more probably, as Sallust said, in the war against Jugurtha, since such an act was unheard of before that time."

⁴⁸⁵ Plut., *Mar.* 9.

recruits, integrate them into existing formations, and raise their confidence; this Marius did in a series of small actions designed to gradually expose and familiarise them to the experience of war. With the army now reinforced with the poor, however, he also needed to enrich them; one of the first things he did was to march them into fertile districts, rich with booty and where minimal resistance was expected, and gave to them all that was captured.⁴⁸⁶ The necessity of enriching soldiers was as important a priority as ensuring the recruits were adequately trained; to build their confidence, and to guarantee that there was booty to distribute, Marius was careful to attack only those towns and fortresses that were not well defended.

Marius' act is thus important to the conventional explanation because of the fundamental change it introduced for participation in the military system. It admitted into service, for example, an influx of previously-ineligible volunteer poor, creating the conditions for pecuniary self-interest to subsequently emerge as primary motivator. I argue that at the heart of the conventional critique of Marius was that his reform changed the makeup of the army: from this point on, impoverished soldiers increasingly joined, and the army came to reflect less the propertied citizen, and more the *proletarii*. In this way, it could undermine the timocratic ideal that linked citizenship, and possession of a minimum amount of wealth, to assumptions of commitment and loyalty to the state in times of war. Moreover, it accelerated the evolution of the army into a vocational institution, concerned primarily with what it could gain materially from war, and which subsequently looked to commanders, not the state, for remuneration and opportunities for material gain. This necessarily changed the nature of the covenant between soldier and general, increasing the importance of the pecuniary aspect of their command relationship. The result was to make it easier for unscrupulous and seditious generals to use material inducement to align the army's interests with their own political ambitions. Marius, with his 107 BC recruitment reform, thus created the conditions in which politically interventionist soldiers were able to emerge.

⁴⁸⁶ Sal., *Iug.* 87.

Modern Interpretations of Intervention: Reflecting the Conventional View

Modern Interpretations of Intervention: Pecuniary Self-Interest and Moral Decay

Brunt wrote that “the historian of Rome can be likened to a man standing at the entrance of a cavern of vast and unmeasured dimensions, much of it impenetrably dark, but here and there illuminated by a few flickering candles.”⁴⁸⁷ Like Brunt’s candles in the vast cave of Roman historiography, modern explanations for intervention have attempted to cast light on the reasons why the army, after centuries of seemingly apolitical service,⁴⁸⁸ decided to intervene in political discourse and engage in civil war. What is notable is the degree to which modern explanations in much of scholarship adhere to the ancient, conventional view: soldiers intervened overwhelmingly for pecuniary reasons. Martin, for example, argues that Sulla’s men obeyed him, and marched on Rome in 88 BC, because of the economic benefits that Sulla could provide them; their economic relationship with Sulla is what both motivated them, and defined their obligation to him.⁴⁸⁹ This dynamic, according to Martin, is what largely delineates late-republican military service.⁴⁹⁰

Martin was writing in 2012, but the view he adheres to has long persisted. Syme, in a now dated analysis, argues nevertheless that the danger to the Republic came from poor soldiers recruited into the army, who looked toward service and their commanders for economic gain; this was the new factor of late-republican military service.⁴⁹¹ Brunt is more expansive, but still an exemplary proponent and shaper of the conventional view: for him, motivation of poor soldiers in late-republican service could be reduced to a simple pecuniary desire for material gain, primarily booty, money and land. For this, late-republican armies in general, and Sulla’s army in particular, were willing to risk civil war with fellow citizens, intervene

⁴⁸⁷ Brunt, 1988, p. 92.

⁴⁸⁸ In Chapter Six below, I will argue that rather than being a politically disinterested institution, the evidence suggests instead that citizen-militia had a long tradition of political activism, rebellion against the state for non-pecuniary reasons, and a strong historical understanding of its own insubordination in civic cause. In short, I argue that it was unlikely that the army was ever completely disinterested in political or social themes running in broader society. I will argue that this tradition would be important outside Nola in 88 BC as a framework against which Sulla’s soldiers could contextualise and rationalise his invitation to become involved in his personal political *inimicitiae* (for more on the events at Nola, see Chapter Eight below).

⁴⁸⁹ Martin, 2012, pp. 96 and 97.

⁴⁹⁰ Martin, 2012, p. 92.

⁴⁹¹ Syme, 1939, p.15.

in the personal *inimicitiae* of generals, and follow them into civil war, irrespective of the cause they professed to represent:

These soldiers had 'no stake in the country'; they were ready to take any opportunity of enriching themselves. The prospect of booty induced them to join up with Marius in 107 and obey Sulla's orders to march on Rome in 88; at all times they would seek plunder, donatives, rises in pay; but what they most desired was some assurance of a livelihood after discharge, and it was natural for them to look for this in the competency of a holding of land.⁴⁹²

Brunt's analysis of why late-republican soldiers engaged in sedition rests upon the perceived consequences of long-term financial decline and pecuniary hardship: it is, at its core, an economic argument. The inducement to act against the state was helped by an unsympathetic senate; the disloyalty exhibited by soldiers in 88 BC was encouraged by a senate which had done nothing to improve the economic situation of this class of poor soldier.⁴⁹³ According to Brunt, however, the causes of insurrection were mainly found in the impoverishment of the rural poor who manned the legions. The decline of the farming class was observable by 133 BC;⁴⁹⁴ the increasing scarcity of public land to augment the incomes of small land holders, a rising population, and the growing economic power of the rich, placed the small farmer under increasing stress. The demands of expanding empire, and the concomitant need to maintain armies further afield for longer, sharpened divisions between the governing elite and ordinary citizens, especially the small land holder upon whom the legions had relied for centuries. The rich, for example, benefited from expanding empire, and the "profits of warfare, government and public contracting now furnished the rich with large sums to invest, which they preferred to put into the aggrandizement of their holdings of land."⁴⁹⁵ Brunt notes that rural citizen-soldiers also benefited materially from increased opportunities for booty that expanding empire provided, but he maintains that far more were ruined by service overseas.⁴⁹⁶ He argues that two to three years in the legions, away from his fields, was enough time to ruin a small farmer; army service thus had the potential to reduce a man of some property to the same economic level as his proletarian comrades.⁴⁹⁷ There were efforts to revive the farming class by giving them more land: for

⁴⁹² Brunt, 1988, p. 77.

⁴⁹³ Brunt, 1988, pp. 37 ff.

⁴⁹⁴ Brunt, 1988, p. 246.

⁴⁹⁵ Brunt, 1988, p. 73.

⁴⁹⁶ Brunt, 1988, p. 73.

⁴⁹⁷ Brunt, 1988, p. 75.

example, through the land laws of Ti. Sempronius Gracchus in 133 BC.⁴⁹⁸ These efforts did not, however, remove the cause of their poverty: changed conditions of military service associated with longer overseas campaigns were inimical to the interests of the small landholder. As a result, there was a gradual impoverishment of the citizen-soldier serving in the legions.⁴⁹⁹ By the start of the first century BC, this was so commonplace that the army's primary imperative became its own economic self-interest, a new factor in the late Republic.⁵⁰⁰ The chronic economic condition of the soldiers was thus exploited by seditious generals to threaten and subvert the Republic.⁵⁰¹

Brunt does acknowledge the possibility of other factors acting upon the motivations of late-republican soldiers, including political and constitutional issues.⁵⁰² He points to the political slogans and themes of injustice found in rhetoric to soldiers as evidence of this.⁵⁰³ In the end, however, Brunt downplays the influence of non-pecuniary factors in persuading soldiers to risk civil war by becoming involved in the personal *inimicitiae* of their generals, or as a rationale to follow them into civil war. He argues that political issues and slogans were not, for example, a wholly negligible factor in determining the attitude of soldiers, but they were rarely, if ever, decisive.⁵⁰⁴ Brunt remains a proponent of the conventional view:

⁴⁹⁸ See Rosenstein, 2004, p. 169.

⁴⁹⁹ On this point, see Adams, 2007, pp. 204-25, and Chapter Two above.

⁵⁰⁰ In support of Brunt's analysis, it has to be acknowledged that the sources reflect the idea of a soldiery under economic stress. In the second half of the second century BC, Ti. Gracchus drew attention to the apparently poor economic situation of the common soldiery by pointing out that it even wild beasts have a cave to live in, while soldiers who fight and die for Italy have the air to breathe, but nothing else; destitute, they wandered around with their families (Plut., *TG*. 9). Around the same time, there were other indicators of financial strain in the army. C. Sempronius Gracchus proposed a military law in 123 BC which forbade the state from making deductions for clothing from a soldier's pay (Plut., *CG* 6). The same law also made it illegal to recruit anyone under seventeen. For a further discussion on the significance of C. Gracchus' laws in relation to the question of the poor in military service, see Chapter Four below.

⁵⁰¹ Brunt, 1962, p. 84.

⁵⁰² Brunt, 1962, p. 75.

⁵⁰³ For example, Brunt argues that L. Cornelius Cinna in 87 BC appealed to the army with bribes, saying that his removal violated popular sovereignty. In 82 BC, Sulla guaranteed the rights of the new citizens and professed to stand for a compromised peace. Both Caesar and the Pompeians spoke, however insincerely, of their attachment to the Republic and the constitution, and addressed such propaganda to their armies (Brunt, 1962, p. 76). In my estimation, Brunt is right on this point: generals trained and skilled in rhetoric presumably would not have used political or constitutional hooks in their exhortations, nor themes of injustice, if they did not think it would have had a persuasive effect on the audience. An almost formulaic style of address to troops, which has at its core a persuasive brew of injustice and constitutional rectitude mixed with naked appeals to self-interest, becomes evident at critical moments in many of the exhortations made by powerful generals ultimately acting in their own interest. For a further discussion on the place and significance of non-pecuniary persuasions to late-republican soldiers, see Chapter Four below.

⁵⁰⁴ Brunt, 1962, p. 76.

the desire of the army to benefit materially was responsible for allowing seditious generals to use it for their own political agendas.⁵⁰⁵

Gabba, in English translation, also places pecuniary self-interest at the centre of his rationale for the behaviour of ordinary citizens in late-republican armies: the soldier was an economic creature attracted to service by what he could materially gain, and not much else:

The impulses and sentiments of the masses must have been influenced only by considerations of an economic kind: *stipendium*, the booty which followed a war, and finally a plot of land as a reward for service. The last, though, was regarded not only and not always as a means of returning to a comfortable life in the country but as a piece of capital which could be readily realized. All these economic considerations would have exercised the strongest attractions for the masses.⁵⁰⁶

Like Brunt, Gabba argues that the nature of military service changed during the late Republic, changes that were exploited by ambitious generals: a gradual impoverishment of the army's recruits occurred, so there emerged a concomitant need to provide for them during and after service. This elevated the importance of pecuniary self-interest as the primary motivator for the behaviour of soldiers: Gabba describes this new reality of late-republican military service as the "veteran problem".⁵⁰⁷ He claims that there was never a need to provide for soldiers at the end of their service under the timocratic system;⁵⁰⁸ this changed when continuous service was gradually lengthened as a result of expanding empire and wars fought further from Italy. The consequences of this for the economic position of soldiers were severe. Gabba argues that an incompatibility, for example, rose between part-time service, embodied by the foundational principles of the citizen-militia, and the needs of expanding empire, which demanded from ordinary citizens longer periods of continuous

⁵⁰⁵ Brunt, 1988, p. 77: "They depended on their generals to provide for their interests. But the generals in turn depended on them to enforce their own will on the state. Sulla, Pompey, Caesar, the triumvirs, and Augustus himself all owed their power to their troops, and it was primarily by enriching them, and especially by promises and grants of land, that they secured their allegiance."

⁵⁰⁶ Gabba, 1976, p. 25.

⁵⁰⁷ Gabba, 1976, pp. 37 ff. Gabba is, however, incorrect to argue that the timocratic system did not provide for soldiers after service. As I will show in Chapter Four below, the system had built into it a long-standing expectation that generals would provide opportunities for soldiers to enrich themselves while on service, and also to provide more direct material donatives to the army. Moreover, it was not the first time the timocratic system had encountered the necessity to provide for soldiers who had served for long periods overseas. Land distributions made to veterans at the start of the second century BC suggested that the senate at least acknowledged that extended continuous service abroad could weaken the economic status of the citizen-militia, long before the problems of the late Republic almost a century later. It was a rare occurrence, but nevertheless, at the end of the long Hannibalic War, the state for the first time provided veterans who had served in Africa, Spain, Sardinia and Sicily two *iugera* of land for every year spent campaigning, mitigating the sharpest effects of continuous service and long absences from home (Liv. 31.4). See Chapter Four below.

⁵⁰⁸ Gabba, 1976, p. 39.

service.⁵⁰⁹ The military system, which had always relied on small landholders of means to fill its ranks, could not adapt to the demands of empire without annulling one of the fundamental underpinnings of the citizen-militia: temporary, part-time service with the requirement to return the citizen-soldier home at the end of campaigning season. The consequence of this irreconcilability, according to Gabba, was a proletarianisation by the start of the first century BC of the small landholding class, and thus, of the army.⁵¹⁰ Soldiers who were poor at the start of their service, had nothing to fall back upon when discharged;⁵¹¹ faced with this reality, soldiers increasingly looked toward their generals to provide the economic security they needed: "This, together with the fact that their demands as soldiers were purely of an economic nature, had drained the army of all political character."⁵¹² The overwhelming desire of poor soldiers to improve their economic condition was, in Gabba's view, the most significant consequence of the proletarianisation of the army: continuous military service and a proletarian army interested in material gain, together with the fact that generals changed less frequently, created bonds of an unprecedented nature, and joined general and soldier together in a relationship which was now inseparably connected with the military career of the general.⁵¹³

An emphasis on the impoverishment of soldiers, the consequence of this for the command relationship, and the subsequent elevation of pecuniary self-interest as the major explanation for the behaviour of late-republican armies, is also found in the work of other scholars. Badian argues, for example, that a practical outcome of the influx of volunteer poor into service at the end of the second century BC was the creation of 'client' armies, where the interests of the men aligned perfectly with those of ambitious generals.⁵¹⁴ He

⁵⁰⁹ Gabba, 1976, p. 23: "The continued service of soldiers under arms for long periods was fundamental here in that this was irreconcilable with the organisation of an army on the basis of a citizen militia." This is, by now, a familiar argument: Brunt also stresses the incompatibility of the needs of extended service with part-time citizen-militia, as part of the rationale for the gradual impoverishment and decline of the rural class that formed the majority of Rome's armies. For a counter view, see Rosenstein, 2004, pp. 64 ff.

⁵¹⁰ Gabba, 1976, p. 23: "The composition of the citizen militia was radically altered in so far as its economic status declined along with that of the middle class *adsidui* (although in theory the soldiers always came *ex classibus*) when, as I have already mentioned, the census minimum was reduced."

⁵¹¹ For a perspective that argues against the demographic decline of the small landholding class during this period, see de Ligt, 2012, pp. 160 ff., and Chapter Two above.

⁵¹² Gabba, 1976, p. 33. I fundamentally disagree with Gabba on whether the army was inherently a politically interested institution; for my argument, see Chapter Six below.

⁵¹³ Gabba, 1976, p. 26.

⁵¹⁴ Badian, 1970, pp. 15 ff. Badian's focus in his analysis of social, political and military relations in the Republic has at its core a well-published belief in the primacy, power and pervasive nature in Roman society of the client-patron relationship (for example, Badian, 1958, p. 2). Given that he sees political and social structures largely through the prism of the client-patron relationship, it is inevitable that he views the

contends that this influx helped save the state in a series of military crises that could not have been met with the regular *dilectus*;⁵¹⁵ but it also created client armies, and Sulla first saw its implications. According to Badian, the new armies had no stake in the *res publica*; their subsequent sedition vindicated the timocratic system, and the importance of the transactional relationship meant generals, such as Marius, now had to provide for more of their soldiers.⁵¹⁶ Beard and Crawford similarly believe that the emergence of a symbiotic relationship between poor soldier and ambitious general had critical consequences for the Republic. Most significantly, this nexus introduced into the political arena generals with armed forces that owed them personal loyalty; “a dangerous interdependence, which quickly turned explosive.”⁵¹⁷ Faithful to the conventional emphasis, this perspective rests on an assumption about the power of pecuniary self-interest to shape the actions of soldiers: the interests of soldiers could be aligned with unscrupulous generals because poor soldiers were overwhelmingly interested in material gain, and their loyalty could thus be secured with financial inducements. On a similar theme, Marin argues that the major change in the nature of late-republican military service was that soldiers increasingly looked to their commanders to provide financial rewards, such as donatives, booty and land.⁵¹⁸ By satisfying this need, ambitious generals could thus rely on their troops when they felt their own personal ambitions were curtailed by other aristocratic figures, or to oppose a senatorial decision or mandate.⁵¹⁹

Hildinger also reflects ancient explanations closely, arguing that economic considerations alone persuaded Sulla’s troops to support him. He argues that Sulla’s troops were no more

relationship between commander and soldier as part of the client-patron dynamic (see also Lintott, 1999(b), p. 182). Flower, writing in 2010, also uses the term ‘client army’ when referring to Sulla’s legions (Flower, 2010(b), p. 92).

⁵¹⁵ For a view which contests the idea that there was a decline in the effectiveness and frequency of the normal *dilectus* after Marius’ 107 BC reform, see Rich, 1983, p. 329. Here Rich persuasively argues that Marius’ approach appeared not to have been followed, and that large numbers of *proletarii* were thus not immediately recruited into the army. See also Chapter Four below.

⁵¹⁶ Badian, 1958, p. 205. As a case in point, Badian refers here to the nature of the new army that forced Marius in 100 BC to provide for more of his veterans by settling them in Africa.

⁵¹⁷ Beard & Crawford, 1985, p. 7.

⁵¹⁸ Marin, 2009, p. 173. I will examine more of Marin’s focus on this change in the command relationship between soldier and general as part of the discussion in Chapter Four below. For another, thoroughly conventional view on the importance of land and booty to late-republican soldiers, and the political consequences it had for the fate of the Republic, see Adams, 2007, p. 205.

⁵¹⁹ See Martin for a variation on this theme: he argues that this changed command relationship, based on what the soldiers could gain materially, created ‘client armies’, loyal to their generals and not the state, and thus ready to obey the orders of their generals regardless of the wishes of the senate (Martin, 2012, 92). See also Flower, 2010(b), p. 92.

happy than he was at the prospect of having the war against Mithridates taken away from him. War in poor countries, such as Spain, appalled citizen-soldiers, but the contrary prospect of losing a chance at war and booty in the richest part of the world had the same effect on the increasingly professional army. Sulla's legions saw themselves faced with the possibility that Marius would bring his own legions to Asia, and that the spoils would be theirs.⁵²⁰ To safeguard its right to benefit materially from service, the army's support for Sulla's plan to impose a political solution upon the state was thus inevitable.⁵²¹ Meanwhile, Shotter argues that Sulla's rhetoric to his troops stressed an appeal to pecuniary self-interest. In a conventional analysis recalling Badian's 'army of clients', Shotter argues that Sulla turned his army into a personal force by arguing that Marius would dismiss them, reinforced by the perception that the rewards under Marius' command would be far less substantial than under Sulla's.⁵²²

Unlike much of other scholarship, however, Morstein-Marx and Rosenstein soften the emphasis on pecuniary self-interest as a peculiarly late-republican characteristic of military service by noting that the desire to improve the economic condition was not necessarily new.⁵²³ They also concede the possibility of a more complex set of motivations for the soldiers by arguing that the soldiers may have been equally animated by their understanding of where political legitimacy lay, as by material motives in their support of Sulla.⁵²⁴ In particular, Morstein-Marx has argued recently that the issue of the consul's legitimacy in 88 BC, along with the desire to profit, was important to Sulla's soldiers, and

⁵²⁰ Hildinger, 2002, p. 172.

⁵²¹ For a similar argument, see Santosuosso, 2001, p. 37. He argues that Sulla's soldiers were motivated out of a sense of safeguarding their financial interests; by the late Republic, the dominant cause of conflict for the army was material gain taken from anyone.

⁵²² Shotter, 2005, p. 41. As I point out in Chapter Eight below, according to Appian, Sulla did not actually mention the subject of booty or the replacement of the army at Nola, preferring instead to talk about the injustice done to his dignity and the constitutional crimes of his political opponents. I will argue, however, that he did not need to directly mention the subject of booty: the inference and threat was already clear to his men; Sulla's dilemma reminded them of their own precarious situation, although I will also argue that there were no real grounds for this fear.

⁵²³ Morstein-Marx and Rosenstein, 2006, p. 632. Morstein-Marx and Rosenstein are somewhat unusual in scholarship as proponents of the conventional view in that they at least acknowledge that as an incentive, the desire to profit from war was not new in the late Republic. They do not, however, provide any new perspective on the motivations of the soldiers, nor do they extrapolate the implications of this acknowledgment. Instead, they simply repeat the ancient themes of the soldiers being afraid of missing out on booty, and that is why they followed Sulla into civil war (see Chapters Four and Eight below).

⁵²⁴ For more on this important point, see Chapter Eight below.

that they would have understood Sulla's appeals to them in these terms.⁵²⁵ In this context, Morstein-Marx adds useful nuance to the traditional view; using this context, an argument can thus be mounted that Sulla's soldiers were motivated in part in defence of republican traditions. In the end, however, pecuniary self-interest is still important to his and Rosenstein's explanation for intervention; they place the expectation of material bounty in the event of victory on equal footing with the legitimacy argument as an explanation for Sulla's soldiers following him into civil war.⁵²⁶ Even with the nuance of legitimacy, however, I argue that Morstein-Marx and Rosenstein are still taking too narrow a view of the motivations of the Sulla's soldiers, as I will argue below.

Keaveney's analysis is also much more nuanced and less emphatic regarding the economic imperative, particularly because it is one of the few that shifts attention, albeit briefly, from the impulses of the major actors of the governing elite onto ordinary soldiers, and discusses their motivations in 88 BC. To be sure, he still remains faithful to the conventional view by arguing that Sulla's soldiers followed him out of hopes of economic enrichment; this is his core explanation for intervention. Like Morstein-Marx and Rosenstein, however, he softens the link between the late-republican military service and pecuniary self-interest, and notes that the desire to profit was not unique in the late Republic.⁵²⁷ Keaveney also presents a different angle on most other modern explanations: whereas many of them emphasise change in the command relationship and growing interdependence between soldier and general by 88 BC, Keaveney argues that Sulla was in no way beholden to his men, and acted without reference to their needs: apart from expressing a fear that they would miss out on booty, his men were largely passive actors.⁵²⁸ In 88 BC, there was no change in the command relationship; for Keaveney, this came much later, in the second civil war period,

⁵²⁵ Morstein-Marx, 2011, pp. 259 ff. For Morstein-Marx, the events of 88 BC demonstrate in part a crisis of legitimacy, and, along with a desire to profit from war, the soldiers' actions can be viewed as an expression of the reverence that they held the republican consulship (Morstein-Marx, 2011, pp. 277 ff.). See Keaveney, 2007, pp. 75-76: a scholar also to raise recently the issue of Sulla's legitimacy.

⁵²⁶ Morstein-Marx and Rosenstein, 2006, p.632.

⁵²⁷ Keaveney, 2007, p. 94. The long-term presence of the desire to profit among Roman soldiers, as I shall argue, is important to my argument: see Chapters Four and Chapter Eight below for implications and detailed analysis of this issue.

⁵²⁸ Keaveney, 2007, p. 68. For example, Keaveney contends that there was no evidence of Sulla's soldiers, as a united group, expressing wants or a desire for land or money; they remain passive in the relationship, happy in the traditional way to receive whatever their commander may give them. The important point to be drawn from Keaveney's views, as far as my argument is concerned, is that the army in 88 BC was in no way different in an economic sense from those that had come before it: as I will show in chapters below, the economic rationale for intervention as the new, dominant factor of late-republican military service is thus weakened considerably.

when soldiers learned to speak for themselves, take without asking, and seditious generals had to factor into their plans the economic needs of soldiers, such as land or money.⁵²⁹

Meanwhile, Cagniard is much more an exemplar of the emphatic conventional view as it relates to the exclusivity of the economic imperative. He argues, for example, that the mercenary impulse motivating the late-republican army is the key to explaining why seditious generals were able to challenge the state. He contends that financial greed alone motivated Sulla's men to align their interests with his political ambition: for Sulla's soldiers, the war against Mithridates was less important for military glory than for the anticipated financial rewards.⁵³⁰ Sulla was able to take the unprecedented step of marching on Rome because of the nature "of the new army, an army of mercenaries."⁵³¹ According to Cagniard, these same mercenaries would later find civilian life hard and unrewarding after discharge, and through bad luck or design, many would re-enlist to become professional soldiers.⁵³² He has no illusions about the motivations of soldiers engaged in sedition or civil war: overriding desire for economic enrichment. He argues that generals, therefore, needed to satisfy this demand by large donatives, allocations of land, and booty to keep their armies loyal.⁵³³ Moreover, Matthew argues that pecuniary self-interest, elevated to prominence by the influx of impoverished soldiers,⁵³⁴ shifted the loyalty from the state onto generals, and changed the sense of duty inherent in the pre-Marian soldier.⁵³⁵ For Matthew, the desire to improve the economic condition of their men was the new late-republican factor of military service which ambitious generals could exploit to threaten the state. The consequence, for example, was that soldiers followed generals who could provide profitable, continuous service, regardless of foe or cause; this explained why the army became a political tool in the hands of seditious commanders. By Matthew's logic, this

⁵²⁹ Keaveney, 2007, p. 67. The one political initiative that Sulla introduced to his army in 88 BC, according to Keaveney, was to place political issues before the army that had no place in the army: in short, he blurred the distinction between military and political *contio* (Keaveney, 2007, p. 95). See Chapter Six and Chapter Eight below.

⁵³⁰ Cagniard, 2008, pp. 82 ff.

⁵³¹ Cagniard, 2008, p. 82.

⁵³² Cagniard, 2008, p. 83.

⁵³³ As Pompey discovered during the second civil war period against Caesar (Plut., *Pomp.* 45).

⁵³⁴ According to Matthew, this influx was caused by the enrolment of large numbers of previously ineligible poor – starting in 107 BC with Marius' abolition of the minimum property qualification needed to serve in the legions (Matthew, 2010(a), p. 20). See Chapter Four below.

⁵³⁵ Matthew, 2010(a), p. 21.

consequence thus explained why soldiers were willing to follow Sulla to Rome, risk civil war, and intervene in political discourse.

As I have shown above, despite some recent softening, modern interpretations largely reproduce the dominant themes of pecuniary self-interest inherent in ancient explanations of intervention. Some of them also reflect the anxiety evident in sources over the decay of public values and morals, and its connection with the eventual decline of the Republic. Late-republican society, for example, is described as a community in moral, ethical and spiritual crisis; in part, this is reflected in modern attempts to understand the emergence of politically interventionist armies. Typical is Cowell: he argues that during the late Republic, there was a “mad race” for luxury and enjoyment; religion lost any vital hold on life, and politics became a matter of personal ambition, rather than of devotion to the public interest.⁵³⁶ For Lind, Sallust’s analysis of a state suffering from moral decline at the time of Sulla was accurate,⁵³⁷ while Smith argues that it was a lack of idealism, “this moral deterioration, the selfishness”,⁵³⁸ which provided the key to understanding the Republic’s last century. Blits argues that the Republic’s demise was related to the corruption of republican life, declining public spirit and civic virtue.⁵³⁹ Much of this moralising, however, is dated, and does not have the same prominence in much of contemporary critique. More common now is the approach taken by Adams; he argues that a moralising approach to the fact of Roman armies expecting service to provide opportunities for material advancement is unreasonable, for all armies engaged in the demand for booty and all expected reward for their service.⁵⁴⁰

Above are examples of the modern orthodoxy for explaining the emergence of politically interventionist armies. Various explanations are posited for why the army came to be filled with impoverished soldiers: changed conditions of service, expanding empire and an influx of poor and previously ineligible citizens into the army at the end of the second century BC. In some modern interpretations, there has also been a reflection of the moral anxiety evident in the sources. All these explanations, however, have at their root an emphasis on

⁵³⁶ Cowell, 1948, p. 227.

⁵³⁷ Lind, 1965, p. 243.

⁵³⁸ Smith, 1955, p. 88.

⁵³⁹ Blits, 1981, p. 40.

⁵⁴⁰ Adams, 2007, p. 209. For my counter-argument on this point of the uniqueness in late-republican armies of financial expectation from service, see Chapter Four below.

the desire for financial gain: the assumption that soldiers supported their generals in their personal *inimicitiae*, engaged in sedition, risked civil war, and followed their commanders into conflict, because of the dominant influence of pecuniary self-interest.

Modern Interpretations of Intervention: The Role of C. Marius.

Modern interpretations of Marius' role in the emergence of politically interventionist legions also, in large part, reflect ancient perspectives: by allowing previously-ineligible poor into the army, Marius' 107 BC recruitment reform changed the nature of late-republican military service demographically and socially, and thus created the necessary conditions for pecuniary self-interest to emerge as the dominant motivator. This reform has continued to be axiomatically associated with the decline of the Republic; for a long time, it has provided a convenient, ready-made explanation for the army's support of its generals in insurrection and civil war. Cowell is typical:

The new model army created by Marius was largely composed of professional soldiers recruited for long-term service, drilled and disciplined but looking for their rewards to what their army service would bring them, and not to a return, as speedy as possible, to the homes and the farms which few of them now possessed. The army became a new power in the state distinct from the citizen body with which it had from time immemorial been identified.⁵⁴¹

Watson emphasised the link between the reform and the importance of the economic factor in the command relationship of late-republican armies, specifically those armies used by seditious generals to threaten the state. He argues that Marius changed military service from a civic obligation to a vocation, and allowed its economic rewards to assume greater importance.⁵⁴² Both these analyses are now dated, but the view persists that Marius' initiative was the pivotal event which fundamentally altered the nature of the army, and introduced into politics a dangerous new element. Hildinger, for example, argues that it was a revolutionary act: by opening up service to the ineligible poor in the absence of an emergency, Marius shifted the nature of military service away from a temporary militia toward a professional institution.⁵⁴³ This consequence was a danger to the Republic; a militia's first loyalty was to the state, but Marius' half-professional army naturally looked

⁵⁴¹ Cowell, 1948, p. 227.

⁵⁴² Watson, 1958, p. 120.

⁵⁴³ Hildinger, 2002, p. 99. For another perspective that views Marius' reform as a revolutionary event, with critical implications for the army and the Republic, see Matthew, 2010(a), pp. 20-21. See also Chapter Four below.

toward its general, and had a keen interest in his success.⁵⁴⁴ Marin also argues that the army became a danger to the Republic because of Marius' reform. She contends that his recruitment of poor volunteers was responsible for shifting the personal responsibility onto the general to reward soldiers during and at the end of the campaign.⁵⁴⁵ This bound the army more tightly to its general; he could now call on his soldiers to threaten the stability of the state, force through legislation, and secure power over political rivals.⁵⁴⁶

Shotter's view, meanwhile, emphasises the economic consequence of allowing impoverished soldiers into the army. Marius' reform was critical in the evolution of the army: its real danger to the Republic became clear after the Cimbric wars when impoverished veterans needed land upon demobilisation.⁵⁴⁷ This set a dangerous precedent. Adams is more nuanced: he acknowledges that anti-Marian biases in ancient texts may have overstated the effect of the reform.⁵⁴⁸ Nevertheless, he still argues that Marius' abolition of the minimum property qualification fundamentally changed the nature of the army by discarding its traditional timocratic underpinning.⁵⁴⁹ Santosuosso argues that Marius' 107 BC reform effectively proletarianised the army; after this, the goal of soldiers was to reap the highest economic benefit possible from service.⁵⁵⁰ For Cagniart, the actions of Sulla and his soldiers in 88 BC were explained by the recruitment reform of 107 BC: "So both the consul and his legions marched on Rome to reverse the law that had deprived Sulla of his command, an unprecedented move made possible by the nature of the new army, an army of mercenaries. It was the logical consequence of the reforms of the draft Marius himself had made."⁵⁵¹ Even Flower, who presents a more nuanced and complex account of the breakdown of the republican system by arguing that it was not functioning by the time Sulla decided to march on Rome,⁵⁵² emphasises the political consequences of Marius'

⁵⁴⁴ Matthew, 2010(a), pp. 20-21. For a similar argument about the transference of loyalty, see also Kildahl, 1968, p. 76.

⁵⁴⁵ Marin, 2009, pp. 38-39. For my argument contesting Marin's view, see Chapter Three below.

⁵⁴⁶ See also Mackay, 2004, p. 104.

⁵⁴⁷ Shotter, 2005, p. 38.

⁵⁴⁸ Adams, for example, makes that point that anti-Marian sources would have us believe that the reform was crucial. But Marius was a pragmatist and was merely recognising the *status quo*; there is no reason to believe that there was a sudden rush to enlist among the landless poor, nor that the levy became obsolete (Adams, 2007, p. 208). On Adam's point, see Chapter Four below.

⁵⁴⁹ Adams, 2007, p. 208.

⁵⁵⁰ Santosuosso, 2001, pp. 10 ff.

⁵⁵¹ Cagniart, 2008, p. 82.

⁵⁵² Flower, 2010(b), pp. 92 ff.

reform in 107 BC, and traces this as the point where veterans started looking toward their general for benefits at the time of discharge, altering the command relationship.⁵⁵³

These perspectives thus form part of the conventional view attempting to explain why the army supported seditious generals, intervened in political discourse, and engaged in civil war.⁵⁵⁴ It judges the role of Marius in 107 BC as crucial to changing the demographic composition of the army, ultimately making it more receptive to the material inducements of insurrectionist generals.⁵⁵⁵ Largely reflecting ancient views, the conventional view attributes to the reform significant consequences for the nature of late-republican military service: the emergence of pecuniary self-interest as the dominant explanation for the behaviour of soldiers engaged in sedition, the growth of an exclusivist transactional relationship between soldier and general based primarily on material reward, and the transference of the army's loyalty away from the state to commanding generals.

Modern Interpretations of Intervention: The Role of Professionalisation

A sub-element of the contemporary criticism of Marius' reform, and of the consequence of allowing previously-ineligible poor to serve in the army, is the catalytic and hastening effect it had on the evolution of the army into a professional institution.⁵⁵⁶ It is advanced as a part of the conventional rationale to explain how the traditional citizen-militia of the Republic came to threaten the state. Cagniard, for example, views the historical narrative of armies used by insurrectionist generals, such as Sulla and Caesar, as predominantly the story of a shift from a temporary, part-time militia to a professional institution, which largely began with Marius' reform, and found its final and most complete manifestation in

553 Flower, 2010(b), p. 76. It has to be acknowledged, however, that Flower does admit at this point that Marius' reform did not mean all Roman soldiers were suddenly landless overnight; men of little wealth had been serving for some time. It is an important concession from Flower, and one which I will pick up extensively in Chapter Four below.

554 Keaveney, 2007, p. 37: "Sulla's march on Rome in 88 was unprecedented. Efforts to explain the behaviour of the troops tend to centre on their supposed status as a result of the reforms of Marius."

555 For a short – but very recent – summation of the Marian 107 BC recruitment argument, see de Ligt, 2012, p. 183. De Ligt surveys the various arguments, but ends up concluding that the evidence does not definitively anchor the reform to any one specific demographic scenario. In other words, de Ligt does not come down firmly on any one side of the argument.

556 For both 'professionalisation' and 'professional', I mean in the vocational sense, where service takes on the look and appearance of a livelihood, with soldiers considering the military their only career, source of remuneration and home, more distinct and removed from society. I do not refer here to 'professional' as a statement of the technical competency of the citizen-militia.

the civil war army of Caesar.⁵⁵⁷ According to Cagniard, these soldiers became dissociated from civil society. They found in their comrades and army service a new world, a new way of life: the vocation of a professional soldier, and it was with these soldiers that insurrectionist generals, such as Sulla and Caesar, dominated political discourse. According to the conventional view, Marius' reform was critical to the process of professionalisation: Serrati argues that the abolition of the property qualification laid the foundation of the professional army.⁵⁵⁸ Matthew argues that by allowing the poor to serve, Marius' reform allowed the state to exploit a large pool of willing manpower, and thus set the foundation of the standing armies of the imperial period.⁵⁵⁹ Moreover, the pressure toward professionalisation, and the emergence of large numbers of citizen-soldiers who saw service as a vocation, not just a civic obligation, is viewed as a unique factor of late-republican military service. Gabba, for example, accepted that a professional army was the new ingredient in late-republican power equations, as well as an established fact.⁵⁶⁰

The implicit critique associated with the professionalisation argument is that Marius, by dismantling the timocratic recruitment system with his reform, hastened the process of change in the army from a part-time institution, intimately connected with – and sympathetic to – the society from which it was drawn, into a more permanent, self-contained, self-interested institution, alienated from society, and unmoved by the civic implications of its own actions. Above all, the critique of professionalisation is associated with the importance of pecuniary self-interest as a motivating factor of service: professional soldiers necessarily wanted to make money. In its implicit binary logic, the conventional view assumes that a professional army, open to the poor, was *per se* a danger to the Republic, more likely to align its interests with the political ambitions of insurrectionist generals, while a traditional, timocratic citizen-militia was not. A strong sense of pecuniary self-interest was thus a prerequisite of a professional institution; such an institution is axiomatically equated with disloyalty to the state.⁵⁶¹ The accelerated process of

⁵⁵⁷ Cagniard, 2008, pp. 84–85.

⁵⁵⁸ Serrati, 2007, p. 496.

⁵⁵⁹ Matthew, 2010(a), p. 25.

⁵⁶⁰ Gabba, 1976, p. 117.

⁵⁶¹ Keaveney neatly summarises the conventional thinking (which he does not himself support) on this point in his 2007 monograph on the role of the army in the Roman revolution: "Once Marius, by his reforms in recruiting in 107, supposedly created a professional or revolutionary army then its characteristics were set and not to be altered. So Sulla's role is that of a man who saw what Marius could not, the potential of the new

professionalisation is linked to the influx of impoverished soldiers into the army in the late second century BC. The conventional criticism incorporates the sense that a poor man in service, and thus a professional, would do anything for money: *omnia cum pretio honesta videntur*.⁵⁶² Poor soldiers, with nothing to fall back on after discharge, naturally became attached to service and the economic opportunities it provided, and thus emerged as professionals: de Blois, faithful to the conventional perspective, outlines the consequences:⁵⁶³

The soldiers of the new type were not only in this sense more professional, they were also more often full-time soldiers; most did not have farms to return to. They began to constitute masses separate from the people, disciplined to their kind of work, exchanging their labour-capacity for bounties, booty and pay; to them military service was a livelihood or a necessary evil, not a natural and normal part of a citizen's duty.⁵⁶⁴

Conclusion

As I have shown above, ancient and modern explanations of the emergence of politically interventionist armies in the late Republic are dominated by the belief that soldiers engaged in sedition, risked civil war, and supported their generals in personal *inimicitiae*, overwhelmingly because of what they could gain materially. A strong sense of pecuniary self-interest, for example, explained the behaviour of Sulla's army in 88 BC: his soldiers supported him in sedition, marched on Rome, and instigated the first civil war, to safeguard their right to profit from service. The army's pecuniary self-interest is largely viewed as a new, crucial factor of late-republican military service; insurrectionist generals could thus use material inducements to exploit it, align the interests of the army with their own political agendas, and threaten the state.

The conventional perspective emphasises the role of C. Marius and his 107 BC recruitment reform; the subsequent influx of poor volunteers into service was the primary catalyst for

model army, and he was somebody who sought to use it for political advantage. Caesar simply followed Sulla's example, but from different motives and to more deadly effect." (Keaveney, 2007, p. 6).

⁵⁶² Sal., *Iug.* 86.

⁵⁶³ When he discusses the 'new' citizen-militia of the late Republic, de Blois also refers to 'professional' in the competency sense. For example: "After Marius's army reforms, several armies, like those of Sulla, Pompeius Strabo, Lucullus, Pompey and Caesar, were drilled in a more professional way, learned to use all kinds of tactics, and had to fight in the decades after 90 BC in all kinds of terrain against enemies using different battle techniques" (de Blois, 1987, p. 12). I contest this view. I would argue, for example, that the long wars of the middle Republic, and the wars against the Macedonians in the second century BC, produced armies as competent, skillful, or experienced as any of the late Republic.

⁵⁶⁴ De Blois, 1987, p. 12.

demographic and social change in the army, leading to a more vocational institution, changing the command relationship by raising the importance of financial rewards, and thus shifting the loyalty of soldiers from the state to commanding generals. More broadly, moral and ethical decay helped create the conditions in which politically interventionist soldiers emerged. Because preoccupation with pecuniary self-interest, with the Marian 107 BC recruitment reform, with the dangers of allowing poor into service, and with moral decay, is so persistent, and pervades much of the ancient and modern effort to understand the factors leading to Sulla's march on Rome, and more broadly, the descent of the Republic into civil war and disintegration, I have termed it 'the conventional view'.

How satisfactory, however, is this conventional view? The next chapter will examine this question. In doing so, I shall argue that while pecuniary self-interest did have a part to play in motivating late-republican soldiers, the conventional explanation exaggerates the importance and uniqueness of the desire to profit from war. It will thus contest the reductionist emphasis it places on pecuniary self-interest as the primary factor motivating soldiers to intervene in late-republican political discourse.

Chapter Four

Pecuniary Self-Interest: Inadequate Explanation for Intervention

Introduction

In Chapter Three, I outlined the conventional explanation for the emergence of politically interventionist armies: it asserts that soldiers supported L. Cornelius Sulla, intervened in politics, and risked civil war because of pecuniary self-interest; they engaged in insurrection for what they could gain materially from the arrangement.⁵⁶⁵ This chapter will contest the conventional explanation, in particular, the reductionist emphasis it places on pecuniary self-interest as the primary factor motivating soldiers to intervene in late-republican political discourse. Much of the moralising evident in sources over moral decay and indiscipline in late-republican armies, and which forms a backdrop to the emergence of pecuniary self-interest, was confused and disjointed. I argue that it represents more of a literary topos than a serious, cogent and consistent attempt at an explanation for intervention.⁵⁶⁶ Late-republican armies, for example, were patently not the first to exhibit signs of ill-discipline or insubordination; the long history of citizen-militia's mutiny, insubordination and rebellion against the state at all periods of the Republic, for example, suggests late-republican soldiers were no more ill-disciplined or morally compromised than their predecessors.⁵⁶⁷

⁵⁶⁵ In most cases, what they wanted was money, booty, or land: material reward for their service, as at Luc. 5.246-248: *praemia miles dum maiora petit, damnat causamque ducemque et scelere inbutos etiamnunc venditat enses*. "Or was it greed for greater rewards that made the soldiers repudiate their cause and their leader, and again put up for sale the swords already stained with guilt." The poet reflects here a view emblematic of the conventional view: that ordinary soldiers during the civil war period of the late Republic were motivated solely by mercenary impulse; it was a powerful and pervasive urge and meant that armies could be bought by the highest bidder, in spite of any professed cause.

⁵⁶⁶ As such, I do not propose to address the matter of moral decay further as an explanation for intervention in this chapter. I will instead concentrate on core beliefs of the conventional view for which there is evidence, and for which a cogent argument has been proffered: pecuniary self-interest, the Marian recruitment reform, and the critique of professionalisation.

⁵⁶⁷ For an extensive discussion on the record of the army's insubordination and ill-discipline, and its consequences for the question of intervention, see Chapter Six and Chapter Eight below.

Instead, the conventional view is more firmly anchored in the idea of pecuniary self-interest. Certainly, the desire to profit from service had a part to play in motivating the army at Nola: it is the first plank of any holistic explanation which attempts to explain more comprehensively the emergence of politically interventionist soldiers. I will, however, argue that the desire to profit from service was not the only factor shaping the actions of soldiers, and certainly not the unique, decisive factor of late-republican armies that made Sulla's plan possible. Furthermore, I will argue that too much has been made of Marius' role in the emergence of soldiers willing to intervene in politics; I will thus place his recruiting reform of 107 BC into its proper context. This reform did not lead to armies filled with poor willing to do anything for financial reward. Rather, I will show that the poor had always been represented in Roman armies without it ever before leading to insurrection, or soldiers willing to support generals in personal *inimicitiae*. I will thus argue that pecuniary self-interest, in isolation and out of context, is ultimately an unsatisfactory explanation for the emergence of the politically interventionist legion.

Financial Ambition: Late Republic Factor of Service but Not Unique

Pecuniary Self-Interest: A Factor of Late-republican Service

In 90 BC, in the first year of the Social War⁵⁶⁸, a spokesman for a unit of Cretan archers⁵⁶⁹ approached one of the Roman consuls for that year, L. Iulius Caesar, and offered to betray the Italians they were serving by switching sides. Caesar offered the Cretans citizenship and honour: the Cretan laughed off both, calling the offer of citizenship 'claptrap', and telling the consul that every arrow they fired was for the sake of money, and only a financial reward would induce them to defect.⁵⁷⁰ While it might not have been as amoral as Caesar's Cretan archers, the desire to profit from war was still a factor of military service in Roman armies leading up to Nola. Opportunities for armies to amass booty in Italy existed during

⁵⁶⁸ 90 BC-88 BC. App., *BC* 1.39 ff.; Oros. 5.17 ff.

⁵⁶⁹ Cretan archers are linked closely with the presence of Roman infantry; they were, for example, used as support and missile troops attached to consular armies (see Liv. 22.37; Val.Max. 9.3.7; Plb. 3.75). They were also used in the endemic political violence by the consul L. Opimius in 121 BC in Rome that accompanied the suppression of C. Gracchus and his supporters; see Chapter Seven below for more detail of their use in this case, and their traditional relationship with consular armies.

⁵⁷⁰ D.S. 37.18. Caesar responded to this blunt mercenary request by offering the Cretans 1000 drachmas; the Cretans, looking to make money from the conflict, and having spurned the offer of citizenship, presumably accepted Caesar's more tangible enticement.

the Social War, where Rome consistently stripped the wealth from rebellious towns and cities it captured.⁵⁷¹ Consul in 89 BC, C. Pompeius, for example, plundered Asculum when he captured it;⁵⁷² most of the plunder probably went to the soldiers, as the senate noted with disappointment that none went into the public treasury when it was most needed.⁵⁷³ Using the allocation of booty to help motivate soldiers to risk the dangers of military service was a tactic in use on both sides during the war. Italian commanders shared with their soldiers booty taken when they massacred Romans at Asculum in 90 BC precisely to give them a taste of the profits of war so they would more readily engage in it.⁵⁷⁴

Like their Italian enemies and soldiers in other Roman armies, Sulla's men too benefitted economically from victory: in 89 BC, Sulla allowed his soldiers to plunder Aeculanum when it failed to surrender.⁵⁷⁵ At the end of the war, the expectation of profit from service continued to be a motivating factor for Sulla's army. At Nola in 88 BC, during the political crisis generated by the *inimicitiae* between Sulla, P. Sulpicius Rufus, and Marius,⁵⁷⁶ Sulla did not mention the subject of booty when he requested the army's help to overcome his political enemies.⁵⁷⁷ It was, however, in the minds of his men;⁵⁷⁸ they had a misplaced fear of being replaced by Marius and thus missing out on the lucrative campaign against Mithridates in the east.⁵⁷⁹ A year later, after Sulla had left Italy with most of the army for the eastern campaign against Mithridates, L. Cornelius Cinna, bested by factional violence in Rome, disowned by a hostile senate, and forced to flee,⁵⁸⁰ used the promise of financial

⁵⁷¹ Oros. 5.18.

⁵⁷² Asculum had some symbolic meaning for the Romans during the Social War: it was here that a praetor with pro-consular powers and all resident Roman citizens were massacred by the Italians at the start of the war; its inhabitants could expect little mercy when it was finally re-captured in 89 BC (Liv., *Per.* 72; Vell. 2.15; D.S. 38.13).

⁵⁷³ Oros. 5.18. Orosius noted that the treasury needed money to pay for food and supplies, and the senate hoped that the sack of Asculum would provide it. Pompeius, however, did not give any to the treasury; in the custom of commanders leading consular armies, he no doubt made sure his soldiers profited from the capture of Asculum. The senate was forced to sell some of its public holdings to raise funds.

⁵⁷⁴ D.S. 37.14. The allocation of booty was deliberately made to motivate the rebelling Italian soldiers.

⁵⁷⁵ App., *BC* 1.51.

⁵⁷⁶ For a background to this conflict and its significance to the emergence of the politically interventionist legion, see Chapter Eight below.

⁵⁷⁷ App., *BC* 1.57.

⁵⁷⁸ For a fuller discussion on how the pecuniary factor manifested itself at Nola, including the critical question of just how much influence the desire to profit from war played in their decision to support Sulla, see Chapter Eight below.

⁵⁷⁹ I argue that it was a misplaced fear, and that many in the army must have known it; see Chapter Eight below.

⁵⁸⁰ Vell. 2.20: "*ex auctoritate senatus consulatus ei abrogatus.*" "His consulship was abrogated by the authority of the Senate."

gain to help persuade the legion left behind at Nola to accept him as consul and act against political enemies, *spe largitionis*.⁵⁸¹ These men were part of the same army Sulla won over; money was still on their minds in 87 BC – perhaps more so, since they missed out on the lucrative eastern campaign.⁵⁸² Cinna bribed the legion's authority figures, the tribunes and centurions.⁵⁸³ It was not enough only to secure the loyalty of the officers; he also made the effort to bribe ordinary soldiers, indicating that the expectation of financial reward permeated all levels of the army, and that soldiers had their own perspectives, independent of their commanders, worth cultivating.⁵⁸⁴

Pecuniary Self-Interest: A Thoroughly Traditional Incentive

De Blois describes the type of pecuniary self-interest on display above as the defining characteristic of armies raised after the 107 BC Marian recruiting reform;⁵⁸⁵ this new type of army, filled with landless poor and thus motivated by financial need, became a great

⁵⁸¹ Liv., Per. 79; App., BC 1.65; and Vell. 2.20: *Tam Cinna corruptis primo centurionibus ac tribunis, mox etiam spe largitionis militibus, ab eo exercitu, qui circa Nolam erat, receptus est.* "Cinna was then received by the army at Nola, and first corrupted the centurions and tribunes, and then even the [private] soldiers, with promises of largess." Both Livy's and Appian's versions are truncated and do not have the level of detail that Velleius Paterculus provided.

⁵⁸² Keaveney, 2007, p. 39. Keaveney makes the rather obvious, but fair, point that these soldiers must have felt a certain sense first of disappointment, and then subsequently of rejoicing, when Cinna's offers of pecuniary reward presented itself. I would add that the desire for profit must have been strong: Cinna was Sulla's enemy and by supporting Cinna, this legion was effectively switching sides.

⁵⁸³ This is one of the few explanations of how to go about bribing an army, and what was required to complete a successful transaction. It was essential, for example, to first (*primo*) persuade the legion's authority figures: the tribunes and most importantly, the centurions; Cinna first approached them with bribes. Significantly, there is a sense of order and precedence contained in Velleius' account; once Cinna had persuaded the authority figures, he then (*mox*) approached the common soldiers. Thus, it was apparently important to ensure figures in authority, at the very least, were approached and persuaded first before going to the soldiers. By extrapolation, then, Sulla, or any other leader hoping to convince an army to support him, was likely to have first approached the authority figures; once they had been persuaded, it made sense that the common soldiery was likely to be influenced by the examples of their immediate supervisors. This offers an explanation of how it was possible for one man to convince an army of thousands; the key was to pick out the influential authority figures and attempt to persuade them first.

⁵⁸⁴ I argue that this was an important insight; it shows that soldiers could not be taken for granted, and would not automatically follow their sub-unit commanders in matters of political violence; they were capable of independently working out what was in their best interests and acting accordingly. Why would Cinna, for example, bother wasting money and effort bribing common soldiers if he had already secured the loyalty of centurions and the tribunes, and that was enough to secure the cooperation of the army? No one under pressure from enemies, and with limited access to resources, would presumably waste money or effort where it was unnecessary. I argue that the answer can only be that Cinna did not want to leave anything to chance; it was necessary. He considered the common soldiery a distinct element, and their good graces important enough for him to expend effort trying to secure them. For more on the question of the independence of soldiers in a civil war context, albeit in a later part of the civil war period, see Alston, 2007, p. 184.

⁵⁸⁵ If we follow de Blois' logic, it is thus the nature of the armies that fought the Social War, and the nature of the army Sulla addressed at Nola in 88 BC in a *contio*.

political risk.⁵⁸⁶ Le Glay, Voisin and le Bohec argue the change led to professional soldiers who expected everything from their leaders: pay, booty, distributions of gifts during triumphs, and plots of land.⁵⁸⁷ This pecuniary element of the command relationship between general and soldier is described in contemporary leadership theory as 'transactional leadership'.⁵⁸⁸ It involves contractual agreements with followers to achieve objectives; there is an implicit or explicit understanding between leader and follower of a set of rewards and inducements for meeting the shared goal, and financial gain is the most common form of exchange. That it existed in Roman armies is beyond doubt; consul for 357 BC, C. Marcius Rutilus, made an archetypal transactional deal with his men to sanction the plunder of Privernum if they promised to concentrate first on winning the battle.⁵⁸⁹ Nevertheless, de Blois, le Glay, Voisin, and le Bohec have – in the manner of the conventional explanation for intervention – overestimated the significance of pecuniary self-interest as the vital, new ingredient of late-republican armies. That the subject of financial gain should be on the minds of soldiers during the Social War and outside Nola, and pecuniary inducements a factor in their considerations, is no surprise; mercenary self-interest was always part of service in the citizen-militia.⁵⁹⁰ The governing elite wanted to acquire wealth through expansion: twice consul during the First Punic War,⁵⁹¹ L. Caecilius Metellus, sought *pecuniam magnam bono modo invenire*.⁵⁹² Like them, ordinary citizens

⁵⁸⁶ de Blois, 1987, p. 19. It is by now a familiar refrain: this is so because these types of soldiers would necessarily do anything, including commit sedition against the governing elite, for what they could gain financially, and looked toward their general to provide them with opportunities to enrich themselves. I will say more below on the transactional aspect of the commander-soldier relationship in Roman armies.

⁵⁸⁷ Le Glay, Voisin & le Bohec, 1996, p. 126. For more examples, see Chapter Three above.

⁵⁸⁸ Howell & Avolio 1993, p.891. They explain that in transactional leadership, leader-follower relationships are based on a series of exchanges between leaders and followers; contingent reward leadership is viewed as an active and positive exchange between leaders and followers whereby followers are rewarded or recognized for accomplishing agreed upon objectives. Leaders can also transact with followers by focusing on mistakes, delaying decisions or avoiding intervening until something has gone wrong.

⁵⁸⁹ Liv. 7.16. *Castra nunc... vobis hostium urbemque praedae do, si mihi pollicemini vos fortiter in acie operam navaturos nec praedae magis quam pugnae paratos esse.* "Now I will give you the booty of the camp and the town of our enemies, if you promise me that you will in battle play the part of men and be more prepared to fight than to plunder." Marcius' men responded as he hoped: buoyed by the prospect of enriching themselves, they entered the battle with high morale, emboldened by no uncertain expectations.

⁵⁹⁰ Keaveney, 2007, p. 94. Keaveney sees pecuniary desire in soldiers as a constant. The Roman soldier ever, regardless of what he owned, hoped to profit by war, and the needy, and perhaps less needy, now continued to think precisely as their ancestors had. There was nothing new here.

⁵⁹¹ 264 BC – 241 BC.

⁵⁹² *ORF*. 6.fr.2. For still one of the best articles on the Roman attitude to luxury, wealth and morality, especially its intersection with the expansion of empire, see Lintott, 1972, pp. 626ff. For a detailed and persuasive discussion on the aristocracy's interest in gaining wealth through war, see also Harris' 1979 monograph, *War and Imperialism in Republican Rome 327-70 B.C.*

expected to profit from war to improve their economic situation.⁵⁹³ This was a factor not unique to late-republican armies of the Social War, in a *contio* at Nola, or during the civil war. I shall argue instead that soldiers interested in their economic prospects exhibited a thoroughly consistent and traditional concern noted as far back as 357 BC during the war against the Faliscans,⁵⁹⁴ and during the popular vote for war against Carthage in 264 BC.⁵⁹⁵

The link between military service and financial gain was established early in the minds of soldiers with the introduction of a *stipendium*;⁵⁹⁶ I suggest, however, that it was only ever meant to cover basic subsistence needs.⁵⁹⁷ Real money in service came from victory in war and the opportunities it provided to amass booty; in this way, the economic future of soldiers was thus intimately tied to the personal success of their general. In 343 BC, for example, soldiers amassed booty when they were given a Samnite camp to plunder after winning a major victory.⁵⁹⁸ P. Scipio, who consistently won against his enemies, lavished large amounts of money and booty on his soldiers in Africa in 204 BC, attracting the objection of his quaestor, M. Porcius Cato.⁵⁹⁹ Cato, however, proved equally concerned that his soldiers gained economically from war when he was consul in 195 BC; at the end of the

⁵⁹³ Raaflaub, 2006, p. 141. War was profitable and encouraged a sense of solidarity between Romans. It yielded booty and land, filled the public treasury, permitted the erection of monuments, sanctuaries, and public buildings, increased communal power and even made it possible to diffuse internal conflicts by focusing on external ones. Raaflaub's last point is worth emphasising; Plutarch remarked that the outbreak of strife between Marius and Sulla was suspended because of the start of the Social War in 90 BC. (Plu., *Mar.* 32.) Moreover, external threats had once before postponed the inevitable clash between Marius and Sulla, and between the populace and the senate/nobles. Civil strife was, for example, suspended and *inimicitiae* put in hiatus by a peril which threatened Italy from the west: the Germanic invasion by the Teutonic and Cimbric peoples and their allies in 104 BC. (Plu., *Mar.* 11.)

⁵⁹⁴ Liv. 7.16: *Marcus exercitum in agrum Privernatem, integrum pace longinqua, induxit militemque praeda implevit. Ad copiam rerum addidit munificentiam, quod nihil in publicum secernendo augenti rem privatam militi favit.* "Marcus led an army into the territory of Privernum, unravaged during a long period of peace, and loaded up his troops with booty. This abundance he administered bountifully, and gave nothing to the public treasury, encouraging his men to augment their private fortunes." Another early example is from 396 BC during the Roman campaign to capture Veii; soldiers captured a particularly well-stocked and wealthy camp, and obtained an enormous amount of booty – much of which was given to the soldiers (Liv. 5.19.).

⁵⁹⁵ Plb. 1.11. More examples of pecuniary self-interest motivating the actions of soldiers well before the Social War and Nola in the late-republican period, see Liv. 10.31; 24.16; 43.19.

⁵⁹⁶ As I have shown in Chapter Two above, pay was likely introduced early in Rome's expansion; I favour the extended campaign against neighbouring Veii in 403 BC as the most likely point, when military service was first extended into winter. Payment to soldiers for service was a characteristic of the Roman military system⁷ it applied to both citizen and allied soldiers (for more on allied pay, see Chapter Five below).

⁵⁹⁷ Cagniard, 2008, p. 81. For more discussion on the value of soldiers' *stipendium*, see Chapter Two above.

⁵⁹⁸ Liv. 7.37.

⁵⁹⁹ Plut., *Cat. Mai.* 3. Cato disapproved of how much money and booty Scipio was giving to his men, and complained that it was corrupting the native simplicity of the soldiers. Cato was being too parsimonious here. The army Scipio led was battle-hardened and contained soldiers who had spent many years on continuous service; this kind of experience was valuable to the Republic. Given the quality and experience of the enemy led by Hannibal, it is little wonder Scipio was keen to keep his soldiers happy.

successful campaign in Spain, he gave each soldier a pound of silver, in addition to large amounts of booty, reasoning it was better to have many Romans go home with silver in their pockets, than a few with gold.⁶⁰⁰ A tradition of the citizen body benefiting financially from the consequences of victory and conquest went a long way back; the descent of the Roman *plebs* on Veii in 396 BC to loot and plunder after its capture, in a manner described by Lintott as resembling a vast crowd at a bargain sale,⁶⁰¹ entrenched economic gain as part of the national rationale for war.⁶⁰² Soldiers came to expect and depend upon booty; as well as arrears in pay, the advent of peace, and its concomitant lack of opportunities for booty, was an irritant and motivator for the men at Sucro to mutiny in 206 BC.⁶⁰³ I argue that this pecuniary self-interest motivated soldiers well before similar considerations became the dominant motivator of armies in the first century BC. Soldiers were so used to using war to satisfy their economic needs that this practice became a dangerous factor during peace when they could no longer do so.⁶⁰⁴ Moreover, so strong was the lure of financial gain that it could be a strong incentive to enlist for difficult wars. Marius used the promise of booty in 107 BC to encourage citizens and allies to enlist for his campaign against Jugurtha; he appealed to pecuniary self-interest to help motivate recruits for the hardships to come.⁶⁰⁵ Conversely, the lack of financial opportunities could be a disincentive. It was difficult in 151 BC to fill the levies for the war in Spain against the Lusitanians and Celtiberians, not only because of its reputation for being a difficult conflict in an inhospitable location far from Italy, but also because the war's perceived lack of opportunities for booty.⁶⁰⁶ The anticipation of financial gain could also be a powerful factor in combat. During the war against Jugurtha in 108 BC, the thought of booty at the rich and prosperous town of Vaga in northern Africa motivated soldiers of Q. Caecilius Metellus Numidicus to overcome their

⁶⁰⁰ Plut., *Cat. Ma.* 10.

⁶⁰¹ Lintott, 1972, p. 630.

⁶⁰² Liv. 5.21. The Etruscan city of Veii, long a rival of Rome, was particularly wealthy. There was, for example, more booty there for its Roman capturers than all the previous wars put together (Liv. 5.20). It is little wonder the Roman plebs, sanctioned by the senate, descended on Veii in such numbers.

⁶⁰³ Liv. 28.24. It is, I contend, a good example of how ingrained were the expectations of the army for plunder while on campaign; the soldiers became restless in part because peace removed from them the opportunity to amass booty: *et non nihil quod in hostico laxius raptis vivere artiores in pace res erant*. On this incident, also see Plb. 11.25; App., *Hisp.* 32. For the incident's political implications, and what it says about insubordination in the citizen-militia, see also Chapter Six below.

⁶⁰⁴ Gruen, 1974, p. 371. Gruen reaches the right, if rather obvious, conclusion: distribution of the spoils of war to soldiers by their commanders had a hoary pedigree by the late Republic; it already was an established institution in the fifth century – at a time when the state allegedly possessed only a citizen militia. And it continued throughout the republican period and beyond.

⁶⁰⁵ Sal., *Jug.* 85.

⁶⁰⁶ App., *Hisp.* 45 ff. Liv., *Per.* 48; Taylor, 1962, p. 21. See also Chapter Seven below.

fatigue, and take the town.⁶⁰⁷ Sallust's jibe about economically-motivated soldiers willing to do anything for financial gain was apparently accurate in a battlefield context.⁶⁰⁸

The opportunity to amass booty was so important to soldiers, and their expectations of generals to provide opportunities so high, that commanders who failed to deliver, or were unsuccessful, could find themselves in trouble. Part of the reason that the army of P. Postumius Albinus Regillensis mutinied in 414 BC, was that he prohibited his soldiers from plundering the captured town of Bolae, and kept the booty for himself.⁶⁰⁹ Consul for 219 BC, M. Livius Salinator, was condemned by citizens in assembly⁶¹⁰ because he did not divide booty equally amongst his soldiers during the Illyrian War.⁶¹¹ The expectation of largess extended beyond citizens doing military service; citizens, not soldiers, brought the injunction against Salinator in civic assembly, indicating expectations existed more broadly in society. The senate could even intervene when it judged that a general had not provided enough opportunities for his men to profit. In 168 BC, for example, it ordered L. Aemilius Paullus to allow his soldiers, who had just won the battle of Pydna against Macedon, to pillage the towns and cities of Illyria and Epirus because they had not been given the opportunity to amass booty.⁶¹² The soldiers ought to have come home wealthy; it was a major sack, with more than 70 settlements plundered and 150,000 slaves taken. So serious was the subject of booty that failure to meet the pecuniary expectations of citizen-soldiers could even lead to armies acting illegally in Rome. In 167 BC, soldiers gathered outside Rome for Aemilius' expected triumph marking the victory over Macedon were angry because they had not profited from the campaign as much as expected – despite the senate's intervention the year before.⁶¹³ The army publicly accused Aemilius of being imperious and

⁶⁰⁷ Sal., *Jug.* 49.

⁶⁰⁸ Sal., *Jug.* 86. I am, of course, distorting Sallust's original meaning. He was referring to soldiers willing to intervene in politics and engage in civil war on their general's behalf. I contend, however, that his comment is more accurately applied to the motivational power of money to induce extraordinary feats in battle, and to attract volunteers to serve.

⁶⁰⁹ Liv. 4.47-50. For the political significance of this insubordination by the army, and the subsequent death of Albinus at the hands of his troops – the first such instance and the last until 89 BC – see Chapter Six below.

⁶¹⁰ This assembly was probably the *comitia tributa*, given its judicial function of hearing serious charges against magistrates (North, 2006, p. 261). For more on the roles and functions of the assemblies, particularly in relation to their effective powers, see Chapter Six below.

⁶¹¹ Liv. 22.35; Fron., *Str.* 4.45. See also Lintott, 1972, p. 630. Salinator, however, may also have been prosecuted for theft of spoils (*de Vir. Ill.* 50).

⁶¹² Plut., *Aem.* 29; Liv. 45.28.

⁶¹³ Plut., *Aem.* 31; Liv. 45.35. As I have shown above, the soldiers should have returned to Rome wealthy, given the scale of the sack of Epirus and Illyria. Something – perhaps Aemilius' strict views on the subject – prevented them from gathering as much booty as they expected; most gained only a modest amount.

harsh in command, and refused to ratify his triumph; a military tribune, Ser. Sulpicius Galba, became the soldiers' spokesman, declaring there would be no triumph until soldiers were satisfied. To emphasise its claims, the army seized the Capitol, the illegality of this act raising fears among the governing elite and ordinary Romans of violence and insurrection; it took a speech from an ex-consul to the soldiers shaming their disobedience to defuse the situation.⁶¹⁴

From a macro-economic perspective, the influx of large amounts of largess into the Republic was healthy for the financial system, and made for conspicuous displays that could not be ignored.⁶¹⁵ De Ligt, for example, estimates that the consistent flow of booty from the successful wars of the early second century BC boosted elite incomes, making slaves more affordable.⁶¹⁶ The sheer volume and scale of booty and money won in successful wars in Africa, Spain and the east that made its way to Rome during this time was staggering. At the end of the Second Punic war, for example, P. Scipio deposited 123,000 pounds weight of silver into the treasury.⁶¹⁷ At the end of his successful campaign, Cato brought 25,000 pounds of silver bullion, 123,000 silver *bigati*,⁶¹⁸ 540,000 Oscan silver coins, and 1,400 pounds of gold into state coffers.⁶¹⁹ T. Quinctius Flaminius, after defeating Macedon at the battle of Cynoscephelae in 197 BC, publically displayed in his 194 BC triumph 18,270 pounds weight of silver, 84,000 *tetradrachmas*, 3,714 pounds of gold, 14,514 gold coins and countless *objets d'art*.⁶²⁰ P. Cornelius Nasica in 191 BC, after defeating the Boii, displayed 2,340 pounds of silver, 247 pounds of gold, 1,471 gold torques, and 234,000 silver *bigati*.⁶²¹ L. Cornelius Scipio Asiaticus, in his triumph in 189 BC, showed off 137,420 pounds weight of silver, 224,000 *tetradrachmas*, 321,700

Aemilius, whose pecuniary rectitude, frugality, and honesty is a point of considerable praise for Plutarch (Plut., *Aem.* 4), may have taken most of it for the public treasury, leaving the soldiers with little. Whatever happened, the army was not happy.

⁶¹⁴ The army left the Capitol, gave up its claims, and eventually supported and took part in Aemilius' triumph over King Perseus.

⁶¹⁵ Raaflaub, 2006, p. 141.

⁶¹⁶ De Ligt, 2012, p. 155.

⁶¹⁷ Liv. 30.45.

⁶¹⁸ A silver coin stamped with the image of a two-horse chariot.

⁶¹⁹ Liv. 34.46.

⁶²⁰ Liv. 34.52.

⁶²¹ Liv. 36.40. For detail on this particular triumph, and more for the scale and wealth of triumphs at this time, see Jacobsthal's still influential analysis (Jacobsthal, 1944, p. 306 ff).

cistophori, 140,000 gold coins, 1,423 pounds of engraved silver vases and 234 gold crowns.⁶²²

In the presence of such wealth, paraded publicly in the triumphs of victorious generals, it is no surprise that expectations of pecuniary gain should become such an important focus of military service for ordinary citizens; in war lay the real chance of returning rich.⁶²³ If, as de Ligt asserts, the influx of wealth boosted elite incomes, then it also did the same for ordinary citizens in the armies that won the wars, helping raise expectations. Volunteers for the war against Macedon in 171 BC, for example, were eager to enlist because soldiers who previously served in the east returned rich.⁶²⁴ It was also obvious that ordinary soldiers, as well as the state treasury and members of the governing elite, benefited financially from the triumphs, or from donatives at the end of successful campaigns. P. Scipio's soldiers got 400 *asses* each,⁶²⁵ Cato's 270 *asses* and cavalrymen twice as much,⁶²⁶ Flaminius' infantrymen 250 *asses* each, centurions 500 *asses*, and cavalrymen 750 *asses*,⁶²⁷ while L. Scipio's soldiers got 25 *denarii*, centurions 50, and cavalrymen 75.⁶²⁸ Given that the daily rate of pay for an infantryman was three *asses*, these sums represented considerable windfalls; added to regular pay and booty already secured, donatives are likely to have increased the personal wealth of recipients.⁶²⁹ There was, however, considerable variation in the level of remuneration that soldiers could expect, especially if a general was abstemious or sparing in his generosity; as well as the ability to win battles, much also depended on the commander's personality and his views on remunerating the army.⁶³⁰ The desire to profit

⁶²² Liv. 37.59.

⁶²³ On this theme, Keaveney argues that the lure of opportunities for wealth creation that soldiering provided did much to attract recruits, and he contends that it would have compared favourably with the drudgery of life on the land (Keaveney, 2007, p. 64).

⁶²⁴ Liv. 42.32. See also Chapter Five below. For the significance of this example to Sulla's soldiers at Nola in 88 BC, see Chapter Eight below.

⁶²⁵ Liv. 30.45.

⁶²⁶ Liv. 34.46.

⁶²⁷ Liv. 34.52.

⁶²⁸ Liv. 37.59.

⁶²⁹ Given that most campaigns around this time were decided by a single battle (as it was in three Macedonian wars in the second century BC), I estimate that this level of extra remuneration would, in today's terms, be analogous to receiving almost half of a full year's salary for a single afternoon's work, on top of annual salary, any money raised from the sale of booty given to the individual, and exempt from any form of taxation. It is little wonder that Rome had no trouble filling its levies for the wars of this time, or that we see the emergence of true military professionals (for example, at Liv. 42.34).

⁶³⁰ For example, as I have shown, Aemilius Paullus' attitude toward the subject was particularly severe, and although he could regularly win battles, his soldiers did not gain as much economically as they might have under a more generous commander. Scipio Africanus, on the other hand, also had a talent for winning victories, and providing many opportunities for his soldiers to profit; the antithesis of Aemilius, he was so

from war could also be found among civilians travelling with the army supplying its victuals and performing its manual labour. Conspicuous displays of booty in triumphs also encouraged a desire among civilians to benefit from Rome's military success. The *lixae*⁶³¹ with the army in Africa during the war against Jugurtha, for example, generated wealth off its success in battle. They accompanied soldiers on raids on landowners, from which they seized cattle, slaves and goods, which they then sold to merchants for wine and other luxury items.⁶³²

To meet the expectations of ordinary citizens under *sacramentum*, the military system carefully regulated and systemised the collection and distribution of booty within consular armies to ensure a fair division. It was conducted on order of the commander, and everyone benefited, even the sick and those who had not taken part in battle.⁶³³ Special details drawn from each maniple collected the booty, while colleagues stood guard; military tribunes then distributed it equally among the army, including men who guarded camp, and those absent on special duties or from illness. Sometimes, the process of plunder was neither orderly, controlled, nor conducted for the benefit of all. In 189 BC, the army of Cn. Manlius Vulso captured the Mt Olympus refuge of the Tolostobogii, but lost the captured booty to a newly-arrived column of soldiers which spontaneously plundered the camp, taking for itself the spoils won by Vulso's men.⁶³⁴ In 146 BC, during fighting for the Carthaginian harbour of Cothon in Africa, troops of P. Cornelius Scipio Africanus Aemilianus stopped to sack the temple of Apollo, looting the gold, ignoring the commands of their officers, and dividing it amongst themselves, before returning to duty.⁶³⁵ Such insubordination came at a

generous toward his soldiers that his quaestor, responsible *inter alia* for the army's finances, complained. Scipio's soldiers could expect to become wealthy from service, as long as they continued to win (see also Gruen, 1995, p. 71).

⁶³¹ Along with *calones*, the *lixae* were civilians travelling with the army who sold ancillary goods to the soldiers, such as additional food, and attended to the detail of much of its administrative requirements. See Thorburn's informative analysis of the role of *lixae* and *calones*, civilians whose duties seem to have been connected with manual labour, looking after groups of soldiers, and attending horses and mules, for more detail (Thorburn, 2003, pp. 1-9).

⁶³² Sall., *Jug.* 44; Thorburn, 2003, p. 2.

⁶³³ Plb. 10.16.

⁶³⁴ Liv. 38.23: *Egresso consule C. Helvius cum tertio agmine advenit, nec continere suos ab direptione castrorum valuit, praedaeque eorum, iniquissima sorte, qui pugnae non interfuerant, facta est.* "With the consul gone, C. Helvius arrived with the third column and was unable to prevent his men from plundering the camp, and the booty, by most unjust fate, fell into the hands of men who had no part in the battle." Ziolkowski makes the point that Vulso could do little for his soldiers to reclaim the booty lost on Mt Olympus to Helvius' men: all he could do was recompense, as well as possible, his own soldiers for their loss (Ziolkowski, 1993, pp. 80-81).

⁶³⁵ App., *Pun.* 127.

cost: Scipio gave his army several days to plunder Carthage,⁶³⁶ except those units which sacked the temple at Cothon.⁶³⁷

I have shown that pecuniary self-interest, so strong that it could induce soldiers to risk serious punishment by disobeying orders,⁶³⁸ and encouraged by lavish and public displays of largess won in war, was for centuries a consistent factor of military service. The desire and expectation to profit from war was powerful and persistent; as long as Rome continued to win wars, it was largely met. I argue that it was motivating soldiers long before Marius' recruitment reform or Sulla's appeal to the army at Nola; it was not the unique factor of service in late-republican armies, and thus is not the change we are looking for to explain the emergence of politically interventionist soldiers. The presence of pecuniary self-interest had never before produced armies more accepting of the idea of civil war, willing to intervene in political processes on such scale, or act on the personal *inimicitiae* of their commanders. Even land grants at the end of a campaign, the desire of which was supposedly one of the mercenary factors that animated the landless poor in armies of the late Republic, and especially during the civil war period,⁶³⁹ to support their seditious generals, were not unique: the state had, on a few occasions in the second century BC, provided them before to veterans without incurring danger to itself. In 201 BC, for example, the senate, in a rare overt, deliberate display of provision for veterans at the end of a campaign, allocated newly confiscated *ager publicus* in Samnium and Apulia to the African veterans of P. Scipio.⁶⁴⁰ In 199 BC, veterans of long service in Spain, Sardinia and Africa were given allotments of *ager publicus*.⁶⁴¹ I argue that these allocations did not, for the majority of the Republic's existence, produce a widespread or normative expectation among republican soldiers of land grants at the end of a campaign, or, more importantly,

⁶³⁶ Plb. 38.19-22; Liv., *Per.* 51.

⁶³⁷ App., *Pun.* 133.

⁶³⁸ The military oath, the *sacramentum*, required soldiers inter alia to obey the commands of their commanders; the penalty for not doing so invited a range of harsh sanctions, including death in extreme cases. For more detail on this point, see Chapter Six below.

⁶³⁹ For more on the point made about motivation and land in the army by Le Glay, Voisin and le Bohec, see above and Chapter Three above.

⁶⁴⁰ Liv. 31.4; 31.49. The districts of Hirpinia, the territory of the Caudini and Salento were identified as being settled by Scipio's veterans. For more on these viritane distributions, see de Ligt, 2012, pp. 150 ff.

⁶⁴¹ Liv. 32.1. These veterans, who included the Cannae legions recruited in 217 BC and 216 BC, provided long continuous service; those in Spain had served for 15 consecutive years, and the Sardinian legions had served for 13 continuous years (de Ligt, 2012, p. 152). This length of service, and the fact that such length of time away from home probably produced additional hardship, was a possible consideration in their allotment of land from *ager publicus*.

armies suddenly prepared to act unconstitutionally, or risk civil war with fellow citizens, to secure them. I suggest that what changed in 88 BC was not the desire to profit from war, or the emergence of strong pecuniary self-interest as the dominant motivator; rather, the willingness of ordinary soldiers to risk civil war, and intervene decisively on such scale, in the civil political process.⁶⁴²

Pecuniary Self-Interest: Changed Command Relationship?

Satisfying the innate pecuniary self-interest of the Roman army necessarily involved the question of who actually rewarded the soldiers. As I have shown, Marin argues that a new feature of service in late-republican armies was that soldiers stopped looking toward the state for financial gain, and instead turned to their commanders: "This would be a major problem in the first century BCE when soldiers began to look to their generals, and not the state, to reward them for their services."⁶⁴³ Brunt similarly argues that soldiers of the civil war period had no choice but to look to their generals to provide land allotments and other material benefits,⁶⁴⁴ while Cagniat contends that soldiers started looking toward their commanders for financial opportunities after the 107 BC Marian recruiting reform.⁶⁴⁵ According to this perspective, the transactional relationship between commander and soldier changed: where before soldiers looked toward the Republic for economic rewards for service, now they looked toward their commander. It allowed an insurrectionist general to align the interests of the army with personal political ambition; he could threaten the state with soldiers who owed him their economic wellbeing. By extrapolation, the army at Nola in 88 BC was different to its predecessors because it expected Sulla, not the state, to provide economic reward; this dependency meant it would necessarily support him.

⁶⁴² Keaveney makes the interesting point that troops would always seek to gain from a campaign, but that the objective of such a campaign might be different from what it traditionally had been (Keaveney, 2007, p. 42). This is fair, but it still does not explain satisfactorily why those troops would support their commander in a campaign which was manifestly different from any that had been conducted before. A plausible and cogent pathway to intervention is still needed; the following chapters set out just such a pathway.

⁶⁴³ Marin, 2009, p. 38. Matthew also argues along these lines: the need to ensure economic survival of the poor now serving in the legions post Marius' 107 BC reform, shifted the soldier's loyalty away from the state to commanders who brought them success and profitable service (Matthew, 2010(a), pp. 20-21).

⁶⁴⁴ Brunt, 1962, pp. 79 ff.

⁶⁴⁵ Cagniat, 2008, p. 82: "Consequently, from 107 onward, soldiers joined the army expecting their generals to provide financial rewards at the end of the campaign." Cagniat is referring here to the reform supposedly allowing into the army large numbers of landless poor, who looked toward service for financial gain. As I have shown, however, this was a thoroughly traditional, unexceptional motivation of citizen and allied soldiers in consular armies; there is nothing new here.

This assertion, however, cannot be substantiated. I argue that soldiers had never looked toward the state for substantive economic reward; that responsibility had always rested with commanders. Late-republican armies may have relied on generals for economic advancement, but such reliance was in no way exceptional. Like the desire to profit from war, it was a thoroughly conventional practice. Longstanding tradition, for example, gave generals the responsibility and right to distribute booty, *donativa*, and other spoils of war as they saw fit.⁶⁴⁶ Although military policy regulated and systemised the collection and distribution of booty,⁶⁴⁷ there was no legislation governing it, nor any formal level of remuneration set.⁶⁴⁸ The variation evident in the amount given to soldiers under different commanders at the end of campaigns or during triumphs⁶⁴⁹ was a manifestation of this informality. Variations indicated the prerogative of commanders to set their own amounts; as I have shown, the lack of standardisation meant some commanders were generous, others less so – and soldiers benefitted accordingly.⁶⁵⁰ Of course, the state could intervene if it thought soldiers had not been given a fair chance to profit from victory,⁶⁵¹ and it is also true that the state paid the army, through the office of the *quaestor*,⁶⁵² its annual salary; soldiers were thus financially compensated for service by the state. I have shown, however, that the real money to be made from service did not come from *stipendium*,⁶⁵³ but success in battle, and the subsequent opportunities for booty and *donativa*. Substantial financial reward did not normally come from Rome: the rationale for instituting and enforcing a minimum wealth qualification for service was partly to obviate the need of the state to

⁶⁴⁶ Gruen, 1995, p. 71.

⁶⁴⁷ See above.

⁶⁴⁸ It must be noted, however, that the governing elite did attempt to place some controls on the distribution of largess by individual commanders early in the second century BC as a reaction to the sheer scale of the influx of wealth, and as an attempt to re-impose restraint on the power of commanders in the wake of the long Second Punic War, and various tools, including censure and the courts, were used. M. Acilius Glabrio, for example, was arraigned soon after his triumph in 189 BC by two tribunes on the charge that he kept a large proportion of the loot and did not hand it over to his soldiers or the treasury. The subsequent trial did not produce a result (Liv. 37.57). For an excellent summation of the senate's attempt to re-impose restraint upon its magistrates at this time, see Gruen, 1995, pp. 70 ff. For the purposes of my argument, however, it is enough to note that this restraint never amounted to any form of regularisation, and magistrates largely remained free to decide who got what when it came to plunder.

⁶⁴⁹ See this chapter above.

⁶⁵⁰ P. Scipio Africanus was generous to his soldiers, as were M. Cato and L. Scipio; Aemilius Paullus, however, was less so.

⁶⁵¹ As it did in 168 BC, for example as I have shown above, when the senate ordered Paullus to allow his soldiers to plunder the towns and cities of Illyria and Epirus because it felt they had not been given the opportunity to amass booty (Plut., *Aem.* 29; Liv. 45.28).

