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INDEX

NEW MEN AND THE GREEK WAR BOOTY IN THE 2ND CENTURY BC

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The first time the Romans had come into conflict with the Greek world was during the war they waged against Tarentum and Pyrrhus. After this war in 272 a treaty was concluded between the Romans and the Tarentines which was still quite favourable towards the latter. It was not before the Second Punic War that the Roman attitude to the conquered Greek cities changed: in 211 M. Claudius Marcellus let his soldiers plunder Syracuse after a long siege,[1] and two years later the soldiers under the command of Q. Fabius Maximus plundered Tarentum causing such damage that the city never really recovered.[2] The first half of the second century BC signified the high tide of the wars the Romans waged on actual Greek soil.

The first time the Romans came into contact with the Greek seas was in 211, when M. Valerius Laevinus commanded their fleet of 25 ships.[3] He still seems to have been a real sailor whose career included several other remarkable achievements: In 214 he commanded a fleet against Philip V along the Illyrian coast.[4] As consul in 210 he conquered Agrigentum, thus completing Marcellus' conquest of Sicily.[5] In 208 he beat a Punic fleet[6] and in 205 he brought Magna Mater from Phrygian Pessinus to Rome.[7] On his authority an agreement was reached in 211

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1 Liv. 25,31,5—10. 31,31,8.
2 Liv. 27,16,7—9. Plut.Fab. 22,3—6.
3 Liv. 26,24,1. 10.
4 Liv. 24,40,5—17.
5 Liv. 26,40,7—13.
6 Liv. 27,29,7—8.
7 Liv. 29,11,3—8.

with the Aetolians according to which the Aetolians got the conquered lands while all the movable property including the cattle was taken by the Romans.[8]

The next war, the s.c. Second Macedonian War, took place in 200—197. We know that immediately after its outbreak the consul T. Quinctius Flamininus plundered Eretria in Euboea taking as booty, among other things, statues and "pictures of antique craftmanship".[9] It seems that Roman taste still particularly appreciated works of art of the classical period more than those of the then "modern art", that is, of Hellenistic period.

The booty from the Eastern Wars simply flooded Rome during the first decades of the second century and from there it spread to the rest of Italy, and even to the provinces.[10] This war booty consisted primarily of precious metals, works of art, money and prisoners, who where sold into slavery either immediately on the spot or were transported to more important slave markets such as the free port of Delos since 166.

Under these circumstances Greek influence caused by the war booty was by no means limited to concrete things, because new ideas brought by the cultivated Greek slaves also had an immediate effect. The supporters of the old Roman spirit — *mos maiorum* and *virtus* — under the leadership of M. Porcius Cato objected strongly to the new course.

An average citizen could profit from the booty in connection with the triumphs when banquets, games and shows were organized. Otherwise, he could always admire the works of art that were put on view in public buildings. It is true that the capital tax of Roman citizens, *tributum*, was abolished in 167, at least in part as a result of the abundant booty of the Third Macedonian War.[11] Yet, the upper classes benefitted from the war booty much more than the others and in many different ways.

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8 Liv. 26,24,11. C. Nicolet, Il mestiere di cittadino nell'antica Roma, Roma 1980, 149.

9 Liv. 32,16,17.

10 See e.g. the numerous tituli Mummiani CIL I² 629 (Parma), CIL I² 628 (Nursia), CIL I² 631 (Cures), CIL I² 627 (Trebula Mutuesca), E. Bizzarri, Epigraphica 35, Milano 1973, 140—141 (Fregellae), R. S. Conway, The Italic Dialects, Cambridge 1897, 80 (Pompeii), CIL I² 630 (Italica).

11 M. Crawford, Rome and the Greek World: Economic Relationships, EcHR 30 (1977) 43—44.

It was the right of the general to take a share of the booty, *manubiae*, the size of which was not defined and in principle he could use and treat the booty freely. There were no legal restrictions and attempts to impose them always failed.[12]

The habit of selling the booty after the plunder was very old, attested as early as in 480's, when Cn. Manlius was fighting against Veii.[13] Converted into money the booty was in fact easier to distribute and to transport. According to Ricci less important things were transported to Rome to be sold there by auction after the triumph.[14] It is doubtful whether this claim is justified as distances grew longer. It was too expensive to ship unsorted things to the capital.

Selling the booty near the battle field implied of course the presence of merchants. The objects could be clumsy and the merchants had to be prepared to carry them away. On the other hand, they hardly ever arrived with empty hands as they brought goods to be sold to the soldiers.[15]

The merchants were by no means the only civilians who followed the armies. Other camp followers were servants (*caulones*), prostitutes and unofficial family members and there were contacts also with less organized salesmen.[16] The generals sometimes tried to get rid of extra crowd since their presence had a damaging effect on discipline.[17]

There were no clear differences between soldiers and merchants, as

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12 I. Shatzman, The Roman General's Authority over Booty, Historia 21 (1972) 177, 180—183. E. Badian, Publicans and Sinners. Private Enterprise in the Service of the Roman Republic, Dunedin 1972, 30. *Praeda* according to Cicero signifies the money got from selling the booty, Cic. prov. cons. 28. de off. 2,76. (Shatzman 181,186).

13 Dion.Hal. 9,12,1. RE 14, Cn. Manlius n:o 19, 1157. F. Cassola, I gruppi politici romani nel III secolo a.C., Trieste 1962, 74: booty was sold on the spot "fin da epoca remota".

14 G. Ricci, Relazioni artistico-commerciali tra Roma e la Grecia negli ultimi secoli della repubblica e nel primo dell'Impero, Antichità 2 (1950) 35.

15 Cassola 61,74. H. Hill, The Roman Middle Class in the Republican Period, Oxford 1952, 49. E. Gabba, Riflessioni antiche e moderne sulle attività commerciali a Roma nei secoli II e I a.C., MAAR 36 (1979) 94.

