

ROMAN POLITICS DURING

THE JUGURTHINE

WAR

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Bachelor of Arts in Education

Northeastern Oklahoma State University

Tahlequah, Oklahoma

1971

Submitted to the Faculty of the Graduate College  
of the Oklahoma State University  
in partial fulfillment of the requirements  
for the Degree of  
MASTER OF ARTS  
May, 1975

SEP 12 1975

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## PREFACE

The Jugurthine War occurred within the transitional period of Roman politics between the Gracchi and the rise of military dictators. The era of the Numidian conflict is significant, for during that interval the equites gained political strength, and the Roman army was transformed into a personal, professional army which no longer served the state, but dedicated itself to its commander. The primary objective of this study is to illustrate the role that political events in Rome during the Jugurthine War played in transforming the Republic into the Principate.

I would like to thank my adviser, Dr. Neil Hackett, for his patient guidance and scholarly assistance, and to also acknowledge the aid of the other members of my committee, Dr. George Jewsbury and Dr. Michael Smith, in preparing my final draft.

Important financial aid to my degree came from the Dr. Courtney W. Shropshire Memorial Scholarship. The Muskogee Civitan Club offered my name to the Civitan International Scholarship Selection Committee, and I am grateful for their assistance.

A note of thanks is given to the staff of the Oklahoma State University Library, especially Ms. Vicki Withers, for their overall assistance, particularly in securing material from other libraries.

Finally, a note of appreciation to my husband, Jim, for his encouragement, patience, and proofreading.

TABLE OF CONTENTS

Chapter	Page
I. INTRODUCTION . . . . .	1
II. A SYNOPSIS OF ROMAN POLITICS FROM THE GRACCHI TO THE JUGURTHINE WAR . . . . .	13
III. THE ORIGINS OF THE NUMIDIAN WAR . . . . .	47
IV. THE JUGURTHINE WAR . . . . .	71
V. CONCLUSION . . . . .	103
A SELECTED BIBLIOGRAPHY . . . . .	115

## CHAPTER I

### INTRODUCTION

The election of Caius Marius as consul for the year 107 B.C. illuminates the slow transition of Rome from a republic to a monarchy.<sup>1</sup> The deterioration of the Republic was not eliminated when the oligarchs destroyed the Gracchi, for although the oligarchs retained control of the government, the economic and military crises of the Republic continued. No solutions to these crises were attempted by the restoration government of the oligarchs; instead factional politics dominated their interest. The first serious challenge to this government resulted from the Jugurthine War. The bungling diplomatic maneuvers of the oligarchs during this war of succession in Numidia involved Rome in a prolonged struggle. Dissatisfaction with the progress of the war culminated in a serious political conflict between factions in Rome; it was this controversy which provided Marius with an opportunity to be elected consul. Marius was a politician-general who was to become a model for other politician-generals such as Sulla, Pompey, and Caesar, whose careers were the funeral service for the dead Republic.

The Jugurthine War occurred during a transitional period of the Republic's life; it produced political and military conditions which rushed Rome into the Principate. This conflict witnessed the resurgence of dissatisfaction among the plebs and equites, the election of a politician-general, and the institution of a professional army.

These factors drastically influenced the development of the Roman Republic from the Gracchi to the military dictatorships of the late Republic.

Primary source material for politics during the Jugurthine War is extremely limited. The only comprehensive primary source is Sallust's Bellum Iugurthinum. Sallust, however, is not the ideal historian--he was a politician and projected political bias into his monograph. Other primary sources have but scant references to political events during the Numidian conflict; as a result, this era of Roman politics is especially open to historians' interpretations.

Gaius Sallustius Crispus wrote the only comprehensive history covering 111-105, the period of the Jugurthine War. Sallust was born in Amiternum, a town north-east of Rome; unfortunately no knowledge exists of his early life. His political career began in 55 when he became a quaestor. In 52 he advanced to tribune of the plebs.<sup>2</sup> Sallust was a novus homo to Roman politics; that term designated politicians whose family had no consular members. A member of the Senate since he was elected quaestor, Sallust became embroiled in factional politics. Accordingly he was expelled from the Senate in 50 by the censor Appius Claudius Pulcher. Rumors of lude behavior purportedly were responsible for his ouster but political manipulation was the actual reason. Roman politicians often employed rumors, whether imagined or factual, to discredit rivals. The ouster of Sallust does show that he was becoming a powerful politician, so influential, in fact, that his political demise was plotted by rivals.<sup>3</sup>

After this political defeat Sallust was identified as a partisan of Caesar. He may have been a follower of Caesar previously or per-

haps made the sagacious decision to join Caesar as civil war with Pompey approached.<sup>4</sup> In 49 Caesar appointed him to another quaestorship; in command of Caesarian forces, Sallust suffered two major defeats--one in Illyricum in 48, and another in Campania in 47. As praetor in 46, Sallust redeemed his military honor and Caesar's confidence by capturing Pompeian supplies on Circina. This victory won him an appointment as the proconsular governor of Africa. Upon his return to Rome from his governorship, Sallust was tried for extorting money in the province. Although formally acquitted, he was now immensely wealthy, as his ownership of the horti Sallustiani, later the property of Roman emperors, testified.<sup>5</sup>

With Caesar's death Sallust's political career ended; retired, he now began to write Roman history.<sup>6</sup> In this new career Sallust proclaimed that he was still serving the Roman state, for in his view, writing the history of the Republic continued to fulfill the duty which every Roman had of serving the state.<sup>7</sup> Sallust's first monograph concerned the conspiracy of Cataline, his second the war with Jugurtha. He also wrote the Historia, a history which covered the years 78-67; unfortunately very little of the Historia has survived.<sup>8</sup> In his histories, Sallust chided Roman nobles who spent their leisure in hunting and farming. His monographs were admonitions to the Roman people to abandon the luxurious and frivolous for the virtues of the past. Instead of wasting his time, Sallust struggled to attain virtus, or outstanding state service, by writing history.<sup>9</sup>

Sallust's interest in the Jugurthine War stemmed from his service as governor of Africa. Other ancient historians--Livy, Plutarch Appian, and Dio--superficially discuss the African conflict, but only

Sallust gives a comprehensive view.<sup>10</sup> Sallust grasps the significance of the war, and tells the reader his motivation for writing this history in the following passage:

I propose to write of the war which the people of Rome waged with Jugurtha, king of the Numidians: first, because it was long, sanguinary and of varying fortune; and secondly, because then for the first time resistance was offered to the insolence of the nobles--the beginning of a struggle which threw everything, human and divine, into confusion, and rose to such a pitch of frenzy that <sup>11</sup> civil discord ended in war and the devastation of Italy.

The significance of the Jugurthine War was not what happened to Numidia or Jugurtha; it was instead the effect factional politics in Rome had upon the Republic.<sup>12</sup> Sallust wrote the Bellum Jugurthinum to prove how devastating the incompetence of the nobility was to the Republic.

As a novus homo Sallust believed the nobility had slighted him because of his non-noble birth. Sallust incorporated this bias into his story of the Jugurthine War. Modern interpretation of Sallust's work must include an examination of Sallust's concept of virtus, for it profoundly affected his interpretation of Roman history. Virtus to Sallust was the motivation for a man's performance of outstanding deeds; it was the ideal of Roman republican behavior.<sup>13</sup> To Sallust virtus was innate to the individual; it was not an inheritance from noble birth, but could be possessed by anyone.<sup>14</sup> This view of virtus allowed the novi homines to vie with nobles on an individual basis. According to Sallust's definition, virtus legitimized the political struggle of men from non-consular families.

In accordance with the political view of virtus, deviation from dedication to state service constituted moral degeneration. The



political upheaval of the Gracchi occurred a decade before Rome's involvement in the Jugurthine War. In Sallust's view the crisis represented by the Gracchi was the result of moral degeneration. In this moralistic interpretation, political and economic crises were translated into moral crises.<sup>15</sup> To Sallust, the disappearance of foreign rivalry with Carthage allowed the Roman nobility to become corrupted and obsessed by avarice; therefore, the Republic began to decline.<sup>16</sup> Actually army revolts and the corruption of provincial governors existed prior to 146, but Sallust ignored this.<sup>17</sup> In perceiving the Republic's crisis as moral degeneration, he also ignored the economic factors which produced the growth of latifundia, large estates, and the displacement of the small farmer who, in turn, swelled the urban mob.<sup>18</sup>

In this political context, it is obvious why Sallust viewed the Jugurthine War as momentous. Throughout the war this moralistic historian portrayed most nobles as corrupt, greedy, incompetent, and bribable--all the elements which, in his view, were destroying the Republic.<sup>19</sup> As a result of this corruption and incompetence, the plebs and equites asserted themselves politically against the dominant Senate and imposed their will; they elected a non-noble, Marius, consul.<sup>20</sup> Thus the conflict which the Senate could not conclude was entrusted to a novus homo to end. The success of Marius proved Sallust was correct in his thesis that the incompetent and degenerate nobles who had abandoned the virtus of their ancestors should not remain unchallenged in Roman politics.

Sallust's concept of virtus is fundamental to the interpretation and critical analysis of the Bellum Iugurthinum, for in accordance with

this concept, he wrote this monograph to expose the corruptibility and incompetence of the nobility and the subsequent rise of the novi homines.<sup>21</sup> This ancient moralist attributed political sins to the nobility because they no longer dedicated their lives to the goal of their ancestors--virtus. Because of this preconceived bias, Sallust sacrificed facts to insure the acceptance of his thesis.<sup>22</sup> Believing moral degeneration to be the cause of the crisis faced by the Republic, Sallust ignored political, social, and economic problems.<sup>23</sup> He also ignored the role of party politics in the careers of the Gracchi and Marius; regarding political manipulation as unimportant, he could eliminate discussion of these factors without injuring his monograph.<sup>24</sup>

Sallust simply assigned the role of villain, thief, and fool to almost all nobles, and retained the hero's lines for Marius--the symbol of the rising equites. Consistently, Sallust portrayed the nobility as guilty of ambitio and avaritia.<sup>25</sup> He tells his audience that Jugurtha bribed the Senate not to declare war; that Aemilius Scaurus, the princeps of the Senate, and Calpurnius Bestia, a Roman general, were bribed by Jugurtha into a dishonorable peace; and that Quintus Caecilius Metellus, a member of an influential Roman family, was a capable but arrogant man.<sup>26</sup> Modern scholars have raised many objections to Sallust's assessment of the nobility. Their interpretations and objections will be presented in the textual discussion of each topic.<sup>27</sup>

Just as Sallust exposed the dark side of the nobility, he provided Marius, his hero, with the political opportunity to bring the faults of the nobility into the daylight. At first Marius was insulted by Metellus; in Sallust's perspective, Metellus, the arrogant

aristocrat, scorned Marius for his non-noble birth.<sup>28</sup> In Sallust's biased treatment, the arrogance of Metellus became a characteristic of the nobility and conveniently fitted into his theme. Undaunted Marius campaigned for the consulship, employing the political weapon of the invective--speeches to discredit an opponent with false information. In these speeches Marius accused the nobility of corruption; such speeches provided Sallust with another opportunity to inject his political bias.<sup>29</sup> Most speeches in the monograph are, in fact, the product of Sallust's interpretation and are not verbatim transcripts.<sup>30</sup>

There is agreement among modern critics that Sallust made many errors in the Bellum Iugurthinum. However, there is disagreement concerning why those errors occurred. Some critics believe Sallust's main purpose in writing about the war with Jugurtha was to present the public with a political pamphlet, highlighting the inanity of the nobility and, conversely, the uprightness of such novi homines as Marius. To achieve acceptance of his theory, Sallust purposefully distorted chronology to suit his preconceived thesis.<sup>31</sup>

Another school of critics does not hold Sallust accountable for the facts. M. Holroyd views Sallust's monograph more in the genre of an historical novel in which facts could be moulded for the benefit of the plot, while Ronald Syme vindicates Sallust of malicious intent by crediting errors to lack of thought or purposeful elimination of detail.<sup>32</sup> In Hugh Last's view, Sallust was not concerned with details of chronology or geography since Rome, not Numidia or the war itself, was the real topic of the Bellum Iugurthinum.<sup>33</sup> Despite any explanations, there are two major chronological distortions in Sallust's history. The first occurs in the chronology of Jugurtha's return from

Spain and his adoption by Micipsa; the second concerns the years that Marius campaigned in Africa. These errors will be discussed further in the text.

Sallust drew upon many sources for information on the Jugurthine War; this multiplicity of sources may to some degree account for his errors.<sup>34</sup> While in Africa Sallust gathered information from African sources; he also could rely upon the memoirs of the Romans who served in Spain and Numidia. P. Sempronius Asellio, a military tribune to Scipio Aemilianus at Numantia, wrote Res Gestae, which was available to Sallust.<sup>35</sup> The Memoirs of Sulla, Marcus Aemilius Scaurus, and Publius Rutilius Rufus were likewise extant when Sallust wrote the Bellum Iugurthinum.<sup>36</sup> Sallust turned to Cato the Elder and Thucydides for stylistic models, which left him liable to charges that he had plagiarized their material.<sup>37</sup>

Sallust wrote about a period of Roman history which, despite his monograph, will remain historically controversial. Politics and political factions after the Gracchi are not discussed sufficiently by primary sources. Consequently there appears a gap in the political history of Rome between the Gracchi and the emergence of the politician-generals who were the catalysts for the fall of the Republic. The Jugurthine War takes place during this chasm of Roman political history. Modern sources are beginning to offer political, social, and economic interpretations for the changes suffered by the Republic during this political era. Ernst Badian compared the late nineteenth and early twentieth century interpretation of this period to a ". . . patchwork . . . held together by generalizations based on no evidence."<sup>38</sup> The recent employment of prosopography has illuminated some political

alliances, but it still remains that Roman politics immediately before and during the Jugurthine War is an area open to new and controversial interpretations.<sup>39</sup>

#### FOOTNOTES

<sup>1</sup>All following dates in the text are before Christ unless noted otherwise.

<sup>2</sup>John C. Rolfe, tr., "Introduction," in Sallust, The Loeb Classical Library (Cambridge, Mass. and London, 1947), pp. ix-x.

<sup>3</sup>Stephen Usher, The Historians of Greece and Rome (London, 1969), p. 141.

<sup>4</sup>G. M. Paul, "Sallust," in Latin Historians, ed. T. A. Dorey (New York, 1966), p. 88.

<sup>5</sup>Rolfe, p. xi.

<sup>6</sup>Michael Grant, The Ancient Historians (New York, 1970), pp. 199-200.

<sup>7</sup>G. Sallustius Crispus, The War with Jugurtha, tr. John C. Rolfe, The Loeb Classical Library (Cambridge, Mass. and London, 1947), IV, 1-4.

<sup>8</sup>Rolfe, pp. xv-xvi.

<sup>9</sup>Paul, pp. 89-90.

<sup>10</sup>Hugh Last, The Cambridge Ancient History, Vol. IX: The Roman Republic 133-44 B.C., ed. S. A. Cook, F. E. Adcock and M. P. Charlesworth (New York and Cambridge, 1932), pp. 113-114.

<sup>11</sup>Sallust, V, 1-3.

<sup>12</sup>Theodor Mommsen, The Provinces of the Roman Empire, Vol. II: From Caesar to Diocletian, tr. William P. Dickson (London, 1886), p. 306; Last, pp. 113-114.

<sup>13</sup>Donald Earl, The Moral and Political Tradition of Rome (Ithaca, N.Y., 1967), pp. 52-53.

<sup>14</sup>Donald Earl, The Political Thought of Sallust (Cambridge, 1961), pp. 32-33; Earl, Moral and Political Tradition of Rome, pp. 53-54.

<sup>15</sup>Earl, Political Thought of Sallust, p. 3; Stephen Usher, "Sallust: The Censor of a Decadent Age," History Today, XIII (1963), p. 572.

- <sup>16</sup>Usher, "Sallust: The Censor of a Decadent Age," p. 568.
- <sup>17</sup>Earl, Political Thought of Sallust, p. 41.
- <sup>18</sup>Usher, "Sallust: The Censor of a Decadent Age," p. 572.
- <sup>19</sup>Grant, p. 202.
- <sup>20</sup>Finar Lofstedt, Roman Literary Portraits, tr. P. M. Fraser (Oxford, 1958), pp. 101-102.
- <sup>21</sup>Last, p. 114; Grant, pp. 202-203.
- <sup>22</sup>Max Ludwig Wolfram, The Greater Roman Historians (Sather Classical Lectures, Vol. 21 /Berkeley and Los Angeles, 1947/), p. 59.
- <sup>23</sup>Grant, p. 207.
- <sup>24</sup>Ronald Syme, Sallust (Sather Classical Lectures, Vol. 33 /Berkeley, 1964/ ), pp. 171-172.
- <sup>25</sup>Earl, Political Thought of Sallust, pp. 69-70.
- <sup>26</sup>Sallust, XV, 1-5, XXIX, 1-3, and LXIV, 1-2; Syme, Sallust, pp. 140 and 157-159; Earl, Political Thought of Sallust, pp. 64-65.
- <sup>27</sup>For clarity I will discuss the criticisms of Sallust's presentation of the motives of the Senate and nobility as the topics appear in the text.
- <sup>28</sup>Sallust, LXIV, 1-4; Earl, Political Thought of Sallust, p. 73.
- <sup>29</sup>Sallust, LXIV, 5-6; Usher, "Sallust: The Censor of a Decadent Age," pp. 568-569.
- <sup>30</sup>Syme, Sallust, pp. 156 and 169; Paul, p. 103; Earl, Political Thought of Sallust, p. 77.
- <sup>31</sup>Howard Hayes Scullard, From the Gracchi to Nero; A History of Rome from 133 B.C. to A.D. 68 (New York, 1959), p. 389, footnote II in Chapter III; Ernst Badian, ed., Studies in Greek and Roman History (New York, 1968), p. 275.
- <sup>32</sup>M. Holroyd, "The Jugurthine War: Was Marius or Metellus the Real Victor?" Journal of Roman Studies, XVIII (1928), p. 1; Syme, Sallust, pp. 149-150.
- <sup>33</sup>Last, pp. 115-116.
- <sup>34</sup>Syme, Sallust, pp. 148-149.
- <sup>35</sup>Paul, p. 98; Syme, Sallust, pp. 154-155.

<sup>36</sup>Paul, p. 98; Syme, Sallust, pp. 154-155; Last, p. 115; Rolfe, p. xv.

<sup>37</sup>Rolfe, p. xii; Paul, pp. 106-107.

<sup>38</sup>Ernst Badian, "From the Gracchi to Sulla (1940-1959)," Historia, II (1962), p. 197.

<sup>39</sup>Ibid., p. 198.



## CHAPTER II

### A SYNOPSIS OF ROMAN POLITICS FROM THE GRACCHI TO THE JUGURTHINE WAR

The political maneuvers during the Jugurthine War cannot be appreciated without observing their precedent in the Gracchan upheaval. Before the Gracchi the Roman government, although in name a republic, was actually controlled by the Senate under the direction of a few noble families. The constitution of the Republic was not altered to accommodate this; the senators used the political machinery at hand to control the Roman state. The senators were men of consular families who formed part of the landed aristocracy and whose primary function was to govern the state. These nobles did not form the entire upper class of Roman Society; they shared this distinction with the equites, who were also members of the landed aristocracy, but were separated from the senators by their commercial pursuits.<sup>1</sup> The lex Claudia of 218 forbade senators from engaging in commerce; this allowed the equites to exploit commerce, banking, and public contracts.<sup>2</sup> The senatorial class provided the officers and magistrates for the Republic and eventually dominated the government through its authority. To control the state, the Senate manipulated the two major assemblies, the comitia plebis tributa and the comitia centuriata.

The comitia plebis tributa or concilium plebis was a legislative assembly comprised of the Roman tribes.<sup>3</sup> The Roman state was divided by geographical boundaries into thirty-five tribes: four tribes consisted of the urban population of Rome, with the remaining thirty-one

tribes comprising the rural population.<sup>4</sup> In 241 the number of tribes became fixed, and new voters were enrolled into old tribes.<sup>5</sup> The voting procedure of the comitia tributa required a majority of the thirty-five tribes, not a majority of the voters, to pass legislation. Obviously the procedure of tribal rather than individual voting diminished the urban voters' power.<sup>6</sup>

Although the votes of individual tribesmen were of equal weight, the fact that rural tribes outnumbered urban tribes seven to one ensured the predominance of the rural voters.<sup>7</sup> With the increase in distance from the city, the rural votes became more important.<sup>8</sup> If only a few voters from a rural tribe traveled to Rome, their votes determined the vote for that tribe.<sup>9</sup> Rural voters were summoned to Rome by the great politicians who commanded their loyalty; it was these manipulated voters who controlled the passage of legislation. Therefore, it was the rural tribes, influenced by the great senatorial families, which determined the voting in the comitia tributa.<sup>10</sup>

While the comitia tributa was primarily a legislative assembly, the most important elective assembly was the comitia centuriata, or centuriate assembly, which chose the consuls and praetors. The centuriate assembly consisted of the members of the Roman centuries, which were divided upon the basis of wealth into five classes. The first class contained the wealthiest men--senators and equites. The election of magistrates by the centuriate assembly was not democratic since the election of candidates was determined by the votes of the first class of voters.<sup>11</sup>

The mechanism for popular control of the government was available constitutionally to the common citizens of Rome. Technically, legislation with popular support could be introduced by the tribunes into

the comitia tributa, and, if passed, this legislation would be binding upon the entire state. However, such popular initiation did not occur; instead, the aristocracy dominated the government.<sup>12</sup> The complexity of ruling Rome had greatly increased since the beginning of the Republic; by 145 Rome's dominions were encircling the Mediterranean, and the comitia tributa was not accustomed to ruling such vast territories. The Senate evolved through tradition and custom into the dominant governing body. It had directed Rome through the Hannibalic wars and assumed the authority for Rome's finances and foreign affairs. Retaining this authority, the Senate became entrenched in its role in the government by the increased complexity of governing the provinces and managing the intricate alliance system erected by Rome with foreign governments.<sup>13</sup> The senators, of course, did not disdain their increasing importance to the state. They were professional politicians, statesmen, and army commanders; by tradition, their purpose was to govern the state. Since men of wealth and noble birth were considered better suited to govern, Rome was, in fact, a timocratic oligarchy. Only members of the senatorial and equestrian orders were allowed to be candidates for the magistracies; this was the order of Roman political life and was accepted by the Romans.<sup>14</sup>

The real political power in Rome emanated from approximately twenty consular families. From these families came the magistrates, generals, and important senators.<sup>15</sup> This select group controlled the government by usurping the power of the apathetic populus. The Senate controlled foreign affairs by appointing provincial magistrates and military commanders. It usurped from the populus the rights of declaring war, accepting peace, and ratifying treaties.<sup>16</sup> The tribunes

became instruments of the Senate instead of defenders of the populus.<sup>17</sup> This extra-constitutional domination of the Senate was accepted by the populus and became traditional.<sup>18</sup>

The consular families controlled the tribal assembly through the system of clientelae. Roman citizens of a lesser rank than the consular families were brought into a client-patron relationship. The client provided support and votes for his patron, and correspondingly, the patron pledged to protect his client.<sup>19</sup> In the case of the urban plebs, the patron often provided the livelihood for his clients. This practice increased as small farmers abandoned their land and fled to the city. The client-patron relationship expanded into Roman foreign affairs as well. Individual generals and senators acquired foreign clients primarily through conquest and service. A defeated nation became the client of the conquering general; the same relationship existed between the Roman provinces and their governors. Politicians acquired foreign clients through services such as granting communities Roman citizenship or founding cities.<sup>20</sup>

Since there were no organized parties to aid nobles in elections, clients added to their prestige and power. Elections were won by personal relationships, such as client-patron and familial contacts.<sup>21</sup> Political power centered in those consular families who were prestigious and controlled numerous clients--including both citizens and foreigners. In addition, clients were hereditary; they belonged to the noble's family and were expected to support all members of that family.<sup>22</sup>

To the Roman noble the most important aspiration in life was to attain power and glory.<sup>23</sup> Political service to the state was the best

avenue to achieve these goals. Since there was no political party system in Rome, nobles formed political alliances to further their individual or group careers. The pyramid of a noble's support for elective office began at the top with the noble's family; this included relatives by blood, marriage, and adoption. Clients and soldiers, if the noble had held a command, formed the base of the pyramid. Often this was not sufficient support to win one of the few political offices Rome offered; consequently, families joined into short-term alliances to enhance the candidacy of their members.<sup>24</sup> Such an alliance was called an amicitia or a coitio.<sup>25</sup>

The terms factio or pars designated a more permanent alliance with the accomplishment of a particular goal as the purpose of the alliance. Pars was the term used by Cicero to describe the political alliance of the Gracchan era, while Sallust chose factio to describe the alliance after the Gracchi. The different choices are significant. Factio denominatively means the same as pars, but connotatively factio acquired the definition of a conspiracy to dominate all other groups and exclude them from power.<sup>26</sup> Roman politics thus became a war of factions, each striving to dominate the state for ultimate power. The factions eventually reached a status quo in power; for each faction's attempt to increase its power, another faction was equally determined to offset the other's advantage. Reform or change was opposed since it could mean that one faction might lose the allegiance of its clients or another become enhanced by new clients.<sup>27</sup> Thus the Senate's primary concern was the maintenance of the factional stalemate.