⁶⁵² Liv. 22.49.

⁶⁵³ In Chapter Two above and in this chapter, the point is made that the level of *stipendium* can only have barely covered the needs of subsistence.

provide for its soldiers after discharge.⁶⁵⁴ Apart from *stipendia*, logistic support, and rare grants of land to veterans,⁶⁵⁵ the state generally left the business of rewarding soldiers to its generals; this was as true for the second century BC as it was for the civil war period of the first century BC.

In the serious business of dividing up spoil, the role of the general was thus crucial; he decided whether a town or camp would be plundered, and what portion of the resultant booty would go to the state treasury. For example, in 189 BC, Cn. Vulso set aside a portion of the booty for the treasury to fulfil his civic responsibilities, before distributing the remainder to his soldiers: *Consul armis hostium in uno concrematis cumulo ceteram praedam conferre omnes iussit, et aut vendidit, quod eius in publicum redigendum erat, aut cum cura ut quam aequissima esset per milites divisit.*⁶⁵⁶ The consul Vulso, not Rome, rewarded his soldiers, as Sulla did with his soldiers a century later,⁶⁵⁷ Q. Sertorius with his soldiers,⁶⁵⁸ and C. Pompeius Magnus with his.⁶⁵⁹ The magistrate allocating booty, of course, represented the state and acted under its authority. This nuance, however, was probably lost on ordinary soldiers far from Rome; as far as they were concerned, the general made the decision on when they could plunder and how much they would get. More fundamentally, it was the general's success in battle that determined how many opportunities for enrichment during a campaign there would be. The economic future of the army, whether it would return home rich or not, was thus dependent on the skill of its general. The personal success of L. Paullus over the Ligurian Ingauni in 181 BC, for example, provided the opportunity for his soldiers to collect booty;⁶⁶⁰ the victory also allowed Paullus to be generous, and each soldier received 300 *asses*, a sizeable proportion

⁶⁵⁴ The military system was devised in part so the burden upon the state was as minimal as possible. Soldiers, for example, who had a minimum level of property and wealth, could be expected to fall back upon their own resources when the army was disbanded. Under this system, the practical consequence was that the state did not have to provide any sort of financial reward; this duty could safely be left to the consuls and magistrates who commanded the armies: see Chapter Two above.

⁶⁵⁵ For example, Liv. 31.4; 31.49.

⁶⁵⁶ Liv. 38.23: "The consul, having burned all the enemy weapons in one pile, ordered his troops to bring in the rest of the booty and either sold that part of the booty which was his duty to convert to public use, or carefully distributed it to the soldiers as to secure the greatest possible measure of equity."

⁶⁵⁷ Plut., *Sull.* 12, App., *Mith.* 38.

⁶⁵⁸ Plut., *Sert.* 10.

⁶⁵⁹ Plut., *Pomp.* 19.

⁶⁶⁰ I have shown above other examples of successful generals personally doling out financial rewards to their soldiers; in each case, the ability of the soldiers to profit from war was directly tied to its general's personal skill and success in battle, and conduct of the campaign. Soldiers thus naturally turned toward their generals to provide them with financial rewards.

of a year's salary in one allocation that boosted the personal wealth of recipients.⁶⁶¹ Despite the assertion of Marin and others, I argue that the transactional relationship between soldiers and their commanders in late-republican armies thus remained unchanged. The expectation of financial reward was a consistent factor of service: soldiers had always expected their generals, not the state, to reward them financially. It was not a special phenomenon of late-republican armies, and not the changed factor of service that explains the emergence of politically interventionist armies.

Pecuniary Self-Interest: Room for Other Factors to Work

Brunt argues that the desire for plunder made soldiers of the late Republic, particularly the civil war period, readier to follow their generals in civil wars, irrespective of the cause they professed to represent.⁶⁶² Brunt admits no nuance: pecuniary self-interest is the dominant motivator and reason for supporting ambitious generals. This emphasis is misplaced; I argue that the presence of pecuniary self-interest in an army did not stop other factors from influencing soldiers. There was room for late-republican soldiers, even those engaged in civil war, to be moved by other considerations; a holistic explanation for intervention should be alive to their presence.⁶⁶³ Even after Sulla had clearly demonstrated the political possibilities of a partisan army by capturing Rome, non-pecuniary appeals were still made to persuade troops. Marius, for example, offered Etruscans not money to join his army, but constitutional arguments and his record of service.⁶⁶⁴ Sulla himself did not mention the subject of financial gain to his army, preferring to appeal to the inherited tradition of the army acting as the ultimate recourse for personal grievance.⁶⁶⁵ Later, in Asia, Sulla and commander of an opposing army, Q. Flavius Fimbria, used claims of illegality and constitutional breaches against each other, not promises of largess to the men, to strengthen

⁶⁶¹ Liv. 40.34.

⁶⁶² Brunt, 1962, p. 78.

⁶⁶³ As I will explain in the following chapters below, the army acted from various other motivations, and under the influence of other factors, besides pecuniary self-interest. Chapter Eight below will show that these other factors were as important, and in several instances, more influential, than pecuniary self-interest at Nola in 88 BC in explaining why Sulla's soldiers decided to support him. Here, it is important to understand that despite the emphasis of the conventional view on expectations of financial gain, the real picture was more nuanced, and room existed for other factors to exert themselves on the motivations of the soldiers.

⁶⁶⁴ App., *BC* 1.67. After being chased from Rome by Sulla, Marius was attempting to gather an army to counter attack after Sulla had left for the east.

⁶⁶⁵ For more background on the army in this role and examples, see Chapter Six below. For a detailed discussion on how this role manifested itself in the specific conditions at Nola in 88 BC, see Chapter Eight below.

the legitimacy of their position.⁶⁶⁶ Even in the later civil war period,⁶⁶⁷ with all inhibitions of fighting fellow citizens gone, armies long interventionist, generals completely dependent on their armies to support their claims to power, and when soldiers' loyalties to commanders could thus be expected to be dominated by transactional arrangements involving financial reward, there was still space for other factors to assert themselves. In 40 BC, for example, C. Iulius Caesar Octavianus, was forced to postpone his argument with rival M. Antonius, because his veterans thought it more important to deal with the men who killed C. Iulius Caesar, rather than fight Antonius' army.⁶⁶⁸ These were not the actions of men so dominated by pecuniary self-interest that they slavishly follow any order; there is room for other factors, such as a desire for revenge, to influence them.

Moreover, appeals to pecuniary self-interest, when they did occur, were often accompanied by other reasons. Cinna in 87 BC, for example, bribed the remnants of Sulla's army at Nola to switch sides and become involved in his *inimicitiae*;⁶⁶⁹ but he also accompanied it with an argument outlining his legitimacy, the illegality of his removal, the tyrannical behaviour of his enemies, and the insult done to the sovereignty of ordinary citizens in assembly who elected him consul.⁶⁷⁰ Cinna touched the civic sensibilities of the soldiers, as well as their desire to profit from service; like Sulla, he appealed to it as the ultimate recourse for personal injustice.⁶⁷¹ That ordinary citizens had a sense of morality to which generals could appeal may not be at first obvious, but something like a sense of moral appropriateness existed – certainly amongst the more educated of society. Laelius, for example, defended

⁶⁶⁶ App., *Mith.* 9.59. Sulla's army, for example, surrounded Fimbria's and demanded its surrender. Sulla did not appeal to the soldiers' mercenary self-interest with promises of largess or money to persuade them to join him. Instead, he used the illegality of Fimbria's position as a rationale for surrender. Fimbria countered with a charge of illegality of his own against Sulla. The constitutional argument used by Sulla, however, carried considerable persuasive weight with the men who watched this exchange play out in front of them. Fimbria's soldiers began deserting to Sulla, who used the argument of legitimacy because he knew it would resonate with the *Fimbriani*. Fimbria's attempts at Cinna-like histrionics, theatrical displays of protestation, calling in favours and finally outright bribery, failed to stem the growing numbers of desertions, and he killed himself in despair, after which his army was integrated into Sulla's. Self-preservation no doubt paid a part in the decision of Fimbria's soldiers to desert; Sulla's battle-hardened, larger army surrounded them. Yet, the legal and constitutional argument deployed by Sulla against Fimbria was also influential in persuading soldiers to desert.

⁶⁶⁷ The civil wars of the second half of the first century BC, during the 40s, and after the death of C. Iulius Caesar.

⁶⁶⁸ App., *BC* 3.40. Alston explains that Caesar's veterans were unwilling to back Octavian's attempted coup against Antony in 44 BC and refused to fight fellow Caesarians when Octavian and Antony confronted each other at Brundisium in 40 BC (Alston, 2007, p. 185).

⁶⁶⁹ Keaveney, 2007, p. 39.

⁶⁷⁰ App., *BC* 1.65.

⁶⁷¹ See Chapter Six below.

Rome's acquisition of empire in the late Republic, arguing that it was acquired in just wars, in defence of Rome, and had been maintained largely by her correct observance of relationships with her allies, whether by legal treaty or morally on *fides*.⁶⁷² It is reasonable to think that ordinary citizens who manned the legions were also capable of being influenced by such a sense of morality. I argue, for example, that the tradition of the army's insubordination and mutiny in political, economic and social causes indicated a sense of collective morality that could be offended.⁶⁷³ That morality, and a sense of what was publically acceptable, was likely behind the defacing of the Temple of Concord erected in the aftermath of Gracchan suppression in 121 BC.⁶⁷⁴ Under the dedication someone carved graffiti that suggested a work of mad discord had instead produced a Temple of Concord; ordinary citizens were angry at the extreme violence used by L. Opimius to overcome the Gracchans.⁶⁷⁵ Offended public morality was responsible for Opimius' later arraignment and public trial, where he attracted little sympathy from ordinary citizens because they recalled his violence and cruelty against the Gracchans.⁶⁷⁶ The consuls who conducted the 'witch hunts' after the death of Ti. Gracchus in 132 BC, P. Popillius Laenas and P. Rupilius, also suffered popular disapproval at their public trials because of their actions; that disapproval came from a sense among ordinary citizens that the consuls had transgressed the bounds of what was acceptable in public life.⁶⁷⁷ I have shown that when pecuniary self-interest was present in late-republican armies, there was nevertheless room for other considerations to work, even amongst soldiers long engaged in civil war. I argue that it was not enough just to appeal to pecuniary self-interest; legitimacy, cause, personal grievance, or other persuasions, were also important if a general wanted the best chance of persuading an army. This was especially so when he proposed acts with significant consequences or risks, such as supporting his personal *inimicitiae*, intervening in political discourse, or marching on Rome to impose a political solution on the state.⁶⁷⁸

⁶⁷² Cic., *Rep.* 3.34 ff. For a full and recent discussion on the meaning and application of *fides* in the Roman context, see also Burton, 2011, pp. 38-64.

⁶⁷³ For detail, examples and argument for this claim, see Chapter Six below.

⁶⁷⁴ See Chapter Seven below.

⁶⁷⁵ Plut., *CG.* 17; Flower, 2010(a), p. 77.

⁶⁷⁶ Vell. 2.7.

⁶⁷⁷ Vell. 2.7.

⁶⁷⁸ The fact that there was room for other considerations to work on the minds of soldiers, in addition to pecuniary self-interest, will become highly relevant at Nola, and will be covered in detail in Chapter Eight below.

Rinterpreting the Role of C. Marius

In addition to pecuniary self-interest, the conventional view in its explanation for intervention as it manifests itself in much of the scholarship, places an emphasis on the role of Marius, particularly the consequences of his 107 BC reform of the *dilectus*.⁶⁷⁹ Seager, for example, argues that this reform created the republican armies of the first century BC, dependent on their generals for rewards, and thus ready to follow them against Rome. Marius, he contends, made possible the last precipitous stage in the fall of the Republic that began with Sulla's 88 BC march on Rome.⁶⁸⁰ Matthew argues that the reform was a revolutionary event for the Republic; the implications of enrolling the poor were significant, especially because this step shifted the army's loyalty from state to general.⁶⁸¹ Marius' reform was even invoked in later times as a cautionary example against the state establishing standing armies. Political theorists of the New Country Party in 1690s England, for example, thought the reform debased the constitutional foundation of Roman liberties, leading to military monarchy and tyranny, something England should avoid by rejecting a standing army, relying instead on a citizen-militia.⁶⁸² These views reflect ancient opinion: that the 107 BC *dilectus* fundamentally changed nature of service in the army and its demographic makeup.⁶⁸³

I argue, however, that the conventional view unduly reduces the origin of politically interventionist armies down to a single event; it thus exaggerates the role of Marius, overplays the implications of the reform, and rigidly fixes a linear progression from the 107 BC *dilectus* to the emergence of soldiers willing to intervene in politics.⁶⁸⁴ It was not one

⁶⁷⁹ As I have shown in Chapter Three above, Marius was blamed for transforming the citizen-militia with his recruitment reform in 107 BC in preparation for his African campaign against Jugurtha. During the levy, he discarded the ancient Servian minimum property qualification up to that point necessary for legionary service; he opened up his legions to the poorest and landless of Roman society. For a recent analysis on why Marius implemented it, see Matthew, 2010(a), pp. 17-20.

⁶⁸⁰ Seager, 1976, pp. 13-14.

⁶⁸¹ Matthew, 2010(a), pp. 20-21.

⁶⁸² Levillain, 2005, pp. 340-341. Levillain has made an interesting study of how the perception of the Roman Republic influenced political and social questions of late 17th century England, including the debate over whether William III's standing army presented a threat to English liberties, and drawing parallels between it and late-republican politically interventionist armies (my term). Levillain was examining the standing army debates of 1697-9, and ends up characterising them as a clash between Dutch and English neo-Romanism.

⁶⁸³ Sal., *Iug.* 86; Flot., *Epit.* 1.36; Plut., *Mar.* 9; Gel. 16.10. See Chapter three above.

⁶⁸⁴ Keaveney emphasises the exemplary role of Marius' supposed creation of the revolutionary army: he calls it the 'static view of the revolutionary army'. By this, he means that scholars have assumed that once Marius, by his reforms in recruiting in 107, created a professional or revolutionary army, then its characteristics were

event – and certainly not this event – which produced the necessary conditions in which such soldiers could emerge at Nola.⁶⁸⁵ I contend that Marius' reform was in fact not significant; an inveterate improver of the military institution, he took the logical step of abolishing a property qualification for his levy, which was almost meaningless by 107 BC as a barrier to the poor. There is little reason to think that it led to a sudden influx of large numbers of landless poor,⁶⁸⁶ or that the traditional levy became obsolete.⁶⁸⁷ Too much has thus been made of it as a revolutionary event which transformed the nature of military service by allowing volunteer *proletarii* to serve. Moreover, even with the property qualification in place, poor soldiers – most, it is reasonable to think, with a strong sense of pecuniary self-interest and alive to any opportunity to improve their impecunious condition – had always been represented in the army, long before 107 BC. The conspicuous influx of wealth and booty in the first half of the second century BC⁶⁸⁸ only accentuated the attractiveness of military service to the poor as one of the few institutions where their economic situation could be significantly improved. With that sort of wealth on display, I suggest that it was no accident that the first obviously professional soldiers, many of them poor, emerged around this time. Centurion Spurius Ligustinus, for example, who completed more than two decades of continuous service by 171 BC,⁶⁸⁹ came from a small Sabine farm of less than two *iugera*⁶⁹⁰ below the minimum property qualification;⁶⁹¹ thus, he was

set and not to be altered. So Sulla's role is that of a man who saw what Marius could not, the potential of the new model army, and he was somebody who sought to use it for political advantage. Caesar simply followed Sulla's example, but from different motives and to more deadly effect. Keaveney's slant is informative, and the role of Sulla, and what he did with the army, as an exemplar is, I think, indisputable – although I would point out that, once again, Keaveney has focussed his attention on the individuals in command, not the ordinary soldiers, as the critical agents of change. As I have argued in Chapter Eight below, a proper focus would be on the ordinary citizens serving in the army; it was here that the biggest change occurred, without which no general could have been a threat to the Republic. Keaveney is right, however, to level criticism at the supposed formative role of the 107 BC recruitment reform.

⁶⁸⁵ As I will show in subsequent chapters, there were other factors, in addition to the unexceptional desire to profit from war, which influenced the decision of the army to support Sulla, and which together more comprehensively explains its actions.

⁶⁸⁶ De Ligt, 2012, p. 183. De Ligt, in his estimation, argues that this meant that the property qualification was still important post 107 BC (see also Rich, 1983, p. 329).

⁶⁸⁷ Adams, 2007, p. 208; De Ligt, 2012, pp. 183-184; Lintott, 1992, p. 92. See also Rich, 1983, pp. 323 ff for a view that Marius' reform did not affect the future implementation of the property qualification; it was not until much later that it ceased to be observed by generals enrolling armies.

⁶⁸⁸ See above.

⁶⁸⁹ He may be a literary invention, although there is little evidence for this.

⁶⁹⁰ This equated to well under a hectare; about an acre in the imperial scale of measurement. It was a small amount of land on which to support a family; perhaps more than enough for a hut and garden plot, but not much more (de Ligt, 2012, p. 183). I contend that it cannot have represented much wealth: one *iugerum* of arable land equated to around 1500 asses (de Ligt, 2012, p. 175). The total value of Spurius' home farm was thus under 3,000 asses.

technically *proletarius* – though he must have found some way to enter the army by accumulating enough personal wealth, or exploiting a loophole.⁶⁹² The presence of poor professionals, such as Spurius, and their desire to build wealth, did not lead to mercenary armies more willing to risk civil war, do anything for money, or engage in the personal *inimicitiae* of generals. The answer to why Sulla's soldiers interfered in political discourse thus lies elsewhere.

The Lowering of the Property Qualification

I argue that the abolition of the property qualification in 107 BC did not fundamentally alter the social composition of the army; it did not mean, for example, that from this point on, the poor suddenly began appearing in service. Instead, they had long been represented in the army: the threshold may originally have been intended to distinguish the poor unambiguously from propertied classes, but I argue that it was reduced over time, so that by 107 BC, it was already so low that any distinction between *assidui* recruits and *proletarii* was almost meaningless.⁶⁹³ Every time it was reduced, large numbers of former *proletarii* were artificially elevated, without any material increase in wealth, into the *assidui* class, and thus became available for army service. It is true that the reduction in the minimum level of the fifth property class does not categorically represent a neat linear reduction, and the evidence is fragmentary;⁶⁹⁴ I suggest, nevertheless, that it is likely.⁶⁹⁵ Livy, for example,

⁶⁹¹ Five *iugera*, or 4,000 *asses*, was the minimum property threshold at that time Spurius and his companions appealed to the tribunes to be admitted into the army at their former ranks.

⁶⁹² Liv. 42.43. He might have managed to scrape together enough wealth to meet the minimum property qualification, but from such a small holding, he was initially a poor man, and probably needed the booty and economic opportunities presented by service in the army to improve his financial situation. He was not the only veteran to present himself in 171 BC; 22 others who had been centurions also appealed to the tribunes of the people to be reinstated at their former ranks (Liv. 42.32). It is reasonable to think that they, like Spurius, had also served for many continuous years, and were probably professionals.

⁶⁹³ To recapitulate, the Roman census system recorded at regular intervals the population's individual wealth; it was used for placing citizens into one of a large number of centuries for voting units in the *comitia centuriata*. These classes were also used to determine military service. See de Ligt, 2012, p. 100. See also Gargola, 1989, p. 231, and Chapter Two above.

⁶⁹⁴ The fragmentary and inconclusive nature of the sources has attracted comment from scholars; Rich, for example, questions whether it is possible to deduce anything meaningful about the property qualification from the sources, given the paucity on the subject (Rich, 1983, p. 330). Matthew also argues that the figures in the sources are so open to doubt that any reduction to property qualifications cannot be confirmed (Matthew, 2010(a), p. 16). I argue that, nevertheless, the attempt must be made, and that it is possible to build a circumstantial case for a linear reduction over time, that the level was low, and that the poor had been represented in the army long before Marius' supposed revolutionary recruiting reform – without this representation ever producing insurrectionist soldiers.

⁶⁹⁵ See Keppie, 1984, p. 61. Also Gargola, 1989, p. 232. This subject has also been the topic of much debate, especially among those interested in the size of the ancient Italian population. De Ligt, Rathbone, Scheidel and Launaro have all produced exhaustive and recent (de Ligt's, with a 2012 publication date, is the most

used Fabius Pictor's⁶⁹⁶ figure of 11,000 *asses* for the minimum property barrier for *assidui*.⁶⁹⁷ He quoted Pictor's 579 BC-534 BC census figure⁶⁹⁸ of 80,000 citizens being able to bear arms,⁶⁹⁹ and referred to the threshold when it was first established; it is thus reasonable to think that it represented the earliest time that Livy knew, well before the start of the first war against the Carthaginians in 264 BC.⁷⁰⁰ By the mid Republic, however, it had been reduced: Polybius, writing around 160 BC of the mid Republican army,⁷⁰¹ set the minimum threshold at 400 *drachmae*.⁷⁰² M. Tullius Cicero, Aulus Gellius, and (the late imperial writer) Nonius Marcellus, writing still later, set it even lower, at 1,500 *asses*.⁷⁰³ Given that settlers to Roman colonies in the first decades of the second century BC were

recent) studies on population and census studies, and the issue of the reduction of the minimum property qualification has been covered in these debates because of what it indicates about the size of the *proletarii* class. I do not intend to add yet another voice to the vast and detailed body of work on Roman census figures and population densities. Suffice to say that when it comes to tracking the reduction of the minimum property qualification threshold, it is a difficult exercise. The evidence, for example, is fragmentary and there are only snippets in the sources that relate to this question. Moreover, it must be interpreted with specialist knowledge of the history of republican monetary devaluation, changing weights of *asses* over time, changing currencies and historical context. The best study on this question is thus Rathbone's, who in 1993 produced an article of clarity on the devaluation of the minimum property qualification; he brought a monetary and economic specialist's perspective to bear on the question, and ultimately concludes that it did occur (Rathbone, 1993, pp. 121 ff). He is quoted in such careful and exhaustive recent studies of Roman census figures, such as de Ligt's (de Ligt, 2012, pp. 101 ff), Scheidel's (Scheidel, 2006, pp. 48-49, where Scheidel quotes him verbatim: "I can do no better than follow his fundamental paper on this topic."), and Launaro's (Launaro, 2011, p. 92.). I too will draw on Rathbone where necessary.

⁶⁹⁶ De Ligt, 2012, p. 41.

⁶⁹⁷ Liv. 1.43: *Undecim milibus haec classis censebatur. Hoc minor census reliquam multitudinem habuit; inde una centuria facta est immunis militia.* "The rating of this class was eleven thousand [asses]. Those who were assessed at less than this amount, being the rest of the population, were made into a single century and exempt from military service."

⁶⁹⁸ Fabius Pictor: the most ancient of historians, according to Livy (Liv. 1.44).

⁶⁹⁹ Launaro offers one reason why Livy mentioned Pictor and the seemingly superfluous fact about citizens being able to bear arms: he was making a distinction between the census as it applied in the early Republic with his own time, when the census did register those not able to bear arms, such as women, children, and old men (Launaro, 2011, p. 19). There has apparently been a change in the way the consensus was recorded (see also de Ligt, 2012, p. 98).

⁷⁰⁰ Brunt, 1971, p. 403.

⁷⁰¹ De Ligt, 2012, p. 169.

⁷⁰² Pib. 6.19; using the Greek measure. This equates to 4,000 *asses*.

⁷⁰³ Cic., *Rep.* 2.22; Gel. 16.10; Non. 228. To illustrate with Gellius: *Qui in plebe, inquit, Romana tenuissimi pauperrimique erant neque amplius quam mille quingentum aëris in censum deferebant, 'proletarii' appellati sunt, qui vero nullo aut perquam parvo aëre censebantur, 'capite censi' vocabantur, extremus autem census capite censorum aëris fuit trecentis septuaginta quinque.* "He said: those of the Roman commons who were the humblest and of smallest means, and who reported no more than fifteen hundred asses at the census, were called the 'proletariat', but those who were rated as having no property at all, or next to none, were called 'capite censi', or 'counted by the head'. The lowest rating of *capite censi* was three hundred and seventy five asses." Note that Cicero's listing of 1,500 *asses* is contested; it is generally agreed that the original reading was 1,100 asses, not 1,500. As de Ligt points out, if it was changed by a late-antique corrector, which is itself not certain, then it places doubt on what Cicero actually wrote (de Ligt, 2012, p. 174, note 142). I will retain Cicero's 1,500 *asses* for the sake of completeness, and because I do not think it changes the essential fact that there is yet a further apparent reduction.

allocated land plots of around 5 *iugera*,⁷⁰⁴ and the size of these plots must have made them eligible for legionary service,⁷⁰⁵ it is reasonable to think that Polybius' minimum figure of 4,000 *asses* probably equated to the value of a four/five *iugera* plot.⁷⁰⁶ Romans who served in the army during the First Punic War between 264 BC – 241 BC owned similar sized farms; M. Atilius Regulus, for example, owned a seven *iugera* plot worth around 5,500 *asses*,⁷⁰⁷ enough to support a family and make him eligible for legionary service.⁷⁰⁸ The reduction of the original 11,000 *asses* to around 5,500 *asses* thus likely occurred before the middle of the third century BC; it was slightly lowered again to 4,000 *asses*, probably during the Second Punic war in 218 BC, and remained fixed there until the middle of the second century BC.⁷⁰⁹

Yet, Cicero's, Gellius' and Nonius' figure of 1,500 *asses* suggests it was lowered even further at some later point;⁷¹⁰ Gellius makes an additional distinction among those not eligible for legionary service between *proletarii* and *capite censi*,⁷¹¹ although it is generally accepted that this was a mistake, and he referred to the same group of people.⁷¹² There is nothing to anchor definitively the lower figure to the second half of the second century BC, after Polybius' figure, but I argue that the circumstantial evidence suggests it. If we accept, for example, that Gellius' *capite censi* and *proletarii* were the same group of people,

⁷⁰⁴ This equates to about 1.25 hectares (de Ligt, 2012, p. 102).

⁷⁰⁵ For example, at Liv. 39.55: settlers each got five *iugera* of land in the colonies which were placed at strategic locations, enough to make them eligible for legionary service. Between 199 BC and 184 BC, up to 18 maritime colonies were established (de Ligt, 2012, p. 154).

⁷⁰⁶ De Ligt, 2012, p. 102. Rathbone, 1993, p. 125. De Ligt believes that ownership of just 4 or 5 *iugera* (1 or 1.25 hectares) of land was enough to meet the property qualification for legionary service when Polybius wrote (de Ligt, 2012, p. 169). I have no reason to doubt him on the conversion of *iugera* to hectares, and thus accept, and use, his estimate.

⁷⁰⁷ If we use the five *iugera* land plot as being equal to 4000 *asses* in value, then seven *iugera* would equate to around 5,500 *asses*; here I follow Rathbone, 1993, p. 139. The conclusion is that for at least half of the third century BC, the minimum property threshold equated to 5,500 *asses*, or 1.75 hectares, and for at least half of the second century BC, it was set at 4,000 *asses*, or 1.25 hectares. This was enough to make a citizen eligible for legionary service, and separated the *assidui* class from the *proletarii* (see de Ligt, 2012, p. 102).

⁷⁰⁸ V.Max. 4.4.

⁷⁰⁹ Rathbone does not contest this point; rather argues that there was a reduction from 5,500 *asses* to 4,000 *asses* in 212 BC which can be explained by the introduction of a new monetary system then which replaced the heavier pre-Hannibalic period *asses* with assess five times lighter (Rathbone, 1993, pp. 139-141. See also Rosenstein, 2004, p. 1, and Gabba, 1976, p. 22). What is important to my argument is that there was a lowering in the threshold; the 11 000 *asses* have become 4 000 by the start of the second century BC: on this point, there is no conflict.

⁷¹⁰ Gabba, 1973, p. 6. There is little doubt in Gabba's view that a further reduction took place; the figure of 1,500 *asses* is a reduction from the 4,000 *asses* of the Polybian period. I am not as certain as Gabba, but concede, nevertheless, that it was likely, as I will show.

⁷¹¹ See note 130 above and Matthew, 2010(a), p. 14.

⁷¹² De Ligt, 2012, p. 174.

Gellius may also have made a mistake using *asses* with the 375 figure; expressed as *sestertii*, this amount is the exact equivalent of 1,500 *asses*.⁷¹³ Given that the correlation seems too exact to be coincidence, Gellius probably meant to refer to 375 *sestertii*.⁷¹⁴ If this was the case, he must be using a figure after 141/140 BC, when Romans adopted *sestertius* as normal currency;⁷¹⁵ this implies a further lowering of the minimum threshold, and places it after Polybius. According to Gabba, there should be an accompanying spike in the recorded census figures⁷¹⁶ around this time to reflect the lowering.⁷¹⁷ From 163 BC to 130 BC, there is a fall in the census figures,⁷¹⁸ but in 124 BC, there is a significant jump in the numbers with 394,736 adult male citizens registered.⁷¹⁹ Gabba interprets this as a sign that the minimum threshold was lowered during the early 120s BC, as there were more citizens who qualified for legionary service to be recorded in the census. His analysis, however, is not definitive, as it assumes that *proletarii* were not included in regular census figures, and this was unlikely to have been the case.⁷²⁰ Nevertheless, it is reasonable to think that the census still significantly under-registered the *proletarii*. The purpose of the census was to reveal the number of citizens available for army service, provide a basis for the imposition of *tributum*, and compile lists of voters for the orderly functioning of assemblies.⁷²¹ Given *proletarii* were not required to serve in the army or pay *tributum*, I contend that officials were always more careful registering propertied classes than *proletarii*, even if they were

⁷¹³ De Ligt, 2012, p. 175. Rathbone, 1993, p. 146.

⁷¹⁴ De Ligt, 2012, p. 175. For an explanation of how easily such a mistake could be made, and affirmation that it was, see the discussion of Gellius' misreading of the minimum threshold by Gargola, 1989, p. 233.

⁷¹⁵ Rathbone, 1993, p. 144. Rathbone argues the new rating of 1,500 *asses* was probably introduced with the numismatic reform of 141/140 BC. De Ligt follows Rathbone closely on this point, and argues it is the most economical theory (de Ligt, 2012, p. 175). I find that there is nothing in the sources to contradict Rathbone's theory, or de Ligt's faith in the argument.

⁷¹⁶ Every five years, all male Roman citizens were required to declare themselves and their property before the censor's *iuratores*; citizens seem to have declared the names of their wives and sons *in potestate*, and the ages of their sons (D.H. 5.75).

⁷¹⁷ Gabba, 1976, pp. 1-19. Gabba's assertion seems logical.

⁷¹⁸ In 164/163 BC, there were 337,022 citizens recorded (Liv., *Per.* 46.). In 131/130 BC, there were 318,823 citizens recorded, a drop of 18,199 (Liv., *Per.* 59).

⁷¹⁹ Liv., *Per.* 60.

⁷²⁰ De Ligt, 2012, pp. 100 and 175. De Ligt convincingly argues that the census needed to have at least a reasonable picture of the size of the citizen class of *proletarii*; they were not required for legionary service, but they still could still be required to serve in the navy as rowers, (Plb. 6.19), and the censors needed to be able to accurately determine who met the minimum threshold, a factor which likely helped minimise the effect of under-registration among *proletarii*. He makes the further point that it is not too far-fetched to suggest that many *proletarii* pushed to be registered so they could give their votes to patrons in exchange for favours. I would add that the implication of all this is that the *proletarii* are likely to have been represented in the census figures, although there was still likely to be under-registration of the class as a whole, as censors would have been mainly interested in accurately capturing those groups which had property, and could contribute financially to the state and serve in the army.

⁷²¹ De Ligt, 2012, p. 100.

expected in theory to register all adult male citizens. The figures probably reflected that fact: the sudden jump in numbers in 124 BC may yet be a sign of a lowering of the minimum property qualification of the fifth Servian class.⁷²²

There is another clue to support this hypothesis. At the same time as the sudden spike in numbers of adult males registered, C. Gracchus introduced a bill which, *inter alia*, stipulated that the cost of soldiers' clothing would in future be met by the state.⁷²³ This was a change; since at least the start of the second century BC, the state provided clothing to soldiers, as well as arms, equipment and victuals, but deducted the cost from their *stipendium*.⁷²⁴ I argue that it is no coincidence Gracchus introduced this measure at the

⁷²² Matthew questions why it appeared that only the threshold required for the fifth class was lowered, while there is no indication of the other classes being lowered; if one class needed refreshing, he contends, then it is reasonable to think that there probably existed a need to refresh all classes (Matthew, 2010(a), p. 16). Putting aside the fact that the absence of any evidence in the notoriously fragmentary sources does not necessarily mean it did not occur, if the measure was, as I believe, designed primarily to meet the army's need for more recruits, then it would have been enough just to lower the minimum property barrier, especially with the introduction of state support to pay for a basic level of arms and equipment. The original Servian determinant of role in the army, for example, was wealth, and what a soldier could afford to bring to service. By Polybius' time, however, age and experience largely determined role, although there continued to exist a residue of the Servian intention in the practice of placing poorest recruits into the *velites* (Plb. 6.21). With age and experience, not wealth, as the determinant of role, lowering the minimum property qualification of the fifth class could refresh all classes in the army over time; a fresh influx of youths from the former *proletarii* class moved through the various positions and roles as they aged and gained experience, eventually rejuvenating the whole army. This was possible because of the introduction of a system by which the state met the initial need for arms and equipment; without it, poor citizens elevated into the *assidui* class would have stayed as *velites* because, without any material increase in wealth, they still could not afford the minimum required to serve in the infantry battle lines of *hastati*, *principes* and *triarii*. With state support, however, and with rations and other essentials provided, it was possible for poor citizens to move from *velites* into the *hastati*, or go directly into the other main infantry battle lines depending on their age when they were elevated into the *assidui*. With such support, poorer citizens could meet their civic obligations year after year, transitioning to the next class as they aged. From a military perspective, it is possible to meet the needs of the military system by lowering the minimum property qualification only for the fifth class.

⁷²³ Plut., *CG* 5. This occurred in 123 BC, at the same time as the census recorded a sudden jump in numbers. On Plutarch's language, Gabba goes further; he argues the prohibition against deducting from a man's *stipendium* the cost of clothing was Plutarch's shorthand for a prohibition against deducting anything for arms, equipment or victuals; the deduction of money for clothing would have been, in Gabba's opinion, the least onerous (Gabba, 1976, p. 10). In other words, the change is more significant; the state has now moved to provide free to the soldier all his necessary equipment; the soldier keeps all his *stipendium*. Matthew, on the other hand, takes a more literal reading; he limits the meaning of Plutarch's clothing stipulation strictly to clothing and rations, not to arms or equipment (Matthew, 2010(a), p. 24). If Gabba's view is the more accurate, this would be a very significant change from the system described by Polybius; I find, however, nothing to corroborate Gabba's assertion, and must conclude that it is speculation, and agree with Matthew that Gracchus only meant the reform to apply to clothing. As I will show, however, this does not reduce the significance to my argument of Gracchus' stipulation.

⁷²⁴ Plb. 6.39. Matthew suggests this was a reflection of what the individual could afford to repay, as opposed to what he could purchase outright for service (Matthew, 2010(a), p. 3). This seems logical in my estimation; a system which deducted over time instalments from the soldier's pay would seem to have been the most economical and effective way of recovering the cost of the initial outlay. It is the system still in place today: the modern Australian army, for example, provides accommodation, food and other victuals free to soldiers,

same time a sudden spike appeared in the census figures; it is reasonable to think that it is causally linked to the clothing stipulation. Gracchus's bill was an indicator of the presence of extremely poor soldiers in the army; it was manifestly intended to reduce the financial burden on citizens who found even the provision of basic clothing difficult.⁷²⁵ The most likely explanation for its need was a sudden influx into the army of former *proletarii* elevated into the *assidui* class by a reduction in the fifth class threshold, but without any material improvement in their economic position. Gracchus' stipulation was necessary to help ensure they continued to serve, and enabled the state to benefit fully from the intended aim of the threshold reduction: an increase in the pool of manpower available to serve in the army.

What matters is not to prove unambiguously the timing of a second diminution; rather, that a linear reduction of the minimum threshold of the fifth property class separating *assidui* from *proletarii* was likely over time. As I have shown, the evidence is circumstantial, but positive, that this occurred. De Ligt emphasises the artificial nature of the barrier; the number of *proletarii* could be reduced simply by lowering the minimum amount of property needed for the fifth class, because their number was determined by the threshold.⁷²⁶ In the same way, the *assidui* class could be increased: each time the threshold was lowered, large numbers of former *proletarii* were artificially elevated into the *assidui* class without any material increase in their wealth,⁷²⁷ and thus became available for army service. In this way, and encouraged by conspicuous displays of wealth flowing into Rome as empire expanded, the poor came to serve in – and integrate socially into – Rome's army.

but, like the Roman army, then deducts a fixed amount from the soldiers' pay to contribute to his upkeep. It is different with the provision of weapons and equipment; these are always provided to Australian soldiers at full cost to the state, although soldiers are free to – and regularly do – purchase extra personal equipment to improve or modify army issued items. The popularity of customised, privately purchased battle webbing and boots, often better quality or more comfortable than army-issued equipment, is a case in point (author's personal experience of more than a decade service in the Australian Regular Army).

⁷²⁵ In other words, citizens who were almost destitute.

⁷²⁶ De Ligt, 2012, pp. 100-101.

⁷²⁷ Using census figures, Gabba estimates 76,000 *proletarii* alone were transformed into the *assidui* class between 133–125 BC (Gabba, 1976, p. 22).

That the state would lower the minimum threshold is not particularly surprising; there was logic to it.⁷²⁸ According to sources, the *proletarii* were so numerous that their century was as large as all others combined; they accounted for up to half the citizen body.⁷²⁹ But this ratio is problematic: it is not clear to what historical period it applied or whether it was consistently true. Moreover, while many *proletarii* lived in Rome,⁷³⁰ such a ratio was less likely to apply to the countryside, where most citizens were farming *assidui*.⁷³¹ Yet, despite problems of interpretation, I argue that this ratio of *proletarii* to *assidui* may be a reasonable indication of the relative size of the two groups. It was in the state's interest, for example, to keep an accurate record of property-owning classes, and it was less important with respect to *proletarii*, given the burden of army service and taxes fell on the *assidui*. As a result, the size of the *assidui* group and its proportional relationship to the *proletarii* is probably relatively accurate; if anything, given the under-registration of *proletarii* that probably occurred, the group of citizens not available for service could be significantly larger. In any case, what is important is that *proletarii* obviously represented a large pool of untapped manpower; that the state did not use it to replenish their armies, especially in

⁷²⁸ This was especially the case when Rome was under pressure to man large armies during the almost continuous series of expansive wars throughout the second century BC, starting with Second Punic War (218 BC – 202 BC).

⁷²⁹ D.H. 4.18; Cic., *Rep.* 2.22.

⁷³⁰ De Ligt, 2012, p. 99.

⁷³¹ For an argument that the citizen population in the countryside, if not the overall citizen population, at the start of the Second Punic War was dominated by farming *assidui*, see Rich, 1983, pp. 294 and 291. For a more recent and detailed discussion on the ratio of *proletarii* to *assidui*, and the breakdown of Roman census figures, see de Ligt, 2012, pp. 99 ff. De Ligt, after all his analysis, forms the not very helpful conclusion that it is very difficult to ascertain with certainty the exact nature of this ratio, but he nevertheless believes that the view that the *proletarii* formed at least half of the entire citizen population is 'insecure.' He argues, for example, that we cannot be sure the voting organisation of the *comitia centuriata* accurately reflected the social composition of Roman society, citing the fact that many country *assidui* would have been unable or unwilling to travel to Rome for the regular votes; in Rome, the urban *proletarii* would have probably outnumbered the free born *assidui* at any voting assembly. This may have affected the ancient sources in reaching the determination that they equaled all the other classes put together. He consistently, however, makes the point that in the absence of any reliable information, it is difficult to determine in what proportion the *proletarii* were represented. In my view, de Ligt uses the voting arrangements to try to determine the ratio; this is problematic in itself. I point out that voting and registering are not the same thing. With voting, I accept that there would have been many country *assidui* not present, and that the urban *proletarii* were probably overrepresented (see Chapter Six below). However, when it came to registering citizens, it was in the interests of the state to take a careful census of the *assidui*, and less so with the *proletarii*, given that the *assidui* could be levied with taxes and provided the bulk of the infantry. In this case, I argue that the *proletarii* were probably underrepresented, but the other classes more or less accurately recorded; the *proletarii* may well have been an even larger proportion of the citizen body. As a result, I am inclined to think that the *proletarii* ratio of up to half may in fact be an accurate description. Moreover, as I will show below, it is clear that the *assidui* class came under pressure during the Second Punic War; desperate measures, such as arming slaves, suggested Rome was running out of available manpower in the *assidui* class; if they were more numerous at the start of the war, then it is probable that the ratio of *assidui* to *proletarii* had shrunk toward its end. In the end, my point is that the *proletarii* was a large pool of untapped manpower; I argue that it is very unlikely the Romans did not access it, and lowering the threshold was the obvious mechanism to do so.

moments of crisis, is – I suggest – not credible.⁷³² Desperate measures, for example, during the Second Punic War, such as arming slaves and recruiting youth, indicated *assidui* were depleted, and that normal manpower pools were under stress.⁷³³ In this scenario, it is reasonable to think that the Romans would not have allowed up to half their citizen base to remain untapped. It is likely they drew upon it; the most obvious way to do so was to lower the minimum threshold. Pressure on manpower continued into the second century BC, and not only on *assidui*; in 160 BC, Rome was no longer able to man as many ships as she had during the First Punic War.⁷³⁴ Given *proletarii* were used to help man the navy, the drop may indicate that their numbers were also depleted; a plausible explanation for this was a successive lowering of the minimum property qualification which transferred large segments of *proletarii* into *assidui*.

If the state wanted to make full use of newly-promoted *assidui*, it was not enough to lower the minimum property qualification. This elevated thousands of former *proletarii* into the *assidui* class, increasing the pool of suitable recruits available to the state. By the mid Republic, the primary determinant of role in the army was not wealth, but age and experience, although the poorest recruits, alongside the youngest, were still made lightly-

⁷³² On this point, see also Rich, 1983, p. 288. He argues that it did not make sense for the Romans to be so unyielding in their devotion to principle that only men of property should serve in the army, that they allowed an entirely artificial manpower crisis to develop. Rich points out that if the Romans did behave in this way, they displayed a rigidity which was not only foolish but uncharacteristic. I agree with Rich on this matter; of course, the Romans did not slavishly adhere to the minimum threshold in the face of existential threat in war, such as that represented by Hannibal and his armies during the Second Punic War. I think it is unlikely that the Romans did not avail themselves of a pool of untapped manpower that may have represented up to half the total citizen population.

⁷³³ For the arming of slaves, see Liv. 26.2: *Octo iuvenum validorum ex servitiis prius sciscitantes singulos, vellente militare, empta publice armaverunt*. “They bought eight thousand young and stalwart slaves with treasury money and armed them, asking each first if he were willing to serve.” For the recruitment of youth, see Liv. 22.57: *Inde dictator ex auctoritate partum dictus M. Iunius et Ti. Sempronius magister equitum dilectu edicto iuniores ad annis septendecim et quosdam praetextatos scribunt*. “The Senate then authorized the appointment of a dictator and Marcus Junius was named, with his Master of Horse Tiberius Sempronius; they proclaimed a levy and enlisted young men over seventeen and some who still wore the purple-bordered dress of boyhood.” Moreover, the *dilectus* of 207 BC was conducted with particular care and strictness, as there were fewer men of military age available and new enemies to confront, and so additional recruitment pools were tapped: *Itaque colonos etiam maritimos, qui sacrosanctam vacationem dicebantur habere, dare milites cogebant* (Liv. 27.38). “Accordingly, they compelled even the men of the seaboard colonies, who – it was said – had an exemption that they could not be touched, to provide soldiers.” All this, I contend, points to manpower pools under severe stress.

⁷³⁴ Plb. 1.64. Fleets of between 330 and 350 ships, seen during the First Punic War, required up to 100,000 men (Plb. 1.25, 1.36). For a further discussion on this point which emphasises the scale of the manpower needed during this war, and which concludes that up to 700 ships were lost during the First Punic War, and this equated to a manpower bill of up to 200,000 men (80,000 citizens, with the rest being from allies), see de Ligt, 2012, pp. 103-104.

armed *velites* to serve in front of the main battle line.⁷³⁵ Without materially increasing the wealth of former *proletarii*, simply lowering the threshold did not replenish the army's main infantry body of *hastati*, *principes* and *triarii*; the poor were officially *assidui*, but they were still unable to afford the basic arms and equipment required for heavy infantry service.⁷³⁶ The result was an expansion of recruits suitable to serve only as skirmishing *velites*, and who would have stayed *velites*,⁷³⁷ unbalancing the army, permanently on its periphery, and unlikely to make much of a contribution to its social composition. I argue that what made the artificial swelling of *assidui* viable from a military perspective was the introduction of state support from at least the start of the second century BC that met for poor soldiers the initial cost of arms, equipment, clothing and victuals.⁷³⁸ The state recovered the initial outlay from *stipendium*, but it crucially allowed poor citizens unable to afford them the necessary arms and equipment to serve in the army's main body. Freed from the limitations of poverty and perpetual service in the *velites*, they were thus able to contribute more fully. In theory, the citizen-militia reflected the timocratic nature of the state;⁷³⁹ by the mid Republic, this was not the case. Soldiers were paid *stipendium*, the state provided all necessary equipment if needed, and differences in armour that originally distinguished the Servian battle line, had largely disappeared.⁷⁴⁰ Having made large

⁷³⁵ Plb. 6.21. For more on the tactical organisation of the army, see Chapter Two above.

⁷³⁶ For details on the basic equipment required by soldiers, see Plb. 6.22, 23.

⁷³⁷ Matthew argues persistently that reducing the minimum property qualification of the fifth class could only produce soldiers able to serve as *velites*. For example, he picks up the point that a reduction in the fifth class, if it is a sign of reducing Roman manpower for the army, can only have been a reduction in those able to serve as *velites* (Matthew, 2010(a), pp. 12 and 20). As shown above, however, the existence of some sort of state support for basic arms and equipment meant that many of these poor soldiers could serve in the main infantry battle lines, not just the *velites*. It was a system which thus encouraged the social mixing and homogenisation of the army's ranks.

⁷³⁸ Plb. 6.39; Plut., *Mar.* 9; Plut., *CG.* 5. There is another reference from Polybius of recruits, after *dilectus*, told to assemble at a later date without arms, suggesting the state provided them at that time (Plb. 6.22, 23). For more on state provision of equipment, see Matthew, 2010(a), p. 2; Rathbone, 2007, pp. 159 and 167; Erdkamp, 1995, p. 188; Gabba, 1976, p. 9. In this chapter above, I have already placed the significance of C. Gracchus' clothing bill for the army into context.

⁷³⁹ For example, under the original Servian system, wealth determined the position in the battle line: the wealthier citizens were able to afford better, more complete and different types of weapons, and thus were assigned specialised roles. As the classes descended in wealth, the armour and equipment changed accordingly. For an excellent summary of the timocratic nature of the early Roman army, see Potter, 2011, pp. 518 and 519.

⁷⁴⁰ With the exception of officers and centurions, the *hastati* are the only soldiers in the main battle lines of Polybius' army that now wore distinguishing armour in the ranks: a *pectorale*. The *principes* and *triarii* wear *loricae*, and all the other weapons and equipment, except the long spears of the third battle line of *triarii*, were the same (Plb. 6.22, 23). I contend that this suggests that a standardisation in equipment, dress and arms had occurred; the most efficient way of ensuring a common standard across an army is for the state to stipulate requirements, and provide most of the equipment itself. The *pila* used by soldiers, for example, were distinct, and carefully built to ensure a particular affect in battle (Plb. 6.23). The easiest way of ensuring consistency for such a specific piece of equipment was not to rely on individuals to privately source them, which

numbers of former *proletarii* theoretically available for service, the state now gave them a practical way to serve, and not just in the supporting and lightly-armed *velites*, but the main heavy infantry ranks of the army.⁷⁴¹

The Increasingly Meaningless Threshold

Even with a property threshold in place, the use of *proletarii* in military service had been a reality for centuries. Not eligible for the legion, *proletarii* still had an obligation to defend the state. They served in the navy,⁷⁴² an important function when fighting major sea powers such as Carthage and the Hellenistic kingdoms.⁷⁴³ In emergencies, *proletarii* could also be armed at public expense on occasion, formed into infantry units separate from regular legions, and fight in support of the main army; they were used in this way during the war against Pyrrhus in 280 BC.⁷⁴⁴ More fundamentally, however, I argue that the social and economic difference between a soldier of the fifth class worth just over 4,000 *asses*, and a citizen below the minimum property qualification, was minimal. Even without the influx of newly-elevated *proletarii* made possible by the successive lowering of the property qualification, the army was already drawing on *assidui* recruits that shared with *proletarii* a precarious economic position, and an equally strong desire to improve it. The threshold of 4,000 *asses*, for example, did not represent much wealth; it probably equated to about 1.25 hectares of land,⁷⁴⁵ the size of the plot of land given to settlers in the first decades of the second century BC,⁷⁴⁶ and enough for a dwelling and a few crops – but not much more. Its

increased the likelihood of variation between items, but for the state to provide to all soldiers a standardised and centrally produced javelin. For more on the issue of standardisation in the Roman military system, especially as an indicator of the homogenisation between allies and citizen soldiers, see Chapter Five below.

⁷⁴¹ Given the provision of state equipment, and the ability to pay it back over time, it is reasonable to think that only the richest first class still served at its own expense; most of the army probably took advantage of the state loan, although there was still a strong incentive for individual soldiers who could afford it, as there is today, to supplement state equipment with more effective or comfortable pieces. A member of the *hastati*, for example, nominally protected by a single chest piece of armour, and who could afford a mail shirt, surely bought and wore one.

⁷⁴² Plb. 6.19.

⁷⁴³ *Fabri*, *cornicines* and *tubicines*, regardless of wealth, were obligated to support the main army in separate centuries in a role analogous to a modern army's engineers and signallers (Liv. 1.43).

⁷⁴⁴ Oros. 4.1; D.C. 9.39. Marius' recruitment of the *proletarii* in 107 BC could be contextualised as a continuation of the tradition of enrolling poor citizens in times of crisis. In this case, Marius promised to defeat Jugurtha quickly and argued the state had suffered a series of misfortunes in prosecuting the war against him (Sal., *Jug.* 85). Given this, it is reasonable to think that Marius and his supporters could have justified the abolition of the minimum property qualification, the acceptance of *proletarii* into the army, on the grounds it was a national emergency.

⁷⁴⁵ About 4/5 *iugera* of land. Trafalgar Square in modern day London is about a hectare in size, so not much more arable land than Trafalgar Square.

⁷⁴⁶ For example, Liv. 39.55.

value could be reckoned in the number of luxury dinners it bought: Sulla raised the amount of money that could be legally spent on dinners of certain holidays to 1,200 asses;⁷⁴⁷ the total worth of the *assidui* could thus be as low as the amount need to pay for just over three of these dinners. M. Tullius Cicero, in his defence of Q. Roscius, reckoned in the 70s BC that the physical value of the slave, Panurgus, set at 4,000 *sesterces*, or 16,000 asses,⁷⁴⁸ was a tiny sum compared to the value of his training;⁷⁴⁹ even less so for a quarter of that amount. It is thus not clear if 4,000 asses worth of property was enough to enable soldiers to easily purchase outright the arms and equipment necessary for the heavy infantry role; the introduction of the repayment scheme suggested increasing numbers of soldiers could not. This was even more likely to be the case if we accept the threshold was lowered to 1,500 asses after 141 BC. Representing the notional value of one *iugerum* of arable land, this meant that by the last decades of the second century BC, just a quarter of a hectare, barely enough for a small hut and a tiny garden plot, was enough to qualify a citizen for legionary service.⁷⁵⁰ I argue that by 107 BC the distinction between poor *assidui* and *proletarii*, always artificial in any case and subject to the arbitrary movement of the minimum threshold, had lost most of its power to differentiate. In practical terms, there was economically little difference between the lower end of the *assidui* class and the *proletarii*; it made the continued insistence on a property qualification for legionary service increasingly archaic, and Marius recognised that fact by abolishing it for his levy.

This led to a proletarianisation of the army well before Marius; very poor soldiers regularly served.⁷⁵¹ I have shown above that centurion Spurius Ligustinus in 171 BC was originally *proletarius*, and yet became a professional soldier, completing more than 20 years service.⁷⁵² His fellow volunteer centurions probably had similar careers, and were equally

⁷⁴⁷ 300 *sesterces*: Gel. 2.24.

⁷⁴⁸ Using Nicolet's formula of 4 asses = 1 *sestertius* (Nicolet, 1989, p.116).

⁷⁴⁹ Cic., *Q. Rosc.* 9. Furthermore, the amount that could be spent on dinners at certain holidays, stipulated by the *Lex Fannia* and *Lex Licinia* in 161 BC, was 100 asses (Lintott, 1972, pp. 631 and 632); the net value of a person's entire property amounting to 40 of these dinners was, I argue, a very modest sum.

⁷⁵⁰ Rathbone, 1993, p. 146; De Ligt, 2012, p. 175.

⁷⁵¹ Rathbone, 2007, p. 158. In his study of the remuneration of the Roman soldier, he concludes that large numbers of landless volunteers must have enlisted in the army from the late third century BC onwards. I note that Rathbone here is speculating, but I argue that it is speculation based on a solid rationale; as I have shown, the threshold mechanism existed to make *proletarii* available for army service, and then once available, the structural repayment scheme in turn made it possible for them to make a full contribution, and keep serving, while the prospect of booty and opportunities to improve their economic condition that service provided, worked to make the army a continually attractive institution.

⁷⁵² See this chapter above.

poor. I have also shown that C. Gracchus' 123 BC clothing stipulation was best understood as a measure to alleviate the financial burden on extremely poor soldiers in service; the necessity to give it permanency through law indicated that poverty among soldiers was not a fleeting or isolated event, but a common occurrence. Similarly, I argue that the existence of a formal repayment scheme drawing on the promise of future *stipendia* – implemented from at least the start of the second century BC, if not earlier – to cover the initial cost of basic arms, victuals and equipment, was itself an indication of the presence of large numbers of poor in service. It suggested that the army accepted early on large numbers of citizen-soldiers increasingly unable to provide their own basic clothing, equipment and arms because they could not afford them. The most obvious rationale for the introduction of the scheme was the lowering of the minimum property threshold which produced a need to arm and equip thousands of poor and previously ineligible citizens who presented for service as a result of the change.

In addition to these structural alleviations to assist poor soldiers, there are further indications of poverty among the soldiers in the army. The soldiers who mutinied in 342 BC, during the first campaign against the Samnites, were very poor men according to the literary tradition; their impecunious financial situation, and a determination to relieve their social and economic condition, was a reason for their insubordination.⁷⁵³ In 133 BC, rural citizen-soldiers were so poor and burdened by poverty that many could not afford children.⁷⁵⁴ The economic condition between citizens too poor to raise children, yet still able to meet the minimum property qualification to serve, and those unable to meet the threshold, was meaningless; in practical economic and social terms, these soldiers were *proletarii*.

⁷⁵³ App., *Sam.* 3.1; D.H. 15.3. The soldiers who mutinied in Campania were in an insecure livelihood, lacked daily sustenance, could not discharge their debts to their creditors, and were in the army escaping poverty back home; by any measure, these were very poor men. For more detail on this incident, see Chapter Six below.

⁷⁵⁴ App., *BC* 1.10, 14. As I have shown in Chapter Seven below, the poverty of the *agrestes* who formed the backbone of the army, constituted the backdrop to the turbulent tribunate of T. Gracchus.

Volunteers and Professionals

One cannot say that the acceptance of volunteers into the army in 107 BC was a practice which would ultimately prove dangerous to the Republic.⁷⁵⁵ In addition to troops raised by the traditional levy, Roman generals always had the option of asking for *supplementum* to accept volunteers into the army; it had occurred in the past without ever leading to insurrection, soldiers willing to intervene in politics on their commanders' behalf, or irrevocably changing recruitment patterns which weakened the importance of the traditional levy. P. Scipio, for example, used volunteers during the Second Punic War: he recruited 7,000 for his expedition against Carthage.⁷⁵⁶ P. Sulpicius Galba Maximus in 200 BC recruited veteran volunteers from Scipio's African army to help fill his legions.⁷⁵⁷ In 199 BC, the senate gave consul, P. Villius Tappulus, permission to supplement the existing army in Macedonia by as many men as he saw fit.⁷⁵⁸ L. Scipio in 190 BC recruited 5,000 veteran Roman and allied volunteers for the campaign against Antiochus.⁷⁵⁹ When the Third Punic War began in 149 BC, large numbers of citizens and allies volunteered, drawn by the prospect of booty.⁷⁶⁰ P. Scipio Aemilianus took 4,000 volunteers into the army that served under him in Numantia in 133 BC.⁷⁶¹

The practice of *supplementum* and taking volunteers into the army was thus well established; many of them were probably professionals. The presence of soldiers who considered the army a vocation has been conventionally associated with the emergence of politically interventionist legions. Cagniard, for example, considers the emergence of insurrectionist armies primarily a narrative of the evolution from citizen-militia to professional institution, which reached its final state in the professional armies of C. Iulius

⁷⁵⁵ For example, at Matthew, 2010(a), pp. 21 and 22. As well allowing soldiers with an overriding pecuniary self-interest into the army, Matthew's objection to accepting volunteers to man the legions is centred on it undermining the traditional levy: once volunteers began to be accepted, it was almost impossible to revert exclusively to the previous method of recruitment. As I have shown, however, volunteers had been serving in Roman armies for at least a century before 107 BC without it ever proving a problem, or undermining the traditional levy. For a view which locates the raising of bands of volunteer dependents in Rome's distant, semi-mythical past, see Potter, 2011, pp.518 and 519.

⁷⁵⁶ Liv. 28.46.

⁷⁵⁷ Liv. 31.14.

⁷⁵⁸ Liv. 32.1.

⁷⁵⁹ Liv. 37.4.

⁷⁶⁰ App., *Pun.* 75.

⁷⁶¹ Liv. 29.1; App., *Iber.* 84.

Caesar.⁷⁶² The danger to the state lay in their transactional focus on fee for service, and its subsequent exploitation by unscrupulous generals. Professional soldiers, however, were not a unique discriminator of post 107 BC armies; they were a regular part of military service from at least the start of the second century BC. As I have observed above, Spurius Ligustinus was a professional soldier who completed more than two decades of continuous service;⁷⁶³ it is reasonable to think that his companions were also professionals. P. Considius served successively in the armies of Sulla, M. Licinius Crassus and Caesar, and completed at least a quarter-century of service.⁷⁶⁴ M. Petreius first enrolled in 93 BC and was still serving in 63 BC against the insurrectionist army of Catiline.⁷⁶⁵

It is not known how many professional soldiers served alongside regular levies. Their numbers may only ever have been small; like Spurius, they may have occupied key positions in the army. There was, however, a tradition of taking veterans of experience and ability to reinforce raw levies; in 198 BC, T. Flamininus continued the policy of stiffening his levy by selecting soldiers who had served before in Spain or Africa.⁷⁶⁶ In 171 BC, in the preparations for war against Macedon, recruiters took special care to select veterans and volunteers with prior service.⁷⁶⁷ Under this policy, soldiers who gained experience and skill initially as regular levies, and then wanted to make the army their vocation, had a way to do it. I suggest that the conspicuous influx of wealth into Rome at the start of the second century BC only increased the attractiveness of the army as a career for poor citizens with the necessary experience.⁷⁶⁸ The important fact for my argument is that their presence did not lead to unusually disobedient armies, more willing to engage in insurrection against the governing elite in Rome, or risk civil war. Nor did their presence automatically entail

⁷⁶² Cagniard, 2008, pp. 84 and 85. As I have shown in Chapter Three above, the conventional view implicitly assumes that late-republican armies were more professional in a vocational sense than those of earlier times, and that a professional army *per se* was a danger to the Republic, more likely to align its interests with the political ambitions of insurrectionist generals. This process of professionalisation was the result of an influx into the army of poor citizens who failed to meet the minimum property qualification, had no wealth of their own, and subsequently looked toward military service as a vocation to meet their material and social needs.

⁷⁶³ See this chapter above.

⁷⁶⁴ Caes., *BG* 1.21.

⁷⁶⁵ Sal., *Cat.* 59.

⁷⁶⁶ Liv. 32. 9.

⁷⁶⁷ Liv. 42.32.

⁷⁶⁸ There were many citizens and allies with military experience at the start of the second century BC, produced by the experience of the long and difficult Second Punic War.

disloyal armies;⁷⁶⁹ professional soldiers could be as loyal to the Republic as citizens conscripted under the timocratic system. Spurius Ligustinus, for example, advised fellow veterans to submit to the authority of the state, regardless of the outcome of their appeal to be retained at their former ranks.⁷⁷⁰ M. Petreius, with thirty years of professional experience, defended the Republic against Catiline's insurrection in 63 BC, and aligned himself with Caesar's enemies in 59 BC, preferring prison rather than support Caesar's insurrection.⁷⁷¹ I argue that the existence of professional soldiers was not a unique or particularly significant event of post-Marian service; thus, it is unable to satisfactorily account, *per se*, for the emergence of politically interventionist legions.

Reinterpreting the Role of C. Marius: Little Real Change in 107 BC

Given the above discussion, I argue that Marius' 107 BC recruitment reform did not change much. What he did do was recruit *proletarii* without the pretense of a minimum property qualification, and with senatorial permission.⁷⁷² It made sense to abolish a convention which had ceased to have any practical effect. It did not, however, change the social composition of the army; as I have shown, there was nothing that Marius's reform did which could be considered revolutionary. It did not, for example, suddenly open up the army to large numbers of poor. On the contrary, the poor had always been represented in the army, and structural and legal initiatives that liberated them from the burden of paying for the initial cost of arms, clothing, equipment and victuals, suggests that they were present in large enough numbers, and for a sufficient length of time, to require a permanent

⁷⁶⁹ Gruen, 1974, p. 366. Indeed, a steady increase in the army of poor and landless soldiers, who looked toward service as a vocation, could even be a force for greater societal stability, if it meant more of the *proletarii* had access to opportunities to improve their economic status. The citizen-militia offered such men more steady employment and a more lucrative prospect, and could thus act as a safety valve for large segments of the poorest of society, and reduce, rather than increase, any penchant for revolutionary activity.

⁷⁷⁰ Liv. 42.34.

⁷⁷¹ D.C. 38.3.2. Even whole armies considered to have displayed the epitome of mercenary self-interest in their dealings with commanders, could be loyal to the established order. The 'Fimbrians', for example, are thought to be the closest example of a professional army in the late Republic (Gruen, 1974, p. 372. Keaveney, 2007, p. 64). The core of their *dilectus* served successively under a variety of commanders from 86 BC to well after 67 BC, when they reenlisted with Pompey for another war against Mithridates. Yet, for all their infamous record of insubordination and mutiny, they could also be loyal to the established order. They obeyed, for example, a senatorial order to disband in 67 BC after their commander Lucullus was removed from his command, accused of prolonging the war against Mithridates – although fear of losing their accumulated booty if they did not comply also probably had a part to play in their obedience (App., *Mith.* 13).

⁷⁷² The senate, for example, authorised Marius to make a *supplementum* for the legions already in service in Africa (Sal., *Iug.* 84).

solution. These initiatives also ensured the poor were able to continue to serve, not just on the periphery, but as part of the army's main strength.

Marius did not introduce a fatal mercenary spirit into the citizen-militia. The army after 107 BC was not noticeably more interested in financial rewards;⁷⁷³ a strong pecuniary self-interest amongst soldiers already existed, and had done so for centuries. Roman soldiers and their allied counterparts always expected to profit from war, and looked toward service to improve their economic condition. Moreover, there were professional soldiers serving in armies long before 107 BC; their presence did not lead to disloyalty, insurrection or a noticeable willingness to risk civil war on behalf of their commanders. Nor did the reform alter forever the transactional relationship between commander and soldier at the expense of the state. As I have shown, it was thoroughly conventional for soldiers to expect their commanders, not Rome, to reward them financially. Generals in turn were expected to reward their men; the state could intervene on rare occasions to ensure this occurred. Moreover, soldiers expected their commanders to provide them with opportunities to profit while on campaign; in this way, the personal economic fate of soldiers had always been intimately tied to the capabilities, skills and fate of their commanding generals. Furthermore, the reform did not lead to the abolition of the traditional levy; the *dilectus* conscripting levies continued to be used for most of the first century BC.⁷⁷⁴ In short, there was nothing new here; these characteristics, supposedly markers of the insurrectionist

⁷⁷³ Keaveney makes the point, for example, that there was no evidence of a cohesive desire in Sulla's army in 88 BC for any special economic reward, such as land or extra booty (Keaveney, 2007, p. 68). Instead, as long as their commander provided opportunities to gather booty, they acted in the traditional manner, making no special demands, and happy to receive whatever material benefit came their way. According to Keaveney, that would change later during the second civil war period, when the army learned to speak for itself and take without asking.

⁷⁷⁴ For example, in 49 BC when *Tota Italia delectus habentur, arma imperantur; pecuniae a municipiis exiguntur...* "Levies were held throughout Italy, arms are requisitioned and sums of money are exacted from towns" (Caes., *Civ.* 1.6). Also at Caes., *Civ.* 1.9; Cic., *Mur.* 42. For a contrary view to this, see Matthew, 2010(a), p. 22. He argues that the infrequent mention of *dilectus* in the sources after 107 BC indicates it was frequently abandoned or not required (see Keppie, 1984, p. 62 for an opposing view to Matthew: "The compulsory enlistment of citizens continued during the first century BC, down to the time of Caesar and beyond."). In my own view, Matthew's position is controversial. I find it hard, for example, to so easily discount the above source evidence, nor do I think it likely in the difficult Social War, where manpower was desperately needed on both sides, that Rome did away with the traditional levy, and started relying solely on volunteers. In my view, this is simply not an effective way in an emergency – and the Social War was such an emergency – of making the most use of scarce manpower. That the Romans did so was, in my view, unlikely, and nothing in the account of that war suggested they adopted such a course of action. I also point out that the use of volunteers had not supplanted the regular *dilectus* in the second century BC; it is unlikely to have done so substantively during the first half of the first century BC. I contend that it probably remained as it had always been: a method of supplementing the normal gathering of troops.

armies of the civil war period, had long been factors of pre-Marian service. The reform and the date, 107 BC, thus lose their validity as an explanation for the emergence of politically interventionist soldiers, and should be seen rather as an isolated event with little real significance.

Conclusion

In this chapter, I have shown that the reductionist emphasis the conventional view places on pecuniary self-interest as the primary factor motivating soldiers to intervene in politics is not justified; by itself, it cannot explain why Sulla's army decided to support him in his personal *inimicitiae*. That profit was on its mind was not surprising; it was a thoroughly conventional and unexceptional motivation. Roman soldiers had always expected to profit from service, and always looked toward their generals to provide them with opportunities to enrich themselves. Sulla's soldiers were no different; in its proper context, pecuniary self-interest was a normal and conventional factor of service in late-republican armies. I have also shown that the role conventionally attributed to Marius and his recruitment reform of 107 BC in the emergence of politically interventionist soldiers, is unwarranted. Rather than being a revolutionary event that led to the transformation of military service, the reform instead did not change much at all – and certainly did not lead to mercenary armies filled with the poor willing to do anything to improve their economic condition. They had always been represented in Roman armies, without this circumstance ever before leading to insurrection, or to soldiers more willing to risk civil war to support generals in personal *inimicitiae*. Neither pecuniary self-interest nor Marius and his *dilectus* led to Nola: ultimately, they are unsatisfactory explanations for intervention.

Other, more influential, factors were also at work: if pecuniary self-interest and Marius' role are inadequate explanations for the emergence of politically interventionist armies, what then explains the decision of Sulla's soldiers to intervene? I argued in this chapter that even when pecuniary self-interest was present, there was room for other factors to influence and motivate soldiers. It is to these factors that I will now turn; the next chapter will discuss one of the most important: the role of the Social War against the Italian allies immediately preceding Sulla's march on Rome, and the long-standing policy of full integration of allied Italian units into Roman consular armies, as critical enablers of the events of 88 BC.

Chapter Five

Accepting the Risk of Civil War – Full Integration & Social War

Introduction

The previous chapter explained the inadequacy of pecuniary self-interest, and the role conventionally attributed to C. Marius and his 107 BC recruitment reform, as holistic explanations for intervention. This chapter turns to the decisive experience of the citizen-militia in the Social War against a large number of its erstwhile Italian allies immediately preceding L. Cornelius Sulla's march on Rome. It deals with the second plank of my holistic explanation for intervention. I shall argue that it is no coincidence Sulla's troops agreed to support him at the end of this war; it 'desensitised'⁷⁷⁵ the army to the idea of civil war, helping overcome any residual reluctance soldiers might have had to the prospect of fighting other citizens that their actions must have so clearly risked.⁷⁷⁶ This was something new in the life of the Republic, and in turn it helped ambitious magistrates, such as Sulla and Marius, induce the army to support them. It was an experiential change for the citizen-militia that, in combination with other factors, proved decisive.

Lintott, in his study of violence in republican Rome, concludes that the Social and subsequent civil wars were inextricably linked.⁷⁷⁷ He does so, however, for what I argue are the wrong reasons: the war, and the concomitant presence of armies in the field, simply provided Sulla with a serendipitous opportunity and pretext to persuade his soldiers to march on Rome. The problem with Lintott's analysis is that, having discounted poverty as a

⁷⁷⁵ By 'desensitised', I mean that by 88 BC, the citizen-militia had lost any residual fear it had of civil war.

⁷⁷⁶ All but one of Sulla's officers left him when it became clear he intended to march on Rome (App., *BC* 1.57). From this fact, we can deduce that the potential implications of his action, including the prospect of civil war, must have been plain to the entire army.

⁷⁷⁷ Lintott, 1999(b), p. 187: "In retrospect, a man could with reason believe that, if the Social War had not occurred first, the civil war would not have followed." Badian also places the Social War in the sequence of violence that led to the first civil war (Badian, 1958, p. 234).

sufficient reason for rebellion against the state,⁷⁷⁸ he does not explain how soldiers could have arrived at the point where they were willing to support Sulla in his personal *inimicitiae*. I shall provide such an explanation. The reason the Social War could prepare soldiers for civil war was because the citizen-militia, for the first time in its history, fought an enemy that was almost identical to it in appearance and function, shared the same military ethos, and with whom many Roman soldiers shared personal bonds formed in recent battle and through ties of kinship. The Social War may technically have been a conflict between Latin Rome and ethnically-distinct Italian peoples – a conflict that resembled struggles from Rome’s semi-mythical past to unite the Italian peninsula. As far as the ordinary Roman soldier was concerned, however, it carried all the hallmarks of a civil conflict, and we should resist attempts to artificially separate the two events. This is what ‘desensitised’ them: in their own minds, they had just fought a bloody civil war.

The explanation I posit for this paradigm is “full integration theory”: that Italian allied units⁷⁷⁹ serving with Roman field armies gradually over time adopted Roman tactics, equipment, organisation, uniforms, and military culture under the imperative to maintain cohesion of the Roman whole on the battlefield, changing not only the way the allied soldiers felt about Rome but, crucially, how Roman soldiers felt about their allied counterparts. The process of assimilation was evident well before the start of the Second Punic War in 218 BC, continued during the wars of the second century BC and was completed by the start of the first century BC by Marius’ military reforms. Its practical effect meant that allied units may have started out with a distinct and separate ethnic identity, but decades of service in the Roman military system meant they became fully integrated into the Roman military system, to the point that they were indistinguishable on the battlefield from their Roman counterparts.

To argue that the Social War could be a perspective-changing event for Roman soldiers who took part, it is important first to understand how the Roman state felt about the allied military contribution. If it did not care about allied contributions, treated allies as an adjunct

⁷⁷⁸ Lintott, 1999(b), p. 182. Lintott claims that loyalty to the general and some sort of mercantile impulse, such as supporting agrarian reform, was needed to persuade soldiers to engage in political violence. It is an unconvincing claim, lacking credibility chiefly because of its lack of detail or explanation of the reasoning behind it.

⁷⁷⁹ ‘Italian allies’ refers collectively to allies of Latin descent and other Italian peoples allied unilaterally with Rome, who were expected to provide regular troop contributions to consular armies.

to the citizen-militia, and did not habitually place their own soldiers in a position where they could interact closely with their allied counterparts over a long period of time, there was less chance the Social War could have produced the change I argue must have occurred. I will thus start here, and draw inferences about the Roman view and what it meant for the way they designed their military system. I will then show how the Roman view of the importance of the allied contribution was reinforced by full integration. This was a process driven by the imperative of military effectiveness, which proved to be a strong homogenising force on allied units serving in the Roman military system, and which, I shall suggest, provided the opportunity needed to build strong tactical and social bonds between Roman and allied soldiers. Having made the case for the importance of the allied contribution to the Roman military system, and explained the significance of full integration, I will then show how this close association changed Roman and allied perspectives of each other, and why the Social War felt like a civil war to the Roman soldiers fighting it.

The Allied Military Contribution: A Roman View

I argue that the ubiquitous and sustained presence of allied units serving in Roman field armies in numbers which usually surpassed Roman citizens, their normative placement in the battle line alongside citizen units crucial to its overall integrity, and the fact that the Romans took the trouble to officer these allied units with citizens, indicates that they considered the allied contributions to be an integral and crucial part of their military system. Indeed, Pfeilschifter neatly summarises the tactical challenge facing Roman commanders of integrated armies:

He was expected to maximize the fighting strength of his army, requiring drill, tactical instruction, discipline and fighting experience, and especially he had to create a collective identity, one based on a comprehensive homogenization of the troops and thorough integration of individual soldiers no matter what part of Italy they came from.⁷⁸⁰

⁷⁸⁰ Pfeilschifter, 2007, pp. 27-28. Pfeilschifter goes on to say that the other challenge facing commanders was to maintain Roman superiority, given their political domination of Italy, and this required that the allies be slighted. Thus, argues Pfeilschifter, allied soldiers could not be treated in the same way as Roman soldiers. On this point, Pfeilschifter is partially correct: military integration did not equate to political or even social equality, and Romans were keen to maintain this separation (see below). However, Pfeilschifter, after having neatly summarised the tactical challenge facing Roman commanders, does not come to grips with what this meant tactically for the integration of allied soldiers into Roman battle formations. Nor does he deal with the imperative of cohesion to ensure all parts of the battle line were fully integrated, and which I argue meant that allied soldiers were treated functionally exactly the same as their Roman counterparts. This had important

Moreover, the Romans may have jealously guarded their citizenship and the rights it bestowed, but what the allies could bring to the strategic military effort mattered to Rome because it conferred the advantage of large pools of manpower trained in the Roman way of war, upon which the state could draw. The Romans knew this. This importance was reflected in the way the Romans carefully administered the pools of allied manpower, and fashioned their military system: every part of it, from recruitment through to deployment, was designed to incorporate allied units as efficiently as possible – often in the same way as citizens. It was an inclusive system designed to eradicate, not accentuate, differences between allied and Roman soldiers.

The Allied Military Contribution: Scale, Management and Advantages

Roman consular armies from at least the mid Republic to the late Republic consisted of significant numbers of allied infantry and cavalry units;⁷⁸¹ these were recruited from communities that shared a common Latin heritage with the Romans (*nomen Latinum*) or from Italian communities with a unilateral treaty⁷⁸² with Rome (*socii*).⁷⁸³ In battle accounts, these Italic allies were distinguished from non-Italic troops, such as auxiliary cavalry, infantry and missile units from foreign allies that sometimes accompanied consular armies.⁷⁸⁴ Polybius, arguably the most reliable source on the Roman military system of the mid Republic,⁷⁸⁵ described Roman consular armies as having the same number⁷⁸⁶ of allied

implications socially and tactically with regard to relations between Roman and allied soldiers, and was an engine of homogenisation within consular armies (see my arguments below). Pfeilschifter does not deal substantively with this dynamic, and so misses these important implications, preferring instead to focus on evidence of political difference within Roman armies.

⁷⁸¹ For example, at the battle of Trebia in 218 BC against the Carthaginians, the combined Roman consular army had 16,000 citizen troops and 20,000 troops of Latin and Italian allies (Plb. 3.72). Rosenstein in a recent analysis of the scope of the overall allied contribution to Roman consular armies concludes that the allied contribution was very significant: from the mid-third century down to the later second century, perhaps between a quarter and well over half of allied men (i.e., hundreds of thousands) spent a period of years serving with the legions (Rosenstein, 2012a, p.88).

⁷⁸² Mouritsen, 2007, p. 142. Daly, 2002, p. 77.

⁷⁸³ For more on this system of alliances, see Erdkamp, 2008, p. 99: “Annexation of defeated neighbours obviously led to an increase in Roman military manpower, but a characteristic feature of the republic was that Rome did not depend on direct incorporation to achieve the result. Rome conquered Italy by creating a complex system of unilateral alliances with other states that allowed the exploitation of their manpower.” It should be noted that the Roman soldiers that also made up consular armies alongside the allied formations were citizens that came from Rome or from towns that had Roman citizen-status within the *ager Romanus* (the territory of Rome). It is the early first century BC war between Rome and some of the former Italic allies over the question of full Roman citizenship that gave the subsequent and decisive Social War its name and character.

⁷⁸⁴ Such as at Liv. 37.25, 39. Also Erdkamp, 2008, p.98.

⁷⁸⁵ Polybius had direct experience of the Roman military system: significantly, he saw it in action in the field. He was, for example, with P. Cornelius Scipio Africanus Aemilianus in Africa during the Third Punic War

infantry and citizen infantry,⁷⁸⁷ but more allied than citizen cavalry: in the First Punic War in 262 BC,⁷⁸⁸ the Second Punic War in 218 BC,⁷⁸⁹ and generically in his detailed analysis of the Roman army in Book 6 of *Histories*.⁷⁹⁰ In almost every major theatre of war during the second century BC, and leading up to Sulla's march on Rome, allied contingents served with Roman armies:⁷⁹¹ against the Macedonian and Seleucid armies of the east,⁷⁹² in Africa against Jugurtha,⁷⁹³ and opposing invading Germanic tribesmen in northern Italy.⁷⁹⁴ Where they have not been specifically mentioned at battles or as part of campaigning armies, we can infer from the narratives of reliable authors such as Polybius, who described their importance and place in the Roman system, that they were not only present, but were there as a major component of the Roman army.⁷⁹⁵

The Roman military system and the way it repeatedly drew upon Italian communities ensured that the level of allied contribution to Roman military success was neither trivial nor fleeting; for individual peoples, the involvement would have felt deep and sustained over decades.⁷⁹⁶ The experience of the Paeligni is a case in point. They fought for Rome during the Second Punic War⁷⁹⁷ and are mentioned again over the next hundred years fighting in Roman armies, playing an integral role at some of Rome's most significant battles. They were, for example, at the victorious battle of Pydna against the Macedonians in 168 BC, and are listed among its casualties.⁷⁹⁸ Sallust mentions a *cohors Paeligna* accompanying Sulla when Marius sent him to King Bocchus during the Jugurthine War in

and was at the siege of Carthage where he offered some advice to Scipio on how best to protect a mole. He would have seen the Roman army and its integrated allied contingents first hand (Plb. 38.14./19). He also made a claim that, unlike other commentators of history, he reported what he saw or heard accurately (Plb. 19.12). On the credibility of Polybius, see Walbank, 1979, p. 12; Daly, 2002, p.54, and Chapter One above.

⁷⁸⁶ As de Ligt points out, Polybius' list of 225 BC suggests a greater ratio of allies to citizens: 1:1.45 – each Roman legion of 5,500 men was accompanied by an allied formation of 8,000 (De Ligt, 2012, p. 69). This was in 225 BC, but by the time Polybius was writing in the middle of the second century BC, the ratio may have become standardised to roughly half for infantry.

⁷⁸⁷ The allied formations also provided for each consular army a small group of troops picked from the main allied formations to act as a separate force for irregular duties, such as screening the army on the march. These were called *extraordinarii* (Plb. 6. 26).

⁷⁸⁸ Plb. 1.16.

⁷⁸⁹ Plb. 3.109.

⁷⁹⁰ Plb. 6.26 ff.

⁷⁹¹ Rosenstein, 2007, p. 238.

⁷⁹² Liv. 37.2; Liv. 44.40; Plut., *Aem.* 20; Plut., *Aem.* 15.

⁷⁹³ Sal., *Jug.* 105.

⁷⁹⁴ Plut., *Mar.* 21; Plut., *Mar.* 18.

⁷⁹⁵ Erdkamp, 2007, p. 47.

⁷⁹⁶ Rosenstein, 2012, p. 76.

⁷⁹⁷ Liv. 25.14.

⁷⁹⁸ Liv. 44.40.

106 BC.⁷⁹⁹ During the campaign to defend Italy against Germanic invasion at the end of the 2nd century BC, the Paeligni are not specifically mentioned, but they were probably there in numbers as part of the citizen-militia.

If the Romans were serious about deriving the maximum benefit from their position of dominance over the Italian allies, we would expect them to have carefully managed the manpower pools available from those communities. They did just that. I argue it is an indication of how important the Romans considered the allied contingents to be to their strategic military effort that they established an administrative framework to precisely ascertain the scale of human resources available to them. I suggest that states do not bother allocating resources to gathering, recording, managing and using statistics unless it is important to them in some fundamental way. In the case of the Romans, numbers of available allied manpower were carefully tabulated and itemised, especially in preparation for conflict, and appear to have been supported by a formal administrative arrangement: the *formula togatorum*.⁸⁰⁰ The *lex agraria* of 111 BC, for example, referred to the Italian allies or members of the Latin name, from whom Rome was accustomed to demanding soldiers *ex formula togatorum*.⁸⁰¹ As Rosenstein points out, the significance of the *formula togatorum* was that through this mechanism, more Italians and Romans were brought together more often, and for longer periods of time, than in any other middle republican institution.⁸⁰²

What is important to my argument is that a list of available personnel was maintained by the Romans to determine the military contribution of allies,⁸⁰³ although its exact nature remains obscure and continues to be the subject of scholarly debate.⁸⁰⁴ We can infer from the existence of the list, probably used annually at *dilectus* to determine specific allied contributions to Roman consular armies, that it was supported by a framework to gather

⁷⁹⁹ Sal., *Iug.* 105.