16 Eg. Liv. 38,41,3. Nicolet 154.

17 Cf. also the younger Scipio in Spain in 134, App.Iber. 6,84—85 and Metellus in Numidia in 111, Sall. Iug. 44.

it happened that retired(?) soldiers continued their activities as traders.[18] Plundering and merchandising were connected activities which were separated from each other rather late.[19] The merchants very often followed, sometimes even preceded, the army. We know for instance that Caesar still used traders to collect information.[20] This fact seems to signify that as late as in the first century BC trade was not completely organized.

According to Cassola the first signs of the treaties between the state and the publicans, *negotiatores*, date back to 215 BC when three societies of altogether 19 members took over the task of providing for the army in Spain on very special conditions: the state had to answer for damages caused by storm or enemies.[21]

Badian for his part claims that these treaties of supplying the army were an old institution which was mentioned for the first time in 215 because of the exceptional economic stringencies.[22] In any case, it is clear that the publicans were already in 190's organized, in some fashion.

In the same time Cato is reported to have sent the contractors, *redemptores*, from Spain back to Italy, because the threshing-floors of the enemy were full of grain so that he uttered the famous words *bellum se ipsum alet.*[23] Badian regards this uttering merely as a sign of the fact that Cato wanted to change an old and established custom.[24] On his own part, Cato did not have anything against more intimate relations with the commercial world: he formed a society of 50 members assuming 1/50 of the responsability for himself. Thus he could minimize the risk in case of shipwreck. In this affair Cato was represented, for legal purposes, by his freedman Quinctio.[25]

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18 Liv. 33,29,4.

19 Nicolet 155.

20 Caes. Gall. 4,2. 4,20. G. Rickman, The Corn Supply of Ancient Rome, Oxford 1980, 13. Hill 49.

21 Liv. 23,49,1—3. Cassola 71.

22 Badian 16,21. Cassola 61,74. About the commercial organizations of the Republic in general see also J. Andreau, Styles de vie et finances privées à la fin de la République, QuadStor 16 (1982) 299—302.

23 Liv. 34,9,12.

24 Badian 28.

25 Plut. Cat.Mai. 21,6. Gabba 92—94. T. P. Wiseman, New Men in the Roman Senate 139 BC—AD 14, Oxford 1971, 77—78.

One sign of the exceptional social atmosphere of the second century BC was that only very few new families succeeded in obtaining the consulship while in the previous century the situation had been almost opposite. During the first 60 years of the second century there were only M. Porcius Cato, M' Acilius Glabrio, Cn. Octavius and L. Mummius,[26] the three last of whom triumphed for the victories gained in Greek wars.

It was particularly important for the new men to assure the favourable continuation of their career as well as the future success of their families in political life. The astute use of the war booty was of great importance in this connexion: it could be used for one's own economic advantage or to gain new political supporters.

Between the victory and the triumph, that is the exhibition *par excellence* of the war booty, there was, however, an important stage: that of the gathering of the booty and its transport to the capital. The actual transport in these cases had to be seaborne, as the wars took place across the Adriatic. Yet, the battles were not always fought near the coast and suitable harbours, and it was necessary to transport the booty overland, which was both timeconsuming and expensive.

It has been calculated that a pair of oxen travelled at the speed of 3 km/h with the maximum load of 500 kg.[27] The mules and donkeys could at their best reach the speed of 5—6 km/h and were able to carry about 120 kg divided into two baskets.[28] Our only source on transport costs is the edict of Diocletian, according to which it was cheaper to ship grain from one end of the empire to the other than to transport it overland for 100 km.[29] Even the many risks involved in sea transport did not diminish its capability of competing.

In general, the Romans have never been considered eager mariners or shipowners, but during the Spanish wars they noticed that beating an

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26 For the use of the term *homo novus* see Wiseman 1, 3 n.2. J. Suolahti, The Roman Censors. A Study on Social Structure, Helsinki 1963, 401. P. A. Brunt, Social Conflicts in the Roman Republic, London 1978, 67—68.

27 A. M. Burford, Heavy Transport in Classical Antiquity, EcHR 13 (1960) 9—10.

28 Rickman 13—14. J. G. Landels, Engineering in the Ancient World, London 1978, 172.

29 Edict. imp. Diocl. 17,37. M. I. Finley, The Ancient Economy, London 1973, 126. Rickman 14. L. Casson, JRS 55 (1965) 31.

overseas enemy presupposed self-sufficient activity at sea. As late as at the beginning of the Second Punic War the Romans had, to a great extent, exploited the vessels of their allies, but at the end of the war in 201, they had at their disposal as many as 280 warships of their own. This number was never surpassed and that war was in fact the highest point of the Roman fleet.[30] During the second century Rome had as her allies such famous seafaring states as Rhodus and Pergamum and she did not see any reason to build new ships of her own. Furthermore, the Roman warships bound for the waters of Asia Minor had, among other things, to be laden with abundant supplies which made them heavy and clumsy, while the ships of the allies and the enemies who sailed near their home harbours were only lightly burdened and thus easy to move.[31] A good example of a fleet sailing far from home is Scipio's departure for Carthage in 204: the ships were loaded with rations and water for as many as 45 days.[32]

In general, we have quite accurate information on the numbers of naval ships, while the transport ships are hardly ever mentioned. According to J. H. Thiel the importance of the transport ships was always to be reckoned with, even if it was often not manifest, and it was quite natural that the mercantile ships could be used for military purposes, whenever needed.[33]

The standard Roman transport ship, *navis oneraria*, reached its glory only in Imperial times, which means that in the Republican period the differences between various ships were not so clear as later. On the other hand it seems that cargo carrier of Late Empire had been fully developed already in the Eastern Hellenistic kingdoms so that it would, in a way, have been inherited by the Romans during the Eastern Wars.[34]

It is the purpose of this paper to study the methods of dealing with the booty in Greece and its transport to Rome in the second century BC

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30 J. H. Thiel, Studies on the History of Roman Sea-Power in Republican Times, Amsterdam 1946, 201.