Factional intrigues did continue however; Donald Earl described Roman politics as a ceaseless struggle for ". . . position, prestige

and power."<sup>28</sup> To control politics, a faction had to control the magisterial elections and, therefore, the people who voted. The noble's clients became pawns in these political battles. The necessity of controlling the voters made the Senate resistant to change, especially to the admittance of new voters who might upset the system.<sup>29</sup>

It is especially significant to note that the Senate's constitutional position was only advisory; its ascendancy in government rested upon social organization, not law.<sup>30</sup> The plebs accepted the leadership of the nobility and the traditional ideas of fides, honorable service to the state, and auctoritas, prestige acquired by a successful magistracy.<sup>31</sup> The nobility had traditionally represented these ideals in government. The leadership of the Roman state, especially after the addition of the provinces, brought increasing wealth and power to the nobles. Senators, conscious of their advantageous position, became more resolute to retain it. Power, wealth, and glory rather than fides and dignitas became the motivation for the oligarchs.<sup>32</sup>

After the Second Punic War, Rome's economy and political responsibilities changed drastically. Wealth in the form of booty from the East flooded Rome, thereby creating an inflationary economy. The depopulation of the Italian countryside, which occurred during the Hannibalic wars, caused an influx to the city. In addition to these changes, the Senate now had the responsibility of governing a world empire. These changes, in Sallust's moralistic view, represented a serious moral crisis to the Republic.<sup>33</sup>

In Sallust's terminology, the ideal of virtus was abandoned by the aristocracy. Earl dates the decline of virtus to the Spanish Wars. When the Senate, through its chosen commanders, could not end

these extremely unpopular wars, factions utilized this opportunity to create political unrest.<sup>34</sup> The old idea of virtus, the interest of the state above that of the individual, was reversed for the faction's political advantage.<sup>35</sup> Even the plebs took advantage of the upheaval by voting into law a proposal which provided for secret balloting in magisterial elections. This reform weakened the system of clientelae, for with this change, the client's loyalty was no longer a matter of public notice.<sup>36</sup>

Just as challenges to Rome's traditional politics began, its agrarian economy was revolutionized by Rome's territorial expansion. The conquest of the Mediterranean greatly enriched the senatorial and equestrian classes. The senatorial class provided the officers who collected the booty after victories, while the equestrian class profited from supplying the army.<sup>37</sup> The most significant economic change was produced by the administration of the provinces; provincial commands replaced agriculture as the chief source of income for the nobility.<sup>38</sup> The senators needed cash for their political careers; appropriate bribes to tribesmen and jurymen were often a necessity for a successful career. Such cash was acquired through the exploitation of the provinces by their governor.<sup>39</sup>

Although technically restricted from trade, the nobility invested in the equestrian trading companies.<sup>40</sup> The senators and equites also invested in land; enormous estates, latifundia, farmed by slave labor, were formed throughout Italy. The growth of the latifundia caused increasing displacement of small farmers, who choked the city.<sup>41</sup> This increase in wealth created a larger gap between the upper class and

the plebs. The desire to maintain this gap led the Senate to ignore the agrarian land problem which was eventually championed by the Gracchi.<sup>42</sup>

During the second half of the second century, many peasant swelled Rome's urban population. The peasant farmers who flocked to the city were products of war and the advancement of agricultural techniques. Many small farmers were driven from their plots by the Hannibalic wars, and, as the century progressed, the small farmers served in various wars which further reduced their numbers. The products from the depleted soil of the Italian farms could not compete with the grain produced in the provinces; a further agricultural obstacle to the farmer were the latifundia.<sup>43</sup> Many large estates were converted to the production of grapes and olives, but the small farmer lacked the capital for such conversion and again could not compete, especially against the slave labor of the latifundia.<sup>44</sup> To the peasant farmer there were advantages in abandoning his land. Without property, the small farmer did not satisfy the property requirement for the levy and could not be drafted. In addition, many farmers who served in Greece and Asia may have become more cosmopolitan and found their small plots of land uninviting.<sup>45</sup>

In Rome these peasants could find employment with the suppliers of public contracts or in the construction of state funded works.<sup>46</sup> Booty from the fall of Carthage and Corinth provided funds for government expenditures on public works such as temples and aqueducts. This economic expansion drew peasants from the countryside to provide laborers. However, the economy of Rome was commensurate with government expenditure; and when the booty money was depleted, government contracts



were curtailed. Consequently, there occurred an economic recession which resulted in widespread unemployment.<sup>47</sup> The lack of other avenues of employment besides contractual government work increased unemployment. Industry in Rome was not highly developed, and most artisans were either slaves or ex-slaves.<sup>48</sup>

Another threat to the economic stability of Rome was the Sicilian Slave War. Sicily provided much of Rome's urban grain supply, but the slave revolt interrupted the collection of the grain tithe, resulting in rising grain prices for Rome.<sup>49</sup> This was the immediate economic crisis which Tiberius Gracchus sought to alleviate. The economic dissatisfaction of the urban peasants was politically disconcerting to the senatorial regime. As peasants migrated from the country, traditional ties with the aristocracy were broken, and although they now resided in the city, these former rural dwellers still voted in the rural tribes. These politically unattached rural tribesmen added a chaotic element to politics.<sup>50</sup>

In addition to the economic problems staggering Rome, the retreat from rural life precipitated a military crisis. Rome's increasing power and prestige often demanded numerous military commitments. From the Hannibalic wars to 133, Rome fielded at least eight legions per year.<sup>51</sup> Small farmers returning from duty often found their plots so deteriorated that they abandoned them for urban dwelling.<sup>52</sup> The reduction in the number of small farmers resulted in a similar decline in the number of men available for the draft. The requirement of property ownership dwindled the number of potential soldiers as farmers flocked into the city.<sup>53</sup> The levy became very unpopular, especially for wars which offered no booty, so escape to the city became a popular

avenue for avoiding the draft.<sup>54</sup> This crisis in potential recruits was the primary reason proposed by T. Gracchus for his agrarian reforms.<sup>55</sup> During this domestic crisis, the Senate's chief concern was foreign affairs; that body became static and resisted change and criticism.<sup>56</sup> It became increasingly vulnerable to factional battles, and was especially devastated by the program of Gracchus.<sup>57</sup>

A reform faction of which T. Gracchus was a member planned the ascendancy of their factio during this domestic crisis. In 134 certain senatorial families began to prepare an alliance which would place them foremost among the factions. They planned to have a member of their faction elected tribune and to also assure the election of friendly consuls.<sup>58</sup> The mission of the tribune was to secure the passage of an agrarian reform bill to ease the military crisis by re-establishing the class of landowning farmers.<sup>59</sup> The consuls were to aid in controlling the Senate which would undoubtedly oppose such a proposal.<sup>60</sup> The members of this faction were from the Claudii Pulchri, Sempronii Gracchi, and Mucii Scaevolae families. Also attached to this group were the Fulvii, Calpurnii Pisones, and perhaps the Manlii; these families, however, contributed less than a total commitment to the goals of the faction.<sup>61</sup>

The tribune who was to champion the agrarian reform was Tiberius Gracchus. His law, the lex Sempronia, revived the Licinio-Sextian rogations which limited the amount of ager publicus an individual could hold to five hundred iugera, plus an additional two hundred and fifty per son up to a limit of one thousand iugera.<sup>62</sup> Tiberius bypassed the Senate and brought the law before the concilium plebis--a deviation from normal practices. Traditionally, the Senate approved bills before

they were taken up by the concilium, and Tiberius' departure from this method alienated his senatorial supporters. In the concilium another tribune, Octavius, vetoed any action on the agrarian proposal. Without precedent, Tiberius called upon the concilium to depose Octavius and elect another tribune; the plebs assented to this and the lex Sempronia became law.<sup>63</sup> To finance the distribution of land, Tiberius used the money left to the Roman Republic in the will of Attalus III, a client of his family.<sup>64</sup>

While the actions of Tiberius bordered upon unconstitutionality, he actually broke no laws.<sup>65</sup> Nevertheless, his actions did cause a tremendous political upheaval. Tiberius rejuvenated the powers of the tribunate. The tribunate had become a tool of the Senate, but now it again had the potential for state leadership through the initiation of legislation.<sup>66</sup> Likewise the concilium plebis could acquire more responsibility for governing. Traditionally foreign affairs and finances were the sole responsibility of the Senate; Tiberius invaded the Senate's prerogative when the concilium decided upon the disposition of the will of Attalus. The threat to the Senate's control of foreign affairs was perhaps the most ominous; the action of the concilium set a precedent for interference by the plebs in foreign affairs.<sup>67</sup> The Senate was also threatened by the deposition of Octavius, for its traditional means of controlling the concilium were destroyed by this.<sup>68</sup> The Senate was determined to eliminate these "revolutionary" practices. When Tiberius ran for re-election to a second tribunate, pontifex maximus P. Scipio Nasica led a mob which killed Tiberius and three hundred of his followers.<sup>69</sup>

In 123 the brother of Tiberius, Gaius, became tribune and em-

barked upon a political career which equalled or surpassed his brother's in the degree of political unrest he created. He continued to support the redistribution of land to the propertyless. His main support was drawn from the rural laborers living in Rome. As family plots shrunk with the divisions for sons, farmers could not sustain a livelihood, They drifted to the city and hired on for the harvest of large estates, or became tenants on the latifundia. Since the urban population was not interested in agrarian reform, the support for the Gracchi came from the dislocated rural poor.<sup>70</sup>

The proposals of G. Gracchus seriously eroded the superiority of the Senate. In 123 he fixed cheap grain prices for the poor, an act which cut into the Senate's system of voter control; previously candidates had arranged for grain distributions as a bribe to win votes.<sup>71</sup> Gaius also carried a law which forced the Senate to declare which provinces would be consular before the consuls for that year were elected. This hindered the Senate's former practice of awarding choice provinces to their favorites and assigning insignificant commands to popular consuls. There was, however, an article stating that tribunes could not interfere with the decision of the Senate.<sup>72</sup>

The most devastating change Gaius imposed upon the Senate was the transfer of the extortion courts from senatorial to equestrian jurors. Previously the senators had appointed the jurors; but in 122 jurors were chosen from an album of four hundred and fifty equites.<sup>73</sup> From this number, jurors for the standing courts and special commissions were chosen. The transfer of the courts bestowed new political power upon the equites; in addition, Gaius also awarded them the right to farm the taxes of Asia. Wealthy equites, through their companies, bade

for the right to farm the taxes, and made their profit in the collection of the taxes in the province. Since the equites controlled the courts of repetundae, or extortion, they could threaten any governor who interfered with their methods.<sup>74</sup>

It might appear that this elevation in the political power of the equites would bring them into conflict with the Senate. However, the equites shared property interest with the senators and supported them except when their policies infringed upon the equites' profits.<sup>75</sup>

The equites, like the senators, had no sympathy for the condition of the poor and did not support T. Gracchus.<sup>76</sup> Further, as the support of Gaius began to erode over his championship of Latin citizenship, the equites responded to the appeals of the Senate and abandoned him.<sup>77</sup>

The Senate issued the senatus consultum ultimum authorizing the consul L. Opimius to protect the state from Gaius and his supporters. In the ensuing melee, Gaius died and three thousand of his followers were executed by Opimius without a trial.<sup>78</sup> The Senate had found a new weapon to silence its opposition; in the next forty years of Republican history, that assembly authorized its "extreme decree" three times and each time it resulted in a tribune's death.<sup>79</sup>

The program of the Gracchi was an ominous portent of the Republic's future. After the Gracchi, the equites had new political power and the tribunate, as an instrument of public expression, was restored, but most significantly the weakness of the Senate was forever revealed.<sup>80</sup>

The Senate feared the Gracchi's use of the populace and the uncontrollability of the city masses.<sup>81</sup> Some historians judge the Gracchi

responsible for the decline of the Republic. They believe that the Gracchi shattered the balance of constitutional and unconstitutional

power upon which the Republic functioned.<sup>82</sup> H. H. Scullard professed that while the Gracchi were not revolutionaries, they ". . . precipitated the revolution that overthrew the Republic."<sup>83</sup> The program of the Gracchi, whether intentional or otherwise, did produce a revolution within the government which eroded the Republic's foundation.

The program of G. Gracchus produced a permanent, volatile new force in Roman politics, one that disrupted the old balance of power through which the Senate had dominated the state. This new force was the order of the equites; previously the equites had represented the non-political segment of the upper class. The equites, besides providing officers for the army, were engaged in business and agriculture and traditionally were excluded from major political offices. By the lex Claudia of 218, senators and their sons were proscribed from owning a vessel which could carry more than three hundred amphorae, a non-commercial sized cargo. The object of the law was to exclude the senatorial class from commerce; this produced a void which was filled by the equestrian class.<sup>84</sup>

In addition to this commercial avenue opened to them, the equites were also a quasi-civil service for the state. Rome had no official designated to collect taxes in provinces or erect public works. These functions and others were accomplished through a contract system. The state awarded contracts to the highest bidder; the usual bidders were from the equestrian class and the publicani.<sup>85</sup> The publicani formed joint stock companies to amass sufficient capital to complete their contracts; although barred from commerce, senators purchased shares in these companies. The companies were not permanent corporate structures but were organized for the completion of a particular

contract.<sup>86</sup> Besides public contracts, the equestrian class also engaged in banking, trading, and money lending.<sup>87</sup> In addition to business concerns, the equites were the officers or cavalry class for the Republic; the censor chose eighteen hundred men to be equites and hold the public horse.<sup>88</sup>

Despite their reputation as businessmen, equites were principally landowners. Agriculture, not business, was the primary source of income in Italy. Land was the safest investment for the equites and also provided the necessary security for state contracts. The landed equites did have political significance; their votes in Rome's timocratic assemblies carried special importance. However, the Senate overshadowed the power of the equites, for it had the power to cancel or modify state contracts, a right which represented potential economic disaster for them. Additionally, in the pre-Gracchan era the Senate controlled the extortion courts, and thereby limited the equestrian prosecution of provincial governors.<sup>89</sup>

The political influence of the publicani was slight since they were not an organized pressure group; however, they did challenge the Senate over the terms of state contracts.<sup>90</sup> Nevertheless, there was not constant conflict between the publicani and the Senate; the Senate was not zealous in overseeing the profits made by the equites on government contracts, so disputes were not continuous.<sup>91</sup> However, after the Gracchi the equites had more power in the government, and, accordingly, conflicts with the Senate increased.<sup>92</sup>

According to E. Badian, the followers of T. Gracchus searched for new support after his death and chose the equestrian order for their political ally. After the death of T. Gracchus, the Senate coalesced

into a unit opposed to reform. It was then that the advocates of reform began to implement a plan designed to separate the equites from the class of the nobles and create a new identity for them. Badian cites two laws in 129 which began this division of the upper class. In that year a law passed which forced men to surrender their public horse, the symbol of equestrian status, upon becoming senators; another law designated fourteen rows of seats at the games for equestrian use. Both of these laws were public indications of the emergence of a new class in Rome. Previously the equites had not seriously challenged the Senate's authority or demanded political rights; however, the plans of the Gracchan faction would bestow new privileges and opportunities which made them conscious of their additional political importance. Significantly the question of Italian citizenship also grew from the Gracchan reforms. Protection from the land commission's justice spurred the Italians to seek the privileges of Roman citizenship.<sup>93</sup> The emergence of these interest groups, products of the Gracchan reforms, would drastically alter traditional Roman politics. The Gracchan faction had created a special class of wealthy citizens and hoped to win their allegiance by giving them political power.<sup>94</sup>

In 122 or 123 G. Gracchus awarded the collection of Asian taxes to the publicani. Not only was this a tremendous amount of money but it set a precedent for the taxation of provinces yet to be acquired.<sup>95</sup> The revenue law doubled the amount of contracts the state awarded, and merchants became increasingly fascinated with the profits to be made in the provinces.<sup>96</sup> Increased political power augmented the new wealth which the equites inherited from G. Gracchus; the Gracchan faction hoped that this new power would support them.<sup>97</sup> That faction



also provided the equites with the means to retaining the money extorted from the province--the control of the repetundae courts.

G. Gracchus had a dual purpose in securing the passage of the judiciary law of 123. The removal of the extortion courts from the Senate's control would limit the excesses of provincial magistrates, and therefore, return the senatorial class to its task of managing the government.<sup>98</sup> It would also provide the newly separated equestrian class with an important governmental function.<sup>99</sup> Before the judiciary law of 123 the Senate controlled the awarding of contracts and made up the jury for trials in which governors, also from the senatorial class, were tried for extortion. After Gracchus, the equites formed the jury for such trials; the potential threat of prosecution by equites made the governors more compliant with them in the provinces.<sup>100</sup> Moreover, the equites were given insurance against senatorial backlash; in the judiciary law there was a clause immunizing the jury from prosecution on bribery charges.<sup>101</sup>

According to the judiciary law, those excluded from juries were senators, magistrates, ex-magistrates, and their relatives. Equestrian status for the jury probably was determined by wealth and not restricted to those holding the public horse. Qualification by wealth would have broken some of the social prejudice among equites; it was traditionally more respectable for equites to engage in agriculture rather than trading.<sup>102</sup> A more cohesive class of equites emerged with new wealth and political power. Unfortunately for the Gracchan faction, they could not control the volatile allegiance of the equestrian order.<sup>103</sup>

The economic interest of the equestrian order accounts for this

political instability; the equites were both men of landed wealth and business concerns. They often allied with senators when their landed investments were threatened and against the Senate in conflicts over contracts.<sup>104</sup> In addition to common agricultural interests, the equites shared a commercial interest with senators. Although technically barred from commercial pursuits, the senatorial class, often acting through equestrian middlemen, engaged in money lending and wine and oil exportation to pay for imported luxury items.<sup>105</sup> The equites were not a pressure group in constant opposition to the Senate; however, there were points of contention between the orders. All equites were determined to retain their most important political weapon--the control of the extortion courts. Within the equestrian order, the most vociferous group was the publicani.<sup>106</sup>

Since the equestrian jurors usually came from the ranks of the publicani, they gained political importance after the Gracchi.<sup>107</sup> Traditionally the publicani and the equites were excluded from political office due to social prejudice and their business concerns.<sup>108</sup> Therefore, the political clout of the publicani was not overwhelming and the Senate was not frightened by them.<sup>109</sup> To the primarily agrarian aristocrats, the trading and financial activities of the equites were regarded as degrading occupations.<sup>110</sup> The desire for prestige and auctoritas motivated the equites to retain and use their new political power; their main source of political prestige flowed from their control of the extortion courts.<sup>111</sup> Many of the disputes after 123 between the Senate and the equestrian order resulted from senatorial efforts to remove the equites from these courts. The

equites resented the arrogance of the nobility and their monopolization  
of political offices.<sup>112</sup>

In short, the Gracchan faction created a new class and bribed  
its support with the Asian taxes and the repetundae courts. It is  
difficult to assess the effect the equites had upon the state because,  
in R. Syme's words, "The knights preferred comfort, secret power and  
solid profit to the burdens, the dangers and the extravagant display  
of a senator's life."<sup>113</sup> That element of "secret power" lends an aura  
of the mysterious to the power of the equites and opens the door to  
historians' interpretation. On the equites use of their political  
weapon, the extortion courts, they have been exonerated from blatant  
miscarriages of justice.<sup>114</sup> While unable to determine the exact  
limits of the equites' power, perhaps that objective can be achieved  
by discussing what power they did not have. The equites, in general,  
accepted the foreign policy of the Senate.<sup>115</sup> After G. Gracchus the  
political power of the merchants greatly increased due to their  
collection of the Asian taxes. Their added importance was, however,  
insufficient to motivate the Senate to direct a full-scale campaign  
to eliminate the pirates of the Mediterranean.<sup>116</sup> The equites cannot  
be blamed for goading the Senate into wars for the extension of their  
tax collection; evidence that the Senate checked the publicani is  
that the Sicilian grain tithe was still collected by Sicilians in 70.<sup>117</sup>

Though the equites did have political limitations, they were the  
"swing" element in Roman politics. The equites could support the fac-  
tion leading the plebs and thereby seriously challenge the dominance  
of the Senate as they did with G. Gracchus; however, if the equites  
supported the senatorial order, the popular faction would fall to

the domination of the Senate as it did when the equites refused to support the final actions of G. Gracchus.<sup>118</sup> The equites supported the group which best represented their interests--an attitude which was destined to disrupt the functioning of the Republic.

