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A. M. ECKSTEIN

Unicum subsidium populi Romani:
Hiero II and Rome, 263 B.C.–215 B.C.

Towards the end of the summer campaigning season of 263 B.C., a Roman army appeared before the walls of Syracuse, the greatest of the Greek cities of Sicily.¹ The consuls M'. Valerius Maximus and M'. Otacilius Crassus, having completed the conquest of the Syracusan possessions in Northeast Sicily, had now led their forces against Syracuse itself, and its dictator the βασιλεύς Hiero II (Diod. 23, 4, 1; cf. Pol. 1, 16, 3; Zon. 8, 9).² But King Hiero had had enough of war with the Romans – the war that Syracuse had joined Carthage in beginning the year before, over the issue of Roman protection of Mamertine Messana.³ Hiero now sued for peace, and found the consuls receptive; subsequent negotiations resulted in the striking of terms for a treaty between Rome and Syracuse (Diod. 23, 4, 1; Pol. 1, 16, 4–9; cf. Livy, per. 16; Eutrop. 2, 19; Oros. 4, 7, 3; Zon. 8, 9). The preliminary agreement arrived at before Syracuse was later ratified as a formal *foedus* by a vote of the Roman People (Pol. 1, 17, 1). The purpose of the following paper is to argue for a conception of the treaty of 263 – and for a conception of Roman-Syracusan relations between 263 and King Hiero's death in 215 – which is fundamentally different from the views currently held by most scholars.

¹ J. MOLTHAGEN, *Der Weg in den ersten punischen Krieg*, Chiron 5, 1975, 117, has recently argued for dating the successful Roman campaign against Syracuse to the late winter of 264/263 (before March 263). Few will follow him: for a strong counter-argument, note M. G. MORGAN, *Calendars and Chronology in the First Punic War*, Chiron 7, 1977, 92 with n. 14. All ancient dates in this paper are B. C.

² Hiero, of course, was a Syracusan political adventurer who had seized power in a coup d'état; his claim to legitimate rule as king of Syracuse had been greatly strengthened by his victory over the Mamertines of Messana at the battle of the Longanus (the date of which is, however, the subject of intense dispute – either 269 or 265). The main ancient source for Hiero's early career is Pol. 1, 8, 2–9, 8; for modern discussion, see especially H. BERVE, *König Hieron II.*, Abh. Bayer. Akad. Wiss., phil.-hist. Kl., N. F. 47, 1959, 7–19.

³ The scholarly literature is enormous on the subject of the Roman-Syracusan-Carthaginian diplomatic crisis over Messana in 264. A useful summary of the issues involved can be found in F. HAMPL, *Zur Vorgeschichte des ersten u. zweiten punischen Krieges*, in: ANRW I 1, Berlin/New York 1972, 412 ff. The debate continues in full force: cf. now MOLTHAGEN (above, n. 1) 89–127 and K.-W. WELWEI, *Hieron II. von Syrakus u. der Ausbruch des ersten punischen Krieges*, Historia 27, 1978, 573–587 (a response to MOLTHAGEN).

I. The Treaty of 263

The ancient sources are comparatively full concerning the specific and particular terms included in the treaty of 263, and there has therefore been comparatively little modern debate about them. The terms of the treaty appear to have been: (1) Hiero was to renounce all claims to the territory in Northeast Sicily held by Syracuse before the war began (Diod. 23, 4, 1); (2) Hiero was to release without ransom all Romans captured by Syracusan forces during the war (Pol. 1, 16, 9; Diod. 23, 4, 1; Zon. 8, 9); (3) Hiero was to pay Rome a moderate war indemnity (Pol. 1, 16, 9; cf. Eutrop. 2, 19; Oros. 4, 7, 3), and (it seems) only a portion of this indemnity immediately (the 150,000 drachmas – a mere 25 talents – mentioned at Diod. 23, 4, 1);⁴ (4) in turn, the Roman consuls overtly recognized Hiero as ruler of Syracuse and of a reduced Syracusan empire in Sicily (Diod. 23, 4, 1); (5) the treaty was to be valid for 15 years (Diod. 23, 4, 1; cf. Zon. 8, 16 and Naev. bellum Punicum fr. 47 VAHLEN for the renewal of the treaty in 248).⁵

It is evident that these specific clauses of the treaty of 263 were for the regulation of the establishment of peace between Rome and Syracuse. However, there is also general scholarly agreement that the above conditions of peace were enclosed merely as special conditions within what was primarily a treaty of *alliance* between Rome and Syracuse; these special conditions of the alliance would disappear from the treaty as soon as they had been fulfilled by Hiero (e.g., after the full payment, over the years, of Hiero's war indemnity). This supposed treaty of alliance, while technically a *foedus aequum*, legally bound Hiero's Syracuse to Rome, and legally

⁴ So the Diodorus figure is persuasively interpreted, especially by H. H. SCHMITT, *Die Staatsverträge des Altertums III*, Munich 1969, 139 (no. 439); cf. also E. TÄUBLER, *Imperium Romanum I*, Berlin 1912, 92 n. 2; A. SCHENK GRAF V. STAUFFENBERG, *König Hieron der Zweite von Syrakus*, Stuttgart 1933, 38 n. 2; D. ROUSSEL, *Les Siciliens entre les Romains et les Carthaginois à l'époque de la première guerre Punique*, Paris 1970, 89.

⁵ This clause has been the one real area of controversy among scholars. The 15-year time-limit was doubted by TÄUBLER (above, n. 4), 91–92, on the grounds that such time-limits run contrary to Roman diplomatic practice as we find it later on; TÄUBLER has been followed by F. W. WALBANK, *A Historical Commentary on Polybius I*, Oxford 1957, 69, and by BERVE (above, n. 2) 37. However, it is hard to believe that the striking of a new diplomatic agreement between Rome and Syracuse in 248 (Zon. 8, 16), precisely 15 years after the original treaty, is a coincidence, and Naev. bellum Punicum fr. 47 VAHLEN provides fairly contemporary evidence that Zonaras (or rather, Cassius Dio before him) has gotten this correctly; see the cogent comments of C. CICHORIUS, *Die Fragmente historischen Inhalts aus Naevius bellum Punicum*, Römische Studien, Berlin 1922, 40, followed by W. DAHLHEIM, *Struktur und Entwicklung des römischen Völkerrechts im dritten u. zweiten Jahrhundert v. Chr.* (Vestigia 8), München 1968, 134 n. 23; M. R. CIMMA, *Reges socii et amici populi Romani*, Milan 1976, 38. Later Roman diplomatic practice may have no relevance to the period of Rome's first tentative steps outside the Italian Peninsula – cf. DAHLHEIM 133; ROUSSEL (above, n. 4) 90.

bound Hiero to provide the Romans with material aid, especially in case of war.⁶ This conception of the treaty of 263 has been argued for in particular by W. DAHLHEIM, who has also suggested that what Hiero had originally desired in 263 was a much less binding type of relationship with Rome (specifically, the *φιλία* he is mentioned as offering the consuls Valerius and Otacilius at Pol. 1, 16, 5), but that in the negotiations before Syracuse, the consuls forced the king to accept the concrete obligations inherent in a *foedus sociale*.⁷

The implication of this thesis is that even at the very beginning of what was to become the First Punic War, the Romans were seeking to institutionalize their presence in Sicily by legally binding to them the most powerful Greek state on the island. Thus, the *foedus sociale* of 263 would reveal much about Roman methods and Roman goals outside Italy even at this very earliest moment of overseas expansion: Roman diplomatic methods were sternly legalistic, Roman political ambitions in Sicily far-reaching.

