

**Freelance Warfare and Illegitimacy: the Historians'  
Portrayal of Bandits, Pirates, Mercenaries and  
Politicians**

**A Dissertation submitted to the Faculty of the University of  
Minnesota**

**BY**

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**In Partial Fulfillment of the Requirements for the Degree of  
Doctor of Philosophy**

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**April 30, 2015**

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## Abstract

This dissertation examines freelance warfare in the ancient world. The ‘freelancer’ needs to be understood as a unified category, not compartmentalized as three (or more) groups: pirates, bandits, and mercenaries. Throughout, I contend that ancient authors’ perception and portrayal of the actions of freelancers dramatically affected the perceived legitimacy of those actions. Most other studies (e.g. Shaw 1984, de Souza 1999, Grünewald 1999, Pohl 1993, Trundle 2004, Knapp 2011) focus on ‘real’ bandits and on a single one of these groups. I examine these three groups together, but also ask what semantic baggage words like *latro* or *leistes* had to carry that they were commonly used in invectives. Thus rhetorical piracy is also important for my study.

The work unfolds in three parts. The first is a brief chronological survey of ‘freelance men of violence’ of all stripes down to the second century BC. Freelancers engage in, at best, semi-legitimate acts of force. Excluded are standing paid forces and theft by means other than force, *vis*. In a form of ancient *realpolitik*, the freelancer was generally more acceptable to states than our aristocratic historians would prefer that we believe. Moreover, states were more concerned with control of these ‘freelancers’ than in their elimination. The second section explains events of the second and first century in greater detail. The observations made in the first section hold true in the second, despite being depicted differently by ancient historians. The third section focuses on the historians, historical accounts and rhetoric employed. The historians make motivations less pragmatic and more idealistic. Additionally, the perception of piracy was affected by triumphal politics, consular authority, and employment of mercenaries

Overall, the chief semantic burden of pirate-terms is to convey legitimacy: individuals that possess power that they should not. Condemnation of these figures is not rooted in their actions of plundering (rarely dissimilar from official acts of war) but instead their holding any such power in the first place. In short, this study reveals that the ‘at-large’ soldier was far more complex and far more influential than is normally shown by either ancient or modern historians.

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Map 1: Crete and Rhodes Map created by author with data supplied by Ancient World Mapping Center. "À-la-carte".  
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Map 2: Illyrian tribes and Epirus

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<http://awmc.unc.edu/awmc/applications/alacarte/>





Map 3: The Balearic Islands and coast of Hispania  
<<http://awmc.unc.edu/awmc/applications/alcarte/>>

Map created by author with data supplied by Ancient World Mapping Center. “À-la-carte”.





Map 4: Cilicia and adjacent regions

Map created by author with data supplied by Ancient World Mapping Center. "À-la-carte".

<http://awmc.unc.edu/awmc/applications/alacarte/>

# Abbreviations

## Ancient Sources

Ancient authors are cited according to the conventions found in the front of the *OCD* (Oxford Classical Dictionary) with the exception that the names of authors are spelled out.

## Modern Sources

*CAH*            *The Cambridge Ancient History* 2<sup>nd</sup> ed. 14 vols Cambridge, Cambridge University Press, 1970-2005.

*MRR*            T.R.S. Broughton, *The Magistrates of the Roman Republic* 3 vols Atlanta: Scholars' Press, 1951-1952.

*StV*            *Die Staatsverträge des Altertums* 3 vols C. H. Beck'sche Verlagsbuchhandlung: München 1962-1969.

## Collections of Inscriptions

Ancient inscription are cited simply by [collection's abbreviation], [numbering in collection]. The abbreviations stand for the following works, which continue to be updated.

*CIL*—*Corpus Inscriptionum Latinarum*

*FIRA*—*Fontes Iuris Romani Anteiustiniani*

*IC*—*Inscriptiones Creticae*

*IG*—*Inscriptiones Graecae*

*IGRRP*—*Inscriptiones Graecae ad Res Romanas Pertinentes* (Elsewhere, sometimes, 'Cagnet')

*ILER*—*Inscripciones Latinas de la España Romana*

*ILLRP*—*Inscriptiones Latinae Liberae Rei Publicae* (Elsewhere, sometimes 'Degrassi')

*ILS*—*Inscriptiones Latinae Selectae* (elsewhere, sometimes 'Dessau')

*Inscr.Ital.*—*Inscriptiones Italicae*

*OGIS*—*Orientalis Graeci Inscriptiones Selectae*

SIG—*Sylloge Inscriptionum Graecarum*

SEG—*Supplementum Epigraphicum Graecum*

# Introduction

In this study, I assess the description of various individuals, groups, and even states as piratical or otherwise engaging in ‘illegitimate’ violence for gain in the ancient Mediterranean world. Illegitimate acts of violence undertaken for the sake of plundering are commonplace—yet so also are legitimate, state-sponsored, acts of violence for the sake of plundering. It is my contention throughout this work that political and cultural motives played a large role in the determining of legitimacy of contemporary events, while historians exhibited similar bias regarding past events. Furthermore, this perception of legitimacy had more influence on the assessment of piracy or banditry than the conduct or severity of any actual events. That is, the act of raiding did not determine piracy so much as the understanding whether the raiders had a right to engage in such acts.

The characters in my title, “Pirates, bandits, mercenaries, and politicians” might, at first, seem a strange admixture of figures. For the first three categories, I argue that they had substantial overlap in the ancient world. For the latter, I argue that political discussion of plundering and even invective is key to understanding relationship between the first three groups. It is through politics and political machinations, after all, that any act of plundering was deemed to have been undertaken legitimately or illegitimately. Thus, this work also deals with early estimations of what acts were and were not permitted to groups of warriors either in war or outside of war.

While these issues could be studied across a wide breadth of history, I choose to go into greater detail for approximately a 150-year period—the second and early first centuries BC.

This work builds most obviously upon the recent works on piracy, banditry, and mercenaries.<sup>1</sup> While each of these works provides a thorough and comprehensive description of the targeted group, each also, to some degree, sets the others aside. I argue that these three categories were so fluid that it makes more sense to talk of a single ‘freelance warrior’ character rather than distinguishing three separate groups with

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<sup>1</sup> Those being the works of de Souza (1999), Grünewald (1999), and Trundle (2004) respectively.

overlap. Moreover, these works, like many others, attempt to set aside the political invective to focus on ‘real’ bandits and pirates. My study, I hope, serves a second purpose in bringing that invective back into examination to see what it reveals about these groups.

In examining the secondary literature, the literatures for several subfields need to be consulted, as mercenaries, bandits, and pirates are generally studied individually rather than together. Also useful are the studies on particular places, like Crete, Illyria, and Cilicia, which gained particular reputations for piracy. On the freelancers as a whole, there have been few full-length studies to this point in time. Concerning pirates, the key works are undoubtedly Philip de Souza’s 1999 *Piracy in the Graeco-Roman World*, the somewhat more dated works of H.A. Ormerod, Jules Sestier and Erich Ziebarth, and the more pointed study of Hartel Pohl: *Die römische Politik und die Piraterie im östlichen Mittelmeer vom 3 bis zum 1 Jh. v. Chr.*<sup>2</sup> Concerning bandits, I rest most heavily upon the work of Thomas Grünewald’s *Bandits in the Roman Empire*, though Ramsay MacMullen’s *Enemies of the Roman Order* and Brent Shaw’s several articles on banditry and other liminal figures have been key to my understanding of bandit activity and invaluable for locating references to various bandit attacks and campaigns.<sup>3</sup> I also draw upon E. J. Hobsbawm’s *Bandits and Social Bandits and Primitive Rebels* for comparative purposes: though Hobsbawm covers a much more recent period, the ideas are still relevant to this study, and more recent discussions of Roman banditry and piracy have definitely been affected by his study.<sup>4</sup> The material on mercenaries comes predominantly from Trundle’s *Greek Mercenaries from the Late Archaic Period to Alexander*, along with earlier sources such as Griffith’s *Mercenaries of the Hellenistic World* and Parke’s *Greek Mercenary Soldiers*. These works largely substantiate de Souza’s claim that there was sizeable overlap between the professions of mercenary and bandit.<sup>5</sup> Some of the arguments I forward in this work have already been put forth (albeit for a much later

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<sup>2</sup> Hence de Souza 1999, Ormerod 1924, Sestier 1890, Ziebarth 1929, and Pohl 1993.

<sup>3</sup> Hence Grünewald 2004 (1999 for the original German), MacMullen 1966 and (*inter alia*) Shaw 1990, 1993, 2000, and 2001.

<sup>4</sup> Hence Hobsbawm 1985 and 1959.

<sup>5</sup> Hence Trundle 2004, Griffith 1935 and Parke 1933. See also Miller 1984.

period) by Janice Thomson in *Mercenaries, Pirates and Sovereigns*.<sup>6</sup> Additional works of particular interest are Anna Tarwacka's *Romans and Pirates: a Legal Perspective*, Mary Beard's *The Roman Triumph*, Jessica Clark's *Triumph in Defeat*, and Miriam Pittenger's *Contested Triumphs*, which each explore aspects of the legality and legitimacy of wars conducted against or triumphs celebrated over such groups declared illegitimate.<sup>7</sup>

### **Language and Terminology**

As mentioned, I often encompass the groups of pirate, mercenary, bandit, and in some cases, auxiliary, under the term 'freelancer' or 'at-large' warrior. This is because these people elect to make a living through violence and also retain control over who commands that violence. Mercenaries and auxiliaries formally hand this control over to a state figure such as a king, magistrate, or one of their representatives. While a regularly employed citizen soldier does this also, the different terms of control and, more importantly, their differing motivations, make a meaningful comparison both difficult to draw and problematic to use. The bandit/pirate groups, unlike mercenaries, retain control over how and where their violence is employed. Moreover, I argue there is considerable fluidity between these groups. Unemployed mercenaries would readily engage in banditry while pirate groups were often willing to become mercenaries for the right price. Nevertheless, in the accounts of ancient authors, when they promote a term, I shall strive to provide the Latin or Greek forms, which are somewhat less fluid than the English terms, for the sake of clarity.

I also provide the original language forms because the ancient sources use numerous different words to denote the freelancer and these words do not often map easily onto English counterparts. The land/sea distinction so clear to English 'pirate/bandit' (and even more obvious in the German 'räuber/seeraüber') is nowhere to be found in prevalent words such as *praedo* or *leistēs*.<sup>8</sup> Indeed, the three most common

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<sup>6</sup> Hence Thomson 1994.

<sup>7</sup> Hence Tarwacka 2009, Beard 2007, Clark 2014, and Pittenger 2008.

<sup>8</sup> De Souza (1992, 1999), goes into great detail as to the valences of the vocabulary, especially the Greek vocabulary. See also Grünwald 2004, esp. 1-6 and Trundle 2004, esp. 10-21.

Latin terms: *latro*, *praedo*, and *pirata*, may all be used for either land or sea, and while the first two terms are more often used for land activity, it is not an overwhelming tendency. Moreover, both *praedo* and *latro* are used for ‘mercenary’, especially in earlier authors, such as Plautus. Greek has a greater variety of terms, but the main two are *leistēs* and *peirates*, which also can refer to land or sea operations.

Evidence that the words are not bound to land or sea is found in the common use of clarifying vocabulary involving the sea when such a distinction is desired. Thus Livy’s *maritimos praedones* (e.g. *Per.* 68.1), or Strabo’s τῶν κατὰ θάλατταν ληστηρίων (11.2.12).<sup>9</sup> While it is quite tempting to see *peirates* as simply ‘pirates’, it is clear that it cannot be so simple—De Souza showed that Polybius uses it to definitely mean ‘bandits’ at 4.3.8-9 but definitely ‘pirates’ at 21.12.<sup>10</sup> It is probably safest to assume that when the land/sea distinction was important, the author would have clarified. Given the frequency of such clarification, it is reasonable to infer that the words themselves tend to carry no such valence. Though they denote plundering (*leistēs* and *praedo* both come from a root meaning ‘booty’ or ‘spoils’ and *peirates/pirata* from a verb meaning ‘to make an attack’), I will argue that the terms denote the illegitimacy of the action. The verb forms (e.g. *leidzomai*, *peirao*, *populor*) tend to be used for legitimate and illegitimate actions alike.

Terms for mercenary freelancers often denote one of two things: their foreign extraction, or their dependence on pay. Such terms as *misthophoros*, *mercenarius* or *stipendarius* indicate explicitly that they are paid troops while *xenoi* stresses their foreign origin. Likewise, more famous mercenary groups such as ‘Tarentines’ or ‘Campanians’ might be used where ‘mercenary’ is meant, especially to denote a particular set of equipment.<sup>11</sup> As mentioned above, the earliest uses of *latro* and *praedo* also appear to denote mercenary service.

Different words are used side by side, implying a distinction among them. For example, Cicero’s harangue against Piso includes:

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<sup>9</sup> Livy, *Per.* 68; Strabo 11.2.12. Polybius uses a formulation similar to Strabo at 13.8.1: τοῖς Κρησὶ τῶν κατὰ θάλατταν ληστέων.

Another common circumlocution used is *mare infestum* accompanied by the relevant term. A few examples of this are Livy, *Per.* 128.1; Cicero, *Att.* 16.1; Augustine, *De civ. D.*, 4.4.

<sup>10</sup> De Souza 1992, 35-36.

<sup>11</sup> For Tarentines, see Griffith 1935, 246-248.



*qui latrones igitur, si quidem vos consules, qui praedones, qui hostes, qui proditores, qui tyranni nominabuntur?*

“If you two [Piso and Gabinius, the consuls of 58] will be called consuls, who, then, will be called bandits? Who, pirates? Who, enemies? Who, traitors? Who, tyrants?”<sup>12</sup>

Obviously, Cicero argues that these two demean the office of consul. This rhetoric is particularly interesting because the procession of the words is conceptually linked, *praedones* are like *latrones* and *hostes*, *hostes* like *praedones* and *proditores*, and so on. I would argue that this is meant to be understood full circle, with *tyranni* being conceptually linked to *latrones* in their lack of legitimacy. Cicero’s placement of the terms allows the terms to be more readily applied to the pair he lambastes. Livy’s maritime *praedo* almost always appears a raider with a known home town, seeming more like a privateer than a pirate.<sup>13</sup> Those unidentified are either called *latro* or part of a ‘piratic’ fleet. Strabo appears to use *leistes* and *peirates* interchangeably, but Appian’s language in describing the Cilicians suggests a difference between *peirates* and *leistes* similar to Livy:<sup>14</sup>

...καὶ ἐς τὴν θάλασσαν **πειρατᾶς** καθῆκεν, οἳ τὸ μὲν πρῶτον ὀλίγοις σκάφεσι καὶ μικροῖς οἷα **λησταὶ** περιπλέοντες ἐλύπουν,...

And he [sc. Mithridates] set up plunderers (*peirates*) upon the sea, who at first, were making a nuisance of themselves, sailing about in a few small skiffs, the kind pirates (*leistes*) use...

Surely Appian’s description that the *peiratai* acted like *leistai* lent information to the reader. Precisely what that information was is less clear. The passage suggests that *peirates* described the activity of plundering more generally and neutrally, while *leistes*, referring to the commonplace freelance activity is a smaller-scale type of operation.<sup>15</sup> The passage also suggests that Mithridates may have intended to hide his involvement by having his raiders act like freelancers. The jurist Pomponius describes *latrones* and

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<sup>12</sup> Cicero, *Pis.* 24.1.

<sup>13</sup> The *praedones* are operating out of Syracuse, those who are in Macedonian employ, based in Chalcis.

<sup>14</sup> Appian, *Mith.* 92. For Strabo, see De Souza 1999, 8; Strabo 14.3.2.

<sup>15</sup> The argument that *peirates* originally meant something like privateer or mercenary raider is problematic, though not at all without merit. See Potter 1984, 231-235; de Souza 1999, 5-7.

*praedones* as *hostes* who make war outside of a formal declaration.<sup>16</sup> For Cyprian, there is a different distinction; the *latro* kills people before taking their belongings, while the *praedo* only takes the belongings.<sup>17</sup>

Certain words are preferred by certain authors; Livy almost never uses *pirata* as a noun, preferring *praedo*, while Cassius Dio never uses *peirates* but prefers the unusual term *katapontistes*.<sup>18</sup> The Greek novelists use *peirates* and *leistes* apparently interchangeably, but also use the term *boukoloï* ('cowboys') for the bandits of the Egyptian Delta.<sup>19</sup> A shift in meaning over time is also detectable, such as the later lemma given for Livy: "...*maritimos praedones, id est piratas*..." ("maritime raiders, that is, pirates") which suggests that *pirata* had become the standard word, displacing *praedo*, which was no longer used in that sense.

*Fur* and *klopos* are not words generally associated with freelance warfare, only theft. Notably, they tend to be used for nonviolent theft. Such terms also feature in political rhetoric to villainize a character as illegitimate. The reason to use a term like *latro* rather than *fur* is to emphasize the violent approach as well as the openness. Thus one type of term meant to secretly embezzle some funds or take bribes, the other to openly seize goods by force. Though no doubt subject to some of the same observations I make in this work, the vocabulary for non-violent theft will not come under particular scrutiny in this work.

In providing the language used, I intend to arrive at a clearer understanding of how the terminology was deployed by the ancient historians. The use of piratic vocabulary for the freelancer, its nuances, including an increasingly negative connotation, and its association primarily with illegitimate violence will be major themes of this work.

### **Structure**

This study will be roughly, but not strictly, chronological. Within each chapter, the material tends to be divided regionally. Additionally, since the historians were so

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<sup>16</sup> *Dig.* 50.16.118 cf Ulpian, *Dig.* 49.15.24.

<sup>17</sup> Cyprian, *De zelo et livore* 7.130; see also Grünewald 2004, 20.

<sup>18</sup> De Souza 1999, 10.

<sup>19</sup> See De Souza 1999, 214-218 for a brief account of pirates in fiction. Herdsmen generally were associated with theft and brigandage, see Grünewald 2004, 36.

often writing centuries after the fact, my last two chapters are primarily historiographical rather than historical and do not well fit a chronological format.

The first and second chapters strive to provide the necessary background for the Hellenistic and Roman spheres, respectively. At times, this becomes a whirlwind tour of dates, rulers, and alleged doings, and comes into sharper detail into the fourth and third centuries. Here, the Sicilian cities and Hellenistic monarchs made substantial use of mercenaries from a variety of sources. Along with this use of mercenaries came a variety of strategies for dealing with them, for they were already regarded as both untrustworthy and ominously powerful. Of course, no description of Greek piracy would be complete without time expended on Crete, the legendary home of pirates, and Rhodes, the legendary bulwark against piracy, a dual fame that culminated in a Cretan War at the end of the third century. On the Roman side, I begin with the Etruscan reputation for piracy. I then examine Livy's depiction of early Rome and raids for plunder; evidence that the fundamental acts of the pirate (i.e. looting) were by no means dishonorable in themselves. Followed by an examination of Roman affairs at Antium and Illyria, it appears clear that the condemnation of piracy is a political convenience rather than a moral stance. I then argue that the events of the Punic Wars (and the Mercenary War) cement the Roman identification of the *latro* with one of the Italian at-large warriors that took over places such as Messana, Rhegium, and Sardinia. Furthermore, I argue that this archetype continues to define the *latro* until the rhetoric of the first century.

Armed with this background, I spend the next three chapters identifying how the freelancer played an important (and misunderstood) part in the foreign policy of the first and second centuries. Chapter 3 focuses on the second century, chapter 4 on much of the first, and chapter 5 on Pompey's campaigns and political rhetoric. In these chapters, I argue that redefining a group as illegitimate (i.e. as pirates or bandits) could pay political dividends, that Rome (and others) had alternate goals than merely eliminating the freelancer, and that larger states' growing hunger for military manpower fundamentally affected the role of the freelancer.

The third chapter lays out the details of the campaigns of the 'small wars' of the second century. The major wars of Rome are not without interest, but it is the minor

campaigns around the edges that really display the role of the at-large warrior, for they occur in the locations from which the at-large warrior is drawn. First, I discuss Rhodian and Roman intervention in Crete and Lycia, two areas where mobile bands of freelance professional fighters were readily found or recruited. This intervention, I argue, is not bent on squashing such individuals, but principally on controlling them as a resource, though in the event of failure, destroying these groups was preferable to allowing them to serve enemies. Then I shift to the Iberian Wars, where Romans fought constant small-scale campaigns against the native Iberians and Celtiberians of the interior. Here, ‘bandit terminology’ is used to describe ‘illegitimate’ tactics like guerrilla warfare. The Roman portrayals drive perception of motives, but are more likely to be rooted in degree of success. Thirdly, I examine the campaigns of Sardinia, Liguria, Dalmatia, and the Balears, where a similar phenomenon takes place; campaigns over very small areas are waged, the defenders being dismissed as bandits/pirates, and the victorious Roman general gains a great quantity of loot. This is further complicated by the question of potential triumph-hunting, to which I return in the seventh chapter. Overall this chapter shows that the freelance warriors were reasonably effective at contending with the Romans, that the Romans sought to control and employ these warriors, and that the portrayals (by later Roman historians) of freelancers as bandits and/or mercenaries served a greater purpose than merely descriptive.

The fourth chapter begins with the slave wars (including those of the second century), and the portrayal of these slaves in a manner similar, but not identical to, the at-large warrior. The campaigns of Cilicia also come into focus in this period; in Cilicia, a series of praetors, consuls and proconsuls were sent to deter piracy, expand the boundaries of Roman Cilicia and to serve as a buffer against Mithridates. And year after year, the Cilicians are conquered and subjugated by the Romans, amassing a suspicious number of triumphs and requested triumphs in a short time period. In the course of this discussion, I also discuss some legislation that affects Roman ability to act on perceived piracy. I also discuss the Mithridatic wars in light of the competition between Mithridates and Rome over the ability to exploit the military potential of the Greek population. Finally, I discuss the desultory Roman conquest of Crete, the portrayal of the

Cretans, the growth of the Cilician pirates and the decline of Delos and Rhodes. In this section, I argue that Mithridates took many actions indistinguishable from those of earlier Hellenistic monarchs. Concerning the slaves, I argue that the slave threats always provoked the Romans to look for exterior instigators. I also argue throughout that the presence of the erstwhile at-large warrior in the campaign forces of the Roman armies is readily detectable. The overall Roman goal (if the Romans could be said to have an overall goal) was to control these bodies of contingent manpower, not to destroy them.

The fifth chapter, by contrast, focuses on Pompey, famed as the commander who put an end to piracy in the Roman World. I begin with the campaign against Sertorius, combined with the historians' desire to describe Sertorius as definitely non-Roman and an illegitimate bandit. This is followed by the discussions of Mithridates and his hiring of pirates, Pompey's command against the pirates and Mithridates, and his disagreements with Metellus. Not only do I argue that Pompey's famous resettlement had direct benefits to the general, I also argue that the reduction of piracy has far more to do with the elimination of markets than with the clemency of Pompey. The 'at-large warrior' like the pirate has not disappeared, but taken up gladius and eagle. I argue that the illegitimate warrior has been eliminated, not directly, but by offering an avenue to obtain legitimate status.

In chapter 6 and 7, I tackle the idea of legitimacy in the period in question. I think, by this point, I will have amply shown that the event or act itself, however dishonorable, does not really matter; the true issue at stake is the identity of the enactor. First, there appears to be a shift over time in what the Greeks and Romans deemed legitimate, while the historians, seeing a pattern of historical decline, do not acknowledge such a shift. The frequent wars in Iberia, Illyria, and Liguria show a definite tendency for the Romans to reshape events to show how they were (naturally) in the right and their enemies in the wrong. This is complicated by internal squabbles in Rome, for it was not uncommon to accuse a political enemy of trying to campaign against allies or other peoples protected by treaties with Rome. To mitigate such claims, the Roman proconsuls and praetors could always claim to be operating against pirates/bandits. While less praiseworthy than an enemy people, it was also safer. This leads into two other aspects:

the reframing of certain peoples or cities as ‘innately criminal’, and the growing phenomenon of triumph-hunting. I also argue that there is a philosophical divide between an inherently Greek tradition and a Roman tradition, principally Latin, but one that sometimes makes its way into the Greek imperial-era authors. To be overly simplistic, the Roman tradition holds that pirates are pirates because they are old-fashioned, uncivilized, or just plain bad, while the Greek holds that the root cause is poverty. I then discuss the stereotypes of the freelancer in general and particularly the stereotypical treachery of the mercenary. I argue that this stereotype is often rooted in perceptions of ethnicity. As noted before, certain areas are ‘suspect’ for criminal activity and these areas tend to produce both pirates and mercenaries. Thus, this depiction has a greater goal. As the authors themselves tend to be products of a somewhat more rarefied class, their disdain for the freelancer is expected. It is ultimately in the interest of the author to denigrate those professional fighters who are not intrinsically tied to a state.

I end with a discussion of the Romans’ attempts to gain control of military manpower. Overall, the freelancer rarely made up the majority of men under arms in any state or region. They did, however, function as the most readily mobile of such forces. They were often also the most skilled forces. This combination meant that states in competition for military manpower were largely struggling over the acquisition or retention of these forces. The Roman solution to this problem was largely to give them a stake in the Roman system, which appears to have been effective.

## Chapter One: The Greek Background.

To go into the entire Greek background and history of piracy or banditry would require the better part of a full-length work.<sup>20</sup> The nature of piracy and banditry in the Roman world, however, has clear antecedents in the Greek world, and it is the nature of those antecedents I wish to explore here. I would argue that there was a long chain of events that continued uninterrupted into the Roman period. In this ‘chain’, the methods employed by colonists, adventurers, and conquerors barely differed. While *leisteia* has a fairly rich history in Homer and Herodotus, I would prefer to begin with events of greater historical certainty and also clearer and more immediate impact on the events of the Middle Republic.<sup>21</sup>

In this first chapter, I cover the background in the Greek world leading up to the second century BC, concluding with the Rhodian-Cretan War at the turn of the century. By the nature of the sources, much evidence comes from Sicily, particularly in the work of Diodorus Siculus. It is apparent that in the Classical and Hellenistic Greek world, bodies of at-large fighters played a significant role. I would thus like to begin with the role of the *misthophoros*, especially in Sicily, but also later in the Hellenistic kingdoms. It should soon become apparent that the labeling of characters as *misthophoroi* or *leistes* is principally one of portrayal, not of individual actions. Thus, while your own hirelings are mercenaries, others’ are merely bandits. This is not an entirely unfair portrayal, as the at-large warriors could readily shift into the role of pirate or bandit if left unemployed.<sup>22</sup> Nevertheless there are additional motives for such portrayals, as will become clear.

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<sup>20</sup> For such, see de Souza 1992, 1999, Pohl 1993, Ormerod 1927 for piracy, Grünewald 2004 for banditry, though Grünewald spends far more time on the Roman background.

<sup>21</sup> For a starting point, see Ormerod 1924, esp. 80-150; de Souza 1999 17-41, 2008 72-73. For pre-trireme ship types and uses, see Casson 1971, 43-76. Some scholars, as de Souza notes (21), believe a clear distinction can be drawn between war and piracy in Homer: see de Souza 1999, 21 n19, Bravo 1980, Nowag 1983, Jackson 1985 and 1993. See Van Wees 1992, ch. 4 for a counterargument. The ancient authors were particularly apt to see piracy in the armies and navies of the past, so Thucydides, 6.4.5, Herodotus, 1.66, 3.39; Polybius 3.22.

<sup>22</sup> For some discussion on this tendency, see Trundle 2004, 23; McKechnie 1989.



## The Mercenaries of Sicily

In Sicily, by the sixth century BC, if not before, the Greek and Carthaginian cities relied substantially on professional at-large warriors—*misthophoroi* being the most common word for them<sup>23</sup>—and as a result, the events of Sicily were shaped by the desires of these bands of warriors. I suggest that their prominence is partially due to their experience and partially due to the relatively high ratio of mercenaries to citizen-soldiers in the Sicilian armies.<sup>24</sup> These mercenaries might be Greeks, Italians (mainly Campanians) or Celts.<sup>25</sup> During this period, the Sicilian cities constantly needed influxes of men and they attempted to get warriors to settle in their states and become citizens.<sup>26</sup> Thus, while mercenaries were frequently employed, the cities plainly desired to reduce the percentage of their forces that were freelancers rather than citizen-soldiers. In their hunger for men, Sicilian tyrants, like the elder Dionysius, even distributed arms to would-be soldiers.<sup>27</sup> Despite this prominence in Sicily, however, mercenaries were far from inconsequential in the Aegean basin. The mercenary became an important figure in the

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<sup>23</sup> *Misthophoros* is a later word used by the Hellenistic and Roman-era historians, like Diodorus Siculus. Earlier words for mercenary include *epikouros* and *xenos*, though, like *misthophoros*, neither is exclusively 'mercenary'. See Trundle 2004, 10-24 for discussion of the terminology and definition of mercenaries.

<sup>24</sup> This general argument is made by Moggi (2006) as well. Any direct assertions of numbers or proportions in the armies of Sicily, coming principally from asides in Diodorus, ought to be taken with a grain or three of salt. It does seem clear, however, that the historians recording these numbers saw them as being strange in comparison with standard proportions in the east. Most scholarship on the accuracy of Diodorus focuses on comparisons between him and Xenophon or the Hellenica Oxyrhynchia, see, for example, Gray 1987. For Greek mercenaries, see Trundle 2004. Recent scholarship has been suggesting smaller discrepancy in proportion between eastern and western Greeks, but only due to a larger quantity of mercenaries employed in mainland Greece.

See also Lomas 1993, 42-57, for a sense of the importance of mercenaries in 3<sup>rd</sup>-century Magna Graecia.

<sup>25</sup> For evidence of sixth-century Celtic mercenaries in Sicily, see Rapin 2001, who argues for their presence from the existence of a sculpture of a shield. For further evidence see de Ligt 2007 for a reinterpretation of a confusing inscription as Celtic rather than Italic. For material support for the existence of Italian mercenaries at Acragas, see Tagliamonte 2002. The best recent source for Sicilian mercenaries is *Atti elimi V: Guerra e pace in Sicilia e nel Mediterraneo antico (VIII-III sec. a.C.)*, in particular, the articles by Moggi, Giallombardo, De Cesare, Péré-Noguès and Fantasia.

<sup>26</sup> Polyaeus *Strat.* 1.27.3, Diodorus 11.72.3. For citizenship grants to mercenaries, see Péré-Noguès 2004. By the Hellenistic period, they had competition from the Lagids, who were forever trying to get hoplites or phalangites to settle in Egypt as 'military colonists'. See Stefanou 2013 for a recent account of the recruitment of these cleruch-soldiers.

Griffith 1935, 195, asserts that the Greeks simply were not present in sufficient numbers in Sicily to have such a large quantity of local mercenaries.

See also Trundle 2004, 6, 44, 74, for the demand for mercenaries in Sicily.

<sup>27</sup> See Trundle 2004, 126-127. In this particular example, it is not clear whether these were would-be mercenaries or citizen soldiers. See Diodorus 16.41-43 for multiple examples from the elder Dionysius; 14.10.2 and 16.9.2 for the younger; and 16.6.5 and 16.10.1 for Dion.

Aegean in the Hellenistic period, but he had already been relevant in Sicily for centuries.<sup>28</sup> As Trundle points out, before the Hellenistic Period, most hoplite mercenaries from mainland Greece were employed in either Sicily or Egypt.<sup>29</sup>

Because of their numbers, the mercenary apparently played a greater role in Sicily than in the east. This is certainly the case before the Hellenistic period, and possibly still true even then. In *Strategemata* 5.1-15, Polyaeus details the accounts of various generals of this earlier period, but in these accounts, the mercenaries frequently play a prominent role. Such examples for dealing with mercenary forces underline their importance for the general. For example, the elder Dionysius of Syracuse, at the turn of the fifth/fourth century, has many dealings with mercenaries that show their influence on his policies.<sup>30</sup> Dionysius is at the mercy of his own mercenaries at 5.2.1 and 5.2.11 and seeks to deprive his mercenaries of their pay in 5.2.11, while at 5.2.17, Dionysius tricked the Carthaginians into releasing their Greek mercenaries, who were giving him trouble. The younger Dionysius also had to deal with a mercenary mutiny caused by lack of funds.<sup>31</sup> Similar accounts are given by Diodorus, most notably with Timoleon.<sup>32</sup> Agathocles also had to calm two mutinies, one in Africa in 309 and another, roughly a decade later, in Italy. In Syracuse, Thrasybulus attempted to raise a mercenary force able to outmatch the citizen soldiery.<sup>33</sup> These mercenaries are clearly not merely a supplement, but a sizable force, sometimes even the majority of the force.

The mercenaries in Sicily are sometimes so powerful that they need to be dealt with by tricks. While the individual stratagems employed differed (and, accordingly, became worthy of individual notice by Polyaeus), in bulk they point to a recurrent issue: the mercenary force was strong enough to be a threat to the employer. Thus Hippocrates,

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<sup>28</sup> This refers to the mercenary ‘explosion’ of the fourth century: see Miller 1984, 154; Trundle 2004, 7, 36.

<sup>29</sup> Trundle 2004, 52.

<sup>30</sup> Other sources also assert his reliance on mercenaries, e.g. Diodorus 13.94-96, 109-114, 14.7-8, 41-96.

<sup>31</sup> See Westlake 1994, 697, this tradition comes through Plutarch’s life of Dion. Dion’s Peloponnesian mercenaries also soon faced pay in arrears (Westlake, 699-700) and in 356, Syracuse refused to pay them but offered citizenship as recompense (which they accepted). Again, see Péré-Noguès 2004 for other examples of citizenship grants in Sicily.

<sup>32</sup> See Diodorus 16.73, where Timoleon orders his mercenaries to pillage because he wouldn’t otherwise have the money to pay him. This story is also in Plutarch (*Tim.* 24). Cf. Diodorus 16.78-79, Plutarch *Tim.* 30.

<sup>33</sup> Diodorus 11.68.

after using the Ergetini (a native Sicel people) to win several campaigns, stranded them in the field and had them massacred when vulnerable.<sup>34</sup> Hippocrates's reliance on mercenaries is revealed after the brutality with which he suppressed cities like Zancle (a city initially founded as a pirate base and itself a source of freelance manpower).<sup>35</sup> For, having employed such brutality with his mercenaries, he was unable to recruit men from those cities. Other cities in Sicily found themselves having to pay off these at-large warriors at great cost.

In addition to being veterans and professionals, able to ignore the agricultural season that limited the activities of citizen-based forces, mercenaries were also generally specialists. The hoplite was from mainland Greece, often the Peloponnese, the archer from Crete, the slinger from Rhodes, the peltast from Illyria or Thrace, the cavalry from Southern Italy.<sup>36</sup> Thus, a commander desiring a balanced force would usually end up with a multi-ethnic band. Ionian Greeks are perhaps the least commonly mentioned, though the Athenian evidence suggests that Ionians may have readily enlisted in naval forces rather than land forces.<sup>37</sup> While it is apparent that many kings and tyrants had difficulty in finding the money to pay their troops, their pay was not particularly high, ranging from about 2 obols to 2 drachmae *per diem*.<sup>38</sup> The propensity of mercenaries in Sicily to accept land grants in lieu of payment suggests that in many cases, the mercenary life was perceived by the mercenary as a transitory position rather than a career.

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<sup>34</sup> Polyaeus, *Strat.* 5.6. Diodorus (14.72.3 and 14.78-79) tells similar stories about Dionysius.

<sup>35</sup> See Dunbabin 1948, 404-405. Essentially, Dunbabin argues that he treated his conquests so ruthlessly that he could not count on them for troops, which became especially problematic when he needed to build and recruit a fleet at Zancle. For the initial settlement of Zancle as pirate base (by settlers from Cyrene) see Thucydides, 6.4.5; Graham 1982, 108-109. For a discussion of Hippocrates and his campaigns, see Asheri 1988, 759-766.

<sup>36</sup> It should be noted that Thracian and Tarentine, though initially designators of origin, soon became designators of *accoutrement* instead. See Best 1969, 126 ff. for the Thracian; see also Trundle 2004, 29-31, 47; Griffith 1935, 250.

<sup>37</sup> See Trundle 2004, 53.

<sup>38</sup> See Parke 1933, 231-233, Trundle 2004, 63-64, 91. Wages are complicated, as they may or may not include the grain allowance (often 2 obols-worth/day for infantry) in the wage and such is not usually mentioned. Xenophon (*Eq. mag.* 1.19) advises budgeting forty talents for a force of perhaps 1000 cavalry (9.3)—240 drachmae/year. The only direct mention of 2 drachmas a day outside of Persia is in the Aristophanes play *Acharnians*. The rate of pay of Phayllus and the Phocians (Diodorus 16.36.1), however, was said to be double 'normal' and so, might have also been 2 drachmas/day.

In examining the role of the freelancer in Sicily, sources like Polyaeus are inherently flawed for my purpose in that they tend to show specific events from the point of view, not of any particular state, but of a leader whose actions were later deemed noteworthy. Thus Polyaeus, in his *Strategemata*, is interested in how one might get around the problem that the mercenaries could present. We always must face *a priori* assumptions by the historians about the mercenaries when talking about them.<sup>39</sup> So, while Polyaeus is interested in avoiding the intrinsic problem of treachery, Xenophon is concerned about using mercenaries while avoiding citizen resentment, and Polybius voices various concerns about maintaining a suitably strong citizenry.<sup>40</sup>

Freelance warriors, such as pirates and mercenaries, possessed a reputation for treachery. The historians are full of judgments not only about mercenaries, but also about the treatment of mercenaries. The best examples of this distrust come from a later period and from mainland Greece. Nikon, a pirate of Pherae, after being captured by the Messenians (probably in the late fifth century), gave them possession of Pherae in exchange for his life.<sup>41</sup> Polyaeus approves of Lycus dismissing the pirate Andron (~300 BC) and Polybius criticizes the Epirotes for hiring Galatians (~230 BC).<sup>42</sup> For a Sicilian example, the Syracusans did not trust Gelon's former mercenaries and revoked the citizenship they had earlier granted them.<sup>43</sup>

Despite this impression that mercenaries were ready turncoats, most evidence we have of mercenaries does not bear out that suspicion terribly well. For example, we have the story of Hierocles, a mercenary general in the service of Heracleides, designated as master of Athens by Demetrius. Hierocles pretended to change sides in order to draw the

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<sup>39</sup> See below, ch. 7(189ff.) for a fuller recounting of historians' perceptions of mercenaries.

<sup>40</sup> For Xenophon, see *Eq. mag.* 9.3, *Hier.* 8.10, 10.3. See Polybius 1.65, 4.74, 6.52 for some more prescriptive statements about mercenaries.

<sup>41</sup> Polyaeus *Strat.* 2.35. This Nikon *may* be (and is sometimes identified as) the same Nikon that Publius Servilius Vatia brought back to Rome for his Isaurian triumph ~74 (Cicero, *Verr.* 2.5.79), in which case it belongs to a later period, but in this section, the vast majority of the episodes are from the fourth and fifth centuries, and this particular Nikon is said to be a native of Pherae, not a Cilician, so I think the Cilician identification is incorrect.

<sup>42</sup> Polyaeus, *Strat.* 5.19 for Lycus and Andron, Polybius 2.5.4, 2.7.12 for Epirus. This type of portrayal by the historian will be further discussed later, in ch. 7, see 197ff..

<sup>43</sup> Diodorus 11.72. This event prompted another civil war in Syracuse.

Athenian generals into a trap.<sup>44</sup> Cratesipolis found herself unable to corrupt the mercenaries holding Acrocorinth.<sup>45</sup> Other mercenaries noted as providing faithful service include Leosthenes, the aforementioned Ergetini, and Satyrus's mercenary general Meniscus.<sup>46</sup> Ischolaus the Spartan, when trying to resist an Athenian siege, is even said to have positioned a mercenary on guard with every sentry, precisely because they were more trustworthy than the civil forces.<sup>47</sup> In Sicily, a mixed example comes from the First Punic war, where the mercenary commanders' plans to surrender Lilybaeum is betrayed to Himilco by another mercenary.<sup>48</sup> Machiavelli's notes on the role of the mercenary may ring familiar here: no tyrant can hold power by a mercenary army alone, but a mixed force of mercenaries and auxiliaries is best.<sup>49</sup> Even if these impressions of freelancers were not common in Sicily, the historians, all writing substantially later, would have been affected.

Even the mutinies themselves do not serve as the best examples of mercenary treachery. In Sicily, mercenaries were necessary, but also hard to maintain.<sup>50</sup> The inability to pay expensive mercenaries, as noted already, frequently led to arrears of pay or rations and mercenary mutinies. When successful, these mutinies often resulted in looting the countryside to support themselves. This was common for both east and west, but the fact that the Sicilians and Carthaginians used such a high proportion of mercenaries relative to the citizen complement (often over half) made it far more likely

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<sup>44</sup> Polyaeus, *Strat.* 5.17.1.

<sup>45</sup> Polyaeus, *Strat.* 8.58.

<sup>46</sup> See Cary 1951, 6-8; see Diodorus 18.9-13 for Leosthenes, as well as the surviving fragments of Hyperides *Epit.*, (the episode in Plutarch, *Dem.* 27.1 may refer to the same or a different Leosthenes); see Diodorus 20.23 for Meniscus (Satyrus was one of three sons involved in a civil war over the Bosphoran kingdom).

Leosthenes, though, like the mercenaries of Herippidas (Xenophon, *Ages.* 2.10), had actually returned to serve his homeland, and may prove a poor example for this reason.

<sup>47</sup> Polyaeus, *Strat.* 2.22.4.

<sup>48</sup> Polybius, 1.43. Polybius tells us also that the mercenary in question, Alexon, had been such a 'whistleblower' before, in Agrigentum.

<sup>49</sup> See Machiavelli, *Prince*, cc.12-13. This, of course, is rooted in Xenophon's *Hiero*, speaking specifically about the role of the mercenary in Sicily. See, for example, *Hier.* 4.11, 5.3, 8.9-10, and 10 *passim*, esp. 6-7. The need for balance in the force comes also from Xenophon, from *Eq. mag.* 9.3-7, but see also *Oec.* 4.6.

<sup>50</sup> See, again, Machiavelli, *Prince*, cc.12-13. See Xenophon, *Hier.* 4.11 for the difficulty in cost and 8.10 for the necessity.

that such efforts would succeed in the west.<sup>51</sup> Thus we see mercenaries being bribed with loot, but also taking over towns, not simply looting them. These events at least partially created the treacherous reputation of freelancers. If the freelancers are fighting only for pay, then we should expect them to revolt or mutiny when not paid. This results in a double standard, where mercenaries, while perceived as less trustworthy than their employers, are actually held more accountable. While texts on generalship praise the commander who pays the troops and forestalls mutinies, mutinies are never considered acceptable.<sup>52</sup> In some cases, the general even elects to attack the mercenaries rather than pay them.

When the Sicilian tyrants were not murdering their recently employed mercenaries, they were seeking other ways to buy them off, principally land taken from the defeated enemy. Xenophon, in the *Hiero*, details a few other options, most notably robbing temples, but the most obvious effect was a constant state of war, whereby the mercenaries might support themselves.<sup>53</sup> Thus, one might suspect that the greatest prevalence of non-payment or massacres of mercenaries would come at the end of a failed campaign. And so this appears to be exactly what we see in instances where the eastern, Hellenistic monarchs resort to betrayal of their mercenaries rather than payment of them. Xenophon asserts paying the mercenaries is the most important task for a tyrant.<sup>54</sup> The Sicilian examples of cash problems serve as a forerunner of the Hellenistic ones. In one case, the elder Dionysius thus pays one band of mercenaries with the city of Leontini and surrounding land.<sup>55</sup> In another, in 356, the Syracusans offered Dion's

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<sup>51</sup> For mercenary proportions, see Trundle 2004, 6, 44; Griffith 1933 194-195. Plutarch, *Tim.*, 1.25. Diodorus makes the Syracusan force for both elder and younger Dionysus generally around half mercenaries, a percentage exceeded earlier by Gelon and later by Agathokles. Diodorus, Appian and Polybius agree that the Carthaginians relied almost entirely on mercenaries for their heavy infantry. For comparison, in mainland Greece, mercenaries might be up to a third of the force (e.g. one-third for Nabis in 195, perhaps one tenth for third century Athens (Griffith 1933, 85) The eastern exception is Rhodes, who sent an army largely composed of Cretan mercenaries to retake their Anatolian possessions from Philip in 197.

<sup>52</sup> The most extensive judgments are probably Polybius (e.g. 1.65ff (the Mercenary War) 11.25-28 (the mutiny at Sucro). Polybius (11.28) does, however, relate Scipio's hypothetical counterexample: at Sucro, Scipio supposedly said that mercenary troops may potentially be forgiven for a mutiny, but not citizens.

<sup>53</sup> Xenophon, *Hier.* 4.11.

<sup>54</sup> See *Hier.* 4.9, 6.11 for examples.

<sup>55</sup> Diodorus 14.78.

mercenaries citizenship at the termination of their contract.<sup>56</sup> The Greek use of land or citizenship to pay off veteran mercenaries mirrors the later Roman offer of land to discharged veterans and the offers of citizenship made in the late republic.<sup>57</sup>

Mercenaries were drawn from all quarters and all classes, though Greeks were the most sought-after. Demographic pressures in mainland Greece led to a steady influx of Greek manpower to Southern Italy and Sicily, so fresh waves of mercenaries were generally available.<sup>58</sup> The most common explanation is that the population of mainland Greece was outgrowing its agricultural potential and had to leave, particularly from rough places like Arcadia and inland Aetolia. Furthermore, there was something more of a demand to put the mercenary forces in the field once they had been contracted. Such economic pressures no doubt led adventurers like Pyrrhus to seek out wars by which to pay and maintain their standing forces. By ~310 BC, (and probably earlier), however, the influx of mainland Greek mercenaries into the west had dried up, and the Syracusans could not compete with the Ptolemies and Seleucids for hiring bonuses.<sup>59</sup> This led the Syracusans, like Agathokles, to draw a greater concentration of troops from Italy and northwestern Greece, such as the Campanians who would cause so much trouble in the third century. They seem to have replaced their forces quickly and that fact suggests that these bands of freelance warriors were available before Italian records record them.

In Sicily, thus, the norm was to have an army with high proportions of professional soldiers who looked at soldiering as a career rather than an occasional obligation. Since these individuals were so numerous, they had especial importance,

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<sup>56</sup> Westlake 1994, 700-701. See Nepos, *Di.* 7.

<sup>57</sup> See Balsdon 1979, 82-86. In similar fashion, we see Caesar attempting to bribe Sicily away from Pompey with an offer of Latin or Roman citizenship, and Octavian later retracting the offer. Balsdon, 84; Cicero, *Att.* 14.12.1; Brunt 1971, 239-241.

<sup>58</sup> For demographic discussions, see Parke 1933, 14, 20, 228-229; Miller 1984; Trundle 2004, 54-63; Hansen 2006. See McKechnie 1989 for numbers of Greeks living or working abroad while still identifying with the mother city. Griffith (1935) notes the Arcadian as the stereotypical mercenary, following Xenophon (*An.* 6.2.10 *Hell.* 1.23).

For examples of recruiting in mainland Greece, see Diodorus 14.44, 14.58, 14.62 (Dionysius the Elder) Lomas (1993, 110, 210n55) also notes the role of both Peloponnesian and Italiot mercenaries in the second century, only dropping off after the Peloponnesian wars.

<sup>59</sup> See also Griffith 1935, 260, who suggests that in the third century, Taenarum and some of the other recruiting grounds of Greece stopped possessing that function. See Stefanou 2013 for the Ptolemies' efforts in hiring mercenaries and recruiting cleruch-soldiers.



politically as well as militarily. Despite offers of citizenship in some states, this was also a potential (and unwelcome) political bloc in states that went that route. This social dynamic would continue into the third century, and the shift in the source of soldiers, from Greece to Italy, would set the stage for that century. In Sicily, bands of at-large fighters could readily become influential forces.

### **Piracy in the East**

If mercenaries were dominant in the west, they were merely common in the east. It was rare indeed for a mercenary force to be strong enough to outright oppose one of the Hellenistic monarchs. Nevertheless, for this period, we see that mustering the funds to pay the soldiers, native conscript and foreign mercenary alike, was a major concern for the kings.<sup>60</sup> Even if the mercenaries could not directly threaten these monarchs, losing an experienced force at the wrong time could be very detrimental. An additional factor, however, is the ubiquity of pirates in the east and their role in the wars of the Hellenistic kings.

In the Eastern Mediterranean, pirates, particularly Illyrian or Cretan pirates, served as auxiliary naval forces during the Successor Wars. As mercenaries, they limited their plundering to the one side unless they received a better offer. Though regarded as unreliable, they saved the Hellenistic monarchs the expense of expanding or maintaining a large fleet or of training sailors. Both groups also contributed mercenaries for terrestrial forces as well.<sup>61</sup> When unemployed, these mercenaries would simply resume piracy. Isocrates calls these men homeless wanderers, though it is evident that many of these men did claim homelands.<sup>62</sup>

Since the freelancers, whether pirates or mercenaries, could readily dwell in various city-states, not forced to hide in the ‘pirate lairs’ of romance, rooting out such bands was impractical. Nevertheless, this does not stop modern authors from advocating

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<sup>60</sup> See Austin 1986, 464-465 for some evidence.

<sup>61</sup> For Illyrians, see Wilkes 1992, 108, 168 for armies, 110 for navies. For Cretans see Spyridakis 1977 and 1992, 55-82. See Griffith 1935 8-15, 104-105 for both groups.

<sup>62</sup> Isocrates, 4.167, 5.96, 120-121, *Ep.* 9.9. See also Trundle 2004, 104-167, esp. 111-115. Some explanation for the orator’s claim can come from the propensity of exiled aristocrats to take up mercenary service (See Trundle 2004, 70-72). Such men would fit that category, but surely cannot be the substance of the complaint Isocrates makes.

for such pirate-hunting. Cary, for example, blames the Hellenistic monarchs for not replacing the thalassocracy of Athens with their own and rather being ‘in collusion with the corsairs.’<sup>63</sup> Griffith notes that while the foreign mercenaries of Sicily did cause a stir upon being let go and quickly turned to brigandage, the mercenaries in mainland Greece caused no such disorder in the seventh and sixth centuries.<sup>64</sup> Griffith argues further that this indicates that the eastern tyrants’ mercenaries were simply locals serving on a pay basis and, for the most part, that they were part of the citizenry. While this may be true to an extent, the difference lies more within the relative proportions.

Certain places, such as Taenarum in the Peloponnese and some of the Cretan cities, served as ports-of-call for unemployed mercenaries. The quantities of men recruited from Taenarum especially shows that these were more than could simply be found in the nearby region.<sup>65</sup> Whether the danger be storms or pirates, the sea south of Capes Taenarum and Malea were widely regarded as exceedingly dangerous.<sup>66</sup> This formed a natural chokepoint for the east-west trade.

There is earlier evidence for mercenaries in the east. According to Xenophon, in the Corinthian War (395-387), several leaders, including Iphicrates, hired *leistai*.<sup>67</sup> Not all criticism for plundering, however, is levelled at these. Accusations of leaders acting like pirates were commonplace. Aegina in particular is blamed for piratical attacks.<sup>68</sup> Alexander of Pherae was so described in both Diodorus and Xenophon, but his actions do not seem different from others of his time.<sup>69</sup> Either employing bandit plunderers or

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<sup>63</sup> Cary 1951, 242. To argue this, one must first accept the assertion that the Athenian ‘thalassocracy’ actually did functionally eliminate piracy, an assertion I do not accept. See de Souza 1999, 26-30 for an argument against it; Austin 1994, 559-560 for Athenian actions against piracy.

<sup>64</sup> Griffith 1935, 237, citing the evidence of Diodorus 11.72-76. There is no positive evidence for Ionian mercenaries serving in mainland Greece, but there is a little of Carian mercenaries. Griffith guesses this *might* have something to do with the class biases of the historians. From the very little evidence, it appears that any Thracian or Carian mercenaries simply went home on dismissal and may not have existed in any large numbers.

<sup>65</sup> Griffith 1935, 260; Diodorus 18.19.1, 20.104, 29.57.5, 29.60.1.

<sup>66</sup> Ormerod 1924, 19ff, esp. 22. The island of Cythera off the southern coast of the Peloponnese may have functioned similarly—see Thucydides, 4.53; Herodotus, 7.235; for indications that Cythera posed a potential piratical problem for the Spartans.

<sup>67</sup> De Souza 1999, 33. Iphicrates sent these *leistai* against Anaxibius. (Xen. *Hell.* 4.8.35).

<sup>68</sup> Xen. *Hell.* 6.2.1

<sup>69</sup> See de Souza 1999, 33-34. In particular, de Souza notes Evagoras of Cyprus, who uses pirate ship-types to raid Artaxerxes. (Diodorus 15.2-3)

acting as bandit plunderers appears to be received negatively, and this negative portrayal seems grounded not in the act, but rather in the motive behind the act. Pillaging as a strategic principle was better than pillaging as a financial one.

Several episodes come down to us where the pirate captains would switch sides, but despite the negative portrayal, the majority of mercenary and pirate bands appear to have stayed loyal under normal circumstances. It is noteworthy that a number of the difficulties with mercenaries occur when the commander comes into financial difficulties: so Eumenes of Pergamum had to make a series of concessions to his mercenaries in 255.<sup>70</sup> Earlier, the Athenian Timotheus was forced to allow his mercenaries to plunder Samos in 366.<sup>71</sup> Diodorus ascribes the initial successes of the Cypriot Evagoras against Persia to his willingness to pay his mercenaries and the Persians' failure to support their own.<sup>72</sup> Diodorus also records the Campanians in Sicily threatening to switch sides unless the commander came up with the pay (which was in arrears).<sup>73</sup> The *Oeconomica*, in its suggestions for avoiding fiscal difficulties appears to precisely address the problem of failing to pay mercenaries.<sup>74</sup> By the evidence I have collected here, it appears that the episodes in which commanders attempt to cheat their mercenaries significantly outnumber those where the mercenaries turn coats without a provocation such as lack of pay or rations. And yet, the generals did not gain the same sort of negative reputation.

The evidence for the common employment of mercenaries and pirates as mercenaries is abundant. When Lysimachus deployed Lycus to take Ephesus from Demetrius, he did so through the services of the pirate captain (ἀρχιπειράτης) Andron, whom Demetrius had been paying to harass Lysimachus.<sup>75</sup> Another such pirate captain,

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<sup>70</sup> Cary 1951, 108-109; Griffith 1935, 282-294. Griffith spends much time analyzing an unusual document: the resulting contract with the mercenaries after the mutiny: *OGI* i.266, also published in Reinach 1908 196ff. Similar financial straits are noted by Polybius for Antiochus (5.50) and the Achaean League (4.60 and 5.30).

<sup>71</sup> Polyaeus, *Strat.* 3.10.9.

<sup>72</sup> This plays out in Diodorus 15.3-4, cf. 14.98.3-4 and 16.46.1-3; Isocrates, 9 *passim*.

<sup>73</sup> Diodorus, 13.88.

<sup>74</sup> [Aristotle] *Oec.* 1347b-1353b, including some eight examples of placating mercenaries demanding funds. Austin 1994, 542, see also van Groningen 1933. Trundle (2004, 98) argues that this sort of mercenary's revolt is rare.

<sup>75</sup> Polyaeus, *Strat.* 5.19, Frontinus, *Str.*, 3.3.2; Griffith 1935, 262, de Sousa 1999, 46-47. See also *SIG* 363, in which the Ephesians offer citizenship to the mercenaries upon payment of six minas. Again, the attempt to defray costs through offering citizenship should be noted.

Ameinias served with Antigonos Gonatus and led Illyrian and Aetolian pirates in taking Cassandrea.<sup>76</sup> Another case comes from ~274, when Ptolemy II Philadelphus hired a pirate fleet to assist in subjugating Magas, his older half-brother.<sup>77</sup> This same fleet also appears to have served Ptolemy well in operations off the coast of Coele-Syria. In yet another episode, Demetrius Poliorcetes, in an effort to properly blockade Rhodes, hired a pirate fleet to intercept relief shipments from Egypt, a task which the pirates failed miserably to achieve.<sup>78</sup> We see Cretan *leistai* both serving and fighting the Ptolemies.<sup>79</sup> Foreign mercenaries assisted Zielas of Bithynia to the throne in 240.<sup>80</sup> The Eleans employed Aetolian pirates in 218.<sup>81</sup> Aratus utilized the services of Xenophilus, one of the local ‘robber-leaders’ (Ξενοφίλου τῶν ἀρχικλῶπων).<sup>82</sup> Antiochus the Great hired a pirate captain, Nicander, in 190, who helped him take Samos and successfully engaged the Rhodian fleet.<sup>83</sup> Throughout the Hellenistic period, pirates appear with great regularity as mercenaries in the naval campaigns (and sometimes in the land campaigns as well). There appears to have been no shortage of rulers willing to hire pirates, nor of pirates willing to fight in wars rather than independent raids. This prevalence leads me to suggest that these figures were mercenaries first, pirates second.

Our sources describing this period show far more examples of pirates hiring out as mercenaries than acting as independents.<sup>84</sup> Naturally, our sources were more interested in warfare than in piracy, and any independent band was likely to be labeled as a pirate band.<sup>85</sup> Nevertheless, I am not aware of any recorded examples of pirates

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<sup>76</sup> Polyaeus *Strat.* 4.6.18; Plutarch, *Pyrr.*, 29; Griffith 1935, 262; Ormerod 1924, 123.

<sup>77</sup> Magas sought to create an independent Cyrene; though the naval campaign appears to have been effective, Magas appears to have retained at least autonomy there. See Pausanias, 1.6-7. The end of the campaign is not mentioned, only that both sides were too busy at home to march upon the other. Criscuolo 2013, 162. See also Cary 1951, 84-85, 393-394.

<sup>78</sup> See also Cary 1951, 37; Diodorus 20.82-83, 20.96-97

<sup>79</sup> See Criscuolo 2013, 163-167. The most pertinent inscriptional evidence comes from IG II<sup>2</sup> 1225, XII.3 328, and XII.3 1291.

<sup>80</sup> Muir 2008, 99-100.

<sup>81</sup> Polybius 4.68.1.

<sup>82</sup> Plutarch, *Arat.* 6. It is also noted by Plutarch that the land was filled with καταδρομαῖς and κλωπείαις at the time.

<sup>83</sup> Livy, 37.11; Appian, *Syr.* 24; Griffith 1935, 263.

<sup>84</sup> Very, very roughly, it’s about an 8-9:1 ratio. I hope to put together some actual numbers eventually. That seems to correspond well to Brulé’s 23:3 ratio for Cretans (Brulé 1978, 138).

<sup>85</sup> De Souza 1999, 41-42 for this sentiment. See chapter 7 below for arguments on the historians’ rationale.

refusing to serve as military auxiliaries when so approached. This is strongly suggestive that the eastern pirates were bands of freelance fighters who preferred regular military service and saw banditry/piracy as a fallback career. It is only suggestive, however, because there is no obvious reason to routinely record such failures to enlist mercenary bands. It additionally suggests that the mercenary role was a more lucrative (or more stable) one. Furthermore, and most importantly, these examples show that, with a possible exception for the Rhodians, pirates in the Greek world were seen as a military resource, not a threat to the state. Individual bands might overstep and invite retribution, but the existence of such fringe auxiliaries was at least tolerated.

### **Galatian Mercenaries: A New Manpower Source**

Though not named ‘pirates’ *per se*, the Galatian plunderers met with a similar Hellenistic solution: “If you can’t beat them, buy them.” The Celts/Gauls/Galatians led by Brennus (and perhaps earlier by Cambaules) came out of Pannonia and into Macedonia and history in 280; they reached Thrace in 279.<sup>86</sup> In previous years, Celtic mercenaries had already been in evidence, especially at Ancona, where Celtic mercenaries were frequently enlisted for battles in Italy, though in at least one instance (367), they were brought across the Adriatic.<sup>87</sup> Galatian mercenaries of questionable loyalty began appearing in Hellenistic armies already by the 270s. On the European mainland, for example, Gonatas soon employed his erstwhile enemies. After several skirmishes with these Gauls in Thrace, Gonatas took some of the defeated warriors into his service, most probably around 277 or 276, for they appear in his siege at Cassandreia in 276 and 275. Furthermore, the first band of Galatians to enter Asia Minor were themselves mercenaries, hired by Nicomedes of Bithynia to end a civil war against his younger brother.<sup>88</sup> Being discharged and freelance again (by 277), the Galatians went

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<sup>86</sup> For the Balkan invasion, see Pausanias, 10.19-23 (Delphi), Memnon 8.8-12.5, Strabo, 4.1.13, asserts that some of these Galatians—the Tectosages—originated from the Pyrenees region. Polybius does not give an account of the invasion (mentioning it briefly at 4.46), but makes note of a multitude of later events in books 4 and 5.

See Cunliffe 1997, 68-90 for the Celtic mercenaries and 83-85 for the Galatians specifically.

<sup>87</sup> For example, Dionysius of Syracuse hired mercenaries here beginning in 385. See Cunliffe 1997, 76.

<sup>88</sup> This is probably right in 279 or 278 Cary 1951, 61, 97-98. See also Heinen 1984, 422ff. for the establishment of the Celtic state in Asia Minor.

merrily on their way into Seleucid territory, living off their plundering. Though they made some significant headway into Central Anatolia before being stopped by Antiochus, they then readily signed on as mercenaries, which undoubtedly slowed their ability to expand and take territory in their own right. According to Cary, these Galatian mercenaries were not even particularly effective as additions to the army; their appeal was rather their low cost, which Cary asserts drove Gonatas to hire Galatians over the better disciplined Greeks.<sup>89</sup> I would prefer to argue that it was not the monetary cost that served as the principal driving feature, but rather the cost of time. The Galatians, even if undisciplined, were both available and experienced.