⁸⁰⁰ A formal list of available soldiers or men not yet enlisted, but available for service. See also Rosenstein, 2012, p. 76.

⁸⁰¹ *CIL* 1. 2.585. lines 21 and 50.

⁸⁰² Rosenstein, 2012a, p. 85.

⁸⁰³ De Ligt, 2012, pp. 48, 63 and 64. Rosenstein, 2012, p. 76.

⁸⁰⁴ See Baronowski, 1984, pp. 248-252 for a detailed analysis of the debate over whether the *formula togatorum* represents the military contribution demanded by treaty or whether it stated the number of allied soldiers the consuls demanded each year. Also de Ligt, 2008, pp. 116-117, and see also in his most recent analysis of demographics in republican/early empire Italy (De Ligt, 2012, p. 63 ff).

and maintain the data.⁸⁰⁵ Several references to the list in relation to allied military contributions, annual recruitment and demands made by Rome upon the allies, are contained in Livy.⁸⁰⁶ It may not, however, always been accurate or kept up to date. The Paeligni are recorded in 177 BC in the lead up to the war against Macedonia complaining that the *formula togatorum* used to calculate their military burden for that year had not taken into account recent demographic movements.⁸⁰⁷ Up to 4,000 of their families had migrated to the Latin colony of Fregellae, reducing the pool of available manpower, yet the *formula* had not reflected this, suggesting the annual contribution set by the register was out of date, or that it was set and not easy to change – the solution to the problem was not, for example, to amend the register, but to compel the families to return.

It is in Polybius, however, that we see one of the most complete and detailed examples of the *formula* in use.⁸⁰⁸ It was officially recorded for the Roman state in what appears to have been the *formula togatorum* of 225 BC⁸⁰⁹ and subsequently derived from the statistics of Fabius Pictor.⁸¹⁰ At that time, the Romans were threatened by Gallic invasion. Polybius indicates that the Romans were anxious to know the total strength available to them, and ordered the allies to complete lists of men of military age.⁸¹¹ It is a valuable window into Roman administrative practice because of what it indicates about the level of statistical detail gathered by the Romans on allied manpower, and thus the importance they ascribed to such detail. It showed comprehensively the number of allies serving and those available for call up in the event of war. Polybius' statistics indicate there were 49,200 Roman citizens serving in four consular legions, in four urban garrison legions and in two legions stationed in Sicily and Tarentum. There were 30,000 allied infantry serving with two consular armies and a further 120,000 infantry serving in their own units guarding the

⁸⁰⁵ De Ligt, 2012, p. 63.

⁸⁰⁶ Liv. 22.57; Liv. 27.9; Liv. 34.56; Liv. 29.15; Liv. 25.10.

⁸⁰⁷ Liv. 41.8.

⁸⁰⁸ Plb. 2.23.

⁸⁰⁹ Depending on the type of alliance the allied community had with Rome, the allied communities were required to supply Rome with troops; the numbers were recorded in official lists gathered under the *formula togatorum* (Launaro, 2011, p. 39). On this subject, de Ligt postulates that the *formula togatorum* may have started life in 225 BC in specific response to the threatened Gallic uprising (De Ligt, 2012, p. 64).

⁸¹⁰ Baronowski, 1993, p. 181. De Ligt, 2012, p. 41. Launaro, 2011, p. 39. (Launaro assumes that Pictor, as a "contemporary eyewitness", would have gathered all the data from the *formula togatorum*.)

⁸¹¹ Although the list was specifically referring to the gathering of statistics in response to a threatened invasion by the Gauls, Polybius indicates that he includes it for a larger purpose: to illustrate the size and depth of the Roman confederation that Hannibal attacked a short time later (Plb. 2.24 ff).

borders under Roman command.⁸¹² They also indicate that there were 3,100 Roman cavalry serving with the legions and 8,000 allied cavalry serving with the legions in the field or with urban units.⁸¹³ The register indicates there were a further 250,000 Romans and Campanians⁸¹⁴ available for service, and a total of 250,000 allies available for the levy.

The accuracy of the numbers of allied contingents in Polybius' statistics is debatable;⁸¹⁵ de Ligt's argument is nevertheless persuasive that, although Polybius' figures were intended as approximations, there are no good grounds to reject them as completely unreliable.⁸¹⁶ Even allowing for the possibility of inflation, misreporting or misinterpreting, Polybius' list still reflects an impressive allied contribution to the collective Roman military effort. On the base figures, for example, serving allied infantry are three times the number of their Roman counterparts and there is more than twice the number of allied cavalry. Recruitment pools are more even, although allied soldiers still represent at least half of all manpower available to the Romans. The allied contribution was evidently no *ad hoc* or auxiliary force, rather, it was the larger integral component of basic Roman military strength.⁸¹⁷ The *formula togatorum* of 225 BC gives a statistical underpinning to the point Polybius makes in Book 6 of *Histories* about allied contingents being a critical part of Roman field armies; the armies of the Republic were also the armies of her allies.⁸¹⁸ The Romans appreciated this fact and acknowledged the weight of contribution made by their allies. In 204 BC, as punishment for 12 Latin colonies who refused to provide soldiers for Rome's consular armies, they doubled their annual quota of contributions, and compared their conduct with that of good

⁸¹² Plb. 2.24. Also Baronowski, 1993, pp. 182 ff. Rosenstein, 2012, p. 77.

⁸¹³ Plb. 2.24. Baronowski presents a detailed analysis of the numbers serving and available for call up, and makes corrections to Polybius' figures in his final analysis. See Baronowski, 1993, pp. 183 ff.

⁸¹⁴ The Campanians held Roman citizenship, so Polybius has grouped them together with the Romans (Plb. 1.8).

⁸¹⁵ Baronowski, 1993, p. 182. Baronowski concludes in his analysis that, although the accuracy of the figures is open to question, he accepts that they must be reasonably accurate, as they accord in general with what is known about the estimates of the Roman forces mobilised in the period 218-168 BC. My analysis of the numbers of troops available to the Romans indicates this is the right conclusion to draw. De Ligt also conducts an extensive debate of the table in his latest analysis of Roman demographics to try to draw inferences about the overall size of the Roman and Italian population in Italy of the middle and late republican period. See de Ligt, 2012, p. 40 ff.

⁸¹⁶ De Ligt, 2012, p. 77. Launaro also accepts the general reliability of Polybius' figures, noting there is not any consensus around the idea that Polybius and his source, Pictor, might have made a "crass error" by counting some men in the field twice. For more on this subject, see Launaro, 2011, pp. 42 and 43.

⁸¹⁷ As at Liv. 37.2; Daly, 2002, p. 76.

⁸¹⁸ Erdkamp, 2007, p. 47.

and obedient allies who had continued to meet their obligations, although they had been exhausted doing so.⁸¹⁹

The extensive Italian network of allied alliances and treaties,⁸²⁰ and consequently the size of the allied contribution to the Roman military effort, conferred an important strategic advantage on the Roman state: that of endurance in a conflict.⁸²¹ If this fact is obvious to us, it would have been obvious to the Romans, and the meticulous husbanding of their strategic manpower resource suggests it was. What this advantage meant to them was the difference between victory or defeat, even extinction – and the capacity to operate at an intensity few other comparable states could match.⁸²² With this level of strategic reserve, Rome could soak up losses that would have been catastrophic to a state without these levels of resources, and recover from multiple tactical defeats to go on to ultimate victory.⁸²³ It goes a long way to explaining Rome's swift rise to dominance in the second century BC.⁸²⁴ The early years of the Second Punic War provide the best example of this advantage at work, but it is also evident during the last decade of the second century BC, when Rome was able to recover from a series of catastrophic defeats by Germanic tribesmen invading Italy.⁸²⁵ At Cannae in 216 BC, the Romans suffered one of its worst defeats in battle. Polybius estimates the numbers of Roman and allied soldiers killed at 70,000;⁸²⁶ Livy proposed fewer, but still almost 50,000.⁸²⁷ Before that, Hannibal had already destroyed sizeable Roman armies; at the river Trebia in 218 BC, killing and capturing up to 26,000 soldiers,⁸²⁸ and again at Lake Trasimene in 217 BC, killing or capturing up to 30,000.⁸²⁹

⁸¹⁹ Liv. 29.15.

⁸²⁰ See Kent, 2012, pp. 79 ff., for a full discussion on the nature and scope of relationships between Rome and her Italian allies, focusing primarily on the state of relations before the Punic Wars. In this study, Kent makes an important point about the place of social and informal relationships, in addition to the more formal treaty arrangements, between the elite of Roman and Italian society in securing the support of allied contributions to the Roman military system. Romans, he concludes, relied heavily on these informal relationships to keep Roman armies supplied with Italian troops (Kent, 2012, p. 80).

⁸²¹ Rawlings expands on this point: it was at work from early on in Rome's ascendancy to dominance in Italy: "What appears striking about the Romans is how often they are presented as operating at a level and intensity that usually exceeded their rivals. Probably from 338, and certainly from c. 312 BC, Rome frequently acted as a pan-Italian power capable of operating simultaneously in two or more theatres beyond the core of Roman territory" (Rawlings, 2008, p. 47).

⁸²² Rosenstein, 2012, p. 91.

⁸²³ De Ligt, 2008, p. 114.

⁸²⁴ De Ligt, 2008, p. 117.

⁸²⁵ App., *Mar.* 11 ff; Vell. 2.8, 12.

⁸²⁶ Plb. 3.117.

⁸²⁷ Liv. 22.49.

⁸²⁸ Plb. 3.74. Polybius says the combined Roman army, including allied contingents, was 36,000 strong; only 10,000 escaped the battle, the greater part of the remainder were killed (cf. Liv. 11.60).

That meant Rome in three years had lost more than 100,000 men. But the Romans not only refused all offers to come to terms with Hannibal, they promptly set about raising more legions.⁸³⁰ They even banished two legions of Cannae survivors to Sicily for the duration of the war rather than use them again in Italy.⁸³¹ Rome's continued defiance despite these losses was in part due to an intrinsic national stubbornness. More practically, however, it was a stubbornness underwritten by large reservoirs of allied manpower available to replenish Roman losses; Polybius calculated that Rome had access to more than 700,000 men of military age on the eve of the Second Punic War,⁸³² an advantage the Carthaginians could not hope to match. The fact that allied communities generally financed the raising of their own contingents accentuated this edge.⁸³³ In the end, it proved decisive: Rome used these pools to recruit more armies, open and maintain multiple fronts,⁸³⁴ and go on to defeat Hannibal.

Allied Units in the Battle Line and Roman Officers: a Measure of Importance

Allied soldiers were not placed directly into the citizen legions; this would not occur until the conferring of citizenship on the Italian allies at the end of the Social War dissolved the distinction. For most of the Republic, they served in their own formations.⁸³⁵ When allied units operated with Romans, however, they were placed alongside the citizen formations as an integral part of the Roman battle line,⁸³⁶ and were thus crucial to its overall integrity. At Cannae, for example, the allied infantry in the Roman battle line extended inwards toward the centre where they joined the Roman legionary units.⁸³⁷ That means that they were on either side of the citizen legions holding the centre of the Roman line. The allied cavalry was deployed on the left wing and the Roman on the right, where the maniples were

⁸²⁹ Plb. 3.84,85. Livy quotes 15 000 killed (Liv. 22.7). Interestingly, Livy urges us to believe his figures, reminding the reader that unlike some historians, he does not multiply losses on either side – and uses Fabius Pictor, the annalist also used by Polybius, as his source.

⁸³⁰ Plb. 9.6.

⁸³¹ Liv. 25.5; Liv. 28.10.

⁸³² Plb. 2.24. Even if Polybius' census is not wholly accurate, such figures still illustrate the point: Rome had almost inexhaustible pools of manpower on which to draw.

⁸³³ Plb. 6.21.

⁸³⁴ In Africa, Spain and Italy.

⁸³⁵ See Pfeilschifter's argument that explains why allied units served in separate formations to citizen legions: that it made sense linguistically to keep allied units in their own formations so that they could understand each other (Pfeilschifter, 2007, p. 31). This is, in my view, a plausible reason for allied soldiers to operate in their own formations, as well as maintaining a sense of Roman political separation between citizens and subjugated Italian/Latin allies.

⁸³⁶ Rosenstein, 2012, p. 98; Daly, 2002, p. 78.

⁸³⁷ Liv. 22.45.

grouped more closely than normal.⁸³⁸ At the battle of Magnesia in 190 BC against the Seleucids, *duae legiones Romanae, duae socium ac Latini nominis erant, quina milia et quadringenos singulae habebant. Romani mediam aciem, cornua Latini tenuerunt; hastatorum prima signa dein principum erant, triarii postremos claudebant.*⁸³⁹ As at Cannae, the Romans held the centre with allied units on either flank. In the war against Jugurtha in 108 BC, Q. Caecilius Metellus' battle line advancing against the Numidians included the centre citizen legions, and then the allied formations, all flanked by the cavalry.⁸⁴⁰ Recruits from both Latin and Italian allied communities provided the main allied formations serving on the flanks of citizen legions, as well as providing men for the consular army's *extraordinarii* unit.⁸⁴¹ Latin allies were specifically mentioned alongside citizen legions; from examples where we know other Italian allied peoples, such as the Paeligni and Marrucini,⁸⁴² operated in battle with Roman consular armies, we can infer that they too provided the men for the flanking allied formations of the battle line.⁸⁴³ Delineation like this of allied and citizen soldiers in the Roman battle line is rare; in most cases, infantry are simply described as operating as a Roman whole, with the Roman and

⁸³⁸ Plb. 3.113.

⁸³⁹ Liv. 37.39: "There were two Roman legions and two of Latin and Italian allies, each consisting of 5,400 men. The Romans held the centre, the Latins the flanks; the advanced units were the *hastati*, then came the *principes*; the *triarii* held the rear."

⁸⁴⁰ Sal., *Iug.* 46.

⁸⁴¹ Plb. 6. 26. The role of the *extraordinarii* is not clear. They were billeted separately from the rest of the allied troops in camp, and had a separate place during marches (Plb. 6.40.), suggesting there was some administrative reason to make them distinct from the rest of the army. Perhaps they served as a reserve or for special duties in camp, or during the march. But they don't seem to have had a separate task during battle, and may have simply joined the rest of the allied units in the battle line. See Daly for a further discussion of their role (Daly, 2002, p. 78). See also Pfeilschifter, 2007, p.34. Pfeilschifter argues that the *extraordinarii* were used as a kind of elite unit within the army; it is possible, although there is little evidence in the sources for such an elite status within the army.

⁸⁴² For example, during the Second Punic War (Liv. 25.14.), the battle of Pydna (Liv. 44.40), and the war against Jugurtha (Sal., *Iug.* 105.) Even if some of the Italic allies in these battle accounts were operating as separate *extraordinarii*, the men of that unit in each consular army were taken directly from the main allied formations serving with the army alongside the citizen legions (Plb. 6.26.) But in these examples, I suggest that it is unlikely we are looking at examples of *extraordinarii*: the Paeligni in the Second Punic War (Liv. 25.14), where a Paeligni unit seized a Punic camp, for example, were not operating separately to the main army; they were close enough to a Roman citizen unit that its tribune saw the Paeligni formation take the camp and admonished his men for allowing an allied unit the honour of being first into the enemy camp. The context of the battle accounts of the other examples suggests strongly the Italic allies were operating on the battle field not alone, but as part of a bigger formation.

⁸⁴³ Another example is at Plut., *Aem.* 20: it shows Paeligni and Marrucini formations clearly operating as part of the Roman battle line against the Macedonian army. See also at Vell. 2.15 for confirmation that the specific allied peoples who revolted against Rome during the Social War in 91 BC had regularly provided a disproportionate number of infantry and cavalry to Roman field armies.

allied cavalry on the wings.⁸⁴⁴ Where there are distinctions made, it generally has to do with function, such as skirmishers, heavily-armed infantry or maniples.⁸⁴⁵ Nevertheless, I argue that we can still infer from battle accounts, and from Polybius' description of allied formations, that the normal position of allied units in the army was on the flanks of the centre citizen legions.⁸⁴⁶

Maintaining the integrity of the battle line when it met the enemy was an important prerequisite for success on the battlefield.⁸⁴⁷ For the Romans, this meant sustaining the integrated cohesion between allied and citizen formations, and preventing areas of weakness from appearing which enemy units could target; a fundamental preoccupation of enemy troops was to probe and discover weaknesses in the line to attack and then exploit.⁸⁴⁸ In turn, it meant ensuring units maintained their positions relative to each other so no gaps appeared through which the enemy could infiltrate to attack the flanks and rear.⁸⁴⁹ Polybius, in his detailed analysis of the reasons why the Roman military system defeated the Macedonian phalanx, makes this point.⁸⁵⁰ It also meant protecting the ends of the battle line with cavalry to stop enemy horse from attacking its rear.⁸⁵¹ When gaps did appear, and the enemy exploited them to breach the integrity of the battle line, disaster for the whole army usually followed. The fate of the Macedonian phalanx at Pydna is a case in

⁸⁴⁴ As at Plb. 3.113; Plb. 19.9; Plut., *Aem.* 20; Fron., *Str.* 2.16. There is a reason why our most accurate source on the Roman military system, Polybius, does not distinguish between allied and Roman citizen soldiers in the battle line. It has to do with full integration theory and will be discussed shortly.

⁸⁴⁵ As at Plb. 3.115 ff; App., *Hann.* 7.19.

⁸⁴⁶ Plb. 6.26: *Alae sociorum*. Occasionally, the order could be reversed, with allied troops in the centre and the Roman citizen legions on the flanks, as P. Scipio did at Ilipa in Spain in 206 BC to trick the Carthaginian army (Liv. 28.14.; Plb. 11.22). But the battle account makes it clear this was a reversal of the normal Roman battle line, and done precisely because it would surprise the enemy used to the citizen legions being in the middle of the battle line. Scipio may have wanted to do this in this case to place his most experienced troops on the flanks. Moreover, according to Polybius, these allied troops were Spanish and not Italian allies, so this may have made a difference to their placement in the battle line.

⁸⁴⁷ Rosenstein also makes this point, although he uses the necessity of maintaining integrity of their tactical formations, *inter alia*, as one of the immutable requirements of battle that decided the outcome with little input from the commander. He is discussing the system of rotational command which was an important element of the Roman military system, and which hampered its efficiency by denying the opportunity for the army to benefit from the experience its commander gained during his year in office. The onus was thus on the soldiers to win battles; this included the maintenance of the all important integrity of their formations (Rosenstein, 1990, p. 262).

⁸⁴⁸ Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁸⁴⁹ At Zama in 202 BC, P. Scipio was careful to plug the gaps he had deliberately left between the maniples in the front line to receive the Carthaginian elephants with skirmishers to make sure the battle line retained its integrity (Fron., *Strat.* 2.3, also at App., *Hann.* 7.23).

⁸⁵⁰ Plb. 18.31 ff.

⁸⁵¹ As at App., *Hann.* 7.7.

point, as is the Roman exploitation of the gaps.⁸⁵² As long as the Macedonian army maintained the integrity of its battle line, it pushed the Roman army back. As soon as it encountered rough terrain, however, the cohesion of the shield wall could not be maintained, and intervals appeared in the front line. L. Aemilius Paullus saw them and ordered his maniples into the spaces, where they were able to attack the vulnerable flanks and rear and, in this manner, broke up the phalanx at close quarters.⁸⁵³ This happened earlier to the Macedonian phalanx at Cynoscephalae when its battle line became disjointed, allowing a tribune and 20 maniples to attack the rear.⁸⁵⁴ Like the Germanic tribesmen who labored to form a single cohesive front at Sextiae in 102 BC when pressed by Marius' legions,⁸⁵⁵ any general who wanted to win on an ancient battlefield tried to present a cohesive front toward the enemy, and stop gaps appearing by maintaining the integrity of their battle line.

The fact that Romans deployed allied formations in critical positions of the battle line has important implications; they were placed in a position where, if they failed in battle, it would have ruined the integrity of the Roman whole, and opened gaps vulnerable to infiltration by enemy units. It is a manifestation of the importance the Romans placed on their allied contributions. They expected the same from their allies as they did from their own citizen-soldiers. It indicates that the Romans must have considered the allies not as auxiliaries separate from the main army, but as integral to its effectiveness; they were hardly going to place substandard, incompetent or units not fully inculcated in their way of fighting, alongside their own citizens in such a critical position of the battle line.⁸⁵⁶ In turn, such proximity in the battle line between allied and Roman units, and the fact that each was relying on the other, provided the opportunity for Roman and allied soldiers to get to know each other, forge close professional bonds, and gain a heightened appreciation of each other's worth, fighting abilities, and social idiosyncrasies.⁸⁵⁷

⁸⁵² Plut., *Aem.* 20. See also Sabin, 2000, p. 9.

⁸⁵³ Rosenstein, 2012, p. 221.

⁸⁵⁴ Plb. 18.26.

⁸⁵⁵ Plut. *Mar.* 20. They tried, but had trouble forming, a single united line, owing to the uneven ground and the discipline of Marius' more cohesive force, but eventually did so – only to be attacked from the rear.

⁸⁵⁶ See Sabin for a fuller analysis of the battle mechanics of Roman armies. He makes the point that the larger Roman field armies, with multiple lines, introduced great complexity into its management on the battlefield (Sabin, 2000, p. 2). In this context, the need for the military system to ensure all component parts worked seamlessly together as part of the whole, including the allied contingents, is paramount.

⁸⁵⁷ This will become important later in my discussion about the shared experience of dangers and hardship on campaign acting as a catalyst for changing allied and Roman perspectives of each other.

Another indication of allied importance to the Roman military effort was the officering of allied units serving in consular armies with Roman citizens.⁸⁵⁸ If allied units were operating separately as an army, they had a Roman in command, usually a praetor.⁸⁵⁹ In the consular army, the *praefectus sociorum*⁸⁶⁰ had its exact equivalent in the Roman legion: the military tribune, who was appointed by the consuls.⁸⁶¹ The allied cavalry serving with consular armies were also commanded by a Roman citizen: the *praefectus equitum*, although local commanders likely served under him.⁸⁶² There were six *praefecti sociorum* for a typical consular army and it is likely they were divided among the two allied infantry formations that normally accompanied a consular army.⁸⁶³ Like their tribune counterparts, they were expected to share the dangers of their men. During an attack on a Carthaginian camp at Beneventum in 212 BC during the Second Punic War, for example, a Paeligni unit made the first breach of the enemy camp:

Proxima forte hosti erat cohors Paeligna, cuius praefectus Vibius Accaus arreptum vexillum trans vallum hostium traiecit. Execratus inde seque et cohortem, si eius vexilli hostes potiti essent, princeps ipse per fossam vallumque in castra inrupit.⁸⁶⁴

Like any Roman maniple, the allied unit has a *vexillum*⁸⁶⁵ embodying its military identity. Moreover, the soldiers are infused with a martial ethos similar to that of their Roman counterparts; just like citizen-soldiers, the safety of the unit's standard was important to allied soldiers, or the gesture of the *vexillum* being thrown into the midst of the enemy to motivate them to battle does not make sense.⁸⁶⁶ At Beneventum, prefect Vibius Accaus may

⁸⁵⁸ For a further discussion on the fact that their principal officers were Roman citizens, see de Blois, 1987, p. 6; Rosenstein, 2012, p. 98; Daly, 2002, pp. 78 and 123; Pfeilschifter, 2007, pp. 33 ff.

⁸⁵⁹ As at Plb. 2.24.

⁸⁶⁰ Plb. 6.26.

⁸⁶¹ Polybius advised that the organisation and command of the allied contingents is supervised by officers known as Prefects of the Allies, appointed by the consuls (Plb. 6.26). See also at Liv. 27.41.

⁸⁶² Plb. 6.39. See also Daly, 2002, p. 79.

⁸⁶³ The number of allied prefects given by Polybius allows for only three per allied formation, in contrast to six tribunes normally allocated to a citizen legion. This may not have been an issue, as the allied formation was slightly smaller than the citizen legion due to having to provide men for the *extraordinarii* (Plb. 6.26). Although Polybius does not indicate a solution, if the Romans wanted the same number of prefects per allied formation as a citizen legion, the shortfall may have been made up by appointing non-citizen prefects to the allied formation to make the number six per allied formation in line with citizen legions. But I acknowledge there is no evidence for this.

⁸⁶⁴ Liv. 25.14: "Nearest to the enemy there was a Paelignian cohort, whose prefect Vibius Accaus seized the standard and threw it over the enemy's earthwork. Then, with a curse upon himself and the cohort, if the enemy should get possession of that standard, he was himself the first to dash over the trench and wall into the camp."

⁸⁶⁵ A standard around which a company of men organised themselves and under which they fought.

⁸⁶⁶ It reminds us of the Roman standard bearer of the 10th legion during the expedition to Britain in 55 BC who found his colleagues reluctant to leave their boats when the landing was opposed at the shoreline by

have been a Roman in command of Paeligni, but he was no absentee commander. He knew his men well enough, and what motivated them, to attempt the dangerous tactic of throwing their banner into the enemy camp. More significantly for the prefect and his health, his men identified closely enough with their officer so that his tactic worked, and they followed him into the enemy camp to rescue the standard. This says something integral about the command relationship that existed between allied soldiers, their Roman commanders and their place in the Roman military system. I suggest that only close integration, and a trust born of familiarity and shared hardship between allied soldier and Roman commander, could have produced this effect in battle.

As well as giving Romans oversight of recruitment, training and performance, the placement of citizens in positions of power in allied formations indicates a concern to ensure that they were properly integrated into the command and control arrangements of the army – an understandable concern, given the crucial location they occupied on the flanks of the battle line. I argue that it is also evidence the Romans wanted their allied formations to operate within the consular army in the same way as citizen legions; having Romans officer these formations was an effective way of ensuring this occurred. This was not unreasonable: it would hardly have helped the integrity and cohesiveness of the Roman whole to have operating within it disparate formations, tactics and fighting styles.

The Design of the Roman Military System: Integration and Incorporation

I argue that the Romans considered the Italian allies so important to their overall military effort that they designed a military system which was as efficient as they could make it at integrating and incorporating them into its basic structures. It was one of the defining strengths of the Republic: from the holding of levies, formation of units, training of soldiers, and their placement in the battle line on the battlefield, the Roman military system handled its allied contingents in much the same manner as its own citizens. It was a system which worked to remove – not accentuate – difference, and it meant Romans and allied recruits from the very start of their service were not only in close physical proximity, but

British Celts, and leapt into the surf with eagle, hoping to motivate the men to leave their boats to save their standard (Caes., *Gal.* 4.25). This type of tactic to encourage one's soldiers, throwing standards into the ranks of the enemy, seems to have been common: more examples from throughout Rome's republican history are at Fron., *Str.* 2.8.

exposed to the same military processes, structures and ethos. It was here – even if allies and Romans still retained their own formations – that the process of familiarisation began, and was encouraged by their shared experience. Over time, this would have important implications.

The formation of allied units and their incorporation into Roman consular armies did not happen as a process separate from the citizen legions, nor did allied formations, already organised, armed and trained, simply join up with consular armies later on in the campaign, as occurred with non-Italian allies.⁸⁶⁷ The important point for my argument is that the Romans did not ask the allies to do that for them. Political alliance with the Romans meant the Roman state instead assumed responsibility for integrating allied formations into the army. From the start, the Roman system handled all the necessary administrative chores associated with forming allied contingents into the army as part of the same process, and at the same time they enrolled their own citizens. After armies had formed, the system then worked to achieve maximum integration between citizen and allied formations, short of merging formations.

When consuls conducted the annual *dilectus* for Roman citizens, for example, they also sent instructions to allied communities with the numbers of allied recruits required, and directions as to when and where they should present themselves.⁸⁶⁸ The Roman military system used the same administrative processes to induct new allied recruits into the army. The allies were given the oath to obey their officers and commands, as were their Roman counterparts, and then sent to Rome in their detachments. When it came time to form the army for service, allied and Roman recruits assembled together in the same place and, under their Roman officers, were organised into their various formations. They then marched off together to pitch their first camp.⁸⁶⁹ The system also treated allies and citizens similarly when it came to feeding the soldiers and their animals. Allied infantry formations, for example, received the same rations as their Roman counterparts, while the allied cavalry rations were slightly different to the Roman.⁸⁷⁰ The important distinction was that rations were provided free to the allies, while Roman soldiers had deductions taken from their pay

⁸⁶⁷ As at Liv. 37.25, 39.

⁸⁶⁸ Plb. 6.21.

⁸⁶⁹ Plb. 6.26.

⁸⁷⁰ Plb. 6.39.

to cover the cost of food, clothes and any arms provided by the state. This helped ease the economic burden on allied communities.⁸⁷¹ During service, Roman soldiers received a *stipendium*; the amount depended on rank and function, with centurions and cavalrymen receiving more than infantrymen.⁸⁷² Although it is not stated, we can infer that allied soldiers also received a *stipendium*;⁸⁷³ allied detachments were allocated a paymaster before they were sent to Rome during the recruitment process.⁸⁷⁴ The money levied from allied communities⁸⁷⁵ was presumably used to pay allied soldiers serving with consular armies.⁸⁷⁶

The system also standardised the training of allied and citizen soldiers. The delivery of common training to raw troops is the first step in building a collective sense of identity, individual commitment, and loyalty to the group, which can withstand the pressure of battle.⁸⁷⁷ A crucial aim of this training was to inculcate among allied and citizen formations a commitment to the newly-formed army. There is nothing to indicate that allied and citizen soldiers were treated differently by training regimes – and much positive circumstantial evidence to indicate that training applied equally to both. In 134 BC in Spain, for example, P. Cornelius Scipio Aemilianus subjected his army, which included the normal quota of allied formations, to a strict training regime to prepare it for combat with the Numantines; it included forced marches, practice at entrenching, and the establishment of nightly field camps.⁸⁷⁸ P. Cornelius Scipio Africanus, in Spain for the Second Punic War, also instituted a comprehensive training regime which put his Roman and allied formations through weapons training, marches and drill.⁸⁷⁹ Metellus in 109 BC did the same for his army in Africa during the war against Jugurtha. He forced his soldiers to conduct weapons drills, practised making nightly camps and maneuvered the entire army, which we know included allied contingents,⁸⁸⁰ around its standards to improve its battlefield movements.⁸⁸¹ Marius,

⁸⁷¹ Rosenstein, 2012, pp. 77 and 107.

⁸⁷² Plb. 6.39. See also at Liv. 4.59; D.C. 7.20.

⁸⁷³ As at Sal., *Iug.* 36.

⁸⁷⁴ Plb. 6.21.

⁸⁷⁵ Liv. 27.9; App., *BC* 1.7.

⁸⁷⁶ Lintott, 1993, p.70; Rosenstein, 2012, pp. 106 and 107.

⁸⁷⁷ Marshall, 1947, p.170; Gray, 1970, p.40; Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁸⁷⁸ App., *Hisp.* 6.86. There is some evidence that the Romans originally learned to make nightly camps from Pyrrhus in the early third century BC (e.g.; Front. *Str.* 4.1; Liv. 35.14).

⁸⁷⁹ Plb. 10.8.

⁸⁸⁰ Sal., *Iug.* 46, 77.

⁸⁸¹ Sal., *Iug.* 45.

in the lead up to his confrontation with Germanic tribesmen at Aquae Sextiae in 102 BC, spent two years training the army and exercising the Roman battle line in various battle skills.⁸⁸² The extensive training regime paid off; the citizen-militia was so well trained and fit they easily overcame the Germanic tribesmen during battle.⁸⁸³ The context of these examples makes it clear that the training applied to the whole army, not just part of it. The need to improve the integrity of the entire battle line encouraged commanders to ensure the allies were as well-trained and prepared as their own citizens.

Major General Angus Campbell provides circumstantial evidence to support this hypothesis. He argues that to generate effective 'mass'⁸⁸⁴ and cohesion on the battlefield, all soldiers needed to be trained in the same basic skill sets, and to the same high level of proficiency.⁸⁸⁵ According to Campbell, armies deploy the most advanced weapons systems available: with soldiers of limited education,⁸⁸⁶ however, the aim was to keep skill sets narrow to simplify things, but to develop them to the highest possible level of proficiency. Campbell's observations, informed by his experience in Afghanistan training the new Afghan army, have relevance to the Roman context:

⁸⁸² Plut., *Mar.* 14.

⁸⁸³ Plut., *Mar.* 26.

⁸⁸⁴ 'Mass' refers to a military term, as explained by Campbell, used to denote the marshalling of a critical and decisive concentration of combat power on the battlefield with which to overwhelm the enemy.

⁸⁸⁵ Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁸⁸⁶ Campbell draws an intriguing link between the basic educational standards of soldiers and their ability to learn complex skills. He argues that the more highly educated a soldier, the greater scope there is to teach a wider variety of tactics. His experience in Afghanistan reinforced the link: Afghan soldiers, most of whom are very poorly educated and come from tribal backgrounds, are capable only of being taught by their Australian mentors the most simple of infantry basic skills. Anything more complex, such as sophisticated weapons or tactical skills, is very difficult. "The Afghan soldiers, who would have just been taught a basic skill, were, on many occasions, unable to demonstrate it for their Australian trainers a little time later. They would tell their trainers in a self-deprecating way: "My head is full of grass." They would say this to explain why they could not remember a basic drill they had just been taught. These are adult men who were completely functional in the tribal environment." Campbell says the trick was to keep the skill sets very narrow, but to train them to a high proficiency. He links the inability to learn complex skills to a lack of basic education. "Education literally changes the brain. The soldier himself has a greater capacity to comprehend, understand and apply more complex tactics and formations. It gives the commander and trainer greater scope to teach and apply a wider range of skills and knowledge." Campbell argues that a link exists between basic education, soldiers and changing tactics on the battlefield across time. "Higher general education among soldiers was the key to breaking armies out of their massed formations into smaller, more flexible groups. You see armies up until Napoleon operating in massed formations; between Napoleon and WW1 is a time of transition as education standards start to rise, and armies start deploying smaller, more widely-dispersed formations, and then by WW2, formations are broken up and operated separately wherever possible. But note the Korean War: the Chinese used massed troops who were poorly educated to make human wave attacks. There is not much scope to do anything with these troops except give them a gun, tell them the enemy is to the front, and attack" (Interview, Maj Gen Angus Campbell, 21 Nov, 2012). The link between education and soldiers' ability in ancient armies to operate in complex ways is worthy of further scholarly investigation.

It is important to the confidence, morale and cohesion of armies that training is standardised and everyone is at the same high level of proficiency. In battle, it is critical to soldiers' morale and confidence in the integrity of the whole battle line that they know the units beside them are as well trained as they are, or that the troops coming up to replace losses, are trained and equipped to the same high standard. The minute there is doubt among soldiers, they are going to want to retire under the stress of battle, compromising the integrity of the battle line. This is why everyone must be trained the same way and to the same standard.⁸⁸⁷

In Roman consular armies, the training of soldiers was one of the primary responsibilities of the commanding consul after it had formed, and as part of its preparation for combat. Significantly, it was conducted after allied recruits had joined the army in their formations; unless they had prior experience, these recruits needed to be inducted into the Roman method of fighting. I propose that the period immediately after initial recruitment, when the army first formed and marched to its first camp,⁸⁸⁸ but before it left to campaign against the enemy and engage in combat, was when this occurred – and it involved new citizen legions and raw allied formations. Q. Metellus, for example, invaded Numidia to attack Jugurtha only after he had properly trained his army and felt it was ready for combat.⁸⁸⁹ Marius advised the consul for 90 BC, P. Rutilius Lupus, during the Social War that his inexperienced troops would benefit from a period of intense training in their camps before the campaign against the Italian army.⁸⁹⁰

A modern example helps inform our understanding of why it was likely a consular army prepared this way for operations. In preparing Task Forces for combat in Afghanistan, the Australian military assembles in one place people from up to 15 different units, and puts them through a grueling series of realistic exercises to standardise skills and raise common levels of proficiency:⁸⁹¹ only then is the Task Force deployed for operations.⁸⁹² Like a newly-formed consular army, these Task Forces comprise soldiers with varying levels of training and skills; some are recruits that need further basic training, others are returning veterans who require only re-familiarisation. All generally need training in critical mission-specific competencies. Pre-deployment training brings everyone up to a common standard;

⁸⁸⁷ Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁸⁸⁸ Plb. 6.26.

⁸⁸⁹ Sal., *Jug.* 46.

⁸⁹⁰ Oros. 5.18. Marius' advice, however, was not heeded. Rutilius spurned it, did not train his army properly, and subsequently led his army into an ambush, where his untrained and inexperienced troops were quickly defeated by the experienced Italian soldiers: 8000 Roman soldiers were killed in the rout.

⁸⁹¹ This phase of training is called the mission rehearsal period, and its task is to instill the competencies needed (Interview, Maj Gen Angus Campbell, 21 Nov, 2012).

⁸⁹² Interview, Maj Gen Angus Campbell, 21 November, 2012.

according to Campbell, this is also when a cohesive whole is forged out of the disparate parts making up the Task Force.⁸⁹³ The same dynamic, I argue, would have applied to consular armies.

For the Romans, sometimes the time allocated for training was short, as it was for consuls in 216 BC waiting for the allied levies to arrive before setting off to confront Hannibal at Cannae;⁸⁹⁴ occasionally it was longer, as it was with Marius in 104 BC waiting two years for the Germanic tribesmen to return to the borders of Italy. Either way, I argue that training was an important method of incorporating allies into the Roman system. This was where Roman doctrine was imparted to the allies, and regardless of regional or ethnic difference recruits brought with them into the army, one of its primary effects was to subordinate them to a Roman standardisation – a necessary outcome if the allied formations were to be trusted in the Roman battle line.

The Consequence of Roman Military Policy: Full Integration Theory

Full political or social integration between Roman and allied soldiers was not the aim of Roman military policy and the system it produced. Bilateral arrangements with each allied community established and managed Rome's manpower requirements; despite the importance Rome ascribed to her allied contingents, she continued to carefully husband the granting of its citizenship to the outbreak of the Social War in 90 BC.⁸⁹⁵ This was reflected in the formation of consular armies: the fact that the Romans retained their own citizen legions and placed them in the centre of the battle line, while allies fought in separate formations on either flank, may have indicated a political sensibility to retain some

⁸⁹³ Interview, Maj Gen Angus Campbell, 21 Nov, 2012. Campbell makes the point that this method of preparing for war has a long history; it was also how the Australian troops forged a cohesive relationship with their New Zealand counterparts in the deserts of Egypt in preparation for the Anzac landings at Gallipoli during the First World War. This, therefore, is yet another example of how joint training and experience can transcend nationality and ethnicity; in this case, between Australian and New Zealand formations.

⁸⁹⁴ Liv. 22.38.

⁸⁹⁵ Plut., *Sull.* 6; App., *BC* 1.39. Marius discovered this fact when he incurred the wrath of his senatorial colleagues for granting citizenship to allied soldiers on the battlefield during the war with Germanic tribesmen in 102 BC (Plut., *Mar.* 18). Moreover, the tribune Sulpicius was seen as a villain because he sold Roman citizenship to freedmen and foreigners (Plut., *Sull.* 8).

separation between dominant Roman and subordinate ally.⁸⁹⁶ As far as the Romans were concerned, and regardless of expectations of full suffrage that such service might have encouraged among the allies,⁸⁹⁷ contributions to Roman armies did not equate to political equality.⁸⁹⁸ As I have shown above, the design of the Roman system and the integration of allied contingents reflected a broader Roman appreciation of the allied contribution to their strategic military strength, and a corresponding concern to ensure their allied contributions operated as effectively as possible within the Roman army. Its purpose, however, did not extend beyond the martial.⁸⁹⁹

Pfeilschifter argues in his 2007 study of allied service in Roman armies that allied participation in consular armies was not a force for the Romanisation of allied peoples in Italy. He argues that subtle mechanisms within the army, such as serving in separate units and their linguistic difference from citizen units, prevented their identification with Roman aims and their integration into the *res publica*. Furthermore, he argues that under these conditions, allied soldiers did not wish to associate themselves with the Romans any further.⁹⁰⁰ Pfeilschifter's arguments regarding the political differences between allied and Roman soldiers are sound; political or legal integration of allied communities into the Roman polity was not the purpose of the Roman military system. He underestimates, however, the homogenising force that the imperative to build and maintain tactical cohesion within the Roman battle line placed on allied and citizen soldiers. His argument fails to deal with, in any substantive way, this dynamic and thus overlooks its critical implications for the tactical and social integration of allied soldiers serving in Roman armies. I shall thus argue that a consequence of the shared experience of war in a system that did all it could to eradicate difference and integrate, was a gradual homogenising effect over time on allied contingents serving with the Romans. The engine of this effect was the

⁸⁹⁶ This picture becomes much less clear after C. Marius' reforms: in the post Marian army, with its uniformity of function and form across the legion, it makes less sense – except for political reasons – to retain such distinctions between allied and Roman soldiers. I will discuss this below.

⁸⁹⁷ I suggest that the experience of long time service with Romans did have the effect of raising allied expectations of their right to the protections of Roman citizenship, which I will cover below (see also Chapter Two above).

⁸⁹⁸ There is a sense of the need for Rome to maintain an image of its political superiority over the Italians, despite their importance to Roman consular armies, at the start of the Social War in 90 BC. Part of the rationale to fight for the Romans, for example, was a sense that it was a disgrace to appear inferior to their inferiors; a keenly-felt sense of distinction (D.S. 37.22).

⁸⁹⁹ Mouritsen, 1998, pp. 136 ff.

⁹⁰⁰ Pfeilschifter, 2007, pp. 27 ff.

imperative to maximise cohesion in the army, and this meant that allied formations gradually adopted the Roman panoply of war: its uniforms, weapons, equipment, tactics, military ethos, formations – and probably the same command language: Latin.⁹⁰¹ Any study of the affect of allied participation in the Roman military system must, in my view, address these issues if it hopes to deal with the question of integration. The process was under way before the second century BC, but, by the time of the Social War, allied units such as the Paeligni would have looked and fought like Roman soldiers. It also produced a socialising effect. I contend that soldiers in close and constant proximity who experience shared hardship and danger, as Roman and allied units did, next to each other, in the battle line, tended to develop deep bonds of comradeship.⁹⁰² I shall argue that, in all likelihood, Roman and allied soldiers knew each other well; the Roman system provided opportunities for them to develop these bonds, regardless of different ethnicity, and the fact they served in separate formations. This is full integration theory: the evidence for it is circumstantial, but – I shall suggest – persuasive.

The Scale of Integration

The Romans were concerned with improving and maintaining their military strength. Their ascendancy to empire and dominant position in Italy depended on military effectiveness against a range of traditional enemies, such as Gallic tribesmen and Carthaginians, and new ones, such as Seleucids and Macedonians. As a result, their citizen-militia was constantly evolving and being refined to improve its effectiveness under the pressure of battle. As I have shown,⁹⁰³ for example, they made fundamental organisational and structural changes to the legions some time in the fourth century BC, replacing the *phalanx* with the more flexible manipular⁹⁰⁴ system arranged into three main battle lines, changing the equipment of the soldiers, and making the *gladius* and *pilum* the primary weapons of the

⁹⁰¹ During a battle with Marius and his soldiers, who were arranged in a defensive square formation and who included allied troops holding the left side, Jugurtha goes to the most hard-pressed part of the Roman square (the rear) and calls out to the Roman soldiers in Latin that he has killed Marius. Jugurtha cannot be sure in the confusion of battle which soldiers are holding which part of the square; for this ruse to work, he must be confident the enemy soldiers, including the allied troops, can understand him – so he uses the universal language. It's not definitive; but may suggest circumstantially that the allied troops understood him (Sal., *Iug.* 101; Fron., *Str.* 2.4).

⁹⁰² Gray, 1970, p. 89. Interview, Maj Gen Angus Campbell, 21 November, 2012. See Pfeilschifter for a contrary view (Pfeilschifter, 2007, pp. 34. ff.).

⁹⁰³ In Chapter Two above.

⁹⁰⁴ *Manipuli*, meaning 'handfuls'. Rosenstein, 2012, pp. 96 and 97.

legionnaire.⁹⁰⁵ The manipular army, with its flexible interplay of maniples in the battle line operating as part of the Roman whole, was the basic tactical formation until the Marian reforms at the end of the second century BC.

The adoption of the manipular army improved Roman military effectiveness.⁹⁰⁶ But it also exacerbated the problem of maintaining the integrity of the battle line under pressure; in particular, keeping order and maintaining the correct spatial relationships between multiple formations, and ensuring coordinated action in the chaos and confusion of battle. Armies using maniples were complex formations. It would have been difficult enough on the practice ground to perform the types of necessary manoeuvres through gaps in the lines,⁹⁰⁷ but to do so under stress, and in contact with the enemy, would have complicated the simplest of movements, especially the careful drills required to pass the *hastati* maniples through the second line of *principes*.⁹⁰⁸ If adjacent formations lost their spacing, contact with each other, or unity of action, the result was added confusion, loss of control and dangerous vulnerabilities that could be exploited by the enemy. In 108 BC, this happened to Metellus' Roman army in a major engagement with Jugurtha. The result was a Roman battle line that could not maintain its order, nor units follow their standards to initiate coordinated attacks. The battle quickly degenerated into a confused series of disjointed actions.⁹⁰⁹ Metellus was lucky the Numidians were as equally disorganised, and could not take advantage of his loss of control. The answer to this problem was to improve the cohesiveness of the army by integrating and standardising its component parts. As I have shown, the Roman system was designed to do this as efficiently as possible; the Romans subjected the allies to the same training as their own citizens, placed them in an integral part of the battle line alongside citizen legions, and expected the same from them in combat as the citizen legions. I argue that this produced a level of integration of allied units into the Roman army that was very deep, and it manifested itself over time in form and function.

⁹⁰⁵ Liv. 8.8; Plb. 6.21 ff.

⁹⁰⁶ An analysis of the performance of Rome's armies after the defeat at Allia in 390 BC suggests the evolution to the manipular army improved the effectiveness of the citizen-militia. After 390 BC, Roman armies began to consistently beat their enemies, and, for the next century, Roman armies consistently suppressed rebellions or turned back invasions. For example, Livy tells us that the dictator, M. Furius, fought a battle against the Gauls on Alban soil in 367 BC and gained a victory (Liv. 6.42). In 360-1 BC, a third army of Gauls invaded Italy but was destroyed by Titus Quintius (Liv. 7.10).

⁹⁰⁷ For example, at Liv. 8.8.

⁹⁰⁸ "In war the simple things are the most difficult" (Marshall, 1947, p.132).

⁹⁰⁹ Sal., *Iug.* 51. Also at Sal., *Iug.* 98.

Integration: Weapons and Equipment

I argue that to meet the demands of integration, allied formations were armed with the same weapons, armour and equipment as citizen legions;⁹¹⁰ this is what made them look like their Roman counterparts. The opportunity to make sure this occurred was at a specific point of the recruitment phase after the allied contingents had been sent to Rome and the citizens had gathered. As I have shown above, here tribunes gave detailed instructions to recruits on what weapons, armour and equipment they needed to bring to the army's assembly point before dismissing them.⁹¹¹ This was how the system ensured equipment and weapons were standardised across the army; soldiers were told what to bring, and it is probable that tribunes also gave these instructions to the allied contingents, as they too needed to assemble with the citizen recruits ready in all respects to form the army.⁹¹²

There is also persuasive source evidence that allied and Roman soldiers were armed identically during campaigns. Livy described the Roman battle line at Magnesia in 190 BC – which included allied formations⁹¹³ – as uniform in arrangement, both in numbers and equipment.⁹¹⁴ Interestingly, he calls this the regular battle line, and made a point of distinguishing it from the supporting Greek auxiliary units, which included 3,000 Greek infantry, cavalry and missile units.⁹¹⁵ At Pydna in 168 BC, the commander of a Paeligni unit threw their standard into the ranks of the Macedonian phalanx to motivate his men to close with enemy; a bitter struggle occurred, with the Paeligni and Marrucini using their swords and shields to turn the Macedonian long spears.⁹¹⁶ During the war with Jugurtha in 106 BC,

⁹¹⁰ Rosenstein, 2012, p. 98. Rosenstein concludes that the allies troops in consular armies were probably armed in a similar fashion to their Roman counterparts; I go further, and argue in this chapter that it was a virtual certainty (cf. Daly, 2002, p. 79; Zhmodikov, 2000, p. 72).

⁹¹¹ Pib. 6.26.

⁹¹² Pib. 6.26. Polybius emphasised the point that once the allies and citizens had assembled to form the army, they were immediately marched off to form their first camp and begin their service. Thus, allies and citizens alike had to have had all their equipment they were going to bring with them at that point.

⁹¹³ Liv. 37.39.

⁹¹⁴ Liv. 37.34: *Romana acies unius prope fuit et hominum et armorum genere.*

⁹¹⁵ Liv. 37.39: *Extra hanc velut iustam aciem a parte dextra consul Achaeorum caetratis immixtos auxiliares Eumenis; tria milia ferme peditum, aequata fronte instruxit; ultra eos equitum minus tria milia opposuit, ex quibus Eumenis octingenti, reliquis omnis Romanus equitatus erat; extremos Tralles et Cretenses – quingentorum utriusque numerum explebant – statuit.* “Outside this, which may be called the regular battle-line, on the right flank and in line with the legions, the consul placed the auxiliaries of Eumenes mixed with the Achaean targeteers, being about three thousand infantry; outside them he stationed less than three thousand cavalry. Eight hundred of whom belonged to the Eumenes, all the rest being Roman (Latin?) cavalry; on the extreme flank he placed the Tralli and Cretans, each contingent amounting to about five hundred men.”

⁹¹⁶ Plut., *Aem.* 20.

an allied infantryman was put in charge of a small detachment to infiltrate an enemy fortress on top of a mountain; they carried their normal swords and shields on their backs and used Numidian shields because they made less sound.⁹¹⁷ To prepare the army, which included allied contingents, for battle against Germanic tribesmen in 105 BC, P. Rutilius Rufus introduced a training regime used in gladiatorial schools which involved swordplay.⁹¹⁸ There is no evidence that this training was only given to part of the army, and if allied formations also received it, it is reasonable to think that they must have used swords like their Roman counterparts. I argue that these examples indicate a homogenisation of weapons and equipment occurred across the army.

There was also, however, a sound tactical reason for equipping all formations identically. Campbell explains that Roman commanders, like all commanders, would have wanted the best, most advanced weapons and equipment available for all soldiers, not just some:

There is a simple reason for this: if one part of the army was well-equipped, and another part not so well-equipped with different weapons, the enemy was invariably going to attack hardest that bit of the line not so well-equipped. The enemy was always on the lookout for weakness; even if they were not initially aware of the weakness, they would soon discover it. When attacked, that bit of the army not so well equipped would give just a little bit more than the well-equipped formations, signaling to the enemy that here was a weak spot in the line on which to focus.⁹¹⁹

Given that we know that allied formations were placed in critical flanking positions alongside their Roman counterparts in the battle line, the Romans would naturally have wanted to avoid the scenario described above by Campbell. The way to eliminate the possibility of weaknesses arising from mismatched equipment was to standardise all equipment across the army.

Integration: Formations and Tactics

Rosenstein argues allied units went into battle in different formations from their Roman counterparts.⁹²⁰ I argue, however, that this was unlikely: integration meant not only were

⁹¹⁷ Sal., *Jug.* 94.

⁹¹⁸ Val.Max. 2.3.2.

⁹¹⁹ Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁹²⁰ Rosenstein, 2012, p. 98. He says offhandedly that 'cohorts' were used; presumably while maniples were in use among Roman formations, but he does not go any deeper than this, nor give any reasons why this may be so. As I have argued above, the imperative to build cohesion along the whole battle line makes this unlikely. Moreover, the term 'cohorts' probably referred to an administrative or special grouping established for an unusual task: in Spain, a cohort comprised a slice of the battle line that included a combination of skirmishers,

allied formations armed and equipped like their citizen counterparts, but that they used the same tactics and formations as Roman legions.⁹²¹ As I have shown, the imperative to achieve maximum integration and cohesion between Roman and allied formations was very strong; variations in expectations, training, equipment, tactics or formations introduced the possibility of uncertainty, misunderstanding and confusion under the stress of battle which could expose the battle line to vulnerabilities exploited by an enemy.⁹²² If allied formations placed alongside their Roman counterparts were to contribute to the cohesiveness and integrity of the battle line, there needed to be a high level of interoperability and contact between them; the flanks were a critical part of any battle line, and ensuring that they were properly integrated into the whole was an important concern for any commander.⁹²³ The obvious way to achieve this was to organise allied formations into manipular formations like their Roman counterparts, and train them to operate like citizen legions;⁹²⁴ the opportunity to do this was during the training period after armies had formed and marched off to their first camp together.

We cannot be certain that this occurred, but I argue that the circumstantial evidence for it is persuasive. According to Livy, Latin troops of the mid-fourth century BC fought in the same manipular formation as the Romans.⁹²⁵ Maniples appear to have been in common use, not only in Roman armies, but also in the armies of Italians: Pyrrhus in the early third century BC used battle formations comprising Hellenistic phalanx units, interspersed with Italian maniples allied with his army.⁹²⁶ Campbell, moreover, argues that it was critical for

cavalry and three maniples of infantrymen used for a special task in extraordinary circumstances, in this case the unusual arrangement of the Roman army at the battle of Ilipa in 206 BC (Pib. 11.23). This type of arrangement was not the normal battle arrangement, and we don't often see troops used in this way.

⁹²¹ Daly also reaches this conclusion, although he does not posit a strong case for why this may be so (Daly, 2002, p. 78). Nevertheless, his instincts are right.

⁹²² Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁹²³ Marshall, 1947, pp. 161 and 191; Interview, Maj Gen Angus Campbell, 21 November, 2012. Campbell talks about the absolute necessity in battle of protecting and securing the flanks of an army. He says the aim of every commander was to 'roll up the enemy's flanks', and destroy the cohesion of their army. "The reason this is so critical is that with soldiers of limited education, all you can do is teach them a narrow set of skills, point them in the right direction, tell them the enemy is in front, and then urge them to attack. The minute a soldier doubts that the enemy is in front, or suspects that the enemy is behind him or on his flanks, cohesion starts to disintegrate. This is why the flanks and rear of an army are so important."

⁹²⁴ Interview, Maj Gen Angus Campbell, 21 Nov, 2012.

⁹²⁵ Liv. 8.8. The chronology fits: this is after the defeat of the Roman-Italic phalanx by the Gauls in 390 BC, which, I would argue, was instrumental in prompting the move to the more flexible manipular system. Of course, Livy may have been retrojecting a contemporary term onto his account, although I would suggest that the categorical nature of the statement suggests he inherited it from an annalistic or antiquarian source.

⁹²⁶ Pib. 18.28.

cohesion in armies made up of poorly educated recruits to standardise tasks, equipment and formations as much as possible: “to make all soldiers square pegs in square holes.”⁹²⁷

Differences in formations and tactics create problems for a commander. If an allied unit turned left instead of right, or advanced slightly faster than a neighbouring formation, it opened up vulnerabilities. You do not want this to happen, so you train to iron out discretion wherever possible and standardise procedures, and make sure everyone understands them. If you didn't do this, your first battle was going to be very messy.⁹²⁸

Accounts of ancient battles underscore Campbell's point about the necessity of integration. The allied formations in Marius' army operating against Jugurtha were sufficiently integrated so that they could quickly form the left side of a defensive square alongside their Roman counterparts when attacked by a larger Numidian force.⁹²⁹ At Magnesia, the Roman battle line, with its allied formations on the flanks of the centre citizen legions, was uniform in arrangement, numbers and equipment.⁹³⁰ Moreover, Roman armies, especially the forward battle line, were often described in battle accounts being maneuvered as single entities.⁹³¹ I argue that this suggested a commonality of training, organisation and tactics across the army. The allied formations in T. Quinctius Flamininus' army at Cynoscephalae, for example, were wielded against the Macedonian phalanx as part of the whole battle line; the uniformity of tactics across the entire front battle line was demonstrated by the withdrawal of the lightly armed *velites* through gaps opened not only by Roman maniples, but allied formations.⁹³²

Furthermore, Polybius, our best source on the Roman army and well aware of the differences in Roman and allied polity, saw no difference between allied and Roman formations when describing the Roman military system, and its use on the battlefield. Rather than ignoring or underestimating the role of the allies, I argue that Polybius faithfully described what he saw; distinctions between allies and Roman formations were simply not important because little existed – and his narrative and language is a manifestation of that fact.⁹³³ At the battle of Cannae in 216 BC, for example, Polybius

⁹²⁷ Interview, Maj Gen Angus Campbell, 21 Nov, 2012.

⁹²⁸ Interview, Maj Gen Angus Campbell, 21 Nov, 2012.

⁹²⁹ Sal., *Jug.* 100.

⁹³⁰ Liv. 37.34.

⁹³¹ As at Plb. 15.11; Plut., *Aem.* 19; Sal., *Jug.* 50.

⁹³² Plb. 18.23.

⁹³³ Erdkamp, in a study of Polybius' use of language to describe Roman and allied formations, reaches the same conclusion: Polybius didn't record differences between the formation and use of allied and Roman

described the Roman army as a single homogenous whole.⁹³⁴ Where points of differentiation are made, they are limited to pointing out that the Italian cavalry was deployed in a different location from the Roman citizen cavalry on the wings of the legions.⁹³⁵ Polybius' lack of differentiation amongst the Roman troops in this battle and others⁹³⁶ cannot be explained by an inattention to detail or narrative sloppiness; on the contrary, he was painstaking in his description of the ethnic components, and their differences, in the Carthaginian army⁹³⁷ – even down to the distinct types of arms they carried and the colour of their tunics.⁹³⁸ When he thought a distinction was important, he recorded it. In his use of language to describe military units, however, he minimised differences. The same word, *stratopedon*, is used to refer to citizen and allied formations; a consular army consisted of two Roman *stratopeda* and two of the allies.⁹³⁹ For the legion's sub-units, he used the word *semaia* which can be translated as the Greek equivalent of the smallest infantry manoeuvre unit of the pre-Marian legion, the *manipulus*; Polybius used this term for describing both Roman and allied maniples.⁹⁴⁰ I argue that the fact Polybius did not distinguish between allied and Roman infantry linguistically or descriptively was because he literally saw allied formations as identical to their citizen counterparts.

formations because none existed (Erdkamp, 2007, p.51 ff). Daly agrees with the 'argument from silence' (Daly, 2001, p. 78).

⁹³⁴ Pib. 3.110.

⁹³⁵ Livy in his description of the same battle echoes Polybius' lack of differentiation in the infantry but also makes a point of difference in the cavalry. Unlike Polybius, however, Livy does tell us once in his narrative that the allied foot in the Roman battle line extended inwards towards the centre where they joined the Roman legionaries (Liv. 22.45), and he does distinguish between allied and Roman infantry casualties. For example, 45 000 infantrymen casualties, of whom half were allied (Liv. 22.49).

⁹³⁶ Such as at the battle of Zama. Polybius described the Roman infantry in terms of function, as *hastati*, *principes* or *triarii* – but did not write of allied or Roman citizen-soldiers. This is not because of inattention to detail; on the Carthaginian side, there were Celtic, Ligurian, Balearian, Libyan, Mauretanian and veteran Carthaginian contingents (Pib. 15.11 ff).

⁹³⁷ Pib. 3.114 ff.

⁹³⁸ There were separate heavy and light Celtic, Spanish and Numidian cavalry units, as there were Spanish, Celtic and African heavy infantry. The Spaniards and Celts made up the Carthaginian centre while the African heavy infantry phalanx was stationed in the wings. The African heavy infantry was equipped with Roman swords and shields taken from the dead of previous battles, while the shield of the Spaniards and Celts were similar to each other. But their swords were not; the Celtic swords were more useful for slashing and required space to swing, while the points of the Spaniards' swords were as effective for wounding as the edge was for slashing. We even know Spaniards fought in linen tunics bordered with purple and that the Celts were naked (Pib. 3.114).

⁹³⁹ Pib. 10.16. For a more detailed discussion on this subject, see Erdkamp, 2007, pp. 55 ff.

⁹⁴⁰ For example, at Pib. 6.30. Here Polybius refers to a *semaia* of allied infantry; that is, a maniple.

Integration: Other Indications

There are other indications that the Romans treated their allied contingents identically to their own citizens, and which were a manifestation of their deep integration into Roman armies. There was normally no distinction made between citizens and allies for the distribution of booty captured in war.⁹⁴¹ In fact, when the consul C. Claudius Pulcher in 177 BC did make a distinction between the amount of donatives made to his allied soldiers and Roman citizens, it caused enough of an upset among the allied soldiers that it was recorded in the literary record, suggesting it was far more normal for allied soldiers to receive the same amount as their citizen counterparts.⁹⁴² The allocation of booty was not left up to allied communities to reward their soldiers materially for participating in Roman wars. Like citizen-soldiers, allied soldiers benefitted materially from service by participating in the Roman army, and the army rewarded them. The distribution of captured booty was carefully organised, disciplined and systematic,⁹⁴³ and allies and citizens almost always shared equally.⁹⁴⁴ In 189 BC, L. Cornelius Scipio was awarded a triumph for his victory over Antiochus; his soldiers were given twenty-five *denarii* each, while centurions received twice that amount and cavalymen three times as much.⁹⁴⁵ Soldiers were also given double their annual pay after the triumph; after the battle of Magnesia the year before, they had also been given more donatives.⁹⁴⁶ At no point in the distribution of Scipio's largess was a distinction made between allied and citizens: all were treated equally as one integrated whole.⁹⁴⁷

⁹⁴¹ Liv. 40.7; 43.7; 45.43. Rosenstein, 2012, p. 77; Rosenstein, 2012a, p.85.

⁹⁴² Liv. 41.13. The slighted allied soldiers remained silent during the consul's triumph, while their Roman counterparts sang and cheered as was normal. Pfeilschifter makes much of this episode, arguing the fact that citizen soldiers did not remain silent in support of their allied counterparts showed that they did not identify with them socially or politically (Pfeilschifter, 2007, p. 27).

⁹⁴³ Pib. 10.16. Examples of where it was not are at App. 7.127; Liv. 38.23.

⁹⁴⁴ For example, at Sal., *Jug.* 85; Liv. 10.31; Liv. 24.16. The above example in 177 BC is the only known example of when the allies were specifically treated differently from their citizen counterparts.

⁹⁴⁵ We know allied soldiers made up at least an equal proportion, if not the majority, of that Roman army celebrating a triumph. In the lead up to the war in 190 BC, Livy specifically mentioned the allies as the majority of the reinforcing army L. Scipio had assembled to take to Greece (Liv. 37.2). He also took with him five thousand Roman and allied veteran volunteers who had already earned their discharge for service under his brother – presumably in the Second Punic War (Liv. 37.4).

⁹⁴⁶ Liv. 37.59.

⁹⁴⁷ It is noted, however, that when it came to land distribution, the Romans could make more of a distinction. For example, in the doling out of land grants inside Italy, Romans could receive more than even their closest allies, such as the Latins, as was the case in the late 170s granting of land in the Ligurian highlands, when Roman citizens received 10 *iugera* of land as opposed to the Latins who received only three (Liv. 42.4).

The Roman habit of laying out nightly camps while on campaign, with their neat streets and careful order, was also indicative of an institution which closely integrated its component parts. Their order and complex organisation amazed Pyrrhus as far back as 280 BC when he saw one.⁹⁴⁸ Along with their citizen counterparts, the boundaries of the camp enclosed allied infantry and cavalry formations as an integral part of its functional structure.⁹⁴⁹ The layout was complex; its erection each afternoon could only have been accomplished by a high level of coordination and integration between each component part of the army, including the allied formations. They had to be integrated to know where to go and what to do: the allies had their own set locations in camp like the citizen formations.⁹⁵⁰ Their seamless integration into the structure of the camp was only achieved by training, and using common operating procedures which must have applied to all units.⁹⁵¹ Furthermore, there was an important tactical reason why the Romans ensured all units were fully integrated into the procedure of establishing camp: it minimised the time it took to build. The moment location or task became an issue of choice for the soldiers, it added time and introduced the possibility of confusion.⁹⁵² At the end of the day, when soldiers were tired and in hostile territory, a commander would naturally want to avoid this. The solution was to standardise procedures and integrate components to eliminate choice. I thus suggest that the establishment of Roman camps was a further manifestation of the integration into the army of allied formations.⁹⁵³

Moreover, the recognition and punishment system operating in consular armies was applied uniformly without differentiation between allied or citizen-soldiers. Polybius described a scale of punishments for varying military crimes that applied to both citizens and allies.⁹⁵⁴ Scipio executed the Umbrian, Atrius, the Calenian, Albius, and 32 other ring leaders of the

⁹⁴⁸ Plut., *Pyrrh.* 16.

⁹⁴⁹ Plb. 6.27.

⁹⁵⁰ Plb. 6.30. Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁹⁵¹ Rosenstein, 2012, p. 102.

⁹⁵² Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁹⁵³ Polybius' description of the layout of a Roman field army in camp is backed up by excavations conducted by Adolph Schulten in the early twentieth century on Roman camps in eastern Spain dating between mid-150 BC and the capture of Numantia in 133 BC. Called Lager III, the excavations of the Roman camp generally mirror Polybius' layout; the main differences are where topographical necessity has forced an alteration, such as the quarters of some of the allied units along the western edge of the excavated camp rather than being between the legions' tents and outer wall as Polybius has it. But the archeological record confirms the complexity and order of Polybius' description, and that the location of units in the camp generally mirrored their place in the battle line. See Rosenstein for a fuller discussion of Lager III (Rosenstein, 2012, pp. 99-103).

⁹⁵⁴ Plb. 6.37.

mutiny at Sucro in Spain in 206 BC; in admonishing the rebellious soldiers, Scipio was manifestly addressing the citizens among them,⁹⁵⁵ but citizen and ally alike were subjected to the same punishment in front of the assembled army.⁹⁵⁶ Similarly, when it came to rewarding conspicuous gallantry during battle, recognition could be given to all soldiers without reference to their citizenry status, and it could be won by soldiers for acts of gallantry that saved not only Roman citizen-soldiers, but also their allied counterparts.⁹⁵⁷ Like the involvement of allied formations in the establishment of Roman camps, this was an indication of allied integration into the Roman whole.

Integration: Army Reforms Complete the Process

The consequence of shared experience in war, with a system that worked to reduce difference and integrate wherever possible, was a gradual homogenising effect over time on allied contingents serving with the Romans. As I have shown, the scale of the integration was widespread and its effect deep. The process began the moment allied contingents started serving with the Roman army during the third century BC, and continued throughout the second century BC. I argue, however, that reforms to the army at the very end of that century, driven by the urgency of failing manipular armies against Germanic tribesmen, brought the process to completion, and removed any residual difference that may have yet persisted between the Latin and Italic allies and their Roman citizen counterparts.

Allied formations were integrated into manipular armies that were not completely homogeneous organizations: within legions, differences still existed in the roles of soldiers, the size of maniples, and weapons and equipment carried by the men. The rear-ranked *triarii*, for example, were the only soldiers armed with long thrusting spears, their maniples were half the size of the *hastati* and *principes*, and they were predominantly used as a tactical reserve to cover withdrawals.⁹⁵⁸ These differences could translate into vulnerabilities: the *triarii*, unlike their javelin-carrying counterparts in the first two ranks, had no way to attack the enemy beyond the length of a spear, making them vulnerable to

⁹⁵⁵ For example, he asks a rhetorical question of the soldiers (Liv. 28.26): if they, as citizens, are rebelling against their country?

⁹⁵⁶ Liv. 28.24 ff; V.Max. 2.7.

⁹⁵⁷ Plb. 6.39.

⁹⁵⁸ Plb. 6.23. See also Chapter Two above.

missiles.⁹⁵⁹ The Servian influence still lingered; age, experience, and, to some extent wealth, still accounted for these differences, and determined where soldiers were placed in the battle line, what arms they carried, what roles they performed, and the types of armour they wore.⁹⁶⁰ I argue that, to align with prevailing Roman military doctrine, integrated allied formations reflected these differences.

At some point in the six decades between the end of the Jugurthine War in 105 BC and the start of C. Iulius Caesar's Gallic campaign in 59 BC, the Romans introduced a major reform in the way the army was organised by replacing maniples with larger cohorts as the basic maneuver formation of the legion.⁹⁶¹ The last time maniples are encountered in a Roman army is during the war against Jugurtha in 109 BC.⁹⁶² The next time detailed accounts of Roman armies and their battles emerge, it is the middle of the first century BC, and the cohort is used exclusively to describe tactical formations; the maniple has disappeared. In Caesar's campaigns in Gaul, for example, the cohort is the principle maneuver formation of the legion; commanders used it to create small taskforces or reserves when it was not part of a larger legionary army.⁹⁶³ The reformed legion now had

⁹⁵⁹ For example, when Metellus' *triararii* were caught by Jugurtha's missile troops at the Muthul River during the Jugurthine War; they suffered casualties from the enemy's missiles but were unable to respond because they carried no javelins of their own (Sal., *Iug.* 50).

⁹⁶⁰ Plb. 6.22 ff.

⁹⁶¹ A cohort consisted of six enlarged centuries of eighty men each, giving it a strength of 480 men. The citizen-militia had long been familiar with the concept of the cohort. But its use appears to have been an exception, driven by specific local conditions. It is first encountered in connection with Scipio Africanus in Spain during the Second Punic War, where the fighting was dispersed and the enemy used guerrilla tactics (Plb. 11.23,33). Moreover, there are 17 references in Livy to cohorts, most being used in connection with various Spanish campaigns between 210 BC-195 BC (Cagniart, 2007, p. 85). There was something about the Spanish theatre which encouraged the use of larger tactical formations; a legion or army operating in the harsh terrain may have been too large to manoeuvre effectively against the guerrilla tactics of the Spaniards, but maniples too vulnerable to operate on their own. The solution was the cohort: small enough to operate in the harsh terrain by themselves but large enough to defeat the enemy when it encountered them. The Romans also use the cohort in Numidia during the Jugurthine War where the enemy also used guerrilla tactics; it is mentioned in connection with allied or lightly armed auxiliary troops. (Sal., *Iug.* 50,94,99,100,103). The reference here to lightly armed troops, as pointed out by Matthew, may be a pointer to *velites*, the traditional screening force of the manipular legion (Matthew, 2010(a), p.32).

⁹⁶² Metellus, preparing to engage Jugurtha's Numidians, *inter manipulos funditores et sagittarios dispersit* (between the maniples dispersed slingers and archers); when Jugurtha engaged the rear of Metellus' formation, however, the Roman troops stationed there suffered casualties but were unable to close to sword distance or strike back at the Numidians, who were clearly keeping their distance. These troops, apparently without any missile capability with which to retaliate, must have been the rear *triararii* maniples of a manipular army, since both the *hastati* and *principes* carried javelins as standard equipment (Sal., *Iug.* 50).

⁹⁶³ The evidence is extensive: Caes., *Gal.* 2.25; 3.1.2; 4.32; 5.15,33,34; 6.29; 7.49; 8.2,19,43.

ten cohorts: four comprising the front line and three each in the remaining two posterior lines.⁹⁶⁴

The significance of this reform to the process of allied integration into Roman armies was that when the cohort replaced the maniple, the Romans also abolished the old functional distinctions of *hastati*, *principes* and *triarii*, and with them, their specialised weapons and equipment. Their roles in the legions were replaced with the standard function of heavy infantryman, and the process to standardise the heavy infantryman role meant making weapons, equipment, and clothing uniform across the army. A complete homogenisation of form and function occurred inside the army; almost certainly, soldiers now looked the same, were armed, armoured and equipped in the same way, and organised in the common formation of the cohort. This uniformity increased the ways commanders could use cohorts and the army's flexibility; Caesar could thus remove them from his third line at Pharsalus against Gn. Pompeius Magnus in 49 BC without damaging the overall functionality of the legions, and make up a separate fourth line to counter the threat represented by Pompeius' superior cavalry numbers.⁹⁶⁵

I argue that it was this major reform, bringing uniformity to form and function across the army, which removed any remaining visual differences between soldiers; not only individually between citizen-soldiers, but between the citizen legions and their Italic and Latin counterparts.⁹⁶⁶ The imperative to retain cohesiveness and uniformity of the battle line, for example, meant it was unlikely that the Romans applied the cohortal reform just to their own citizen legions. I would suggest that they also applied it to allied formations. It has to be acknowledged, however, that nowhere is it categorically stated this is what occurred, and after the Social War, when citizenship was given to the Italian allies, the distinction no longer had any relevance.⁹⁶⁷ But I assert that Romans also reformed the allied formations prior to universal suffrage, based on what I have shown above about the imperatives of cohesion and the mechanics of maintaining integrity between formations.

⁹⁶⁴ On the formation of the cohortal army, see Matthew, 2010(a), p. 31.

⁹⁶⁵ Caes., *B Civ.* 3.89; Fron., *Str.* 2.22.

⁹⁶⁶ See de Blois for a succinct summary of the reforms around this time, where he makes the point that the Romans took a further step toward the complete standardisation of equipment in the army (De Blois, 1987, pp. 11 and 12). De Blois is talking only about equipment: I take it further, and argue that the standardisation necessarily occurred across almost all facets of military service.

⁹⁶⁷ After universal suffrage, all legions became citizen legions.

Such a move was simply necessary. For a major reform of this nature to work, it needed to be applied to the whole army. It makes no tactical sense for the centre citizen legions to use cohorts, with standardised heavy infantrymen, but for flanking allied formations still to be arranged in maniples, using *hastati*, *principes* and *trarii*. This situation would have introduced a needless impediment to the interoperability of the components making up the battle line. I argue that the Romans, concerned with the effectiveness and efficiency of their armies, did not do that. If allied formations were used as supplementary troops in support of the main Roman army, then an objection can be mounted that the Romans may have reformed only the citizen legions. As I have shown that the allied formations were not treated as auxiliary troops on the periphery, but were placed in integral parts of the battle line, I therefore conclude that this objection is unfounded.

The assertion that allies were reformed at the same time as the citizen formations also applies to the other reforms introduced to the Roman army around the same time. In preparing the army for its confrontation with Germanic tribesmen between 104 BC-102 BC, for example, Marius introduced the eagle as the legion's dominant standard,⁹⁶⁸ and an improved version of the army's heavy *pilum* carried by the infantry.⁹⁶⁹ He was also credited with making the soldiers carry on their backs much of their field equipment,⁹⁷⁰ leading to the tag of *muli Mariani*, and improving the army's mobility and speed.⁹⁷¹ He did this by obviating the need for a large, unwieldy baggage train by making soldiers carry much of

⁹⁶⁸ Plin., *Nat.* 10.5.

⁹⁶⁹ Plut., *Mar.* 25. For a well researched and exhaustive account of this particular reform to the army's heavy *pilum*, see Mathew, 2010, pp. 1-9.

⁹⁷⁰ There is doubt, however, whether he was the originator of this reform. Polybius, writing fifty years before Marius of the middle republican army, stated that soldiers carried their own javelins, shield and stakes (Plb. 18.18). Q. Metellus, when he took over an undisciplined and dispirited army in Africa during the war against Jugurtha in 109 BC, compelled the soldiers to carry their own arms, food and equipment as part of his training program to reintroduce discipline to the men and increase its fighting effectiveness. Marius' initiatives are similar to that of Metellus when it came to improving the mobility of the army, and it may be no small coincidence that Marius, having served in Metellus' army against Jugurtha, introduced reforms to the army in Italy that closely resembled those that Metellus originally made in Africa. Metellus, for example, enforced cross-country marches every day and forbade the soldiers to have a slave or pack animal in camp or while on march: *ne miles gregarius in castris neve in agmine servum aut iumentum haberet*. "No soldier in camp or on the march should have a slave or pack animal" (Sal., *Jug.* 45). Like Marius' soldiers preparing by hard training for the confrontation with the Germanic tribesmen on the borders of Italy at the end of the second century BC, they also had to carry their own food, arms and equipment. Similarly, P. Scipio introduced discipline back in to the demoralised army in Numantia in 134 BC by dismissing a large number of camp followers, getting rid of equipment unnecessary for campaigning, compelling his men to endure forced marches and making them carry several days' worth of rations (Fron., *Str.* 4.1).

⁹⁷¹ Plut., *Mar.* 13; Fron., *Str.* 4.1.. Plutarch in the same paragraph suggests an alternative explanation behind the tag "Marius' mules", indicating it might also have a slightly pejorative sense by referring to a man who was, like a mule, persevering, patient, and laborious. See also Matthew, 2010(a), p. 1.

their own equipment and food; the soldiers previously used baggage animals or carts in the baggage train.⁹⁷² Nowhere do the sources imply that only part of the army received these reforms. I argue that Marius applied them to the allied formations because, like the cohortal reform, it is implausible to think that he would only have reformed half the army when the integrity of the battle line depended on the component parts operating together as a cohesive whole. It would not have been practical, for example, to have Roman citizens carrying their equipment on their backs, while the allied half of the army still used a large baggage trains to carry its equipment. The point of the reform, aimed at improving the speed and portability of the army, would have been negated. Moreover, if only the citizen legions were equipped with the improved *pilum*, the allied formations using the conventional javelin alongside the Roman legions would have been less effective, building a potential vulnerability into the battle line.⁹⁷³

The timing of the shift to cohorts is important. I argue that it occurred during the last years of the second century BC, and complete homogenisation of allied formations had been completed before the Social War – and certainly by the time Sulla marched on Rome. The evidence for this timing is circumstantial, but positive. There is a reference to a cohort being used in connection with the reformed army that fought the Cimbri in 102 BC, one of the few times a sub-unit is mentioned during the campaign. The proconsul, Q. Catulus, tried to block the alpine passes and left one cohort to guard a fort at the Atesis River.⁹⁷⁴ It is a single reference, but if it accurately records the organisation of the unit, it suggests cohorts had already been introduced. Moreover, Marius' reforms were introduced to the army between 104 BC-102 BC to improve its fighting capacity as part of the preparation

⁹⁷² Frontinus, in his account of the reform, gives us a little more detail, including how the packs were actually structured: "*Marius recidendorum impedimentorum gratia, quibus maxime exercitus agmen oneratur, vasa et cibaria militis in fasciculos aptata furcis imposuit, sub quibus et habile onus et facilis requies esset; unde et proverbium tractum est 'nulli Mariani'*" (Fron., Str. 4.1.). "To limit the number of pack animals by which the march of the army was especially hampered, Marius had his soldiers fasten their utensils and food up in bundles and hang them on forked poles to make the burden easy and to facilitate rest, and from there came the expression 'Marius' mules'."

⁹⁷³ Marius' introduction of the eagle was also designed to improve the cohesion of the legion by giving it a single point upon which soldiers could focus their collective attention. To have left out the allied legions would have missed an opportunity to confer upon them the advantages of the potent symbolism that the eagle brought to *esprit de corps*: I suggest that no commander concerned with the effectiveness of his army would have done that. For a detailed expose on the implications for improving *esprit de corps* and binding troops together by giving them a clearly recognisable symbol upon which to focus their loyalty and attention, see Matthew, 2010(a), pp.51-61. It is a helpful study, usefully informed by the personal military background of the author himself, and a thesis with which I largely concur.

⁹⁷⁴ Liv., Per. 68.

for its confrontation with the Germanic Tribesmen.⁹⁷⁵ I would argue that Marius – the major military reformer of the moment, an inveterate improver of the army, and in the midst of changing the citizen-militia in smaller ways⁹⁷⁶ – was also the most likely candidate to introduce the far bigger change of introducing the cohort.⁹⁷⁷ Marius had the time and motivation to do so; and he was fortunate that the tribesmen diverted to Spain, giving him two years time to properly prepare his army.⁹⁷⁸ This was enough time to introduce the cohort, and ensure the army was familiar with it, before using it on the battlefield.⁹⁷⁹

A good reason for the Romans to introduce a major military reform to improve the army's effectiveness also existed at this time. Leading up to 104 BC, Rome suffered a series of serious military defeats when invading Germanic tribesmen destroyed manipular armies.⁹⁸⁰ Italy was under a real threat⁹⁸¹ and the defeat of successive Roman armies terrified citizens and allies.⁹⁸² The seriousness of the moment was reflected in the fact that the state set aside the prohibition on electing a magistrate to successive consulships in absentia, and allocated Gaul to Marius while he was on his way back from Africa.⁹⁸³ Military disasters can be a potent impetus for change; almost certainly military disaster had produced change before, when the Gauls defeated the Roman phalanx in 390 BC and subsequently sacked Rome, providing the impetus for change to the more flexible manipular army, and the introduction of the sword as the primary weapon of the infantryman.⁹⁸⁴ The series of defeats at the hands of the Germanic armies again provided the most obvious impetus to introduce such a major reform into the army. A lack of cooperation between consul and pro-consul on the

⁹⁷⁵ Plut., *Mar.* 13; Fron., *Str.* 4.1.; Plut., *Mar.* 25; Plin., *Nat.* 10.5.

⁹⁷⁶ Marius was the major reformer, but not the only one. P. Rutilius Rufus, consul in 105 BC, introduced a method of training the soldiers in the use of the sword along the lines used in gladiatorial schools of the time (Val.Max. 2.3.2). But his contribution was apparently limited to this one initiative, whereas Marius' reforming influence was much wider, deeper and, I would argue, more significant.

⁹⁷⁷ I am not alone in reaching this conclusion: see also Rosenstein, 2010, p. 295; Rankov, 2007, p. 31; Cagniat, 2007, p. 86; and Matthew, 2010(a), p. 29.

⁹⁷⁸ Plut., *Mar.* 13, 14.

⁹⁷⁹ Matthew argues that Marius made the cohortal reform (Matthew, 2010(a), p. 1). Although this is likely, however, there is actually nothing which categorically links him to this particular reform.

⁹⁸⁰ Liv., *Per.* 63, 68.

⁹⁸¹ Plut., *Mar.* 11.

⁹⁸² Sal., *Jug.* 114.

⁹⁸³ Plut., *Mar.* 14; Sal., *Jug.* 114.