Yet the creation of such a *foedus sociale* between Rome and Syracuse in 263 does not fit very well with Polybius' famous description of senatorial aims and intentions in Sicily in the first few years of the fighting there: at least down to the capture of Agrigentum (at the end of 262), the main interest of the Roman Senate lay simply in securing the safety of the Mamertines, and in winning booty (Pol. 1, 20, 1).⁸ In other words, Polybius believed that Roman ambitions and goals in

⁶ So T. MOMMSEN, *Römische Geschichte* 8, Berlin 1888, 515–516; TÄUBLER 92; STAUFFENBERG (above, n. 4) 40; WALBANK, *Comm. I*, 69; BERVE 57; DAHLHEIM (above, n. 5) 131 and 134; ROUSSEL 90; MOLTHAGEN 115; CIMMA (above, n. 5) 38–41. T. FRANK, in: *Cambridge Ancient History*, VII, New York/Cambridge 1928, 675, briefly expressed doubts about Hiero's legal obligations to Rome under the treaty of 263 – which he still characterized as a treaty of alliance, however (*ibid.*). As far as I am aware, the only scholar to have presented the treaty of 263 as merely a treaty of peace and friendship, with no legal alliance involved, is P. C. SANDS, *The Client Princes of the Roman Empire under the Republic*, Cambridge 1908, 49; cf. 15; 25; 58 (not argued in great detail, perhaps because it seemed so obvious to him). SANDS has not been followed. Most recently J. MOLTHAGEN, *Der Triumph des M'. Valerius Messalla u. die Anfänge des ersten punischen Krieges*, Chiron 9, 1979, 67–68, speaks consistently of the peace («Friede») concluded between Rome and Hiero in 263, but adds in a note «... [der Friede], der ein Bündnis mit Rom implizierte» (69 n. 82).

⁷ DAHLHEIM (above, n. 5) 129–130; that Hiero was forced to accept a binding alliance with Rome after first offering the consuls only a relationship of *φιλία* is also suggested by CIMMA (above, n. 5) 38. And one should note that in his important new work: *Gewalt und Herrschaft: Das provinzielle Herrschaftssystem der römischen Republik*, Berlin/New York 1977, DAHLHEIM simply introduces the treaty of 263, without argumentation, as a «Bundesgenossenschaftsvertrag» (13; cf. «Friedens- und Bundesgenossenschaftsvertrag», 15; for Hiero as a formal *socius foederatus* of Rome, cf. 27 n. 31; 28). This is a measure of the extent to which that conception of the treaty of 263 has become the *communis opinio* among scholars working on the Middle Republic.

⁸ Following the news of the capture of Agrigentum, the members of the senate οὐκ ἔμενον ἐπὶ τῶν ἐξ ἀρχῆς λογισμῶν; οὐδ' ἠρκοῦντο σεσωκέναι τοὺς Μαρμερτίνους οὐδὲ ταῖς

Sicily were originally severely limited in character, and only developed gradually. Scholars have come to take this idea more and more seriously,⁹ and it is an idea that should be kept in mind as one considers the general probability that in 263 Hiero of Syracuse was forced not only to make peace with Rome but was in addition forced to become a formal *socius foederatus* of the Republic.¹⁰ The doubts arising here are immediately reinforced by the serious problems that exist with the specific evidence (both direct and indirect) that is usually brought forward to show that the Roman-Syracusan *foedus* of 263 was primarily a *foedus sociale*; these problems are discussed below. They lead me to suggest that the currently accepted view of the Roman-Syracusan treaty of 263 as primarily a treaty of alliance should be dropped; rather, the *foedus* of 263 should be regarded as simply a treaty of peace.

To begin with, one should note a disturbing fact: the ancient sources are concerned to give us the terms of peace between Hiero and Rome, and in some detail; at the same time, absolutely *no* terms of the supposed alliance are anywhere preserved. This is rather an odd state of affairs if the *foedus* of 263 was primarily a treaty of alliance. On the other hand, the situation with regard to our sources here is easily explained on the hypothesis that the treaty of 263 was simply a treaty of peace; that is why the terms of peace – and only the terms of peace – are preserved.

Second, there is the striking consistency with which the ancient authors refer explicitly to the treaty of 263 *as* a treaty of peace. Most important in any discussion must be Polybius, our earliest and most politically sophisticated source. And in describing the formal ratification by the Roman People of the preliminary agreement worked out at Syracuse, Polybius presents the formal ratification of a treaty of peace, with no hint of any treaty of alliance: ἐπανερχομεῖσών δὲ τῶν συνθηκῶν εἰς τὴν Ῥώμην, καὶ προσδεξαμένου τοῦ δήμου καὶ κυρώσαντος τὰς πρὸς Ἱέρωνα

ἐξ αὐτοῦ τοῦ πολέμου γενομένης ὠφελείας . . . (1, 20, 1). For ὠφελεία as «*praeda bello facta*», cf. CASAUBON, *Lexicon Polybianum*, London 1822, 494; the reference is apparently back to Pol. 1, 11, 2, where κατ' ἰδίαν ὠφελείας is presented as an important motive in the original Roman decision to help the Mamertines.

⁹ Cf. the especially influential article by A. HEUSS, *Der erste punische Krieg und das Problem des römischen Imperialismus* (zur politischen Beurteilung des Krieges), *HZ* 169, 1949, 458–493, and (for instance), WALBANK, *Comm.* I, 72–73; R. M. ERRINGTON's textbook: *The Dawn of Empire*, London 1971, 15–21; HAMPL (above, n. 3) 412 ff.; DAHLHEIM (above, n. 7), 15–16. For these scholars to accept that Roman aims in Sicily were originally severely limited in character is not the same as their agreeing with Polybius or among themselves on the question of the precise stages of «escalation» that eventually led to a life-and-death struggle over control of Sicily between Rome and Carthage.

¹⁰ The contradiction here between the very limited Roman diplomatic ambitions in Sicily in 264–263 and the supposed foisting of a binding *foedus sociale* upon an unwilling Hiero can only be (at best) partially avoided by emphasizing the time-limited nature of the *foedus sociale* (DAHLHEIM [above, n. 5] 129–130).

διαλύσεις . . . (1, 17, 1). If the treaty of 263 had been primarily a treaty of alliance, it would have been a simple matter for Polybius to have put down τὴν πρὸς Ἱέρωνα συμμαχίαν at 1, 17, 1, instead of τὰς πρὸς Ἱέρωνα διαλύσεις.¹¹ But the word Polybius chooses to describe the treaty of 263 is not συμμαχία but διάλυσις – which 116 other times in his extant text has the sense of 'Friedensschluß'; that is undoubtedly its meaning here.¹² Similarly Diodorus, who gives us our most detailed account of the actual provisions of the treaty, characterizes the treaty as a peace (εἰρήνην – 23, 4, 1; cf. διαλύσεως a few lines before – *ibid.*). Zonaras states that by his concessions to the consuls, Hiero obtained peace (σπονδῶν – 8, 9). And this description of the treaty as a peace occurs uniformly in the Livian tradition as well. According to Livy, per. 16, [*Hieron*] *petenti pax data est* . . .; Eutropius writes, *cum omni nobilitate Syracusanorum [Hiero] pacem a Romanis impetravit* . . . (2, 19); so, too, Orosius: *cum pacem supplex rogaret [Hiero], ducentis argenti talenta iussu consulum multatus accepit* . . . (4, 7, 3).

In contrast to the multiplicity of direct and simple ancient references to the *foedus* of 263 as a treaty of peace – note that this is the unanimous description offered by the sources which are concerned with the actual diplomatic creation of the treaty – the ancient evidence that has been taken as reporting the treaty to be a legal alliance is dreadfully sparse, and cannot really bear much weight. The most important passage by far is a statement by Polybius that one of the effects of the treaty was that λοιπὸν ἤδη Ῥωμαῖοι μὲν ὡς φίλοις καὶ συμμάχοις ἐχρῶντο τοῖς Συρακοσίοις (Pol. 1, 16, 9 end). However, there is no compelling reason to assume that this passage was intended by Polybius to be a description of the *legal* status of Syracuse in regard to Rome as a result of the treaty.¹³ It is equally (if not more) likely that what Polybius meant at 1, 16, 9 is that as a practical matter Roman relations with Syracuse after 263 were friendly and cooperative (note especially ἐχρῶντο). Compare here the other Sicilian communities Polybius refers to as outright σύμμαχοι of the Republic during the First Punic War (1, 40, 1; 1, 52, 8); yet these little towns were certainly not in the possession of legal *foedera socialia*.¹⁴

¹¹ Polybius is certainly not reticent about using συμμαχία and its cognates at the beginning of Book 1, for before 1, 17, 1 they have already appeared six times (1, 1, 12; 1, 8, 1; 1, 9, 8; 1, 12, 4; 1, 16, 2; 1, 16, 9), twice in reference to those Italian *socii foederati* of Rome to whom most scholars believe Hiero was added in 263 (1, 7, 12; 1, 16, 2). On the interpretation of 1, 16, 9, see below.