These Galatians were soon found throughout the Hellenistic world. Ptolemy Philadelphus dealt with his own Galatians during the first Syrian War (~274-272). Beset on two fronts, he hired a corps of 4,000 Galatians to deal with the Cyrene revolt. According to Pausanias, they were plotting to take Egypt by force, so Ptolemy stranded them on an island in the Nile without supplies. The use of Galatian mercenaries in Egypt so early is a little surprising, and it may be that Ptolemy found some Galatians not ready to quit fighting Antiochus in 275.<sup>90</sup> In the Third Syrian War, the Galatians serving in Antioch in 246 were bribed to kidnap and murder the infant son of Berenice, a rival for the new king, Seleucus II. Antiochus Hierax also hired Gauls to fight against Seleucus, and defeated him in 239, whereupon his mercenaries sought to be recognized as allies (and legitimate holders of Galatia) rather than mercenaries. These mercenaries were refused recognition, paid off, and sent to plunder Pergamum, where Attalus defeated them in 227.<sup>91</sup> In turn, Attalus I of Pergamum utilized Galatians (from the Thracian side) from 220-218 to reconquer the cities taken by Achaeus for Seleucus III in the previous two years.<sup>92</sup> The Galatians' willingness to fight on any side and the monarchs' willingness to hire the Galatians are striking. This incongruous impression is probably

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<sup>89</sup> Cary 1951, 235. To reach this conclusion, however, requires that one view all of the Hellenistic monarchs as strapped for cash, rather than for manpower.

<sup>90</sup> That is, certain Galatian warriors who disagreed with the decisions of their leaders.

<sup>91</sup> See Reger 1999, 81 or Heinen 1984, 428-432 for the "War of the Brothers".

<sup>92</sup> Cary 1951, 112-113.

due to an illusory Greek assumption that the Galatians were a single entity rather than a trio of tribes with four tetrarchs each.<sup>93</sup>

Polybius also records the Gauls/Galatians serving Greek interests. He depicts Cavarus, the king of Tylis, serving the Byzantines well but also being corrupted by Sostratus of Chalcedon.<sup>94</sup> Aside from serving as another Polybian reminder of the untrustworthiness of mercenaries, this shows that the Galatian rulers were not, apparently, displeased to see their men serve other countries, and might even serve as something of an agent. In this, at least, the Galatians acted somewhat like the Cretans.

Throughout the third century, then, these Galatian fighters were rarely seen as part of a state in their own right. They were considered treacherous, but nevertheless frequently sought out for mercenary service, though the Hellenistic monarchs did whatever they could to get rid of them as soon as they were no longer needed. This confluence indicates that the leaders in the Eastern Mediterranean region were simultaneously desperate for money and manpower. On the Galatian side, the acts of the Galatians indicate that many of the Galatians were professional warriors, and that the end of a war, at least to some, meant unemployment rather than peace. While the Greek authors' tendency to not differentiate between groups of Galatians causes some problems, the evidence shows additional bands of European Celts migrating to join their brethren in Asia Minor. The demand for Galatian manpower was greater than the first wave of Galatians could provide.<sup>95</sup> Their ready acceptance of foreign offers may indicate that their own rulers had to compete with their neighbors for the Galatian manpower pool. It should be noted, however, that the Greeks were rarely concerned with differentiating between different groups of Celts and without a tribal marker, not all 'Galatians' need have been Galatians. Lastly, it seems as though encouraging citizens to serve abroad as freelancers was also a method by which a state might maintain experience within its

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<sup>93</sup> Memnon 14 provides a rare example of the Galatians being singled out by name, in this case, the Tolostobogii.

<sup>94</sup> Polybius 8.22. He also mentions Cavarus at 4.46 and 4.52. He never mentions Tylis and only calls Cavarus the king of the Galatians in Thrace. Generally, Cavarus is a positive figure in Polybius.

<sup>95</sup> For some evidence of additional European tribes, see Cunliffe 1997, 84. According to Cunliffe (177), the number of Galatians settling in Phrygia was only 20,000.



forces without needing to pay a standing army; this issue will become relevant again in discussions of the second century.<sup>96</sup>

### **Rhodes and Crete**

Rhodes had long had a reputation as a stalwart defender against piracy, and for even longer, Crete had had a reputation as a homeland of pirates. The Cretan tales stretch back to the *Odyssey*, where Odysseus claimed a Cretan origin to bolster his tale of piracy in Egypt.<sup>97</sup> The Rhodians, by contrast, “carried on an unrelenting war against pirates while pursuing a course of studied neutrality.”<sup>98</sup> As such, when the Rhodians appear as actors in the Hellenistic conflicts, they are almost always a secondary figure, and sometimes they appear as mercenaries rather than acting in service to Rhodes. Like Carthage and some of the other Ionian states, the Rhodians saw the navy as the principal service, and employed many mercenaries themselves. The Rhodians were, however, generally the enemy of pirates, though we might also wonder if the enemies of the Rhodians began to be seen as piratical because of this reputation. While other states are sometimes said to have attempted to suppress piracy or claimed to be doing so (e.g. Athens, the Bosporan Kingdom, Macedon, Byzantium, Egypt), only the Rhodians seem to have any substantial evidence for backing that claim up.<sup>99</sup> But even when scholars question the role of other ‘thalassocratic’ states as having any sort of anti-pirate policy, the Rhodians feature as the exception by which other states are compared.<sup>100</sup>

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<sup>96</sup> Likewise, the Athenians (discussed later in this chapter) were seen to approve of generals taking mercenary service to gain experience which could then be later turned to the state’s benefit.

<sup>97</sup> For longer studies of the Cretans as pirates (or as perceived pirates) see Perlman 1999 and Brulé 1978.

<sup>98</sup> Berthold 1984, 58, 98. Cf. de Souza 1999, 49-50.

<sup>99</sup> See de Souza 1999, 38-41. For Eumelus, (the king of the Bosporan Kingdom ~309-303), see Diodorus 20.25. Curtius 4.8.15 and Diodorus 18.8 for Alexander’s Macedon, see Ormerod 1924, 131-132 for Egypt under the Ptolemies. Byzantium (Polybius 4. 47) is sometimes seen as a pirate state itself and sometimes as the Greek defense against the ‘pirate-state’ of neighboring Tyllis. The strongest case for another state suppressing is made of Athens: Thucydides 2.67-69, Demosthenes 7.14-15 and 58.53-56 are sometimes seen as evidence of piracy suppression (see Ormerod 1924, 108-120; Austin 1994, 559-560). All examples, however, tend to point to protection of Athenian/allied vessels against Peloponnesian commerce raiding (while conducting their own such raiding), and it is very difficult to show Athenian action against ‘neutral’ piracy.

<sup>100</sup> For examples, see de Souza 1999, 54; Criscuolo 2013, 171 for comparisons with the Ptolemies, de Souza 1999, 38-40, Austin 1994, 559-560 for Athens.

Both Rhodes and Crete played an important part in the wars of the Diadochi. Much has been made of the Hellenistic monarchs' need to access the mercenary infantry of the Aegean basin.<sup>101</sup> Less has been made of their use of the Rhodian and Cretan skirmishers and sailors by which they maintained that access.

Generally allied with Egypt, whence the great grain ships came on the way to the Aegean, the Rhodians fought off a siege of their city by Demetrius in 305.<sup>102</sup> The resulting agreement at the end of the conflict was that the Rhodians would be allies with the Antigonids against all enemies *except* the Lagids. Still, Rhodian citizens appear in other Hellenistic armies, and so we find Theodotas, a mercenary general in service to Antiochus in 275.<sup>103</sup> Despite the exemption in the earlier agreement with Demetrius, the Rhodian Agathostratus helped Antiochus defeat the Egyptian force and retake Ephesus in 259.<sup>104</sup> Additionally, he held Ephesus against Ptolemy's Athenian mercenaries/allies under Chremonides.<sup>105</sup> In some cases the Rhodians appear to be simply mercenaries, in others, they appear to be state actors.

The Rhodians treated their navy as the principal service, and devised smaller ships ideally suited for the pursuit of pirates. The most compelling evidence for the Rhodian anti-pirate activity in this time period is in Lycurgus's speech against Leocrates, in which it is revealed that the Rhodians had begun sending escort ships with their merchantmen to ward off pirates or raiders.<sup>106</sup> Such an action clearly indicates that these ships were in danger, though the source of the threat may be somewhat ambiguous (or multiple sources were perceived). Strabo, Polybius and Diodorus agree that the Rhodians

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<sup>101</sup> E.g. Cary 1951, 66, 91, 212; Trundle 2004, 51-52, Stefanou 2013, 122.

<sup>102</sup> See above on page 21 for the siege of Rhodes. Diodorus (20.81) is one source for the somewhat preferential relationship between the Lagids and the Rhodians.

<sup>103</sup> Berthold 1984, 82, see also Lucian, *Zeux.* 8-11, Polyaeus, *Strat.* 4.9.4. Cf. Berthold 81, 82.1, for the case of the Rhodian Telesphoras, who may have held a similar role for Lysimachus (mentioned as an object lesson in Seneca, *de Ira* 3.17.3-4, *Ep.*, 70.6; Athenaeus 14.616c; Plutarch, *Mor.* 606b.)

<sup>104</sup> Polyaeus, *Strat.* 5.18; Cary 1951, 105; Berthold 1984, 89. A statue to Agathostratus was erected at Delos with the following inscription: τὸ κοινὸν τῶν νησιωτῶν Ἀγαθόστρατον Πολυαράτου Ῥόδιον θεοῖς πᾶσι. Φυλῆς Ἀλικαρνασσεὺς ἐπέε[ι]. *IG* XI.4.1128 = *SIG* 455. The existence of this inscription suggests strongly that Agathostratus was officially working for Rhodes, not as a mercenary for someone else.

<sup>105</sup> Cary 1951, 105, 133; Berthold 1984, 88-89. The situation is complex. Essentially, Ptolemy promised to free Athens from Antigonid control in exchange for their aid in taking the eastern seaboard of Asia Minor from the Seleucids. See Berthold, 89 for a discussion of the sources, including Frontinus 3.9.10 and a breakdown of the debate over how many times Ephesus was captured.

<sup>106</sup> Lycurgus, *Leoc.* 18. Diodorus expresses a similar sentiment at 20.82.

expended military resources to protect all shipping, not just their own.<sup>107</sup> There exists also a monument erected in honor of three brothers who died fighting against pirates.<sup>108</sup> These pirates are not Cretans or Lycians (the most frequently appearing Rhodian foes), however, but Tyrrhenians. We may question the overall anti-pirate reputation of the Rhodians, but it was a reputation they did have in antiquity, and thus important to this study.

Like the Rhodians, the Cretans frequently appear as mercenaries, but unlike the Rhodians, the Cretans possessed a negative reputation as pirates.<sup>109</sup> Cretan mercenaries appear as early as the Archaic Period.<sup>110</sup> Brulé collected twenty-six examples of Cretan maritime raids, but cautions that only three of them are clearly examples of piracy.<sup>111</sup> According to Spyridakis, the Cretans were supplying a plurality, if not a majority, of Greek mercenaries, and those mercenaries frequently held high posts.<sup>112</sup> I suggest that the Cretan reputation as pirates and the Rhodian reputation as pirate-hunters were both swelled by the frequency of conflicts between the two islands.<sup>113</sup> When the Cretans appear as mercenaries, the historians, like Polybius and Diodorus, often considered them especially untrustworthy. Certain Cretans stand out as stereotypes, like the treacherous Cretan of Diodorus 37.18, who scoffs at the ideas of loyalty and citizenship and values only money.<sup>114</sup> At 31.45, Diodorus names the Cretans ‘acting with customary faithlessness’. The most well-known of Cretan mercenaries are possibly those hired by various Peloponnesian states (particularly by Nabis) at the end of the third century.<sup>115</sup>

The Cretans appear as specialists, usually mountaineers and archers, and appear principally in Rhodian and Seleucid armies. In 213, Antiochus III used Cretans to take

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<sup>107</sup> Some examples: Strabo 14.2.5, Polybius 4.47.1-3, 5.88-90 and 27.4(though in the voice of Perseus) Some of these may instead be honors paid to Rhodes as the best-governed state (Diodorus 20.81.2) See also Berthold 98-101.

<sup>108</sup> See de Souza 1999, 50-51; *SIG* 1225. He doubts that the three deaths all came from the same battle. I suspect, given the different formulation of the third (pirates instead of Tyrrhenians), he is correct.

<sup>109</sup> For longer studies of the Cretans as pirates (or as perceived pirates) see Perlman 1999 and Brulé 1978.

<sup>110</sup> Boardman, 1982, 227; Pausanias 4.8.3, 4.19.4, 4.20.8.

<sup>111</sup> Brulé 1978, esp. 138 for this cautioning. See also Perlman 137-138, van Effenterre 1948, 280.

<sup>112</sup> Spyridakis 1992, 55-56.

<sup>113</sup> For Rhodian anti-pirate actions in the third century, see Berthold 1984, 98-99.

<sup>114</sup> This Cretan, however, is from the Social War, not strictly part of the ‘background’.

<sup>115</sup> See Errington 1969, 27-34 for Philopoemen’s involvement in Cretan affairs.

Sardis, which Cary finds reminiscent of the story in Herodotus (1.84).<sup>116</sup> These Cretans also appear in a 209 action in Hyrcania.<sup>117</sup> In 147, the young Seleucid pretender Demetrius (the future Demetrius II) landed in Cilician territory with a group of Cretans under a certain Lasthenes; they remained loyal to Demetrius but their brutal repression of Antioch led to his eventual expulsion from Antioch.<sup>118</sup> The Cretans develop a particular reputation for faithlessness and treachery and in accounts of mercenaries turning treacherous, it is not surprising to see Cretan presence as a common theme. Like the Galatians of the previous section, this may be a form of ‘othering’: the Cretans are not *really* Greeks and so cannot be trusted in the same ways.

To understand the importance of mercenaries and pirates in the warfare of the period, however, it is crucial to examine the Rhodian-Cretan War (205-200).<sup>119</sup> At the end of the third century, Philip V of Macedon saw an opportunity to crush Rhodes, the longtime ally of the Ptolemies. To do this, he enlisted the aid of both pirates and regular troops from Aetolia, Sparta, Crete, and Acarnania to bolster his naval forces.<sup>120</sup> In 205, the Rhodians and the Cretan cities were fighting small-scale skirmishes over the actions of certain Cretan pirates.<sup>121</sup> Rhodes, in both Diodorus and in the account of Perlman or

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<sup>116</sup> Cary 1951, 113-114. The full story can be found in two accounts of Polybius, his account of Lagoras (7.15-18, which resembles Herodotus) and his account of Achaeus, who held Sardis (8.16-21). There, both sides employed Cretans, and Polybius attributes the fall of Sardis to connivance between the Cretans. See esp. Polybius, 8.16.6 οὐ γὰρ ἐσκόπουν ὑπὲρ τῆς τοῦ κινδυνεύοντος σωτηρίας οὐδ’ ὑπὲρ τῆς τῶν ἐγγειρισάντων τὴν πράξιν πίστεως, ἀλλ’ ὑπὲρ τῆς αὐτῶν ἀσφαλείας καὶ τοῦ σφίσιν αὐτοῖς συμφέροντος.

<sup>117</sup> Polybius, 10.29, discussed in some detail in Cary 1951, 71. The mercenary commander in this case, however, was a Rhodian, not a Cretan.

<sup>118</sup> Cary 1951, 221, 225. Cary puts the blame squarely on the mercenaries and Lasthenes, though I suspect Demetrius deserves a fair share.

<sup>119</sup> See Map 1:Crete above, iv .

<sup>120</sup> I suspect we may choose to read this as pirates—at-large bands from those areas, whom Philip promised monetary rewards, and regular forces—contingents sent by those states. I suspect the difference is principally involvement by the home state and Philip’s fiscal responsibility, not a difference inherent in the makeup of the troops. This could well be incorrect, however, as the freelance warriors tended to be lighter-armed and lower-class and the ‘official’ troops tended to be heavier-armed and thus higher-class. That, however, was merely a tendency that I believe is overemphasized by our aristocratic sources.

<sup>121</sup> Berthold 1984, 107. Berthold takes the position (following a small fragment of Diodorus) that Philip did not start the war, but merely attempted to take advantage of the conflict already in progress. Polybius asserts that Philip sought to provoke the war. (ἐπέταξε φροντίζειν πῶς ἂν κακοποιήσαι καὶ διαφθεῖραι τὰς τῶν Ῥοδίων νῆας) See Diodorus 27.3.1; Polybius 13.4; Errington, 1969, 38-45; for the beginning of the war. See Brulé 1978, 34-56 for an extended discussion of the events of the war.

Brulé, was interceding based on a wrong done to others, not directly to Rhodes. As president of the Cretans' League, Philip had reason to intercede as well. The Aetolian Dicaearchus was sent incognito with a fleet of 20 ships to plunder, not Rhodes or the Rhodian Peraea, but the Cyclades.<sup>122</sup> Berthold's position is that this was principally a method for Philip to raise money for building a fleet and hiring mercenaries, not a campaign against Rhodes. Not until 202 did Philip put to sea to confront Rhodes, and when he did, he brought 150 *lembi* as support.<sup>123</sup> The results are not clear other than a Rhodian victory, but no peace treaty survives in Polybius, Diodorus, or the inscriptions on the islands. Polybius, returning to this war in 15.21-24, is mostly concerned with the fate of Cius, a city of Bithynia. Philip's involvement with the war seems to have been largely an excuse to make war on the allies of Rhodes, not to fight Rhodes itself.

The conclusion of peace between Rhodes and Macedon did not necessitate peace between their allies. The Cretan cities of Gortyn and Knossos, on opposite sides in the Rhodes/Macedon conflict, either remained at war or soon returned to war.<sup>124</sup> As a direct outcome of the war, the Cretans of Hierapytna and Olous had to submit to Rhodian control and give over control of their surplus manpower as well. This may also have been the case with Chersonesos.<sup>125</sup> While neither city was required to furnish more than two hundred troops to Rhodes, Rhodes essentially gained a monopoly over mercenary recruitment in eastern Crete.<sup>126</sup> These mercenaries might well have included the Cretan

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These skirmishes may or may not be equated with an Hierapytnan attack on Kos. See Perlman 1999, 133. The relevant inscription is *SIG3* 567, an inscription on Kalymnos and *SIG3* 568 and 569 are, notably, inscriptions honoring Diokles and Theukles as defenders of Kos during the Cretan War.

<sup>122</sup> See Berthold 1984, 109; Polybius, 18.54.8 ff.; Diodorus 28.1.1; Holleaux 1938 IV 124-145. It is additionally noteworthy that a fleet of twenty warships could be potentially perceived as a pirate fleet. This reveals either the scale of pirate activity at the time—not at all limited to single ships—or the flexibility of the term.

<sup>123</sup> Berthold 1984, 113. These *lembi* certainly need not all have been pirates, but some of them certainly were.

<sup>124</sup> See Errington 1969 for this war, in which Philopoemen may have played some part.

<sup>125</sup> See Perlman 1999, 134-137. Only Hierapytna is known to be one of the involved Cretan cities. The cities of Gortyn, Olous, Chersonesos, and Eleutherna are suspected to have played a role.

<sup>126</sup> This interpretation rests somewhat tentatively on the assumption that the missing fragments of the treaties at Olous and Chersonesos mirror the Hierapytnan treaty in the same way that the surviving fragments do. The treaties in question are *IC* III.iii.3A (Hierapytna), *SEG* xxiii.547 (Olous), and *SEG* xli.768 (Chersonesos). See also Chaniotis 1991, 258-260 for an analysis of these inscriptions.

archers that Rhodes supplied to Rome during the Third Macedonian War.<sup>127</sup> This was doubly important for Rhodes, as Rhodes filled its navy from its citizenry, but was dependent upon mercenaries for offensive land operations.<sup>128</sup> It should also be noted that the cities of Crete, like Taenarum in the Peloponnese and Aspendus in Asia Minor, also served as recruiting-grounds for non-local mercenaries, so the overall gain was somewhat greater than just the local manpower.<sup>129</sup> Similar rights appear to have been granted to Attalus of Pergamum by the Cretan city of Aptara.<sup>130</sup> In this case however, it is unclear (and unlikely) that these rights were exclusive. Instead, it seems more likely that these places, serving as sources of manpower, curtailed recruiting rights to a select few in exchange for other favors. For the sake of comparison, another similar situation occurred at the end of the War of Antiochus, where by the terms of the Treaty of Apamea, Antiochus was disallowed from hiring the Cretan archers or heavy Greek infantry from the Aegean or indeed, from his former territory. Not only was he denied his home recruiting grounds, he was denied access to his favored sources of foreign mercenaries. Even part of Cilicia fell into this category.<sup>131</sup>

Thus Rhodes and Crete have several similarities and a pronounced difference. Both readily served as sources of manpower in foreign wars. The Cretans, however, were at least reputed to turn this ‘at-large’ manpower to other ends when mercenary service was not available.<sup>132</sup> Rhodes, by contrast, apparently put forth significant effort

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<sup>127</sup> For some discussion of the treaty, see Griffith 257-258. For the treaty itself, see *SEG* 39-966, Perlman 1999, 135; for Cretan provenance in the Third Macedonian War see Livy 43.7, where the Romans demand the Cretan cities recall its citizens serving with Perseus. The Roman claim makes far more sense in light of the Rhodian treaty. See also Spyridakis 1977 for the Hierapytnan treaty’s role in providing both mercenaries and non-mercenaries.

<sup>128</sup> So Reger 1999, 90, cf 97n53, Griffith 1935, 90-93.

<sup>129</sup> Cary 1951, 235, for mercenary grounds, see Griffith 1935, 259 ff. The evidence for Crete and Taenarum are far stronger than that for Aspendus, which has very circumstantial evidence. For Taenarum as a place to *discharge* mercenaries, see Diodorus 18.21.

<sup>130</sup> Griffith 1935, 258.

<sup>131</sup> The terms of the treaty are recorded by Polybius (21.42) and Livy (38.38). As Polybius 21.24.10-15 would indicate, some of the cities of Cilicia, notably Soli, were of a questionable status, but Cilicia as a whole was to remain as part of Syria. Livy’s version definitely excludes any part of ‘Rough Cilicia’ as part of Cilicia still subject to Syria. As will be discussed later, however, the very concept of Cilicia and of where Cilicia’s borders *were* were very ambiguous concepts until the Principate.

<sup>132</sup> *contra* Brulé 1978, 181, who argues that Cretan activities do not fall into the ‘marine-mercenary’ category (using the Aetolians as his model for that category).

to control the activity of at-large warriors and of pirates. The correlation suggests that these two categories tended to overlap substantially in their composition.

### **The ‘At-Large Warrior’**

The activities of Rhodes and of Antiochus reveals a type of military recruiting that should not be surprising. Procuring mercenaries from allied territory was a long-standing custom.<sup>133</sup> Providing access to these manpower pools could be a gift. Thus Chandragupta’s elephants-for-Greeks trade with Seleucus around 304, Pisistratus’s Argive alliance, and other leaders’ gaining the ability to recruit Peloponnesian mercenaries by means of friendly relations with Sparta all fall in the same basic category.<sup>134</sup> Likewise, positive relations with the rulers of Galatia and Tylis increased the likelihood of acquiring Celtic mercenaries. The freedom to recruit in certain territories (or its prohibition) continues to be a feature of foreign policy in the Aegean for centuries afterwards.

The very sense that the at-large warrior was fundamentally homeless or had no homeland falls apart here, because these deals could not have worked unless the friendly power had some sort of home-court influence over the manpower. In the case of Seleucus, perhaps, there was a monopoly on Greek services, but in the other cases, some non-financial reason must be in play. Without a non-financial reason, these states would be relatively powerless to enforce their control over recruitments. An ancient soldier might turn freelance because of an economic ‘push’ (e.g. poverty, loss of a farm, sudden unemployment) or because of an economic ‘pull’ (daily pay, chance of booty). Aristocrats might well hire out as captains or as commanders. While these individuals might have entirely different motivations, they are frequently lumped together.<sup>135</sup> The

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<sup>133</sup> Griffith 1935, 254-255.

<sup>134</sup> Cary 1951, 66-67, Griffith 1935, 255. For the Spartans specifically, see Diodorus 14.44 and 14.24 where Dionysius and Philomelus play upon their Spartan connections to gain mercenaries. At 19.60, Diodorus records Antigonos requesting permission from Sparta to recruit mercenaries. In 201, the Aetolian League took measures to stop a Ptolemaic agent from recruiting too many of their citizens. (Cary 1951, 232; Griffith 1935, 258; Livy 31.43)

<sup>135</sup> For some motivations of Greek mercenaries, see Trundle 2004, 43-44. For an ancient example of each, see Diodorus 14.34.3 for the Messenian exiles seeking mercenary service and 16.30.1 for Philomelus offering a high rate of pay to attract mercenaries.

Greek states were often encouraging of men going to fight abroad as freelancers, so long as they maintained ultimate control over the freelancers and access to them.

Indeed, there is much evidence to suggest that mercenaries retained citizenship at home when fighting abroad. In Athens, for example, certain Athenian mercenaries had property in Athens that could be confiscated in the event that they refused to obey Athens's recall. So also the Athenians successfully recalled Chabrias and sent out Iphicrates when the two bands of Athenian mercenaries were to clash in what was essentially a Persian civil war.<sup>136</sup> See also, for example, the Athenian decree two decades later, prohibiting mercenary service against Euboea.<sup>137</sup> In the earlier-mentioned episode of Antiochus and Achaeus (~214-213), the Cretans Bolis and Cambylus were kinsmen but also fellow-citizens (συγγενῆ and πολίτην).<sup>138</sup> Few mercenaries were famous enough to leave behind much record.<sup>139</sup> Overall, however, we see a common occurrence: a state that does not object to citizens serving for pay in foreign wars so long as they don't oppose the state's interest. In none of these events, so far as we know, did the citizen disobey or the state try to prosecute anyone for mercenary service. The state is not trying to rid itself of freelancers, but rather keep them as citizens, just as other states offered citizenship to freelancers to entice them to move there. Indeed, such activity increased the military experience of the citizenry, especially the mercenary commanders, and was even used as evidence of experience by aristocrats seeking political gain at home.<sup>140</sup>

As we see by the existence of recruiting-centers at places like Taenarum, Aspendus and Hierapytna, the transient bands of at-large warriors existed in sufficient quantities to have towns partially dependent on the trade of these warriors between jobs.<sup>141</sup> It is impossible that someone could recruit five thousand mercenaries at

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<sup>136</sup> The event is in 379 and 378. See Diodorus 15.29. The passage becomes confusing because these two figures also attain Athenian political office and so are sometimes acting as Athenian generals, but also sometimes as freelancers.

<sup>137</sup> Tod *GHI* 2.154; see Toogood 1997 for discussion; these are also noted by Trundle (2004, 34, 107).

<sup>138</sup> Polybius 8.15.4. Polybius, naturally enough, reverses the sentiment and stresses their relationship. I, however, want to stress that these Cretan mercenaries do receive a term like πολίτην from even a hostile source like Polybius.

<sup>139</sup> For one exception, the fourth century Athenian Astyphilos, see Rosivach 2005, 195-204.

<sup>140</sup> Trundle 2004, 77-79, 147-159. Some examples from Athens, Sparta, and Corinth include Iphicrates, Charidemus, Conon, Agesilaus, Lycon, Chares, Timotheus, Phocion, Apollodorus, and Timoleon.

<sup>141</sup> See Griffith 1935, 259 ff. for mercenary recruiting grounds.



Taenarum unless this was a known place for mercenaries to congregate. It is not surprising that these places existed, as cities like Antioch, Rhodes, and Athens would no doubt prefer to keep such bands out of their city proper, yet still want to know where they could be found. Like early versions of Port Royale or Tortuga, such cities probably attracted this trade by a lack of regulations. Unfortunately, information is lacking to make this more than a speculation (and in the case of 17<sup>th</sup> century Port Royal, the pirates apparently caused the lack of regulations by moving in, outnumbering and outvoting the non-pirate locals—an issue that mirrors Syracusan fears of enfranchised mercenaries).

In closing this chapter, I hope this background has demonstrated several basic features. First, that the line between colonist, mercenary, bandit and pirate was always a fuzzy line, and especially fuzzy in the West. Second, that military leaders were frequently accused of acting like brigands or pirates, even when their operations appear to have been fairly standard. Third, that freelance warriors were regularly employed from the fourth and fifth century onward, not changing what they did so much as where they did it. Fourth, mercenaries and employers of mercenaries were held to different standards regarding mercenary employment and conduct toward the other. Fifth, these groups of men of somewhat ambiguous status essentially formed pools of manpower employed by Western Greek tyrants and Hellenistic kings which were tolerated, at least in part, because of their ability to provide this service. It is my hope that these observations will usefully serve as a backdrop for the next chapters.

## **Chapter Two: The Italian Background: Etruria and the Early Republic**

The background of the freelancer in Italy before the second century rests on less material than we have for the Greek World. This chapter attempts to describe the effects of plundering on events in the Italian peninsula down through the Second Punic War, as well as possible. Here I will be repeating as little material from Magna Graecia as possible. As in the previous chapter, the motive here is less to examine piratical acts than portrayals of acts as being piratical. I argue that the descriptions of such acts contribute substantially to understanding how the Romans acted towards piracy specifically, and freelance warriors generally, in the following centuries. To this end, large-scale discussions of the historians' judgments, especially diachronic judgments, have largely been excluded from this narrative and are addressed later. Furthermore, some early events fall more into the category of representation than true history and are likewise held aside. Some such events include the early Greek colonization of Italy and the Greek portrayal of Etruscans at Alalia.

In addressing this background, there is substantial ambiguity as to both the identities of the freelancers and the rationales for opposition to them. The nomenclature used is not always consistent, details given are often sparse, and our historians throw contemporary disputes into the debate halls of their ancestors. In short, all the evidence of this chapter needs to be taken with a shaker of salt. Overall, the material provided in this chapter provides greater certainty as to Roman opinions about freelancers in the Late Republic than it does opinions in the Early/Middle Republic or even the actual activities of that group.

I begin this chapter with a discussion of the Etruscan reputation for piracy, followed by variance in depictions of Roman plundering in Livy, Diodorus and Polybius. After this, I discuss the fourth-century piracy at Antium and Roman actions in suppressing it. The Illyrians also had a long-standing reputation for piracy, but in this chapter, I focus on the stories of Teuta and Rome's first campaigns in Illyria. The role of Campanian mercenaries is highlighted by the example of the Mamertines. After

discussing the Mamertines, I discuss the roles of plundering and of mercenaries in the Punic Wars and finish off the chapter with an account of Carthage's Mercenary War. Through these examples, I hope to show how the Roman attitude towards freelancers in the second century is rooted in third century experiences while also revealing that the historians used the actions of freelancers to justify earlier wars—even when an alternate justification already existed.

### **Etruscan Pirates with Latin names.**

Italian warfare in the early years was firmly associated with raids for booty in a manner not entirely dissimilar from the Homeric heroes—a tradition that also reaches back into the Etruscan period. An Etruscan sarcophagus of Perugia, depicting a successful raid, serves as one of the earliest examples.<sup>142</sup> An eighth-century cenotaph at Pisa appears to depict a seafaring lord wielding a trident, and the suggestion that he was a 'pirate lord' who died at sea or abroad seems not too far-fetched.<sup>143</sup> The raiding was a widespread phenomenon and this readily led to bands of fighters that could be recruited by outsiders, like the Sicilian tyrants. In these examples of raiding, plunder, not ransom, seems to have been the object, though that would change later.



**Figure 1: Dionysus and the Pirates**  
Exekias krater, 6<sup>th</sup> century black figure, currently at the Staatliche Antikensammlungen, Munich, ABV 146, 21

It should come as a surprise to no one that the Etruscans/Rasna/Etrusci/Tyrrhenoi were considered pirates by the Greeks.<sup>144</sup> The most famous story, of course, is that of the

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<sup>142</sup> See Haynes 2000, 186-187 for this as an aspect of Etruscan culture.

<sup>143</sup> Haynes 2000, 33. For specifics of the Pisan excavations, see Bruni 1998, 1993.

<sup>144</sup> Concerning the question of Etruscan/Tyrrhenian piracy, the best sources are S. C. Bakhuizen 1988 and M. Giuffrida Ientile 1983, but see also de Souza 1999, 51-53, 202-203; Ridgway 1988, esp. 635-637. Greek accusations of Tyrrhenian piracy began by the sixth century. Bakhuizen argues the Tyrrhenians

young Dionysus being kidnapped by pirates and turning the pirates into dolphins, found in *HH* 7.<sup>145</sup> This story appears with some frequency on pottery (see figure 1), and also in mosaic (see figure 2). The Rhodians supposedly carried on an ongoing campaign against the Tyrrhenians in the Ionian and Cretan Sea, and the accumulated wealth of the spoils from their victories was apparently quite impressive to Aelius Aristeides, visiting Rhodes some five hundred years later.<sup>146</sup> Strabo tells us that the Tyrrhenians were the greatest of the pirates, even greater than the Cretans and Cilicians.<sup>147</sup> It did not remain a solely Greek opinion: Cicero, perhaps drawing on the accounts of Polybius or Posidonius, tells us that the Etruscans and the Phoenicians were the first to take to sea, one for trade, one for piracy.<sup>148</sup>

Scholars have also equated Etruscans with the Pelasgians on Lemnos, who were supposedly pirates as well.<sup>149</sup> The fame



**Figure 2: Dionysus and the Pirates—part of the third-century AD North African mosaic ‘The Neptune Mosaic’ (from Dougga), currently in the Bardo National Museum in Tunis**

of Tyrrhenians as pirates is such that it was even deemed noteworthy by several authors that the city of Caere did not engage in piracy.<sup>150</sup> Regardless of the validity of such a reputation, the existence of that reputation had definite effects.<sup>151</sup> The reputation for piracy made the Etruscans untrustworthy and

were the first to blame for piracy about which there was a lack of information, but does accept the events as being fundamentally piratical.

Diodorus (5.40), however, notes the Etruscans as masters of the sea, but mentions nothing of piracy here.

<sup>145</sup> Interestingly (as noted by Harari 1988, 40-41), in the hymn, Dionysus is always a clean-shaven lad, but the archaic pottery depictions always have him as a bearded adult.

<sup>146</sup> [Aristeides], *Orat.* 25.4. (*Rhodiakos*, also found as *Orat.* 43, Jebb 539ff. however.) The following oration, also concerning the Rhodians, also connects the Tyrrhenians with piracy. (*Orat.* 44 Jebb 570)

<sup>147</sup> Strabo 10.4.9: μετὰ γὰρ τοὺς Τυρρηνοὺς, οἱ μάλιστα ἐδήωσαν τὴν καθ’ ἡμᾶς θάλατταν...

<sup>148</sup> Cicero, *Rep.* 2.9. The Phoenicians are the ‘non-piratical’ group here.

<sup>149</sup> The various arguments for and against this could probably fill a chapter all their own. See Bispham 2012, 237-238, Haynes 2000, 1-2. Bakhuizen 1988, 28-29 Herodotus 1.57-58, Thucydides 4.109

<sup>150</sup> Dionysius of Halicarnassus, *Ant. Rom.* 1.11, Diodorus, 5.40. Strabo 5.2.3. See Bispham 2012, 237, n.39.

<sup>151</sup> Bakhuizen 1988, 30-31 argues that the tales of Tyrrhenian piracy chiefly illustrate the Greeks’ fear of the unknown.

automatically the ‘wrongdoers’ in conflicts with the Greeks. In this way, the reputation was self-reinforcing.

Strabo identifies the Etruscans as pirates (5.2.2), and furthermore, he identifies the *cause* of that piracy as disorder.<sup>152</sup> According to Strabo, these Etruscan pirates are not working as a cog in a state-operated system of plundering, but instead working as individuals in the absence of an organized state. This is, then, definitely a depiction of freelance raiding, not state raiding. It is entirely likely that Etruscan and Greek trade did not begin peacefully, but that approaching Greeks were seen as hostile and driven off when possible.<sup>153</sup> Such cases of excluding the Greeks could easily lead to accusations of piracy. Still later, Greeks and Etruscans must have carried on both trade and piracy concurrently.<sup>154</sup> The famous reputation for piracy of the Etruscans was no great boon for the Italians. Twice in the fifth century, and once in the fourth, the Syracusans sent a raiding force to Etruria, ostensibly a punitive force on account of Etruscan piracy.<sup>155</sup> Modern scholars have assessed this as nothing less than Syracusan piracy against Etruscan territory.<sup>156</sup>

The Etruscan reputation for piracy is doubly important as that reputation may have applied to more than simply the Etruscans. Many of the recorded Tyrrhenian pirates had decidedly Latinate names. This has two implications: first, that the term Tyrrhenian, to the Greeks, encompassed more groups than simply the Etruscans; and second, that the Tyrrhenian reputation for piracy may have been exacerbated by the activities of other Italian peoples. One such example of a Latin-named pirate comes from Diodorus, who

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<sup>152</sup> Strabo’s attestation of the cause, however, is driven by his understanding of the root causes of piracy.

<sup>153</sup> Haynes 2000, 51-52.

<sup>154</sup> Haynes 2000, 63.

<sup>155</sup> One in 474, once in 453 (Diodorus 11.51), and a third time in 384 (Diodorus 15.14, Strabo 5.2.8), when they sacked Pyrgi. Haynes 2000, 262, implies that the reason was more likely to gain economic advantage over Corsica, Sardinia and Elba.

<sup>156</sup> Notably, Scullard 1990, in comparing the attack on Pyrgi to the Greek fleet mentioned at Livy 7.25 (discussed in detail below). Strabo’s account indicates that the expedition was actually to Corsica and the attack on Pyrgi was simply an attack *en route*. Dell 19667 follows the argument the Dionysius was retaliating against piracy, while Bridgman 2003, 49 argues that this expedition was principally for plundering. See also Wonder 2012 for discussions of the Italiot League and its responses to attempts at raiding or conquest.

says that Timoleon executed a pirate named Postumius.<sup>157</sup> Another figure, Mamercus, who had been ruling Catana as tyrant, was executed as a *leistes*.<sup>158</sup> The Athenians posted an Adriatic fort in 325 to ward off ‘Tyrrhenian’ pirates.<sup>159</sup> It is, however, unlikely that the Etruscans were raiding the southern Adriatic by this time. I believe we can fairly suspect that the Greek term ‘Tyrrhenian’ really means ‘non-Greek Italian’, not ‘Etruscan’.<sup>160</sup>

If we accept this, it has ramifications for the Athenian outpost, the forts placed in Apulia against Apulian piracy during the reign of Dionysius II around 30 years earlier, and the anti-Tyrrhenian Attic speeches of the late 4<sup>th</sup> century.<sup>161</sup> In essence, it is extremely difficult to separate different bands of early Italian raiders from each other in the Greek sources. Furthermore, there is no evidence that there was any attempt to do so. It becomes both convenient and conventional for the ancient historians to ascribe any acts of piracy in the Tyrrhenian or Adriatic Seas to Etruscans, not other Italians. The sudden absence of ‘Etruscan’ piracy in the third century probably indicates not an unrecorded Roman/Greek success in suppressing Etruscan pirates (while ignoring Illyrian and Cretan piracy), but rather the Greek sources beginning to disambiguate between the peoples of Italy and using different terms for them.

The issues over identity and control illustrate one thing clearly. The reaction of the Greek world to Tyrrhenian piracy was that of states trying to deal with unaffiliated bands. I find no records of attempts to buy protection or immunity, attempts to pressure

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<sup>157</sup> Diodorus. 16.82.3. See also De Souza (1999) 50-51, Bispham 2012, 236, who both note that the Greek Postomion never appears as a Greek name (as opposed to a transliterated Roman) until the imperial period. The event occurred either in 339/338 (dating by Athenian archon Lysimachides) or 342 (consulship of Q. Servilius Ahala and C. Marcius Rutilus, cf Broughton 1951 (*MRR* I), 133)

<sup>158</sup> Plutarch, *Tim.*, 34: οὐ μὴν ἔτυχέ γε ταύτης τῆς τελευτῆς, [an attempt at suicide] ἀλλ’ ἔτι ζῶν ἀπαχθεὶς ἦν περὶ οἱ ληστὰι δίκην ἔδωκε. Cf. *Tim.*, 13.1; Diodorus 16.69.4; Polyaeus, *Strat.* 5.12.2. This Mamercus was probably a Campanian, though the name is well attested among Latins as well, and even some Etruscans. The elder Dionysius had given Catana to the Campanians seventy years earlier (Diodorus 14.15.3).

<sup>159</sup> de Souza 1999, 41; *IG* II<sup>2</sup>.1629 (= *IG* II<sup>3</sup>.1370), ll.217-233. Other than this inscription, this colony is unknown (though Harpocration tells us that Hypereides had a speech concerning this colony) and the location cannot be pinpointed better than the inscription’s [περὶ] τῆς εἰς τὸν Ἀδρίαν [ἀποι]κίας (ll.176-177)

<sup>160</sup> This is also argued by Ormerod 1924, 129; de Souza 1999, 41, 51-53. Additional evidence de Souza musters includes [Aristeides] 25.4 (see note 146 above); *IG* XI.2.148, l.173; Strabo, 5.3.5; and Livy 8.14.

<sup>161</sup> For Syracusan forts, see Diodorus, 16.5.3. The expedition is also briefly mentioned by Plutarch (*Dio.* 26.1). The orators Deinarchos and Hypereides both had speeches (now lost) against the Tyrrhenians, see de Souza 1999, 51, Ormerod 1924, 128-129.

the rulers or any other measure suggesting that the Greeks thought negotiation was an option here. These other tactics were all tactics used with Cretans or Illyrians. Moreover, at least at an early date, the Greeks (at least Eastern Greeks) appear to distinguish little between non-Greek Italian peoples.

### **The Early Romans: Raiding for Booty**

The Romans, in their historians, thought little of bandits, yet drawing a distinction between warfare and brigandage is not as easy as it would seem. In discussing the Homeric model, Van Wees argued for a sharp distinction between the warfare of freebooters and that of ‘heroes’, but like de Souza, I do not find his distinctions compelling.<sup>162</sup> For one difficult aspect, consider the Roman preoccupation with booty and loot.<sup>163</sup> For this, our chief evidence for the Roman opinion is found in Livy’s account. Livy frequently depicts the early Roman campaigns as being focused on, even motivated by, loot, and in these accounts, he provides a level of detail that must come from his sources, as it is minute enough to be above notice in Livy’s own period (a point Livy makes himself at 10.30). Furthermore, it is not information often preserved by Greek sources. Polybius frequently notes the presence of looting or ravaging, but not, generally, detailed accounts on what was taken.<sup>164</sup> Diodorus Siculus, a frequently-voluble near-contemporary of Livy, also rarely recounts quantities in line with what is observed in Livy.<sup>165</sup> With such a lenient view on wartime plundering, it is strange to see such a stern line on what we might call the freelance counterpart.

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<sup>162</sup> Van Wees 1992, 207 ff., de Souza 1992, 56-57. In essence, the argument is that warfare can be undertaken for monetary gain or for status. Since plunder, however, brings both of those things, the two are inextricably intertwined.

<sup>163</sup> There are a variety of terms, but the most common are *praeda* in Latin and *leia* in Greek.

<sup>164</sup> The most noticeable place where Polybius discusses booty is concerning the fall of Syracuse (9.10), where he indicates that loot should be restrained to resources (i.e. gold and silver), and not to include art. Polybius is clearly critical of the Romans’ looting of Syracuse. Other mentions of booty (*leian*) are like that of 2.26.5, where he simply describes it as a massive amount (*tosautes leias*). This is not infrequent, but any level of detail is quite rare. For the importance of booty to the Romans, see 10.15-17. He implies that he discussed it earlier, but there is only the briefest mention of booty at 6.31.13. The accounts of Dionysius of Halicarnassus resemble Polybius more in this way. Accounts of plunder are frequently attested, but rarely detailed. i.e. 10.21.4-6.

<sup>165</sup> See, for example, 12.64-65—where the event of plundering is described for both Greeks and Romans, but the proceeds are not.

The comparison of Livy with Polybius initially suggests that Polybius is interested in plundering in wartime as a strategic goal: denying resources to ones enemies while keeping them for one's own side. The annalistic tradition that Livy preserves, on the other hand, records them for reasons either prestigious or economic.<sup>166</sup> In the one hand, they follow records of the booty collected because the booty list stands as an attestation of the greatness of the victory. In other cases, the booty is recorded because it stands as the funding source for public works such as manubial monuments or the road and aqueduct systems.<sup>167</sup> Ziolkowski argues that Livy methodically noted every temple vowed.<sup>168</sup> These sources may even include records of the booty carried in the triumphs (such as a dedicatory inscription). This attention to plunder notably appears in the early books of Livy, but also reappears in his accounts of the Hannibalic War. For example, in the early books, plunder is a motive for campaign strategy.<sup>169</sup> During the Hannibalic War, we are presented with some discrepancies in level of detail: in one place Livy might go into great detail, but in another, barely mention it.<sup>170</sup> Livy generally does not criticize

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<sup>166</sup> A few instances where it is obvious that Livy is dealing with multiple earlier Roman accounts are 26.49.1-6, where he cites several other authorities who vary on items from troop numbers to booty quantity; 25.39.11-17, where he drops the names of Quadrigarius, Acilius, Antias, and Piso in quick succession, and 28.46.14; where the motive and destination of the 80 Carthaginian ships captured off Sardinia are in dispute.

<sup>167</sup> For manubial temples and their placement, see Ziolkowski 1992 *passim*, Cornell 1990, 405-408. See also Harris 1985, 60.

<sup>168</sup> Ziolkowski 1992, 14-15. By this guiding principle, all known Republican temples not mentioned in the extant portion of Livy belong to the periods of the missing sections.

<sup>169</sup> In 5.15, the consular tribunes are said to limit themselves to raids and to have made themselves wealthy. In 7.16, the Roman consul is portrayed as encouraging his troops desire for plunder. In 8.19, the consul Plautius is fully engaged in looting and plundering the fields of the enemy. In 8.36, the Roman army advances 'where it might find plunder'.

One inscription noting captured booty is *CIL* 1.25, commemorating Duilius's victory in the First Punic War (260).

See also Harris 1985, 54-57 for the importance of plundering as motive in this period.

<sup>170</sup> One example is Livy 26.40. 13: *...ceteros praedamque vendidit...* with little to no mention of what the *praedam* exactly was. Compare to the detail given in 26.47.5-9: *captus et apparatus ingens belli: catapultae maximae formae centum viginti, minores ducentae octoginta una, ballistae maiores viginti tres, minores quinquaginta duae, scorpionum maiorum minorumque et armorum telorumque ingens numerus, signa militaria septuaginta quattuor. et auri argentique relata ad imperatorem magna vis: paterae aureae fuerunt ducentae septuaginta sex, librae ferme omnes pondo; argenti infecti signatique decem et octo milia et trecenta pondo, vasorum argenteorum magnus numerus. haec omnia C. Flaminius quaestori adpensa adnumerataque sunt; tritici quadringenta milia modium, hordei ducenta septuaginta. naves onerariae sexaginta tres in portu expugnatae captaeque, quaedam cum suis oneribus, frumento, armis, aere praeterea ferroque et linteis et sparto et navali alia materia ad classem aedificandam...*



Roman looting, and the criticisms that do appear are far more often about the division of booty than the propriety of its acquisition.<sup>171</sup> And the precise division is frequently recorded as well.<sup>172</sup> The division of the booty was, of course, important to the soldiers, who were eager for the financial rewards.

It is difficult to overestimate the importance of booty for the Roman military machine. Appian tells us that the Romans could hire troops without pay other than the promise of booty (e.g. Massinissa, though there were obviously other concerns there).<sup>173</sup> Arrangements like this allow Livy to place the ‘first hiring of mercenaries by Romans’ in 213.<sup>174</sup> The booty was important to the Roman troops as well, and Scipio once disciplined a troop by depriving it of its *leian*.<sup>175</sup> Livy also finds it noteworthy to record an event where the Roman soldiers were too angry to care about booty (41.4). Commanders had much authority over where to store the troops’ plunder, how to transport it, when to sell it, etc.<sup>176</sup> They could be censured by senate or public for returning too little (or too much) to the state treasury.<sup>177</sup> Accumulating large quantities of booty was standard practice.<sup>178</sup> The Greek custom, by contrast, apparently involved less pillaging and more ransoming.<sup>179</sup> Thus, we see a system that operates by fundamentally different rules than Greek systems.

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I suspect the difference in detail comes from Livy’s sources, not overt decisions made by Livy about which is important and which is not. A few other examples of lists are found at 34.52, 36.40 37.46. For a clear example of Livy using sources, he cites Antias for his numbers several times (e.g. 36.38, 45.40, 45.43).

<sup>171</sup> See, for example, Livy 45.35 where the soldiers resent Paulus for the lack of booty realized (by the common soldier) from Epirus and Macedon.

<sup>172</sup> A couple of examples: see Livy 33.23, 33.37, 36.40, 39.7 45.43 for both a list of the spoil and the division. See 45.34 for the division alone.

<sup>173</sup> Appian, *Pun.* 12.

<sup>174</sup> Livy, 24.48, referring to Scipio’s enlistment of the Celtiberians.

<sup>175</sup> Appian, *Pun.* 15.

<sup>176</sup> For various matters involving plunder as motive and the disposition of plunder, see Frank 1932, Shatzman 1972, Hopkins 1978, Harris 1985, Howarth 1999, and Feig Vishnia 2002 .

<sup>177</sup> See Shatzman 1972, 189-197 for twelve cases where the division of the booty was challenged or said to be challenged.

<sup>178</sup> See, for example, a fragment of Quadrigarius, preserved in Gellius: *Romani multis armis et magno commeatu praedae ingenti copiamur* (F21 Cornell v.II 508-509= Gellius 17.2.9). See Shatzman 1972 for some discussion on what, precisely, *praeda* might mean in this context instead of other words like *manubiae* or *pecunium*.

<sup>179</sup> Compare Polybius 9.42.5-8, where ransom is explicitly a customary activity (and nearly refused by the Romans) to Livy 26.24, where the alliance with the Aetolians contains provisions for booty divisions, but no mention of ransoms, and Livy 22.61, 25.6, where ransom offers are refused. See also Livy 9.4-11,

This booty could, naturally, be turned to several purposes. The most natural role was to reward the soldiers, but the state was due a significant portion. As for Roman infrastructure, large projects, such as temples, roads, and especially aqueducts, were commonly financed by war booty. A general would often vow a temple, which was financed out of his share of the spoils.<sup>180</sup> Notably, this was the purpose the loot of the Samnite Wars was turned to, providing most the financing for the Anio Vetus and the Aqua Appia.<sup>181</sup> Thus regular looting functioned as a source of funding for the Roman state. This would continue to hold true through the second century, as well, where the Carthaginian indemnities were used for the expansion of the aqueduct system.<sup>182</sup>

It is important to see that although the Romans would repeatedly speak against piracy later, the acts of raiding and looting themselves were by no means shameful. Early Roman campaigns were largely motivated by plunder: the presence or absence of plunder altered where troops went, how long they stayed in a place, and even whether they engaged the enemy.<sup>183</sup> Even if plunder later, during the campaigns of the middle republic, became less of a concern for the commanders, Roman troops were still largely motivated by plunder. Despite occasional Greek disapproval of plundering for its own

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22.57-61, 26.35 for Roman arguments and thoughts about ransoming. Livy (34.50) also indicates that the Carthaginians had kept many unransomed Roman captives as slaves. Despite opposition, we see the Romans and Italians ransoming captives at 23.19 (where Livy implies Hannibal had hitherto been unwilling to ransom captives *contra* 22.56). Nevertheless, this is always the Carthaginians offering to ransom back captives, and the Romans do not do this. Barring 25.23.9, where the request comes from the Greeks, 26.50, where the request comes from the Iberians, 30.43, where it comes from the Carthaginians. In these cases, the Romans generally request favors or gratitude, and refuse money (similar accounts happen under Hannibal (e.g. 22.7, 22.58) and after the Punic Wars (e.g. 31.40, 45.42)). This may be peculiar to the Punic Wars: see 10.31, 10.46, 32.17 for examples of the Romans accepting money as ransoms, and 5.48 (cf. 6.14), 10.16 for the Romans agreeing to pay a ransom. Manlius (Livy 38.47) implies that ransoms *are* customary. Livy also records ‘false ransoms’ where the Romans endeavor to regain the ransom money, most notably the attack on the Gauls: see especially 9.11, 5.48-5.51, 34.5. For some more typical Hellenistic ransom-accounts see Livy 32.22, 33.38, 44.23, Polybius 2.6, 27.40.

<sup>180</sup> See Ziolkowski 1992, esp. 235-261.

<sup>181</sup> See Drummond 1990, 132; Cornell 1990, 405. Frank 1932 may also be of interest here, though this evidence is from the second century.

In addition to these structures, Livy records 8 temples being built either from the city’s share of the booty or from the manubiae of the general.

<sup>182</sup> Boren 1958, 893, for example mentions this in the context of its lack becoming a problem during ‘the long peace’ of the second century.

<sup>183</sup> See Harris 1985, 54-58 for a discussion of arguments regarding the role of plunder as motive.

sake, the Latin-writing historians do not so disapprove.<sup>184</sup> In Greek eyes, plundering may be seen as part of the Roman makeup, and so, Dionysius of Halicarnassus notes plundering among the activities of the earlier Romans.<sup>185</sup> To establish a non-hypocritical Roman rationale for why piracy was unacceptable and Roman looting was laudable will require some additional effort. The act and the method cannot be the main issue; but this evidence alone does not answer what the ‘main issue’ might be. I suggest there are two solutions to this inconsistency: first, the Roman objection to piracy has been ‘retrojected’ by later historians trying to make the Romans of the Early and Middle Republic more similar to their counterparts in the Hellenistic world, and second, the permission to plunder is seen as a prerogative of the state, not the individual. Both of these will become clear in the following sections.

### **Antium and Italian piracy**

In Antium in particular, Latin (or Volscian) piracy appears to have been influential. Strabo’s account (5.3.5) suggests that the Antiates were initially allowed to practice piracy (by the Romans), but were forced to stop sometime after 300. Regardless of which Hellenistic monarchs we have in Strabo’s account (quoted below), this would appear to be the first time the Romans acted to reduce piracy and also the first time that the Greeks tried to deal with Italian piracy through diplomacy. And furthermore, it appears uncontroversial that Rome’s colonization of Antium ~338 had no intent to stop Antiate piracy. The Roman historical tradition would represent these events at Antium as being anti-piratical, but I think the evidence does not bear that out.<sup>186</sup> The agreement to stop Antiate piracy only came upon an Eastern request.

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<sup>184</sup> This Greek attitude itself may be more a factor of being representatives of a people so plundered. The Greek evidence does not exactly show signs of restraint in plundering. See Champion 2000, 428 for the Greeks being alienated by the Roman style of warfare, see Eckstein 1976, 131ff. for the general harshness of Roman war.

Temple-plundering meets with particular disapproval (e.g. Diodorus 14.17.11, 14.63.1, 23.1.2, Xenophon, *Hell.* 7.4.32) The Romans would later also disapprove of temple-plundering (e.g. Florus, 3.5.7).

<sup>185</sup> Dionysius of Halicarnassus 1.10.2. ζῆν δὲ ἀπὸ ληστείας καὶ νομῆς “...and to live off of plundering and grazing [animals].”

<sup>186</sup> In addition to Strabo’s account, Antium’s piracy is also represented at Livy 8.14; Dionysius of Halicarnassus, *Ant. Rom.* 7.37.3, 9.56.5, 9.60.3.

Strabo, in the context of describing the cities of the western seaboard, presents us with information that Bispham rightly notes, is “harder to fit within customary colonial parameters than what we have been considering to date.”<sup>187</sup> Let us examine Strabo 5.3.5:

καὶ πρότερον δὲ ναῦς ἐκέκτηντο καὶ ἐκοινώνουν τῶν ληστηρίων τοῖς Τυρρηνοῖς, καίπερ ἤδη Ῥωμαίοις ὑπακούοντες. διόπερ καὶ Ἀλέξανδρος πρότερον ἐγκαλῶν ἐπέστειλε, καὶ Δημήτριος ὕστερον, τοὺς ἀλόντας τῶν ληστῶν ἀναπέμπων τοῖς Ῥωμαίοις, χαρίζεσθαι μὲν αὐτοῖς ἔφη τὰ σώματα διὰ τὴν πρὸς τοὺς Ἕλληνας συγγένειαν, οὐκ ἄξιοῦν δὲ τοὺς αὐτοὺς ἄνδρας στρατηγεῖν τε ἅμα τῆς Ἰταλίας καὶ ληστήρια ἐκπέμπειν, καὶ ἐν μὲν τῇ ἀγορᾷ Διοσκούρων ἱερὸν ἰδρυσασμένους τιμᾶν οὓς πάντες σωτήρας ὀνομάζουσιν, εἰς δὲ τὴν Ἑλλάδα πέμπειν τὴν ἐκείνων πατρίδα τοὺς λεηλατήσοντας. ἔπαυσαν δ' αὐτοὺς Ῥωμαῖοι τῆς τοιαύτης ἐπιτηδεύσεως

“And earlier they built ships and joined together with the Tyrrhenians in piracy, although they were already subject to Rome. And thus, first Alexander and then later Demetrius, when sending back the captured pirates to the Romans first said he would return the bodies to them on account of their kinship (*syngeneia*) to the Greeks but then also [said] that it was not right for these men to both rule all Italy and to send out pirate-raids and [similarly,] for those who in their forum honor the temple of the Dioscuroi, who all men name saviors, and then [also] to send plunderers to Greece, the homeland of these. And the Romans stopped them [the Antiates] from practicing this.”

In this passage, we have several items of interest. The use of αὐτοὺς indicates that Strabo perceived the Ῥωμαῖοι as a different group from the pirates but ἀναπέμπων indicates that the Greek kings believed they were the same group; that they were returning the pirates to their point of origin. Even if the Antiates were perceived as subjects rather than Romans, their actions nevertheless reflected upon the Romans. The expected reward for the Greeks' safe return of the pirates was cessation of piracy. The rationale behind the request implies that a concern for plunder is a feature of smaller states and also that Rome appears to be acting as a friend in one way and as an enemy in another.

The dating of the event is in question, and tied to the identity of the Demetrius in the passage. If Demetrius I Poliorcetes, that would put the event in the early third century, before the war with Pyrrhus, but if Demetrius II, then the late third century, after the first Punic War.<sup>188</sup> I would argue that, based on the earlier equation of Latins and

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<sup>187</sup> Bispham 2012, 235. Bispham (234-235) is thinking here about the usual expectations of *Staatsrecht*: that the colony flourishes as a citizen colony and the initial character and indigenous population wither away to be replaced by Romans. The suggestions he argues against (e.g. Galsterer 1976, Salmon 1969, Scullard 1989) are thus attempts ‘to impose some tidiness’ (234).

<sup>188</sup> Demetrius I ruled 294-288, Demetrius II 239-229. The campaigns of Pyrrhus were 281-275.

Etruscans, and the mention of ‘to rule all Italy’, a post-Pyrrhus date is preferable, and the later Demetrius is thus more likely. ‘Alexander’ is suspect in general, especially if identified with ‘the Great’ but Alexander II of Epirus, the heir of Pyrrhus, predates Demetrius II by a similar amount and was quite likely to be concerned with any ongoing hostilities.<sup>189</sup> While this would suggest a later date for the piracy by some fifty years, I find this unproblematic, especially considering Roman attitudes towards Italian mercenaries elsewhere in the late third century.<sup>190</sup> Regardless of identification, however, the passage illustrates a shift regarding freelance raiding in/from Italy.

Overall, the passage reveals three things: first, the Hellenistic kings are capturing and returning these pirates to Rome, second, the piracy is seen as inappropriate, not intrinsically so, but rather, as being out of keeping with their other activities; and third, that the Greeks consider the Antiates pirates to be Roman and the Romans do not, though they accept their return. If Rome claimed a monopoly on legitimate warfare, it also, of necessity, bore the responsibility for ensuring its citizens and subjects stayed in line. The Greeks blame the Romans, and the Romans accept responsibility.

This Volscian piracy is also noted at a much earlier date, definitely by the mid-fifth century: the Antiates had captured certain Sicilian ambassadors and were making it difficult for the Romans to get grain from the south.<sup>191</sup> Furthermore, Bispham argues that the phrasing of Livy 8.14.8 (where the Roman colony is set up) suggests that Volscian piracy had operated out of Antium for some time: *et Antium nova colonia missa, cum eo ut Antiatibus permetteretur, si et ipsi adscribi coloni vellent; naves inde longae abactae interdictumque mari Antiati populo est et civitas data.*<sup>192</sup> For the Antiates to be forbidden the sea, yet given citizenship implies strongly that the activities of the Antiates

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<sup>189</sup> Bispham (2012, 239-240), fairly reasonably, pins it to the elder, more famous, Demetrius and tentatively accepts Alexander the Great. Dell (1967, 335) says ‘surely Alexander the Molossian’.