Following the deaths of the Gracchi, the Senate resumed control of the state. Rather than being strengthened by its victory over the Gracchi, the Senate had been weakened. That body now faced powerful new interest blocs--the plebs, the equites, and the Italian aristocracy--all of whom clamored for political advantage.<sup>119</sup> The response of the Senate to these political changes was a frantic desire to maintain their former position in society.<sup>120</sup> The old Gracchan faction was without a leader and, more importantly, without a decisive plan; it therefore represented no current threat to the Senate.<sup>121</sup> Since the constitution had not been amended in favor of the popular cause, the Senate struggled to assume its former position. However, the Senate was conscious of the smouldering power of the plebs and equites, and of its own tenuous hold on the predominant position in the state.<sup>122</sup>

The Senate did not immediately institute the repeal of all Gracchan legislation; the distribution of grain continued, and the equites retained control of the extortion courts and the collection of taxes in Asia.<sup>123</sup> The land commission continued under the direction of G. Sulpicius Galba, G. Papirius Carbo, and L. Calpurnius Bestia, but allotments ended under the law of Spurius Thorius in 118.<sup>124</sup> The oligarchs lowered the salary of soldiers, a sum which the Gracchi had raised; however, the consul of 109 repealed the oligarchs' decision and raised the salary in an attempt to induce more enlistments.<sup>125</sup>

In order to supplant domestic issues, the oligarchs of the restoration government engaged the Roman state in numerous small wars.<sup>126</sup>

Domestic strife between 122 and the beginning of the Jugurthine War resulted from the factional struggle of the nobility; thus Rome itself was in turmoil during this era of small foreign wars.<sup>127</sup> After the nobles had disposed of the troublesome Gracchi, they again engaged in factional politics. The Scipiones had been in power before the Gracchi, but after their deaths a new faction headed by the Metelli began a steady climb to power.<sup>128</sup> The extortion court was used as a stage for factional battles; the main objective of these trials was to discredit members of the opposing faction.<sup>129</sup> Following the death of G. Gracchus, there were several cases prosecuted either for personal vengeance or factional advancement.

P. Decius Subulo, tribune for 120, brought Lucius Opimius to trial on the charge that Opimius, as consul, had exceeded his authority in the suppression and murder of the followers of G. Gracchus. Opimius was acquitted, but in the following year Decius was tried for accepting a bribe to prosecute Opimius; Decius was acquitted by a jury comprised of equites.<sup>130</sup> Trials such as these represent political maneuvering, but Decius' motivation is difficult to ascertain. Scullard and T. Mommsen believe that Decius was an agent of the old Gracchan faction.<sup>131</sup> Their position is challenged by Badian and E. Gruen who agree that Decius was motivated by personal vengeance. The desire for revenge was perhaps initiated by mocking remarks made by the father of L. Opimius in reference to Decius' private life as a youth. The independence of Decius is also supported by the lack of evidence linking him to either the faction of Scipio Aemilianus or the Metelli. Gruen

believes that the attack on Decius precipitated from an attempt to discredit the leaders of 121 and had no connection with the Gracchan<sup>132</sup> movement.

The acquittal of Opimius in 120 was a good omen for the restoration government; it scored another victory in the same year through tribune L. Calpurnius Bestia. Bestia sponsored a plebiscite which recalled P. Popillius Leanas, the leader of the special court which condemned the followers of T. Gracchus. The oligarchy appeared firmly established, but their security was shattered by continued factional conflicts.<sup>133</sup>

After the death of G. Gracchus, P. Cornelius Lentulus, an ardent anti-Gracchan, became princeps senatus; however, factionalism in the Senate forced him to flee Rome as a legatio to Sicily. The factional war was then taken to the stage of the extortion courts. In 119, the same year as the trial of Decius, G. Papirius Carbo was tried before an equestrian jury; the charge against him is unknown, but it was perhaps related to his propraetorship. Carbo had an interesting political career; he was a member of the agrarian commission with G. Gracchus and Fulvius Flaccus. After their demise, Carbo apparently switched his allegiance to the anti-Gracchan faction and remained a member of the land commission on which Bestia and Galba served.<sup>134</sup> In 120 Carbo successfully defended L. Opimius at his trial.<sup>135</sup> Carbo became an easy target for a faction desiring to embarrass his new allies. L. Licinius Crassus successfully prosecuted him, and Carbo, apparently abandoned by his new backers, committed suicide. Significantly, later in his career, L. Crassus was a member of the Metellan faction.<sup>136</sup>

Following the Gracchi, a new power bloc began to emerge--one which would eventually become foremost in Roman government. This new faction was led by the family of the Metelli; the Metelli eventually replaced their opponents, the Scipiones and the anti-Gracchan extremists.<sup>137</sup> Factions were founded upon the leadership of great families and their ability to form alliances with influential families and individuals. The growth of the Metellan faction provides a good illustration of the operation of factional politics. The family began its rise with Q. Caecilius Metellus, consul in 206, who had two sons, Q. Metellus Macedonicus, consul in 143, and L. Metellus Calvus, consul in 142. Q. Metellus Macedonicus had four sons, Q. Metellus Balearicus, consul in 123, L. Metellus Diadematus, consul in 117, M. Metellus, consul in 115, and G. Metellus Caprarius, consul in 113. L. Metellus Calvus had two sons, L. Metellus Delmaticus, consul in 119, and Q. Metellus Numidicus, consul in 109. Obviously, the faction had ample family members to occupy Roman offices.<sup>138</sup> The following is a list of the Metelli who held the offices of augur, praetor, consul, censor or pontifex maximus from 123-102; the promagistracies of the Metelli are also listed. This demonstrates how the faction maintained its political influence.<sup>139</sup>

Q. Caecilius Metellus Balaricus	consul	123
L. Caecilius Metellus Delmaticus	praetor	122
Q. Caecilius Metellus Balaricus	promagistrate	122
Q. Caecilius Metellus Balaricus	promagistrate	121
Q. Caecilius Metellus Balaricus	censor	120
L. Caecilius Metellus Diadematus	praetor	120
L. Caecilius Metellus Delmaticus	consul	119
M. Caecilius Metellus	praetor	118
L. Caecilius Metellus Delmaticus	promagistrate	118
L. Caecilius Metellus Diadematus	consul	117
G. Caecilius Metellus Caprarius	praetor	117
L. Caecilius Metellus Delmaticus	promagistrate	117
L. Caecilius Metellus Diadematus	promagistrate	116

M. Caecilius Metellus	consul	115
L. Caecilius Metellus Diadematus	censor	115
Q. Caecilius Metellus Macedonicus	augur	115
succeeded by Q. Caecilius Metellus Numidicus		
M. Caecilius Metellus	promagistrate	114
L. Caecilius Metellus Delmaticus	pontifex maximus	114-103
G. Caecilius Metellus Caprarius	consul	113
M. Caecilius Metellus	promagistrate	113
Q. Caecilius Metellus Numidicus	praetor	112
M. Caecilius Metellus	promagistrate	112
G. Caecilius Metellus Caprarius	promagistrate	112
M. Caecilius Metellus	promagistrate	111
G. Caecilius Metellus Caprarius	promagistrate	111
Q. Caecilius Metellus Numidicus	promagistrate	111
Q. Caecilius Metellus Numidicus	consul	109
Q. Caecilius Metellus Numidicus	promagistrate	108
Q. Caecilius Metellus Numidicus	promagistrate	107
Q. Caecilius Metellus Numidicus	promagistrate	106
and celebrated triumph		
Q. Caecilius Metellus Numidicus	censor	102
G. Caecilius Metellus Caprarius	censor	102

The ascendancy of the Metelli was aided by the large number of family members who were available to hold the consulship and by their successful military careers which added prestige to the family. As the Scipionic faction faded, its old members such as P. Scipio Nasica Serapio, son of the Nasica who led the mob against T. Gracchus, Q. Mucius Scaevola, and Q. Lutatius Catulus joined the ranks of the Metelli. The Metelli eventually won the support of the Servilii Caepiones, Aurelii Cottae, Mucii Scaevolae, Licinii Crassi, Lutatii Catuli, Rutilii Rufi, Calpurnii Pisones, and perhaps the Livii Drusi. The faction not only enlisted the allegiance of the great noble houses of Rome, but also cultivated promising novi homines, such as M. Aemilius Scaurus and C. Marius. The domination by the Metelli was not immediate; their position was not superior to other factions until 111.

The factional maneuvering displayed through the courts from 116-113 illustrated the Metellan rise. M. Aemilius Scaurus was



a member of the Metellan factio; he was from a patrician family which was no longer prominent. The Metelli supported him for offices and also supported him in defending himself against factio enemies. In 116 Scaurus was defeated by Q. Fabius Eburnus, a Scipionic follower. In 115 Scaurus defeated P. Rutilius Rufus, another Scipionic follower, for the consulship. A good example of the use of the courts to harass political opponents was demonstrated by this contest. After Scaurus won the election, Rutilius charged him with ambitus; Scaurus was acquitted and then prosecuted Rutilius. In 114 M. Junius Brutus, a political ally of Opimius, charged Scaurus with extortion. Obviously, the Scipionic and anti-Gracchan factions did not disappear when challenged by the Metelli; these court trials show the continued factional disturbances which underlied Roman politics.<sup>141</sup> Scaurus remained a successful member of the Metellan faction; he became princeps senatus and censor, and eventually married Caecilia Metella, the daughter of Metellus Delmaticus.<sup>142</sup>

Trials for factional advantage did not end with Scaurus; 114 and 113 were disturbing years in Roman politics. In 114 G. Porcius Cato was defeated in Thrace; this defeat alarmed the people, and Cato was charged with repetundae in 113. Cato was the son of M. Porcius Cato and Aemilia; although a nephew of Scipio Aemilianus, G. Cato had followed T. Gracchus and later became a member of the Metellan faction. His prosecution was successfully supported by the old anti-Gracchan faction; Cato was convicted but charged only a small sum.<sup>143</sup>

However, Cato's trial was almost insignificant in comparison to the scandal of the Vestal Virgins in 114 and 113. In 114 the daughter of an equite was killed by lightning; this event was interpreted by

soothsayers to indicate that the Vestal Virgins were no longer virgins. This began an investigation of the Vestals which was to become a factional free-for-all. The Vestals were members of some of Rome's most important houses; there was an Aemilia, a Licinia, and a Marcia. Pontifex maximus Metellus Delmaticus investigated the charges against the Vestals and condemned Aemilia while acquitting the others. This did not satisfy the populace of Rome who supported the plebiscite of tribune Sex. Peducaeus to establish a special court to try the Vestals who had been acquitted by the pontifex maximus; L. Cassius Longinus Ravilla was the prosecutor for this special court comprised of equestrian jurors. L. Licinius Crassus, son-in-law of Q. Mucius Scaevola, a member of the Metellan faction, defended his cousin Licinia, but Cassius was harsh in his prosecutions and the remaining Vestals were condemned.<sup>144</sup> The Metellan factio, as calculated, was embarrassed by this outcome. Nevertheless, it was this faction which dominated the state at the outbreak of the Jugurthine War.

FOOTNOTES

<sup>1</sup>Ernst Badian, Publicans and Sinners; Private Enterprise in the Service of the Roman Republic (Ithaca, N.Y., 1972), p. 50.

<sup>2</sup>Scullard, From the Gracchi to Nero, p. 9.

<sup>3</sup>Lily Ross Taylor, Party Politics in the Age of Caesar (Sather Classical Lectures, Vol. 22 [Berkeley and Los Angeles, 1949]), p. 55; the entry for comitia in N. L. G. Hammond and H. H. Scullard, ed., The Oxford Classical Dictionary (2nd ed., Oxford, 1970), pp. 272-273, defines the various assemblies of Rome.

<sup>4</sup>Taylor, Party Politics in the Age of Caesar, pp. 50-51.

<sup>5</sup>Lily Ross Taylor, Roman Voting Assemblies from the Hannibalic War to the Dictatorship of Caesar (Jerome Lectures, Eighth Series [Ann Arbor, Mich., 1966]), p. 65.

<sup>6</sup>Taylor, Party Politics in the Age of Caesar, p. 55.

<sup>7</sup>Taylor, Roman Voting Assemblies, p. 59.

<sup>8</sup>Taylor, Party Politics in the Age of Caesar, p. 51; Taylor, Roman Voting Assemblies, p. 65.

<sup>9</sup>For example, if only ten voters from a rural tribe were present to vote, their collective vote counted as much as the collective vote of hundreds of city dwellers who voted in an urban tribe.

<sup>10</sup>Taylor, Roman Voting Assemblies, pp. 62 and 67.

<sup>11</sup>Taylor, Party Politics in the Age of Caesar, pp. 55-56; George Lee Haskins, ed., "Prelude to Destruction," in Death of a Republic; Politics and Political Thought at Rome 59-44 B.C., by John Dickinson (New York, 1963), p. 9; Herbert Hill, The Roman Middle Class in the Republican Period (Oxford, 1952), p. 107; Kurt von Fritz, Emergency Powers in the Last Centuries of the Roman Republic, Vol. III of the Annual Report of the American Historical Association, 1942 (Washington, 1944), p. 221.

<sup>12</sup>Frank Ezra Adcock, Roman Political Ideas and Practice (Jerome Lectures, Sixth Series [Ann Arbor, Mich., 1959]), p. 31.

<sup>13</sup>Scullard, From the Gracchi to Nero, pp. 5-6.

<sup>14</sup>Matthias Gelzer, The Roman Nobility, tr. Robin Seager (Oxford, 1969), pp. 4 and 52.

<sup>15</sup>Scullard, From the Gracchi to Nero, p. 6; Donald Earl, Tiberius Gracchus, A Study in Politics (Collection Latomus, Vol. 66 /Bruxelles-Berchem, 19637), p. 7.

<sup>16</sup>Earl, Tiberius Gracchus, p. 93.

<sup>17</sup>Adcock, Roman Political Ideas and Practice, p. 43; Scullard, From the Gracchi to Nero, p. 8.

<sup>18</sup>Scullard, From the Gracchi to Nero, p. 8; Earl, Political Thought of Sallust, p. 18.

<sup>19</sup>Scullard, From the Gracchi to Nero, pp. 6-7.

<sup>20</sup>Taylor, Party Politics in the Age of Caesar, pp. 43-44.

<sup>21</sup>Gelzer, p. 62.

<sup>22</sup>Ibid., p. 139.

<sup>23</sup>Ronald Syme, The Roman Revolution (Oxford, 1939), p. 11; Earl, Tiberius Gracchus, p. 7.

<sup>24</sup>Taylor, Party Politics in the Age of Caesar, pp. 7-9.

<sup>25</sup>Scullard, From the Gracchi to Nero, p. 7 for definition of amicitiae; Gelzer, p. 123 for definition of coitio.

<sup>26</sup>Taylor, Party Politics in the Age of Caesar, pp. 8-11.

<sup>27</sup>Earl, Tiberius Gracchus, p. 8.

<sup>28</sup>Ibid., p. 40.

<sup>29</sup>Earl, Tiberius Gracchus, p. 40; Earl, Moral and Political Tradition of Rome, pp. 28-30.

<sup>30</sup>Earl, Moral and Political Tradition of Rome, pp. 28-30; Frank Frost Abbott, A History and Description of Roman Political Institutions (3rd ed., New York, 1963), pp. 47-48.

<sup>31</sup>Adcock, Roman Political Ideas and Practice, pp. 13-14.

<sup>32</sup>Haskins, p. 16; Gelzer, p. 139.

<sup>33</sup>Earl, Moral and Political Tradition of Rome, pp. 16-17.

<sup>34</sup>Ibid., pp. 27-28 and 56-57.

<sup>35</sup>Earl, Political Thought of Sallust, pp. 38-39.

- <sup>36</sup>Earl, Moral and Political Tradition of Rome, pp. 27-28.
- <sup>37</sup>Henry Michael Denne Parker, The Roman Legions (New York, 1958), pp. 21-22.
- <sup>38</sup>Edmund Henry Oliver, Roman Economic Conditions to the Close of the Republic (University of Toronto Studies, History and Economics Toronto, 1907), pp. 166 and 194-195; Syme, Roman Revolution, p. 14.
- <sup>39</sup>Syme, Roman Revolution, p. 12.
- <sup>40</sup>Oliver, p. 143.
- <sup>41</sup>Oliver, p. 51; Syme, Roman Revolution, p. 14; Taylor, Party Politics in the Age of Caesar, pp. 4-5.
- <sup>42</sup>Haskins, p. 16; Adcock, Roman Political Ideas and Practice, p. 49.
- <sup>43</sup>Taylor, Party Politics in the Age of Caesar, pp. 4-5; Paul Louis, Ancient Rome at Work; An Economic History of Rome from the Origins to the Empire (New York and London, 1927), p. 163.
- <sup>44</sup>Louis, p. 163; Frank Burr Marsh, The Founding of the Roman Empire (2nd ed., Cambridge, 1959), pp. 31-32; Henry C. Boren, "The Urban Side of the Gracchan Economic Crisis," in Problems in Ancient History, Vol. II: The Roman World, ed. Donald Kagan (London, 1966), p. 225.
- <sup>45</sup>Boren, p. 220.
- <sup>46</sup>Badian, Publicans and Sinners, p. 47; Boren, p. 221.
- <sup>47</sup>Badian, Publicans and Sinners, p. 53; Boren, pp. 222-223.
- <sup>48</sup>P. A. Brunt, "The Army and the Land in the Roman Revolution," Journal of Roman Studies, LII (1962), p. 70; Oliver, pp. 134-136.
- <sup>49</sup>Boren, p. 223; Badian, Publicans and Sinners, p. 54.
- <sup>50</sup>Taylor, Party Politics in the Age of Caesar, pp. 5 and 53; Haskins, p. 9.
- <sup>51</sup>Earl, Tiberius Gracchus, pp. 30-31.
- <sup>52</sup>Ibid., pp. 34-35.
- <sup>53</sup>Parker, pp. 22-23.
- <sup>54</sup>Parker, pp. 22-23; Earl, Tiberius Gracchus, pp. 32-33.
- <sup>55</sup>Louis, pp. 90-91.
- <sup>56</sup>Adcock, Roman Political Ideas and Practice, pp. 49-50.

- <sup>57</sup>Earl, Moral and Political Tradition of Rome, pp. 56-57.
- <sup>58</sup>Earl, Tiberius Gracchus, p. 15.
- <sup>59</sup>Scullard, From the Gracchi to Nero, pp. 23-24; Earl, Tiberius Gracchus, p. 30; Kurt von Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," Transactions and Proceedings of the American Philological Association, LXXIV (1943), p. 161.
- <sup>60</sup>Earl, Tiberius Gracchus, p. 15.
- <sup>61</sup>Ibid., p. 14.
- <sup>62</sup>Ibid., p. 16.
- <sup>63</sup>Scullard, From the Gracchi to Nero, pp. 27-29.
- <sup>64</sup>Earl, Tiberius Gracchus, p. 94.
- <sup>65</sup>Scullard, From the Gracchi to Nero, pp. 29-30; Adcock, Roman Political Ideas and Practice, pp. 54-55.
- <sup>66</sup>Scullard, From the Gracchi to Nero, p. 30; Syme, Roman Revolution, p. 16.
- <sup>67</sup>Scullard, From the Gracchi to Nero, pp. 27-30.
- <sup>68</sup>Tenney Frank, Roman Imperialism (New York, 1929), pp. 262-263.
- <sup>69</sup>Scullard, From the Gracchi to Nero, pp. 27-29.
- <sup>70</sup>Brunt, "The Army and the Land in the Roman Revolution," pp. 69 and 72.
- <sup>71</sup>George Willis Botsford, The Roman Assemblies; From Their Origin to the End of the Republic (New York, 1968), p. 372.
- <sup>72</sup>Botsford, pp. 381-382; Scullard, From the Gracchi to Nero, p. 36.
- <sup>73</sup>Gelzer, pp. 71-72; Arnold Hugh Martin Jones, The Criminal Courts of the Roman Republic and Principate (Totowa, N.J., 1972), p. 49.
- <sup>74</sup>Botsford, pp. 374-375; Scullard, From the Gracchi to Nero, p. 35; Jones, p. 48.
- <sup>75</sup>P. A. Brunt, "The Equites in the Late Republic," Proceedings Vol. I of the Second International Conference of Economic History (1962), pp. 117-118; Adcock, Roman Political Ideas and Practice, pp. 55-56.
- <sup>76</sup>Brunt, "The Equites in the Late Republic," p. 118.

<sup>77</sup>Adcock, Roman Political Ideas and Practice, pp. 56-57; Abbott, p. 98; Mikhail Rostovtzeff, Rome, tr. J. D. Duff (New York, 1960), pp. 102-103; Botsford, p. 384.

<sup>78</sup>Scullard, From the Gracchi to Nero, p. 38.

<sup>79</sup>Taylor, Party Politics in the Age of Caesar, p. 16.

<sup>80</sup>Scullard, From the Gracchi to Nero, p. 40.

<sup>81</sup>Earl, Tiberius Gracchus, p. 104; Haskins, p. 18.

<sup>82</sup>Badian, Publicans and Sinners, p. 54, for discussion of R. E. Smith's views.

<sup>83</sup>Scullard, From the Gracchi to Nero, p. 40.

<sup>84</sup>Gelzer, pp. 18-19; Scullard, From the Gracchi to Nero, p. 9.

<sup>85</sup>Badian, Publicans and Sinners, p. 21; Scullard, From the Gracchi to Nero, p. 9; Tenney Frank, "Mercantilism and Rome's Foreign Policy," American Historical Review, XVIII (1913), p. 247.

<sup>86</sup>Oliver, p. 183; Brunt, "The Equites in the Late Republic," pp. 123-124.

<sup>87</sup>Scullard, From the Gracchi to Nero, p. 9.

<sup>88</sup>Gelzer, p. 5; Taylor, Party Politics in the Age of Caesar, pp. 3-4.

<sup>89</sup>Brunt, "The Equites in the Late Republic," pp. 119 and 122-123.

<sup>90</sup>Badian, Publicans and Sinners, p. 40.

<sup>91</sup>Brunt, "The Equites in the Late Republic," p. 124.

<sup>92</sup>Ibid., p. 119.

<sup>93</sup>Badian, Publicans and Sinners, pp. 56-59.

<sup>94</sup>Brunt, "The Equites in the Late Republic," p. 119.

<sup>95</sup>Brunt, "The Equites in the Late Republic," p. 119; Badian, Publicans and Sinners, p. 63.

<sup>96</sup>Frank, "Mercantilism and Rome's Foreign Policy," p. 251.

<sup>97</sup>Tenney Frank, "Commercialism and Roman Territorial Expansion," Classical Journal, V (1909), pp. 108-109.

<sup>98</sup>Badian, Publicans and Sinners, p. 82.