31 Liv. 36,43,6—7. 36,45,3. Thiel 296.

32 Liv. 29,25,6. 9. A. Köster, Das antike Seewesen, Berlin 1923, 127—128.

33 E.g. Liv. 34,50,10—11. Thiel 29, H. D. Viereck, Die römische Flotte, classis romana, Herford 1975, 136. Cf. also Chr. Ericsson, Senantikens lastdragare i ljuset av nytt forskningsmaterial, Unda Maris (1971—1972) 37—38.

34 Ricci 46, Ericsson 42. J. Hausen, Schiffbau in der Antike, Herford 1979, 176 (about loading the ships).

in the light of three exemples, M' Acilius Glabrio, Cn. Octavius and L. Mummius or, in other words, to examine how persons originating from very similar social and political environments dealt with transporting their war booty from Greece to Rome in the 190's, in the 160's and in the 140's.

M' Acilius Glabrio

When the consul M' Acilius Glabrio left in 191 for war to take over the expedition against Antiochus III and the Aetolians allied with him, the fleet, which was in action after the Second Punic War, was still in good shape. Most likely the Romans did not build any new warships in the second century, instead they operated with their by then aging ships.[35]

The consul sailed from Brundisium to Greece on May 15th according to the calendar of the time, which in reality corresponded to January.[36] It is not quite certain exactly where the consul landed with his army; according to De Sanctis it happened in Illyria, while Viereck claims that the landing took place in Epirus.[37] In any case, the first target of his expedition was Limnaeum near Pellinaeum in Thessaly.[38]

In those days it was normal that seafaring ceased almost totally during the winter months. According to Vegetius the seas were "closed" for four months (11.11—10.3) and moreover, they were dangerous in autumn and spring.[39] Thus the actual safe sailing period lasted only for about four months. Anyway, such a short distance could be crossed in winter also, if the weather was particularly favourable. The winter 192/1 may have been exceptionally mild.[40]

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35 Viereck 28.

36 Liv. 36,3,13—14. Since the chronology of the year was that much astray, the chronological reform, *lex Acilia*, might well result from this year. Macr. Sat. 1,13,21. A. K. Michels, The Calendar of the Roman Republic, Princeton 1967, 101—103. G. De Sanctis, Storia dei romani IV,1, Torino 1923, 155 n.85. J. Briscoe, A Commentary on Livy (books 34—37), Oxford 1981, 224.

37 De Sanctis 155, follows the version of Appianus, Syr. 11,17. Viereck 191.

38 Liv. 36,14,1.

39 Veg. 4,39. Cod.Theod. 13,9,3.

40 De Sanctis 155. For Limnaeum and other places mentioned in the text, see map on p. 144.

Roman warfare on the Balkan depended totally upon transmarine communications, not least because of the difficult terrain. Thus, during the Second Macedonian War, the Romans were highly dependent on their bases on the western coast of Greece. The headquarters of P. Sulpicius Galba was between Apollonia and Dyrrhachium,[41] while T. Quinctius Flamininus moved the destination of the fleet of transports first from Epirus southwards to Ambracia and further to Phocian Anticyra on the Gulf of Corinth.[42]

After landing Acilius seems to have moved quickly from one place to another. He even had to stay some days in Larissa in order to give a rest to the baggage-animals which had been exhausted by the voyage and then by the marches that followed.[43] In the course of Acilius' expedition the booty is mentioned for the first time in connexion with the conquest and plunder of Antiochus' camp.[44] According to Livy this happened immediately after the consul had beaten Antiochus' army with Cato's assistance, according to Appian booty was taken only after the consul had pursued the king as far as Scarphea.[45] Relying apparently upon Hellenistic sources (Timagenes of Alexandria?) Pompeius Trogus claimed, however, that the ineffectiveness of the Romans in pursuing the king was due to the fact that they were more interested in collecting booty than in capturing the king.[46] Appian relates that in Scarphea there was a fight in which prisoners — and probably also booty — were taken.

The chronological problem concerning the exact time of the pillage and the pursuing may be due to the discipline maintained among the soldiers during the plunder: Polybius explicitly stresses this.[47] If this account is correct, one part of the Roman army could have pursued the king, while the other part plundered his camp. Whenever the king's camp was robbed, abundant booty was taken: money, golden and silver bowls, of which

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41 Liv. 31,27,1. Thiel 206—207.

42 Liv. 32,14,7. 32,15,5—7. 32,18,4. Thiel 240.

43 Liv. 36,14,10. Cf. also Liv. 37,33,3. 38,40,4.

44 Liv. 36,19,3—7.

45 Liv. 36,21,7. Plut. Cat.Mai. 13—14. App.Syr. 11,19. N. W. Forde, Cato the Censor, Boston 1975, 142—144.

46 Pomp.Trog. 31,6,6.

47 Polyb. 10,16. See also Nicolet 150—151.

Acilius most likely did not give an account to the *aerarium*. For this reason Cato, after some time, made an attempt to sue him in Rome.[48]

When the consul thus had got rid of his principal enemy, he concentrated upon the Aetolians and after a siege let his men sack the city of Heraclea.[49] The sacking lasted from sunrise to noon, which may be interpreted as another piece of evidence for the good discipline of the army. After the sack Acilius in part sold, and in part granted the booty to his troops and was, according to Polybius, so engrossed in his task that he could not even receive an Aetolian embassy.[50] Also, after the conquest of Lamia the consul gave part of the booty to his men, selling the rest.[51]

All of the booty which Acilius took to Rome was easily transportable. This is known from Cato's testimony mentioned above, regarding money, golden and silver bowls and from the triumphal list in which 230 military standards, 3 000 pounds of silver bullions, 113 000 Attic tetradrachms, 249 000 *cistophori* are mentioned. The *cistophori* originated either from Antiochus' camp or from Greek and Asian merchants. Furthermore, the list cites engraved silver furniture and a splendid garment both belonging to the king and spoils of all kinds.[52] To this group the plundered statues of gods, mentioned in several sources, may have belonged.