¹² So A. MAUERSBERGER, *Polybios-Lexikon*, I 2, Berlin 1961, s. v. διάλυσις, coll. 491–492, who includes Pol. 1, 17, 1 as an example of διάλυσις meaning 'Friedensschluß' (col. 492), for a total of 117 instances of Polybius' use of the word in this sense. There is a vaguer, and very much rarer, Polybian usage of διάλυσις to mean simply 'resolution of differences' (nine cases: MAUERSBERGER, col. 491), but it is most unlikely that this is Polybius' meaning here, in what is, precisely, a legal-diplomatic context.

¹³ Contra: DAHLHEIM (above, n. 5) 130.

¹⁴ Cf. E. BADIAN, *Foreign Clientelae*, Oxford 1958, 39–42, and DAHLHEIM (above, n. 7) 28–29.

Polybius' expressions do not always have to have legal force. Moreover, our understanding of what Polybius meant at 1, 16, 9 must be informed by his description of the treaty *in a legal context*, at the time when it was formally ratified at Rome: τὰς πρὸς Ἱέρωνα διαλύσεις (1, 17, 1).

Plut. Marc. 8, 6 is the other passage one might be tempted to point to as seeming to describe the existence of a *foedus sociale* between Syracuse and Rome: after the end of the Celtic War in 222, the Romans sent splendid spoils to their Italian σύμμαχοι, and many spoils as well to Hiero of Syracuse, φίλον ὄντα καὶ σύμμαχον. This phrase of Plutarch's recalls Pol. 1, 16, 9, but like that passage it need not at all be taken as a *legal* description of Hiero's status in regard to Rome. Indeed, Plutarch's use of σύμμαχοι in regard to Roman foreign relations is notoriously inexact from a legal point of view;¹⁵ moreover, for what it is worth, Plutarch appears to draw a certain distinction between the Italian allies (who certainly did have *foedera socialia*) and Hiero. Thus, Plut. Marc. 8, 6 – like Pol. 1, 16, 9 – simply cannot be pressed very far.¹⁶

In the absence of any impressive direct ancient references to the treaty of 263 as a treaty of alliance, it is not surprising that advocates of the alleged *foedus sociale* have tended to point to Hiero's aid to the Romans after 263 as better (if only indirect) evidence that such an alliance did in fact exist.¹⁷ Yet Hiero's contributions to the Roman war effort against Carthage were always remarkably modest, especially considering the potential military might of Syracuse.¹⁸ The king apparently never personally took the field against the Carthaginians with his army.¹⁹ Instead, what we find is that he occasionally supplied Roman forces operating in Sicily with certain provisions and equipment (grain in 262 and again in 250: Pol. 1, 18, 11; Zon. 8, 10; Diod. 24, 1, 4; siege machines in 258: Diod. 23, 9, 5; ships in 252:

¹⁵ Cf. SANDS (above, n. 6) 34–35.

¹⁶ There is also the confused App. Sic. 2: after the end of the First Punic War, the Romans in gratitude for Hiero's services made him a φίλος καὶ σύμμαχος. As it stands, of course, the Appian passage is an indication that there was no treaty of alliance between Rome and Hiero before 241, since (according to Appian) Hiero did not become a φίλος καὶ σύμμαχος of Rome until then. However, this report occurs in direct connection with a description of the organizing of the Roman *provincia* of Sicily that simply cannot be true: Appian has praetorian governors being sent on an annual basis into Sicily from the end of the Punic War in 241, when it is clear that the process of praetorian government in Sicily did not begin until 227 (for discussion, cf. HEUSS [above, n. 9] 512 ff.; DAHLHEIM [above, n. 7] 48 n. 94). The information Appian gives here about Roman relations with Hiero at this time therefore cannot be considered above suspicion. Moreover, the phrase φίλος καὶ σύμμαχος in Appian does not necessarily refer to a formal alliance legally binding upon the parties involved (cf. SANDS [above, n. 6] 37–38). All in all, App. Sic. 2 is therefore best left out of discussion.

¹⁷ Cf. DAHLHEIM (above, n. 5) 130 n. 15.

¹⁸ Pointed out by HEUSS 504; cf. ROUSSEL (above, n. 4) 122 (although ROUSSEL still accepts the idea of a *foedus sociale*).

¹⁹ Cf. HEUSS (above, n. 9) 504.

Zon. 8, 14). In addition, it appears that Roman admirals could count on using the harbor of Syracuse as a naval base when necessary (cf. Diod. 24, 1, 7).²⁰

But one need not draw any quick conclusions from this occasional and indirect Syracusan support of Rome during the war years. There is no reason to believe, on the basis of the events of 262 and 250, that Hiero was *legally* responsible for supplying grain and other supplies to the Roman armies.²¹ In 250, it is clear that Hiero only sent grain to the Roman forces besieging Lilybaeum when he learned of their starving condition (cf. Diod. 24, 1, 4); it seems fair to assume that before Hiero learned of the Roman plight, he had not sent the Romans grain (otherwise, they would not have been starving). In fact, Hiero's aid seems to have come as something of a welcome surprise to the Roman commanders, for the sudden arrival of the grain heartened them when they were about to give up the siege (ibid.). Twelve years before, grain from Hiero had also been crucial in maintaining the Roman ability to press the siege of Agrigentum; but once again it was an *emergency* that called forth Hiero's aid (Pol. 1, 18, 11; Zon. 8, 10). Moreover, the story in Zonaras is that before the siege of Agrigentum, Hiero had cooperated with the Romans unenthusiastically, but that when he saw that the Carthaginians were afraid to face the Romans in the field and that the Romans were therefore the likely winners of the war, Hiero now began to court them by sending them aid (the grain – Zon. 8, 10). The last one can say here is that in Zonaras' conception of events, Hiero's supplying of grain to the Roman forces at Agrigentum in 262 was a voluntary action (in fact, a stroke of policy), and not something absolutely required on the basis of formal treaty obligations. Zonaras is a late source, but it is intriguing that the only two times we are ever given explicit information about Hiero's supplying the Roman armies with grain (Agrigentum in 262, Lilybaeum in 250), evidence exists indicating that such grain was a free and independent *gift*.²² One should add that on neither of the two occasions when Hiero is recorded as having supplied the Romans with war equipment (Diod. 23, 9, 5; Zon. 8, 14) is there the slightest hint that the king was forced into these actions because of legal obligations to Rome existing under a *foedus sociale*. After Hiero's death, when Rome and Syracuse had come to a final parting of the ways, Hiero's grandson and successor Hieronymus was bitterly to demand compensation for «the grain and the

²⁰ Cf. J. H. THIEL, *A History of Roman Sea-Power before the Second Punic War*, Amsterdam 1954, 203; 284. The chief Roman naval base in Sicily, however, was Messana (cf. Pol. 1, 21, 4. 25, 7. 38, 7. 52, 6; Diod. 24, 1, 8; Zon. 8, 10; 8, 12) – the general Roman base of operations on the island (cf. Diod. 23, 18, 1. 18, 5).

²¹ Contra: DAHLHEIM (above, n. 5) 129; 130 n. 15; so too, BERVE (above, n. 2) 70.

²² That the Romans in ordinary circumstances were responsible themselves for the supplying of their troops in Sicily seems indicated by Pol. 1, 39, 8 (the unusually small Roman grain fleet of 251); 1, 52, 5 (the Roman grain fleet of 249; additional grain specifically provided ἐκ τῆς μεσογαίου συμμάχων was collected at Syracuse in this year – 1, 52, 8); 1, 55, 4–5 (the supply effort of the Roman government in 248).

other gifts» that Hiero had provided the Romans throughout his reign (Pol. 7, 5, 7).²³

The evidence concerning Syracusan support of the Roman war effort against Carthage in the first 15 years after the concluding of the treaty of 263 therefore does not strongly support the hypothesis that the treaty of 263 was primarily a *foedus sociale*. On the contrary, just as there is every explicit indication in the ancient sources that the *foedus* which Hiero negotiated with Rome in 263 was a treaty of peace, so too there is every indication that Hiero's contributions to the Roman war against Carthage after the conclusion of the treaty were indirect, modest, irregular in nature, and voluntary.²⁴