- <sup>99</sup>Ibid., p. 59.
- <sup>100</sup>Brunt, "The Equites in the Late Republic," p. 119; Badian, Publicans and Sinners, p. 64.
- <sup>101</sup>Taylor, Party Politics in the Age of Caesar, p. 17.
- <sup>102</sup>Badian, Publicans and Sinners, p. 65.
- <sup>103</sup>Hill, pp. 111-112.
- <sup>104</sup>Hill, pp. 111-112; Brunt, "The Equites in the Late Republic," p. 124.
- <sup>105</sup>Brunt, "The Equites in the Late Republic," pp. 126-127.
- <sup>106</sup>Ibid., p. 134.
- <sup>107</sup>Badian, Publicans and Sinners, p. 67; Brunt, "The Equites in the Late Republic," p. 122.
- <sup>108</sup>Badian, Publicans and Sinners, p. 52.
- <sup>109</sup>Ibid., p. 89.
- <sup>110</sup>Brunt, "The Equites in the Late Republic," p. 128; Hill, p. 48.
- <sup>111</sup>Brunt, "The Equites in the Late Republic," pp. 118, 120, and 134.
- <sup>112</sup>Ibid., pp. 120-121.
- <sup>113</sup>Syme, Roman Revolution, p. 13.
- <sup>114</sup>Badian, Publicans and Sinners, p. 87; Hill, p. 116; Brunt, "The Equites in the Late Republic," p. 119, notes that there were some unfair convictions in the extortion courts, especially the conviction of P. Rutilius Rufus.
- <sup>115</sup>Adcock, Roman Political Ideas and Practice, p. 48.
- <sup>116</sup>Frank, "Commercialism and Roman Territorial Expansion," pp. 108-109; Frank, "Mercantilism and Rome's Foreign Policy," pp. 244-245.
- <sup>117</sup>Brunt, "The Equites in the Late Republic," p. 124.
- <sup>118</sup>Frank Burr Marsh, A History of the Roman World From 146 to 30 B.C., rev. H. H. Scullard (3rd ed., London, 1963), pp. 68-69; Hill, pp. 113-114.
- <sup>119</sup>Erich S. Gruen, The Roman Republic (American Historical Association Pamphlets, No. 312 /Washington, 1972/), p. 26.



- <sup>120</sup>Theodor Mommsen, The History of Rome, Vol. III, tr. William Purdie Dickson (Rev. ed., New York, 1905), pp. 378-379.
- <sup>121</sup>Mommsen, History of Rome, pp. 371-372; Taylor, Party Politics in the Age of Caesar, p. 14.
- <sup>122</sup>Mommsen, History of Rome, pp. 377-379 and 411-412.
- <sup>123</sup>Ibid., p. 373.
- <sup>124</sup>T. Robert S. Broughton, The Magistrates of the Roman Republic, Vol. I (Philological Monographs, No. 15 /Cleveland, Ohio, 1968/), p. 522; Mommsen, History of Rome, p. 375.
- <sup>125</sup>Botsford, pp. 389 and 392.
- <sup>126</sup>Paulus Orosius, Seven Books of History against the Pagans, tr. Irving Woodworth Raymond (Records of Civilization, No. 26 /New York, 1936/), V, 13-15; Rostovtzeff, Rome, p. 105.
- <sup>127</sup>Syme, Roman Revolution, p. 16.
- <sup>128</sup>Erich S. Gruen, Roman Politics and the Criminal Courts, 149-78 B.C. (Cambridge, Mass., 1968), p. 107.
- <sup>129</sup>Gezler, p. 85.
- <sup>130</sup>Ernst Badian, "P. Decius P.f. Subulo," Journal of Roman Studies, XLVI (1956), pp. 92-93; Gruen, Roman Politics and the Criminal Courts, pp. 109-110; Ernst Badian, "From the Gracchi to Sulla (1940-1959)," p. 215; Titus Livius, Summaries of Books XLVI-CXLII, Vol. XIV, tr. Alfred C. Schlesinger, The Loeb Classical Library (Cambridge, Mass. and London, 1959), LXI.
- <sup>131</sup>Scullard, From the Gracchi to Nero, p. 44; Mommsen, History of Rome, p. 372.
- <sup>132</sup>Badian, "P. Decius P.f. Subulo," pp. 92 and 94-95; Gruen, Roman Republic, pp. 102-103 and 110-111.
- <sup>133</sup>Badian, "From the Gracchi to Sulla (1940-1959)," p. 214; Scullard From the Gracchi to Nero, p. 45; Botsford, p. 388.
- <sup>134</sup>Gruen, Roman Politics and the Criminal Courts, pp. 99-100 and 106-109; Donald Earl, "Sallust and the Senate's Numidian Policy," Latomus XXIV (1965), p. 535.
- <sup>135</sup>Badian, "P. Decius P.f. Subulo," p. 94; Badian, "From the Gracchi to Sulla (1940-1959)," p. 215.
- <sup>136</sup>Gruen, Roman Politics and the Criminal Courts, pp. 107-109.
- <sup>137</sup>Ibid., p. 129.

- <sup>138</sup>Syme, Roman Revolution, The Metelli Family Tree.
- <sup>139</sup>Broughton, Magistrates of the Roman Republic, pp. 512-567.
- <sup>140</sup>Gruen, Roman Politics and the Criminal Courts, pp. 107, 111-117, 125, and 133.
- <sup>141</sup> *Ibid.*, pp. 118-123 and 125-127, although P. Rutilius Rufus was a member of the Scipionic faction when he challenged Scaurus, Rutilius later joined the Metellan faction and became consul with their support in 105.
- <sup>142</sup>Scullard, From the Gracchi to Nero, p. 46.
- <sup>143</sup>Gruen, Roman Politics and the Criminal Courts, pp. 125-127 and 136.
- <sup>144</sup>Gruen, Roman Politics and the Criminal Court, pp. 127-129; Jones, p. 53; Botsford, p. 390; Badian, Publicans and Sinners, p. 83.

## CHAPTER III

### THE ORIGINS OF THE NUMIDIAN WAR

The Second Punic War was the stimulus which originated Rome's interest in Numidia. This area, now Tunisia and Algeria, was inhabited by Berber tribesmen, and was part of the Carthaginian hegemony. The Carthaginian cavalry consisted of these Berber tribesmen; it was this fact which compelled Rome into diplomatic intrigues with the Numidian princes.<sup>1</sup> In order to deprive their rival of a cavalry, Roman generals arranged alliances with Berber kings.

In 213 P. Scipio, the father of Scipio Africanus, arranged an alliance through envoys with Syphax, the king of the Masaesylii, who inhabited wester Numidia. Syphax began fighting the Carthaginians in North Africa and encouraging Numidians in the Carthaginian army in Spain to desert.<sup>2</sup> To combat the influence of Syphax, Carthage formed an alliance with Gaia, the king of the Massyles of eastern Numidia; he remained allied to Carthage from 213-208. Gaia's son, Masinissa, led a contingent of cavalry for the Carthaginians in Spain.<sup>3</sup> Syphax's activities in northern Africa necessitated the return of Hasdrubal and Masinissa from Spain. Syphax was defeated, but not pacified, and Masinissa was assigned to continue fighting in Africa; eventually he forced Syphax into an alliance with Carthage and returned to Spain.<sup>4</sup> Masinissa fought for Carthage in Spain from 211-206; in 206, however, he became receptive to the entreaties of Scipio for an alliance.<sup>5</sup>

A political shuffle in Numidia prompted Masinissa to seek an alliance in the Roman camp. While Masinissa was in Spain, his father

had died in Africa; Masinissa's uncle assumed the throne but died shortly. A dynastic struggle resulted in which a rival branch of the family acquired the uppermost position. Carthage and their new ally, Syphax, opposed Masinissa's claim to the throne; Syphax planned to eventually usurp Masinissa's kingdom. Masinissa met with Scipio in Spain and promised to aid the Romans in an invasion of Africa; after this meeting, Masinissa returned to Africa.<sup>6</sup> Scipio arrived in Africa in 204 with hopes of cementing an alliance with both Syphax and Masinissa; the loyalty of Masinissa was secured, but any hope of an alliance with Syphax was destroyed by his marriage to a Carthaginian.<sup>7</sup>

Masinissa, aided by Roman forces under Scipio's lieutenant, G. Laelius, began an invasion of Syphax's territory; Syphax was defeated, and his capital, Cirta, surrendered.<sup>8</sup> In 203 Laelius was dispatched to Rome with a moderate peace treaty for the Senate's ratification; in addition to ending hostilities, the treaty provided for the official recognition of Masinissa as the king of all Numidia. The Senate hesitated before approving the treaty because Hannibal was still in Italy, but eventually did ratify it. However, during the peace negotiations at Rome, the Carthaginians broke the truce, and the treaty never went into effect.<sup>9</sup>

Masinissa, again with Roman military aid, pacified Numidia and established his kingdom during the winter of 203-202. While Masinissa was occupied in Numidia, the war between Rome and Carthage had revived. Hannibal began the battle at Zama in 202 before Masinissa and Laelius had returned from Numidia; however, they did arrive in

time to turn the tide of battle in favor of Scipio, and Zama was a Roman victory.<sup>10</sup>

After the Second Punic War, Masinissa was the sole sovereign of Numidia and owed his throne and his increased dominion to Scipio Africanus.<sup>11</sup> This African monarch brought dramatic changes to Numidia during his reign which lasted over fifty years. Educated by Carthaginians, Masinissa wished to impart Punic customs to his nomadic Numidians. To accomplish this, he encouraged the Numidians to follow Punic agricultural methods and abandon their nomadic life and tribal government.<sup>12</sup> However, Masinissa did not convert the Numidians into settled farmers; although his efforts did extend agriculture, the chief occupation of his people remained stock-raising. Numidia did not engage in heavy foreign trade at this time; agricultural surpluses were used as political gifts. Masinissa was diligent in appeasing the Romans; he realized that Numidian prosperity hinged upon continued Roman approval.<sup>13</sup> Eventually, Masinissa was successful in transforming Numidia into a unified and powerful kingdom.<sup>14</sup>

One of the tools used by the Numidian king to forge a powerful state was the peace treaty which ended the Second Punic War. According to the treaty of 201 Carthage had to cede to Numidia the ancestral lands which it claimed up to a certain boundary which was to be defined, and further, Carthage could not wage an aggressive war without Roman permission. Since the boundary of Numidia's ancestral lands was never established, Masinissa had a perfect opportunity to seize prized Carthaginian territory. This was especially easy for Numidia since, according to the treaty, Carthage would be violating that agreement if it attacked the Numidians as they took possession of any land

they claimed. Negotiation was the only recourse left to Carthage, and, in order to remain a favored client of Rome, Masinissa was careful to accept Roman arbitration of his territorial claims.<sup>15</sup>

Rome approved Numidia's piecemeal aggression either directly or through its silence during arbitration over disputed areas.<sup>16</sup> Masinissa's first encroachment was in 193; as a result Rome dispatched an arbitration commission headed by Scipio Africanus, but no decision was reached. Since Masinissa held the area, he retained this former Carthaginian territory. The next disputed territory in 182 was awarded to Masinissa by the Senate. In 174 Rome had to postpone a decision on another area because of more important business; Masinissa again retained the territory.<sup>17</sup> In 161 Masinissa acquired the fertile area of Emporia and kept it by the Senate's permission.<sup>18</sup>

In Carthage a pro-Numidian party gained control of the government; it wished to unite Carthage and Numidia under Masinissa. This party, however, was short-lived and was replaced by a group favoring opposition to Numidian aggression. Masinissa's invasion of the fertile area of Thugga aroused the Carthaginians to protest his actions to the Romans. In 152 M. Porcius Cato headed a commission to arbitrate this dispute.<sup>19</sup> The Carthaginians refused to agree in advance to abide by any Roman decision. Cato left Africa without a settlement, but was impressed by the Carthaginians' show of resistance and their post-war prosperity.<sup>20</sup> In the winter of 151-150, a Carthaginian army invaded Numidia; Carthage had violated the treaty and had now only to await its destruction.<sup>21</sup>

Cato had returned to Rome preaching of the dangers of the newly emerging Carthage.<sup>22</sup> Masinissa had provoked this war with Carthage

in the hope that the Romans, who feared a rearmed Carthage, would award its territory to him. Instead Masinissa provided the stimulus which prodded Rome into a policy vowing the total destruction of Carthage.<sup>23</sup> After its fall in 146, Masinissa did not inherit all of the old Carthaginian territory; Rome established a province from the area around Carthage in order to assure that no challenge to its authority would ever emerge from the area again.<sup>24</sup> The heirs of Masinissa were allowed to retain the Carthaginian territory he had taken before 146. With this they also inherited the responsibility of guarding the frontiers of their new territory from the incursions of interior tribesmen; Masinissa's heirs became Rome's most important client-princes.<sup>25</sup>

Although the Numidians did not take all of the Carthaginian territory, they were the inheritors of the Carthaginian culture. The Romans gave the Numidians the contents of the Carthaginian library, Punic continued to be the official language of North Africa, and many of the survivors of the destroyed Carthaginian cities were welcomed into Numidia.<sup>26</sup>

Masinissa, however, did not live to see the final outcome of his aggression against Carthage. In 148 Scipio Aemilianus visited his court to ask for military aid against Carthage. Masinissa was close to death and instructed his three legitimate sons to accept Scipio's decision concerning the succession to his throne; Scipio's intercession was logical since he had inherited the clientship of Masinissa from Scipio Africanus.<sup>27</sup> Scipio chose to make all three of Masinissa's sons a king. He divided their duties so that Micipsa, the eldest, ruled the capital, Cirta, Mastanabal oversaw judicial affairs, and

the army was led by Gulussa.<sup>28</sup> After the death of his brothers, Micipsa became the sole king, and it was the quarrel over the succession to his throne which began the civil war in Numidia.

Sallust wrote the Bellum Iugurthinum to illuminate the origins of the civil wars which would eventually collapse the Republic.<sup>29</sup> His work is not devoid of chronological and historical errors, but rather than intersperse criticisms and interpretations through a summary of Sallust's narrative, comments will be presented afterwards.

This summary of Sallust's Bellum Iugurthinum will begin with Micipsa's sole reign in Numidia. Micipsa had two sons, Adherbal and Hiempsal, but he allowed his nephew, Jugurtha, the illegitimate son of Mastanabal, to reside in the royal palace. Jugurtha was older than either of Micipsa's sons, and soon attracted many followers through his winning personality and physical prowess. Micipsa, fearing that Jugurtha would usurp his kingdom upon his death, donated cavalry which would be led by Jugurtha to the Numantine campaign of Scipio Aemilianus. Micipsa hoped that Jugurtha would die in the campaign; however, the young Numidian excelled in warfare and won the friendship of many Romans. While in Spain, some unscrupulous Romans encouraged Jugurtha to become the king of Numidia and assured him that he could purchase Roman approval of this action; Scipio, however, also befriended Jugurtha and warned him against bribing individual Roman citizens; he enjoined Jugurtha to cultivate Roman support by proving himself to be the friend of all the Roman people. Jugurtha returned to Numidia with a letter from Scipio commending him to Micipsa. In response Micipsa adopted Jugurtha at once, thus making him an equal heir with his own two young sons.<sup>30</sup>



Upon Micipsa's death the princes met to decide how Numidia would be governed by them. Hiempsal, the youngest of the three, taunted Jugurtha--an action which he would regret, for Jugurtha became determined to become the sole ruler of Numidia. Jugurtha instigated the murder of Hiempsal; in response, Adherbal sent envoys to Rome to report his brother's murder and began to raise a force to meet Jugurtha. Although outnumbered, Jugurtha's superiorly trained soldiers defeated Adherbal's army. The vanquished prince then fled to Rome's African province and from there to Rome. Jugurtha solidified his domination of all Numidia and dispatched envoys to Rome with gold and silver to bribe a favorable decision from the Senate. Adherbal addressed the Senate with entreaties to place Rome's friend and ally back on his throne; the envoys of Jugurtha, however, disclaimed any responsibility for the death of Hiempsal and claimed that Adherbal had attacked Jugurtha unjustly. In the Senate's discussion, a large number of senators, influenced by Jugurtha's bribes, supported Jugurtha, while others wished to aid Adherbal and punish Jugurtha for Hiempsal's murder. M. Aemilius Scaurus was among the group favoring Adherbal, but his support stemmed not from a desire for justice, but from fear that the notorious bribery by Jugurtha would arouse popular unrest. The group favoring Jugurtha dominated the Senate; therefore, a commission of ten men, led by L. Opimius, was sent to Africa to divide Numidia between Jugurtha and Adherbal. Jugurtha and his envoys succeeded in bribing Opimius and a majority of the commission. The division the commission decided upon awarded the more populous and fertile western Numidia to Jugurtha and eastern Numidia to Adherbal.<sup>31</sup>

But Jugurtha was not satisfied with his portion of Numidia;

encouraged by the success of his bribes in Rome, Jugurtha was determined to again engage the militarily inferior Adherbal. Jugurtha invaded Adherbal's territory taking prisoners and booty but quickly retreating to western Numidia to await Adherbal's retaliation; however, Adherbal was equally determined not to engage Jugurtha. Disappointed by his foe's pacifism, Jugurtha raised a large army and invaded Adherbal's territory with the intention of wresting control of all Numidia. Adherbal prepared for battle, but also sent envoys to describe the situation to the Senate. Jugurtha won handily and encircled Adherbal in Cirta where his defense was aided by Roman civilians. The Senate dispatched three young men to Africa to command that the fighting cease and to settle the disagreement by law. Jugurtha heard their message and replied that his attack on Adherbal was provoked by a plot engineered by Adherbal to assassinate him. Jugurtha promised to send envoys to the Senate to explain his actions; the Roman envoys left Africa without speaking to Adherbal.<sup>32</sup>

When Rome's envoys left Africa, Jugurtha again laid siege to Cirta. Adherbal, realizing his precarious position, sent two envoys to Rome with a letter revealing Jugurtha's disobedience of the Senate's wishes. Some senators favored sending an army to Africa to aid Adherbal, but the desires of this group were offset by those partisans of Jugurtha who represented his interests. Ultimately the Senate decided to send another commission, comprised of important men, including the princeps senatus, M. Aemilius Scaurus. Jugurtha feared the decision of these powerful men and made a determined effort to take Cirta before meeting with them. However, Cirta did not succumb to him nor did he to the threats of the commission, which departed for Rome without concluding

the warfare. When the commission could not compel Jugurtha to give up the siege of Cirta, the Italici, the primary defenders of the city, convinced Adherbal to surrender in return for a promise to guarantee his life; the Italici reasoned that they would be spared on account of Rome's prestige. Jugurtha accepted Adherbal's surrender but ignored his promise. Adherbal was tortured and murdered; all adult Numidians and all traders carrying weapons were likewise slain.<sup>33</sup>

Jugurtha's massacre of the Italici once more brought the question of a Numidian war before the Senate. Jugurtha's friends attempted to prevent any senatorial action, but the harangue of the tribune-elect, G. Memmius, enlightened the Roman populace to the unscrupulous motives of some of the nobles. The Senate, prodded by fear of the populace, declared that Numidia be assigned to one of the consuls for the next year. L. Calpurnius Bestia was the consul who led the first military expedition against Jugurtha.<sup>34</sup>

Sallust's narrative of the events preceding Rome's declaration of war has been challenged by historians. Sallust characterized Jugurtha as a noble young man until he was introduced to avarice by the Roman nobles.<sup>35</sup> Such a characterization was utilitarian to Sallust, who continually scolded the Romans for their declining virtues.<sup>36</sup> Sallust reinforced the impression of Jugurtha's corruption by the Roman youths through his narrative which depicted the time interval between Jugurtha's return from Spain and the war for Micipsa's throne as a few years; actually the intervening time was fifteen years. It is, therefore, unlikely that a conversation concerning Jugurtha's kingly potential fifteen years before Micipsa's death could have drastically affected Jugurtha's actions against his sons.<sup>37</sup>

Sallust's portrayal of Jugurtha's extensive bribery of Roman noblemen has likewise received scrutiny. The royal family of Numidia was in a client-patron relationship with the family of Scipio Africanus. Jugurtha was especially indebted to Scipio Aemilianus, for it was his recommendation which won a share in the royal inheritance of Micipsa for him. With this information the nature of Jugurtha's gifts to Romans becomes complicated; the gifts could represent bribes or the normal tribute expected of client-kings.<sup>38</sup> Sallust and Florus insist that Jugurtha bribed favorable decisions from the Senate; Ernst Badian, however, is not so convinced of the nobility's lack of virtus.<sup>39</sup> Badian does not perceive any correlation between Jugurtha's gifts and the Senate's decisions.<sup>40</sup> Gifts from clients were accepted as part of the ancient mos maiorium; however, gifts to senators could be portrayed as bribes by the political opposition.<sup>41</sup>

It would be too generous to depict the nobility as completely guiltless in accepting Jugurtha's gifts, but Sallust is guilty of overemphasizing the greed of the senators.<sup>42</sup> The reluctance on the part of many senators to punish Jugurtha may have stemmed from Jugurtha's patrons, the Scipiones. The Scipionic family created the Numidian throne for Masinissa and his descendants. Although their power was ebbing, they could still influence many senators into a favorable position toward Jugurtha; in addition, Jugurtha had proven himself to be a loyal client to Rome and especially to the Scipionic family at Numantia.<sup>43</sup> Jugurtha's outstanding service to the Roman state in Spain doubtlessly won him many Roman friends; such comrades would now be influential middle-aged men.<sup>44</sup> The simplicity of Sallust's interpretation of the Senate's reluctance to oust Jugurtha from Numidia

is exposed further by an examination of the Senate's legal responsibility to intervene in Numidian affairs.