⁹⁸⁴ Liv. 5.38: Livy describes the reformed Roman army of 340 BC that attacks its Italian neighbours in considerable detail; he is describing a manipular army (Liv. 8.8). Sometime between the defeat of 390 BC and 340 BC, the Romans have completely reorganised their army. Along with the need to introduce a formation more able to operate effectively in the central mountainous regions of Italy as Roman influence expands, I would argue that the most the most obvious catalyst for change was the defeat by the Gauls and the sacking of Rome.

battlefield at Arausio had led to a crushing defeat,⁹⁸⁵ but there also seems to have been something fundamentally wrong with the fighting capability of the army at that time. Plutarch comments, for example, that the feeble resistance of large consular armies had encouraged the Germans to invade Italy.⁹⁸⁶ Rufus' initiative in 105 BC of introducing sword training for soldiers also indicates a concern to address a serious capability problem.⁹⁸⁷ Here was the pressing reason for the structural move to cohorts, and evidence of Roman concern that something needed to be done. These reforms thus completed the process of integration that began well before the second century BC; while they may have still kept separate formations, Roman and allied soldier were now identical in form and function.

Integration: The Social Dimension

The Roman recognition of the importance of the allied contribution, a military system which treated allied soldiers like citizens, and the imperatives of war, provided an opportunity for allied and Roman soldiers to get to know each other, and build the close social bonds that would be necessary to influence each other's perspectives. Their close and sustained proximity, for example, at the time of recruitment, in camps, and in the battle line, allowed at least the conditions for fraternisation, and the possibility of the development of comradeship. As Gray remarks, loyalty to the group is the essence of fighting morale, comradeship is the result of loyalty to the group, and comradeship itself is dependent on being together physically in time and space.⁹⁸⁸ Despite this, direct evidence of allied and Roman soldiers socialising anywhere while on campaign is rare, and it is hard to prove categorically they did anything but stay in their own formations, and in their own allocated parts of the camp. Moreover, Roman camps, where many of the opportunities theoretically existed for getting to know soldiers of adjacent units, were strictly laid out, and discipline strict, and this may have acted as a disincentive to move far beyond local groupings.⁹⁸⁹

⁹⁸⁵ Liv., *Per.* 67.

⁹⁸⁶ Plut., *Mar.* 11. Plutarch wrote of many large Roman armies, with their commanders, being destroyed ingloriously, and suggested it was because of the feeble resistance put up by these Roman armies, that the Germanic tribesmen first considered the notion of destroying Rome and looting Italy: damning words indeed.

⁹⁸⁷ Val.Max. 2.3.2.

⁹⁸⁸ Gray, 1970, pp. 40 and 41.

⁹⁸⁹ Pfeilschifter, 2007, p. 31. Pfeilschifter argues strongly against any sort of 'Romanisation' of allied soldiers as a result of their service in Roman armies, preferring to emphasise evidence of difference and separation

But I argue that for Roman armies to have performed successfully in battle, where the strength and unity of a whole battle line depended on the complex interrelations between neighbouring sub-units such as maniples or legions, the development of trust and familiarity between groups, even separate units, must have occurred. There is circumstantial evidence to suggest that it did – at least to the extent that social contact led to a feeling between allies and Romans that they could rely on each other, and trust each other in the battle line. I have shown, for example, that the Romans and their military system were concerned with the tactical cohesion and integration of their battle line; Marshall offers an explanation of the necessary underpinning to good cohesion: “All other things being equal, the tactical unity of men working together in combat will be in ratio of their knowledge and sympathetic understanding of each other.”⁹⁹⁰ Given that basic human instincts and psychological imperatives of soldiers in combat are likely to remain relevant across time,⁹⁹¹ Marshall’s explanation, when applied to a Roman context, suggests that the cohesiveness of consular armies depended not only on standardised training, tactics, formations and equipment, but on individual soldiers getting to know and trust each other within their own formations – and between different formations operating alongside each other. Other writers who have examined the nature of combat also stress the importance of the human dimension in battle. Evans and Gray, for example, both emphasise the critical factor of human cohesion between individuals and units in combat.⁹⁹² Gray argues it is the bonding together of individuals in disciplined formations that is the antidote to man’s natural aversion to, and fear of, death, and the mechanism by which this fear is counterbalanced by the will of the primary group; that is why the Greeks and Romans fought in phalanxes and legions.⁹⁹³

I suggest that placing soldiers together in time and space, and subjecting them to a process of deep integration, cannot help but produce the type of social contact necessary to develop

between allied and Roman soldiers, including in camps. However, as I argued above, Pfeilschifter overemphasises evidence of differences, and underplays or ignores the social implications that flowed from the necessity to maintain tactical cohesion in the Roman battle line.

⁹⁹⁰ Marshall, 1947, p. 150. Marshall here is talking specifically about soldiers within units, and in a modern context – although it is not clear whether he also meant it to apply to relationships between different units. But I argue that the dynamic, so important to cohesion within the whole unit, whether legion, army or sub-unit, also sheds light on what was important in relationships between various units in a Roman consular army, which needed to work as a whole on the battlefield (see below note).

⁹⁹¹ Sabin, 2000, p. 4. Interview, Maj Gen Angus Campbell, 21 November, 2012.

⁹⁹² Evans, 2000, pp.41 ff. Gray, 1970, pp.39 ff.

⁹⁹³ Gray, 1970, p. 39.

these critical bonds and feelings of trust; war always provided opportunities to build strong linkages.⁹⁹⁴ During a battle against the Numidians in the war against Jugurtha, for example, enemy forces attacked the Roman camp behind the main battle line, and forty surviving Roman soldiers were isolated and in danger of being overrun. They were saved by an allied formation under Marius, which left the battle line to come to their aid.⁹⁹⁵ Sallust does not record the reaction of the Romans, but it is reasonable to think that they were grateful to their allied saviours, and that this episode subsequently helped build trust and respect between the two units. Sometimes the Romans came to the aid of allies, as in the war against invading Germanic tribesmen in 102 BC.⁹⁹⁶ The allied formation must have been grateful for Roman intervention, and it is plausible to think that they made a special point of thanking them later in camp. If not direct evidence of bonds between Roman and allied soldiers, I argue that these examples are evidence of the opportunities by which bonds of comradeship between saved and saviour could develop, and there must have been such opportunities during a campaign.⁹⁹⁷

I argue that the experience of sharing danger and combat between allied and Roman soldiers altered feelings of obligation between them; the same psychological process is at work today building close bonds between soldiers of different ethnicity in the new Afghan army, and provides an insight into the Roman army. Campbell says that the shared experience of battle in Afghanistan against the Taliban⁹⁹⁸ has produced very close social bonds between Afghan soldiers that cross ethnic divides.⁹⁹⁹ Like a Roman consular army, the Afghan army is made up of soldiers from different tribal, ethnic and linguistic backgrounds – Hazaras, Pashtuns, Tajiks and Uzbeks. Campbell argues that the shared experience of combat produces an alternative loyalty hierarchy among these soldiers which transcends family and tribal differences:

⁹⁹⁴ Interview, Maj Gen Angus Campbell, 21 Nov, 2012.

⁹⁹⁵ Sal., *Jug.* 58.

⁹⁹⁶ Plut., *Mar.* 19.

⁹⁹⁷ De Blois makes the point that legions and allied auxiliary formations subjected to long periods of campaigning become like homes for their soldiers; living together for years, and doing things together on campaign, welded such groups into cohesive blocks (de Blois, 2008, p. 167).

⁹⁹⁸ As I have shown, Maj Gen Campbell is in a unique position to comment: he was responsible in 2011 for Australian troops training and mentoring the new Afghan army as it is being formed and prepared for combat (see Chapter One above).

⁹⁹⁹ Interview, Maj Gen Angus Campbell, 21 November, 2012.

Alternative Loyalty Hierarchy in the New Afghan Army¹⁰⁰⁰

1	Those who you have fought alongside/shed blood with
2	Those with which you have a financial arrangement
3	Those of the same clan
4	Family members

The experience of combat manifestly alters the sense of identity and obligation; the experience of the Afghan army is that soldiers who have fought together develop a different set of obligations than they would normally hold. In this case, combat has produced between them bonds that are close and personal, regardless of the ethnic group or tribe to which they originally belonged; “they become indebted to each other.”¹⁰⁰¹ The experience of the new integrated Afghan army offers insights into the same psychological forces which I assert must have been at work on Roman and allied soldiers. As it changed social obligations in the Afghan army, the experience of combat and campaigning together changed the relationship between citizen and allied soldier, producing close bonds. Campbell’s insights support this view. He argues that the nature of soldiers, and the psychological influences to which they are subjected, are enduring across time; as long as the context in which soldiers are operating is understood, what applies to soldiers today will have applied to soldiers in consular armies.¹⁰⁰²

I would suggest that there are other relevant similarities between the condition of Roman, allied, and Afghan recruits. As I have shown above, the Afghan army is made up of different ethnic and tribal groups in the same way a Roman consular army comprised citizens, non-citizens and men from different Italian regions. Afghan recruits come primarily from rural locations,¹⁰⁰³ just as *agrestes* formed the bulk of Roman armies.¹⁰⁰⁴ Moreover, Afghan recruits are mostly poorly educated,¹⁰⁰⁵ used to a life on the land, Roman rank and file and their allied counterparts, were similarly basic men, and probably

¹⁰⁰⁰ Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰⁰¹ Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰⁰² Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰⁰³ Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰⁰⁴ De Ligt, 2012, pp. 150-154. Nicolet, 1980, p. 132. See also Chapter Two above and Chapter Seven below.

¹⁰⁰⁵ Interview, Maj Gen Angus Campbell, 21 November, 2012.

as poorly educated.¹⁰⁰⁶ This uncouthness and roughness was readily apparent: during the Social War at Asculum in 90 BC, Italian peasants of the type which manned Rome's armies massacred and abused Romans who fell into their hands, and scalped the wives of those who refused to join them.¹⁰⁰⁷ M. Tullius Cicero, speaking of citizen-soldiers, admitted they were rough countrymen, if they were in fact men, and not beasts.¹⁰⁰⁸

Sharing the same camp in close proximity, even if allocated different locations within it, also provided the opportunity for more relaxed social contact to occur between Roman and allied soldiers.¹⁰⁰⁹ The soldiers could probably communicate; Latin allies would have spoken the same language, and Italian soldiers, if they did not already have a working knowledge, probably picked up enough during service to enable basic communication.¹⁰¹⁰ As Rosenstein points out, one of the advantages of recruiting allied formations from the same ethnicity or region was that they would have understood each other; but it is also likely that those who could not already understand Latin were given a 'crash course' when they arrived to form the consular army so they at least understand basic commands.¹⁰¹¹ Camps were places where social activities occurred, and this opened the possibility of contact with neighbouring units.¹⁰¹² After a victorious skirmish with Germanic tribesmen in

¹⁰⁰⁶ Martin, 2012, p. 32.

¹⁰⁰⁷ D.C., *Frg.* 29,98.

¹⁰⁰⁸ Cic., *Phil.* 8,9; 10,22.

¹⁰⁰⁹ However, see Pfeilschifter for an argument that no social contact occurred in camps between allied and Roman soldiers (Pfeilschifter, 2007, p. 31). This is, in my view, improbable. As I have suggested above, Pfeilschifter consistently underestimates or overlooks the affect of tactical integration between allied and Roman soldiers, and the social implications of soldiers sharing combat and danger together. Moreover, to make his argument, Pfeilschifter must ignore, or downplay what evidence there is of social fraternisation between units, or arguments that stem from human nature.

¹⁰¹⁰ Daly, 2002, p. 142.

¹⁰¹¹ Rosenstein, 2012a, pp. 92-93. Rosenstein goes on to argue that military service among the allies was likely to have been an important contributor to the spread of Latin throughout the Italian peninsula (Rosenstein, 2012a, pp. 93, 100).

¹⁰¹² Rosenstein, in a recent study of the effect of service in Roman armies of the middle Republic on allied soldiers, concludes that years spent together in Roman camps furnished Romans and their Italian allies many opportunities for contact, even if they served in different formations (Rosenstein, 2012a, p. 100). As I have argued, he is right to make this conclusion. Rosenstein goes on to argue, however, that this level of contact did not necessarily lead to allied soldiers wanting to become Romans (Rosenstein, 2012a, p. 101). In short, Rosenstein, like Pfeilschifter (Pfeilschifter, 2007, pp. 27.), doubts service in Roman armies was a force for Romanisation of allied soldiers: it was integration without identification (Rosenstein, 2012a, p. 103). I do not disagree with this view. Rosenstein, however, is talking primarily in the context of political unity and equality. While acknowledging that allied units were in an equal partnership with their Roman counterparts when it came to plunder, valour and performance in battle, he fails, like Pfeilschifter, to say anything substantial about the implications of the needs for tactical cohesion on relationships between Roman and allied soldiers. Nor does he deal with the possibility that maintaining a superior political status over allied soldiers did not necessarily rule out the Romans nevertheless trying to integrate, functionally and tactically, allied soldiers into their military system as closely as possible. I argue that this is exactly what happened.

102 BC, for example, Marius' men did not, as was the tradition after a successful engagement, drink in the tents or engage in friendly conversation over a meal, but stood guard all night because the camp had not been fortified.¹⁰¹³ In this case, exceptional circumstances prevented what was normal in camp: social mixing in a relaxed atmosphere among the soldiers. Nor were the camps so segregated or rigid that soldiers from different units could not meet each other and swap experiences. When the two parts of Metellus' divided army came together again in camp after a day of battle during the war against Jugurtha, for example, the soldiers greeted each other, discussed their exploits, and listened to each other's stories.¹⁰¹⁴ This suggests that there was a general mixing of units in the camp after the two parts reunited; Metellus' army had its quota of allied contingents, and here was the opportunity for Roman and allied soldiers to mix, to get to know each other, and share their experiences. Moreover, in the early days of that war, encamped soldiers could spend most of the day fraternising with camp followers and wandering about;¹⁰¹⁵ camp discipline here was not so strict that it prevented soldiers from intermingling with camp followers. If they could do that with camp followers, I argue that allied and Roman soldiers could – and did – intermingle amongst themselves. It is a hypothesis that Campbell supports: it is inconceivable that soldiers could be in the same camp and not get to know each other – even those of different ethnicity and formations.¹⁰¹⁶ His deep understanding of what motivates soldiers helps fill in some of the gaps in the sources:

Soldiers with spare time on their hands have a long history of trying to find alcohol, better food, and trading and gambling with each other. Camp life provided the ideal opportunity for soldiers to seek each other out to pursue their favourite pastimes; they could not be in the same camp and not fraternise. Rivalry in competition, such as sport, would also have been encouraged by commanders, as it is important for building group identity and morale – as well as keeping men busy during idle periods between operations. This dynamic has not changed.¹⁰¹⁷

Once in battle, any social links and trust that developed between allied and Roman formations aligned alongside each other, acted as type of glue to maintain the integrity of the whole battle line. Part of that glue was the natural competitive spirit that existed between soldiers; ethnic rivalry, and competition between formations to prove they were not inferior to others, improved the fighting spirit of the army, and helped deepen bonds

¹⁰¹³ Plut., *Mar.* 20.

¹⁰¹⁴ Sal., *Jug.* 53.

¹⁰¹⁵ Sal., *Jug.* 44.

¹⁰¹⁶ Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰¹⁷ Interview, Maj Gen Angus Campbell, 21 November, 2012.

between various formations.¹⁰¹⁸ Military thinkers have also long recognised that fear of disgrace, cowardice, and a heightened sense of personal honour, especially in the presence of fellow soldiers, is one of the most powerful motivating forces on the battlefield, and can surpass even the fear of death.¹⁰¹⁹ The Romans knew this and considered flight from danger and dereliction of duty in the presence of the enemy to be a disgrace; upon joining, allied and Roman soldiers swore in the presence of others,¹⁰²⁰ *inter alia*, not to quit the ranks by fear or force of flight, except to seek a weapon, strike a foe or save a comrade.¹⁰²¹ Sometimes, commanders exploited the soldiers' fear of disgracing their units, abandoning their standards, and sense of personal honour, by throwing their standards at the enemy to force them into the enemy ranks, as occurred to the Paeligni at Pydna.¹⁰²² Both Roman and allied soldier shared the same fear of disgrace and cowardice, and felt the same social pressure on the battlefield to conform to expectations of military behaviour;¹⁰²³ social contact between units would have heightened this feeling, and the determination not to be seen to fail in front of others.¹⁰²⁴

Changed Perspectives: Allied and Roman

The evidence indicates that the Romans felt their allied contingents to be a crucial part of their military effort, leading to a policy of integration; a military system which worked to remove, rather than accentuate, difference. This produced a homogenising effect on allied contingents, or, to use my phrase, full integration; by the start of the Social War,¹⁰²⁵ Latin, Italic and Roman soldiers were identical in form and function, and had probably established

¹⁰¹⁸ Rosenstein, 2012, p. 78.

¹⁰¹⁹ Marshall, 1947, pp 148 and 149. Gray, 1970, p.112. Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰²⁰ Pib. 6.21.

¹⁰²¹ Fron., *Str.* 4.4.

¹⁰²² Plut., *Aem.* 20: the reader is told that it was considered disgraceful for an Italian to abandon his standard in battle.

¹⁰²³ For example, and to reinforce the above note, the abhorrence of deserting battle standards was common to allied and Roman units. I have shown how allied units were expected to follow their standards; the same was true for Roman units, and there are many examples of Roman commanders motivating their men, just like the allied troops, by putting the standard in danger to encourage soldiers to follow it. In Spain, the Roman commander, Decimus Junius, was operating against an enemy formation; when his men refused to cross a river, he seized their standard (presumably the legionary standard, or it may have been a maniple standard) from its bearer and carried it across. The soldiers were reluctant to desert it and followed across the river (Liv. *Per.* 55).

¹⁰²⁴ Interview, Maj Gen Angus Campbell, 21 November, 2012.

¹⁰²⁵ Diod. 37.22. For a discussion on the background and causes of the Social War, see Chapter Two above.

strong bonds with their citizen counterparts.¹⁰²⁶ This level of physical and social integration could not have occurred without leaving its mark on either the Roman or allied formations involved; both groups were changed by the common experience over time and perspectives shifted. Crucially, the process of integration brought the Romans to the point where fighting the Social War against erstwhile allies bore the hallmarks of a civil war.

The Allied Experience: Money, Citizenship and Frustration

For the allies, a basic consequence of their association with consular armies was that their soldiers were fully inducted, physically and mentally, into the Roman way of waging war, and had social links with their Roman counterparts.¹⁰²⁷ But service under Rome also showed them that being part of Roman ascendancy and expansion into empire could provide considerable financial opportunities. As I have shown above, allied formations benefited materially from service with successful Roman armies. Whatever concerns they may have had about their subordinate relationship to Rome, the disproportionate military burden they routinely shouldered, and their vulnerability to arbitrary Roman power, allied perspectives to service could become indistinguishable from their citizen counterparts once the prospect of serious financial gain became a factor. The desire to profit was as strong a motivational force among Italian recruits as it could be among citizens. In 171 BC, for example, during the levies to raise consular armies for the war against the Macedonians, which we know included Paeligni and Marrucini,¹⁰²⁸ there were many volunteers because recruits had seen that soldiers who served previously in the east had become rich.¹⁰²⁹ In 149 BC, in the general Italy-wide *dilectus* to raise an army to send to Africa against Carthage, there was a general rush of allies and citizens alike to the recruiters, no doubt motivated by the same prospect of a lucrative war.¹⁰³⁰ Allied communities also benefited from colonies Rome established on land taken from defeated enemies; they were eligible to participate in

¹⁰²⁶ See Pfeilschifter, 2007, pp. 27. ff. for a contra argument.

¹⁰²⁷ All strata of society from allied communities were involved in making contributions to the Roman war effort; it included not only rank and file infantrymen and troopers, but also members of the social elite. At the battles of Lake Trasimene and Cannae during the Second Punic War, for example, there were young noblemen from Tarentum serving (Liv. 24.13).

¹⁰²⁸ Plut., *Aem.* 20.

¹⁰²⁹ Liv. 42.32.

¹⁰³⁰ App., *Hann.* 8.75.

re-location programs, and this helped offset any losses they suffered, as well as providing an incentive to join Rome in future conquests.¹⁰³¹

The experience of allied peoples in Roman armies over time also fundamentally changed their perspective of Rome's suzerainty over them in one other significant way: a willingness to subsume their own political identity into the dominant Roman polity and, if necessary, become full citizens, both as a remedy to their marginalised legal¹⁰³² and economic status,¹⁰³³ and as a symbol of full inclusion in the Roman state.¹⁰³⁴ This aspiration grew out of a realisation of the importance and scale of the contribution they were making to Roman military strength;¹⁰³⁵ every year, they furnished a disproportionate number of troops to Roman armies, defended the power of the state, helped fight its wars – but had not been admitted to the full rights and protections of that state.¹⁰³⁶ The Marsi of central Italy, for example, saw themselves as full partners in Rome's expansion;¹⁰³⁷ they boasted that there was no triumph over the Marsi, and none without them.¹⁰³⁸ The long association with Rome, and their place in its ability to project and sustain power, altered the view of the allies' sense of worth of their own civic status, and may have fed a perspective that desired full membership of the Roman polity, and the rights and legal protections it conferred, above individual political identity. Alternatively, as Mouritsen has argued, the Italian subordinate place in the Roman polity set against their obvious contribution to the success of the Roman state, and their concomitant vulnerability to arbitrary Roman power,

¹⁰³¹ Rosenstein, 2012, p. 78.

¹⁰³² Mouritsen, 2006, p. 424.

¹⁰³³ An example of the marginalised status of Italians is the fact they had no direct legal recourse to defend their property rights; they had to apply through the services of patrons. The experience of some Spanish victims of malfeasance by Roman magistrates illustrates the point; they had no direct legal avenue to appeal, had to seek legal remedies through patrons and were ultimately forced to accept long delays (Liv. 43.2). Also see App., BC 1. 3. for another example of Italians having to use a Roman patron, Aemilianus in this case, to make application for the protection of their land.

¹⁰³⁴ App., BC 1.3.39; Vell. 2.15 ff. For a more detailed discussion on Italian grievances, see Chapter Two above.

¹⁰³⁵ It has to be acknowledged, however, that along with the recognition of their part in Rome's ascendancy to empire, the desire to protect their land in Italy from further expansion of *ager publicus* and dispossession was a major motivation behind the allies' aspiration to citizenship. Italians, especially the Italian aristocracy that was using public land for their own benefit, stood to lose from the laws proposing major land re-distribution at the end of the second century BC (App., BC 1.36). Howarth picks up this theme when he argues that the fundamental basis for the Italians' estrangement from Rome was their vulnerability to dispossession. For a detailed analysis of the Italians' claim to land, see Howarth, 1999, pp. 282 ff. See also Chapter Two above.

¹⁰³⁶ Vell. 2.15; Flower, 2010(a), p. 79; Scullard, 1963, p. 67; Martin, 2012, p. 93..

¹⁰³⁷ After being on friendly terms with Rome since the fourth century BC, they were one of the people who joined the revolt against her during the Social War (App., BC 1.45).

¹⁰³⁸ App., BC 1.46; Liv. 9.45. Rosenstein, 2012, p. 78.

fed an aspiration not to become Roman citizens, but to remove themselves completely from Roman dominance, break Roman power, and establish their own state as a remedy to this political inequality and subordination.¹⁰³⁹ Either way, it was a situation that had, by the early first century BC, become so insistent that continued Roman denial of the franchise, the murder of their patron in the Roman political system,¹⁰⁴⁰ and a sense of continued vulnerability to arbitrary Roman power, could be such an issue to the Italian sense of entitlement and self-worth that it provoked war with Rome.¹⁰⁴¹

The Roman Experience: Social War as Civil War

Roman perspectives were also altered by the long association with allied contingents in consular armies. The requirement for allied communities to provide regular military contributions to consular armies, and the policy of separate formations for non-citizens, was a constant reminder for the Roman soldier of their subjugation of allied peoples and of the Latin dominance in Italy. As I have shown, however, the Romans quickly came to appreciate the importance of their allied contributions,¹⁰⁴² and to make no practical distinction between citizen and ally regarding expectations of military performance. The Roman view of their allies could be discerning enough to differentiate the efforts of individual allied soldiers and units from the mass in battle: the Paeligni unit that captured the Carthaginian camp during the Second Punic War,¹⁰⁴³ Scipio's speech to his army in Spain that acknowledged the allied contribution to his success,¹⁰⁴⁴ the bravery of the Marrucini and Paeligni against the Macedonian phalanx at Pydna,¹⁰⁴⁵ the cleverness of the single allied soldier who discovered a route into the enemy fortress during the war against

¹⁰³⁹ Mouritsen, 1998, pp. 137, 138, 140, 141. Mouritsen, in this important re-interpretation of Italian aims on the eve of the Social War, downplays the link between Roman citizenship and the Italian decision to revolt, arguing it is much more likely that the Italians wanted to establish their own state independent of Roman control, and in the process, break Roman power by destroying her dominance on the peninsula. Roman citizenship was not a primary Italian aim in the Social War (Mouritsen, 1998, p. pp. 136-137). As a thesis, his arguments are persuasive, but it is difficult to reconcile this perspective with the subsequent Roman successful war strategy of offering citizenship to former Latin and allied peoples as a way to bring them back into the Roman camp and undermine the new Italian confederation: if the Italians did not desire Roman citizenship as Mouritsen argues, why then was the Roman strategy of offering it to peoples who had revolted so successful (see Chapter Two above)?

¹⁰⁴⁰ The tribune, M. Livius Drusus. (App., *BC* 1.35 ff).

¹⁰⁴¹ Lintott, 1999(b), p. 187.

¹⁰⁴² For example, as at Liv. 29.15. On the importance of the allied contribution to Roman military strength, see also Rosenstein, 2007, p. 235.

¹⁰⁴³ Liv. 25.14.

¹⁰⁴⁴ Liv. 28.32.

¹⁰⁴⁵ Liv. 44.4 0.

Jugurtha,¹⁰⁴⁶ and the Maurusian soldier in Sulla's army during the Social War who slew a Gaul in single combat.¹⁰⁴⁷ These speak to a Roman concern to ensure allied contingents got recognition for their contribution. Some Roman commanders found the experience of campaigning with allied contingents so perception-changing that they wanted them to become citizens, and conferred citizenship upon them regardless of official policy or peer censure.¹⁰⁴⁸

For the citizen-soldier serving in the reformed army at the start of the Social War, the point had been reached where he could barely distinguish allied formations from his own. As his predecessors had done for more than century, he relied on those allies in battle as he relied on the citizens in his own cohort, most recently in the Cimbric campaign a decade before. On campaign, he had the opportunity to build an appreciation of the value of his allied counterparts, especially those habitually stationed nearest to his own cohort, and socially around camp; the shared experience of danger and campaign life probably built close professional and social bonds. It must, therefore, have been a shock to Roman soldiers to find themselves facing erstwhile comrades across the battlefields of the Social War. For the first time in the Republic's history, they were being asked to fight an enemy that was identical to them in form, function, organisation and ethos – and with many of whom they shared social bonds. Thus, for the citizen-soldiers who fought it, the Social War was, I argue, like fighting a civil war.

The war, for example, bore all the hallmarks of civil conflict. It was historically unique because there were many opportunities for Roman soldiers to meet former comrades in opposing formations; enemy armies were made up of peoples with a long military involvement with Rome. A quarter of the Italic allies in Polybius' list of 225 BC subsequently revolted in 91 BC and fought Roman armies;¹⁰⁴⁹ the Marsi, Vestini, Marrucini, Frentani, Lucanians and Samnites are listed and subsequently played major parts

¹⁰⁴⁶ *Sal.*, *Iug.* 94.

¹⁰⁴⁷ *App.*, *BC* 1.50.

¹⁰⁴⁸ Marius, for example, after the final victorious battle against the Cimbri, bestowed Roman citizenship on a thousand men from the central Umbrian town of Camerinum because of their bravery, arguing when criticised that he could not hear the law which forbade such an act because of the din of battle (*Plut.*, *Mar.* 28). There was also a Praenestine unit during the Second Punic War that distinguished itself in battle and was offered Roman citizenship; it declined the offer (*Liv.* 23.19).

¹⁰⁴⁹ For example, the Marsi at *App.*, *BC* 1.45, and the Marrucini and Vestini at *App.*, *BC* 1.52.

in the Social War.¹⁰⁵⁰ Furthermore, we know that the Paeligni¹⁰⁵¹ and Romans fought: *Ser. Sulpicius Paelignos proelio fudit*.¹⁰⁵² The chances, therefore, of former comrades meeting during these encounters were high, and it is reasonable to infer that they did. This point is strengthened when it is remembered that the last major war fought by Rome before the Social War was the Cimbric campaign which finished in 101 BC,¹⁰⁵³ just over a decade before the outbreak of the Social War. Given the Roman system expected men between the ages of 17 and 46 to be available for active serve in consular armies,¹⁰⁵⁴ most of the Roman and Italian soldiers who fought together in the major battles of the Cimbric campaign would still have been well within the recruitment band for the Social War, and it is reasonable to think that most were again called up.¹⁰⁵⁵

Moreover, there is evidence of actual Roman discomfort at having to face an allied army which suggests they not only knew their enemies from previous service, but had kinship ties with them. When the Italian army of Pompeadius Silo advanced to meet the Romans under Marius, for example, both armies recognised many former comrades, personal friends and relatives, refused to fight, and called out to each other.¹⁰⁵⁶ Although the generals may have greeted each other less cordially,¹⁰⁵⁷ there were, I argue, many such meetings between Romans and former allies on the battlefields of the Social War. On this occasion, there was no battle. But abstaining from conflict is rare; on most occasions, there was fighting, despite whatever personal links may have existed. To the Roman soldier

¹⁰⁵⁰ App., *BC* 1.39; Plb. 2.23,24; Oros. 5.18. For the background of the Social War, and a complete list of the Italian peoples who revolted, see Chapter Two above.

¹⁰⁵¹ These people, as I have shown, were repeatedly singled out for special mention in more than a century of service in consular armies.

¹⁰⁵² Liv., *Per.* 73: "Servius Sulpicius routed the Paeligni in battle."

¹⁰⁵³ Plut., *Mar.* 27.

¹⁰⁵⁴ Plb. 6.19. De Ligt, 2012, pp. 56 and 57 for a fuller discussion of what 'fighting age' meant in the Roman system. See also Rosenstein, 2004, pp. 23-28, for a discussion on ages of service; he argues most men would have completed their service by age 30 or so.

¹⁰⁵⁵ Roth also draws this conclusion, making the point that the Italian armies were made up of many Marian veterans (Roth, 2009, p. 96). On the fact that the Italian armies contained many Marian veterans, and soldiers and commanders who had previously served with Roman consular armies, see also Dart, 2009, p. 224; Ridley, 2003, p. 46; Nagle, 1973, pp. 372 and 373; Salmon, 1962, p. 116.

¹⁰⁵⁶ Diod. 37.15: "The soldiers on both sides detected many personal friends, refreshed from memory of not a few former comrades in arms, and identified numerous relatives and kinsmen, that is to say, men whom the law governing intermarriage had united in this kind of friendly tie. Since their common bonds compelled them to give voice to friendly greetings, they called on another by name and exchanged exhortations to abstain from murdering men bound to them by close ties. Laying aside their weapons, which had been placed in hostile poses of defence, they held out their hands in sign of friendly greeting."

¹⁰⁵⁷ Marius and Pompeadius swapped insults during their meeting (Plut., *Mar.* 33).

placed in this situation – and I suggest that it must have occurred frequently – it would have resembled civil war.

The course of the war also shows that Roman and allied armies were equally matched, and that the Italians came close to defeating Rome.¹⁰⁵⁸ The Romans arguably achieved victory only by resorting to the tactic of undermining the Italian confederation by granting citizenship to the allies who stayed loyal, and offering it to enemies who would stop fighting.¹⁰⁵⁹ In the first two years of the war, for example, the allies inflicted serious defeats on consular armies and killed two consuls and, throughout the war, regularly bested Roman formations.¹⁰⁶⁰ I argue that this is a circumstantial pointer to two military systems very similar in competency and character, most obviously achieved by both sides employing the same tactics, formations, arms – and sharing a military ethos. Both military systems put roughly the same number of troops into the field; the Italian confederation had access to 100,000 infantry and cavalry and the Romans deployed a similar number made up of citizens and allies who stayed loyal.¹⁰⁶¹ Both sides took identical measures to protect the morale of new soldiers; the Romans decreed that those killed in war would be buried where they fell so the sight of dead bodies did not damage morale of recruits, and the Italians took the same precaution.¹⁰⁶² The Italians came close to defeating Rome because they were not only strong in men and arms, but had generals whose daring and ability made them a match for the Romans.¹⁰⁶³ I argue that the logical explanation for the competency of allied generals that could match their Roman counterparts, given the consequence of full integration over time, was prior service in Roman armies and, hence, full integration with the Roman way of waging war. Moreover, the ability to quickly incorporate captured or defecting blocks of soldiers into armies suggests a high level of integration and commonality between the two systems. Two thousand Roman soldiers, for example, were

¹⁰⁵⁸ Vell. 2.16,17; App., *BC* 1.49; Plut., *Mar.* 32; Plut., *Sull.* 6.

¹⁰⁵⁹ Vell. 2.16,17; App., *BC* 1.41 ff; Scullard, 1963, p. 69. I could argue further that the Romans, in fact, actually lost the Social War, even if they prevailed in the battlefield by persuading a number of enemies to stop fighting by giving them citizenship, and subduing the others who continued to fight. If the objective of the Italians was to achieve citizenship, then they achieved that in defeat; the Romans conceded it in victory and granted full suffrage to all their erstwhile enemies.

¹⁰⁶⁰ Vell. 2.16; App., *BC* 1.42.

¹⁰⁶¹ App., *BC* 1.39.

¹⁰⁶² App., *BC* 1.43.

¹⁰⁶³ Plut., *Mar.* 32. Plutarch emphasises this point and makes an issue out of how equally matched the two sides were.

captured at Nola by Gaius Papius,¹⁰⁶⁴ who offered clemency if they would serve under him; they accepted and were promptly integrated into the Italian army.¹⁰⁶⁵ Such an offer, and the quick integration of the Roman soldiers into the Italian army, only made sense if the two military systems were alike.¹⁰⁶⁶ Finally, the idea of the Social War as catalyst for civil war also occurred to Appian, our only complete narrative source from the tribunate of Ti. Sempronius Gracchus in 133 BC to the victory of Caesar in 46 BC. As the only complete source of this period, I argue his interpretation of the significance of the war carries credibility, and strengthens my argument that it felt like a civil war to the citizen fighting it.¹⁰⁶⁷ Appian dates the start of the civil war period in Roman history not to Sulla or Marius, but to the outbreak of the Social War: this he calls a great civil war.¹⁰⁶⁸ He believed the Social War was a threshold event: before it, violence in politics consisted of riots, murder and clashes between armed mobs; after it, contenders used armies.¹⁰⁶⁹ In this, he was right.

Conclusion

For the reasons I have outlined above, the Social War was a civil war in all but name to the Roman soldiers who fought it. This was possible because of the consequences of the process of physical and social integration of allied units into consular armies over time. The effect of full integration was ultimately to eradicate any difference in form and function between allied and Roman soldiers; the army was probably completely homogenised by the end of the second century BC, and certainly by the start of the Social War. This would have important implications at Nola. By being exposed to this war, Roman soldiers become used to fighting men identical to them in form and function, and whom they knew intimately. Their perspectives toward civil war were changed by the experience; they were now more willing to accept its risk than any soldiers before them. This was the army that Sulla

¹⁰⁶⁴ App., *BC* 1.42.

¹⁰⁶⁵ App., *BC* 1.42.

¹⁰⁶⁶ It is reasonable to expect that if Roman organisation, weapons, command structure or tactics had been significantly different to those of the allies, the Roman soldiers would presumably have needed a period of training, re-equipping and familiarisation with Italian tactics before they were able to be integrated into the new army. This apparently did not occur.

¹⁰⁶⁷ As de Blois points out in his discussion of the army and the role of the general in the late Roman Republic, Appian, although he could be prone to some exaggeration at times, is one of our better sources on the civil war period, using good information based on earlier works (de Blois, 2008, p. 170).

¹⁰⁶⁸ App., *BC* 1.40: "The Romans were led by the consuls Sextus Julius Caesar and Publius Rutilius Lupus, for in this great civil war both consuls marched forth at once, leaving the gates and walls in charge of others, as was customary in cases of danger arising at home and very nearby."

¹⁰⁶⁹ App., *BC* 1.34.

approached at Nola; it was a new factor at work on the motivation of the soldiers and, in conjunction with other influences, played its part in their response.¹⁰⁷⁰

Meanwhile, Sulla's appeal to his army to become involved in his personal political *inimicitiae* raises the question of its politicisation. I have assumed that the army's intervention into politics was unprecedented, and occurred for the first time at Nola. However, it may have always been a politicised institution which acted on occasion for civic cause, and to support its political convictions. If this was so, then it becomes possible to re-frame the army's response to Sulla's request not as an unprecedented act of political insubordination against the state, but as a rational response to a specific set of political circumstances. The next chapter will thus address the third plank of a holistic explanation for intervention: the question of the army's tradition of political insubordination in civic cause, and explore implications for the central question of this thesis.

¹⁰⁷⁰ What the consequences of the Social War, and the effect of full integration, specifically meant for the question of intervention on the day at Nola in 88 BC, will be covered in Chapter Eight below.

Chapter Six

The Citizen-militia – Political Activism and Tradition

Introduction

In the previous chapter, I built the argument that the experience of the citizen-militia in the Social War, fighting former comrades identical in form and function, accustomed it to the concept and reality of civil war. This chapter explains the third plank of a holistic explanation for intervention: the army's tradition of political activism and insubordination which intersected with other influences acting on the motivations of Sulla's soldiers. I shall argue that the citizen-militia was always a politically-interested institution, willing on occasion to act on not only localised concerns such as incompetence, booty, or ill-treatment, but more abstract notions such as a sense of justice, economic hardship in society, and political or social reform. This history of activism manifested itself primarily as *sedition*¹⁰⁷¹ and insubordination against commanders and, through them, against the state. It could also, however, appear as advocacy in the field for preferred individual political candidates in Rome.¹⁰⁷²

Moreover, the tradition of disobedience was encouraged by a political system which allowed participation for the average citizen, but still had important limitations on their contribution, and was heavily weighted toward the interests of the governing elite. As a

¹⁰⁷¹ Chrissanthos defines mutiny as any breach of the soldiers' *sacramentum*; this covered violent acts against commanders, but also non-violent protests, such as refusing to embark, demanding back-pay or attempts to change conditions of service (Chrissanthos, 2001, p. 11). I follow his definition in this respect, but also add the instances of political advocacy that exist as evidence of a politically-interested institution.

¹⁰⁷² The subject of mutiny, disobedience or political advocacy by republican armies has not received much attention from scholars. The notable exceptions are Messer (1920) with his now dated piece on mutiny in the Roman army (but still cited and referenced), and Chrissanthos' (2001) study of the history of mutiny and its causes. Among others, Brunt (1988) and Gruen (1995) both mention the phenomenon in much larger works, and Rich (2008) very briefly mentions the practice of extracting concessions from the governing elite. So does Nicolet (1980), who in his chapter on the army and the body politic briefly mentions the subject of mutiny as a manifestation of the tensions of command between commander and common soldier. But it is Keaveney (2007) who has one of the more nuanced and recent accounts devoted to the subject, although it is almost exclusively focused during the immediate events leading up to 88 BC. I will discuss the subject more fully in this chapter, especially as it relates as a manifestation of the citizen-militia's political activism.

member of the citizen-militia, the act of *seeditio*, insubordination or withdrawing of services, was one avenue¹⁰⁷³ by which the ordinary citizen could bring pressure to bear on the governing elite regarding political issues of importance to him, especially when the state was dependent on the army. Furthermore, I shall suggest that this activism was well known among citizen-soldiers as an inherited tradition; it provided a crucial reference point against which they could legitimise and situate their own insubordination against the state. Crucially, it included stories of individuals with grievances appealing directly to the army as an ultimate source of legitimacy and authority. The implications of the tradition of political activism would later prove significant at Nola; in a climate of confusion over who represented the state, it helped create the conditions that enabled Sulla to tap into the tradition of insubordination inherent in the army with his appeal to justice, while at the same time exploiting the confusion with his claim to legitimacy.

The Citizen-militia: A Tradition of Civic and Moral Activism

When the citizen-militia marched on Rome, it was *prima facie* an abrupt and inexplicable act: an apparent *volte-face* from political disinterest, concerned with suppression of the last vestiges of rebellion in the Social War, to direct intervention in politics in Rome. For the first time in the history of the Republic, it seemed, the citizens arrayed in their legions under *sacramentum*, acted against the state; the ultimate expression of political insubordination against the governing elite, using force to underpin the political arguments of an ambitious aristocrat. If, however, the citizen-militia had always been a politically-activist institution, willing on occasion to act for political and social causes that affected its members or for partisan political candidates, then it becomes possible to reinterpret the actions of Sulla's men, and propose more nuanced explanations for their decisive political intrusion – explanations that do not revolve solely around the fear of economic disadvantage.¹⁰⁷⁴

For the ordinary republican citizen who met the minimum property qualification to serve, the army was a socially-inclusive institution, important not only for the defence of state,

¹⁰⁷³ Albeit, an avenue that was risky and fraught with danger, given the seriousness with which the magistrates were entitled to deal with mutiny or insubordination in the army, and the array of legalised punishments available to them for that purpose.

¹⁰⁷⁴ On the pecuniary motive, see Chapter Three above.

expansion of empire, and the meeting of civic obligations, but also for the significant opportunities it provided for enrichment.¹⁰⁷⁵ I argue, however, that it had always met a broader political need for ordinary citizens and marginalised members of the governing elite: an instrument by which attention could be drawn to specific grievances, an institution where ordinary citizens acting together could, far more effectively than within normal civil political discourse, place pressure on the governing elite to make concessions – and as a source of remedy to correct perceived injustices. As Raaflaub points out, service in the army made the ordinary citizen indispensable to the state, and this gave him leverage.¹⁰⁷⁶ Moreover, when other avenues failed or were not practicable, it could be the ultimate source of authority before which individuals with a grievance could argue *in contio*¹⁰⁷⁷ for the legitimacy of their case, and appeal for assistance directly to the soldiers. In this sense, the army had always been an institution with a political, social – even revolutionary – conscience.

Gruen, however, discounts this possibility; the army was never a source of revolutionary emotion: “The Roman army consisted of individuals interested in profit and social betterment; it was not a source of revolutionary sentiment.”¹⁰⁷⁸ Hornblower, too, cautions against exaggerating the ability of citizens to carry their civic habits with them into the legions for most of the Republic’s history: “In Roman historiography there is not much evidence for democratic pressure exerted on commanders from below, of the kind I have noted for ancient Greece and even Macedon; nor is there much evidence for armies behaving like *poleis*. The big exception is the so-called triumviral period, when Mark Antony, Lepidus and Octavian struggled for supreme power in 40-30.”¹⁰⁷⁹ Moreover, in other recent discussions of the role of ordinary citizens in traditional Roman political culture, any analysis of the collective potential of ordinary citizens arrayed in the army as

¹⁰⁷⁵ See Chapter Four above.

¹⁰⁷⁶ Raaflaub, 2005, p. 196.

¹⁰⁷⁷ For a more detailed discussion of the Roman *contio*, see Jakobson, 2010, p. 5. His discussion centres on the more formal *contio* in Rome presided over by magistrates, and in which, Jakobson argues, there were important limitations on the ability of the ordinary citizen to wield influence. I am referring to the more informal version that could be called by a magistrate, such as a commanding magistrate, or indeed, an individual, where impromptu issues of the moment could be discussed. These types seemed to occur regularly in the army, as I will show, and could cover a wide range of topics. For a fundamental discussion of the Roman *contio*, see also Morstein-Marx’s 2004 monograph, *Mass Oratory and Political Power in the Late Republic*.

¹⁰⁷⁸ Gruen, 1974, p. 384.

¹⁰⁷⁹ Hornblower, 2007, p. 37. See also n.108.

an extra-legal factor in Roman political power dynamics is largely missing; Yakobson, for example, discusses at length the political and power dynamic between ordinary citizens, the office of tribune, and the governing elite, but ignores the traditional place of the army as a source of extra-legal power in this equation.¹⁰⁸⁰

The army's intervention in 88 BC well before the triumviral period is, of course, an unambiguous expression of revolutionary intent and organised coercion. Moreover, Livy reports that the army acted constitutionally as Hornblower's *poieis* at least on one occasion; citizens on service in the army enacted their civic voting responsibilities while on campaign in 357 BC. Voting as tribes in camp, and almost certainly at the instigation of the consul, they passed a new law concerning a five percent tax on those who were manumitted.¹⁰⁸¹ The senate subsequently gave their approval to the law because of the funds it raised, and the civic assemblies ratified it. The civil tribunes, however, more concerned with the precedent it set than the money raised, quickly prohibited the practice in case a consul and his army made laws far from Rome inimical to the interests of ordinary people. Their concern was understandable; here was a politically-aware and interested army, personifying popular sovereignty, arrogating to itself the right to vote like a civic assembly, and passing laws ratified *post factum* by civilian authorities. The army may have again acted as a quasi-sovereign body during the war against Jugurtha; in this case, it decided on the question of peace with an enemy, properly the prerogative of the civil assemblies, guided by the the senate.¹⁰⁸² The commanding consul, Q. Caecilius Metellus, met with senatorial ranked officers to deliberate Jugurtha's peace proposal; they agreed and levied a monetary fine, the surrender of arms and horses, and the return of all deserters.¹⁰⁸³ Roman armies acting in this manner, however, are exceedingly rare; they may be unusual and isolated events, or in 357 BC, the last occasion that the army successfully asserted its archaic right to embody popular sovereignty.

¹⁰⁸⁰ Yakobson, 2010, pp. 1-2 ff. Yakobson ends up allowing that the ordinary citizen had more power in the political system than is traditionally admitted, but still with important limitations. But beyond noting its place in destroying the republican system during the final civil war period (Yakobson, 2010, p. 8.), the role of the army as a potential avenue available to ordinary citizens *in extremis* to assert their political will is completely missing. As I will show, this is an important oversight.

¹⁰⁸¹ Liv. 7.16.

¹⁰⁸² Plb. 6.14.

¹⁰⁸³ Sal., *Jug.* 62. The Roman impromptu tribunal may have decided peace, but after initially accepting the conditions, Jugurtha pulled out of the deal and resumed fighting. What is significant in this case is that there was no sense of going back to Rome to confirm the decision for peace reached by Metellus, although commanders must often have met in the field with their officers to discuss peace terms.

I contend that there are, however, other persuasive indicators of an earlier history of civic activism for the citizen-militia; the manifestations of that activism are incidents in the army's long record of *seeditio*, insubordination and political advocacy evident among the soldiers. In the search for an explanation for intervention, these stories of disobedience, as they come down to us from the hands of aristocratic chroniclers, must not be ignored, as they speak to the nature of dissent in the army, the relationship between state and army, the power dynamic between ordinary citizens and the governing elite in political culture, and of civil themes that could motivate common soldiers to act. It is a significant oversight not to include in any discussion of the citizens' role in the political dynamic, such as in Yakobson's recent analysis,¹⁰⁸⁴ the place of insubordination in the army and the potential role it could play in forcing political, social or economic change upon the state. The reasons for mutinies, for example, were varied, but I will show that some were political and social in nature; the conclusion is that the army acted against the state for causes other than better conditions and economic enrichment – withdrawing service was a weapon to extract concessions or reinforce certain rights and aspirations.¹⁰⁸⁵

Violating *Sacramentum*: A Political Act

I argue that the very act of disobeying the commands of magistrates lawfully appointed by the state, regardless of specific reasons, was itself a political act.¹⁰⁸⁶ When soldiers mutinied or were insubordinate, they broke the tenets of the military oath they had publically sworn to military tribunes when they initially joined the consular army. This, *inter alia*, included a vow to obey their officers and carry out their commands to the best of their ability.¹⁰⁸⁷ It was a serious thing to do, and exposed rebellious soldiers to a range of extreme sanctions, should the commanding magistrate decide to exercise his prerogative

¹⁰⁸⁴ In particular, not to succumb to the temptation to see the army simply as the instrument by which the Republic was destroyed, as Yakobson has done (Yakobson, 2010, p. 12).

¹⁰⁸⁵ Rich also points this out during his brief discussion of war and society in the early Republic, arguing that military service was initially the plebeians' principal political weapon (Rich, 2008, p. 19). It is a conclusion I confirm with my analysis of the reasons behind mutinies and their record of success below in this chapter.

¹⁰⁸⁶ Rosenstein makes the interesting point that the oath was one important way that the state could compensate for the effects its system of checks and balances had on the military efficiency of the army. The requirement to limit terms of service and command for magistrates was a check on the potential for individuals to act in a way inimical to the interests of the whole, but it meant experienced commanders were not regularly assigned to the army, an important impediment on its overall efficiency. Rosenstein argues that requiring soldiers to take an oath and infusing it with inviolability, was a way to place the responsibility back onto soldiers to win battles: to stand firm in the face of the enemy, for example, and compensate with their bravery for the inexperience of their commander (Rosenstein, 1990, p. 257).

¹⁰⁸⁷ Pib. 6.21; Liv. 22.38; D.H. 10.18.

under military law.¹⁰⁸⁸ P. Cornelius Scipio Africanus, while sparing the better part of two legions from decimation, nevertheless publically scourged and beheaded 35 ring leaders of the mutiny of his army at Sucro in Spain in 206 BC.¹⁰⁸⁹ The same fate had befallen 300 survivors of a legion of Campanians who had mutinied and seized the southern city of Rhegium in 280 BC,¹⁰⁹⁰ while Scipio, again having trouble with his army, executed three centurions drawn by lot who commanded mutinous troops that refused to obey his orders to withdraw from Locha.¹⁰⁹¹

The oath was the mechanism by which citizen and state formally entered into a contract of 'consecrated service',¹⁰⁹² and by which the state bound the soldier to obey its magistrates.¹⁰⁹³ It had the force approaching a legal contract; the state did not consider citizens lawful combatants until they had taken it.¹⁰⁹⁴ Its centrality in the contractual relationship it established between citizen and magistrate – and through him, the state – can be seen in the way commanders insisted on soldiers swearing a new oath of fidelity if the previous one was broken before they resumed service in the legions and could be used on operations. P. Scipio after Sucro, for example, summoned each mutinous soldier by name to swear a new oath to him before military tribunes and the assembled army, in order to atone for their sedition,¹⁰⁹⁵ and the mutinous soldiers of L. Cornelius Cinna at Capua in 87 BC were not properly his until they had sworn a new oath after he secured their allegiance.¹⁰⁹⁶ The oath was also the mechanism used informally by soldiers when they wanted to swear fidelity to each other in some enterprise; the Roman garrison that mutinied in 342 BC in Campania all swore oaths to each other before beginning their attempt to seize Campanian cities.¹⁰⁹⁷

¹⁰⁸⁸ Liv. 25.5. See also Nicolet, 1980, p. 103.

¹⁰⁸⁹ Liv. 28.29.

¹⁰⁹⁰ Pib. 1.7; Liv. 28.28; Fron., *Str.* 4; V.Max. 11.7. See again at Fron., *Str.* 2.7. for the example of the standard bearer who was executed because he refused to obey the commanding general to advance against the enemy, an example which cowed the rest of the army.

¹⁰⁹¹ App., *Pun.* 13; Liv. 29.34.

¹⁰⁹² As the dictator Papirius Cursor in 325 BC called the citizen's military obligation (Liv. 8.34).

¹⁰⁹³ See D.H. 6.44. for fear of the citizen-soldier at violating his oath and deserting the standards. Once made, the oath was an element of constraint on the citizen and fear of violating it was an element of control of the army.

¹⁰⁹⁴ Cic., *De Off.* 1.36. See also Nicolet, 1980, p. 104.

¹⁰⁹⁵ Liv. 28.29.

¹⁰⁹⁶ App., *BC* 1.66.

¹⁰⁹⁷ D.H. 15.3.

The soldiers taking the new oath in the examples above swore allegiance personally to the commanding magistrate, and not *prima facie* to the Republic.¹⁰⁹⁸ Keaveney makes much of this point, arguing the *sacramentum* was purely concerned with maintaining discipline; there was no sense the oath was also meant to ensure allegiance to the state.¹⁰⁹⁹ I argue, however, that this is taking too narrow a view. Breaking of the oath was, by definition, a political act of insubordination – and, in its more serious manifestations, sedition – against the state, and therefore an abrogation of allegiance to the Republic as long as the mutiny was maintained.¹¹⁰⁰ The magistrates to whom citizens swore fidelity were the lawfully-appointed representatives of the state; an oath to such magistrates was an oath, through them, to faithfully serve the Republic. To break faith with them was to break faith with the state, and the severity with which commanders were able to legally punish such transgressions, the necessity of securing a new oath to atone for breaking the previous one, and the fact that oath-breakers placed themselves outside normal legal protections,¹¹⁰¹ suggests the Romans also considered it more than a matter of simple discipline.¹¹⁰²

In Scipio's admonishment of his mutinous men from Sucro can be detected this broader expectation of loyalty and commitment, and a sense of the understandable¹¹⁰³ seriousness with which members of the governing elite normally approached instances of oath-breaking. Scipio's opinion of the act of breaking *sacramentum* was simple: it was sedition, leading to potentially disastrous consequences for the state, including civil war. He asked the Sucro mutineers if they had sufficient reason to declare war on their country and revolt from the Roman people. This was only one of the potential consequences: *Africam Italiae, Carthaginem urbi Romanae imperare velletis?*¹¹⁰⁴ He reminded them of the futility of their

¹⁰⁹⁸ Livy, in the Scipionic example at Sucro, makes it clear that the soldiers swore the new oath to Scipio personally (Liv. 28.29). It is the same with Cinna (App., *BC* 1.66; Vell. 2.20).

¹⁰⁹⁹ Keaveney, 2007, p. 72. In down-playing this aspect of the oath, Keaveney argues that it was collectively understood that the citizen was already a member of the *civitas*, and as such, it didn't make sense to swear allegiance to oneself. "We also need to be aware the *sacramentum* was not an act of fealty to the Roman state itself, but rather, as we have said, to one of its representatives" (Keaveney, 2007, p. 91).

¹¹⁰⁰ Nicolet, 1980, pp. 103 and 104.

¹¹⁰¹ Chrissanthos, 2001, p. 9. Nicolet, 1980, p. 103. In another sign of the status of oath-breakers regarding the law, their punishments could be imposed without trial, as at Plb. 6.19; Fron., *Str.* 4; Plut., *Luc.* 15.

¹¹⁰² See Nicolet, who concluded that once a soldier had taken the oath, he was "linked by the strongest ties" to the Republic; the oath legitimised his status as a soldier (Nicolet, 1980, p. 103). In my view, he is right.

¹¹⁰³ I mean 'understandable' as obvious: the foundation of the relationship between commanding magistrates and their soldiers fundamentally rested on the ordinary citizen performing his duty as expected. Without that, the magistrates were powerless, and the state vulnerable.

¹¹⁰⁴ Liv. 28.29: "Would you have wished Africa to rule over Italy, Carthage over Rome?" See also Chrissanthos' analysis of this incident (Chrissanthos, 2001, p. 101).

cause; the state underwrote his lawful authority, and even if they had defeated him personally, other officers and Roman armies in Spain would have stepped forward to overcome them.¹¹⁰⁵ In this estimation, Scipio's speech as recorded in Livy, and which may be literary invention, nevertheless reflects a persistent, albeit more restrained, sentiment toward *seditio* that was common among the governing elite; it was possible to believe that members of the senate in 492 BC wanted to treat the mutineers as enemies of the state and wage war on them before more conciliatory views prevailed,¹¹⁰⁶ as did senators in response to the serious mutiny of an army in 342 BC during the First Samnite War.¹¹⁰⁷

Such was the gravity of the oath that it had the force almost of a religious proclamation; soldiers who broke it were 'accursed',¹¹⁰⁸ and the standards which they had vowed never to desert were considered holy.¹¹⁰⁹ I suggest that this strong language, and the link with religious symbolism, infused the act of oath-making with a type of sacred inviolability which reinforced the larger nature of the pact the soldiers were entering into with their commanders, and the state.¹¹¹⁰ Every time the army rejected the authority of its magistrates, they made a statement of dissent which, if not directly motivated by a political cause itself, had to be interpreted by the governing elite as a threatening political act, often requiring a political – as well as disciplinary – response,¹¹¹¹ as it did early in the Republic's history when the senate included in its discussion ways to alleviate the underlying social causes of the mutiny, as well as re-establish discipline in the army.¹¹¹²

¹¹⁰⁵ Liv. 28.29.

¹¹⁰⁶ D.H. 6.65.

¹¹⁰⁷ Liv. 7.40.

¹¹⁰⁸ They were '*sacer*'. See also Nicolet, 1980, p. 103, and Keaveney, 2007, p. 90, on this point.

¹¹⁰⁹ D.H. 6.45. He makes the point that the Romans held their standards on campaign in the highest regard and like the statues of gods, were considered holy. For another example of the force of a military oath, see Polybius' account of the freed Roman soldiers who voluntarily returned to Carthaginian captivity after appealing to the Roman senate to pay for their ransom because of the oath they had made to return (Plb. 6.58).

¹¹¹⁰ The very name: '*sacramentum*' was infused with religiosity, and therefore, an indication of its solemnity. I contend that it is significant that a word with religious connotations was deliberately used to bind in military service the citizen with the state: normal words for 'oath', *coniuratio* or *iuramentum*, were not. It helped convey for the ordinary citizen the seriousness of the pact being entered into.

¹¹¹¹ As can be interpreted by the senate's care on many occasions to be seen backing up the authority of their magistrates against soldiers who have either mutinied or were considered to have broken their oath by deserting in battle, as it did when it refused to intercede on behalf of the master of horse of the dictator Papirius accused of disobeying orders in 325 BC, in its treatment of the surviving legions of Cannae in 216 BC (banished to Sicily for the remainder of the Second Punic War), and its indefinite cessation of annual pay to a legion who abandoned its consul also in 216 BC against the Ligurians (V.Max. 2.7). I will examine the political aspects of responses to instances of mutiny below in this chapter.

¹¹¹² D.H. 6.36; Liv. 2.24 ff. They were responding to growing insubordination and frustration of citizens serving in the army over a range of social issues in 494 BC.

Mutiny and Rebellion: Localised and Mercantile Reasons

Beyond oath-breaking as a political act *per se*, I argue that in the army's history of mutiny, disobedience and political advocacy for preferred political candidates, there is the signature of a politically-aware, activist – and at times revolutionary – institution. The fact that citizens, alongside the governing elite, shared responsibility for the survival of the state proved decisive in the power relationship between citizen and the governing elite; insubordination was a reminder to the state of their indispensability.¹¹¹³ The army's disobedience was not confined to any particular period of Roman history, nor was it limited to a specific geographical location. The best and worst of Roman commanders had to deal with it,¹¹¹⁴ and it made little difference if the wars were defensive, offensive or civil. Between the foundation of the Republic and the start of the Social War,¹¹¹⁵ for example, there were sixteen recorded cases of *seditio*,¹¹¹⁶ while there were a further 30 during the Social War, the civil war period and down to the Pact of Brundisium in 40 BC.¹¹¹⁷

The reasons soldiers mutinied, were insubordinate or withdrew their services in passive protest, were varied. Instances were caused by localised conditions, events or the actions of local commanders that, if they remained localised or were quickly contained, did not have the potential to threaten the governing elite or represent a serious sedition against the state. During the Social War, for example, one of the common reasons soldiers mutinied or rejected the authority of the commanding magistrate was resentment against the imposition of military discipline,¹¹¹⁸ a localised factor that generally did not lead to serious sedition. In 89 BC, the consul L. Porcius Cato tried to improve discipline in his unruly urban legions and was pelted with clods of wet soil for his trouble.¹¹¹⁹ The soldiers, many of them elderly and unused to active service, were serious in their rejection of his authority; Cato would have been killed at the *contio* he called if the ground had not been wet and under

¹¹¹³ Raaflaub, 2005, p. 197.

¹¹¹⁴ Messer, 1920, p. 162. One of Rome's most capable commanders, for example, the vanquisher of Hannibal, Scipio Africanus, had to deal with *seditio* on several occasions, as we have seen.

¹¹¹⁵ 510 BC-90 BC.

¹¹¹⁶ Chrissanthos, 1999, p. 13.

¹¹¹⁷ Chrissanthos, 1999, p. 11.

¹¹¹⁸ See Keaveney on this point (Keaveney, 2007, p. 78). He downplays the political aspects of many of these seditions; I will argue in Chapter Seven below, however, that there was a direct correlation between the rise of political violence in Roman society and the increase of incidents of magistrates being targeted and killed by soldiers during this period.

¹¹¹⁹ D.C., *Fr.* 31.

cultivation. The ringleader, C. Titinius, was arrested and sent to Rome for trial, but like many mutinous soldiers during this period, escaped punishment.¹¹²⁰ That same year, the legate, A. Postumius Albinus, was less fortunate; he was stoned to death by his mutinous soldiers outside Pompeii when he called a *contio*.¹¹²¹ The excuse his soldiers used was treason, but the real reason was hatred earned by excessive arrogance and cruelty to his troops.¹¹²² Like the instigators of the insubordination against L. Cato, the perpetrators were not punished and Sulla incorporated them into his army.¹¹²³ Excessive discipline also caused problems for consuls earlier in Rome's history. During the First Punic War in 252 BC, for example, C. Aurelius Cotta's heavy-handed application of discipline in flogging and demoting several tribunes for poor performance, including a relative, and his demand that the *equites* do some sort of manual labour, caused his officers to mutiny¹¹²⁴ – an offence for which he later vigorously pursued them for remedy in Rome after he had suppressed their initial insubordination in camp.

Soldiers mutinied over excessive length of service, a desire to return to Italy after campaigning, built up arrears of pay, or lack of opportunities to enrich themselves. All these factors, for example, featured in the reasons for unrest among Scipio's men at Sucro in 206 BC;¹¹²⁵ his illness merely provided a catalyst to initiate the revolt. Moreover, P. Sulpicius Galba's army in Macedonia in 199 BC included the remnants of 2,000 veterans of the Cannae legions who had been in continuous service for 17 years; being drafted for the Macedonian campaign was the breaking point and they mutinied. The replacement consul, P. Villius Tappullus, called a *contio* to discuss the soldiers' problems. Here they made an

¹¹²⁰ The fact that Titinius was sent to Rome for trial, and not dealt with in camp, suggests he was an officer, perhaps a military tribune. What is ominous about this event was that he escaped punishment, possibly because of his previous standing in the law courts (D.C., *Fr.* 31; Chrissanthos, 2001, p. 50), or through the intervention of the tribunes. This theme of mutinies not being punished during this period is significant.

¹¹²¹ Liv., *Per.* 75. Ironically, this is the descendant of another Postumius who died in similar circumstances during a mutiny in 414 BC (Liv. 4.50).

¹¹²² Oros. 5.18.22; V. Max. 9.8. See Keaveney for a slightly different view on Albinus' fate; he argues Albinus may have died while trying to make heavy-handed attempt to impose discipline on the mutinous troops to restore them to service (Keaveney, 2007, pp. 77 and 78).

¹¹²³ Sulla chose not to punish the ring leaders of this mutiny; instead, he asked them to atone for their crime by bravery in battle against the former Italian allies (Oros. 5.8.22). Significantly, these troops went onto kill tribunes, desecrate the symbols of republican office and march with Sulla on Rome the following year. The consequence of Sulla's leniency, and the correlation of rising violence in politics and the increasing tendency of armies of this period to attack the symbols of state power, will be discussed in Chapter Seven below.

¹¹²⁴ Fron., *Str.* 4. 22; V. Max. 2.7. The relative was P. Aurelius Pecuniola. Cotta pursued remedy for the mutiny in Rome, convincing the censors to reduce the mutinous *equites* in rank to *aerarii*, and secured an enactment so that their arrears in salary would not be paid (Fron., *Str.* 4.22).

¹¹²⁵ Liv. 28.29; Plb. 11.25; App., *Hisp.* 34.

impassioned plea for discharge, arguing they had grown old in service, and had been forced by military tribunes to embark for Greece. Tappullus agreed their case had merit but that no excuse justified mutiny; they resumed service when he agreed to send a letter to the senate on their behalf.¹¹²⁶ Incompetent commanders,¹¹²⁷ material incentives¹¹²⁸ and excessively long campaigns¹¹²⁹ also provided reasons to mutiny. None of the above cases threatened the state.

Mutiny and Rebellion: Political, Economic and Social Reasons

The citizen-militia, however, also mutinied for political and social reasons. Some instances of mutiny, or rejection of the authority of the commanding magistrate, as they were preserved in the literary tradition, show a link with broader civil themes in society, especially in the centuries following the creation of the Republic when there was widespread friction between the governing elite and ordinary citizens agitating for greater political rights, economic reform and protections against the power of magistrates.¹¹³⁰ In contrast to localised disobedience, the larger of these disturbances in the army were serious rejections of state authority; some developed into rebellion that threatened the governing elite's hold on power, and importantly for the tradition of resistance that would develop over the centuries, they were more often than not successful in forcing change upon the governing elite or extracting concessions.¹¹³¹ In this context, service in the army was a political weapon in the hands of ordinary citizens to force concessions from an intransigent state, to draw attention to specific grievances or to ameliorate perceived injustices.

In 492 BC, for example, we are told that the larger part of two consular armies broke their *sacramenta*, revolted after seizing their standards and refused, at the instigation of C. Sicinius Bellutus, to obey the senate's orders to march against the Aequians and

¹¹²⁶ Liv. 25.5; Liv. 26.21; Liv. 32.1. The result of their appeal is not known and they disappeared from history after this episode.

¹¹²⁷ In 294 BC, the army mutinied against such a consul: M. Atilius Regulus (Liv. 10.32).

¹¹²⁸ In 280 BC, soldiers mutinied against the consul, P. Valerius Laevinus, for this reason (Plb. 1.7; D.H. 20.4).

¹¹²⁹ As in 139 BC, when part of the army mutinied against the proconsul, Q. Servilius Caepio (D.C., *Fr.* 78).

¹¹³⁰ This long-running social and political friction between the governing elite and ordinary citizens early in the history of the Republic has been referred to as the 'Struggle (or Conflict) of the Orders' (for the term, see Raaflaub, 2005, p. 4; Rich, 2008, p. 19). It refers to a period of agitation between the elite and ordinary citizen where many of the patrician's tradition political privileges were curtailed and economic reforms enacted to benefit the ordinary citizens, such as debt relief (Roth, 2009, p. 26).

¹¹³¹ I will cover this important point in more detail below in this chapter.

Sabines.¹¹³² This was very much a revolt by ordinary citizen-soldiers in their own interests, and to support marginalised elements in Roman society. Centurions were not part of the mutiny, and like the consuls, A. Verginius Tricostus Caeliomontanus and T. Veturius Geminus Cicurinus, were left to try and persuade the men to return to service after the mutineers had replaced them with their own popularly-elected centurions.¹¹³³ The immediate cause of the mutiny was the senate's refusal to honour its promise to address economic hardship among citizens – a promise made to secure their service in a series of campaigns against invading enemies – and keeping the men in service after the campaign had finished.¹¹³⁴ But the broader context included issues of constant service, debt relief, state financial assistance to the poor, and heavy taxation¹¹³⁵ – all of which directly affected the citizen-soldiers at the time.¹¹³⁶ It had been a growing source of friction and unrest between themselves and the governing elite;¹¹³⁷ the senate's obstinacy provided the catalyst for *seditio*. The tactic worked; mutiny, withdrawal of service, and threats of violence achieved what years of advocacy by sympathetic magistrates, and much debate in the senate chamber, could not.¹¹³⁸ The senate was forced to negotiate and make concessions; no one was punished. There was agreement to enable – by law – debt relief for soldiers, release debtors imprisoned or enslaved, establish clear legal rules for future lending arrangements, and a general amnesty for all mutineers.¹¹³⁹ The soldiers also extracted legal protections for citizens against the arbitrary power of magistrates by establishing the office of tribune.¹¹⁴⁰ In this case, disobedience, mutiny and threats were successful ways for the citizen-soldier to force political, economic and social concessions from the governing elite disinclined to respond to less drastic approaches, such as debate and advocacy. It was

¹¹³² Liv. 2.24; D.H. 6.45 ff. This sedition resulted in the first succession of the plebeians to the 'Sacred Mount' near the river Anio.

¹¹³³ D.H. 6.45; Liv. 2.32.

¹¹³⁴ D.H. 6.43; Liv. 2.34.

¹¹³⁵ D.H. 6.26,27.

¹¹³⁶ We know the citizen-militia was directly affected by these issues because Sicinius makes a point in his negotiations with the senate envoys to illustrate the distress and dire economic situation of many of the mutineers (D.H. 6.72).

¹¹³⁷ It was also the reason why ordinary citizens were increasingly refusing to present for service during the levy, as when a levy was called to repel a Sabine invasion and suppress a rebellion among the Medullini (D.H. 6.34).

¹¹³⁸ As an example, P. Verginius, an advocate for the plight of ordinary citizens amongst the governing elite, spoke forcefully in one of the many senate debates on the issue of economic reform, and how to alleviate the hardship being experienced by many citizens at the time, arguing for measures that protected those citizens economically who had served in the recent campaigns. He was unsuccessful in persuading the senate to respond in any substantive way (D.H. 6.37).

¹¹³⁹ D.H. 6.83.

¹¹⁴⁰ D.H. 6.88; Chrissanthos, 2001, p. 15; Messer, 1920, pp. 163 and 164.

political in nature, undertaken for civil reasons, and ended in political and economic settlement.

In the semi-mythical period before the sack of Rome by the Gauls, these themes of injustice, social and political inequity, economic reform, legitimacy and abuse of magisterial power¹¹⁴¹ continued, on occasion, to impel soldiers to mutiny and disobey their legally-appointed commanders – alongside more basic concerns of harsh discipline, poor leadership and lack of opportunities to amass booty. When it was in support of broader civic themes, the mutiny or act of disobedience was almost always undertaken to pressure the governing elite to make concessions, adopt a particular course of action, or provide recourse to justice when other avenues had failed. Moreover, the army was invariably at its most powerful in this contest when the state was especially dependent on it in war;¹¹⁴² Agrippa Menenius pointed this reality out to intransigent peers when he asked rhetorically what forces would be left to defend the city when they had refused to compromise and driven away all the citizens?¹¹⁴³ Most mutinies that threatened the hold of the governing elite, and were successful in their aims, invariably took place against a background of war that threatened the state.

In 488 BC, for example, political tensions and mistrust between the governing elite and ordinary citizens provided the backdrop for the army's refusal to defend Rome against the Volscian invasion and force the senate to open negotiations with the Roman exile, C. Marcius Coriolanus.¹¹⁴⁴ When they discovered that C. Coriolanus led a Volscian army, ordinary citizens suspected the governing elite of treachery and waging war against them.¹¹⁴⁵ Threatening to leave the city and senate without protection in the presence of the Volscian army was an effective tactic; no one was punished, and given that the Volscian army was nearing Rome, it placed the senate in a disadvantageous negotiating position, and

¹¹⁴¹ Richard, 2005, p. 120. He produces a detailed analysis of the origins of divisions that separated patricians from plebeians, and of the underlying causes of the Conflict of the Orders. It is a useful study which emphasises the political nature of the dynamic and the inherent inequality and injustice which underpinned most of the early confrontations.

¹¹⁴² The mutiny of 492 BC, for example, was conducted, and the negotiations held, against a general background of invasion and war against Rome's neighbours. In this, the state was particularly at a disadvantage in the negotiations because it was especially dependent on the army at the time.

¹¹⁴³ D.H. 6.51.

¹¹⁴⁴ D.H. 8.22; Liv. 2.34.

¹¹⁴⁵ D.H. 8.14.

gave it no viable option but to cancel Coriolanus' order of exile, and open negotiations with him to peacefully resolve the conflict.¹¹⁴⁶ Sometimes the army could support a civil issue by refusing to cooperate with its commander out of spite; in 481 BC, the army refused to obey orders in protest against its consul, Caeso Fabius Vibulanus, who opposed a public land distribution program to citizens.¹¹⁴⁷ The program had already caused divisions in Roman society when a tribune tried to prevent the levy until the senate had finished the allocation of land as promised. This action failed. But the citizen-soldiers were more successful. Once on the battlefield, they not only refused to attack the enemy, but spontaneously returned to Rome; in this case, they withdrew their services to prevent Caeso Fabius gaining the victory he needed to qualify for a triumph.¹¹⁴⁸ It was a deliberate attempt to deny him public glory because of the enmity he had earned amongst the soldiers through his opposition to the land distribution program.

The literary tradition preserved themes of personal injustice, economic hardship and political repression that animated the mutiny, rebellion and occupation of the Aventine by the Roman army in 449 BC.¹¹⁴⁹ Once again, it occurred at a time when the state was particularly dependent on the army: in this case, fighting a two-front war against invading Sabines and Aequi.¹¹⁵⁰ The underpinning cause of the revolt was the political and economic repression of ordinary citizens by the authoritarian cabal of ruling decemvirs.¹¹⁵¹ They suspended, *inter alia*, tribunician power, taking from ordinary citizens legal protections against arbitrary magisterial abuses, and removed the right of appeal for their decisions.¹¹⁵²

¹¹⁴⁶ D.H. 8.23,24.

¹¹⁴⁷ Liv. 2.41; D.H. 9.1 ff.

¹¹⁴⁸ D.H. 9.4.

¹¹⁴⁹ Liv. 3.36 ff; D.H. 9.1.

¹¹⁵⁰ Liv. 3.36.

¹¹⁵¹ Ungern-Sternberg, 2005, p. 76.

¹¹⁵² Liv. 3.36. Although it is part of the tradition of the 'Conflict of the Orders', Ungern-Sternberg is unconvinced of the historical validity of this event. He does not say it is completely fictitious, nor of no value to modern historians trying to peer into the murk of Rome's earliest centuries. But he comes close: arguing that the example of the tyranny of the decemvirs, particularly of the leading magistrate, Appius Claudius, represents a literary tradition in which a timeless simile for the emergence and fall of tyranny is presented as a kind of moral tale for later generations (Ungern-Sternberg, 2005, p. 87). He explains that the historians who preserved this event reformulated what was a timelessly valid insight in the light of the author's own contemporary experience (Ungern-Sternberg, 2005, p. 86). In essence, this is an attempt to detach the literary text from the historical events they recount. The underlying assumption behind Ungern-Sternberg's critique – which is still valuable for its insight into the mindsets of individual historians, and as a warning to remain vigilant to bias in reading the sources – is that ancient historians were only capable of comprehending events in the remote past in terms of their own experiences. His view is contested: Toher, for example, states that while Livy's narrative of the early history of Rome may be inaccurate at specific points, the general picture is clear and trustworthy (Toher, 2005, p. 265). Develin argues Livy was alive to the distortive practices he found

Ordinary citizens suffered most and had the most to lose; unlike their wealthier counterparts, they had little influence and were terrorised by the arbitrariness of the ruling clique, and many had their possessions seized.¹¹⁵³ Nor was there any prospect of restoring these rights and protections through conventional avenues; the decemvirs suspended normal voting arrangements by which their excesses might have been addressed, such as the annual consular elections, and it was widely believed among ordinary citizens that they intended to hold power indefinitely through a perpetual decemvirate.¹¹⁵⁴ This point is illustrative; as I have shown above, the option to mutiny carried serious personal and legal risk for the mutineers. If legal avenues of redress were closed off, however, the levels of frustration among ordinary citizens, collectively or personally, were increased – as were the chances they would turn to the army as the ultimate authority to ameliorate their condition. I suggest that this was a recurring theme during most of the mutinies which have at their source civic grievances.

In this case, the immediate cause of revolt by the army was a direct and urgent appeal to it by a serving centurion, L. Verginius, to help him avenge the death of his daughter at the instigation of one of the decemvirs.¹¹⁵⁵ This provided the spark for revolt. It may have started as an attempt to help Verginius, but it quickly became an organised movement

in his sources, and uses Livy's own words at the end of Book 8 where he makes critical analysis of the reliability of his sources to illustrate his argument (Liv. 8.40; Develin, 2005, p. 294). For another, more detailed counter perspective, which argues for the historical value of the literary tradition of this early period, and critiques the trend which denies any historical worth in the literary tradition, see Cornell, 2005, pp. 48-67. See also de Ligt, who recently reminds readers in his exhaustive study of the demographics and population counts of republican Italy of the danger of automatically discounting the historical validity of early accounts of Rome's history. He argues that such an approach would lead to a void that can only be filled with an infinite variety of untestable theories, and that this approach should be avoided unless there are compelling reasons to discard the few pieces of literary evidence that have survived (De Ligt, 2012, p. 173). In the end, such debates are not relevant to my argument. I shall argue later in this chapter, for example, that what is important is not the historical accuracy of these literary accounts, but that they are what many Romans believed happened in their past, and, as such, constitute an inherited tradition that can be drawn upon to situate contemporary political events and actions.

¹¹⁵³ The decemvirs and their associates confiscated the possessions and assets of many citizens (Liv. 3.37).

¹¹⁵⁴ Liv. 3.36,37. Ungern-Sternberg, 2005, pp. 77 ff.

¹¹⁵⁵ The story, as it comes to us from aristocratic historians, is that one of the leading decemvirs, Appius Claudius, tried to legally seize L. Verginius' beautiful daughter; her father, all recourse exhausted, killed her rather than submit to Claudius' will, and fled to the army for justice, chased by Claudius' partisans (Liv. 3.43 ff). Chrissanthos, 2001, pp. 17-18. Lintott uses the episode as an example of the tradition of popular justice, and as an example of when popular justice met legal resistance. He focuses on the civilian aspect of the case, arguing the incident was an example of *quiritare* in which an injured or threatened person appealed to the crowd for assistance and protection. In this instance, the girl's nurse called on nearby citizens to help them, but was informed it was no use appealing to the crowd because the claim to the girl had legal backing. The essential element of popular outrage and 'self-help' by ordinary citizens against abuses of magisterial power, however, is preserved in Lintott's account (Lintott, 1999(b), p. 12).

against political and economic repression led by the army. According to the literary tradition, the army marched to Rome, entered the city and occupied the Aventine, urging citizens to revolt against the state of political repression and fight to regain their legal rights.¹¹⁵⁶ They were joined in Rome by the other consular army; their demands included the restoration of tribunician power, an end to political repression and punishment for the worst excesses of the *decemvirs*. Such a large-scale revolt, and the presence of the two consular armies which had elected their own commanders, gave the senate and decemvirs little choice but to acquiesce; the office of the tribune and the consuls were restored and the decemvirs resigned. I argue that here was the tradition of the citizen-militia as a wellspring of revolutionary intent and at the forefront of resistance; citizens arrayed not as members of the civic voting assemblies, but in their military formations and under their standards, entering Rome and occupying a part of it to give force to their grievances. The army had responded with mutiny, disobedience and rebellion to successfully force change on the state, where other avenues had failed; no mutineers were punished.¹¹⁵⁷ If it did not exactly march on Rome in the manner of an enemy capital, the tradition certainly had the army marching to Rome to confront the authorities and force a resolution.

There were more instances in the literary tradition of mutiny and insubordination to support civic causes. In 414 BC, soldiers were unhappy with their commander, P. Postumius Albinus Regillensis, because he reneged on a promise to distribute among them booty from a captured town, instead keeping it for himself.¹¹⁵⁸ Societal issues, however, also influenced the behaviour of the men: Postumius also opposed a bill being proposed at the time in Rome to allocate captured land among ordinary citizens, and it was in the soldiers' economic interests for the bill to pass.¹¹⁵⁹ When he threatened punishment for any of his soldiers who supported the bill, and began punishing individual soldiers, the army revolted; in the ensuing confrontation, Postumius was killed.¹¹⁶⁰ This was a 'grass roots' act of disobedience. The mutiny gained its strength from the ordinary ranking soldier who had most to gain from the land distribution; the centurions were not involved and unsuccessfully tried to suppress it in its initial stages. The mutiny was not successful; the

¹¹⁵⁶ Liv. 3.51.

¹¹⁵⁷ Liv. 3.54.

¹¹⁵⁸ Liv. 4.49; Zon. 7.20.

¹¹⁵⁹ Liv. 4.48.

¹¹⁶⁰ Liv. 4.50.

death of a magistrate,¹¹⁶¹ the first recorded case of a commanding magistrate being killed by his men,¹¹⁶² resulted in an investigation by consuls supported by the citizenry, and some soldiers were punished or committed suicide.

In one prophetic instance,¹¹⁶³ a mutiny caused in part by heavy debt burdens among poorer citizen-soldiers led to a march on Rome, a standoff between two Roman armies, and a confrontation that could easily have ended with citizen fighting citizen; only the fact that both sides were not yet accustomed to fighting fellow citizens prevented an outbreak of civil war.¹¹⁶⁴ In 342 BC, the Roman garrison in Campania mutinied, gathered a force of fellow mutineers and some freed slaves, and marched toward Rome.¹¹⁶⁵ These were poor men; the garrison comprised homeless and heavily-indebted volunteers who were happy to escape poverty and their creditors in Rome,¹¹⁶⁶ and the prospect of seizing the wealth of Campania animated the early stages of the mutiny. The underlying cause impelling the soldiers to disobedience and revolt, however, was their social condition: hardship caused by heavy debt in their civilian lives – and during fraternisation, they admitted as much to fellow citizen-soldiers in the army sent to confront them.¹¹⁶⁷ It was, nevertheless, a serious attempt to place pressure on the state and force it to relieve their economic condition according to the literary tradition. The rebellious army intended to march to Rome, and was 20 000 strong by the time it drew near on the *Via Appia*. It was ostensibly led by a former consul, T. Quinctius Poenus,¹¹⁶⁸ and was battle-ready under standards.¹¹⁶⁹ The state also thought the force was a serious threat; the senate declared an emergency, appointed a dictator, M. Valerius Corvus,¹¹⁷⁰ and sent him out with an army to stop them. Valerius was earnest in his intention to suppress the rebellion: he called them ‘enemies’ and was prepared to fight if they did not back down.¹¹⁷¹ Before that could happen, however, soldiers

¹¹⁶¹ Postumius was a military tribune with consular powers (Chrissanthos, 2001, p. 18).

