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## **ARCTOS – ACTA PHILOLOGICA FENNICA**

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## EQUESTRIAN FORTUNES AND ROMAN IMPERIALISM

### Considerations about the Impact of Sub-Senatorial Economic Interests on Roman Foreign Policies in the Late Republic

KAJ SANDBERG & JASMIN LUKKARI\*

#### Introduction

It is a commonplace, but nevertheless true: The military expansion of the Roman Republic constitutes a success story with few historical parallels. Its sheer speed astonished already contemporary witnesses. Polybius, at the very outset of his *Histories*, famously assigns Rome’s gradual conquest of “almost the whole *oikoumene*” to a period “of not quite fifty-three years”, by which he means the developments between the outbreak of the Second Punic War and the defeat of the Macedonian king Perseus at Pydna in 168 BCE. “How and by what kind of polity” this was achieved so swiftly are the two main questions that he proposes to address in his work.<sup>1</sup> Polybius thus expressly links the prowess of Rome’s

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\* This article originated as a conference paper delivered by KS in May of 2011 at the conference “Money and Power in the Roman Republic”, an event organized by Hans Beck, John Serrati and Martin Jehne at *McGill University*, Montreal. As it was not included in the conference publication, which was published as a volume in the *Collection Latomus* series in 2016 (only thirteen out of twenty-one papers read at the conference were selected for inclusion in the book), it remained an unfinished draft for a long time. In 2018, JL accepted an invitation to contribute to a fleshed-out version of the original paper. Her substantial and most significant input to the article earned her full co-authorship. The article has also benefited from several insightful comments and helpful suggestions offered by two anonymous readers for this journal, which is acknowledged with gratitude.

<sup>1</sup> Pol. 1,1,5: τίς γὰρ οὕτως ὑπάρχει φαῦλος ἢ ῥάθυμος ἀνθρώπων ὃς οὐκ ἂν βούλοιο γνῶναι πῶς καὶ τίνι γένοι πολιτείας ἐπικρατηθέντα σχεδὸν ἅπαντα τὰ κατὰ τὴν οἰκουμένην οὐχ ὄλοις

arms to the qualities of her *politeia*, and this is his reason for dedicating a whole book of his work to an in-depth analysis of the political system and certain other aspects of the society of the Romans. The dynamics of the Roman expansion have continued to intrigue historians ever since, and Roman imperialism has been one of the great themes of modern scholarship on republican Rome.<sup>2</sup> In the considerations we put forth here, we will argue that the study of Rome's expansion would benefit from a more consistent application, in the overall analysis, of Polybius' approach to his subject.<sup>3</sup>

Though modern scholars normally do study the unfolding of military and administrative events at the expanding frontiers in relation to the political process at Rome, it seems to us that the forces behind the shaping of Roman foreign policies would merit more consideration and that more attention should be given to the socio-economic contexts of the policy making processes that can be discerned in our sources. Scholars have, at least in practice, been content to focus rather exclusively on the Senate and the leading exponents of the senatorial aristocracy, effectively in defiance of the explicit testimony of Polybius' analysis.

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πεντήκοντα καὶ τρισὶν ἔτεσιν ὑπὸ μίαν ἀρχὴν ἔπεσε τὴν Ῥωμαίων, ὃ πρότερον οὐχ εὕρισκεται γεγονός.

<sup>2</sup> Among essential studies on the nature of Rome's expansion we should note at least the following works: W. H. Harris, *War and Imperialism in Republican Rome*, Oxford 1979 (repr. with corrections, Oxford 1985); A. N. Sherwin-White, *Roman Foreign Policy in the East, 168 BC to AD 1*, Norman, OK 1983; E. Gruen, *The Hellenistic World and the Coming of Rome I–II*, Berkeley 1984; R. Morstein Kallet-Marx, *Hegemony to Empire. The Development of the Roman Imperium in the East from 148 to 62 BC*, Berkeley 1995. Recent overviews of research on Roman imperialism include C. B. Champion, A. M. Eckstein, "Introduction. The study of Roman imperialism", in C. B. Champion (ed.), *Roman Imperialism: Readings and Sources*, Malden, MA 2004, 1–15; A. M. Eckstein, "Conceptualizing Roman imperial expansion under the Republic: An introduction", in N. Rosenstein, R. Morstein-Marx (eds.), *A Companion to the Roman Republic*, Malden, MA 2007, 567–589; A. Erskine, *Roman Imperialism. Debates and Documents in Ancient History*, Edinburgh 2010. See also D. Hoyos (ed.), *A Companion to Roman Imperialism*, Leiden – Boston 2012; several of the contributions to this multi-authored companion volume provide good overviews of the research on the main themes.

<sup>3</sup> Important discussions on Polybius' view of "Rome's imperialist strivings" (Gruen) include F. W. Walbank, "Polybius and Rome's eastern policy", *JRS* 53 (1963) 1–13; P. Veyne, "Y a-t-il eu un impérialisme romain?", *MEFRA* 87 (1975) 793–855 esp. 793–804; D. Musti, *Polibio e l'imperialismo romano*, Napoli 1978, 57–64; P. S. Derow, "Polybius, Rome, and the East", *JRS* 69 (1979) 1–15; Harris 1979 (n. 2), 107–117; Gruen 1984 (n. 2), I, 2–3; A. Erskine, *Roman Imperialism*, Edinburgh 2010; D. W. Baronowski, *Polybius and Roman Imperialism*, London – New York 2011, esp. 1–13.

The Arcadian historian, who witnessed the working of the political machinery at Rome before the Gracchi, insists on the importance of the formal interplay of the various political institutions and assiduously emphasizes the dependence of the Senate (σύγκλητος) and the consuls (ὑπάτοι) on the people (δῆμος); in practice, the last term usually denotes the political organization led by the tribunes of the *plebs*.<sup>4</sup> Moreover, despite the fact that tribunician interventions in the shaping of Roman foreign policies are amply documented, the possible economic motives behind the *popularis* opposition to senatorial schemes – in this particular kind of political contexts – have not attracted more systematic scholarly attention.

### **Roman imperialism and its motives: modern approaches and orthodoxies**

As is well known, Polybius' interpretation of the working of the political machinery at Rome has not been altogether well received by modern scholarship.<sup>5</sup> According to modern doctrine, Rome was an aristocratic regime in which the popular assemblies, though nominally omnipotent, were mere pawns in a political game that really only concerned the exponents of the *nobilitas*, who pursued their corporate interests through the Senate. Since the early 20th century, when Matthias Gelzer published his *Habilitationsschrift*,<sup>6</sup> it has been more or less a *dogma* that the structures of political power in republican Rome are not found in the political institutions, but in the fabric of social bonds traversing Roman society. Particularly the *clientelae* have been seen as the fundamental determinants of the political process. As the voting behaviour of the people was ultimately

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<sup>4</sup> There are very few references to the tribunes of the *plebs* in Polybius' account, but this is clearly a consequence of his theoretical conception of the political system he describes. This is apt to obscure the many details in the system. Polybius saw the tribunician college as an integral part of the popular assembly with which it was associated. Much of what he says about the people's role in the political system must in effect pertain to the tribunes simply because the people could neither convene nor prepare motions independently: K. Sandberg, "Polybius on the consuls: An interpretation of *Histories* 6.12.4", *Arctos* 41 (2007) 75–88.

<sup>5</sup> It is, first and foremost, as a work of political theory that Polybius' digression on the Roman constitution has attracted the attention of the modern world. His description of a mixed constitution was an important source of inspiration for Montesquieu (*De l'esprit des lois*, 1748) as well as for the drafters of *The United States Constitution*.