Rome was not legally bound to intervene in the affairs of a client-state; the basic relationship between Rome and its client-states was friendship.<sup>45</sup> Although client-kings whose titles were recognized by the Senate were called rex, amicus or socius atque amicus, there were no offensive or defensive commitments to these kings. When a king accepted the title of friendship with the Roman state, he was acknowledging his inferiority. While there was no obligation to aid client-kings, clients were expected to aid Rome. When Rome assumed the responsibility of designating the successor to a client-king's throne, as it did in Numidia, it also became the sole course of arbitration if a squabble over the throne began. In many cases disputes among heirs were settled by dividing the kingdom, but it was Rome's prerogative to enforce its decision or let the fighting continue. The key to intervention was the extent to which a civil war in a client-state threatened Rome's interests. It did not intervene in its client's affairs to enforce justice, but rather to protect its own interests.<sup>46</sup>

Without an obligation to intervene, the Senate was free to choose the course which best reflected Rome's interests. It was reluctant to become embroiled in a civil war in Numidia, and followed its traditional means of diplomacy with client-states.<sup>47</sup> The Senate hoped to use its authority to end the Numidian war; the chief symbol of that assembly's authority was the princeps senatus, M. Aemilius Scaurus, who led one of the commissions to Numidia. Such diplomatic maneuvers usually were effective with client-states and, from Numidia's

history of fierce loyalty to Rome, it could be expected that the Numidian kings would readily accept the Senate's mandates.<sup>48</sup> When the fighting did not end, the senators were vulnerable to the opposition's charges that they had been bribed. The oligarchs were, in fact, honestly trying to avoid a war in Numidia, and attempted through the use of commissions to reach a peaceful settlement.<sup>49</sup>

The Senate followed the established procedure of declaring war in its diplomacy with Jugurtha. Much of its apparent hesitation to take swift action against Jugurtha was due to Rome's system of declaring war, the ius fetiale. Before the state committed itself to war the procedure of the fetial law was observed; there were five steps in this procedure. The first step was res repetuntur, a demand for satisfaction, then bellum denuntiatur, a statement that the other party had not satisfied the grievance. The next step was senatus censet, the Senate's vote for war, then the comitia voted for war, populus iubet. The final step was bellum indicitur, throwing a spear into the enemy's territory, which was the traditional declaration of war. By the Second Punic War the fetial process changed; the Senate took a dominant role in the procedure. The basic steps remained the same, however the order in which they occurred was jumbled. The new process was senatus censet, populus iubet, res repetuntur, bellum denuntiatur, and bellum indicitur. The procedural changes meant that the comitia voted for war before the demand for satisfaction was presented. Therefore if the Roman demands were rejected, the senatorial legati could declare war right away. In effect, the legati left Rome with a conditional declaration of war; this increased the Senate's control of foreign affairs.<sup>50</sup>

In an effort to avoid a war, the Senate followed the fetial procedure and sent three commissions to solve the Numidian problem.<sup>51</sup> After the murder of Heimpsal, Adherbal fled to the Romans with the intention of securing their aid; Jugurtha's envoys also appeared and presented his interpretation of the events. The Senate could either divide the territory between the claimants or commit forces to Numidia to determine which was the aggressor. The senators chose to divide Numidia, and sent a commission of ten legati, led by L. Opimius, to divide the kingdom; such a settlement suited Rome's interests. Peace in the country neighboring its African province was to Rome's advantage, as also was the preservation of a king of proven loyalty as the king of Numidia.<sup>52</sup>

After four years of peace, Jugurtha surrounded Adherbal in Cirta; again Adherbal's plead for assistance resulted in another Roman commission. Three young men comprised the second commission. Although Sallust derided the dispatching of adulescentes, this was a regular procedure.<sup>53</sup> The three legati interviewed Jugurtha and presented the Roman demands to him; Jugurtha replied that it would be an injustice for him to comply with their demands and promised to send envoys to Rome to present his case. The commission left Africa without speaking to Adherbal and without ending the conflict. After their departure Jugurtha redoubled his efforts to take Cirta before the envoys brought the result of their mission to Rome.<sup>54</sup>

With the news of the envoys' failure, some senators clamored to send aid to Adherbal, but the majority agreed to make one final peace effort. The Senate dispatched a third commission; distinguished men, including the princeps senatus, comprised this commission. Hoping to

take Cirta, Jugurtha hesitated as long as possible before meeting with these men. Although the commission was firm, they also returned to Rome with the grievances unsatisfied.<sup>55</sup>

The action of the Senate followed the new fetial procedure; it decided upon war and the comitia voted for a conditional declaration of war, senatus censet and populus iubet. The Senate could now use the threat of war for leverage in its negotiation with Jugurtha. The three young legates delivered the rerum repetito or demand of satisfaction of grievances. Young envoys were chosen so that if they were rejected, the Senate would not be as greatly insulted as it would have been if the commission had contained distinguished men; the oligarchs were still attempting to avoid a war. The commission met with Jugurtha and delivered an ultimatum; the crafty Numidian, however, claimed that he was the injured party and would send envoys to Rome. Possibly Jugurtha agreed to stop fighting until his envoys were heard; this would have prevented the bellum denuntiatur, or statement that Rome's demands had been rejected, from being delivered. Jugurtha waited until the embassy left Africa before renewing his attacks upon Cirta.<sup>56</sup>

After the young envoys' return, the Senate again received a desperate appeal from Adherbal. A debate began in the Senate to decide if aid should be sent to him; the rationale for such action was that Jugurtha had disobeyed the legati. This confirms that Jugurtha had made some concessions to the envoys, which he was now disregarding. The Senate agreed to a final commission comprised of distinguished men; they were assigned to either stop the fighting or deliver the bellum denuntiatur. This commission also departed for Rome without Jugurtha's



compliance with its demands. The Senate had to make the final decision; it had attempted to avoid a Numidian war, but now it had to decide whether to ignore Jugurtha's disobedience of the bellum denuntiatur or commit its forces to war.<sup>57</sup>

Sallust manipulated the Senate's reluctance to begin a war against Jugurtha into evidence of incompetence and corruptibility.<sup>58</sup> In reality the oligarchic assembly had ample justification to delay the war or to ignore Jugurtha entirely. At the same time Jugurtha was fighting in Africa, the Senate was conscious of threatening maneuvers displayed by the Cimbri in Gaul. The problems involved in directing wars in Gaul and Africa at the same time would have tempered its desire to punish Jugurtha's disobedience.<sup>59</sup>

Jugurtha's character also probably influenced the Senate's hesitance; as a loyal client of the Scipiones, he would have the support of many influential men, especially those with whom he had served in the Numantine campaign of Scipio Aemilianus.<sup>60</sup> The Senate could expect obedience from its client-princes, especially from one of proven loyalty, and, in fact, may have wished to keep Jugurtha on the Numidian throne. Jugurtha was a militarily powerful king and therefore would be able to defend the frontiers of Rome's province in Africa. Furthermore if a war was begun in Africa, the Roman army would have to develop tactics for desert fighting.<sup>61</sup> In spite of these objections the Senate was compelled to begin a war it did not want and had tried to avoid.

After the news of the Cirta massacre reached Rome, G. Memmius, tribune-elect, aroused the anger of the people by exclaiming that the nobles were stalling in their deliberations and intended to do nothing about Jugurtha. The Senate was pressured by the anger of the people

to declare war.<sup>62</sup> This is Sallust's interpretation of the origin of that body's declaration of war. The murder of the Italian traders undoubtedly outraged Romans, but it was not the legal reason that the Senate declared war. The technical reason was that Jugurtha had disobeyed its commands and killed Adherbal, the amicus and socius of Rome. Jugurtha had defied the denuntiatio of the Senate, and for this reason that assembly declared war.<sup>63</sup> The Senate, however, was under no obligation to declare war, it could have ignored the actions of Jugurtha. However, the pressure from Memmius forced the Senate into its decision. It was ultimately the actions of Roman politicians which began the Jugurthine War.

The influence of factionalism upon the Senate's decision cannot be discounted. The year that Bestia was to be sent against Jugurtha was 111; this is the same year that the Metellan factio established its dominance. Jugurtha was the traditional client of the Scipiones, and as their power eclipsed so perhaps did the influence they could command in his interests.<sup>64</sup> But more importantly the outrage over the murder of the Italians in Cirta created a political base for a new popular party.<sup>65</sup> Sallust describes Memmius as an opponent of senatorial domination; Memmius enlightened the plebs and the equites to the nobles' corruptibility. In his opinion they had declined to the point of sacrificing the state's interests in favor of their own greed.<sup>66</sup> The charges that the Senate had been bribed to protect Jugurtha forged a coalition between the plebs and the equites, the old power based used by the Gracchi. This power base was probably manipulated by a faction led by nobles which used the tribune Memmius as their spokesman.<sup>67</sup>

It is easy to determine the plebs' motivation in clamoring for a war against Jugurtha; however, the factors influencing the equites are not so easily ascertained. The plebs were disenchanted with the government and readily absorbed propaganda which branded the senators with political vice. To the plebs, Roman honor had been insulted by Jugurtha and they chose the Roman army to restore it.<sup>68</sup>

The influence of the equites was more important than that of the plebs, and their support for a Numidian war, contrary to the wishes of the Senate, is significant. There is a possibility that equestrian support arose from a purely economic motivation. The arguments supporting such an economic motivation rest upon the traditional role of the equites as Roman businessmen. As businessmen, they would be displeased if their trading territory was reduced by the Cirta massacres; they would have then supported a war to re-establish a peaceful trading territory. If such a retaliatory war was declared, the equites could expect to profit from the supply contracts that would be awarded.<sup>69</sup> Superficially the case for economic motivation appears sound, but the nature of foreign trade conducted by Italians, and the Senate's obligation to these traders deserves more scrutiny.

During the reign of Micipsa, the Roman Senate did not direct the development of its African province. The province had not been acquired in order to develop its potential, but to preclude any resurgence of an alien power. However, without senatorial direction, Romans and Italians did immigrate to Africa; most of these were negotiatores or traders.<sup>70</sup> The negotiatores trafficked in merchandise and functioned as bankers.<sup>71</sup> These negotiatores were, for the most part, Italians and not equites or even Roman citizens; they usually

operated as individuals and were not members of powerful organizations.<sup>72</sup> They were in Carthaginian territory even before 146 and therefore were present to fill the trading void created by the destruction of Carthage. The negotiatores based their operations in Utica and Hadrumetum, but they quickly expanded into Numidia, especially into Vega and Cirta.<sup>73</sup> It is difficult to assess the Senate's responsibility for the safety of Italians in foreign countries. Generally, the Senate was considered the patron of its Italian allies.<sup>74</sup> The protection of Italian traders may have been part of the Numidian treaty of friendship, as it was with other nations, but this cannot be determined.<sup>75</sup> However, the Senate was not noted for being responsive to the desires of the trading class.<sup>76</sup>

There was no demand for annexation by either the equites or the plebs at the conclusion of the war; a territory did not have to be a province for the equites to make profits, as was evidenced by the presence of Italians in Numidia before the war. In addition a war would only interrupt normal trade; it therefore appears unlikely that the equites demanded a war in Numidia so they could increase their trading territory.<sup>77</sup> Concerning equestrian profits from war contracts, the real profiteers of any Roman war were individual senators.<sup>78</sup> Therefore, the equites opposed the Senate and demanded war, like the plebs, to restore Rome's honor which had been insulted at Cirta. Undoubtedly the equites desired vengeance for the deaths of the Italian traders, some of whom may have been connected with Roman trading concerns.<sup>79</sup> The equites and the plebs formed a powerful bloc in opposition to the Senate--a coalition which was cemented by its

direction of the war. Unbalanced by the defection of the equites, the Senate faced a war which, as Sallust correctly evaluated, would ultimately result in a Roman civil war.<sup>80</sup>

FOOTNOTES

<sup>1</sup>Brian Herbert Warmington, Carthage (Harmondworth, Middlesex, England, 1964), pp. 48 and 64; Jane Soames Nickerson, A Short History of North Africa, From Pre-Roman Times to the Present: Libya, Tunisia, Algeria, Morocco (New York, 1961), p. 11.

<sup>2</sup>Thomas Alan Dorey and D. R. Dudley, Rome against Carthage (Garden City, N.Y., 1972), pp. 99-100.

<sup>3</sup>Howard Hayes Scullard, Scipio Africanus: Soldier and Politician (Ithaca, N.Y., 1970), p. 119.

<sup>4</sup>Dorey and Dudley, p. 100.

<sup>5</sup>Scullard, Scipio Africanus, p. 119.

<sup>6</sup>Dorey and Dudley, p. 136; Scullard, Scipio Africanus, pp. 119-120.

<sup>7</sup>Dorey and Dudley, pp. 134-135.

<sup>8</sup>Scullard, Scipio Africanus, pp. 113-134.

<sup>9</sup>Scullard, Scipio Africanus, pp. 133-139; Dorey and Dudley, pp. 141-143, list the terms of the treaty of 203. In that treaty Carthage agreed to evacuate Italy, Cisalpine Gaul, Spain, and the islands between Italy and Africa. It also accepted a limitation of twenty warships and agreed to return deserters, prisoners-of-war, and runaway slaves. In addition, Carthage agreed to provide wheat and barley for the Roman troops in Africa. There was also an indemnity imposed upon Carthage.

<sup>10</sup>Scullard, Scipio Africanus, pp. 136, 142, and 154.

<sup>11</sup>Ernst Badian, Foreign Clientelae (264-70 B.C.) (Oxford, 1958), p. 125.

<sup>12</sup>Warmington, p. 243; T. Robert S. Broughton, The Romanization of Africa Proconsularis (Johns Hopkins University Studies in Historical and Political Science, Vol. 5 [New York, 1968/]), pp. 9-10.

<sup>13</sup>P. G. Walsh, "Massinissa," Journal of Roman Studies, LV (1965), pp. 152 and 154-156.

<sup>14</sup>Dorey and Dudley, pp. 155-156.

- <sup>15</sup>Walsh, p. 156; Warmington, p. 244.
- <sup>16</sup>A. E. Austin, Scipio Aemilianus (Oxford, 1967), pp. 49-51.
- <sup>17</sup>Badian, Foreign Clientelae, pp. 127-128.
- <sup>18</sup>Warmington, p. 245.
- <sup>19</sup>Dorey and Dudley, pp. 156-157.
- <sup>20</sup>Warmington, p. 246.
- <sup>21</sup>Austin, pp. 49-51.
- <sup>22</sup>Warmington, p. 246; Mikhail Rostovtzeff, The Social and Economic History of the Roman Empire, Vol. I, rev. P. M. Fraser (2nd ed., Oxford, 1957), p. 314.
- <sup>23</sup>Walsh, p. 160.
- <sup>24</sup>Nickerson, pp. 15-16; Mommsen, Provinces of the Roman Empire, p. 306.
- <sup>25</sup>Frank Ezra Adcock, The Roman Art of War under the Republic (Martin Classical Lectures, Vol. 8 /Cambridge and New York, 1970/), p. 62; Mommsen, Provinces of the Roman Empire, p. 307; Broughton, Romanization of Africa Proconsularis, p. 13.
- <sup>26</sup>Warmington, p. 256; Broughton, Romanization of Africa Proconsularis, p. 10.
- <sup>27</sup>Dorey and Dudley, p. 166.
- <sup>28</sup>Dorey and Dudley, p. 166; Badian, Foreign Clientelae, pp. 137-138.
- <sup>29</sup>Sallust, V, 1-3.
- <sup>30</sup>Ibid., V, 4-IX.
- <sup>31</sup>Ibid., XI-XVI.
- <sup>32</sup>Ibid., XX-XXII.
- <sup>33</sup>Ibid., XXIII-XXVI.
- <sup>34</sup>Ibid., XXVII.
- <sup>35</sup>Earl, Political Thought of Sallust, pp. 62-63.
- <sup>36</sup>Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 139-140.

- 37 Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 139-142; Earl, Political Thought of Sallust, p. 64.
- 38 Gelzer, pp. 63-64; P. C. Sands, The Client Princes of the Roman Empire (Cambridge Historical Essays, No. 16 /Cambridge, 1908/), p. 127; Ernst Badian, Roman Imperialism in the Late Republic (2nd ed., Oxford, 1968), p. 59, it was expected of clients to provide gifts to patrons despite the lex Cincia of 204 which proscribed such gifts.
- 39 Lucius Anneus Florus, Epitome of Roman History, tr. Edward Seymour Forster, The Loeb Classical Library (Cambridge, Mass. and London, 1947), I, XXXVI, 4-9.
- 40 Badian, Roman Imperialism in the Late Republic, p. 59.
- 41 Badian, Roman Imperialism in the Late Republic, p. 59; Walter Allen, "The Source of Jugurtha's Influence in the Roman Senate," Classical Philology, XXXIII (1938), p. 92.
- 42 Frank, Roman Imperialism, pp. 266-267.
- 43 Allen, p. 91.
- 44 Badian, Roman Imperialism in the Late Republic, p. 25; Allen, p. 91.
- 45 Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 163-164; Sands, p. 11.
- 46 Sands, pp. 11, 23, 45-47, 76-78, and 155-156.
- 47 Earl, Political Thought of Sallust, p. 67.
- 48 Badian, Roman Imperialism in the Late Republic, p. 25.
- 49 Earl, Political Thought of Sallust, p. 67; Scullard, From the Gracchi to Nero, p. 50.
- 50 S. I. Oost, "The Fetial Law and the Outbreak of the Jugurthine War," American Journal of Philology, LXXV (1954), p. 148; F. W. Walbank, "Roman Declaration of War in the Third and Second Centuries," Classical Philology, XLIV (1949), p. 15; F. W. Walbank, "A Note on the Embassy of Q. Marcius Philippus," Journal of Roman Studies, XXXI (1941), p. 87; A. H. McDonald and F. W. Walbank, "The Origins of the Second Macedonian War," Journal of Roman Studies, XXVII (1937), pp. 192-194.
- 51 Oost, p. 148.
- 52 Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 144-145.



- <sup>53</sup>Mommsen, History of Rome, p. 391; Badian, Foreign Clientelae, p. 193.
- <sup>54</sup>Oost, pp. 149-150.
- <sup>55</sup>Ibid., pp. 150-151.
- <sup>56</sup>Ibid., pp. 151-154.
- <sup>57</sup>Ibid., pp. 155 and 158-159.
- <sup>58</sup>Badian, Roman Imperialism in the Late Republic, p. 25; Usher, Historians of Greece and Rome, p. 157.
- <sup>59</sup>Earl, Political Thought of Sallust, p. 67; Holroyd, p. 5; Usher, Historians of Greece and Rome, p. 157.
- <sup>60</sup>Allen, p. 91; Badian, Roman Imperialism in the Late Republic, p. 25.
- <sup>61</sup>Last, p. 131; Frank, Roman Imperialism, p. 266.
- <sup>62</sup>Sallust, XXVII, 1-4.
- <sup>63</sup>Oost, pp. 156-157; Livy, LXIV; Florus, I, XXXVI, 3 and III, I. Livy specifically states that the Numidian war began because Jugurtha had killed Adherbal contrary to the desires of the Senate; Florus maintains that war resulted when Jugurtha violated Rome's protection of the Numidian kingdom.
- <sup>64</sup>In my opinion, Numidian affairs could have become a pawn in the factional maneuvers resulting from the rise of the Metelli.
- <sup>65</sup>Usher, Historians of Greece and Rome, p. 152.
- <sup>66</sup>Badian, Roman Imperialism in the Late Republic, p. 59; Sallust, XXVII, 2-3.
- <sup>67</sup>Just as the Gracchi were not independent of factional ties, Memmius received support from some nobles, see Earl, "Sallust and the Senate's Numidian Policy," pp. 533-535.
- <sup>68</sup>Thomas Francis Carney, A Biography of C. Marius (2nd ed., Chicago, 1970), p. 26; Badian, Roman Imperialism in the Late Republic, p. 26.
- <sup>69</sup>Carney, p. 26; Usher, Historians of Greece and Rome, p. 157; Hill, pp. 117-118; Syme, Sallust, pp. 175-176; Scullard, From the Gracchi to Nero, p. 50.
- <sup>70</sup>R. M. Haywood, Roman Africa, Vol. IV of An Economic Survey of Ancient Rome, ed. Tenney Frank (Paterson, N.J., 1959), pp. 6-7.

- <sup>71</sup>Oliver, pp. 147-148.
- <sup>72</sup>Brunt, "The Equites in the Late Republic," pp. 125-126; Broughton, Romanization of Africa Proconsularis, pp. 30-31.
- <sup>73</sup>Tenney Frank, Rome and Italy of the Republic, Vol. I of An Economic Survey of Ancient Rome, ed. Tenney Frank (Paterson, N.J., 1959), p. 282.
- <sup>74</sup>Badian, Roman Imperialism in the Late Republic, p. 53.
- <sup>75</sup>Sands, p. 56.
- <sup>76</sup>Frank, "Mercantilism and Rome's Foreign Policy," pp. 240-241.
- <sup>77</sup>Badian, Roman Imperialism in the Late Republic, pp. 26-27.
- <sup>78</sup>Brunt, "The Equites in the Late Republic," pp. 129-130.
- <sup>79</sup>Badian, Roman Imperialism in the Late Republic, pp. 26-27; Brunt, "The Equites in the Late Republic," p. 131.
- <sup>80</sup>Sallust, V, 2-3.

## CHAPTER IV

### THE JUGURTHINE WAR

The Roman Senate dispatched the consul Bestia in 111 to restore Rome's honor by defeating Jugurtha. Sallust's text is the most comprehensive ancient source concerning the events of the Jugurthine War, and for clarity, a synopsis of the events in Sallust's text will be presented before commentaries and interpretation of those events. The latter begins his narrative of the war with the consulship of Bestia.