¹¹⁶² It would be the last such incident until a relative of Postumius would be killed (ironically) in a similar fashion in 89 BC (Liv., *Per.* 75). See also above.

¹¹⁶³ I say ‘prophetic’ because it anticipated, in some respects, the events of 88 BC: like Sulla’s army, they too marched on Rome under their standards in a war-like manner and intended to enter it in political cause.

¹¹⁶⁴ According to Livy (Liv. 7.40).

¹¹⁶⁵ Liv. 7.38,42; D.H. 15.3; App., *Sam.* 1,2.

¹¹⁶⁶ D.H. 15.3.

¹¹⁶⁷ App., *Sam.* 2.

¹¹⁶⁸ App., *Sam.* 1. It has to be said that Quinctius, consul in 354 BC and 351 BC, was an unwilling leader. He had been forced to join the revolt by the mutinous soldiers (Liv. 7.39). See Chrissanthos, 2001, p.20.

¹¹⁶⁹ Liv. 7.39; App., *Sam.* 2.

¹¹⁷⁰ ‘Corvinus’ in App., *Sam.* 2.

¹¹⁷¹ Liv. 7.40.

from both armies who knew each other – and in many cases were related – started mingling. Not accustomed to the idea of fighting fellow citizens, they looked for more peaceful ways to solve the standoff.¹¹⁷² A deal was eventually worked out; it included debt relief and legal protection for insolvent soldiers,¹¹⁷³ immunity for the mutineers and a military reform which meant soldiers could not be discharged without their consent.¹¹⁷⁴ A crisis was averted, but the revolt succeeded.

Besides mutiny, disobedience and rebellion, citizens – even when serving in the army – could use advocacy for preferred candidates to influence the civil political process and bring about results. This type of activism manifested itself as overt political partisanship; serving members could (and did) have political favourites, and some were willing to act to influence events at home. During the war in Africa against Jugurtha, for example, when C. Marius agitated for his first consulship, some equites serving with Marius in the army, tired of the interminable nature of the conflict, had a clear preference about who should win the consular competition. They wrote home that there would be no end to the war in Africa against Jugurtha unless the people chose Marius as consul;¹¹⁷⁵ he was subsequently elected in 107 BC. Later, Marius – by this time one of the Republic's most competent and experienced generals – was again the preferred candidate of some serving members for the consulship in 103 BC during the campaign to defend Italy against invasion. In this case, Marius displayed rectitude and fairness when trying a soldier who slew his nephew after the nephew attempted to seduce him. Marius acquitted the soldier in self-defence and rewarded him for his noble conduct; the soldiers approved and considered it a good omen. They wrote home about the incident with approval, and this approbation translated into a political advantage during the consular election. He was subsequently elected to his third

¹¹⁷² Interestingly, Livy, informed by his sources on the event, also included the possibility that the commanders were going to fight, and that the two armies actually started deploying for battle when they recognised friends and relatives in the opposing lines, and called to each other. It was this which demonstrated to the commanders that their men were not going to fight fellow citizens, so they called a halt and began negotiating. In the end, Livy wrote that it was hard to work out exactly what happened, except that there was a mutiny and that it was serious and organised (Liv. 7.42).

¹¹⁷³ A law was passed which protected insolvent citizens from seizure of property as long as they were serving (Liv. 7.41).

¹¹⁷⁴ Liv. 7.38; D.H. 15.3. Livy also states that there was a military prohibition enacted which prevented someone from serving as a tribune and then chief centurion in alternate years, a provision apparently aimed at a certain Publius Saloniunus who did this and earned the dislike of the soldiers because he would not take part in their mutinous schemes. There was also a provision to reduce the pay of the cavalry, who got three times that of a common infantryman, on the grounds that they had opposed the conspiracy. There may also have been provisions passed which limited the amount of interest that could be charged on loans (Liv. 7.41,42).

¹¹⁷⁵ Plut., *Mar.* 7.

consulship; helped ostensibly by his treatment of the soldier and his display of fairness,¹¹⁷⁶ but more probably because the soldiers didn't want a less competent or experienced consul in command during the difficult and dangerous war against the Germanic tribesmen. Either way, the army acted to shape the outcome of the political process to their advantage.

The Army's Civic Activism: A Tradition of Legitimacy, Success and Violence

I would argue that the above examples demonstrate an unambiguous tradition in the army of disobedience – even revolution – against the Republic and its lawful representatives for causes other than localised or mercantile grievances. It indicates that the army was no passive suppliant to the state,¹¹⁷⁷ and was prepared to revolt against the governing elite, and plunge the state into crisis, to support political, economic or social ideals when other avenues of redress failed, or were not practicable. The examples also indicate that the army could be more subtle in its political activism; on occasion, soldiers out of self-interest advocated preferred political candidates in Rome, and this support could be influential in the outcome of elections. Given all this, I argue that here, long before 88 BC, is persuasive evidence of a politically-aware, habitually-activist, institution willing to act on its own convictions and in its own collective interests.

Moreover, I suggest that despite the disapproval of the governing elite with regard to mutiny, and however assiduously they lawfully armed magistrates with harsh sanctions with which to discourage and suppress it, mutiny was nevertheless seen by ordinary citizens agitating for reform, including those in the army, as a legitimate act *in extremis*. This was evident in the language they used to justify their actions. The army's spokesman and main agitator in 492 BC, L. Sicinius, for example, used themes of injustice, state intransigence

¹¹⁷⁶ Plut., *Mar.* 14.

¹¹⁷⁷ The citizen-soldier was frequently opinionated and pugnacious, and I argue that this fits with the picture of an activist citizen-militia. He was, for example, a difficult man to lead if he thought the general was making mistakes – and not afraid of saying so, even to the best of Roman generals. There are many examples: I only need to draw upon a few to make my point. Marius incurred the displeasure of his soldiers in the lead up to the battle of Sextiae against the Teutones. Marius pitched camp in a place where water was scarce, and the soldiers pointed this out to Marius, and were dissatisfied with the campsite. There was then an exchange of claim and counter claim between general and soldier; Marius arguing directly with his men. The soldiers did not like the fact that Marius had placed them in a tactical disadvantage. This type of direct complaining and agitating to the consul is hardly the signature of a subservient, slavishly compliant citizen-militia; it has a voice and it will be heard whether the commander likes it or not (Plut., *Mar.* 18). Moreover, in that same war against the Germanic tribesmen, in 105 BC, the soldiers of two consular armies forced their commanders to meet to try and cooperate against the enemy; clearly it was in their interests that the two bickering commanders worked together in the face of the size of the enemy army. It did not work (D.C. 17.91).

and ingratitude, perfidy, economic hardship and broken promises to legitimise the revolt of the army.¹¹⁷⁸ Soldiers again spoke of political repression, injustice and revenge to legitimise their mutiny in 449 BC,¹¹⁷⁹ while the poor mutineers in 342 BC used extreme economic hardship and crushing debt to justify before peers and magistrates their march on Rome in battle array.¹¹⁸⁰ Even the Cannae survivors who revolted in 199 BC against P. Sulpicius in Macedon, and were told nothing justified mutiny, nevertheless tried to legitimise their actions by arguing extreme length of continuous service and illegal coercion by tribunes.¹¹⁸¹

It was natural for soldiers, aware of the punishments associated with mutiny, to attempt to legitimise their sedition in any way they could. But the instances where grievances were subsequently ratified by the governing elite, albeit they often did so when faced with no other choice, suggests that there was something to them; in this sense, public legitimacy for insubordination could also come from the very targets of the mutinous soldiers. Sympathetic members of the governing elite, for example, could legitimise the army's recourse to disobedience and rebellion; when it happened, it was a powerful reinforcement of the soldiers' own sense of legitimacy, and strengthened their case. Some magistrates who negotiated in good faith with citizen-soldiers, and were subsequently undermined by peer or senatorial intransigence, helped plant the seeds of mutiny by publicly legitimising their grievances. M. Valerius told his citizen-soldiers in a *contio* that the senate had cheated and misled both him and the army when it refused to honour promises for economic reform and debt relief;¹¹⁸² the mutiny broke out immediately after this address. A. Menenius similarly legitimised the revolt of the army in 492 BC when he acknowledged in the senate that the revolt occurred in part because the citizen-soldiers felt deceived and the state had failed to honour its promises for reform.¹¹⁸³ The commissioners sent by the senate to negotiate with the mutinous army in 449 BC legitimised its actions by telling the soldiers that their demands were so right that they should have been conceded voluntarily in the first place,¹¹⁸⁴ and the dictator M. Corvus in 342 BC was so persuaded by the legitimacy of the

¹¹⁷⁸ D.H. 6.77.

¹¹⁷⁹ Liv. 3.53; D.H. 11.48.

¹¹⁸⁰ App., *Sam.* 2.

¹¹⁸¹ Liv. 26.21; Liv. 32.3.

¹¹⁸² D.H. 6.44.

¹¹⁸³ D.H. 6.56.

¹¹⁸⁴ Liv. 3.53.

grievances of the rebellious soldiers that he became not their nemesis, but chief advocate in the senate negotiating a good deal for them once he understood their underlying reason for sedition.¹¹⁸⁵ Chastiser of the mutinying Cannae veterans in 199 BC who told them nothing excused disobedience, P. Tappullus, nevertheless admitted in a *contio* that their demands had merit,¹¹⁸⁶ and thus helped legitimise their claims.

Significantly, within the army's record of insubordination and sedition was an established practice of individuals using the army as the ultimate source of authority from which to draw legitimacy to correct personal grievances. At times, according to the literary tradition, the army itself could be the sole point of authority and legitimacy for restitution, revenge and protection; in a *contio*,¹¹⁸⁷ the army provided a forum in which personal grievances could be aired, not only by fellow mutineers, but also by aristocrats temporarily ostracised or frustrated by the governing elite. Prohibited by the senate from celebrating the customary triumph, for example, P. Servilius Priscus appealed directly to the army for justice against his treatment, declared the only authority he needed was that derived from his own deeds and that of the army, and, with the soldiers behind him, celebrated a triumph without senatorial permission or peer approval.¹¹⁸⁸ By doing this, I argue that the tradition has P. Servilius in the *contio* blurring the distinction between personal, civil and military matters; he asked his soldiers' support for an issue traditionally addressed by the senate and peer consensus, and thus establishes a practice of appealing to the army for justice, legitimacy, and authority for unilateral action.

According to the literary tradition, other instances of appealing directly to the army for justice followed. Like consul Servilius, centurion Verginius in 449 BC saw in the army the

¹¹⁸⁵ Liv. 7.41.

¹¹⁸⁶ Liv. 32.1.

¹¹⁸⁷ Here, I particularly wish to emphasise the 'face to face' nature of the Roman *contio*, as described by Yakobson in his recent analysis (Yakobson, 2010, p. 5.ff). In its formal sense, it had important procedural limitations on the ability of the citizen to participate, but its tradition still required the speaker to face the audience in person. Under the *contio*, there was no sense of a magistrate sending a veto or expressing a view *in absentia*, as the US President may currently do. The speaker had to be present, and engage directly with the audience and, as Yakobson points out, it is this aspect of the *contio* that could make confronting an angry crowd a very unpleasant experience for a speaker, and which went a long way to overcoming its structural limitations as far as ordinary citizens were concerned. I would add that it is also this aspect the *contio* which enabled it to be such an effective forum in which to lay out a grievance before the soldiers, and then ask them directly for help. In the army, the nature of the *contio*, especially in its informal, impromptu sense, was tailor-made for this purpose.

¹¹⁸⁸ D.H. 6.30; Liv. 2.26.

ultimate authority upon which to draw legitimacy to help him correct a personal injustice when other recourses had failed or were not practical. In a *contio*, for example, he argued before his fellow soldiers for the righteousness of his cause, the injustice done to him, and to warn his fellow soldiers that if it could happen to him, no one was safe.¹¹⁸⁹ Verginius then appealed directly to the army to help him; it agreed and marched to Rome with him, instigating what would become the second major secession. In 325 BC, Q. Fabius Maximus Rullianus, Master of Horse to the dictator, L. Papirius Cursor, appealed to the army in a *contio* to protect him from Papirius' punishment after he had disobeyed orders to engage the enemy in Papirius' absence.¹¹⁹⁰ They agreed, a decision influenced no doubt by the fact that Fabius' attack on the enemy had been successful. When Papirius tried to punish him, the army mutinied, and asked the dictator to spare him. Fabius fled to Rome and Papirius continued the war against the Samnites without his Master of Horse.¹¹⁹¹ No one was punished for mutinying on Fabius' behalf. The practice of recourse to the army as the ultimate authority and legitimacy to help correct personal injustice, and the habit of appealing to it directly in a *contio*, would in time become part of the inherited story of the citizen-militia.¹¹⁹²

Success also reinforced in the minds of ordinary citizens the use of disobedience as a political weapon. Between the foundation of the Republic and the Social War, there were sixteen recorded mutinies;¹¹⁹³ nine¹¹⁹⁴ were caused by political, economic or social reasons, were instigated solely by a personal grievance,¹¹⁹⁵ or a combination of personal grievance and political factors.¹¹⁹⁶ Of these nine, seven were successful: they achieved most or all of their aims, forced concessions from the state and no one was punished. Only on two occasions, in 471 BC,¹¹⁹⁷ and 414 BC,¹¹⁹⁸ did the mutineers fail to achieve their aims, and

¹¹⁸⁹ Liv. 3.50; Messer, 1920, p. 165; Chrissanthos, 2001, pp. 17 and 18.

¹¹⁹⁰ Liv. 8.30.

¹¹⁹¹ Liv. 8.37.

¹¹⁹² This would have important ramifications in 88 BC when Sulla made a similar appeal to his army for justice, authority and legitimacy; that will be covered in Chapter Eight below.

¹¹⁹³ Chrissanthos, 2001, p. 34. Messer, 1920, pp. 163-166.

¹¹⁹⁴ In 494 BC, 488 BC, 481 BC, 480 BC, 471 BC, 449 BC, 414 BC, 342 BC, and 325 BC.

¹¹⁹⁵ In 325 BC, for example, when Master of Horse, Fabius, appealed to the army to protect him from punishment in his grievance against the consul (Liv. 8.37).

¹¹⁹⁶ In 449 BC, for example, when the centurion Verginius' grievance provided the catalyst for a much wider mutiny and rebellion against the state that had economic and political causes at its root (Liv. 3.50; D.H. 11.30).

¹¹⁹⁷ Liv. 2.59. The mutiny against Ap. Claudius Crassinus, who opposed a bill that would have benefited the ordinary citizens, and treated his men harshly; his army refused to fight, but fought to defend the camp and

commanders were able to suppress the mutiny, regain control over their army and punish mutineers. The other seven mutinies, all after 325 BC, had localised causes; harsh treatment, poor leadership, extended campaigns or lack of opportunities for booty. Most failed.

Keaveney argues that the reason soldiers mutinied so often during periods of civil war was simple: they knew they could get away with it.¹¹⁹⁹ He is right to draw attention to the frequency of mutiny in periods of prolonged civil unrest; there were almost twice as many recorded between the Social War and the Pact of Brundisium than in the four preceding centuries.¹²⁰⁰ It is not accurate, however, to limit the observation about success only to periods of civil war. As I have shown above, for much of the Republic's history, successive armies had been getting away with it; successful mutinies were not limited to periods of civil strife. It makes more sense, rather, to divide successful from unsuccessful insubordination by thematic cause. I argue, for example, that for later generations looking back at this record of disobedience, the conclusion to be reached was that when the army could maintain a united front, disobedience mostly worked for serious, larger, social issues, but not for more isolated, mercantile or localised reasons, or where unity in the army could not be maintained.¹²⁰¹ In particular, anyone aware of this history would note that the army's record of responding sympathetically to personal grievance was good; when there was a clear case of injustice, and other avenues had failed, it could be an effective forum in which citizens of all socio-economic classes appealed for help.¹²⁰² Furthermore, this record indicated a strong correlation between rebellion in the army and important political reform in the interests of ordinary citizens.¹²⁰³ Political activism by the army produced durable

was heavily defeated by the Volsci. But Claudius was able to punish the mutineers with decimation, the first recorded case (Chrissanthos, 2001, p. 17).

¹¹⁹⁸ Liv. 4.49: The mutiny against P. Postumius Albinus Regillensis in which he died, but which resulted in an investigation that punished several mutineers.

¹¹⁹⁹ Keaveney, 2007, p. 80.

¹²⁰⁰ See above this chapter. It was, of course, also a period of greater military activity, with larger numbers of soldiers than usual in the field. With more armies in the field, the potential for mutiny was naturally greater. Keaveney has not acknowledged this point.

¹²⁰¹ As it was not at Sucro in 206 BC when only part of the army mutinied and the other stayed loyal to Scipio (App., *Hisp.* 32 ff).

¹²⁰² Of course, we do not know how many times individuals appealed to the army and were rejected, or never had a chance to put their case in a *contio*. Only the major and successful accounts have reached us. But this is not especially significant; I contend that the important point was that the inherited tradition as known by ordinary Roman citizens included instances where individuals had successfully appealed to the army as an authority to correct personal injustice.

¹²⁰³ Raaflaub, 2005, p.4; Chrissanthos, 2001, p. 39.

solutions, for example, to most of the intransigent social, economic and political problems which had divided ordinary citizens and the governing elite, even though it had brought the state to the brink of civil war on several occasions. It led to a societal construct of a relatively cohesive and integrated citizen body with defined rights, protections and obligations; I argue that these powerful exempla from the history of insubordination would not be lost on soldiers of later generations.

As is evident in the above examples, violence sometimes occurred as part of insubordination, especially in those driven by localised grievances later in the history of the Republic.¹²⁰⁴ The threat of violence, however, was also part of the army's broader record of insubordination for civil causes in its interactions with the governing elite. Such a threat was used to improve negotiating positions by giving arguments extra weight, or to increase pressure on one side or another to make concessions. Cooler heads, however, normally prevailed, and large-scale violence – especially that associated with civil war – did not eventuate. The threat, nevertheless, existed. During the negotiations between the senate and army in 492 BC, for example, both sides used threats of violence; the army threatened violence against the governing elite to increase the force of their demands,¹²⁰⁵ and there were those in the senate who advocated waging war against the mutineers.¹²⁰⁶ Violence was also expected by the rebelling army in 342 BC as it advanced toward Rome in battle-array; the soldiers entrenched and fortified their position when they met the opposing army.¹²⁰⁷ They would not have gone to the trouble of doing that if the threat of violence were absent. Members of the senate during this crisis also wanted to use violence to resolve the rebellion;¹²⁰⁸ as I have shown above, the dictator was clearly prepared for battle if the mutineers did not back down,¹²⁰⁹ suggesting the senate gave him the authority to fight if necessary. I suggest, therefore, that violence also had its part in the army's inherited tradition of resistance to the state for civil issues.

¹²⁰⁴ As we have seen, magistrates were attacked, for example, for trying to impose discipline on the army in the years preceding the Social War (D.C., *Fr.* 31; Liv., *Per.* 75), and a magistrate was killed by stones in the mutiny of 414 BC, although this may have been accidental (Liv. 4.50).

¹²⁰⁵ For example, at D.H. 6.48.

¹²⁰⁶ D.H. 6.65.

¹²⁰⁷ Liv. 7.42.

¹²⁰⁸ Liv. 7.40.

¹²⁰⁹ Liv. 7.40. As I have shown previously, Livy also suggests an alternate scenario: that the opposing armies were about to engage in battle before mutual recognition among the soldiers, and distaste among ordinary soldiers at the prospect of fighting fellow citizens, forced the commanders to search for peaceful solutions to the standoff.

The Army's Civic Activism: A Known Tradition

I argue that this history of insubordination and rebellion by the army for civic causes became, over time, an inherited tradition among ordinary citizens; an historical framework against which later generations of soldiers could situate their own actions, imitate, and draw inspiration. For this to happen, however, they first must have known of the tradition and its details. I suggest that they did. Soldiers knew that their ancestors had used mutiny against the governing elite, that the army could be the ultimate source of authority and legitimacy for individual grievances, and were aware of the army's record of success. It is plausible to think that they were also aware of the major themes:¹²¹⁰ the historical conflict between governing elite and ordinary citizen, major mutinies of the army, the successions of the plebeians, the army's occupations of the Aventine, Mons Sacer and Janiculum – and the struggle to secure legal protections,¹²¹¹ including the conflict that led to the establishment of the office of people's tribune. Raised in republican principles to have a proper respect for the gravity and nobility of the governing institutions and its magistrates,¹²¹² the ordinary citizen nevertheless knew enough of the stories behind the people's liberty to retain a measure of inner psychological freedom that could guide his actions if it became necessary to act when serving collectively in the army.¹²¹³ As Cornell points out, the main outline of political and military events of the Republic's past was a matter of public knowledge; it was set out in the works of historians such as Fabius Pictor, M. Porcius Cato, and L. Calpurnius Piso Frugi, all men who had made history and knew what they were talking about.¹²¹⁴

¹²¹⁰ Cornell, 2005, pp. 52-53.

¹²¹¹ Chrissanthos, 2001, p. 30.

¹²¹² Consider, for example, the potent symbolism that accompanied the leading magistrates of the Republic: the *curule* chair, the *lictors*, the insignia, and the practice of addressing the people while seated high above them. All this was public theatre designed to instil a proper respect for *principes civitatis* in the ordinary citizen. See Yacobson for a more detail on this process. (Yacobson, 2010, p. 3).

¹²¹³ Chrissanthos, 2001, p.33; MacMullen, 1984, p.455.

¹²¹⁴ Cornell, 2005, p. 49. Momigliano makes the point that the literary tradition was based on solid written evidence that was compiled relatively early in the Republic's history. For example, he points out that it is perfectly possible that an authentic record of the transition from monarchy to Republic survived in the chronicle of the Roman *pontifices*, which was undoubtedly in existence before 400 BC. He argues that although the tradition in its present form dates back to second half of the first century BC when Livy, Dionysius and Diodorus were writing, the general lines of the Roman literary tradition were "already to be found in Fabius Pictor and other Roman historians who first put together an ordered account of Rome's past at the end of the third century BC" (Momigliano, 2005, p. 165).

It was not even important *per se* if the stories of resistance that came down through the centuries into the public consciousness were especially accurate; the value was as an accepted literary and verbal tradition through which Romans interpreted the lessons and meaning of their past. Messer, for example, called the period before the sack of Rome by the Gauls in 390 BC “semi-mythical”;¹²¹⁵ Raaflaub called these early centuries “dark centuries”.¹²¹⁶ Livy himself admits this period was difficult to see with any certainty;¹²¹⁷ the era when many of the serious rebellions by the army for political or social causes occurred, and much of the story of resistance was first established. Chroniclers who compiled histories that dealt with the causes and anatomy of mutinies, such as Livy, had a body of information from a range of sources about the past to draw upon;¹²¹⁸ not least the *Annales Maximi*,¹²¹⁹ which collated significant annual events in the Republic’s history into one collection.¹²²⁰ The detail of the events, however, was problematic:¹²²¹ both for ancient chroniclers writing histories and modern scholars trying to interpret them. In particular, the passage of time and the bias inherent in authors introduced uncertainties;¹²²² Raaflaub, for example, argues that the tendency of ancient historians to retroject contemporary phenomena and attitudes into the past was common to practically all Greco-Roman historiography.¹²²³ The key point, however, is that these stories and issues recorded by

¹²¹⁵ Messer, 1920, p. 165.

¹²¹⁶ Raaflaub, 2005, p. 5.

¹²¹⁷ Liv. 6.1. For another example of where Livy admits sources he used for an historical event have slightly differing accounts (in this case a mutiny), see Liv. 7.42.

¹²¹⁸ Forsythe, 1994, p. 71.

¹²¹⁹ The Pontifex Maximus for 130 BC-115 BC, P. Mucius Scaevola, compiled a complete history of significant events (wars, reforms, triumphs, political doings etc) for each year from the white boards that were used to record memorable events (Forsythe, 1994, p. 68). See Chrissanthos, 2001, pp. 28 and 29 for more detail on the sources available to Livy and other Roman historians.

¹²²⁰ Forsythe, 1994, pp. 54-59. Cornell, 2005, p. 47.

¹²²¹ Liv. 7.40.

¹²²² According to Chrissanthos, for example, Livy was concerned with highlighting instances where conflicting parties in the past reached a compromise to contrast with his own time (Chrissanthos, 2001, p. 29). Livy may have been guilty of a certain simplification, but that doesn’t necessarily follow that what he was recounting was distortion, invention, or without any basis of fact.

¹²²³ Raaflaub, 2005, pp. 10-11. Raaflaub goes into detail on this point, and draws the rather obvious conclusion that the structure of Roman society may have been much more complex than a simple dichotomy between plebeians and patricians. While this is true, he also acknowledges that despite the inability to reckon consciously with the unfamiliar, ancient historians nevertheless knew there was something behind the picture that they could see, even if in barest outline, and that it represented the result of a long evolution – but they did not know exactly when this evolution began or how categorically it developed. For a contesting view, see Cornell, 2005, pp. 48-49. Cornell objects to the critique that Roman historians habitually abused accepted conventions and consciously distorted the historical facts to suit their own political agenda, and perpetuated lies and distortions on a large scale for reasons of entertainment and glorification. He points out that the major sources of the early Roman tradition, Livy and Dionysius of Halicarnassus, may have been prejudiced, foolish or naïve, and they may have been guilty of retrojecting into their accounts contemporary notions and language. But, according to Cornell, no one would seriously consider them to be downright dishonest.

ancient chroniclers, and which constituted part of the folklore of the citizen-militia, are what the Romans themselves believed happened, and what they accepted and used as their inherited tradition. They were part of the wider corpus of exemplary anecdotes, stories of the origins and rise of the Roman people to greatness, and exploits of the past that every reasonably well-educated Roman had at their fingertips.¹²²⁴ It provided a carefully-selected pattern of perception by which society could articulate a set of defining characteristics, moral ideals, and as a way of unifying and emphasising common experience that existed in society.¹²²⁵ The struggle, for example, between ordinary citizens and the governing elite could draw a link between *sedition* and political reform as an especial part of the plebeian tradition, but at the same time emphasise solution and compromise in the collective interest.

As I have shown above, the collective memory of the army's record of disobedience, such as represented by Livy, reflected why chroniclers thought acts of insubordination against the state had occurred, how they were organised, grievances, the outcome, and if anyone was punished. It was these observations, not their accuracy, that were useful to society.¹²²⁶ Importantly, they were not just confined to accounts of history enjoyed by those with the time and ability to read; they could never just be limited to antiquarian storage in archives or in the writings of learned specialists if they were to reinforce collective identity. As in many pre-modern societies, public memory in Roman society was achieved through a variety of media, not just fixed in canonical texts:¹²²⁷ oral transmission, language, ceremonies, festivals, rituals and topographical spaces in which major events occurred, all helped the collective identity, encouraged ordinary people to remember, and kept the past alive in the present.¹²²⁸ The funeral processions of wealthy families, for example, were public displays of theatre designed to recall and celebrate the past: participants arranged in

Furthermore, he argues that Roman historians were not in a position to impose a fraudulent version of Roman history on their contemporaries; the major events in history were a matter of public knowledge. Finally, he points out that if Roman historians were free to invent wholesale fabrications of historical facts, there should be much more inconsistency and disagreements in the surviving literature. In fact, the general narrative of events is remarkably uniform. Raaflaub remains skeptical; he allows for more interpretation of the basic facts by ancient historians (see Raaflaub's appendix to his chapter: *The Conflict of the Orders* (Raaflaub, 2005, pp. 24-26). As I have pointed out earlier in this chapter, and above, none of this dispute matters to my argument.

¹²²⁴ Holkeskamp, 2006, p. 478.

¹²²⁵ Holkeskamp, 2006, p. 478. Holkeskamp provides a succinct and illustrative description of the purpose of the shared tradition as it was known in the middle/late Republic; he places particular emphasis on its practical purpose in society, and the connections it had with selected historical events of the past.

¹²²⁶ See Chrissanthos, 2001, p. 34.

¹²²⁷ Holkeskamp, 2006, p. 481.

¹²²⁸ Beck and Walter, 2001, pp. 47-50; Cornell, 2005, p. 50; Holkeskamp, 2006, p. 491.

chronological order of luminaries from the family's past, each dressed in the robes of previous curule appointments that mirrored the clan's history, the presentation of wax masks of ancestors, and the end point of the procession at one of Rome's prominent public spaces, such as the *rostra*.¹²²⁹ Polybius wrote that this spectacle, and the speeches accompanying the funerary rites, made immortal the past deeds of the ancestors, and preserved as public heritage for future generations the historical exempla of sacrifice and service.¹²³⁰ Public monuments also helped keep alive the collective memory of past triumphs, significant events and individuals: the *foris Scipionis* erected by P. Scipio, a highly visible monumental arch commemorating his achievements,¹²³¹ the painting on the senate house wall of the victory of Valerius Messala at the start of the First Punic War,¹²³² the Maenian column which celebrated the achievement of the consul, C. Maenius, in 338 BC who defeated the Latins,¹²³³ and the cluttering of the forum and environs with physical evidence of past victories, such as the beaks of vanquished enemy vessels attached to the speaker's platform.¹²³⁴ All this kept the stories of the past alive for contemporary generations.¹²³⁵

The story of the murder of the demagogue, Sp. Maelius, and his attempted sedition early in the Republic's existence, is another case in point.¹²³⁶ The rich equestrian was killed in 439 BC by an impetuous youth, C. Servilius Ahala, after it was discovered he had pretensions for kingship. For those who read history, there was consistency in the literary sources concerning the basic outline of events. Maelius ingratiated himself with ordinary citizens by providing grain at his expense during a famine, leading him to make a bid for kingship; Servilius killed him because of it.¹²³⁷ The story of Maelius' demagoguery, plot, and his

¹²²⁹ Plb. 6.53.

¹²³⁰ Plb. 6.54.

¹²³¹ Liv. 37.3.

¹²³² Plin., *Nat.* 35.22.

¹²³³ Plin., *Nat.* 34.24.

¹²³⁴ Liv. 8.14.

¹²³⁵ Roller, 2010, pp.171 and 172. Roller discusses the function of demolishing houses and keeping the subsequent memory alive as a way of reinforcing or imparting moral judgments against the owners, and observed that it would trace the misdeed that occasioned the demolition in the first place. He, therefore, strongly endorses the link between cultural memory, moment, geographic location, and recalling moral fables.

¹²³⁶ Liv. 4.13,14; D.H. 12.1-4; Cic., *Cato* 56; *Zon.* 7.20.

¹²³⁷ Although in one version (Livy, Dionysius, Cicero) C. Servilius was acting in an official capacity as *magister equitum* to the consul; in the other version (Zonaras), he was not a magistrate, but simply a citizen acting on his own initiative for the good of the Republic. See Lowrie's insightful analysis of the link between Livy's version of Sp. Maelius' murder (Ahala acted as a state representative) and the need during the reign of Augustus for the state to be seen to act within constitutional mechanisms, such as the office of Dictator which

murder by Servilius, did not exist just in the written record; Servilius' slaying of the proto-tyrant was preserved for ordinary citizens four centuries later in language, physical relics and monuments at Rome. The ground formerly occupied by Maelius' house, razed on the orders of the senate after his death, was – even in Dionysius' day – left vacant among surrounding houses.¹²³⁸ That meant the site was left continually vacant for hundreds of years: a permanent and conspicuous reminder for all who saw it that Maelius had once lived there, and that he had been severely punished for his crime against the Republic.¹²³⁹ It was potent symbolism, even four centuries later, of the fate that awaited anyone who contemplated kingship or tyranny.¹²⁴⁰ While looking at the empty plot, citizens would have recalled the affair. Nearby, at the *Porta Trigemina*, the *columna Minucia* was erected, commemorating the man who first alerted the senate to Maelius' sedition,¹²⁴¹ the column was also represented on coins in 130 BC minted by C. Minucius Augurinus.¹²⁴² Moreover, language helped preserve the public memory of Servilius' deed. According to Dionysius, the ground formerly occupied by Maelius' house was called *Aequimaelum*, a conjunction of *aequum* and *Maelium*;¹²⁴³ this preserved in everyday usage Maelius' name, and connected it forever with a site of punishment.¹²⁴⁴ The manner of his death was also

set aside certain legal protections, when it sanctioned the killing of citizens that threatened it (Lowrie, 2010, pp. 717-182). See also Chapter Seven below.

¹²³⁸ D.H. 12.4. He was writing and in Rome in the last decades of the first century BC, during the reign of Augustus: Roller, 2010, pp. 146, 167 and 168.

¹²³⁹ Roller, in his detailed analysis of the practice of demolishing the dwellings of convicted malefactors, argues the destruction of Sp. Maelius' house also had a practical effect, as well as the symbolic effects. Practically, it removed the logistic base for the sedition Sp. Maelius was apparently planning; the destruction of the house disrupted the seditious networks and removed it as a base from which to mount a seditious act. The symbolic reason for demolishing the house includes that it functioned as a metonym for the destruction of its owner and his political aims. Furthermore, the physical destruction of the house served to eliminate the walls, roof and furniture which had been infused with the seditious spirit of Sp. Maelius; in this sense, a further symbolic dimension was added with the destruction of the house. Demolition, combined with the physical execution of the owner, graphically symbolised the civic community's judgment against the conspirator, and that the community had acted decisively to deal with the threat (Roller, 2010, p. 127).

¹²⁴⁰ Lintott, 1999(b), p. 176. Lintott argues that the examples of tyrannicide present in the historical tradition, such as Maelius, forcefully reproduced themselves in the minds of politicians of the late Republic; the message for those opposing the tyrannical aspirants was that once eliminated, the demagogues left behind neither policy nor a political faction. It acted as a legitimising framework to use against perceived tyrants. See also Roller, 2010, pp. 126-130.

¹²⁴¹ Roller, 2010, p. 126.

¹²⁴² Cornell, 2005, p. 51.

¹²⁴³ D.H. 12.4. Dionysius understands the meaning of that word to be "The plains of Maelius."

¹²⁴⁴ On a variation to my theme, Nippel argues that the recourse by the state to permanent reminders in the public space of the crime of individuals perceived to have been aspiring to kingship or illegal dictatorship, could also be understood as attempts by the authorities to emphatically confirm the rightness of their actions, or the actions of patriotic citizens defending the political *status quo*. He contends that this stabilised the consensus among the governing elite with regard to the legitimacy of the action, and helped prevent the deed from becoming famous among ordinary citizens by providing an example of the fate of the perpetrator. These are fair points (Nippel, 1984, pp. 26 and 27).

believed to be preserved in the *cognomen* 'Ahala' awarded to the family of the Servilii; one of the meanings of 'ala' is 'armpit', the place Servilius reputedly concealed the sword he used to kill Maelius.¹²⁴⁵

The inherited tradition of the army and insubordination in civic cause provided a model which could be imitated, and historical exempla against which mutineers of later generations could help legitimise their own insubordination;¹²⁴⁶ as Jakobson points out, even sedition could be justified by respectable historical precedents, especially the 'struggle of the orders'.¹²⁴⁷ I would suggest that we can see citizens, through the lens of Roman and Greek historians, using the tradition in this manner; the fact that insubordination occurred throughout the life of the Republic suggests it was something of an inherited practice in the army, not an aberration or unprecedented event. The practice retained legitimacy across generations as one way of responding to, and alleviating, serious grievances, and could be drawn upon by both sides to place a contemporary crisis into historical context. In particular, citizens will have used the tradition as a counterpoint to give specific arguments more persuasive force. We can see this process in the story of the dictator, M. Corvus, sent in 342 BC to confront a rebellious Roman army approaching Rome. According to Livy and Dionysius, he addressed the mutinous army which was battle ready under standards and marching on Rome. During his speech, as related by Livy, he referred to historical examples of mutinies and secession from the Republic more than a century old, and asked if they were prepared to do what their ancestors would not do in their sedition, and spill the blood of fellow citizens. He drew on the mutiny of 492 BC,¹²⁴⁸ the sedition in 488 BC of the exile Coriolanus and the refusal of the army to defend Rome,¹²⁴⁹ and the seizure of the Aventine in 449 BC,¹²⁵⁰ to dissuade the mutineers from fighting fellow citizens. These were

¹²⁴⁵ Nippel, 1984, pp. 26 and 27. See also Roller, 2010, p. 147: Roller makes the point that the families who were later connected with this event had a stake in ensuring the memory of the deed was not forgotten so it continued to add to their prestige. In this way, citizens reinforced the cultural tradition to ensure it was remembered.

¹²⁴⁶ Holkeskamp, 2006, p. 481. Here Holkeskamp makes the point that the purpose of inherited cultural memory on a broader scale was to act as a kind of framework of right and wrong in which to interpret one's own contemporary social environment and world of experience. This purpose also presumably applied to the memory which applied to the feats and exploits of the army, including its tradition of *seeditio* and political reform.

¹²⁴⁷ Jakobson, 2010, p. 4. Here he is referring mainly to populist politicians and magistrates drawing upon examples to give weight to their own arguments, but the point is equally valid for ordinary citizens.

¹²⁴⁸ Liv. 2.24,34; D.H. 6.23 ff.

¹²⁴⁹ Liv. 2.40; D.H. 8.14.

¹²⁵⁰ Liv. 3.50; D.H. 11.2.

historical counterpoints to place the actions of the mutineers into context, and the Corvus that Livy presents clearly hoped it would make them pause when they considered their own situation. For Corvus' examples to work in the tradition, and be as persuasive as he hoped, the mutineers must have been familiar with them, and the historical context to which he referred. They had to know, for example, that their ancestors revolted, succeeded from the Republic, and the outcome; otherwise, Corvus' pitch to the mutineers does not make sense.

The preserved tradition also shows that ordinary citizens in the mutinous army could imitate the tactics of Corvus, and use examples from the tradition in their own interests: to secure better treatment, for example, in their negotiations with the governing elite. In this case, they included a demand to the governing elite that none of them be punished for sedition as part of the conditions for surrender. The reason they gave for this was that none of their ancestors involved in Corvus' examples had been punished: they wanted the same deal.¹²⁵¹ To have used the tradition like this suggests that the mutineers were well acquainted with it, or at least it was well known in the literary tradition that recorded these supposed 'historical' events. In particular, the tradition knew the details; that not only was insubordination successful in those instances, but that the soldiers in the second succession of 449 BC who seized the Aventine had not been punished. Whether or not we accept this account as strictly historical, we can imagine similar processes at work later in the Republic's history; I argue that here is circumstantial evidence that, according to the literary tradition, the army knew the history of insubordination for civic causes, including the detail, and used it when it was in their interests to situate their own circumstances, and as leverage.

There are further examples later in the Republic's history which suggest that the citizen body, from which the army recruited, was well aware of this specific tradition, in the words and actions of popular and high profile leaders. The reforming tribune, Ti. Sempronius Gracchus, for example, stood and acted in the spirit of the century-old tradition of C. Flaminius, in his agitation in the interests of ordinary citizens, his resistance to senatorial will, and the forceful passage of his agrarian bill.¹²⁵² Ti. Gracchus' brother, C. Sempronius Gracchus, and followers in 121 BC emulated the popular tradition in a more direct way;

¹²⁵¹ Liv. 7.41.

¹²⁵² Plb. 2.21; Val.Max. 5.4; Liv. 21.63; Lintott, 1999(b), p. 182; Shotter, 2005, p. 33.

they imitated the army of 449 BC and attempted to seize the Aventine hill in the hope the senate would come to terms with them.¹²⁵³ Unfortunately for them, the senate in 121 BC was not in the same disadvantageous position as their ancient predecessors, and the tactic failed. I argue that it was a conscious effort, however, to draw a parallel with potent historic symbolism; as a piece of public theatre, the audience needed to recognise the symbolism, and, for that to occur, they must have been aware of the tradition. In 111 BC, the tribune C. Memmius in a *contio* addressed citizens about the progress of the war against Jugurtha; Sallust claimed that the text of the speech survived and that he faithfully reproduced it.¹²⁵⁴ During the speech, Memmius drew heavily on the historical tradition of the army's resistance in political and social cause; the major themes of many of the historic cases of mutiny were present. He reminded citizens, for example, that their forefathers had twice succeeded and taken armed possession of the Aventine to assert their legal rights and sovereignty, and used this point to contrast unfavourably the efforts of contemporary citizens to spur them to action against corrupt members of the governing elite.¹²⁵⁵ The army, in fact, seized the Aventine only once, in 449 BC;¹²⁵⁶ but, as I have argued, it was the symbolism and message of resistance, not the accuracy, that was important to Memmius and his audience. In legitimising his message, he used the language of political repression, corruption of the governing elite, and the necessity of struggle to preserve freedoms for the ordinary citizen.¹²⁵⁷ But Memmius stopped short of inciting an uprising; he did not urge the people to take up arms against their oppressors as their fathers often had, and, on this occasion, there was no need for violence, and none of secession. Nevertheless, his speech linked the efforts of the army, and its rebellion against the state, with the protections and freedoms enjoyed by contemporary citizens. The consul in 99 BC, M. Antonius, used similar language and drew on the same historical examples; he told citizens gathered in the forum that insubordination in the army was justified and often necessary to secure political rights and reforms.¹²⁵⁸ Like Corvus' reported use of history in 342 BC, and C. Gracchus'

¹²⁵³ App., *BC* 1.26. Plut., *CG* 15; Roller, 2010, pp. 131 and 132. Roller emphasises the place of the home in the network of supporters that C. Gracchus was able to build up. He argues that Gracchus, as a pretend king, handles his visitors at his house in a different manner to normal: he divided them up into three different groups dependent on status, and treated them as a king saw visitors. Thus, Gracchus fosters his social network within his house and his support emerge from it to do violence on the streets. Demolishing or plundering the house after his death is necessary to extirpate physical traces of him from the state.

¹²⁵⁴ Sal., *Jug.* 30.

¹²⁵⁵ Sal., *Jug.* 31.

¹²⁵⁶ D.H. 11.48,50; Liv. 3.54.

¹²⁵⁷ D.H. 11.48,50; Liv. 3.54.

¹²⁵⁸ Cic., *De Or.* 2.199.

piece of public theatre in 121 BC, Memmius' and Antonius' use of these exempla only made sense if they resonated with ordinary citizens; it was essential that the target audience believed they were historically reliable for this rhetoric to have effect. For that to occur, it is reasonable to expect that citizens must have been well aware of the ancient events described, and their historical context and meaning. Moreover, although this occurred after Sulla marched on Rome, and the first civil war had begun, the theme of drawing on the historical tradition of sedition and struggle for political freedoms and protections to frame a contemporary political issue is again clearly evident in the speech of the tribune C. Licinius Macer to ordinary citizens in assembly in 73 BC. He referred, for example, to the history of plebeians taking up arms to rebel against the state to secure their freedoms, and used it as a call to action to resist Sulla's dominance.¹²⁵⁹

Mutiny and Rebellion: A Reaction to Political Inequity

The use of insubordination by the army for civic causes was encouraged by a political system that imposed limitations on the power of ordinary citizens to influence their own destiny. As I have shown, a factor framing mutinies for civic causes was often the frustration ordinary citizens felt at grievances not addressed through other avenues, such as through conventional political processes or by an intransigent senate.¹²⁶⁰ I argue that the Roman political system, which in theory and practice included a role for ordinary citizens, but which institutionalised important structural limitations on the effectiveness of that participation, helped ensure that citizens naturally turned to the army and *sedition* as recourse *in extremis* to political impotency, and as a demonstration of collective will that could not be manifested under normal circumstances.¹²⁶¹

¹²⁵⁹ Sal., *Orat. Mac.* 1 ff.

¹²⁶⁰ As was reportedly the case, for example, in the lead up to the large-scale army rebellions of 494 BC (Liv. 2.34.) and 449 BC (Liv. 3.50). In both cases, the senate repeatedly broke its promises to address grievances, refused to deal with the issues, or conventional political processes and avenues had little hope of correcting or alleviating the perceived injustices and hardship.

¹²⁶¹ Finley, 1983, p. 91. Finley argues that the ordinary citizen's most influential role in shaping political outcomes occurred not when they were formally engaged in the political machinery of the Republic, but when they were agitating in an extra-legal manner; for example, on the streets in riots and demonstrations. I would add to these methods available to ordinary citizens [of placing extra-legal pressure on the political process] *sedition* and insubordination when they were performing military service in the army.

Ordinary Citizens and Politics: Influential in Theory

I acknowledge, however, that participation of ordinary citizens in politics was significant, at least in theory. For all their power and influence, for example, the governing elite could never manipulate the people enough for them to accept a genuine oligarchy, and they could not govern the state without regular recourse to the people arrayed in their popular assemblies.¹²⁶² The collective will of the citizen body in the working political machinery appeared influential.¹²⁶³ Citizens, arranged in their tribes or structural groupings in the ancient voting assemblies, such as the *Comitia Curiata*,¹²⁶⁴ *Comitia Centuriata*,¹²⁶⁵ and *Comitia Tributa*.¹²⁶⁶ gave their assent, for example, to the business of the Republic. The structural mechanism for allocating power in these assemblies was popular assent by vote; in 198 BC, for example, the citizens in assembly voted (and prorogued by the senate) T. Quinctius Flaminius another year of command against the Macedonians.¹²⁶⁷ This was a feature of the political system; votes from citizens were not counted individually,¹²⁶⁸ but by their various groupings: by *curiae* for the *comitia curiata*, by centuries in the *comitia*

¹²⁶² Yakobson, 2010, p. 1; North, 2006, p. 261.

¹²⁶³ For a detailed thesis outlining a perspective along these lines, see Fergus Millar's influential argument that the Roman people wielded considerable political power in their own right, and were fully enfranchised members of the Roman political system (Millar, 1984, pp. 1-19). See also the statistical research conducted by Hopkins which concludes ordinary citizens had a real role to play in the political machinery (Hopkins, 1983, p. 114). Ever since Millar's thesis, there has been a lively scholarly debate on the role of the citizen in the political system. For a detailed response to Millar's thesis, and for an excellent summation of the traditional position of how Roman politics worked, with its emphasis on a narrow hereditary oligarchy controlling through a system of personal relationships and clientship the political workings of the voting assemblies, see North, 2006, pp. 269-275. For a survey of the debate, see Jehne, 2006, pp.14-25. For a very recent synopsis and discussion which comes out with a more balanced view, between the positions of North and Millar, see Yakobson, 2010, pp. 1-12.

¹²⁶⁴ This assembly was the oldest of the assemblies and arranged into 30 subdivisions (*curiae*) of the most archaic tribes of Rome. By the late Republic, its importance was minimal, although it still formally ratified the election of magistrates from other assemblies (Nicolet, 1980, p. 228; North, 2006, p.261; Lintott, 1999(a), p. 49).

¹²⁶⁵ This assembly decided the election of senior magistrates, passed laws and ratified (or rejected) decisions of war or peace, and I judge to be the most important of the popular assemblies because of the gravity of its responsibilities. It was originally organised, we are told, by the penultimate king of Rome, Servius Tullius, to arrange the citizens of Rome according to their wealth. It originally had a close association with the organisation of the Roman army, with the citizens arranged into 'centuries' on the basis of wealth – the original criterion which determined role in the army. It met outside the *pomerium* on the *Campus Martius* and the citizens were arranged across the wealth bands in 193 centuries (North, 2006, p.261; Lintott, 1999(a), pp. 55-57). See also Chapter Two above.

¹²⁶⁶ This assembly comprised plebeians and patricians (as opposed to the *concilium plebis* which only had a plebeian membership) and voted on the election of lesser magistrates such as *quaestors*, *curule aediles* – and passed laws. The *concilium plebis* elected the tribunes. Both assemblies were arranged into 35 tribes on a regional basis; rural versus urban (North, 2006, p. 261; Lintott, 1999(a), pp. 50-51).

¹²⁶⁷ Zon. 9.16.

¹²⁶⁸ For example, it was not a 'one man, one vote' system, where all votes had equal weight and influence.

centuriata, and by one of the 35 tribes in *comitia tributa*.¹²⁶⁹ The function of the assemblies was to vote on decisions about issues placed before them;¹²⁷⁰ discussion and debate that accompanied the vote on a specific issue was conducted in a separate, formal meeting called a *contio*, summoned and presided over by a magistrate.¹²⁷¹

Magistrates in turn exercised power on behalf of the polity as representatives of *senatus populusque romanus*.¹²⁷² Popilius Laenas in 168 BC handed Antiochus a *senatus consultum* as a representative of the Roman polity; his task was not to express personal views, but to remind the king of the decision of the senate acting for the people.¹²⁷³ Power was not dependent on hereditary lineage or divine right; it was invested by election in a process that drew legitimacy from the sovereignty of the people arranged in these assemblies.¹²⁷⁴ In them, the critical decisions of state were made; treaties with foreign powers and questions of foreign relations were ratified by the assent of citizens.¹²⁷⁵ It was not the senate, but the *populus Romanus*, who gifted to Masinissa the cities in northern Africa he had captured in the Second Punic War as a reward for his loyalty.¹²⁷⁶ The power to decide on war and peace rested with the popular assemblies: the declaration of war against Antiochus in 191 BC,¹²⁷⁷ Perseus in 171 BC,¹²⁷⁸ and the settlement with Aetolia in 189 BC.¹²⁷⁹ Domestic business, such as passing or rejecting laws and bills, was conducted in the assemblies;¹²⁸⁰ they also controlled admission to Roman citizenship, and passed statutes which established the founding of colonies and distribution of public land.¹²⁸¹

While popular assemblies often simply ratified what was put in front of them,¹²⁸² it is also true that their assent was not necessarily automatic. Rosenstein asserts that *contiones* were not places where citizens could hear issues being debated, likening them more to campaign

¹²⁶⁹ Liv. 2.56. The term: '*Discedite, Quirites*' was used to disperse the voters into their distinct voting groups in specially fenced-in areas called *saepia* (Lintott, 1999(a), p. 46).

¹²⁷⁰ V. Max. 4.5.3.

¹²⁷¹ Lintott, 1999(a), p. 42; North, 2006, pp. 261-262.

¹²⁷² Lintott, 1999(a), p. 95.

¹²⁷³ Plb. 29.27.

¹²⁷⁴ Plb. 6.14.

¹²⁷⁵ For example, at Plb. 21.24; 17.30.

¹²⁷⁶ Sal., *Iug.* 5.

¹²⁷⁷ Liv. 36.1.

¹²⁷⁸ Liv. 42.30.

¹²⁷⁹ Plb. 21.32.

¹²⁸⁰ For example, the passage in the popular assembly of the Licinian Law in 367 BC (App. 1.8).

¹²⁸¹ Liv. 25.5. Liv. 38.36.

¹²⁸² As at Liv. 42.30; Plb. 21.32.

rallies where magistrates whipped up enthusiasm to sway and manipulate the voters.¹²⁸³ He is, however, ignoring the evidence; citizens sometimes clearly needed to be persuaded first in a *contio*, suggesting an interplay between citizen and the governing elite that was dynamic enough to include a measure of unpredictability. In 200 BC, the senate urged war against King Philip, but the *comitia* rejected it after a tribune made a speech against it in the *contio*; it took a consular appeal to reverse the decision.¹²⁸⁴ In 196 BC, Flaminius sent proposed peace terms to the senate to end the war against Philip. The senate agreed but the incoming consul spoke in assembly against them because he wanted a chance to fight; the assembly nevertheless ignored the wishes of the consul and agreed on peace, and the senate sent ten *legati* to enforce terms.¹²⁸⁵ It has to be acknowledged that *contiones* called to discuss bits of business, before they were put to the vote in the assemblies, could be places of real disputation. In 171 BC, a motion from former centurions to suspend the levy was debated, with speeches made by a former centurion, consuls and ex-consuls, before the appeal was rejected.¹²⁸⁶

The physical arrangements of these fora helped bring the governing elite into the presence of popular will. Even if they controlled the agenda and procedures, elite speakers could not avoid coming face to face with the will of the people, and could not totally ignore it. As Yacobson points out, it must have been an unpleasant experience to face an angry crowd to try to prevent it having its way on an issue close to its heart, especially where there was no police force to keep public order.¹²⁸⁷ Magistrates had to literally face the consequences of their stances on issues in a *contio*; here was the opportunity for popular will to manifest itself and place pressure on elite speakers. The collective will of ordinary citizens could also defy the recommendations of the governing elite and other vested interests sent to the assemblies by the presiding magistrates. In 133 BC, Ti. Gracchus persuaded citizens to pass his controversial agrarian bill against powerful opposition from members of the governing elite, including a fellow tribune who spoke strongly against the motion.¹²⁸⁸ The outcome remained unpredictable in assembly until enough votes were secured; speakers on both sides deployed argument and persuasion to influence the voting. In 110 BC, in opposition

¹²⁸³ Rosenstein, 2012, p. 8.

¹²⁸⁴ Liv. 31.5.

¹²⁸⁵ Plb. 38.42.

¹²⁸⁶ Liv. 42.32. See also Lintott, 1999(a), p. 45.

¹²⁸⁷ Yacobson, 2010, p. 5.

¹²⁸⁸ App., *BC* 1.12.

to vested interests in the governing elite, a tribune persuaded the assemblies to pass a bill summoning Jugurtha to appear before them to investigate charges of corruption among Roman officials.¹²⁸⁹

The people had a potent advocate expressly created to act in their interests and for their legal protection: the *tribunus plebis*,¹²⁹⁰ established in revolution with legal and political powers,¹²⁹¹ the tribune presided over the *concilium plebis*, the most effective medium in the Roman system for handling legislation.¹²⁹² The tribunician veto was extraordinarily powerful; a virtually unassailable way of obstructing magistrates and the senate, and an effective protection of the legal rights for ordinary citizens against the abuses and exploitation of the governing elite.¹²⁹³ If the people's will could not assert itself directly, then it could manifest itself through the mediation of those who had the traditional right to interpret it, such as the tribune – as the people's demand for agrarian reform in 133 BC was asserted through the tribunate of Ti. Gracchus.¹²⁹⁴ Popular sentiment, manifested in the range of electoral decisions to which it was subject, was also considerable; the votes of the people in their groupings, for example, decided the major offices of the state.¹²⁹⁵

Moreover, the collective opinion of the citizen body was influential in its own right during the election of magistrates; for political candidates running for office, the vote of ordinary citizens appeared worth chasing. In 133 BC, Ti. Gracchus, lobbying for re-election and facing serious opposition to his agrarian reforms, solicited ordinary citizens for their vote.¹²⁹⁶ P. Scipio Nasica, running for the *curule aedileship* as a young man, ruined his chances with an inopportune remark to a farmer about his work-worn hands while canvassing for votes *more candidatorum*.¹²⁹⁷ I assert that this indicated that ordinary citizens

¹²⁸⁹ Sal., *Iug.* 32.

¹²⁹⁰ Plb. 6.16. Polybius wrote that the tribunate was always obliged to carry out the people's decisions.

¹²⁹¹ D.H. 6.88.

¹²⁹² Lintott, 1999(a), p. 202.

¹²⁹³ The fact that Tiberius Gracchus defended his extreme proposal to depose his fellow tribune in assembly by arguing he no longer represented the people's wishes (or opposed the bill), speaks to the normative nature and tradition of the tribunate (Plut., *TG* 15).

¹²⁹⁴ Plut., *TG* 8,10.

¹²⁹⁵ Plb. 6.14 ff. See also Lintott, 1999(a), p. 200.

¹²⁹⁶ App., *BC* 1.14.

¹²⁹⁷ V. Max. 7.5: "*Cum aedilitatem curulem adulescens peteret manumque cuiusdam rustico opera duratam more candidatorum tenacius apprehendisset, ioci gratia interrogavit eum num manibus solitus esset ambulare. Quod dictum a circumstantibus exceptum ad populum manavit, causamque repulsae Scipioni attulit: omnes namque rusticat tribus, paupertatem sibi ab eo exprobratam iudicantes, iram suam adversus*

had some influence shaping political outcomes; it would not have been necessary to solicit individual votes if their views were irrelevant, the outcome always predictable, or their participation wholly theoretical.¹²⁹⁸ Polybius, who preserved the earliest systematic account of the Roman constitution,¹²⁹⁹ concluded that the role of citizens in political processes was an important part of the system of checks and balance inherent in the constitution.¹³⁰⁰ He urged his readers to judge him by what he actually said and not by what he left out;¹³⁰¹ unless Polybius had been deceived by his Roman patrons, seriously misread the system or allowed a bias for democratic institutions to distort the analysis,¹³⁰² his evidence cannot be easily dismissed.¹³⁰³

Ordinary Citizens and Politics: Important Limitations in Practice

If, however, the citizen body could not be forced to vote in a way that automatically suited the interests and wishes of the governing elite, the essential point is that its actual ability to shape the outcome of events in its own interests, or even get an issue of importance on the

contumeliosam eius urbanitatem destrinxerunt. "Standing for the *curule aedileship* as a young man, he gripped somebody's hand which had been hardened by farm labour rather tightly in the way of candidates, and asked him as a joke whether he walked on his hands. Bystanders caught the remark and spread it to the public and this resulted in Scipio's defeat; for all the rustic tribes thought he had taunted them with poverty and vented their anger against his insulting wit."

¹²⁹⁸ Hopkins, 1983, p. 114. A detailed critique of Hopkins' analysis is found in North, 1990, pp. 3-23.

¹²⁹⁹ Nicolet, 1980, p. 208. Polybius in Book Six of *Histories* preserves one of the most reliable accounts of the essential realities of Roman politics (Pib. 6.12 ff). It dates from 150 BC-140 BC, but purports to describe a system that was in place at the end the third century BC. In Lintott's view, Polybius' analysis of the functioning of the Roman constitution is 'unique' in our surviving sources (Lintott, 1999(a), p. 26).

¹³⁰⁰ Pib.6.14 ff. As part of the responsibilities of citizens in the assemblies, he included the power to approve or reject laws put to them by the magistrates, decide on questions of peace or war, ratify or nullify alliances and treaties with foreign powers, terminate hostilities and vote on the election of holders of public office.

¹³⁰¹ Having warned them that his account was also a simplification (Pib. 6.11). This does not present a problem for his credibility if we approach his analysis as one based on the centres of power and the interrelations between them. In this respect, Polybius' analysis is sound enough in that it deals with the reality of power (Lintott, 1999(a), p. 16). See North for a counter-view which downplays the conventional analysis of the realities of Roman power politics as described by Polybius as being a 'framework' within which the dominant elite operated (North, 2006, p. 273).

¹³⁰² Lintott makes a persuasive argument that Polybius does not seem to have been hampered by a straitjacket of Greek constitutional thought in his analysis of the Roman constitution. He based his account on what the Greeks thought to be the basics of constitutional organs, but, in Lintott's analysis, Polybius' approach has an originality which is not mainstream Greek political thought, although he acknowledges that Polybius was influenced by things and ideas Roman. See Lintott for a detailed analysis of this position (Lintott, 1999(a), pp. 24 ff).

¹³⁰³ Millar certainly thinks it is 'first class' evidence (Millar, 1984, p.19). Rosenstein, however, argues that Polybius got it wrong in actuality: there were limited checks and balance inherent in the system as described by Polybius (Rosenstein, 2012, pp. 4 and 5).

political agenda, was subject to important structural limitations.¹³⁰⁴ The assemblies and the *contiones* had to be summoned by magistrates, for example, rather than being initiated by popular pressure;¹³⁰⁵ they could only be convoked, presided over, addressed and dismissed by members of the governing elite, favouring the well-off and powerful.¹³⁰⁶ Furthermore, people could only vote on bills and motions put before them; the *comitia* itself could not initiate own motions without assistance from an elected magistrate, such as a tribune.¹³⁰⁷ The governing elite also managed state religion; interpretation of the requirements of gods was an aristocratic prerogative, and this could be used by the elite to negate popular sentiment if it threatened their interests.¹³⁰⁸

If the political machinery was to serve the interests of ordinary citizens, especially if it contradicted that of the governing elite, an advocate from the governing class was always needed to translate popular will into tangible action. Yakobson argues that the dependence on popular votes for election meant the people's will often found elitist champions.¹³⁰⁹ But the limitations of this arrangement were obvious; it was hampered by the necessity of first finding an effective advocate willing to act,¹³¹⁰ and then, once such an advocate was found, the partnership was likely to last only as long as the popular interests did not compromise those of their elitist advocate. Even tribunes, the traditional revolutionary advocates of the ordinary citizen, could act as often in concordance with the wishes of the governing elite as they could on behalf of popular interests.¹³¹¹ During much of the first half of the second century BC, in war and peace, the tribunate worked closely with the senate, even on issues which had traditionally been a source of discord, such as the conditions of the levy. During Hannibal's occupation of Italy, for example, they agreed to the senate's request to enroll youth under the age of 17, and brought the unpopular bill to the people.¹³¹² After the war in 191 BC, tribunes acceded to senatorial pressure not to oppose an emergency levy, and

¹³⁰⁴ Rosenstein, 2012, p.5. Rosenstein argues that the Republic had always been governed by the aristocracy since its inception, and until Julius Caesar overthrew it. Naturally, he is in opposition to the position adopted by Millar.

¹³⁰⁵ As they were in Athens and Sparta (Hornblower, 2007, p. 37). See also Lintott, 1999(a), p. 43; North, 2006, p. 262; Rosenstein, 2012, pp. 9 and 10.

¹³⁰⁶ North, 2006, pp. 262 and 263.

¹³⁰⁷ But they could still agitate for measures in their own interests: for example, the popular agitation against the senatorial policy on Jugurtha that was a leitmotif to that conflict (*Sal., Jug.* 30).

¹³⁰⁸ Lintott, 1999(a), p. 198.

¹³⁰⁹ Yakobson, 2010, p. 2.

¹³¹⁰ Lintott, 1999(a), p. 205.

¹³¹¹ Examples are at *Liv.* 30.27; 39.19; 45.35.

¹³¹² *Liv.* 15.5.

suspended their investigation into requests from urban soldiers asking for dismissal because of length of service or illness.¹³¹³ In that year, the maritime colonies addressed to the tribunes a request for an exception from naval service, but the tribunes referred the request to the senate for decision, and concurred with the subsequent refusal.¹³¹⁴ The tribunate may have had its genesis in conflict and insubordination, but by the middle Republic, it had been drawn into mainstream politics, and lost much of its revolutionary character;¹³¹⁵ most tribunes were still drawn from the elite of society and thus shared the same economic and social interests as the aristocracy.¹³¹⁶ This commonality of background, experience and interests was encouraged by the enrolling of former tribunes into the senate; it is first attested for 216 BC,¹³¹⁷ and for ambitious ex-tribunes who wanted higher office or to found a senatorial family, was an essential step.¹³¹⁸ It is even possible to reinterpret the inviolability of the tribunate to always act in the people's interests.¹³¹⁹ This may not have been, for example, a literal command,¹³²⁰ but more of a charter to confer tacit permission upon aristocrats so elected to act in the people's interests without the fear of being permanently ostracised from their own social class should they prosecute a bill inimical to the interests of the elite.¹³²¹

Moreover, the assemblies, made up of the people, were not truly representative; the effectiveness of participation for the majority of citizens in them was hamstrung by the voting system. While decisions in the assemblies were decided by voting, political participation and influence only lasted until a simple majority of votes was achieved.¹³²² In the assembly which passed Ti. Gracchus' agrarian bill in 133 BC and voted to abrogate the magistracy of Octavius, for example, poorer citizens in the tribes at the end of the

¹³¹³ Liv. 34.56.

¹³¹⁴ Liv. 36.3.

¹³¹⁵ The big exception is, of course, the period of unrest and discord of the Gracchan tribunes of the second half of the second century BC, where the office of the tribunate re-asserted something of its old revolutionary character and was often at loggerheads with the wishes of the senate and other vested interests. Violence was used to quell the unrest caused by the calls for agrarian reform. This, and its implications, will be covered at length in Chapter Seven below.

¹³¹⁶ Lintott, 1999(b), p. 207 and North, 2006, p. 265.

¹³¹⁷ Liv. 23.23.

¹³¹⁸ Taylor, 1962, p.20.

¹³¹⁹ For example, Ti. Gracchus in 133 BC in a *contio* told the assembled citizens that a tribune was sacred and inviolable because he was consecrated to the people and a champion of the people (Plut., *TG* 15).

¹³²⁰ Plb. 6.16.

¹³²¹ Lintott picks up this point and adds that it was important that an aristocrat elected to the office of tribune be able to associate himself with bills that might damage the interests of his own social class without being regarded as a traitor (Lintott, 1999(a), p. 208).

¹³²² Rosenstein, 2012, p. 9.

sequential order did not have a chance to vote or express their political will; the issue was decided by the eighteenth sequential vote.¹³²³ This arrangement routinely excluded a large percentage of the citizen body from effective participation.¹³²⁴ Different assemblies also retained different representational and voting arrangements; citizens were not always present at the vote to enforce their will. In the *comitia curiata*, for example, the vote was taken by representation; only 30 *lictors* representing the 30 *curia* voted.¹³²⁵ Moreover, Roman votes were not equal.¹³²⁶ Even if ordinary citizens were present, the structural arrangements favoured richer and older citizens.¹³²⁷ In the *comitia centuriata*, for example, grouping was determined by the amount of declared property and by age; there were proportionally more centuries allocated to richer citizens, and the same number of centuries for older citizens as for younger.¹³²⁸ Poorer citizens, proportionally much more numerous than their richer counterparts, were allocated into fewer, but larger centuries, with those without any property allocated to a single large century.¹³²⁹ Crucially, the richer centuries voted first in this 'first past the post' system. As a result, the ability of poorer citizens to influence voting outcomes, those who made up the majority of the army, was severely limited. For the wealthier citizens, however, their domination of voting mechanics translated into significant influence; in practice, they were crucial in determining the state's higher magistrates, whether it went to war or decided on peace, and outcomes in capital trials.¹³³⁰

Even in the *concilium plebis*, where patricians were excluded from attending, the mechanics of the system favoured richer, well-off citizens. Citizens in this assembly voted as members of tribes on laws proposed by tribunes, and elected tribunes and other minor magistrates; if there was one place where the popular will could find a voice to challenge the interests of the governing elite, it was here. All assemblies, however, were held in

¹³²³ App., *BC* 1.12.

¹³²⁴ Although Lintott does rightly point out that in cases where the vote was close, all the groupings would have needed to cast their votes, involving the majority of the citizen body (Lintott, 1999(a), p. 204).

¹³²⁵ North, 2006, p. 261.

¹³²⁶ North, 2006, p. 262.

¹³²⁷ Lintott, 1999(a), p. 204.

¹³²⁸ Lintott, 1999(a), p. 204.

¹³²⁹ Rosenstein, 2012, p. 10. There were, for example, 18 centuries allocated for knights, 100 centuries for first and second class wealth centuries, 70 centuries for third, fourth and fifth wealth centuries, and only 5 centuries for all the rest, one of which included the mass of *proletarii*.

¹³³⁰ Rosenstein, 2012, p. 10.

Rome; as far as we know, there was no system for casting a vote outside the capital.¹³³¹ Citizens, therefore, still had to attend in person to make their vote count for the tribal result. The difficulty of poorer citizens in the countryside,¹³³² where the army recruited most heavily, being able to afford the journey to Rome, or were occupied by other business such as gathering the harvest,¹³³³ every time an assembly or a *contio* was called, meant that a small percentage of the overall citizen body actually participated. Only a small fraction was ever able to attend meetings to cast votes, and those who did attend were more likely to be able to afford to leave their holdings in the countryside.¹³³⁴ Moreover, even though the people ratified treaties with foreign peoples, there is no record of embassies from peoples who were dissatisfied with treaties ever being brought to speak directly before the people; they had to send their embassies to persuade the senate.¹³³⁵ The senate, not the people, also controlled the dispatch of embassies to foreign powers with its terms, messages and decisions; the people arranged in their assemblies appeared not to be involved in this process, despite embodying the sovereign legitimacy to ratify or reject foreign treaties.¹³³⁶ The power of ordinary citizens to influence the outcome of decisions on peace and war also appears to have been limited; on most occasions, the people simply ratified what the senate proposed in a *senatus consultum*.¹³³⁷

I argue that the reality of these limitations meant that the political system remained an inherently conservative institution that built into its structural processes a bias toward the interests of the governing elite.¹³³⁸ It accommodated popular participation, most obviously manifested in the tribunate, and the citizen body did have a role in the state's polity. Much of the machinery of government, nevertheless, was designed to manage and limit the

¹³³¹ Rosenstein, 2012, p. 11.

¹³³² Thus, Tiberius Gracchus was careful to make extra efforts to ensure his rural supporters came into Rome in 133 BC to support his agrarian bill (App., *BC* 1.14).

¹³³³ As occurred later when Tiberius Gracchus had to turn to urban supporters to help in his re-election because many of his rural partisans were occupied with the harvest and could not come to Rome (App., *BC* 1.14).

¹³³⁴ A conclusion supported by a consensus view: see Yakobson, 2010, p. 1; Lintott, 1999(a), p. 203; Rosenstein, 2012, p.11; De Ligt, 2012, p. 99.

¹³³⁵ An example of this was the dispute between the contending Numidian princes Adherbal and Jugurtha, both of whom sent various entreating embassies to the senate to make their respective cases in the lead up to the war with Jugurtha in the last decade of the 2nd century BC (Sal., *Jug.* 13).

¹³³⁶ For example, in 200 BC to Philip V (Plb. 16.34), and in 168 BC Antiochus IV (Plb. 29.27).

¹³³⁷ As in Liv. 42.30 and Plb. 21.32. See Lintott for his analysis that the Roman people mostly accepted the principle of being led in peace and war by the governing elite: the aristocracy collectively possessed an authority which naturally encouraged deference (Lintott, 1999(a), p. 198).

¹³³⁸ Yakobson, 2010, p. 7.

effectiveness of that participation. Even in a *contio*, theoretically the forum of debate and disputation, a combination of cultural weight and procedural tools ensured it was dependent on elite speakers, subject to structural manipulation, and remained a hierarchical institution that strengthened the power and legitimacy of the policies of the governing elite. For ordinary citizens, this meant that the system was not truly representational, and not generally conducive to their interests; their capacity to manifest collective will against elitist opposition was not helped by a natural awe of the wealth, fame, social and religious privileges of the governing elite.¹³³⁹ Rosenstein, for example, makes the point that ‘soft persuasive power’ wielded by the governing elite manifested itself as *auctoritas*,¹³⁴⁰ and when deployed by a personage with experience and standing in the community, was a powerful form of moral suasion very hard to resist.¹³⁴¹ Naturally, *auctoritas* could be used in partisan interests to advocate for or against legislation, and at trials, and if deployed collectively by a number of leading senators or magistrates, was virtually impregnable to overturning.¹³⁴² All this added up to a system which – as a mechanism to address serious grievance or translate popular will into political, economic or social reform – was limited. Against this reality, I argue that it is reasonable to conclude that the army, with its public tradition of *sedition* for civic causes, and link to successful political reform, offered an alternative to political impotency for ordinary citizens, especially when frustration at intransigence or obstruction from members of the governing elite built up. Taking action collectively as members of the citizens-militia was a natural reaction to a system that marginalised and subordinated the interests of ordinary citizens to the governing elite.

¹³³⁹ Lintott, 1999(a), p. 199. Yakobson, 2010, p. 1.

¹³⁴⁰ In this sense, the term denotes much more than ‘authority’: it implies more of advice so authoritative that it could not be easily ignored.

¹³⁴¹ Rosenstein, 2012, p. 15.

¹³⁴² The idea of social networks of patronage being used by the governing elite as an additional method for patrons to control their clients’ political behavior was once fashionable (e.g. Scullard, 1973, pp. 12-25). This idea as a theory of political control in the voting machinery of the Republic, has been largely discredited in more recent scholarship, most comprehensively by Brunt (Brunt, 1988, pp. 382-442). The propensity of competition between aristocrats to distort patron-client social bonds, the eagerness of aristocrats to solicit votes from ordinary citizens, the relative impotency of individual voters in a system which recognised only the various group voting decisions, and voting reforms toward the end of the second century BC which made the vote of a client a much more private affair which could not be checked by patrons (i.e.; the ‘secret ballot’ laws of *Lex Gabinia* in 139 BC and *Lex Cassia* of 137 BC), made it likely that the patron-client relationship had minimal impact in the political arena as far as the ordinary citizen was concerned, especially by the end of the second century BC. See Rosenstein for a fuller discussion of this topic (Rosenstein, 2012, pp. 17 and 18).

Conclusion

I have shown that the army was always a politically-interested institution, willing on occasion to act decisively in its own interests for civic causes. The very act of violating the *sacramentum* was a political statement, but the army's history of activism primarily manifested itself as insubordination and rebellion against the state. It could also appear as advocacy for preferred political candidates in Rome, and included stories of individuals with grievances appealing directly to the army as an ultimate source of legitimacy and authority. This history was well-known among generations of citizen-soldiers as an inherited tradition which linked army insubordination to successful political and social reform; it acted as a framework within which they could situate their own experience. The tradition of disobedience was encouraged by a political system which allowed participation for ordinary citizens, but had important limitations on their contribution, and was heavily weighted toward the governing elite. The army's insubordination for civic causes was a natural reaction *in extremis* to the limitations built into the Roman political system. This tradition would become a factor at Nola in 88 BC, when it intersected with other influences and circumstances acting on the motivations of Sulla's soldiers; it helped set the conditions in which Sulla could make his personal appeal to the army for justice.¹³⁴³

The next chapter will examine the pernicious rise of political violence in late republican politics and the decisive influence it had on the citizen-militia as a catalyst for direct intervention. This was a new, perhaps the most decisive, factor in the life of the Republic unknown to previous generations, which made itself felt in combination with other decisive factors at Nola in 88 BC. It meant Sulla could do what none of his ancestors could have done, and successfully call upon citizens formed in their legions to commit political violence on an unprecedented scale.

¹³⁴³ What the army's inherited tradition of political insubordination meant practically for the question of intervention at Nola in 88 BC, and how it intersected with other factors, will be covered in Chapter Eight below.

Chapter Seven

The Decisive Influence of Violence on the Citizen-militia

Introduction

In the previous chapter, I argued that the army was always a politically-interested institution, willing on occasion to rebel against the governing elite for civic causes, and advocate preferred political candidates in its own self-interest. In this chapter, I turn to the pernicious rise of political violence in late Republican politics, and the decisive influence it had on the army as a catalyst for intervention. L. Cornelius Sulla's soldiers were not only highly effective against their enemies of the Social War; they also became something unprecedented: regular killers of Roman magistrates in a way no previous army had. By 88 BC, the citizen-militia had learned to use and accept violence against traditional symbols of republican power and their office bearers. I will argue that this happened because of the rise of violence in the decades leading up to Nola as part of normative political expression in the conflict between the governing elite, a re-assertive tribunate, and their partisans. This evoked for soldiers the tradition of the revolutionary past of early-republican political and social reform, in which the army had played such a prominent role. Against this background, soldiers ingested the lessons that violence worked and, as political expression, had a kind of brutal legitimacy.

I will show that the army learned these lessons on the streets of Rome. Soldiers were deeply involved in political violence well before 88 BC, both as protection and coercive muscle to underwrite political arguments of their benefactors, and in their own interests. It is also likely that elements of the citizen-militia were used formally to suppress factional violence in Rome. I will suggest that exposing citizen-soldiers to mob and large-scale factional violence made it easier for them to accept the idea of the army using force to influence politics when Sulla requested their help. This was a new – perhaps the most decisive – factor in the life of the Republic, unknown to previous generations; Nola should thus be

reinterpreted not as an unprecedented or revolutionary event, but as an inevitability that took to its logical conclusion the decades-long drift of the citizen-soldier into political violence.

Genesis of Intervention: Politics, Violence and Transition

To revisit an element of the question initially posed in Chapter One above, a key change in Roman political life in the intervening century between P. Cornelius Scipio Africanus and the consulship of Sulla was the rise of endemic political violence in the physical confrontation between political enemies and their partisans to underwrite arguments, advance political agendas, and intimidate and destroy political opposition.¹³⁴⁴ Its emergence in the political discourse of the late Republic marked a seminal change in public life: political competition was different before – and irrevocably changed after – its appearance.¹³⁴⁵ This made possible the conditions under which the army could imagine itself intervening directly in Roman politics, and the rationale for doing so. The timing of the shift was obvious to Appian: he marked the change in political culture with the violent death of the reforming tribune, Ti. Sempronius Gracchus, in 133 BC, and lamented that things had irrevocably changed from that point on.¹³⁴⁶ Others also used the turbulent tribunate of Ti. Gracchus as the watershed: Velleius Paterculus linked his death with the start of civil bloodshed,¹³⁴⁷ and M. Tullius Cicero wrote that his reform program split one people into two.¹³⁴⁸ I shall argue, however, that the change, if not the accompanying violence, came earlier: in 151 BC, the first signs appeared of a more confrontational attitude from the tribunes with the disruption of the levy, imprisonment of consuls, and defiance of senatorial will, indicating that the office of *tribunus plebis* was re-asserting something of its old revolutionary character,¹³⁴⁹ and that the relative concord¹³⁵⁰ in political

¹³⁴⁴ Lintott argues violence was used to force measures through an assembly, to influence the outcomes of elections or trials and to intimidate or kill political opponents (Lintott, 1999(b), p. 204).

¹³⁴⁵ On this change, see also Konrad, 2006, p. 170.

¹³⁴⁶ App., *BC* 1.2. Lintott, too, in his influential study of violence in republican Rome, marks the change from peaceful dispute resolution to the period where violence was regularly used to 133 BC: “Before 133, most disputes ended in concord” (Lintott, 1999(b), pp. 1,6). I am not sure about Lintott’s use of the descriptor ‘concord’, but it is true that large scale physical violence was largely absent; see discussion below.

¹³⁴⁷ Vell. 2.3.

¹³⁴⁸ Cic., *Rep.* 1.31.

¹³⁴⁹ According to M. Cicero, the *tribunus plebis* was: ‘*In seditione et ad seditionem nata*’ (Cic., *Leg.* 3.19).

¹³⁵⁰ This is, of course, used as a relative term; as I will show, ‘relative concord’ in political discourse up until that point could still entail surprising amounts of dysfunction, hatred and disruptive competition, but without the use of large-scale violence.

discourse, which had endured since the Second Punic war, had finally started to unravel.¹³⁵¹ I contend that the imprisonment of consuls by tribunes was itself a form of ritualised violence.¹³⁵²

Important as these portents were of unraveling concord, however, it was not until the tribunate of Ti. Gracchus and his agrarian reform program that the physical emergence of large-scale violence as a normative part of republican political expression becomes impossible to ignore. Political competition in the late Republic, of course, did not always have to start or end with force. Q. Metellus Numidicus, implacable political enemy to Marius, left Rome for voluntary exile in the traditional way¹³⁵³ rather than provide a *casus belli* for his partisans opposing Marius;¹³⁵⁴ so did L. Calpurnius Bestia in 90 BC after political opponents threatened violence.¹³⁵⁵ But, by this time, examples of political rectitude are rare; it was more typical to arm supporters, adopt bodyguards and incite armed gangs to use force, intimidation and murder to overcome political opposition. Before 133 BC, however, or at least prior to 151 BC, endemic physical violence was absent from political discourse and competition for office.

This is not to suggest that republican political discourse before 151 BC was conducted in a more genteel manner; as I will show, politics could be incredibly bitter, hatreds intense and competitive *inimicitiae* destructive to the collective interests of the state, even in times of war. The bitterness of the political attacks against P. Scipio in 187 BC, for example, became the epitome of state ingratitude.¹³⁵⁶ It made such an impression on public consciousness that officials twenty years on, according to Livy, invoked P. Scipio's treatment as an example of public shame to persuade citizens not to do the same to the conqueror of King Perseus, L. Aemilius Paullus, and to award him his triumph.¹³⁵⁷ Moreover, isolated acts of violence which could be interpreted in a political context did

¹³⁵¹ Taylor, 1962, p. 19.

¹³⁵² Thus, this is a convenient date to use to divide the period where endemic violence was not a part of republican politics, and the period where it became a normative part of political expression.

¹³⁵³ The use of exile as a means to escape political opponents or signal a withdrawal from political conflict had a long and distinguished history in Rome, and Metellus and others were following in a well-trod tradition (Plb.6.14).

¹³⁵⁴ App., *BC* 1.31; Plut., *Mar.* 29.

¹³⁵⁵ App., *BC* 1.37.

¹³⁵⁶ See Chapter One above.

¹³⁵⁷ Liv. 45.38: in 167 BC, soldiers, angry at the perceived stinginess of Aemilius, tried in the voting assemblies to deprive him of his triumph.

occur during this period, and the threat of violence was always present as an undercurrent to political competition. Nevertheless, stalemate, compromise and concord, not large-scale butchery, were more often than not the results of the intense competitive process;¹³⁵⁸ contenders resorted to more ritualised and legalistic forms of violence, such as career sabotage, defamation, injunction, legal prosecution, or exile.¹³⁵⁹

Before 151 BC: Acts of Violence with Political Context

In the private sphere, violence was a normative part of Roman life. As a ritualised form of self-help, there was a long tradition in jurisprudence of the principle of violence as a remedy to private grievance and self-defence.¹³⁶⁰ C. Marius, for example, acquitted and praised a soldier who killed a *tribunus militum* in self-defence when he attempted to indecently assault him;¹³⁶¹ the soldier acted within accepted norms of behavior and there was no need for a civil trial. Moreover, statutes¹³⁶² accepted citizens killing thieves who came by night or used weapons,¹³⁶³ and the law allowed male adulterers or rapists to be punished by death or castration by the family of the victim.¹³⁶⁴

Aggression in private disputes was not political violence, but there were before 151 BC isolated acts of aggression and coercion which had a political context, and indicate that boundaries were not absolute. In 439 BC, as I have noted in Chapter Six above, an impetuous youth, C. Servilius Ahala, murdered a wealthy knight, Sp. Maelius, with pretensions for kingship, according to Roman cultural memory.¹³⁶⁵ This was arguably an act of political violence that may have been orchestrated by the state; in a variation of the tradition, C. Servilius acted on behalf of the governing elite as Master of Horse to the

¹³⁵⁸ Lintott, 1999(b), p. 1.

¹³⁵⁹ Flower argues convincingly that the very basis of republican political culture, which civil war subsequently threatened, was built upon the settlement of disputes by legal means in jury courts, through mediation and debate, and helped by mechanisms and public rituals of voting. This characterised orderly civic life which had been built up over generations of negotiation and compromise between patricians and plebeians (Flower, 2010(a), p. 74).