<sup>6</sup> M. Gelzer, *Die Nobilität der römischen Republik*, Leipzig 1912.

determined by the dependence of the individual citizens on the leading families of Rome, the role of the popular assemblies has been seen as largely nominal. According to this interpretation of the nature of political power, Roman politics was essentially a contest between various *factiones* within the ruling aristocracy.<sup>7</sup> Indeed, the study of Roman politics in the republican period has usually assumed the form of prosopographical research focusing on political alliances and other groupings within the nobility.<sup>8</sup> During the last few decades these kinds of views have been repeatedly challenged; the popular element in the constitution and the existence of a true political process are prominent features in many recent interpretations of the nature of Roman political life.<sup>9</sup>

However, the older paradigm is still very much well and alive among scholars dealing with the territorial expansion of Rome. This process is still perceived as the outcome of imperialistic endeavours attributable to a more or less monolithic, senatorial aristocracy. This kind of perception is the foundation of William Harris' influential monograph on war and imperialism in republican Rome,<sup>10</sup> and it is still often maintained that warfare, providing *gloria militaris* along with loot for successful commanders, was essential for the oligarchic

<sup>7</sup> K. Sandberg, *Magistrates and Assemblies. A Study of Legislative Practice in Republican Rome* (Acta Instituti Romani Finlandiae 24, Rome 2001), 10.

<sup>8</sup> H. H. Scullard, *Roman Politics, 220–150 BC*, Oxford 1951 (second edition, Oxford 1973); F. Cassola, *I gruppi politici romani nel III secolo a.C.*, Trieste 1962; E. Gruen, *Roman Politics and the Criminal Courts, 149–78 BC*, Cambridge, MA 1968; Id., *The Last Generation of the Roman Republic*, Berkeley – Los Angeles 1974.

<sup>9</sup> See, above all, F. Millar: “The political character of the classical Roman Republic, 200–151 BC”, *JRS* 74 (1984) 1–19; Id., “Politics, persuasion, and the people before the Social War (150–90 BC)”, *JRS* 76 (1986) 1–11; Id., “Political power in mid-republican Rome. *Curia* or *comitium*?”, *JRS* 79 (1989) 138–150; Id., “Popular politics at Rome in the Late Republic”, in I. Malkin, W. Z. Rubinson (eds.), *Leaders and Masses in the Roman World. Studies in Honor of Zvi Yavetz*, Leiden – New York 1995, 91–113; Id., *The Crowd in Rome in the Late Republic* (Jerome Lectures 22), Ann Arbor 1998. Good overviews of the scholarly discussion concerning the role of the people in the political system can be found in M. Jehne, “Einführung. Zur Debatte um die Rolle des Volkes in der römischen Politik”, in M. Jehne (Hrsg.), *Demokratie in Rom? Zur Rolle des Volkes in der Politik der römischen Republik* (Historia Einzelschriften 96), Stuttgart 1995, 1–9; A. Jakobson, “Popular power in the Roman Republic”, in N. Rosenstein, R. Morstein-Marx (eds.), *A Companion to the Roman Republic*, Malden, MA 2007, 383–400 and Id., “Traditional political culture and the people's role in the Roman Republic”, *Historia* 59 (2010) 282–302.

<sup>10</sup> Harris 1979 (n. 2).



system.<sup>11</sup> That the senatorial aristocracy was always the central player in the process that raised Rome to world dominion is a notion that has not been seriously questioned.<sup>12</sup> Moreover, scholars have also been predisposed to equate Rome's interests with the collective interests of the members of the Senate. Two of the recurring concepts used to identify and describe the forces at work, in the various regions of the world where the Roman expansion took place, are *Roman policies* and *Roman interests*. Insofar as economic motives have been touched upon in the scholarly discussion, the focus has almost invariably been on state finances.<sup>13</sup>

As has been stressed by Robert Morstein-Marx, in his study of the development of the Roman *Imperium* in the East from 148 to 62 BCE, the military expansion of the Romans did not automatically entail the establishment of direct rule through annexation of conquered lands and the creation of new territorial provinces.<sup>14</sup> Before the 140s, there was nowhere in the eastern Mediterranean a single territory formally managed by the Roman state. It was not until 146 BCE, twenty-two years after the victory at Pydna, that Rome made Macedonia her first province in the Greek East.<sup>15</sup> Before the creation of provinces in that

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<sup>11</sup> J. Rich, "Fear, greed and glory: The causes of Roman war-making in the Middle Republic," in J. Rich, G. Shipley (eds.), *War and Society in the Roman World*, London 1993, 38–68. For a recent example, see A. M. Eckstein, *Mediterranean Anarchy, Interstate War, and the Rise of Rome*, Berkeley – Los Angeles 2009.

<sup>12</sup> A new, very ambitious study of the relationship between public finance and elite wealth in the last two centuries of the Republic is of great relevance for many of the themes covered in this paper: J. Tan, *Power and Public Finance at Rome, 264–49 BCE*, Oxford 2017. According to this analysis, the politics of the period essentially consisted in a contest between the state, the political elite and the people for the riches stemming from the conquests. However, the focus is on the political elite and one of the main conclusions is that the people's role in political decision-making was only marginal.

<sup>13</sup> See, for instance, K. Buraselis, "*Vix aerarium sufficeret*. Roman finances and the outbreak of the Second Macedonian War", *GRBS* 37 (1996) 149–172. Tan 2017 (n. 12) represents a new current in the study of the Roman expansion. See also P. Kay, *Rome's Economic Revolution*, Oxford 2014.

<sup>14</sup> Morstein Kallet-Marx 1995 (n. 2).

<sup>15</sup> For Rome's "traditional hesitation about annexing foreign territory", see L. Beness, Tom Hillard "*Rei militaris virtus ... orbem terrarum parere huic imperio coegit*: the transformation of Roman *imperium*", in Hoyos 2012 (n. 2), 141–153. As for the formal relationship between defeated Macedonia and Rome, between the Roman victory and the creation of the province, see E. S. Gruen, "Macedonia and the settlement of 167 BC", in W. Adams, E. Borza (eds.), *Philip II, Alexander the Great, and the Macedonian Heritage*, Lanham, MD 1982, 257–267.

part of the world, the Roman *arché*, as identified by Polybius, consisted in the assertion of power rather than in territorial expanse.<sup>16</sup> The development from mere hegemony to formal rule was usually a very complex one, entailing intricate arrangements that, in addition to the Roman victors and the *victi*, involved various regional players. In the Greek East, where the developments are best documented, the Romans had to come to terms with city-states and confederations as well as with monarchs, whether former allies or foes (or simply polities concerned in one way or another by the developments in question).<sup>17</sup> It has been generally assumed that it is possible to discern, in these processes of accommodation, distinctly Roman interests at work. Moreover, it seems to be presumed that these interests, insofar as they are not purely strategic ones, are essentially those of the senatorial aristocracy. Considering the possible economic motives behind Roman imperial expansion, Harris at one point deliberates whether “the foreign policies created by the aristocracy favoured *the interests of large land-owners* in other ways, besides improving the supply of slave labour”.<sup>18</sup>

It is no exaggeration, we think, to state that modern scholarship on the formation of the Roman Empire in the republican period has focused excessively on the role of the senatorial aristocracy. For instance, in the late 1950s Ernst Badian identified the formalized personal relations between individual members of the Roman senatorial aristocracy and exponents of the provincial elites as important determinants for the evolution of the republican Empire.<sup>19</sup> More recently, Arthur Eckstein has argued that Roman foreign policy largely consisted

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<sup>16</sup> Morstein Kallet-Marx 1995 (n. 2), 22 ff. For a new important discussion of how formal rule was gradually established in the Greek East, see A. M. Eckstein, “Hegemony and annexation beyond the Adriatic, 230–146 BC”, in Hoyos 2012 (n. 2), 79–97.

<sup>17</sup> For the role of alliances and other kinds of formal, diplomatic entanglements, see Gruen 1984 (n. 2), I, 13–53; for *amicitiae* and *clientelae*, see Id., 54–95 and 158–200 as well as D. Braund, *Rome and the Friendly King. The Character of the Client Kingship*, London 1984; P. J. Burton, *Friendship and Empire. Roman Diplomacy and Imperialism in the Middle Republic (353–146 BC)*, Cambridge 2011; M. Snowden, “Beyond *clientela*: The instrumentality of *amicitia* in the Greek East”, in M. Jehne, F. Pina Polo (eds.), *Foreign clientelae in the Roman Empire. A Reconsideration* (Historia Einzelschriften 238), Stuttgart 2015, 209–224.

<sup>18</sup> Harris 1979 (n. 2), 85. The emphasis in the quotation is ours.