Upon learning that the Senate had declared war, Jugurtha sent an embassy to Rome to bribe the Senate into inactivity. That assembly, however, refused to even admit his envoys into the city unless they had come to surrender Numidia and its king to Rome; his envoys therefore left Italy as the consul prepared an army. Bestia had many fine qualities; however, his virtues were overshadowed by his obsessive greed. Bestia chose nobles, including Scaurus, as his lieutenants; these men were loyal partisans who would aid his unscrupulous behavior. When his army landed in Africa, Bestia took the initiative and sacked several Numidian towns.<sup>1</sup>

Bestia's avarice led him to accept bribes and advice from Jugurtha's envoys; these envoys warned the Roman commander of the overwhelming difficulties of a prolonged war in Numidia. Scaurus, who had opposed Jugurtha previously, was now bribed into compliance with Bestia. Jugurtha succeeded in winning a delay in hostilities; he hoped to use this time to appeal to the Senate. However, having

learned of the presence of Scaurus, the Numidian king decided to meet directly with the Roman commanders in Africa. Jugurtha appeared before the council of war and asked to surrender himself; he pledged also to surrender thirty elephants and some cattle and horses, and pay a small sum of money. He met separately with Bestia and Scaurus to make a private agreement. With the hostilities concluded, Bestia returned to Rome to preside over the elections.<sup>2</sup>

Romans were far from jubilant when Bestia's scandalous agreement with Jugurtha became known. The senators were as outraged as the plebs; the senators, however, feared the vengeance of Scaurus if they rejected the treaty which he and Bestia had arranged. The dilemma of the Senate was inflamed by the harangues of the tribune Memmius. Again Memmius chided the arrogant and cruel nobles to the delight of the plebs. The tribune upbraided the insolent, domineering senatorial order in a speech before the plebs and demanded that Jugurtha be brought to Rome to reveal the names of those whom he had bribed; those traitors to Rome could then be punished by the courts.<sup>3</sup>

Memmius succeeded in convincing the plebs to dispatch Lucius Cassius to Africa to bring Jugurtha to Rome for interrogation. The plebs also agreed to promise the Numidian king safe-conduct while he was in Rome. The discipline of Bestia's army began to disintegrate in his absence; his officers entered into various agreements which returned Jugurtha's elephants and deserters to him. Cassius convinced Jugurtha to return with him to Rome by offering the Numidian his personal guarantee for his safety. Upon his arrival at Rome, Jugurtha won, through a bribe, the collusion of the tribune Gaius Baebius. Memmius addressed Jugurtha before the assembly of the plebs and ordered

him to reveal the names of those whom he had bribed, for his reticence would save neither himself nor his accomplices. However, before Jugurtha could answer these charges, Baebius commanded him to keep silent; stalemated, Memmius learned nothing from the Numidian.<sup>4</sup>

Before Jugurtha departed Rome, he ordered his assistant, Bomilcar, to arrange the assassination of a Numidian, Massiva, who was also a grandson of Masinissa, but had not favored Jugurtha in the Numidian civil war. Spurius Albinus, the consul who was to succeed Bestia, was sponsoring Massiva for the Numidian throne; Albinus, eager for the glory of war, wished to prolong the Numidian conflict by further confusing matters. Bomilcar hired assassins who accomplished the murder; however, one assassin was captured. With the confession of the apprehended assassin, Bomilcar was arrested for the murder of Massiva. Jugurtha guaranteed the bond for his assistant with fifty of his friends, but, upon his release, sent Bomilcar back to Numidia. The murder of Massiva diminished the number of Jugurtha's Roman friends and convinced the Senate to renew the war; that body then ordered Jugurtha to leave Italy.<sup>5</sup> Upon leaving Rome, Jugurtha was reported to have said, ". . . 'A city for sale and doomed to speedy destruction if it finds a purchaser!'"<sup>6</sup>

Albinus hastened to Africa and began vigorous attacks with the hope of securing an end to the war before the next elections. Just as Albinus pushed for a speedy victory, Jugurtha prolonged the war by beginning false surrender negotiations and then breaking them off. Without a conclusion to the conflict, Albinus departed for Rome to preside over the elections and left his brother, Aulus, in command.<sup>7</sup>

The elections in Rome were delayed for a year because of an

attempt by two tribunes, P. Lucullus and L. Annius, to prolong their terms. In this interim, Aulus became determined to bring an end to the war or, at least, to receive some bribes from Jugurtha. Aulus led a mid-winter attack upon a stronghold of the Numidian king. Induced by Jugurtha's feign of submission, Aulus agreed to meet with him in a remote region. The cunning Numidian had meanwhile successfully bribed Roman centurions and cavalry commanders to aid him in a surprise attack upon the Roman camp. The Numidians attacked at night, gained admission to the camp, and completely subdued the Romans. Jugurtha offered Aulus disgraceful terms--either the Roman army would pass under the yoke and Aulus would agree to leave Numidia within ten days or all would perish. Aulus accepted his terms and withdrew to the Roman province.<sup>8</sup>

The actions of Aulus disgraced the Roman people, and Albinus hurriedly assembled a new army and prepared to return to Africa. The Senate, of course, rejected the terms of the treaty between Jugurtha and Aulus, for no treaty was binding upon the Roman people until the Senate accepted it. Albinus returned to Africa, but the tribunes had prevented him from taking his newly levied army with him. Once in Africa, he found the army so demoralized that it was impossible to avenge his brother's disgrace, and he simply awaited the actions of the Senate and the people of Rome.<sup>9</sup>

The narrative of Sallust shows how the Senate bungled the direction of a minor war so that it became a major threat to its dominance. The Jugurthine War was born of factional animosity and, as it continued, increased the campaign material of the populares. The first two senatorial commanders were cautious in pursuing the elusive Numidian.

Their failure resulted in renewed charges of incompetence and corruption against the nobles.<sup>10</sup>

Sallust attributed the treaty concluded by Bestia to his avarice; however, closer examination of his conduct purges the consul of blatant greed. Bestia chose to enter into negotiations with Jugurtha after only a few victories over the Numidians. Such swiftness in negotiations could have been the result of confidential orders from the Senate. The nobles did not favor a Numidian war and could well have instructed Bestia to conclude a peace treaty as quickly as possible. Such a theory could explain the presence of Scaurus among the legati; the influence of the princeps senatus would support such a treaty against the accusations of the political opposition.<sup>11</sup> A speedy conclusion to the Jugurthine War would have pleased the Senate, which followed a policy of avoiding wars, and possibly the equites, whose trading territory in Numidia would again be peaceful. However, Bestia's treaty became political fodder for Memmius, who accused Bestia and Scaurus of accepting bribes to grant such easy terms to a  
<sup>12</sup>  
murderer.

Livy described the treaty which Bestia concluded as unauthorized by the Senate. However, a Roman general was free to accept the surrender of a foe and his nation, or deditio, at any time without the consent of Rome. Bestia probably agreed to allow Jugurtha to remain the king of Numidia, but such an agreement could be accepted or rejected by the Senate, which had the ultimate decision on treaties. Bestia and Scaurus were, from all appearances, within their rights to conclude a treaty with Jugurtha. Yet Memmius accused them of betraying their country and prostituting the dignity of the Senate

and commanded that Jugurtha be brought to Rome for questioning.<sup>13</sup>  
 Bestia was probably guilty of accepting bribes for the advice or promises he gave Jugurtha; however, the practice of accepting bribes from a conquered foe was customary among the Roman aristocracy.<sup>14</sup>  
 The bribery of Scaurus, however, was an invention of the prejudicial Sallust.<sup>15</sup>

Gaius Memmius personified the popular party in Sallust's narrative. Information on the origins of Memmius' disgust for the nobility is very scant. There was a Memmius who as military tribune in Numantia was upbraided by Scipio Aemilianus; this could have been the G. Memmius who was tribune in 111 or was certainly a relative of his.<sup>16</sup>  
 In the speech Sallust quotes, Memmius is extremely derogatory in his criticisms of the nobility. This speech was undoubtedly embellished to allow Sallust to vent his own hostilities upon the nobles.<sup>17</sup>

Whether or not the speech reflected Memmius perfectly, he did arouse the plebs to strike out at the nobles. Accusing Bestia and Scaurus of bribery, Memmius convinced the plebs to demand the appearance of Jugurtha in order that he might be questioned. Under a pledge of protection, praetor L. Cassius Longinus delivered Jugurtha before the plebs for interrogation. However, before he could be questioned, the intercessio of tribune G. Baebius silenced all inquisitors. Apparently the purpose of the interrogation was to obtain necessary evidence before Memmius made formal accusations.<sup>18</sup> Thwarted, the tribune was forced to abandon his accusations; obviously the charges against Bestia and Scaurus were unfounded and of political origin.<sup>19</sup>

Jugurtha turned his visit to Rome into an opportunity to arrange the murder of a rival to his throne. His cousin Massiva was murdered



by assassins hired by his aide, Bomilcar. Although this action outraged the Romans, the pledge of safe-conduct was upheld and Jugurtha returned to Numidia.<sup>20</sup> He was extremely shortsighted in ordering the demise of Massiva. The Senate could not possibly accept Bestia's treaty after the murder,<sup>21</sup> and the war began again.

Sp. Postumius Albinus was the consul for 110 to whom Numidia was designated. Unable to end the war through either military or diplomatic maneuvers, Albinus left his brother, Aulus, in command while he returned to Rome. Aulus led a disastrous offensive against Jugurtha which resulted in the humiliation of the Roman army. Albinus returned to Africa, but was inactive and awaited his replacement. The Senate rejected the treaty Jugurtha had compelled Aulus to accept. The African had sealed his doom when he humiliated Roman legions, for now the Senate became truly committed to a war in which the only prize was Jugurtha; the war would be pressed until he was either captured or dead.<sup>22</sup> The disgrace of Aulus was ideal propaganda material for the popular party, and this group initiated an investigation into the Senate's conduct of the war.

According to Sallust, as Albinus waited in Africa, factional politics in Rome resulted in a major investigation of the nobles who had negotiated with Jugurtha. The purpose of this special court was to determine which individuals had advised Jugurtha to disobey the Senate, which envoys and commanders had accepted money from him, which military personnel had returned elephants and deserters to the Numidian, and to investigate all who had made terms of peace or war with the king. Gaius Mamilius Limetanus proposed a plebiscite to

establish this special investigation; its passage was opposed by those who feared its judgment and the factional battle which it would undoubtedly create.<sup>23</sup>

The plebs, however, relished the idea of a special court to investigate the nobles and joyfully passed the proposal of Mamilius into law. Political confusion and agitation resulted; nevertheless, Scaurus, who had been one of Bestia's legates, arranged to be named one of the quaesitores, or investigators, for the new commission. In Sallust's estimation the judgment of the commission was harsh and founded upon hearsay evidence and the whim of the plebs.<sup>24</sup> Unfortunately Sallust does not elaborate upon what the Mamilian Commission concluded.

Cicero provides the names of those convicted by the quaestio extraordinaria of 109 established at the request of Mamilius. Four men of consular rank and one priest were exiled and suffered the loss of their civil rights; they were Lucius Bestia, Gaius Cato, Spurius Albinus, Lucius Opimius, and Gaius Galba.<sup>25</sup> Obviously three of the convicted--Opimius, Bestia, and Albinus--were involved either in the diplomacy before or the conduct of the Jugurthine War. Opimius had led a commission to divide Numidia between Adherbal and Jugurtha, Bestia was the first Roman commander to engage Jugurtha, and Albinus was the most recent commander. Both the commands of Bestia and Albinus resulted in treaties which the Senate would not approve. Cato and Galba, however, had no apparent relationship to the Jugurthine War and the rationale for their convictions is a mystery until their earlier careers are examined.

G. Porcius Cato was a follower of Tiberius Gracchus early in his

career; his first political colleagues were apparently G. Carbo and G. Gracchus. After the Gracchi, Cato switched his allegiance to other political forces. In 114 he was a consul and led a campaign in Thrace against the Scordisci. Cato's campaign was a disaster, and when he returned to Rome in 113, he was condemned on charges of de repetundis and fined a small amount. There is no evidence that Cato ever participated in one of the African commissions dealing with the Numidian problem. The closest connection to Numidian affairs for G. Porcius Cato was that his brother, M. Porcius Cato, died on a mission to Africa.<sup>26</sup> The reason for Cato's conviction by the Mamilian Commission is intertwined with the careers of Galba, Opimius, and Bestia.

The conviction of G. Sulpicius Galba, a priest, is also apparently in contradiction to the aim of the Mamilian Commission. Galba's early career, like Cato's, began in the Gracchan faction. Galba married Licinia, the younger daughter of P. Licinius Crassus Dives Mucianus, a member of the faction led by T. Gracchus. The younger brother of Tiberius also married a daughter of P. Crassus; therefore, Galba was the brother-in-law of G. Gracchus. Using his marriage as evidence of his political affiliation, Galba was probably part of the faction of the Gracchi.<sup>27</sup>

After the death of G. Gracchus, the land commission established by the Gracchi was dominated by the anti-Gracchan faction. The three new commissioners were G. Sulpicius Galba, G. Papirius Carbo, and L. Calpurnius Bestia; Galba had defected from the Gracchan faction.<sup>28</sup> The common factor in the careers of Cato and Galba was their defection from the Gracchi's factio, and this was the reason they were convicted

by the Mamilian Commission. While Opimius and Bestia had a direct relationship with Numidian affairs, they also had earned the animosity of the Gracchan faction earlier in their careers.

Lucius Opimius was convicted by the Mamilian Commission on charges related to the mission he conducted which divided Numidia between Adherbal and Jugurtha. The actual reason he was convicted was the unpleasant memory he evoked from the former followers of the Gracchi. In 121 Opimius, as consul, destroyed thousands of that factio's members; their desire for revenge was inflamed by his acquittal in 120 of illegally slaying G. Gracchus' followers. Opimius suffered from their haunting revenge in 109; undoubtedly the charges against him originated from his politics and not his diplomacy; for at the time his commission divided Numidia, there were no protests or charges of corruption.<sup>29</sup>

Of the five men convicted the only ones who drew the suspicion and outrage of the plebs over their conduct of Numidian affairs were L. Calpurnius Bestia and Sp. Postumius Albinus. The command of Albinus was a disaster and his conviction was assured; however, although there was much discussion concerning his honesty, no proof of Bestia's corruption was ever revealed.<sup>30</sup> Bestia's conviction, like that of Cato, Galba, and Opimius, was founded not upon his diplomacy with Jugurtha, but the action he took against the Gracchi. As tribune in 120, Bestia recalled from exile P. Popillius Laenas, consul of 132, who had suppressed the factio of Tiberius Gracchus. Bestia also served on the formerly Gracchan land commission with Galba and Carbo.<sup>31</sup>

Sallust chose not to discuss the results of the Mamilian Commission; after he introduced the topic in his narrative, he began an

analysis of factional politics in Rome. This author described the political atmosphere in Rome as harmonious before the destruction of Carthage. However, with military security, a political and economic chasm divided the nobles and the plebs.<sup>32</sup> The nobles dominated the government; in Sallust's words, ". . . the treasury, the provinces, public offices, glory and triumphs" were reserved for the oligarchy of the nobles.<sup>33</sup> The plebs were exploited for military use, and their homes fell prey to the expanding latifundia. The Gracchi emerged from this political and economic turmoil to champion the plebs, and therefore bore the animosity of the oligarchs. Sallust abruptly ended his discussion of factional politics with the cruel suppression of the Gracchi's followers.<sup>34</sup> He did not state that the Mamilian Commission was an act of revenge by the old Gracchan faction, but his discussion of the Gracchi implied a connection with the Mamilian quaestio.

The Mamilian Commission resulted not only from the revival of the old Gracchan party, but also from a new coalition of equites and plebs. The Gracchan policies brought the equites to political power, and once again, they, with the plebs, formed a power bloc opposing the nobles.<sup>35</sup> G. Gracchus' most powerful political gift to the equites was his judicial reform; the equestrian class was now the sole contributor of jurymen. The Senate had used the special courts as its primary weapon to suppress the Gracchan faction; however, with the Vestal Virgin case as a precedent, the equestrian jurors convicted the Gracchan faction's enemies tried before the Mamilian Commission.<sup>36</sup>

The men who led the coalition of equites and plebs against the anti-Gracchans are, for the most part, unidentifiable. The primary instigators of the Mamilian quaestio identified by Sallust are Memmius

and Mamilius. As tribune, Memmius ordered the appearance of Jugurtha before the plebs and later served as a prosecutor for the quaestio; Mamilius was only a tribune when he called upon the concilium plebis to establish a special commission.<sup>37</sup> Perhaps L. Cassius Longinus, the praetor Memmius sent to retrieve Jugurtha, was a member of this group.<sup>38</sup> No positive identification of other leaders has been made, and it was not until Marius exploited the coalition that its leadership could be determined.<sup>39</sup>

The stated purpose of the quaestio established by Mamilius was to condemn those who had betrayed Rome's interests in negotiating with Jugurtha. The decision of the court, however, was the conviction of nobles who had opposed the Gracchi. This commission was part of a series of trials dating back to the trial of Carbo in 120 designed to eliminate the anti-Gracchans. The group supporting the Mamilian quaestio had no plans to end the Numidian war, nor was it even concerned with it. To that faction, the inability of the Senate to end the Numidian hostilities was an opportunity to attack the nobles and enlist the aid of both the plebs and equites.<sup>40</sup> This faction prosecuted the enemies of the people--not the Metellan factio--as is obvious through the investigation of the careers of those the quaestio condemned.<sup>41</sup>

Although the Mamilian Commission was the first threat to the Senate's control of the government since the Gracchi, it did not produce any major changes.<sup>42</sup> The faction supporting the quaestio prosecuted individuals and did not challenge that assembly's political dominance. Their main purpose was revenge; therefore, they had no reforms planned for the state.<sup>43</sup> After the immediate threat of the

commission subsided, normal factional strife resumed among the nobles.<sup>44</sup> Although the Senate was secure in its position, it was once again reminded of the power wielded by a coalition of equites and plebs. No longer was the special court merely the battleground of the factions, but, as demonstrated by the quaestio, it was now the weapon of the equites and plebs.<sup>45</sup>

Before continuing with the Senate's direction of the Jugurthine War, the role of M. Aemilius Scaurus in the Mamilian Commission deserves discussion. In his narrative, Sallust depicted Scaurus as an unscrupulous politician; this view has been attacked by historians.<sup>46</sup> In a more unbiased view, Scaurus emerges as a skillful politician. He was of patrician ancestry and, through his marriage to Metella, had cemented a political alliance with the Metelli. As princeps senatus in 115 and censor in 109, he attained additional prestige.<sup>47</sup> During his career Scaurus was deeply involved in Numidian affairs; he conducted a mission to Numidia and later served as a legate with Bestia. Given his earlier career in Numidian negotiation, Scaurus' appearance as one of the quaesitores for the commission is, at first, surprising.

Scaurus' role in the quaestio indicated his power and position in politics. The fact that he was not prosecuted by the commission proved that Scaurus had not been a grave offender of the Gracchi.<sup>48</sup> Scaurus' reputation for taking a harsh stand against Jugurtha, plus his prestigious career, would have made him an asset to the commission.<sup>49</sup> His position in the court also showed his adaptability in politics; although a member of the Metellan factio, Scaurus had greater independence and flexibility than the Metelli. It was probably

this independence which allowed him, a member of the aristocracy, to participate on the commission.<sup>50</sup>

According to A. Hands, it was Scaurus' flexibility which earned him Sallust's literary disgust. To that moralistic historian, political adaptability was equated with disloyalty; for this reason, he distrusted the abrupt political changes in Scaurus' career.<sup>51</sup> Scaurus' successful political career deserved vindication of Sallust's bias. His innocence of the bribery charge was made apparent by the Mamilian Commission's non-prosecution.<sup>52</sup>

With the conclusion of the Mamilian Commission, the Senate resumed its governmental authority and chose Quintus Caecilius Metellus, consul for 109, to defeat the Numidian enemy. Metellus was a wise choice for the Senate; he was renowned as an efficient general and an incorruptible man.<sup>53</sup> As a member of the dominant faction, Metellus enjoyed the support and encouragement of the Senate, and, because of his outstanding qualities, obtained the confidence of the plebs.<sup>54</sup> For his Numidian campaign, Metellus gathered reinforcements and chose experienced soldiers, C. Marius and P. Rutilius Rufus, as his legates.<sup>55</sup>

Before the war against Jugurtha could be renewed, the new Roman general had to retrain the army which he inherited from Albinus. As he trained his army, Metellus received envoys who brought entreaties of surrender from Jugurtha. Metellus, however, refused any negotiations which allowed Jugurtha to remain a free man; the objective of the Roman army was to secure the king's person.<sup>56</sup> Metellus led his army into Numidia and was welcomed into its villages and cities. Ultimately Jugurtha realized the futility of his negotiations and pre-



pared an ambush for the Roman army. In the ensuing battle, the Numidian's army was defeated, but Jugurtha escaped. Although his army was routed, Jugurtha was not vanquished and retreated into Numidia to raise a new army.<sup>57</sup>

Jugurtha's escape forced the Romans to change their strategy. Metellus began a campaign to destroy the king's sources of men and supplies by capturing and garrisoning Numidian towns. As Metellus roamed Numidia destroying fields and taking towns, Jugurtha offered only a guerrilla-type resistance to the Romans.<sup>58</sup> While in winter quarters, Metellus encouraged Bomilcar, Jugurtha's assistant, to convince the king to surrender, but negotiations ended when Jugurtha was ordered to surrender himself. Although he had not yet captured the Numidian, the Senate extended Metellus' command for 108.<sup>59</sup>

Jugurtha, however, was not the only commander in the Numidian war to suffer from dissension in his army. Metellus' legate, Caius Marius, began a campaign to usurp his superior's command. Marius was a novus homo in Roman politics; however, by the time of the Jugurthine War, he was well acquainted with the politics of the Mediterranean capital. A member of an equestrian family in Arpinum, Marius began his military career as a member of Scipio Aemilianus' army in Numantia.<sup>60</sup>

During this campaign Marius was elected military tribune, but his political career may have been temporarily halted by the death of Scipio in 129. It was customary for the great Roman families to bring promising equites into their factions as clients, and Marius may have been a client of Scipio. Eventually Marius became a member of the Metellan faction; however, during the interim between his political

offices, Marius developed an association with the publicani. This alliance provided Marius with wealth and political support. In 123 his elective career began again with the quaestorship.<sup>61</sup>

In 119 his patrons, the Metelli, secured the tribunate for him. After the Gracchi, the oligarchs distrusted the revolutionary power of the tribunate; therefore, they attempted to have tribunes elected who would represent their interests. Apparently, Marius was to fulfill this role; however, his actions as a tribune alienated his new supporters.<sup>62</sup> Marius introduced and secured passage of legislation designed to diminish the oligarchs' influence over the voters in the comitia. According to his law, the pontes, or bridges, where the voters voted were narrowed. Formerly custodes tabellarum, influential men chosen by the candidates, stood on the pontes distributing ballots to the voters; their purpose was to influence the voters' choice.<sup>63</sup> The Senate opposed the law and summoned the tribune to explain why he had not consulted it about this law. Marius defended his law and threatened to arrest the consuls, L. Aurelius Cotta and Metellus Delmaticus, for their interference. When no tribune came to the consuls' aid, the Senate backed down. Although Marius had won a popular victory, he had lost the support of the Metelli.<sup>64</sup>

Marius' alienation of the Metelli apparently contradicts his political ambitions; however, 119 was a year of political reversals for the oligarchs. It was in that year that P. Decius Subulo, the prosecutor of L. Opimius, was acquitted by an equestrian jury, and that Carbo, the former supporter of the Gracchi who defended L. Opimius, was forced by the prosecution of L. Crassus to commit suicide. After the Gracchi, Marius' old colleagues, the publicani, were the

judges in extortion cases; these trials demonstrated their new political power. Perhaps Marius envisioned greater political opportunities from an alliance with this new power bloc rather than trusting solely to the influence of the Metelli.<sup>65</sup> However, Marius did not totally disavow the oligarchs as was shown through his opposition as tribune to a bill proposing the distribution of free grain. Nevertheless, the aspiring politician had lost his status as a client of the Metelli and would find the election to future political offices difficult.<sup>66</sup>

Marius found that the disappearance of Metellan support temporarily stagnated his career. In 118 he was defeated for both the curule and plebeian aedileships. With the aid of his new benefactors, he won a praetorship in 115, but was charged immediately with electoral corruption. Marius escaped conviction through a tie vote of the jury.<sup>67</sup> As propraetor in Farther Spain, Marius performed his duties well and found, when he returned to Rome, that he could resurrect a public career.<sup>68</sup> In 112 he married into the Julii Caesares, a patrician family whose prestige was ebbing. During the political turmoil of the Mamilian Commission Marius was quiet; this apparently reassured the Metelli, for he was chosen to accompany Q. Caecilius Metellus to Africa.<sup>69</sup>

While in Africa Marius aspired to become consul and asked Metellus for a furlough to return to Rome for the elections. Metellus, at first, politely refused and indicated to him that he was desiring an honor reserved for nobles.<sup>70</sup> Marius, however, continued to ask his superior for a leave; to one of his requests, Sallust quotes Metellus' response, ". . . 'Don't be in a hurry to go to Rome; it will be soon

enough for you to be a candidate when my son becomes one."<sup>71</sup> By this reply Metellus was instructing Marius to wait at least twenty more years before he stood for the consulship; Marius was already forty-nine years old.<sup>72</sup> The effect of this affront was to inspire him to become a consul by any means.