According to Festus Acilius brought, as part of his booty, a group of three statues of gods, *di nixi*, which was placed in the Capitoline temple in front of the *cella* dedicated to Minerva.[53] As these statues were called *signa*, they were probably not particularly big and heavy. The consecration of *di nixi* on the Capitol, was perhaps a part of the vow the consul made before the departure for the Greek expedition.[54]

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48 Liv. 37,57,12—15. Shatzman, Booty, 191—192. Suolahti 340—341. Forde 160—162.

49 Liv. 36,24,6—8.

50 Polyb. 20,9,4. Liv. 36,30,1.

51 Liv. 37,5,3. According to Zon. 9,19 the consul took all the booty for himself. Shatzman shares this opinion, Booty, 241.

52 Liv. 37,46,3—4. See also the notes of G. Waurick, Kunstraub der Römer: Untersuchungen zu seinen Anfängen anhand der Inschriften, Jahrb. Röm-Germ. Zentralmuseums Mainz 22 (1977) 8 n.44.

53 Fest. 188.

54 Liv. 36.2,4. M. Pape, Griechische Kunstwerke aus Kriegsbeute und ihre öffentliche Aufstellung in Rom, Hamburg 1975, 10.

Another example comes from the colony of Luna in Liguria, founded in 177. At that time Acilius himself was allegedly dead, because already in 181 his homonymous son dedicated a temple to *Pietas* vowed by the father.[55] In the forum of the colony a base of limestone was discovered bearing the following inscription: M' ACILIUS C F/ COS/ SCARPEA CEPI.[56]

On top of the limestone there are foot prints of little less than natural size, which certainly means that the statue represented a standing figure. The inscription cannot be much later than 177 since the letter L is hooked (L ad uncino), which hardly ever appears after 180.[57] Other features such as the line-formed signs of punctuation, the open forms of C, P, R and S also point towards the same date. The editor of the inscription is not very helpful in dating the document as he states "della buona età repubblicana",[58] whatever that means.

Maybe there were, among the colonists of Luna, veterans of Acilius' army to whom he or his son had bestowed either a sculpture of the booty or a statue representing the consul.[59] Less clear is on the other hand why the colonists wanted to commemorate a minor event such as the taking of Scarphea. Degrassi and Pape who interpret the word *Scarpea* in the inscription as *ablativus separativus* obviously consider that the statue in question belongs to the booty taken in that town.[60]

As we have seen, the consul Acilius was neither prepared nor interested in transporting heavy and clumsy objects to Rome. Instead, he converted the booty into money and precious metals, at least to a great extent. Was Acilius more concerned, in this affair, with diminishing the labours of his troops or was he really completely indifferent to Greek art?

However, the legionaries had great difficulties in transporting the booty across the highest mountain of the region, Corax, on their way to Naupactus,

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55 Liv. 40,34,4. 6. This son did not excel in the political life, as he became *consul suffectus* only in 154, RE 1, n:o 36, 255—256.

56 R. U. Inglieri, "Elogium" di Manio Acilio Glabrione vincitore di Antioco il Grande alle Termopili, NS (1952) 20—21.

57 F. Coarelli, Un elmo con iscrizione latina arcaica al museo di Cremona, Mélanges Heurgon, Roma 1976, 160.

58 Inglieri 21.

59 Ibid. 25.

60 ILLRP I 321a. Pape 10—11.

for it is known that many animals from the baggage train plunged down headlong with their loads, and that the men were in distress. Moreover, according to Appian many soldiers fell over precipices and were torn to pieces with their arms and accoutrements.[61] It is to be remembered that a Roman soldier also had to carry poles for the camp.[62]

Could Acilius possibly have had yet further reasons to convert the booty into money? The hostilities were already moving with Antiochus towards Asia Minor and the commander of the fleet C. Livius Salinator had transferred his ships to the Eastern waters at an early stage, probably after consulting Eumenes II of Pergamum.[63] It is also possible that L. Cornelius Scipio influenced this decision; he served on Acilius' staff and would be the consul next year carrying the responsability of the warfare with his famous brother.[64]

Apparently Acilius was never in direct contact with his *praetor navalis*, so that he was not able to agree with him on strategy or how to employ the fleet in transports. In due course it became evident that the fleet was needed in the East to clear the way for the infantry and this is why all Roman ships sailed towards Asiatic waters in summer 191 immediately after the battle at Thermopylae.[65]

As the Roman warships abandoned the seas west of Greece also, the islanders together with the Aetolians started to pirate the Roman cargo ships. This activity lasted all the year. In the spring 190 the new *praetor navalis* L. Aemilius Regillus was ordered to leave 18 ships near Cephallenia in order to restore the pirates in order.[66] Seemingly, the fleet of transports sailed through the whole winter, weather permitting, carrying supplies for the army and bringing back the booty to Rome.

M' Acilius Glabrio was by now left practically alone in Greece for the Scipios had also taken his land forces.[67] This fact did not, however, prevent

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61 App.Syr. 11,21. Liv. 36,30,3—4.

62 Polyb. 18,18. Liv. 33,5,9.

63 Liv. 36,42,1—2. 36,43,12—13. Thiel 294—295.

64 Liv. 36,21,7—9. L. Cornelius Scipio was sent by the consul to Rome to inform the senate about the victory. J. P. V. D. Balsdon, L. Cornelius Scipio: A Salvage Operation, Historia 21 (1972) 225. Liv. 36,45,9. 37,1,9—10.

65 Liv. 36,42,4. 8. Thiel 280,292.

66 Liv. 37,2,1. 37,13,11—12. Cf. 37,14,2. Thiel 262,293,326,366.

67 Liv. 37,2,2.

his triumph[68] in Rome as happened some years later, in 185, when L. Manlius Acidinus was granted an ovation only for this reason.[69]

In need of a fleet of his own Acilius had to rely on companies of publicans or less organized groups of tradesmen in order to transport the booty first to the harbour, and from there across the sea to Italy.[70] It was therefore natural that the booty was converted into as handy a form as possible.