<sup>19</sup> E. Badian, *Foreign Clientelae, 264–70 BC*, Oxford 1958. For a revisitation of the themes covered by Badian, see M. Jehne, F. Pina Polo (Hrsgg.), *Foreign clientelae in the Roman Empire. A Reconsideration* (Historia Einzelschriften 238), Stuttgart 2015, 209–224.

in senatorial responses to *ad hoc* -decisions and measures on the part of Roman magistrates and promagistrates at the frontiers.<sup>20</sup> It should be recognized that both scholars have made important contributions to our understanding of how the Roman dominion expanded, but their works also serve as telling examples of how reluctant scholars have been to consider the influence of economically motivated popular agendas on Roman foreign policies. In his later work, on the business activities of the *publicani*, Badian exposed many of the commercial interests at work,<sup>21</sup> but Eckstein persists in his view that economic considerations were not important. In a recent discussion of research on the motives of Roman imperial expansion under the Republic, Eckstein rejects the possibility that financial and economic interests influenced Roman foreign policies, on the ground that most senatorial aristocrats were large landowners, not merchants, and that senatorial interests were primarily landed ones. In this connection, he also cites the well-known fact that senators after 218 BCE actually were legally debarred from engaging in large-scale trade.<sup>22</sup> Even if he makes two very important observations with bearing on this whole problem, (a) that the law in question was occasionally skirted via senators' use of front men and (b) that the Roman senatorial aristocracy as a political force cannot be seen as a single entity,<sup>23</sup> his whole survey is focusing on the oligarchic element in the Roman constitution, to use Polybius' terminology. The commercial interests are merely touched upon, and the industrial element in Roman society is characterized as being largely insignificant. At one point Eckstein does note that the relationship between the senatorial aristocracy and the *publicani* (the public contractors) was a troubled one, marked by suspicion,<sup>24</sup> but he does not consider more closely the impact of possible commercial and industrial interests on Roman foreign policies.

Also Erich Gruen plays down the importance of any economic influences on the foreign policy making processes: "The direct economic gains of Rome's

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<sup>20</sup> A. M. Eckstein, *Senate and General. Individual Decision-making and Roman Foreign Relations, 264–194 BC*, Berkeley – Los Angeles 1987.

<sup>21</sup> E. Badian, *Publicans and Sinners. Private Enterprise in the Service of the Roman Republic*, Ithaca – London 1972 (revised with corrections and a critical bibliography, Ithaca – London 1983).

<sup>22</sup> Eckstein 2007 (n. 2), 570.

<sup>23</sup> Eckstein 2007 (n. 2), 570, 573.

<sup>24</sup> Eckstein 2007 (n. 2), 570.

business and commercial communities or, for that matter, of her senatorial order, find no clear reflection in the decisions of state”.<sup>25</sup> It is, therefore, important to point out that the connection between Rome’s expansion and the prospect of economic gains is explicitly alluded to by Polybius, who states that “there were indeed perhaps good reasons for appropriating all the gold and silver: for it was impossible for them to aim at a world empire without weakening the resources of other peoples and strengthening their own.”<sup>26</sup> This connection clearly merits more attention than it has received.<sup>27</sup>

As we have already seen, there has been an almost excessive focus on the senatorial aristocracy and on the interests of the Senate in the study of the motives of the Roman imperial expansion. As explanatory factors behind Roman foreign policies, economic opportunities have almost invariably been considered from a senatorial horizon. A good illustration of this general attitude is William Harris’ considerations about the benefits received from mining, as he limits himself to see it as a source of additional public revenue.<sup>28</sup> True, immense sums flowed into the *aerarium*, and this was certainly of great consequence for the state economy that the Senate did supervise, but we should remember that these riches did not derive from the Spanish mines directly, but indirectly from the hands of the companies of public contractors who grew rich in the process. Mining was immensely lucrative, on a personal level, for these *publicani*. Indeed, it is recorded that mining prospects influenced their political agendas. For

<sup>25</sup> Gruen 1984 (n. 2), I, 314. For an opposing view, see Cassola 1962 (n. 8), which, however, is also an example of a study with an excessive focus on “senatorial policies”. See also Philip Kay’s new study (Kay 2014, n. 13), in which he contrasts the views of, respectively, Badian, Gruen and Harris, and concludes that economic motives did affect the expansion.

<sup>26</sup> Pol. 9,10,11: τὸ μὲν οὖν τὸν χρυσὸν καὶ τὸν ἄργυρον ἀθροίζειν πρὸς αὐτοὺς ἴσως ἔχει τινὰ λόγον· οὐ γὰρ οἶόν τε τῶν καθόλου πραγμάτων ἀντιποιήσασθαι μὴ οὐ τοῖς μὲν ἄλλοις ἀδυναμίαν ἐνεργασαμένους, σφίσι δὲ τὴν τοιαύτην δύναμιν ἐτοιμάσαντας. See also Gruen 1984 (n. 2), I, 308.

<sup>27</sup> Among the overlooked industrial activities of Roman society, we would include mining, which was an immensely important economic activity in the Iberian provinces and later in Macedonia. For the Spanish mines, see Liv. 34,21,7; Diod. Sic. 5,36–37, 31,8,7; Pol. 34,9,8–11 = Strab. 3,2,10 (C 147–148) along with the studies Badian 1972 (n. 21), 31–34; Gruen 1984 (n. 2), I, 300 n. 64; C. Domergue, *Les mines antiques: la production des métaux aux époques grecque et romaine*, Paris 2008, 189–208; Kay 2014 (n. 13), 43–58.

<sup>28</sup> Harris 1979 (n. 2), 69 ff.

instance, after the victory at Pydna, the publicans entreated the Senate to establish direct Roman rule in Macedonia in order to get possession of its mines on the same terms as those of Spain. The Senate not only resisted these pressures, but actually decided to close the mines for ten years. The presence of conflicting and, indeed, competing interests in Roman society – with regard to its foreign policies – is evident in this particular case.<sup>29</sup>

It is all clear that the expansion of the Roman realm created economic opportunities that concerned primarily, but not altogether exclusively, the *equites*. As was already noted, senators did sometimes engage in large-scale trade and other kinds of businesses by means of intermediaries. We should also note the transformation of agriculture in Italy in the second century BCE, which saw the emergence of *latifundia* producing cash-crops for an expanding and increasingly lucrative market. This means that landed wealth did not preclude landed interests from being essentially capitalistic in nature. The senatorial aristocracy may well have originated as an “‘archaic’ premodern elite imbued with a primitive ethos of war”, in the Schumpeterian sense, but we should ask whether not the changing economic realities made its public image increasingly evoke that of the “calculating capitalist financiers found in Hobson and Lenin”.<sup>30</sup> Moreover, it is safe to assume that this kind of development gained additional momentum from certain political and social developments. For instance, as Badian has pointed out, Sulla’s reform of the Senate, “flooding it with a majority from a non-senatorial background”, did a great deal to diminish the traditional differences between the two orders and changed senatorial attitudes to non-landed wealth; this means that, in the last decades of the Republic, many senators actually shared financial interests with the *equites*.<sup>31</sup> However, many scholars continue to hold the view that the world of trade was separated from the senatorial milieu.<sup>32</sup>

<sup>29</sup> Liv. 45,18,3. Badian 1972 (n. 21), 40–42; Gruen 1984 (n. 2), I, 294–295, 306, II, 426–427.

<sup>30</sup> The quotations are from Eckstein 2007 (n. 2), 572 f. The works he cites are the classical studies on imperialism: J. A. Hobson, *Imperialism. A Study*, New York 1902; J. Schumpeter, *Zur Soziologie der Imperialismen*, Tübingen 1919; V. I. Lenin, *Imperialism. The Highest Stage of Capitalism* (London 1948, translation of Империализм как высшая стадия капитализма, Петроград 1917).

<sup>31</sup> Badian 1972 (n. 21), 99; I. Shatzman, *Senatorial Wealth and Roman Politics* (Collection Latomus 142), Brussels 1975, 99–109. The pioneering book-length study on how social attitudes affected commerce is J. D’Arms, *Commerce and Social Standing in Ancient Rome*, Cambridge, MA 1981.