For these reasons, I would suggest that Syracuse did not become a legal *socius foederatus* of Rome by the terms of the treaty of 263; that treaty was simply a treaty of peace, not a formal alliance. As far as future Syracusan relations with Rome were concerned, it seems to me very likely that in 263 Hiero's offer of *φιλία* to the consuls (Pol. 1, 16, 5), whatever the non-binding vagueness of the concept, was *accepted* by Valerius and Otacilius. Indeed, the fact must be faced that this is precisely what Polybius says occurred: διεπέμπετο [ὁ δὲ Ἱέρων] πρὸς τοὺς στρατηγούς, ὑπὲρ εἰρήνης καὶ φιλίας ποιούμενος τοὺς λόγους (Pol. 1, 16, 5 – Hiero's offer) . . . ἀσμένως προσεδέξαντο τὴν φιλίαν (1, 16, 9 – the consuls' acceptance of that offer). Assuming that this future relationship of *φιλία* was mentioned explicitly in the peace treaty at all (and it could simply have been taken for granted), it is very likely that it appeared as a simple statement that there should be such *φιλία* between Rome and Hiero, contingent upon Hiero's fulfillment of the peace terms. One may compare here the peace treaty ending the First Punic War in 241, where at the beginning of the text there was apparently a simple statement that there should be future relations of *φιλία* between Rome and Carthage if the peace terms were approved (and, presumably, carried out; Pol. 1, 62, 8). Note, too, the peace treaty ending the First Illyrian War in 228: Pinnes of Illyria, if he abided by the peace terms, would now be a *φίλος* (*amicus*) of Rome (cf. App. Illyr. 7). These two treaties therefore constitute a powerful contemporary parallel to the conception of the Roman-Syracusan treaty offered above. But the establishment of a vague relationship of «friendship» between Rome and a foreign power, a *φιλία/amicitia* arising out of the cessation of hostilities and the negotiation of a peace treaty, while

²³ FRANK, CAH VII, 675, briefly suggests that certain of Hiero's contributions to help Rome were gifts; he has not been followed.

²⁴ The irregular and haphazard nature of Hiero's aid to Rome after 263 comes through at Pol. 1, 16, 10, where εἰς τὰ κατεπείγοντα τῶν πραγμάτων should be translated «according to the necessities of their situation»; cf. CASAUBON (above, n. 8) 251: «prouit res ipsorum exigenter». MAUERSBERGER, Polybios-Lexikon, I 3, Berlin 1966, col. 1354, does not translate the entire phrase, and so is not of use; W. R. PATON's «[Hiero] continued to furnish them with the resources of which they stood in urgent need» [Loeb] misses the point.

perhaps typical of Roman diplomatic practice in the early stages of Roman overseas expansion, is still hardly the same as the Roman imposition of the sort of concrete obligations which were owed to the Republic by a *socius p. R.*²⁵

Despite the legal vagueness of the relationship thus established with Syracuse in 263, the Romans must still have expected that should the need arise, Hiero would come to their aid. That would be, after all, a 'friendly' act – and as a matter of practical politics it would be most dangerous for Hiero not to respond favorably to a Roman request. Hiero's behavior over the next 15 years bore out such expectations (expectations, in other words, based not on Rome's legal right to Hiero's help but rather on the realities of 'Machtpolitik' in Sicily, and perhaps also on what the Romans called *fides*): Hiero not only responded to the occasional Roman request for supplies and equipment (cf. Diod. 23, 9, 5; Zon. 8, 14; and, one imagines, Pol. 1, 18, 10–11), but he also seems to have volunteered aid to the Romans without even being asked (on my interpretation of Diod. 24, 1, 4). However, it is also worth stressing that the Romans during this period seem to have refrained from making excessive and continuous demands upon Hiero, the type of behavior that might have strained the relationship. Instead they made use of Syracusan help only when absolutely necessary, and Hiero remained glad to give it.²⁶

The implications of the above conception of the treaty of 263 for our understanding of Roman political ambitions and diplomatic methods in Sicily at the beginning of the First Punic War are quite different from the implications inherent in the notion of a Roman *foedus sociale* imposed upon an unwilling Syracuse. If the treaty of 263 were simply a treaty of peace, with resulting informal *φιλία/amicitia* between Rome and Hiero II, then this would be good evidence that in 263 the Republic was taking only the most tentative of steps towards the establishment of a solid Roman presence in Sicily: thus, the greatest Greek state in the island remained unfettered by Roman alliance, i. e., by any legal obligations to support Rome militarily in the future. That, of course, fits perfectly with Polybius' description of the severely limited nature of Roman aims in Sicily in 264–263 (Pol. 1, 20,

²⁵ Somewhat similar to the above conception of the Roman-Syracusan treaty of 263 is also the peace treaty concluded between Rome and Antiochus III of Syria in 188, where at the beginning of the text of the peace terms, we find it stated that there shall be a *φιλία . . . εἰς ἅπαντα τὸν χρόνον* between Rome and Antiochus on the condition that Antiochus carries out those peace terms (Pol. 21, 42, 1). Again, it looks as if Philip V of Macedon entered into informal *φιλία/amicitia* with Rome in 196, at the end of the Second Macedonian War – as opposed to becoming legally bound to the Republic by a treaty of alliance, as some scholars have thought; cf. now E. S. GRUEN, The Supposed Alliance between Rome and Philip V of Macedon, *CSCA* 6, 1974, 128–136. For the Roman policy of avoiding formal and binding treaties of alliance outside Italy in this period, cf. also BADIEN (above, n. 14) 39–42 for the *πόλεις* of Northeast Sicily; K.-E. PETZOLD, Rom und Illyrien: Ein Beitrag zur römischen Außenpolitik im 3. Jahrhundert, *Historia* 20, 1971, 209–211, for the towns and tribes of the Illyrian coast after the First Illyrian War.

²⁶ Cf. the comments of ROUSSEL (above, n. 4) 122.

1). As the Roman struggle with Carthage grew in intensity, however, Hiero very occasionally provided indirect military aid to Rome, and over the 15 years following the conclusion of the treaty, relations between Rome and Hiero seem to have developed a growing basis of real amicability. At the heart of this solid relationship, I would suggest, lay not mutual legal responsibilities but rather the good political sense so far shown by both sides.

II. The Agreement of 248

In 248, at the end of the formal duration of the treaty of 263 (cf. Diod. 23, 4, 1 – εἰρήνην (ἐπ') ἐτή πεντεκαίδεκα), a new diplomatic agreement was negotiated between the Romans and King Hiero (Zon. 8, 16; cf. Naev. bellum Punicum fr. 47 VAHLEN). One part of the new agreement mandated the cessation of the annual Roman collection of certain cash money from Hiero (Zon. 8, 16); these Syracusan cash payments to Rome are most likely to have been the yearly installments on the war indemnity that Hiero had agreed to pay in 263 (cf. above p. 184), and it is quite possible (although not certain) that by 248 Hiero had simply paid off this war indemnity.²⁷ Scholarly opinion is divided on the question of whether Hiero in addition now received small but favorable territorial adjustments in his *eparchia*; in fact, it looks as if the frontiers of his kingdom after 248 remained unchanged.²⁸

²⁷ Cf. BERVE (above, n. 6) 36; SCHMITT (above, n. 4) 139.

²⁸ It is sometimes suggested that as a result of the diplomatic events of 248, Hiero was given back some of the territory in Northeast Sicily that he had lost in 263 – specifically, the rich agricultural area around Agyrium and Centuripa, and the small town of Herbessus: so T. LENSCHAU, RE 12, s. v. Hieron no. 13, col. 1507; J. CARCOPINO, La Loi de Hieron et les Romains, Paris 1914, 49 n. 3; STAUFFENBERG (above, n. 4) 75. This hypothesis has been rightly doubted by BERVE 38 n. 7, on the grounds that the builder of the public works program at Agyrium referred to at Diod. 16, 83, 3 – the only passage that *might* connect Hiero to Agyrium and thus to Centuripa as well – is unclear; the builder at Agyrium might equally be Timoleon (16, 83, 1) or Agathocles (83, 2), rather than Hiero (83, 2). Stronger even than this argument, however, is the fact that Leontini was clearly the most northern Syracusan possession in 215–214, not Agyrium or Centuripa (cf. Livy 24, 7, 1–3 and cf. 7, 9; 29, 1–6. 30, 1) – just as Leontini was the most northern Syracusan possession under the treaty of 263 (cf. 23, 4, 1). Thus, it does not look as if the northern frontier of Hiero's kingdom ever changed after 263. As for Herbessus, this small town is likely to have been situated in the region between Megara Hyblaea and Leontini (one could ride from Megara to Herbessus, tarry at Herbessus for several hours, and then ride back to Megara all in a single day – Livy 24, 30, 9–11). This means that Herbessus was not only a Hieronic possession in 215–214 (*ibid.*), but that it had most probably been included as a Hieronic possession back in the original treaty of 263, since by the terms of that treaty Hiero continued to control Megara Hyblaea to the southeast of Herbessus and Leontini to the north (Diod. 23, 4, 1). This is so even though Herbessus is not explicitly mentioned in Diodorus' list of Syracusan possessions at 23, 4, 1; neither is Abolla, on the

Therefore, most important to Hiero will have been the other explicitly attested part of the new agreement: a *φιλία αἰδιος* was concluded between Hiero and Rome (οἱ Ῥωμαῖοι φιλίαν αἰδιον πρὸς Ἱέρωνα διεπράξαντο – Zon. 8, 16). We must now examine how much of a change the concluding of the *φιλία αἰδιος* of 248 meant in terms of Hiero's previously existing relationship with Rome.