Acilius' attitude was also influenced by the fact that in his time there was not yet any real demand for Greek art, though Marcellus already had, in 211 after the sack of Syracuse, brought to Rome works of art, which were to familiarize at least the Roman intellectuals with Greek art.[71]

Acilius was a protégé of the Scipios[72] which may mean that he personally had quite a good knowledge of Greek culture. Besides, his *cursus honorum* shows that during his political life he held posts which implied experience of Greek religion and habits.[73]

Though Acilius triumphed over Antiochus and the Aetolians, in reality it was the Scipios who definitely defeated the king and M. Fulvius Nobilior the Aetolians. As a result of the continued war against Antiochus, the Scipios brought to Rome as their booty, among other things, 134 representations of conquered towns,[74] ivory tusks, silver and golden vessels, golden crowns, as well as money.[75] According to Pliny they also brought the first embossed silver vessels to the capital.[76] Another result of the expedition of the Scipios to Asia Minor was the arrival of the first Greek artists in Rome. The statues of gods they made in Rome must have been

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68 Liv. 37,46,1—2. 6.

69 Liv. 39,29,4—6. J. S. Richardson, The Triumph, the Praetors and the Senate in the Early Second Century BC, JRS 65 (1975) 61.

70 Burford 16—17. Landels 172—173.

71 Liv. 25,40,2. Plut. Marc. 21,1—2. Pape 6,81. See also R. Bianchi Bandinelli, Roma. L'arte romana nel centro del potere, Milano 1976, 36—37.

72 L. Pietilä-Castrén, Sulle origini degli *Acilii Glabriones*, OpuscIRF 1 (1981) 66.

73 Acilius was *decemvir sacris faciundis* in 200, Liv. 31,50,5. 31,49,5. F. Münzer, Römische Adelsparteien und Adelsfamilien, Stuttgart 1963, 91.

74 R. Bianchi Bandinelli, Roma. La fine dell'arte antica, Milano 1976, 65—66.

75 Liv. 37,59,3—5.

76 Plin. nat. 37,12.

of marble, because, as stated by Pliny, the old terracotta or wooden cult statues were not appreciated any more.[77]

Cn. Manlius Vulso also fought in Asia Minor in 189—187 and exhibited, for the first time in Rome, precious furniture, carpets and musical instruments in his triumph. As a consequence of this expedition (private) luxury is said to have come to Rome.[78]

M. Fulvius Nobilior fought again against the Aetolians in 189—187 and brought to the capital statues of bronze and marble as well as paintings; even the most famous terracotta statues, on the other hand, did not interest him any more. Greek artists also arrived with him in Rome.[79]

In the first phase of the conquest of Asia Minor temples only seem to have been plundered entirely or else temple offerings only were considered important enough to be shown in triumphal procession or mentioned in their descriptions.[80]

The Romans did not have anything against Greek works of art as long as they remained in public possession. It was the private luxury they objected to, and that is why the conservative circles introduced several luxury laws especially in the first half of the second century BC.[81]

Cn. Octavius

It was only in 171 that the Romans again got directly involved with fighting in the Aegean. In the meantime they had apparently neglected to build new warships and consequently the fleet consisted primarily of vessels which were at least 40 years old, although the recommended age on average was 25 years at the most. The time between the Second Punic

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77 Liv. 39,22,10. H. Jucker, Vom Verhältnis der Römer zur bildenden Kunst der Griechen, Frankfurt am Main 1950, 57. Plin. nat. 34,34.

78 Liv. 39,6,7—9. F. Coarelli, Architettura e arti figurative in Roma: 150—50 a.C., Hellenismus in Mittelitalien, Göttingen 1976, 24—25.

79 Liv. 38,9,13. Plin. nat. 35,66. Liv. 39,22,2. About the *artifices* see F. Coarelli, Polycles, StMisc 15 (1969—1970), 82 n.40.

80 Bianchi Bandinelli, L'arte romana, 38.

81 G. Clemente, Modelli etici, diritto e transformazioni sociali, Società romana e produzione schiavistica 3, Bari 1981, e.g. 9, 14.

War and the Third Macedonian War forms the transition to an almost fleetless period which lasted a century.[82]

The commander in the Third Macedonian War in its last phase was L. Aemilius Paullus with Cn. Octavius as his naval praetor.[83] He had at his disposition 44 quinqueremes, an undefined number of lighter vessels (triremes?) and undecked vessels (*naves apertae*). There were of course also the ships of the allies, *socii navales*, such as Eumenes of Pergamum, and at least initially some ships from Bithynia and Rhodus.[84]

The war was considered so important that even the military tribunes had to have held previous office;[85] the praetor himself, however, was quite without naval experience.[86] Nor was the fleet in much better shape: the men were unexperienced, in the winter 169—168 a part of the *socii navales* had died of diseases and most of the Sicilians had gone home. The men who were still present had not received their pay and did not have winter clothes.[87]

Despite all this great results were expected of the future activity of the fleet. With its help the army hoped to be able to avoid battles in the Macedonian passes during the worst summer-heat. The year before, the soldiers had in fact been compelled to roll themselves down the mountain slopes, complete with arms and packs.[88]

It is very seldom, however, that literary sources give any information on the activity of the fleet. It is mentioned once at a planned stratagem[89] and at the decisive battle of Pydna, when the fleet was ordered to slaughter the enemies who had fled swimming into the water and were begging for their lives.[90]

After all, Octavius was granted a naval triumph on the pretext that he had captured the fleeing king Perseus, though this had happened without

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82 Thiel 202, 267, 374, 414. Viereck 28.

83 Liv. 44,17,10. 44,21,3. 11.

84 Liv. 42,45,7. 44,10,12. Polyb. 27,3. Thiel 376—380.

85 Liv. 44,21,2.

86 *Cn. Octavius classem ... est sortitus*, Liv. 44,17,10.