<sup>32</sup> J. Andreau, “Les commerçants, l’élite et la politique romaine à la fin de la république”, in C. Zac-

Now, to what extent are there any such things as *Roman interests* – as opposed to interests attributable to particular groups of Roman citizens? Should we not, in our attempts to analyze the modalities of the establishment of Roman rule, be more aware of the normal presence of different, and perhaps even conflicting, interests within Roman society?<sup>33</sup> It is customary to distinguish between landed interests on the one hand and financial and commercial ones on the other. While it is all clear that the business activities of the *publicani*, as well as those of the *negotiatores* and *mercatores*, yielded large proceeds in the East during the Roman expansion after the Second Punic War,<sup>34</sup> the question as to to what extent, if any, specific prospects of economic gain influenced the shaping of foreign policies at Rome is still underresearched – especially insofar as commercial

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cagnini (a cura di), *Mercanti e politica nel mondo antico*, Roma 2003, 217–244. See also Id., “Inté-rêts non agricoles des chevaliers romains (IIe siècle av. J.-C. – IIIe siècle ap. J.-C.)”, in S. Demougin, H. Devijver, M.-T. Raepsaet-Charlier (éds.), *L'ordre équestre. Histoire d'une aristocratie (Ier siècle av. J.-C. – IIIe siècle ap. J.-C.). Actes du colloque de Bruxelles – Leuven (Octobre 1995)* (Collection de l'École française de Rome 257), Rome 1999, 271–290. See also the discussion in G. Clemente, “Lo sviluppo degli atteggiamenti economici della classe dirigente fra il III e il II sec. a.C.”, in W. V. Harris (ed.), *The Imperialism of Mid-Republican Rome. The Proceedings of a Conference Held at the American Academy in Rome, November 5–6, 1982* (Papers and Monographs of the American Academy in Rome 29), Rome 1984, 165–183. For a critique of Moses Finley's views, which have been very influential, see K. Verboven, “Cité et réciprocité: Le rôle de croyances culturelles dans l'économie Romaine (c. 200 a.C. – c. 250 p.C.)», *Annales. Histoire, Sciences Sociales* 67.4 (2012) 914–920.

<sup>33</sup> For an attempt to analyze how senatorial and equestrian economic interests influenced Roman politics in general, see the chapter on *senatores versus equites* in Shatzman (n. 31), 179–212. Also Christian Meier, in his classical study, touched upon the subject, but concluded that it is unlikely that the equestrians could have affected foreign policy making processes: C. Meier, *Res publica amissa. Eine Studie zur Verfassung und Geschichte der späten römischen Republik*, Stuttgart 1966, 68, 79–80, 82.

<sup>34</sup> For (mostly epigraphic) documentation of the presence of Italic traders, many of them equestrian individuals, in the Greek East, see J. Hatzfeld, *Les trafiquants italiens dans l'Orient hellénique*, Paris 1919. A very valuable and richly annotated overview of the onomastic evidence for Romans in the East is provided by A. D. Rizakis, “Anthroponymie et société: les noms romains dans les provinces hellénophones de l'Empire”, in Id. (ed.), *Roman onomastics in the Greek East. Social and Political Aspects: Proceedings of the International Colloquium organized by the Finnish Institute at Athens and the Centre for Greek and Roman Antiquity, Athens 7–9 September 1993* (Meletemata 21), Athens 1996, 11–30. See also C. Nicolet, *L'Ordre équestre à l'époque républicaine (312–43 av. J.-C.) I*, Paris 1966, 357–379; S. Demougin, “L'ordre équestre en Asie mineure. Histoire d'une romanisation”, in Demougin et al. 1999 (n. 32), 579–612.

interests are concerned. It is symptomatic that the Marxist scholar Francesco De Martino, while insisting on the importance of economic factors, only thinks of land-holding and debt, altogether ignoring commercial activities.<sup>35</sup>

The testimony of Polybius' analysis, which always should be at the centre of our attention when we study pre-Gracchan politics, clearly implies that the various elements in the mixed constitution of Rome were associated with certain specific activities. Most importantly, analyzing the ways in which the people relied on the Senate, he explicitly mentions the public contractors – that is, the *publicani*. He states that a vast number of contracts were given out each year by the censors, contracts that, in addition to the construction and repair of public buildings, concerned “the collection of revenue from many rivers, harbours, gardens, mines, and land – everything, in a word, that comes under the control of the Roman government”. He stresses that “in all these the people at large are engaged” adding that “there is scarcely a man, so to speak, who is not interested either as a contractor or as being employed in the works”.<sup>36</sup> In this piece of testimony, pertaining to a period prior to the mid-second century BCE, we see the presence of industrious individuals, implied to be very numerous, eagerly awaiting new opportunities for economic gain.<sup>37</sup>

At this point we should turn our attention to the impact of the sub-senatorial strata of Roman society on Rome's foreign policies and consider how the popular element in the political system challenged the Senate. We should keep in mind that, just as we can not speak of united senatorial policies, the “*equites* did not constitute a united pressure group with economic interests opposed to

<sup>35</sup> F. De Martino, *Diritto, economia e società nel mondo romano* II. *Diritto pubblico*, Napoli 1996, 299–310.

<sup>36</sup> Pol. 6,17,1–3: ὁμοίως γε μὴν πάλιν ὁ δῆμος ὑπόχρεός ἐστι τῇ συγκλήτῳ, καὶ στοχάζεσθαι ταύτης ὀφείλει καὶ κοινῇ καὶ κατ' ἰδίαν. πολλῶν γὰρ ἔργων ὄντων τῶν ἐκδιδομένων ὑπὸ τῶν τιμητῶν διὰ πάσης Ἰταλίας εἰς τὰς ἐπισκευὰς καὶ κατασκευὰς τῶν δημοσίων, ἃ τις οὐκ ἂν ἐξαριθμήσαιτο ῥαδίως, πολλῶν δὲ ποταμῶν, λιμένων, κηπίων, μετάλλων, χώρας, συλλήβδην ὅσα πέπτωκεν ὑπὸ τὴν Ῥωμαίων δυναστείαν, πάντα χειρίζεσθαι συμβαίνει τὰ προειρημένα διὰ τοῦ πλήθους, καὶ σχεδὸν ὡς ἔπος εἰπεῖν πάντας ἐνδεδέσθαι ταῖς ὠναῖς καὶ ταῖς ἐργασίαις ταῖς ἐκ τούτων.

<sup>37</sup> Badian 1972 (n. 21) remains a fundamental work, but an important addition to the scholarship on the activities of the *publicani* is U. Malmendier, *Societas publicanorum. Staatliche Wirtschaftsaktivitäten in den Händen privater Unternehmer*, Köln 2002.

those of the Senate”, as argued in detail by P. A. Brunt.<sup>38</sup> However, as we will see, on many occasions when their common interests were threatened, they were able to unite their strength. The political influence of the equestrians was especially strong in times when they controlled the *repetundae* court.<sup>39</sup> We may well agree with Brunt that the *ordo equester* did not seem to have actively advocated territorial expansion, but, clearly, its members saw opportunities and were keen to exploit them by acting on specific foreign policy issues.

### Popular versus senatorial interests

An early instance of clearly sub-senatorial commercial interests prevailing over the aristocracy is the passage of the *plebiscitum Claudium* in 218 BCE. This statute, passed by the tribune Q. Claudius just before the outbreak of the Second Punic War, prohibited senators and their sons from owning seagoing ships with a capacity larger than 300 amphorae. According to Livy, the rationale behind the measure was to restrict the commercial activities of senators beyond the transportation of the crops from their country estates, because profits (*quaestus*) were

<sup>38</sup> P. A. Brunt, “The *equites* in the Late Republic”, in R. Seager (ed.), *The Crisis of the Roman Republic. Studies in Political and Social History*, Cambridge 1969, 83–115 (originally published in *Deuxième Conférence internationale d’histoire économique. Second International Conference of Economic History, Aix-en-Provence, 1962*, Paris 1965, 117–149, quotation 84. Along similar lines, Badian 1972 (n. 21), 82–118. For a comprehensive study of the equestrian order in the period 312–43 BCE, see Nicolet 1966 (n. 34). Cf. Meier 1966 (n. 33), 64–95.