DAHLHEIM has suggested that the *φιλία αἰδιος* concluded in 248 was in reality a *foedus sociale* without time-limit, a treaty that left Hiero with permanent legal obligations to provide the Republic with military aid.²⁹ It is important to note that in his view, such a revision of the treaty of 263 was not a radical one: what occurred in 248 was merely that the existing Syracusan obligations to Rome under the (time-limited) *foedus sociale* of 263 were made perpetual. The reason: presumably because the Roman Senate, under the desperate pressures generated by the continuing struggle with Carthage in Sicily, wanted more than ever to have Hiero tied firmly to the Roman side.³⁰ Of course, if the diplomatic developments of 248 did result in the creation of a permanent treaty of alliance between Syracuse and Rome, then this would certainly mean that in 248 there occurred a radical revision of the agreement of 263 as I myself have presented it above; specifically, the Senate was now successful in obtaining a far more formal and legal hold upon Hiero and Hiero's resources than the Romans had previously enjoyed. One would have to assume, again, that this was a development desired by the *patres* because of the terrible pressures generated by the war with Carthage.

In fact, however, there is as little reason to believe that a formal treaty of alliance was negotiated between Rome and Syracuse in 248 as there was to believe that such a formal treaty of alliance was negotiated in 263.

First, one is struck, as in 263, by the terminology employed in the ancient evidence, in this case by Zonaras, our only explicit source for the agreement of 248.³¹ What Zonaras refers to is the creation of a *φιλία αἰδιος* between Hiero and the Romans (8, 16). This is a rather odd way to describe the concluding of a formal and permanent treaty of alliance; one would surely have expected to find *συμμαχία* or even *συμμαχία αἰδιος* instead (Zonaras is not particularly shy about using *συμμαχία* – variations of the word appear twice in 8, 16). From this point of view, the *φιλία αἰδιος* of 248 looks suspiciously like an extension into the indefinite future

coast just south of Syracuse, which must have been another small Hieronic dependency – cf. RE 1, s. v. Abolla no. 1, col. 105. The conclusion to draw from the above discussion seems to be that, contrary to some scholarly opinion, the diplomatic developments of 248 actually wrought no changes at all in the territorial conditions of the treaty of 263. That may have some bearing on the question of whether *other* great changes in the treaty of 263 are likely to have occurred as a result of 248.

²⁹ (Above, n. 5) 135 n. 28; cf. also ROUSSEL (above, n. 4) 130, on the «alliance» of 248.

³⁰ DAHLHEIM (above, n. 5) 135.

³¹ Naev. bellum Punicum fr. 47 VAHLEN, while confirming the existence of a new agreement, does not tell us anything about its general nature.

of the *φιλία* between Rome and Syracuse which I have suggested already existed from 263 until 248.

Second, we must now deal with an indirect argument which has sometimes been brought forward to show that, by 241 at least, Hiero had become bound to Rome by a formal *foedus sociale*: Hiero's involvement in the peace treaty that ended the First Punic War. Despite DAHLHEIM and CIMMA, however,³² the peace treaty tells us nothing about the precise juridical status of Syracuse in regard to Rome. In a special reference in the preliminary peace terms, Hiero was overtly guaranteed protection from Carthage (Pol. 1, 62, 8; cf. App. Sic. 2; Zon. 8, 17). But in itself, this fact provides us no direct information about the existence of a Roman-Syracusan *foedus sociale*; indeed, if Hiero had had such a treaty with Rome, it is odd that he needed a special arrangement in the preliminary peace, for one would have thought that peace with Rome *automatically* entailed peace with Hiero. What Hiero's inclusion here does show, I think, is that at the end of the war Rome was determined to make it clear to Carthage that there would henceforth be no further Carthaginian involvement *anywhere* in Sicily – including the kingdom of Hiero, which represented a good portion of the island (for this as Rome's basic war aim after 262, note Pol. 1, 20, 2; cf. 1, 62, 8; 3, 27, 3). In the *final* draft of the treaty as quoted by Polybius (a draft which was the result of additional negotiations and which was significantly different from the preliminary treaty), the *σύμμαχοι* of both Rome and Carthage were to be protected from interference by the other power (3, 27, 3–4). If Hiero had been explicitly mentioned here as one of the *σύμμαχοι* of Rome, then one could perhaps point to this as strong evidence indicating that by 241 he possessed a *foedus sociale*. Strong evidence, that is, but not decisive: for the small towns of Roman-controlled northern and western Sicily were probably included in the treaty, and none of them possessed a *foedus sociale*, while the Romans in 218 apparently argued that Saguntum in Spain was protected under the terms of the treaty (Pol. 3, 21, 3–8; 3, 29), although Saguntum possessed no *foedus sociale* with Rome either, only informal *amicitia*. Obviously the same might then be true of Syracuse.³³ The problem is compounded, however, by the lack of any explicit mention of Hiero in these final peace terms. Perhaps that is simply the result of the summary nature of our sources. On the other hand, more may be involved, for in the treaty text as quoted by Polybius, the *σύμμαχοι* of

³² DAHLHEIM (above, n. 5) 134; CIMMA (above, n. 5) 39–40.

³³ The crucial examinations of Roman relations with Saguntum, conclusively showing the absence of any formal treaty of alliance, are T. A. DOREY, *The Treaty with Saguntum*, *Humanitas* (Coimbra) 11/12, 1959/1960, 1 ff. and 6 ff., and BADIEN (above, n. 14) 50 ff. From this perspective, it is well worth note that in Polybius, the argument between the Romans and the Carthaginians over whether Saguntum is protected under the terms of the Peace of 241 does *not* revolve around the legal character (or lack thereof) of Rome's relationship with Saguntum (as moderns might perhaps have expected), but solely around the *date* that the relationship came into being (Pol. 3, 29; cf. 3, 30, 3).

both sides are bluntly described as belonging to the ἐπαρχίαι of the great states (3, 27, 3–4); that might fit as a characterization of the small Sicilian πόλεις which Rome had conquered during the war, but – as BERVE has pointed out – it is a most unlikely description indeed of Hiero's Syracuse.³⁴ In fact, neither STAUFFENBERG nor BERVE are convinced that Hiero was directly involved in the final peace treaty at all, for Syracuse (unlike Rome) may never have legally declared war on Carthage in the first place.³⁵ Syracusan security would still be guaranteed, however, by the Punic abandonment of activity in Sicily.³⁶

The terminology of Zonaras thus implies a continuing relationship of φιλία between Hiero and Rome after 248, while nothing concerning Hiero's precise juridical status in relation to Rome can be gotten with any confidence from Hiero's involvement (whatever it was) in the Roman-Carthaginian peace treaty of 241. We therefore now arrive at the key argument for determining the nature of Hiero's relationship with the Roman Republic after 248: the nature of Syracusan contributions to the various Roman war efforts between 248 and Hiero's death in 215. If the diplomatic agreement of 248 were a formal and permanent treaty of alliance, then it was the Syracusan legal obligations under the treaty that explain Hiero's aid to Rome during this period: «... zu diesen weitgehenden Leistungen war Hieron auf Grund des Vertrages verpflichtet.»³⁷ However, the fact is that while Hiero occasionally lent the Romans help of various sorts after 248, there is absolutely no evidence that this was because of formal treaty obligations; and there is much evidence to suggest the contrary – that Hiero's help to Rome was completely voluntary (that is, the action of a friend). If so, then the agreement between Hiero and Rome in 248 must have been (as Zonaras says) literally a φιλία ἀίδιος, mandating the extension into the indefinite future of existing satisfactory relations of informal φιλία/*amicitia* (relations, I would hold, that dated from the peace treaty of 263). The question of Hiero's aid to Roman war efforts after 248 thus takes on crucial importance, and requires detailed discussion. This follows below.