<sup>190</sup> For Roman support of Campanian mercenaries, see 52f. and 66f. below

<sup>191</sup> Dionysius of Halicarnassus, *Ant. Rom.* 7.37.3, cf. Livy 2.34.4. According to Dionysius, this was the consulship of Marcus Minucius Augurinus and Aulus Sempronius Atratinus, but Livy puts it partially in that year and partially in the preceding one. See also Dionysius of Halicarnassus 9.56.5-6, 9.60.3; Livy 2.62-65; Bispham 2012, 228-229. The Volscian raids on Latin territory (Dionysius of Halicarnassus 8.12.2-5, 8.16.4-20.3, 8.36.2) may also be of interest.

<sup>192</sup> “And a new colony was sent to Antium, while it was allowed to the Antiates to join with them, if they wished to be enrolled as colonists. Regarding the Antiates people, their warships were taken away, the sea forbidden ~~them~~, and citizenship given ~~to them~~.”

by sea (like the capture of the Sicilians) had caused problems for the Romans, yet were not activities that the Romans themselves disliked. Furthermore, Livy's use of *abigo* implies that the Romans had further use for these ships.

The colonization of Antium might be seen as a Roman naval base serving to counter piracy. One such example might be the mid-fourth century plundering carried out by Greeks against Antium and the shores of the Tiber River (Livy 7.25.3-4):

*annus multis uariisque motibus fuit insignis: Galli ex Albanis montibus, quia hiemis uim pati nequuerant, per campos maritimaque loca uagi populabantur; mare infestum classibus Graecorum erat oraque litoris Antiatis Laurensque tractus et Tiberis ostia, ut praedones maritimi cum terrestribus congressi ancipiti semel proelio decertarint dubiique discesserint in castra Galli, Graeci retro ad naues, uictos se an uictores putarent.*

The year [349] was notable for many and diverse disturbances. The Gauls [descended] from the Alban hills because they had been unable to endure the force of the winter, and wandering through the plains and the coastal areas, they were plundering [these areas]; the sea was infested with fleets of Greeks, as were the Laurentine lands and the Antiate shore and the mouths of the Tiber; to such an extent that when the sea-borne *praedones* encountered their terrestrial counterparts, they fought with them once, in a fluctuating battle. Doubtful, the Gauls retreated back into their camp, the Greeks back to their ships, and they were both wondering whether they were the winners or the losers.

This episode shows two examples of raiding Roman territory that would make such an outpost at Antium make sense. The express removal of ships from Antium, however, suggests that the Romans were more concerned with matters closer to home.<sup>193</sup> And far from the Romans readily repulsing both groups (as often suggested), it seems plain that the Romans were initially unable to handle these forces and this recorded incident weakened both, which no doubt gave the Romans the opportunity to reclaim their territory through the events recorded by Livy in 7.26. Moreover, Livy also voices his suspicions that the Greeks were Syracusans.<sup>194</sup> That is, this was a state operation, not the act of freelancers acting independently. Without ships, Antium must have failed completely as a defense against future Greek raids.

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<sup>193</sup> See Bispham 2012, 231. The removal of the Antiate ships is in Livy, 8.14 (see above).

<sup>194</sup> So noted, Livy 7.26.14.

Alternatively, the state colony at Antium may have been designed to control any ‘piratic tendencies’ of the Volscians.<sup>195</sup> Yet, in the mid-fourth century, the Volscian Antiatic community seems to have been definitively displaced, and the makeup of the citizenry there changed.<sup>196</sup> Yet the raiding continues, as indicated in Strabo’s passage. This suggests that Roman control of Antiatic piracy did not necessitate Roman cession of Antiatic piracy, but only assurances that they would avoid friendly targets). Another example is provided by Dionysius of Halicarnassus, where the Romans asked the Aequians whether the Antiatic plunderers were acting with state approval or on their own.<sup>197</sup> And with that, the agreement in Strabo’s passage does not necessarily indicate stopping the Antiatics from acts of piracy, but instead, stopping the Antiatics from acts of piracy against the Greeks within the sphere of the kings mentioned. If I am correct in surmising an Epirote/Molossian Alexander rather than Macedonian, that sphere would easily encompass Syracuse and Tarentum, where we know such conflicts and raids to have existed.

Lastly, by suppressing the means of the Antiatics to raid or defend themselves against Greek raids, the Romans may have made the Volscians more dependent on Rome. By controlling Antium, the Romans prevented their own territory from being raided by Antium. But from an outside perspective, for all intents and purposes, the Romans appear to have taken up where the Antiatics left off. This displays not a suppression of piracy but a state subsumption and control of these piratical naval forces.

These mid-fourth century Greek and Latin raids might be either state-supported or freelance. Both sides may refer to their own raids as retaliatory in nature. And, as if a feud, they may both be correct in that reference, at least for the Sicilians and the Antiatics, who appear to have a century-long-history of attacking each other. Nor are these the only example of Greek pirates attacking Italy; earlier, Livy records a praiseworthy pirate who

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<sup>195</sup> See Bispham 2012, 230, for discussion. See also Galsterer 1976, Salmon 1969, for other arguments about the degree of ‘control’ Rome desired.

<sup>196</sup> A large number of Latin and Hernicans moved into Antium. Not many Antiatics appear to have taken the Roman offer (in Livy 8.14, above) and instead left to join the Aequians. See Dionysius of Halicarnassus, *Ant. Rom.* 9.59.1-2. See also Bispham 2012 *passim*, but especially 242-243.

<sup>197</sup> Dionysius of Halicarnassus, *Ant. Rom.* 9.60. Here, the Antiatics who did not take the Roman offer continued to engage in piracy against the Latins.

refrains from piracy: a Lipari islander with the Greek name Timasitheus.<sup>198</sup> A similar state of affairs can be said to have existed on a more local level in Magna Graecia.

Now, Rome's own campaigns, as seen in Livy, display significant time and attention devoted to booty-raids, plunder, and protection of that plunder. In examining just two examples of fourth century piracy, it is clear that Latin piracy is supportable from the evidence. Once again, it is clear that Roman objections in this period are not to piracy *per se*, but, rather, to complications arising from piracy. As a comparison to Teuta and to the Mamertines in the following century, the example of Antium stands as a contrast.

### **Teuta and Illyria**

The issue of the state's control of violence and of its freelancers emerges again when the Romans began to have more direct dealings with Illyria. The Illyrians had widespread fame as pirates in the Greek world, but less so in the Roman sphere. Polybius records them as pirates who were eternally attacking Italian merchants.<sup>199</sup> Nevertheless, Adriatic piracy was probably exaggerated.<sup>200</sup> Herodotus tells us that the Phocaeans were the first Greeks to enter the Adriatic, but our data before the fifth century is limited.<sup>201</sup> It is hard to say much of certainty of Illyria before Roman contact. For the Greeks and Romans, Illyria was more of a place where people (i.e. mercenaries) came from than one where people went. In Dalmatia, for example, only two indisputably Greek settlements were founded: Issa and Pharos, though Cnidian settlement on Korčula is probable.<sup>202</sup>

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<sup>198</sup> Livy, 5.28. The Timasitheus episode is important because of how Livy portrays pirates. See below, ch. 9 for further details. The event is also mentioned at Diodorus 14.93.3, Plutarch, *Cam.* 8.8.

Diodorus (5.9) also refers to long-time ongoing piracy between Lipari and Etruria

<sup>199</sup> Polybius, 2.8.1.

<sup>200</sup> So argued by Dell 1967; Wilkes 1992, 226.

<sup>201</sup> Herodotus, 1.163.1; Graham 1982, 130; Braccusi 1977, 63ff.; Morel 1975. Wilkes (1992, 110) notes that the Corinthians were, in fact, the first, in the eighth century.

<sup>202</sup> Kirigin 2006, 17. Kirigin notes that this lack may have more to do with the lack of Croatian excavations than an absence of Greek presence. See also Gaffney et al. 2006, 93; who in turn cites Kirigin 1996, 2004; Cambi et al. 2002 for further reports of the spread of Greek material in Illyria. On 'Black Corcyra' and Cnidos, see Graham, 130; Beaumont 1936, 173ff.

Further south, Greek settlement was more common, e.g. Corcyra and Epidamnium.

See also Wilkes 1992 109-110 for Greek settlement.



Diodorus records two Illyrian raids on Epirus in 393/2 and in 384/5, and in the second instance were said to have been paid to do so by Dionysius (the elder) of Syracuse.<sup>203</sup> As early as 360, Diodorus attributes pirates raiding the entire Adriatic to the extent of making it unnavigable.<sup>204</sup> Modern sources describe the pirates as Etruscan,<sup>205</sup> in keeping with the overall Greek sense of ‘Tyrrhenian pirates’, but Diodorus (16.5.3) merely calls them ‘the barbarians living next to the sea’ (οἱ τὴν παραθαλάττιον οἰκοῦντες βάρβαροι), a phrase which could apply to Illyrians easily as well as Etruscans. The Liburnians acting as pirates is recorded by Thucydides in the Archaic Period.<sup>206</sup> The reports of Illyrians are mostly reports of freelance warrior bands or companies entering the Aegean either as pirates or mercenaries. Such reports have dubious merit in assessing the people as a whole. The Illyrian role as a source of mercenaries for Greece and Macedon has already been noted above, but chiefly we see, in the Greek sources, a widespread association of the Illyrians with piracy whenever they appear.<sup>207</sup> When unknown or Italian pirates appear, they are Tyrrhenian; when Illyrians appear, they are pirates unless they are specifically otherwise employed.

Of Roman encounters with Illyrians, the most prominent story is probably that of Teuta. The Illyrian king Agron died in 230, leaving his widow, Queen Teuta, as the regent for his son, Pinnes. Under Teuta, the Illyrians were extremely successful in their plundering, including sacking Phoenice in Epirus. Generally, Illyrians engaging in plundering and raiding simply seems to be an expectation. In the case of Teuta, however, the Romans explicitly assert that she has the power to stop the Illyrians from raiding.<sup>208</sup>

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<sup>203</sup> Diodorus 14.92 and 15.13.2. See also Wilkes 1992, 118-119.

<sup>204</sup> Diodorus 16.5.3 The year here is probably 359/358, but this almost certainly is discussing the latest in a series of such actions.

<sup>205</sup> Bispham 2012, 236, de Souza 1999, 41.

<sup>206</sup> Thucydides, 1.13.5. For this being readily accepted, see Hammond 1982, 266-267. Thucydides also may be recording earlier memories of the ‘Liburnian thalassocracy’ of previous centuries. For that era, see Wilkes 1992, 56-57, 111. Other referents to a Liburnian thalassocracy can be seen in Strabo 6.2.3 and Appian, *B Civ.* 2.32.

<sup>207</sup> Thucydides for example, (4.125.1) calls the Illyrians a warrior people: ἄνθρωποι μάχιμοι who only deal with the Macedonians as raiders and mercenaries. As a general tendency, see Wilkes 1992, 110, 225.

<sup>208</sup> Polybius, 2.3-12, esp. 2.8. Cf. Appian, *Ill.* 7-8, where the first ambassadors do not even make it to Teuta. See Errington 1989a, 86-88; Hammond 1968, 5-6; for discussion of the incompatibilities, and Wilkes 1992, 158-162 for the entire episode. For once, Appian is probably more trustworthy. Also of interest may be

In the famous story of Polybius (2.8ff), the Roman ambassadors ask her to stop the Illyrians from attacking Roman ships, and she responds that she will not be the cause of any public harm to Rome, but that it is also not the custom for the kings of Illyria to hinder their citizenry in their activities at sea. The Roman ambassador Coruncanius was apparently so outraged that he upbraided the queen and informed her that the Romans too had a custom: to publicly publish the doers of private wrongs. According to Polybius, this so outraged Teuta that she had him murdered before he could return to Rome. Dio's account has her murder the Romans and then claim that it was pirates.

While the historical value of this story is debatable, the story indicates a change in the Roman sense of what violence could be legitimately undertaken. The piracy later, both in the ancient historians and in secondary scholarship, becomes the most important feature. But all three major accounts (Polybius, Appian, and Dio) indicate that the real cause of the war was not the siege of Issa, nor any piratical depredations of the Illyrians, but rather the death of the ambassador Coruncanius in 229 BC.<sup>209</sup> The elimination of piracy, however, becomes something of a credit to the Romans at no additional cost and had great propaganda value.<sup>210</sup> Nevertheless, it is not the original cause of the war.<sup>211</sup>

It is impossible to examine this instance without comparison with Strabo's account of Demetrius returning the pirates to Rome (see above), where the positions are reversed, and the kings of Macedon (or Epirus) command the Romans to control their citizens or subjects. In both cases, there are express claims as to who has authority and control over the pirates. In Strabo, the Romans accept that they have this authority and control the piracy at the Greek request. In Polybius, Teuta denies that she has the authority and says that she *cannot* comply with the Roman request. In essence, she has disavowed any Illyrian pirates the Romans catch.

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Dio 12.49 and Zonaras 8.19, (which attempt to combine the other two), Florus 2.5, Orosius 4.13.2, Eutropius 13.4.

<sup>209</sup> They do disagree on the precise cause of that death, however. Livy, *Per.* 20.6 mentions the death of the ambassador, but not the piracy. Likewise, Florus and Orosius indicate the death of the ambassadors.

<sup>210</sup> See Harris 1985, 138 for the propaganda value of this for Rome's future actions in the East.

<sup>211</sup> For Illyrian piracy as the cause of war being the *communis opinio*, see, for example, Errington 1989a, 88, Hammond 1968, 4. See also Harris 1985, 137-138; Eckstein 1994.

We might expect this explanation to function. The Romans do not, however, accept it with any grace. It is possible to harmonize the episodes by saying that there is no choice when it comes to legitimate violence: the state has a monopoly on violence and bears the responsibility for any violence committed by its citizens. In this framework, the notion that a state might see its citizens' right to raid and pillage as inviolable, as Teuta does, simply does not work.<sup>212</sup> If it did, then we would expect the Romans to accept this disavowal. The Romans thus force the Illyrians to function by the Roman (and Hellenistic Greek) understanding. Indeed, the Roman expedition to Illyria might even have had the request of Demetrius in mind.

Despite the Illyrians' subsequent defeat by the Romans, the terms imposed seem to do little to curb piracy. They exacted a monetary penalty, forbade Teuta to sail beyond a certain distance with a fleet of any size (thus reasserting the assumption that any Illyrian raiding was state-sanctioned) and limited the royal ability to exert control over the Illyrians.<sup>213</sup> If Teuta's story reflected reality, this imposition does nothing to stop individuals from undertaking piracy, and actively prevents Teuta from having the ability to stop those individuals. This is evidence that despite later historians' writing about Illyrian piracy, curbing that piracy was either not an actual concern of the Senate or not something the Senate had any idea how to address. Even though Polybius says the Greeks had been delivered from this 'enemy of all' (κοινὸς ἐχθρὸς), this can only have been the case if the Illyrian state in fact did have a monopoly on piratical actions.

Thus we are left with a Roman state imposing its own mores on another in dictating foreign affairs. This need not be taken as a state action, but as individuals having little conception that another culture would not necessarily think the same as the Romans in such matters. If the Senate had an overall strategic goal regarding the Illyrians, they may, in fact, have wanted to eliminate the ability of an Illyrian monarch being able to harness the potential of the at-large warriors of Illyria and nearby regions.<sup>214</sup>

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<sup>212</sup> see Gabrielsen 2003, 398-404 for this framework in detail.

<sup>213</sup> See Polybius 2.12, StV 500 for these terms, which Hammond (1968, 7-8, esp. n.24) claims to have been drawn from an annalistic source.

<sup>214</sup> This account of the outcome is not entirely dissimilar from the argument of Harris 1985, 137, who does, however, accept the economic motivation for the beginning.

Indeed, what power there was being concentrated in their (somewhat dubious) ally, Demetrius of Pharos, it could be argued that Roman power abroad was increased. More likely, however, the goal may have been principally to increase the prestige of Rome (and her commanders).

In sum, the piracy is a pretext for a Roman campaign, as it may have been with Antium.<sup>215</sup> Eliminating piracy is not, in itself, a goal of the third-century Roman state as a whole. Instead, the Romans were concerned with prestige and increased state control both of manpower and violence—all of which were gained successfully through this campaign. It is indeed rather difficult to say that a claim of eliminating piracy was effective politically at the time of the campaign, though it clearly was by the time Livy and Appian were writing. The entire piracy episode, a good and famous story, must have been either a sideline to the whole affair or even a later invention.

Teuta's story was not the only third century Roman involvement in Illyria, and again, the later examples involve plundering and state control (or lack thereof) of the freelancers. A few years later, a parallel situation occurs involving Istria.<sup>216</sup> Again, it seems improbable that there was any significant Roman trade in the north Adriatic and also improbable that some instances of piracy by themselves would provoke the Romans into a campaign. Harris argues that the campaigns of 221 and 220 cannot be explained by defensive thinking alone.<sup>217</sup> Like the Illyrians to their south and the Gauls to their west, the Histri must have provided a pool of flexible manpower to various southern neighbors. Given the scarcity of the evidence, it may be useful to speculate. The Romans, as with Illyria, were not interested in annexation, but they were interested in control. The coastal campaigns in 221 and inland in 220, even if they brought no territory to Rome, gained Rome plunder and reduced the ability of the Histri to throw in with either their Gallic or Illyrian neighbors.

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<sup>215</sup> Those these two examples may be the first Roman examples, there are numerous Greek examples of claims of piracy as cause of war: see Diodorus 15.14 for one early example: Dionysius's 384 sack of Pyrgi.

<sup>216</sup> The sources for this are Eutropius 3.7 and Appian, *Ill.* 8, but see also Livy *Per.* 20.12-13, Dio 12.20/Zonaras 8.20, and Orosius 4.13.16, which mention little beside the war. The piracy noted in Livy 10.2.4 is much earlier but still potentially interesting.

<sup>217</sup> Harris 1985, 199-200. This opinion is opposing those of Cassola 1962 and Dell 1970, who are both convinced that piracy was the cause of war here.

Control of Illyria was, according to Wilkes, ultimately established by Roman roadbuilding.<sup>218</sup> For the most part, the Romans were content to leave Illyrians in charge of Illyrians. The principal desire, I argue, was the ability to access Illyrian military manpower and to exclude Rome's foes from such access. The Illyrians were an important source of manpower for the Hellenistic monarchs and especially for the Macedonian kings.<sup>219</sup> Indeed, gaining control of this territory (and its potential recruits) was the principal goal of Macedon in the Second Punic War.

### **Recognizing a state: the Mamertines**

Thus far, the freelancers have been a resource to be acquired or at least denied to enemies. But at times, the at-large warriors sought to *form* states. The Romans' dealing with these nascent mercenary-states reveals a rather pragmatic lack of concern about the niceties of warfare and diplomacy and a desire to strengthen the state that the later historians were hard pressed to defend. As noted in the previous chapter, Campanian and other Italian mercenaries frequently hired on in Sicilian (both Greek and Carthaginian) armies. The Campanians, in particular, if dismissed or unpaid, simply took cities and ruled them. These groups have been noted at Rhegium, Catana, and Entella, but the most famous example is the group that took Messina: the Mamertines.

The Mamertines were Italian mercenaries hired by Agathocles to fight Carthage. Sometime after his death in 289, they took Messina over (at the time, a possession of Carthage) and they were among the states who called Pyrrhus to Sicily (though Pyrrhus decided to side with Syracuse and the Mamertines allied with Carthage against him).<sup>220</sup> They also "practiced piracy" to such an extent that Hiero of Syracuse campaigned against them.<sup>221</sup> I want to use this episode to serve as an example of how mercenaries turned to banditry as well as an example of how they were treated as a legitimate state by Carthage and Rome (though arguably not recognized as such by Syracuse). In Cary's eyes, the Mamertines joined the ranks of the Hellenistic 'robber-states' of Tylis, Galatia and

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<sup>218</sup> Wilkes 1992, 212.

<sup>219</sup> See Wilkes 1992, 168

<sup>220</sup> See Plutarch, *Pyrrh.* 23-25 for this.

<sup>221</sup> Diodorus (22.13.4) notes that Hiero had exiles from Messina in his company.

Aetolia.<sup>222</sup> Cary's term is unusual. By it, he appears to indicate that these are instances where at-large groups of warriors set themselves up in power and manage to hold onto it. Additionally, said states then serve as agents of sorts for its populace. Beyond 'delegitimizing' the state, Cary's term suggests that the state was only able to support itself through robbery. Grünewald has recently argued that the acts of the Mamertines at Messana and of similar groups in southern Italy prompted the shift in meaning of *latro* from 'mercenary' to 'bandit'.<sup>223</sup> A band of Timoleon's ex-mercenaries had earlier done something similar, crossing into Italy and taking over a small town in Bruttium before the Bruttians joined forces and expelled them.<sup>224</sup> The Mamertines were thus doing nothing unusual in Sicily but were merely the most successful of these groups.

The last stage of the Greek-Punic Wars can be broken into two parts, the expedition of Agathocles (which is sometimes called the Third Sicilian War) (~315-307) and the Sicilian campaign of Pyrrhus (279-278). During this period, it appears that except for the cities of Lilybaeum and Syracuse, every other part of the island had been controlled by one side or the other. Between 307 and 279, nearly all Sicily was, at least in name, a possession or tributary of Carthage. The Mamertines should fall into this category, but the nature of their relations to Carthage and Syracuse before 264 is uncertain. As the events of 264 provoked the first Punic War, they are described in a number of authors, from Polybius to Zonaras.<sup>225</sup>

The Mamertines seized Messana in or around 289.<sup>226</sup> An alternate tradition, preserved in the *Bellum Carthaginense* of Alfius, indicates they were invited in by the

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<sup>222</sup> Cary 1951, 99-100, 118, 146, 172.

<sup>223</sup> Grünewald 2004, 5, cf. Shaw 1984, 28.

<sup>224</sup> Diodorus 16.82.1. This is dated either to 338 (by Athenian archon) or 342 by Roman consul.

<sup>225</sup> For a discussion of the sources, see Eckstein 1987, 335-340 or Scullard 1990, 537-545. The ancient sources are Polybius 1.10-11, 1.20 (with an additional aside at 3.26), Diodorus, 22.13-23.3, Zonaras 8.8-9, Dio 11.43 and the very brief extracts from the Livian tradition: Livy, *Per.* 16.2, Florus 2.2.3, [Auct.] (Pseudo-Aurelius Victor) *De Vir. Ill.*, 37.2 (Appian Claudius), Orosius, 4.7.

Polybius clearly had both Philinus's and Fabius Pictor's accounts at hand, and is generally regarded as the most trustworthy source on the matter.

<sup>226</sup> Polybius (1.7) mentions the event, but assigns it no date, and implies that the Campanian mercenaries' seizure of Messana was before the death of Agathocles, if only by the phrase *παρ' Ἀγαθοκλεῖ μισθοφοροῦντες*. I think this is probably an accidental implication rather than an intentional one. The mercenaries were hired by Agathocles, and may well have been assigned to garrison or protect Messana. Cf. Timaeus (*FGrH* 566), where he ends with the death of Agathocles (but appends an account of Pyrrhus)

Messenians, while Zonaras (8.8) indicates that Messana was actually a Campanian colony.<sup>227</sup> They then raided the coastlines and exacted tribute (ἐφορολόγιον) from the local communities.<sup>228</sup> The Mamertines allied themselves with a similar band of Campanians in Rhegium.<sup>229</sup> Campanian soldiers also sacked the city of Caulonia.<sup>230</sup> When Hiero marched against them, he allowed his own mercenaries to bear the brunt of the fighting with the Mamertines, while he retreated back to Syracuse.<sup>231</sup> Upon his return, he recruited a new band of mercenaries and eventually retook the field and inflicted a defeat upon them.<sup>232</sup> According to Diodorus, the Mamertines held onto the city only through the intervention of the Carthaginians, yet by the accounts of both Diodorus and Polybius, the Mamertines soon ejected their Carthaginian guests.<sup>233</sup>

The Mamertines were thus a band of mercenaries who lost employment and gained a city (regardless of their method of acquisition). Yet Carthage apparently made no attempt to recover it from them, and even formed some sort of alliance with them in

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Diodorus gives no year, but gives an account (21.18) of the mercenaries seizing Messana and renaming it Mamertina.

Franke 1990 (474) accepts the 289 date, while Scullard 1990 (539) prefers sometime between 288-283.

For a discussion of the sources for the Mamertine situation, see Eckstein 1987, 73n3.

<sup>227</sup> Scullard 1990, 541n51, following Cichorius 1922. For the fragment of Alfius see Cornell 2013, ((#69) v.I, 488, v.II, 936-937, v.III 568-570. Scullard quite reasonably speculates that this tradition might represent pro-Mamertine propaganda that was known in Rome in 264.

<sup>228</sup> Polybius 1.8. See also Plutarch, *Pyrrh.* 23-25

<sup>229</sup> See Polybius 1.7 for the Campanian takeover at both Messana and Rhegium. See also Brunt 1971, 51, who partially ascribes the actions of these Campanians for leaving the Greek cities of Southern Italy with relatively little manpower to employ in the Punic Wars. See Diodorus 22.1 for Rhegium, 22.13 for a joint Syracusan-Carthaginian attack on Messana, Orosius 4.3.4 for the recapture of Rhegium (where the Campanians are called *latrones*). Dio (10.41) also records the siege of Rhegium.

<sup>230</sup> Whether this group was the same as either of the other two is unclear. Pausanias (6.3.12) implies they were (still?) in service as allies with the Roman army. Brunt suggests briefly that all three groups were part of a larger group of Mamertines (1971, 51).

<sup>231</sup> Polybius 1.9. This is plainly another episode of killing off mercenaries in order to not pay them, but Polybius disapproves not at all.

<sup>232</sup> The dating is unclear here. There seems to be a period of around 5 years between the two battles, but uncertainty about how much time elapsed between Pyrrhus's departure from Sicily (~275) and Hiero's ascension to power as well as the amount of time between the second battle and the Mamertine request for aid (265 or early 264). It may be noteworthy that Hiero himself was essentially a mercenary general who had been left behind by Pyrrhus.

<sup>233</sup> Diodorus 22.13, Polybius, 1.11.4-7. According to Scullard (1990, 543), however, the Carthaginian commander left peacefully rather than commit to a fight at this point. This tradition comes through Dio (11.fr43.7-10 and Zonaras 8.8.). See also Eckstein 1987, 77, following Polyaeus, *Strat.* 6.16.4, who reasonably suggests that the episode (involving a Carthaginian fleet skirmish against Hiero at Messana) comes in 264.

the 270s.<sup>234</sup> When they appealed for Carthaginian assistance around 265, it seems as though Carthage's immediate response indicated not an opportunistic expansion, but a more obligatory defense. Despite the lack of any positive evidence, it would seem reasonable that the Mamertines had been paying some form of tribute to Carthage already, by which they maintained an otherwise independent status.<sup>235</sup> This would account for other sources' indication that the Mamertine embassy was actually an appeal for relief from Carthage, not Hiero.<sup>236</sup>

Regardless, the Romans recognized the Mamertines as the legitimate holders of Messana, and whether by force of arms or by dint of payment, the Carthaginians did as well. In retaking Rhegium, the Romans made a treaty with the Mamertines to preclude them from reinforcing Rhegium.<sup>237</sup> There may have been other ties as well, but it is clear that the two principal powers of the western Mediterranean accepted that the Mamertines were more than revolted mercenaries and bandits. This is not a first example; several eastern cities (Pergamum, Iasos, and Theangela) had earlier come to terms with mercenary bands with treaties resembling those with states and in Sicily, the cities of Entella and Catana had earlier suffered the same fate as Messana.<sup>238</sup> Indeed, the Mamertines had exercised some limited control over some fifty-odd villages and towns in northern Sicily.<sup>239</sup> They minted coins, and continued to do so after subordination to

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<sup>234</sup> Diodorus, 22.7.

<sup>235</sup> See Polybius 1.8.1, where the Mamertines raid Carthaginian and Syracusan territory alike.

<sup>236</sup> This seems unlikely, but is suggested at Eckstein 1987, 89-90, and is present in the Livian tradition, where the Carthaginians are allied with Hiero from the beginning (most clearly in Orosius).

<sup>237</sup> This comes from Dio 10.41, and may be suspect.

<sup>238</sup> For Eumenes of Pergamum see above, 20, and *OGIS* I.266. For the Carian cities and for Theangela in particular (with a translation of the inscription (StV III.429)), see Austin 2006, 88-89. This phenomenon is also noted by Garland 1984, 355.

For Entella's capture by Campanians, see Diodorus 14.9.9. Erim (1958, 87n.63) suggests that the coins inscribed simply "of the Campanians" come from this city. For Catana, it seems likely that the tyrant Mamercus came from a similar extract as the Mamertines. The Campanians at Catana were also given a fortress on Etna by Dionysius (Diodorus 14.58).

<sup>239</sup> We discover this, strangely enough, in the 263 treaty with Hiero with the stipulation that he relinquish his own claims to these cities. And as these are only the Greek towns of Hiero's, and we hear that the Mamertines were exacting tribute from both Greek and Carthaginian territory, the total number must be even larger.



Rome, presumably from Messana.<sup>240</sup> Plutarch also indicates that several Sicilian cities were paying tribute to Messana.<sup>241</sup>

We might compare this situation to the recent events in Rhegium, where the Romans had, by 270, forcefully put down a group of Campanians that had, like the Mamertines, seized control of Rhegium from the Greeks under similar circumstances.<sup>242</sup> Polybius (1.8) tells us that these had established an alliance with the Mamertines. This contrast creates a question that has long baffled Roman historians: Why did the Romans deem the Campanian mercenaries of Rhegium illegitimate and the Campanian mercenaries of Messana legitimate?<sup>243</sup> Was this rooted in a misunderstood act of morality or was it sheer opportunism? If perceived kinship played a role, how was the kinship different or interpreted differently for the two groups?<sup>244</sup> Through Polybius, we possess some records of the debate, but they are necessarily shaped by his own views.<sup>245</sup> If legitimacy is a key factor, we might also question the legitimacy of the Syracusan tyrants. What made Agathocles a legitimate holder of Syracuse beyond wedding his daughter to the king of Epirus? In short, these civil wars and sudden takeovers were, and had been, part of the Sicilian political landscape.

I would argue that in such a situation, the fundamental ‘moral objections’ originate from the later historians. Eckstein rightly notes that the Roman objection to helping the ‘outlaw state’ and the comparison to Rhegium is likely made by Polybius and

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<sup>240</sup> See, for example, Erim 1958, in discussing the coinage of Morgantina. Mamertine coins did not name the city, but simply the legend *Mamertinon* (the genitive plural).

<sup>241</sup> Plutarch, *Pyrrh.* 23.1

<sup>242</sup> Polybius asserts (1.6) that those who took over Rhegium were Rome’s citizens (he calls them τοὺς Ῥωμαίους). The capture of Rhegium occurred during the Romans’ war with Pyrrhus. It is also stated here that Rome dallied in taking action until after defeating the non-Romans of Italy (except the Celts). Livy, in Scipio’s speech to his mutineers in 206 (28.28), compares them to the men who took over Rhegium, Messana, and Capua (a Campanian band who took it from the Etruscans). Here Livy also indicates that those who took Rhegium were Romans.

Another account exists in Appian, *Samn.* 19-21 and in Dio, 9.7-12. Appian also calls them Romans, while Dio is not explicit (i.e. the Romans provided Rhegium with a garrison).

<sup>243</sup> See Eckstein 1987, 91-92 for some past attempts to solve the mystery.

<sup>244</sup> For one attempt to use kinship to solve this problem, see Elwyn 1993, 267-268, who is not discussing the Rhegium example here.

<sup>245</sup> Polybius 1.10-11.

may originate with Philinus.<sup>246</sup> This gets repeated as a way of defending Rome.<sup>247</sup> The argument over morality is almost certainly a later interpolation and an attempt to ‘tidy’ Roman history. I argue that the Romans were concerned with control of the territory and manpower, but not particularly with immediate control. Thus, in the Rhegian example, the Romans had two groups of subjects fighting, and had nothing to gain by allowing the soldiers to keep Rhegium. Since the Mamertines did not take Messana from Rome or a Roman ally, no such problem is raised. Simply put: rather than the Roman decision over Messana being anomalous and the Rhegium example the standard, I argue that the Roman decision to intervene at Messana is more typical of third-century practice, and it is the ouster of the Campanians from Rhegium that needs explanation.

Beyond the implications for a revised understanding of third-century policy, the Mamertines’ occupation has one additional ramification. The freelancer, if seen as illegitimate, provided an ideal target for someone seeking legitimacy. While the Carthaginians and Romans apparently accepted Mamertine control of northeastern Sicily, Syracuse had not. Hiero had made alliances within the city of Syracuse, but his legitimacy as tyrant rose directly from his defeat of the Mamertines.<sup>248</sup> Thus, with both the Syracusan tyrants and the Mamertines, legitimate rule was often determined by force of arms. In both cases, that force of arms was a product of the at-large warrior, himself an ‘illegitimate’ figure.

### **Piracy and Plundering in the Punic Wars**

As a comparison to the actions of at-large bands in the third century, I now present the acts of plundering in the Punic Wars. Of course, the battles of the Punic Wars

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<sup>246</sup> Polybius 1.10.4, 1.14, 3.26, Eckstein 1987, 92n74, where he argues that Polybius (at 1.10) is posing a counterargument to a charge by Philinus, the substance of which we can only surmise. Cf. Eckstein 2010.

<sup>247</sup> Ironically, we thus know of the charge of Philinus only through the defense of Polybius. See Eckstein 2010, 406-407 for bibliography on the accounts of Philinus and Polybius regarding the Roman-Punic treaties (Polybius 3.21-31). Recently, scholarship has swung towards Philinus and against Polybius.

<sup>248</sup> See Polybius 1.8.3 for Hiero’s election, 1.9.3 for his alliances in Syracuse, and 1.9.7-8 for his defeat of the Mamertines and his becoming king. Note however, 1.9.6, where Polybius’s use of ἀρχὴν suggests Hiero has already taken power. This implies either 1) that this victory may have carried him from an illegitimate holding of power to a legitimate holding of power, or 2) Polybius’s use of *symmachoi* here means that Hiero already held power over Syracuse the city and only gained control over the Syracusan territory after this victory.

are enacted between powers beyond the scope of this project. The Carthaginians, however, also made substantial use of mercenary forces in each of their wars, and the portrayal of these, especially in revolts, is also important. It is clear that certain treaties were designed to avoid piratic depredations and plundering both by land and sea was practiced as a strategy in both the first and the second war. While the use of mercenaries was not an attractive prospect to the Romans, it is also clear that mobilizing available military manpower was a major concern. Of course, the Mamertines, the cause of the first war, are important for our understanding of freelancers. I have already discussed these. The Mercenary War, that is, the major revolt in Carthage at the end of the First Punic War, is very important for the depiction of mercenaries, but I hold discussion of that event to follow the combined discussion of the Punic Wars in order to draw clearer comparisons for the actions of freelancers within those wars.

Before the Mamertine incident, Rome and Carthage had fairly civil, even friendly relations. Many commentators have seen the treaty stipulations of the 509 and 348 treaties between Rome and Carthage as mediating potential disputes of piratic raids, similar to practices of *asylia* and *isopoliteia* in the Greek world.<sup>249</sup> By this reasoning, non-Roman Italy was open for the Carthaginians to raid, but Carthage could keep no territory there. Such an agreement would surely be useful to both sides in limiting the power of Tarentum and Syracuse. Again, this serves as evidence that the Romans had little objection to piracy as a concept; rather, their concern was as to how they and their territory could remain safe. While plundering raids were profitable, the unpopularity of *being* plundered in return had grown, and such events were to be avoided through formal agreements.

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<sup>249</sup> For the dating and content of the treaties given by Polybius, quite the can of worms, there have been many things written. The editors of the *CAH* list no less than thirty-seven books and articles addressing the topic. (*CAH* VII.ii, 1990 768-769). Since then, notably Eckstein 2010, Serrati 2006, Palmer 1997, Forsythe 2005.

The treaties themselves are given by Polybius,

The authors in the *CAH* appear to agree on this point of the treaties: see Cornell 1990b, 323; Scullard 1990, 520ff.

For *asylia* and *isopoliteia* as limiting piracy, see de Souza 1999, 62, 69, 71; Perlman 1999, 150; Papazarkadas and Thonemann 2008, 82-83. For *isopoliteia* more generally, see Gawantka 1975 for seventy-some examples of this state.

With the advent of war, of course, those non-aggression agreements disappeared. In both the first and second Punic War, there are accounts of Carthaginian ships raiding the coastlines capturing locals to press into slavery or to ransom.<sup>250</sup> While the naval skirmishes and plundered coastlines are generally overlooked in favor of the set-piece land-battles (by both ancients and moderns), there is ample evidence of their existence. In 248 and 247, Carthalo and Hamilcar both raided Southern Italy, while a Roman fleet attempted a raid near Hippo Diarrhytus.<sup>251</sup> Livy only records one instance of Roman supplies being interrupted by Carthaginian raiders in the Second Punic War.<sup>252</sup> A Carthaginian fleet had also been sent to raid Sicily and Italy.<sup>253</sup> Such raiding in Africa was happening as well: Servilius Geminus, in 216, took Sardinian and Corsican hostages and proceeded to raid the African coast (where he was soundly driven off); Titus Otacilius, one of the principal Roman fleet commanders of the Second Punic War, led a raid on the Carthaginian countryside in 215, and further raids were made in 210, 208, and 207.<sup>254</sup>

Roman comedy provides contemporary evidence for this phenomenon. In several of the plays, a character has been separated from his/her family by captivity in either piracy or war. In Plautus's *Poenulus*, for example, the most direct parallel, three Carthaginian children have been kidnapped and sold into slavery in western Greece. Though fictional, and no doubt based upon an earlier Greek original, the play was staged

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<sup>250</sup> At Livy 34.50, he indicates that there were many Roman slaves in Carthage who were enslaved during the Punic War when the ransom was not met. Given the terms of the 201 treaty (Livy 30.37), by which all prisoners were to be returned to Rome, that implies these slaves were not former soldiers. Livy tells us his source is Polybius.

<sup>251</sup> Scullard 1990, 564.

<sup>252</sup> 22.11.6, though there is also a failed attempt to do so at 26.39 and he also records a Sardinian raid at 27.6.13-14 and an attempted Sardinian raid at 23.34

<sup>253</sup> Livy, 21.49. The force given was 20 quinquiremes and 1000 soldiers and reports of a second force with 35 ships. Livy later reports Carthaginian raiding around Vibo, apparently from a third squadron. (21.51) Further Carthaginian raiding occurs at 22.56 (around Syracuse).

<sup>254</sup> Livy, 22.31 for Geminus, 23.41 for Otacilius (also 24.8 and 24.44); 27.5, 27.29, and 28.5 for the later ones.

For the career of Otacilius, see Broughton 1951, (*MRR* I) pp. 244, 250, 256, 258n5, 259, 264, 269, 274, always as praetor/propraetor. Despite his consular candidature being blocked twice for incompetence (Livy 24.8, 26.22) he retained his position as fleet commander.

during the Second Punic War and must have echoed contemporary events.<sup>255</sup> Here too, we should also consider the playwright Terence, a Carthaginian slave who was probably descended from a captive taken in the 2<sup>nd</sup> Punic War.<sup>256</sup>

Unsurprisingly, Hannibal's image marks him as something of a greedy plunderer and a leader of the same. For example, Livy attributes the march into Picenum as chosen on the grounds that there would be much to steal there (i.e. *praeda*).<sup>257</sup> Yet, why should we expect any commander of the Hellenistic Period to do otherwise, when looting was the principal means of maintaining an army in the field? Nevertheless, Hannibal is marked as greedy (*avidus*). Likewise, Livy has the Samnite delegation to Hannibal complain that the Roman armies are roaming their homeland like brigands (*latronum modo percursant*).<sup>258</sup>

The pillaging during war can be seen as retaliatory in some ways. Like the Sicilians and Antiates of century earlier, retaliation could be a form of defense. There is more evidence of this from the Roman side, but in the Second Punic War, several fleets on a mission to ravage the African countryside turned aside to chase after Carthaginian fleets off Sicily, Sardinia, or Italy.<sup>259</sup> But the pillaging was also an end in itself, as Polybius mentions regarding the first Punic War.<sup>260</sup>

If at any point in the Punic Wars, either side would have attempted to hire additional ships or crews for military service, the most likely time to do so would have been the last battle of the First Punic War: the Battle of the Aegates. At the time, both

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<sup>255</sup> On Punic piracy as a motivating factor in Roman-Punic relations, see Serrati 2006, 119. For Punic piracy in general, see Ameling 1993, 127-134.

<sup>256</sup> See Suetonius, *vita Ter.* 1-2 = Fenestella, F11 Cornell (v.II, 946-947). See Cornell v III for commentary on the life of Terence. For more on the problems of the life of Terence, see Duckworth 1952.

<sup>257</sup> Livy 22.9.2-5: *...in agrum Picenum avertit iter non copia solum omnis. generis frugum abundantem sed refertum praeda, quam effuse avidi atque egentes rapiebant. ibi per dies aliquot stativa habita, refectusque miles hibernis itineribus ac palustri via proelioque magis ad eventum secundo quam levi aut facili adfectus. ubi satis quietis datum praeda ac populationibus magis quam otio aut requie gaudentibus...*

<sup>258</sup> Livy, 23.42. This passage is discussed in more detail in chapter 7.

<sup>259</sup> The clearest example is Livy, 21.49-51: Sempronius was given Africa as a province but spent his time chasing (fairly successfully) Carthaginian fleets. As a general strategic principle, see Livy 23.43, where Hannibal voices this strategy.

Livy 24.8 indicates specifically that both raiding and preventing raiding were part of the fleet commanders' duties.

<sup>260</sup> Polybius 1.11.2, 1.20.1, 1.49.5. See also Harris 1985, 63, 185-186, especially n.3, where he details where Polybius is drawing upon Fabius Pictor's accounts of booty.

sides were scraping the bottom of the barrel in terms of ships, men, material, etc. The archaeological remains of the site continue to indicate trends in favor of that line of reasoning. The ships at Marsala show signs of having been retrofitted and the Egadi rams collected by the ongoing survey project are abnormally small, potentially indicating significantly smaller ships.<sup>261</sup> These, while certainly not conclusive, may indicate that either one or both sides employed pirate mercenaries in the last phases of the war.

Both sides made use of liminal groups. One episode is striking: in 210, Livy reports that the Romans captured a force of four thousand men at Agathyrna which they wanted neither to kill or to release. Laevinus (the consul) instead brought them to Italy and put them in the employ of Rhegium who had apparently been looking for just such a force: *et Reginis usui futuri erant ad populandum Bruttium agrum adsuetam latrociniiis quaerentibus manum.*<sup>262</sup> We could tie this into the famous manpower shortages of the Second Punic War, but this is still a baffling example.<sup>263</sup> In particular, the fact that Rhegium trusted Rome to provide it with a garrison after the events of the 270s is little short of astounding. The Roman ally (the Rhegians) and the Carthaginian ally (the Bruttians) are fighting each other, presumably each with the greater power's blessing, but there also appears to be little oversight of the campaign by these greater powers.<sup>264</sup> Rome is acting as a sort of agent for this band of men, which though paralleled by Tyliis or the Galatians, has no Roman parallel of which I am aware. The following year, Rome asks this garrison to attack the Bruttians.<sup>265</sup>

Obviously, the Carthaginians continued to employ large numbers of mercenaries, and their first action to strengthen Sicily was to enlist mercenaries.<sup>266</sup> Carthage had hired

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<sup>261</sup> The papers of William Murray and Jeffrey Royal, presented at the 2014 APA, suggest such. See also the earlier survey reports at <http://rpmnautical.org/sicilian.html> (last accessed 2/10/2015)

<sup>262</sup> The episode is Livy 26.40.16-18, also noted at Polybius 9.10-11. "And these men were to be of use to the Rhegians, [who were] seeking a band used to banditry (*latrocinium*) for the devastation of the Bruttian lands. Despite Eckstein's assertion (1987, 182) these Agathyrnans do appear again (Livy 27.11).

<sup>263</sup> The most famous passage concerning the manpower shortage is probably Livy, 27.9.

<sup>264</sup> According to Livy (24.1-3), Hanno, the Carthaginian commander was actively sitting this one out, hoping that Rhegium and especially Croton would ally with him in exchange for safety from the Bruttians, as Locri had already done.

<sup>265</sup> Livy, 27.11.

<sup>266</sup> Polybius, 1.17.3-5

Iberians for their earlier wars in Sicily, as well.<sup>267</sup> Again, these groups, (e.g. Iberians, Ligurians, and Balears) are typical groups providing mercenary service and presumably provide manpower pools. Accounts of expeditions to these lands to enlist more mercenaries are abundant.<sup>268</sup> Livy indicates that the hiring of 20,000 Celtiberians in 213 represents the first example of Romans hiring mercenaries.<sup>269</sup> Eckstein suggests that the Scipios' decision to enlist mercenaries here is indicative of the trust (or lack thereof) they had in their Iberian allies.<sup>270</sup> In 206, their Iberian mercenaries revolted because of lack of pay.<sup>271</sup> The Romans chastised them severely but did, notably, pay up. Livy gives Scipio (the future Africanus) a speech in which he compares the mercenaries' (and Romans') seizure of Sucro and secession to the Romans at Rhegium, the Mamertines at Messana, and the Campanians at Capua (taking the city from the nominal Etruscan rulers). He does this to censure them, suggesting the latter groups had decided to live there permanently, which made their actions more excusable than the Romans' and Celtiberians'.

The revolts of mercenaries make their importance clear. Mercenary revolts were common: besides the Sucro example, the most notable were in 248 in Sicily, 240 near Carthage, 212 in Syracuse. In each case, however, the cause of the revolt was lack of pay: a conspicuous similarity. Attempts at bribing a paid-up mercenary force do not appear to succeed. This has parallels with early campaigns: in the Second Sicilian War, the Campanians threatened to switch sides unless the Carthaginians provided the promised rations.<sup>272</sup> A failure to pay the at-large warriors could lead to very problematic situations.

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<sup>267</sup> E.g. Diodorus, 13.44, 54. (412 BC) As 13.55.6-8 and 13.88 shows, they also had Campanians in their service.

<sup>268</sup> A (very) few examples: Livy 23.13 (Iberians/Celtiberians), 27.20 (Balears) 28.46 (Balears, Ligurians, Gauls) 30.21 (Iberians). This is likewise noted in Appian, e.g. *Hisp.* 24, 28

<sup>269</sup> Livy 24.48. The Massiliots, in sending a force to the Romans to help, had sent them a band of Gallic mercenaries (Polybius 3.41.9)

<sup>270</sup> Eckstein 1987, 206 (cf. 218-219). Some sources for the presence of these mercenaries: Polybius 10.6.2, 10.7.1; Livy 25.32.3, 25.33.1, 25.33.7-8.

<sup>271</sup> Livy 28.25. It is unclear whether these Iberians are the same Iberians, but it seems likely that, at least in part, they are.

<sup>272</sup> Diodorus, 13.88.2.

In the Second Punic War, the availability of manpower reached new lows.<sup>273</sup> After Cannae, the Romans considered capitulating because of their losses, and not much later, several of their allies claimed they could not make up their quota. On the Carthaginian side, the Roman decision to not invade Africa directly early in the Second Punic War resulted, whether intentionally or unintentionally, in the Romans methodically detaching Carthaginian allies and isolating the manpower pools the Carthaginians drew upon for their mercenaries. They besieged the cities of Liguria and Magna Graecia, forced the Iberians and Balears to switch sides or become neutral and even encouraged the Macedonians to bow out early.<sup>274</sup> Mercenaries were often specialists, and one of the strengths of the Carthaginian system was that it could field an army composed of Balearic slingers, Numidian horse, Iberian javelineers, Gallic and Greek heavy infantry, and African elephants. While seemingly hodge-podge, these were all groups that were specialized in a particular style, giving the Carthaginians a sort of tactical flexibility. With most of these groups of contingent manpower unavailable, however, Hannibal, at the last stage of the war was forced to rely on local reinforcements. The resulting situation was that the only remaining strength he could play to was a frontal elephant assault.

I have already argued that piracy was a lower priority for third-century Romans than the later historians would have us believe. More examples of this appear for the Punic Wars. In both 202 and 149, the Romans are said to upbraid the Carthaginians for committing piracy during wartime, asserting that this action was against the customs of war. In the first example, the Romans demand a substantial set of reparations for pre-war or wartime piracy that are above and beyond the peace treaty concessions.<sup>275</sup> This piracy

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<sup>273</sup> See Livy 22.61f. For manpower, see Brunt 1971, 61-90, 269-277. For the second Punic War more generally, see Hoyos2010, 193-219, for the impact of Cannae see Goldsworthy 2000, ch. 8.

<sup>274</sup> This was not entirely effective. Notably, the Romans send an envoy to protest when the Macedonians send Hannibal 4000 mercenary infantry in 202 (Livy 30.26).

<sup>275</sup> Livy 30.37-38, also mentioned in Scipio's speech 30.31. The armistice in question was that of the previous year (see Livy 30.16 and 30.24-26), and it is unclear that the armistice was meant to extend beyond Africa: meanwhile action was still underway in Liguria and the Romans captured a Carthaginian recruiter with substantial funds. The eventual price laid on the cargos and crews captured was put at 25,000 pounds of silver. Judging by the ransoms suggested at Livy 22.52 and 23.19, (and assuming a value of 72 denarii to the pound, other values e.g. 84, 100, have been advanced) this should be a value equivalent to the ransom of 5000-9000 men, quite a large undertaking for such a short period of time. These



(of ~300 supply transports) is explicitly referring to state-approved warfare, and has nothing to do with controlling at-large warriors as was the case with Teuta. Moreover, one of the Roman offers is to cease raiding (*populandi*) Carthaginian territory, implying a double standard. This is a strange argument, and it is significant that it is brought to bear at times of Carthaginian weakness (and not, apparently, ever in pre-war negotiations). It is possible, I argue, that this does not represent an early tradition, but rather moralizing interjections by Livy and Polybius. It is also possible, though, that while the practice of piratical acts was an ubiquitous part of warfare, it was also an unpopular one and that meant that such an accusation was fruitful even if unfair or even hypocritical. The treaties made before the First Punic War, however, suggest that piracy was a valid peacetime activity in the absence of a treaty agreement forbidding it. The accounts in Livy and Appian suggest that state-sponsored piracy was, in itself, an act of war. This appears to be the historians placing first-century sensibilities into third-century events. The apparent inconsistency can be resolved by a change in the Roman understanding of *fides* that the later tradition did not pick up on.

### **The Mercenary War**

The tendency of mercenaries to turn brigand upon abandonment or non-payment by the hiring power should be clear. The most famous example may be Alexander's command that his subjects should dismiss their mercenaries, which Diodorus describes as causing Asia to be overrun by plundering mercenaries.<sup>276</sup> A number of Hellenistic monarchs were forced to campaign against their own troops and in some cases, the soldiers were killed simply out of hand. In other instances, the employer was forced to

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reparations are briefly mentioned by Polybius (15.18.3) but no value attached. Appian (*Pun.* 25, 54) mentions the event but puts it as prior to the armistice (31).

For 149, see Appian, *Pun.* 86, where Sardinia becomes the indemnity for piracy, despite an apparent lack of treaty explicitly forbidding it.

<sup>276</sup> Diodorus 17.111.1. ἐκ τοιαύτης τινὸς αἰτίας. τοῦ βασιλέως προστάξαντος τοῖς σατράπαις ἄπασιν ἀπομίσθους ποιῆσαι τοὺς μισθοφόρους καὶ τούτων τὸ πρόσταγμα συντελεσάντων πολλοὶ τῆς στρατείας ἀπολελυμένοι ξένοι διέτρεχον καθ' ὅλην τὴν Ἀσίαν πλανώμενοι καὶ τὰς ἀναγκαίας τροφὰς ἐκ τῶν προνομῶν ποριζόμενοι. μετὰ δὲ ταῦτα πανταχόθεν διήραν ἐπὶ Ταίναρον τῆς Λακωνικῆς. "And this was the cause: since the king [Alexander] issued a command to his satraps to dismiss [lit. 'stop paying'] their mercenaries, and since they obeyed him, the released mercenaries, wandering about, looted all of Asia and carried off their necessary sustenance from their foraging. And after this, they traveled from everywhere to Taenarum in Laconia.

make substantial concessions. While we see this several times in the Punic Wars, in no instance is that situation more explicit and widespread than in the Mercenary War, following Carthage's refusal to pay its mercenaries for services rendered in the First Punic War.<sup>277</sup> From approximately 241-237, this war raged in Africa, and Polybius termed it the best example of a rule-less war, where no quarter was given on either side.<sup>278</sup>

Unfortunately, little record survives of this war. For ancient sources we have principally the summary of Polybius (1.65-88), but also Diodorus Siculus (25.1-10), who follows the account of Polybius. Appian makes a brief mention of it in his *Punic Wars* (5) and Dio/Zonaras likewise encapsulates it in about a sentence (Zonaras 8.16). The war is largely absent from the surviving bits of the Livian tradition.<sup>279</sup>

The very notion of a negotiation-free war is fairly unusual. While Polybius implies that the mercenaries govern themselves rather like a democracy, the Carthaginians treat them instead as criminals. I argue that understanding the conflict in this way is helpful to understanding the unusual nature of its conduct. The mercenaries assemble the trappings of a state, down to minting and taxation. In this, the mercenaries seem to be setting up a nascent state, and act as the Mamertines had half a century earlier, and as the leaders of the Servile Wars would a century later.

Second, the ethnicities of the mercenaries are noted by Polybius, partly to emphasize their variety. The Carthaginians evidently recruited from a wide area.<sup>280</sup> As we should expect, there were a large number of Iberians, Libyans, and half-Greeks, but

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<sup>277</sup> Some sources assert that the mercenaries were cheated of their pay, while others assert that the mercenaries made exorbitant demands: Diodorus states (25.2) that the mercenaries were cheated. Polybius is more equivocal, saying (1.66.5-6) that Carthage hoped to not pay them in full, but also (1.66.11-12, 1.67.6-9) that the mercenaries kept inventing new charges due them.

<sup>278</sup> Polybius 1.65.6. This is the famous 'truceless war' λεγόμενον ἄσπονδον πόλεμον, which I think rather fails to fully encompass the lack of negotiations between sides. According to Polybius (1.88.7), the war lasted three years and four months, but he is a little vague as to precisely when the war began. Livy (21.2) claims 'for five years'; Diodorus (25.6) claims four years and four months.

<sup>279</sup> For a basic outline of the events, Scullard 1990, 566-569 may be useful.

<sup>280</sup> This is intentional on the part of the Carthaginians. Typical practice, as seen in the above section, was for the employer to seek out mercenaries in their homelands or certain cities and pay for their transit to where they were needed.

Polybius notes Ligurians, Celts, and Baleares as well.<sup>281</sup> For relatively small areas, Ligurians and Baleares will continue to feature prominently both in the narrative and as recruiting grounds for mercenaries in general.<sup>282</sup>

Outside mercenaries had always been a fundamental part of Carthaginian armies, which would consist of a very small band of citizen hoplites and ‘heavy’ cavalry and large numbers of ‘native’ mercenaries/auxiliaries.<sup>283</sup> Cato’s comment on mercenaries is almost certainly about Carthage, and possibly about this war in particular.<sup>284</sup> As in the earlier revolt in 248, and the mercenary revolts I mentioned in the previous chapter, the problem began with arrears of pay. More precisely, the problem began when the mercenaries were transshipped to Carthage for payment, but under the leadership of Gesco, the Carthaginians kept putting them off until they had collected in large numbers.<sup>285</sup> Despite Polybius’s description of the war as lacking negotiation, negotiations went on for some time.<sup>286</sup> One of the first things Polybius reports the Carthaginians doing in response to the crisis, however, is hiring mercenaries.<sup>287</sup> The irony is obvious.

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<sup>281</sup> This apparently trivial note is interesting because it specifies that the Celts and Baleares are *not* Iberians in Polybius’s account (1.67.7) and apparently spoke different languages. “ἦσαν γὰρ οἱ μὲν Ἴβηρες, οἱ δὲ Κελτοί, τινὲς δὲ Λιγυστῖνοι καὶ Βαλιαρεῖς, οὐκ ὀλίγοι δὲ μιξέλληνες, ὧν οἱ πλείους αὐτόμολοι καὶ δοῦλοι” (There were Iberians, and Celts, and some Ligurians and Balaeres, and no few were halves [i.e. half-Greeks], and they were mostly deserters and slaves.) Nor is this unique to Polybius—see Diodorus 16.73 and 25.2 for a similar assortment of ethnicities. Herodotus 7.165, in describing the Carthaginian force at Himera, likewise describes an assortment of ethnicities in Carthaginian employ.

<sup>282</sup> See below, chapter 3 for the depictions of the Ligurians and Baleares.

<sup>283</sup> So described by G. Ch. Picard 1994, 368.

<sup>284</sup> Cato F81 Cornell (=79 Peter, ap. Gell. 5.21.17, Non. 87M). *Compluriens eorum milites mercennarii inter se multi alteri alteros in castris occidere, compluriens multi simul ad hostis transfugere, compluriens in imperatorem impetum facere*. (The enemies’ soldiers are mercenaries; very often they fight amongst themselves and they pillage their own camps, very often they go over to the enemy, very often they launch an attack on their own general.) The context for the preserved quote is the usage of *compluriens*. See Cornell 2013 III, 129 for commentary. Alternatively, the passage may be an excerpt from a Roman general’s speech, in which case, the Carthaginian identification is still likely (but might also refer to the southern Greeks or even Pyrrhus).

<sup>285</sup> So Polybius 1.66.1-5.

<sup>286</sup> The ‘truceless war’ properly is proleptically looking forward to Polybius 1.81, where the mercenaries refuse to ever deal with the Carthaginians again.

<sup>287</sup> 1.73.1.

When the mercenaries also rebelled in Sardinia (~239), they attached themselves to Rome rather than Carthage.<sup>288</sup> This event must have been accompanied by some serious debate in Rome, for they initially refused the mercenary request, only to accept it the following year. The Romans forced the Carthaginians to back down under the threat of another war. Yet the Sardinians did not enter the Roman fold altogether peacefully. Fairly soon thereafter, the Romans sent armies to Sardinia, and in 235 and 234, triumphs were celebrated over the Sardinians. One might guess Italian mercenaries to have been present in the island's garrison force, and when they turned to ask for Roman aid, they did not have the support of the local population, though they controlled the local strongholds.<sup>289</sup> The relative silence of the historians on the issue may be a tacit affirmation of Polybius's criticism: that the Romans acted 'contrary to all justice' (παρὰ πάντα τὰ δίκαια).<sup>290</sup> The Roman rationale given by Polybius (3.28.3) complains of Carthaginian piracy in the last few years.<sup>291</sup>

These mercenary revolts led to an altogether curious set of circumstances where the foreign policy of great powers was in part dictated by the actions of otherwise unaffiliated bands of warriors. The question then to ask is whether these freelance bands were, in fact, independent and unaffiliated. One might wonder why the Romans chose to affiliate themselves with turncoat mercenaries or why such mercenaries would flee to Italy. Given that men did not typically lose their citizenship by travelling abroad, we might well wonder how many of these mercenaries held a form of Roman or Latin citizenship already.<sup>292</sup> This was probably the case for the mercenaries in Sardinia—their flight to Italy suggests a prior Italian connection. Such a circumstance could be one

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<sup>288</sup> Polybius 1.88.8-12, but see also 1.79.1-7, where the mercenaries expel the Carthaginians but are in turn expelled by the native Sardinians. Of the authors of the Livian tradition, only Orosius 4.12 appears to note this event, and he puts the blame squarely on Carthage.

<sup>289</sup> Polybius 1.79.3-6, 1.88.8-12 describes the foreign mercenary force being ousted by the natives and seeking Roman aid. From Polybius, it can be deduced that the mercenaries were neither Carthaginians nor Sardinians, but otherwise no names or nationalities are mentioned.

<sup>290</sup> Polybius (2.23, 2.27) gives no account or judgment of the activities of the armies sent to Sardinia, merely mentions their departure or return. The critique is found at 3.27-28 in a comparison of the first treaty and the amended treaty.

<sup>291</sup> Also mentioned by Appian, *Pun.* 5.

<sup>292</sup> In later Roman law, being captured practicing piracy would result in the loss of citizen rights. I would argue that at this early date, such a rule, if existing at all, applied only to those caught practicing piracy on Romans.

possible rationale for accepting an overthrown state. Instead of accepting the embassy from an unknown party, they would instead be accepting the unsanctioned *fait accompli* of one of their citizens or allies' citizens.

Polybius claimed that the Roman seizure of Sardinia was a contravention of justice. Even if true for the second century, it is not clear at all that it must have been such by third-century Roman practice. Roman foreign policy (such as it was), especially towards freelancers, took a significant shift in the third century, as seen in the examples of Illyria and Antium. In particular, the evidence suggests that the Romans were moving from a stance of “peacetime raiding being permitted unless a treaty existed” to “peacetime raiding not being permitted” and that they while they were in the process of accepting Hellenistic codes of war, it was a process, and if they were going to do it, everyone else had to also.

Mercenary service in Italy probably changed with the Punic Wars. While the conclusion of the First Punic War was no doubt a great relief to most Romans, it must have left some Roman or Italian soldiers at loose ends. The end of a war often produces mercenaries in quantity from unemployed veterans. That some might choose a Carthaginian paymaster should not be too surprising. Appian also tells us that the Romans expressly forbade their citizens from mercenary service, but relaxed that rule for Carthage.<sup>293</sup> This rule suggests the Romans were cautious about releasing military manpower from their control and also explains the lack of mercenary activity observed.