<sup>39</sup> For considerations along similar lines, see T. R. S. Broughton, “Comment”, in R. Seager (ed.), *The Crisis of the Roman Republic. Studies in Political and Social History*, Cambridge 1969, 118–130. Shatzman does not support the notion that the *equites* were much influential in the courts and assigns more weight to personal relationships, but even he has to admit that they were sometimes able to prevail: Shatzman 1975 (n. 31), 201–204, 209. Cf. Nicolet 1966 (n. 34), 629. Also Meier (1966, n. 32, 77, 81–82, 85–86) is sceptical, but has to admit that in Lucullus’ case the equestrians managed to unite against him. Koenraad Verboven has emphasized that personal relationships were a very important aspect of business activities abroad, see K. Verboven, *The Economy of Friends. Economic Aspects of Amicitia and Patronage in the Late Republic* (Collection Latomus 269), Brussels 2002, 300–304, 312. Brahm Kleinman sees the *lex Aurelia* as an example of “how the business interests of the *publicani* and rhetoric against corruption and bribery could affect senatorial politics”: B. Kleinman, “Rhetoric and money. The *lex Aurelia iudiciaria* of 70 BC”, in H. Beck, M. Jehne, J. Serrati (eds.), *Money and Power in the Roman Republic* (Collection Latomus 355), Brussels 2016, 67.



unbecoming (*indecorus*) for senators.<sup>40</sup> Modern historians looking for more deep-going motives have called into attention the financial risks associated with sea-borne commerce. Valuable cargo lost at sea could easily ruin a senator and deprive him of the property qualifications for membership in the Senate. In John D’Arms’ opinion, the statute was designed to promote the permanence of the Senate by preventing its members from engaging in perilous trading ventures.<sup>41</sup> According to Callie Williamson, a more likely explanation for the passage of the statute is “a concern on the part of some Romans to preserve the wealth of elite Romans so that they could invest their capital in the coming war”, that is, the approaching war with Carthage.<sup>42</sup> Both D’Arms and Williamson overlook two essential details in Livy’s account; 1) that the measure was fiercely opposed by the Senate itself and 2) that it was supported by C. Flaminius, who on account of his

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<sup>40</sup> Liv. 21,63,2: *invisus etiam patribus ob novam legem, quam Q. Claudius tribunus plebis adversus senatum atque uno patrum adiuvante C. Flaminio tulerat, ne quis senator cuive senator pater fuisset maritimam navem, quae plus quam trecentarum amphorarum esset, haberet. Id satis habitum ad fructus ex agris vectandos; quaestus omnis patribus indecorus visus.* For modern discussions, see the bibliography in M. Elster, *Die Gesetze der mittleren römischen Republik. Text und Kommentar*, Darmstadt 2003, 190. For *lex Claudia* as well as other laws of relevance for the relationship between senators and the equestrians, see also J. Bleicken, *Lex Publica. Gesetz und Recht in der Römischen Republik*, Berlin – New York 1975, 172–175. As for the legal prohibitions on owning ships, see also the discussion in A. Tchernia, *The Romans and Trade*, Oxford 2016, 21 ff.

<sup>41</sup> D’Arms 1981 (n. 21), 31–34. Cf. Cassola 1962 (n. 8), 216–217. Meier 1966 (n. 33), 313. Jochen Bleicken and Karl Christ cite *lex Claudia* as an example indicating that there sometimes were well-organized groups that opposed the Senate: J. Bleicken, *Das Volkstribunat der Klassischen Republik. Studien zu seiner Entwicklung zwischen 287 und 133 v. Chr.* (Zetemata 13), München 1955, 31, 36; K. Christ, *Krise und Untergang der römischen Republik*, Darmstadt 1979, 2 ff., 67 ff., 80–81.

<sup>42</sup> C. Williamson, *The Laws of the Roman People. Public Law in the Expansion and Decline of the Roman Republic*, Ann Arbor 2005, 29–30. Private wealth was an important reserve in times of war when the state treasury was running low; for instance, in 210 BCE *privati* loaned money to the state in order to help financing the war against Hannibal (Liv. 31,13,2). For a thorough discussion of the war finances in that period, see B. Bleckmann, “Roman war finances in the age of the Punic Wars”, in Beck et al. 2016 (n. 39), 82–96. Klaus Bringmann offers yet another interpretation of the law, suggesting that “it was necessary to charter a great deal of private shipping space in addition to the war fleets; here, there was money to be made”. Accordingly, the *lex Claudia* would have prevented those who made decisions about war financing, that is, the members of the senatorial class, from profiting from it: K. Bringmann, “The Roman Republic and its internal politics between 232 and 167 BC”, in B. Mineo (ed.), *A Companion to Livy*, Malden, MA 2015, 396.

political programme has been considered a forerunner of the Gracchi.<sup>43</sup> Gruen, in his considerations of this piece of legislation, does recognize that there were significant sub-senatorial interests at play, but, as the law passed, he thinks that Livy must be exaggerating in claiming that the whole senatorial class except C. Flaminius opposed it.<sup>44</sup> It is all clear that this statute represents an early triumph of commercial interests attributable to circles outside the senatorial elite.<sup>45</sup>

The passage of the Claudian plebiscite demonstrates that there, already in the third century BCE, was financially motivated and well-organized opposition to senatorial schemes, if need be, and that such opposition sometimes was successful. As for the post-Gracchan period, we should not fail to recognize that the Senate had lost much of its ability to play the guiding role it had had in the preceding period. We should also be more fully aware of the fact that the Roman senatorial aristocracy cannot be seen as a single entity, at least not with regard to the short-term interests of its members. It is certainly true, as Arthur Eckstein has observed, that “[p]ossession of Empire offered enormous opportunities for the acquisition of wealth, influence and power for certain Roman aristocrats – the provincial governors of the richest provinces.”<sup>46</sup> True, immense fortunes were amassed by conquering generals and unscrupulous provincial governors, but it is important to consider the obvious circumstance that the access roads to the lucrative promagisterial positions in question were very competitive ones.

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<sup>43</sup> L. R. Taylor, “Forerunners of the Gracchi”, *JRS* 52 (1962) 19–27. Cf. J. von Ungern-Sternberg, “The end of the conflict of the orders”, in K. A. Raafaub (ed.), *Social Struggles in Archaic Rome. New Perspectives on the Conflict of the Orders*, second, expanded and updated edition, Malden, MA 2005, 316. For the role and motives of Flaminius and the senatorial opposition, see R. Feig Vishnia, *State, Society and Popular Leaders in Mid-Republican Rome, 241–167 BC*, London – New York, 25–34, 34–43.

<sup>44</sup> Gruen 1984 (n. 2), I, 301 n. 65. Flaminius was not only the sole known senator to back the bill, he also endorsed it formally as its *suasor legis* procuring him the wrath (*invidia*) of the *nobilitas*, the favour (*favor*) of the *plebs* and a second consulship, see Liv. 21,63,4: *res per summam contentio-nem acta invidiam apud nobilitatem suasori legis Flamino, favorem apud plebem alterumque inde consulatum peperit*.

<sup>45</sup> Gruen 1984 (n. 2), I, 307: “The very passage of the *lex Claudia* makes sense only if some senators had engaged in shipping on a fairly large scale; and the bill provoked substantial opposition in the *curia*.”

<sup>46</sup> Eckstein 2007 (n. 2), 583. For a recent discussion of the monetary aspects of provincial commands in the Late Republic, see W. Blösel, “Provincial commands and money in the Late Roman Republic”, in Beck et al. 2016 (n. 39), 68–81.

Senators intent on enriching themselves invariably found their chief contenders for the coveted positions among their peers within the Senate. This means that distinct senatorial stances were often lacking in the political process, and that the Senate was frequently more divided internally than what has usually been recognized. Eckstein notes that there is evidence indicating “that factional, family, and personal jealousies within the Senate were intense . . . , and often acted to block glory-hunting by individuals”.<sup>47</sup> This is an immensely important observation that must be borne in mind as we proceed.