We know of no help that Hiero gave to Rome during the closing years of the First Punic War, but nothing much can be made of this since our evidence for the period is in general very scanty. Between the end of the war and Hiero's death in 215, however, we have quite a few examples of the king being of help to the Romans. These examples can best be discussed topically: first, contributions of grain to aid Roman war efforts outside Sicily; then, contributions of troops to the

³⁴ BERVE (above, n. 6) 38.

³⁵ STAUFFENBERG (above, n. 4) 46–47; BERVE 38.

³⁶ Cf. STAUFFENBERG 47. Note, too, that according to Polybius Hiero just after the concluding of the Peace of 241 believed that helping Carthage in the Mercenary War would benefit his existing φιλία with Rome (1, 83, 3). No mention of συμμαχία here – or later (see below, n. 56).

³⁷ DAHLHEIM (above, n. 5) 135 n. 28.

Roman struggle against Hannibal in Italy; finally, contributions of supplies to the Roman forces present in Sicily itself.

Diodorus (25, 14) tells us that Hiero provided grain to Rome during the Celtic War of the 220's, and DAHLHEIM believes that this grain was a contribution to Rome required by the treaty of 248.³⁸ However, Diodorus also tells us that Hiero's grain was *paid for* by the Romans, after the end of the war (. . . και τὴν τιμὴν ἔλαβε [ὁ δὲ Ἰέρων] μετὰ τὴν τοῦ πολέμου κατάλυσιν – 25, 14). This raises the likelihood that the grain was the result of a business deal, rather than a required contribution on Hiero's part.³⁹ Perhaps, as a sign of friendship, Hiero agreed not to ask for immediate payment but rather to wait until after the Celtic threat to Central Italy had ended; for such a deferred Roman payment for Syracusan help early in the Hannibalic War, note Livy 23, 21, 5 and 38, 12, discussed below.⁴⁰

In contrast to this type of business arrangement, we are explicitly told that the grain which Hiero personally conveyed to Rome in 237 was an outright gift to the Roman People (. . . *ducenta milia modiorum tritici populo donum exhibuit* – Eutrop. 3, 1, 3; cf. 2, 1).⁴¹ One could perhaps argue that such a peace-time gift has little real relevance to the supply duties that Hiero owed Rome under the treaty of 248 in case of war. However, Livy informs us that the grain Hiero sent to Rome in the spring of 216 was *also* a gift (*ea dona* . . . – 22, 37, 9), sent to the Roman People as an expression of Hiero's grief over the Roman defeat at Lake Trasimene (37, 2); he begged the Senate not to refuse it (37, 4). In view of this passage, it also seems likely that the grain Hiero sent in 215 to support a Roman force watching the Adriatic for aggression by Philip V (Livy 23, 38, 11–13) was a similar gift, and not something required by treaty obligations (cf. also n. 47 below); the same probably holds true for the aid that Hiero had provided Rome's previous Illyrian expeditions (cf. Livy 24, 21, 9).⁴²

³⁸ Ibid.

³⁹ Cf. BERVE (above, n. 6) 70.

⁴⁰ BERVE (ibid.) suggests that Roman repayment of Hiero came in the form of booty taken from the defeated Celts (cf. Plut. Marc. 8, 6). Diodorus' language seems to indicate cash, however, and Plutarch that the Celtic booty distributed by Rome after 222 was a *gift* (Marc. 8, 6; certainly true of the Celtic – and Illyrian – booty that Hiero set up in the great temple of Olympian Zeus at Syracuse: *dono data Hieroni a populo Romano* . . . – Livy 24, 21, 9). It is of some importance for our understanding of Hiero's relations with Rome that the flow of gifts (see text below) went both ways.

⁴¹ DAHLHEIM, *Gewalt und Herrschaft* (above, n. 7) 27, suggests that this large gift of grain in 237 was an act of <Realpolitik>: the King desired to demonstrate in a spectacular fashion his loyalty to Rome, for he (like the Romans themselves) had previously followed a policy of aiding the Carthaginians in the Mercenary War, while Rome had now broken with Carthage over the issue of Sardinia (cf. Pol. 1, 83, 2–4. 88, 8–12). This is persuasive; in 237 Hiero desired to assure the Romans that he was basically *their* friend, despite his previous dealings with Carthage.

⁴² We do not know the nature of Hiero's help to these Roman police actions against the Illyrian pirates, nor if he provided help to both expeditions. The obvious thing for the

Before turning to the next aspect of Hieronic aid to Rome after 248, one comment is in order. It may be a methodological mistake to consider Hiero's grain dealings with the Republic from a purely bi-polar Syracusan-Roman perspective, for Hiero used his grain as a tool of policy all over the Mediterranean, to win himself friends, support and popularity. Thus, we know that over the years Hiero sent large gifts of grain to Ptolemaic Egypt, to Athens, and to many other places throughout Hellas.⁴³ When viewed in this context, it becomes even less likely that the grain Hiero provided Rome after 248 was the result of legal obligations under a *foedus sociale*: for Hiero's grain dealings with Rome fit into the *general* scheme of his use of grain as an instrument of foreign policy.⁴⁴

We know that Hiero also sent troops to serve with the Roman army during the Hannibalic War: 1500 light-armed infantry in 217 (Pol. 3, 75, 7); 1000 archers and slingers in 216 (Livy 22, 37, 7-9). Were these soldiers a contribution to the Roman war effort required by Hiero's legal obligations under a *foedus sociale*?⁴⁵ Despite DAHLHEIM, Polybius' language at 3, 75, 7 by no means indicates this is the case with the soldiers of 217: ἐπεμψαν δὲ [οἱ στρατηγοὶ] πρὸς Ἴέρωνα περὶ βοηθείας. The language here is cryptic and vague; and all Polybius might well be saying is that the consuls of 217 sent to Hiero *requesting* troops. Moreover, the passage should probably be interpreted in connection with Hiero's similar contribution of light-armed troops to Rome in 216, an event about which we know

Roman forces operating in Illyria to have received from Hiero was, of course, grain (cf. BERVE [above, n. 6] 70). BERVE 70 and 76 in fact suggests that Hiero's aid here was the result of business arrangements similar to that in the Celtic War; if so, then Hiero's terms must have been good ones, for the Roman People officially expressed their gratitude to him for his help (Livy 24, 21, 9). One must also keep in mind here that Hiero had his own interests on the Illyrian coast, as evidenced by the marriage of his son to a daughter of the Epirote royal house, which shortly thereafter may have been followed by the dispatch of Hieronic troops to Epirus to prop up the failing Aeacid regime; for the marriage and the possible sending of Hieronic troops (the Celtic mercenaries who ended up betraying the Epirote capital to Teuta's Illyrians in 231), cf. P. CABANES, *L'Épire de la mort de Pyrrhus à la conquête romaine*, Paris 1976, 98-99. Hiero's basic interest in the area (other than dynastic) was undoubtedly commercial, for it lay at a crucial juncture on the great trade route from Sicily to the Greek East, where Syracusan grain found a ready market (cf. BERVE 70-71; 74-75). Thus, the Romans' work in creating and maintaining peaceful conditions in the Southern Adriatic would have been very much to Hiero's own economic advantage; there was every reason for him to help them.

⁴³ Sources in BERVE 70. Grain may also have been one of the things that Hiero sent to Carthage during the Mercenary War (ibid. 75; cf. Pol. 1, 83, 2). On the independent character of Hiero's foreign policy in general - his radius of action was far less restricted than that of any of the Italian *socii foederati* of Rome - cf. STAUFFENBERG (above, n. 4) 40 ff.; BERVE 71 ff.

⁴⁴ Perhaps because Rome was the most powerful state in the vicinity of his *eparchia*, Hiero pursued this 'grain diplomacy' more intensively in Rome's case than elsewhere in the Mediterranean.