The sources do have a conspicuous absence of episodes of Romans or their allies serving as mercenaries after the third century (though Italian mercenaries—particularly Campanian—in Sicily and South Italy had been fairly common). A very few first-century examples exist: for example, a certain P. Sittius appears as a mercenary leader in Mauretania, Sertorius appears to have considered such a career, and some Pompeian veterans signed up as mercenaries in Egypt.<sup>294</sup> In each of these cases, the mercenaries

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<sup>293</sup> Appian, *Pun.* 5.

<sup>294</sup> For Sittius, see Dio, 43.3.1, see also Brunt 1971, 164-165. For Sertorius, see below, chapter 5. For the last, see Caesar, *B Civ.* 3.110, Brunt 1971, 219-220.

appear to be unable, through the machinations of first-century politics, to be part of the Roman army proper, making them more like exiles than regular contingent manpower. No such lack exists for Sparta, Athens or Thebes, states similarly frequently at war. Indeed, while those states used mercenary service to keep up soldiers' experience, the lack of military experience in the ranks would prove to be a problem in the second century. While there appear no examples for Italian mercenary service the late third and second centuries, that absence is predictable. In the first place, the Roman method of acquiring auxiliaries allowed them to fill the role typically filled by mercenary specialists. In not needing a pool of such troops to be available, it was beneficial for the Romans to not allow such troops to be available to anyone. The absence of such mercenary episodes for Italian soldiers, I suspect, also indicates the relatively low esteem in which mercenaries were held in this period, partially because of the actions of men like the Mamertines and the mercenaries of the Mercenary War. The Greeks, by contrast, even if they little trusted mercenaries, nevertheless held them in higher opinion than the Romans.<sup>295</sup>

As I argued in the previous chapter, however, since terms like *leistes* and *praedo* were typically that of the writer, not the actor, we should expect that the Roman sources do not so portray Romans. Examples of Roman mercenaries or bandits in the early republic will thus be 'hidden' in plain sight by the records. Mercenary revolts, as at Capua, Sardinia, Rhegium, and Messana, did meet with success, at least for some years, even decades, and others, like the agreements made with Eumenes, indicate that the freelance bands of mercenaries could have enough power to negotiate as equals with states and monarchs. Certain Syracusan tyrants, like Hiero or Agathocles, could be arguably seen as mercenary captains made legitimate. It would be a mistake to believe Scipio's claim that such mutinies are automatically doomed to failure.<sup>296</sup> With that in mind, it should be considered that the mercenaries of Carthage's Mercenary War might

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The 'stipendiarii' in Africa (*CIL* 1.2513), who honor a Quintus Numerius Rufus may be Africans or Italians. We can guess a date of ~60 BC (see Broughton 1951 (*MRR* II), 184) for the event, but it could well refer to a father or grandfather instead.

<sup>295</sup> The relative value of mercenaries will be discussed in chapter 7. A few Greek writers speak positively of mercenary skill and experience. No Latin sources do.

<sup>296</sup> Livy 28.27.29, for Scipio's speech.

have won and established themselves as a state, and the evidence from Messana, Capua, Tylis, and others suggest that they would have been treated so, in the nature of third-century *Realpolitik*. Given the length of the conflict, however, it is almost surprising that they were not already so treated.

### **Conclusions**

The events of the fourth and third century do not paint as clear a picture of the Roman concept of banditry as we might like. The at-large warrior largely continued to prosper, though we might suspect his heyday, as in the Greek World, was largely over. The authors, particularly Livy, suggest the opposite, that the freelancer only began seeing service at the end of the third century. Their own words, however, belie those impressions. The freelancer was to be found much earlier, and even if the terms of service were different, the use of contingent manpower was very similar.

Roman warfare was not, in itself, dissimilar to brigandage. Campaigns, ravaging, and looting all had a direct economic incentive for both the troops and the generals. This conclusion should come as no real revelation. Livy directly (2.21.1, 2.26.1) indicates as much, though he tries to restrict it to earlier periods. I do, however, want to raise the issue of plundering as Roman motivation in order to keep it in mind through the following episodes. This motive is in no way absent from the campaigns of the first and second centuries, though it may be well argued that this motive progressively diminished over time.<sup>297</sup>

One prominent realization I would like to promote is the idea that in the second century, the *latro* or the *praedo* carried the image of these at-large warriors like the Mamertines of Rhegium and Messana. These were professional and capable warriors, but not legitimate in the actions they undertook. The preference to never describe the Romans themselves as mercenaries was not because of a disdain for fighting for wealth (which was quite laudable) but to avoid any guilt by association with the ‘illegitimate’ activities of the Italian mercenaries of Sardinia, Rhegium and Messana.

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<sup>297</sup> So Drummond 1990b, 206 specifically talking about private initiative in the fourth century.

Lastly, the evidence shows that the Romans did not, at least before the second century, have any real interest in combatting or eliminating piracy for moral reasons (or any other). In this, it was far simpler to gain local immunity. Piracy could be a pretext for a campaign, and was readily accepted as a justification, at least in the Greek world. Despite later historians' avers to the contrary, Italians appear to have engaged in varieties of freelance warfare for many years. Additionally, those Romans in a position to be harmed by piracy were also less likely to be in a position to do anything about it. Roman actions against pirates (or 'pirates') would be far more pragmatic, and have far more to do with controlling that pool of manpower or with normalizing relations with another power. The absence of descriptions of Romans as pirates is at least partially rooted in the preponderance of Roman or pro-Roman sources.

In later centuries, 'acting against piracy' became a magical, unassailable justification, and even if other justifications existed, an accusation of piracy would be used as well. Accordingly, we see accusations of piracy in each of the Punic Wars and the seizure of Sardinia, as well as the later promotion of piracy to the main reason for the 1<sup>st</sup> Illyrian War. The rhetoric of anti-pirate activity was more beneficial for Rome, both internationally and domestically, than the (notoriously difficult) act of preventing such plundering. Thus, Roman actions against freelance plundering were (and would continue to be) actions meant to fulfill a particular goal rather than evidence that piracy was something to be prevented in the first place



## Chapter Three: The Small Wars of the Second Century

In this section, I hope to focus on some of the cases in which the roles of conqueror and conquered are problematic, not to mention the role of pirates and what piracy these groups may have committed. An analysis of the historians' accounts of the campaigns of this section will follow in chapter 6. In this chapter, however, I wish to provide a clear chronological referent for that later chapter. To begin, it seems clear that the distinction between 'legitimate' and 'illegitimate' plundering corresponds very strongly with the distinction between 'civilized' and 'uncivilized' antagonists. In other words, '(un)civilized' behavior is a greater predictor of pirate-vocabulary than '(il)legitimate' behavior. Therefore, I present some examples from wars between Romans and barbarians where this distinction could be observed in action.

There should be four categories then: plundering deemed acceptable conducted by a civilized force, plundering deemed unacceptable conducted by a civilized force, plundering deemed acceptable conducted by an uncivilized force, and plundering deemed unacceptable conducted by an uncivilized force. Obviously, defining these terms is not without its own set of perils, but I think we can set that aside for the moment. In approaching these situations, my inclination is to suspect that the presumed 'civilization level' of the party in question plays a greater role than the sense of 'acceptable behavior'.

The second century was different from the third and fourth in that different entities were more clearly defined in our sources. Terms like Roman, Etruscan, and Italian were probably different, and the evidence given in geographers like Strabo and Mela shows a substantial desire to separate groups into subgroups rather than combine into 'supergroups'. This tendency being shared across the geographers might well indicate that this type of (re-)identification comes from their sources, not as something imposed by the author.

As for the chronology of this section, I have attempted to confine this chapter to the second century, beginning with the aftermath of the Rhodian-Cretan War of ~205-200 and ending at the height of Marius's power. Here, I stop a few years shy of the century boundary because the events of the very end of the second century (the Second Servile

War and the first Roman campaign in Cilicia) have more in common with the other events of the first century than the second. I also argue that Marius's decision to enlist the *proletarii* reveals a Roman manpower crisis that is relevant to the understanding of the role of the at-large warrior and furthermore, a notable change in the social dynamic of the Roman world. I explain this further in chapter 4.

### **Rhodes, Lycia, Delos, and Crete**

I mentioned the role of Rhodes in the third century, ending with the (First) Rhodian-Cretan War, in a previous chapter.<sup>298</sup> In this war, piracy was a significant factor, both as cause of the war and as practice during the war.<sup>299</sup> The Rhodian-Cretan War itself soon bled into the Second Macedonian War (~200-197) and the scope was significantly expanded. Indeed, the outcome of this Cretan War is something not discussed separately from the larger war in the sources.<sup>300</sup> The principal Rhodian objectives were first, expulsion of the Macedonians from the Peraea and second, cession of the wartime piracy, objectives which, with Roman aid, were eventually achieved.<sup>301</sup> The Cretan cities of Gortyn (a Macedonian ally) and Knossus (a Rhodian ally) remained at war for some time, however, though they were at peace by 189. The Second Macedonian War made the Rhodians into the hegemon of the Island (Nesiotic) League, and then the War of Antiochus a decade later gave the Rhodians control of Lycia.

Thus in 189, Rhodes had arguably reached the pinnacle of its power, as leader of the Island League, possessor of a Peraea now larger than the island itself, and treaties of

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<sup>298</sup> See above, page 25f., for the Rhodian background. See also Berthold 1984 throughout, but particularly 81-101. De Souza 2008, 74-76 may also be of interest. For the broader context of the Rhodian-Cretan War, see Errington 1989b, 248, 252-254. Sometimes (and more commonly) this war is called the First Cretan War, but I have chosen this name to help differentiate it from the Roman-Cretan Wars of the first century (see next chapter for those).

For Rhodes before 164, see also Habicht 1989, 334-338.

<sup>299</sup> Again, see above, chapter 1. See Berthold 1984, 102-124 for Rhodes's dealings with Philip V.

<sup>300</sup> Those sources being principally Polybius (15.22-24, 16 *passim*, 18.1-6, 52-56) and Diodorus Siculus (28 *passim*), both of whom are far more interested in Roman-Macedonian affairs than Rhodian-Cretan. See Perlman 1999, 136; Errington 1969, 39-40 for this point. Errington also notes that distinguishing the Cretan epigraphic evidence of this war from the later war in 167 is often difficult.

<sup>301</sup> Berthold 1984, 133-134. For the expulsion of the Macedonians from the Rhodian Peraea, see Livy 33.18.

alliance and obligation with at least four Cretan cities.<sup>302</sup> Furthermore, Rhodes had a well-known (and by the second century, well-established) reputation for having an extremely skilled fleet and as being hostile to pirates. The second feature is particularly interesting for this study, but the first is still relevant, both for Rhodian anti-pirate activity and serving as a training ground for Rhodian freelancers.

Rhodes was now in an ironic situation—being both a supplier of freelance warriors and a famed persecutor of those who fell back into the favored backup occupation of freelance warriors. Unsurprisingly, this led to Rhodian mercenaries being regarded as more reliable than their counterparts from Achaea, Crete, or Aetolia. Rhodian mercenaries, particularly generals, appear serving the Ptolemies, the Persians, and the Seleucids, but are described positively, while Cretans, like Lasthenes, who is said to have suppressed Antioch brutally under Demetrius, are described negatively.<sup>303</sup> We are told that these are contemporary reputations by the historians, but their own biases (or those of other writers) may have contributed to these accounts. In any case, the historic Cretan-Rhodian hostilities made these reputations as ‘pirate’ and ‘anti-pirate’ mutually-reinforcing.

Lycia, now, appears to have held a reputation as a pirate-haven in previous years. The Rhodians and the Lycians had a hostile history, and the embassy to Romans at Apamea in 189, as recorded by Polybius, expresses fear that domination by Rhodes would be punishment.<sup>304</sup> Though the Romans ignored them at this point, the Senate later informed the Rhodians in 178 that Lycia was an ally, not a subject and ultimately (in 167) that Lycia would be a subject of Rome.<sup>305</sup> Over this relatively short period, the Lycians

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<sup>302</sup> Those cities being Hierapytna, Knossus, Olous, and Chersonesos. Knossus, at least, seems to have been a Rhodian ally for some time, possibly since Knossus lent Rhodes aid a hundred years earlier in a war against the Antigonids (Diodorus 20.88.9).

<sup>303</sup> The most famous Rhodian mercenaries are probably Memnon and Mentor, the brothers who served with the Persians against Alexander. For Lasthenes, see Diodorus 33.4; *1 Maccabees* 10.67-69, 11.32-33; Josephus *AJ* 13.86, 13.126-127; Justin, *Epit.* 35.2. Note also that in *1 Maccabees* 11.32-33 (echoed in Josephus 13.126-127) Lasthenes is named his father and kinsman. The cruelty of his (Cretan) mercenaries is only stressed in Diodorus. The biases of the ancient historians will be addressed later (see ch. 7 below).

<sup>304</sup> Polybius, 22.5. See Berthold 1984, 168 for the Rhodian gains from the Treaty of Apamea. See Bresson 1999, 98-99, for Rhodian-Lycian relations.

<sup>305</sup> Berthold 1984, 175-178, 200-201. See Polybius, 25.4-6; Livy 41.6; Appian *Mith.* 62 for accounts of the first event, Polybius 30.5.16, 31.1, 5-7; Livy 44.15, 45.25; Appian, *Syr.* 44, *Mith.* 62 for accounts of the second event. The fighting in Lycia in 174 is briefly mentioned by Livy (41.25). Surviving inscriptions in

revolted and were brutally suppressed by Rhodes, so the Lycians' initial fear that they would be punished seems apt. It is possible either that the Lycian reputation for piracy functioned as a driver of the conflicts between Rhodians and Lycians at this time or that the conflicts between Lycia and this foremost of anti-pirate states had created a reputation for piracy on the part of the Lycians.<sup>306</sup> In either case, Rome's siding with Lycia should be noted.

The removal of Lycia from Rhodian control is mentioned in Sulla's speech to the Ephesians at the end of the First Mithridatic War.<sup>307</sup> There, Sulla emphasizes the Rhodian relationship to Lycia: οὐχ ὑποτελεῖς ἀλλ' ἐπὶ προστάταις εἶναι—not as subjects, but clients. This was not, apparently, the Rhodian understanding. The point of the speech, however, is to stress Rome's retaliation against those who betray her and Rome's intrinsic fairness.

In 166, the Romans handed Delos over to Athens, with the stipulation that Delos be a free port (i.e. charge no harbor taxes); Athens was, however, allowed to profit from Delos in other ways. Rhodes had served as a slave market for years, and Delos soon picked up that role. One might wonder how the Rhodians sold slaves, many of which were commonly believed to have been kidnapped by pirates. There have recently been a number of attempts to show either that piracy was not a principal source of slaves or at least, that most slaves were not victims of pirate raids.<sup>308</sup> I find the second argument more convincing than the first (the nuance being that pirates might 'legitimately' buy slaves with booty, then sell the slaves in a marketplace like Rhodes or Delos).<sup>309</sup> New Comedy presents a wealth of examples of such slaves, with a compelling implication that

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both Laodicea and Rome, such as *CIL* 1<sup>2</sup>.725, 726, 728, testify to the gratitude of the Lycians. (Though these inscriptions have been argued to date from the Mithridatic wars instead) .

<sup>306</sup> For Lycian-Rhodian relations in general, see Bresson 1999.

<sup>307</sup> Appian, *Mith.* 62.

<sup>308</sup> Hopkins 1978, (for example 112ff), argues by omission that piracy/kidnapping were irrelevant sources of slaves. Andreau and Descat (2011) assert piracy/banditry was a source, but following Veyne 1991, 475, and Harris 1999, 62-75, also that abandonment was far and away the principal source. See also Bradley 1989, 22.

<sup>309</sup> It is often overlooked that almost all pirate groups always engage in regular trade at some point. In the Hellenistic Period, it is plain to see that many pirate bands were out for a quick ransom, not a prolonged trade in slaves. See de Souza 1999, 60-65 for the slave trade and 65-69 for ransom. Here, de Souza points out numerous inscriptions that assert piracy as a source of slaves (e.g. *IG* XI.4.1054A, *IG* XII.7.386, *IG* XII.3.328).

this mirrored reality.<sup>310</sup> Rauh (1999) presents a potential explanation for this dispute, by which the pirates sold slaves to wine merchants along the southern Asia Minor shore, and these merchants then resold the slaves in Rhodes (and later, Delos).<sup>311</sup> Such trades are also mentioned by Diodorus 5.26.3. What makes this trade of particular interest to Rauh, however, is the indication that the wine trade with the east did *not* drop off as the Cilician pirates grew stronger.<sup>312</sup> That is, the wine traders either had sufficient potential gains to run the risks of capture by pirates or they had some measure of immunity from them. If Rauh's speculation is correct (as I believe it is), there was an established body of middlemen who dealt with the pirates, had some form of immunity from them, and who did business in Delos.

Though this establishment of Delos was not a campaign against Rhodes *per se*, Strabo informs us that the strength of the Rhodian navy collapsed in the middle of the second century, after quashing piracy in the Aegean.<sup>313</sup> Because of Rome's sudden hostility at the end of the Third Macedonian War (168), the freeing of Lycia (167), and the establishment of Delos as a free port (166), Rhodes soon dwindled and piracy flourished, especially after Delos had become a great slave market.<sup>314</sup> The navy of Rhodes had been financed through its harbor taxes and thus it relied on heavy traffic to maintain its navy. Rhodian harbor taxes had amounted to a large amount—around 140 talents a year—and more than the tribute due Rhodes from the part of the Peraea recently stripped away by Rome. With an income less than half of that of five years prior, the Rhodians had no choice but to downsize their fleet.

The decline of Rhodes, however, may have had other causes besides the purely economic. Despite weakening from the loss of harbor taxes, in 155, Rhodes embarked on

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<sup>310</sup> Examples can be found in Menander (e.g. *Sikyonios*), Plautus (e.g. *Poenulus*), and Terence (e.g. *Eunuchus*) alike.

<sup>311</sup> Rauh 1999, 162-186, but see also Tchernia 1986, who writes about the Roman wine-for-slaves trade, specifically as it applies to Gaul and tries to apply it to the east as well. Unfortunately, a lack of evidence about Italian amphorae in the east hinders this theory. This theory, notably, is contrary to Strabo 14.5.2, where he asserts that the pirates simply posed as slave-merchants and sold their captives directly.

<sup>312</sup> Rauh 1999, 170-171, citing Höghammar (1993, 27) for pointing out this imbalance in the first place.

<sup>313</sup> Strabo 14.5.2. To be fair, Polybius (30.4-5 and 31.7) gives much the same impression

<sup>314</sup> Strasburger 1965, 50; Strabo 14.5.2.

another Cretan war, again because of piracy originating from that island.<sup>315</sup> Berthold notes that this war went poorly for the Rhodians, perhaps because of their smaller fleet, perhaps because of a more unified Crete, or perhaps because of a lack of sufficient land forces to take the Cretan cities.<sup>316</sup> The island of Siphnos, a long-time Rhodian ally was overrun in 154, either by Cretan pirates or the Cretan league.<sup>317</sup> Additionally, it is unclear that Rhodes still led the Island League, and may have engaged in this war by itself.<sup>318</sup> It is, however, likely that a defeat in this war caused (or aggravated) the collapse of Rhodian naval power. The Cretans' better outcome in this war is always attributed to Rhodian diminishment, never Cretan growth.<sup>319</sup> While this attribution is probably rooted in a lack of evidence concerning the Cretan economy one way or the other, it also shows a historic pro-Rhodian bias.

Regardless of cause, Rhodian naval power declined, and piracy (or acts considered piracy) flourished. Rather than take the place of Rhodes as sea-police in the second half of the second century, the Rhodians, Ptolemies and Seleucids allowed or even actively encouraged piracy so long as it was directed against others.<sup>320</sup> It was in this environment that Tryphon came to power over the pirates of Cilicia.<sup>321</sup> The Romans would not get involved with Cilician piracy until the very end of the second century, when they had been involved in Asia for some time. Strabo tells us that the Romans initially were unwilling to act. As the Cilicians had little reputation as pirates before this time, it is possible that such activity had its origin in the treaty of Apamea, which

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<sup>315</sup> This war is noted in Diodorus 31.37-38 (possibly 31.43-45 as well) and Polybius 33.4, 15-17. Polybius 30.23 may also be a reference to it, but probably instead to 22.15, an internal Cretan conflict.

<sup>316</sup> Berthold 1984, 223-224. The prevailing theory is that Knossus provided a friendly harbor to Rhodes in the First Cretan War, while in the second, no such refuge or supplier existed.

<sup>317</sup> Diodorus 31.45, Ormerod 1924, 189.

<sup>318</sup> Siphnos lies to the north of Crete, some distance from Rhodes (see map 1). The sack of Siphnos would suggest that the league as a whole undertook the war, but in that case, it is difficult to imagine why the Siphnians would have voluntarily allowed the Cretans inside their city (as Diodorus claims).

<sup>319</sup> See, for example, Berthold 1984, 223. Van Effenterre 1948, 267-269 and Brulé 1978, 61-66 are less one-sided in this assessment.

It is inconsistent to argue that the Cretans engaged in piracy as significant economic activity and to argue that such pirates did not grow in power when Rhodes declined.

<sup>320</sup> To be clear, I gain no sense that Ptolemy-Rhodian relations had ever cooled to that extent (though the Rhodians were not adverse to fighting the Ptolemies themselves). So it really appears to have been Ptolemies and Rhodians encouraging piracy against the Seleucids and vice versa.

<sup>321</sup> See Strabo 14.5.2 for the rise of Tryphon.

displaced the pirates of Lycia and made Antiochus less able to hire some of the Cilicians, since the terms of the treaty forbade him to hire mercenaries from north of the Taurus.

Crete was, of course, weakened in the aftermath of the Rhodian-Cretan War, with probably at least two cities bound to Rhodes in alliance. Crete's role as a source for mercenaries is somewhat subdued in the second century, though we do see Cretan archers appearing in the armies of Rome, Macedon and Syria. Strabo tells us:<sup>322</sup>

οὗτος διὰ τὴν ἐν τοῖς πολεμικοῖς ἐμπειρίαν ξενολογεῖν ἀποδειχθεὶς πολὺς ἦν ἐν τε τῇ Ἑλλάδι καὶ τῇ Θράκῃ, πολὺς δὲ καὶ τοῖς παρὰ τῆς Κρήτης ἰοῦσιν, οὕτω τὴν νῆσον ἐχόντων Ῥωμαίων, συχνοῦ δὲ ὄντος ἐν αὐτῇ τοῦ μισθοφορικοῦ καὶ στρατιωτικοῦ πλῆθους, ἐξ οὗ καὶ τὰ ληστήρια πληροῦσθαι συνέβαινε.

He [Dorylaüs] because of his experience in military matters, was appointed to hire foreign mercenaries, and he often visited not only Greece and Thrace, but also the mercenaries of Crete, that is, back before the Romans had possession of the island, and while the number of mercenaries in the island, from whom the pirate-bands were generally recruited also, was [still] large.

So here Strabo explicitly tells us that the Cretan pirates came from the same pool as the Cretan mercenaries. The pirates and mercenaries are the same people with different employment. This episode may shed some light on a different instance.

Earlier, in 189, the Roman Q. Fabius Labeo sailed against Crete, ostensibly to free the Italian slaves on the island. He appears to have succeeded and he celebrated a naval triumph, though that triumph was, strictly speaking, over Antiochus.<sup>323</sup> This is a perplexing issue, as at least nominally, the Cretan cities were neutral in that conflict. Nevertheless, Labeo appears to have done this and it is reported without quibble by Livy. The slaves in question may well have been Roman (or ally) soldiers captured during the War of Antiochus and sold to pay the Cretan mercenaries.<sup>324</sup> Crete's reputation as a

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<sup>322</sup> Strabo 10.4.10. Though in the passage, he is quoting Ephorus, his quotation is almost certainly Strabo's own account: I take Strabo to have temporarily exited the account of Ephorus through his use of 'I myself' (ἡμῖν) at the beginning of the passage (not quoted here). Dorylaüs is a contemporary of Mithridates V of Pontus, and an ancestor of Strabo himself.

<sup>323</sup> Livy 37.60. cf. *Fasti Triumphales*.

<sup>324</sup> Or as direct payment. Polybius records the Balearic mercenaries preferring payment in slaves or wine to coin. In Xenophon's day, a slave would fetch roughly a mercenary's wage for two to four months (though the prices for both commodities could vary quite widely, enough to make this estimate nigh-useless). I suspect though the prices were significantly different two centuries later, the ratio was similar. Pyrrhus paid

pirate haven, however, remained after this campaign, and indeed, in the second century, Crete was regarded as the prime haven for pirates (Illyria's reputation having shifted since the 230's and Cilicia's not grown until the 130's).<sup>325</sup> This is, notably, a reputation, and it is difficult to see the second century events that fostered a continuation of this reputation, save the 'Second Cretan War' (155-153) which again is complicated by the role of Rhodes.<sup>326</sup>

I suggest that the Cretan reputation in the second and third centuries was fundamentally an effect of Crete's involvement in supplying freelancers to Rome's enemies—Macedon and the Seleucids, further complicated by a rather negative portrayal by Polybius. Polybius attacks the Cretans thoroughly; in book six, he utterly dismisses any theory that Crete had a laudable government; and in book four he is dismissive of Cretan military abilities save in laying ambushes.<sup>327</sup> It is also worth noting here that the Cretan cities had a system of treaties with various Greek states agreeing to refrain from piratical raiding.<sup>328</sup> In this context, Cretan raiding looks more like a form of privateering than outright piracy.

During the third century, Rhodes retained its anti-pirate reputation, while Crete and Lycia's piratical reputation grew. Delos grew to supplant Rhodes as the principal slave market.<sup>329</sup> In the latter half of the second century, many slaves did come to Rome by way of the Aegean and, rightly or wrongly, many of them were seen as the products of piracy.

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his mercenaries 1 drachma a day, a rate that appears to be standard across quite a period of time. For more evidence, see chapter 1, n. 38.

<sup>325</sup> See Brulé 1978, Perlman 1999 on this.

<sup>326</sup> See Brulé 1978, 118 for the growth of the Cretan reputation.

<sup>327</sup> For book six, see Polybius, 6.47. Walbank 1972, 152, following Meyer 1899, i.218n1, well makes the case that Polybius is arguing against the praise of Ephorus (Strabo 10.4.6ff (476-484), *FGH* 70 F 148). Concerning the Cretan constitution, see Aristotle, *Pol.* 1264; Willets 1982. For book four, see Polybius 4.8.11, Perlman 1999, 138.

<sup>328</sup> Some records survive (e.g. IG II<sup>2</sup> 1130, a second-century Athenian-Cretan (probably Kydonia) agreement to leave Attica alone.) For this use of *isopoliteia* and *asylia* in Crete, (see above, ch. 2) de Souza 1999, 69; Perlman 1999, 150, Papazarkadas and Thonemann 2008, 82-83. For *isopoliteia* more generally, see Gawantka 1975 for seventy-some examples of this state.

<sup>329</sup> For slave markets generally, see Andreau and Descat 2011, 63-64.



## The Iberian Campaigns

I do not wish to delve into the minutiae of the numerous wars in the Iberian Peninsula, but rather to highlight some of the chronology and history to serve as a backdrop for further exploration. The language used in these accounts is key to understanding the situation. In reading several accounts, those of: Livy, Appian, Strabo, Orosius, Florus, Valerius Maximus, Polybius, and Dio, the usage of piratic vocabulary like *leistes* or *latrocinia* are only occasionally applied to Iberians, but never to Romans in Iberia, even when the authors assert that the Romans were behaving badly. Even Galba and Lucullus, probably the worst offenders, are *perfidii* and act *παρανομία*, but do not practice banditry.<sup>330</sup>

The Iberian campaigns were a legacy of the Second Punic War.<sup>331</sup> In essence, the Romans were trying to fill the vacuum left by the Barcids in Spain, and this meant constant campaigning in Celtiberia and Lusitania, where neither the Barcids nor the Scipios had yet brought those groups under control. Appian accuses the Carthaginians of having plundered (ἐπόρθουν) Spain before the Roman arrival.<sup>332</sup> Florus even tells us that the Carthaginians were directly the cause of the wars in Iberia (2.17).

For some indication of military activity in Spain at the beginning of the second century, the *Fasti Triumphales* record a series of triumphs:

196/5, Gnaeus Cornelius Blasio, an ovation over the Celtiberi  
195/4 Marcus Helvius, proconsul, an ovation over the Celtiberi  
195/4 Quintus Minucius Q.f.L.n. Thermus, proconsul  
194/3 Marcus Porcius M.f. Cato, proconsul  
191/0 Marcus Fulvius M.f.Ser.n. Nobilior, proconsul, an ovation  
178/7 Lucius Postumius A.f.A.n Albinus, proconsul, from Lusitania and Spain  
175/4 M. Titinius [...]M.n.Curvus, proconsul  
174/3 Appius Claudius C.f.Ap.n. Centho, proconsul, an ovation

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<sup>330</sup> Παρανομία is elsewhere a term applied to bandit figures, however. One such might be the 1<sup>st</sup> century Derbene ‘bandit-tyrant’ Antipater. Strabo names him a *leistes* (12.1.4) ‘Syme refers to him as a ‘robber-prince’ and likewise Cleon the robber-chief (referring to Strabo, 12.8.8-9) Syme 1939, 309-312, 328-329,

<sup>331</sup> For accounts on this period of Spain, see Curchin 1991; Richardson 1986 and 1996; Harris 1989, 118-142, Clark 2014, 94-133 and 147-171.

<sup>332</sup> Appian, *Hisp.* 3.

To this list we could add Scipio's purported triumph of 206 and the contentious *ovatio* of Lentulus in 200.<sup>333</sup> Indeed, many of the commanders in Iberia between Scipio and Blasio requested triumphs and were denied.<sup>334</sup> Part of the problem was that Scipio's conquest was ill-defined and the goals of the early campaigns were similarly ill-defined (and, in Richardson's opinion, principally designed to keep Carthage out).<sup>335</sup> The borders for the new *provinciae* were not defined until 197 (the consulship of Cethegus and Rufus), also the same year the praetors were increased from four to six.<sup>336</sup> Despite this decision to define the borders in Rome, it does not instantly follow that those borders suddenly materialized in Iberia.

So, overall, in this period, the Iberians *seem* like a normal military threat, and a strong one at that. There is, however, a degree of uncertainty about affairs in Iberia that suggest later revisions. The *Fasti Triumphales*' identification of all commanders as 'proconsul' does not quite follow Livy, who describes them inconsistently as *pro praetore* and *pro consule*.<sup>337</sup> The period from 194 to 154 was one of virtually continuous war, and "the military role of the proconsuls was by far the most important part of their activity during these years".<sup>338</sup> This military activity, however, is generally accepted to be at Roman initiative, not Iberian.<sup>339</sup> Still, the language in the representation of Roman and Iberian actions in this period is very illuminating.

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<sup>333</sup> Richardson 1986, 70; Polybius 11.33.7; Appian, *Hisp.* 38. But Valerius Maximus claims (2.8.5) that Scipio did not triumph and this is used as a criticism of triumph-hunters: *...ut P. Scipioni ob recuperatas Hispanias, M. Marcello ob captas Syracusas triumphus non decerneretur...* Scipio may (as Scullard 1951 suggests, 75) have celebrated a triumph on the Alban mount instead of gaining the formal triumph in the city.

<sup>334</sup> Richardson 1986, 70-71. Blasio's was also contentious. See Beard 2007, 205-211, who notes that Livy 'vividly recreated' senatorial debates about whether triumphs should or should not be celebrated. Clark 2014, argues (e.g. 108-115) that triumphs were supposed to signify a closed situation and thus successive commanders had difficulty in winning triumphs if someone had already celebrated one.

<sup>335</sup> See Richardson 1986, 64-75 for the period in question and 104-109 about the difficulties in being awarded a triumph in general.

<sup>336</sup> Livy 32.27-28 for both instances. For the somewhat unusual politics here, see Brennan 2000, 154-181, esp. 168-169.

<sup>337</sup> Richardson 1986, 76.

<sup>338</sup> Richardson 1986, 123. Note, however, Clark 2014, 107, n.42, who argues that instead of continual endemic warfare (the position of Richardson), the situation was rather one of recurring outbreaks of war, probably rooted in the earlier events and Rome's behavior.

<sup>339</sup> Harris 1989, 126, indicates that it would be difficult to contest the view that the pressure came from the Roman side, at least before 174.

First off, the hiring of mercenaries and their relative trustworthiness were important factors in the Iberian wars. A tribe under attack would hire mercenary warriors from neighboring tribes and the Roman commanders would attempt to bribe them. For example, when Manlius was faced with the Turdetani hiring northern Celtiberian mercenaries, he offered to pay the Celtiberians double to switch sides.<sup>340</sup> Cato, too, serving in Citerior, hired a Celtiberian force for 200 talents.<sup>341</sup> These stories indicate that the Romans hired mercenaries from time to time, but they also serve to strengthen the historians' assumptions about mercenaries being untrustworthy. Despite language like 'purchasing an alliance' being preferred to 'hiring mercenaries', Plutarch has quoted Cato arguing that the mercenaries might all die in the battle and not need to be paid.

At least one of these campaigns was against 'brigands'. Cato, consul in 195, later besieged the city of Vergium (or Bergium), which Livy describes as a *receptaculum praedonum*, whence the *praedones* made raids against the peaceful fields of the province. Here, Cato restores control of the city to the *princeps* Vergestanus, though not without enslaving the bulk of the citizenry.<sup>342</sup> Here the Roman forces are making determinations of foreign legitimacy, that is, they are choosing one side as the legitimate owners and dismissing the other as brigands. If we compare this event to those at Rhegium or Messina of the previous chapter, it is difficult to tell which city provides a better model for Vergium.

The 180s are missing from the *Fasti Triumphales*, but there was little difference. In just that decade in Iberia, there were four additional triumphs and three governors were killed.<sup>343</sup> The Celtiberian and Lusitanian raids of 186, 183, and 181 should be regarded with suspicion as they serve so neatly as a pretext for a retaliatory campaign.<sup>344</sup> Not until

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<sup>340</sup> Livy 34.19. The Latin here is *mercede* 'for a price' and *duplex stipendium* 'a doubled wage'. Richardson 1986, 87, argues that this is similar to Manlius's earlier actions in the previous year's campaigning. Livy, overall, appears to approve of Manlius, and says nothing truly for or against this proposal. The years described here are 196-195.

<sup>341</sup> Plutarch, *Cat. Maj.* 10.2. Plutarch also suggests that this was at least partially the reason for Cato's successful campaign. See also Richardson 1986, 88.

<sup>342</sup> Livy 34.21. See Clark 2014, 100-108, for an in-depth assessment of Cato's actions in Citerior. The Vergium/Bergium distinction is simply two names for the same place used by different authors. 'Vergestanus', in turn, is probably an ethnic descriptor (like 'Romanus') misinterpreted as a name.

<sup>343</sup> Livy 39.20-23 and 30-32. See also Richardson 1986, 98-102 and Curchin 1991, 32.

<sup>344</sup> Harris 1989 (126) does so regard them.

the commands of Ti. Sempronius Gracchus and L. Postumius Albinus did the tide shift back in Rome's favor. Despite their (poorly-documented) military successes, it was Gracchus's successes in administration that paved the way for a peace that lasted into the 150s.<sup>345</sup>

Some authors, like Polybius, deemed the Lusitanian war and the later Celtiberian war as revolts, though serious ones, while others, like Appian, deem it a normal war between two states.<sup>346</sup> The difference of course, is rooted in a disagreement over authority. It is unclear, however, that these groups had been hitherto anything more than tributaries. The two (connected) wars, lasting from 155-133 were an attempt of the peoples of northern and western Iberia to assert their independence from Rome. The Lusitani, led by Viriathus, were enough of a threat to cause the Romans to change their calendar, and hastily send a consul with 30,000 men to Segeda.<sup>347</sup> Despite their surrendering to M. Claudius Marcellus (twice), the Senate refused peace and sent Galba and Lucullus to govern the two Iberian provinces.<sup>348</sup> Up until 151, the campaign had been fought in a traditional manner. Beginning with Lucullus and Galba, however the Romans conducted a brutal campaign fully utilizing every form of treachery and the Lusitani conducted a guerrilla campaign in response.<sup>349</sup>

Already, I have suggested that campaigns in Iberia had been justified by reports of raiding. Usually these Iberians are portrayed as a regular military foe. Elsewhere, however, the peoples of northern and western Iberia are dismissed as guerrillas and bandits. For an example, see the portrayal of Viriathus, in Orosius 5.4:

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<sup>345</sup> Curchin 1991, 32-33, Richardson 1986, 112-123, Appian *Hisp.* 43-44. Gracchus was praetor in 180 and consul in 177 and 163. See Broughton 1951 (*MRR* I) 388, 393, 395-398, 440, 442-443.

<sup>346</sup> Polybius 35.1.1: the latter is the famous 'war of fire' (πύρινος πόλεμος). Curchin (1991) echoes the sentiment (33-39) and repeatedly uses the terms 'revolt', 'rebellious', 'the rebels'. Appian instead names it: ὁ Οὐριάτθου πόλεμος (*Hisp.* 69).

<sup>347</sup> The shift from March to January happened at the beginning of 153 to accommodate the consuls getting into the field in time for the campaign (Curchin 1991, 34). The consul in question is M. Fulvius Nobilior.

<sup>348</sup> The division was Hispania Citerior and Ulterior until Augustus, when Ulterior became split into Baetica and Lusitania and Citerior was renamed Tarraconensis (though still frequently referred to as Hispania Citerior: see Pliny the Elder, who uses both terms in book 3 of the natural History; cf. Curchin 1991, 57, who asserts that Ptolemy preferred the term Tarraconensis, but local magistrates preferred Citerior in their inscriptions).

<sup>349</sup> Details may be found in Curchin 1991, 33-39; Clark 2014, 151-159; or Richardson 1986, 126-132.

*Viriatus in Hispania genere Lusitanus, homo pastoralis et latro, primum infestando vias deinde uastando prouincias postremo exercitus praetorum et consulum Romanorum uincendo fugando subigendo maximo terrori Romanis omnibus fuit. siquidem Hiberum et Tagum, maxima et diuersissimorum locorum flumina, late transgredienti et peruaganti C. Vecilius praetor occurrit: qui continuo caeso usque ad interneccionem paene omni exercitu suo uix ipse praetor cum paucis fuga lapsus euasit.*<sup>350</sup>

“Viriathus, a Lusitanian by birth but a shepherd and robber by calling, infested the roads and devastated the provinces. He also defeated, routed, and subdued armies commanded by Roman praetors and consuls. As a result the Romans became greatly terrified. Then Viriathus encountered the praetor Gaius Vetilius as the latter was passing through and roaming over the broad territories of the Ebro and Tagus, rivers that were very large and widely separated from each other. He defeated the army of Vetilius and slaughtered its soldiers almost to a man; the praetor himself barely managed to slip away and escape with a few followers.”

Orosius sets the exploits of Viriathus as ~606-620 AUC, (146-132 BC) and conspicuously sets Viriathus up as a forerunner for Sertorius. In this work, Viriathus simply stands defiant against Rome for 14 years, defeating several armies, and is only defeated by assassins induced by the Romans to kill him, yet in turn, not rewarded by the Romans. Diodorus Siculus notably uses Viriathus as an exemplar of simple virtue.<sup>351</sup> Nevertheless he is also named ‘*leistarchos*’ and said to have gained fame both in fighting *leistes* and in leading them.<sup>352</sup> The mix of positive and negative virtues made Viriathus a conspicuous archetype for the so-called ‘noble brigand’.

The episodes of plundering the Vaccaei, Intercatians, and the area around Palantia, make Lucullus seem more the brigand than Viriathus.<sup>353</sup> And Appian, probably following Polybius, indeed characterizes Galba and Lucullus as villains and perjurers.<sup>354</sup>

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<sup>350</sup> Orosius is not alone. Cf. Dio’s and Florus’s similar description: (Dio, 22, fr. 73.1-4) ὅτι Οὐιρίαθος ἀνήρ Λυσιτανός, ἀφανέστατος μὲν γένος ὡς γέ τισι δοκεῖ ὄν, περιβοητότατα δὲ ταῖς πράξεσι χρῆσάμενος, ληστής τε γέγονεν ἐκ ποιμένος, καὶ μετὰ τοῦτο καὶ στρατηγός.

(Florus 2.17.15) *Ceterum Lusitanos Viriatus erexit, vir calliditatis acerrimae. Qui ex venatore latro, ex latrone subito dux atque imperator.*

Velleius mentions him only in passing, but names him *dux latronum*. (2.1.3), likewise Frontinus’s *ex latrone dux Celtiberorum* (Str. 2.5.7)

<sup>351</sup> Diodorus 33.7. Two stories of the wedding of Viriathus are preserved, but both emphasize his virtue despite a lack of formal education. See also Spann 1987, 2 for a comparison with Sertorius.

<sup>352</sup> Diodorus 33.1.5 for the first, 33.1.2 for the second.

<sup>353</sup> See Appian, *Hisp.* 51-55 for Lucullus’s earlier raids and 58-60 for the later ones and Galba’s.

<sup>354</sup> Appian, *Hisp.* 61. The Lusitani escaped their *παρανόμησις* and *παρανομία*. Orosius (4.21) asserts that Galba’s act of treachery created the greatest disturbance of Spain. *quae res postea uniuersae Hispaniae propter Romanorum perfidiam causa maximi tumultus fuit.*

But Galba and Lucullus, though villainous, are not *latrones* or *leistes*, though one would be hard pressed to tell otherwise from their actions. Reasonably, the Iberians refuse to treat with Lucullus instead of Scipio, in effect, recognizing the legitimacy of one Roman but not the other.<sup>355</sup> Furthermore, Appian (who has clearly chosen sides by this point), when he describes Viriathus's plundering of Carpetania (*Hisp.* 64), describes Viriathus being (relatively) fair, rather than outright plundering:

ὁ δ' Οὐρίαθος τὴν χώραν ἀδεῶς περιῶν ἤτει τοὺς κεκτημένους τιμὴν τοῦ ἐπικειμένου καρποῦ, καὶ παρ' ὧν μὴ λάβοι διέφθειρεν.

“And Viriathus, traveling around the land (Carpetania) fearlessly, demanded of the growers a prize for the growing harvest and he utterly destroyed the crops of those who would not give.”<sup>356</sup>

This is unusual behavior for one termed a *latro* or *leistes*. We see similar behavior at Livy 22.31, where the consul Gnaeus Servilius Geminus demanded ten talents from Cercina to not plunder them. It is behavior one could easily see as meant to force the farmers to choose sides in the war. Ascribing brigandage to Viriathus appears to rest more upon method than deed. This is, I argue, standard practice for describing Iberian forces.

Appian (*Hisp.* 68) describes the commanders Curius and Apuleius as δύο λήσταρχοι and describes a third ‘bandit chief’, Connoba, captured by Fabius Maximus Aemilianus. The only λείαν Appian mentions them taking is the λείαν which the Roman generals had already accumulated in their camps.<sup>357</sup> Appian’s portrayal almost leaves us with a portrait of the bandits performing all the soldiering and the soldiers performing all the banditry. There is no direct mention in these accounts of the bandit captains raiding the settlements—it is merely implied, since that is what bandits do.

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While Appian may (see Bucher 2000) have been pessimistic about the republic to pander to the contemporary emperors, here he is probably following Polybius or possibly Poseidonius, but not Livy (see Richardson 1986, 194-195). Appian’s account does not mesh with Livy *Per.* 47 or Orosius here

<sup>355</sup> See Clark 2014, 155. The event is in Appian, *Hisp.* 53.

<sup>356</sup> ἀδεῶς has two meanings: either ‘fearlessly’ or ‘without want’, both of which could apply to Viriathus here (though I think it almost certain that the former is correct).

<sup>357</sup> This holds true for the λείαν in the Lusitanian War as well (*Hisp.* 56-57): even when it is in Lusitani hands, it is a *recovery* of the booty. See also *Hisp.* 65 and 68 for the booty in the ‘Viriathic war’.

Emulating Viriathus (according to Appian (*Hisp.* 71): ζήλω), ‘ληστήρια’ or ‘bandit gangs’ started robbing Lusitania. When Sextus Junius Brutus was sent against them, he refused to fight or campaign with the guerrilla tactics they were using, but instead began to sack the nearby towns to draw them out or at least to provide his army with πολὺ κέρδος. Appian never asserts that these ληστήρια were aligned with Viriathus, but only ascribes to them the same time, place, and *modus operandi*.<sup>358</sup> Strabo (3.3.5-6) ascribes raids to the Lusitani generally, where despite their natural resources they turn to banditry for subsistence.<sup>359</sup> This sort of ethnographic detail simply confirms the Roman attitudes.

In the final defeat of the Lusitani, after the assassination of Viriathus, the Roman general Caepio took their arms, but distributed land to them, ἵνα μὴ ληστεύοιεν ἐξ ἀπορίας ‘so that they would not take up banditry from poverty’.<sup>360</sup> Here we get a new sense of banditry: its fundamental cause is ἀπορία.<sup>361</sup> This sentiment is voiced repeatedly by Appian, and ληστήρια continue to be important after the close of the Viriathic war. In 98, another tribe in Spain was supposedly living by means of banditry (ἐλήστευον δ’ ἐξ ἀπορίας οὗτοι) and there, the same solution was proposed, but the commander proposing it only did so as a ruse to get in and conduct a massacre.<sup>362</sup>

Banditry has been called an ‘endemic problem in Spain’.<sup>363</sup> The year after his praetorship, Gaius Marius suppressed a bandit outbreak in Ulterior in 114. In the following years L. Calpurnius Piso Frugi was killed, while Servius Sulpicius Galba and Quintus Servilius Caepio lived to deal with the Lusitanian revolt, Caepio finally

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<sup>358</sup> Appian, *Hisp.* 73. The section 71-73 is portrayed as a short digression from the war and seems to have the side purpose of establishing the relative mercy and restraint of Brutus.

<sup>359</sup> ὅμως οἱ πλείους αὐτῶν τὸν ἀπὸ τῆς γῆς ἀφέντες βίον ἐν ληστηρίοις διετέλουν Strabo also obliquely mentions this at 3.4.15.

<sup>360</sup> Appian, *Hisp.* 75.

<sup>361</sup> Some form of ληστεύω appears with ἐξ ἀπορίας several times in Appian. Besides these two examples, it also appears in *Pun.* 5 (The Carthaginians during the Mercenary War) and *Pun.* 25 (Carthage under siege by Africanus).

<sup>362</sup> Appian, *Hisp.* 100, for the event. The commander here was one Titus Didius, who had as a subordinate Q. Sertorius. This episode will be discussed again in ch. 5.

<sup>363</sup> Curchin 1991, 41.

triumphing in 107.<sup>364</sup> How do we differentiate this endemic banditry from the guerrillas and rebels of these campaigns? I argue that we cannot and should not. In a sense, the difference on the Iberian end is motive, but the difference in the Roman portrayal is closer to ‘degree of success’.

So in Iberia, from 196-107, we have an inconsistent array of stories, but after the two-decade ‘Gracchan peace’ of the 170s and 160s, we see a consistent portrayal of Iberian antagonists as guerrillas, bandits, and rebels, irrespective of their status prior to the campaigns in question. It is sometimes argued that the earlier campaigns resulted in no true extension of Roman rule over the defeated people.<sup>365</sup> The fundamental socio-economic factors that created the at-large warrior remained unchanged. It was not necessary for *de facto* control in Iberia to change, even if various Roman commanders might lay claim to such a change in their bids for triumphs.<sup>366</sup> Victory in Spain could be determined by redefining goals and positions<sup>367</sup>

To return to the framework presented at the beginning of this chapter, the Iberians were considered an uncivilized force and the Romans a civilized force. We see plundering conducted by both sides, and we also see this plundering described as acceptable or unacceptable. The banditry, however is only the unacceptable plunderings of uncivilized bands of warriors, like the Lusitani. The most banditlike word used for Lucullus and Galba, however, is *paranomia*. The Iberians, by contrast, form bandit-gangs and are led by bandit-captains. The use of *leistes*-vocabulary for Viriathus and other Iberians, I argue, is a rhetorical attempt to convey both that their actions were unacceptable and that they held what power they did illegitimately.

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<sup>364</sup> See Broughton 1951 (*MRR* I), 538 (Frugi) 540, 544 (Galba) 546, 549, 552 (Caepio).

These two, Galba and Caepio, are the sons of the Galba and Caepio mentioned above with Viriathus. The younger Galba was tried under the Mamilian law as a supporter of Jugurtha. (Cicero, *Brut.* 127)

<sup>365</sup> E.g. Curchin 1991, 40-41.

<sup>366</sup> The maxim expressing the need for extending the empire is contained in Valerius Maximus (2.8.4), but see Richardson 1986, 109 for an argument against this.

<sup>367</sup> See Clark 2014, 94-115, 130-133, in particular, 133—“every defeat incurred by Roman forces during this time can be placed within a narrative of overarching victory.”



### **Liguria and Sardinia.**

The campaigns of Liguria and Sardinia are generally appended to other campaigns. It is difficult to talk about these campaigns for the simple reason that next to nothing is known about them.<sup>368</sup> Despite its acquisition ten years earlier and consuls being sent there earlier, it is first in 227 that a commander was assigned to Sardinia as a *provincia*.<sup>369</sup> Liguria, however, had been a constant *provincia* in the first half of the second century, originating with reports of piracy from Liguria and Corsica in the 230s, but there was a complete absence of military activity there between Opimius's 154 campaign and that of M. Fulvius Flaccus in 125.<sup>370</sup> Strabo, however, tells us that a war of eighty years was necessary to wrest enough territory from the Ligurians for a road through their lands. Some have considered this war to proceed through the middle of the second century, but I prefer to date this with the campaign of Lentulus on one end and with Marcus Marcellus against the Apuani on the other. The list of triumphs below, compiled from the *Fasti Triumphales*, should give some indication of activity in this period.<sup>371</sup>

#### **Table 1: Triumphs in Liguria and Sardinia**

<b>236/5</b>	P. Cornelius L.f. Ti.n. Lentulus, consul, the Ligurians,
<b>235/4</b>	T. Manlius T.f. T.n. Torquatus, consul, the Sardinians,

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<sup>368</sup> As Salmon 1988 says simply in his description of the Ligurians: "little is known about the Ligures" and this applies for any period. Such sources as there are are summarized pp. 715-719. See also Harris 1989, 115-118.

<sup>369</sup> Richardson 1986, 8-9. Cf. Solinus 5.1: "*utraque insula in Romanum arbitratum redacta iisdem temporibus facta provincia est cum eodem anno Sardiniam M. Valerius, alteram C. Flaminius praetor sortiti sint.*" This is also the year in which the praetors were increased to four from two. Livy, *Per.* 20.

<sup>370</sup> Polybius 33.10 for Opimius and Livy *Per.* 60 for Flaccus. Richardson 1986, 136 n.45 notes in addition that Sp. Postumius Albinus may have had some activity of unknown scope in the area in 148. See Staveley 1990, 432 for Ligurian/Corsican piracy.

<sup>371</sup> Hall 1898 suggests such a war began after the Second Punic War and continued down to the 120s. Harris 1985, 225-227 does not directly address the issue, but his dates suggest a break between the 150s and 120s.

The preposition used may also be of interest. Generally, the *Fasti Triumphales* uses *de* with the peoples used, but occasionally uses *ex* with the province assigned (here, Sardinia). I have left the 'from' in to indicate when *ex* was used.

Due to breaks in the *Fasti*, at least three and probably more are omitted from the 180s. Broughton 1951 (MRR I), 361-388 notes the commanders L. Baebius Dives, P. Iunius Brutus, M. Valerius Messalla, M. Aemilius Lepidus, C. Flaminius, Sp. Postumius Albinus, Q. Marcius Philippus, Ap. Claudius Pulcher, M. Sempronius Tuditanus, P. Claudius Pulcher, L. Porcius Licinus, M. Claudius Marcellus, Q. Fabius Labeo, Cn. Baebius Tamphilus, L. Aemilius Paullus, P. Cornelius Cethegus, M. Baebius Tamphilus, A. Postumius Albinus, C. Calpurnius Piso, and Q. Fulvius Flaccus in Liguria, with L. Aemilius Paullus, P. Cornelius Cethegus, and M. Baebius Tamphilus celebrating triumphs in that period.

- 234/3** Sp. Carvilius Sp.f. C.n. Maximus, consul, the Sardinians,  
**233/2** Q. Fabius Q.f. Q.n. Maximus Verrucosus, consul, the Ligurians,  
**233/2** M. Pomponius M.f. M.n. Matho, consul, the Sardinians,  
**223/2** P. Furius Sp.f. M.n. Philus, consul, the Gauls and Ligurians,  
**197/6** Q. Minucius C.f. C.n. Rufus, consul, the G[auls and the Ligurians, on the]  
 Alban Mount,<sup>372</sup>  
**[at least four triumphs not extant]**  
**177/6** C. Claudius [Ap.f. P.n.] Pulcher, consul, the Istri and Ligurians.  
**175/4** Ti. Sempronius P.f. Ti.n. Gracchus, proconsul, from Sardinia,  
**175/4** M. Aemilius M.f. M.n. Lepidus, consul, the Ligurians,<sup>373</sup>  
**175/4** P. Mucius Q.f. P.n. Scaevola, consul, the Ligurians,  
**166/5** M. Claudius M.f. M.n. Marcellus, consul, the Contrubian Gauls, Ligurians  
 and Eleates,  
**166/5** C. Sulpicius C.f. C.n. Galus, consul, the Ligurian Ta[...]rni,  
**158/7** M. Fulvius M.f. M.n. Nobilior, proconsul, the Ligurian Eleates,  
**155/4** M. Claudius M.f. M.n. Marcellus, consul, the \_\_\_\_\_ and Apuani  
**123** M. Fulvius M.f. Q.n. Flaccus, proconsul, the Ligurians, Vocontii and  
 Salluvii  
**122** C. Sextius C.f. C.n. Calvinus, proconsul, the Ligurians, Vocontii and  
 Salluvii  
**122** L. Aurelius L.f. L.n. Orestes, proconsul, from Sardinia,  
**117** Q. Marcius Q.f. Q.n. Rex, proconsul, the Ligurian Styni,  
**111** M. Caecilius Q.f. Q.n. Metellus, proconsul, from Sardinia,

Even just limiting ourselves to the second century campaigns, we can see that multiple triumphs are being celebrated for each conflict and furthermore, that the Ligurian and Sardinian conflicts tend to coincide. I argue that this is not by chance, but that for some reason, conflicts in the one area could and would ‘spill over’ into the other. Moreover, the Ligurians and Sardinians also defeated Roman armies repeatedly, such as the forces of Marcius Phillipus in 186 and Petillius Spurius in 176.

Little can be discovered about these campaigns directly, but reference is more often made to these campaigns in accounts of other campaigns. For example, Strabo’s account of the Balearic campaign of 123 suggests that the Baleares were being punished for piracy committed by Sardinians and Ligurians.<sup>374</sup> Like the Iberian situation, Liguria

<sup>372</sup> The appending of ‘Alban Mount’ here probably implies that he celebrated a triumph or ovation with popular support, but without formal senatorial approval.

<sup>373</sup> As noted above, Lepidus also campaigned in Liguria in 187.

<sup>374</sup> Strabo 3.5.1.

and Sardinia were inheritances from the First and Second Punic Wars that took many years to bring under control.<sup>375</sup> And like the Balearics, both were traditional recruiting grounds for mercenaries.<sup>376</sup> The role of Liguria as a recruiting ground has been suspected, but Ligurian individuals keep appearing in the sources.<sup>377</sup> When discussing mercenaries recruited, Polybius, Diodorus, and Dio all note the Ligurians and Baleares as separate from groups like the Celts, Iberians, and Gauls.<sup>378</sup>

The Ligurians served as a source of freelance warriors. The Ligurian campaigns often seem rooted in requests made by Rome's ally, Massilia. The Massiliots asked the Romans to drive off a Ligurian attack in 181 and in 154.<sup>379</sup> Thus, this area may be less of a triumph-hunting locale than others. Yet the portrayal of the Ligurians as bandits is striking, and Roman campaigns occurred throughout the 180s, often with both consuls being sent to Liguria.

Florus, when talking of the Ligurians of the third century says:

*Liguras, imis Alpium iugis adhaerentis inter Varum et Magram flumen implicitosque dumis silvestribus, maior aliquanto labor erat invenire quam vincere. Tuti locis et fuga, durum atque velox genus, ex occasione **latrocinia magis quam bella** faciebant.*

It was a greater task to find than to conquer the Ligurians, who were clinging to the foot of the Alps between the Varus and Magra rivers, and obscured by woods and bushes. Safe in their position and refuges, they, a hard and quick race, were making bandit raids out of opportunity, rather than wars.

Here, the Ligurians 'made bandit raids rather than wars'. Florus's perception of banditry seems tied to the development of cities. Rather than *urbes* or *oppida*, the Ligurians here have *latebras*.<sup>380</sup> One might well ask if this portrayal was typical. Livy's description of

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<sup>375</sup> Many of the Ligurians had served as mercenaries in Carthaginian armies in past years, and like their Gallic neighbors, sided with Carthage against Rome.

<sup>376</sup> Florus 2.17-18.

<sup>377</sup> For example, Chilver (1938) says "since Liguria was not populous in the Augustan age any more than it was a good recruiting ground." The evidence for Liguria as a recruiting ground comes principally from the numbers of Ligurian mercenaries and auxiliaries found elsewhere. One might potentially reconcile the sides through presuming that the Ligurians who took up freelance military service had already been displaced, and so, while ethnically Ligurian, they were not, in fact, in Liguria.

<sup>378</sup> Some of this is noted in Scullard 1990, 495.

<sup>379</sup> See Benedict 1942, 39. The ancient referent is Livy, 40.18, who indicates that piracy was a problem in 181 in both Liguria and Histria. Plutarch (*Aem.* 6.2) also mentions the 181 campaign of Aemilius Paullus.

<sup>380</sup> Florus, 2.3.4-5.

the Ligurians in 182 has much the same flavor: *in Liguribus nihil postea gestum. recesserant primum in devios saltus, deinde dimisso exercitu passim in vicos castellaque sua dilapsi sunt.*<sup>381</sup>

The Second Punic War arrested campaigns against the Ligurians, but such campaigns resumed in the second century. Of particular threat were the Apuani and the Ingauni, who prevented traffic to the northwest by land and sea respectively. The Ingauni were defeated and made a treaty in 181 and the Apuani were defeated in 180 and forcibly deported to Samnium.<sup>382</sup> Additional campaigns in 187, 179, and 177 also deported Ligurians out of the foothills (*saltus*) and onto the plain (*campus*). The most detailed campaign, that of Claudius, is narrated in Livy.<sup>383</sup>

These actions largely appear to be ones of establishing control, with an emphasis on controlling the people, not the land. The deportation and resettlement is a method of separating the people, and those resettled are particularly apt to be at loose ends and so, available to serve as mercenaries. It should not be discounted, however, that, for many years, the cause of brigandage for individuals had been seen to be poverty and that of an entire tribe to be one of overpopulation. The resettlement, in theory, would have had the benefit of granting both benefits: a ready auxiliary force and a reduction in the overpopulation of Liguria.

Of principal interest, however, are the campaigns of the 120s. There appears to be a resurgence after several peaceful decades, though this might be a symptom of Polybius's 'long peace', in which the Romans had to find testing grounds in order to have

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<sup>381</sup> Livy, 40.17.6. "Among the Ligurians, nothing [no war] was waged after that. They had retreated first into out-of-the-way thickets, then, after the army was dismissed, they scattered themselves into their home villages and castles."

<sup>382</sup> The Ligurians also defeated a Roman army under Q. Marcius Rex in 186. For an account principally of Ligurian manpower and secondarily of the second century campaigns, see Brunt 1971, 187-190. On the Apuani, it is noteworthy that a triumph was celebrated over the Apuani in 155; it is unclear whether those were another branch of the Apuani or if the original set of Apuani eventually returned.

<sup>383</sup> This is the campaign ending at 41.14, not the one at Livy 41.16-19. It may be noteworthy that Livy records the number of fallen Ligurians (in the second episode) as precisely enough to qualify for a triumph. Brunt 1971 (187-188) has some doubts that the land could have supported as many men as the Romans claimed to defeat in Liguria.

For more on the Ligurian deportations, see Gabba, 1989, 202, and in addition to the above Livy passage: Livy 40.38, 40.41, 42.22.

a well-trained fighting force.<sup>384</sup> Less charitably, the lack of major campaigns could have led to commanders seeking out wars either for triumphs or for monetary gain.<sup>385</sup>

Furthermore, as will be discussed in the next section, the Roman campaigns in Liguria and Sardinia may have affected matters further west. In the later campaigns, it seems likely that another request from Massilia may have caused the situation. Specifically, a request for help regarding a border skirmish was sent to Rome in 125.

The evidence seems to suggest some form of alliance between the Ligurians and the Sardinians. But it would appear an alliance that transcends tribal affiliations and boundaries and so, would also appear highly problematic. I find it more likely that the coincidence is caused by some mobile bands of warriors changing territories, but the Roman commanders are less able to change territories and march armies into another Roman's province. In other words, the multiple campaigns are often single campaigns against a foe that moves out of the *imperium* of one Roman leader and into that of another. The same mobility that makes them suspect makes repeated campaigns necessary.