It is quite clear that the normal presence of political enmities, as well as of outright divisions within the senatorial aristocracy, in many ways must have reduced the Senate’s capacity to act as one body. More unity would have been needed in order to promote its own interests and to counteract other, opposing interests, in society – especially if such opposing interests were championed by well-organized interest groups, which was often the case in the Late Republic. That the Senate of the post-Gracchan republic faced more challenge and opposition than in the previous period (in the Middle Republic) is well known. It is amply documented that the Senate as an institutional body as well as individual senators at several occasions faced strong opposition from, or even were attacked by, well-organized equestrian lobbies. Indeed, an increasing antagonism between the *ordines senatorius* and *equester* can with some justification be perceived as a structural feature of the dynamics of the politics of the post-Gracchan Republic. A case in point is, of course, the long struggle concerning the composition of the extortion court (the *quaestio repetundarum*).<sup>48</sup> It was also in the Gracchan era that the equestrian order finally emerged as a defined *ordo*.

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<sup>47</sup> Eckstein 2007 (n. 2), 573. Also Christian Meier recognized these kinds of conflicting interests within Roman society, and especially between senators and equestrians, but did not consider economic factors important: Meier 1966 (n. 33), 68, 79–80, 82.

<sup>48</sup> The *quaestio repetundarum* was instituted in 149 BCE, and was originally composed exclusively of senators, a state of affairs that made it “a convenient instrument of self-protection for the senatorial oligarchy”, G. Mousourakis, *A Legal History of Rome*, London – New York 2007, 79. In 123/122 BCE, C. Sempronius Gracchus transferred the exclusive right of membership in the juries from the senators to the equestrians, which did not solve the problems that this statute addressed. After the Sullan parenthesis, the *lex Aurelia* of 70 BCE provided that the members of each *quaestio perpetua* should consist of one-third senators, one-third *equites* and one-third *tribuni aerarii*. For a recent discussion, see B. Kleinman, “Rhetoric and money. The *lex Aurelia iudiciaria* of 70 BC”, in Beck et al. 2016 (n. 39), 53–67.

It is interesting to note instances where, clearly, equestrian lobbies were able to act in singular concert successfully achieving individual goals despite strong and consistent senatorial opposition. For the present purposes, it is especially interesting to note such occurrences in contexts pertaining to foreign policy making or to deliberations concerning provincial administration. In such cases we have direct evidence for the interplay of conflicting interests with regard to the exploitation of territories within the Roman-controlled realm.

A well-known example of an equestrian lobby actively pursuing its own interests is the infamous prosecution of P. Rutilius Rufus (*cos.* 105 BCE). Serving as *legatus* in Asia in 97 BCE, this distinguished member of the senatorial aristocracy had assisted another leading senator, the proconsul Q. Mucius Scaevola, in his efforts to punish and suppress the abuses of the *publicani* in the collection of taxes.<sup>49</sup> Though these actions received much praise and Mucius Scaevola earned the reputation of a model governor, the two senators incurred the collective wrath of the entire equestrian order. Their interference with the economic interests of the *equites* had dire consequences. In his capacity as *pontifex maximus*, Scaevola was practically untouchable, but Rutilius had no such protection. In the late 90s, perhaps in 92, he was brought to trial, accused of extortion from the very provincials he had protected. Though the charge was widely held to be unfounded, the jury found him guilty of the crime. Of course, this outcome was only to be expected as the members of the jury of the *quaestio de repetundis* in this very period were drawn exclusively from among the members of the equestrian order. Morstein-Marx notes that while the evidence of equestrian hostility towards Rutilius and Scaevola is overwhelming, the senators were not in the least interested in protecting Rutilius in the trial – their interests were evidently not threatened and Rutilius was sacrificed to placate the equestrians. Whether or not the charge was completely false is open to ques-

<sup>49</sup> Cic. *fam.* 1,9,26, *Planc.* 33, *Brut.* 85, 115, *Font.* 38, *Balb.* 28, *Pis.* 95, *de orat.* 1,229–230, *Rab. Post.* 27; Diod. Sic. 37,5,1; Liv. *per.* 70; Vell. Pat. 2,13,2; Tac. *ann.* 3,66, 4,43; Val. Max. 2,10,5, 6,4,4; Cass. Dio fr. 95 and 97,3; Hist. Aug. *Gord.* 5,5; Theophanes *FGrH* 188 F 1 = Plut. *Pomp.* 37,4. For a complete listing of the sources, see M. C. Alexander, *Trials in the Late Republic, 149 BC to 50 BC*, Toronto 1990, 49. For the epigraphic evidence for Scaevola's term in Asia, see J. Thornton, "Motivi tradizionali del dibattito sugli imperi nella memoria dei primi decenni della provincia d'Asia", in R. Cristofoli, A. Galimberti, F. Rohr Vio (a cura di), *Costruire la memoria. Uso e abuso della storia fra tarda repubblica e primo principato*, Venezia, 14–15 gennaio 2016, Roma 2017, 38 n. 18.

tion, since almost all of the evidence derives from Cicero, who much later was a personal friend of Rutilius. According to Cicero, when Rutilius Rufus went into exile all the cities of Asia offered him refuge and he was actually welcomed with honour into the very cities he allegedly had looted.<sup>50</sup> It is, in any case, evident that the verdict of the jury was dictated by political motives, and this has never been questioned. Nor would anyone call into question that it was concerns for dwindling profit-making opportunities overseas that motivated the equestrians to take action against a respected exponent of the senatorial establishment. It should be pointed out that we know of a parallel case. In 54 BCE, A. Gabinius, an ex-governor of Syria, evidently encountered a similar fate after he had interfered heavily with the tax-farming business of the *publicani* in his province.<sup>51</sup> The incidents of Rutilius Rufus and Gabinius constitute relevant examples of equestrian interests and equestrian power at work in Roman politics.

Evidently, after the *lex Aurelia* of 70 BCE the equestrians had again so much power in the *repetundae* court that the provincial governors had better not to interfere with tax-farming and other business activities of the *publicani*. If a governor angered the *publicani* of his province, trial and exile might await him in Rome. Indeed, Cicero wrote letters to his brother Quintus, the governor of Asia in 61–59 BCE, reminding him how important it was to treat the *publicani* well.<sup>52</sup> On the other hand, if a governor decided to overly side with the interests

<sup>50</sup> R. B. Kallet-Marx, “The trial of Rutilius Rufus”, *Phoenix* 44 (1990) 122–139. On the wider context, see Morstein Kallet-Marx 1995 (n. 2), 138–148; Thornton 2017 (n. 49). Other important modern discussions include E. S. Gruen, “Political prosecutions in the 90s BC”, *Historia* 15 (1966) 32–64; Badian 1972 (n. 21), 89–101. In Nicolet’s opinion, the reason for Rutilius’ conviction is principally attributable to Marius’ personal influence, rather than to the influence of the *publicani*: Nicolet 1966 (n. 34), 543–549. Cf. Meier 1966 (n. 33), 77, 81–82. For full documentation and bibliography, see Alexander 1990 (n. 49), 37 ff.

<sup>51</sup> *Cic. prov.* 9–12, *Pis.* 41, 48, *ad Q. fr.* 2,12,2; *Cass. Dio* 39,55–63; *Joseph. AJ* 14,98–100 and 104. See E. Fantham, „The Trials of Gabinius in 54 B.C.“, *Historia* 24 (1975), 425–443; Broughton 1969 (n. 39), 121.

<sup>52</sup> *Cic. ad Q. fr.* 1,1,32–33, 1,2,6. Cf. *Cic. Att.* 5,13,1, 6,1,15–16, 6,2,5, *fam.* 13,9, 13,65. See also N. Rauh, “Cicero’s business friendships: economics and politics in the Late Roman Republic”, *Aevum* 60 (1986) 3–30; Badian 1972 (n. 21), 90–92. For a new analysis of the exploitation of the provinces, including considerations about the tax-farming system, see Tan 2017 (n. 12), 40–92. For the Roman business interests in Asia Minor, see B. Dignas, *The Economy of the Sacred in Hellenistic and Roman Asia Minor*, Oxford 2002, 110–120; I. Tsigarida, “Salt in Asia Minor. An outline of Roman authority interest in the resource”, in P. Erdkamp, K. Verboven, A. Zuiderhoek (eds.), *Ownership*

of the *publicani*, he might instead anger the provincials and face a trial for extortion in Rome. This happened to M. Fonteius, an ex-governor of Transalpine Gaul, who stood trial in 70 or 69 BCE and was defended by Cicero.<sup>53</sup> However, as the jury in this period consisted mainly of equestrians and M. Fonteius had sided with the *publicani*, he was most probably acquitted. Cicero repeatedly stresses the economic importance of the province.<sup>54</sup> There is no doubt that the jurisdiction of the mostly equestrian juries affected Roman provincial administration as it influenced how the governors acted in their provinces. A governor who challenged the *publicani* would anger the equestrians in Rome, but if he did nothing to protect the provincials from the *publicani*, the province might become restless and disloyal.<sup>55</sup>

It is important to note that there is also an explicit reference to equestrian wealth as a determinant in Roman politics – moreover, and most importantly, in a context where a foreign policy issue is deliberated publicly. We are, obviously, referring to the testimony of Cicero’s speech *Pro lege Manilia*, which is a document of prime importance for the present considerations.