87 Liv. 44,20,6. Thiel 399. W. V. Harris, On War and Greed in the 2nd Century BC, AHR 76 (1971) 1384.

88 Liv. 44,32,5—6. 44,36,10. 44,5,8.

89 Liv. 44,35,8—13. Cf. also Zon. 9,23.

90 Liv. 44,42,4—6. Thiel 410.

a fight.[91] Also, the Macedonian fleet was taken without a blow. The flagship of the enemy was no less than 120 years old. Nevertheless, it was transported to Rome and appeared in Paullus' triumph.[92] Compared with this even the Roman 40 year old ships were mere cadets.

The battle of Pydna took place in June 168, but both the consul and the naval praetor remained over the winter in Greece. The fleet evidently spent the winter in Demetrias in the Bay of Magnesia, not so far from Amphipolis and Pydna.[93] During the winter the booty was probably collected at one place and in the beginning of the naval season it was transported to Rome. Before this happened the booty in its entirety was displayed at Amphipolis, where also games were organized.[94] It is Shatzman's opinion that the games were financed by selling one part of the booty.[95] Consequently, the display also served to determine which objects had the required show value and which could be sold on the spot instead.

As recorded on the triumphal lists and from various other pieces of evidence, it appears that the magnificent booty of Aemilius Paullus consisted of shields and arms of various sorts, 120 millions of sesterces, (according to Velleius Paterculus 200 millions of sesterces),[96] 500 wagons loaded with statues of gods and men, dedicatory plaques, ivory tusks, immense quantity of objects of precious metals and textiles.[97] It is for the first time that also precious textiles are mentioned on the triumphal lists. This happened already at Amphipolis while the war booty was displayed and once again in the descriptions of Paullus' triumph. The textiles came at least in part from Perseus' court, in part without doubt from Meliboea, famous for her purple fabrics, which had been sacked by Octavius.[98] It is a well known fact that Paullus brought to Rome also the library

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91 Liv. 45,6,7—12. Plut. Aem.Paul. 26,2—4.

92 Liv. 45,35,3. 45,42,12. Polyb. 36,5,9. Plut. Aem.Paul. 30,1. Thiel 251 n.263. L. Casson, Ships and Seamanship in the Ancient World, Princeton 1971, 119—120.

93 Liv. 45,28,6. 8.

94 Liv. 45,32,8—10. The display of the booty seems to have been an old custom, see also C. Claudius Cento in 200 in Euboea, Liv. 31,23,8. At this phase it was still possible to make inventory of the booty.

95 Shatzman, Booty, 204. See also Liv. 36,36,1—3. Val.Max. 2,7,13.

96 Liv. 45,40,1. Vell. 1,9,6.

97 Liv. 45,35,3. Diod.Sic. 31,8,9—13.

98 Liv. 44,46,3. RE 15, Meliboea, 511.

of the king.[99] It was not, however, shown in the procession, as it belonged to his personal share of the booty (*manubiae*) and was reserved for the use of his sons.

All the enormous booty had been handed over to Cn. Octavius and his fleet for transport to Rome.[100] It is doubtful whether he was capable of transporting all in his 44 quinqueremes and smaller ships or whether he was authorized to turn to merchants in order to enter into transport contracts. At the beginning of the same war the praetor C. Lucretius Gallus employed not only his own quinqueremes, but also commercial cargo ships for his transports.[101]

When Octavius left Amphipolis he had to sail round the Peloponnesus, as he certainly was not able to cross the Diolcus at the Isthmus of Corinth because of the ships being so heavy.[102] It was perhaps just this dangerous voyage Aemilius Paullus alluded to in his triumphal speech, which is of course literally a piece of Livian fiction, but might somehow be true to fact, that he had been afraid of the dangers of the sea during the transport of all the royal treasure to Italy and the crossing of the victorious army.[103]

After the departure of the fleet, those cities of Epirus which had gone over to king Perseus were plundered. The sack took place under total control of the officers, simultaneously in different cities after a signal was given.[104] This time all the gold and silver was collected for the state treasure, while the rest of the booty was sold and certain sums were paid out to the soldiers. Again it is apparent that the less precious booty was sold just because the fleet had already left for Rome.

Presumably using Paullus' triumphal speech as his source Richardson has come to claim that Octavius' ships still had an important role in transporting the army from Oricus to Italy.[105] A passus in Livy, however, shows that it more likely was the praetor L. Anicius Gallus, who had been

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99 Plut. Aem.Paul. 28,6.
100 Liv. 45,33,1. 7. Pape 35.
101 Liv. 42,48,10. Thiel 375—376, 388.
102 Burford 11.
103 Liv. 45,41,7.
104 Liv. 45,34,4.
105 Richardson 56.

fighting in Illyria, and his fleet that took care of the operation.[106] Anicius' expedition was probably only an extension of Aemilius Paullus' war against king Perseus.

The senate decided to grant all the three commanders a triumph,[107] but when the *concilium plebis* had to pass this resolution, it met with opposition on the part of the soldiers present at the meeting who were not at all satisfied with the share of the booty Paullus had assigned to them.[108] Indeed he gave only 100 denarii to every soldier, 200 denarii to each centurion and 300 denarii to every eques.[109] It is, however, worth noting that he had already given, after the sack of the towns of Epirus, 400 denarii to each eques and 200 to each footsoldier.[110] Considering the immensity of the booty these sums are actually not very impressing, although they surpassed the average on similar occasions.

Cn. Octavius held his naval triumph without any spoils or prisoners soon after the consul had celebrated his magnificent feast which lasted no less than three days. Octavius gave 75 denarii to each of the seamen, 150 denarii to the pilots of the ships and 300 denarii to the captains.[111] Of course Octavius' men were less numerous than those of Paullus, but still the sums are noteworthy if compared with the sums distributed by the consul. The praetor Anicius, instead, was able to give only 45, 90 and 150 denarii.[112] These facts seem to signify that Octavius had a special relationship with Paullus, affected perhaps by mutual friendship with the Scipios.[113]

As a *homo novus* it was very important to Octavius to be granted a

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106 Liv. 45,34,8—9.