### **Balearic Campaign.**

Moving from a series of campaigns to a more isolated incident, I would like to examine the invasion of the Balearics, which was conducted in 123. Metellus took ships and soldiers from Nearer Spain, sailed to the Balearics (also called the Gymnasiae), defeated the islanders, founded two cities with 3000 veterans and distributed land to them. The avowed reason for this campaign was piracy practiced by the islanders, given in Orosius, Strabo, and Florus, but Strabo gives us reason to doubt this was the reality. Specifically, Strabo asserts (3.5.1):

κακούργων δέ τινων ὀλίγων κοινωνίας συστησαμένων πρὸς τοὺς ἐν τοῖς πελάγεσι  
ληστάς, διεβλήθησαν ἅπαντες, καὶ διέβη Μέτελλος ἐπ' αὐτοὺς ὁ Βαλιαρικὸς  
προσαγορευθεὶς, ὅστις καὶ τὰς πόλεις ἔκτισε. διὰ δὲ τὴν αὐτὴν ἀρετὴν ἐπιβουλευόμενοι,  
καίπερ εἰρηναῖοι ὄντες

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<sup>384</sup> Polybius 32.13, referring to the Dalmatian campaign in the 150s under Figulus. The link with Liguria is mine.

<sup>385</sup> Also suggested by Harris 1985, 225-227.

“Through a certain few bad individuals, those having come together with the pirates in those seas, they all were discredited, and Metellus Balearicus set forth against them. He was the one who built the cities. But there were always plotters against them because of the *arete* of the country, though peaceful, they are nevertheless said to be great slingers”

The phrase διὰ δὲ τὴν αὐτὴν ἀρετὴν ἐπιβουλεύομενοι, is perhaps problematic. The Balears have people (unspecified) plotting against them for their *arete*. Now, *arete* may, of course, mean ‘quality land’,<sup>386</sup> but I think it quite impossible to divorce it from its principal sense. In invoking their *arete*, Strabo may be additionally implying the Balears were honorable and brave people, a good stock of folk that would not normally be guilty of the crimes they were accused of. Strabo emphasizes the *arete* of the land at the opening of this passage also, and in the following section (3.5.2) Strabo asserts the land has *eukarpiā*.<sup>387</sup> The rationale for Strabo’s insistence on the productiveness of the land is to show that piracy is unlikely. Elsewhere, Strabo wants to assert that piracy is a product of poverty.<sup>388</sup> So, establishing a lack of poverty is a useful step in establishing a lack of piracy. A common explanation for the invasion is that the Balearics secured some sort of strategic military position.<sup>389</sup> Strabo exhibits widespread doubt about the motivation of the campaign.

In interpreting Strabo’s passage, the καίπερ εἰρηναῖοι is problematic, as it is unclear whether it applies to the previous or following clause. Should their peacefulness cause us to expect them not to be great slingers or to expect others not to plot against them? I believe it makes so much sense with each that we could actually take it twice, going with *each* clause. While this would be grammatically unusual with καίπερ, the manuscript tradition for Strabo is not the best, and we can quite logically expect a duplicated clause to have been deleted.<sup>390</sup>

Strabo and Florus are the main sources for this campaign, but we can prove the campaign’s date externally through a few other sources. First, the *Fasti Triumphales*

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<sup>386</sup> LSJ definition 2b, cf. Herodotus 4.198, Thucydides 1.2.

<sup>387</sup> διὰ δὲ τὴν ἀρετὴν τῶν τόπων and πρὸς δὲ τῇ εὐκαρπία τῆς γῆς, respectively.

<sup>388</sup> First at Strabo 1.3.2. This sentiment is echoed by Appian, *Hisp.* 100: ἐλήστευον δ’ ἐξ ἀπορίας οὐτοί.

<sup>389</sup> E.g. Scullard 1982, 43, Ormerod 1924, 166. See also Morgan 1969, 224, who argues against this assumption.

<sup>390</sup> Or, perhaps more likely, an entire line to have been skipped. This section in particular has some marginalia incorporated into the text later in the passage, concerning one of the materials the Balears constructed their slings from.

preserves most of two lines<sup>391</sup> describing his triumph, and places it between that of L. Aurelius Orestes for Sardinia and that of Q. Fabius Maximus over the Allobroges. This places the triumph around 121 fairly securely. We also have mentions of the campaign in the *Periochae* of Livy and in Orosius.<sup>392</sup> The first gives us the second tribuneship of Gaius Gracchus (123) as one bookend and the founding of Aquae Sextiae (modern Aix-en-Provence, also probably in 123) as the other. Orosius simply states the year as 627 AUC.<sup>393</sup>

This confirms the campaign and time frame, but for the colonizing, we must look to Pliny the Elder and Pomponius Mela. First, we have some confusion about the islands themselves.<sup>394</sup> Pliny (3.5/3.11) describes the geography of the Balearics and names two towns. He also, like Strabo, asserts that the Balearics consist of two islands.<sup>395</sup> Presuming he means the modern Minorca and Majorca, that leaves Ibiza and Formentera out. Both Pliny and Strabo (unlike Livy) divide them into two groups, naming the other the Pityussae. Considering that Phoenician/Carthaginian settlement centered on those two western-most islands, particularly Ibiza,<sup>396</sup> this might serve as an explanation for the lack of references to Carthaginians and Phoenicians in some of the accounts. The Romans may have seen the Pityussae as old Carthaginian territory, already bound to Rome, but the Balearic Islands as new, barbarian, territory. Like Pliny and Strabo, Mela refers to two islands. He says simply: *Castella sunt in minoribus Iamno et Mago, in*

<sup>391</sup> Q. Caecilius Q. f. Q. n. Metellus A. {b Urbe Condita} DCX[...] Baliaric. Procos. De Baliarib. {us} pr. n {on. (month)}

<sup>392</sup> *Per.60.9: Praeterea res a Q. Metello cos. adversus Baleares gestas continet, quos Graeci Gymnesios appellant, quia aestatem nudi exigunt.*

“It contains the actions carried out by the consul Q. [Caecilius] Metellus against the Baleares, whom the Greeks call Gymnasioi, since they go about naked in the summer.”

Orosius 5.13.1: *Isdem temporibus Metellus Baleares insulas bello peruagatus edomuit et piraticam infestationem quae ab isdem tunc exoriebatur, plurima incolarum caede compressit.*

“At the same time, the well-known Metellus subdued the Balearic Isles by war and suppressed the pirate infestation which had arisen there by a great slaughter of the inhabitants.”

<sup>393</sup> The year is actually given in Orosius 5.12.1, and confirmed with ‘during the consulship of L. Caecilius Metellus and Q. Titius Flamininus’, the consuls of 123.

627 is actually 127 BC, but Orosius is regularly off by 3 or 4 years, as he counts from 750.

<sup>394</sup> See Map 3 for the Balearics.

<sup>395</sup> Livy considers all four islands to be the Balearics (eg. 22.10) and explicitly in regards to Ebusus/Ibiza.

<sup>396</sup> Diodorus 5.16.3 puts the date of such a colony at ~654 BC (160 years after Carthage: ὁ δ’ ἀποικισμὸς αὐτῆς γέγονεν ὕστερον ἔτεσιν ἑκατὸν ἐξήκοντα τῆς κατὰ τὴν Καρχηδὸνα κτίσεως).

*maioribus Palma et Pollentia coloniae.*<sup>397</sup> Here, he names the two cities of the smaller isle, Minorca, then the two of the larger, Majorca. In the surrounding section, Mela takes care to point out cities settled by others: “The area was settled by barbarians, save for where Aleria and Mariana were founded” (*praeterquam ubi Aleria et Mariana coloniae sunt a barbaris colitur*, 2.107) and “Caralis and Sulci, the oldest of cities (*urbium antiquissimae Caralis et Sulci*, 2.108).<sup>398</sup> Yet no such comment is made here, where at least Mago and Ebusus are known to have been Phoenician/Carthaginian foundations.<sup>399</sup> As for quantity, the number of three thousand for the Roman settlers comes from Strabo: εἰσήγαγε δὲ ἐποίκους τρισχιλίους τῶν ἐκ τῆς Ἰβηρίας Ῥωμαίων.<sup>400</sup> For comparison, Diodorus gives the total (contemporary) population of the two islands as 30,000.<sup>401</sup>

As further evidence of the colonization, we can also note the commonplace *nomen* of Caecilius among local magistrates during the Principate, like Q. Caecilius Q. f. Vel. Catullus of Pollentia or Q. Caecilius Q. f. Labeo of Mago.<sup>402</sup> Given that Roman citizens would have had their own *nomina* already, the prevalence of this *nomen* might suggest that the native population took the name of Metellus (so suggested by Curchin 1990, 218). Since Metellus brought his colonists from Spain, however, not from Italy, it is perhaps plausible that that wave of Caecilii are rooted in those Iberian settlers who may have had a closer connection with the Metelli in the first place.<sup>403</sup> It is noted that Caecilius is the ninth most commonly attested *nomen* in all of Iberia, but the

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<sup>397</sup> Mela, 2.109. “On the smaller island are the fortified settlements Iamno and Mago, on the larger, the colonies Palma and Pollentia”

<sup>398</sup> See also 2.98-99 (Crete), 2.83 (Baetica).

<sup>399</sup> Though not particularly relevant to the argument here, those interested in the extent of Carthage’s commercial presence in the Balearics might examine Barceló 1988.

<sup>400</sup> Strabo, 3.5.1: “and he led in 3,000 colonists of the Romans out of Iberia”

<sup>401</sup> Diodorus, 5.17.

<sup>402</sup> For Q. Caecilius Catullus (#828 Curchin 1990), see *CIL* II 3696 and p 962 = *ILER* 6371 = *Veny Corpus* 25, cf Curchin 1990, 218; Knapp 2011, 132.

For Labeo (#796 Curchin 1990), see *CIL* II 3708 and p963 = *ILER* 1384 = *Veny Corpus* 128, cf. Curchin 1990, 215.

For other examples from the Balearics see Curchin 1990 187 (Bocchoris), 204 (Ebusus), 208 (Guiuntum), 215 (Mago), 218 Palma and Pollentia) and 232 (city unknown). Also *CIL* II.3659-3724, especially 3676-3680, 3695-3696, 3708, 3714-3715, 3717-3718.

<sup>403</sup> Despite an utter lack of non-circumstantial evidence, it seems reasonable that Metellus had been governor of Hispania Citerior for some time prior to the Balearic campaign. This view is held by Curchin 1991 (40).



concentration in the Balearics is considerably higher.<sup>404</sup> The implication of *nomina* is that the conqueror of a given territory would frequently establish clients or even grant citizenship to certain individuals. He might also take possession of some land upon which he put slaves who might later become freedmen. We should thus expect that a fair number of the colonists would have adopted the *nomen* of Caecilius. Their lack on the Pityussae suggests that Metellus did not conquer those islands.

So, in sum, the dates and events of the campaign bear out, but it is more difficult to confirm the pretext given for the war. The Latin sources are fairly unanimous in ascribing piracy as the root cause. Strabo does not deny that piracy was the avowed reason for the war, but clearly doubts that it was the principal reason. The *Balaeares*, as they appear elsewhere, did constitute mobile bands of warriors. Balearic slingers and sailors are frequently attested as participants in Carthage's wars in Sicily and with Rome.<sup>405</sup> The expectation of unemployed warriors to turn pirate when they could not turn mercenary is not unreasonable.

Another solution was proposed by M. Gwyn Morgan, accepting Strabo's account, in which the pirates were real, but not native to the islands.<sup>406</sup> In dealing with pirates from the east, they condemned themselves, and furthermore, the Romans were encouraged to wage war by the Massiliots, the presumed ἐπιβουλεύομενοι of the above Strabo passage. Noting that both Florus and Orosius talk of an outbreak of piracy, rather than a continual ongoing problem (as the Illyrians and Cilicians would be described) it is perhaps reasonable to assume that the pirates are newcomers.<sup>407</sup> It would be logical that the governor of Hispania Citerior would engage nearby pirates disrupting his province, but there are no indications of such raids in the years before 123. It would also be logical that Metellus might attempt to grant land to Roman veterans to weaken the support of

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<sup>404</sup> Curchin 1990, 94-95, 218. The rank of #9 is made by Knapp 1978, 213, and accepted by Curchin. The Pityussae, it should be noted, display no such concentration of this *nomen*, though here Cornelius is rather common (and we may well note that Livy (22.20) has the Balearic tribes seek peace with Rome in the wake of the expedition of Gnaeus Scipio in 217).

<sup>405</sup> For a couple of examples: a Balearic force defeated a Syracusan one under Agathocles in 311 (Meister 1984, 393), in the second Punic War, Balearic rowers enlisted with Mago (in 206).

<sup>406</sup> Morgan 1969.

<sup>407</sup> Morgan 1969, 223.

Gracchus in Rome.<sup>408</sup> Morgan is fairly convinced that the decision to act in 123 was prompted by the Massiliots, just as they prompted the war in 125 in Transalpine Gaul.<sup>409</sup>

The issue that further complicates this scenario is related to the above discussion of Liguria and Sardinia. The sailors the Baleares were trading with may have been not pirates, but rebels or refugees. (Or pirates *as well as* rebels and refugees, for that matter) Diodorus says in passing (5.17.3) that the islanders were frequent victims of pirates, rather than perpetrators of piracy. Noting the ongoing campaigns in Sardinia and Transalpine Gaul, Morgan suggests that the combatants were also the same in this conflict, Ligurians and Sardinians who hoped to continue resistance with a new base. The expedition under Metellus would then be part of a larger command to assist in those conflicts, which would more thoroughly warrant the size of the force he had brought to the islands. Unfortunately, Livy's accounts of the pertinent campaigns are lost. Rome, however, had numerous campaigns in Sardinia, and at Livy 41.12 (when Sempronius was in Sardinia ~177), we see: *Balarorum magna auxilia Iliensibus venerant*. Now, it would be a bit of a jump to associate these Balari with the Baleares, and indeed, we can find this as a name for a group of Corsicans.<sup>410</sup> It is a curious coincidence, however, and one might well wonder if the two are connected or even if Livy misrecorded the name. A history of linkage between Sardinia and the Gymnasiae would make the suggestion of refugees operating as pirates more palatable.

Morgan's account does not quite rely on Strasburger's arguments for which parts of Strabo are most indebted to Posidonius, but is well aided by it.<sup>411</sup> Posidonius, as an author, was quite interested in piracy and a firm believer that the character of the land shaped the character of the people.<sup>412</sup> This sense of the character of the land and the character of the people do not appear to be unique at all, as I will explain further both later in this chapter and in chapter 7.

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<sup>408</sup> Morgan 1969, 226.

<sup>409</sup> And if some of the pirates were from Transalpine Gaul originally, sudden attacks on Massilia would be quite expected.

<sup>410</sup> They are noted also in Sallust, *Hist. F.2.9* (McGushin), where 'some say' they were Spanish mercenaries in service to Carthage and others that they were refugees from the Balearics.

<sup>411</sup> Strasburger 1965.

<sup>412</sup> Strasburger 1965, 49-50; Morgan 1969, 221. Posidonius's emphasis on piracy seems tangentially tied to his praise of Rhodes for suppressing it and blame on Rome for weakening Rhodes.

### Dalmatian campaigns

The Dalmatian campaigns' evidence may be even sparser than that for the above campaigns. Nevertheless, though sparse, the historical record up until the mid-second century is fairly consistent. Polybius (and others) consistently characterize the Illyrians as pirates, and Wilkes, in the relevant volume of the *History of the Provinces of the Roman Empire*, asserts that the Liburni Illyrians were principally famous for their piracy and the comparative sexual freedom of their women.<sup>413</sup> While Polybius notes Illyrian piracy, earlier Greek reports (e.g. Thucydides 4.125.1, Pseudo-Scymnus 422), merely depict them as fierce fighters and a hospitable people.

Nevertheless, later authors continue the description of Illyrians as pirates in every period. Aristotle's assertion that brigandage is a productive occupation may have shaped the way for authors to use this ethnographic detail in describing various tribes.<sup>414</sup> The Delmatae in particular are considered prone to banditry (*in latrocinia promptissimi*) by Florus (2.25.10). Appian, in the *Civil Wars*, briefly relates a history of Dyrrhachium/Epidaamnus where he names the Liburni pirates (οἱ τὰ περίοικα νηυσὶ ταχείαις ἐληίζοντο) from their arrival on the scene.<sup>415</sup> These claims of piracy are exaggerated and generally abstract characterizations rather than pinned to specific events. Though there are numerous authors that assert that certain tribes lived by brigandage or piracy, that has a better claim as a cultural phenomenon than an economic one. Wilkes notes that the Greeks resort to such labels when confronted with this strange society.<sup>416</sup>

Small campaigns in the Illyria/Pannonia/Dalmatia region were not uncommon in the second century. The Istrians of northern Illyria assisted the Aetolians and the

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<sup>413</sup> Polybius 2.3.2, 2.8.1.

Wilkes 1969, 186-187. Wilkes goes on to link the two, e.g. "The comparative sexual freedom enjoyed by the women was part of the life of a community organized for piracy." (187) The Greek links of the Illyrians to piracy have been mentioned before in the previous chapter. Most of these links are in the abstract, not referring to specific incidents.

See also Wilkes 1969, 177 n.1 for pirate fame.

For discussions of the potential impact of piracy on the Illyrian economy, see Royal 2012, 438, 441, Horden and Purcell 2000, 387-388.

<sup>414</sup> Aristotle, *Pol.* 1.8. Perhaps of still greater relevance and impact is Thucydides's description of the Aetolians and Acarnanians (1.5-6), who practice banditry for their livelihoods, which he uses as evidence that this is how things used to be in the rest of Greece as well.

<sup>415</sup> Appian, *B Civ.* 2.39 cf. Dio 41.49. See Cabanes 1993, 9ff. for a compilation of the historians' foundation stories of Dyrrhachium and Apollonia.

<sup>416</sup> Wilkes 1992, 110.

Romans sent a punitive raid. Similarly, during the war with Perseus, the Illyrians, under Genthius, threw in with the Macedonians, and were roundly defeated by Lucius Anicius Gallus at Scodra in 168.<sup>417</sup> Anicius would celebrate a triumph for this in 167/166. Livy, discussing this side campaign in some detail, twice observes plundering as a method employed by Genthius<sup>418</sup> and suggests that money is the only way to sway ‘the impoverished barbarian’ (*barbarus inops*, 43.20). From there, the campaigns crept northward. Whether driven by insults or by lack of action, Figulus defeated the Delmatae in 156.<sup>419</sup> Triumphs over the Illyrians were celebrated in 155/154 by Publius Scipio Nasica (against the Delmatae) and in 129 by Gaius Sempronius Tuditanus (against the Iapydes). Another campaign was launched against the coastal Ardiaei and Plerai in 135, who lived between the Delmatae and Scodrenses, under the consul Flaccus.<sup>420</sup>

Illyrian plundering likely featured as the understood motivation for the 156 campaign, as well as the 135 campaign. Polybius, however, claims that the motivation for the campaigns of 156-155 was a desire to train the army.<sup>421</sup> Tuditanus benefitted from being out of Rome, and no historian records a given pretext.<sup>422</sup> As mentioned, the Dalmatians were previously defeated by Figulus in 156. And triumphs were celebrated in 155/154 by a Publius Scipio Nasica and 129 by Gaius Sempronius Tuditanus. This gives us the background for the Dalmatian campaign of 118, the last campaign in Illyria before the civil wars of the first century.

The Dalmatian campaign of 118, like the Balearic campaign, was also conducted by a Metellus.<sup>423</sup> Appian accuses this Metellus of triumph-hunting. According to Appian, the campaign contained little more than camping in Dalmatia and staying with

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<sup>417</sup> Livy, 44.31. Here, it may be worth noting that Genthius’s Illyrians comprise only the territories just to the north of Epirus, and not the Dalmatians as well.

<sup>418</sup> 42.26 (a compliant from Issa) 44.30 (a fleet of *lembi* sent to harass the territory of Dyrrhachium). He also mentions some earlier Illyrian plundering under Genthius at 40.42.

<sup>419</sup> Polybius 32.23 gives several potential ‘real’ reasons for the campaign, but asserts that the public reason was the insults to the Roman ambassadors. This corresponds well to the variety of reasons for the campaign against Teuta in the previous century, where again, the explicit reason was the death of an ambassador.

<sup>420</sup> See Wilkes 1969, 29-32; Appian, *Hisp.* 10; and Livy, *Per.* 56.

<sup>421</sup> Wilkes 1969, 36. The Polybius reference is 32.13.

<sup>422</sup> Wilkes 1969, 36.

<sup>423</sup> See Broughton 1951 (*MRR* I), 525-529 (for the years 119-117).

friends.<sup>424</sup> The *Fasti Triumphales* do mention his triumph (as proconsul, probably in 117). This Metellus, as consul, waged war against the (inland) Segestani in 119.<sup>425</sup> Nevertheless, he celebrated a triumph over the Delmatae, a coastal Illyrian people. According to Appian, however:<sup>426</sup>

χρόνῳ δ' ὕστερον Καικίλιος Μέτελλος ὑπατεύων οὐδὲν ἀδικοῦσι τοῖς Δαλμάταις ἐνηφίσατο πολεμεῖν ἐπιθυμία θριάμβου, καὶ δεχομένων αὐτὸν ἐκείνων ὡς φίλον διεχείμασε παρ' αὐτοῖς ἐν Σαλώνῃ πόλει, καὶ ἐς Ῥώμην ἐπανῆλθε καὶ ἐθριάμβευσεν.

“Later, Caecilius Metellus resolved to go to war against the Dalmatians, although they had been guilty of no offense, because of his desire for a triumph. And they received him as a friend and he stayed through the winter among them at the town of Salona, and then he returned to Rome and triumphed.”

Though this is normally taken as happening in 119, the same year as the action against the Segestani, since the *Fasti Triumphales* give his title as proconsul and Appian a little earlier writes: ἐοίκασι δὲ καὶ Σεγεστανοὶ Λευκίῳ Κόττῳ καὶ Μετέλλῳ, ἀμφοτέρω δ' οὐ πολὺ ὕστερον ἀποστῆναι,<sup>427</sup> the action against the Segestani thus appears to be in the year of his consulship. I thus present a short timeline of:

- 119—Cotta and Metellus are consuls and assigned a campaign against the Segestani
- 118—Metellus assigned as governor of Dalmatia as proconsul
- 117—Metellus continues as proconsul and celebrates triumph over Delmatae.

Following this, it seems as though there may have been some irregularity concerning the triumph, which I will address in greater detail later (in chapter 6). Such an instance would accord well with Appian's accusation that Metellus was 'triumph-hunting'. Now the Delmatae, a coastal people, would be more likely to garner accusations of piracy than the Segestani. Those accusations do not appear to surface here. It is certainly not

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<sup>424</sup> Appian, *Hisp.* 11. Wilkes 1969, 34, argues that Appian was hostile to the Metelli.

<sup>425</sup> See Map 2: Illyria and Epirus, page v.

<sup>426</sup> No year is given in Appian. The text of Livy (*Per.* 62) is of no help: *L. Caecilius Metellus Dalmatas subegit*. But the event does appear after the triumph of Marcus Rex, who was consul in 118. The *Fasti Triumphales* lists a date for neither, but puts the triumph of Delmaticus first in the chronology. Eutropius (4.23) puts the triumph in the consulship of M. Porcius Cato and Q. Marcus Rex (118- 636 AUC by Broughton 1951) which he calls 633 AUC.

<sup>427</sup> Appian, *Ill.* 10: The Segestani seemed [subjugated] by Lucius Cotta and Metellus, but both [Segestani and Iapydes] revolted not much later.

unusual for there to be several campaigns in quick succession in the same area. Such events do, however, cast some doubt on the commanders' all-too-frequent claims of decisive and lasting victories. This switch of the target's name may also indicate an initial loss to an Illyrian group, swept under the rug by rebranding.<sup>428</sup>

It is difficult to make this argument *ex nihilo*, but modern scholars have not noted a preponderance of commanders' *nomina* as *nomina* of Illyrians similar to what can be observed for the Balearics. The relative abundance of *tria nomina* at Dyrrhachium includes common Roman names, but does not include a wealth of Cornelii, Caecilii, or Sempronii which would display an enfranchisement similar to Iberia's.<sup>429</sup> From the *nomina*, it appears that the Roman cultural advance in Illyria was not as rapid as it was in Iberia and may also indicate that Roman commanders, despite their Illyrian campaigns, had little lasting influence in Illyria. Illyrian piracy, like Iberian raiding, could serve as a useful pretext and cover for retaliations or simply Roman counter-raiding in search of wealth or glory. Moreover, Roman perceptions of piracy in the Balearics and in Illyria appear to be fundamentally different. While the modern historian tends to think of control of territory, the ancient commander thought instead of controlling funds and people. That control took far longer to achieve in Illyria than it did in Iberia.

### Conclusions

Taken together, the material suggests: 1) while dates, leaders and areas are stated rather plainly, the particulars of the campaigns are largely interpretations by the historians, whether ancient or modern. This conclusion should surprise no one. 2) The second century was a time when the appropriateness of a campaign began to be questioned.<sup>430</sup> The rationales for campaigns begin to be recorded in greater detail. 3) The pretexts of campaigns frequently did not reveal the rationale or motivations behind them. Moreover, claims of piracy or brigandage by the enemy are common even when

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<sup>428</sup> See Clark 2014, 174 for the suggestion of a hidden defeat.

<sup>429</sup> For some evidence of Illyrian names, see Cabanes (ed.) 1993 *passim*, but particularly Anamali 1993, 114-116.

<sup>430</sup> This suggests an interesting corollary that sheds light upon the ancient historians' assertion that Rome reached its apex during the Punic Wars or some time after (Polybius pins it to 216 BC, others 146). By Rome starting to examine the motivations of campaigns in the second century, it found more corruption than before it started looking.

other justifications exist. 4) A campaign against bandits or pirates was extremely defensible, even if there was less glory to be won. Claims of piracy served as insurance against political charges of wrongdoing. 5) Certain groups on the Roman margins became intrinsically linked with the practice of banditry/piracy. I do not mention this to argue that such acts did not occur, but to argue that this reputation made these groups almost incapable of 'legitimate' action in Roman perception, despite the relative similarity in Roman and non-Roman actions. This also served to encourage further Roman aggression.

In the second century, there is a clear continuation of general trends of the third. In the East, bands of fighters were seen as potential pools of manpower too valuable to eliminate outright, even if they must be occasionally dealt with. Even with Rhodes, the foremost of pirate-hunting states, the goal was chiefly to adduce that manpower to one's own state rather than to eliminate it entirely. In the West, however, those fighters deemed pirates or bandits have a 'state' and a definite allegiance. These same areas, however, also tended to be prime candidates for mercenary-recruiting grounds. This could either represent the ready shift between mercenary and bandit that is well noted in the East, or, if that propensity was noted by the Romans, could easily lead to the westerners acquiring the same associations regardless of actions.

At this point, I would like to turn to the first century. Rather than picking an arbitrary date for the cutoff, I have decided to use Marius's rise to power as the most appropriate point of transition. This is because Marius's military reforms, particularly those permitting the recruitment of an essentially mercenary army (rather than a conscript one) had significant repercussions on the availability of the fighters of ambiguous allegiance that are the subject of this work.<sup>431</sup>

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<sup>431</sup> See Brunt 1971, 82-83 for some effects of the enrollment of the *proletarii*.

## Chapter Four: The Small Wars of the First Century

This chapter focuses on the same types of situations as the previous. In the aftermath of the servile wars of the second century, the ‘at-large’ warrior took up an even more prominent role in the international dynamic. Furthermore, I propose the nature of foreign affairs and the role of the freelance warrior was changed dramatically by the Marian reform. Specifically the provision to enlist the *proletarii* on a regular basis rather than as a temporary measure had the effect of changing Rome’s army from a conscript force to a paid force. This in turn meant that various employment issues changed dramatically both for the individual and for the state.<sup>432</sup> The Roman *proletarii* may not have been a principal source of manpower to the mobile bands of at-large warriors, but a member of the *proletarii* who wanted to be a warrior had little choice but to join these bands. And for the unmarried career soldier, there was little point in owning property one never saw. An altogether different type of contingent manpower—slaves—also had become a numerous force in the Roman sphere in the second century. As the evidence of the servile wars shows, the route from slave to freelance warrior and vice versa was neither a particularly difficult nor uncommon one. Yet, in recruiting auxiliaries, Romans are careful to exclude fugitive slaves and accuse others of their hiring.

While Hopkins argued that the change to enroll the *proletarii* was merely the public confirmation of an ongoing trend, I suggest that for my purposes, the public confirmation is most important.<sup>433</sup> Up until then, the warrior band, whether operating legitimately or illegitimately, had been playing in what amounts to a ‘manpower market’. Some states had sufficient manpower on their own; others sought to keep another pool on retainer. In essence, Hopkins and Brunt examine the issue from a labor-buyers’ perspective: the Roman Army could (and did) relax restrictions to make up shortfalls. In other words, the labor market is still a closed one. But if examined from a labor-suppliers’ perspective, where the warrior or warrior band seeks to sell its services, then the decision to enlist the *proletarii* opens the labor market publicly. Thus the *proletarii*

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<sup>432</sup> These issues are thoroughly discussed in Brunt 1971 and Hopkins 1978.

<sup>433</sup> See Hopkins 1978, 30-31, 36, and esp. 31n40. Brunt 1971, 82-83 and 402-408 are probably the passages Hopkins is responding to here.



always now have the option to enlist in the Roman army, not just in times of state emergencies. The state army and the mobile bands of ‘freelancers’ are now in competition for the same individuals. From the state’s perspective, little has changed. For the poor, ‘freelance’ fighter, however, the power dynamic and the market have thoroughly shifted. Lastly, as a natural result, the legitimacy of the freelancer who chooses *not* to be state-employed drops, as then such freelance warriors are seen as intrinsically opposed to the state’s military, rather than excluded by it.

The first century is also marked by an increasing interest in legislating external activities—or, at least, by records of these legislative acts surviving. By the end of the second century, legislation passed had more to do with asserting who was in charge on each front; the *lex Cornelia de provinciis ordinandis* (81) and the *lex Sempronia de provinciis consularibus* (123), for example ensured that the voters would know where the elected officials would be heading.<sup>434</sup> In addition to appointing individuals as governors or ambassadors, the Roman people passed legislation that also decreed some content which ambassadors were bound to deliver (such as the *lex de provinciis praetoriis*). The second century is filled with innumerable examples of generals or legates who came to an agreement with a foreign people only to have that agreement nullified back in Rome. While this is generally cast as the Senate being insufficiently aware of the matters on the ground, one cannot ignore the possibility that some in Rome thought too much power was being put into the hands of the magistrates afield. This, if true, would be a reverse of a trend of the third century, which required more authority to be placed in the hands of commanders who would be far away for an extended time.<sup>435</sup>

In this chapter, I discuss four types of events: Roman internal conflicts with slaves and civil wars; their external conflicts with Cilicia, Cretans, and pirates; the repeated association of these smaller wars with Mithridates; and legislation that began to be passed either as a way of dealing with the piracy or as a way of dealing with the Romans’ own

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<sup>434</sup> Concerning this Sullan law, see Pina Polo 2011, especially ch. 12: “The supposed *lex Cornelia de provinciis ordinandis* and the presence of consuls in Rome in the post-Sullan period” pp. 225-248. For a succinct summation of these two laws (or of what they are supposed to have said), see Ramsay 1863, 191. Williamson 2005, 494, also lists it in her list of ‘reliable’ laws.

<sup>435</sup> See Eckstein 1986, esp. 319-324, for this trend explicated in detail.

leadership. Through these, I hope to show two things, first, that the ‘freelancer’ continued to be an important factor in warfare, second, that the ‘identities’ and ‘roles’ portrayed played a role in creating and promoting conflicts. Many of the items herein have echoes from the previous chapters. The line between ‘pirate’ and ‘mercenary’ was still fluid; certain regions (e.g. Cilicia, Crete, and Illyria) still had piratic reputations. The Rhodians persisted in their anti-pirate activities, the First Servile War had two great echoes in the first century, and Roman ambassadors continued to dictate foreign policy to eastern rulers.

### **The Cilicians and the Expedition of Marcus Antonius Orator**

Marcus Antonius (Orator) was assigned Cilicia and the pirates in 102, presumably as a praetor with proconsular powers.<sup>436</sup> Indeed, Antonius would celebrate a triumph for a victory over them (late in December 100).<sup>437</sup> It is altogether unclear, however, how effective his campaign actually was. Aside from brief remarks in Livy and Julius Obsequens, we have little to go on.<sup>438</sup> They have Antonius entering Cilicia in 102, though I would tentatively argue that Antonius was actually acting in response to some Cilician action happening in the previous year.<sup>439</sup> Afterwards, however, the borders of Cilicia were poorly defined and poorly understood, the Syrian kings still claimed possession of it, and the Cilician pirates were still around and causing trouble. If we are to see his campaign as having been effective, then we must also presume some non-obvious goals. And if we are to see it as a specifically anti-pirate campaign, it is also the first such Roman campaign we know of.<sup>440</sup>

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<sup>436</sup> So Broughton 1951, (*MRR* I) 568, 572, 576). There is some difficulty in the dating, part of which comes from a certain Gaius Norbanus who accompanied Antonius as quaestor (possibly to avoid his legal troubles in Rome (see Broughton 565-566))

<sup>437</sup> We can date this triumph, oddly enough, by references in Cicero’s *Pro Rabirio* and in Appian (B Civ. 1.32-33), which show that Antonius was just approaching (or possibly waiting outside) the city on December 10th (the first day of the tribunate) See Broughton 1946 for a full argument.

<sup>438</sup> Livy, *Per.* 68.1; Obsequens, 44; *ILLRP* 1.342; de Souza 1999, 103. The epitomator of Livy says *in Ciliciam praedones persecutus est*. For one comparison of the usage, see Cicero, *Fam.* 12.15.7: *classem fugientem persecuti sumus usque Sidam* (We pursued the fugitive fleet all the way to Side)

<sup>439</sup> I base this argument on the usages of the verb *persecutus est* with an accusative Ciliciam rather than an ablative. See below, 112.

<sup>440</sup> While this motivation has been argued for Rome’s earlier actions against Antium or Teuta’s Illyrians, I find these arguments unconvincing (see chapter 2 above, 43-52 for my arguments).

Now, Cilicia was not historically a major interest for Rome. The Greeks had settled there much later than in other parts of Anatolia.<sup>441</sup> The rulers of Cilician states generally stayed out of Roman and Aegean affairs, though there might be occasional conflicts with Lycia and Rhodes, both Roman allies. Strabo (14.5.2) tells us that the Romans had avoided Cilicia during Tryphon's rise to power (roughly 142-138), saying both that the Romans saw it as a Seleucid problem and that they had more problems closer to home. According to Strabo, Diodotus Tryphon was responsible for organizing a band of sea-raiders, though whether he did this through uniting such existing bands in Anatolia, encouraging his supporters to take up piracy, or some combination thereof is rather unclear.<sup>442</sup> The Roman interest in Cilicia begins far later. Some try to explain the lack of such a Roman interest to an effective anti-pirate campaign by Rhodes, Lycia and other Greek allies of Rome, but Strabo is probably nearer the mark.<sup>443</sup>

Between the death of Tryphon and the campaign of Antonius, we know little about these Cilicians he supposedly organized. Secondary scholarship has long supposed that they, operating nearly exclusively in the Eastern Mediterranean, supplied (either firsthand, or more commonly, through middlemen) the great slave markets of Rhodes and Delos. One might fairly wonder if Rhodes or another Greek city had called upon Roman aid against Cilicia, but the absence of any such association or request is notable. Nor would we have to rely on the histories of that period alone. In the civil wars, when Pompey, Caesar, and Antony were hopping from city to city and calling upon the past favors of Rome, one would expect such a landmark event to be referenced.<sup>444</sup> In any

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<sup>441</sup> For Greek settlement in Cilicia, see Graham 1982, 92-93 for the Archaic Period (in which there was next to none) and Mellink 1988 for later periods. See Appendix 1 for a detailed discussion of Cilicia and its boundaries.

<sup>442</sup> Sources for Tryphon are relatively few. The principal ancient references are Strabo, Diodorus and Josephus, but they can be listed as follows: Athenaeus 8.333 (=Poseidonius F29); Diodorus 33.3, 33.4a, 33.28, 33.28a; Frontinus, *Str.* 13.2; Jerome *Chron.* 159.4-160.4; Josephus *AJ* 13.131-284 *passim*, 20.239, *BJ* 1.49-51, Justin, *Epit.* 36.1, 38.9, 39.1; Livy *Per.* 52.13, 55.11, *Epit.* 55; 1 Maccabees 11:39-40, 54-56; 12:39-49; 13:1-24; 15:10-14, 25, 37; Orosius 5.4.17; Strabo 16.2.10,19; 14.5.2. Of these, only Strabo preserves a connection to the Cilician pirates, though. Nevertheless, even if the cause of the organization were not Tryphon, the time is approximately correct. (see below, ch.6, for more on Tryphon and his representation)

<sup>443</sup> E.g. Ramsay 1928, Sherwin-White 1976. As noted in the previous chapter, Rhodes was dwindling as a naval power and the quantities of slaves passing through the Aegean was increasing.

<sup>444</sup> We might expect such an argument to be advanced at Dio 47.33-34.

instance where past favors are mentioned, it is always Rhodes contributing ships to a Roman force.

One might ask where Antonius was headed to take command. By chance, we have an inscription from Greece which indicates he was headed to the Pamphylian city of Side.<sup>445</sup> Despite falling within the new Pergamene borders, Side had been mostly an independent city since the end of the Syrian War, but would prove to be a main port for the Cilicians later in the first century. The possibility of Side being the destination becomes a stronger possibility when it is noted that it became the starting point for the later highway constructed by Isauricus from Side to Iconium.<sup>446</sup> That Servilius Vatia Isauricus used it as a staging point is not proof that Antonius did, but it is suggestive that it might have been so used and, more to the point, that it was seen as an important Cilician site. It is generally supposed that Antonius would have had to use Asia as a base of operations, but this is not a necessity, as Rhodian and Lycian allies could no doubt serve easily as well. De Souza also notes (1999, 105) that it was odd for a proconsul to leave ahead of his forces, but this can be explained if he was gathering his forces from various places, predominantly outside of Italy.<sup>447</sup> Indeed, if the accounts of local recruiting during the Mithridatic Wars can be any guide, we might expect Antonius to have been reliant on a relatively small core force from Rome, supplemented by Rhodians and Lycians. One Rhodian inscription does suggest that at least one Rhodian was present and under Antonius's orders.<sup>448</sup>

The result was a short, victorious campaign in which the Roman acquired a province of Cilicia, the particulars of which are completely unknown. It is perhaps not unreasonable to suspect that the leading orator of the day could convince people that his expedition was a great success even if the real situation was more modest. So, there

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For other states, like Massilia, we have several references to calls for aid (Polybius 33.8-10; Livy 40.18, *Per.* 60.2) which are invoked later by Pompey (Caesar, *B Civ.* 1.32).

To not invoke such past favors is unusual.

<sup>445</sup> De Souza 1999, 105; Ormerod 1924, 208n.4; the inscription is *CIL* 1<sup>2</sup>.2662 (= *ILLRP* 1.342), published in Taylor & West 1928. Others (such as Sherwin-White 1976, 4) attribute this expedition to the Antonius who held the command in 74 (see below, 138, for this Antonius).

<sup>446</sup> Sherwin-White 1994, 233.

<sup>447</sup> Broughton 1946 prefers to explain it as Antonius already having won the sea battle and this represents a wintering of the commander apart from the troops already in Anatolia.

<sup>448</sup> *IGRRP* 4.1116. Similarly, a Byzantine contingent to this campaign is referenced in Tac. *Ann.* 12.62.

remains a good deal of uncertainty and disagreement about what actually happened around the turn of the century. What prompted Roman action at this time? How was the campaign managed and from where? What was the triumph for? Where were Cilicia's borders? I think these questions cannot be answered with certainty, but given a few more details, a picture of some probable possibilities will emerge.

### **The First and Second Servile Wars**

The Servile Wars contribute a new perspective on the ideas of legitimate power, on surplus or at-large manpower, and on portrayal of others as pirates. Moreover, the Second Servile War suggests some answers for the questions raised by the campaign of Antonius. Firstly, the slaves are described as robbers and brigands repeatedly. The portrayal of these slaves has a certain similarity to the portrayal of pirates in the previous chapter. Unsurprisingly, the slaves' nascent states were considered illegitimate and terms of negotiation with slaves were sharply limited. Association with fugitive slaves became and continued to be damning: the fear-mongering accusation of arming slaves was later leveled at Catiline and Sextus.<sup>449</sup> Overall, the Romans reacted to these conflicts in a manner notably different from 'external' conflicts.<sup>450</sup>

The First Servile War, sometimes styled revolt, is generally dated to 135-132.<sup>451</sup> Ancient authors, even Florus, are consistent in naming these actions wars (*bella*), while modern authors prefer to term them revolts, perhaps subconsciously agreeing with

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<sup>449</sup> Despite the accusations, Catiline does not appear to have accepted fugitive slaves, but Sextus appears to have.

<sup>450</sup> The Servile Wars have a notable bibliography of their own, most significantly, as we might expect, on Spartacus. For a beginning, Morton 2012, Urbainczyk 2008, Shaw 2001, and Bradley 1989 should suffice. Additionally, in his work on bandits (2004), Grünwald has a chapter specifically on the portrayal of slave leaders as *latrones* (57-71). For all three wars, Diodorus Siculus is far and away the most important ancient source. For a comprehensive list of the sources (with translations), see Shaw 2001.

<sup>451</sup> Though it can be somewhat ambiguously dated to ~141 by the fragments of Diodorus, who places it 60 years after the fall of Carthage, (meaning its defeat by Scipio Africanus, not the later sack by Aemilianus) and tells us it lasted for around 10 years. (This is, obviously, problematic. The relevant fragment is Diodorus 34.2.1. But 86 BC gets us nowhere near the dates for the Second or Third. Shaw 2001 and Green 1961 prefer the 135 date. See also Urbainczyk, 10. My own reading of *μετὰ τὴν Καρχηδονίων κατάλυσιν* is that this refers to the expulsion of Carthaginians from Sicily, and so logically, it should follow from the *First Punic War*...to reach that conclusion, however, necessitates an error in the ξ' in Photius's text.) The use of such round numbers by Diodorus should be suspect, and virtually nothing is recorded directly that is ascribed before 135, which also has ancient attestation, Jerome (*Chron.* 161.2). For the end of the war, we know the consul Rupilius, who ended the war, held the consulship in 132.

Florus's sentiment that a *bellum* with slaves is disgraceful, perhaps rooted in privileging control of territory over control of people.<sup>452</sup>

The beginnings are ascribed to banditry: in 34.2.2, Diodorus tells us that miserly masters gave their shepherd-slaves no food, forcing them to support themselves ἀπὸ ληστείας.<sup>453</sup> Overall, the ancient authors strongly imply that the slaves were provoked into violence by mistreatment.<sup>454</sup> The slaves were led by a certain Eunus, a fire-breathing juggler, who named himself Antiochus and his followers Syrians.<sup>455</sup> He soon combined forces with a Cilician named Cleon, who became his primary general. This Cleon is continually referred to as a *latro* or *leistes*.<sup>456</sup> It has been argued from this that the reputation of Cilicians as bandits was already widespread by this time.<sup>457</sup> The wide association of a *Kilix* with a bandit, however, is probably rooted in the author. And while we can readily perceive that in regards to Appian, it is less certain that this reputation had so preceded them.<sup>458</sup> And the Romans were happy to identify the slaves' actions as *latrocinia*.<sup>459</sup>

The Sicilian slaves overcame the armies sent against them while similar revolts were squashed in Italy and Greece. The consul Rupilius engaged them ruthlessly, with mass executions that were only called off when the slaves had been defeated and were still badly needed for agricultural work. At the end of the war, they are not slaves or Syrians, but bandits.<sup>460</sup> While they are still led, however, we see ὁ τῶν ἀποστατῶν βασιλεὺς (the king of the rebels), referring to Eunus. They are rebels when organized, bandits when disorganized.

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<sup>452</sup> So Florus 3.19.1, 3.19.8, and 3.20.1.

<sup>453</sup> See also 34.2.27, where the same sentiment is expressed. This fragment is from the *Excerpts* of Constantine, not Photius, so they are probably actually referring to the same passage.

<sup>454</sup> Besides Diodorus, the accounts of Appian (*B Civ.* 1.9.36), Posidonius, and Athenaeus (Posidonius, Kidd F59/Jacoby F7 = Athenaeus 12.542b) relate a similar tradition. This fault of the slave-owners is notably absent in the Livian tradition—see Orosius 5.6-9, Florus 3.19, Obsequens 27.

<sup>455</sup> Diodorus, 34.2.24.

<sup>456</sup> E.g. Diodorus 32.2.43: τῶ ληστρικῶ βίῳ,

<sup>457</sup> Grünewald 2004, 60.

<sup>458</sup> For example, Appian (*Mith.* 92-93) goes on at length about the evils of the Cilicians.

<sup>459</sup> Florus 3.19.8, *reliquias latronum* cf. Strabo 6.2.6 (referring to Eunus) ἐπὶ ληστείας Valerius Maximus 6.9.8, *acerbissimoque praedonum ac fugitivorum bello*.

For an example from the second war, see Dio (F104) 93.4.

<sup>460</sup> Diodorus 34.2.23 ἐντεῦθεν Ρουπίλιος ἐπιτρέχων ὅλην τὴν Σικελίαν ἅμα λογάσιν ὀλίγοις θᾶπτον ἤπερ τις ἤλπισε παντὸς αὐτὴν ἠλευθέρωσε ληστηρίου.

The Second Servile War began about thirty years later. In form, it was much the same; Shaw calls it a ‘carbon copy’ of the first.<sup>461</sup> Perhaps some of the slaves of Sicily expected to be freed in the wake of the Roman resolution to free those who had been wrongfully enslaved, the *lex de plagiaris*.<sup>462</sup> The majority of the slaves who rose in revolt were, apparently, born free.<sup>463</sup> As it was for the first war, our main source is Diodorus Siculus (36.1-11). As noted by Shaw, however, our two sources for Diodorus 36 give somewhat differing accounts.<sup>464</sup> We can supplement these accounts with information from Athenaeus, Florus, Cicero and Cassius Dio.<sup>465</sup> These sources all focus on the leaders: Manius Aquillius and Athenion.<sup>466</sup>

Diodorus’s account(s), however, speaks of two slave leaders, not one. As in the previous war, in Diodorus, the slaves’ leader was a Syrian, and the army’s commander was a Cilician. Salvius is not mentioned in most of the other accounts, and is only named in Diodorus.<sup>467</sup> In a nutshell, Salvius and Athenion came to power independently, Salvius in the central plains and Athenion on the western coast. Rather than coming to blows, they agreed to work together, and Salvius was the overall leader until his death fighting Lucullus. Then Athenion rallied the slave remnants, was ignored by the praetor Servilius and, finally, was killed by Aquillius.

Throughout this, the slaves are not usually directly described as brigands or as robbers by Diodorus, but they are acting *παρανομία*, against custom. It is not a positive description. Their acts of taking are not characterized as *latrocinia* or as *leisteia* (acts of brigandage or piracy) but rather *ἄρπαγή* (simply ‘snatching’). Florus uses the verbs *vastare* and *diripere*, ‘to lay waste’ and ‘to plunder’, both fairly negative, but neither of

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<sup>461</sup> Shaw 2001, 107.

<sup>462</sup> Diodorus 36.3.2, Dio 27 (F93).

<sup>463</sup> Green 1961, 24.

<sup>464</sup> Shaw 2001, 108-120. The sources are Photius, *Bibliotheca* 386-390 and the *Excerpts* of Constantine, 3,208, 314, 390.

<sup>465</sup> Athenaeus, 6.272.d-f, Florus 3.19.9-12 Cassius Dio, 27, F101, F104 [93.1-4], Cicero, *Verr.* 2.2.136, 2.3.66, 2.3.125, 2.5.7, 2.5.8; *Leg agr.* 2.83; *Flac.* 39.98. All of these are presented in translation in Shaw, 120-127. Additionally, Appian (*Mith.* 59) compares Fimbria’s slave (or possibly Fimbria himself) to Athenion ‘who was once king of the slaves in Sicily’.

<sup>466</sup> Diodorus and Florus get Aquillius’s name wrong, however. Diodorus calls him Gaius and Florus calls him Titus.

<sup>467</sup> He is named in both of Diodorus’s accounts. Athenaeus notes the Syrian and the Cilician, but does not name the Syrian as Salvius. Athenaeus is probably reading Diodorus, though.

which has particular piratic connotations.<sup>468</sup> While the terminology is functionally similar, I suggest that the depictions of the slaves' thefts and lootings are rooted in Diodorus's belief that the slaves were mistreated and provoked. With this *a priori* motive at hand, Diodorus chooses different vocabulary to illustrate this as a misfortune the Romans brought upon themselves. Diodorus and Athenaeus both use the story of Damophilus of Enna in particular to illustrate the dangers inherent in ill-treating slaves. Moreover, as Green argues, the slaves are apparently objecting to slavery on a personal level, not on an overall ethical level.<sup>469</sup>

In both wars, we may note the slaves are said to have assembled part (or all) of the pieces for a state: armies, generals, elections, monarchs, minted coins, etc.<sup>470</sup> But, like the Carthaginians' mercenaries a century earlier, they largely failed to get recognition from others, with the possible exception of some Cilician states. Both conflicts suffer from a sort of diminution in the sources that seek to definitively discredit the losers. The slaves also exhibit the potential fluidity from slave to soldier.

On the other hand, these slave wars, while they acquire a general reputation similar to those held of campaigns against bandits, they do not collect the same vocabulary and terminology. They may steal, but they do not pirate. Nor, save in the aftermath of defeat, do they hide and skirmish. The slaves, though compared to bandits, have some striking differences. They do, however, share some features with at-large warriors seeking an independent state like the Mamertines or the Carthaginian mercenaries. They seek the legitimacy they are not granted.

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<sup>468</sup> Though Caesar (*B. Civ.* 3.112) does say *diripere more praedonum* (to plunder in the manner of *praedones*) at one point.

<sup>469</sup> As Green 1961, 24, puts it: men who had nothing against slavery as an institution, but objected violently to being enslaved themselves.

<sup>470</sup> In particular, see Diodorus's description (36.7) of the founding of Triokala by Tryphon.

For coinage, see Shaw2001, 84; Green 1961, 16, both citing Robinson 1920, 175 ff. for the coinage images.



### **Connections of the Second Servile War, the Cilician pirates, and Antonius**

The assumed names by the slave leaders in the Second Servile War raise a curious question. As noted, the Syrian Salvius named himself King Tryphon.<sup>471</sup> Tryphon is not a common name. As the previous slave leader had named himself Antiochus, the clearest referent is Diodotus Tryphon, a Seleucid pretender who had died some 30 years earlier. Salvius cannot have been pretending to be the Cilician king. He must have chosen the name as a way of invoking the past. This raises an intriguing question: Why does Salvius invoke Tryphon, of all people? If Cilician pirates were the source of the slaves put to work in Sicily, Tryphon would be the last figure one would expect to be invoked. In 104, two years before the first Roman campaign in Cilicia, what are *any* Cilicians doing in Sicily, for that matter?

The solution, I suspect, comes from Strabo (14.5.2). In the same passage in which he mentions Tryphon, he indicates that it was principally the Syrians being sold into slavery, while the Rhodians, Egyptians, Cypriots, and Romans stood by and let it happen. Thus at the end of the second century, two waves of Syrians and Cilicians hit the slave markets, first captives from the civil war that ended with the death of Diodotus Tryphon, and second, those captured by pirates operating like Tryphon's organization in the absence of higher authority (supplemented by captives in further civil wars). According to Strabo, this weakened Cilicia and Syria enough for the Armenians to come in and conquer them, though they left the sea in Cilician hands (i.e. made no attempt to control the pirates).<sup>472</sup> The role of the pirates (rather than armies) in capturing the slaves

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<sup>471</sup> For a brief description of the relations between pirates and slaves see Scullard 1982, 56, Bradley 1989, 22. For Cilicians, Rauh 2003, 169-201, for the Servile Wars, see Shaw 2001, Urbainczyk 2008, Bradley 1989. The reference to Tryphon as the name of the slaves' leader is only in the *Excerptis* source of Diodorus 36.1-11.

<sup>472</sup> Strabo 14.5.2: τοῦτο δὲ συμβᾶν τῆς μὲν χώρας ἐποίησε κυρίου Παρθυαίου, οἱ τὰ πέραν τοῦ Εὐφράτου κατέσχον, τὸ τελευταῖον δὲ καὶ Ἀρμενίους, οἱ καὶ τὴν ἐκτὸς τοῦ Ταύρου προσέλαβον μέχρι καὶ Φοινίκης, καὶ τοὺς βασιλέας κατέλυσαν εἰς δύναμιν καὶ τὸ γένος αὐτῶν σύμπαν, τὴν δὲ θάλατταν τοῖς Κίλιξι παρέδωκαν. εἴτ' ἀξηθέντας ἠναγκάσθησαν καταλύειν Ῥωμαῖοι πολέμῳ καὶ μετὰ στρατιᾶς οὓς ἀξιομένους οὐκ ἐκώλυσαν. ὀλιγοῦσαν μὲν οὖν αὐτῶν χαλεπὸν καταγῶναι: πρὸς ἑτέροις δὲ ὄντες τοῖς ἐγγυτέρῳ καὶ κατὰ χεῖρα μᾶλλον οὐχ οἷοί τε ἦσαν τὰ ἀπωτέρῳ σκοπεῖν.

“And this made lords of some of their lands, the Parthians, they held the lands on the edge of the Euphrates and also the Armenians, who took the lands beyond the Taurus up to and including Phoenicia, and eliminated the kingship and its power and its line as well, but they (the Parthians and the Armenians) left the sea to the Cilicians. And, by war and with an army, the Romans had to destroy these people (the Cilicians), having grown in power, though they did not hinder their growing. It is difficult to hold the

cannot be readily downplayed, as the Hellenistic East was far more concerned with ransom or keeping the slaves rather than selling them openly and at once.<sup>473</sup> Thus, such selling of slaves was at private initiative rather than state initiative. The potential overlap between pirate and mercenary further muddies the waters. Finally, the Romans had refrained from large-scale campaigns for several years, so the Sicilian *latifundia* perhaps had fewer options for slave-provenance.

The resulting supposition, and rather a house-of-cards one, is that the backbone of the slave armies of the Second Servile War had a Syrian/Cilician origin. Even if they were not the most numerous slaves, they were the most likely source of slaves with a military background, and thus, more likely to rise to prominent positions in the rebellion. Eunus, the slave leader of the First Servile War, similarly had a Cilician commander: Cleon, and he also named his followers as Syrians.<sup>474</sup> When Salvius invokes Tryphon, he is not simply picking a regal name from thin air, but invoking past loyalties of the war captives. Again, the slaves in Sicily were largely born free. Nothing in the sources mention Cilician pirates in connection with these slaves, positively or negatively (though a connection is mentioned in the third war, that of Spartacus).<sup>475</sup> Nor should we assume, even if Romans saw Cilicians as pirates, that other Cilicians thought the same way. I suggest that the slaves either were in contact or trying to come into contact with Cilicians, perhaps for aid, perhaps for transport to the mainland, and the Roman discovery of this led the Romans to send Antonius to Cilicia to head this off. Naturally, any Cilician involvement with the slaves, whether by public or private initiative, would be seen as piracy.

So, to return to Cilicia and the campaign of Antonius, it is also not improbable that the involvement of Cilicians at a high level in the first two slave wars substantially

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Romans at fault for this, for being more consumed by other matters nearer and at hand, they did not pay attention to those farther away.”

<sup>473</sup> See Andreau/Descat 2011, 54-56, where they argue that slavery was generally at this time a secondary consideration to ransom. It had not always been so.

<sup>474</sup> Diodorus 34.2.24. The sense in Diodorus, I believe, is that the king named all his supporters to be Syrians, the same way he renamed himself Antiochus. I think it more likely, however, that he was simply calling them Syrians because they were Syrians and Diodorus misunderstood.

<sup>475</sup> Though the Cilician connection to Spartacus has entered the modern imagination, it is only recorded once, in Plutarch’s *Crassus* (8-11).

affected Roman attitudes toward Cilicia. So too the naming of Tryphon invoked a Cilician identity. The Cilicians may thus have seemed as big a threat as the Sicilians. We hear nothing in the sources saying that the Cilician pirates had offered any services to the Sicilian rebels. Nevertheless, it fits with the sparse evidence. Diverting resources into a new war during a serious war is odd (and the Servile War lasted until ~100). Diverting military resources into a second theater of something seen as the same war is not. Now, the Romans were certainly not shy about fighting in different places simultaneously, but the historians show that additional conflicts during an ongoing war were generally thrust upon them, not initiated in Rome.<sup>476</sup> Moreover, it is argued that the conflicts with the Cimbri and with Jugurtha prevented direct Roman intervention in Paphlagonia in 107 and 101.<sup>477</sup>

The triumph Antonius celebrated was, therefore, probably not a grand triumph over Cilicia, but over a potential alliance with the slaves and Cilicians that threatened to expand the war. His achievement was thus seen as greater than his individual conquests in Cilicia. His close association with Manlius Aquillius, who succeeded where others had failed, could only support him. Furthermore, triumphs against a foreign power were always more reputable than against a domestic threat.<sup>478</sup> Even if it were seen as a support of the defeat of the slaves, and killing or capturing any fugitives, displaying Cilician prisoners simply made a better show. Too much cannot be read into the triumph,

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<sup>476</sup> Of course, it is also in the historians' interest to argue this. When the Romans act otherwise, it is an exception to the rule.

Appian (*B Civ.* 1.111) indicates that the Romans were distracted by many campaigns but nevertheless decided to send a force to reinforce Metellus and Pompey in Spain (roughly 74 or 73).

A further counterargument might be found in Livy 22.33, in which the Senate threatens Pineus of Illyria with war, Livy states: *adeo, etsi bellum ingens in cervicibus erat, nullius usquam terrarum rei cura Romanos, ne longinqua quidem, effugiebat.* "So, although there was a great war already on their necks, none of their concerns of other lands were escaping the Romans, not even those far away." This sort of moral impulse and example by Livy is naturally suspect.

<sup>477</sup> See Madsen 2009, 194-195. In this, neither Sicily nor Cilicia is mentioned, though these surely drew Roman attention as well.

<sup>478</sup> Aulus Gellius (*NA* 5.6.21-23) tells us that the ovation, the 'lesser triumph' was reserved for lesser enemies like slaves, bandits, or pirates. Beard 2007 notes (63) that this does not seem to match the evidence for the *ovationes* we have. I would like to concur, and add that while defeats of slaves seemed to get *ovationes*, defeaters of pirates *do* seem to get triumphs (e.g. 100, 74, 61). I suspect that Gellius's statement is strongly influenced by Crassus refusing to triumph over Spartacus (so described as *refusing* a triumph in Plutarch (*Crass.* 11, cf. *Pomp.* 21.4, *Comp. Nic. et Crass.* 3.2; Appian, *B Civ.* 1.14.121)) and celebrating an *ovatio* instead. This is the example given by Gellius (*NA* 6.5.23), but Gellius portrays it as Crassus seeking a triumph-like ovation.

however. As in the case of Delmaticus, the triumph's relation to the outcome of battles is not necessarily a strict one.<sup>479</sup>

Furthermore, the precise phrasing of *Per* 68.1 is a little unusual. *M. Antonius praetor in Ciliciam maritimos praedones persecutus est*. Presuming the epitomator is copying Livy's language exactly, I have a pair of observations. First, by this use of the accusative, Antony is depicted chasing the pirates *into* Cilicia, which implies that he (or someone else) had already been contending with them outside of Cilicia, and might even refer to some occurrence of the previous book.<sup>480</sup> This might simply refer to a naval battle off Cilicia, but also potentially refers to a 'provoking' activity elsewhere. When combined with the Corinth inscription, that provocation might be seen to be west of Corinth.<sup>481</sup> Second, Livy uses the term *praedo* rather than *latro* or *pirata*. Elsewhere in Livy, the term *praedo* is used rather broadly, but generally of a group with a known homeland: as such, it is usually translated as something more like 'privateers' or 'raiding party'.<sup>482</sup> This could be indicative that the action undertaken by Antonius was due to a *specific* act, not the general activity, of piracy. This would then be a measure of retaliation, not of policing. Taken with the material above, I argue that the encounter of Cilicians was either seen or portrayed by Antonius as an attempt to interfere with the war in Sicily.

The argument laid out here is very tenuous and rests upon few points of positive evidence. But if we were to posit that the Romans now had a fear of enemies escaping into other lands to cause future trouble and/or a fear of enemies calling in foreign powers to assist them, we would expect that this would be documented in some form of public letter or communicated to foreign allies in some way. I shall now point out some additional evidence to argue that further supports my argument that this precise thing did, in fact, happen.

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<sup>479</sup> For Delmaticus, see above ch. 3 for the event and below ch. 7 for the issue of triumph hunting.

<sup>480</sup> Sherwin-White 1976, 4 also stresses the *into* aspect.

<sup>481</sup> See n.445 above. In the inscription, Antonius leaves the Roman fleet at Corinth under the command of Hirus, who winters in Athens as Antonius rushes ahead to Side. This is not an act of one expecting to fight a naval battle between Athens and Side.

<sup>482</sup> For Livy's use of *praedo*, see the introduction, page 4. The use of *maritimos* is common (but not necessary) when Livy wants to indicate that such activity was at sea.

### **The *lex de provinciis praetoriis*—Ineffective Measure or Effective Warning?**

The *lex de provinciis praetoriis*, also known as the *lex de piratis persequendis*, is an interesting bit of legislation, one which I believe fills the function of that ‘additional evidence’. It is known from two Greek inscriptions, one at Delphi, one at Cnidos. The latter was discovered only in 1970, and it fills in many of the gaps that stymied earlier commentators.<sup>483</sup> At a very early stage, the Delphi copy was even thought to perhaps be a copy of the *lex Gabinia*. Nevertheless, the law remains fragmentary and many sections are ambiguous.