¹³⁶⁰ For an excellent survey of this type of private violence, see Lintott, 1999(b), pp. 4 ff.

¹³⁶¹ Plut., *Mar.* 14; Lintott, 1999(b), p. 23.

¹³⁶² I refer here to Rome's basic law code, the Twelve Tables, first promulgated in the fifth century BC (Rosenstein, 2012, p. 14; Alexander, 2006, pp. 236-255; Martin, 2012, p. 53).

¹³⁶³ *Tab.* 8.12; Lintott, 1999(b), p. 24.

¹³⁶⁴ *V.Max.* 6.1.

¹³⁶⁵ Liv. 4.13;14; D.H. 12.1-4; Cic., *Cato* 56; Zon. 7.20. See also Chapter Six above.

Dictator.¹³⁶⁶ If this was the case, Servilius' act was an isolated event; assassination for political purposes remained rare until 133 BC. Regardless of Servilius' true status, the story was contextualised through an overt political prism. Lowrie, in his analysis of the link between *homo sacer* and dictatorship, argues that the killing of Maelius preserved a tradition of the circumstances under which the state could justifiably kill one of its own citizens.¹³⁶⁷ In Livy's version, there is a state of emergency, a dictator appointed, and Servilius acted as an instrument of state within the constitutional framework of the dictator, which allowed the setting aside of normal protections in the specific circumstances where the state was threatened. The dictator then justified Maelius' death to the people in terms of the law; Maelius was killed lawfully because he disobeyed a dictator's summons and, furthermore, he had plotted to take over the state, abrogating the normal legal protections afforded to citizens.¹³⁶⁸

The benefit of preserving this specific emphasis was obvious: it could suit the state to be able to justify the killing of its own citizens within a constitutional framework, while placing victims outside legal protections.¹³⁶⁹ I argue, however, that it was also useful for the state if its own citizens were sufficiently civic-minded to act independently to protect it.¹³⁷⁰ Servilius' example, the spontaneous action of a private citizen acting to rid the Republic of a potential tyrant, was equally valid.¹³⁷¹ That was how cultural memory could also preserve it; the moral tradition evoked was that anyone who acquired tyrannical ambitions should be killed spontaneously by patriotic citizens in the national interest, magistrate or not.¹³⁷² It is plausible to think that P. Cornelius Scipio Nasica Serapio acted in this tradition by

¹³⁶⁶ There are two versions: in one scenario related by Livy, Dionysius, and Cicero, Servilius acted in an official capacity as *magister equitum* to the consul, while in the other version (Zonaras), he was not a magistrate, but a citizen acting on his own initiative for the good of the Republic. Lintott favours the latter view, and I am inclined to agree (Lintott, 1999(b), pp. 56 and 57).

¹³⁶⁷ Lowrie, 2010, pp. 172 and 173.

¹³⁶⁸ Liv. 4.15. Lowrie, 2010, p. 176.

¹³⁶⁹ For example, it was useful for Augustan ideology to have Livy's Maelius story emphasise the aspect that the state could liberate itself from internal threat through a state of exception, and could act through legal and constitutional means, while its opponents could be placed outside legal protections. See Lowrie for more on the specific link between this story and the purposes of Augustan state (Lowrie, 2010, pp. 181 and 182).

¹³⁷⁰ This is, I contend, exactly the wish of the senators in 385 BC when they lament that another Ahala was needed when they were trying to work out what to do about M. Manlius Capitolinus and his turbulent popular movement (Liv. 6. 12).

¹³⁷¹ Given the apparent spontaneity of the act, its rareness, and the fact that it was how the cultural memory preserved the tradition. But I acknowledge that it remains unclear exactly what motivated Ahala, and both versions serve cultural memory equally well.

¹³⁷² See the discussion in Chapter Six above regarding the physical evidence of Maelius's sedition preserved in Rome, and what that meant for Romans of later generations.

spontaneously invoking the defence of the Republic when he led a mob which attacked and killed Ti. Gracchus and his followers in 133 BC; he was not killed under a state of emergency, nor had a dictator been appointed.¹³⁷³ In this respect, the statement of P. Cornelius Scipio Africanus Aemilianus was instructive: asked publicly in Rome by a tribune if Ti. Gracchus' death was justified, Aemilianus said it was, if he had been aiming for kingship.¹³⁷⁴ In both versions, however, the message was the same: those who threatened the Republic could be, *in extremis*, justifiably killed. Although his act was political in nature, nevertheless, it was not the signature of endemic violence in political discourse. Moreover, Lintott cites the stoning of a quaestor and tribune in 414 BC during an army mutiny¹³⁷⁵ to point to the tradition of ordinary citizens resorting to public violence to defend fellow citizens from the arbitrary power of magistrates¹³⁷⁶ – in this case, from punishment ordered by the consul, P. Postumius Albinus Regillensis, attempting to suppress the mutiny. Lintott is right to draw attention to the popular nature of this act; it involved ordinary citizens serving in the army. It was not, however, the signature of endemic political violence, nor was it public; it occurred in camp away from Rome. It was also an aberration; there was not another known instance of soldiers killing their commander until Sulla's troops stoned Albinus' descendant to death in 89 BC.¹³⁷⁷ At most, these examples hint at the latent aggression always present in republican power dynamics, and that citizens and soldiers could, on occasion, act spontaneously from isolated private or civic impulse.

Political discord in 385 BC, however, was said to have threatened an outbreak of large-scale violence, even if it did not eventuate in reality. Against a background of social unrest caused by lack of economic reform, according to the literary tradition, a schism occurred over debt relief between the governing elite and ordinary citizens under the leadership of

¹³⁷³ App., *BC* 1.16; Plut., *TG* 20. Appian here in fact states that he was amazed that neither a state of emergency, nor a dictator, was called during the unrest caused by Ti. Gracchus' tribunate: it had proved useful in the past on such occasions. In any case, it is important to note that Nasicus acted only after the consul rejected his entreaties to suppress Ti. Gracchus and his followers; there is spontaneity in this type of response which emulated the version of Servilius acting alone. In this case, and within the preserved tradition, a private citizen was then justified in acting with deadly force in the national interest to protect the Republic.

¹³⁷⁴ Plut., *TG* 21.

¹³⁷⁵ Liv. 4.50. For more information on this incident, see Chapter Six above. I used it there as an example of the army mutinying for civic causes.

¹³⁷⁶ Lintott, 1999(b), p. 7.

¹³⁷⁷ V.Max., 9.8; Plut., *Sull.* 6; Oros. 5.18.

patrician turned-'demagogue',¹³⁷⁸ M. Manlius Capitolinus. Lintott argues that there may have been fighting,¹³⁷⁹ but there is no evidence for this: it was settled instead by united tribunate and senatorial resolve, in the courts, and by popular vote in assembly. The literary tradition preserves an apparently serious incident: the senate declared a state of emergency,¹³⁸⁰ appointed a dictator, A. Cornelius Cossus, and summoned him to Rome to deal with the unrest.¹³⁸¹ Personal violence was contemplated, at least informally; tribunes and senators mused that another 'Ahala' was needed.¹³⁸² Instead, ritualised, state-sanctioned forms of violence were used to resolve the crisis; there was no fighting,¹³⁸³ Manlius was incarcerated and, by popular vote in the *comitia centuriata*,¹³⁸⁴ executed for treason.¹³⁸⁵

Prior to 151 BC, there were two other instances of actual violence during public assemblies with a political context: in 212 BC, tax farmers used force to prevent a vote during the trial of M. Postumius Pyrgensis in the *comitia tributa*,¹³⁸⁶ and in 185 BC, a fight broke out during the consular elections in the *comitia centuriata* between the supporters of candidate, P. Claudius Pulcher, his consul brother, Ap. Claudius Pulcher, and their opponents.¹³⁸⁷ In the first case, Postumius faced judgment over a crime;¹³⁸⁸ he defrauded the state by

¹³⁷⁸ Livy's term; the first instance, he says, of a patrician turning demagogue and throwing his lot in with the plebeians (Liv. 6.11).

¹³⁷⁹ Lintott, 1999(b), p. 56. Lintott argues that the fact that the dictator settled the unrest may suggest there was a violent rebellion that was settled by force. In the absence of any evidence to this support this, and because of Lintott's failure to go into detail for his reasoning, I remain unconvinced.

¹³⁸⁰ It is reasonable to think that the fact that a large-scale enemy attack on Roman territory occurred at the same time probably helped encourage the senate to declare the state of emergency. Cossus was recalled from his army after defeating the invasion (Liv. 6.12).

¹³⁸¹ Liv. 6.11. ff; Plut., *Cam.* 36.

¹³⁸² This is an example of the literary tradition preserving a cultural memory being used to frame a crisis: it alluded to the tradition of C. Servilius Ahala (outlined above), who spontaneously murdered a would-be tyrant in 439 BC. In Livy's account of this memory, the senate and tribunes wish that a citizen would take matters into his own hands and kill Manlius in the national interest, saving them the trouble of having to resolve the matter.

¹³⁸³ Livy tells us that the people had too much respect for the office of dictator to resist his imprisonment of Manlius, and tribunes too much common cause with the senate to exercise their ancient right of veto (Liv. 6.16).

¹³⁸⁴ Citizens arranged in their centuries in this assembly had the judicial role of trying capital charges, such as treason. The fact that Manlius was found guilty by the assembly, and that the tribunes sided with the senate, could suggest that Manlius' sedition was isolated and not widespread (North, 2006, p. 261).

¹³⁸⁵ Liv. 6.20.

¹³⁸⁶ Liv. 25.3. See also Lintott, 1999(b), p. 209.

¹³⁸⁷ Liv. 39.32.

¹³⁸⁸ The senate disapproved of Postumius' fraud but was reluctant to act against him because of the seriousness of the war against Hannibal that was being fought at that time. It was left to the tribunes, reflecting public outrage at the scale of the fraud, to prosecute Postumius. (Liv. 15.3.)

falsifying insurance claims on ships supplying Roman armies.¹³⁸⁹ The assembly was suspended on the advice of a consul after tax farmers fought with members of the public; at its heart, this was a criminal matter, but the senate chose to interpret it as violence against the state because a formal assembly of the people had been illegally disrupted from discharging its duties.¹³⁹⁰ In this respect, it was violence leading to a punitive political response from the state;¹³⁹¹ Postumius and his supporters were charged with sedition, and many chose exile rather than face prison or execution.

In the second instance, Lintott argues that Ap. Pulcher resorted to *vis Claudiana* to get his brother elected; they used clients to beat up the opposition.¹³⁹² If this were so, then it was an example of premeditated political violence in the style of the Gracchi. But my reading of the incident suggests there was more spontaneity involved; things may have just got out of hand. Ap. Pulcher, by actively canvassing for his brother, was not acting as a senior magistrate should,¹³⁹³ but he was zealous in his efforts, and over-reacted, eliciting a response from opposition supporters. The competition in 185 BC was particularly close: there were four candidates for one patrician position, and this no doubt led to a high level of tension on election day. If Ap. Pulcher had acted in a truly subversive way, the tribunes could have been expected to react; neither they nor the senate objected to the election of P. Pulcher, and the results stood.¹³⁹⁴ I argue that this was not a genuine case of political violence; rather, a scuffle between citizens that, in the tense atmosphere, rapidly escalated

¹³⁸⁹ The state insured ships and cargoes of merchants supplying the army against loss when in public service (Liv. 15.3). This provided an opportunity for unscrupulous men to claim fictitious losses and receive state recompense. Postumius' case was a particular egregious example of this type of fraud; the scale of his crime was large enough to be discussed in the senate.

¹³⁹⁰ Liv. 15.4; Lintott, 1999(b), p. 209.

¹³⁹¹ The state may well have over-reacted to what was essentially a criminal matter. But I contend that their reaction is understandable, given the strategic context within which they were operating at that time. Rome and her allies were in the middle of a serious war with the Carthaginians, the outcome of which was far from certain. The last thing the Republic needed was trouble with its logistic arrangements supplying the 23 legions then in service scattered throughout Italy, Sicily and Spain. A strong response was needed to re-establish the inviolability of state institutions, quickly suppress the unrest with the merchants supplying the armies, limit the bleeding of scarce state resources they could ill afford, and send a clear message to the merchant sector that fraud and unruly behaviour would not be tolerated. In this context, I argue, a political response was not only justifiable, but necessary.

¹³⁹² Lintott, 1999(b), p. 74.

¹³⁹³ Livy, in his account of the affair, asks why Appius should not be acting as an umpire in the elections or as a silent witness, rather than actively canvassing for his brother (Liv. 39.32). Vishnia interprets this incident as flagrant disobedience from Appius to senatorial will that he refrain from canvassing for his brother, a wish he pointedly ignored (Vishnia, 1996, p. 183). This was probably accurate; the senate was not pleased by the commotion. In the end, however, it did not seem to hurt Appius' career: he was appointed to head a delegation to Greece soon after he stepped down.

¹³⁹⁴ Liv. 39.32.

before subsiding as quickly as it had started. In the end, the contest was conducted with moderate partisanship, not Claudian violence.

These acts of violence, or threats of violence, all have a political context, but they do not indicate a culture of endemic violence at work in political discourse prior to 151 BC. Where they can be said to have a clear political result, such as Servilius' murder of Maelius, I argue that they are isolated and rare events, and would not be repeated until after 151 BC,¹³⁹⁵ when violence did become an undisputed part of political discourse. They are, however, symptomatic of the inherent volatility and instability of the republican political process; they indicate its latent capacity to generate discord. Even without endemic violence, however, relations between individual competing magistrates, the senate, and governing elite and ordinary citizens were often turbulent and dysfunctional.

Before 151 BC: Competition, Dysfunction and Insubordination

Rosenstein argues that the Roman governing elite enjoyed a remarkable period of stability over the course of the third and second centuries BC, despite intense competition.¹³⁹⁶ He contends that the outbreak of civil war in the late Republic should not obscure the ability of the senatorial class to contend vigorously without it degenerating into self-destructive partisan strife. Raaflaub speaks of the period in terms of unity and "exceptional cohesion" which helped control the constant competition for the highest ranks and offices.¹³⁹⁷ The Romans themselves, when they reflected on their political ideals, supposed early republican political discourse free from *inimicitiae*.¹³⁹⁸ Even without the added dynamic of endemic political violence, however, this is far too sanguine a view of the way politics, competition for office, and relations between the classes manifested itself prior to 151 BC. I will show that the opposite was frequently true.

¹³⁹⁵ In particular, after 134 BC when endemic violence breaks out in political discourse.

¹³⁹⁶ Rosenstein, 2012, p. 241. Flower also remarks that there do not appear to have been any civil wars in the mid-Republic, a fact that every student of Roman history has been taught (Flower, 2010(a), p. 74). Flower is right in this, but she does not acknowledge the level of dysfunctional competition that operated in the political space as a normative standard below the threshold of civil war; this is an oversight, as I shall show below.

¹³⁹⁷ Raaflaub, 2006, p. 141. He remarks that the community as a whole developed a remarkable ability to forge compromises and emerge from conflict stronger and more unified. As I will show, the result of serious conflict was just as often destructive as it was unifying.

¹³⁹⁸ Sallust, for example, thought his forefathers had fought, quarreled and feuded with external enemies, but internally, vied with each other to be virtuous (Sal., *Cat.* 9). See also Epstein, 1987, p. 14.

Republican politics had always been intensely and intrinsically competitive;¹³⁹⁹ the outcome of this competition could be dysfunctional and destructive. Passionate hatreds, frequent discord, and disruptive jealousies pervaded republican political culture, as bitter as anything seen in the late Republican political context, when it is supposed, from the accounts of Appian, Sallust and others, that political competition set a new standard for acrimony and discord.¹⁴⁰⁰ Polybius even wrote that dissensions within the oligarchy during this period made it difficult to ascertain what really happened in accounts of events.¹⁴⁰¹ The reason for it was clear: most aristocratic and wealthy Romans aspired to consular status, and this could be achieved in the republican system of power only by ruthless competition and eliminating peers.¹⁴⁰² Rosenstein points out that, unlike traditional aristocracies that existed in Europe, Rome's highest honours were not automatic; even if family background and illustrious ancestors helped,¹⁴⁰³ the governing elite defined itself not by birth or inherited position, but by achievement, and that meant unremitting rivalry.¹⁴⁰⁴ In this environment, the political process inevitably generated much *inimicitiae*.¹⁴⁰⁵

Inimicitia could manifest itself competitively in many ways; the results introduced a surprising level of dysfunction into government, and were often ruinous for its smooth functioning, even in times of war.¹⁴⁰⁶ *Inimicitiae* between individual magistrates who refused to cooperate, for example, sabotaged war efforts. The tendency of Roman commanders to subordinate national interests to their own passions was so well known that enemies tried to take advantage of it.¹⁴⁰⁷ Hannibal in 217 BC exploited the enmity between Q. Fabius Maximus and his impetuous Master of Horse, M. Minucius Rufus, by devising a battle plan that provoked Minucius to attack, and counted on the two men not cooperating;

¹³⁹⁹ Epstein, 1987, p. 50 and Rosenstein, 2006, p. 371.

¹⁴⁰⁰ For example, at App., *BC* 1.2; Sal., *Cat.* 10.

¹⁴⁰¹ Plb. 18.35.

¹⁴⁰² Epstein, 1987, p. 12.

¹⁴⁰³ This was particularly evident during the public funerary processions of wealthy or noble families (Plb. 6.53 ff; see also Chapter Six above). In the end, however, what mattered in terms of a successful public career, was the achievements and performance – also in the present – of the individual (Rosenstein, 2012, p. 34).

¹⁴⁰⁴ Rosenstein, 2012, p. 30. For P. Cornelius Scipio Aemilianus' lament to Polybius about the unremitting pressure to compete and succeed, see Plb. 31.23.

¹⁴⁰⁵ Epstein, 1987, p. 63.

¹⁴⁰⁶ Epstein, 1987, pp. 15 and 16.

¹⁴⁰⁷ Epstein, 1987, p. 71: Epstein, in his analysis of the manifestations of *inimicitiae* here, cites the parallel of Spartacus trying to profit from the animosity between Pompey and Crassus.

it led to near disaster.¹⁴⁰⁸ The presence of an enemy, however, was not necessarily needed to damage a Roman army. In 141 BC, Q. Pompeius was selected to replace his bitter enemy, Q. Caecilius Metellus Macedonicus, in Spain. When Metellus heard this, he made sure his political enemy would have trouble winning military glory; he sabotaged the Roman war effort in Spain by doing his best to ruin the fighting capacity of the army.¹⁴⁰⁹ Metellus discharged all soldiers who wanted their service terminated, stripping the army of its most experienced and capable veterans. He granted leave for all who wanted it, without checking if it was valid or agreeing times of return, removed guards of storehouses (making them easy targets for looters), ordered the bows and arrows of the Cretan archers within the army broken and thrown into the river, and stopped feeding the elephants, trying to kill them.¹⁴¹⁰

Competition for military glory between magistrates could also produce dysfunctional relationships. Consul in 177 BC, C. Claudius Pulcher, rushed to his province of Istria without conducting the formalities required of a departing commander in Rome because he was afraid the proconsuls there would deprive him of victory and of the chance to use the army.¹⁴¹¹ Resenting their victories, he ordered them out of the province; they refused, arguing he was not properly appointed due to his irregular departure from Rome. He then tried unsuccessfully to convince the army to arrest the proconsuls; their stubbornness forced Claudius to return to Rome to complete the formalities, where he bitterly denounced the proconsuls, and raised a new army to take with him.¹⁴¹² Furthermore, enemies in Rome could attempt to relieve commanders during the middle of a war. During the Second Punic war in 209 BC, enmity motivated tribune, C. Publicius Bibulus, to introduce a bill

¹⁴⁰⁸ Plb. 3.104.

¹⁴⁰⁹ V.Max. 9.3.7.

¹⁴¹⁰ Epstein catalogues a number of these feuds; in the case of Metellus and Pompeius in 141 BC, he made the point that Metellus suffered diminished glory for his petty actions, and did not triumph – no doubt partly because of his disgraceful actions prior to his handing over of the army to Pompeius (Epstein, 1987, p. 16). In my view, the decision to award a triumph to Metellus was well justified: he placed his own jealousies far above the interests of the state.

¹⁴¹¹ M. Junius Brutus and A. Manlius Vulso (Liv. 40.59). Both had been consuls in 178 BC, and had won victories over the Histrians. See Epstein for a full account of the many and varied causes of *inimicitiae* in private and public life (Epstein, 1987, pp. 50-63).

¹⁴¹² D.C., Fr. 41.

abrogating the command of M. Claudius Marcellus,¹⁴¹³ and Fabius tried to have P. Scipio removed from his command during the same war.¹⁴¹⁴

Moreover, the constitutional right to declare war was vested in the *comitia centuriata*,¹⁴¹⁵ that did not stop C. Cassius Longinus, consul of 171 BC, from stepping outside normal conventions and trying on his own initiative to invade a foreign state with which Rome may technically still have been at peace.¹⁴¹⁶ He appears to have embarked on a private war with Macedon, left his allocated province of Gaul without permission, trespassed on his colleague's province and, in doing so, left north-eastern Italy exposed.¹⁴¹⁷ He tried to reach Macedon by marching through Illyricum, all without authority from the senate or the assembly. Vishnia characterises this act as a grave infraction, and argues Longinus' lackluster military achievements motivated the harebrained scheme.¹⁴¹⁸ Vishnia's epithet seems appropriate. Longinus' actions were potentially very serious; a senior magistrate of the Roman state planned a war on one of the most powerful states of the ancient world without any direction, authority or knowledge of the state. If this is what Cassius did, then I suggest that such a move is analogous to the US commander in Afghanistan unilaterally deciding to use the army to invade Russia without Washington's knowledge or authority. Longinus compounded his infraction by trespassing on the province of his colleague; this sort of 'province grabbing' ninety years later would, in another context, play a major part in producing the spark which ignited the war between Marius and Sulla.¹⁴¹⁹ The senate was at first dumbfounded then outraged, when it discovered what Longinus was doing; it moved to swiftly reassert its authority to determine the limits of individual ambition.¹⁴²⁰ Longinus was severely criticised for entering his colleague's province without permission, exposing

¹⁴¹³ Liv. 27.20; Plut., *Marc.* 27. He was unsuccessful; Marcellus defended himself so well that he was subsequently elected to his fifth consulship.

¹⁴¹⁴ Liv. 29.19; Plut., *Fab. Max.* 26.

¹⁴¹⁵ Plb. 6.14; North, 2006, p. 261. This assembly was guided by consular and senatorial advice in this task.

¹⁴¹⁶ It is true that the third war with Macedon began in 171 BC; but it is not clear if Cassius acted in 171 BC before the official declaration of war or after it. Why did the senate remind him strongly that he could not initiate a war unless the senate had decided on war (Liv. 43.1)? This suggests that Cassius acted *before* the technical outbreak of war, yet it seems from the flow of Livy's narrative that fighting had already begun with Macedon. It remains unclear; either way, Cassius acted beyond his responsibilities and this amazed and enraged the other senators, who moved quickly to stop him.

¹⁴¹⁷ Liv. 43.1.

¹⁴¹⁸ Vishnia, 1996, pp. 187 and 188.

¹⁴¹⁹ App., *BC* 1.56, 57.

¹⁴²⁰ It found out what he was doing only when an embassy from Aquileia, worried by the reaction of surrounding peoples to Longinus' expedition, arrived and complained that their colony was new and weak and had not yet been sufficiently fortified.

Italy and his soldiers to unnecessary danger – and envoys were sent to remind him that he must not engage in war unless it had first been authorised.¹⁴²¹

Conflict between the senate and other magistrates also generated discord; it was ubiquitous enough to suggest that politics after 151 BC had no monopoly on unconstitutional, unconventional or insubordinate behaviour. A serious and prolonged dispute, for example, paralysed the Republic in 173 BC. M. Popillius Laenas, the same praetor who defied the senate in 176 BC,¹⁴²² again refused its orders; this time to restore liberty and property to the Statelliates of Liguria when they complained about the severity of Popillius' treatment after their unconditional surrender to his legions.¹⁴²³ It was a remarkable example of discord. Decrees were passed condemning his actions; Popillius in turn responded by strongly criticising the senate in person, fining the praetor who first raised the issue,¹⁴²⁴ and returning to Liguria to persist in his policies, ignoring the senate. The senate, beyond using peer censure, was powerless to force him to comply, but worse friction and turbulence followed. His brother, C. Popillius Laenas, was elected consul in 172 BC, and prevented the senate from re-introducing a new senatorial decree restoring the Statelliates.¹⁴²⁵ The senate, in retaliation, refused to authorise the annual levy to raise new legions; the consuls refused to conduct any state business or leave for their provinces.

North argues that this produced constitutional deadlock;¹⁴²⁶ Vishnia says it is unclear if constitutional, personal or factional rivalries were ultimately responsible.¹⁴²⁷ It was clear, however, that the smooth functioning of the Republic was paralysed. I suggest that not only did it indicate the level of turbulence to which republican political discourse could descend

¹⁴²¹ This was the same Longinus who by dubious means tried to have a fellow consul disqualified from being allocated Macedon (see Liv.42.32). He really wanted to get to Macedon. There was no war involving Longinus and Macedon that year. The other consul, Licinius was campaigning in Greece at the time, so presumably the envoys succeeded in their task. As for Longinus, he apparently got himself elected as a tribune of the soldiers immediately after his consulship and continued to serve abroad in an attempt to avoid returning to Rome to answer for his actions the year before. We last see him being positioned to be prosecuted in the courts as a private citizen by those who had suffered at the hands of his armies during his attempt to march to Macedon; and this is probably what happened (Liv. 43.5).

¹⁴²² See accompanying table below.

¹⁴²³ Liv. 42.8.

¹⁴²⁴ Liv. 42.9.

¹⁴²⁵ This was necessary because Popilius, who had refused to enact the decree in the first instance, was no longer consul. After 173 BC, he is a proconsul, and it is in this office that he continues the aggression against the Ligurians in defiance of the senate. Standing procedure meant that the senatorial decree needed to be re-introduced by one of the new consuls.

¹⁴²⁶ North, 2006, p. 271.

¹⁴²⁷ Vishnia, 1996, p. 190.

without violence, but it demonstrated the senate's structural weakness in effectively responding to real insubordination from a determined source. It took the intervention of the tribunes on the senate's side, for example, to break the deadlock: they threatened to fine magistrates who refused to do their duty, and established a special procedure to try Popillius. He was afraid to return to Rome to answer for his disobedience; under the threat of trial *in absentia*, however, Popillius did what Sulla and Caesar refused to do, and obeyed.¹⁴²⁸

The temptation for senior magistrates posted far from Rome to behave in this manner was explicable; *imperium* gave them enormous latitude and power,¹⁴²⁹ *inimicitiae* the passion to dissent, and distance the freedom to follow their own convictions.¹⁴³⁰ What is more surprising, however, is that insubordination against senatorial will was not confined to senior magistrates; it also occurred frequently among magistrates with lesser *imperium*: praetors and aediles. Of six instances of insubordination and conflict between the senate and individual magistrates between 200 BC–151 BC surveyed below, four involved relatively junior praetors, and one a *curule* aedile:

Indicative Survey of Conflict between Magistrates and Senate

200 BC – 151 BC

Date	Magistrate	Details	Source
200 BC	Praetor L. Furius Purpurio	Purpurio used a consular army without permission to defeat a Gallic army, left his province without permission and returned to Rome to demand a triumph. The senate reprimanded him for his unprecedented conduct, but supporters in the senate argued for, and won, a limited triumph for him. ¹⁴³¹	Liv. 31.10 D.C., <i>Frg.</i> 57
190 BC	Propraetor M.	Lepidus left his allocated province without	Liv. 37.47

¹⁴²⁸ Liv. 42.22. It is not clear what happened to Laenas, the instigator of so much trouble in this fascinating incident. He was arraigned before the senate and verbally assailed by colleagues for his actions, and the senate got its way regarding the release of the Statelliates and restoration of their property. Laenas is last mentioned as a defendant being ordered to appear before the magistrates on the fifteenth of March; I assume he was, by the custom, prosecuted in the courts as a private citizen.

¹⁴²⁹ Plb. 6.12.

¹⁴³⁰ Plb. 6.12; Vishnia, 1996, p. 181.

¹⁴³¹ Vishnia emphasises the senate debate that subsequently occurred to discuss Purpurio's insubordination. She argues convincingly that Purpurio had strong support in the senate, and that the case was evidence of a 'generation gap' present at the end of the Second Punic War: the older 'Fabian' generation reprimanded him and was against a triumph; the younger 'Scipionic' senators supported him and argued for a triumph. Evidently, a compromise was reached: he triumphed, but without soldiers, spoils or captives (Vishnia, 1996, p. 182).

	Aemilius Lepidus	senatorial permission to compete in the consular elections of 189 BC. Amid great anger, his candidacy was accepted, but he lost.	
184 BC	Curule aedile Q. Fulvius Flaccus	Flaccus refused to obey a senatorial and consular order not to apply for the urban praetorship left vacant after the death of C. Decimius. His intransigence, with considerable popular support, turned into a bitter debate and conflict between the senate, consul, tribunes and Flaccus, with Flaccus arguing that the senate and consul were trying to deprive him of the gift of the people. A stalemate occurred; the solution was for the consul to suspend the election of the office for that year.	Liv. 39.39
176 BC	Praetors M. Popillius Laenas, P. Licinius Crassus, and M. Cornelius Scipio Maluginensis	Three praetors, in an unprecedented manner, refused to leave for their designated provinces: Laenas argued he could not go to Sardinia because his predecessor was about to conclude the war there, and it would be unwise to transfer command at that point. The senate eventually agreed. Crassus refused to leave for Spain because he had obligations in Rome on certain dates which prevented his leaving; the senate ordered him to swear before the people's assemblies that he could not go; he did and was excused. Scipio, when he heard Crassus do this, also refused to go to Spain, and asked to do the same thing. He was excused. ¹⁴³²	Liv. 41.14,15
178 BC	Consul A. Manlius Vulso	Vulso, without authorisation from either the senate or the <i>comitia centuriata</i> , invaded Istria and conducted a war against the Illyrians; his actions prompted a harsh response from the senate and several tribunes, who wanted to know on what authority he had waged war. His imperium was, however, prorogued when a friendly tribune intervened and ensured its success.	Liv. 41.1 Liv. 41.6
167 BC	Praetor M. Iuventius Thalna	In blatant contravention of traditional process, and without consulting the senate or the consuls, Thalna appealed directly to citizens in assembly to declare war on Rhodes; he hoped the command of the war would fall to him. Two tribunes, however, interceded; they argued inciting the people to war without consultation set a dangerous precedent, and abrogated the traditional advisory role of the senate. His motion was defeated. ¹⁴³³	Liv. 45.21

¹⁴³² This is one of the few times magistrates refused to depart for their provinces. As Vishnia points out, there must be much more to this story (Vishnia, 1996, pp. 186 and 187); the reasons given are unconvincing. Vishnia concludes that the actual reasons must remain shrouded in mystery, but I suspect that the lack of opportunity for booty or military glory had something to do with it. Spain was always a notoriously difficult province to campaign in; there was little opportunity for booty and the inhabitants were fierce fighters. I contend that the two praetors allocated Spain probably realized their opportunity for plunder and glory was limited. In the case of Sardinia, the praetor allocated this province probably calculated that his predecessor had almost finished the war there, and there would have been little for him to do except mop up. The economic consideration no doubt influenced the decisions of these praetors. Nevertheless, it was an exceedingly bold thing to do to defy the senate and refuse to leave. It is worth noting that Laenas would have another serious argument with the senate several years on when he was made consul; as praetor, his obstinacy was on display relatively early in his career.

¹⁴³³ Vishnia points out that the tribunes themselves were breaking protocol by intervening before arguments for the motion could be heard (Vishnia, 1996, p. 188). Irregular events often require irregular remedies,

These examples demonstrate that under pressure to compete, perform and win glory, many magistrates, even junior ones, were willing to exceed their authority, defy the senate, and place their own interests above those of the state.¹⁴³⁴ Insubordination was clearly endemic, reflecting the turbulent nature of republican politics prior to 151 BC.

Conflict, however, was not confined to the governing elite, or between the senate collective and individual magistrates; discord was also present before 151 BC between ordinary citizens and their advocates, and the governing elite. In 232 BC, for example, there was serious friction between the tribunate and the senate; apart from the absence of large-scale violence, it shared similarities with the turbulence caused a century later by the agrarian bill of Ti. Gracchus, and evoked memories of the earlier Conflict of the Orders. The tribune, C. Flaminius, carried against senatorial opposition an agrarian law under which a large number of Roman citizens¹⁴³⁵ were settled on land captured from the Senones on the Adriatic coast.¹⁴³⁶ The governing elite were so serious in their opposition to Flaminius' bill that they threatened violence, and considered levying an army to stop him;¹⁴³⁷ he was hated for this, and for another tribunate bill he alone among the governing elite supported, limiting the size of cargo ships owned by senators or their sons.¹⁴³⁸ In the absence of any detail concerning his proposal or the nature of the senate's objections,¹⁴³⁹ Flaminius' actions, and his dispute with the governing elite, have nevertheless invited inevitable comparisons with the reform program of Ti. Gracchus. He was portrayed as a democratic leader agitating to alleviate the economic hardship of ordinary citizens, and a champion of the rural plebeians, re-connecting them with the land.¹⁴⁴⁰ Whatever his motivations, Flaminius' actions endeared him to ordinary citizens; he secured the favour of plebeians, and probably obtained a second consulship because of it.¹⁴⁴¹ The senate's resistance may have been anchored more in strategic concerns than opposition to a social program which

however, and the conflict this generated, and the precedent it potentially set for the authority of the senate and the consuls, probably warranted the unorthodox intervention in the minds of the tribunes.

¹⁴³⁴ Vishnia, 1996, pp. 188 and 189.

¹⁴³⁵ Up to 19 000 immigrants may have been involved according to Vishnia (Vishnia, 1996, p. 20).

¹⁴³⁶ *Pib.* 2.21; *V.Max.* 5.4; *Liv.* 21.63.

¹⁴³⁷ *V.Max.* 4.5.

¹⁴³⁸ *Liv.* 21. 63.

¹⁴³⁹ This detail is missing from the sources: it is only clear that the law passed and that it caused much consternation and hatred among the governing elite so that it followed Flaminius' disastrous career into the Second Punic War (*Liv.* 22.3).

¹⁴⁴⁰ For example, Jacobs, 1937, p. 141 and Vishnia, 1996, p. 35. For a detailed survey of the range of views, most now dated, see Vishnia's comprehensive summary (Vishnia, 1996, pp. 25-37).

¹⁴⁴¹ *Liv.* 21.63.

alleviated economic hardship among the poor; in Polybius' judgment, Flaminius' policy of settlement of the *ager Gallicus Picenus* subsequently caused a war with the Gauls.¹⁴⁴² This, combined with public defiance of the senate, would have been enough to attract the enmity of most of the governing elite,¹⁴⁴³ and make compromise and cooperation in the national interest difficult.

Lintott called Flaminius' actions in 232 BC *seditio*:¹⁴⁴⁴ the fact that the senate considered – but discounted – using the army against him suggested the argument was indeed serious. But Lintott's term goes too far. In defying the senate in 232 BC, the animosity and turbulence generated by Flaminius' agrarian program are perhaps surprising in an era when there was supposed to be comparative harmony between the governing elite and ordinary citizens.¹⁴⁴⁵ I argue that Flaminius acted within the tradition of the tribunate agitating for the interests of ordinary citizens, not as a revolutionary transcending the bounds of political culture. In 223 BC, however, during his first consulship, Flaminius was undeniably disobedient and overtly provocative. He refused a senatorial decree abrogating his consulship and summoning him to Rome,¹⁴⁴⁶ won a victory anyway against the Insubrian Gauls, and obtained permission to triumph by a direct appeal to the people, rather than from the senate according to custom – a triumph which it had already refused.¹⁴⁴⁷ Flaminius' appeal to the people emulated the example set more than a century before by P. Servilius

¹⁴⁴² Pib. 2. 21. According to Polybius, they saw the settlement program as evidence that the Romans were intent on total expulsion and extermination of the Gauls. Vishnia postulates that at the heart of the dispute was not the allocation of public land to Roman poor, but the political matter of colonising an area of land to unsettled Gallic tribesmen who might have reacted negatively to the provocation, thus risking war. She rightly points out that the senate should have been supportive of the allocation of land to large numbers of poor Romans, who would have then been eligible for service. This would have increased the available manpower pools during a period in which war with the northern tribes threatened. In the end, however, she also concedes that the reasons remain unclear (Vishnia, 1996, pp. 30 ff).

¹⁴⁴³ The fact, however, that Flaminius, after his problematic tribunate, subsequently went on to hold the consulship twice (Cos. 223 BC and Cos. 217 BC), and the censorship in 220 BC, suggests he was not entirely isolated, nor without aristocratic supporters.

¹⁴⁴⁴ Lintott, 1999(b), p. 68.

¹⁴⁴⁵ For example, Taylor argues that the century and a half period between the generally accepted end of the Conflict of the Orders, the *Lex Hortensia* of 287 BC (the law determined that decisions made in the plebian assembly would be binding on the state), and the start of the turbulent tribunate of Ti. Gracchus in 133 BC, was a time when tribunes were in accord with the senate and agents of its rule. She does, however, make an exception for the tribunate of C. Flaminius (Taylor, 1962, p. 19). Raaflaub also characterises this period as an era of cohesion and unity (Raaflaub, 2006, p. 141). My analysis of the relationship between the tribunate and the senate during this period does indeed suggest a period of relative cooperation and concord, helped by a series of military expeditions against Macedon, Carthage, and in Spain, to unite in common cause ordinary citizens with the governing elite.

¹⁴⁴⁶ The official reason was unfavourable auguries, but the enmity caused by his tribunate was probably the real cause (Liv. 21. 63.)

¹⁴⁴⁷ Pib. 2.32; Liv. 21.63; Plut., *Marc.* 4.2.

Priscus, who also celebrated a triumph without senatorial permission after he appealed directly to the army for justice.¹⁴⁴⁸ In 217 BC, during his second consulship, Flaminius again disobeyed the senate because of their shared enmity:¹⁴⁴⁹ he refused to return to Rome to consult, and properly inaugurate his consulship with the necessary religious ceremonies.¹⁴⁵⁰ A formal letter from the senate and a team of commissioners failed to persuade Flaminius; he brushed off any objections. But this time he was less fortunate, leading his army and himself to destruction at Lake Trasimene.¹⁴⁵¹ Flaminius' feud with the governing elite, as a tribune and twice consul, was public, serious and protracted; his behavior was manifestly provocative and insubordinate to the traditional authority of the senate. In all these ways, it was not unlike the relationship Ti. Gracchus had with the governing elite of 133 BC, and the strong opposition he faced.¹⁴⁵² Unlike the passage of Gracchus' agrarian bill, which was characterized by bitter conflict, there was no accompanying political violence. Nor did the enmity both sides obviously felt for each other lead to large-scale fighting.¹⁴⁵³ Flaminius' confrontation with the senate, his agitation, and his insubordination, was conducted, if not within the norms of traditional behaviour, then in a non-violent manner.

Public attitudes toward *inimicitiae* in the political sphere were complex and ambivalent. The destruction of enemies was widely accepted as a necessary component of acquiring *dignitas*, *virtus*, status and nobility,¹⁴⁵⁴ but individuals could gain from rising above personal enmity. Ti. Sempronius Gracchus¹⁴⁵⁵ benefited from this form of selflessness.¹⁴⁵⁶ He was a bitter political enemy to the Scipio brothers during their trials but, as tribune, refused to allow the imprisonment of L. Cornelius Scipio because he thought it would be

¹⁴⁴⁸ D.H. 6.30; Liv. 2.26. See Chapter Six above.

¹⁴⁴⁹ D.H. 6.30; Liv. 2.26.

¹⁴⁵⁰ Vows, *inter alia*, at temples had not been made, and the senate not consulted; the senate did not consider him properly or legally appointed until these obligations were fulfilled. Surprisingly, Flaminius brushed off these concerns (Liv. 21.63).

¹⁴⁵¹ Liv. 22.6; Plb. 3.84.

¹⁴⁵² Vishnia, 1996, p. 29.

¹⁴⁵³ Lintott, 1999(b), p. 68. Lintott describes the unrest surrounding Flaminius' tribunate as being no more than a non-violent demonstration. This underplays the obvious seriousness of the matter; consideration of using the army indicates no ordinary dispute. But Lintott is right to draw attention to the non-violent nature of Flaminius' defiance of the senate.

¹⁴⁵⁴ Epstein, 1987, p. 28.

¹⁴⁵⁵ The father of the famous tribunes.

¹⁴⁵⁶ Epstein, 1987, p.15.

unseemly for the Republic to incarcerate a Scipio¹⁴⁵⁷ – although he stated that the enmity had not ended. Senators admired Ti. Gracchus for placing the interests of the Republic before his own hatred.¹⁴⁵⁸ If individuals could thus determine when the interests of the Republic were better served by compromise and temporary suspension of *inimicitiae*, the governing elite collectively could also recognise the danger unrestrained *inimicitiae* posed to the *res publica*. Although not always successful, they tried where they could to soften its effects when it threatened national interests. In 207 BC, for example, it realised feuding magistrates would weaken the war effort, and insisted on reconciling the consuls about to take the field against the Carthaginians, M. Livius Salinator and C. Claudius Nero.¹⁴⁵⁹ In 187 BC, the senate requested that P. Scipio betroth his daughter to Ti. Gracchus to improve the likelihood that their reconciliation would endure.¹⁴⁶⁰ In 179 BC, the senate, along with a deputation of concerned citizens, persuaded feuding censors, M. Aemilius Lepidus, and M. Fulvius Nobilior, to suspend their argument because it had reached such proportions as to risk the smooth running of the state. Their acrimonious rivalry had played out in the senate and assemblies. They agreed to suspend their differences for the sake of the state, and exchanged hand-clasps and pledges to seal their newfound concord, to the approbation of the senate.¹⁴⁶¹

Before 151 BC: Position, Courts and Exile as Political Weapons

As I have demonstrated above, there were acts of violence in a political context prior to 151 BC, but they did not indicate a culture of endemic political violence. There was, however, a crucial difference: an absence prior to 151 BC of endemic physical violence that pervaded political discourse in the late Republic. Instead, enemies turned to other methods to advance their interests, and to attack, marginalise and eliminate rivals. They used, for example, the power or authority vested in magisterial offices to attack opponents. In 204 BC, censors and bitter enemies, M. Livius and C. Claudius, deprived each other of their state horses. C. Claudius then disenfranchised M. Livius; Livius responded by demoting

¹⁴⁵⁷ Liv. 38.53; V.Max. 4.1; Gel. 6.19.

¹⁴⁵⁸ Liv. 38.53. Gruen attributes Gracchus' hesitation to jail L. Scipio to the best traditions of the creed of the *nobiles*: the placing of state interests above that of the personal. If we are to take Gracchus' own explanation at face value, and there is nothing to seriously doubt it, then it would seem to be a genuine case of selflessness (Gruen, 1995, p. 77).

¹⁴⁵⁹ Liv. 27.35; V.Max. 7.2. Claudius' testimony had sent Livius into exile in 219 BC, and they had been enemies since (Liv. 27.37; V.Max. 4.2).

¹⁴⁶⁰ Liv. 38.57; Plut., *TG* 4.4; V.Max. 4.2.

¹⁴⁶¹ Liv. 40.45,46.

Claudius. M. Porcius Cato also used his censorship in 184 BC to deprive L. Scipio of his state horses; this was attributed to his implacable hatred of his dead brother, P. Scipio.¹⁴⁶² Men of influence used their informal position of authority in the senate to speak against others.¹⁴⁶³ The opinion of P. Scipio Aemilianus, for example, prevented the squabbling consuls of 144 BC, Ser. Sulpicius Galba and L. Aurelius Cotta, from being allocated command in Spain against Viriathus.¹⁴⁶⁴ Exile, either enforced or voluntary, was a respectable way to avoid further political attacks, or atone for public disgrace;¹⁴⁶⁵ Praeneste, Tibur and Naples were known destinations for exiles, and Polybius praised this institution as an example of moderation in Roman political discourse.¹⁴⁶⁶

As a tool of *inimicitiae* and political competition, however, the law was especially employed to marginalise, discredit and punish. Extraordinary commissions could be set up to try cases,¹⁴⁶⁷ but the courts in particular provided an effective and convenient outlet for conducting *inimicitiae*.¹⁴⁶⁸ This was because conviction could be disastrous: damaged reputation, fines, exile, or execution in capital cases. The senate and tribunes, for example, decided the legal path was the most effective way to neutralise Manlius in 385 BC, and prosecuted him in the courts and *comitia centuriata*, executing him for sedition when he was found guilty.¹⁴⁶⁹ Toward the end of the Second Punic War, the tribune, Cn. Baebius Tamphilus, prosecuted the above feuding censors, Livius and Claudius, for their public squabbling, but the senate managed somehow to stop the trial, probably wanting to avoid further reputational damage.¹⁴⁷⁰ Tribunes in 187 BC authorised a special senatorial tribunal to try L. Scipio;¹⁴⁷¹ his adversaries, in the Roman practice, used the legal system to attack

¹⁴⁶² Plut., *Cat. Mai.* 18.

¹⁴⁶³ Rosenstein points out that there was a hierarchy when it came to speaking in senate; the leading men often spoke first and thus framed the subsequent debate. The consequence was that, in many cases, more junior members did not get a chance to influence the debate (Rosenstein, 2006, pp. 371 and 372).

¹⁴⁶⁴ V. Max. 6.4.

¹⁴⁶⁵ For example, Liv. 42.3; Plut., *Mar.* 29; App., *BC* 1.37.

¹⁴⁶⁶ Plb. 6.14.

¹⁴⁶⁷ For example, Liv. 38.54.

¹⁴⁶⁸ Epstein, 1987, p. 96. Lintott, 1992, p.43. Lintott points out that for magistrates who had left office, prosecution in the law court was a real threat, but one which that could be frustrated at times: S. Galba's escape from charges of brutality in 149 BC in relation to *de repetundis* (the recovery of money illegally extracted from allies) as a case in point.

¹⁴⁶⁹ Liv. 6.20.

¹⁴⁷⁰ Liv. 29.37.

¹⁴⁷¹ Liv. 38.54. For a full account of the Scipionic trial, see Gruen's account (Gruen, 1995, p. 59 ff). See also Chapter One above.

him.¹⁴⁷² Corruption and embezzlement of public funds while in office was a common charge. The praetor, M. Titinius Curvus, was arraigned three times in the courts by political opponents in 171 BC for peculation, but was acquitted.¹⁴⁷³ In the same year, former Spanish governors, P. Furius Philus and C. Matienus, were charged with peculation by a special commission, but chose voluntary exile rather than face further legal attacks.¹⁴⁷⁴ M. Cato, paragon of Roman frugality and moral rectitude, and inveterate enemy of the Scipios, was especially skilled at using the law against political opponents. He brought many convictions himself, assisted allies in their cases, and persuaded others to start their own proceedings; Cato considered legal action worthy of his most zealous efforts.¹⁴⁷⁵

The law also provided a remedy to extract revenge: in 140 BC, the tribune, Ti. Claudius Asellus, brought charges against Aemilianus.¹⁴⁷⁶ Aemilianus, while censor in 142 BC, attempted to disenfranchise and demote Ti. Asellus,¹⁴⁷⁷ and Asellus never forgot the slight;¹⁴⁷⁸ his enmity for Aemilianus was probable motivation for the attempt to charge him.¹⁴⁷⁹ Legal attacks also originated from outside Italy; between 160 BC-153 BC representatives from provinces brought successful cases against several praetors in Rome charged in the courts or by special commission with peculation.¹⁴⁸⁰ Even an unsuccessful prosecution could damage the career prospects of a defendant. In 189 BC, for example, a charge of peculation, supported by the testimony of Cato, was brought against M. Acilius Glabrio; it was successfully defended, but still destroyed his prospects for obtaining the censorship.¹⁴⁸¹

¹⁴⁷² Liv. 38.54.

¹⁴⁷³ Liv. 43.2.

¹⁴⁷⁴ Liv. 43.2.

¹⁴⁷⁵ Plut. *Cat. Mai.* 14.

¹⁴⁷⁶ Gell. 2.20; Cic., *De Or.* 2.258.

¹⁴⁷⁷ Gell. 2.20; Cic., *De Or.* 2.258. D.C., *Fr.* 76.

¹⁴⁷⁸ Epstein, 1987, p. 113.

¹⁴⁷⁹ Gruen, however, argues Asellus may have been pursuing a broader political agenda (Gruen, 1968, p. 31). But as Epstein rightly points out, there is no evidence that any more complex motive was involved (Epstein, 1987, p. 113). I thus agree with Epstein that revenge for the slight in 142 BC seems the most logical explanation.

¹⁴⁸⁰ Liv., *Per.* 47.

¹⁴⁸¹ Liv. 37.57: *Postremo in huius maxime invidiam desistere se petitione Glabrio dixit quando, quod taciti indignarentur nobiles homines, id aequae novus competitor instabili perituro incesseret.* "Finally, in order to chiefly make Cato unpopular, Glabrio said he would drop his candidature, since, while the nobles kept silent, though indignant, it was attacked with detestable perjury by one who was as much a new man as himself." Epstein points out that Livy suggests that Glabrio withdrew because he wanted to embarrass Cato, the new man, and thus expose him to the collective anger or the aristocrats (Epstein, 1987, p. 154). But Glabrio, an ambitious man, was hardly going to withdraw his candidacy from one of the Republic's most senior and

The New Discourse: The Emergence of Endemic Violence

From 151 BC onwards, something altered in the fabric of Roman political life. Dysfunctional competition and insubordination between magistrates in the normal way continued to cause friction and occasionally produce disasters for the Republic; most spectacularly in 105 BC when the senate and soldiers failed to intercede effectively to control the *inimicitia* between Cn. Mallius Maximus and Q. Servilius Caepio, leading to decisive defeat by invading Germanic tribesmen at Arausio.¹⁴⁸² They did not escape punishment; Servilius's command was terminated, a penalty that had not been imposed since the early Republic, and he and Mallius were convicted of treason, imprisoned, but released into exile by a sympathetic tribune.¹⁴⁸³ Intense competition for glory continued to encourage disobedience to state authority and unilateral action from magistrates serving in provinces. A desire for money and fame, for example, motivated L. Licinius Lucullus in 151 BC to declare war on, and invade, the Celtiberian Vaccaei in Spain without the authority of the senate or the *comitia centuriata*.¹⁴⁸⁴ These dynamics persisted.¹⁴⁸⁵

respected magisterial positions; the reputational damage done to him by the charge of peculation seems the more likely cause.

¹⁴⁸² Liv., *Per.* 67. The two rivals refused to cooperate on the battlefield: proconsul Servilius was jealous because the consul Mallius had primary authority, and was eager to monopolise the glory. According to Livy, up to 80 000 soldiers and 40 000 camp followers were killed: this is probably an exaggeration but the point is Rome suffered one of its worst disasters since Cannae in 216 BC. Servilius was prosecuted for his inability to cooperate, and for cowardice (Rosenstein, 1990, p. 263. See also Sherwin-White, 1956, p. 4). Keaveney sees the *inimicitia* between the Mallius and Caepio, and the refusal to cooperate, as an extension of broader political tension between *populares* and *optimates*, and as being anchored in that contemporary struggle (Keaveney, 2005, p. 23). I think, however, that Keaveney has read too much into what I argue was primarily a personal dispute about honour and the opportunity for glory that I have shown above was an all too common aspect of competition between the governing elite, and not at all confined to the late Republic.

¹⁴⁸³ V.Max. 4.7. The tribune, L. Cassius Longinus, also passed a bill in 104 BC which automatically expelled from the senate anyone who had had his command abrogated; this was aimed directly at Servilius, who was largely blamed, and indicates the depth of fury felt about the fiasco.

¹⁴⁸⁴ App., *Hisp.* 51.59.

¹⁴⁸⁵ The treatment by the state of Caepio in 105 BC stands in contrast with its treatment of another consul who lost a seminal battle for Rome through incompetence and by bickering with his colleague, C. Terentius Varro. Varro lost the battle of Cannae against the Carthaginians in 216 BC; both men were fighting in times of extreme peril against competent enemies, and much was expected. Not only was Varro not punished for his leading role in bringing about one of Rome's worst and most dangerous defeats when he lost against Hannibal, but, unlike Caepio, he actually received a vote of thanks from the senate and the Roman people for his service and because he did not despair of the state (Fron., *Str.* 4.6). Caepio was operating in an environment which had much less tolerance for failure, especially when it had resulted in so many deaths, and was caused largely by his bickering and jealousy. Plutarch, however, puts quite a different spin on the behaviour of Varro in his life of Aemilius Paulus (Plut., *Aem.* 2). He contrasts Varro's flight from Cannae, and the fact that he survived the battle, unfavourably with the conduct of the other consul (and ancestor of Aemilius), Lucius Paulus, who decided to remain with his men when it became clear the battle was lost, and subsequently died fighting. Varro does not fare well by the comparison. In hindsight, this suggests that although the state may have publicly thanked him, there were those who nevertheless considered his conduct less praiseworthy.

Significantly, political discourse also changed during this period. After a long period of relative concord,¹⁴⁸⁶ against the background of a series of unpopular and unprofitable wars in Spain, the tribunate started to reassert something of its original revolutionary character. Ordinary citizens would turn to it in its new role as long as it remained effective in its representation of their interests. From the start, the army was at the centre of this growing schism; tribunes acted initially to disrupt the levy for Spain, and legislated on conditions of service for citizens serving in the army. As a result, discord between ordinary citizens, the tribunate and the governing elite increased. By 133 BC, it had reached a point where political discourse resembled the earlier revolutionary period;¹⁴⁸⁷ obstructionist and revolutionary tribunes in conflict with the governing elite and individual magistrates, and increasingly willing to defy the wishes of the senate. But the new period of disharmony differed from the old in a significant way: this time, endemic violence emerged as a normative form of political expression. From this point, political violence becomes not the exception or an inexplicable outlier, but the new norm of political expression. By the emergence of this new element into the political life of the Republic, the Roman state had taken its first firm step on the road to Sulla, an interventionist army, and civil war.

151 BC- 133 BC: First Signs of Increased Seditious and Political Disharmony

In 151 BC, the period of relative solidarity in Roman political life ended; the first indication occurred that the tribunate was prepared to act in a more obstructionist and revolutionary manner. There was war in Spain against the Lusitanians and Celtiberians.¹⁴⁸⁸ The distance from Rome, their intractable and difficult nature, the length of service, and the lack of opportunities for booty, made these wars unpopular; men did not want to go and it was a

¹⁴⁸⁶ This period of relative concord is, of course, marked by the notable exception of the tribunate of C. Flaminius in 232 BC (Plb. 2.21; V.Max. 5.4; Liv. 21.63). For more on the argument of relative concord as it related to a specific realm of senate-tribunate relations, see Taylor, who argues that between 216 BC (Cannae) and 167 BC (the start of the Spanish wars), the tribunate compromised with the senate or acceded with their wishes when it dealt with issues relating to military service conditions (Taylor, 1962, pp. 20 and 21). In this aspect of the relationship, I am inclined to agree. The senate and tribunate more often than not, for example, found common purpose and agreement in military issues during this period, such as the enrollment of youths under seventeen (Liv. 25.5), acquiescing to the senate's wishes regarding the release of urban legions (Liv. 34.56) and leaving it up to the senate to decide the issue of veterans' release conditions in the army in Spain (Liv. 39.38).

¹⁴⁸⁷ Ross Taylor, 1962, p. 19. Lintott, 1999(b), p. 175. Raaflaub, 2006, pp. 139 and 140. The revolutionary period of Conflict of the Orders was traditionally measured from the early fifth century BC to 287 BC when the *Lex Hortensia* was enacted. From this point on until 151 BC (excepting the tribunate of C. Flaminius), and especially after defeat at Cannae in 216 BC, there was relative concord between ordinary citizens and the governing elite.

¹⁴⁸⁸ App., *Hisp.* 45 ff.

struggle to recruit.¹⁴⁸⁹ As a result, consuls for 151 BC, Lucullus and A. Postumis Albinus, pursued the levy with great thoroughness. The tribunes forcibly interceded in the levy on behalf of ordinary citizens who complained of unfair treatment;¹⁴⁹⁰ when the consuls refused to grant exceptions, the tribunes imprisoned them.¹⁴⁹¹ The cultural history of citizens refusing to present for the levy in civic cause went back to the earliest revolutionary period, and the establishment of the office of tribune; against the governing elite, it was one of their principal, most effective, weapons.¹⁴⁹² In early fifth century BC, for example, citizens refused to attend the levy to repel a Sabine invasion and suppress a rebellion among the Medullini because of senatorial intransigence over political and economic reform.¹⁴⁹³ Never before, however, had it resulted in the seizure of the consuls and their imprisonment.¹⁴⁹⁴ In 138 BC, it happened again: tribunes C. Curvius and Licinius imprisoned consuls, P. Scipio Nasica and D. Iunius Brutus, over another difficult levy for Spain.¹⁴⁹⁵ The unpopular Spanish war was again at the root of tribunate interference; citizens were deserting, and men refused to go.¹⁴⁹⁶ Tribunes interceded on behalf of ordinary citizens seeking exemptions; the consuls remain implacable, and were imprisoned.¹⁴⁹⁷

¹⁴⁸⁹ Liv., *Per.* 48; Taylor, 1962, p. 21. For example, no one could be found in 151 BC to perform the office of military tribune; P. Cornelius Scipio Aemilianus famously provided the example of volunteering for the war which encouraged other aristocrats to serve (Liv., *Per.* 48). I would point out that, in contrast, there was generally no trouble recruiting levies, volunteers of officers for the army for the more lucrative second century BC series of campaigns in the east against Macedon, and against Carthage in Africa during the Third Punic War.

¹⁴⁹⁰ They tried to persuade the consuls to exempt a number of recruits from service, although it is not clear why they specifically wanted to avoid the draft (Liv., *Per.* 48).

¹⁴⁹¹ Liv., *Per.* 48. Their imprisonment, however, cannot have lasted for long: Licinius subsequently went off to Spain to invade on his own initiative a people not at war with Rome, and without the state's authority (*App., Hisp.* 51).

¹⁴⁹² D.H. 6.88.

¹⁴⁹³ D.H. 6.34; Liv. 2.23; Raaflaub, 2006, p. 139. See also Chapter Six above. It was not long after this event that the plebeians succeeded in a major show of dissent, and the office of tribune was established. They were entirely successful in forcing compromise upon the governing elite.

¹⁴⁹⁴ Taylor, 1962. As far as we know, this had never occurred before.

¹⁴⁹⁵ Liv., *Per.* 55; V.Max. 3.7.

¹⁴⁹⁶ Fron., *Str.* 4.1. There is a rare and specific reference to the consuls in 138 BC scourging and selling into slavery deserters from the army, so military service must have been unpopular enough at the time for men to risk extreme punishment. The most likely cause of this was the war in Spain.

¹⁴⁹⁷ M. Tullius Cicero's brother, Quintus, in a work composed by Cicero himself, called the imprisonment of the consuls by the tribunes in 138 BC an act "*quod ante factum non erat*" (Cic., *Leg.* 3.20). Of course, this was not the case: it had happened before in 151 BC, as we have seen. The comment, nevertheless, effectively transmits the unprecedented nature of the act, and that it was far from being normal practice in political discourse up until that point.

The tribunes' interference in the levy was not directly revolutionary, but their imprisonment of consuls was an unprecedented and undoubtedly seditious act. It was also a form of ritualised violence. I argue that it was an indication that the concord between the tribunate and senate was unraveling. Given that the tribune was bound always to act in the interests of the people,¹⁴⁹⁸ it was also a marker of a widening schism between the governing elite and ordinary citizens, especially those serving in the army. The war, for example, created hardship, the people complained to the tribunes,¹⁴⁹⁹ and the tribunes acted by interfering in the levy to aid citizens in distress. The imprisonments did not last long;¹⁵⁰⁰ they were more symbolic than real violence. The fact that tribunes acted in this manner, however, was a harbinger of things to come; imprisonment explored the limits of extra-legal coercion,¹⁵⁰¹ and was a warning that the will of the tribune, and through him the people, was sacrosanct – or unprecedented methods would be used to enforce it. Public discourse started to take a grimmer, more unforgiving tone; history was repeating itself.

Other indicators of a more militant tribunate, and of conflict with the governing elite, appeared during this period. There was, for example, an increased legislative focus on conditions of military service that encroached on the authority of the senate.¹⁵⁰² I have shown that attempts to seek exemption from the Spanish levy were frequent. The law to limit overseas service to six years probably belonged to this period also: its effect, for example, was conspicuous on the army serving in Spain during 140 BC.¹⁵⁰³ Moreover, the law which extended rights of appeal for soldiers was passed before 134 BC, and likely attributed to the Spanish wars.¹⁵⁰⁴ This legislative focus was concerned with improving conditions of service for ordinary citizens serving in the army; I argue that it was a further manifestation of an increasingly assertive tribunate,¹⁵⁰⁵ operating this time within a judicial

¹⁴⁹⁸ Plb. 6.16.

¹⁴⁹⁹ This was easy to do. Tribunes for their year in office were required to spend the time in Rome, and to always have the doors of their houses open day and night so people could easily approach them (Gel. 3.2). See also Taylor, 1962, p. 20.

¹⁵⁰⁰ App., *Hisp.* 51.

¹⁵⁰¹ Lintott, 1999(b), p. 176. Lintott argues that the imprisonments brought with them the theoretical possibility of unlimited *coercitio*, and threatened more drastic action. I am inclined to agree and emphasise the heavy portents of further conflict that invest these acts.

¹⁵⁰² Taylor, 1962, p. 22.

¹⁵⁰³ App., *Hisp.* 78.

¹⁵⁰⁴ The third *Lex Porcia de provocatione*: Liv., *Per.* 57; Plut., *CG* 9.

¹⁵⁰⁵ There were more obscure laws passed during this period; Taylor's discussion on two further laws that, she argues, were also controversial is instructive and adds to the feeling of militancy that we get: the middle second century BC *Lex Aelia* and *Lex Fufia*. Both laws seem to have been providing capacity for magistrates

framework in accordance with the ancient precept of *ius auxilii*, the right to aid citizens in distress. During this period, tribunes were also active more broadly, extending protections to citizens discharging civic voting responsibilities: secret ballot laws were passed in 139 BC and 137 BC,¹⁵⁰⁶ and attracted strong resistance from vested interests within the governing elite.¹⁵⁰⁷

Between 151 BC and 134 BC, then, the tribunate, and through them the ordinary citizens, became more militant, willing to defy the will of the senate, and reassert its old revolutionary character. It legislated into areas which impinged on the interests and authority of the governing elite. Significantly amid this period of change, the limits and possibilities of power and extra-legal coercion were tested. In particular, the citizen-militia was from the outset exposed to the growing militancy and reassertion of the power of the tribunate. The old harmony was unraveling, and in imitation of the Rome's revolutionary past, contenders were thrown back upon the two centres of power in the constitution: the people, through the office of the tribune, and the governing elite, through the magistrates and senate. But it required the tribunate of Ti. Gracchus to make obvious the consequence of that change. This was reflected most starkly in the example of his personal fate.

From 133 BC: The Outbreak of Endemic Violence in Political Discourse

In 133 BC, Roman political discourse made the transition from growing tension and the promise of civil strife to outright violence. Ti. Gracchus introduced directly into the *tributa plebis*¹⁵⁰⁸ a *lex agraria* re-establishing a long-ignored limit of 500 *iugera*¹⁵⁰⁹ of *ager*

other than tribunes to obstruct the passage of laws as they were being legislated by the tribunes for religious reasons (*obnuntiare*) (Taylor, 1962, pp. 22 and 23). The ability of a law like this to create controversy by expanding certain powerful powers to magistrates other than tribunes, who already had the power to veto laws, was obvious; Taylor posits that these laws may represent an attempt by the governing elite to limit the militancy of tribunes focused especially on conditions of military service at this time. It seems a reasonable suggestion, given the obvious increase in activity from the tribunate in this area.

¹⁵⁰⁶ Cic., *Leg.* 3.35; Liv., *Per.* 54; Cic., *Brut.* 97.

¹⁵⁰⁷ Taylor, 1962, p. 22. See also Jakobson's exhaustive textual analysis of the sources behind the ballot laws, and their effects in the late Republic (Jakobson, 1995, pp. 426-442).

¹⁵⁰⁸ Placing a bill directly into the *comitia tributa*, and not through the senate first, was not a revolutionary thing to do for a tribune: it was neither against *mos maiorum* nor illegal. But it did signal to the governing elite that Ti. Gracchus was going to go directly to the people whenever possible, and it did not allow those senators who might have supported the bill to show it in the senate.

¹⁵⁰⁹ The equivalent of about 125 hectares (Konrad, 2006, p. 167).

publicus that could be farmed by any one individual.¹⁵¹⁰ The bill was not revolutionary, nor drafted in isolation. It re-affirmed what already existed in law, was drafted with the help of a number of leading senators, such as consul, P. Mucius Scaevola, and *princeps senatus*, Ap. Claudius Pulcher, and enjoyed considerable support in the senate.¹⁵¹¹ It did not lead to violence *per se*: the civil strife that arose was more the result of a direct visceral reaction from members of the governing elite provoked by the revolutionary manner in which Gracchus conducted his business, defied the senate, and encroached on its authority.¹⁵¹² By removing by popular vote a fellow tribune who obstructed the agrarian bill,¹⁵¹³ for example, Ti. Gracchus established a precedent by which a troublesome colleague could be removed by appeal directly to the people, upsetting the principle of limited power in one individual which formed the basis of the republican system of government.¹⁵¹⁴ By seizing the legacy of Pergamum to finance the land commission,¹⁵¹⁵ sidestepping the senate's obstructionist tactic of starving the bill of funds, Ti. Gracchus impinged upon the traditional authority of the senate to decide matters relating to finance and foreign affairs. The final straw was the attempt to secure by violence a highly unusual second consecutive tribunate;¹⁵¹⁶ his supporters seized the Capitol and used force to suppress opposition to his re-election.¹⁵¹⁷

Although Konrad points out that it was in the interests of the governing elite to cooperate with Ti. Gracchus because the agrarian reform he proposed helped forestall political instability by improving the economic condition of the poor,¹⁵¹⁸ the bill nevertheless hurt the financial interests of many influential and wealthy men in the governing elite who

¹⁵¹⁰ App., *BC* 1.9; Plut., *TG* 7. Public land had for centuries been available to Romans and Italians to farm and graze their flocks; the 500 *iugera* limit by 133 BC was notional, and many plots were much larger. The state would reclaim the excess to re-distribute in family-sized plots among the *plebs rustica*, and those of the *plebs urbana* who wanted to farm (Konrad, 2006, p. 167).

¹⁵¹¹ Plut., *TG* 9. The bill had a direct precedent: around 140 BC, the consul C. Laelius had introduced a similar agrarian bill, but it had been withdrawn because of the opposition Laelius encountered in the senate. Clearly, the subject of agrarian reform was a controversial one (Plut., *TG* 8).

¹⁵¹² Shotter argues that Gracchus' behavior became progressively more extreme; a sign of the importance he placed in retaining the support of the people (Shotter, 2005, p. 33). Gracchus, by basing his legitimacy in the traditional power of the people's assemblies, certainly pursued an unconventional path. But it was hardly extreme; the assemblies allowed for this type of power and Gracchus broke convention, not judicial precepts. Nevertheless, I agree with Shotter's intent, if not the letter, of his point: the tribunate of Gracchus was manifestly revolutionary in that it challenged the established convention and authority of the senate.

¹⁵¹³ Plut., *TG* 10; App., *BC* 12.

¹⁵¹⁴ Konrad, 2006, p. 169.

¹⁵¹⁵ Plut., *TG* 14.

¹⁵¹⁶ For example, Gracchus and his supporters armed themselves with spear shafts and rods during the final confrontation on election day (Plut., *TG* 19).

¹⁵¹⁷ App., *BC* 1.16.

¹⁵¹⁸ Konrad, 2006, p. 168.

probably had large amounts of their wealth tied up in land use.¹⁵¹⁹ Resistance was inevitable: from the outset, it attracted serious opposition from vested interests concerned with seeing the *status quo* preserved.¹⁵²⁰ Tribune M. Octavius, in a radical departure from convention, repeatedly vetoed Ti. Gracchus' bill in the assembly, escalating the standoff to a constitutional crisis.¹⁵²¹ When the bill passed, the senate reacted by starving the commission allocating the land of funds. On election day, members of the governing elite reacted to the use of force by Ti. Gracchus' partisans with force of their own; the *pontifex maximus*, P. Scipio Nasica, led a counter-attack, and in the subsequent riot, Ti. Gracchus and hundreds of his supporters were killed.¹⁵²² The senate followed up in the aftermath with a series of repressive measures to apprehend and punish those who had conspired with Ti. Gracchus; many more were subsequently put to death.¹⁵²³

Flower argues that it is not helpful or accurate to describe Ti. Gracchus' death as an act of civil war: he was killed without the use of weapons or troops on the authority of a private citizen acting spontaneously.¹⁵²⁴ This may be so, but it is hard to overestimate the significance of the violence and proscriptions which accompanied his death and immediate aftermath. It may not have been civil war, but it was a significant step on the path toward it. For the political life of the Republic, it was a seminal moment: the first time deadly violence had been used in a political contest.¹⁵²⁵ Some aspects of the strife were familiar. As in the confrontations of 151 BC and 138 BC, for example, the army was at the centre of the reform, which was framed in terms of replenishing rural recruiting pools – and Ti. Gracchus in it argued directly for the interests of soldiers.¹⁵²⁶ But the nascent reassertion of the revolutionary character of the tribunate first evident from 151 BC onwards, and the nature of the tension between it and the governing elite, had matured. In response to the

¹⁵¹⁹ App., *BC* 1.10; Plut., *TG* 9. For a discussion on the challenge to the traditional interpretation of the Gracchan agrarian bill, and its assumption of demographic and agrarian decline in the late second century BC, see Chapter Two above.

¹⁵²⁰ Shotter, 2005, p. 31.

¹⁵²¹ There was no precedents for a repeated obstruction of a tribune's bill to the people; the situation had never arisen before. Gracchus solved it in an unprecedented manner by removing Octavius from office with a vote from the people.

¹⁵²² App., *BC* 1.16.

¹⁵²³ V. Max. 4.7; Plut., *TG* 20.3; Konrad, 2006, p. 170.

¹⁵²⁴ Flower, 2010(a), p. 76.

¹⁵²⁵ App., *BC* 1.16; Plut., *TG* 20. Nasica acted only after the consul rejected his entreaties to suppress Ti. Gracchus and his followers; there is spontaneity in this fact of the private citizen acting in the national interest to protect the Republic. See this chapter above.

¹⁵²⁶ Plut., *TG* 9; App., *BC* 1.10.

challenge from Ti. Gracchus, the governing elite too had resorted to violence: the implication was that it would not tolerate the tribunate or ordinary citizens acting this way, and would respond with deadly force. As the traditional advocate for the interests of ordinary citizens, the tribunate in 133 BC was suppressed.¹⁵²⁷

From this point on, endemic violence became a normative part of politics; as Shotter points out, once blood had been shed in political feud, there was no going back.¹⁵²⁸ In 121 BC, there was a second major outbreak of political violence immediately following the reforming tribunate of C. Sempronius Gracchus. Unlike the program of his single-issue brother, C. Gracchus' reform program in 123/122 BC was diverse and attempted to ameliorate many problems making themselves felt at the time, including the emerging issue of the status of the Latin and Italian allies.¹⁵²⁹ He introduced, for example, legislation to stabilise the price of grain in Rome,¹⁵³⁰ reaffirmed appeal to the people in capital cases and made transgressing magistrates liable for prosecution,¹⁵³¹ introduced a franchise bill giving citizenship to the Latins and Latin rights to the Italian allies,¹⁵³² passed a law establishing tax farmers in Asia and introducing new centralised contract arrangements,¹⁵³³ enacted laws for major public works programs throughout Italy,¹⁵³⁴ and probably re-enacted the agrarian law of his brother.¹⁵³⁵ The army also featured; C. Gracchus introduced a law to provide clothing for soldiers at public cost and which forbade the recruitment of youths under the

¹⁵²⁷ Wiseman, 2009, p. 8. Wiseman persuasively argues that the governing elite automatically equated the use of 'unorthodox methods' (read: using the latent power of the people's vote in the *comitia tributa* to pass legislation without advice or influence from the traditional limitations on that latent power, the magistrates and the senate) with attempts to establish a tyranny over the state. As an explanation, it is credible; the language used by Nasica indicated he and his partisans saw the threat posed by Gracchus in these terms, and the senate would later formalise, in similar language, its request to magistrates to suppress other assertive tribunes in the form of a state of emergency. From their violent reaction to Gracchus and other tribunes, it is clear that the governing elite indeed perceived a threat to the status quo, and rationalised this as a threat to the state.

¹⁵²⁸ Shotter, 2005, p. 34. Shotter makes the right conclusion: "It was inevitable that, in the post-Gracchan era, it would be easier as a result to settle political issues by resorting to violence: that was the legacy both of Tiberius Gracchus and of the contemporaries who supported and opposed him."

¹⁵²⁹ Shotter, 2005, p. 35. For a detailed analysis of the individual pieces of legislation attributed to C. Gracchus, see Stockton (Stockton, 1979, pp. 161 ff).

¹⁵³⁰ Cic., *Sest.* 103; Liv., *Per.* 60; Vell. 2.6; Plut., *CG* 5.

¹⁵³¹ Plut., *CG* 4.

¹⁵³² Vell. 2.6; Plut., *CG* 5. This bill pleased no one and failed (Shotter, 2005, p. 36).

¹⁵³³ Gel. 11.10. This law established that the contracts for tax farming, a lucrative enterprise, would be auctioned among the wealthy non-senatorial class.

¹⁵³⁴ Plut., *CG* 6.

¹⁵³⁵ Plut., *CG* 5; Liv., *Per.* 60. See Stockton for an analysis of the agrarian aspects of C. Gracchus' legislation. He argues that C. Gracchus' intention was to continue the work that his brother started; in addition, Stockton argues C. Gracchus added two other innovations: he gave commissioners the power to distribute public land outside Italy and the power to plant colonies and make individual assignments (Stockton, 1979, p. 132).

age of 17.¹⁵³⁶ His most controversial laws¹⁵³⁷ replaced senatorial members of juries with equestrians.¹⁵³⁸ Both Plutarch and Appian wrote that these laws did more than any other to curtail the authority of the senate;¹⁵³⁹ they gave power to equestrians to sit in judgment and pronounce punishments over the senatorial class, something which infuriated the governing elite.¹⁵⁴⁰

Like his brother's program, C. Gracchus' reform program generated strong opposition from vested interests in the senate and among the governing elite, deepened divisions already present in public life. It also introduced new tensions between wealthy equestrians, who benefited legally and economically from the reforms, and the senatorial elite, who had their authority curtailed in traditional areas of dominance.¹⁵⁴¹ It was inevitable that the governing elite interpreted it as a direct assault on their authority and as demagoguery: his grain law, for example, which required the state to purchase large amounts of grain to sell below market rates, was attacked as a demagogue's mass bribe to the urban poor.¹⁵⁴² The *lex iudiciaria* ended the monopoly of senators acting as single judges in most civil cases and in the criminal courts, and replaced them with equestrians in the extortion courts.¹⁵⁴³ It was, however, the perceived re-ordering of power in the republican system of government, and the use of insurrection to achieve political ends, which provided the catalyst for violence. Along with former consul, M. Fulvius Flaccus,¹⁵⁴⁴ C. Gracchus was voted a second year as tribune and attempted, but failed, to secure a third;¹⁵⁴⁵ this, and his popularity with ordinary citizens, were interpreted as threats to the political system.¹⁵⁴⁶ He set, for example, a precedent for personal dominance as a way of holding onto political power, and in doing so, went beyond the limits of what most members of the governing elite considered

¹⁵³⁶ Diod. 34.25; Plut., *CG* 5.

¹⁵³⁷ Stockton, 1979, p. 141.

¹⁵³⁸ Plut., *CG* 5; App., *BC* 1.22.

¹⁵³⁹ Plut., *CG* 5; App., *BC* 1.22.

¹⁵⁴⁰ Stockton, 1997, pp. 141 and 142; Shotter, 2005, pp. 35 and 36. Appian summed up the consequence by pointing out that the law placed the senators on the level of ordinary citizens and gave power to the knights (App., *BC* 22 ff).

¹⁵⁴¹ Diod. 35.25. This was especially the case regarding legislative change to the judicial system: it effectively, for example, pitted the knights against the senatorial class in the extortion courts. See Konrad for a neat summation of the effects of Gracchus' legislation (Konrad, 2006, pp. 171 and 173).

¹⁵⁴² Liv., *Per.* 60; Konrad, 2006, p. 171.

¹⁵⁴³ *Quaestio de repetundis*.

¹⁵⁴⁴ The only instance known of a former consul becoming tribune of the plebs.

¹⁵⁴⁵ Plut., *CG* 12.

¹⁵⁴⁶ The senate, for example, perceived that C. Gracchus had become too powerful as a politician and with the people behind him, might become invincible (Plut., *CG* 8).

acceptable political behaviour.¹⁵⁴⁷ When supporters of M. Flaccus and C. Gracchus seized the Aventine in armed insurrection in reaction to the dismantling of parts of the reform program, and fortified it,¹⁵⁴⁸ the state declared a civil emergency and empowered consul, L. Opimius, to suppress it.

The violence which followed was an increase in order of magnitude to that which accompanied the suppression of Ti. Gracchus a decade earlier. By declaring a civil emergency, the state admitted that there existed a threat to society of such magnitude that magistrates could take whatever steps they considered necessary to defeat it.¹⁵⁴⁹ L. Opimius, while consul, thus killed without trial 3,000 citizens, including C. Gracchus and Flaccus, who had celebrated a triumph while consul.¹⁵⁵⁰ Unlike 133 BC, the suppression was officially sanctioned; the state paid a reward for the heads of C. Gracchus and Flaccus,¹⁵⁵¹ and, as in the case of the demagogue Sp. Maelius in 439 BC,¹⁵⁵² the property of C. Gracchus and Flaccus was sold and proceeds paid into the public treasury.¹⁵⁵³ The outbreak of civil strife in 121 BC reinforced a pattern of political violence established by the death of Ti. Gracchus: coercion was an effective response to political obstructionism. In particular, the governing elite reacted to the challenge of a revolutionary tribune acting in the interests of ordinary citizens by once again suppressing it with violence, this time accompanied by the correct formalities. For ordinary citizens, it looked much more like civil war: preparations for the suppression were not insignificant;¹⁵⁵⁴ there was fighting in the streets, the consul commanded the official response and deployed troops – and the state

¹⁵⁴⁷ Stockton, 1979, p. 185. The revolutionary tenure of C. Gracchus' tribunate is reflected in Diodorus' account. He describes C. Gracchus as calling for the abolition of aristocratic rule and its replacement with a system of democratic representation (Diod. 35, 25).

¹⁵⁴⁸ App., *BC* 1.26; Plut., *CG* 14. The parallels between this seizure of the Aventine and its seizure by the plebeians during the Conflict of the Orders were obvious. I argue that this was no coincidence: the supporters of Gracchus and Flaccus were consciously emulating the earlier act to give their insurrection legitimacy, and to draw strength from the traditional link between successful extra-legal action by ordinary citizens and political reform.

¹⁵⁴⁹ Stockton, 1997, p. 199. Stockton offers a detailed analysis of the last moments of C. Gracchus and his supporters. It is a useful and forensic examination of the chronology of the emergency in 121 BC.

¹⁵⁵⁰ Plut. *CG* 17.

¹⁵⁵¹ Plut. *CG* 17; Flower, 2010(a), p. 77; Flower, 2010(b), pp. 82 and 83.

¹⁵⁵² Liv. 4.13;14. D.H. 12.1-4; Cic., *Cato* 56. See Chapter Six above.

¹⁵⁵³ Plut., *CG* 17.

¹⁵⁵⁴ Lintott, 1999(b), p. 184. Lintott emphasises the formalities the senate conducted, and the unity it achieved among its own members in the face of the Gracchan insurrection; a loss of popular support for Gracchus may have encouraged the senate to respond as it did. He calls the state preparations considerable because of the troops used and the planning that went into the suppression. The nexus between the violence and the use of troops is an important issue that I will expand upon below in this chapter.

treated its own citizens as enemies.¹⁵⁵⁵ I argue that the outcome could well convince any future reformer that C. Gracchus had failed because he was not sufficiently ruthless, or that he lacked the necessary power to check the inevitable violent response from the senate. Either way, the state's handling of the insurrection embittered many ordinary citizens: when Opimius erected a temple dedicated perversely to Concord after Gracchus' death, someone in the night carved graffiti under the dedication that suggested instead a work of mad discord produced a temple of Concord.¹⁵⁵⁶

In 101 BC, there was yet a third outbreak of major political violence. During tribunician elections, L. Appuleius Saturninus used violence to secure his second tribunate by murdering a rival candidate.¹⁵⁵⁷ In 100 BC, with the passive assistance of consul, Marius, and praetor, C. Servilius Glaucia, Saturninus forced the passage of a program of popular legislation¹⁵⁵⁸ over the veto of his colleagues, against an attempt to suspend the *comitia tributa* on religious grounds,¹⁵⁵⁹ and in defiance of physical opposition from urban plebeians resentful at the amount of public land in the bill reserved for Italian allies.¹⁵⁶⁰ In 99 BC, Saturninus was elected to his third tribunate; it was claimed that he attempted to illegally gain control of the government by conspiring to get C. Glaucia elected consul by murdering his rival, suspending consular elections indefinitely, and seizing the Capitol.¹⁵⁶¹ The senate declared a civil emergency, and empowered consul, Marius,¹⁵⁶² to suppress the insurrection: Saturninus, Glaucia, his quaestor, C. Saufeius, and supporters were killed in the subsequent violence.¹⁵⁶³ In this case, it was significant that the senate authorised

¹⁵⁵⁵ Flower, 2010(a), pp. 76 and 77. Nippel, 1984, p. 26.

¹⁵⁵⁶ Plut., *CG* 17.