107 Liv. 45,35,5. K. Hopkins, Conquerors and Slaves, Cambridge 1978, 26—27.

108 Liv. 45,35,7—9.

109 Liv. 45,40,5. According to Livy double the amounts would have been given to the troops, if they had supported Paullus' triumph in the assembly.

110 Liv. 45,34,5. According to Plutarch the soldiers got in Epirus only eleven drachms, Plut. Aem.Paul. 29,3. All the payments in 201—167 are presented by P. A. Brunt, The Italian Manpower 225 BC—AD 14, Oxford 1971, 394.

111 Liv. 45,42,2—3.

112 Liv. 45,43,7.

113 See D. C. Earl, M. Octavius, trib.pleb. 133 BC and his successors, Latomus 19 (1960) 661. B. Olinder, Porticus Octavia in circo Flaminio. Topographical Studies in the Campus Region of Rome, Stockholm 1974, 88.

triumph already at this phase of his career. In fact, in 227—79 BC as many as 15 praetors of the total of 19 who had celebrated a triumph became consuls. Octavius was one of them reaching the consulship only two years after the praetorship in 165. It is recorded that the consular elections of that year were carried out *ambitiosissime*,[114] that is using all possible methods, including bribery. Of the candidates Octavius had the best possibilities to succeed considering his military fame and his share of the booty.

In addition, Octavius could afford to build his magnificent portico near the circus Flaminius.[115] Thus everything seemed to indicate a successful future. The consul's tragic end,[116] however, interrupted the rise of the family and there is no record of any relationship between him and the later very successful Octavii. Cicero tells us that in his time Octavius' branch had completely died out.[117]

L. Mummius

With the Third Macedonian War the remaining part of Livy's Roman history also ends, and all the information concerning the next hundred years has to be gathered from diverse less concise sources.

After this war, some sort of peace was obtained in the Greek world and it took almost twenty years before it was again necessary to send troops in considerable numbers to Macedonia. This period in Rome was characterized by a confused adaptation to the new super power position, which was greatly influenced by many innovations from the East and measures taken against them. Particularly significant was the increasing hatred against Carthage stirred up by Cato.

It was during this period that the last luxury law — *lex Fannia* — was passed. Its purpose was to restrict private dinner costs by regulating

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114 Obseq. 13.

115 Mon.Ancyr. 4,2—4. Vell. 2,1,2. Plin. nat. 34,13. Fest. 188L. A profound analysis of this building in F. Coarelli, "L'Ara di Domizio Enobarbo" e la cultura artistica in Roma nel II secolo a.C., DArch 3 (1968) 312—313.

116 Polyb. 31,2. App.Syr. 11,46.

117 Cic. Phil. 9,2,4—5.

for instance that domestic wines had to be preferred to imported ones[118] — a phenomenon not unknown in our days, either. When speaking about the kind of art that was appreciated in his time Pliny mentions that "the art died in about 296 and revived in about 156".[119] It has been pointed out that this space of time excludes almost all of Hellenistic art except for its final classicistic phase, achievements in which soon became immensely popular among the Roman leading classes.[120]

At the beginning of the 140's the Romans were again forced to send troops to Macedonia, under the command of the praetor Q. Caecilius Metellus, to subjugate the rebellion risen by the usurper Andriscus.[121] This expedition preceded closely the war waged by L. Mummius against Corinth in 146.

According to some sources Mummius was so eager to gain military glory — and booty? — that he hurried to Corinth to catch the fruits of the war waged by others.[122] The praetor Metellus had actually got involved with affairs further down in the south, when the Achaeans, too, were agitated by inner conflicts. Metellus was just about to suppress the opposition when the consul Mummius arrived and took over the command of the war against the Achaean League.

Pausanias is the only source that relates that Mummius led a fleet with a land force against the Achaeans.[123] His fleet, however, cannot have been numerous — if Pausanias' information is correct at all — for the few which still were left of the warships built during the Second Punic War, were certainly sent with Scipio to siege Carthage. There the presence of the navy is attested several times.[124] Mummius' ships, instead, are never mentioned again, and therefore the ships in question must have been cargo ships designed for transporting the troops.

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118 Gell. 2,24,2. Macr. Sat. 4,17,3. This law, *lex Fannia*, can in fact be considered as the last in its series, as the two following laws in 143 and in 140 are primarily only extensions of *lex Fannia*, Clemente 6—7.

119 Plin. nat. 34,52.

120 Coarelli, Architettura e arti figurative, 28—29.

121 Flor. 1,32,2—4.

122 Vir.ill. 60,1.

123 Paus. 7,15,1.

124 Plin. nat. 5,9. Polyb. 34,15,7. Thiel 202.

The climax of Mummius' expedition in Greece was the battle of the Isthmus, the capture and sack of Corinth and the enormous booty taken from that city.[125] It is not clear whether prisoners were taken. Pausanias tells us that the women and children who had remained in the city were sold into slavery if they were not killed together with the men. Also the slaves who had been set free and had fought on the side of the Achaeans, were sold. Florus claims, however, that all the inhabitants had fled in time. If prisoners were taken, they were presumably sold immediately without taking them to a special slave market.[126]

The booty recorded on the triumphal lists consisted of cult statues of marble and bronze, paintings and other works of art.[127] The best indication of the quantity of the booty is given by Strabo's statement that the majority of the most precious dedicatory offerings of Rome and her neighbourhood came from Corinth.[128] Also the Corinthian statuettes were so sought after that, even hundred years after the sack, the triumvirs proscribed people in order to get them.[129]

Of the paintings gathered in Corinth the two works of Aristides deserve special fame: "Dionysus" and "Heracles in torture in the robe of Deianeira". They are mentioned for the first time when Polybius himself witnessed the contempt of the soldiers for works of art. He saw that these very pictures were thrown on the ground and soldiers played draughts on them.[130] The picture of Dionysus is mentioned for the second time when an auction was held in Corinth and Philopoemen, the commander of the Pergamene contingent, bought it on behalf of the king Attalus of Pergamum for the remarkable price of 600 000 denarii.[131]

When Mummius was informed of the price, he suspected that there was in the picture some merit which he had not understood, so that he

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[125] Strab. 8,6,23. Vell. 1,12. Cic. Manil. 5,11. off. 1,35.