⁴⁵ So DAHLHEIM (above, n. 5) 135 n. 28.

more. According to Livy, Hiero sent these soldiers to Italy because *the King* personally felt that light-armed infantry were what the Romans especially needed in order to succeed against Hannibal (22, 37, 8). In other words, in 216 Hiero independently *chose* the nature of the military aid he would send to Rome, based on his own perception of Roman needs; the archers and slingers of 216 were not the result of a specific stipulation of any treaty. More than that: they are explicitly included by Livy among the *gifts* that Hiero sent to the Roman People that spring (*ea dona . . .* – 22, 37, 9), and which he begged the Senate not to refuse (37, 4). In light of this incident, it is surely significant that there is no Syracusan contribution listed in Polybius' famous catalogue of the troops which were owed to Rome by the legal σύμμαχοι of the Republic (2, 24). I think the conclusion is inescapable that the light-armed infantry that Hiero sent to the Romans in 217 were a gift similar to the gift of trained light-armed troops he gave to the Romans in 216, and not a contribution to the Roman war effort required by any *foedus sociale*. The only difference is that in 217 the Romans requested Hiero's help, while in 216 he gave it without being asked.⁴⁶

Finally, we have the contributions of supplies and/or money (no troops are ever mentioned) that Hiero is recorded as having made in 218 and 216 for the support of the Roman armies present in Sicily itself (Livy 21, 50, 7–11; 23, 21, 5). These contributions were of a different kind and a different value in each year (cf. the varying number and specialty of the troops that Hiero sent to the Romans in Italy in 217 and 216), and Livy nowhere describes Hiero's aid to the Roman forces in Sicily as contributions required by the stipulations of a treaty. On the contrary, in 218 it was Hiero himself who specified what his aid to the Romans in Sicily was going to be, and that (this year) it would be free of charge (Livy 21, 50, 9–10). That is hardly an example of a *foedus sociale* at work. As for 216, in that year the praetor in Sicily had to ask Hiero for help because of an emergency in his army, which had been reduced to desperate straits through the lack of supplies and money – and because the Roman Senate (to whom he appealed *first*) simply did not have the resources he needed (Livy 23, 21, 2–4). In other words, the praetor could not automatically expect supplies from Hiero to appear on a regular basis (obviously, none had): he first asked the Senate itself for the supplies and money he needed, and only turned to Hiero as a last resort (21, 3–5); since he wanted Hiero's help in this emergency, a special diplomatic interaction, by means of *legati*, was required (21, 5); and in Livy's narrative of this sequence of events there is a definite element

⁴⁶ WALBANK, *Comm. I*, 405, believes that the 1000 *sagittarii ac funditores* sent as a gift to Rome by Hiero in 216 (Livy 22, 37, 7–9) are in fact the same as the 1000 πελτοφόροι requested of Hiero by the consuls of 217 (Pol. 3, 75, 7) – that is, they were just arriving. If WALBANK were correct, that would make even stronger the argument that the light troops Hiero sent to Italy in 217 were a gift, for the troops arriving from Hiero in 216 certainly were (Livy 22, 37, 9). But are πελτοφόροι really the same as *sagittarii* and *funditores*?

of praise for Hiero's generous response (. . . *ad unicum subsidium populi Romani, Hieronem, legatos cum misisset, in stipendium quanti argenti opus fuit et sex mensum frumentum accepit* – 21, 5). Moreover, the Romans intended to *repay* Hiero the cash he sent (Livy 23, 38, 12). This does not look much like the working of a *foedus sociale* either.⁴⁷

What emerges from the above discussion is that Hiero's aid to Rome after 248 – as was the case with his aid to Rome between 263 and 248 – varied in nature according to the King's perception of current Roman needs (or occasionally, specific Roman requests), occurred only at irregular intervals, and was completely voluntary. In other words, our analysis here fails to indicate the slightest support in the ancient evidence for the existence after 248 of a legally binding military alliance between Hiero and Rome.⁴⁸ But if no *foedus sociale* was created in 248, what then was the nature of the new agreement? I think it would be best here to take Zon. 8, 16, late source though Zonaras is, at face value: what was established in 248 was a *φιλία αἰδίου* between Hiero II and Rome, an agreement creating a permanent state of friendly relations, legally binding on neither party in terms of mutual assistance. Such agreements between Rome and foreign kings were by no means uncommon as the Romans gradually became a force in the Hellenistic world; what we would therefore have in Hiero's case is simply an early example of such a friendship agreement.⁴⁹ Given the summary nature of Zonaras' account (. . . οἱ Ῥωμαῖοι φιλίαν αἰδίον πρὸς Ἱέρωνα διεπράξαντο), I do not believe we can know whether the Roman People itself ratified the new agreement by vote, so that it became a formal treaty of friendship, or whether the agreement (which after all merely extended already-existing relations of *φιλία* into the indefinite future) was simply struck between the Roman Senate and representatives of Hiero. Either possibility seems plausible.⁵⁰

⁴⁷ When it turned out in the spring of 215 that the war was going so badly for the Romans that they could not afford to repay Hiero (Livy 22, 38, 12), the King responded by giving the Romans grain to support possible operations against Macedonian aggression in the Adriatic (38, 13) – surely a friendly and ad hoc act (and perhaps indirectly in Hiero's own economic interest; cf. above, n. 42).

⁴⁸ Again, we get a somewhat different perspective on Hiero's military aid to Rome if we remember that Rome was not the only state in the Mediterranean to benefit from such aid. Thus, it is possible that the royal house of Epirus received Hieronic troops to support its regime (cf. above, n. 42); and it is certain that when an earthquake levelled the fortifications of Rhodes in 227, Hiero sent the Rhodians 50 catapults to help defend the city (Pol. 5, 88, 8).

⁴⁹ On such agreements of *φιλία/amicitia* between Rome and foreign kings, cf. esp. A. HEUSS, *Die völkerrechtlichen Grundlagen der römischen Außenpolitik in republikanischer Zeit*, Klio Beiheft 31, 1933, passim.

⁵⁰ Later on, we find that extensions of relationships of *φιλία/amicitia* between Rome and foreign kings are negotiated solely with the Senate (cf., for instance, Pol. 31, 3 (14), 1–3: Ariarathes V; 33, 18, 1–4: Attalus II; Livy 40, 58, 8: Perseus). But this may not have been earlier Roman practice; cf. BADIEN (above, n. 14) 111–112.

If Hiero was never legally obligated to provide any sort of direct or indirect military aid to Rome, why is it that he did so? One cannot rule out the idea that as the years went by, Hiero came to feel a certain real loyalty to the Romans – who had relieved Syracuse of the heavy burden of continuous conflict with Carthage, and under whose protection Syracuse now came to reach new heights of prosperity.⁵¹ We certainly find in our sources occasional strong expressions of Hiero's feelings of friendship for Rome (cf. Livy 21, 50, 7–10; 22, 37, 2). Since our evidence is itself pro-Roman, however, perhaps this is somewhat exaggerated; nor do we have to believe that Hiero's motives in providing help to Rome were always completely altruistic. Hiero was well aware of the power of the Republic (cf. Pol. 1, 16, 4), and probably confident of eventual Roman victory in practically any strategic situation; it was good policy for Syracuse to have supported the winning side. Moreover, if the Romans specifically asked for something (cf. Pol. 3, 75, 7; Livy 23, 21, 5), it would have been very poor policy for the Syracusan government to have refused it. In short, the King was a master practitioner of *Realpolitik* (cf. the admiring remarks of Polybius: 1, 16, 4–5; 1, 16, 10–11; 7, 8, 1–8); and *Realpolitik* can make legalities irrelevant. Yet the impression the sources leave is that Hiero gave to Rome with an open hand – often more than was asked, often without being asked. Significantly, this comes out most clearly in the years between 218 and 215, the period for which we have the most information. And the result, it seems, was real Roman gratitude (cf. Livy 22, 37, 10; 23, 21, 5; 24, 21, 9).

The above conclusion about the basic nature of the *φιλία ἀίδιος* created in 248 also tells us much about the character of Roman policy in Sicily during the First Punic War. Even under the terrible pressures generated by the war, the Roman Senate was not concerned to establish a legal claim on the military and economic resources of Syracuse (large though they were), nor to lock this greatest Sicilian state into overt dependency by means of an imposed *foedus sociale*. Instead, the *patres* clearly were satisfied with the existing relations of peace and *amicitia* with Hiero; thus in 248 those relations were simply extended. Perhaps we are dealing here partly with senatorial inertia: since a workable relationship with Syracuse had evolved since 263, few at Rome in 248 may have felt it in worth the trouble to attempt the creation of basic changes in the nature of that relationship. Yet if the existing relationship was considered satisfactory, that was because the Romans apparently preferred to rely mainly on themselves and on their Italian *socii foederati* for the fighting of the war – and not on Syracuse.⁵² Indeed, nothing makes more obvious the Roman lack of interest in this period in fully exploiting the

⁵¹ On the prosperity of Syracuse under Hiero's regime, cf. BERVE (above, n. 6) 70 ff.