To embellish Metellus' insult Sallust conveniently ignores Marius' early political career. Sallust says that Marius advanced to ". . . office after office, always so conducting himself in each of them as to be regarded worthy of a higher position than that which he was holding."<sup>73</sup> Sallust neglects to include information concerning Marius' defeat for two aedileships and his narrow escape from conviction for electoral corruption after he was elected praetor.<sup>74</sup> For Sallust, Marius was the symbol of the talented novus homo excluded by nobility's pride.<sup>75</sup>

After Metellus' insult, Marius embarked upon a campaign to undermine the noble's command. He began by relaxing the discipline imposed upon the men he commanded in winter quarters, and thereby won their loyalty. Marius also approached the Roman traders in Africa; to them he accused Metellus of purposefully prolonging the war for his own glorification. The Roman businessmen in Utica were receptive to these allegations, for while the war continued they suffered financial losses. To win the traders' support for his consulship, Marius promised he could end the war quickly.<sup>76</sup>

Marius emphasized that Metellus had dealt with him in a haughty manner and failed to honor him as he deserved.<sup>77</sup> Through lies and insubordination, he convinced the equites trading in Africa and in the army to write home to their friends recommending him for the consul-

ship.<sup>78</sup> The political turmoil of the recent Mamilian Commission also aided Marius; the plebs were eager to elect a novus homo consul.<sup>79</sup> He did not neglect to court the favor of Gauda, a grandson of Masinissa and probable heir after Jugurtha's capture. Gauda, who was traveling with Metellus' army, believed the Roman general had insulted him; he was therefore willing to promote the interests of Marius.<sup>80</sup>

Further hatred grew between Marius and Metellus over the revolt of a Numidian town, Vega, during the winter of 109-108. Vega was one of the Numidian towns in which Metellus had placed a Roman garrison. During the winter the townspeople revolted and slaughtered every Roman soldier except the commander of the garrison, Titus Turpilius Silanus. Metellus recaptured the town, and after a court martial, ordered Turpilius to be scourged and executed.<sup>81</sup>

Plutarch accused Marius of manipulating the execution of Turpilius into political propaganda. According to Plutarch, Marius pressed Metellus to execute Turpilius, who was a Latin client of the Metelli, and, after the execution, Turpilius was proven innocent. Metellus' remorse for his client's death became hatred toward Marius.<sup>82</sup> Regardless of his role in the execution of the Latin, Marius could have won Latin support for his election to the consulship from the incident. In 122 Livius Drusus had proposed a law banning the scourging of Latin citizens; if this proposal had become law, Turpilius' sentence would have been illegal and therefore a blemish on Metellus' reputation.<sup>83</sup>

As Metellus prepared for the campaign of 108, he realized that Marius was disruptive to his command, and decided to allow his legate to return to Rome for the election.<sup>84</sup> With only twelve days remaining before the election, Marius raced to Rome.<sup>85</sup> He arrived to find that

he already had a following in the city. Fortunately for his career, Marius rose to the forefront of Roman politics at the culmination of the Mamilian Commission when the nobles were highly unpopular.<sup>86</sup> Through defaming his noble commander and lauding his own common birth, Marius won the support of both the equites and plebs, and the consular election.

Marius' cultivation of Roman traders in Africa rewarded him with equestrian support. The letters of African traders accusing Metellus of prolonging the war were received and believed by the Roman equites.<sup>87</sup> Marius' lowly birth was an additional advantage to him. His equestrian origins allowed him to assail the incompetence, pride, and arrogance of the nobles to the delight of the equites and plebs.<sup>88</sup> In other times Marius' career as a publicanus would have limited him to offices below the consulship; social prejudice and the exclusiveness of the nobility normally barred publicani from that office.<sup>89</sup> However in the political atmosphere following the Mamilian Commission, a novus homo had a decided advantage. Tribunes praised Marius before the assembly and accused Metellus of treason. The plebs distrusted the nobility and were eager to award the consulship to a new man; farmers and craftsmen left their work to attend Marius.<sup>90</sup>

Marius' victory was essentially a personal one; he had broken from the Metelli and formed his own political backing. He was, of course, aided by the hatred toward the nobility generated by the Mamilian Commission. To increase his appeal, Marius defamed the tactics and personality of his former mentor, Q. Caecilius Metellus.<sup>91</sup> Marius' purpose in winning the consulship was his own political aggrandizement; he had no plan to reform the state and did not desire

the destruction of the nobility. Instead, he wished to be equal to the nobles; through his equestrian and plebeian followers, he hoped to counterbalance the hereditary clientelae of the nobles. Marius did not want to change the system, but only to share equally in its rewards.<sup>92</sup>

For the Senate, Marius' election was a defeat; he had campaigned on a promise to end the Jugurthine War quickly. However, before the consular elections, the Senate, according to the Sempronian law, selected Metellus to command the African legions.<sup>93</sup> In order to fulfill his promise, Marius had to have the African command; tribune Titus Manlius Mancinus proposed and the comitia passed legislation to remove the direction of the Jugurthine War from Metellus and give it to Marius. While Metellus continued the war in Africa, Marius remained in Rome assembling his forces and awaiting his consulship.<sup>94</sup>

Metellus' campaign of 108 was marked by success on the battlefield, but Jugurtha continued to elude him and raise new armies. During the previous winter, Metellus had intrigued with Bomilcar to deliver Jugurtha to him; unfortunately for Metellus and Bomilcar, Jugurtha discovered an assassination plot planned by Bomilcar, and killed him. Frustrated in this attempt to end the war, Metellus led his army out to meet the Numidians and scored an easy victory. Jugurtha escaped to Thala; Metellus pursued him there, but he escaped again. In his search for new followers, Jugurtha enlisted Gaetolian tribesmen and drilled them as his new army. The king's fortunes were aided even more by the alliance he concluded with his father-in-law, King Bocchus of Mauretania. In a combined force Bocchus and Jugurtha descended upon Cirta, where Metellus was encamped. Depressed by the

news that Marius would soon replace him, Metellus avoided any conflict and attempted to disrupt the kings' alliance; in this manner, Metellus concluded his African campaigns.<sup>95</sup>

As Metellus stalemated the war, Marius busily prepared for his consulship. The new consul asked the Senate for additional troops--a request it eagerly approved, for the nobles hoped that Marius would lose support when he conscripted his army. To win enlistments, Marius delivered speeches insulting the nobles. Sallust quotes such a speech in which Marius degraded the nobles for their incompetence, lack of virtus, avarice, and, in general, worthlessness to that state. These speeches had the desired effect; the volunteers for Marius' army exceeded the number the Senate had authorized. Marius opened the army to the capite censi, or propertyless, who had previously been excluded. The new consul arrived with his reinforcements at Utica where he received the African legions from Metellus' legate, P. Rutilius Rufus.<sup>96</sup>

Metellus refused to meet Marius and quietly departed for Rome. He was angry that his command was usurped when he believed he could finish the war quickly. In addition, Metellus resented the tactics Marius employed to win his consulship.<sup>97</sup> Upon his return to Rome, the aristocratic general was charged with extortion, but was acquitted.<sup>98</sup> However, when Marius failed to end the war quickly, Metellus gained popularity and was granted a triumph and the title Numidicus.<sup>99</sup>

To assimilate his new recruits, Marius began his command with easy conquests of Numidian towns. Jugurtha continued a guerrilla war against Rome's Numidian allies and avoided major confrontations



with Marius. After many small but inconsequential victories, Marius decided to change his tactics. He planned to attack and garrison Jugurtha's major fortresses and thereby reduce his power base in Numibia. Following this strategy, Marius stormed two of the Numidian's important strongholds: Capsa, and the fortress near the river Muluccha. Threatened by the Roman's success, Jugurtha made a desperate appeal to Bocchus. Having induced his aid, Jugurtha planned a surprise attack on the Romans as they entered winter quarters. Marius, with the assistance of his quaestor, Lucius Sulla, routed the combined forces of Bocchus and Jugurtha twice.<sup>100</sup>

After his dual defeat as Jugurtha's ally, Bocchus sent messengers to Marius requesting that Roman representatives be sent to him for a conference. Marius dispatched L. Sulla and Aulus Manlius to the Moorish king. Bocchus announced to them that he wished Marius' permission to send envoys to Rome. Sulla and Manlius returned to the army's winter quarters to await Bocchus' envoys. The king chose five of his relatives as envoys to meet with Marius and hopefully to continue to Rome to seek peace on any terms. Before they reached the Roman winter camp, the Moor's envoys were robbed and, stripped of their royal insignia, fled to the Romans.<sup>101</sup>

When the envoys arrived Marius was away from the camp and Sulla was in command. Sulla welcomed them and, in spite of their appearance, accorded them the respect suitable to a king's messengers. Upon his return, Marius summoned all members of the senatorial order into a council to hear the proposals of Bocchus. A majority agreed to the truce the king proposed while his envoys went to Rome. In

Rome they sought a treaty of friendship with the Roman people, but this request was denied until Bocchus earned it.<sup>102</sup>

Bocchus, remembering Sulla's previous kindness to his envoys, requested that Marius send his quaestor to negotiate a conclusion to the war. Sulla suggested that the way to win Rome's friendship, and part of Numidia, was to arrange the capture of Jugurtha for the Romans. At first Bocchus feared that a betrayal of the Numidian would cause dissension among his subjects who admired Jugurtha. However, Bocchus was overcome by the desire for peace and surrendered the Numidian king to Sulla. Marius returned to Rome and led Jugurtha and his two sons in chains before his chariot during his triumph in 104; Jugurtha was later strangled in prison.<sup>103</sup>

The final territorial settlement of Numidia reflected Rome's lack of interest in expanding its province. Bocchus became the friend and ally of the Roman people and received the western half of Numidia; Gauda, Jugurtha's half-brother, inherited Adherbal's former territory in eastern Numidia. Annexation had never been Rome's goal in Numidia; Marius did not promise any addition to Rome's African province in his campaign for the consulship and did not lose any support when Numidia remained under African sovereigns.<sup>104</sup>

The Jugurthine War produced three political-military heroes--Metellus, Marius, and Sulla. The nobles could claim that Metellus had actually won the war before Marius took the command, and that it was Sulla who, in fact, obtained Jugurtha for Rome. Nevertheless, Marius' supporters could claim that their leader had driven Jugurtha out of Numidia and into the snare of Bocchus.<sup>105</sup> There is a possibility that Sallust attempted to magnify Marius' prowess as a general; in his

narrative, Sallust included the events of 107 and 106--Marius' first two years in Africa--in one year. It is difficult to ascribe a malicious motive to this error, however, since Sallust's chronology is generally vague.<sup>106</sup>

Much of Marius' success was due to his strategy of taking and garrisoning Jugurtha's strongholds. In this Marius was aided by the large number of volunteers to his army which allowed him sufficient men to garrison many areas.<sup>107</sup> The Jugurthine War placed Marius onto the pedestal of military adoration. Even before he returned to Rome with Jugurtha, Marius was elected to defeat Rome's new military threat--the Gauls.<sup>108</sup>

#### FOOTNOTES

- <sup>1</sup> Sallust, XXVIII.
- <sup>2</sup> Ibid., XXIX.
- <sup>3</sup> Ibid., XXX-XXXI.
- <sup>4</sup> Ibid., XXXII-XXXIV.
- <sup>5</sup> Ibid., XXXV, 1-9.
- <sup>6</sup> Ibid., XXXV, 10.
- <sup>7</sup> Ibid., XXXVI.
- <sup>8</sup> Ibid., XXXVII-XXXVIII.
- <sup>9</sup> Ibid., XXXIX.
- <sup>10</sup> Frank, Roman Imperialism, p. 268; Syme, Sallust, pp. 174-175.
- <sup>11</sup> Frank, Roman Imperialism, p. 267; Hill, p. 118; Marsh, A History of the Roman World from 146 to 30 B.C., p. 73.
- <sup>12</sup> Hill, pp. 118-119; Marsh, A History of the Roman World from 146 to 30 B.C., p. 74; Gruen, Roman Politics and the Criminal Courts, p. 142.
- <sup>13</sup> Livy, LXIV; Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 148-151; Sallust, XXXI, 25.
- <sup>14</sup> Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 159-160; Last, pp. 119-120; Eutropius, Eutropius's Abridgement of Roman History, tr. Rev. John Selby Watson (New York, n.d.), IV, XXVI and Florus, I, XXXVI. Both Eutropius and Florus confirm that Jugurtha had enormous success bribing Romans.
- <sup>15</sup> Paul, p. 100; Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 147-148; Last, pp. 119-120.
- <sup>16</sup> Gruen, Roman Politics and the Criminal Courts, p. 140.

<sup>17</sup> Syme, Sallust, p. 166; Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 156-157.

<sup>18</sup> Gruen, Roman Politics and the Criminal Courts, p. 141. Perhaps Baebius was not bribed by the opposition to Memmius. I think it may have been advantageous to Memmius to have Jugurtha silenced before he could answer any question. This would be true if Jugurtha had no incriminating evidence against Bestia and Scaurus, and his forced silence could then be used as political propaganda against the nobility.

<sup>19</sup> Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 154 and 160.

<sup>20</sup> Ibid., p. 156.

<sup>21</sup> Hill, p. 119; Frank, Roman Imperialism, pp. 264-265; Marsh, A History of the Roman World from 146 to 30 B.C., p. 75.

<sup>22</sup> Syme, Sallust, pp. 150-151 and 174-175; Last, pp. 131-132.

<sup>23</sup> Sallust, XL, 1-2.

<sup>24</sup> Sallust, XL, 3-5; Jones, p. 47.

<sup>25</sup> Gruen, Roman Politics and the Criminal Courts, pp. 144-145; Scullard, From the Gracchi to Nero, pp. 49-50; Marcus Tullius Cicero, Brutus, tr. G. L. Hendrickson, The Loeb Classical Library (Cambridge, Mass. and London, 1942), 33, 127, and 34, 128.

<sup>26</sup> Earl, "Sallust and the Senate's Numidian Policy," p. 535; Gruen, Roman Politics and the Criminal Courts, pp. 146-147.

<sup>27</sup> Cicero, Brutus, 33, 127; Earl, "Sallust and the Senate's Numidian Policy," p. 535.

<sup>28</sup> Gruen, Roman Politics and the Criminal Courts, pp. 99-100 and 145-146; Earl, "Sallust and the Senate's Numidian Policy," p. 535. The prosecution and suicide of Carbo was discussed in Chapter II.

<sup>29</sup> Gruen, Roman Politics and the Criminal Courts, pp. 144-145; Cicero, Brutus, 34, 128; Earl, "Sallust and the Senate's Numidian Policy," pp. 532-533.

<sup>30</sup> Gruen, Roman Politics and the Criminal Courts, pp. 145 and 147.

<sup>31</sup> Ibid., pp. 99 and 145.

<sup>32</sup> Sallust, XLI, 2-5.

<sup>33</sup> Ibid., XLI, 7.

- <sup>34</sup> *Ibid.*, XLI, 8-9 and XLII.
- <sup>35</sup> Badian, Foreign Clientelae, p. 196, footnote 2; Gruen, Roman Politics and the Criminal Courts, pp. 144-145; A. N. Sherwin-White, "Violence in Roman Politics," Journal of Roman Studies, XLVI (1956), p. 3.
- <sup>36</sup> Hill, pp. 119-120; Jones, p. 53; Gruen, Roman Politics and the Criminal Courts, pp. 144-145; in Brutus, 34, 128. Cicero specifically states that the jurors for the Mamilian Commission were Gracchan judges, and in Marcus Tullius Cicero, Pro Plancio, tr. N. H. Watts, The Loeb Classical Library (Cambridge, Mass. and London, 1935), XXIX, 70, he gives his assessment of their verdict by describing them as ". . . unnatural children of their fatherland."
- <sup>37</sup> Last, p. 121; Gruen, Roman Politics and the Criminal Courts, pp. 148-149.
- <sup>38</sup> Syme, Sallust, p. 172; this premise is strengthened by the fact that Cassius became the colleague of Marius in the consulship of 107, as noted by Earl, "Sallust and the Senate's Numidian Policy," p. 534.
- <sup>39</sup> Earl, "Sallust and the Senate's Numidian Policy," pp. 534-545; Earl conjectures that the thirty-two men ousted from the Senate in 115 may have supported the faction behind the Mamilian quaestio.
- <sup>40</sup> Earl, "Sallust and the Senate's Numidian Policy," pp. 533-534 and 536; Sherwin-White, p. 3.
- <sup>41</sup> Gruen, Roman Politics and the Criminal Courts, pp. 143-145.
- <sup>42</sup> Gruen, Roman Politics and the Criminal Courts, p. 149; Frank, Roman Imperialism, p. 263.
- <sup>43</sup> Sherwin-White, p. 3.
- <sup>44</sup> Gruen, Roman Politics and the Criminal Courts, pp. 149-150, for example, after the commission, M. Aemilius Scaurus was forced by a tribune to resign his censorship.
- <sup>45</sup> *Ibid.*, p. 150.
- <sup>46</sup> A. Hands and E. Gruen will be cited as defenders of Scaurus.
- <sup>47</sup> Syme, Sallust, p. 165; A. R. Hands, "Sallust and Dissimulatio," Journal of Roman Studies, XLIX (1959), p. 58.
- <sup>48</sup> Earl, "Sallust and the Senate's Numidian Policy," p. 536.
- <sup>49</sup> Gruen, Roman Politics and the Criminal Courts, pp. 148-149.
- <sup>50</sup> Hands, p. 58; Gruen, Roman Politics and the Criminal Courts, pp. 148-149.

- <sup>51</sup>Hands, pp. 57 and 59-60.
- <sup>52</sup>Gruen, Roman Politics and the Criminal Courts, pp. 147-149.
- <sup>53</sup>Sallust, XLIII, 1 and 5.
- <sup>54</sup>Sallust, XLIII, 5; Hill, pp. 120-121; Last, p. 122.
- <sup>55</sup>Marsh, A History of the Roman World from 146 to 30 B.C., p. 76; Plutarchus, "Sulla," Plutarch's Lives, Vol. IV, tr. Bernadotte Perrin, The Loeb Classical Library (Cambridge, Mass. and London, 1950), VII, 1; Broughton, Magistrates of the Roman Republic, pp. 545-547.
- <sup>56</sup>Sallust, XLIV, XLVI, 1-4, and XLVII, 3; Mommsen, History of Rome, p. 399; Holroyd, pp. 3-4.
- <sup>57</sup>Sallust, XLVIII-LIV, 1-4; Last, pp. 122-123.
- <sup>58</sup>Sallust, LIV, 5-10 and LV, 8; Last, pp. 122-123.
- <sup>59</sup>Sallust, LXI, 4-5 and LXII; Last, pp. 123-124.
- <sup>60</sup>Gruen, Roman Politics and the Criminal Courts, p. 118.
- <sup>61</sup>Ernst Badian, "Marius and the Nobles," Durham University Journal, LVI (1964), pp. 142 and 144-145; Gruen, Roman Politics and the Criminal Courts, p. 111.
- <sup>62</sup>Badian, "Marius and the Nobles," p. 145; Plutarchus, "Caius Marius," Plutarch's Lives, Vol. IX, tr. Bernadotte Perrin, The Loeb Classical Library (Cambridge, Mass. and London, 1950), IV, 1.
- <sup>63</sup>Plutarch, "Marius," IV, 2; Scullard, From the Gracchi to Nero, p. 47; Taylor, Roman Voting Assemblies, pp. 39 and 76; Botsford, p. 389, notes that Marius' electoral reform was not permanent, for the oligarchs found other means to influence voters.
- <sup>64</sup>Gruen, Roman Politics and the Criminal Courts, p. 119; Plutarch, "Marius," IV, 2-3.
- <sup>65</sup>Badian, "From the Gracchi to Sulla (1940-1959)," p. 215; Badian, "Marius and the Nobles," p. 145.
- <sup>66</sup>Badian, "Marius and the Nobles," p. 145; Plutarch, "Marius," IV, 4; Gruen, Roman Politics and the Criminal Courts, p. 119, offers another explanation for Marius' opposition to the grain bill. He proposes that Marius was acting in the interests of the equites, not the oligarchs.
- <sup>67</sup>Gruen, Roman Politics and the Criminal Courts, pp. 123-124; Jones, pp. 52-53; Badian, "Marius and the Nobles," p. 145; Plutarch, "Marius," V, 2.

- <sup>68</sup>Plutarch, "Marius," VI, 1-2.
- <sup>69</sup>Badian, "Marius and the Nobles," p. 146.
- <sup>70</sup>Sallust, LXIII-LXIV, 1+2.
- <sup>71</sup>Sallust, LXIV, 3-4; Earl, Political Thought of Sallust, p. 73, states that Metellus' remark may have been a pledge of continued support for his client, Marius, rather than an insult.
- <sup>72</sup>Sallust, LXIV, 4.
- <sup>73</sup>Ibid., LXIII, 5.
- <sup>74</sup>Earl, Political Thought of Sallust, p. 72; Syme, Sallust, pp. 160-161, believes that Sallust's intent was not to mislead the reader concerning Marius' career, but the omission resulted from lack of research.
- <sup>75</sup>Earl, Moral and Political Tradition of Rome, p. 504.
- <sup>76</sup>Sallust, LXIV, 5-6.
- <sup>77</sup>Diodorus Siculus, The Library of History of Diodorus of Sicily, Vol. XII, tr. Francis R. Walton, The Loeb Classical Library (Cambridge, Mass. and London, 1967), XXXIV/XXXV, 38, 1; Hill, pp. 120-121.
- <sup>78</sup>Earl, Political Thought of Sallust, p. 74; Sallust, LXV, 4-5; Plutarch, "Marius," VII, 4; Velleius Paterculus, Compendium of Roman History, tr. Frederick W. Shipley, The Loeb Classical Library (Cambridge, Mass. and London, 1967), II, XI, 2; Marcus Tullius Cicero, De Officiis, tr. Walter Miller, The Loeb Classical Library (Cambridge, Mass. and London, 1947), III, 79.
- <sup>79</sup>Sallust, LXV, 5; Badian, Foreign Clientelae, p. 196; Earl, Political Thought of Sallust, p. 7.
- <sup>80</sup>Sallust, LXV, 1-3.
- <sup>81</sup>Ibid., LXVI-LXIX.
- <sup>82</sup>Plutarch, "Marius," VIII, 2; Gruen, Roman Politics and the Criminal Courts, p. 153, notes that Plutarch's description is considered anti-Marian propaganda.
- <sup>83</sup>Gruen, Roman Politics and the Criminal Courts, p. 154; Badian, Foreign Clientelae, pp. 196-197.
- <sup>84</sup>Sallust, LXXIII, 1-2.
- <sup>85</sup>Plutarch, "Marius," VIII, 4.