¹⁵⁵⁷ App., *BC* 1.28; Plut., *Mar.* 29; Liv., *Per.* 69.

¹⁵⁵⁸ It included a *lex agraria* for settling Marius' veterans in colonies in Gaul, Greece, Macedon and Sicily, and for dividing up land recently taken from the Cimbri.

¹⁵⁵⁹ Thunder was heard by the city crowd in the assembly passing the legislation; by law, when this occurred, the business of the assembly was not allowed to continue. L. Saturninus ignored this provision (App., *BC* 1.30).

¹⁵⁶⁰ App., *BC* 1.29; Plut., *Mar.* 30; Liv., *Per.* 69. Appian reminded his audience that L. Saturninus' legislative package had been passed by violence and after thunder had been reported, and thus, was not legitimate. Konrad discusses the details of the package (Konrad, 2006, pp. 176 and 177). Lintott says the laws L. Saturninus passed by violence were treated with caution, and while not openly declared invalid, were either abandoned in application or limited in scope (Lintott, 1999(b), pp. 185 and 186).

¹⁵⁶¹ App., *BC* 1.32; Plut., *Mar.* 30.

¹⁵⁶² Lintott argues persuasively that Marius, freed from the wars to protect the Italian peninsula, would countenance no more violence; the flagrant murder of C. Memmius was the catalyst which united the senate and consul in the adoption of extreme measures (Lintott, 1999(b), p. 185).

¹⁵⁶³ Lintott, 1999(b), p. 185.

violence not against private citizens,¹⁵⁶⁴ but against serving magistrates. As it had in 133 BC and in 121 BC, the governing elite responded to a popular movement in Roman society with violence to suppress it.

By the end of the second century BC, armed militias were now pervasive in Rome; as Flower points out, political assassination was just one more tool to control the outcome of elections to high office.¹⁵⁶⁵ This new political discourse was characterised by elements of behavior unknown prior to 151 BC. Political candidates or magistrates involved in controversial matters used groups of armed bodyguards to accompany them as they went about their business; Ti. Gracchus had one to protect him from opponents,¹⁵⁶⁶ as did his brother, C. Gracchus.¹⁵⁶⁷ A guard of urban citizens carrying daggers surrounded Metellus when he travelled the streets in 100 BC.¹⁵⁶⁸ Politicians now armed gangs of supporters in the anticipation of violence at gatherings of citizens in voting assemblies to secure the passage of bills:¹⁵⁶⁹ the tribune, P. Sulpicius Rufus, maintained a standing force of 3,000 men armed with swords with which to threaten political opponents and conduct murder and violence.¹⁵⁷⁰ Rivalries and *inimicitiae* between magistrates, especially at election time, could be settled by force, or opponents could be targeted with violence and intimidation to suppress or sweep away political opposition in assembly.¹⁵⁷¹ Most of the violence involved tribunes in conflict with each other or with the senate, and their assemblies were places where fighting frequently occurred: a *contio* called in 111 BC by the tribune, C. Memmius, for example, to question Jugurtha was suspended by the consul, P. Scipio Nasica, after a violent crowd threatened a fellow tribune who tried to veto the questioning.¹⁵⁷² The following year, tribunes, P. Licinius Lucullus and L. Annius, tried to secure re-election in assembly against resistance from colleagues; this led to riots.¹⁵⁷³ The tribune, Titius, in 99

¹⁵⁶⁴ As in C. Gracchus's case; he was technically a private citizen when killed, having failed to secure election for the third time to the tribunate.

¹⁵⁶⁵ Flower, 2010(a), p. 77.

¹⁵⁶⁶ App., *BC* 1.12.

¹⁵⁶⁷ App., *BC* 1.25.

¹⁵⁶⁸ App., *BC* 1.31.

¹⁵⁶⁹ Such as the violence and unrest that accompanied the passage of bills and voting in public assemblies while Ti. Gracchus was tribune (App., *BC* 1.15).

¹⁵⁷⁰ Plut., *Sull.* 8.

¹⁵⁷¹ For example, at Plut., *Mar.* 30.

¹⁵⁷² Sal., *Jug.* 34.

¹⁵⁷³ Sal., *Jug.* 37.

BC provoked riots trying to pass his agrarian legislation in assembly,¹⁵⁷⁴ and in 92 BC, there was a riot at an assembly held by the tribune, Cn. Carbo.¹⁵⁷⁵ In 91 BC, the tribune, M. Livius Drusus, used his Italian supporters to carry by force much of his legislative package through the *comitia tributa*;¹⁵⁷⁶ his *viator* choked a consul in public who was obstructing him and possibly threatening religious sanction.¹⁵⁷⁷

The use of political violence may never have been wholly legitimised, nor fully accepted by the body politic; the magistrates who suppressed the revolutionary tribunates and their popular programs all had their political careers terminated in one form or another.¹⁵⁷⁸ In the case of Opimius, he was condemned at public trial and attracted no sympathy from ordinary citizens because they recalled his violence and cruelty against the Gracchans.¹⁵⁷⁹ Moreover, the consuls who conducted the proscriptions in the aftermath of the death of Ti. Gracchus in 132 BC, P. Popillius Laenas and P. Rupilius, also suffered popular disapproval at their public trials because of their actions.¹⁵⁸⁰ Regardless of the level of public acceptance, however, violence was now entrenched in the political process.

Political Violence: Rural Interests & Symbolism

The nature of political violence also evolved during this period: in respect of who was involved and what was targeted. Conflict which accompanied the passage of legislation in the assemblies occurred between political contenders and their armed supporters, during elections and between competing magistrates. But something structural also crept into the strife: a struggle between rural and urban interests. Violence was not only the manifestation of a schism between the ruling elite and populist tribunes, or the result of *inimicitiae* between rivals, but also between city-dwellers and country-dwellers: as Lintott points out, the former were interested in benefits such as grain doles, and the latter were interested in land distribution.¹⁵⁸¹ In this way, country people were involved centrally from the outset in

¹⁵⁷⁴ Cic., *de Orat.* 2.48.

¹⁵⁷⁵ Cic., *Leg.* 3.19.

¹⁵⁷⁶ Liv., *Per.* 71.

¹⁵⁷⁷ Flor. 2.5.8; Lintott, 1999(b), p. 186.

¹⁵⁷⁸ Flower, 2010(a), p. 77.

¹⁵⁷⁹ Vell. 2.7.

¹⁵⁸⁰ Vell. 2.7.

¹⁵⁸¹ Lintott, 1999(b), pp. 178 and 179.

the violence of political discourse; their presence manifested itself most obviously in the locations from which partisans were recruited to form the gangs conducting the violence.

One of the primary issues that motivated Ti. Gracchus, for example, was the decline of the small-scale Roman and Italian farmer, caused in part by estate owners preferring to use slaves on their estates rather than employ free rural workers. Slaves were exempt from military service, whereas free labourers were liable for military service, and could be drawn away from agriculture into the citizen-militia.¹⁵⁸² Much of his support base was thus amongst rural populations who bore the burden of military service,¹⁵⁸³ and stood to benefit from his agrarian reform. It was in their direct economic interests: land rezoning and reallocation was an effective way of reducing the number of rural poor, and correspondingly increasing the number of those eligible for service in the army.¹⁵⁸⁴ Ti. Gracchus therefore summoned them to Rome from the fields to help him win the tribunician election for 133 BC against urban opposition, and to support his agenda.¹⁵⁸⁵ A decade later, the agrarian and colonisation elements of the legislative package of his brother, C. Gracchus, also would benefit country dwellers, and those who had the skills to succeed at farming.¹⁵⁸⁶ It offered hope and opportunities to small farmers and ex-farmers, and although C. Gracchus' support base was broader than his brother's, it included representation from the country.¹⁵⁸⁷ Moreover, during the campaign to elect Marius to his first consulship during the war against Jugurtha, artisans and farmers were an enthusiastic

¹⁵⁸² App., *BC* 1.7.

¹⁵⁸³ An example of the link between the countryside and the army was to be found most specifically in the origins of the veteran centurion, Spurius Ligustinus. By 171 BC, he had completed 22 years of active service in Roman armies all over the Mediterranean. He was originally born just before the Second Punic War on a small Sabine peasant holding (Liv. 42.34). For more on the link between the rural population and military service, especially the importance of land distributions to veterans who had served many consecutive years and the effect this had on their farms, see de Ligt's excellent discussion (De Ligt, 2012, pp. 150-154). See also Chapter Two above.

¹⁵⁸⁴ De Ligt, 2012, p. 170. Both aims were primary goals of Ti. Gracchus' tribunate. See Stockton for the persuasive argument that the *lex Sempronia agraria* was aimed at improving the wealth of not only Roman farmers, but also Latin and Italian peasants. He makes the point, for example, that Ti. Gracchus thought his reform would benefit all of Italy, and was aimed at the regeneration of the entire Italian race (App., *BC* 1.13). See also Stockton, 1979, pp. 42 and 43.

¹⁵⁸⁵ App., *BC* 1.14.

¹⁵⁸⁶ Plut., *CG* 4. It is true that the land distribution and colonial assignments were also available to urban dwellers. But this would not have been especially attractive to most of them; few had the agrarian skills needed to succeed at farming, and those that did, had probably been forced to find other employment, or learn new trades, to survive in the city. As I have shown, urban dwellers were much more interested in grain doles and tangible material relief.

¹⁵⁸⁷ For example, when he returned from Africa, large numbers of people living outside Rome and in Italy travelled to Rome to solicit his aid and support him. Their numbers were so large that it prompted the senate to instruct the consul to evict from the city all those not Romans (Plut., *CG* 12).

support base whose help proved decisive in the consular competition, defeating more noble contenders.¹⁵⁸⁸ *Agrestes* were also influential in making sure Marius was assigned Numidia as his province; the senate gave it to Metellus, but the tribune T. Manlius Mancinus usurped the traditional role of the senate in allocating provinces, and used a plebiscite to give Numidia to Marius so he could lead the war against Jugurtha.¹⁵⁸⁹

In the political violence of 100/99 BC, the rural-urban divide was again evident; a personal bodyguard of urbanites provided protection for Metellus as he went about the streets of Rome, suggesting the opposing interests were similarly uniform in representing the countryside.¹⁵⁹⁰ Conflicting rural and urban interests clearly animated the strife that accompanied the passage of Saturninus' controversial agrarian bill. As I have shown, *agrestes* benefited heavily from the law dividing captured Cimbric lands, and urbanites – less able to take advantage of the opportunities it presented, excluded because they were not veterans, or angry at the amount set aside for non-citizens – opposed it in coalition with members of the senate. In particular, Saturninus proposed the distribution of part of the land to Marius' veterans of the recent Cimbric wars;¹⁵⁹¹ these veterans were *agrestes*,¹⁵⁹² and because they had fought for Marius and benefited directly from the land distribution, Saturninus relied on them especially to come to Rome and physically support the passage of the bill.¹⁵⁹³ Subsequently, there was fighting between urbanites armed with clubs, and Saturninus' supporters rallied from the countryside; the *agrestes* defeated the urbanites, and the law was passed by pure violence.¹⁵⁹⁴ When Marius finally acted against Saturninus under a state of emergency to suppress the insurrection on the Capitol, he sent his troops¹⁵⁹⁵ against a gang of armed men gathered from the countryside.¹⁵⁹⁶ Moreover, the *inimicitia* between Sulla and Marius was not only framed as a personal struggle, but also a contest between *agrestes* and the urban population of Rome.¹⁵⁹⁷

¹⁵⁸⁸ Sal., *Jug.* 73; Lintott, 1992, p. 44.

¹⁵⁸⁹ Sal., *Jug.* 73.

¹⁵⁹⁰ App.*BC* 1.31.

¹⁵⁹¹ Which is surely one of the reasons why Marius formed the alliance with Saturninus in the first place: to help ensure his veterans would be looked after in regards to land.

¹⁵⁹² App., *BC* 1.29; Plut., *Mar.* 29.

¹⁵⁹³ Gabba, 1976, p. 24.

¹⁵⁹⁴ App., *BC* 1.29,30.

¹⁵⁹⁵ Ironically, these troops were very possibly the same men who had, as individuals, earlier supported Saturninus when he needed physical coercion to help pass his agrarian law in the teeth of urbanite opposition.

¹⁵⁹⁶ App., *BC* 1.32.

¹⁵⁹⁷ Plut., *Sull.* 7.

An element of symbolism also emerged in the political violence after 131 BC. Violence not only targeted individual political opponents or their supporters; nor was it framed entirely by the contest between urban and rural interests and their advocates. It also occasionally targeted the representatives and symbols of republican office and power: the magistrates and their accoutrements of office. Ti. Gracchus' partisans, for example, assailed their rivals during the violence accompanying his re-election in 133 BC; but they also attacked the lictors, and pointedly broke the symbols of consular power: the fasces and staves.¹⁵⁹⁸ I argue that this was a highly symbolic act of violence which had become anti-establishment as much as it was anti-factional. It anticipated what the soldiers of Sulla would do more than 30 years later on their way to Rome when confronted by two praetors: insulting them, breaking their symbols of office and stripping them of their senatorial togas.¹⁵⁹⁹ It was not the first time the supporters of Ti. Gracchus had physically manhandled a magistrate or his officers. In front of the assembled citizen body, they physically dragged the deposed tribune, M. Octavius, from the rostra after Ti. Gracchus controversially removed him from office by popular vote; he was saved from injury only by a group of wealthy men who rescued him from the agitated crowd.¹⁶⁰⁰

There were other instances of violence or threats targeting official representatives of republican power; it was not common, but it occurred enough after 133 BC to suggest that this type of attack on republican legitimacy was part of the new language of political violence. When Saturninus and his colleagues were killed in the violence of 100-99 BC, for example, a serving tribune, praetor and quaestor, all wearing the insignia of office, died.¹⁶⁰¹ Furthermore, as we have seen, the *viator* of the tribune, M. Drusus, in 91 BC attacked the consul Philippus and nearly choked him to death for obstructing Drusus' controversial legislative package.¹⁶⁰² Political opponents of Drusus in turn conspired to murder him in office over his support for a bill which extended Roman citizenship to the Italian allies.

¹⁵⁹⁸ App., *BC* 1.15.

¹⁵⁹⁹ Plut., *Sull.* 9.

¹⁶⁰⁰ Plut., *TG* 12.

¹⁶⁰¹ App., *BC* 1.32.

¹⁶⁰² Flor. 2.5. Lintott suggests Philippus may have threatened religious sanctions to halt the passage of the bills, but it is unclear if that occurred (Lintott, 1997, p. 186). Either way, it is sufficient for my point to record that a minor functionary physically attacked the highest magistrate of the Republic in public; a sign, I argue, of changing norms of behavior and attitudes to the role of physical violence in politics. What was unthinkable in public life 50 years before was now acceptable, at least in some quarters.

They succeeded.¹⁶⁰³ The following year, equestrians surrounded and publically threatened with daggers a number of tribunes assembled in the *comitia tributa* who vetoed a colleague's bill which made it a crime to support Italian claims to citizenship. The threat of violence against serving magistrates worked; they carried the bill.¹⁶⁰⁴

Lintott, in his discussion of violence in the late Republic, tabulates in detail instances of violence against serving magistrates after 133 BC, but missing from his analysis is an acknowledgement of the potent symbolism of this trend.¹⁶⁰⁵ This is an important oversight; I argue that specific assaults on representatives of republican power evident amongst the broader landscape of political violence after 133 BC was a noteworthy sub-trend within the broader background of political violence. It meant that magistrates and their symbols of office were no longer exempt from violence or its threat; the traditional behavioural norms, anchored in the inviolability of magisterial office, had broken down. This fact was significant: if the army ever needed an example to encourage its denigration and destruction of the symbols of republican power in 88 BC, it could find it in the tribunate's defiance and obstructionism of the governing elite after 151 BC and, most particularly, in the targeting of representatives and symbols of republican power evident in the endemic political violence from 133 BC onwards.

The Use of Soldiers in Political Violence: A Fatal Nexus

The consular army that Sulla persuaded to accompany him to Rome in 88 BC was alike in most ways to armies that came before. Like the one P. Scipio used to defeat Hannibal at Zama, or the armies that subjugated Macedon, Sulla's army was highly efficient and effective against Rome's enemies. It had been formed to fight the Social War by the normal citizen levies in the traditional manner and, by 88 BC, the pressure and exigencies of war had hardened it. As with all consular armies, it contained its quota of allied contingents: a

¹⁶⁰³ App., *BC* 1.36.

¹⁶⁰⁴ App., *BC* 1.37.

¹⁶⁰⁵ For example, he draws out the above example of M. Drusus' *viator* attacking a consul. But the example is used as part of a broader discussion on how the senate responded to the use of force in single instances when they did not formally outlaw it. The significance of a minor functionary attacking a consul in public, what that said about the use of violence against representatives of the republican system of government, and what example it might have set for the future, is missing.

Maurusian soldier serving in Sulla's army slew a Gaul from the opposing Italian army.¹⁶⁰⁶ Like all citizen and allied soldiers before them, Sulla's men expected to profit from war.¹⁶⁰⁷ In all these ways, Sulla's army was unexceptional.

Yet it was different in one significant way: Sulla's army also become regular killers of magistrates as no previous army had. On three different occasions, in the space of little over a year, his soldiers attacked the symbols and representatives of Republican power – twice lethally. In 89 BC, for example, legate and former consul, A. Postumius Albinus, was stoned to death by his mutinous soldiers when he called a *contio*.¹⁶⁰⁸ At the time of his death, he was Sulla's legate besieging Pompeii, while Sulla was at nearby Stabiae with the remainder of the army: three legions.¹⁶⁰⁹ It was a significant act: the first time a Roman commander was killed by his men for more than three centuries.¹⁶¹⁰ The excuse his soldiers used was treason,¹⁶¹¹ but hatred earned by arrogance and cruelty probably provided an important impetus.¹⁶¹² A proven record of incompetence and disregard for the welfare of soldiers must also have played a part. In 109 BC, during the war against Jugurtha, without permission or Rome's knowledge, he had embarked on a campaign in the middle of winter to capture Jugurtha's treasury, as legate left in charge of the African army by his consul brother, Sp. Postumius Albinus.¹⁶¹³ The campaign was a disaster.¹⁶¹⁴ In freezing conditions, he led his army onto marshy terrain, was outmaneuvered by Jugurtha, surprised by a night attack, and forced to surrender; the humiliated army was freed only after it passed under the

¹⁶⁰⁶ App., *BC* 1.50.

¹⁶⁰⁷ Sulla's soldiers clearly expected to profit from war. As I have shown in Chapters One and Three above, the conventional explanation for their political intervention was mercenary concern, apparently encouraged by Sulla, that they would miss out on the booty to be gained in a war against Mithridates in the lucrative east (App., *BC* 1.57).

¹⁶⁰⁸ Liv., *Per.* 75; Oros. 5.18.22; Plut., *Sull.* 6. This was the descendant of P. Regillensis who died in similar circumstances during a mutiny in 414 BC (Liv. 4.50). See Chapter Six above.

¹⁶⁰⁹ Plin. *Nat.* 3.70.

¹⁶¹⁰ Ironically, P. Regillensis, Albinus' ancestor, was killed in the unsuccessful mutiny of 414 BC.

¹⁶¹¹ Liv., *Per.* 75. Livy says Albinus was discredited for treason and this led to his death at the hands of his soldiers. With Livy, there are no details on what sort of treason or the circumstances of his death. See also Chrissanthos, 2001, p.106.

¹⁶¹² Oros. 5.18. Keaveney argues for a slightly different interpretation: Albinus died while making a heavy-handed attempt to impose discipline (Keaveney, 2007, pp. 77 and 78). Chrissanthos argues that the soldiers were probably ill-disciplined and unused to military service (Chrissanthos, 2001, p. 106). This is unconvincing: there was nothing to suggest that these soldiers were any less experienced than Sulla's other soldiers.

¹⁶¹³ Sal., *Jug.* 37 ff. Postumius had gone to Rome to conduct the consular election for 109 BC.

¹⁶¹⁴ Jugurtha was well aware of Albinus' arrogance and incompetence; he took advantage of these traits to undermine the army's morale and place it in an impossible tactical position (Sal., *Jug.* 38).

yoke.¹⁶¹⁵ This record would have been known to his men before Pompeii in 89 BC and influential in their decision to mutiny; it confirmed his avarice, disregard for his men, incompetence and dishonourable conduct. After Albinus' death, Sulla re-incorporated these soldiers back into his army.

I argue that the soldiers did not murder Albinus from a misplaced belief that Sulla would condone or encourage it; on the contrary, Sulla was not personally commanding the soldiers when they acted, nor was he physically present. Moreover, he considered the crime a serious transgression that could only be expiated by enemy blood.¹⁶¹⁶ From their reactions, the men also expected to be punished, and there were those who urged Sulla to do just that.¹⁶¹⁷ But although he did not encourage the initial act, Sulla subsequently chose not to punish them. By doing so, he helped reinforce the message that civil strife of previous decades had taught: it was not only acceptable to kill magistrates, it was an effective solution to difficulties, and there were unlikely to be any consequences from the state in retaliation.¹⁶¹⁸ He simply asked them to atone for their crime by bravery in battle against the former Italian allies.¹⁶¹⁹ Sulla's soldiers had acquired a deadly disrespect for the

¹⁶¹⁵ Sal., *Iug.* 38. Albinus' blundering resulted in the Mamilian Commission to investigate the conduct of the war; his brother took the blame and was exiled (Sal., *Iug.* 40). See also Chrissanthos, 2001, p. 102.

¹⁶¹⁶ Plut., *Sull.* 6; Oros. 5.18.23. There is no evidence to indicate, as might be suggested, that this act of violence was incited by Sulla's nature as a commander, who, for example, might have condoned such violence against state representatives for his own political ends. When it occurred, Sulla was a fully compliant magistrate of the Republic, fighting to defeat a serious existential threat to the state, with no personal history of encouraging such extreme measures on the part of his soldiers, and nothing to suggest that he secretly encouraged his men to act accordingly. It would only be later, in 88 BC, after the sobering experience of nearly being killed by his political opponents on the streets of Rome in the manner of the Gracchi, that he resorted to the army in the time-honoured tradition as the final source of authority and legitimacy, and stepped beyond the bounds of what was considered conventional political behavior. Even when he had done that, and seized Rome, he was scrupulously careful to keep a tight rein on the behaviour of his soldiers on the streets, punishing looters and enforcing strict discipline (App., *BC* 1.59).

¹⁶¹⁷ Plut., *Sull.* 6; Chrissanthos, 2001, p. 107.

¹⁶¹⁸ Keaveney, 2007, p. 78. Chrissanthos, 2001, pp. 109 and 110. Chrissanthos calls this event one of the most important in Roman history (Chrissanthos, 2001, p. 101). I agree with his sentiment: it is an event that has not attracted much scholarship; Keaveney does cover it superficially, but does not make a link between political violence. As I have shown above, it was significant in that it was the first commander killed by his men in more than three centuries. I will argue that it was not an accident that this occurred at a time when political violence in public discourse had become a norm.

¹⁶¹⁹ Oros. 5.18.22. The reason he did this was not clear. He did not need to show mercy out of fear: he had three legions at his disposal at Stabiae. Plutarch says he did it because he knew he needed the soldiers in the looming confrontation with Marius (Plut., *Sull.* 6). This is unconvincing: Sulla at this point cannot have known what Marius would do more than a year later, or that he would be forced to flee for his life to the army after Sulpicius' violent passage of the bill relieving Sulla of his command against Mithridates. There was simply too much spontaneity involved in that event to ascribe prescience to Sulla's apparent leniency in 89 BC. But it may not have been leniency at work at all. Keaveney says Plutarch may have "spluttered in indignation" at Sulla's response, but says that Frontinus, a soldier, was impressed with the way Sulla handled the men (Keaveney, 2007, p. 78). While it is not at all clear the relevant passage in Frontinus was referring to

symbols and representatives of republican power: a year later, they again used stones outside Nola to kill magistrates sent from Rome to take over the army.¹⁶²⁰ Moreover, on the way to Rome, they stripped two intercepting praetors of their senatorial togas, insulted them, and broke their *fascēs*, symbols of Roman republican power.¹⁶²¹ They were lucky to escape: the soldiers initially meant to kill, but Sulla may have interceded.¹⁶²² The sight of magistrates in Rome stripped of their insignia nevertheless had a useful effect, producing despondency among Sulla's enemies.¹⁶²³

I argue that it was no accident that Sulla's soldiers began killing magistrates and showing disrespect for their insignia of office, and that the army subsequently interfered in politics, at the same time as endemic violence emerged to permeate political discourse. The two factors were causally related. I have, for example, shown that as far back as 151 BC, the army was at the centre of growing tension between ordinary citizens, the tribunate and the governing elite over the levy. The army's interests, or interests of the *agrestes* from which the army primarily recruited, were also major components of reform packages proposed by revolutionary tribunes that generated endemic political violence from 131 BC onwards. Furthermore, I have shown that *agrestes* were from the outset thus involved heavily in the new political violence supporting the agrarian reforms of obstructionist and revolutionary tribunes in their argument with the governing elite, and fought with rival urbanites for political reasons.¹⁶²⁴ Moreover, Roman consular armies were recruited primarily from the countryside; at its heart, the consular army was thus a predominantly rural institution.¹⁶²⁵ The link between countryside and military service, for example, was famously evident in the origins of the veteran centurion, Spurius Ligustinus, whom I have mentioned several

Albinus' murder in 89 BC (Fron., *Str.* 1.9), Keaveney draws our attention to the useful example of a mutiny that occurred in the Italian army during the First World War: the ring leaders were condemned but sent to the front to redeem themselves (Keaveney, 2007, p. 132). Sulla's response may not, in the light of this example, be seen as a lax or irresponsible act, but rather as a crafty and acceptable way to handle what was a difficult situation. It apparently worked: Orosius tells us Sulla's army entered battle determined to succeed or die in the attempt. They routed the enemy Italian army (Oros. 5.18.23).

¹⁶²⁰ Plut., *Sull.* 9; V.Max. 9.7.

¹⁶²¹ Plut., *Sull.* 9; App., *BC* 1.57.

¹⁶²² Plutarch's account of the incident, for example, suggested the soldiers would have gladly killed the praetors, but something stopped them; in the language, there is definite sense of action being interrupted (Plut., *Sull.* 9). It was then that they contented themselves with showing disrespect for the symbols of republican power and office.

¹⁶²³ Plut., *Sull.* 9.

¹⁶²⁴ This is a point not lost on Lintott in his analysis of violence in republican Rome (Lintott, 1999(b), p. 74).

¹⁶²⁵ Gabba, 1976, p. 24. Nicolet, 1980, p. 132. See also Chapter Two above.

times in chapters above:¹⁶²⁶ by 171 BC, he had completed 22 years of active service all over the Mediterranean and made *primus pilus*, but he was also an *agrestis*, born just before the Second Punic War on a small Sabine peasant holding.¹⁶²⁷ More than 70 years later, the dominance of *agrestes* was still evident in the demographic makeup of Marius' veterans who defeated the Germanic tribesmen. Saturninus' most loyal advocates for his agrarian bill, and the men on which he subsequently most relied, came from the country because they had fought for Marius in the Cimbric wars.¹⁶²⁸ Such an institution, drawing heavily from *agrestes*, was thus probably interested in a political discourse which had as one of its central themes a struggle between urban and rural interests, and it is reasonable to conclude that it wanted to get involved. The enthusiasm with which Marius' veterans supported Saturninus' agrarian bill in 100 BC against urbanite opposition, for example, was a sure indication of a strong interest in political matters where economic interests were directly involved.¹⁶²⁹

It therefore follows that, as part of the broader rural support base, individual soldiers were directly involved in, exposed to, or conducted, political violence. I will suggest that they saw first-hand the re-assertion of the revolutionary character of the tribunate and its conflict with the governing elite, as well as being exposed to – and on several occasions, involved in – the senate's violent response which suppressed the reform programs of populist tribunes who threatened the political balance. I argue that soldiers could not be thus exposed and be unchanged by the experience:¹⁶³⁰ involvement provided a ready conduit by which the army became acquainted with political violence, learnt that it was effective in

¹⁶²⁶ For example, in Chapter Four above.

¹⁶²⁷ Liv. 42.34. Alston, 2007, p. 178. For more on the link between the rural population and military service, especially the importance of land distributions to veterans who had served many consecutive years and the affect this had on their farms, see de Ligt's excellent discussion (De Ligt, 2012, pp. 150-154). See Chapter Two above.

¹⁶²⁸ App., BC 1.29.

¹⁶²⁹ Gabba, 1976, pp. 24-25.

¹⁶³⁰ The important point to remember here is that the citizen-militia, and military service at the time, was not disconnected from Roman society, as the standing, fully professional legions of the later imperial period may have been (see Chapter Two above). Major societal themes that affected citizens and allies could also resonate with the army; as I have shown, there were instances of the army mutinying against the state for political or societal causes, as well as for reasons about incompetence, harsh treatment or an insufficient share in the material booty that war provided. In other words, the violence that became part of political discourse did not happen in the abstract, far from the citizen-soldier, with the army hermetically sealed off from its implications, convulsions and influences. Rather, the army was of society and its citizen-soldier members were intimately connected to the ongoing civilian political process and the big political questions of the day. In this context, it is reasonable to think that the chances of soldiers being exposed to such tumultuous civil events that generated the emergence of political violence were high.

forcing political change, and – most importantly – habituated to its normative use in public life. Moreover, civil strife exposed soldiers on occasion to examples of violence, targeting not only political rivals, but also republican symbols and representatives of power. I assert that these types of attacks, such as breaking the *fascēs* or assassinating serving magistrates, were too specific and loaded with too much symbolism,¹⁶³¹ to have been coincidental: it is plausible to think, for example, that when Sulla's army broke the praetors' *fascēs* and stripped them of praetorial insignia outside Rome, it was incited by examples from earlier civil strife, such as the partisans of Ti. Gracchus who attacked and broke the consuls' *fascēs* during the violence accompanying his re-election.¹⁶³²

The consequence of all this is critical to the question: where did the army learn that it was not only acceptable to begin intervening directly in politics, but that it was also highly effective? I argue that it was on the streets of Rome, in the political struggles between rural and urban gangs, that the army, already inclined by tradition to political activism and insubordination, was indoctrinated and habituated to the use of endemic political violence, and was thus made more receptive to a request for intervention from a Marius or a Sulla. Of course, this effect cannot be known categorically; the voices of the actors themselves, the soldiers, are silent in much of the literary tradition that we have inherited. Nevertheless, there is a strong circumstantial case to be made that draws a direct line between the experience of witnessing the new endemic civil violence, engaging in violent behaviour in the political sphere, and the army subsequently acting in an unprecedented manner by involving itself in politics. In the absence of perfect understanding, therefore, the evidence for this process becomes the changing – and out of character – behaviour of the soldiers themselves which betrays their mindset; from habitually killing magistrates¹⁶³³ and

¹⁶³¹ Nippel emphasises the symbolic role of the *lictors* and the *fascēs*, arguing that the breaking of the *fascēs* sent a strong symbolic signal: the *de facto* deposition of a magistrate or a demonstrative disregard of the magistrate's authority (Nippel, 1984, p. 23). While I accept the first consequence, my emphasis remains on the latter: in short, what it said about the attitude towards the magistrate's official power. Nippel reaches the right conclusion in my analysis. The *lictors* themselves, walking in single file before the magistrate, had no real functional role: they could not provide personal protection to their magistrate arranged like that, and the tribune's intercessional powers on the behalf of citizens to prevent physical punishment with rod and axe rendered the physical coercion role largely mute. What was left was the potent symbolism of the rods and axe, and the symbolic power of life and death the magistrate wielded over individual citizens: it was this, and their authority, that the soldiers attacked when they targeted the insignia of the magistrate.

¹⁶³² App., *BC* 1.15.

¹⁶³³ The emphasis here is on 'habitually' attacking magistrates and their symbols of power. As I have shown in Chapter Six above, mutiny and insubordination against the state were part of the army's inherited and known tradition, and once before, in 414 BC, a magistrate had been killed by his soldiers (Liv. 4.49; Zon.

attacking their symbols of power, to the ultimate demonstration of changing views on the use of military power and its place in the political system: citizens formed in legions intervening directly in politics for the first time in the Republic's history.

Soldiers and Political Violence: Learning Lessons Individually

Lintott in his discussion of violence in the late Republic argues that there is little doubt that strife in the city was the first step to civil war: it prepared the ground psychologically, while the transition from fighting with gangs in the streets to fighting with armies in the field is essentially one of scale.¹⁶³⁴ Lintott is right in his instincts.¹⁶³⁵ Tacitus, in his introduction to the history of the Republic's civil wars, traced the origins of civil war back to struggles between the governing elite, unruly tribunes and ordinary citizens;¹⁶³⁶ there were, he wrote, trial runs for it in the city and forum.¹⁶³⁷ Both Lintott and Tacitus, however, underestimate the point about scale; I suggest that it is no small step from gang violence to soldiers willing to force a political solution on the state, and in doing so, risk civil war. Such a shift

7.20). But, as I have argued, this was an aberration for most of the life of the Republic: another magistrate would not be killed by the army until 89 BC, and then from that point onwards, it occurred with a regularity in Sulla's army which, I argue, was unusual. It is reasonable to conclude, therefore, that the change of behavior occurred by the start of the first century BC – and certainly by 89 BC.

¹⁶³⁴ Lintott, 1999(b), p. 1. Lintott also argues defeat in street battles in the city provided the provocation for a man to resort to war. This is unconvincing: *agrestes* were more often than not likely to benefit from the reform programs of revolutionary tribunes; the agrarian bills of Ti. Gracchus, his brother C. Gracchus, and Saturninus, all contained provisions which clearly benefited veterans on the land, or those who had the agrarian skills and knowledge to take advantage of the opportunity. In the case of Saturninus' agrarian bill, as I have shown above, Marius' veterans were specifically catered for: the bill passed and was enacted. They did not lose out in this arrangement. When the moment of crisis came, and Sulla's soldiers decided to march on Rome in 88 BC, the interests of the army had not recently suffered a major defeat or reversal in political violence in Rome. Nor had the *agrestes*, which made up the majority of his army, been worsted in any way in recent street violence; most people were busy focused at that time on defeating the very serious threat to the Republic from the Italian confederation. From the perspective of political violence, then, there was no provocation; we must look to other reasons to explain the decision of the soldiers to support Sulla and intervene (which, of course, is the *raison d'être* of this thesis).

¹⁶³⁵ The argument that Lintott makes here about violence preparing the ground psychologically, is one with which I strongly agree: as I have argued, my argument rests of the ability of political violence through exposure and involvement to change concepts among soldiers and citizens regarding the use of military force in the civil sphere.

¹⁶³⁶ It is not clear here if he is referring to the original struggles of the Conflict of the Orders, or the outbreak of civil strife during the second half of the second century BC and into the first century BC. Ash favours the Conflict of the Orders (Ash, 2010, p. 124). I prefer the later time period; as I have shown, the original struggles between the ruling elite and ordinary citizens did not lead to large scale, endemic political violence, whereas the second outbreak in 131 BC did, and Tacitus immediately follows this phrase with a comment about violence in the city and forum (Tac., *Hist.* 2.38). For my purposes, however, this is of less importance: the important point is that Tacitus saw violence in the city as a precursor to civil war.

¹⁶³⁷ Tac., *Hist.* 2.38. This is obviously an oblique reference to political violence which accompanied conflict between revolutionary tribunes, the ruling elite and ordinary citizens; it was a precursor to civil war (on this point, see also Ash, 2010, pp. 123 and 124).

requires a cogent explanation of how civil strife could produce such soldiers, but Lintott does not provide a convincing one.¹⁶³⁸ I thus argue that for political violence to have prepared the ground psychologically,¹⁶³⁹ it was necessary for a direct connection to have existed between military service and the emergence of civil strife. In particular, exposure and habituation could only occur if the opportunity existed for soldiers to be in places where violence took place; it is more difficult to learn its lessons, or become habituated to its use, if one is not directly exposed or involved.

I propose that that connection, and those opportunities, existed. The army may have intervened in politics as a formed institution most obviously in 88 BC; the same cannot be said for its component parts: individual citizen-soldiers and their allied counterparts. As Nicolet points out, civil war was only the most extreme form of a pervasive presence whereby the army had made its weight felt in politics without actually fighting.¹⁶⁴⁰ As I have shown, the *agrestes* that formed the army were interested in the political struggle between rural and urban interests that manifested itself as violence. Populist tribunes relied heavily on the support of *agrestes*; they were involved in political violence fighting urbanites. As a ready-made pool of men who knew how to wield a sword and handle themselves in a fight, it is reasonable to think that, from the outset, there were individual soldiers amongst the gangs of *agrestes*. I thus argue that soldiers were involved in civil strife as private citizens, or members of allied rural communities, decades before the army intervened: this is how they were habituated and desensitised to the use of violence. The agrarian bill of Ti. Gracchus in 133 BC, for example, benefited citizen and Italian *agrestes*;¹⁶⁴¹ they came in from the fields to support Gracchus' struggle to pass his legislation,¹⁶⁴² and subsequently fought for his re-election in the violence that followed. It is inconceivable that their number did not include serving soldiers on leave or veterans. It

¹⁶³⁸ Instead, he succumbs to the conventional explanation: the poor fought in gang fights and subsequent civil war for the simple reason of bribes (Lintott, 1999(b), p. 2).

¹⁶³⁹ Which I agree occurred.

¹⁶⁴⁰ Nicolet, 1980, p. 140. In support of Nicolet's point, I have shown already that the army in the field was able, on occasion, to exercise its right as citizens and influence political events in Rome by writing to friends and families advocating a particular political candidate, in my example, Marius during his campaign to get elected as consul; see Chapter Six above.

¹⁶⁴¹ App., *BC* 1.10 ff; Konrad, 2006, p. 168. It is also worth pointing out in this regard that Ti. Gracchus intended to parcel out the legacy of the King of Pergamum to the recipients of the redistributed land to help them re-stock and till the fields. It was certainly in the financial interests of many *agrestes*, or those in the city with the skills and knowledge who were considering returning to the land, to support Gracchus (Plut., *TG* 14).

¹⁶⁴² App., *BC* 1.14.

was in their financial interests to ensure Ti. Gracchus' reforms passed; the bill had, in large part, been designed specifically for them and included other provisions which benefited citizens and Italians in military service.¹⁶⁴³ It proposed, for example, a provision which reduced the time required for military service.¹⁶⁴⁴ Meanwhile, other Italian veterans were vitally interested in the bill, but for different reasons. In 129 BC, those who stood to lose land, or were being sued, chose their former commander, P. Aemilianus,¹⁶⁴⁵ to represent their grievances about the land redistribution. Aemilianus felt he could not refuse them because they had rendered such good service during previous wars.¹⁶⁴⁶ *Agrestes*, soldiers and their interests, on both sides, were thus inextricably bound up with Ti. Gracchus' reform; this placed them circumstantially at the centre of this struggle.

In relation to 133 BC, I must rely on circumstantial evidence. For the civil strife of 101 BC - 99 BC, there is direct evidence of individual soldiers involved in – and conducting – political violence. Marius' soldiers, for example, killed Saturninus' rival and legally-elected tribune, A. Nunnius,¹⁶⁴⁷ during the assembly holding the tribunate elections in 101 BC.¹⁶⁴⁸ Soldiers had both the opportunity and motive: the army was in Rome for the triumph it won

¹⁶⁴³ Perhaps the most famous of Ti. Gracchus' remarks that indicated this focus was the statement he made about the beasts that roamed over Italy and all had a lair or cave, but that in contrast, the Roman and Italian soldiers who did the fighting and dying to protect the state, did not have a home or farm to support themselves, and wandered about Italy with their families. Apart from suggesting that the minimum property qualification needed to serve in legions had, by this time, sunk to such a low level that there was little to distinguish the lowest of the propertied class from the mass of poor, it also shows the motivation behind Gracchus' agrarian reform (Plut., *TG* 9). See also Stockton for further detail on Gracchus' focus and motivation (Stockton, 1979, p. 40). Gracchus' motivation, and the legitimacy of the agrarian problem the literary tradition espoused as preserved by Appian and Plutarch, has been the subject of some speculation: for example, Lintott, 1992, pp. 53-57. In the most recent analysis, however, de Ligt argues for the validity of Ti. Gracchus' concern about the number of *agrestes* that were sliding into rural poverty, and the effect that was having on Rome's ability to recruit for the army (given the minimum property qualification required to serve in the legions: already very low by 133 BC, but still a barrier to the very poor). In his exhaustive study of population in the Republic released in 2012, he argues that many families would have welcomed the opportunity to send sons away to the army given the opportunities for booty and economic enrichment campaigning traditionally provided. Thus, the scaling down of military operations from 167 BC onwards would have been seen as a negative development, reducing household incomes and placing more rural families below the minimum property threshold. According to de Ligt, the advantage of this hypothesis was that it provided a credible explanation for the poverty that worried Gracchus so much. In the end, de Ligt takes seriously the Gracchan concern, and there is no good reason to doubt him in this (de Ligt, 2012, pp. 168-170).

¹⁶⁴⁴ Plut., *TG* 16.

¹⁶⁴⁵ Scipio subsequently died mysteriously soon after his deposition to the senate on behalf of the Italian veterans; it is not clear if he was murdered, committed suicide, or died of natural causes. Appian speculates that his feud with the Gracchi was the cause, or that interests who didn't want the agrarian law abolished or tampered with committed murder (App., *BC* 1.20).

¹⁶⁴⁶ App., *BC* 1.19.

¹⁶⁴⁷ 'Nonius' in Plut., *Mar.* 29, and in App., *BC* 1.28.

¹⁶⁴⁸ Liv., *Per.* 69.

for defeating Germanic tribesmen that year,¹⁶⁴⁹ and Marius allied with Saturninus to advance his political agenda.¹⁶⁵⁰ During the political violence of 100 BC associated with Saturninus, soldiers were again involved.¹⁶⁵¹ Marius released them from service so they could mingle with civilians in the civic assemblies to provide the coercion needed to overcome urbanite opposition to Saturninus' legislation.¹⁶⁵² I have already shown that these soldiers subsequently fought against urbanites to pass the bill by violence; their number almost certainly included allied soldiers as well as citizens. These incidents are significant: serving soldiers were categorically placed in time and space at specific moments in the history of Roman political discourse where violence was a decisive factor, and they participated directly. An opportunity was provided for these soldiers to take back to the citizen-militia new ideas about the role of violence in forcing political change.¹⁶⁵³ I argue that it was also reasonable to think that the experience taught the soldiers who were involved that violence was not only a normative part of political expression, but that it was an effective response to political difficulties. Later on, individual soldiers had a chance to consolidate these lessons. In 91 BC, tribune Drusus used Italians to force through his legislation. Most were *agrestes* who stood to benefit from his agrarian provisions; as in 133 BC and 100 BC, soldiers, or veterans, were likely amongst them.¹⁶⁵⁴ Furthermore, during the struggle between Sulla and Marius, the tribune Sulpicius went around Rome with an informal retinue of 3,000 supporters armed with swords.¹⁶⁵⁵ That number of men was the better part of a republican legion, and while I am not suggesting it was a formed legion, it is also highly unlikely that its makeup did not include numbers of veterans whose weapons handling skills and knowledge of fighting would have made them attractive recruits.

¹⁶⁴⁹ Plut., *Mar.* 24,27; Nicolet, 1980, p. 141.

¹⁶⁵⁰ App., *BC* 28.

¹⁶⁵¹ Shotter uses the involvement of Marius' soldiers in this violence as evidence of the growing politicisation of the army, assisted by Marius' 107 recruiting reform which abolished the minimum property qualification, and allowed landless men into the army. Shotter argues that the inherent danger to the Republic was evident in these episodes; the army was involved in politics for its own interests in ensuring its veterans got land (Shotter, 2005, p.38). It is an unconvincing argument. As I have shown in Chapter Four above, Marius' recruitment reform did not result in a sudden influx of poor and landless into the army; this event has consistently been overstated, and Shotter continues the trend. Furthermore, the soldiers were there to support Saturninus with the express support of Marius, and were not threatening the state. It is significant that when they had to turn on Marius's partner a little under a year later, and suppress Saturninus and his supporters, they obeyed orders and did so. They seemed to have been well controlled.

¹⁶⁵² Plut., *Mar.* 28; Liv., *Per.* 69; App., *BC* 1.29,31; Oros. 5.17. See also Flower, 2010(a), p. 77.

¹⁶⁵³ Marius' consular army in 101 BC was still formed and nearby waiting for the triumph when the soldiers assisted Saturninus. An ideal opportunity existed, therefore, for the soldiers involved in the violence to return to the ranks and spread their experiences among the army.

¹⁶⁵⁴ Liv., *Per.* 71.

¹⁶⁵⁵ Plut., *Sull.* 8.

Soldiers and Political Violence: The Threat and Use of Whole Units

I have shown through direct evidence and circumstantial argumentation that serving soldiers or veterans were part of political violence in Rome long before 88 BC; in most cases, they participated as individuals. But the threat, if not the actuality, of intervention and violence by whole armies also became a feature of *inimicitiae* between magistrates during this period, and part of the political landscape. In the aftermath of the victory over the Cimbri at Vercellae in 101 BC, for example, there was tension between the legions of Marius and the proconsul, Q. Lutatius Catulus: together, they had destroyed the Cimbric army.¹⁶⁵⁶ But a serious dispute between the soldiers arose over which army deserved to take battle honours:¹⁶⁵⁷ Catulus and his soldiers in the centre, or Marius and his legions on the wings? The two sides could not agree; an impartial embassy from the Italian town of Parma was asked to arbitrate. They decided in favour of Marius, but he nevertheless celebrated a joint triumph because of his fear of Catulus' legions drawn up and ready to use in case their general was deprived of his honour.¹⁶⁵⁸

Sherwin-White argues that Marius voluntarily agreed to share the triumph with Catulus, and that this, *inter alia*, was evidence of his compliant integration into the governing elite.¹⁶⁵⁹ But Sherwin-White's thesis is unconvincing. An arbiter was needed to break the deadlock, which suggests that Marius remained unmoved by Catulus' claim; it would be strange to then voluntarily concede in the absence of some sort of external pressure. I argue instead that the threat of conflict between the contending armies, in a way not previously seen, nor on such a scale, was unambiguous. Catulus' men identified closely with their general; they carved his name, for example, into their spear shafts, and were serious about backing his claim.¹⁶⁶⁰ Marius' men presumably identified as closely with him, and were as determined; it was the subsequent risk of fighting that forced Marius to change his mind, and reluctantly agree to share the public glory with Catulus. I argue that for that to have occurred, and presuming that Marius did not relent out of the goodness of his heart, there

¹⁶⁵⁶ Plut., *Mar.* 26; Plut., *Sull.* 8.

¹⁶⁵⁷ The question of who deserved battle honours after a victory was evidently a serious business in the Roman army; in this case, the two sides refused to back down over who had done more to defeat the tribesmen. Winning battle honours meant the possibility of a triumph, with all its attendant public glory and chances for further donatives from the commanding general.

¹⁶⁵⁸ Plut., *Mar.* 27.

¹⁶⁵⁹ Sherwin-White, 1956, p. 4.

¹⁶⁶⁰ Plut., *Mar.* 27.

must have been something substantial behind the threat.¹⁶⁶¹ an army determined to use force to back up its claim to a bigger share in the victory over the Cimbri. The threat of organised military violence thus became a factor in public life during this period on at least one occasion prior to Sulla's intervention. It is only one example, but Catulus' soldiers must have been willing to risk fighting fellow citizens to make the threat effective; I suggest that it was as significant a marker of changed political discourse as the actual use of violence in civil strife. It was only a relatively short step from threatening military force, to using it in actuality; the effect on changing individual behavior, and in the precedents it set, amounted to much the same.

Beyond the threat of conflict between armies, it was not only individual soldiers who participated in civil strife. There is also circumstantial evidence to suggest that the state used formed elements of the army to quell political unrest, exposing and indoctrinating whole sections of it to the use of violence in a political context – but we first have to go back to the familiar violence that ended the career of C. Gracchus in 121 BC to see it. As we have seen, in 133 BC, a mob of senators and their attendants led by the *pontifex maximus*, P. Scipio Nasica, killed Gracchus' brother, Ti. Gracchus, scattered his supporters, and suppressed his sedition, in spontaneous attack after the consul, P. Mucius Scaevola, pointedly refused to kill citizens without a trial.¹⁶⁶² The state did not authorise the action, nor were state weapons or troops used; a private citizen and his supporters, exasperated at the refusal of the consul to act, attacked another private citizen in the tradition of defending the state from perceived tyranny.¹⁶⁶³ In 121 BC, however, the situation was different: C. Gracchus and Flaccus, who as tribunes pursued an agenda which challenged the authority of the senate and the political *status quo*, were private citizens when they died. But they were killed as enemies of the state; this was much more like civil war.¹⁶⁶⁴ When they and their supporters seized the Aventine in armed insurrection,¹⁶⁶⁵ the state declared an

¹⁶⁶¹ Which, I contend, was unlikely, given that Marius and his soldiers could not agree in the first place to allow a bigger part in the victory to Catulus and his legions. The fact that a third party was called in to decide the matter hints at the intractability of the matter, and suggests it was something else which persuaded Marius; that 'something else' was the threat of violence between the contending legions.

¹⁶⁶² App., *BC* 1.16; Plut., *TG* 19; Shotter, 2005, p. 33; Konrad, 2006, pp. 169 and 170; Nippel, 1984, p. 26.

¹⁶⁶³ Flower, 2010(a), p. 76. See this chapter above for more on the cultural tradition of private citizens acting in defense of the Republic.

¹⁶⁶⁴ Flower, 2010(a), p. 76.

¹⁶⁶⁵ App., *BC* 1.26; Plut., *CG* 14.

emergency¹⁶⁶⁶ – a *senatus consultum ultimum* – and authorised the consul, Opimius, to suppress the sedition.

I argue that it is likely Opimius needed considerable military force to overcome the insurrection; up to 3,000 insurgents were killed in the fighting and immediate aftermath, indicating numerous defenders.¹⁶⁶⁷ Moreover, since 456 BC, ordinary citizens built their houses and temples on the Aventine,¹⁶⁶⁸ and the defenders fortified several of them.¹⁶⁶⁹ Fighting in such urban environments was notoriously difficult; sizeable numbers of determined defenders in barricaded buildings could prove hard to overcome.¹⁶⁷⁰ Indeed, the description by Orosius of the battle to retake the Aventine, if we can believe it, suggested just such difficulties:¹⁶⁷¹ fierce fighting, the outcome confused and uncertain for a long time, and defenders using fortified houses and temples as they slowly retreated, which required government forces to break in.¹⁶⁷² It is not known explicitly what sort of armed force was used by Opimius. According to the literary tradition, he assembled senators, equestrians and their slaves, constituting numerous men-at-arms;¹⁶⁷³ there was also a force of Cretan archers.¹⁶⁷⁴ Sherwin-White argues that Opimius used a posse of knights to attack and eliminate the two leaders of the plebeians.¹⁶⁷⁵ Flower focuses on the presence of foreign troops; Opimius relied on the foreign archers because Roman troops were normally

¹⁶⁶⁶ It was the first time the senate had issued the *senatus consultum ultimum*, the 'ultimate decree'. See Stockton's informative analysis of its legal status and meaning: he concludes that it did not actually confer any extra-legal powers upon the consul charged to deal with the crisis, as a consul acting in this manner already had all the powers he needed to respond effectively, including using the army. But it was important because it was a formal acknowledgement and authorisation to act to solve the emergency, and it reinforced his authority, strengthened his resolve, and armed him with a plausible defence should he later be called to account in the courts for his actions during the emergency (Stockton, 1979, p. 199).

¹⁶⁶⁷ Plut., *CG* 17.

¹⁶⁶⁸ Stockton, 1979, p. 196.

¹⁶⁶⁹ App., *BC* 1.26; Oros. 5.12.

¹⁶⁷⁰ In 88 BC, Sulla's soldiers – experienced, hardened and familiar with combat – found out just how hard street fighting could be: residents in Rome used roofs and narrow alleyways to pelt the soldiers with stones and missiles. Only the threat of fire forced them to stop before the Sullans gained control of the situation (App., *BC* 1.58; Plut., *Sull.* 9).

¹⁶⁷¹ The descriptions of the battle as related by Appian, Livy and Plutarch are cursory; only Orosius provides detail. He is, of course, writing in the late-Imperial period, far in time and space from the events he describes. But the details of the fighting as he relates the incident, with its sense of closed-in urban combat, are convincing, given what we can deduce about the probable nature of the conflict, and opens the possibility that he was drawing on some source unavailable to the others (or, of course, simply elaborating his own account).

¹⁶⁷² Oros. 5.12.

¹⁶⁷³ Plut., *CG* 15; App., *BC* 1.26; Liv., *Per.* 61.

¹⁶⁷⁴ Plut., *CG* 16.

¹⁶⁷⁵ Sherwin-White, 1956, p. 5.

not allowed to enter the city under arms.¹⁶⁷⁶ None of these explanations are convincing: it was far from a normal situation,¹⁶⁷⁷ and the job of evicting from a densely populated urban environment a group of armed, determined and fortified defenders that almost certainly included hardened veterans, was not a job for hastily armed and untrained slaves, aging senators or enthusiastic city equestrians. Moreover, archers, as effective as they were in open terrain, were much less useful in an urban environment where fighting was at close quarters, and plenty of shelter existed from arrows – even assuming targets conveniently presented themselves in bunched groups to be shot at. Arrows alone were not sufficient; troops needed to engage at close quarters to physically clear streets, houses and temples.

The most obvious force of trained, armed and well-organised men thus available to a consul at short notice during a state emergency were the legions raised as normal that year. Opimius' force may have included senators, equestrians and archers, but I argue that it was plausible he also used elements of the army for the difficult task of retaking the Aventine. There was nothing approaching a police force upon which the consul could draw,¹⁶⁷⁸ unless he used a mob of street fighters, the army was the only other sizeable and organised armed force immediately available. He had enough time to summon them. The presence of Cretan archers suggested troops were pre-positioned;¹⁶⁷⁹ there is nothing to indicate Cretan archers were habitually stationed in Rome. It is therefore likely that he brought them to Rome beforehand when trouble seemed imminent; at the same time, the opportunity existed to summon accompanying infantry. Moreover, I suggest that the very presence of archers in the city suggested that infantry units were also involved. The military system did not use

¹⁶⁷⁶ Flower, 2010(a), p. 77; Flower, 2010(b), pp. 86 and 87. The archers certainly played their part in the battle: Orosius wrote that fighting was fierce and hung in the balance for a long time, but that archers sent in by Opimius helped tip the fighting in favour of the consul's men (Oros. 5.12). Flower makes much of the presence of Cretan archers in both her volumes, but only in as much as they symbolise the extent to which the violence had descended by the use of foreign troops to kill Roman citizens (for example, Flower, 2010(b), p. 86). This may be so, but she misses in her discussion of the violence the traditional connection between the presence of Cretan archers, and regular Roman troops, and thus what the presence in Rome that day of the archers might be telling us about what sort of armed force might have been used to quell the insurrection.

¹⁶⁷⁷ As the proclamation of a *senatus consultum ultimum* indicates.

¹⁶⁷⁸ Rosenstein, 2012, p. 13; Lintott, 1999(b), p. 4; Nicolet, 1980, p. 144. There were, of course, administrative, functional and symbolic officials that accompanied the magistrates: a few dozen lictors that attended the higher magistrates and administrative staff. The city *aediles* also had as part of their civic responsibilities functions which contributed to public order. But these were too few, and in a major emergency, such as large numbers of insurgents seizing the Aventine, these officials and their attendants could not provide the necessary force. See Nippel for a detailed analysis of the various functions of officials and their attendants in relation to policing Rome (Nippel, 1984, pp. 21-29).

¹⁶⁷⁹ Stockton, 1979, p. 197. This also suggested a level of premeditated planning by Opimius, indicating that the governing elite at least thought it obvious that fighting was a distinct possibility.

archers as independent units;¹⁶⁸⁰ archers, especially Cretan archers, were habitually attached to consular armies as missile troops supporting infantry.¹⁶⁸¹ It is unlikely that Opimius broke with convention, and separated archers from their accompanying infantry, especially when archers likely needed infantry protection to operate effectively in confined urban environments where there was plenty of cover for the enemy to approach them. I suggest that the use of Cretan archers in Rome therefore becomes a likely indicator of the presence of heavy infantry units. Furthermore, I argue that Opimius would not have needed to use an irregular, ad-hoc force to retake the Aventine. He was acting legitimately as consul of the Roman state, in a civil emergency, with the express authority of the senate; he could legally use the army,¹⁶⁸² and the pre-positioning of Cretan archers suggested that he did draw upon elements from it. It is unlikely he thus resorted to irregular methods to quell what effectively amounted to an armed uprising. The evidence is circumstantial, but positive: I contend that it is probable the battle for the Aventine was the first time formed elements of the army were used in political violence.

In 100 BC, however, during the political violence to suppress the armed sedition¹⁶⁸³ of Saturninus and his supporters,¹⁶⁸⁴ it is clearer that the army was involved.¹⁶⁸⁵ When Saturninus seized the Capitol with a force of *agrestes*, the senate responded by declaring a state of emergency, voting them public enemies,¹⁶⁸⁶ and authorising the consul, Marius, to

¹⁶⁸⁰ The reason for this, I contend, is that by themselves, archery units are extremely vulnerable to cavalry and infantry; their normal function was to support the infantry as it advanced to contact. When they are mentioned, it is almost always in conjunction with infantry (Plb. 3.75), suggesting they were rarely, if ever, used separately from them.

¹⁶⁸¹ Liv. 22.37; V.Max. 9.3.7; Plb. 3.75. As far back as Cannae in 216 BC, for example, there were 1000 archers sent by Hiero of Syracuse attached to the consular armies; at least 500 of them were Cretan archers. Cretan archers were with the army in 171 BC being prepared to fight in Macedon (Liv. 42.35), and there were also Cretan archers with the army in Spain in 141 BC; Q. Metellus broke their bows to sabotage the army when he learnt his enemy, Q. Pompeius, had been allocated the province (V.Max. 9.3.7). They appear again in 90 BC during the Social War, fighting variously for Italian and Roman armies (Diod. 37.18). The link between Cretan archers and the army was, in my mind, clearly established (on this point, see also Cagniard, 2008, p. 88).

¹⁶⁸² Nicolet, 1980, p. 144.

¹⁶⁸³ App., BC 1.30.

¹⁶⁸⁴ See this chapter above. As I have shown, Saturninus used soldiers or ex-soldiers as a support base to help pass legislation in the civil assemblies, often by violence.

¹⁶⁸⁵ Alston argues convincingly that Marius was asked by the senate to use troops against Saturninus (Alston, 2007, p. 180). He is right. The irony was that these same troops had, until recently, been providing the 'muscle' on the street to support the passage of Saturninus' legislation. It is difficult to reconstruct the political motivation of these soldiers categorically, but as Alston points out, they simply may have responded to Marius as the lawful consul and representative of the state, with his formal senatorial authorisation to act, and followed his orders against their erstwhile colleagues.

¹⁶⁸⁶ App., BC 1.32.

suppress the insurrection.¹⁶⁸⁷ Marius may have exploited dissatisfactions among ordinary citizens to further his career,¹⁶⁸⁸ and allied with the militant tribunate of Saturninus to ensure land was provided for his veterans, but he was no revolutionary.¹⁶⁸⁹ When Saturninus produced such a program in 100 BC, Marius dissolved the alliance and moved against him in his role of consul acting to suppress sedition and insurrection. He consequently besieged the insurgents and compelled them to surrender. They survived but were killed by an angry mob. The evidence for the use of the army in this incident is persuasive. The literary tradition, for example, is consistent: Plutarch has Marius leading his soldiers into the forum,¹⁶⁹⁰ Livy wrote Saturninus was put down by military force in a kind of war,¹⁶⁹¹ and Orosius even used the term 'maniples', a basic tactical formation of the republican army, in his description of the battle.¹⁶⁹² I suggest that this all points to the use of units from the army.¹⁶⁹³ Moreover, as in 121 BC, the army was the most effective, organised armed force available at short notice. Marius was a legitimate magistrate acting with express senatorial authority against enemies of the state; he was thus empowered to use its resources, including the army. He did not need to use civilians, informal supporters, or a mob; I argue, therefore, that this was the second time the state used the army to suppress political violence.

¹⁶⁸⁷ Liv., *Per.* 69; Oros. 5.17; App., *BC* 29.30.

¹⁶⁸⁸ For example, when he tapped into dissatisfaction at the progress of the war against Jugurtha to help his campaign for election to his first consulship (Sal., *Jug.* 73).

¹⁶⁸⁹ See Sherwin-White's dated, but still influential, analysis of Marius as the conservative and loyal servant of the state during this period. He argues that Marius never harboured the revolutionary designs that Saturninus entertained; their alliance was a matter of convenience (Sherwin-White, 1956, p. 3). But, while Marius may not have had revolutionary ambitions at this point, he was subsequently prepared to resort to military force against the state once he had been shown by Sulla the potential of the army to intervene and underwrite *inimicitiae* with enemies, and as an effective solution to intractable political problems. But, in 100 BC, it is clear enough that Saturninus' actions were too much, even for Marius, and, in this context, he could happily fulfill his responsibilities as the chief magistrate responding to a state of emergency, charged by the senate to suppress the insurrection.

¹⁶⁹⁰ Plut., *Mar.* 30.

¹⁶⁹¹ Liv., *Per.* 69.

¹⁶⁹² Oros. 5.17. Again, Orosius is writing late in the Imperial period of this incident, but, intriguingly, he uses an anachronistic term from the earlier republican period that does not sit with the period in which he was writing, nor that he would have been normally familiar with – suggesting to me that he may have been drawing upon an earlier, authentic source in his description of the conflict. Of course, I argued in Chapter Five above that maniples had, by this time, been largely replaced by Marius' reforms by the larger cohort as the tactical sub-formation of the legion. However, in the narrow, confined streets of the city, and against a defending force of less than 5000, it is likely that the cohort was too large and unwieldy to use easily in the urban environment. In this environment, I argue that the smaller maniples were the better tactical solution, much easier to control and wield by commanders; it is thus plausible that they were indeed used.

¹⁶⁹³ The only source that does not indicate that soldiers or military force was used is Appian (*App.*, *BC* 1.29.30).

Flower argues that the confrontation between C. Gracchus and Opimius may have been violent, but it was not necessarily civil war.¹⁶⁹⁴ While this may be true, and can also be said about Marius' suppression of Saturninus in 100 BC, I argue that they were, nevertheless, significant collective experiences as far as the army was concerned, and important for the examples they presented about normative political behavior. In both instances, the state used force to suppress what it considered was armed insurrection: in the course of both events, it killed citizens without trial, and, the second time, it killed magistrates still in office. For the soldiers, it must have made an indelible impression; I suggest that it reinforced the lesson that the use of endemic violence against fellow citizens, including serving magistrates, was, for political reasons, legitimate. Moreover, it showed the soldiers how the army collectively could become involved in political violence, and how decisive the brutal effectiveness of organised military strength could be.

Conclusion

In this chapter, I have given a plausible explanation of where the army, individually and collectively, learnt to denigrate and destroy the symbols of republican power, and how political violence on the streets of Rome could change views about the use of organised military power in politics. The evidence that it did change views was in the aberrant behaviour of Sulla's soldiers against magistrates, their symbols of power and, ultimately, the state. I have shown that politics and public life for much of the Republic's life was as fractious and disruptive as anything produced in the civil war period. The big difference, however, was the absence of endemic violence; but there was a change after 151 BC, when the relative unity between ordinary citizens, the tribunate and the governing elite began to fracture. From 133 BC on, endemic violence became a normative part of political discourse, and the example it set to soldiers of what was now acceptable, was crucial in making them more receptive to the suggestion of unprecedented action from magistrates who wanted to realise the ultimate potential of military force in the political sphere.

The example of political violence was not trivial; because of such violence, the nature of political competition within the state was fundamentally changed, and significant numbers

¹⁶⁹⁴ Flower, 2010(a), p. 77. She does, however, accept that it was more like a civil war.

of people were killed during the four decades leading up to Nola. The dead included *lictors*, former and serving magistrates, tribunes and leading men of the state, such as the two Gracchi brothers, as well as numbers of ordinary citizens and their allied counterparts. It almost killed Sulla.¹⁶⁹⁵ The lessons of the use of violence were also compelling because soldiers, and whole units of the army, were involved. I have placed individual soldiers or veterans in the same place and time where political violence occurred. I have placed them amongst the groups that conducted the violence. On two occasions, I have circumstantially involved whole units of the army in instances of political violence and suppressing armed sedition. The opportunity certainly existed for soldiers and the army to absorb the lessons of the effectiveness of military force in solving political problems. Furthermore, on one occasion, I have shown that contending armies were willing to fight each other in support of the claims of their contending magistrates. In 101 BC, this did not eventuate because Marius relented. But although it took the subsequent Social War to fully socialise soldiers to the idea of civil war, I argue that this incident showed that norms of behavior had already changed within the citizen-militia to allow the possibility of civil war more than a decade before it broke out.

The next, concluding, chapter focuses on the army at Nola in 88 BC when it decided to support Sulla against his political enemies, and intervene in politics. It brings together all the factors discussed in previous chapters – factors that, I argue, influenced the responses of the soldiers on that day. Chapter Eight will show that, far from a single dominant factor, such as the desire to profit from war, it was a grouping of factors acting in unison that proved decisive, and thus allows us to explain more accurately the rise of the politically interventionist legion.

¹⁶⁹⁵ Plut., *Sull.* 8; App., *BC* 1.56.

Chapter Eight

Integrating the Factors and Thesis Conclusion

Factors Coalesce at Nola: A Holistic Explanation for Intervention

The previous four chapters discussed a range of hypothetical factors acting on L. Cornelius Sulla's soldiers in 88 BC. These, I argued, positively influenced their decision to help him against his political enemies. I assert that these factors more comprehensively explain why the army was receptive to his invitation to intervene directly in the civilian political process with organised military force. The desire to profit from war, desensitisation to the risk of fighting fellow citizens, the citizen-militia tradition of insubordination in political cause and as the ultimate redress of grievance, and the pernicious influence of contemporary endemic violence on Roman political discourse, all influenced in various degrees the motivations of the army. Added to these factors was background confusion among Sulla's soldiers over who represented the state. This chapter brings together these threads, and discusses how they framed the decision of the soldiers on the day. The chapter will show that, rather than a single factor dominating – long the conventional explanation for intervention¹⁶⁹⁶ – it was instead a grouping of factors acting in unison, which together proved decisive, and meant the emergence of the politically interventionist legion was all but inevitable.

Nola: The General Situation in 88 BC

The preceding discussion has brought us to a point early in 88 BC outside the Campanian town of Nola; it was here, in a *contio*, that Sulla invited the army to help him during the dying stages of the Social War. At the time, Sulla's army, comprising up to six legions,¹⁶⁹⁷ was besieging Nola.¹⁶⁹⁸ It was a difficult and protracted war,¹⁶⁹⁹ but, by 88 BC, Rome had almost succeeded in extinguishing it: Nola was one of the insurrection's last strongholds.

¹⁶⁹⁶ See Chapter Three above.

¹⁶⁹⁷ This constituted an army of up to 35 000 infantry, cavalry and support troops (Plut., *Mar.* 35; Plb. 6.20).

¹⁶⁹⁸ Vell. 2.18; Plut., *Sull.* 7; *Oros.* 5.19. See also Konrad, 2006, p. 179.

¹⁶⁹⁹ See Chapter Five above.

Most of Sulla's army had for the past year operated south of Rome, and fought major engagements against the Italian rebels,¹⁷⁰⁰ by the time Nola was besieged, they were experienced and hardened by war. As I have shown, Sulla's army was conventional in most ways,¹⁷⁰¹ but when it began the siege, it had already exhibited indications of a trait that would distinguish it from all other Roman armies to date: a willingness to regularly kill serving magistrates and show disrespect for their symbols of power.¹⁷⁰² On the international front, there was war with the eastern potentate, Mithridates – although in 88 BC, the first priority of the state remained the suppression of the Italian insurrection.¹⁷⁰³ In 89 BC, Rome declared war when the king invaded provinces under Roman protection,¹⁷⁰⁴ arguably after provocation.¹⁷⁰⁵ Sulla, as one of two consuls, received the eastern province of Asia, and thus command of the war against Mithridates. It was done by lot administered by the senate in the traditional way, and conferred upon him the legitimate, lawful authority to lead the army and conduct the campaign.¹⁷⁰⁶ The prospect of economic enrichment and glory in the east must have been considerable: for Sulla, even the coveted consulship paled into comparison with opportunities promised by the campaign against Mithridates.¹⁷⁰⁷

Meanwhile, the endemic violence which had been a feature of political discourse for the past four decades¹⁷⁰⁸ continued to punctuate relations between revolutionary tribunes,

¹⁷⁰⁰ App., *BC* 1.46; Plut., *Sull.* 6; Oros. 5.18; Liv., *Per.* 75; Keaveney, 2005, p. 43.

¹⁷⁰¹ Nicolet, 1980, p. 130. In particular, Nicolet makes the point that the Roman armies during the Social War were recruited by levy in the traditional manner. There is no good reason to disbelieve it.

¹⁷⁰² See Chapter Seven above. A. Postumius Albinus, Sulla's legate commanding part of Sulla's army in his absence, was stoned to death by mutinous soldiers when he called a *contio* in 89 BC (Liv., *Per.* 75; Oros. 5.18.22; Plut., *Sull.* 6). As I have shown, ironically, he was, according to tradition, the descendent of P. Postumius Albinus Regillensis who died in similar circumstances during a mutiny in 414 BC (Liv. 4.50). See Chapter Six above.

¹⁷⁰³ Rome seems to have underestimated the danger presented by Mithridates, and to have made his defeat a second priority behind extinguishing the last remnants of the Social War. Sulla, for example, after being elected consul and being granted the eastern province, does not seem to have been in a particular hurry to move against Mithridates. He returned to Nola to finish its entrenchment (Plut., *Sull.* 7). This is perhaps understandable: the Social War at its height was a serious, immediate threat to Rome; Mithridates was far away in Asia Minor.

¹⁷⁰⁴ App., *Mith.* 22; Vell. 2.18.

¹⁷⁰⁵ For a background to this war, see Keaveney's useful discussion on the troubled relationship Rome had with the Pontic king, including various attempts by Roman magistrates, including Marius, to provoke Mithridates into war for reasons of avarice and the opportunity for glory (Keaveney, 2005, pp. 30-31, 36-37).

¹⁷⁰⁶ Vell. 2.18; App., *Mith.* 22. The people's assemblies may have elected the magistrates, but the senate traditionally handled foreign relations, the raising of armies and the allocation of provinces to magistrates by casting lots. Examples at Liv. 40.44; Liv. 41.9; Liv. 42.1. See Rosenstein for a recent discussion of the senate's 'soft power' and dominance in the Republican system of government (Rosenstein, 2012, pp. 11-13). See also de Blois, 1987, p. 42.

¹⁷⁰⁷ Plut., *Sull.* 7; Keaveney, 2005, p. 46.

¹⁷⁰⁸ See Chapter Seven above.

ordinary citizens and the governing elite. With Sulla's army busy at Nola, there was civil strife associated with yet another assertive tribune in Rome challenging senatorial authority and using violence to pass populist legislation. P. Sulpicius Rufus had thoroughly learnt the lessons of political violence and the effectiveness of coercion;¹⁷⁰⁹ for protection and intimidation, he employed 3,000 swordsmen called the 'anti-senate',¹⁷¹⁰ and styled himself on L. Appuleius Saturninus.¹⁷¹¹ Conflict with the governing elite, including the consuls, was inevitable. At first, some of his actions were in Sulla's interests; using armed gangs, he intimidated and dissuaded Sulla's rival for the consulship in 89 BC, C. Iulius Caesar Strabo, and thus helped Sulla secure the consulship for 88 BC.¹⁷¹² But he then formed an association with C. Marius,¹⁷¹³ and with his support, pushed through an ambitious and controversial legislative package; as Keaveney points out, it was guaranteed to enrage citizens, and attract fierce opposition from urbanites and the senate.¹⁷¹⁴ It included recalling citizens exiled in the aftermath of Saturninus' suppression¹⁷¹⁵ and limiting the size of allowable debt carried by a senator.¹⁷¹⁶ The most controversial measure, however, was a motion which distributed the new Italian citizens throughout the original 35 Roman tribes,

¹⁷⁰⁹ Keaveney, 2005, pp. 47-48.

¹⁷¹⁰ *Sull.* 8. Plutarch had a different number: 600 armed equestrians (*Plut., Mar.* 35).

¹⁷¹¹ Sulpicius admired Saturninus and his legislative program, but thought him not radical enough in his ideas or methods (*Plut., Mar.* 35). Sulpicius would not make the same mistake as Saturninus, and the large retinue of swordsmen that accompanied his tribunate provided physical protection, and the muscle to intimidate opposition to his legislative programs.

¹⁷¹² Konrad, 2006, p. 179; Keaveney, 2005, p.47; Lintott, 1999(b), p. 187.

¹⁷¹³ *App., BC* 1.57; *Plut., Mar.* 35; *Vell.* 2.18. Powell, however, argues Sulpicius acted from the start in the interests of Marius; a consistency in the measures being proposed under the legislative bill, and the observation that Marius would not have objected to anything Sulpicius proposed, persuades Powell to conclude that he was probably in alliance early in his tribunate (Powell, 1990, p.458). For my argument, however, it is a nuance not important. What matters is that Sulpicius acted violently when he perceived opposition to his agenda, as well as proposing the fateful Mithridatic bill. In the end, he lost his life supporting Marius (*Plut., Sull.* 10).

¹⁷¹⁴ Keaveney, 2005, p. 48.

¹⁷¹⁵ See Myers' analysis on who these exiles were. Myers, who makes a useful re-evaluation of the role and place of Sulpicius in the events of 88 BC, particularly the question of whether he was little more than a lackey of Marius, uses the inclusion of the recall component in the bill as evidence of Sulpicius' political savvy and consistency (Myers, 2009, pp. 5-9). In the final analysis, Myers downplays the relationship with Marius, arguing he was an independent agent who acted out of his own self-interest more often than not. This is not controversial; nevertheless, it does not rule out a political alliance with Marius, nor acting in his specific interests – as Sulpicius so clearly did when he introduced the Mithridatic bill.

¹⁷¹⁶ Keaveney argues that although it is thought this measure may have been aimed at Sulla, who had amassed large debts, success in a series of wars, and the resulting booty, probably made Sulla richer (Keaveney, 2005, p. 48). Such a notion is, however, contentious. Too much should not be assumed; unlike foreign wars, where there were always foreign kingdoms and cities to plunder, the Social War, fought in Italy, did not necessarily yield excessive amounts of booty, and wars, no matter where they are fought, were invariably expensive. We should not assume Sulla was made rich and thus had no sizeable debts. Powell dismisses the debt component as a generalist *popularis* move (Powell, 1990, p. 456). In my view, it remains unclear exactly against whom the measure was targeted, if indeed it was an individual, and not the governing elite as a whole.

giving them a numerical voting advantage over Romans;¹⁷¹⁷ this undoubtedly contributed to political unrest and friction.¹⁷¹⁸ Indeed, Flower goes further, and argues that the question of citizenship for the Italians was at the heart of the failure of the republican system: the only way for Rome to survive was to offer full citizenship to the Italians, but this meant completely changing the nature of Roman politics to the point that it bore no resemblance to the old republican system.¹⁷¹⁹

At this time, Sulla was in Rome; serious civil strife between Sulpicius' supporters and those opposed brought Sulla back from the army at Nola to stabilise the situation and frustrate Sulpicius' and Marius' agenda.¹⁷²⁰ In this way, Sulla was swept up in the endemic political violence that followed, but rather than turning to partisan supporters to protect him, as the Gracchi and Saturninus had done when confronted with violence,¹⁷²¹ Sulla instead turned to the army. When Sulpicius, for example, used force to suppress opposition to his bill, Sulla and fellow consul, Q. Pompeius Rufus, responded by calling a festive vacation that suspended public business to stop the assembly vote.¹⁷²² Sulpicius reacted by declaring the vacation illegal, threatened to kill the consuls, and forced Sulla at sword point to annul it.¹⁷²³ Sulpicius' legislation was then passed by force. It was a major personal humiliation

¹⁷¹⁷ App., *BC* 1.57. As Appian pointed out, the Italians, for whom citizenship was a concession obtained by resistance in the Social War (see Chapter Five above), were at an advantage because they far outnumbered the original Roman citizens, and could thus wield greater voting influence if arranged in the original 35 tribes. The original plan had been to confine them to 10 or 8 of the last tribes to accommodate the Italians, and thus place them at the back of the voting sequence. Given the Roman voting system used a 'first to achieve a majority' system to determine voting results in elections (see Chapter Six above), this very effectively would have negated any political power Italian citizens may have wielded. Sulpicius' program changed that, and gave them political power. See Keaveney, 2005, p. 48. See also North, 2006, pp. 263 ff. for a fuller discussion on the political characteristics of the Roman constitution and its voting assemblies. See Powell for a discussion of the bill to distribute the newly enfranchised Italians in the 35 tribes in the larger context of whether he had always been an ally of Marius, or only turned to him later out of frustration (Powell, 1990, pp. 449 and 450).

¹⁷¹⁸ For example, it is listed by Appian as one of the reasons that led to street battles in Rome (App., *BC* 1.55).

¹⁷¹⁹ Flower, 2010(b), pp. 111 and 112. In the sense that Roman politics changed irrevocably after the admission of the Italians to citizenship (see Chapter Two above for examples), and that a major destructive war had been required to achieve it, Flower's analysis of the 'Italian question' forcing a transition of the old Republic into something different is persuasive. In this sense, the old Republic indeed 'failed', as Flower argues.

¹⁷²⁰ Powell, 1990, p. 459. Powell makes much of the fact that Sulpicius and Marius only gave Sulla the reason to act as he did when they conspired to take his command away; up until that point, Sulla, as consul, was acting as the senior magistrate should to stabilise the political violence, and this inevitably placed him in opposition to Sulpicius. I would add that the experience of almost losing his life, and the humiliation suffered at Sulpicius' hands, would also have given Sulla good personal cause to act against him.

¹⁷²¹ For details of these events, and the nature of the political violence, see Chapter Seven above.

¹⁷²² App., *BC* 1.55; Vell. 2.18; Plut., *Sull.* 8; Liv., *Per.* 77.

¹⁷²³ The resulting violence killed Sulla's son-in-law, Q. Pompeius (Liv., *Per.* 77).

for Sulla, and for the reputation of the office of consul;¹⁷²⁴ he was almost killed, forced to seek refuge in the house of his enemy, Marius, to escape the mob, and succumbed to pressure to annul the vacation,¹⁷²⁵ before returning meekly to his army to prepare for the eastern campaign.¹⁷²⁶ There was, however, more to come.¹⁷²⁷ Sulpicius, as part of his legislative package – and *prima facie*, unknown to Sulla¹⁷²⁸ – also passed by unorthodox plebiscite¹⁷²⁹ a motion that stripped Sulla of the eastern command and transferred it to Marius, a private citizen, with a special grant of *imperium*.¹⁷³⁰ Sulpicius and Marius overreached themselves; when Sulla heard about it, he called the army together in a *contio*, outlined the situation and grievances done to him, and urged them to be ready to obey his

¹⁷²⁴ Keaveney, 2005, p. 49.

¹⁷²⁵ I argue that Sulla really had no choice if he wanted to survive the violence. There is no surviving record of the exchange between Marius and Sulla in the house, but Marius, in his bluff soldierly way, probably gave him a stark choice: rescind the vacation and survive, or refuse and die. Either way, it would have been a humiliating back down on Sulla's part, and immensely damaging to his prestige and sense of honour.

¹⁷²⁶ App., *BC* 1.56; Plut., *Sull.* 9. On this point, I acknowledge that there is a difference between the situation of Sulla and P. Scipio a century earlier. When he was defeated by his political enemies, Sulla could retreat to a formed army in the field, ready to use. P. Scipio, holding no office when he was bested by opponents, could not; he settled among his veterans but they were not formed into an army ready to use. In any case, these are minor differences: much more important, I argue, were the cultural factors that had emerged by this time acting on the ordinary soldiers of 88 BC – and which constitute the bulk of my argument.

¹⁷²⁷ Konrad rightly emphasises the damage done to Sulla's reputation and personal *dignitas*: as he explains, the abrogation of Sulla's command in the east "meant a full measure of humiliation," and followed close behind the experience of begging Marius for protection (Konrad, 2006, p. 179). Konrad neatly encapsulates the sense of continued humiliation that Sulla must have felt leading up to Nola, as his enemies continued to thwart his political aspirations.

¹⁷²⁸ Appian makes much of the point that Sulla was not aware of Sulpicius' and Marius' plans when he left Rome (App., *BC* 1.56). Plutarch, however, implies that the legislation to strip him of command was part of the legislation that caused violence, while Sulla was still in Rome, and thus suggests by inference, that Sulla was aware (Plut., *Sull.* 8). I argue that it seems unlikely Sulla would have been totally unaware of Sulpicius' plan: Marius made no secret of his plans for the east (according to Plut., *Mar.* 34), and if this is correct, it is inconceivable that Sulla would not have been aware of them. He may not have, of course, calculated that Marius would try to act immediately, rather than wait for Sulla's term as consul to expire. Furthermore, even if he was aware of rumours of Marius' and Sulpicius' planned plebiscite, there had been no actual attempt to replace him, and in this context, it may have suited Sulla to leave the city and return to the army as if he was not aware of anything – so he could play the victim to justify the enormity of what he subsequently did. Moreover, regarding this event, it is also worth remembering that Appian, unlike Plutarch (Plut., *Mar.* 35), does not identify his sources, but it is plausible that they were drawn from Sulla's own account (see Powell, 1990, p. 455). Unlike Plutarch, for example, who either added graphic details himself or used other sources, Appian portrayed Sulla as in control of the situation, omitted the degrading chase and hiding in Marius' house, and stated emphatically that Sulla was ignorant of his enemies' plans, portraying him as the victim of the piece. If Appian did draw his account largely from Sulla's version of events, and it is impossible to really know, then it would have made sense to portray Sulla as the innocent victim, unaware of his enemies' plans, and pushed into doing what he ultimately did.