⁵² That is, assuming that anybody at Rome thought about this consciously in the first place; on the Roman tendency to depend on their own resources in this period, cf. ROUSSEL (above, n. 4) 122.

resources available to them in Sicily than does their concluding of a *φιλία ἀίδιος* with Hiero in 248; nothing makes more obvious, too, the Roman lack of interest in the institutionalization of their presence on the island. And from this perspective, it is worth noting that the agreement of 248 stands completely of a piece with the long Roman delay in establishing even the beginnings of any sort of administrative apparatus in the areas they came to control in Sicily (not until 227), and also with the long perseverance of informal *amicitia* as the basis of their relations with the Sicilian *πόλεις* outside Hiero's kingdom.⁵³ Sicily may have had importance to the Senate in the Third Century, but it was primarily for strategic reasons (especially in relation to the threat posed by Carthage), and not primarily for what the Sicilians themselves could offer Rome economically or militarily.⁵⁴

In this respect, it is surely significant for our understanding of the development of Roman policy in Sicily that in 215, after the death of Hiero II, the Romans desired to *renew* with Hiero's successor Hieronymus the same pact that they had had with Hiero (Pol. 7, 3, 1-9; 5, 1-8; cf. Livy 24, 6, 4-6). If the arguments presented above concerning the nature of the *φιλία ἀίδιος* between Hiero and Rome are correct, the fact that the Romans in 215 were willing to renew it with Hieronymus is an indication that even under the dreadful pressures of the Hannibalic War, the Roman Senate was content with relations of *φιλία/amicitia* with Syracuse. It was Hieronymus, not the Romans, who now demanded new terms—for he was convinced that thanks to the victories of Hannibal in Italy, the power of the Republic was permanently on the wane.⁵⁵ Thus, the informal 'friendly relations' between Syracuse and Rome established in 263 could have lasted far *beyond*

⁵³ Cf. HEUSS, Imperialismus (above, n. 9) 512, who convincingly suggests that even the praetorian *provincia* in Sicily, which dated from 227, was originally primarily a military command rather than an administrative post (i.e., that it was set up to keep a close watch on Carthage, rather than to administer the 'Roman' part of Sicily); thus, the administrative competence of the Roman governors over the Sicilian towns developed only gradually and haphazardly even after 227. In support of HEUSS is now DAHLHEIM's fine discussion in: *Gewalt und Herrschaft* (above, n. 7) 48-52. The studies of W. V. HARRIS, *The Development of the Quaestorship, 267-81 B. C.*, CQ 26, 1976, 103, and DAHLHEIM, *Gewalt und Herrschaft*, 30-35, have now removed the idea that a *quaestor classicus* at Lilybaeum had responsibility for 'Roman' Sicily in the mysterious period between 241 and 227, and with the quaestor has disappeared any evidence of direct Roman administration in the island before the establishment of the praetorian *provincia*.

⁵⁴ Cf. the excellent analysis of DAHLHEIM, *Gewalt und Herrschaft*, 36-39 (it is all the more surprising that he still believes in the Roman-Syracusan *foedus sociale*).

⁵⁵ Hieronymus' terms: the repayment of the war indemnity that Hiero had been required to pay to Rome; the return of the grain and the other gifts that Hiero had provided the Romans throughout the whole of his reign; and the re-establishment of Syracusan hegemony over all of Sicily east of the Himera (Pol. 7, 5, 7). These were not terms the Romans were prepared to accept (7, 5, 6). For the reason behind Hieronymus' demands, note his cynical comments at Pol. 7, 3, 3-8.

215 – if Hieronymus had shown the same discerning political judgment as his grandfather.⁵⁶

III. Conclusion

In this paper I have argued that in 263, at the end of the war between Rome and Hiero II of Syracuse, a relationship of informal *φιλία* or *amicitia* was created between Rome and Syracuse, and that these non-binding 'good relations' remained in effect from 263 down to King Hiero's death in 215. In other words, the treaty of 263 was not (despite the *communis opinio* of modern scholars) a formal military alliance that bound Syracuse to Rome by specific legal obligations; rather, the treaty of 263 was quite simply a treaty of peace, with resulting informal *φιλία/amicitia* between the treaty partners. If we find that Hiero occasionally gave help to the Roman war effort against Carthage between 263 and 248, these incidents should be taken to be the voluntary actions of a 'friend', and perhaps good practical politics on Hiero's part – but not something required by treaty. Nor did the diplomatic developments of 248 change things here: peace and friendly relations between Syracuse and Rome were extended into the indefinite future by the conclusion of a *φιλία αίδιος*. If we find that after 248 King Hiero once again occasionally supported Roman wars in various ways (including even the providing of a small number of troops during the Hannibalic crisis), these actions should similarly be taken to be those of a loyal friend, rather than as actions absolutely required under the terms of a *foedus sociale*.

Two factors, it seems, lay at the heart of the 50 year friendship between Hiero and Rome. First, Hiero treated the Romans with a rare sensitivity, and was con-

⁵⁶ The terminology that appears in the ancient narratives concerning the tragic events of 215–214 is once more of some significance here. Polybius speaks of Roman attempts to renew *συνθήκαι* with Hieronymus (7, 3, 1. 3, 4. 5, 1. 5, 3), and once in fact of the *φιλία* between Syracuse and Rome which was eventually broken (8, 3, 1) – but never of a *συμμαχία*. From the references in Livy 24, 27–29, it seems clear that the treaty the consul M. Claudius Marcellus sought to seal with the new republican government of Syracuse following Hieronymus' assassination was a treaty of peace, not a treaty of alliance: *condicionibus pacis* (24, 27, 6); *pacem fieri placuit* (28, 9); *pacis fidem ruptam esse dicerent* (29, 5); *pacem pepigisse [Syracusanos] cum Romanis* (29, 7); *ferociter responsum est neque mandasse sese Syracusanis [Leontinos] ut pacem pro se cum Romanis facerent, neque teneri alienis foederibus* (29, 12); note too that while the terms of the peace treaty are given – 29, 7 – we hear of no terms from a *foedus sociale*. And it is this *peace treaty* that is called a renewal of the old Syracusan treaty with Rome (*de foedere antiquo renovando* – 27, 4; *de renovando foedere* – 27, 6). Livy does refer to Syracusan *societas* with Rome (24, 6, 4. 23, 11. 28, 5. 28, 6) – but this is surely not meant in the strictly legal sense of a *foedus sociale*, for Livy here uses *societas* interchangeably with *amicitia* (cf. 28, 6). On Livy's consistent use of *societas* in this fashion, cf. SANDS, (above, n. 6) 24–26.

sistently concerned to *demonstrate* his friendship towards the Republic by occasional voluntary actions in support of Roman projects. Perhaps this was merely the result of a cynical understanding of the realities of power. However, it is quite possible that Hiero (in addition) came to feel a genuine loyalty to Rome; and it is impressive that the Romans, on their side, seem always to have been careful to express their gratitude for Hiero's occasional help. That leads us to the other factor that resulted in a workable relationship between Hiero and Rome – the absence of a grasping and exploitative Roman imperialism. Roman requests for Hiero's aid were few and far between; no pressure was put on him to establish a more concrete relationship with the Republic. The informal nature of Roman relations with Syracuse between 263 and 215 thus shows that not only were Roman aims and goals in Sicily originally very limited in character (cf. Pol. 1, 20, 1), but that, in regard to Syracuse at least, they *remained* limited in character for a long time. That is what made the *modus vivendi* between Hiero II and Rome possible.⁵⁷

⁵⁷ Professors ERICH S. GRUEN, RAPHAEL SEALEY and ROBERT C. KNAPP, of the University of California at Berkeley, read previous drafts of this paper and provided many useful comments and criticisms; my indebtedness to them does not necessarily imply their agreement with me. I also owe much to the comments of those who attended a lecture I delivered on this subject at Berkeley in the summer of 1979. Responsibility for any errors of fact or argument is, of course, my own.