In 66 BCE the tribune C. Manilius proposed a bill that would give Pompey an extraordinary command in the East in order to finally end the war against Mithridates VI Eupator of Pontus, a war that had dragged on since the late 90s. Called upon to urge the Roman people to accept the measure, in a speech marking his political debut, Cicero cited the large private fortunes in-

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*and Exploitation of Land and Natural Resources in the Roman World*, Oxford 2015, 277–288. For the power of the *publicani*, see Nicolet 1966 (n. 34), 353–355. As for the conflicts between the *publicani* and the provincials, see N. Ehrhardt, “Strategien römischer *Publicani* gegenüber griechischen Städten in der Zeit der Republik”, in N. Ehrhardt, L. Günther (Hrsgg.), *Widerstand – Anpassung – Integration. Die griechische Staatenwelt und Rom*, Stuttgart 2002, 135–154.

<sup>53</sup> For the date, see A. R. Dyck, *Marcus Tullius Cicero. Speeches on Behalf of Marcus Fonteius and Marcus Aemilius Scaurus*, Oxford 2012, 13–14.

<sup>54</sup> Cic. *Font.* 11–13, 32, 46; Sall. *hist.* 3.46. See also D. H. Berry, “Equester ordo tuus est. Did Cicero win his cases because of his support for the *equites*?”, *CQ* 53 (2003) 222–234. For Fonteius, see *ibid.* 229.

<sup>55</sup> The specific situation in a province probably also affected how its governor was chosen. Berry cites Cilicia (governed by Cicero) and Syria (governed by M. Calpurnius Bibulus) as examples of provinces where measured appointments had been made, see Berry 2003 (n. 55) 226–228. On the people’s role in appointing the governors, see S. Day, “The people’s rôle in allocating provincial commands in the Middle Republic”, *JRS* 107 (2017) 1–26.

vested in the East that were in urgent need of protection. In this speech we get a rare glimpse, in a Roman context, of a political agent having been approached by a well-defined interest group. Cicero informs his audience that the *equites Romani*, who are concerned for the great sums they have invested in the collecting of the *vectigalia*, everyday receive letters (and clearly alarming ones) from Asia. He also states that these *honestissimi viri*, on account of his own close connection with the equestrian order, have represented to him the position of the public interests (*causa rei publicae*) and the danger of their private fortunes (*pericula rerum suarum*).<sup>56</sup> According to Morstein-Marx, Cicero's arguments mark a turning point in Rome's conception of her eastern empire – for the first time we are able to see clearly economic motives at work in foreign policy calculations. Already C. Gracchus had recommended to the Senate to exploit the revenues from Asia to serve their own interests and to manage the government, but this idea did not fully mature before Cicero's *suasio* of the Manilian bill.<sup>57</sup>

The proposed measure was vehemently opposed by the Senate, which strongly objected to having extraordinary powers concentrated in the hands of one man. This was also the reason it had opposed the Gabinian bill the previous year, the one that had given Pompey an extraordinary command against the Cilician pirates. The command now proposed by Manilius provided for unlimited resources, no restriction of time and place, and also the power to declare war and make peace at his own discretion. At this point the senatorial aristocracy had more reasons than ever to be wary of the ambitions and increasing power of Pompey, whose popularity with the people was at its peak after his successful campaign against the pirates. Moreover, the command in question would comprise the provinces of Asia, Cilicia and Bithynia, which at that point were governed by L. Licinius Lucullus, Q. Marcius Rex and M'. Acilius Glabrio. The conduct of the war had been nominally entrusted to Glabrio,<sup>58</sup> but in practice it was Lucullus who was in charge of the operations. The Manilian bill thus pro-

<sup>56</sup> Cic. *Manil.* 4: *Equitibus Romanis, honestissimis viris, adferuntur ex Asia cotidie litterae, quorum magnae res aguntur in vestries vectigalibus exercendis occupatae; qui ad me pro necessitudine, quae mihi est cum ille ordine, causam rei publicae periculaque rerum suarum detulerunt.* These revenues, *vectigalia*, are constantly stressed also at 5, 6, 14–19 and 45.

<sup>57</sup> Morstein Kallet-Marx 1995 (n. 2), 322–323. Gell. 11, 10, 3: *qui apud vos verba facio, uti vectigalia vestra augeatis, quo facilius vestra commoda et rempublicam administrare possitis.*

<sup>58</sup> R. S. Williams, "The appointment of Glabrio (*cos.* 67) to the eastern command", *Phoenix* 38 (1984) 221–234.

vided for the replacement of this aristocrat and leading senator with the hero of the people. Despite the opposition of the Senate, it was the equestrian agenda that prevailed when the popular assembly proceeded to the vote. The *lex Manilia* was approved and Pompey was sent to the East with unprecedented powers.<sup>59</sup>

What is particularly interesting to note, is the impact Lucullus' interferences had had on the business activities of the equestrians, and what an immense change Pompey's command brought with it. Lucullus had angered the equestrian order in a way very much reminiscent of what Rutilius and Mucius Scaevola had done almost three decades earlier. It has long been recognized that the chief reason for the *equites* to take action was not, as Cicero would have his audience believe, a general concern for the war itself and the insecurities bellicose conditions normally creates for business activities, but a strong aversion and fear of Lucullus' actions. As governor of Asia he had drawn up a plan that allowed the cities of the province to pay off their debts to Roman creditors at moderate rates. This intervention in the lucrative loan-market put him on a collision course with the *equites*, who were the real instigators of the Manilian bill.<sup>60</sup>

As for Pompey's actions in the East, he gloriously defeated Mithridates and went on to subdue immense territories for Rome in one of the largest campaigns of conquest the Romans had ever seen.<sup>61</sup> The result was, as Badian noted,

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<sup>59</sup> Plut. *Luc.* 20,5 and 24,3, *Pomp.* 25,3–4; Cass. Dio 36,2; Sall. *hist.* 5,13 = Cass. Dio 36,14,4. For Cicero's close association with the equestrian order, see Berry 2003 (n. 55). For the senatorial opposition, see T. Rising, "Senatorial opposition to Pompey's eastern settlement. A storm in a teacup?", *Historia* 62 (2013) 196–221.

<sup>60</sup> For Lucullus' measures, see Plut. *Luc.* 20. As for the rapacious Asian *publicani*, see *ibid.* 7,5. There is a very good analysis of how Lucullus, on account of his actions by which he alienated the *publicani*, triggered the political process that gradually deprived him of his multi-provincial command in F. J. Vervaeke, "Reducing senatorial control over provincial commanders. A forgotten Gabinian law of 67 BCE", in T. Kaizer, O. Hekster (eds.), *Frontiers in the Roman World. Proceedings of the Ninth Workshop of the International Network Impact of Empire, Durham, 16–19 April 2009*, Leiden – Boston 2011, 265–290 (268–273, a section dedicated to the political background, the war against Mithridates from 74 to 67).