[126] Paus. 7,16,7—8. Flor. 1,32,5. Crawford 49. R. Bogaert, Il commercio internazionale e le banche, Storia e civiltà dei Greci 8, Milano 1977, 381.

[127] Liv. perioch. 51. App. Pun. 8,135.

[128] Strab. 8,6,23.

[129] Suet. Aug. 70. Plin. nat. 34,6.

[130] Polyb. 39,2,1—3. Strab. 8,6,23. Polybius might also have had personal reasons to report this story as he often stresses his own self-restraint as regards the booty, Jucker 115.

[131] Plin. nat. 35,24.

had the picture called back. Later the painting was placed in the temple of Ceres on the Aventine.[132]

Pliny may be mistaken in claiming that there was an auction of the works of art at Corinth. Mummius seems to have carried off the most admired votive offerings and works of art, while those of less account were given to Attalus.[133] The sum of 600 000 denarii may be the price Philopoemen offered to Mummius to get this particular picture.

The negligence the Romans showed at the beginning of the sack can be compared with the fact that in Carthage, too, the soldiers were allowed to plunder quite freely during the first few days.[134] Therefore it took some time before the consul got to know the exact quality of the booty they had collected.

Polybius gives another interesting piece of information concerning how the booty was dealt with: the statues representing the leaders of the Achaean League had been transported to Acarnania,[135] evidently to be shipped from there to Italy. In the same way the booty after the battle of Pydna had been collected in Amphipolis, not far from the battlefield. Walbank suggests that the statues — evidently as a part of Mummius' booty — were on their way to Apollonia for shipment to Italy.[136] It seems to me, however, that Apollonia lies much too far north and that one of more southern harbours, such as Oeniadae or Ambracia, would have been preferred, if Naupactus for some reason could not come into question. It is true that in 198 T. Quinctius Flamininus still maintained that there were no harbours on the entire coast of Acarnania and Aetolia which could contain all the freighters that brought supplies and at the same time provide accomodation for wintering the troops.[137] This did not prevent, however, the Romans from loading their ships on that coast line. It is also worth remembering that at least at Corinth Mummius had the ships of the Pergamene contingent under his command.[138]

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[132] Pliny claims — against other evidence — that this was the first foreign picture that became state property in Rome.

[133] Paus. 7,16,8.

[134] App.Pun. 8,133. A. E. Astin, Scipio Aemilianus, Oxford 1967, 78—79.

[135] Polyb. 39,3,10.

[136] F. W. Walbank, A Historical Commentary on Polybius III, Oxford 1979, 733.

[137] Liv. 32,18,3.

[138] Paus. 7,16,1.

Many of our sources blame Mummius for being particularly rude and uncivilized because of some of his notorious remarks: According to Velleius Paterculus *Mummius tam rudis fuit, ut capta Corintho cum maximorum artificum perfectas manibus tabulas ac statuas Italiam portandas locaret, iuberet praedici conducentibus, si eas perdidissent, novas eos reddituros.*[139] Two facts appear from these words: firstly, that Mummius was personally concerned with the transport of his valuable booty and that he uttered these words when closing transport contracts (*locatio conductio*) with the shipowners or their legal representatives.[140] The expression censured by Velleius might in fact hint that Mummius had introduced to the contract an extra obligation of insurance, the so called *receptum nautarum*, which obliged the shipowner to answer for his cargo in all circumstances, also against damages caused by storms or pirates. It probably came into use in the second century BC and was therefore not known to Velleius' source. This is why it was misunderstood by Velleius also.

Mummius was certainly no connoisseur, but in this he did not differ from other members of the Roman leading classes of his time. The few intellectuals among them who had already learned to appreciate Greek, especially Hellenistic art, still formed a sort of silent minority.[141] This fact did not mean, however, that the people would not have realized the value of the Greek masterpieces shown them in the triumphal processions or later in the temples or other public buildings.

As a shrewd demagogue Mummius understood the worth of his war booty. He invested this capital in gaining political influence by distributing statues and other works of art from Corinth in Rome and in big and small centres outside the capital in Italy and the provinces, wherever voters were available, and financing sumptuous public works.[142] Personally, he fared well, gaining the censorship in 142, but his descendants did not have

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139 Vell. 1,13,4.

140 A. J. M. Meyer-Termeer, Die Haftung der Schiffer im Griechischen und Römischen Recht, Zutphen 1978, 171, 185—186. RE 16, n:o 7a L. Mummius, 1200. M. Kaser, Das römische Privatrecht I, München 1955, 408.

141 Bianchi Bandinelli, L'Arte romana, 36—38.

142 Finishing of the Pons Aemilius, Liv. 40,51,4, and the gilding of the ceilings in the Capitol, Plin. nat. 33,57.

great political success.[143] The finances of the family were after Mummius' death so meagre that the state had to pay his daughter's dowry. The sum was paid willingly as a sign of gratitude towards the illustrious father.[144]

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[143] RE 16, n:o 1 Mummius, 523, n:o 7a, 1206. Suolahti 396.

[144] Plin. nat. 34,36. I. Shatzman, Senatorial Wealth and Roman Politics, Coll. Latomus 142, Bruxelles 1975, 255. Harris 1377.


Dyrrhachium
Apollonia
Oricus
Amphipolis
Pydna
Pellinaeum
Larissa
Limnaeum
Demetrias
Meliboea
Ambracia
Lamia
Heraclea
Thermopylae
Oeniadae
Naupactus
Anticyra
Eretria
Cephallenia
Corinth