- <sup>86</sup>Gelzer, p. 133.
- <sup>87</sup>Sallust, LXXIII, 3; Badian, Foreign Clientelae, p. 202; Velleius, II, XI, 2; Alan John Nisbet Wilson, Emigration from Italy in the Republican Age of Rome (New York, 1966), pp. 44-45.
- <sup>88</sup>Sherwin-White, p. 3.
- <sup>89</sup>Gelzer, pp. 15-16; Badian, Publicans and Sinners, p. 51; Badian, "Marius and the Nobles," p. 146, notes that from 150-111 only fourteen men from non-consular families were elected consul.
- <sup>90</sup>Sallust, LXXIII, 5-6; Earl, Political Thought of Sallust, p. 74; Cassius Dio Cocceianus, Dio's Roman History, Vol. II, tr. Earnest Cary, The Loeb Classical Library (Cambridge, Mass. and London, 1961), XXVI, 89, 3.
- <sup>91</sup>Carney, pp. 27-28; Earl, Political Thought of Sallust, p. 76; Richard Edwin Smith, Service in the Post-Marian Roman Army (Manchester, 1958), pp. 9-10; Earl, Moral and Political Tradition of Rome, pp. 48-49.
- <sup>92</sup>Earl, Moral and Political Tradition of Rome, p. 51; Plutarch, "Marius," IX, 4; Badian, Roman Imperialism in the Late Republic, p. 51.
- <sup>93</sup>Marcus Tullius Cicero, De Domo Sua, tr. N. H. Watts, The Loeb Classical Library (Cambridge, Mass. and London, 1935), IX, 24; Botsford, p. 381; Marsh, Founding of the Roman Empire, p. 41.
- <sup>94</sup>Sallust, LXXIII, 7.
- <sup>95</sup>Sallust, LXX-LXXII, LXXIV-LXXVI, and LXXX-LXXXIII; Last, pp. 123-125.
- <sup>96</sup>Sallust, LXXXIV-LXXXVI; Plutarch, "Marius," IX, 1-4.
- <sup>97</sup>Sallust, LXXXII, 3 and LXXXVI, 5; Plutarch, "Marius," X, 1.
- <sup>98</sup>Marcus Tullius Cicero, Pro Balbo, tr. R. Gardner, The Loeb Classical Library (Cambridge, Mass. and London, 1958), V, 11.
- <sup>99</sup>Badian, "Marius and the Nobles," p. 146; Velleius, II, XI, 2.
- <sup>100</sup>Sallust, LXXXVII-CI.
- <sup>101</sup>Ibid., CII-CIII, 1-4.
- <sup>102</sup>Sallust, CIII-CIV; Plutarch, "Sulla," III, 1; Diodorus, XXXIV/XXXV, 39, 1.
- <sup>103</sup>Sallust, CV-CXIV; Eutropius, IV, XXVII; Velleius, II, XII, 1; Livy, LXVII.

104 Last, p. 130; Badian, Roman Imperialism in the Late Republic, p. 27.

105 Last, p. 129; Plutarch, "Marius," X, 5-6 and "Sulla," III, 3-IV, 1 and VI, 1-2. Plutarch dates the origin of Marius' dislike for Sulla to Sulla's glorification of his own role in the capture of Jugurtha.

106 Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," pp. 158-159; Henry Francis Pelham, "Chronology of the Jugurthine War," in Essays by Henry Francis Pelham, ed. F. Haverfield (Oxford, 1911), pp. 16-17; H. V. Canter, "The Chronology of Sallust's Jugurtha," Classical Journal, VI (1911), p. 295; Syme, Sallust, pp. 142-143 and 149-150, believes that Sallust may have reserved details, such as chronology, for the commentarii.

107 Gruen, Roman Politics and the Criminal Courts, p. 155; Holroyd, pp. 14-17.

108 Sallust, CXIV.

## CHAPTER V

### CONCLUSION

Although the Jugurthine War was of only minor military significance, the events which it triggered in Rome brought the Republic closer to monarchism. During the Numidian war, the equites and plebs once again formed an alliance and effectively attacked the nobility. Marius' military reorganization also occurred during this period--an action which would eventually result in the destruction of the Republic.<sup>1</sup> These changes in Rome's political system were at first subtle; but when the weakening of the Senate was coupled with the rise of those politician-generals who subordinated the constitution to their personal glory, the Republic was destroyed.

Superficially the program of the Gracchi did not drastically affect the nobility, for, after their demise, the nobles continued their factional squabbles and ignored Rome's domestic crises. However, the Gracchi had established a political precedent by joining their newly created equestrian order with the plebs. It was this alliance which would shatter the apparent domestic tranquility the oligarchs enjoyed after the Gracchi. Fortunately for the Senate the coalition of the equites and plebs were only temporary, as in the case of the Mamilian Commission. After such a complete victory over the nobles, the coalition's power subsided as the crisis cooled, and the Senate appointed an eminent aristocratic general to finish the war. When Metellus did not end the war quickly, the old animosity toward the

nobility surfaced, and the equites and plebs chose Marius, a novus homo, to eliminate the Numidian nuisance.<sup>2</sup>

When Marius had departed for Africa, the oligarchs, hoping the equites were distracted, attempted to recover their judicial power. Q. Servilius Caepio, a member of the Metellan factio, was elected consul for 106; at that time Marius had been in Africa for a year and had not concluded the war. As the war continued, the nobles became more popular and 106 became the target date for forcing the equites to accept senators as jurors on the courts. The nobles did not fear the equites' judgments on extortion cases, instead it was the recent Mamilian quaestio which horrified them. The oligarchs wished to have a mixed jury, an equal number of equites and senators, so they could eliminate the equestrian use of the special courts. Representing the interests of all nobles, Caepio proposed and secured passage of the lex Servilia, which created mixed juries and reversed the lex Acilia of 123, G. Gracchus' measure. The lex Servilia, however, never went into effect and was soon repealed; Caepio's law gave the Metellan factio more prestige than other aspiring groups could tolerate. When the nobles were unchallenged by the equites and plebs, their factional disputes consumed their energies, and as a result, popular leaders would arise again in 104.<sup>3</sup>

After his consulship in 106, Caepio was given a proconsular assignment in Gaul for 105; Cn. Mallius Maximus, consul for 105, was also assigned Gaul. Unfortunately for the soldiers serving under Caepio and Mallius, Mallius, a novus homo, had defeated Q. Lutatius Catulus, Caepio's brother-in-law, in the consular election. Caepio refused to join his forces with Mallius--a decision which resulted in the defeat

at Arausio in which 80,000 soldiers died. Popular agitation was at a peak; the comitia tributa abrogated Caepio's command in 105.<sup>4</sup> In 104 tribune L. Cassius Longinus' plebiscite eliminated from the Senate anyone who had been judicially condemned or whose imperium had been abrogated by the people; Caepio's punishment, however, was to go beyond his exclusion from the Senate. In 104 he was tried and condemned for embezzlement.<sup>5</sup>

The year 104 witnessed the emergence of new political alliances to attack the Metellan faction. The legislation of L. Cassius Longinus was calculated to embarrass the Metelli's client, Caepio. Other nobles, Cn. Domitius Ahenobarbus and L. Marcius Philippus, who opposed the Metelli initiated popular legislation designed to undermine that faction's influence. The year 104 was also significant for Marius' supporters; in that year Marius was consul, C. Memmius was praetor, and L. Saturninus was quaestor.<sup>6</sup> It was also during this period of political realignments that the courts were returned to the equites by the tribune Servilius Glaucia.<sup>7</sup>

Eventually the equites began to use the extortion courts for their political advantage. Before the nineties the courts were not excessive or cruel in prosecuting the nobles, and, in fact, had been generous with their acquittals. However, the trial of P. Rutilius Rufus in 92 reversed this trend. Rutilius had been the legate of Q. Scaevola during his reorganization of Asia; many equites resented Scaevola's changes and chose to prosecute Rutilius as their revenge. The conviction of this former consul alarmed the nobles; they feared that the equites could subvert the power of the Senate. It was to bring the equites under their control that the nobles proposed

another system of choosing jurors. Tribune M. Livius Drusus, supported by L. Crassus and M. Scaurus, proposed that the Italians be enfranchised and the Senate enlarged by three hundred equites, then the album of jurors would be selected from this new Senate.<sup>8</sup> His proposal met with unyielding resistance; Drusus was assassinated and the equites retained their judiciary position--a power which Badian labeled as irresponsible.<sup>9</sup>

During the Jugurthine War, the equites, although there were periods that they dominated politics, did not assume the Senate's control of Roman affairs. Even after the Mamilian Commission, it was the Senate's choice, Metellus, who was sent to Africa. After his failure to secure a speedy victory, the equites insisted that Marius conduct the war. When the Senate regained its power, it awarded a triumph to Metellus although he had not finished the war. The final settlement of Numidia at the conclusion of the war was essentially the same territorial division the Senate made for Jugurtha and Adherbal--half of Numidia went to Bocchus and half to Gauda.<sup>10</sup> The Senate met the periodic challenges of the equites and remained the dominant body in Roman politics.<sup>11</sup>

The submission of the equites to the Senate's leadership was diminished by the nobles' attempts to take over the courts. Feuding over the composition of the jury continued throughout the rest of the Republican period. As the equites resisted the nobles, new social and political barriers were erected between the groups.<sup>12</sup> The objective of defeating the opposition obsessed Roman politicians, nobles and equites, as the squabbles over the extortion courts forced the Republic to the brink of dissolution.<sup>13</sup>

Marius' military reorganization was of vastly greater consequence than the feuds of the nobles and equites. Marius' reforms created the vehicle which would demolish what remained of Rome's Republic. The professional army which he created could not be controlled by the Senate; consequently, the armies, manipulated by their generals, reduced Rome to such chaos that the Republic was abandoned and order was restored by the Principate.<sup>14</sup>

The major reform Marius made in Rome's military structure was to allow men who did not meet the property qualification to volunteer for his army. Before Marius, only men who possessed a certain amount of wealth could serve in Rome's army.<sup>15</sup> This army was a citizen army; the soldiers provided their own equipment and received no pension when they were demobilized. As Rome's territorial hegemony expanded, more and more men were required to meet its military needs. As a result, the property qualifications began to be lowered; G. Gracchus' legislation allowed for state funding of equipment so that those who could not provide their own could be enrolled in the army.<sup>16</sup> Since Gracchus' agrarian reform did not produce a sufficient number of small farmers to be drafted, the military faced a manpower shortage.<sup>17</sup>

To begin his first campaign in Numidia, Marius chose to draft from the Latins, Italians, and clients of Rome; he also opened the ranks to the proletarii and the capite censi--two groups which had previously only been included in times of emergency. This was not a revolutionary reform, but a culmination of a series of lowered requirements for the legions.<sup>18</sup> Previously the Roman army had contained only property owners, but, as Rome's wars spread over the Mediterranean, the men of wealth resented the periods of extended service.<sup>19</sup>

Therefore, there was no senatorial opposition to Marius' recruitment. The nobles believed that Marius would lose his plebeian support after they were enrolled in the army. Instead the plebs welcomed the opportunity for booty and possible advancement in the army.<sup>20</sup> While Marius' changes appeared innocent, they were to alter the composition of Rome's army and its political system.<sup>21</sup>

Men of the equestrian order welcomed a voluntary system. As men of little or no property joined the army, they lifted much of the military burden from the equites.<sup>22</sup> The proletarii and the capite censi did not complain when their tours of duty were extended; these unemployed men, usually from rural areas, viewed the army as their profession and as a means to obtain land and booty.<sup>23</sup> Before 150 the Senate had occasionally provided land allotments to the discharged veterans, but after 150 this practice was apparently abandoned. Marius revived this system when his tribune L. Saturninus secured a bill distributing a hundred iugera to each of Marius' veterans in Africa. The Bagradas valley in Africa was annexed to Rome's province to provide land for these allotments.<sup>24</sup> The Roman army became an army of the rural unemployed, eager for booty and land, and dependent upon their generals to secure this for them.<sup>25</sup>

When the army relied upon its general for its livelihood, the soldiers and the general established a client-patron relationship. While this may have not been Marius' primary goal, his army became his personal clientelae--a force to offset the inherited clientelae of the nobles.<sup>26</sup> Although some ancient sources portray Marius as seditious and eager to overthrow the privileged class, he was, on the contrary, attempting to build his own political following, equal to the



nobles.<sup>27</sup> As a novus homo, Marius built his factio from his army; he wished to become a princeps civitatis, or a great statesman. In fact, after Marius had established his career, nobles joined his faction.<sup>28</sup>

The establishment of a client-patron relationship between soldiers and their general was a monumental disaster for the Republic. The soldiers received their livelihood and hopes of a land allotment from their general--not from the state. Before Marius, soldiers took an oath of allegiance to their general, but generals changed quickly and wars were short. After Marius' reforms, the army was professional and their loyalty was given to their general--not to the state. After wars were concluded, armies were willing to follow their patron, the general, even in unconstitutional acts.<sup>29</sup> The army had become the weapon which would crumble the Republic.<sup>30</sup>

Simultaneously with the advent of the professional army was the creation of the politician-general to exploit such an army. After the volunteer system began, generals had to have good military reputations to entice the booty-hungry plebs to join.<sup>31</sup> Since Rome's armies were now professional, some system for the retirement of the armies had to be implemented. Land bonuses became the pension for the soldiers and it was the general's responsibility to secure this for them.<sup>32</sup> To provide land allotments, the general had to sponsor a lex agraria for his soldiers, and to insure its passage, the general had to be a powerful politician also. For political support, the politician-general relied upon his present army and former veterans settled throughout the Mediterranean, for they were his clients.<sup>33</sup>

The politician-generals exploited the discontented groups in Rome. Marius used the anger of the equites and plebs to win the

consulship, and then manipulated the comitia to override the Senate's choice of Metellus for the Numidian command.<sup>34</sup> The interference of the comitia in Rome's foreign affairs was a serious curtailment of the Senate's power, but, more significantly, it was to provide future generals with a means to remain in power even against that assembly's wishes. The later politician-generals--Sulla, Pompey, and Caesar--manipulated the equites and plebs to remain in power.<sup>35</sup> Disregarding their claims of support for either the constitution--meaning the dominance of the nobles--or the people, the real essence of the civil discord produced by the politician-generals was whether the state would be ruled by the tyranny of the oligarchy or the dictatorship of the individual.<sup>36</sup>

The personal, professional army quickly escaped senatorial control. When a general established a successful reputation, the people demanded that the Senate choose him to combat Rome's enemies. An example of the Senate's limitation was when Marius returned from Africa and was given the command in Gaul; the people considered him the only possible saviour for Rome. Later when the politician-generals grew even more powerful, the Senate had few alternatives in combating a general who flaunted the constitution. If the Senate chose another general to protect its interests, and that general was victorious, the oligarchy found that they had merely traded the tyranny of one general for that of another.<sup>37</sup> Eventually the Republic collapsed beneath the strain of civil discord and domestic chaos; it was the Principate which solved the military problem and returned the allegiance of the armies to the state.<sup>38</sup>

Under the Principate, Augustus instituted state donatives and

land allotments to soldiers upon their discharge; this broke the client-patron ties between the army and the general, and returned the army's primary allegiance to the state.<sup>39</sup> K. von Fritz termed the land question a piece of historical irony; the nobles thwarted the land program of the Gracchi, only to have their government overthrown by armies of unemployed peasants following subversive generals who promised them land.<sup>40</sup> The nobles ignored the easy solution and forfeited their government to military dictatorships.<sup>41</sup>

The political innovations and evolutions during the Jugurthine War shoved Rome toward the establishment of a monarchy. The two most important political innovations of the period were the institution of the personal, professional army and the emergence of the politician-generals--the two factors which were the immediate cause of the Republic's demise. The political squabbles of the equites and the nobles evolved from the Gracchan period and were intensified by the Mamilian Commission. An understanding of the political maneuvers at Rome during the Jugurthine War aids in illuminating the transitional period between the Gracchi and the Principate.

#### FOOTNOTES

- <sup>1</sup> Scullard, From the Gracchi to Nero, p. 53.
- <sup>2</sup> Badian, Roman Imperialism in the Late Republic, p. 51; Gruen, Roman Politics and the Criminal Courts, pp. 155-156; Gruen, Roman Republic, p. 27.
- <sup>3</sup> Gruen, Roman Politics and the Criminal Courts, pp. 156-160; Badian, Publicans and Sinners, pp. 85-86; John Percy Vyvian Dacre Balsdon, "The History of the Extortion Court at Rome, 123-70 B.C.," Papers of the British School at Rome, XIV, new series, I (1938), pp. 105 and 114; G. L. Hendrickson, "The Memoirs of Rutilius Rufus," Classical Philology, XXVIII (1933), pp. 156-157; Botsford, p. 388.
- <sup>4</sup> Gruen, Roman Politics and the Criminal Courts, pp. 160-161.
- <sup>5</sup> Botsford, pp. 390-391; Livy, LXVII.
- <sup>6</sup> Gruen, Roman Politics and the Criminal Courts, pp. 161-163.
- <sup>7</sup> Balsdon, pp. 98-99, 106-107, and 113; Jones, p. 53; Balsdon dates Glaucia's legislation between 104 and 101.
- <sup>8</sup> Badian, Publicans and Sinners, pp. 90-92.
- <sup>9</sup> Badian, Publicans and Sinners, p. 94; Hendrickson, p. 156.
- <sup>10</sup> Gruen, Roman Politics and the Criminal Courts, p. 157; Badian, Roman Imperialism in the Late Republic, pp. 27 and 51.
- <sup>11</sup> Gruen, Roman Politics and the Criminal Courts, pp. 155-156.
- <sup>12</sup> Balsdon, pp. 98-99; Badian, "From the Gracchi to Sulla (1940-1959)," p. 214; Scullard, From the Gracchi to Nero, p. 53; Mommsen, History of Rome, pp. 376-377; Hendrickson, p. 155.
- <sup>13</sup> Hendrickson, p. 155; Fritz, "Sallust and the Attitude of the Roman Nobility at the Time of the Wars against Jugurtha (112-105 B.C.)," p. 165; Grant, pp. 204-205; Syme, Sallust, p. 170; Gruen, Roman Politics and the Criminal Courts, p. 33.
- <sup>14</sup> Frank Burr Marsh, Modern Problems in the Ancient World (Austin, 1943), p. 61; Last, p. 133.
- <sup>15</sup> Aulus Gellius, The Attic Nights of Aulus Gellius, Vol. III, tr.

John C. Rolfe, The Loeb Classical Library (London and New York, 1927), XVI, 10, 9-14. Gellius lists those groups which were excluded from the Roman army except in times of emergency as the proletarii--wealth below 1500 asses, and the capite censi--no property at all.

<sup>16</sup>Graham Webster, The Roman Imperial Army of the First and Second Centuries A.D. (New York, 1969), p. 37; Last, pp. 133-134; Smith, p. 10; Badian, "Marius and the Nobles," p. 147.

<sup>17</sup>Brunt, "The Army and the Land in the Roman Revolution," p. 71.

<sup>18</sup>Last, pp. 126 and 134; Marsh, A History of the Roman World from 146 to 30 B.C., pp. 78-79; Badian, "Marius and the Nobles," p. 147.

<sup>19</sup>Marsh, Modern Problems in the Ancient World, pp. 61-65.

<sup>20</sup>Webster, pp. 37-38.

<sup>21</sup>Marsh, Founding of the Roman Empire, pp. 41-42.

<sup>22</sup>Carney, p. 28, footnote 146; Gelzer, p. 12, notes that while the equites were still required to serve in the army, after Marius they were usually staff officers.

<sup>23</sup>Parker, pp. 24-25; Last, pp. 134-135; Taylor, Party Politics in the Age of Caesar, pp. 17-18; Brunt, "The Army and the Land in the Roman Revolution," p. 74; Marsh, Modern Problems in the Ancient World, pp. 68-71.

<sup>24</sup>Brunt, "The Army and the Land in the Roman Revolution," p. 79; Frank, Rome and Italy of the Republic, p. 219; Hill, p. 63; Broughton, Romanization of Africa Proconsularis, p. 32.

<sup>25</sup>Edward Togo Salmon, Roman Colonization under the Republic (Ithaca, N.Y., 1970), p. 129.

<sup>26</sup>Brunt, "The Army and the Land in the Roman Revolution," pp. 76-77; Earl, Political Thought of Sallust, p. 77; Taylor, Party Politics in the Age of Caesar, p. 47; Badian, Foreign Clientelae, pp. 197-198.

<sup>27</sup>Badian, "From the Gracchi to Sulla (1940-1959)," pp. 215-216; Velleius, II, XI, 1; Dio, XXVI; 89, 2; Taylor, Party Politics in the Age of Caesar, pp. 21-22; Badian, "Marius and the Nobles," p. 148.

<sup>28</sup>Badian, "From the Gracchi to Sulla (1940-1959)," pp. 215-216; Badian, Roman Imperialism in the Late Republic, p. 28; Badian, "Marius and the Nobles," p. 149.

<sup>29</sup>Last, p. 136; Adcock, The Roman Art of War under the Republic, p. 20; Taylor, Party Politics in the Age of Caesar, p. 47; Syme, Roman Revolution, p. 15; Parker, p. 26.

<sup>30</sup>Usher, Historians of Greece and Rome, pp. 156-157.

- <sup>31</sup>Marsh, Modern Problems in the Ancient World, pp. 68-71.
- <sup>32</sup>Marsh, Modern Problems in the Ancient World, pp. 68-71; Adcock, The Roman Art of War under the Republic, p. 20; Salmon, p. 129; Last, p. 137.
- <sup>33</sup>Wilson, pp. 45-46; Syme, Roman Revolution, p. 15; Taylor, Party Politics in the Age of Caesar, pp. 17-18; Last, p. 137.
- <sup>34</sup>Gruen, Roman Politics and the Criminal Courts, p. 151; Botsford, pp. 381-382. According to Botsford the Gracchan legislation forcing the Senate to choose consular provinces before the election also contained a clause prohibiting tribunitial interference with the Senate's decision. Therefore if this law was still applicable, the comitia's vote to transfer Metellus' command was illegal.
- <sup>35</sup>Last, pp. 125-126; Scullard, From the Gracchi to Nero, pp. 51 and 53; Mommsen, History of Rome, pp. 412-413. Mommsen places the fall of the aristocratic government at the time the comitia began to create generals.
- <sup>36</sup>Taylor, Party Politics in the Age of Caesar, pp. 22-23.
- <sup>37</sup>Badian, "Marius and the Nobles," p. 154; Syme, Sallust, pp. 176-177; Marsh, Modern Problems in the Ancient World, pp. 66-67, 78-79, and 107.
- <sup>38</sup>Marsh, Modern Problems in the Ancient World, p. 120; Oliver, p. 196.
- <sup>39</sup>Last, p. 137; Brunt, "The Army and the Land in the Roman Revolution," p. 84.
- <sup>40</sup>Fritz, Emergency Powers in the Last Centuries of the Roman Republic, p. 233.
- <sup>41</sup>Brunt, "The Army and the Land in the Roman Revolution," pp. 80 and 84; Marsh, Modern Problems in the Ancient World, pp. 79-80.

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