<sup>61</sup> Pompey returned to Italy in 62 BCE, but did not enter Rome until late September of the following year celebrating a splendid triumph, for which there is a vivid description in Plutarch (*Pomp.* 14–15). The tablets carried in the procession, detailing his victories, declared that he had taken no less than one thousand fortresses, almost nine hundred towns, and that he had founded thirty-nine cities and, moreover, that he had raised the revenue of the Roman people from fifty to eighty-five millions; and that he had brought into the public treasury ready money, gold and silver plate and



“the greatest increase in the opportunities offered to the *publicani* since Gracchus’ reorganization of Asia”.<sup>62</sup> It would be interesting to know to what extent the particular arrangements were part of an original deal between equestrian leaders (perhaps individuals active within the *societates publicanorum*) and Pompey.<sup>63</sup>

The Manilian law is often cited as an exceptional measure, illustrative of how the Senate’s grip on power was loosening in the last decades of the Republic – or as an example of how the Senate *was not always in control* of the political process.<sup>64</sup> However, it is easy to realize that the exceptionality of the law may well be illusory. We just happen to possess an exceptionally rich historical documentation of the particulars of the politics of the Ciceronian period, not least thanks to Cicero’s own speeches and letters. And yet, as a matter of fact, we do have evidence from the pre-Ciceronian period for other instances of tribunician agendas prevailing over senatorial schemes in contexts of foreign policy making. For instance, in 107 BCE, the tribune T. Manlius Mancinus passed a plebiscite, which, annulling a formal decree of the Senate (as Sallust reports *expressis verbis*), transferred the Numidian command from the proconsul Q. Metellus Numidicus to the newly elected consul C. Marius.<sup>65</sup> We also note the statute *Lex de provinciis praetoriis* (RS 12) of 100 BCE, which, dealing with the menace of piracy in the Eastern Mediterranean (which, obviously, affected business activities in that part of the world adversely), has been convincingly identified as a piece of *popularis* legislation by Jean-Louis Ferrary.<sup>66</sup> It is likely that many other equestrian schemes were successful in the shaping of Roman foreign policies.

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ornaments to the value of twenty thousand talents.

<sup>62</sup> Badian 1972 (n. 21), 99; Kay 2014 (n. 13), 59–84.

<sup>63</sup> Brunt opposes this connection, see Brunt 1969 (n. 38), 98.

<sup>64</sup> T. Frank, “The background of the *lex Manilia*”, *CPh* 9 (1914) 191–193.

<sup>65</sup> Sall. *Iug.* 73,7: *populus a tribuno plebis T. Manlio Mancino rogatus quem vellet cum Iugurtha bellum gerere, frequens Marium iussit. Sed paulo ante senatus Metello Numidiam decreverat; ea res frustra fuit.*

<sup>66</sup> J.-L. Ferrary, “Recherches sur la législation de Saturninus et de Glaucia”, *MEFRA* 89.1 (1977) 619–660. For an extensive bibliography for the research on this epigraphically preserved law, which contains a Greek translation of the original law text, see *RS I*, 231–233. See also C. Geelhaar, “Some remarks on the *lex de provinciis praetoriis*”, *RIDA* 49 (2002) 109–117.

The common view that foreign policy was a senatorial prerogative is not very accurate – and certainly not from a purely technical point of view. Of course, scholars are aware that it was the people alone who possessed the right of declaring war, of making peace and of approving treaties with foreign polities, but it is generally thought that the formal popular approval of senatorial policies was a mere technicality. True, this was certainly the case when the citizenry was convoked *centuriatim*. We can be fully confident that the decisions of the centuriate assembly, always meeting under the presidency of a magistrate *cum imperio* (consul, praetor, or dictator), had the support of the Senate. Moreover, it was the upper echelons of society that decided the outcome of the votes in this assembly.<sup>67</sup> However, it must be stressed that also the tribal assembly, which in the pre-Sullan Republic always and exclusively met under tribunician presidency,<sup>68</sup> frequently voted on issues concerning the conduct of military affairs. The record of matters voted by the tribes does not confine itself to decisions on military commands (including prorogations and abrogations), but also includes declarations of war.<sup>69</sup> Moreover, we have seen that the passage of the *lex Manilia* is no isolated case when it comes to popular intervention in Roman actions overseas.

It is quite clear that the particular modalities for establishing Roman presence or dominion in new areas always determined and conditioned the specific prospects available for the upper echelons of Roman society, in terms of actions

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<sup>67</sup> The richest, who constituted but a small fraction of the entire citizenry, controlled a majority of voting units (*centuriae*) in the *comitia centuriata*. For further details and full discussion, see Sandberg 2001 (n. 7), 124–125.

<sup>68</sup> It was only after Sulla's reforms that the tribes also met under the presidency of consuls and praetors, see K. Sandberg, "Sulla's reform of the legislative process", M. T. Schettino, G. Zecchini (a cura di), *L'età di Silla. Atti del Convegno presso l'Istituto Italiano per la Storia Antica. Roma 23–24 marzo 2017* (Monografie del Centro Ricerche di Documentazione sull'Antichità Classica 46), Roma 2018, 167–190.

<sup>69</sup> Liv. 6,21,5 (383 BCE): *omnes tribus bellum iusserunt* (scil. *Veliternis*). This passage used to be regarded with suspicion (see e.g. G. Rotondi, *Leges publicae populi Romani*, Milano 1912 (repr. Hildesheim 1990), 216), but according to several recent interpretations of the evidence the declaration of war belonged to the normal business of the tribes: L. Fascione, "Bellum indicere e tribù (509–357 a.C.)", in F. Serra (a cura di), *Legge e società nella repubblica romana I*, Napoli 1981, 225–254; U. Paananen, "Legislation in the *comitia centuriata*", in J. Vaahtra (ed.), *Senatus populusque Romanus. Studies in Roman Republican Legislation* (Acta Instituti Romani Finlandiae 13), Helsinki 1993, 71; Sandberg 2001 (n. 7), 137–141.

and profits. The warfare itself entailed certain specific opportunities. Senatorial managers of the Roman realm – that is, the magistrates and promagistrates in charge of the military operations – were able to increase their wealth by looting whereas the supplying and equipping of the armies procured profits for contractors of the equestrian order. With the advent of peaceful conditions the specific arrangements in the new additions to the Roman power sphere, whether formal provinces or merely new constituent parts of the expanding Roman-dominated international environment, provided new opportunities. There can be little doubt that senators, public contractors and businessmen frequently must have been divided as to what general policies should be adopted, or courses of action (or inaction) taken, in response to particular situations.

## Conclusions

In this paper it has been contended that the study of the shaping of Roman foreign policies should pay more attention to the socio-economic contexts of the political process. The conventional narrow focus on the Senate and the senatorial aristocracy is at odds with the explicit testimony of Polybius emphasizing the formal interplay and the interdependence between the various political institutions. The implications of the fact that senatorial schemes occasionally failed due to formal popular opposition have not been fully recognized by scholars. According to modern doctrine, Rome was an aristocratic regime in which the popular assemblies, though nominally omnipotent, were mere pawns in the political game which only concerned the members of the *nobilitas*, who pursued their corporate interests through the Senate. Whereas it is certainly true that the centuriate assembly was controlled by the political elite, it need be recognized that the tribal assembly, meeting under tribunician presidency, was capable of independent action with regard to any matter.

Though the popular element in the “mixed constitution”, as perceived by Polybius, and the existence of a true political process are prominent features in recent alternative interpretations of Roman political life, the Roman expansion is still mostly seen as the outcome of imperialistic endeavors attributable to a more or less monolithic senatorial aristocracy for which *gloria militaris*, loot and slave labor (for the growing *latifundia*) were essential commodities. Moreo-

ver, it has also been customary to identify specifically *Roman interests* at work in the developments which gradually extended Roman hegemony and formal Roman rule, and to equate these interests with those of the senatorial aristocracy. The very notion that commercial interests may have influenced Roman foreign policies have been styled as problematic, on the ground that most senators were landowners and not merchants, and that their interests were primarily landed ones.

In this paper it has been argued that the mere concept of *Roman interests*, in the context of the imperial expansion of the last centuries of the Republic, is problematic. The normal presence of different and conflicting interests within Roman society is an important, yet largely overlooked, characteristic of Roman politics. Such kind of political situation, which is taken for granted by Polybius, clearly also affected the process of the shaping of the foreign policies. The business interests of the *negotiatores* and the *publicani* and, from the Gracchan period onward, of a formal *ordo equester*, were major forces conditioning Roman overseas policies.

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