Though its newer name (given by Ferrary) describes its overall role better, the aspect that gave it the older name is perhaps more relevant to my discussion here. The law involves some decrees on jurisdictional boundaries and may provide a useful precedent for the Gabinian law in 67. Before getting into detail, it is important to first note that while some of the rules for governorships had been determined by this time, most of those rules most familiar to the modern historian (e.g. some of those in Valerius Maximus 2.8, Sulla’s *Lex Cornelia de provinciis ordinandis*) had not yet been passed.<sup>484</sup>

This law (hereafter the *LdPP*) was passed probably in 101/100 BC (the consulship of Gaius Marius and Lucius Valerius Flaccus). As a plebescite, not a *senatusconsultum*, it probably belongs amidst the populist legislation of Saturninus.<sup>485</sup> Among its provisions, the *LdPP* asserts that Rome’s allies must close their harbors to pirates, implies that a governor’s jurisdiction can overlap into a neighboring province provided that the magistrate in question is pursuing pirates, and establishes, for the first time, Cilicia and Lycaonia as Roman possessions.<sup>486</sup> It does not necessarily follow from this that they were organized as *provinciae*, and indeed, Lycaonia was attached to Asia. The

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<sup>483</sup> The pre-1970 scholarship is substantial, most notably ranging from 1897 to 1929. The sources are thoroughly summarized in Crawford 1996. Of the pre-1970 scholarship, see in particular Jones 1926, and the responses by de Sanctis 1927 and Carcopino 1929. For those sources including the Cnidos copy, see Hassall, Crawford, and Reynolds 1974; Lintott 1976; Ferrary 1977; Giovannini and Grzybek 1978; and, of course, the full treatment given by Crawford in *Roman Statutes* (1996), 231-270.

Since Crawford 1996, the most notable account on the law is probably Tarwacka 2009, 37-43.

<sup>484</sup> If indeed they ever were.

<sup>485</sup> Lintott 1976, 71-72; Tarwacka 2009, 42.

<sup>486</sup> See Map 4 for some of the details of Asia Minor.

attachment of Lycaonia to Asia, however, implies that Cilicia was not. The Cilicia described here appears to be part of what we now think of as Pamphylia, not Cilicia proper.<sup>487</sup>

The *LdPP* was passed *per saturam*, and it can be difficult to ascertain how linked the different provisions are to one another. *Satura* was a commonplace feature of second-century legislation, in which various measures were passed as a slate rather than individually.<sup>488</sup> The positive assertions of the law are the most fragmentary, and those assertions have to be somewhat surmised from the negative assertions and qualifications which follow.<sup>489</sup> It contains instructions for the governors of Asia and Macedonia and other instructions for the consuls, reinforces and qualifies a *Lex Porcia*, attaches Lycaonia to Asia and the Chersonese to Macedonia, asserts that the law must be published, and ends with an elaborate fine for magistrates in contravention of this law. Since the entirety of the law was passed together, some parts may have been inapplicable to the city in which it was posted, but had to be nonetheless posted (though variations in the two surviving versions lend little support there). There is no need to try to bend every provision to have local relevance.

The Greek text (rather than Latin) might indicate a particular local interest, were it not for the law's own demands that the law be published throughout Asia. Additionally, it is theorized (e.g. Crawford) that the writers were native Latin speakers with an insufficient command of Greek rather than the reverse (as suggested by Ferrary 1977). In any case, the Greek corresponds imperfectly to Latin legal language, with certain stock phrases being translated oddly.<sup>490</sup>

So what can the *LdPP* tell us? The law articulates Rome's stance against piracy and does so propagandistically. Besides designating Cilicia as a praetorian province and

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<sup>487</sup> See Appendix 1 for details.

<sup>488</sup> Legislation banning *per saturam* legislation (the *Lex Caecilia Didia*) was later passed in 98 and it is not impossible that this law was one such that provoked the change. It is almost certain that Metellus was reacting to the laws of Saturninus. Whether this one belongs to that number of provocative laws is less certain, but probable. Ferrary, in particular, argues for it being an example of *satura*, though Crawford is less certain. (See Ferrary 1974; Crawford 1996, 237).

<sup>489</sup> This observation is made by Crawford 1996, 237.

<sup>490</sup> A potential Latin original can be found in Crawford 1996. The Latin here in turn comes from J.C Naber (*SEG III,378*) S. Riccabono (*FIRA I*) and Lintott 1976.

instructing the governors of Asia and Macedonia to assist the governor, the *LdPP* instructs the consuls to send representatives to Syria, Egypt, Cyrene, Cyprus and Rhodes to secure cooperation with the law and bar their harbors to pirates. This also serves as an example of Rome's attempts to legislate diplomacy.<sup>491</sup>

It is arguable that this decree is an attempt to legitimate the Roman claim to Cilicia following the less-than-stellar successes of Marcus Antonius in the previous year.<sup>492</sup> Under this interpretation, by passing this law, and taking it to the neighboring monarchs, the Romans would essentially be insisting that they recognize Rome's claim to the territory in the absence of a clear victory in the previous year's Cilician campaign. Because these are the first mentions of Cilicia and Lycaonia as Roman, there is some confusion about the control of the interior.

Table 2 States receiving (or not receiving) the letters indicated in the *LdPP*  
(Assuming a year of 100 BC)

<b>Recipients</b>	<b>Non-recipients</b>
The Rhodian Republic	Mithridates VI (Pontus)
Ptolemy Apion (Cyrene)	Mithridates II (Parthia)
Ptolemy Alexander (Egypt)	Mithridates I (Commagene)
Ptolemy Soter Lathyros (Cyprus)	Artavasdes (Armenia)
Antiochus Grypus (Syria (north))	Nicomedes III (Bithynia)
Antiochus Cyzicenus (Syria (south))	Ariarathes VIII (Cappadocia)
	Bakru (Osroene)

The list of recipients and non-recipients does not argue well for this interpretation (see the above table). Despite breaks in the inscriptions, we appear to have the full list of states that would be sent messages.<sup>493</sup> Grypus still claimed Cilicia, at least some portion, but we would have expected that Ariarathes should have still held Lycaonia, which the

<sup>491</sup> This might then be a sign of distrusting the legates, or perhaps, trying to harmonize the legates' speeches.

Eckstein 1987, 274 -275 suggests that the senate was in the practice of letting magistrates (in this case Flamininus) act with wide discretion given a fairly vague set of goals. Whether that still held true a century later is something I question.

<sup>492</sup> Suggested by Handell et al. 1974, see note on Col.III, ll.35-37 p.211, but see also Crawford 1996, 258, disagreeing with the earlier statement, in part written by him. For additional modern scholarship suggesting that Antonius's (permanent) gains in Cilicia were negligible, see Broughton 1938, 519; Levick 1967, 22. Sherwin-White 1976 asserts that the law does assert a Roman claim to 'Rough' Cilicia.

<sup>493</sup> The end of Cnidos Column III l.41 and beginning of Delphi Block B ii.8 appear to be the same line, so barring reordering, we have the full list.

Romans gave his grandfather. It is specified that the letters were to be sent to the Roman allies, but at minimum, Cappadocia and Bithynia should have been considered allies. The obvious distinction between recipients and non-recipients is whether the state in question possessed an eastern Mediterranean port where pirates could go, suggesting a greater relevance for those pirates in the understanding of the document.

The degree to which these letters may be propaganda may also alter our sense of them. Since around ~300, the Romans had publicly taken a stance against piracy. Here, however, Rome seeks to impose this stance upon her allies and would-be allies. In compelling an anti-piracy coalition of eastern allies, it was apparently ineffective—but was that actually the purpose?<sup>494</sup>

As mentioned before, the definition of a pirate is not without some confusion. For Rome, the pirates are whoever Rome says they are. Thus the seemingly simple and straightforward request to not harbor or support pirates could easily be interpreted in the future as a demand to provide asylum to no one fighting against Rome. It must be noted that Rome had just conquered some portion of Cilicia and would surely describe any and all remaining resistance as *latrocinia*. Secondly, as noted several times before, pirates were frequently employed as naval auxiliaries by the Greek states of the Eastern Mediterranean, and true compliance with the Roman request would potentially weaken them.

Neither Ptolemaic Egypt nor Seleucid Syria was in any position to contest Roman claims, as both were embroiled in a civil war at the time.<sup>495</sup> It is also reasonably clear that although Rome claimed Cilicia, that did not entail a claim on all Cilicia. The boundaries of Cilicia were especially ambiguous.<sup>496</sup> The text refers to Rhodes, Asia, Pamphylia, Lycaonia and Cilicia. It does not mention Pisidia and one might suspect that

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<sup>494</sup> See Tarwacka 2009, 42-43, who indicates that this was the goal, which failed due to a combination of the usefulness of pirates to the eastern allies and eastern fears of Roman power.

<sup>495</sup> And either the Romans or the Greek translators of the law were cognizant of this, judging from their use of the plural for kings in Syria and Cyprus.

<sup>496</sup> See Appendix 1: Cilicia.



in the terms of this law any portions of Pisidia under Roman control were considered part of the others.<sup>497</sup>

My contention that the foreign policy implications are significant rests upon the uncertain assumption that the orders concerning the administration of Cilicia and concerning the harboring of pirates are connected. In other words, I accept the common presumption that Cilicia's new administration was set up to deter and even eradicate piracy. But that need not have been the principal purpose. Instead, that purpose could simply have been to give Marius a command explicitly able to overrule his Macedonian and Asian colleagues and to put him in a good position to react to political changes to his north. Diodorus (37.12) remarks that Marius was looking for a command against Mithridates at the time. There is no explicit mention of him in such a position, but as Crawford 1996 observes, "at no point is anyone who has to take action in the future named, even when his identity may be known".<sup>498</sup> Marius is the clearest example: he is mentioned as a past consul or in dating the year, but not when future actions are being decreed. On the face of it, the piracy seems pretty important. Nevertheless, I offer an additional caveat. I would question which groups the Romans were attempting to brand 'pirates'. I principally suggest that the remnants of any defeated army, those who did not surrender and become *pacati*, automatically became considered 'pirates/bandits' and preventing bands of these warriors from becoming a more substantial threat was a principal goal. Since a Roman victory often included seizing the enemy war chest and since Hellenistic armies generally included mercenary forces, we should expect unpaid freelancers to act suchly. In essence, then, the Romans sought to stop refugees from becoming problems. The *LdPP* seeks to stop 'pirates', but not the pirates usually envisioned. This was not to eradicate the general practice of piracy, but to finish off the fugitive slaves and pirates they had been fighting before they could cause more trouble. Allowing such actors to escape was unacceptable.

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<sup>497</sup> The section mentioning Pamphylia (Delphi Block A) is extremely fragmentary, but may even be part of a section defining the boundaries between Rome's Lycian allies and the directly controlled area to the east.

<sup>498</sup> Crawford 1996, 236.

Unfortunately, it remains to be seen what effects this decree had. In chapter 1, I had noted the frequent support and employment of pirates by the Diadochi. Despite various fluctuations, that support of pirates by Hellenistic kings continued into the first century BC.<sup>499</sup> Thus, despite the Roman request/demand of 100, the kings either did not agree or did not interpret the situation the same way. If interpreted broadly, the decree failed. This may have fostered distrust between Rome and the East, if piracy were interpreted broadly, but if it instead referred specifically to Cilicians it may *not* have been ineffective and ignored. Rather, if this aspect of the decree was understood to apply specifically to the Romans' Cilician foes, it may have been quite effective in curtailing Cilician resistance.

### **Cilicia from Sulla to Publius Servilius Isauricus**

Cilicia, after the campaign of Antonius, is little mentioned for the next decade. Sulla was governor in 92 (possibly 96). Given Cilicia as a province, he was sent to check piracy, and his stopover in Cyrene en route may well have been related.<sup>500</sup> (Cyrene had been bequeathed to Rome in 96, but the Romans didn't get around to putting anyone in charge there until 74, see below). Most of Sulla's activity there, however, should be dated later. Publius Servilius Vatia, as praetor, held an unknown province in 90 and that province may have been Cilicia, but that is pure speculation.

Despite multiple Roman campaigns, the Cilician 'pirates' remained an unanswered problem. First in 102 and later in 92, some actions (of somewhat unknown effect) were taken. In 85 or 84, Sulla left Murena in charge in Asia, with the instructions to amass a fleet to fight pirates.<sup>501</sup> Whether this is the same or a different fleet as that to

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<sup>499</sup> See Strabo 14.5.2 for Cyprus and Egypt (the Ptolemies) helping or using pirates in the first century. (This is the passage on Delos). Criscuolo 2013, 171, argues that the Ptolemies continuing to hire pirates made Egypt suspect in the first century, which eventually led to the seizure of Cyprus. The role of Mithridates as a supporter of the pirates will be discussed later in this chapter, but as Mithridates was not a party to this request, it is relatively unimportant here.

<sup>500</sup> See Freeman 1986, 255-256. The ancient reference (Plutarch, *Sulla* 5) has Sulla sent directly to Cappadocia.

<sup>501</sup> Appian (*Mith*, 64) simply indicates that Murena was supposed to hold onto Asia with his two legions. Cicero (*Verr.* 2.1.86-89) suggests that this fleet had an anti-pirate purpose. See De Souza 1999, 121-124 for Murena in Asia at this time. See also Broughton 1951 (*MRR* II), 61-62.

be assembled by L. Licinius Lucullus in 87 and 86 is unclear.<sup>502</sup> Similarly the use of this fleet and its fate are unmentioned, though Lucullus's fleet, composed of Rhodians, Phoenicians, Cypriots and Paphlagonians finally arrived in Sulla's hands in 85.<sup>503</sup>

In 78, another expedition was sent forth under the proconsul Publius Servilius Vatia. The best account comes from Florus:

Florus 3.6.1-5:<sup>504</sup>

*Interim cum populus Romanus per diversa terrarum districtus est, Cilices invaserant maria sublatisque commerciis, rupto foedere generis humani, sic maria bello quasi tempestate praecluserant. Audaciam perditis furiosisque latronibus dabat inquieta Mithridaticis proeliis Asia, dum sub alieni belli tumultu exterique regis invidia inpune grassantur. Ac primum duce Isidoro contenti proximo mari Cretam inter atque Cyrenas et Achaia sinumque Maleum, quod ab spoliis aureum ipsi vocavere, latrocinabantur. Missusque in eos Publius Servilius, quamvis leves et fugaces myoparones gravi et Martia classe turbaret, non incruenta victoria superat. Sed nec mari summovisse contentus, validissimas urbes eorum et diutina praeda abundantes, Phaselim et Olympum evertit Isaurisque ipsam arcem Ciliciae, unde conscius sibi magni laboris Isaurici cognomen adamavit.*

In the meantime, while the Roman people were scattered through the diverse places of the world, the Cilicians had invaded the seas and by attacking merchants and by a breached custom of humankind, closed off the seas by war just as if by a storm.<sup>505</sup> The unrest caused by the battles of Mithridates in Asia was giving boldness to destroyed men and mad bandits, who, under the cover of the confusion of a foreign war and the hatred toward a foreign king, were advancing with impunity. And first, with Isidorus as leader, they were content to engage in banditry in the neighboring sea, between Crete and Cyrene and Achaia and Cape Malea, which they called 'golden' from their spoils. And Publius Servilius was sent against them, and while he pitted a warlike fleet of heavy ships against their light and fast *myoparones*, he won a not-bloodless victory. But he was not content to have expelled them from the sea he overthrew their strongest cities, made wealthy by plunder: Phaselis, Olympus, and Isauri, the fortress of Cilicia itself, whence he claimed the cognomen Isauricus, conscious of his own great work.

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<sup>502</sup> For Murena, see Broughton 1952 (*MRR* II), 61-62. For Lucullus, see *MRR* II, 55-56; Plutarch, *Lucullus* (and 2.2-4.1 for the fleet) See also Appian, *Mith.* 51, who asserts that Sulla grew tired of waiting for Lucullus's fleet and began to build his own. The fleet under Flaccus and Fimbria, coming from Italy, was largely destroyed by storms off Brundisium.

<sup>503</sup> Appian, *Mith.* 56. Appian says that Lucullus was almost captured by pirates, as does Plutarch, *Lucullus* 2.5, who indicates that they destroyed most of his ships.

<sup>504</sup> Other, much briefer accounts include Eutropius 6.3, Appian, *Mith.* §93, and Orosius 5.23.1. Cicero (*Leg. Agr.* 1.5, 2.50) also lists territories taken by Vatia in this campaign.

<sup>505</sup> Do note that Florus is drawing the obvious parallel: The Romans possess the land: *districtus terrarum*, while the Cilicians hold the sea: *maria*. Florus also invokes the customary closing of the seas due to storms in October. The Cilicians have thus become a natural force.

So the campaign of Servilius appears to be much more of a true campaign against the Cilicians than the earlier ones. P. Servilius Vatia was a grandson of Metellus Macedonicus, and, as mentioned, had already been praetor in 90, and possibly also in Cilicia, after Sulla, though possibly in Sardinia instead.<sup>506</sup> He was given command in Cilicia in 78, but would continue to hold it through 74. Appian reports that Murena had also tried and failed to suppress the Cilicians.<sup>507</sup>

Again, this is linked, though not directly, to Mithridates. Though Mithridates did not intend to do so, he was providing cover to the pirates. We can understand this playing out in two ways: first, Mithridates is the bigger threat and hence the ‘pirates’ are simply being ignored; second, the various attacks leave ambiguous remnants that leave the victims uncertain of which force committed the attack. Nor do these options have to be exclusive. Even without direct support, Mithridates provides indirect support.

In Cilicia, Servilius opposed a local dynast, Zeniketes, who dwelt on Mount Olympus in what Strabo termed a *peiraterion*.<sup>508</sup> This figure is probably not to be equated with the Isidorus of the Florus passage or the Lysias of Athenaeus.<sup>509</sup> Instead, these are three different local rulers. The previous interest in Cilicia in the 90s appears to have been principally one of containing Mithridates. There is no statement anywhere that Zeniketes was in the employ of Mithridates, but Grünewald suggests (and I agree) that the early focus of Isauricus on Zeniketes was because of such an arrangement or because of the fear of such an arrangement. Even in these 5 years, Cilicia was not brought under control, at least not in entirety.<sup>510</sup> Instead, Isauricus’s operations were probably mainly in Lycaonia. With this understanding, Isauricus may have been working not north and east

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<sup>506</sup> For Servilius’s career, see Broughton 1991, 17. See also the individual offices in *MRR* II, 26, 30n5, 87, 90, 94, 105.

<sup>507</sup> Appian, *Mith.* 93.

<sup>508</sup> Strabo 14.5.7, see also Grünewald 2004, 76, Ormerod 1922, 40-42.

<sup>509</sup> Athenaeus 215B-C, see also Grünewald 2004, 76-80. The numerous rulers accord well with Strabo’s assertion that the land was ruled by many tyrants and gangs of priests. (14.5.10).

<sup>510</sup> See Appendix 1, 244 for details. In particular, note Appian, *Mith.* 118, who notes ‘parts of Cilicia not subject to Rome’ were added after the defeat of Mithridates.

out of Side, but south out of Iconium; not clearing the seas of pirates, but solidifying a land-route into Cappadocia for future use for both troops and supply.<sup>511</sup>

Indeed, in our sources, we hear little of the naval campaign by Isauricus, and Florus simply tells us that he defeated smaller ships with bigger ones and that it was not an easy fight. He is sometimes praised for having the foresight to eliminate piracy by eliminating the pirate bases.<sup>512</sup> But clearly he was ineffective at eliminating large-scale piracy, as throughout his command, the threat of pirates increased and at increasing distances from Cilicia. Indeed, Appian asserts that he was ineffective in dealing with the pirates.<sup>513</sup> If his intent, however, was principally the protection of Rhodes and Lycia and then to clear a path northeast from Lycia toward Cappadocia, then this campaign was far more of a success. Moreover, these acts strengthened Rome and weakened Pontus ahead of a future conflict between the two. All that needs to occur, then, is a redefining of the campaign's goals, whether that is a modern redefining of what the goals were intended to be initially or an ancient retroactive redefinition of goals to claim a victory.

Outside of Cilicia, there are additional attributions of piracy, often to individuals, presumably to discredit them. During the Social War/Marsic War, a few individuals are so described by Diodorus. First is Agamemnon, a Cilician freed from prison by the Picentines, who was experienced in piracy (ληστείας δὲ πολλὴν ἐμπειρίαν ἔχων), and employed these skills against the Romans.<sup>514</sup> Such a story denigrates the methods of the Picentines. Secondly, he relates a short story of a Cretan mercenary who offers to serve as a sort of double agent, reinforcing the image of the mercenary.<sup>515</sup> The Cretan scoffs at an offer of Roman citizenship as reward and agrees to help for a thousand drachmae. This story is too neat to be trustworthy, especially since Roman citizenship was one of the causes of the war. It serves as an ironic twist to have the Romans offer citizenship to outsiders to fight against those fighting for Roman citizenship. More importantly (for

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<sup>511</sup> This explanation favors Syme (1939, 300, esp. n.2-4) over Ormerod (1922), who favored the coastal invasion.

<sup>512</sup> See Ormerod 1922, 1924 for this

<sup>513</sup> Appian, *Mith.* 93.

<sup>514</sup> Diodorus, 37.16.

<sup>515</sup> Diodorus, 36.18.

this project, anyway), the story serves to show how the freelancer was regarded as untrustworthy and uninterested in things of ‘true importance’.

At the same time as the Isaurian campaign under Servilius Vatia (77), Dalmatia and Salonae were reduced again by Gnaeus Cosconius.<sup>516</sup> The rationale for this campaign was related to the Mediterranean-wide piracy of the 70s. Like many episodes from Appian’s *Illyrike*, not many details are given. Nevertheless, the reactions in the 70s show that the piracy that was appearing everywhere was believed to be originating in the stereotypical pirate havens of Illyria, Crete, and Cilicia. Either piracy was erupting everywhere or the Romans had no real idea of where the pirates were or which pirates committed which acts.

### **The Cilician governors and its Pernicious Piracy**

Throughout its history, Cilicia was closely linked to the province of Asia. Territories were swapped between the two and sometimes both provinces were given to a single governor. Arguments of when Cilicia became a true province range from 102 to 62.<sup>517</sup> For some of these praetors and consuls, this was a province to govern, but for others, it was solely a field command. Cilicia’s longtime role as a source for both contingent military manpower and for slaves dramatically affected Roman policy and attitudes toward Cilicia. Though Cilicia gave its name to the most famous of pirate groups, Cilician piracy was principally a feature of the late second and early first centuries BC.

Appian, in his account of Pompey’s pirate campaign, asserts that neither Isauricus nor Murena had been effective in their attempts to subjugate Cilicia.<sup>518</sup> Appian, however, almost certainly has a specific definition for effectiveness: that piracy be eliminated. It is perhaps excessive to claim that that goal was the same as those held by Murena and Vatia. In both cases, it appears clear that their focus was on terrestrial sites and ones far

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<sup>516</sup> The event is briefly mentioned in Eutropius 6.4.1; Orosius 5.23.1; Sallust, *Hist*, 2.38; Cicero, *Clu*. 97. As Wilkes (1992, 196) points out, we know little more than the commander, location, motive, and date.

<sup>517</sup> See Freeman 1986, 254-257. The argument of Liebmann-Frankfort 1968 on the term *provincia* may be very pertinent here. By this (rather convincing, in my mind) argument, the term refers to an office and a theater, *not* a territorial dominion.

<sup>518</sup> Appian *Mith*. 93.

from the sea, at that. Generals like Antonius Orator, Murena, and Vatia appear to be judged not wholly on the merits of what they did, but with hindsight's appreciation of what they ought to have done. Unsurprisingly, the expectations and motivations of the governors shape how they governed.

As discussed in Appendix 1, Cilicia referred to a large but ambiguous region, from the Bay of Pamphylia in the west to the Amanus range and the gulf of Issus in the east.<sup>519</sup> But the Romans, as always, referred both to the part that was subject and the part to be subjected when they referred to it. Thus, internally, the province had frequently-changing boundaries, and probably changing conceptions of its location.<sup>520</sup> An examination of the governors shows us a further detail: the gubernatorial office in Cilicia involved significant and regular armed conflict. In addition, the Roman leaders thought they had achieved great things and requested triumphs (or, for the cynical, they wanted others to *believe* they had done great things and to award them triumphs).

The following table should be instructive.<sup>521</sup>

**Table 3: Governors of Cilicia**

Name	Years	Triumph Requested	and Received?
M. Antonius (Orator) pr. and propr.	102-100	yes	in 100
L. Cornelius Sulla Felix pr.	97-96 or 96-95 <sup>522</sup>		
L. Gellius Poplicola? proc.	93		
L. Cornelius Sulla Felix pr.	93-92 <sup>523</sup>		
(P. Servilius Vatia pr.)	90	yes?	In 88
Q. Oppius pr/propr	89?-88		
L. Licinius Murena propr.	84	yes (for Mith)	In 81

<sup>519</sup> So it is defined as between the Melas river and the Amanus by modern archaeologists. See, for example, Bean and Mitford 1965, 4, who briefly apologize for discussing the city Seleucia (situated just west of the Melas river) in a journal about Cilicia. The Pamphylian cities of Side and Aspendus, at least, are clearly included within Cilicia's boundaries (see Appendix 1 for details.)

<sup>520</sup> See Appendix 1.

<sup>521</sup> This table is populated largely from Broughton 1951-1952, (*MRR*) and Freeman 1986. Freeman's list is partially based on Jashemski 1950 and Magie 1950. I have deviated from Freeman in a few places.

<sup>522</sup> Sulla's praetorship and subsequent governorship is put in 93-92 by Broughton 1951 (*MRR* II), but 97-96 (or 96-95) by Freeman 1986, Badian 1959 and 1962, and Keaveney 1980 and 1982. Sherwin-White 1977 argued for 95-94, but stepped back in Sherwin-White 1984. Sumner 1978 also argued for 95-94. The most relevant ancient references are Velleius 2.15.3, Plutarch *Sull.* 5, and Sidonius Apollinaris *Carm.* 2.440ff. and 7.70ff. See Freeman 1986, 270 n.19. Arnaud 1991 reverts to the 93-92 reference, based on the Sidonius passages, but see the arguments of Keaveney 1995 in response. McGing 1986 follows Sherwin-White 1977 and Sumner 1978. See McGing 1986, 78 esp. n.45 for discussion.

<sup>523</sup> See above note on the dating of Sulla's command.

L. Cornelius Lentulus	pr/procos	83-81		
Cn. Cornelius Dolabella,	proc.	80-79		
P Servilius Vatia	proc.	78-74	yes	yes
(Lucius Octavius?)		74 <sup>524</sup>		
L. Licinius Lucullus	proc.	74/73-69	yes (Mith)	in 62
Q. Marcius Rex	cos./proc.	68-66 -63?	yes	died
Cn Pompeius Magnus	cos/proc	66?-62 <sup>525</sup>	yes (ex Asia)	yes
61?				
T. Ampius Balbus,	proc.	57-56 <sup>526</sup>		
P. Cornelius Lentulus Spinther	proc.	56-54	yes	in 51
Ap. Claudius Pulcher	proc.	53-51	yes	no
M. Tullius Cicero	proc.	51-50	yes	no
C. Coelius Caldus	q./proqu.	50-49		
P. Sestius	proc.	49-48		
Q. Marcius Phillipus	proc.	47		
Q. Cornificius	q. propr.	46		
L. Volcatius Tullus	propr?	45		
C. Sosius	proc. (+Syria)	38-35?		

I am currently unaware of any holder of the province of Cilicia between Antonius and Poplicola, unless we date Sulla's praetorship to the earlier date, which could indicate (at least at first) that the *LdPP* did indicate Cilicia was a greater-than-average province that wasn't to be put into the hands of just anyone. Freeman suggests that the territory was left unattended between Antonius and Sulla.<sup>527</sup> The gap in 91 could have been filled by C. Julius Caesar or L. Lucilius, the governors of Asia. Other notable gaps occur between Oppius and Murena (probably representing Sulla's control of both Asia and Cilicia when fighting Mithridates), and between Marcius Rex and Lentulus Spinther, where it is

<sup>524</sup> The precise chronology here is a bit debated, see McGing 1995 and Broughton 1952 (*MRR* II), 106-108 for variations of accounts of the precise beginning of the Third Mithridatic War and the holding of commands.

<sup>525</sup> There is some question about the status of Cilicia during the Third Mithridatic War. Marcius Rex held Cilicia and was to cooperate with Pompey during the pirate campaign. When the command via the *lex Manilia* shifted to Anatolia, it is unclear what role Marcius played. While Pompey gained command over his forces, Marcius did not surrender his imperium before his death (in 63?). See Freeman 1986, 266 and Downey 1937, 144-146, who both presume that Marcius spent 66-63 waiting in the Italian countryside with his army, and thus date the Antioch embassy to 67 or early 66.

<sup>526</sup> Balbus was originally assigned Asia, and gained Cilicia instead through some Roman horse-trading. See Freeman 1986, 271 n.23.

<sup>527</sup> Freeman 1986, 256, actually argues that the *LdPP* supports the earlier date for Sulla's praetorship and implies that Sulla was the one to take up the command so indicated in the *LdPP*.



evident that someone was generally in charge, but it is unclear who. Cicero mentions the governor of Cilicia in 59, but does not name him<sup>528</sup>. That Cilicia was the preferred province is evident from Balbus jockeying to get Cilicia instead of Asia.

So, in these examples, we see repeated intentions of triumphing. Even Cicero claimed the right to triumph for his action at Pindenissum.<sup>529</sup> But even Cicero noted the obvious problem: *mihi ad summam gloriam nihil desit, nisi nomen oppidi*. To triumph over a hitherto unknown town was unlikely.<sup>530</sup> Even the claim that it served as a refuge for fugitive slaves strengthened the claim little. Cicero replaced Appius Claudius Pulcher, but failed to take over three cohorts of his predecessor's force. Cicero reported that he didn't even know where they were, though I think it likely that Claudius kept them with him as part of his own intent to triumph.<sup>531</sup> Even for some of the others who did not request a triumph, we know substantial military activity to have taken place. Murena, for example, had a failed campaign against the Cilicians and Sulla apparently had orders to repress the Cilicians during his praetorship.

Marcus Rex was presumably engaged in taking Armenian Cilicia away from Tigranes and Lentulus Spinther in enforcing that change of ownership. This, however, is purely speculative. Freeman notes that we have little idea of the extents of his (Marcus's) exertions to win a triumph for himself. He does not appear to have ever given up imperium before his death, however.<sup>532</sup> Nevertheless, the sheer frequency of triumphs and requested triumphs in this period looks suspicious. How can the modern reader understand the situation in Cilicia if it had to be conquered nine or ten times in

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<sup>528</sup> Cicero, *Q Fr.* 1.2.1.7. Cicero appears to have had a low opinion of whoever was in charge there.

<sup>529</sup> Cicero wrote numerous letters while in Cilicia. Of particular interest are his letters to Appius Claudius Pulcher (*Fam.* 3 *passim*), and those to Caelius Rufus, who suggested he seek a triumph. (see *Fam.* 8.5 and 2.10) See Beard 2007, 187-189 for his seeking of a triumph.

<sup>530</sup> Cicero, *Fam.* 2.10.3. "nothing is lacking for me for the greatest glory, except the name (meaning 'fame' or 'reputation') of the town."

<sup>531</sup> Cicero *Fam.* 3.6.3-5: *illud, vere dicam, me movet, in tanta militum paucitate abesse tres cohortes, quae sint plenissimae, nec me scire ubi sint*. "That thing, I say, disturbed me, that in such a scarcity of soldiers, three cohorts were missing, though they had a full complement, nor did I know where they might be." See Beard 2007, 242 for evidence (not connected to this event) that the soldiers in the triumph were necessary and would actively seek to walk in their general's celebration.

<sup>532</sup> Freeman 1986, 260.

fifty years? By contrast, over the span of a century, only one triumph was celebrated by governors who held Asia alone.<sup>533</sup>

One may well ask whether Cilicia was a particularly sought-after province. Sulla appears to have tried to make it the most important eastern province. Appius Claudius actively sought the Cilician command, as Cicero tells us in a 54 letter to Lentulus Spinther.<sup>534</sup> Cicero vehemently did not want it. Yet both sought, and failed to receive, a triumph for their actions there. I will discuss the role of the triumph across the empire in chapter seven, but right now, it will suffice to suggest that the ambiguities of boundaries and control meant that Cilicia was a suitable place to pick a fight from which a triumph might be gained. While Asia and Sicily might be more ripe for corruption, Cilicia's 'active front' status meant that not only did governors have greater chances for conflicts, governors who desired conflicts were more likely to seek Cilicia. The reputation as the homeland of the pirates also loomed as a factor in triumphal decisions. While it served to validate Roman aggression, it also potentially diminished the prestige gained.

It is not surprising that a military commander might exploit the reputation of Cilician pirates for political gains, as the pirates continued to be a boogeyman in the Roman imagination.<sup>535</sup> While not possessing the potential of a Mithridates or a Parthia, they also posed less danger and less ability to counter the accusations. Cilicia appears to have been a prize province, and the triumphs, if not fraudulent, would represent a continually changing and growing province.

The contingent manpower, while needing to be controlled, also served as an asset. Few Italian troops were sent to Cilicia; instead, large numbers of auxiliary troops were recruited. This appears to have been the case for Servilius, in the Mithridatic Wars, and for Cicero's siege alike. The Romans do not appear to have had trouble in recruiting local troops for local campaigns in any of these events.

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<sup>533</sup> Aquillius ~126 (over Aristonicus), though Murena, 81 may count as well. Sulla, Murena, Lucullus, Pompey and Caesar all claimed an Anatolian triumph after holding multiple provinces (usually Asia and Cilicia).

<sup>534</sup> See *Fam.* 1.9.25.

<sup>535</sup> De Souza ends his book *Piracy in the Greco-Roman World* (1999) with a similar conclusion: 242.

### The Third Servile War

The third of the Servile Wars, and the best known because of the figure of Spartacus, began in 73. Their actions were mostly confined to southern Italy. Spartacus's forces soundly defeated at least two praetorian armies and handed the consul Crassus a minor defeat before being defeated in 71. The remnants scattered and were still being hunted down years later. Appian tells us that Spartacus also rallied free men to his side by the profits of the slave army's plunder. That alone makes the Third Servile War worth discussing in a discussion of piracy.

The allegations of Spartacus seeking an alliance with the Cilician pirates to transport his men are found, to the best of my knowledge, only in Plutarch's *Lives*. There, Plutarch tells us that Spartacus intended to sail to Sicily and reinforce his troops from the local slave populations.<sup>536</sup> Cicero alludes to this in speaking against Verres, insinuating that his efforts to defend Sicily were a mere pretext to further loot the province.<sup>537</sup> A fragment of Sallust reinforces this belief.<sup>538</sup> Nevertheless, these other sources do lend some credence to the belief that this could have happened, even though those fears never materialized. Appian does not mention any such plan, but he does invoke Spartacus in relating Mithridates's supposed plan to march into Italy, asserting that the Italian countryside might rise for Mithridates as it had against Rome in the Social War and more recently, in support of Spartacus.<sup>539</sup>

The character of Spartacus has some similarities to those of Viriathus and Sertorius.<sup>540</sup> Among other observations, Grünewald notes Florus's description of the evolution of the individual as similar, but reversed: *miles, desertor, latro, gladiator* of Spartacus compared to the *venator, latro dux, imperator* of Viriathus.<sup>541</sup> Spartacus joins

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<sup>536</sup> Plutarch, *Cras.* 8-11. See also Shaw 2001, 130-165 for the sources on Spartacus.

<sup>537</sup> Cicero, *Verr.* 2.5.5-20. Again, see Shaw 2001, esp. 158, where he notes that Cicero never names Spartacus as part of a plan to blacken his enemy's name. (To actually invoke Spartacus might have had the opposite effect.)

<sup>538</sup> Sallust, *Hist.*, 4.F32: *C. Verres litora Italia propinqua firmavit*. "Verres strengthened the shores near Italy."

<sup>539</sup> Appian, *B Civ.* 1.14.116-121

<sup>540</sup> See Appendix 2 for the texts and some greater detail. See chapter 3 above, chapter 5 below for the events surrounding these figures. Grünewald 2004 also notes this comparison, see 64-68, for his analysis of Spartacus being portrayed as *latro*.

<sup>541</sup> Grünewald 2004, 65, see Florus 3.20.8, 2.17.15

the ranks of those figures with a mixture of extreme positive and negative traits. Grünewald argues that this makes Spartacus fall into his category of the noble bandit/romantic brigand.<sup>542</sup> Though initially compelling, I think this is a flawed argument. Neither Spartacus nor Viriathus *was* a *latro*. We are not seeing different ways of portraying *latrones* but rather different types of people being portrayed as *latrones*.

The usage of *latro* in reference to Spartacus is generally not pinned upon him but upon the slave army. Spartacus is limited by his resources, as he has difficulty controlling his men, who are more piratical. For example in the fragments of Sallust, we see the slaves plundering (*praedantibus*), described as acting in the *manner* of soldiers (*more militiae*), an indication that they are not, and acting contrary to orders (*contra praeceptum*).<sup>543</sup> Appian, however, does describe Spartacus as a bandit: τινὰς ἐλευθέρους ἐκ τῶν ἀγρῶν ὑποδεχόμενος ἐλήστευε τὰ ἐγγύς ‘Having received certain free men, he plundered (*eleisteue*) the nearby lands’ This is explicitly an act of Spartacus, rather than his slave supporters. The booty (*kerde*) he divided and used to attract additional followers likewise seems apt for a *latro*’s activity. Even in Appian, however, the ambiguity remains as Appian also notes that ‘Varinius Glaber and Publius Valerius’ were defeated because they thought Spartacus’s band a mere *leisterion*—a bandit gang.<sup>544</sup> Indeed, Appian provides the core of Grünewald’s assertion that Spartacus was considered a *latro*.<sup>545</sup> This disorganized force bears little similarity to the Sicilian servile revolts.

The role of surplus manpower in the Third Servile War may be more significant. The key passage remains Appian’s *Civil Wars* 1.14.116: Since Spartacus divided the profits of his raids into equal shares, he soon attracted a large number of followers. This profit motive is apparently a good one for the freelance fighter. By contrast, he is opposed by a hastily raised citizen militia (οὐ πολιτικὴν στρατιὰν ἄγοντες, ἀλλ’ ὅσους ἐν σπουδῇ καὶ παρόδῳ συνέλεξαν). Then (1.14.117) we see that Spartacus has attracted

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<sup>542</sup> Grünewald 2004 65. The original is ‘edlen Räufern’ (see Grünewald 1999, 94). See also his Introduction, 5, where he separates *latrones* into two types: “nämlich der ‘gewöhnliche’ und der ‘edle Räuber’” and four categories: “Räuber, Rebellen, Rivalen und Rächer”

<sup>543</sup> Sallust *Hist.* 3.F96, 98.

<sup>544</sup> Appian, *B Civ.* 1.14.116. The praetors sent out appear to have been Gaius Claudius Glaber and Publius Varinius. Appian appears to have erred here. See Shaw 2001, 140, n.6.

<sup>545</sup> Grünewald 2004, 65.

some men: θεράποντες ἦσαν καὶ αὐτόμολοι καὶ σύγκλυδες (they were slaves, deserters, and flotsam). These are not particularly the type one might want in one's army. Is this an accurate description, though? Or is this a judgment upon the type of man who would join Spartacus? Just as in the earlier servile wars, free people voluntarily sided with the slaves. The Roman historical agenda requires that such people be regarded as illegitimate. Association with fugitive slaves was even worse than association with pirates. This could hardly be unknown to the populace, and so any who joined the forces of Spartacus must have had very little to lose. Moreover, Spartacus refuses Roman deserters: αὐτομόλων τε πολλῶν αὐτῷ προσιόντων οὐδένα προσίετο. Some may try to reconcile this by recognizing two types of αὐτόμολοι, one Roman, the other foreign auxiliaries, but it is a strange discrepancy to justify. Furthermore, it recalls similar sentiments by other challengers to the Roman state, most notably Catiline.<sup>546</sup> Appian, like Plutarch, shows Spartacus to be a fundamentally noble exemplar of Roman values, (unlike the people he led), and also that his Roman contemporaries scorn him.<sup>547</sup> The mixture of lionizing Spartacus while discrediting his followers serves to explain how the slaves defeated the army while minimizing any sympathy for their cause.

The at-large warriors change the depiction of the war in several ways. First, Spartacus has the force of professional or experienced fighters, while the Romans are forced to oppose him with raw recruits. The fairness of his booty allocations are also reminiscent of the earlier conflicts between army and general over spoils and suggests that fighting for Spartacus paid better than the Roman state (though siding with a slave revolt had obvious drawbacks). The lack of control Spartacus has over his men contributes to their description as bandits, but so does the mercenary motivation. Finally, the Roman deny any form of legitimacy to the slaves, and by extension to any free people

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<sup>546</sup> *Contra* Grünwald 2004, 73-74, who indicates that Catiline has none of the traits of the 'noble' type. For Catiline refusing fugitives, see Sallust *Cat.* 56.5. But Cicero does repeatedly so accuse him of accepting fugitives: Cicero, *Cat.* 1.27, 2.19, 3.8. It may also be useful to note that while Cicero repeatedly refers to Catiline as a *latro* while Sallust does not. See Grünwald 2004, 73 for this.

<sup>547</sup> The outsider leader as a better Roman than the Romans is a type of character-portrait that is not uncommon in Roman historiography. See Appendix 2, 249f. for more details. The portrayal of the Romans' scorn probably serves as a warning against underestimating.

who voluntarily joined up with them. While not surprising, this mirrors the treatment both in the earlier servile wars and in the pirate campaigns.

### **The Mithridatic Wars (part one)**

Many other campaigns were linked to Mithridates. He was said to court Spartacus, provide cover for Cilician pirates, hire Cilician and Cretan pirates, attempt to ally with Sertorius, *vel sim.* Appian, notably, digresses into the Sertorius and Cilician pirate campaigns in his account of the Mithridatic Wars. Such a decision shows Appian's opinion on how closely these items are linked, especially given the usual geographic separation of the work. Throughout the first century, links with Mithridates kept appearing in connection with any number of Roman enemies (or would-be enemies). It might even seem that to be associated with Mithridates was more damaging than any accusation of piracy.

Therefore, rather than give an account of the Mithridatic Wars, I want to enumerate the instances where bands of fighters at-large are attested. In some cases, the ancient authors intrinsically link the Mithridatic wars to other events, and so I have striven to keep them separate.<sup>548</sup>

In many ways the pirates did continue to be regarded as a foreign and independent force, not merely a Mithridatic extension. In a standard text, Scullard remarks on the pirates as the scourge of the Eastern Mediterranean.<sup>549</sup> Scullard's take on the Roman problem of piracy is that it was an inherently military problem, as if the pirates were merely another state to be warred with and defeated.<sup>550</sup> I consider this a strange view of piracy: as it implies either that the pirates, *de facto* as well as *de jure*, cannot ever be

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<sup>548</sup> For ancient sources for the Mithridatic Wars, see Appian, *Mith. passim*, Velleius, 2.18, 22-24, 33-34, 37, 40.

For secondary sources on Mithridates, see Mayor 2010, McGing 1986, Højte et al. 2009; see Glew 1981 for the interwar period.

For the course and campaigns of the Mithridatic Wars, see Sherwin-White 1984, esp. 121-152.

<sup>549</sup> Scullard 1982, 79.

<sup>550</sup> For Scullard's (1982) mentions of piracy, see 41-43 (the Balearic campaign), 57, 61, 404 (Antonius and the pirates), 79 (the sack of Samothrace), 92 f. (the campaigns in Isauria and Cyrene ~78-74), 99, 100 ff., 420, (Caesar, the Gabinian law, and Pompey's command), and 170 (Octavian's campaigns against the Illyrians). In every example, the pirates are purely a military threat. The only nonmilitary action taken mentioned is the famous settlement of Pompey.

subjects of Rome or, contrarily, that all pirates were from foreign lands and included no Romans.

Given the predilection of various warrior bands, be they regarded as pirates, bandits, mercenaries or anything else, to serve as a surplus pool of manpower, especially in the East, the most prominent accusation is predictable. The connection to Mithridates is one that is unsurprising: that Mithridates sought to supplement his naval forces through hiring the so-called pirates of Cilicia and Crete. It is further suggested that these pirates were also to broker a deal between Mithridates and Sertorius ~77.<sup>551</sup> The Isaurians who fought against Vatia likewise may have been willing to work for Mithridates. This might imply that the wars in Cilicia, Crete, and Isauria were undertaken as much to weaken Mithridates as for the avowed reason.

Prior to the first war with Rome, Mithridates had indeed hired some freelance forces, especially naval mercenaries, in his northern expansions, and undoubtedly had some in his employ at the war's outbreak.<sup>552</sup> But in the First Mithridatic War proper, the first note of the use of the 'at-large fighter' comes from the Roman side, not the Pontic. Mithridates moved in force against Quintus Oppius, who was defending the city of Laodicea with a force of cavalry and mercenary infantry (*misthophoroi*). In Appian, the infantry are not explicitly made out to be locals, but the other Roman wings had been recruiting locals with little success, so it is a reasonable supposition. Pompeius Trogus noted that the Roman armies here were not even mixed but simply 'Asiatic' (*Asiano exercitu*).<sup>553</sup> In any case, Laodicea released the mercenaries and handed Oppius over to Mithridates.<sup>554</sup> When Mithridates took Bithynian mercenaries captive, many of them switched sides.<sup>555</sup> Mithridates also accused the Romans of acting like *latrones*.<sup>556</sup>

Mithridates's general Archelaus, in retreating from mainland Greece in 86, is said to ravage the coasts (τὰ παράλια πορθῶν) and to act more like a pirate than a warrior

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<sup>551</sup> McGing (1986, 137) suggests Mithridates had been thinking of this as early as 85 BC, suggested to him by deserters from Fimbria's force.

<sup>552</sup> See Strabo 10.4.10; Mayor 2010, 68, 113, 119; McGing 1986, 61-62.

<sup>553</sup> Preserved in Justin, *Epit.* 38.3.8.

<sup>554</sup> Appian, *Mith.* 20. See also Mayor 2010, 156-157.

<sup>555</sup> See Mayor 2010, 152.

<sup>556</sup> Justin, *Epit.* 38.4. It is, of course, highly unlikely that Mithridates chose a Latin term in his actual speech.

(ληστεύοντι μᾶλλον ἢ πολεμοῦντι ἐοικώς).<sup>557</sup> But such judgments come only after the loss at Chaeronea. Similarly, Archelaus is depicted hiding in a marsh (ἐν ἔλει τινὶ ἐκρύφθη) near Orchomenos after that battle.<sup>558</sup> Without direct accusation of Archelaus or his acts, Appian portrays him as a mere bandit. When discussing peace terms with Sulla, Appian even implies that Sulla attempted to get Archelaus to switch sides.<sup>559</sup> Sulla dispatched Lucius Licinius Lucullus to find him a fleet, and Appian reports that when Lucullus returned over a year later, he had almost been captured by pirates multiple times.<sup>560</sup>

Appian (*Mith.* 63) finishes his account of the First Mithridatic War directly accusing Mithridates of sponsoring piracy:

τὰ μὲν δὴ χρήματα ὧδε τῷ Σύλλᾳ συνεκομίζετο, καὶ κακῶν ἄδην εἶχεν ἡ Ἀσία· ἐπέπλει δ' αὐτὴν καὶ ληστήρια πολύανδρα φανερώς, στόλοις ἐοικότα μᾶλλον ἢ λησταῖς, Μιθριδάτου μὲν αὐτὰ πρώτου καθέντος ἐς τὴν θάλασσαν, ὅτε πάνθ' ὡς οὐκ ἐς πολὺ καθέξων ἐλυμαίνετο, πλεονάσαντα δ' ἐς τότε μάλιστα, καὶ οὐ τοῖς πλέουσι μόνοις ἀλλὰ καὶ λιμέσι καὶ χωρίοις καὶ πόλεσιν ἐπιχειροῦντα φανερώς. Ἴασσός γέ τοι καὶ Σάμος καὶ Κλαζομεναὶ καὶ Σαμοθράκη Σύλλα παρόντος ἐλήφθησαν, καὶ τὸ ἱερὸν ἐσυλήθη τὸ Σαμοθράκιον χιλίων ταλάντων κόσμον, ὡς ἐνομίζετο.

And indeed the money was collected for Sulla (sc. the fine imposed upon the Ephesians) and Asia had its fill of evils: large robber-bands (leisteria) sailed about her openly, looking like fleets rather than pirates. And as Mithridates first let these same bands fall on the sea, when he was plundering everything which he wasn't holding for long, also, [these bands were] increasing greatly at that time, and they were not making attacks just on ships sailing alone, but also openly on harbors, towns, and cities. Indeed, they sacked Iasos and Samos and Klazomenai and Samothrace (while Sulla was present), and the temple of Samothrace was stripped of ornaments valued at a thousand talents.

The purpose is a little unclear. Mithridates is said to have outfitted or supported these bands. I think we can fairly suspect, however, that he did not cause them to come into

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<sup>557</sup> Appian, *Mith.* 45. See also Mayor 2010, 210.

<sup>558</sup> Appian, *Mith.* 50.

<sup>559</sup> Appian, *Mith.* 55. Archelaus's refusal implies that Sulla said something additional to that Appian recorded (54). Given the amount of time spent emphasizing Sulla's poverty in Greece, recording an attempt at bribery could only undermine the description.

<sup>560</sup> Appian *Mith.* 56: κινδυνεύσας ὑπὸ ληστῶν ἀλῶναι πολλάκις



being. Again, Appian references them at the beginning of his description of Pompey's pirate campaign.<sup>561</sup> Deducing a motive for Mithridates is not simple here.

This situation does fit, however, into the *modus operandi* of the at-large warrior band. Deprived of employment under Mithridates, the unemployed simply reverted to pillaging independently. Furthermore, Mithridates was forced to surrender his fleet, which had caused the Romans much trouble. He was not forced to surrender the fleets of the pirates. That meant that this force was still available for Mithridates to hire in the future, and may well have been augmented by ships or equipment previously held by Mithridates. Such an assumption seems the logical way to read Appian's statement. Furthermore, the repeated use of φανερώς betrays a typical assumption about pirates, who act secretly or by tricks. These *leisteria*, however, are powerful enough to take what they want through direct force. It would also be excessive to see the pirates as mere underlings of Mithridates, as they are clearly operating independently at times.<sup>562</sup>

This practice under Mithridates matches the practice of earlier Hellenistic kings. I doubt Appian is trying to link Mithridates with Diodotus, the supporter of the Cilicians around 140. More likely is a comparison to Philip V of Macedon and his support of Dikaiarchus.<sup>563</sup> For an older example, Agathocles of Syracuse also gave ships to the Apulians on the condition that they harass his foes.<sup>564</sup> With these as precedent, for Mithridates to give ships to the Cilicians would hardly be unusual. And, at the outbreak of the third war, Mithridates did immediately hire a pirate fleet. It seems likely that Mithridates found a loophole by which he could maintain a naval force when necessary while still obeying his agreement with Rome.

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<sup>561</sup> Appian *Mith.* 92, esp. Μιθριδάτης ὅτε πρῶτον Ῥωμαίοις ἐπολέμει καὶ τῆς Ἀσίας ἐκράτει, Σύλλα περὶ τὴν Ἑλλάδα πονοῦμένου, ἡγούμενος οὐκ ἐς πολὺν καθέξειν τῆς Ἀσίας, τὰ τε ἄλλα, ὡς μοι προεΐρηται, πάντα ἐλυμαίνετο, καὶ ἐς τὴν θάλασσαν πειρατᾶς καθῆκεν, οἱ τὸ μὲν πρῶτον ὀλίγοις σκάφεσι καὶ μικροῖς οἷα ληστὰι περιπλέοντες ἐλύπουν, ὡς δὲ ὁ πόλεμος ἐμηκύνετο, πλέονες ἐγίνοντο καὶ ναυσὶ μεγάλαις ἐπέπλεον.

“When Mithridates first went to war with the Romans and took over Asia, as Sulla was in Greece and in trouble, he, believing himself not to be about to hold Asia for a long time, plundered all the others (what he could not hold), and set pirates upon the sea. They, at first, harassed (Asia) in small and few boats, the sort pirates sail around in

<sup>562</sup> See McGing 1986, 139.

<sup>563</sup> See De Souza 1999, 81-82 for Philip and Dikaiarchus. This episode is mentioned above and is rooted in Diodorus 28.1ff and Polybius 18.54.

<sup>564</sup> De Souza 1999, 53, Diodorus 21.4.

Additionally, these naval auxiliaries (the *leisteria*) were not available to Rome when Lucullus had been scrounging the eastern Mediterranean for ships in previous years. This is not quite proof that they were in the employ of Mithridates, but combined with the absence of mentions of pirate attacks on Mithridates and the problems caused to Romans by pirates, it seems very likely that Mithridates had cornered the freelance naval market. The sudden concern with piracy in the next twenty years no doubt has much to do with the increase in activity and in scale but also undoubtedly was affected by the desire to deny Mithridates a fleet. The hiring of pirates is only mentioned in connection with the hiring monarch; when campaigns against pirates are discussed, the possibility of the pirates being employed is never mentioned. I argue that rather than being an omission, the Romans regarded that employed pirates, *ipso facto*, were not pirates.

The next consideration is what Mithridates thought of his hirelings. While Mithridates certainly hired Cretans, a potential wider Pontic-Cretan alliance was also possible. While one motive for the Romans' war against the Cretan cities was the practice of piracy and the pirates' use of the Cretan cities as a base, another potential motive was the alignment of the Cretans with Mithridates.<sup>565</sup> These need not be exclusive motivations, but the historians disagree among themselves as to which was more important. Not only was Mithridates hiring the Cretans, but he appears to have seen the Cretan cities as allies. While the Cretans and Cilicians both occupy a sometimes ambiguous status as states or freelancers, Mithridates appears to have readily navigated this situation, hiring at-large warriors from these territories with the full approval of the local governments.

Pontic involvement with Crete had a long history, beginning with Mithridates V, if not earlier. Overall, Mithridates VI continued the philhellenism of his father. By doing so, he improved the lot of his Greek subject cities and made it more likely for Greek cities to accept his recruiters. Greeks could also hope to find government positions with

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<sup>565</sup> Sallust (*Hist.* 4.69.12 (*Epistula Mithridatis*)) has Mithridates describing the Cretans as under attack, implying the Cretans are aligned with him.

Florus

Diodorus 40.1 attributes the Cretan reputation for piracy as the principal cause.

Justin, *Epit.* 39.5 attributes the conquest of both Crete and Cilicia to the same war. Cf. Strabo 10.4.9.

Mithridates. His domestic officials and magistrates, at the higher levels, consisted of over 60% Greeks, but were perhaps 20% Greeks for the lower levels of administration and military command, though this discrepancy may be due to unequal survival of Pontic records.<sup>566</sup> In recruiting Aegean mercenaries, Mithridates probably followed the lead of Prusias of Bithynia or of the Attalids, who had established treaties with Cretan cities that explicitly allowed recruiting of their citizens for service abroad. Thus he not only gave favorable employment terms to Greeks, he also tried to follow Greek styling in offering that employment.

Seeing a conflict with Rome looming, Mithridates apparently tried to form a Greek coalition (as he would later attempt to form an eastern coalition with Armenia and Parthia) against Rome. Thus he sent missives to the Greek cities of Asia and Crete, along with Athens, and the Seleucids and the Ptolemies, as well.<sup>567</sup> The latter two apparently stayed quiet. In particular, Mithridates tried to enlist Syrian, Phoenician, and Egyptian sailors for his navy.<sup>568</sup> Crete, however, responded to the overtures of Mithridates. First, the Cretans simply allowed Mithridates to hire mercenaries, but later they also provided mercenaries (apparently partially at their own expense), and supported the pirates working for Mithridates.<sup>569</sup> In return, Mithridates sent a fleet to support Crete against Rome. In his supposed letter to the Parthians, Mithridates notes that he sent aid to the Cretans, who were under attack by Rome.

Crete's own piratic reputation is well-established. Plutarch calls Crete a secondary source of pirates.<sup>570</sup> Crete continued its earlier role as a source of mercenaries in the first century.<sup>571</sup> Crete was, in all likelihood, the main source of auxiliary forces for

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<sup>566</sup> These percentages are largely derived from names recorded in inscriptions of the period. See McGing 1986, 93.

<sup>567</sup> McGing 1986, 84n.67, 158-159. See also Appian, *Mith.* 11-13. Plutarch (*Luc.* 3), notes that Ptolemy refused to send a force to help Rome. We can read the evidence of Appian to suggest that a neutral Egypt was a success in itself.

<sup>568</sup> This is Appian's report (*Mith.* 13) of Nicomedes reporting to Rome, and as such, is doubly suspect. Even if this is the request made, there is no guarantee that it was granted, though Nicomedes surely intends to imply that it was.

<sup>569</sup> For this see McGing 1986, 139; Appian, *Sic.* 6; Diodorus 40.1. In his supposed letter to the Parthians, Mithridates notes that he had sent aid to the Cretans, who were under attack by Rome. (Sallust *Hist.* 4.67 (*Epistula Mithridatis*))

<sup>570</sup> Plutarch, Pompey, 29.1: δευτέρα γάρ τις ἦν αὐτῆ τῶν πειρατηρίων πηγὴ μετὰ τὴν ἐν Κιλικίᾳ

<sup>571</sup> See above ch. 3, 76f.

Pontus, at least in the early years.<sup>572</sup> Following the early conquests of Mithridates, it is likely that more and more came from the Black Sea littoral. Florus, however, mentions Crete not at all in his account of the Mithridatic War, even in the list of Greek states that supported Mithridates. In his account of the Cretan War, he argues that that rationale was simply a pretext to plunder.<sup>573</sup> During the third Mithridatic war, when the Romans were also at war with the Cretans, Mithridates sent ships to their aid.<sup>574</sup> This appears to be referring to the conflict with Antonius, and Cotta and Triarius were waiting to attack the Mithridatic fleet on their return.

Even after the initial assessment of ships, pirates are explicitly mentioned a few times as part of the forces of Mithridates. Mithridates took a pirate ship (ληστρικὸν μιοπάρωνα) to Heracleia.<sup>575</sup> The Cilician ‘pirate captain’ Seleucus was also entrusted with the city of Sinope.<sup>576</sup> We might even suggest that the coastal cities Lucullus avoided in the 80s were leagued with Mithridates.<sup>577</sup> The pirate forces also seem to have been reasonably effective in the earlier campaigns, depriving Sulla of a fleet and hindering him in acquiring one (even if this may not have been at Mithridates’s behest). The campaigns against Crete and Cilicia, as they drew off a source of naval manpower and expertise, likewise hindered the naval campaign of Mithridates, which seems to have been steadily in retreat.<sup>578</sup>

In any case, engaging Mithridates also involved engaging the Cilicians. Tröster accuses Ormerod of overstating the effectiveness of Lucullus against the pirates because

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<sup>572</sup> See Strabo 10.4.10, Diodorus 40.1, McGing 1986, 139.

<sup>573</sup> See Florus 3.5, 3.7.

<sup>574</sup> Memnon, 29.5: ...τὰς ἐπὶ Κρήτην καὶ Ἰβηρίαν ἀπεσταλμένας Μιθριδατείους ναῦς ὑποστρεφούσας λοχῶν. Cf. Memnon, 33.1

<sup>575</sup> Plutarch, *Luc.* 13.3. cf. Appian (*Mith.* 78), who has him taken to Sinope. This may be the same event with an error in the name of the city or it may be two events.

<sup>576</sup> Orosius 6.3.2. This is no small number of Cilicians. Plutarch, *Luc.* 23.2-3, also notes Lucullus killed eight thousand Cilicians at Sinope and many Cilicians also sailed away. Memnon 37.2-7 notes Seleucus (named a στρατηγὸς of Mithridates), as a second-in command of sorts at Sinope, who after foiling one attempt at betraying the city to the Romans, considered doing so himself.

<sup>577</sup> Plutarch, *Lucullus*, 3.2.

<sup>578</sup> For the later battles, Memnon recounts a number of skirmishes, especially at Heracleia (33.2, 34.5-7, 37.2).

The admiral Seleucus (sometimes called the pirate captain or ‘arch-pirate’) apparently commanded in multiple victories and in a successful escape from the siege at Sinope. (cf. Appian, *Mith.* 83)

he did not “depriv[e] them of their retreat areas and supply bases.”<sup>579</sup> This assumption rests overly heavily on the doctrine that destruction of the pirate bases was, in fact, the solution to piracy, without actually making the case for it. Furthermore, it implies that fighting the pirates was indeed a principal goal of Lucullus, which is very doubtful. Lucullus was largely focused on the land campaign, leaving naval affairs in the hands of Cotta, Antonius and others.<sup>580</sup>

The bands of at-large warriors were very influential in the Mithridatic wars, both in their actions and ideologically. In the second war, Appian portrays Murena as a pirate, as he robs (ἐλεηλάτει) the temples of Asia.<sup>581</sup> In the beginning of the third war (74), Appian has Mithridates state that the inability of the Romans to deal with the Cilician pirates proves their weakness.<sup>582</sup> Eumachus, one of Mithridates’s generals, set about subjugating southern Anatolia until he was beaten by the Galatians (all still in 74, I believe). The Galatians, long a source of freelance warriors, decisively turned against Mithridates. In 73, according to Orosius, Mithridates tasked the pirate captain Seleucus to defend Sinope.<sup>583</sup> In 69, Mancaeus suspected the Greek mercenaries of treachery and disarmed them. The Greeks took refuge in a tower and betrayed Tigranocerta to the Romans through that tower. In retreat from the Romans, Mithridates relies upon a band of mercenary horsemen (τισιν ἱππεῦσι μισθοφόροις).<sup>584</sup> Combined with the Romans’ recruitment of large numbers of auxiliaries in Anatolia, the freelance warrior forms a crucial part of the Mithridatic Wars. While historians, ancient and modern, focus on battles and great victories, it was Mithridates’s ability to rapidly recruit and outfit forces that kept him as a threat. As a result, the Romans’ interruption of his access to contingent manpower in Cilicia, Crete and Galatia sharply limited his ability to act.