¹⁷²⁹ As I have shown above, this was not the traditional way of allocating provinces to magistrates: the senate conventionally ascribed by lot provinces to magistrates about to embark on their year's service. By passing this plebiscite, Sulpicius, like the Gracchi before him, was challenging the senate's traditional power and intruding on matters of foreign import which had always been with the senate (see Chapter Seven above).

¹⁷³⁰ Plut., *Sull.* 8; App., *BC* 1.56; Flower, 2010(a), pp. 77–78. This was obviously the measure by which Sulpicius bought Marius' support for other components of the legislative package. On this point, see also Keaveney, 2005, p. 47; Konrad, 2006, p. 179.

orders. For its part, the army understood his unstated intention, accepted his invitation to become involved in the dispute with his political enemies, killed two tribunes who arrived to take over the army, and marched with him on Rome.¹⁷³¹ After decades of endemic civil strife, punctuated by the use individually and collectively of the military by assertive tribunes and the state, political violence had finally reached its full expression: organised military coercion, in the form of the politically interventionist legion, was now a reality.

Intervention: Recasting the Focus

By any measure, the actions of Sulla and his army in 88 BC were unprecedented. They have been noted and discussed by scholars searching for specific explanations of civil war.¹⁷³² Myers, in her analysis of Sulla's request, argues that he spoke to his men as a consul asking for help to restore order in the city.¹⁷³³ This is a unique interpretation; it is possible that some of those listening to Sulla rationalised his intent in this way, especially those for whom the thought of attacking Rome was repugnant. I argue that Sulla did not, however, couch his request in these terms. Rather, he implied a course of action of an order of magnitude more audacious than a simple exercise to restore order: march against Rome, take the city, disperse enemies, and impose a political agenda – all with a high risk of provoking civil war.¹⁷³⁴ Although Sulla did not say it directly, his intent, I suggest, was clear; the fact that his army urged him to lead them to Rome suggested that most understood this.

Sulla's crime was to break the ancient political and religious prohibition against a military commander leading soldiers across the *pomerium*¹⁷³⁵ without permission,¹⁷³⁶ and to

¹⁷³¹ App., *BC* 1.57; Oros. 5.19; Liv., *Per.* 77; Plut., *Sull.* 9.

¹⁷³² Flower is typical: "The decisive military action that caused civil war happened in 88 BC with Sulla's first march on Rome (Flower, 2010(a), p. 77 and 78). But see also Keaveney: "Sulla's march on Rome in 88 was unprecedented" (Keaveney, 2007, p. 37). Also Konrad, 2006, p. 180.

¹⁷³³ Myers, 2009, p. 44. Myers argues further that Sulla would have used the precedence of consuls using troops to restore order in the city (Myers, 2009, pp. 44–45). But as I argue above, it was clear that Sulla meant something different to mere restoration of order, and the fact that his officers left him suggests strongly that this intention was clear.

¹⁷³⁴ Keaveney describes Sulla's planned intervention as an act beside which the excesses of Sulpicius and Marius paled in comparison (Keaveney, 2005, p. 53).

¹⁷³⁵ This was the ancient religious line around Rome geographically which separated the civil from military spheres of public life, and the extraordinary *imperium* of the commander from the *mores* of normal civil life. The example in 215 BC of the consul, Q. Fabius Maximus, holding consular elections on the Campus Martius, carefully placed outside the *pomerium*, to maximise his influence over the elections by retaining his *imperium*, illustrated well the traditional prohibition on entering the city while still in command and leading

introduce into civilian political discourse organised military force to compel cooperation, thereby endowing one individual with enormous power, and upsetting the careful structural balance enshrined in the Roman constitution. The moment coercive power of this nature was introduced into political discourse was the point at which the Republic indisputably ceased to function in the traditional sense. The enormity of Sulla's act was obvious to the men at Nola; all but one of his officers left him when his intentions became clear, because they would not countenance the idea of attacking their own state.¹⁷³⁷ Sulla, however, couched it differently: when questioned on the way to Rome by two praetors about his motives for marching against his country, Sulla said he was saving her from tyrants.¹⁷³⁸ Recent scholarship on the question of Sulla's motivations adds useful nuances to this blunt exchange. Flower, for example, makes much of the unique political situation at the time as a prime motivation. She contends that Sulla turned to extreme violence and open war to achieve his political goals because he perceived – and indeed may have argued in his memoirs – that the traditional rules governing competitive republican politics were no longer functioning; he was replaced, for example, by plebiscite in contravention to the traditional role and authority of the senate.¹⁷³⁹ She argues that republican government in the period 91 BC to 81 BC was never fully functional; the rhetoric of 'politics as usual' and the continued use of traditional names could not cover up lawlessness, violence and contempt

soldiers (Liv. 24.7). Inside the *pomerium*, the citizen was protected by *provocatio* from the arbitrary and extreme power of the senior magistrate; outside it, he served in the army and was thus not protected. Consuls needed to conduct special rituals to assume command before leaving the *pomerium* (by donning military garb, undertaking special ceremonies, etc), and more rituals later when laying down power to enter it again, once the command period had finished (for examples, see Liv. 5.52; Liv. 41.10; Liv. 45.39). Special permission was needed from the senate and by vote of the people in assembly before a commander could enter the *pomerium* with his army to celebrate a triumph (Liv. 26.21; Liv. 33.22). The significance of a commander who ignored the ancient prohibition so essential to the smooth functioning of civic and political life of the Republic was thus profound. See Drogula for more detail on the significance and nature of the *pomerium*, and its complicated association with the *imperium* of consuls (Drogula, 2007, p. 419 ff).

¹⁷³⁶ Rosenstein, 2007, p. 229.

¹⁷³⁷ App., *BC* 1.57. The 'one' officer was the army's quartermaster, paymaster and financier, the *quaestor*. The refusal of most of the officers to join Sulla is interesting for another reason, when placed against an earlier incident that occurred at Nola at the start of the Social War. When the Italian commander, G. Papius, captured Nola, he offered the Romans there their lives if they would change their allegiance and serve with him: all 2000 soldiers agreed, but their officers refused, and were subsequently starved to death (App., *BC* 1.42). In 88 BC, it was again the officers who refused to countenance unconstitutional behavior, while the soldiers supported Sulla. This might suggest that the social pressure on the officer class, normally aristocrats and members of the governing elite, not to countenance sedition against the state was stronger than in other classes. Alston describes this elevated sense of duty among the officer class of Sulla's army as a commitment to the traditionalism of the old Republic, particularly its governing elite (Alston, 2007, p. 182).

¹⁷³⁸ App., *BC* 1.57; Val.Max. 9.7.

¹⁷³⁹ Flower, 2010(b), p. 92.

for accepted political norms.¹⁷⁴⁰ Sulla, responding to this failure of the republican system of government, was the first to openly designate a Roman citizen as a 'foreign enemy', and the first to use the army against the Republic.¹⁷⁴¹ Meanwhile, Keaveney's explanation focuses on Sulla's visceral reaction to the personal experience of political violence and humiliation – and emphasises the humanistic side of his actions.¹⁷⁴² He argues, for example, that Sulla had no choice but to march on Rome: he was a 'frightened man' who knew his consular dignity had not protected him from his enemies, and would not do so in the future; cornered by his enemies, he was desperate and acted accordingly.¹⁷⁴³

These explanations for intervention both have merit, and contribute to understanding the Republic's transition to civil war: the emergence of political violence, a more assertive tribunate, and civil strife between citizens and non-citizens, city dwellers and *agrestes*, did change the nature and rules of political discourse. It was an unusual, even unprecedented,

¹⁷⁴⁰ Flower, 2010(a), p. 79 ff. Flower, however, too narrowly limits the period of dysfunction to the Social War and period immediately afterwards. As I have shown in Chapter Seven above, the traditional unity and traditional norms actually began to fray after 151 BC with the re-emergence of a more assertive and revolutionary tribunate; by 131 BC, Republican politics had changed forever in a conventional sense with the emergence of endemic political violence. In as much as this can be described as dysfunctional republican government, and the abandonment of old political restraints, it should be noted that it occurred well before the start of the Social War. It is also worth noting that although violence had changed the way political discourse in Rome was conducted, much of the old system continued to function largely as normal in parallel: magistrates were elected, provinces allocated, bills passed, and wars fought. A thesis that describes Sulla as acting in a vacuum of functioning republican government and institutions should thus not be overstated.

¹⁷⁴¹ Flower, 2010(b), p. 92. Flower, in her survey of Rome's first civil war, introduces the idea of the failure of political tradition and state function, and links it to Sulla's march on Rome. She emphasises the fundamental problem of the existence of civil war for the Republic and its institutions, in which Romans had traditional pride, and which existed to obviate the extremes of political behavior. The traditional function of the Republic was to work at the prevention of conflict between contending power bases, especially extreme civil strife. Civil war was, therefore, an existential crisis for the Republic; it called into question the very basis of republican political culture which was founded on a basis of the settlement of disputes by legal means. Civil war meant the Republic had failed in its most basic function of mediating strife between individuals (Flower, 2010(a), pp. 74 and 75; Flower, 2010(b), 92 ff.).

¹⁷⁴² Keaveney is one of the few scholars who have recently looked closely at the events of 88 BC, and explored in detail the motivations of its key protagonists, especially Sulla. Unfortunately, he does not focus the same level of attention on the motivations of the soldiers at Nola, the one key element in Sulla's plan – without which the challenge to his political enemies, and his intention to impose a political solution upon the state, could not have been possible.

¹⁷⁴³ Keaveney, 2005, pp. 50 and 51. Keaveney offers a more human analysis of Sulla's motivation. The visceral emphasis aligns more neatly with the sense of spontaneity with which this event appeared to unfold. Sulla was, for example, unaware of plans to replace him, or, if he was aware, chose to take no action to prevent it, when he returned to the army. He was subsequently shocked and outraged when Marius and Sulpicius moved against him, and appealed instinctively to the army around him for protection and legitimacy to act. Moreover, he regarded the eastern command as a great prize, and to have it taken away was too much; his furious reaction was natural in the circumstances. As a human-centric thesis, I find Keaveney's analysis plausible and persuasive.

situation – although, as I have argued,¹⁷⁴⁴ it was not so much the presence of intense *inimicitiae* between aristocratic and wealthy competitors, or fractious politics, but rather endemic violence in a political cause, as the dominant discriminator, which really set this period apart from the past. Sulla's actions in response to humiliation, fear of political opponents, and as self-defence, are also credible; the haste with which Sulla returned to the army¹⁷⁴⁵ suggested that the human experience of near-death in Rome made an indelible impression upon him.

By focusing primarily on Sulla and his *inimicitiae* with political opponents in Rome, however, both explanations are ultimately unsatisfactory as comprehensive rationales for intervention. Flower stresses the uniqueness of the situation, the importance of the Italian question in changing the nature of Roman politics, and argues about the functionality, or otherwise, of republican political discourse. But the one act that indisputably gave Sulla his *casus belli*, the removal by plebiscite of his eastern command,¹⁷⁴⁶ and which could be viewed as evidence of the failure of republican political norms, was not without a contemporary partial precedent. In 107 BC, a plebiscite proposed by an antagonistic tribune stripped Q. Caecilius Metellus Numidicus of his province allocated by the senate in the traditional manner, and his *imperium* there was conferred upon a political enemy.¹⁷⁴⁷ In 107 BC, this act did not lead to civil war; it follows that by itself, the fact that Sulla, like Metellus, lost his province by plebiscite in 88 BC was not enough of an aberration to be a complete explanation for intervention. Similarly, the question of Italian citizenship, undoubtedly one of the sources of political friction in 88 BC,¹⁷⁴⁸ had nevertheless been simmering for decades before the outbreak of the Social War,¹⁷⁴⁹ without any evidence that

¹⁷⁴⁴ For example, in Chapter Seven above.

¹⁷⁴⁵ Plut., *Sull.* 9. It is at this point that Sulla, I argue, must have realised that the best personal protection he had against his ascendant political enemies lay in his army. I suggest that he must have looked at the lessons of the past, at the Gracchi and Saturninus, and seen how they placed their trust in supporters on the streets of Rome, and those supporters had not been enough to protect them from either political enemies or the state. He did not make that mistake; instead of turning to supporters in Rome to safeguard him when faced with existential violence, he turned to the army. By the standards of the time, it was a sensible decision.

¹⁷⁴⁶ Cf. Flower, 2010(b), p. 91.

¹⁷⁴⁷ Sal., *Jug.* 73.

¹⁷⁴⁸ App., *BC* 1.55.

¹⁷⁴⁹ App., *BC* 1.19; see also Chapter Two above.

it led to a critical failure of republican governance, or that Sulla felt strongly enough about it in 88 BC to launch the army at Rome.¹⁷⁵⁰

Like Flower's explanation which emphasises the political aspects of the situation as they related to its key actors, Keaveney's discussion of the human factors that motivated Sulla is useful, but also misses the essential point: the critical role of the soldiers. Sulla may have been frightened and given no choice to act in self-defence, but he – or any ambitious magistrate – was a threat to no one unless he could in 88 BC exploit the one unique discriminator that, I argue, surpassed all other factors in significance: the willingness of citizen-soldiers to risk civil war, agree to support their general's claim, and intervene directly in politics. To thus understand the events of 88 BC, and why the army intervened, the emphasis must be on Nola, not Rome, and on understanding the motivation of the soldiers which made Sulla's act possible. It must, in particular, make a distinction between factors that emerged for the first time that day in 88 BC to influence the soldiers, and those which did not.

At Nola: The Fateful Day – *Contio* and Rebellion

The Subordinate Role of Pecuniary Self-Interest

As I have shown in Chapter Three above, pecuniary self-interest is the conventional, dominant explanation advanced to explain why the citizen-militia subsequently supported

¹⁷⁵⁰ Intriguingly, did the 'Italian question', however, provide a motivation for the men of Sulla's army to march against Marius and Sulpicius, who were known to support a larger political role for the newly enfranchised Italians (App., *BC* 1.55; see this chapter, note 22)? Given the paucity of the sources, it remains impossible to categorically know: we simply do not know the ratio of citizens to Italians serving in Sulla's army. But there is evidence of Italians in it (e.g.; App., *BC* 1.50), and given what we know about the importance of allied contingents to Roman field armies (see Chapter Five above), it is also reasonable to think that Italians (those who had stayed loyal) made up a large portion. In any case, I argue that it is unlikely to have been a major motivation for the army, and that we need to look for other factors. For one thing, if we accept that there were Italians serving in Sulla's army in numbers, then it would not have been in their personal interest to support any action which resulted in their political marginalisation in the new Republic. For another, the majority of Sulla's officers – who were undoubtedly Roman citizens – left him when his intention became clear. If dealing with the 'Italian question' was a major motivation for the army, then surely it would have been in the political interests of these officers to remain with Sulla and oust Marius and Sulpicius, thereby ensuring their continued political dominance. Nor does it seem to have been an issue motivating Rome's resistance to Sulla; urban citizens fiercely resisted his army's entrance to Rome (App., *BC* 1.58). Yet, it is reasonable to think that it was not in the interests of these urban citizens to give more voting power to the much more numerous Italians who lived outside Rome: if the 'Italian question' was at the forefront of their minds, they should have welcomed Sulla with cheers, not bricks.

Sulla, intervened in politics, and risked civil war. It was undisputedly one of the factors in the minds of Sulla's soldiers at Nola; all Roman soldiers expected to profit from war.¹⁷⁵¹ I argue, however, that it has been given undue prominence as the dominant explanation for intervention; by itself, pecuniary self-interest cannot explain why the army at Nola intervened in politics.¹⁷⁵²

In Appian's account, Sulla, in a *contio* during his appeal to the army, did not directly mention the subject of booty, in the same way that he did not mention marching on Rome.¹⁷⁵³ I suggest that by announcing Marius had replaced him, Sulla nevertheless played on the irrational fears of the army that it would miss out on the lucrative opportunities to amass booty in the east.¹⁷⁵⁴ The soldiers were vitally interested in booty; they expected to gain financially from service.¹⁷⁵⁵ If Sulla considered the command against Mithridates a prize above even the consulship,¹⁷⁵⁶ service in the east was equally desirable to his soldiers – and for good reason.¹⁷⁵⁷ Campaigns there traditionally offered citizen and allied soldiers the chance to generate great wealth.¹⁷⁵⁸ As far back as 171 BC, for example, during the levies to raise consular armies for the war against Macedon,¹⁷⁵⁹ there were many volunteers because recruits saw that soldiers who served previously in the east returned rich.¹⁷⁶⁰ The impending campaign against Mithridates promised to be no different. Sulla's personal crisis thus reminded the soldiers listening to him *in contione* of their own position; in the Roman

¹⁷⁵¹ See Chapter Four above.

¹⁷⁵² See Chapter Four above for a detailed rebuttal and re-casting of the conventional explanation.

¹⁷⁵³ App., *BC* 1.57. As Morstein-Marx points out, we cannot know what proportion of the army at Nola in 88 BC consisted of men without property, or were poor (Morstein-Marx, 2011, p. 260). It must also be acknowledged that nor do we have any idea of the ratio of allied soldiers that stayed loyal to Rome to Roman citizens present in Sulla's army. If Sulla's army was mustered along traditional lines using a proportion of Latin/Italian allies who remained loyal, or who defected back to Rome during the war – and there is no reason to believe that it was not – than there must have been some. In the end, however, we simply don't know.

¹⁷⁵⁴ Keaveney, 2007, p. 37.

¹⁷⁵⁵ In Chapter Four above, I emphasised the point that citizen and allied soldiers traditionally expected military service to provide opportunities to generate wealth through donatives, but especially booty gained from victory in war. Sulla's soldiers were no different in this regard from their ancestors; it is worth re-emphasising the point here outside Nola. On this subject, see also Rosenstein, 2012, p. 110.

¹⁷⁵⁶ Plut., *Sull.* 7. See this chapter above.

¹⁷⁵⁷ App., *BC* 1.57.

¹⁷⁵⁸ Citizens also benefited indirectly in a financial sense from victory in war. The lands of defeated enemies could become *ager publicus populi Romani*; they could then be allocated to citizens and allies for farms, colonies and other agricultural use. For a detailed discussion of this principle at work in the Republic, see Rosenstein, 2012, pp. 109 and 110.

¹⁷⁵⁹ Plut., *Aem.* 20.

¹⁷⁶⁰ Liv. 42.32. See also Chapter Five above.

military system, the onus was traditionally on commanding magistrates to recruit their own armies,¹⁷⁶¹ and Sulla's soldiers feared Marius would replace them.¹⁷⁶²

At Nola, however, with the war against the Italians not yet over and another about to start in the east against a formidable opponent, I argue that this was unlikely – and it is reasonable to think that many listening to Sulla also knew it. It is true, for example, that commanding magistrates had considerable latitude raising armies, but it was not at all clear Marius planned to disband the army *en masse*. The soldiers, especially those with experience, would have known that more often than not magistrates entering a new command simply replaced officers and took over existing armies,¹⁷⁶³ especially during war when it made tactical sense to retain battle experience. They had only to recall the recent past to feel reassured: early in the Social War, in 90 BC, for example, Marius and Q. Caepio took over the army of former consul P. Rutilius Lupus,¹⁷⁶⁴ and C. Baebius took over the army of C. Iulius Caesar besieging Asculum.¹⁷⁶⁵ Neither of these armies was disbanded or replaced with fresh ones. In 109 BC, the disgraced proconsul, Sp. Postumius Albinus,¹⁷⁶⁶ handed over the army in Numidia to the incoming consul, Q. Metellus; reinforcements were brought, but the army stayed largely intact.¹⁷⁶⁷ Sulla himself could not be sure his men would be replaced; I argue that it is significant that his rhetoric *in contione* did not mention booty or disbandment.¹⁷⁶⁸ If Sulla was – as Keaveney persuasively suggests – a desperate, 'frightened man', it is reasonable to think that he would have used these threats to

¹⁷⁶¹ As L. Calpurnius Bestia did, for example, when setting out for Numidia for the war against Jugurtha (Sall., *Iug.*, 27,28). Also at Liv. 40.1. See Rich, 1993, p. 44. For a contextual description of consular armies, and the role of commanding magistrates, see Chapter Two above.

¹⁷⁶² App., *BC* 1.57. De Blois doubts whether Marius really intended to disband the army, but concludes that the soldiers probably thought he would (de Blois, 2008, p. 170).

¹⁷⁶³ I contend that there was greater pressure to refresh the officer level of consular armies on a regular basis. From the perspective of the governing elite, and those who aspired to a political career, the opportunity to serve and build reputation was critical; it was thus important to refresh the tribunes, legates, quaestors and other magisterial positions in the army as often as possible to give new aspirants the opportunity to get military experience. As a result, the Roman military system gave newly elected consuls the right to select some of their tribunes, while the assemblies selected the others (Plb. 6.12). When consuls took up their military appointment, they brought with them a good percentage of their own selectees, and the office class was thus replaced, while the rank and file could be retained in service.

¹⁷⁶⁴ App., *BC* 1.44.

¹⁷⁶⁵ App., *BC* 1.48. There are many instances of armies being retained, while the officer level was replaced: in 141 BC, Q. Pompeius replaced Q. Caecilius Metellus Macedonicus in Spain, but kept the army intact. (Val.Max. 9.3.7). Other examples at Sal., *Iug.* 35; Liv. 40.36; Liv. 41.11.

¹⁷⁶⁶ Albinus was not a credible commander, and was fated to be the first Roman commander for centuries to be killed by his troops; for details, see Chapter Seven above.

¹⁷⁶⁷ Sal., *Iug.* 44.

¹⁷⁶⁸ App., *BC* 1.57.

strengthen his case if they were a real possibility; they were not, so he instead concentrated on outlining grievances and a call to be ready. It proved sufficient for the soldiers to intuit his intention. There were other overt indicators to suggest Marius planned to use Sulla's army; he sent tribunes to take over the army, not disband it, and Sulpicius' plebiscite replaced only Sulla. Furthermore, the imperatives of the international situation also made disbandment a remote possibility. In 88 BC, the east, long neglected, was pressing; by the time Rome finally turned its attention to Mithridates, he had massacred up to 80,000 citizens and Italians, overrun Asia minor, and broken into Greece, where his armies threatened to undo Rome's strategic gains.¹⁷⁶⁹ Rome needed an experienced army for the campaign, and to act quickly; given this, it did not make sense to delay further by disbanding Sulla's veteran army and raising a new one, especially when preparations for embarkation had already begun.

As the dominant factor pushing soldiers toward intervention, therefore, I argue that mercenary self-interest was not a plausible rationale to explain the army's decision to participate in an act of such enormity. It was not that the desire to profit from war was absent at Nola: the army had concerns about missing out on booty, and Sulla's removal from command heightened those fears. Despite those concerns, however, it was also obvious to most that it was unlikely the army would be replaced *en masse*; knowing this, I argue that it was not credible for this motivation alone that the army would have exposed itself to the grave charge of sedition, nor participated in an act with such serious consequences. But there are other reasons to be skeptical about the conventional explanation; as I have shown in Chapter Four above, mercenary self-interest was not new in 88 BC, nor was it the exceptional ingredient at Nola which subverted the army and made the decisive difference. Rather, Sulla's soldiers expressed a thoroughly traditional concern:¹⁷⁷⁰ soldiers had always looked toward their commanders, military service, and war for opportunities to enrich themselves.¹⁷⁷¹ *Ab urbe condita*, it provided a powerful motive

¹⁷⁶⁹ App., *Mith.* 22,23; Vell. 2.18.

¹⁷⁷⁰ Morstein-Marx and Rosenstein, 2006, p. 632. As I have shown in Chapter Three above, although they are one of the few to nuance their analysis, they eventually succumb to the simplistic, economic explanation for intervention, and they do so without explaining why this should be so in any original way. Instead, Sulla's troops intervened for money: they were afraid of being replaced by new troops and missing out on booty. But more usefully, they note that this was also an incentive that was noted as far back as the popular vote for the war against Carthage in 264 BC (Pib. 1.11). In this, they are correct.

¹⁷⁷¹ In Chapter Four above, as well as airing examples of the mercenary motive at work in the army across the centuries, I also make the point that soldiers traditionally looked toward their commanders, not the state, for

to fight; Sulla's veterans were no different from any who had come before. In 205 BC, for example, the soldiers of P. Cornelius Scipio Africanus were eager to begin the campaign against the Carthaginians because it promised much booty; they were fired with a desire to land in Africa as soon as possible when they saw captured booty being unloaded in Sicily.¹⁷⁷² So ingrained in the soldier was the desire to profit from war, that the consul for 357 BC, C. Marcius Rutilus, had to extract from his army *in contione* an oath that they would fight the enemy instead of loot; in exchange, he promised to give them the enemy city and camp for booty.¹⁷⁷³ A strong mercenary impulse had been a feature of military service for centuries without it producing soldiers prepared to risk civil war or interfere in civilian politics. I therefore argue that it cannot explain *per se* why the army at Nola did do these things. What changed in 88 BC was not the emergence of soldiers motivated to do anything for financial gain, but the willingness to intervene, with all its attendant risks. Other, more influential, factors were thus at work.

Leveraging the Decisive Experience of the Social War

When Sulla convinced the army to support him at Nola, he faced a major risk; his use of military coercion would compel opponents, for reasons of self-defence, to co-opt other armies to oppose him.¹⁷⁷⁴ Taken to its logical conclusion, this situation produced civil war: sooner or later, armies supporting opposing magistrates would be drawn into battle to resolve the irreconcilable differences of their commanders. A commander like Sulla, who wished to use the army in this fashion, with all republican history and tradition against him,¹⁷⁷⁵ could not just casually invite the army to break centuries of tradition, especially

opportunities to generate wealth, and had done so since the beginning of Rome's expansion. In this regard, Sulla's troops were unremarkable. See also Keaveney, 2007, p. 94.

¹⁷⁷² Liv. 29.6.

¹⁷⁷³ Liv. 7.16. In this case, Rutilus' example is used to demonstrate how ingrained the desire for booty among soldiers could be. This same instance is also used in Chapter Four above, with a different focus; there, it is used as the archetypal example of transactional leadership, and of a purely transactional arrangement being made between commander and soldier.

¹⁷⁷⁴ This is exactly what happened: Sulla's act found immediate imitators. L. Cinna co-opted the remnants of the army left behind at Nola shortly after Sulla left Rome for the eastern campaign, and used it as a political weapon and for protection (App., *BC* 1.65,66). See also Keaveney, 2007, pp. 96 and 97; Konrad, 2006, p. 180.

¹⁷⁷⁵ The republican tradition, against which Sulla set himself, was deep and pervasive: consider, for example, the strong cultural tradition that republican civic memory chose to preserve, with its emphasis on punishing individuals in defence of the Republic who aspired to kingship or who were perceived to have set out to upset the traditional balance of political power (for specific examples, see Chapter Six above). The Republic killed kings, or those who aspired to kingship, and Sulla, by appealing to the army at Nola, was challenging that tradition head on. Another example of republican tradition against which Sulla necessarily set himself against

when doing so risked such a momentous and destructive outcome.¹⁷⁷⁶ For his appeal to succeed, he first had to overcome the natural reluctance of citizens to fight each other in civil war; the prospect of meeting brothers, sons and fathers in combat, and treating Rome as a foreign enemy, could be a powerful inhibitor. Stories from early Roman history, for example, suggest that fear of internecine conflict had been a brake on conflict before. During negotiations with the governing elite in 492 BC, spokesman for the mutinous army, L. Sicinius, urged soldiers in a *contio* to refrain from civil war: there was no greater evil, he said, and he appealed to soldiers and patricians not to engage in such an abhorrent calamity.¹⁷⁷⁷ The crisis was thus ended by negotiation. In 342 BC,¹⁷⁷⁸ a mutinous army marching to Rome confronted another sent to stop it led by dictator, M. Valerius Corvus.¹⁷⁷⁹ He was prepared to fight:¹⁷⁸⁰ in one version of the incident, the armies started deploying for battle.¹⁷⁸¹ Before fighting began, however, opposing soldiers who knew each other, and in many cases were related, called out and started mingling; not accustomed to the idea of fighting fellow citizens, and reluctant to shed each other's blood, they looked for another way to solve the standoff.¹⁷⁸² According to the literary tradition, the fact that soldiers were unaccustomed to the concept of civil war was crucial in preventing fighting; the idea of the army turning on itself was an anathema: it existed to protect Rome and expand empire, not fight fellow citizens. The horror of civil war thus found uniform expression in literary and historical memory; Breed, Damon and Rossi argue that the

was the sacrosanct status of the *pomerium*: it sealed Rome, and there was a sacred injunction against leading soldiers within it, except in a small number of highly-ritualised occasions.

¹⁷⁷⁶ Blattman and Miguel, 2009, p.73. "Civil wars and conflicts arguably inflict more suffering on humanity than any other social phenomenon." Blattman and Miguel analyse the economic considerations and implications of civil war; they do so in a modern context, but I argue that their fundamental finding is valid equally for civil war across antiquity, given the immense disruptive effect it had on Roman society, and on the ultimate fate of the Republic.

¹⁷⁷⁷ D.H. 6.79. For more detail, see Chapter Six above.

¹⁷⁷⁸ Liv. 7.38,42; D.H. 15.3; App., *Sam.* 1.2. The rebellious army was a serious threat to the state: it intended to march to Rome, was 20 000 strong by the time it drew near on the *Via Appia*, was led (albeit reluctantly) by a former consul, T. Quinctius Poenus, and was battle-ready under standards.

¹⁷⁷⁹ 'Corvinus' in App., *Sam.* 2.

¹⁷⁸⁰ Liv. 7.40. Corvus called the mutinous army 'enemies', and was prepared to fight if it did not back down and disperse.

¹⁷⁸¹ In Livy's account: Liv. 7. 42. See Chapter Six above.

¹⁷⁸² In Livy's version of events, the soldiers recognised friends and relatives in the opposing lines, and called to each other. It was this which showed commanders that their men were not going to fight fellow citizens, so they called a halt and began negotiating (Liv. 7.42). A deal was worked out; the crisis was averted: the soldiers gained debt relief and legal protection for insolvent soldiers, immunity from punishment and prosecution, and a military reform which meant they could not be discharged without their consent (Liv. 7.41).

burden of civil war on Roman minds was hard to overestimate,¹⁷⁸³ and its treatment by Roman historians and poets suggests this is accurate. The early imperial historian, Tacitus, for example, introduced the civil wars of the Republic as a destructive human madness which replaced the republican constitution with despotism.¹⁷⁸⁴ The first century BC historian, Sallust, also called civil war madness, the consequences of which were chaos and devastation.¹⁷⁸⁵ The poet, Vergil, in his first collection of poems,¹⁷⁸⁶ lamented the devastation and social disruption caused by civil war.¹⁷⁸⁷ The early imperial Roman writer,¹⁷⁸⁸ Lucan, similarly depicted civil war as an act of great horror and criminality, but his poetic depiction of battle at Pharsalus between the soldiers of C. Pompeius Magnus and C. Iulius Caesar, also reflected that sense of individual, visceral burden on the Roman psyche that Breed, Damon and Rossi mentioned:

Ut rapido cursu fati suprema morantem,
 Consumpsere locum, parva tellure dirempti,
 Qua sua pila cadant aut quam sibi fata minentur
 Inde manum, spectant. Vultus, quo noscere possent
 Facturi quae monstra forent, videre parentum
 Frontibus adversis fraternaque comminus arma,
 Nec libuit mutare locum.¹⁷⁸⁹

¹⁷⁸³ Breed, Damon and Rossi, 2010, pp. 4.9. In their survey of Roman attitudes to civil war as expressed in cultural memory and literature, they make the point that more than other wars, civil wars sear themselves into the cultural memories of people that suffer them; this was particularly true of Rome. They argue that civil wars in Roman literary memory came to be seen as a kind of madness; a *furor*, blinding citizens and threatening to annihilate the republic. This sense of madness and horror was evident in its treatment by literary figures such as, *inter alia*, Lucan: *alta sedent civilis vulnera dextrae* (Luc. 1.32), and the poet Propertius: *duris temporibus, cum Romana egit suos Discordia civis* (Prop. 1.22.4-5).

¹⁷⁸⁴ Tac., *Hist.* 2.38. He was writing about the civil wars between Galba, Otho, Aulus Vitellius and Vespasian, and concerned about drawing upon the troubles of the past to help explain contemporary civil strife. For general context of Tacitus and his works, see Hornblower and Spawforth, 2004, p. 72. For Tacitus' treatment of civil war, and the literary practice of mustering of the past to respond to troubles in the present, see Ash, 2010, pp. 123 and 124.

¹⁷⁸⁵ Sal., *Iug.* 5.1. Sallust's theme in *Bellum Iugurthinum*, as it was in *Bellum Catilinae*, was political and social decline; the theme of civil war as a madness thus fits neatly into his accounts. On Sallust's literary style and general historical context, see Hornblower and Spawforth, 2004, pp. 631-632.

¹⁷⁸⁶ The *Eclogues*, published around 39-38 BC: the first and ninth poems dealt with land confiscations by Octavian to settle soldiers from his armies. Virgil had cause to be unhappy with civil strife: his father may have lost land in the confiscations.

¹⁷⁸⁷ Verg., *Ecl.* 1.71. Ash, 2010, pp. 4 and 5.

¹⁷⁸⁸ For my argument, I refer to Lucan's *De Bello Civili*, a ten book poem depicting the struggle between Caesar and Pompey, including the climactic battle of Pharsalus in Greece, and from which this verse is taken.

¹⁷⁸⁹ Luc. 7.460-465. "When they had quickly travelled across the flat of ground that delayed the fiat of destiny, and were parted only by a little space, each looked to see where his own javelin would land, or whose hand on the other side destiny threatened to use against him. That they might learn what horrors they were about to commit, they saw their fathers' faces over against them and their brothers' weapons close beside them, but they didn't give ground."

Appian's account of Pharsalus is less poetic, but conveys similar emotions of dread and intuitive reluctance of combatants to fight fellow citizens, relatives, family and friends, that any commander trying to persuade his men to accept the risk of civil war, especially for the first time, had to overcome.¹⁷⁹⁰ It is reasonable to think that similar feelings were at the heart of the soldiers' refusal to fight in 342 BC; in Sulla's time, they seem also to have been present. The Roman revulsion regarding internecine conflict, for example, was not confined to literary abstraction or the distant past; it had human consequences devastating at a personal level. In 87 BC, after a battle between armies of Gn. Pompeius Strabo and Q. Sertorius, a soldier discovered that he killed his brother on the opposing side; overcome with remorse and horror, he committed suicide over his brother's body, cursing civil war.¹⁷⁹¹ This incident was widely known and moved many;¹⁷⁹² Orosius lamented that such a sad story did not prevent further civil war.¹⁷⁹³ The traditional inhibition regarding civil war was such that even in a climate of endemic political violence, it still made Sulla hesitant in front of his men. Although well acquainted with the mood of his army after more than a year of campaigning together, he was unsure if his appeal would alienate, rather than inspire, and dared not mention it directly *in contione*.¹⁷⁹⁴ Fortunately for Sulla, something had changed at Nola: the fear of internecine conflict was no longer a brake on unprecedented or unconstitutional behaviour. In 342 BC, Corvus' soldiers refused to countenance civil war but, in 88 BC, Sulla's men did. Writing about the struggle between Marius and Sulla, the fourth century AD Latin theologian and philosopher, Augustine, offered an explanation: he reasoned that it took demonic intervention to persuade Romans to engage in civil war.¹⁷⁹⁵ There were, however, no demons at Nola; rather, intimate and immediate memories of a protracted and bloody war with erstwhile Italian allies, but in combination with other factors, these were enough to produce Augustinus' demonic strife.

As I have shown,¹⁷⁹⁶ the Social War was critical to the emergence of the politically interventionist legion: the experience of fighting former Italian comrades identical in appearance and function, and with whom many citizens shared bonds of friendship and

¹⁷⁹⁰ App., *BC* 2.77.

¹⁷⁹¹ Liv., *Per.* 79; Oros. 5.12-16; August., *C.D.* 2.25. Ash, 2010, p. 127.

¹⁷⁹² August., *C.D.* 2.25.

¹⁷⁹³ Oros. 5.19.

¹⁷⁹⁴ App., *BC* 1.57. As Keaveney points out, right up until he heard the shouts of his men, Sulla could not be sure he would not be arrested for sedition (Keaveney, 2005, p.51).

¹⁷⁹⁵ August., *D.C.* 2.25.

¹⁷⁹⁶ In Chapter Five above.

familial ties, inured the army to the concept of civil war. The Social War may have technically been a conflict between Latin Rome and ethnically distinct Italian peoples that recalled earlier struggles to unite the Italian peninsula under Roman suzerainty, but as far as the common Roman soldier was concerned, it carried all the hallmarks of a civil conflict; in their own minds, when Sulla made his appeal, soldiers had just fought a civil war. The gravity of violating this taboo presumably made Sulla hesitate, reluctant to mention it directly.¹⁷⁹⁷ Instead, however, the soldiers urged him to lead them to Rome, and promptly demonstrated their commitment to this course of action by killing two magistrates sent to take over the army. I contend that Sulla's tentativeness around the subject of civil war indicated he was not yet totally free from its inhibition when he made his appeal: the change was with the soldiers. Not only were they unconcerned by the risk, they were so comfortable with the concept that they seized the initiative from their hesitant general, and spurred him on, dispelling any lingering reluctance Sulla may have still had. Sulla had underestimated the desensitising experience of the Social War and, almost by accident, discovered its latent political possibilities: it made the army receptive to his audacious plan, and removed any residual brake on behavior that tradition or cultural inhibition might have performed. In this way, the Social War was inexorably and causally linked to the emergence of the politically interventionist legion.

In Chapter Five above, I provided a plausible and coherent explanation how this was possible: by 88 BC, the homogenising consequence of the Roman policy of full integration,¹⁷⁹⁸ under the imperatives of tactical cohesion, by the efforts of reformers, and over time, had removed any differences in equipment, dress, tactics or ethos between citizen and allied soldiers – and changed the way citizens and allies felt about each other. During 89 BC, Sulla's army fought and defeated several Italian armies and besieged their cities;¹⁷⁹⁹ because of the effects of full integration, their opponents looked and fought like them. Moreover, the Social War also felt like a civil war to Sulla's soldiers because they probably knew many of the Italian soldiers. I have shown, for example, how bonds between

¹⁷⁹⁷ App., BC 1.57.

¹⁷⁹⁸ I have called this process "full integration theory".

¹⁷⁹⁹ For example, Sulla's army engaged and defeated the large Italian army under L. Cluentius, killed 20 000 of its soldiers and shut the rest up in Nola (App., BC 1.50; Oros. 5.18). Sulla fought and defeated another army under the command of the Samnite, Mutilus, besieged and took several towns including Bovinum, Stabiae and Pompeii (App., BC 1.51; Oros. 5.18). His soldiers had many opportunities to come face to face with Italian soldiers and former comrades.

contending Roman and Italian soldiers had once before during the Social War interfered on the battlefield;¹⁸⁰⁰ it is reasonable to think Sulla's army had similar experiences with veterans they recognised from the Marian campaign 12 years previously,¹⁸⁰¹ although there is nothing to indicate that it ever prevented them from giving battle.

Sulla found with his appeal that he could exploit the army's new-found tolerance of the risk of civil war for his own political ends. I argue that he was able to do this only because of the desensitising effect of the Social War on the army, a factor working in conjunction with the desire to profit, but far more influential on the army's decision to intervene. Moreover, it was a factor unique to Nola and to 88 BC – although once he demonstrated that the army could be exploited through this experience, others quickly followed under the pressure of endemic political violence,¹⁸⁰² and the course of Roman history was irrevocably changed:¹⁸⁰³ *Sulla potuit, ego non potero?*¹⁸⁰⁴ I suggest that P. Cornelius Scipio Africanus, a hundred years earlier, could not have exploited his army as Sulla did; the same conditions acting on the army were simply not present. In Scipio's time, Rome's wars were against foreigners who looked and fought differently,¹⁸⁰⁵ and with whom the citizen-soldier shared few bonds of combat or familiarity; this situation would largely persist until the Social War. While Scipio's soldiers were just as concerned with booty, they differed significantly in that they were never exposed to the determining experience of fighting a protracted and bloody war against erstwhile allies identical in appearance and function who had been an integral part of the army's strength for centuries, and amongst whom there were bonds of familiarity, shared experience and familial relations. Consular armies did, of course, campaign against some cities in Italy that declared for Hannibal during the Second Punic

¹⁸⁰⁰ Diod. 37.15. To recapitulate, this was the army of Marius going against the Italian army of Pompeius Silo; battle was averted because the soldiers began fraternising with old friends and relatives, much to the disgust of their respective commanders. For more detail of this instructive incident, see Chapter Five above.

¹⁸⁰¹ Roth also believes the Italian armies included large numbers of Marian veterans (Roth, 2009, p. 96).

¹⁸⁰² For example, at App., *BC* 1.65,66.

¹⁸⁰³ The shadow of Sulla's actions stretched far: Batstone, in his discussion of civil war in the 50s and the conflict between Pompey and Caesar, points out that, everywhere, Sulla was the terrifying *exemplum* (Batstone, 2010, p. 53). See also Cic., *Att.* 10.7; Cicero predicted that the victor in the struggle would conquer in the manner and according to the example of Sulla.

¹⁸⁰⁴ Cic., *Att.* 9.10: "If Sulla could do it, why can't I?" Attributed to Pompey invoking the example of Sulla and his actions in 88 BC for his own autocratic behavior during the second civil war.

¹⁸⁰⁵ Hoyos gives a succinct survey of the range of foreign enemies Rome fought during the middle-Republic and throughout the second century BC. This is sufficient for illustrating the nature of Rome's wars during this period. Enemies to which the citizen and his allies were exposed, and which operated different military systems, wore different uniforms and used different weapons and tactics, included Carthaginian, Spanish, Gallic, Macedonian and Seleucid (Hoyos, 2007, pp. 73-75).

War.¹⁸⁰⁶ I argue, however, that this was in the context of the invasion of Italy by an external enemy: the rebellions were not sustained or widespread enough, nor the process of integration advanced enough, to have caused the fundamental psychological dislocation that Sulla's soldiers were subjected to during the Social War. As it was in 342 BC for Corvus' soldiers, I contend that the idea of fighting fellow citizens, and intervening in the personal *inimicitiae* of elite competitors by marching on Rome, would thus have been unthinkable to Scipio's soldiers: a reluctance to risk internecine conflict that Scipio could not have overcome.

Exploiting the Army's Tradition of Political Activism

Despite all this, Sulla's intention to cross the *pomerium* with an army and involve it in a personal *inimicitia* was constitutionally illegal;¹⁸⁰⁷ the consequences were potentially grave, given the array of punishments and legal sanctions available to the state with which to punish transgressors, especially citizens under *sacramentum*.¹⁸⁰⁸ Sulla might stress the legitimacy of his case, but it was still rebellion against the governing elite in Rome. Mutiny necessarily broke the *sacramentum* with the state that his soldiers were bound to protect.¹⁸⁰⁹ Soldiers were given a blunt reminder of this essential fact by the abandonment of the army by its officers, and their refusal to participate. Sobering examples from history, such as the fate of 35 allied and citizen mutineers scourged and beheaded in front of Scipio's army in 206 BC,¹⁸¹⁰ very probably reinforced the potential gravity of their situation, should they assist Sulla. The problem for soldiers who wanted to help Sulla, but worried about committing sedition, was to justify the act, despite its illegality; an historical framework against which to contextualise and legitimise their participation would help. Fortunately for Sulla, one existed: the army's tradition of interventionist activism in political causes, and its role as the ultimate recourse for personal injustice. Sulla could tap into to it to help

¹⁸⁰⁶ For example, Liv. 23.37; Liv. 26.12.

¹⁸⁰⁷ For example, Liv. 24.7; Liv. 26.21; Liv. 33.22. Also Drogula, 2007, p. 419 ff; Rosenstein, 2008, p.142; Forsythe, 2008, pp. 26 and 27.

¹⁸⁰⁸ Chrissanthos, 2001, p. 9. Nicolet, 1980, p. 103. Soldiers who committed acts of illegality in the army, or more broadly, exposed themselves to a range of extraordinary sanctions. Punishment could be, for example, imposed without trial, as at Plb. 6.12,19; Fron., *Str.* 4.1; Plut., *Luc.* 15. It could also be extreme, and involve execution: Plb. 1.7; Liv. 28.28; Fron., *Str.* 4.1; V.Max. 11.7; Fron., *Str.* 2.7.

¹⁸⁰⁹ For a discussion on *sacramentum*, and its key role in contracting the citizen to obey his magistrates, and through them, the state, and my argument that breaking *sacramentum* was, by definition, sedition against the state, see Chapter Six above.

¹⁸¹⁰ Liv. 28.29.

legitimise his plan to enter Rome by force; the army could use it to rationalise their involvement in sedition.

In Chapter Six above, I showed that the army inherited a tradition of political activism that linked successful political and economic reform, and concessions from the governing elite, to sedition, mutiny and activism. This view is, however, contested; Keaveney, for example, argues that the citizen-soldier's grasp of political issues was often uncertain and simplistic, being at times little more "than subscription to a slogan."¹⁸¹¹ He contends that the soldiers were politicised for the first time by Sulla when he made his case for intervention in a *contio*; he achieved this by abolishing the distinction between civil and military *contiones*.¹⁸¹² This perspective, however, cannot be sustained: as I have shown, there is instead a persuasive circumstantial case that citizen-soldiers, rather than being political simpletons, had always been politically aware,¹⁸¹³ willing on occasion to rebel against the state over not only localised concerns such as incompetence, booty, or ill-treatment, but more abstract notions such as a sense of justice, economic hardship in society, and political or social change – especially when other avenues of redress failed or were not practicable.¹⁸¹⁴ Keaveney also places too much emphasis on Sulla's use of the *contio* for political matters as a unique event at Nola. As I have shown, rather than inventing a tradition, Sulla was instead following one: others before him had done so. P. Scipio Africanus in 206 BC, for example, went far beyond immediate military matters when he discussed the political and civil consequences of sedition in a *contio* before the assembled army when dealing with the Sucro mutineers in Spain.¹⁸¹⁵ Moreover, I argued that revolt in civil and political cause was seen by ordinary citizens agitating for reform, including those

¹⁸¹¹ Keaveney, 2007, p. 95.

¹⁸¹² Keaveney, 2007, p. 37. "What Sulla did now was quite simply to abolish the difference between the two. He brought civil business before a gathering of soldiers. In doing so he politicized them. He invited them to become involved in the great issues of the day. Their response showed clearly they understood what was involved and their belief that they could do something about it."

¹⁸¹³ See Chapter Six above.

¹⁸¹⁴ See also Chapter Six above. For a further concise discussion of the treatment in Roman historiography of the political power of ordinary citizens, and how it has translated into thinking about how the power equation worked in republican Rome, see Wiseman, 2009, pp. 5-32.

¹⁸¹⁵ Liv. 28.29. For more discussion on Scipio's admonition of his seditious men, and the political points he made at length, see Chapter Six above. For more examples of magistrates using a *contio* to place political and civil matters before their men, see this chapter below. As I have argued, far from inventing a tradition, Sulla was rather following it by using the *contio* to place before the army a civil matter, and the question of his personal grievance.

in the army, as a legitimate act *in extremis*,¹⁸¹⁶ on occasion, it was also legitimised by members of the governing elite.¹⁸¹⁷ This tradition was well known to generations of citizen-soldiers; they used it before to situate their own mutiny and insubordination in a broader historical context, and – according to the literary tradition – for leverage in negotiations with the governing elite.¹⁸¹⁸

In 88 BC, at Nola, it thus served a similar purpose for Sulla's soldiers listening to him in the *contio*; it provided the necessary historical framework and precedent against which they could justify helping Sulla. I argue, for example, that they knew the army had a long tradition of sedition in worthy political cause; as I have shown, historical precedent allowed the army to act in this way, and soldiers could use it broadly to justify their involvement. Just as P. Cornelius Scipio Aemilianus, in the *comitia tributa*, legitimised spontaneous, unprecedented and deadly violence against Ti. Gracchus and his followers in 133 BC as being necessary to control those who used unorthodox means to impose tyranny upon the state,¹⁸¹⁹ so could Sulla's soldiers reason that the involvement of the army was a worthy reaction to the attempt of Sulpicius and Marius to subvert, by identical methods, the traditional functioning of the Republic. More specifically, however, they could draw assurance from the fact that Sulla himself had a credible political cause, a necessary precondition if the army was to revolt against the governing elite in Rome. Elected consul by the people, Sulla was removed by unconventional and violent means from command in the east, conferred legitimately in the traditional manner,¹⁸²⁰ and his *imperium* transferred not to a fellow serving magistrate, but a private citizen. If, as the conventional explanation argues, soldiers were worried about losing the opportunity to amass booty, I argue that they were more indignant that Sulla was forced to surrender the Republic's highest authority to someone who held no office, indicating an attachment to proper convention and an understanding of Sulla's plight.¹⁸²¹ The army could also fortify itself with the knowledge

¹⁸¹⁶ As preserved in the literary tradition, this was evident in the language soldiers, and soldiers' spokesmen, used to justify their actions. The army's spokesman and main agitator in 492 BC, Lucius Sicinius, used themes of injustice, state intransigence and ingratitude, perfidy, economic hardship and broken promises to legitimise the revolt of the army (D.H. 6.77). See Chapter Six above.

¹⁸¹⁷ For example, in 199 BC, Villius Tappullus, chastiser of the mutinying Cannae veterans, nevertheless admitted in a *contio* that their demands had merit, and thus helped legitimise the soldiers' claims (Liv. 32.1).

¹⁸¹⁸ See Chapter Six above.

¹⁸¹⁹ Plut., *TG* 21. See also Chapter Seven above; Wiseman, 2009, pp. 8 and 9.

¹⁸²⁰ Diod. 37. 28. See also above discussion.

¹⁸²¹ V.Max. 9.7. V. Maximus, in a section about violence and sedition, stated that Marius was a private citizen when the Sulpician law gave him the command in the east against Mithridates, and that the soldiers killed his

that when it did commit sedition in civic cause, it was traditionally successful, helping reinforce in the minds of soldiers the effectiveness of the army acting this way.¹⁸²²

Moreover, the inherited tradition provided a precedent even for the most controversial aspect of Sulla's plan: to enter Rome with an army. Although rare, it had happened before according to tradition. In 449 BC during Rome's semi-mythical past, for example, two consular armies mutinied, entered Rome under standards, and occupied the Aventine to lead popular opposition against the decemvirs, placing pressure on the governing elite, and ending the reign of the decemvirs.¹⁸²³ I suggest that this act was a powerful, useful, and knowable¹⁸²⁴ precedent for what Sulla was suggesting in 88 BC; an army at the forefront of resistance to tyranny, citizens arrayed not as members of the civic voting assemblies, but in their military formations and under standards, entering Rome and occupying a part of it to give force to their demands for change. Against this tradition, it is reasonable to think that soldiers could rationalise Sulla's invitation as neither unprecedented, nor so 'radical', and thus easier to accept.

Furthermore, the army's participation in Sulla's plan could be legitimised in the minds of the soldiers; the army's involvement in political activism was especially justified when other avenues of redress failed, or were not practicable.¹⁸²⁵ For the soldiers at Nola, I argue that this condition was met. More broadly, for example, the consistent reaction of the governing elite who used violence to suppress a succession of more assertive tribunes from

legate who arrived to take over the army because they were indignant that the command had been given to one with no office. This is an important insight: it is the only alternative known view in the ancient literature sources to simple mercenary impulse ascribed to the motivations of Sulla's soldiers. Unlike Appian, (*App., BC* 1.57), V. Maximus said Sulla's soldiers acted for reasons other than fear of losing out on booty in the east; in this case, they are motivated by a sense of injustice and outrage that normal process and convention was circumvented by Sulpicius. As I have consistently argued in this thesis, it suggested that the motivations of the soldiers were more nuanced and sophisticated than has conventionally been allowed.

¹⁸²² See Chapter Six above.

¹⁸²³ Liv. 3.36. ff.; D.H. 9.1. According to the literary tradition, such a large-scale revolt, and the presence of the two consular armies which had elected their own commanders, gave the senate and decemvirs little choice but to acquiesce; the office of the tribune and the consuls were restored and the decemvirs resigned.

¹⁸²⁴ We know that knowledge of these semi-mythical acts survived as part of the inherited tradition into the late Republic, and was used as a 'clarion call' for action; C. Gracchus and his supporters occupied the Aventine in 121 BC in obvious imitation of the army in 449 BC (*App., BC* 1.26; *Plut., CG* 15. See also Roller, 2010, pp. 131 and 132), and in 111 BC, the tribune Memmius referred to the army's occupation of the Aventine in a popular speech that was recorded for posterity (*Sal., Iug.* 30).

¹⁸²⁵ See Chapter Six above for discussion and examples on how, and when, the army's recourse to sedition and mutiny as remembered by tradition, was legitimised in the minds of soldiers, and members of the governing elite.

133 BC onwards reinforced a sense of history repeating itself that helped the army place its own choices into historical context. As Rosenstein points out, the senate reacted with extreme violence when its control of the *res publica* was threatened; it did so when challenged by external enemies in the foreign sphere, and again internally against tribunes and populist movements.¹⁸²⁶ As I have shown, the governing elite used violence to suppress major populist movements led by assertive tribunes in 133 BC, 121 BC and again in 100 BC.¹⁸²⁷ The refusal of the governing elite to accommodate the agenda of more assertive tribunes, the extreme violence of its reactions, and the suppression of legislative programs which challenged the authority of the senate, reinforced the message for soldiers that they were living in extraordinary times, and that normal political participation was increasingly futile or ineffective. I argue that this realisation, combined with continuing conflict and tension between tribunes, ordinary citizens and the senate, plausibly invited comparisons to earlier revolutionary periods for the army;¹⁸²⁸ it helped encourage soldiers to think of themselves as living in an analogous period of civil strife, where the army had traditionally led opposition to governing elite intransigence and used its collective power to force change upon the state.¹⁸²⁹ With this mindset, it was easier to justify intervention. More specifically, however, it was clear to the soldiers that Sulla's enemies used intimidation, violence, and unorthodox methods to suppress and murder opposition, threaten magistrates, chase Sulla from Rome, and pass legislation. Sulla's attempts to oppose them by legal subterfuge,¹⁸³⁰ and the authority invested in the consul, failed; in an atmosphere of increasing violence,¹⁸³¹ and against the unorthodox power in Rome of the *populares* Sulpicius and Marius, the consul had no other effective means to resist, but to turn to the army. Given the customary and structural limitations on the power of ordinary citizens to influence political outcomes, and Sulpicius' domination of the *comitia tributa*, the soldiers

¹⁸²⁶ Rosenstein, 2012, p. 269.

¹⁸²⁷ See Chapter Seven above.

¹⁸²⁸ Such as, for example, the semi-mythical revolutionary period of Conflict of the Orders.

¹⁸²⁹ As it did, for example, in 492 BC, 488 BC, 449 BC, and 342 BC. For details, see Chapter Six above.

¹⁸³⁰ As I have shown, Sulla attempted to suspend voting on the controversial legislation by declaring a holiday, which meant no business could legally be conducted during its duration. It was a tactic well within the conventional armoury of a presiding consul, but in this case, it was a woefully inadequate answer to the pervasive endemic violence that now underwrote much of the Republic's political machinery and processes. Sulla was, on pain of death, forced to annul it (App., *BC* 1.55; Vell. 2.18; Plut., *Sull.* 8; Liv., *Per.* 77). See also Keaveney, 2005, p. 51.

¹⁸³¹ Epstein, 1987, p. 17. Epstein makes the point that the period during which Sulla operated was one that was increasingly revolutionary, where the collective action of the governing elite had failed to control *inimicitiae* of powerful contenders, and in which violence was the norm. Epstein refers to after 133 BC, but as I have argued in Chapter Seven above, the change came earlier from 151 BC.

could hardly help Sulla as citizens participating in normal political processes; organised in their legions, however, they were much more significant. In this respect as well, they could draw upon the tradition of the army's decisive intervention in 449 BC to end the decemvirs' oppression of the state,¹⁸³² and imagine themselves motivated by similar, publicly-spirited concerns: the army acting decisively in the public interest when other avenues to alter the objectionable political situation were suspended, suppressed or ineffective.¹⁸³³ I argue that this is what happened.

Also influential on the motivation of the army was Sulla's appeal to it to redress reputational damage suffered to his *dignitas* as consul. As I have shown, the army's record of insubordination and sedition, according to tradition, included an established practice of individuals using it as the ultimate source of authority from which to draw legitimacy to redress personal grievance.¹⁸³⁴ In this role, the army traditionally provided a forum in which grievances were aired, a case made for their legitimacy, and assistance was requested. The tradition included appeals by ordinary citizens and ostracised or marginalised members of the governing elite; like the broader tradition of sedition in political cause, it is reasonable to think that Sulla's soldiers were well aware of the army acting in this capacity. Sulla's appeal, by design or incidentally, was consistent with this tradition. His invitation to the army, for example, was to become involved in his personal *inimicitiae*; he did not mention civil war, booty, or wider societal issues. Instead, he concentrated on the indignity Sulpicius and Marius had done to him, and appealed to the soldiers' obedience; if they stayed loyal, and obeyed his orders, they would agree to help him. Using an informal *contio*, the traditional forum for such appeals,¹⁸³⁵ Sulla made the case for the legitimacy of his cause; it is not categorically known, but it is reasonable to think that he mentioned his damaged *dignitas*, the injustice he suffered, the indignity done to the office of consul, and the fact that Marius was not a legitimately elected magistrate – as well as the unorthodox manner by which he had been deprived of the eastern

¹⁸³² See Chapter Six above.

¹⁸³³ Liv. 3.36,37. See also Ungern-Sternberg, 2005, p. 77 ff.

¹⁸³⁴ See Chapter Six above.

¹⁸³⁵ In every instance where individuals appealed to the army in this manner, they called an informal *contio*. See Chapter Six above for details. For my disagreement with Keaveney on this point, see also discussion above.

command.¹⁸³⁶ These are the things he would have reasonably said to strengthen his case. By doing this, he followed precedents set by consul P. Servilius Priscus,¹⁸³⁷ centurion Verginius,¹⁸³⁸ and the Master of Horse Q. Fabius Maximus Rullianus,¹⁸³⁹ and tapped into the tradition of the army acting as the ultimate recourse for personal grievance. For the soldiers being appealed to, this was another historical framework within which they could rationalise and legitimise their participation in sedition and assist Sulla; it made them more receptive to his invitation.

In 88 BC, it can appear as if the army's acceptance of Sulla's invitation to intervene, and its willing participation in his plan, was without historical precedent. In fact, there existed for the soldiers a well-known tradition of army activism and insubordination within which to situate Sulla's request. Importantly, his request was consistent with tradition; the soldiers thus used the tradition to make sense of their own situation, and to help rationalise and legitimise their actions. Contained in it was an historical precedent for almost everything Sulla asked of them: supporting him in his personal *inimicitiae*, acting as the ultimate authority for redress, rebelling against the governing elite in Rome in political cause, even violating the *pomerium* by entering Rome. It was not, however, a unique factor available only to the army at Nola; I contend that Scipio's soldiers a hundred years earlier were just as aware of the army's record of sedition in civic cause, and of its role as the ultimate recourse for personal grievance. Despite this, a case can be made that the army's tradition of civic activism was nevertheless a factor making itself felt on the motivations of Sulla's soldiers. Of course, the tradition provided much, but not all, justification for participation in Sulla's audacious plan. Soldiers, for example, could not reasonably draw upon it to justify wholesale and sustained military coercion of the Republic's political institutions, and this is what Sulla planned. But I argue that where tradition failed in this respect, other factors – such as the desire to profit from service, a more ready acceptance of the risk of civil war and the normative use in politics by this time of endemic violence to achieve effective

¹⁸³⁶ App., *BC* 1.57. From Valerius Maximus' account of the *contio*, whatever Sulla said, his argument struck the right note, and was persuasive: according to the literary tradition, the soldiers were subsequently indignant that he was treated in this way, and their murder of the officers sent to take over the army indicated they were serious in their anger (V.Max. 9.7).

¹⁸³⁷ D.H. 6.30; Liv. 2.26.

¹⁸³⁸ Liv. 3.50.

¹⁸³⁹ Liv. 8.30.

political and economic outcomes – were available to bolster the logic of intervention for the soldiers.

Taking Advantage of the Army's Familiarity with Endemic Political Violence

There was one further factor: Sulla's plan to introduce the army into his personal *inimicitiae* and impose a political solution upon the state necessarily linked the army to violence in politics. Sulla's enemies, the rest of the governing elite, and an unknown segment of ordinary Romans, would very probably resist the imposition of political control: the army would have to fight for Rome and disperse the opposition by force.¹⁸⁴⁰ By inviting military intervention, Sulla took decades of street violence, intimidation and physical duress for political ends to its logical and most effective conclusion.¹⁸⁴¹ Nevertheless, it was a significant escalation; no one before had used the army in quite this way, or in such force,¹⁸⁴² to circumvent the constitution and upset the balance of power. Yet, for the soldiers, Sulla's intention to use violence against his political enemies was neither inappropriate nor unexpected; it may have been illegal, and on an unprecedented scale, but it was also thoroughly consistent with the contemporary political milieu.

As I have shown,¹⁸⁴³ violence, intimidation, murder and coercion were by this time a normative and well-established part of political life. From 151 BC, republican political discourse began to change; from 133 BC, assertive tribunes, contending magistrates and the state used endemic violence to suppress opposition, force legislation, bring about political change, and advance sectarian interests. The army at Nola had a vivid demonstration of this: Sulla was in that position precisely because Sulpicius and Marius had used force to chase him from Rome. Violence in political cause charted a steadily evolving course; it started as citizens acting spontaneously for and against other citizens,¹⁸⁴⁴ but quickly expanded to official state suppression of seditious tribunes, and to the murder by state forces of serving magistrates perceived as upsetting the balance of power, involving large-

¹⁸⁴⁰ This is indeed what happened (App., *BC* 1.58; Plut., *Sull.* 9; Vell. 2.19).

¹⁸⁴¹ Keaveney emphasises the self-protection aspect of the rationale to use the army in politics: the increasing violence meant that men sought to protect themselves by counter-violence. It was self-evident that the army could provide the ultimate protection; sooner or later, someone would test this theory – if not Sulla, then someone else in trouble (Keaveney, 2007, p. 94).

¹⁸⁴² Sulla marched on Rome with a force that equated to a reinforced consular army: six full legions (App., *BC* 1.57). It was a large concentration of military power.

¹⁸⁴³ See Chapter Seven above.

¹⁸⁴⁴ For example, the violence that characterised the tribunate of the Ti. Gracchus: see Chapter Seven above.

scale battles on the streets of Rome.¹⁸⁴⁵ With this in mind, and by their ready acceptance of Sulla's plan to involve them in his personal *inimicitiae*, I argue that most soldiers at Nola saw Sulla's intention to use them in such numbers against his political enemies as simply a further evolution of the use of violence in public life; by 88 BC, no soldier at Nola was surprised at the suggestion that coercion be used to force a political result, nor recoiled from its use.

But Sulla was again fortunate to make the link between violence, politics and the army then, and not a hundred years earlier, when soldiers had not the same conditioning or familiarity with the use of violence for political ends. It is reasonable to think, for example, that in the absence of such conditioning, the army of P. Cornelius Scipio Africanus would have viewed with deep suspicion and shock the suggestion that they involve themselves in violence in Rome to settle personal *inimicitiae*, suppress opposition, and impose a political agenda upon the state. The decisive change was the presence of endemic political violence in public life. As I have shown, the emergence from 151 BC onwards of more assertive tribunes acting in the interests of the army and ordinary citizens, and the rise from 133 BC of endemic political violence, was the discriminator that set this period apart from earlier political discourse.¹⁸⁴⁶ The late Republic, for example, had no monopoly on fractious, dysfunctional or destructive *inimicitiae*; politics before 151 BC was conducted with as much intensity, self-interest, and competition, and was, on occasion, almost as destructive to the smooth functioning of the Republic. But regardless of how bitter disputes became, endemic violence remained absent; political enemies instead used courts, position, fines, exile, rhetoric, official sanction, and other means to discredit, compete and punish.¹⁸⁴⁷

By 88 BC, however, that had changed, and I suggest that it altered perspectives of military service; unlike earlier manifestations of the citizen-militia, the army outside Nola was habituated to the use of violence in politics; in particular, against the traditional symbols, insignia and bearers of republican office.¹⁸⁴⁸ The evidence of that change lay in the aberrant

¹⁸⁴⁵ Up to 3,000 people were killed in 121 BC during the battle to suppress C. Gracchus and M. Flaccus (Plut., *CG* 17); for more detail on the violence and its political implications, see Chapter Seven above.

¹⁸⁴⁶ See Chapter Seven above.

¹⁸⁴⁷ See Chapter Seven above.

¹⁸⁴⁸ When Sulla spoke to it outside Nola, some parts of the army had already made a vivid demonstration of that by attacking and killing a republican legate outside Pompeii in 89 BC – the first time soldiers had attacked their commander in centuries (see Chapter Seven above).

behavior of the army in its support of Sulla, its habitual assault on the symbols and insignia of republican power,¹⁸⁴⁹ its deviant and deadly attacks on office bearers of the Republic,¹⁸⁵⁰ and – more broadly – in the conviction to fight which, I argue, must have underpinned the threat of conflict in 101 BC between the legions of Q. Lutatius Catulus and Marius over a dispute about who had done more to defeat the Cimbric army at Vercellae.¹⁸⁵¹ This was possible because the army had been intimately connected with the rise of violence since 133 BC;¹⁸⁵² I argue that it could not be thus exposed and left unchanged by the experience. As I have shown, for example, individual soldiers and veterans, primarily from the countryside, were involved in civil strife supporting and protecting their interests in larger struggles between ordinary citizens and the governing elite, agrarian and urban interests, and between a succession of more assertive, revolutionary tribunes and the senate. There was also persuasive circumstantial evidence to suggest that elements of the army were used officially by the state on at least two occasions to suppress sedition in Rome, and kill revolutionary magistrates and their supporters.¹⁸⁵³ This involvement exposed the army first-hand to the mechanics, logic and consequences of violence, conditioning it to its use; more significantly for Sulla, the fate of his appeal at Nola, and the Republic, the army ingested the lessons that it was a normative part of political life, that it worked, and that symbols, insignia and office bearers of the Republic were not immune from attack. For Sulla's soldiers, Sulpicius' assault in Rome on Sulla and his consular colleague, and the crucial role of violence in forcing through Sulpicius' legislation, reinforced these lessons. Some may have even learned these lessons personally: it is reasonable to think that the army included veterans of Marius' force that suppressed Saturninus' sedition 12 years earlier,¹⁸⁵⁴ and thus had direct experience of state-sanctioned political violence against serving magistrates.¹⁸⁵⁵ Sulla's plan to confront his enemies was thus predicated on the army's

¹⁸⁴⁹ On the way to Rome, for example, Sulla's army stripped two intercepting praetors of their senatorial togas, insulted them, and broke their *fascēs*, symbols of Roman republican power. (Plut., *Sull.* 9; App., *BC* 1.57).

¹⁸⁵⁰ As I showed in Chapter Seven above, Sulla's army became regular killers of magistrates as no previous army had.

¹⁸⁵¹ Plut., *Mar.* 26. See Chapter Seven above.

¹⁸⁵² As I showed in Chapter Seven above, the army had also been at the centre of the growing tension between tribunes, ordinary citizens and the governing elite from 151 BC onwards over the levy, the unpopular war in Spain, and changes made to the conditions of service.

¹⁸⁵³ See Chapter Seven above.

¹⁸⁵⁴ App., *BC* 1.30; Oros. 5.17; Liv., *Per.* 69.

¹⁸⁵⁵ Around 140 BC, tribunes passed a law limiting overseas service to six [presumably] continuous years as a result of unrest amongst ordinary citizens over the protracted and difficult wars in Spain at the time (App., *Hisp.* 78. See also Chapter Seven above). But for those serving in normal circumstances, 16 years was the

familiarity with, and acceptance of, the use of political violence; this is why soldiers reacted with equanimity to his suggestion that they use violence themselves to ensure a beneficial political result. This familiarity was a unique factor influencing the decision of the army to support Sulla; it worked in his favour just as he was able to exploit the army's greater willingness to accept the risk of civil war, its tradition of sedition in political cause, and its fear of missing out on what promised to be a lucrative war against Mithridates.

Background Confusion Over Who Represented the State

To this grouping of decisive factors acting on the minds of soldiers at Nola in 88 BC, I argue that there was one more dynamic operating in the background which contributed to the conditions which allowed the politically interventionist legion to emerge: a sense of confusion among Sulla's soldiers over who actually represented the state at the moment of crisis. It was a unique situation: P. Scipio a century earlier could not have taken advantage of any such confusion over legitimacy, if he had decided to appeal to his veterans to help him against his political enemies. But in the climate of confusion of 88 BC, it was easier for the army to believe Sulla's claims to legitimacy, and in conjunction with the influence of the other factors I have outlined above, to decide to support him. Specifically, I assert that the confusion generated by competing claims to the army's obedience allowed the above factors time and space to work their influence on the logic for intervention in the soldiers' minds; the lack of unambiguous right and wrong introduced doubt and uncertainty. In this situation, the army fell back on what it knew, or what made sense at the time, to help guide a decision: its customary expectation to profit from war, its newfound acceptance of the risk of civil war, the long tradition of insubordination and revolt in civic cause, the convention of the army as final recourse for personal grievance, and its familiarity with the contemporary political milieu, where violence was normal, and its use made good sense.

At Nola, the issue of who legitimately represented the state, and was thus entitled to lead the army against Mithridates in the east, was disputed. If Sulla had accepted Sulpicius'

length of time a citizen was eligible for service in the infantry, and ten years for a cavalryman (Plb. 6.19. See also de Ligt, 2012, pp. 151 and 152. For details, see Chapter Seven above). Saturninus' tribunate and his suppression occurred well within the 16 year timeframe, and given that the stress of the Social War necessitated the mobilisation of every able-bodied citizen, I argue that the chances were high that Sulla's army included veterans of this violence.

plebiscite, and surrendered his command, soldiers would not have faced this dilemma; as it was, he refused, placing them in a unique predicament. For the army, two competing claims to legitimacy presented themselves before it: one from Sulla, a serving consul with whom it had served in war, backed by the traditional prerogative to lead the Republic's armies; the other from Marius, an eminent citizen and proven general, given command by plebiscite in the *comitia tributa*. Both compounded the confusion by appealing directly to the army's obedience: Sulla personally in the *contio*, and Marius through two military tribunes sent to take control of the army from Sulla: I propose that the appearance of these two tribunes at Nola accentuated the confusion felt by the army.

On the one hand, Sulla was a legally-elected magistrate and legitimate representative of state; the traditional role of the consul in the Republic was to lead its armies against foreign enemies. As Morstein-Marx points out, Sulla stood before his army as a duly and deservedly elected consul, the highest magistrate of the Roman state and a military hero: powerful markers of legitimacy that must have predisposed the men toward his cause.¹⁸⁵⁶ Moreover, as I have shown, he received the eastern province of Asia, and hence command of the war against Mithridates, by lot administered by the senate in the conventional manner.¹⁸⁵⁷ It is thus reasonable to think that there was little doubt in the minds of the soldiers that Sulla had a legitimate, lawful authority to lead them and conduct the campaign. Yet, a tribune, the traditional representative of ordinary citizens in the people's assembly, had passed a plebiscite giving command to Marius, a citizen of enormous reputation, undoubted competency, and, as little as 12 years ago, the saviour of the Republic from Germanic invasion.¹⁸⁵⁸ The soldiers knew that the assembly was not an illegal or arcane institution. It had a traditional, valid and crucial constitutional role passing legislation and electing tribunes; the legislation it passed legally bound the state and all its citizens to obey its provisions.¹⁸⁵⁹ As I have shown, what Sulpicius did was unorthodox,

¹⁸⁵⁶ Morstein-Marx, 2011, p. 272. Morstein-Marx argues in a recent article that Sulla's consular status rarely, if ever, receives appropriate status as a mark of legitimacy (Morstein-Marx, 2011, pp. 275-276). He is right to draw our attention to this factor, as I argue above. In totality, however, Morstein-Marx's explanation for the support Sulla's soldiers gave him – centred exclusively on profit and legitimacy as it does – fails in my view to take a sufficiently wide perspective, and ignores the influence of the Social War as 'civil war' argument, the tradition of the army's insubordination toward the state, and the affect of decades of escalating political violence on the psychology of Sulla's soldiers, as equal contributors to the motivation of his army. As I have argued above, this is a serious shortcoming in any holistic explanation of the actions of Sulla's soldiers.

¹⁸⁵⁷ See discussion above.

¹⁸⁵⁸ Vell. 2.12; Plut., *Mar.* 27.

¹⁸⁵⁹ North, 2006, p. 261; Lintott, 1999(b), pp. 50 and 51.

and undoubtedly intruded into the traditional prerogative of the senate to allocate provinces and commands,¹⁸⁶⁰ but I contend that it was not technically illegal.¹⁸⁶¹ The plebiscite thus compelled the army to obey it. Moreover, as I have argued, it had the added force of recent precedent: in 107 BC Metellus had been stripped of his pro-consular command against Jugurtha by plebiscite after the senate had given him Numidia, in exactly the same way that Sulla was stripped of his command;¹⁸⁶² the plebiscite gave Numidia to Marius, the newly-elected consul at the time. It was these competing claims, both with a case for legitimacy, which generated confusion for the soldiers: whom were they to believe?

The arrival of Marius' two tribunes forced them to choose: they ultimately decided to accept and support Sulla's claim to legitimacy over that of Marius, a decision they emphatically emphasised by killing Marius' two tribunes. I argue that the reason the army chose Sulla was partly because it was aware it was not backing an illegitimate rebel; Sulla was not a criminal intent on overthrowing the Republic, but a duly-elected consul, challenging those who had usurped his traditional authority. The army knew this; as Morstein-Marx and Rosenstein argue – and as Morstein-Marx does more recently – soldiers were equally animated by their understanding of where legitimacy lay, as by material motives in their support of Sulla.¹⁸⁶³ In a climate of confusion and competing claims, their decision was made easier by the way in which Sulpicius and Marius acted to achieve their goal. The army saw that Sulla's *dignitas* had been directly attacked by Sulpicius, a point Sulla emphasised when he tapped into its tradition as the ultimate recourse to personal grievance, and with which most soldiers could readily empathise.¹⁸⁶⁴

Moreover, the manner in which Sulpicius and his partisans chased the consuls from Rome, and used violence and coercion to force through their legislative package, was itself a gross violation of republican norms.¹⁸⁶⁵ For citizen-soldiers, it is reasonable to think that this

¹⁸⁶⁰ Vell. 2.18; App., *Mith.* 22.

¹⁸⁶¹ By this I mean there was nothing which categorically stated that a piece of legislation could not include in its provisions the granting of a command; if it were part of the legislative package, and if it were passed by the assembly, it technically had the force of law – even though it may, nevertheless, have been highly unusual.

¹⁸⁶² Sal., *Jug.* 73.

¹⁸⁶³ Morstein-Marx and Rosenstein, 2006, p.632. See also Morstein-Marx, 2011, pp. 259 ff.

¹⁸⁶⁴ On this point, see also Morstein-Marx, 2011, p. 264.

¹⁸⁶⁵ This distaste for Sulpicius' tactics, and the sense that he crossed the boundary of what was acceptable, emerged in some of the literary descriptions of the event; for example, in the pejorative description of Velleius Paterculus: *Legemque ad populum tulit, qua Sullae imperium abrogaretur, C. Mario bellum*

placed the plebiscite's legitimacy into doubt, and in the resulting confusion, made them more receptive to Sulla's arguments. Even the precedent of allocation of command by plebiscite could be interpreted as suspect; there were important differences between its use in 107 BC and again in 88 BC, and it is plausible to think that Sulla made sure the soldiers were aware of them. Marius, the beneficiary of the plebiscite in 107 BC, was then an elected official; the plebiscite simply transferred the province from one legally-appointed magistrate to another – even though it intruded into the traditional prerogative of the senate. Furthermore, it was done without coercion or physical violence. That was not the case in 88 BC: the plebiscite transferred command from a legitimately-elected and empowered magistrate to a private citizen with no office, and no authority from the people to command, beyond the plebiscite. As Morstein-Marx points out, in 88 BC, a sitting consul was deprived of command already entrusted to him, and that command given to a *privatus*; a direct offence against the traditional prerogative of the consulship and its war-making role.¹⁸⁶⁶ Furthermore, it was done with the aid of endemic violence, and succeeded only because of it. I argue that this combination of factors made the plebiscite of 88 BC unprecedented; it is highly likely that Sulla made much of this point in front of the soldiers.

Thesis Conclusion

This thesis has provided a cogent and plausible explanation for the emergence of the politically interventionist legion. Rather than just accepting its arrival as a matter of fact, or as a silent ancillary to the actions of key members of the governing elite, it has instead attempted to answer the question of its origins from the perspective of the common citizen-soldier. This approach was fundamental to a more accurate understanding of why the army first involved itself in politics on such scale. To my mind, the critical ingredient in the seminal events of 88 BC was not only ambitious, quarrelling warlords, but the existence of

decerneretur Mithridaticum, aliasque leges perniciosas et exitiabiles neque tolerandas liberae civitati tulit. Quin etiam Q. Pompei consulis filium eundemque Sullae generum per emissarios factionis suae interfecit (Vell. 2.18). "Along with other pieces of pernicious legislation abhorrent to a free state, he [Sulpicius] proposed a bill to the people's assembly which abrogated Sulla's command and entrusted the Mithridatic war to Gaius Marius. He even went so far, by using factional emissaries, to cause the assassination of a man who was not only the son of Quintus Pompeius the consul, but also Sulla's son in law." See also Diodorus Siculus, who thought that Marius illegally wrested the eastern command from Sulla (Diod. 37. 28). Of course, by this time, the use of such tactics was commonplace in Roman political discourse; Sulpicius was behaving by the standards of the day, regardless of how much later historians and chroniclers may disapprove of his methods.

¹⁸⁶⁶ Morstein-Marx, 2011, p. 263.

soldiers willing to defy tradition, step beyond convention, and risk civil war with fellow citizens to impose a political solution on the state. Nothing could be achieved without them; my focus thus was necessarily on their motivations, and on the factors that, in my view, influenced their decision to support Sulla. To that end, the thesis provides a pathway, built on persuasive circumstantial and source evidence, to show how the army in 88 BC turned from defender of the Republic, to its attacker – and how citizens over time could plausibly reach the historic decision to intervene decisively in politics, not in their traditional voting assemblies, but as soldiers under *sacramentum* and arrayed in their formations.

In doing so, my thesis exposes the weakness in the conventional explanation for intervention: that the army, corrupted by the influx of large numbers of poor by the 107 BC recruitment reform of Marius, and an accompanying mercenary spirit, supported Sulla in his personal *inimicitiae* with political enemies because of simple pecuniary greed; from fear of missing out on the opportunity to amass booty promised by the campaign against Mithridates. This is not to argue that pecuniary self-interest did not have a part to play on the motivations of the soldiers at Nola; Roman soldiers always expected to profit from war, especially from service in the traditionally lucrative east. Sulla's soldiers were no different in this respect, and his precarious political position heightened those fears, something which was advantageous to Sulla as he tried to convince the army to take part in his audacious and illegal plan. Given, however, that pecuniary interest had always motivated Roman armies without ever before leading to soldiers being willing to risk civil war and support their generals in personal *inimicitiae*, it alone is not a satisfactory explanation for the emergence of soldiers willing to risk civil war in 88 BC. It was thus placed in a proper historical context. As I have shown, pecuniary interest was not the only reason, nor even the most important, at work on the psyche of the soldiers at Nola. Instead, a combination of other factors, in conjunction with a healthy interest in booty, influenced the army and confirmed the logic of intervention – some factors being unique at Nola in 88 BC, some not. These factors coalesced at Nola to produce the exact conditions necessary for someone like Sulla to discover the army's latent political possibilities.

Simply put, I argued that the reason the army accepted Sulla's invitation to intervene – in addition to an expectation that they would profit from war – came down largely to the decisive influence of four factors: the desensitising experience of the Social War reduced

its fear of civil war; the tradition of insubordination in worthy political cause justified for the army its involvement in sedition; the custom of individuals appealing to the army as the ultimate recourse for personal grievance allowed it to help Sulla in his *inimicitiae*; and the normative use by 88 BC of endemic violence and coercion in political discourse had thoroughly habituated the army to its logic. Acting entirely within the standards of the day, the army embraced the idea of using violence itself to impose a beneficial political solution upon the state. Underlying these factors was a sense of confusion over who legitimately represented the state in the political crisis of 88 BC. Faced with this dilemma, the army fell back on what it knew, or what made sense, giving the above factors the opportunity to bolster the logic for intervention. Sulla, by design or accidentally, exploited or harnessed these factors for his own personal political agenda – with momentous consequences for the Republic.

Yet, despite this, it must also be acknowledged that something remains unknowable in the deepest motivations of the soldiers at Nola; their voices were largely silent, and it is mainly through their actions, by thoroughly drawing out what little source evidence there is, and from understanding the contemporary political and social milieu in which they operated, that it is even possible to extrapolate a cogent explanation for intervention from the perspective of the common soldier. Despite my best efforts, it must be admitted that a complete picture of why Sulla's soldiers decided to support him is still not definitively known. Given, however, their fundamentally crucial role in the emergence of the politically interventionist legion, and the subsequent critical place the existence of such armies had in the fall of the Republic, the subject of the motivations of ordinary citizen-soldiers would benefit from further attention and scholarship – in particular, in order to understand the various political, social and economic factors and influences over time that were likely to have affected their perspectives. Just as Millar has refreshingly redefined the debate on the question of where political power lay in the Republic by detailed attention to the role of ordinary citizens,¹⁸⁶⁷ the field would similarly benefit from establishing a sustained, deep and formal focus on the ordinary citizen in service during the late Republic, not only in the lead up to 88 BC, but beyond it, into the civil war period. I argue that it is here that there

¹⁸⁶⁷ Millar, 1984, pp. 1-19.

lies a more nuanced and accurate understanding of the transition from consensus Republic to imperial, autocratic state.

ANOTHER CHALLENGE

Finis

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