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<sup>579</sup> Tröster 2009, 21n.21, referencing Ormerod 1924, 221.

<sup>580</sup> Memnon, 29.2, notes that Lucullus oversaw two Pontic naval defeats, but these were after the naval failures of Cotta and Antonius. Cf. Plutarch *Luc.* 11.5 and 12.2-5, where two relatively small naval battles are recounted, though it is not clear that these are the same as the two Memnon is thinking of.

<sup>581</sup> Appian, *Mith.* 64.

<sup>582</sup> Appian, *Mith.* 70.

<sup>583</sup> Orosius 6.3.2. The word he uses (*archipirata*) is generally translated ‘arch-pirate’ rather than ‘captain of the pirates’ as we might expect. Orosius dates this event as the same year that Catiline defended himself against the charge of corrupting the Vestal Fabia. By all other accounts, Seleucus had already been serving Mithridates in some capacity.

<sup>584</sup> Appian *Mith.* 101.

### **The Cretans, Antonius, and Metellus**

Turning to Crete, we observe that both Antonius and Metellus gained the agnomen 'Creticus', though in the former case, it seems to have been a form of mockery, not an official title. Antonius 'Creticus' took the initial command, which turned into a disaster.<sup>585</sup> After an abortive attempt at peace, Metellus took over this command after his colleague Hortensius turned it down.<sup>586</sup> Renewed interest in the pirates may have been sparked by the famous capture of Caesar by pirates in 75 or 74, but it would seem that some preparations had already begun before that time.<sup>587</sup> The Romans had encountered Cretan mercenaries in enemy forces many times throughout the previous centuries

Relevant to Cretan affairs, I believe, is the strange situation of the annexation of Cyrene. In 96, the king of Cyrene, Apion, a bastard son of Ptolemy VII, left the kingdom not to one of his Lagid kinsmen, but like the Pergamenes, to Rome. Surprisingly, the Romans made no attempt to take advantage of this bequest until 74, when Bithynia was similarly bequeathed. It has been implied that the rationale was part of a greater program to squash piracy, but it seems more likely that a grain shortage in Rome served as the impulse to see what could be gained.<sup>588</sup> Even more likely is the prospect that Cyrene had the potential to serve as a backup Roman base in the Mithridatic Wars, especially if Rome was eyeing Crete already at that time, which was eventually attached administratively to Cyrene.<sup>589</sup>

Florus, as I noted before, ties all the pirate campaigns together, in a system of 'one good, one bad'. Thus, the Cretan campaign serves as a negative comparison to the positive campaign of Pompey. The Cretan campaign, however, actually began earlier, and Florus accepts the rationale that the campaign was designed to punish the Cretans for any support they may have given to Mithridates. Thus, the campaign must be understood

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<sup>585</sup> See Pohl 1993, 270-274 on the campaign of Creticus.

<sup>586</sup> Broughton 1952, (*MRR II*), 131.

<sup>587</sup> See Broughton 1952, (*MRR II*) 113-116, for Caesar's abduction (and possible legateship) see Broughton 1948, 63.

<sup>588</sup> For the entire Cyrene situation, see Oost 1963 throughout. For the piracy suggestion see Scullard 1982, 93; Oost, 20. Note above the Sullan visit to Cyrene which may have been partially motivated by piracy. For the grain supply suggestion, see Scullard 1982, 417 n.5.

<sup>589</sup> The Cyrene-Crete link is not so unusual geographically. See Oost 1963, 25 n.65 for the union.

to begin with the infamous Antonius, who ‘brought more chains than weapons in his fleet’ and lost badly in his first encounter with the Cretans.<sup>590</sup>

This first conflict was in 74, at least ostensibly. Then, Antonius was given a command not entirely dissimilar to Pompey’s Gabinian command: the power of a provincial governor without any territorial limitations.<sup>591</sup> The command was for two years: apparently one year in the west and one for the east, though this assumption is rooted almost entirely in the amount of time Antonius spent building up his fleet in Sicily; it is doubtful he reached Greece before 73 and actual combat with the Cretans would wait probably until 72.

After some minor successes in skirmishes in the Ionian Sea, Antonius was roundly defeated by the Cretan fleet off Kydonia. Sallust may hint at Antonius’s rule being worse than the pirates, at least in Sicily.<sup>592</sup> Certainly Cicero uses him as a negative example to compare Verres to.<sup>593</sup> Diodorus tells us that the Cretans made a peace treaty with Antonius.<sup>594</sup> Ultimately, however, this treaty was not honored. Antonius died before (while?) returning to Rome.<sup>595</sup>

Diodorus tells us that the Cretans sought to make an alliance with Rome at this time, after the death of Antonius, but the motion was vetoed by Lentulus Spinther. Then the Cretans were accused of being in league with the pirates and were ordered to turn all their ships over to Rome, surrender the admirals Lasthenes and Panares, and pay four thousand talents.<sup>596</sup> The Cretans refused. An Antonia is said to have been captured by pirates and ransomed to her father. This may appear to be the daughter of Antonius

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<sup>590</sup> Florus 3.7.2: *adeo ut plaris catenas in navibus quam arma portaret.*

<sup>591</sup> Velleius Paterculus (2.31.3-4) indicates there was no worry with this precedent, because Antonius was not a man to fear. See also Broughton 1952, *MRR* II, 101-102, 111 for this command. The two relevant inscriptions are *SIG*<sup>3</sup> 748 (Gytheum) and *IG* 4.932 (Epidauros) which note his arrival in Greece ~73 BC. The Corinthian inscription mentioning Antonius Orator is sometimes associated with this Antonius, but there is little reason to do so (and still less to sail a fleet from Rome to Corinth, cross the diolkos, then sail back around the Peloponnese to Kydonia).

<sup>592</sup> Sallust, *Hist* 3, f3. Thus [Asconius] concludes in his commentary on Cicero’s *Verrines* (1.60, see also 2.8)

<sup>593</sup> *Verr.* 2.2.8, 2.3.213-216, cf. *Div. Caec.* 55, where Antonius is ‘requisitioning’ slaves for his fleet

<sup>594</sup> Diodorus 40.1.

<sup>595</sup> See Broughton 1952, (*MRR* II) 101, 123. One can readily read Livy, *Per* 97.3, to imply that he died in the war: *M. Antonius praetor bellum adversus Cretenses parum prospere susceptum morte sua finit.*

<sup>596</sup> Diodorus 40.1, Appian, *Sic.* 8-10, relates the same material, but indicates the Cretans at league with Mithridates, not with the pirates.

‘Creticus’ not the consul of 99.<sup>597</sup> I am unconvinced by this argument, but it scarcely matters whether the young Marc Antony was forced to pay a large ransom for his aunt or for his sister.<sup>598</sup> This abduction appears to have been between the 74 campaign and the 68 one. The Romans, now presuming the Cretans were in league with Mithridates, began a second campaign in 68, this time under the proconsul Metellus.<sup>599</sup> Metellus appears to have landed an army without complication and we hear of only one naval battle, where the Cretans defeated Bassus off Hierapytna.<sup>600</sup> Though it took him multiple years, Metellus eventually reduced the Cretan strongholds, including Kydonia, the bane of Antonius. Metellus does not appear to have (or used, if he had) naval superiority and the sources indicate that he principally took the cities by storm.<sup>601</sup> The 68 campaign, notably, did not confer upon Metellus the same lack of limitations as Antonius in 74 and Pompey in 67. Metellus eventually triumphed and then returned to Crete to organize it as a Roman province.<sup>602</sup>

During this time, however, the pirates, whoever they were, had not slowed, but instead increased their activity. The Roman fleet at Ostia was reduced to ash on the water, praetors and lictors were captured on the Italian coast and at least one grain-ship was lost at sea, either to storms or pirates. These activities do nothing to confirm or deny the complicity of the Cretans in these events. They could equally be attacks of opportunity with the Roman fleet pinned down in Crete or they could be acts of warfare under the Cretans hoping to draw Roman attention away from the island.<sup>603</sup> But it was

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<sup>597</sup> Our principal ancient sources are Plutarch, *Pomp.* 24.6, and Cicero, *Leg. Man.* 33, but see also Appian, *Mith.* 93. See Tansey 2010 for the argument placing Antonia as the daughter of the younger Antonius.

<sup>598</sup> The amount is not given, but Plutarch (*Pomp.* 24.6) says it was ‘large’, Appian implies it occurred in 70 or 69 and Antonius Creticus died in 71, leaving his son nothing but debts.

<sup>599</sup> This Metellus (Quintus) was consul in 69 and brother to the Metellus (Lucius) who was consul in 68 and also to the praetor of 69 (Marcus). They were the sons of Caprarius, the grandsons of Macedonicus, and the nephews of Balearicus. The *Periochae* of Livy record L. Metellus, as propraetor in Sicily after Verres who also campaigned successfully against the pirates. *Per.* 98.4.

<sup>600</sup> See De Souza 1999, 165. Dio 36.19.

<sup>601</sup> See de Souza 1999, 160-161, for bibliography. Archaeological evidence shows the harbor of Phalasarna being blocked off. Livy (*Per.* 98-99) notes the storming of Knossus, Kydonia, and Lyktos, and Dio (36.18.2) also notes the storming of Lappa.

<sup>602</sup> Livy, *Per.* 100.2 for the organization.

<sup>603</sup> It may be worth noting that a large segment of the Roman fleet had been destroyed or captured by Mithridates in 74. (According to Appian (*Mith.* 71), four ships destroyed and sixty captured). Combined with the losses by Antonius and in the Ostia harbor, the Cretan fleet may have been the most substantial



acts on this scale that made the Romans risk giving Pompey the extraordinary command via the Gabinian law, though even that was hotly contested.

By this time it is clear that the Romans intended to stop piracy, whether as an end in and of itself, or (more likely in my opinion) because of the use foreign enemies had for them. In the 70s, there were three lands that had a reputation for piracy: Crete, Cilicia, and Illyria, and all three were attacked within a span of 10 years. Piracy had definite ethnic associations.

### **Rhodes and Delos: the end of an era**

Rhodian events were less relevant in the first century to the ongoing shifts in freelance warfare. After all, Rhodes had lost its hegemony and most of its ability to conduct foreign affairs. Rhodes did, however, regain some of its former power through its association with Rome. And it still retained a reputation as being hostile to pirates. Nevertheless, the Rhodians appear more as naval auxiliaries for Rome than as employers of mercenaries or chasers of pirates.

Earlier I had discussed Massilia, and its ability to pull Rome into disputes with local Ligurians, Gauls, and perhaps even the Balears. The next question is whether Rhodes had that same ability and whether having such an anti-pirate state as a client had any effect on Roman actions against pirates in neighboring Cilicia and Crete. It is certainly not implausible, and Rhodian vessels made a notable appearance in Pompey's battle at Coracesium and also at Heraclea in the Third Mithridatic War.<sup>604</sup> The Rhodian fleet, though diminished in numbers, was still extant. Diodorus Siculus described them as far superior in skill to the Cappadocian ships.<sup>605</sup> Similarly, the Rhodians would provide both Pompey and Caesar with ships and crews during the civil war.

We might see this possibility, i.e. a Rhodian request for aid, as an alternative explanation for the beginning of Roman acts against Cilicia. This is a popular explanation for why Rome suddenly became involved. Yet using Massilia as a model is

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fleet not engaged in Asia Minor. The next year Pompey assembled a large fleet, but that must have drawn on the fleets in Asia and Crete as well as substantial Rhodian contingents.

<sup>604</sup> Above I argued that Pompey's fleet would have required sizable allied contingents. The only allied state ever mentioned as contributing, however, is Rhodes. Berthold 1984, 225. See also Florus 3.8.6.

<sup>605</sup> Diodorus 37.28.

flawed, as the Romans do not appear to have ever mentioned such a past benefit to Rhodes, a very normal part of foreign policy. Considering the ship requisitions of the first century civil wars, the absence is a notable one.

By contrast, the fortunes of Delos swung erratically in the early first century. Delos had flourished immediately upon its establishment as a free port in 166 and was a wealthy town (and increasingly Italian) at the turn of the century.<sup>606</sup> During the first century, however, Delos was sacked once by Mithridates (in 88) and once by pirates (69) and never recovered. The attacks on Delos had an effect on the slave trade, but that effect was more detrimental to the Romans' finances than the pirates'. As noted earlier, Delos was traditionally a clearinghouse for slaves, which was one of the principal economic targets for pirates. While well-born individuals were more often ransomed by the first century, slaves could well be kidnapped and resold. Delos had not, apparently, had much difficulty with pirates in the past, and so the attacks on Delos would appear to have a strategic motive rather than a profit motive.<sup>607</sup> The role of Delos as slave market was taken over partially by Puteoli in Italy and partially by Rhodes.<sup>608</sup> Strabo also tells us that the whole Lycian and Pamphylian coast served as slave markets.<sup>609</sup> In addition to adding middlemen to the supply chain, the Roman end of the slave trade was disrupted by the death or displacement of the principal Roman and Italian merchants dealing in Aegean slaves. The decentralizing of the Delos market was positive for Mithridates and a negative for Rome, but had little effect on the pirates, even if its creation had been a benefit for them.

Rhodes harbored Italian and Roman refugees from Mithridates and appears to have slightly recovered economically, though it still had become more of a university city

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<sup>606</sup> See Rauh 1993 for the economy of Delos. While some of the more affluent houses were apparently Roman/Italian, Greek and Phoenician were abundant as well.

<sup>607</sup> This is hardly to say that none existed. But as Delos was typically the end market from which profit was realized. I argued earlier that pirates probably sold their booty, particularly slaves, at various ports of Asia and Cilicia where it was bought by enterprising merchants for resale at Delos or Rhodes. Overall, the destruction of Delos would have less effect on the piratic trade itself, and more on that of the reselling merchants.

<sup>608</sup> See Nicolet 1994, 630 for the supplanting of Delos.

<sup>609</sup> Strabo, 14.3.2.

than a trade powerhouse.<sup>610</sup> While it regained some of the trade that had passed through Delos, it was far from replacing the earlier volume. Sulla, notably, granted Rhodes its ‘freedom’ upon the conclusion of the First Mithridatic War.<sup>611</sup>

The growing preeminence of Rome, however, also meant that the trading exchanges in the Aegean were dwindling in importance compared to the growth of the Italian ports of Latium and Campania (Ostia, Puteoli, Paestum, Neapolis, Pompeii, *vel. sim*). The big slave markets were no longer in the east but in the west instead (though a perhaps-surprising amount was simply handled by the merchants following various Roman armies about).

### Conclusions

In this chapter, I argue that the Roman attempts to control at-large warriors and their mobile groups intensified and, furthermore, met with some considerable success. First, the enlistment of soldiers and extensions of citizenship made the army an option for those who otherwise might take up the life of a freelance warrior, limiting the mercenary activities of Italians such as the Mamertines and the potential emigration of warriors. This also increased the ability of generals to recruit locally. Outside Italy, we see Roman armies in Anatolia engaging in local recruitment of auxiliaries and successfully acquiring large numbers of them. Furthermore, the activities in Crete and Cilicia can be easily seen as efforts to deny these pools of contingent manpower to a foe, specifically Mithridates. This does not necessitate that this was the principal motivation for these actions, but this is a consequence of the first-century campaigns and the growth of the Roman military. If an intentional consequence, it is a rationale rarely explored. Even if unintentional, it is an effect worth noting.

Concerning the slave wars, it seems apparent that the Romans tended to suspect exterior motivations or support in any uprising that met with success. The existence of

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<sup>610</sup> See Appian *Mith.* 24-27, for Mithridates’s brief campaign against Rhodes.

<sup>611</sup> Appian *Mith.* 61. Αὐτὴν δὲ τὴν Ἀσίαν καθιστάμενος, Ἰλιάς μὲν καὶ Χίους καὶ Λυκίους καὶ Ῥοδίουσιν καὶ Μάγνησιαν καὶ τινὰς ἄλλους, ἢ συμμαχίας ἀμειβόμενος, ἢ ὧν διὰ προθυμίαν ἐπεπόνθησαν οὐ ἕνεκα, ἐλευθέρους ἠφίει καὶ Ῥωμαίων ἀνέγραφε φίλους, ἐς δὲ τὰ λοιπὰ πάντα στρατιῶν περιέπεμπεν “Having settled Asia, either rewarding them for their alliance or because of their sufferings on his account, he [Sulla] granted Ilium, Chios, Lycia, Rhodes, Magnesia, and certain others freedom and named them friends of the Romans, and into all the remaining towns he sent a garrison.”

these suspicions of fomenting rebellion caused the Romans to treat with the Cilicians and Mithridates differently than they otherwise might have. Further credence is lent by the not infrequent accusations of encouraging slaves to revolt or accepting fugitive slaves against various figures of the civil wars.<sup>612</sup> Cilicians, Cretans, and Illyrians were perceived as ‘natural’ pirates, while the pirates appear to have regarded themselves as actively at war with Rome. In regarding these at-large bands as simply pirates, the Romans diminish what state identity they might have had. In the following chapter, I will be backtracking over familiar ground to cover the Pompeian campaigns during this same period. It is my hope that through this division, Pompey’s different methods and results will be clear. The purpose of this division is to tease out which were the ‘natural’ outcomes in Rome, and which were the outcomes of an exceptional figure like Pompey.

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<sup>612</sup> Catiline, of course, is the obvious candidate. (Sallust, *Cat.* 56.5; Cicero, *Cat.* 1.11 (1.27?), 2.9 (2.19?), 3.4 (3.8)) But not the only one: Sextus Pompey stands out as another such figure.

## Chapter Five: The Pompeian Campaigns and the Role of Pirates.

In the previous chapter, I detailed the events of the first century. During this time, however, the campaigns of Pompey possessed a different character than those of his contemporaries. If this is not true, we are at least supposed to believe that it is. The first century contemporaries of Pompey often fared less well in the historical record, particularly when compared directly. In this period, Pompey accrued great glory from a number of accomplishments that might, strictly speaking, be better assigned to others (Crassus with Spartacus, Metellus in Crete or Lucullus in Anatolia, for example). Arguably, these events show there was greater glory to be had by finishing a campaign rather than beginning one.<sup>613</sup> Furthermore, by landing the conflicts' finishing blow, Pompey gave the impression of being able to wage a much quicker and more efficient campaign than his rivals.

In this chapter, I present three basic arguments. First, through campaigns against bandits, pirates, or those associated with pirates, Pompey established himself as most capable in dealing with such ambiguous forces. Second, the Romans consistently portrayed their enemies as either illegitimate forces themselves or as supporters of such forces. Third, considerable conflict existed among Roman elites as to how illegitimate forces were to be dealt with.

### **Pompey and Sertorius**

Pompey first appears as a commander in Sulla's forces. Pompey accumulated substantial credit from his conduct against Sertorius, the famous Marian holdout against Sulla's regime. Not only did he gain the principal credit for this victory in Rome, in a way, the Sertorian campaign made Pompey's reputation (or made it as something other than 'the young butcher' as he was known from serving in Sulla's army)<sup>614</sup> and also set the stage for his portrayal of later events. Appian, at least, equates the import of his

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<sup>613</sup> Plutarch notably makes this claim about Pompey's intentions at *Pompey*, 31.7.

<sup>614</sup> Valerius Maximus famously records this nickname 'adulescentulus carnifex' (6.2.8).

Concerning the importance of the Sertorian campaign to Pompey, see Greenhalgh 1980, 40-57; for contrast, see Seager 2002, 34-35, who spends little time on it. Unsurprisingly, Spann 1987 and Konrad 1994, working on Sertorius, also emphasize the important of the Sertorian campaign to Pompey's later exploits.

success in the Sertorian campaign with that of the defeat of Mithridates.<sup>615</sup> Pompey's actual record against Sertorius in Spain was none too impressive, but he did eventually succeed there.

For this study, Sertorius is particularly relevant because his campaign, tactics and portrayal strongly resemble that of the less well-known Viriathus of some seventy years before.<sup>616</sup> Since so much more material about Sertorius survives, his depiction is especially useful for studying the portrayal of such figures. Nevertheless, more material does not add up to *much* material.<sup>617</sup> Sertorius did not fare well in the sources, both because of his actions in Spain and, more importantly, because of his earlier siding with Cinna and Marius.<sup>618</sup> Sertorius was established as a Marian, and his reputation rose and fell with Marius in the civil war. The end result was that Sulla, the victor in Rome, despite predeceasing Sertorius, had the final say about Sertorius, though later, more pro-Marian sources sought to rehabilitate him.<sup>619</sup> By the time Pompey arrived in Spain, Sertorius was already established as infamous.

Around 83, Sertorius claimed the title of proconsul of Hispania, having arrived there with a legion loyal to him. He had been voted this province earlier, but his magistracy was revoked and the praetor already in Spain refused to surrender authority to

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<sup>615</sup> Appian, *B Civ.* 1.80.

<sup>616</sup> Among others, see Grünewald 2004, 47-48 for this same identification.

<sup>617</sup> For Sertorius generally, see the full length treatments of Schulten 1975 (the translation of Schulten 1926) and Spann 1987. For shorter accounts see Seager 1994b, 215-221 and Katz 1983. C. F. Konrad's (1994) commentary on Plutarch's *Sertorius* is also very useful. A few relevant articles on Sertorius are Treves 1932, Gabba 1954, and Gillis 1969.

The ancient sources for Sertorius are principally Appian's *Civil Wars* (particularly 1.107-115 and a note in *Hisp.* 101) and, of course, Plutarch's *Life of Sertorius*. Additional references are found in: Appian, *Mith.* 68; Velleius, 2.30; Diodorus fr.37.22a; Orosius 5.23; Florus, 2.10; and Livy *Per.* 96. Many fragments of Sallust's *Histories* also reference Sertorius.

<sup>618</sup> Of course, the two are intrinsically linked, because his siding with Marius was, in a way, the cause of his acts in Spain.

For a short rendition of the relevant events, see Seager 1994a, 175-176, Spann 1987, 26-39 (limited to the involvement of Sertorius).

<sup>619</sup> According to Spann 1987, xi, the hostile sources were Sulla, Sisenna, Posidonius, Varro, Livy, and Appian, while Sallust, some unknown pro-Caesarian historians, and Plutarch served as the more favorable sources. This continued into the modern period and Germany, where he was condemned by Berve 1929 and praised by Schulten 1926.

See Konrad 1994, xli-lvi for a fuller and more nuanced view of the ancient sources. Most pertinently, Konrad views Livy as a rather balanced source, while the later Livian tradition was more hostile towards Sertorius.

him upon arrival.<sup>620</sup> His fluency in Celtic may have been a credit to him in winning over the Celtiberians, but there is no evidence he knew the non-Indo-European languages of the other inhabitants of the peninsula.<sup>621</sup> He also had had previous military experience in Iberia starting in the early 90s.<sup>622</sup> There Sertorius was present at the massacres of Castulo and Colenda, but his own policy in Iberia was very different.<sup>623</sup> In any case, Sertorius drove the Sullan officials out (quite possibly without bloodshed) by 82. While (Sullan) Rome itself did not recognize his position, the people of Spain did, hesitantly at first, but more wholeheartedly following his victorious campaign in Mauretania and also his defeat of the praetor Fufidius upon his return in 80.<sup>624</sup> Before 81, Sertorius had considered staying in Mauretania or leaving for the ‘Isles of the Blest’ and not returning to Spain, but

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<sup>620</sup> Appian, *B Civ.* 1.86, 1.108; see also Spann 1987, 41. Plutarch (*Sert.* 6.3-4) does not indicate Sertorius had any initial conflict in taking up this post.

Spann 1987, 33, 164 also suggests Sertorius attained the praetorship still earlier, in 84 or 85. See Konrad 1994, 74-76 for discussion.

<sup>621</sup> We discover this talent of Sertorius’s not in the accounts of him in Iberia, but rather when Marius employed him as a spy in 102. Spann (1987, 14-16) wonders where he acquired this last-minute fluency, noting that he had been in Celtic-speaking lands for 4 years now. I would note however, that we have no evidence that Sertorius did *not* possess knowledge of the language before 102. It seems unlikely that Marius would have picked Sertorius over a Celtic auxiliary unless he was fully satisfied with Sertorius’s linguistic ability.

The degree to which the Celtic languages of southern Gaul resembled those of northern Iberia at this time is an interesting question, and not one easily answered. For the linguistics of 1<sup>st</sup> century Iberia, see Konrad 1994, 46-47, 90-94, and 115-116.

<sup>622</sup> See Spann 1987, 18-20; Broughton 1952 (*MRR* II), 7-8.

<sup>623</sup> See Spann 1987, 19-20; Broughton 1952 (*MRR* II), 4, 7 for Didius; see Spann 1987, 20; Plutarch, *Sert.* 6.4; for the difference in policy.

<sup>624</sup> I suspect that an uncertain fragment of Sallust (McGushin 12) is referring to either this episode in Mauretania (Plutarch, *Sertorius* 9) or, less likely, the Ibiza episode (Sertorius 7). The Sallust is as follows: *refertus irae et doloris in talibus sociis amissis. Armati navibus evolant scaphis aut nando, pars puppibus in litus algosum impulsis; neque eos diutius hostes mansere genus trepidissimum Graecorum et Afrorum semermium. Dein sociis pro fortuna humatis et omnibus quae usui erant ex propinquo correptis, ubi nulla [spes] erat patrandi incepti, perrexere in Hispaniam.*

“He was bursting with rage and sorrow at losing such allies. The soldiers fled from the ships [either] by small boats or swimming, part with sterns driven onto the seaweed-covered shore. Nor did the half-armed fearful race of Greeks and Africans remain opposed to those enemies very long. Finally, after they buried their allies as they could and salvaged anything useful nearby, because there was no hope of completed what had been begun, they returned to Spain.”

The Ibiza identification is bolstered by Plutarch’s mention of shipwrecks from a storm, while Mauretania is bolstered by the Greeks and Africans unattested in Plutarch’s account the earlier event. The description *refertus irae et doloris* is consistent with Sallust’s description of Sertorius elsewhere e.g. and I argue the lost allies are either allies on the ships lost (for Ibiza) or the Cilician mercenaries quitting his cause (for Mauretania). See Konrad 1994, 103-105 for some discussion on the storm after Ibiza.

eventually decided against it, based on the desires of his men.<sup>625</sup> On his return, the Iberians found Sertorius both a more congenial option than the Sullans and a leader capable of winning victories.<sup>626</sup>

The Iberians, particularly the Lusitani, rallied to Sertorius, to the extent that he trusted them more than the Roman loyalists who had followed him to Spain. According to both Appian and Plutarch, he established a Celtiberian bodyguard and gave them more privileges than the Romans. Plutarch also relates preferential treatment of the Romans, while such mentions of the Iberians in Appian are meant to show Sertorius as being a traitor to his own people.<sup>627</sup> To a Roman audience, the Iberians still carried a negative connotation as barbarians and bandits. Plutarch tells us that Sertorius converted the Iberians from a band of robbers into an army (ἀντὶ ληστηρίου μεγάλου στρατὸν ἐποιεῖτο τὴν δύναμιν).<sup>628</sup> In the same passage, Plutarch discusses how Sertorius makes the conversion, forcing them to fight with discipline and signals instead of like wild beasts. Thus in Plutarch, Sertorius civilizes the Iberians, but in Appian, the Iberians ‘barbarianize’ Sertorius.

During this time, Sertorius had continued to stand by his assertion that he was the legitimate representative of the Roman government, and Marian supporters continued to trickle in to Spain where they formed a government-in-exile—an act seen and portrayed by his detractors as the formation of a barbarian state, not a civil war contender.<sup>629</sup> (This portrayal of Sertorius as barbarian, and a leader of Iberians, not Romans, was useful for the triumphal desires of Metellus and Pompey.) Around 77, Sertorius was joined by Perperna, who brought him the rest of Lepidus’s force.<sup>630</sup> Around this time, Sertorius also came to some agreement with Mithridates. The agreement ostensibly recognized the

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<sup>625</sup> Plutarch, *Sert.* 8-9, Sallust, *Hist.* 1.102-103. Here I choose to follow the identification of the Isles of the Blest as the Canaries, though Madeira is also a reasonable postulate. It is hardly certain that every ancient mention of the Isles of the Blest necessarily refers to the same archipelago. See Spann 1987, 50; 1977 for the Canaries argument and Konrad 1994, 106-110 for one in favor of Madeira.

<sup>626</sup> See Spann 1987, 61-62.

<sup>627</sup> Plutarch, *Sert.* 14.4, 22.4; Appian *B Civ.* 112.

<sup>628</sup> *Sert.* 14.1. His ‘motley band of Libyans’ (12.2: συμμείκτοις δὲ ἑπτακοσίοις Λιβύων ‘the motley band’ is the phrasing of the 1919 translation of Bernadotte Perrin) may also be worthy of note. These irregulars, however, are probably more like the Cilicians, following as mercenaries for the sake of money.

<sup>629</sup> For this body and period, see Spann 1987, 73-90.

<sup>630</sup> Appian, *B Civ.* 107. Some accounts name him ‘Perpenna’ instead.



government of Sertorius as the ‘real Rome’ and the Sullan supporters as the rogues. According to Appian, Sertorius sent Mithridates three Roman advisors and agreed to surrender most of Roman Anatolia to Mithridates.<sup>631</sup> But note also Plutarch, who indicates Sertorius refused to surrender Asia to Mithridates, even though he did not possess it (though his Senate-in-exile urged him to accept the deal).<sup>632</sup> Thus the particulars of the deal are still unknown, but it involved the exchange of military advisors for gold and warships. While the advisor Marcus Marius arrived in Pontus probably in 76, the Pontic fleet did not arrive in Spain until 73.<sup>633</sup> Nevertheless, in 76, with the Roman reinforcements from Perperna, the recent defeat of Metellus, and the alliance with Mithridates, Sertorius was at the height of his power in Spain. His enemies in Italy did not have the luxury (as seemed likely a year earlier) of focusing entirely on him.

Sertorius also made agreements with the infamous Cilicians. Shortly after Sulla came to power, Sertorius embarked on a series of assaults on Mauretania. Indeed, with Cilician aid, Sertorius took Ibiza in the Balearics, but was unable to hold it.<sup>634</sup> Some have taken this event to be evidence of a widespread coalition between Sertorius, Mithridates, and the Cilician pirates.<sup>635</sup> I find the fact that both Sertorius and Mithridates hired Cilicians no more compelling evidence of an alliance than the presence of Cretan archers in both Roman and Macedonian armies would be of one with Crete during the Macedonian Wars.<sup>636</sup> Cilicians, as already noted, generally occupied an ambiguous status as to whether they were acting out of state interests or as freelancers seeking profit. Their association with Sertorius thrusts him into that same status.

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<sup>631</sup> Appian *Mith.* 68. Cicero (*Leg. Man.* 9) alludes to the event, but has Mithridates treating with multiple Spanish leaders (*ad eos duces quibuscum tum bellum gerebamus*—“to those leaders with whom we were waging war at the time”).

<sup>632</sup> Plutarch, *Sert.* 23-24.

<sup>633</sup> Konrad 1994, 198 for M. Marius and 199-200 for the fleet. Officially, at least, Marius was supposed to be the governor of Asia. (Plutarch, *Sert.* 24.4)

<sup>634</sup> Plutarch names it Pityussa. (*Sert.* 7-8.1) See also de Souza 1999, 95 n.191, 132. Spann 1987, 48, argues that they expelled a nest of Balearic pirates from here. As above, ch.3, I find it unlikely that Ibiza would be considered part of the Balearics, as Spann does, and the other evidence Spann uses to suggest pirates here (Plutarch, *Pomp.* 24-25) is very weak.

<sup>635</sup> See Konrad 1994, 102-103, see de Souza 1999, 132-133, for a case against.

<sup>636</sup> See Griffith 1933, 92, for the Cretans sending troops to fight on *both* sides being mercenaries, not motivated by politics.

Notably, Spann also takes the event to be an alliance with the Cilicians, though he leaves Mithridates out of it.<sup>637</sup> Following de Souza, I take the evidence of *Sertorius* 9 to indicate that these Cilicians were mercenaries, who soon readily hired on against Sertorius in his campaign in Mauretania.<sup>638</sup> While describing troops sent by a Cilician state as pirates would be well within Roman practice, the presence of Cilician troops here by no means necessitates an alliance with a Cilician state. There is no compelling reason to see the ‘agreements’ as a Cilician alliance rather than a contract with a band of free-lancers meant to bolster his forces against the inevitable Sullan counterattack. The later Cilician refusal to go with Sertorius to the ‘Isles of the Blest’ because of their desire for money is also perfectly in line with mercenaries who may have been expecting loot. Furthermore, the Cilicians stopped working for Sertorius years before the embassy from Mithridates arrived to speak with Sertorius.

Of course, any affiliation with sea-going non-Romans like the Cilicians was enough to tar Sertorius with the pirate brush, as de Souza points out.<sup>639</sup> Added to associations with barbarians like the Iberians and the Libyans and agreements with Mithridates, Sertorius became a figure difficult for Plutarch and Sallust to salvage. While he has been portrayed as a leader who ‘went over’ to the Lusitani, it makes more sense to view him as yet another civil war contender who happened to get the support of the Lusitani and other Iberians.<sup>640</sup> Indeed, most civil war contenders also gained the support of Roman allies or client states. The continued supportive role of his Roman soldiers, who agreed to command Lusitanian troops, is pertinent because it suggests that they also saw themselves as still Roman. We should recall that Sertorius had previously suggested

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<sup>637</sup> Spann 1987, 48.

<sup>638</sup> Plutarch, *Sert.* 9.1 ταῦθ' ὁ Σερτώριος ἀκούσας ἔρωτα θαυμαστὸν ἔσχεν οἰκῆσαι τὰς νήσους καὶ ζῆν ἐν ἡσυχίᾳ, τυραννίδος ἀπαλλαγεῖς καὶ πολέμων ἀπαύστων. αἰσθόμενοι δὲ οἱ Κίλικες, οὐθὲν εἰρήνης δεόμενοι καὶ σχολῆς, ἀλλὰ πλούτου καὶ λαφύρων, εἰς Λιβύην ἀπέπλευσαν, Ἄσκαλιν τὸν Ἴφθα κατὰξοντες ἐπὶ τὴν Μαυρουσίων βασιλείαν.

And when Sertorius heard this [the tale of the ‘Isles of the Blest’ (Plutarch, *Sert.* 8)], he had a great desire to dwell in those islands and to live in peace, apart from tyrants and unceasing wars, but the Cilicians, learning this, since they desired neither peace nor leisure, but rather wealth and plunder; they sailed away to Africa to put Ascalis, son of Iphtha, on the throne of the Maurusians.

<sup>639</sup> De Souza 2008, 81.

<sup>640</sup> See Spann 1987, 59-61 for a similar description of Sertorius as a Roman leading auxiliaries.

leaving the Roman world for Mauretania or the ‘Isles of the Blest’ and was rebuffed by the soldiers.

The depictions of Sertorius are most intriguing, not least because we have differing accounts in Appian’s *Civil Wars* and Plutarch’s *Life of Sertorius*. On the face of Plutarch’s description, Sertorius was no pirate. The depiction, however, puts him squarely in the camp of figures like Catiline: simultaneously noble and barbaric, superhuman and flawed.<sup>641</sup> The figure Plutarch describes, and the one Metellus and Pompey were set to defeat, was not an utterly wicked reprobate, but a man of admirable training.<sup>642</sup> Nonetheless this description, similar as it was to the characterization of figures including Catiline, Jugurtha, Spartacus and Viriathus, may still have given the sense of ‘brigand’ without saying as much.

Appian does not give a character portrait of Sertorius in the early years, but does describe him as fighting γενναίως and in acting justly after sacking a city.<sup>643</sup>

Nevertheless, Appian has no problem with taking sides here; he says the other Romans were angry at being called traitors (ἀπίστοι) when they were traitors on his account.<sup>644</sup>

Later in the account of Sertorius, Appian describes him thus:

ὁ δὲ Σερτώριος βλάπτοντος ἤδη θεοῦ τὸν μὲν ἐπὶ τοῖς πράγμασι πόνον ἐκὼν μεθίει, τὰ πολλὰ δ’ ἦν ἐπὶ τρυφῆς, γυναιξὶ καὶ κώμοις καὶ πότοις σχολάζων. ὅθεν ἠττάτο συνεχῶς, καὶ γεγένητο ὀργὴν τε ἄκρος δι’ ὑπονοίας ποικίλας καὶ ὠμότατος ἐς κόλασιν καὶ ὑπόπτῃς ἐς ἅπαντας,

But Sertorius now, because of some god-inflicted hindrance, readily left off the toil of his deeds, and he spent most of his time in luxury (he was, in most ways, given to luxury), spending his leisure time in parties, women, and drinking. For this reason, he was worsted repeatedly. And he began to grow angry because of various suspicions, most savage in punishments, and suspicious of everything...

In this portrayal, by contrast to Plutarch’s, Sertorius is a wicked caricature, yet its preface implies this was a marked change from before. It ends with an argument of morality, suggesting that his lapses made him deserve to lose ultimately.

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<sup>641</sup> See Appendix 2 for the texts and a discussion of the character portraits of these figures.

<sup>642</sup> Plutarch, Sert. 13.1-2.

<sup>643</sup> Appian *B Civ.* 1.108 for the former, and 1.109 for the latter, where he had executed a cohort of Romans who were apparently accustomed to rape.

<sup>644</sup> Appian, *B Civ.* 1.112.

After 77, Sertorius and Perperna were at first successful against Pompey and Metellus. Sertorius defeated Metellus in 77 so decisively that Pompey was sent to aid him, and in 76 Sertorius routed Pompey's relief force. Shortly thereafter Pompey and Metellus were defeated again. Metellus left for the south, leaving Pompey in the north, forcing Sertorius to split his forces. Once split, Metellus consistently defeated Perperna while Pompey was defeated by Sertorius in the north. But Sertorius was defeated at Segontia in 75, his fortunes declined through 74 and 73 and, in the winter of 73/72, he was assassinated by Perperna, who was then defeated by Pompey in 72.<sup>645</sup> The Pontic fleet, apparently near Dianium in Spain, returned to Pontus, where it was destroyed off Tenedos.

Regarding Sertorius, both friends and foes were said to paint the one-eyed general as a new Hannibal.<sup>646</sup> In both cases, the comparison, emphasizing the skill of Sertorius, was politically useful. On the authors' side, these descriptions served to highlight or even overemphasize the import of Sertorius to Rome and Pontus. But such comparisons may have been genuine, because such comparisons would bring personal benefit for Pompey and Mithridates. Mithridates acquired quality Roman advisors while Pompey sought to erase the shame of his defeats through exaggerating the quality of his opponent. And both Mithridates and Pompey had an obvious vested interest in getting Rome to send more troops to Spain and fewer to Pontus.

The histories would work in Pompey's favor here, portraying Sertorius either as a brigand himself or a traitor who allied himself with brigands, pirates, barbarians, and other *hostes* of Rome. Additionally, they give Pompey full credit for the defeating of such enemies, quite possibly as a retroactive magnification of Pompeius Magnus. Despite such negative portrayals of Sertorius, no account explicitly charges Sertorius with being a bandit or with committing treason.<sup>647</sup> The closest is probably Appian's use

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<sup>645</sup> See Spann 1987, 65-139, for the particulars of the eight-year campaign against Sertorius.

<sup>646</sup> For Pompey, see Sallust's rendition of Pompey's letter (in 74) to the Senate (*Hist.* 2.98) where he alludes that Sertorius will march from Spain into Northern Italy. Sallust has Pompey explicitly compare his own campaign to Hannibal, as well, which, given his relative youth, likely would channel ideas of Scipio. For Mithridates, see Plutarch, *Sert.* 23, where the emissaries of Mithridates compare Sertorius to Hannibal. In this portrayal, Mithridates was cast as Pyrrhus. See McGing 1986, 137-138 for some discussion.

<sup>647</sup> So notes Spann 1987, 2, 102-104, 175-176n.5.

of ἀπίστοι (see above), though Cicero's implication that Verres would have been acting correctly to imprison Sertorians comes close.<sup>648</sup>

### **The Mithridatic Wars and the Role of Freelancers.**

The wars of Rome against Mithridates also involved several groups of freelancers discussed earlier. While the Romans did not necessarily try to cast Mithridates as an illegitimate monarch, they did attack his methods and suggested that he was intrinsically untrustworthy. For my purposes, I focus on the dealings he had with 'illegitimate' forces, which would be described by the Romans as dealings with rebels, pirates, or bandits. For the chronology of the period, please refer to the previous chapter which some of the material here is replicating. Nevertheless, neither this nor that section is intended to serve as a guide to the Mithridatic Wars, only to highlight a few unusual episodes and to provide the context in which those events occurred. The build-up of Mithridates as employing illegitimate forces for his own ends had far-reaching repercussions. In particular, I believe that Pompey would later use his own reputation as a defeater of rebels and pirates, combined with the reputation of Mithridates as an ally and employer of rebels and pirates, established in the first two wars, to win the command over the latter portion of the third Mithridatic War. It has been argued, most prominently by Gruen, that Pompey had *planned* to use a campaign against pirates thus to build a force to use against Mithridates while his allies worked for the ouster of Lucullus.<sup>649</sup> While an appealing notion, I think this turn of events evokes less a conspiracy of planning and more an example of opportunism. I return to this topic later in the chapter, after discussing the earlier Mithridatic material.

First, it needs to be acknowledged that there was an overarching battle of portrayal and self-portrayal from the beginning of Roman and Pontic interactions. Mithridates sought to emphasize his Greekness to the Greeks and his Asian/Persian-ness

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<sup>648</sup> Cicero, Verr. 2.5.28, 56-59. Note that here Cicero stresses that Verres would have been right to do so, had these Roman citizens been Sertorians, but they probably weren't.

<sup>649</sup> Gruen 1974, 131; supported by Seager 2002, 174-175 (somewhat, see *Ibid.* 43 for his being initially against it). see Williams 1984, Tröster 2009, 26n.42 for arguments against.

to his eastern subjects.<sup>650</sup> At the same time the Romans sought to convince their Greek subjects and allies that Mithridates was more of a Persian bogeyman and less of a Greek protector. For example, in her biography of Mithridates, Mayor indicates he may have had a fondness for the *acinaces/sica*, a weapon that she intimates may have assisted in Roman associations with banditry.<sup>651</sup> While this probably did more to mark him as a barbarian from the East, the preference and association do contribute to the general desire to pose Mithridates as ‘other’. Several other examples contribute to this ‘Asiaticizing’ of Mithridates.<sup>652</sup>

Mithridates was accused of allying with several groups the Romans would have considered illegitimate. He hired the Cilicians to augment his naval forces, the Cretans (also considered pirates) considered aligning with him, the Sertorian loyalists in Spain sent an advisor to him, and even the slaves under Spartacus (by way of the Cilician pirates) have been connected to Mithridates. And some, perhaps all, of these accusations were probably true. The historians portray these alliances as wrongdoings. The question remains: what purpose did such portrayal serve? Guilt by association went all the way around. Association with Mithridates made Romans traitorous and association with ‘bandits’ and ‘rebels’ made kings less legitimate. Mithridates may well have returned fire; Sallust records Mithridates accusing the Romans of being pirates writ large and also of failing to prevent piracy in lands they controlled, clear assaults on the legitimacy of Roman rule.<sup>653</sup>

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<sup>650</sup> This was a general tendency of the Mithridatids, see McGing 1986, 10-11, but one that Mithridates VI Eupator paid especial attention to. See McGing 13-15 for the dynastic ties of the early Mithridatids and 89-109 for his personal propaganda as Philhellene and ‘new Alexander’ to the west and Persian prince to the east. Cf. Ballasteros-Pastor 2009, 217, 223; Madsen 2009 for the latter.

<sup>651</sup> Mayor 2010, 104, based principally upon Josephus’s account (*AJ* 20.186) of the *sicarii*. The general tendency of straight weapons to be superior in formations and curved weapons to be superior for irregulars goes unremarked upon.

<sup>652</sup> See Mayor 2010 149-168 *passim* for Mithridates’s self-portrayal in the first war.

Pompeius Trogus (Justin *Epit.* 38.7) records Mithridates recounting both sides of his lineage.

<sup>653</sup> Sallust, *Hist.* 4.F69.20-23 (*Epistula Mithridatis*, McGushin 4.67.20-23) This is the finale of the letter to Parthia, addressed to ‘Arsaces’ (presumably Phraates III rather than his father Sanatruces, who died in 70). McGing 1986, 145 argues that this is meant as an indication of Roman inattention or weakness rather than complicity.

Cf. Appian *Mith* 70. See also Tarwacka 2009, 34.

The Pontic kingdom appears to have had a long relationship with pirates, a connection which Mayor indicates several times.<sup>654</sup> The employment of mercenaries and of pirates as mercenaries, the strongest part of her argument, is very likely and would be well-rooted in Hellenistic Greek practice. Indeed, his father's general, Dorylaus, was recruiting Cretans when the elder Mithridates died.<sup>655</sup> The asserted role of Pontic ports as pirate booty-markets is not an illogical supposition but has relatively little evidence.<sup>656</sup> The clearest ancient link is Cicero, who infers Mithridates's connection to pirates in the *Pro Lege Manilia*, hardly the least biased of sources.<sup>657</sup> Nevertheless, despite the individual weaknesses of the arguments, the overall sense of Mithridates's connection with the pirates is probably well-founded—they had a financial relationship where the Cretans (and perhaps Cilicians) routinely hired out to Mithridates to strengthen a naval force that he very much needed to conquer Colchis and Crimea. Thus, “Mithridates could recruit Black Sea pirate sailors to join his legitimate navy for regular pay, and reward others to prey upon the rich ships of holdout states that declined to join his

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<sup>654</sup> So Mayor 2010 asserts at 46 (pirates at the elder Mithridates's courts), 52-53 (attributing pirate connections as 'surely one source' for Pontic wealth cf. 116), 68 (hiring Cretan pirates in the 120s), 113 (where Mithridates utilizes the pirate coves of Trapezus for his navy), 121 (the pirate Seleucus being a friend to Pontus).

McGing 1986, 38-40 asserts that the hiring of Aegean soldiers was begun by Euergetes and continued by Eupator, but the earlier Mithridatids hired Galatians, Black Sea Greeks, and Colchians instead. It is generally difficult to tell the difference between a Greek subject and a Greek mercenary in Pontic service, see McGing 1986, 39 for examples.

<sup>655</sup> The key passage is Strabo 10.4.10, where he indicates that both mercenaries and pirates were recruited. In the same passage, Dorylaus is said to have become a mercenary general in Crete. See also Mayor 2010, 68; McGing 1986, 38-39, 139.

<sup>656</sup> So Mayor 2010 asserts, 52-53, apparently extending the meaning of Strabo 11.2 (and particularly 11.2.10-13) to indicate that the Pontic seaports, in addition to acquiring goods from abroad, acquired them from pirates, and in particular the Cilician pirates, not the nearby contemporary Colchian pirate tribes (the Heniochi, Achaei, and Zygi) he then describes. Appian (*Mith.* 92) does note Pontics and Paphlagonians joining the pirates.

<sup>657</sup> See Mayor 2010, 116, citing Cicero, *Leg. Man.* 31ff, where the link to Mithridates is not direct.

Ormerod 1924, 220 connects this with Memnon 38 and Strabo 12.8.11.

While this is not an explicit connection, the proximity of Cicero's account of Mithridates to the beginning of the piracy account can imply connection without asserting it.

Unfortunately for this theory, a direct accusation of Mithridates sheltering the pirates would seem a perfect addition to Cicero's speech and thus his reticence would be puzzling here. Such an accusation might seem to undermine Pompey's accomplishment.

coprosperity plan.”<sup>658</sup> Whether this plan was real, this description aptly summarizes Mithridates’s probable relationship with the pirates.

It would be easy to read too much into this, however. It is unlikely that Mithridates would have granted a totally free hand to the pirates without some guarantees of Pontic immunity.<sup>659</sup> Similarly he was unlikely to cede control of his operations to his sailors. The solution is simple enough. If we read pirates as being freelance warriors, when they accept employment with Mithridates, they, by that token, stop being pirates. Nevertheless, that does not make the historians who call them pirates wholly inaccurate.

Thus, during his rule, Mithridates, as many Hellenistic monarchs before him, supplemented his navy with ‘at-large warriors’, these are generally called pirates in the sources, but Appian, at least, notes that they rejected the name.<sup>660</sup> These at-large warriors were probably principally Cretans, but included Colchians and Cilicians as well. Mithridates had Galatian subjects, but may have supplemented them with mercenaries.<sup>661</sup> When not being directly employed by Mithridates, these seamen, probably including native Greeks and Pontics, returned to the ‘backup’ occupation of piracy. This could well contribute to the array of nationalities of the ‘Cilician’ pirates as described by Appian.<sup>662</sup> Earlier, Mithridates had collected a large fleet and was forced to disband it. This provides the obvious impetus for a sudden upswing of piracy in the late 80s and early 70s; even those without prior piratic inclinations might engage in piracy as a reaction to sudden unemployment.

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<sup>658</sup> Mayor 2010, 119.

<sup>659</sup> See De Souza 1999, 116-128, arguing against Maroti 1970. See also Tarwacka 2009, 33-34, who takes an even more forceful stance. Ormerod 1924, 209-222 instead attributes the pirates as always working hand in hand with Mithridates.

<sup>660</sup> Appian, *Mith.* 92, where they are said to insist that this was the plunder of war. The (much later) Digest (D.50.16.118) would arguably support them, depending on the process of their declaration of war.

<sup>661</sup> Again, it is difficult to differentiate in the sources. Galatia was also not a single entity, but subdivided. These divisions and affiliations, however, are rarely recorded (Memnon being a rare exception, perhaps, as he occasionally notes the tribe (e.g. Memnon 14, where he names the Tolostobogii, and 20, where he specifies the Pontic Galatians (Οἱ δὲ ὑπὲρ τὸν Πόντον Γαλάται)). See McGing 1986, 82-83, 88 for Mithridates and the conquest of Galatian territory.

Other groups employed as mercenaries include the Bastarnae (Memnon 27.7)

<sup>662</sup> Appian *Mith.* 92. ἀρξαμένου μὲν ἴσως τοῦ κακοῦ παρὰ τῶν Τραχεωτῶν **Κιλικῶν, συνεπιλαβόντων δὲ Σύρων τε καὶ Κυπρίων καὶ Παμφύλων καὶ τῶν Ποντικῶν** καὶ σχεδὸν ἀπάντων τῶν ἑφῶν ἔθνῶν οἱ πολλοῦ καὶ χρόνιου σφίσις ὄντος τοῦ Μιθριδατείου πολέμου δρᾶν τι μᾶλλον ἢ πάσχειν αἰρούμενοι τὴν θάλασσαν ἀντὶ τῆς γῆς ἐπετέλεγοντο

cf *Mith.* 69 where he lists the nationalities under Pontic rule



Now, the Third Mithridatic War began in 75, shortly after his agreement with Sertorius, and lasted until his death in 63. It is a little unclear when precisely Marcus Marius was sent to Pontus, but certainly before the beginning of the war. Though not usually perceived as such, this could be seen as Mithridates taking a side in the civil war (as he had grudgingly done with Sulla earlier) to ensure a friendly government or even to be granted territory by the victors (as had been the case for his Cappadocian relatives a generation earlier). One might even fairly make the argument that Mithridates waited until the death of Sulla to make overtures to both sides of the civil war. At the opening of this war, Mithridates may have had as many as 400 ships and an additional 100 light vessels.<sup>663</sup> This represents a vast outlay of shipbuilding, especially given the virtual surrender of his navy in the first war. Yet we hear that the Cilicians held a thousand ships and the Cretans had sufficient ships to fight off a Roman naval expedition, and this does not even include the *camarai* of the tribes of the eastern Black Sea. A large portion of the crews of these ships were probably freelancers, and some of the ships were probably obtained from the same sources. This could well include the triremes as well as the lighter ships.<sup>664</sup>

There is a distinction between Lucullus and Pompey in the portrayal of Mithridates; Lucullus sought to downplay and even usurp Mithridates's claim as protector of Greeks, and Pompey to show him as a leader of bandits, pirates, and Roman traitors.<sup>665</sup> As de Souza puts it: "if Mithridates could be placed on the same level as pirates, it would be ample justification for Rome's ultimate destruction of the Pontic king."<sup>666</sup> It was not simply an important portrayal for Roman purposes, however, but for Pompey's especially. Both Mithridates and Sertorius became intrinsically affiliated with the Cilicians and with Pompey's defeat of the Cilicians, this gave Pompey the satisfaction

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<sup>663</sup> For sources, see Ormerod 1924, 220; Mayor, 2010, 261.

Memnon 27, says 400 triremes plus additional light craft. Strabo 12.8.11, says that he brought 400 ships to Cyzicus.

It seems likely that were the additional craft more than a hundred, they would be remarked upon.

<sup>664</sup> For Mithridates's fleet in the first war, Appian reports over 300 ships, with more in production and that he is hiring crews for these ships abroad. (*Mith.* 13, 15) Plutarch (*Pomp.* 24) says the pirates had over a thousand ships, which were well decorated. Appian (*Mith.* 92) asserts that the Cilicians had biremes and triremes as well as smaller ships. Strabo (14.3.3) notes that Pompey burned 1300 pirate ships in 67.

<sup>665</sup> See Mc Ging 1986, 148-150 for Roman propaganda against Mithridates (which covers Lucullus)

<sup>666</sup> De Souza 1999, 119.

of tidily linking all three together. To understand Pompey's self-portrayal, then, we need to understand his relationship with his most famous campaign, that against the pirates.

### **The Pirate War and the *lex Gabinia***

The events culminating in the campaign against the pirates in 67 had a long history, and we see references to it scattered among events throughout the first century.<sup>667</sup> According to Plutarch, by the early sixties, the pirates possessed over a thousand ships and had sacked four hundred cities.<sup>668</sup> By some accounts, the pirates' locales seem to have been known: in the *Life of Lucullus*, Plutarch notes that when Lucullus was gathering a fleet for Sulla, he avoided the cities that engaged in unjust piracy.<sup>669</sup> This could simply represent their reputation, but the account that he narrowly avoided capture and lost several ships to pirate attacks lends some credence to the claim.<sup>670</sup>

The unusual piece of legislation known as the *lex Gabinia* gave extraordinary powers to Pompey, which Plutarch claimed was equivalent to a monarchy.<sup>671</sup> It is often said, likely following Appian *Mith* 97, that this command was unparalleled in Roman history.<sup>672</sup> Yet this unusual command did have precedent in form, as noted above, even if the extent and scope of this command was new.<sup>673</sup> Antonius 'Creticus' was given such a

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<sup>667</sup> For secondary scholarship on piracy in the years leading up to 67, see De Souza 1999, 149-167, esp. 161-167; Marasco 1987, 129 f.; Pohl 1993, 208 ff.

Appian (*B Civ.* 1.111) indicates the 'pirate war' was going on at the same time as the Sertorian War (176 Olympiad—74 BC, assuming Appian's chronology is in order here) and as Antonius being sent to Crete. I take this to mean that there was still fighting in Cilicia after Vatia's lengthy campaign, but it could simply be referring to that campaign. Appian also notes it at *B Civ.* 1.102, 2.1, 2.18, 2.23

<sup>668</sup> Plutarch, *Pomp.* 24.4.

<sup>669</sup> Plutarch, *Luc.* 3.2: ...ἐκ τῶν παραλίων πόλεων ἀθροίσας, πλὴν ὅσοι πειρατικῶν μετεῖχον ἀδικημάτων...

<sup>670</sup> Plutarch, *Luc.* 2.5. Unfortunately the preservation of this account only in Plutarch makes this account a little more tenuous. Appian's somewhat parallel account (*Mith.* 51, 56) asserts that Lucullus avoided capture by pirates and skirmished with the ships of Mithridates, but does not mention these piratic cities.

<sup>671</sup> Plutarch, *Pomp.* 25.1-2; Dio 36.23, 36.34; Velleius 2.31.

Gabinus called for a consular to have a three-year command, the ability to call up a general levy, the financial backing of not just the entire treasury in Rome but also to call upon the *publicani* for 'tax futures', and a fleet of two hundred.

Moreover, this proconsul would have as province all land within 50 miles of the sea (save Rome itself, of course), the ability to name 15 *legati pro praetore* as commanders.

This law was soon compounded by another, roughly doubling the allotted allowances (Plutarch, *Pomp.* 26, Livy, *Per.* 99; Appian, *Mith.* 94. See also Brunt 1971, 456; Seager 2002, 44-45).

<sup>672</sup> Strictly speaking, Appian's comment: "ἄπερ οὐδενὶ πῶ παντάπασι πρὸ τοῦδε ὁμοῦ πάντα ἐδόθη." refers to the powers given Pompey by the Manilian law. The powers in question, however, were given in the Gabinian law and extended in the Manilian.

<sup>673</sup> See above, ch. 4.

command against the pirates a few years before in 74-72, which ended rather poorly. Williamson states that the 102-100 command of Antonius also carried such provisions.<sup>674</sup> The *LdPP*, I would argue, also hints at a less well known precedent, perhaps one that never materialized. In its descriptions of duties and powers, the law suggests the future governor has priority over the governors of Asia and Macedonia, and it is hinted that Marius might become that governor.

Now, formally, other governors are not subordinated through this sweeping area of imperium. In practice, though, the extraordinary *imperium* temporarily overrules the boundaries of the standard zones of *imperium*. At least, such was Pompey's argument when it came to Metellus in Crete. It appears to be a conflict of authority not particularly anticipated by Gabinius or the other supporters of the legislation. The question of whether Pompey's *imperium* was *maius* or *aequum* remains a debate.<sup>675</sup>

The Gabinian law was hotly contested at the time.<sup>676</sup> Largely, the Senate was against it, but the people for it. Famously, the consular Catulus asked to whom the power would devolve if Pompey were to die, and the people, rather than rethinking the proposal as he intended, responded that they would entrust it to *him*.<sup>677</sup> The Senate and the tribunes were only able to delay the measure, and Pompey was duly given command for 67.

Enabled by the *lex Gabinia*, Pompey embarked on a whirlwind affair that emptied the treasury and ended in a complete victory at Coracesium. The sources for the war are principally Dio, Plutarch, Appian, and Florus, while additional references to it may be found in Cicero.<sup>678</sup> By Appian's account (*Mith.* 91-96), the fighting at sea took eighty

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<sup>674</sup> Williamson 2005, 370. For evidence, however, she merely points to Broughton's account (*MRR* I, 568).

<sup>675</sup> The problem lies chiefly with the phrasing of Velleius 2.31 (suggesting *aequum*) compared to Tacitus 15.25 (suggesting *maius*). See Ehrenburg 1953; Jameson 1970; Seager 2002, 45-46, 176; Greenhalgh 1980, 240; Girardet 2001, 171ff.; for discussion of the problem. For another solution, see Tarwacka 2009, 43-55, esp.50-51, who indicates that the discrepancy in Velleius and Tacitus simply indicates Pompey's *imperium* was *maius* in regards to those with praetorial *imperium* and *aequum* in regards to those with consular *imperium*. (See the bibliographies of Tarwacka or Girardet for further references on the debate).

<sup>676</sup> See particularly Dio, 36.24-36; Plutarch, *Pomp.* 25; Velleius 2.32. See also Tröster 2009, 16, esp. n.6 and Williamson 2005, 369-374.

<sup>677</sup> Velleius 2.32.1, Plutarch, *Pomp.* 25.5; Dio, 36.36a. (36.31-35, contains the speech of Catulus against the law)

<sup>678</sup> Namely Dio 36.20-37, Appian, *Mith.* 92 -97; Florus 3.6, Plutarch, *Pomp.* esp. 24-28, Cicero, *Leg. Man. passim*. Appian (*Mith.* 118) notes the existence of a non-Roman Cilicia still in existence.

days (forty in the west and forty in the east) followed by the showdown at Coracesium. This was a rapid success unimaginable before. Thanks to Appian, we even know the subcommanders Pompey assigned to each region.<sup>679</sup>

It is fair to say that the *communis opinio* of secondary scholarship, whatever the reason given for his success, is clear that succeed he did, and extremely well at that.<sup>680</sup> Nevertheless, it behooves us to examine the events rather closely. If nothing else, they show a greater detail about the pirates of the first century than shown elsewhere.

One may fairly question whether we should view the Cilicians as pirates *en masse*.<sup>681</sup> It is unquestionable that the Gabinian law was meant to stop piracy. But the very breadth of the domain extended to Pompey is indicative that while the Romans believed that the pirates were based in Cilicia, they were sufficiently uncertain of their location to give Pompey the right to go *anywhere* so long as he stopped the pirates. The Romans equated the Cilicians with pirates and also assumed that the pirates troubling them were Cilician. Were they right to do so? I have already argued that for the latter question, Cretans or even Pontics were entirely plausible culprits.<sup>682</sup> And as Rauh argues, the fleets may have been swelled by the addition of Greeks chafing under Roman rule,

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<sup>679</sup> Those commanders being assigned as follows (according to Appian, *Mith.* 95):

Spain and the Straits of Hercules-- Tiberius Nero and Manlius Torquatus

Gaul and Liguria-- Marcus Pomponius.

Africa, Sardinia, Corsica--[Gnaeus Cornelius] Lentulus Marcellinus and Publius Atilius,

The west coast of Italy-- Lucius Gellius [Publicola] and Gnaeus [Cornelius] Lentulus [Clodianus].

Sicily and the Adriatic -- Plotius Varus and Terentius Varro;

the Peloponnese, Attica, Euboea, Thessaly, Macedonia, and Boeotia--Lucius Cornelius Sisenna;

the Greek islands, the Aegean, and the Hellespont -- Lucius Lollius;

Bithynia, Thrace, the Propontis, and the mouth of the Euxine-- Publius Piso;

Lycia, Pamphylia, Cyprus, and Phoenicia-- [Quintus Caecilius] Metellus Nepos.

Many of these commanders held their fleets through Pompey's Asian campaign as well. See Broughton 1952 (*MRR* II), 148-151; Florus 3.6.8-10

<sup>680</sup> Any textbook of Roman history will usually have at least a line expressing some such sentiment. E.g. Scullard 1982, 101-102; Cary and Scullard 1975, 251, 255; Boatwright et al. 2006, 132; Robinson 1965, 170.

See also Greenhalgh 1980 72-100, Tarwacka 2009, 52-55; Ormerod 1924, 240; de Souza 1999, 167ff. for a similar acceptance of Pompey's campaign.

<sup>681</sup> See Avidov 1997, 14-20. Tröster 2009 also makes this point (17).

<sup>682</sup> Here one should recall Dio 36.21, where he notes that the chief damage done by the pirates had been done in service to others.

precisely the sort of image Mithridates was keen to promote and the Romans to dampen.<sup>683</sup>

Given that pirates could be indistinguishable from regular seafarers, it is unclear how Pompey's subcommanders were to determine who the pirates were. And given the massive enlistment of sailors and the collection of ships, it is far from inconceivable that certain pirate individuals would enlist in the pirate-hunting force. Even if pirates simply decided to lie low, a mere forty days would not be too long to wait. Pompey's whirlwind campaign might then be seen as a warning rather than as an efficient method of destruction. Additionally, since it seems very likely that Mithridates had hired a large number of Cretans and Cilicians, those individuals would almost certainly not have been swept up in Pompey's net.

The import of Pompey's campaign struck a chord with other anti-pirate campaigns. For example, Tröster argues that we should see the Roman elimination of piracy (meaning Pompey's campaign) as akin to that of seventeenth- and eighteenth-century Britain.<sup>684</sup> Yet Roman and British professed interests were very different, even if they have some marked similarities in the global status quo.<sup>685</sup> The role of the Romans in protecting trade is always a secondary or even incidental one. Yet Pompey's role was snatched up as laudable partially as a defense of the policies of other states and times. Since Pompey's methods or rationales have been used to justify events of other periods, such comparisons to those periods must be made with caution. That being said, in both cases piracy—both state-sponsored and freelance—did pose a threat to the state's hegemony.

The ancient sources largely ascribe to Pompey a complete elimination of piracy, and some go so far as to say that piracy never troubled Rome again, yet Pompey was

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<sup>683</sup> See Rauh 2003, 192-194; Dio 36.20; Plutarch, *Pomp.* 24.

<sup>684</sup> Tröster 2009, 19-20. I might myself see connections between Pompey's pirates and British engagement with the Barbary States (for example), but they would not be the same as Tröster's. Moreover, the motivations of James Stuart (one of the more impassioned anti-pirate figures) were altogether different from Pompey's.

<sup>685</sup> In both cases, the states embarked against piracy not long after a massive downgrading of multiple navies (and corresponding disbanding of the sailors). This is usually seen as the navy having kept piracy in check, though we may fairly have some doubts as to where else those thousands of unemployed sailors went.

neither the first nor the last to claim such or have such claims ascribed to him. The speed of his victory (~80 days) was astounding to everyone. Strabo (10.4.9) says that the history of piracy is over with the destruction of the Cilicians.<sup>686</sup> Piracy, however, reappeared in the Mediterranean almost immediately.<sup>687</sup> The rhetoric praising Pompey overshadowed the reality of the situation—a notable accomplishment but hardly complete.

Schulz indicates that Pompey may even have convinced pirates to switch sides beforehand, making his victory virtually assured.<sup>688</sup> This is speculation, but a sound one, in my mind. Pompey did empty the entire treasury. The price of grain plummeted. Collusion with the pirates at some level seems obvious, given the clemency and even rewards granted the pirates. We also have the evidence of Plutarch where he says that the pirates who surrendered led Pompey to those who had not.<sup>689</sup> A number of authors have noted that Pompey finished his campaign too quickly to have actually raised the quantity of forces permitted under the law. If, however, Pompey had alternate plans for the Roman treasury (such as hiring pirates into the fleet or bribing them to stop), then speedy action was a necessity to forestall the expenses in recruiting, transporting and paying the troops.

Pompey was also said to have been initially ruthless to the pirates as an example, then merciful later. While a credible course of action for the man once known as the ‘Young Butcher’, it is difficult, however, to find examples of Pompey claiming this policy.<sup>690</sup> The account of ruthlessness, if accepted, could easily be explained in two ways: first, by being directed at groups he had not negotiated with, and thus perhaps

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<sup>686</sup> See also Florus 3.6.15; Cicero, *Leg. Man.* 31-33.

<sup>687</sup> See de Souza 2008, 87-88 for evidence against the status quo view. Cicero (*Flac.* 28-33, *Rab. Post.* 20) and Dio (39.56.1 and 59.2) provide examples of piracy shortly after Pompey’s victory. Cicero, it should be noted, makes the argument that Pompey should not be held accountable for future piracy.

<sup>688</sup> Schulz 2000, 437. Tröster 2009, 23 notes this suggestion, but finds it perhaps overly speculative.

<sup>689</sup> Plutarch, *Pomp.* 27.4: ἐπεὶ δὲ τῶν συνεστώτων ἔτι καὶ πλανωμένων ἔξω πειρατηρίων ἐνίοις δεηθεῖσιν ἐπιεικῶς ἐχρήσατο καὶ παραλαβὼν τὰ πλοῖα καὶ τὰ σώματα κακὸν οὐδὲν ἐποίησεν, ἐπ’ ἐλπίδος χρηστῆς οἱ λοιποὶ γενόμενοι τοὺς μὲν ἄλλους διέφευγον ἡγεμόνας, Πομπηῖω δὲ φέροντες ἑαυτοὺς μετὰ τέκνων καὶ γυναικῶν ἐνεχείριζον. ὁ δὲ πάντων ἐφείδετο, καὶ μάλιστα διὰ τούτων τοὺς ἔτι λανθάνοντας ἐξιχνεύων καὶ λαμβάνων ἐκόλαζεν ὡς αὐτοὺς ἑαυτοῖς ἀνήκεστα συνειδότας.

<sup>690</sup> It also does not appear in Florus, Appian, Dio, or Cicero. Plutarch (*Pomp.* 26-27) does suggest this possibility.

avoiding too many accusations of being soft toward the pirates, and second, being the acts of subordinates who felt this the proper way of dealing with pirates. Instead when Pompey's policy is described, it is always as promoting clemency.<sup>691</sup>

While his clemency is often lauded in later authors, it was not popular at the time. Criticism of Pompey's clemency towards the pirates is seen in Plutarch, Cicero, and Velleius.<sup>692</sup> Some felt that the pirates were rewarded rather than punished for their acts, while others believed that Pompey was impoverishing Roman veterans by denying them conquered lands. According to Plutarch, he took no captives for his triumph, but released them all. Plutarch puts the number of released pirates at 'more than twenty thousand.'<sup>693</sup> This would represent quite a sum if sold as slaves and given to Pompey's subordinates.

We have relatively little knowledge of the Cilicians afterwards, but some of the pirates do resurface. We see some in Crete with his legate Octavius (see below), Cicero discusses the settlers of Dyme engaging in piracy, the Cilician Tarcondimotus became a local Anatolian dynast loyal to Rome, and still other Cilicians appear decades later as generals in service to his son Sextus.<sup>694</sup> Pompey's war was clearly only a temporary fix of the situation.

### **Pompey, Metellus, and Crete**

Pompey was given the extraordinary command against the pirates while Metellus was already engaged in reducing Crete. As Crete is less than fifty miles wide, Pompey arguably had *imperium* over the entire province that had been already entrusted to Metellus. Quintus Metellus was given Crete as a province ostensibly because of the

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<sup>691</sup> See Appian, *Mith.* 91-97, esp. 96, where Pompey showed clemency *only* to those who took up piracy out of poverty. Yet Appian also remarks, somewhat contrarily, both on the lack of fighting (95) and the large number of pirate dead (96).

Plutarch, *Comp. Ages. et Pomp.* 3.2; *Pomp.* 24-29.

<sup>692</sup> Plutarch *Pomp.* 29.1, Cicero, *Off.* 3.49, Velleius 2.32.6. See also Tröster 2009, 27 for the strained relationship between Pompey and Metellus.

<sup>693</sup> Plutarch, *Pomp.* 28.2.

<sup>694</sup> For Octavius, see Dio, 36.18-19

For Tarcondimotus, see Lucan 9.222f, Strabo 14.5.18, Cicero, *Fam.* 15.1.2. See also Grünewald 2004, 78; Shaw 1993. See Grünewald 2004, 194 n.52-53 for an exhaustive list of sources.

For Dyme, see Cicero, *Att.* 16.1

For Sextus and his generals, see Maroti 1961 and de Souza 1999, esp. 192-193. See also Welch 2012 for Sextus.

extant pirate problem, so in a way, the two had similar responsibilities.<sup>695</sup> Ironically, Lasthenes, the Cretan leader was a native of Knossus, a long time Rhodian ally which had less of a piratic reputation than other Cretan cities. As Crete had historically supplied mercenaries to Mithridates, this also had a direct effect on that campaign.

Because of his reputation for clemency (and perhaps, by omission, Metellus's reputation for being severe and uncompromising), the Cretans tried to surrender to Pompey rather than Metellus. Now, at this time, Metellus Creticus and Pompey likely already had a strained relationship due to the interactions between Pompey and Q. Metellus Pius in Spain against Sertorius.<sup>696</sup> This event more than strained their relationship, and according to Plutarch, Pompey's troops even fought on behalf of the Cretans.<sup>697</sup> Metellus and Pompey apparently wrote each other several letters arguing their sides.<sup>698</sup> Pompey sent Lucius Octavius to negotiate with Metellus, and Sisenna, who held Greece, but was also seconded to Pompey, tried to intervene as well.<sup>699</sup> In the end, Metellus did not allow the Cretans to surrender to Pompey but continued to take the last Cretan strongholds.<sup>700</sup>

This attempt to surrender to Pompey would cause it to appear that Pompey could defeat Crete in just a few months, where it had taken Metellus three years. Not only was this similar to his claim of wrapping up the pirate war in eighty days, but Pompey would later benefit similarly from Lucullus's and Marcius's efforts in Anatolia and had already acted similarly with Crassus against Spartacus and Metellus Pius in Spain against Sertorius.

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<sup>695</sup> As noted in the previous chapter, the historians disagree as to whether the Cretan war was begun because of piracy, because of their association with Mithridates, or simply a desire to sack and loot the island.

<sup>696</sup> The two Metelli here were both great-grandchildren of the Q. Caecilius Metellus who was consul in 206, but do not appear to have been more closely related than that.

<sup>697</sup> Plutarch, *Pomp.* 29. Dio (36.18-19) claims that Pompey's representative initially stayed out of the fight but after Metellus executed some Cilicians with Octavius, joined the Cretan cause on the grounds that they had already surrendered.

<sup>698</sup> See Livy, *Per.* 99, which claims that Livy had included the full text of the letters in book 99.

<sup>699</sup> While Octavius is usually mentioned, Sisenna's involvement is only mentioned in Dio. Florus (3.7.6) mentions an Antonius sent to intervene, but this is probably a mistake for Octavius. If somehow true, this might have been C. Antonius Hibrida, who was praetor the following year

<sup>700</sup> Plutarch, *Pomp.* 29; Florus, 3.7.4-6; Appian *Sic.* 9-10, Dio 36.17a, 18

Cicero mentions that Pompey accepted the surrender and exacted hostages (*Leg. Man.* 35, 46) but not the refusal of Metellus.



Velleius tells us that Pompey coveted the glory of conquering Crete.<sup>701</sup> Indeed, Velleius indicates that Lucullus and Metellus triumphed because of the unpopularity of Pompey with the people.<sup>702</sup> This is surprising: only a few months earlier, Pompey gained unusual power because of his popularity with the people, and now, apparently, it had vanished. By contrast, Plutarch instead indicates that Pompey's motivation was merely to prevent Metellus from triumphing.<sup>703</sup>

Metellus's glory was indeed diminished despite his triumph, at least so claims Livy.<sup>704</sup> Florus similarly claims that all Metellus got was a fancy new name.<sup>705</sup> Perhaps not content with stealing the glory of Metellus, Pompey also apparently took pirate captives from Metellus to parade them in his triumph *ex Asia*.<sup>706</sup>

The Cretan episode shows evidence of the Romans effectively detaching mercenary manpower from the ranks of Mithridates and generalizing pirate activity to the entire population. The lack of naval activity, even in a siege role, suggests that Metellus had no supremacy at sea and may not ever have handed the Cretan League's fleet a decisive defeat. Moreover, for Pompey specifically, it shows that Pompey's clemency towards the Cilicians was both effective as foreign policy and unpopular at home (at least at the time).

### **The *Lex Manilia* and Pompey's *Acta***

After the pirate war, Pompey had further wars in the east. The nature of his settling of the east and the role of the defeated pirates still looms over the narrative. Pompey's actions were much aided by the victorious campaigns of Lucullus, who had decisively beaten both Mithridates and Tigranes in several battles already. But Lucullus, as noted above, had enemies and difficulties of his own. One legion mutinied in 68; L.

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<sup>701</sup> Velleius, 2.34.2.

<sup>702</sup> The relationship of Senate and populace in granting triumphs or funds for triumphs will be discussed in chapter 7.

<sup>703</sup> Plutarch, *Pomp.* 29.5

<sup>704</sup> Livy *Per.* 99. As noted earlier, however, Velleius claims that Metellus's glory was actually magnified by his opposition to Pompey.

<sup>705</sup> Florus may also be hinting at the item mentioned by Appian: that the Cretans' money was destroyed by Lasthenes when he fled Knossus.

<sup>706</sup> Beard 2007, 13; Cassius Dio, 36.19, Velleius 40.5. Specifically, the captives were Penares and Lasthenes, the Cretan leaders. Appian (*Sic.* 9) also tells us that Penares and Lasthenes were surrendered to Metellus as one of his demands.

Quinctius in Rome and P. Clodius Pulcher in Asia spoke against him. And when a subordinate lost most of an army to Mithridates, Lucullus was definitely out of favor.<sup>707</sup>

The first obstacle was actually legislative. No one had expected Pompey to meet with such success so soon, and he had been granted an extraordinary province. The question was essentially whether to extend his command to include Mithridates or to recall him and grant him a triumph. Thus the controversial *Lex Manilia* was put forth.<sup>708</sup> It handed control of even more resources, provinces and forces into Pompey's hands and gave him the ability to prosecute the war in pretty much any way he wanted. At this point in time, the war against Mithridates had largely been won by Lucullus. Most of what remained to Pompey was to catch Mithridates and to deal with his Armenian ally Tigranes. Piracy does not appear to have been a feature of the last part of this war, at least, not against the Romans. Pompey's successes against the pirates, however, formed an argument for giving this command to him.<sup>709</sup>

Lucullus was none too pleased with this outcome, and despite an initially amicable meeting (at least on the surface), the two fell to disputes. Plutarch tells us that Lucullus accused Pompey of being like a vulture, stealing glory from Crassus, Catulus, Metellus, and now himself.<sup>710</sup> Lucullus had even begun the process of organizing the province.<sup>711</sup> Pompey immediately began rescinding any agreement made by that commission. As Broughton points out, there was no evidence that either the Gabinian or the Manilian law gave Pompey the legal authority to do this.<sup>712</sup> As part of the agreements made by Pompey, Armenia ceded its recently-gained Mediterranean seaboard, much of which became part of Roman Cilicia. Upon his return, he demanded that the Senate

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<sup>707</sup> See Williamson 2005, 369 for the impact on Roman legislation in 67.

<sup>708</sup> As noted above, Cicero, *Pro Lege Manilia* is the most critical item. See also Plutarch, *Pomp.* 30; Tarwacka 2009, 51-52.

<sup>709</sup> Cicero expends some energy on it throughout *Pro Lege Manilia*, esp. 31-34.

<sup>710</sup> Plutarch, *Pomp.* 31.6-7. The other victories were over Spartacus, Lepidus, and Sertorius.

<sup>711</sup> See Broughton 1946, 40.

<sup>712</sup> Plutarch, *Luc.* 36, *Pomp.* 31, 46; Dio 36.17 and 46.1; Strabo 5.2 and 12.3.33. See also Broughton 1946, 41-42.

ratify his organizational details of the past 6 years with a single vote, which was initially negative.<sup>713</sup>

A problem frequently noted by historians is that of when, precisely, Pompey's famous resettlement of Cilicians actually occurred.<sup>714</sup> Syme placed it in 64, Frank and Jones both in 67, and Freeman suggests that some resettling was still happening in 62.<sup>715</sup> After all, Pompey could only resettle the Cilicians in territory that he could access, though he might well promise other territory at the conclusion of the eastern wars. It may be worth noting that Tigranes had recently, after taking Cilicia, transplanted many Greeks from Cilicia into northern Mesopotamia.<sup>716</sup> This might have provided openings on the land for Pompey to use. What, we may wonder, did Pompey's clemency amount to in the intervening years? Did some resettlement happen immediately in Spain and Greece, such as at Dyme, on the Gulf of Corinth?<sup>717</sup> If some of the pirates defeated at Coracesium were waiting until 62 for Pompey to give them land, what did they do in the intervening 4-5 years?

If one accepts the question, the most plausible answer is that this settlement was conditional on the pirates assisting Pompey against Mithridates, who had done a reasonably adequate job of harassing and skirmishing with the Roman fleet in the Black Sea. This task would then be rewarded with tracts of land in Lower Cilicia, from which Marcius Rex had already driven any opposing Cappadocian and Armenian forces.<sup>718</sup> This was quite a reasonable offer for Pompey, after all, with the defeat of the pirates, and the capture of many ships, he had a surfeit of ships but perhaps a lack of people to man them. Furthermore, Cilicians in Pompey's employ might be able to negotiate with Cilicians in the employ of Mithridates or even recall any such Cilician mercenaries. At

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<sup>713</sup> Plutarch (*Luc.* 42.6) describes Lucullus as getting the Senate to cancel Pompey's *acta*, but Crassus and Caesar maneuvering to reinstate them. See also Dio 37.49-50 for the detailed proposal. See also Appian, *B Civ.* 2.9; Plutarch, *Pomp.* 46.3-5.

<sup>714</sup> As discussed in Freeman 1986, 256.

<sup>715</sup> Syme 1939, 300; Frank 1914, 193; Jones 1937, 207; Freeman 1986, 255-256.

<sup>716</sup> So says Plutarch (*Luc.* 21.4).

<sup>717</sup> Cicero notes these ex-pirates in Dyme causing trouble as they were so close to the sea. Plutarch (*Pompey*, 28.4) indicates that 'most' (presumably at least 10,000) were given the town and surrounds of Dyme while others were given Cilician cities and also Soli (which apparently, Plutarch did not consider part of Cilicia).

<sup>718</sup> Particularly the city of Soli.

minimum, employing the Cilicians precluded Mithridates from hiring them out of his apparently-limitless war chest.

At this point, one should recall the triumphal captives taken from Metellus. To posit an unorthodox explanation: if Pompey had defeated the pirates and hired the survivors to work for him, he would, logically, have had no available pirates to parade. His initial command, however, was against the pirates, so he *had* to have pirate captives—even if he had to manufacture them. Seizing those of Metellus was a productive way of saving face, with the added bonus of snubbing Metellus.

Pompey’s Cilician arrangement also serves to explain the strange event, noted only in Dio (36.18-19), where Metellus executes the Cilician companions of Octavius, Pompey’s representative.<sup>719</sup>

καίτοι τοῦ Ὀκταουίου αὐτὴν κατέχοντος, ἐκ προσβολῆς εἴλε, καὶ ἐκεῖνον μὲν οὐδὲν  
κακὸν εἰργάσατο, τοὺς δὲ δὴ Κίλικας τοὺς σὺν αὐτῷ ὄντας ἔφθειρεν

“He took the city where Octavius was staying by assault and though he did no harm to that man, he killed the Cilicians who were with him.”

In Dio’s account, there is no mention of why the Cilicians were there. Plutarch tells us that Pompey kept no captives, and that his treatment of the Cilicians raised much Roman ire. We might therefore guess that the Cilicians here were pardoned ‘pirates’ who accompanied Octavius as proofs of Pompey’s clemency or as ambassadors of his new Cilician allies. In Metellus’s hands, however, these were enemies who Pompey was going to traitorously fail to execute. Thus he did it himself to set matters aright. One might also argue that Pompey’s stealing of the captives held by Metellus was in recompense for the Cilicians Metellus killed, but nowhere does Dio claim that those Cilicians were actually captives. While the accounts of Metellus’s campaign are sparse, they generally do conclude with (or are shortly followed by) the assertion that Metellus organized Crete into a province.<sup>720</sup> The precision of this detail is of greater significance than is immediately apparent. The distinction the historians are keen to let us know is not

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<sup>719</sup> See also Plutarch *Pomp.* 29.5, where Metellus punishes the pirates, which might encompass the Cilicians with Octavius, or simply refer to the Cretans alone.

<sup>720</sup> See Broughton 1952 (*MRR* II), 154 for Metellus’s activities in 66.

simply that it was done, but rather that Metellus was the one to do it and to be credited with it.

Crete was combined with Cyrene, not with any of the new eastern provinces or with Achaea. I suspect the abbreviated versions of the event we have themselves come from a more elaborate explanation in Livy of Metellus organizing Crete by a method decidedly unlike Pompey's organizations in Anatolia and Syria. While Pompey's eastern decisions were criticized by the Senate, Metellus's pass unmentioned. I suspect that they may have been held up by some as a model by which provinces should be created. His system appears unusual also, though. Even though there was no set method for organizing a province, in the second century, it was usually a board of multiple people, sent out by the Senate.<sup>721</sup> No such board is mentioned for Metellus, though the accounts are short enough to not preclude one having been sent and remaining unmentioned. Nevertheless, it appears that if Metellus employed a commission at all, it was out of his military staff.

Pompey's clemency may well have been tied to ideas of future use of these groups. In the civil war between Caesar and Pompey, besides Romans, we also see these eastern groups appearing in Pompey's force, including erstwhile 'pirate peoples' like the Cilicians and Cretans.<sup>722</sup> Pompey's allies come from all over the east, but it is notable that Pompey's former enemies side with him rather than his enemy. Indeed, Cilician ships come to escort him in his flight to Egypt.<sup>723</sup> His acts of clemency won him allies that were not solely 'fair-weather'.

It may even be fair to speculate that Pompey's demands that all his *acta* be ratified together stem not solely from arrogance. It is probably fair to say that his clemency toward the Cilicians and even rewarding them with land was his most unpopular decision, coupled with his snubbing of Metellus Creticus, and Plutarch says

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<sup>721</sup> See Harris 1985, 134. For examples, consider the ten legates sent to organize Achaea and Africa in 146 (under the Lex Livia) and Asia in 129, the five sent to Illyria or Asia in 167 and 133, or the ten appointed by Lucullus to organize Pontus, but dismissed by Pompey.

<sup>722</sup> See, for example, the groups described at Appian, *B Civ.* 2.49, 2.71.

For secondary arguments about the relative importance of pirates as clients of Pompey in later years, see Martina 1982 and Schulz 2000 (for) and Dingmann 2007 (against).

<sup>723</sup> Plutarch, *Pomp.* 76.1.

that even his friends disagreed with him here.<sup>724</sup> The snubbing of Lucullus and canceling of his decisions must have run close, as well. If Pompey did gain twenty thousand pirates loyal to himself in 67, these individuals may have had the most to lose by the *acta* not being ratified. By demanding that the *acta* be ratified together, Pompey coupled a potential ‘unlanding’ of the former pirates to a potential renewed war with Armenia and perhaps even a new one with Parthia. After defeating Pompey, Julius Caesar did evict the Cilician colony at Dyme and turned it over to his veterans.<sup>725</sup>

It is easy to compare Pompey to a Hellenistic monarch, but his treatment of piracy is not normally included amongst the reasons. Pompey’s treatment of the Cilicians is more reminiscent of the Greek reaction to piracy. Pompey’s clemency might well be rooted in Greek philosophy, but perhaps also in personal gain.<sup>726</sup>

### **Conclusions**

Pompey’s campaigns prove excellent examples of the Roman tendency to reframe and reimagine the enemy. In his own portrayal, he strove to be identified with figures like Alexander, Scipio Africanus, and even Poseidon. In retrospect, virtually all of Pompey’s campaigns exhibited a tendency to associate the enemy leaders with banditry and piracy. Some of these were contemporary accusations (as was the case with Caesar), others apparently belated (as with Sertorius). Yet his own associations with pirates are difficult to deny. This might suggest that the self-portrayal as destroyer of pirates was, at least partially, defensive in nature.

For the purposes of seeking triumphs, accusations of banditry were useful. By custom, triumphs could not be held over other Romans. As noted above, the portrayal of Sertorius as barbarian, and a leader of Iberians, not Romans, was thus useful for the triumphal desires of Metellus and Pompey. Similarly, Pompey and Caesar tried to

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<sup>724</sup> Plutarch, *Pomp.* 29.1.

<sup>725</sup> Cicero, *Att.* 16.1, De Souza 1999, 185, Salmon 1969, 136.

<sup>726</sup> In late republican politics, clemency was a hotly contested issue for some. For others, such as Pompey and to a far greater extent, Caesar, it was a core aspect of their politics, to the extent that they seemed to be competing to see who could exhibit the most clemency. See Cicero, *Att.* 8.16.2; Seneca, *de Clementia*, *passim* (esp. 2.3) for some ancient evidence. See Konstan 2005 for the idea of clemency as a pure virtue, contra Syme 1958, Earl 1967, who saw clemency as more of a dictatorial tool. For both Pompey and Caesar, *clementia* was a way to differentiate oneself from Sulla (but see Dowling 2000 for Sulla’s own employ of clemency).

position themselves as the ‘true Romans’ and the other as siding with foreigners and bandits. Regardless of the truth of the claims, the claims themselves serve as an indication of how legitimacy was sought. This is not even so petty a motivation as to ‘simply’ attain a triumph. Rather, at the larger scale, the successful triumph was a sign of attainment of legitimacy.

As a result of the campaigns of Pompey, many polities in Spain and Asia became dependents not of Rome, but of Pompey primarily, and this only truly becomes clear in the civil wars decades later. The loyalty of the Cilicians was notable, but it was a loyalty to Pompey. What was true of polities was also true of individuals. The ironic result was that the at-large warrior became something that the Roman state tried to eliminate (through becoming the sole market for military manpower) while Roman individuals, like Pompey, tried to maintain its existence. In particular, the Romans, consciously or unconsciously, repeatedly forced the areas that had been major suppliers of manpower out of that market, which forced the Hellenistic monarchs, the main employers of mercenaries, to adapt their military organization. Mithridates serves as a prime example in this chapter, but this is a continuation of a longer-term trend.

The portrayal of the individual is extremely important. The history of the first century was frequently recorded as the biographies of great men: Marius, Sulla, Pompey, Sertorius, Catiline, Cicero, Caesar, to name a few. And the non-Romans get their share as well: Spartacus, Jugurtha, and Mithridates similarly appear as notable figures. Roman historical writing about the first century really represents a history from the top. It is difficult, as always, to write a history from the bottom with such sources. Furthermore it is difficult to be more on the bottom than slaves and pirates. Elite Roman associations of others with these ‘bottom folks’ is thus very significant. Cicero’s usage of pirate vocabulary to describe elite Romans thus deserves examination and it is these issues that will dominate the following section.

## **Chapter Six: Legitimacy and Rhetoric**

In this section, I step away from analysis of the history to refocus on the historical accounts and how they came about. I have argued above, repeatedly, that the historians present conflicting or inaccurate accounts through their beliefs of how history had to function or through ‘retrojecting’ ideas from their own period into the past. This chapter and the next strive to explain how that state came about. I suggest the principal causes come in two varieties: intentional and unintentional. Of these, the first principally arises from a desire to portray certain individuals positively or negatively and the second, from authorial preconceptions. In this chapter, I explain how the rhetoric of piracy was employed to establish legitimacy for one group and/or take it away for another. Embedded within this conflict of legitimacy were genuine debates about legality and also the rules surrounding the triumph. These aspects of legitimacy are important for a study of the freelancer, who is consistently described with pejoratives, even when employed by a legitimate commander and on the victorious side.

### **The Role of Legitimacy**

As I hope has already become clear, legitimacy was an important factor in conflicts involving bands of freelancers. Such figures could be auxiliaries, mercenaries, or pirates, dependent not on how they acted, but instead on whether the author regarded those acts as acceptable. It may be possible to view these outsiders as bands with ‘too much freedom’. The Romans certainly sought to curtail power and freedom to act for everyone, high to low. Faced with bands of at-large warriors, who could pack up and move whenever they wanted and were difficult to compel without bribes or threats of force, it is easy to see how that degree of independence was difficult to work into the Roman framework of legitimacy.

The Romans wanted the state to have a monopoly on violence. Any individual who inflicted violence had to do so with the blessing of the state or be liable to the punishment of the state. Now, on the other hand, that blessing could be as little as recognizing prerogatives, such as the authority of the paterfamilias over his household.



This was a way for the state to recognize legitimate authority to commit violent acts against a curtailed segment of the population.

As mentioned before in chapter 2, there can well be states that do not understand or recognize the ‘state monopoly’ concept. Teuta’s Illyrian state may stand as the archetype for the non-monopoly-state—the state that does not infringe upon the individual’s right to commit violence. Rome, by contrast, stands as the archetype of the monopoly-state—violence condoned by the state was inherently acceptable, but other violence was inherently suspect.

This is a functional way to examine the discrepancy between Rome and Illyria. We do not have to conceive of it in such a way, however. In such a state as Illyria, the rules are not particularly different: the state, again, recognizes a set of prerogatives, albeit wider. The Illyrian state chooses to recognize the individual’s right to inflict violence on non-Illyrians. The real distinction is one of non-interference. It is not an instance of the state decreeing it right or wrong, but of the state deciding to be apart from the decision.

The ‘at-large’ or freelance warrior, one who inflicts violence as a profession, does not fit the Roman concept of the world with state monopolies on violence. The freelance warrior, however, may or may not have a state and if he does have one, that state may or may not be able to compel him. His trade is to do harm as a means of acquiring wealth, whether that be direct or indirect. If he finds a situation where he can act within the state’s favor, he generally does so. Though there must be exceptions, the majority of bandits and pirates appear to act like the mercenaries released from Persian service: acting independently until they can be hired again.<sup>727</sup>

The legitimacy of the mercenary, and the at-large warrior in general, rests upon employment and employer, not the nature of his actions. The propensity of the mercenary to turn bandit when unemployed, however, creates a new set of expectations. Soldiers or employed mercenaries who plunder indiscriminately are ‘acting like bandits’.<sup>728</sup> Greek and Roman attitude toward war spoils was generally positive, so the negative associations rest heavily on its indiscriminate nature. A controlled force of

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<sup>727</sup> The particular instance is noted at Diodorus, 17.111.

<sup>728</sup> See below, 193f. for this phenomenon in greater detail.

freelancers that inflicted violence in a directed manner was acceptable. If the force, however, was uncontrolled this was even worse than a regular enemy force, because negotiation with them was not regarded as a possibility. This question of legitimacy in violence is especially important in trying to understand the evolution of social structures in Iberia because there was an ongoing contest for political legitimacy between native Iberians, Carthaginians and Romans. That is, the Roman seizure of Iberia from Carthage inherited existing ambiguities without recognizing them, and this situation resulted in a century-long power struggle rooted in ongoing refusals by both Iberians and Romans to accept the legitimacy claimed by the other. In describing wars in Iberia as banditry, the Iberians' actions are cast as illegitimate violence, though once they reach a certain scale they become wars (*bella*).<sup>729</sup> New tactics emerge. Declaring foes pirates or bandits 'proved' their illegitimacy and defeating them was a sign of one's own legitimacy.<sup>730</sup> Doing so, however, weakened one's potential claim to a more prestigious victory; defeating bandits did not extend the empire.

Some depictions of bandits, however, reveal a noble bandit, combining a virtuous spirit with criminal activity. What then, is the noble bandit? Hobsbawm's category of the noble bandit may be useful.<sup>731</sup> Hobsbawm, writing of an entirely different period, suggests that the noble bandit is motivated by injustice, rights wrongs, derives support from the locals or lower classes and in turn supports them, is superhumanly competent at fighting or flight, and, in the end, falls only to treachery.<sup>732</sup> While Hobsbawm's categories might not reflect the Roman depiction of the *latro*, there are some parallels with characters such as Viriathus, Jugurtha, Sertorius, Spartacus, Catiline, and Arminius. Spann argues that Sertorius is actually the exemplar of 'Sabine virtue'.<sup>733</sup> This is no

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<sup>729</sup> See Grünewald 2004, 41; Hoben (1978) suggests a pattern of calling illegitimate conflicts *latrocinium-bellum-latrocinium* (corresponding to their scale at the time) for slave revolts, (e.g. 79, 116-120), though it should be noted (as he does, 103) that this is only in references to the conflict, not in a record of a declaration of a formal war.

<sup>730</sup> De Souza 2008, 73.

<sup>731</sup> Hobsbawm 2000, 47-62, and 1959, 13-29.

<sup>732</sup> For a critique of Hobsbawm's categories in regard to the *latro*, see Shaw 1984.

<sup>733</sup> Spann 1987, 2.

mean observation. Viriathus is cast as a reflection of the archaic hero, for whom plundering on one's own authority was an act of virtue.<sup>734</sup>

Grünewald's account divides the set of bandits into 'common' and 'noble' types, and then into four categories: 'robbers', 'rebels', 'rivals', and 'avengers'.<sup>735</sup> In assigning instances to each of these divisions, he highlights particular characteristics and themes in the portrayal of the *latro*, though perhaps misses for comparisons between instances contained in different chapters. Grünewald's overall contention is that the *latro* has become a literary convention and poorly reflects real *latrocinium*.

In Iberia, Viriathus appears as a most interesting character, and his career seems to foreshadow that of Sertorius rather closely. Moreover, the characters of Viriathus as drawn by Dio and Catiline as drawn by Sallust also appear strangely similar.<sup>736</sup> These fall into Grünewald's category of the "edle Räuber"<sup>737</sup> For Catiline, however, Grünewald explicitly notes that Catiline is "afforded none of the traits of [the] 'noble' bandit..."<sup>738</sup> Though he is specifically talking about Cicero's polemic, Grünewald is perhaps examining Cicero too closely and Sallust insufficiently. Sallust's account clearly does grant Catiline virtues—specifically some of those used to describe the 'noble bandit'.

The overall narrative of the Viriathic War also causes us to reexamine the other terminology employed. The bandit-gangs and their leaders (ληστήρια and λήσταρχοι) are not portrayed as actively plundering and the booty (λείων) captured in each case is taken not from the countryside, but rather, from the Roman armies or camps. In other words, these bandits are strikingly Robin Hood-esque, and if an ancient example were to fit the bandits of Hobsbawm, this would likely be it. Appian is clearly critical of Roman conduct in this campaign, and even praises Viriathus. Indeed, he avoids associating any of the bandit terminology with Viriathus.

The question remains: does Appian exclude these bandits from the main narrative of Viriathus for the sake of the portrayal of Brutus or of Viriathus? Arguably, Appian

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<sup>734</sup> See Grünewald 2004, 35-37, for associations of the *pastor* and *latro*.

<sup>735</sup> Grünewald 2004, 2.

<sup>736</sup> Dio Cassius, 22.73; Sallust, *Cat.* 5.

For the texts and some further discussion of this issue, see Appendix 2.

<sup>737</sup> See Grünewald 2004, 34-35.

<sup>738</sup> Grünewald 2004, 73. For the original German phrasing see Grünewald 1999, 105.

tries to portray Viriathus as a legitimate leader of the Lusitani and employment of these ληστήρια would weaken that portrayal. Alternately, by having Brutus engage ληστήρια instead of the armies under Viriathus, Brutus can be seen in a more positive light, rather than the mixed view he promotes of the rest of the Roman campaigners. The brutality of his suppression of the province can hardly be wholly positive, but is it not clearly more positive than if these had been irregulars under the command of Viriathus?

In our records, Marius cleansed ‘bandits’ (ληστηρίων) from Hispania Ulterior, but his successors in the province are faced with revolts.<sup>739</sup> Such terms are warning signs that the history is slanted. There is not much evidence to show one way or another what is going on or whether these are indeed different groups. What we *do* consistently see is Appian avoiding using negative terminology at all for the few Roman commanders in Spain he approves of, and describing their enemies in a particularly negative way. This is a subtle amelioration in the portrayal of the Roman side, but a notable one. Even the worse Roman commanders, however greedy for plunder, are never bandits.

Similarly, Livy, when he describes the assault on Vergium, rather than describe it as Cato taking a side in a civil war or in taking the town by treachery, instead Cato is clearing a town of the *praedones* who had captured it. Obviously, the *praedones* can have no legitimate claim to the city and Cato can only be restoring order.<sup>740</sup> The term immediately invokes past experiences to support a specific version of events. Again it does not matter whether the controllers of Vergium were *praedones* or not to realize that Livy’s use of the term predisposes the reader to choose the same side as Cato.

The most telling depictions, however, are those of Lucullus and Galba in 151-150.<sup>741</sup> These appear to be the worst (i.e. most treacherous or potentially bandit-like) examples of Romans in Spain. They are described as treacherous and wicked, but in none of the accounts are they actually described as bandits. Appian charges them with

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<sup>739</sup> Curchin 1991, 41. Plutarch, *Mar.*, 6.1 Generally, for his successors, Appian, *Hisp.* 99-10, for Piso, see Cicero, *Verr.*, 2.4.56; for Caepio, see Valerius Maximus, 6.9.13; Eutropius, 4.27.5.

<sup>740</sup> Livy 34.21, and see chapter 3 above, 80.

<sup>741</sup> For Lucullus and Galba see Broughton 1951, (*MRR* I), 454-457. The most salient ancient account is Appian, *Hisp.* 58-61.

imitating barbarians. Galba was later charged with wrongdoing, but acquitted.<sup>742</sup> Misuse of force was not lacking authority to use force. By contrast, the Apulian herdsmen revolting in the 150s were called bandits.<sup>743</sup> If these were the most overt episodes, they were not unique. Cicero tells us that Cato and the tribune Libo attempted to stem excesses in Spain, and thereby acquired the enmity of many (*cum multis gravis inimicitias*).<sup>744</sup>

Bandits were blamed (perhaps correctly) by Caepio in 106 for absconding with the plunder taken from the temple Tolosa.<sup>745</sup> Regardless of whether this group was indeed engaging in *latrocinium* (and not, for example, raiders affiliated with Tolosa), it serves as a telling instance where the commander's acts had to be justified because of the unforeseen acts of banditry. That is, bandits' acts were the most politically acceptable explanation of the situation, that he looted temples yet still had no money to deposit in Rome. Caepio judged it better to have been defeated by bandits than charged with corruption.

Iberia, I argue, provides the perfect grounds for judging the role of legitimacy as it plays out in the historians. However reprehensible the Roman commanders may have been, they bore legitimate authority. Their opponents, however justified, often were not considered to bear such authority, because they had no state to grant it to them. Thus, bandit-rhetoric is frequently used for 'revolting' forces and less so for forces that were previously and definitely independent.

De Souza concludes that the Romans describing certain maritime communities as pirates was a deliberate mischaracterization, "intended to demonize them in contemporary eyes in order to justify imperialist aggression against them for far less

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<sup>742</sup> Cicero deemed him one of the foremost authorities of his day. A brief account of the case may be found at Cicero, *Brut.* 89-90 (and a longer one, involving the merits of Galba's oratorical skills throughout 80-94). Galba's defense was (according to Livy *Per.* 49) simply that he only broke the truce first, but the Iberians were about to do so.

Cicero used the case of Galba as evidence for Roman corruption in the *Pro Murena* (59) though elsewhere (e.g. *Brut.* 90) states that it was the tactic of putting his children on display that won over the jury.

<sup>743</sup> Livy, 39.29.

<sup>744</sup> Cicero, *Div. Caec.* 66. Cato also apparently described the event and included his speech in his *Origines* (Cicero, *De Or.* 1.227, Livy *Per.* 49, Valerius Maximus, 8.1.2)

<sup>745</sup> See Strabo 4.1.13, Dio, 22-29.90, Cicero, *Nat D* 3.74, Broughton 1951 (*MRR* I) 553. Caepio was later punished for sacrilege.

noble reasons.”<sup>746</sup> The next question, then, is simply: “why does this work?” It seems unlikely that the Roman listeners, attuned as they were to the nuances of rhetoric, would simply fall to such suggestions. The sheer bulk of such charges and the omissions of other counter-responses show that even if the majority of attempts to ascribe piracy to an opponent were unsuccessful, it was occasionally an effective tactic. The discredited charge, however, carried little penalty. Unlike a false charge in a formal court case, the attributions of banditry to a people, if disbelieved, merely meant that a hoped-for triumph would not materialize. In short, even if success was not common, the risks were relatively low for a substantial potential gain. De Souza argues convincingly that the Romans created a perception of piracy, which they then proceeded to hang upon every sea-going foe they fought for the next 300 years.<sup>747</sup>

For Romans accused of piracy, legitimacy is often tied up with *imperium*. Our richest source of information comes from Cicero. Cicero, in talking about his enemies, frequently depicts them as overstepping their authority. Actions beyond their authority are naturally banditlike.<sup>748</sup> This usage of pirate terminology was not limited to Cicero or the 60s BC either, but continued through the civil war period, being leveled against Caesar, Antony, and both the elder and younger Pompey. Both Brutus and Lentulus called Caesar a bandit.<sup>749</sup> Appian records Pompey as accusing Caesar of practicing piracy (ληστεύοντα).<sup>750</sup> This was clearly a widespread tactic.

As a political gambit, it was a productive point of attack to go after the legitimacy of individual magistrates. By transgressing the authority that naturally rested in the hands of the Roman Senate and the Roman People, individual office-holders became regarded as illegitimate. Thus political attacks might dwell upon force and destruction for their

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<sup>746</sup> De Souza 2008, 93.

<sup>747</sup> De Souza 2008, 73-74.

<sup>748</sup> For the general precept that any illegitimate use of violence can be termed *latrocinium*, see Riess 2011, 696. Antony is called a *latro* around forty times in the Philippics alone. Verres acts in favor of the bandits (Cicero, *Verr.* cf. 2.3.55) or is called the *praedo praedonum* (Cicero, *Verr.* 2.1.1.154) and acts on behalf of pirates (*Verr.* 2.5.25-28) For Gabinius, see *Prov.* 9 See also Greenhalgh 1981, 80. The terms (*latro* in particular) thus refer to refusing to obey authority or in taking an authority one has no right to.

<sup>749</sup> Plutarch, *Caes.* 30.6, Appian, *B Civ* 2.140.

<sup>750</sup> Appian, *B. Civ.* 2.72.

emotional appeal, but an accusation of banditry was an assertion that the magistrates had far exceeded their authority.

The portrayal of foreigners as bandits/pirates is slightly different than the portrayal of Romans as bandits/pirates. The foreigner, *qua* bandit, is not a legitimate leader and certain formalities of warfare need not be observed. When one's legitimacy as a leader is actually unassailable (for example, that of Mithridates who *was* the king of Pontus) the attacks on legitimacy are naturally directed at his subordinates. Thus, in his entrusting power to those who do not deserve to hold it, that leader is seen as weak, capricious, and untrustworthy. These are fundamentally similar to the charges of 'going native' levelled at characters like Sertorius or Antony.

### **Perceptions and Triumphs**

While the motives of individual historians need to be noted, there is a preponderance of material portraying certain places as piratical, to the extent that individuals of such extractions are understood as piratical even without an explicit statement to this effect. For Crete in particular, Brulé has argued against exaggeration of the stereotype.<sup>751</sup> This use of the stereotype is problematic and dangerously circular. On the one hand, it helps us understand the depiction of the Cilician Tryphon as a pirate, rooted in Strabo, but it also allows us to question whether that piratic nuance was really there in the first place.<sup>752</sup> Likewise, the scholarly depiction of Lasthenes the Cretan as a pirate is rooted entirely in a fragment of Diodorus.<sup>753</sup> Nevertheless, these characters bear the reputation of their homelands. In these examples, the single classical reference carries undue weight for modern historical accounts.

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<sup>751</sup> Brulé 1978.

<sup>752</sup> For Tryphon, only the passage in Strabo describes him as a pirate (16.2.10,19; 14.5.2) The other sources: Athenaeus 8.333 (=Poseidonius F29); Diodorus 33.3, 33.4a, 33.28, 33.28a; Frontinus *Str.* 13.2, Jerome *Chron.* 159.4-160.4; Josephus *AJ.* 13.131-284 *passim*, 20.239, *BJ* 1.49-51; Justin, 36.1, 38.9, 39.1; Livy *Per.* 52.13, 55.11 *Ox. Ep.* 55 *I Maccabees* 11:39-40, 54-56; 12:39-49; 13:1-24; 15:10-14, 25, 37; and Orosius, 5.4.17 all leave out any direct attribution of piracy (though the hostile sources of Josephus and Maccabees compare him to a bandit).

For secondary sources on Tryphon, see Ormerod 1924, 204; de Souza 1999, 98-99; see de Souza 2014, 34-35 for a more nuanced view of Tryphon.

<sup>753</sup> Diodorus 33.4.

So what were these ‘pirate lands’? If we start with Cilicia, Crete, Illyria, Liguria, Sardinia, and Iberia, we have a solid foundation. The previously discussed Balearics falls into this, as Metellus was likely the governor of Spain, but it seems unlikely that they had the reputation of the others for any prolonged period. Each of these bear similarities. They are mountainous lands, known to produce mercenaries, and posed particular challenges to outside domination. Moreover, these areas rarely had any form of regional unity except when imposed upon them.

Governors of ‘pirate lands’ were especially likely to seek and celebrate triumphs. This could be construed as evidence either that these areas remained hostile and relatively unsubdued or that they simply provided good bases for piracy. Alternatively, however, a land’s reputation for piracy may have facilitated triumphal claims. In theory, a triumph was supposed to signify a final victory and an extension of Roman power, and was not permitted until the campaign truly ended. In practice, magistrates assigned Hispania, Liguria, or Cilicia could be seen to triumph year after year without any clear indication that affairs were settled.

Using the example of Cilicia as a model, I argue we can begin to see correspondences in the campaigns of other areas.<sup>754</sup> Perhaps other governors did not have a young Rufus back in Italy such as Cicero did, urging him to find something he could both defeat and gain a triumph for. Nevertheless, the same dynamics that applied to Cicero applied to earlier governors. The presence of freelance warriors, in any capacity, lent veracity to the claims that military action was necessary. These places were regarded as lawless and disordered.

The seeking of military honors in Iberia may also hold a key to some of the seeming contradictions discussed in the previous section. Since triumphs were expected to be awarded at the end of a finished war/campaign, it was unseemly to have further fighting there in following years. In this light, the recipients or potential recipients of the triumphs had glory and reputation at stake, and so it behooved them to portray such conflict as a rebellion or banditry, anything but the continuation of hostilities that they also argue have been concluded.

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<sup>754</sup> See chapter 4 above, 122-127 for Cilicia.



It might be worthwhile to compare the triumph of Metellus Delmaticus to some of the victories of the civil wars of the first century. Since it was at best impolitic to celebrate a triumph over other Romans, a triumph over a non-Roman ally of your Roman enemy could suffice. So we see this with Caesar's victories celebrated over Juba and Cleopatra. Pedius and Fabius Maximus celebrated triumphs over Spanish tribes in 45 (not the Pompeian remnants)<sup>755</sup> and Augustus claimed a triumph over 'pirates' in Sicily (not specifically Sextus Pompey) in 36. A similar situation might be noted with Sertorius, as the campaigns of Metellus and Pompey would be more praiseworthy if Sertorius were the traitorous leader of the Lusitani rather than another civil war contender with Lusitani allies.<sup>756</sup> This spin of enemy was common enough that Florus remarked upon its lack when Lepidus failed at a revolution when Sulla died.<sup>757</sup>

The need to portray the enemy as an outsider was crucial. When Julius Caesar celebrated his triumphs *ex Hispania* and *ex Africa*, the Roman citizenry were not amused.<sup>758</sup> Even the vast exploits of Caesar could not fully justify his claims for triumphs where he did not meet the criteria. While he had the political clout to go through with his quadruple triumph, we should assume that the state of triumphal politics was certainly no more *laissez faire*.

Accordingly, I suggest that the Dalmatian triumph of Metellus Delmaticus had more to do with politics in Rome than his campaigning of that year. The reason for the triumph, I argue, was actually principally the war with the Segestani. The reasoning behind this could have many sources. The Delmatae (Dalmatians) were probably a more familiar name and may have carried more prestige, either in that tribe's relative proximity or with that tribe functioning as a metonym for central Illyria. Politics in Rome may have barred him from being awarded a triumph but further politics in the next year reversed

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<sup>755</sup>The *Fasti Triumphales* record them as consul and proconsul, respectively, though Welch 2012, 112 asserts that these were mere legates of Caesar at the time.

<sup>756</sup> Florus, accordingly claims (3.22.9): *Victores duces externum id magis quam civile bellum videri voluerunt, ut triumpharent*. "The victorious leaders wished it to be seen as a foreign rather than a civil war, so that they might triumph."

<sup>757</sup> Florus 3.23.7 *Victores quoque, quod non temere alias in civilibus bellis, pace contenti fuerunt*. "The victors [Pompey and Catulus] were content with peace, something not common in other civil wars."

<sup>758</sup> See Plutarch's life of Caesar: 56.7-8. See also Beard 2007, 240, who notes some additional triumphal *faux pas* in Caesar's triumphs that may serve as alternate explanations.

that decision. If this were the case, it would be expedient to use the name of a different tribe.

Campaigns might be seen as resulting from a provocation, either first- or secondhand. Florus, following Livy, clearly sees plundering raids as sufficient provocation for the Romans to invade and subjugate.<sup>759</sup> So the Dalmatians are caught *in latrocinia*, clearly a negative description, but the Pannonians a few sentences earlier are described as *populati proximos* (prone to plunder).<sup>760</sup> This latter phrase emphasizes the warlike nature of the Pannonians, while the former emphasizes the illegitimate nature of the Dalmatians.<sup>761</sup> Cicero asserted that the Romans had frequently before come to the aid of Roman financial interests abroad.<sup>762</sup> Yet this does not appear to be particularly well borne out by history, and the best that might be asserted is that they tried to protect the lives of Romans who had financial interests abroad.

While a ‘safer’ expedition politically, campaigns against the illegitimate freelancers were also seen as intrinsically less dangerous. Imperial sources held that defeats of brigands, slaves, or pirates merited a mere *ovatio*.<sup>763</sup> This rule seems dubious, given the evidence of the first century (featuring triumphs by Antonius, Servilius Vatia, Pompey, Metellus, and others, all against such individuals).<sup>764</sup> Appian tells us that salutation as *imperator* required 10,000 kills, though also suggests the numbers were lower in earlier days.<sup>765</sup> The triumph may have been in a state of flux for some time, as according to Valerius Maximus, the rules for triumphs were just being codified in the second century.<sup>766</sup> Nevertheless, the rules seem to have remained flexible, and it appears

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<sup>759</sup> For a brief discussion of this opinion, see Mattern 1999, 186. As Mattern notes, we see it with the Celtiberi, the Pannonians and the Dalmatians. We should surely note how the Baleares fall into this pattern as well.

<sup>760</sup> Florus 4.12.8-12.

<sup>761</sup> For the sake of clarity, Florus appears to be describing the activity of Dalmatians before the 156 campaign.

<sup>762</sup> *Leg. Man.* 11, *Verr.* 2.5.149, see also Harris 1985, 100.

<sup>763</sup> Gellius, 5.6.21, is clearest, Valerius Maximus, 2 *passim* is also of interest.

<sup>764</sup> See Beard 2007, 63. See Pittinger 2008, 70, 120-121, for some analyses for other rationales between ovation and triumph.

<sup>765</sup> Appian, *B Civ.*, 2.44

<sup>766</sup> Richardson 1986, 109, argues that the rule for defeating 5000 men was only introduced in 180 (see also Livy 40.37-38, Valerius Maximus 2.8.1, and Richardson 1975, 60-62). See also Richardson 1986, 104-109

that the most pertinent criteria for meriting a triumph was convincing others that one's actions merited a triumph. The technicalities of the triumph, if the *Periochae* of Livy are to be believed, should have prevented not just the triumph of Metellus Delmaticus, but also that of Tuditanus, who was saved from utter defeat by the intervention of Decimus Iunius Brutus.<sup>767</sup>

This triumph also serves as an important *comparandum*, as Tuditanus waged war not merely against the Iapydes, but also against the Histri, Taurisci and Liburni: essentially the entire northern coast of Illyricum. Evidence for this is found in inscriptions at Aquileia, some fragments of which have been found, but also mentioned by Pliny.<sup>768</sup> Wilkes argues that it is surprising that Tuditanus made it as far as the Delmatae, but in examining the earlier campaigns it should be fairly obvious that the direction of advance was principally northwest rather than southeast. The decision of Tuditanus to commemorate his victories at Aquileia may serve as corroboration. Furthermore, Metellus was actually assigned to fight the Segestani, who lived in the interior northeast of the Iapydes. Tuditanus, though his exploits against the Iapydes may have been less than worthy, may have used his further campaigns in Illyria to justify his triumph. Florus, when discussing the wars of Augustus in North Africa, calls them more disturbances than wars. In keeping with his criticisms of the later wars, he claims (2.31) that Cossus Gaetulicus did not deserve his title, and that Quirinius would have been Quirinius Marmaricus if he had simply reported the outcome differently.<sup>769</sup>

While triumphs were hotly contested, military honors were not the only goal. The economic incentive behind such campaigns should not be discounted. And as Harris

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generally for triumphal politics. Richardson here also argues against a requirement for the extension of territory (*contra* Val. Max. 2.8.4).

<sup>767</sup> Livy, *Per.* 59. See also Wilkes 1969, 32. Appian does not note Brutus, but does mention a Ti. Latinius Pandusa as playing the role here.

<sup>768</sup> Pliny, *HN*, 3.129, see also *Inscr. Ital.* 1.82 and 3.73

<sup>769</sup> Presumably, Florus means that a triumph and the associated cognomen were only awarded to generals who oversaw the death in battle of over 5000 enemies. I think it is not excessive to say that he intentionally implies here that Quirinius was simply too honest to gain a triumph in the manner of Cossus. Thus the description becomes a praise of Quirinius.

(Florus 4.12.40-41) *Haec ad septentrionem: sub meridiano tumultuatum magis quam bellatum est. Musulamos atque Gaetulicos, accolos Syrtium, Cossus duce compescuit; unde illi Gaetulici nomen latius quam ipsa victoria. Marmaridas atque Garamantas Quirinio subigendos dedit. Potuit et ille redire Marmaricus, sed modestior in aestimanda victoria fuit.*

(1985) does, it is convenient to look at all personal gain together.<sup>770</sup> The desire for money, prestige, glory, and political advancement were well intertwined and trying to assess which of these was at the fore is simply not that important for our purposes.

Triumphing was not necessarily easy. A fragment of Quadrigarius: *Romam venit, vix superat quin triumphus decernatur* (“He came to Rome, and scarcely won that a triumph would be allowed.”) implies that obtaining the right to triumph was not always a sure thing in the second century.<sup>771</sup> Increasingly, as battles moved further and further afield, triumphs were not observed by as many witnesses, and whether a victory merited a triumph or not rested more and more within debates in the Senate. Certainly some wanted to preserve the triumph for truly noteworthy victories while for others, it became a political pawn.

Cicero was hunting for a triumph in Cilicia. He also claims that the orator Crassus, the consul of 95, sought for an Alpine tribe he might attack and defeat for the sake of a triumph.<sup>772</sup> Similarly, Cotta, whom Cicero terms ‘a man of supreme genius’, also failed to find an enemy to defeat.<sup>773</sup> Thus the search for the triumph was attributed to even positive characters, and not generally seen as greedy. Triumph-hunting was not expressly dishonorable. Desiring a triumph essentially came down to desiring an improvement in the fortunes of the Roman state, so describing that desire negatively meant showing that the campaign was both an aggrandizement of the would-be triumphator and actually injurious to the state.

The role of the greedy would-be triumphator was reserved for those who made war upon allies. By those criteria, Appian clearly holds Delmaticus to have been a

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<sup>770</sup> Harris 1985, 56: “...and I shall in what follows treat motives as ‘economic’ whenever material benefit is sought, unless some clear case of altruistic motivation arises”

<sup>771</sup> Quadrigatus, (F72 Cornell (2013 vII 534-535)) =Gellius (17.13.5).

We cannot tell who the contesting general was, but as Gellius indicates that this comes from the eighth book, this must have been in the mid-second century. See Cornell 2013 v.III, 323. The books are hard to date, but the sixth book contains the latter part of the Second Punic War while the ninth appears to contain the Numantine War (F76-77), though those fragments may refer to an earlier Iberian war.

Unfortunately, the fragment does not tell us whether internal politics or stricter rules were the cause of this breakdown.

<sup>772</sup> Cicero, *Pis.* 62, *Inv. rhet.* 2.111 Asconius 14-15 C

<sup>773</sup> Cicero, *Pis.*, 62 the phrase is *vir summo ingenio praeditus*

triumph-hunter.<sup>774</sup> Spann describes T. Didius, who triumphed in 93, as another example of the triumph-hunter.<sup>775</sup> Cicero's letters to magistrates in Cilicia and Cyprus (where he had been governor) remind them of the allied status of certain towns. Such notices may have been intended to serve simply as a recommendation, but perhaps they also served to warn these magistrates that those towns were not legitimate targets for military honors.

Military honors, unsurprisingly, were helpful to a political career. Harris argues that triumphing praetors had a substantial edge over their rivals in contesting the consulship.<sup>776</sup> Over 75% of praetors who triumphed in the second century also held a later consulship. Thus, the triumph did have a substantial benefit to the commander beyond the honor. Yet what about the consular triumphators? They might well seek re-election but there is still another rationale. Consuls who won a triumph were partially protected by that honor from political prosecution. The famous Scipio Africanus even refused to allow himself to be taken to trial because that would irreparably tarnish the past.<sup>777</sup>

Strangely, military defeats, even at the hands of bandits (or 'bandits') did *not* have a correspondingly negative impact on one's political career or that of one's family. Contrarily, they appear to have a positive effect (or at least, correlation). Clark recently pointed out that 'it could be an electoral *advantage* to have been defeated' and this is even more of an advantage for the sons of a magistrate who died amid a Roman defeat.<sup>778</sup> Aggression was regarded as a positive trait in a commander, regardless of the outcome.

With the exception of Cilicia, piracy is never the cause for a Roman campaign, only a pretext. Even in the case of Cilicia, piracy seems to be a pretext up until the 70s. Of the other campaigns, many are at the instigation of a Roman ally (particularly Massilia). While in those cases piracy or raiding may be a factor for the ally asking for aid, it bears little import for Roman decision-making. The Romans had a clear history of

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<sup>774</sup> Appian, *Ill.* 11.

<sup>775</sup> Spann 1987, 42, 185n15

<sup>776</sup> Harris 1985, 31-33.

<sup>777</sup> This fascinating story (Livy 38.50-60) deserves more time than I can devote. See Scullard 1951, 290 for an account and bibliography, see Cornell 2013 v3, 352-359 (on Livy's use of Antias) for bibliography since, and see Reubel 1977 for an account of Cato's and Scipio's past interactions

<sup>778</sup> Clark 2014, 129.

regularly aiding their allies. Maintaining this reputation, I argue, was far more important to the Roman decision-makers than trying to ascertain right and wrong, which they reserved more for disagreements among allies.

Why, then, was piracy not an issue for actual decision-making but lauded as though it were in the aftermath? The answer, I believe lies in the regular behavior of the senators and the equestrian class. The senators made the decisions to go to war, but they had to sell these wars to the people in a legislative assembly. Or to put it another way, the Senate/magistrates decided *where* and the people decided *whether*, though it was rare for the people to say no. The equestrian class, however, conducted the vast majority of overseas trade and inasmuch as Romans were affected by piracy, it was disproportionately these equestrians who were affected. This meant that a defeat of pirates (or ‘pirates’) could be spun to appeal to the equestrians, but also that the magistrates involved rarely had any personal stake in eliminating piracy. Up until the Late Republic, defeat of piracy was a means to an end, not an end in its own right.

By the second quarter of the first century, however, there were two substantial shifts regarding piracy. First, the pirates began to kidnap and ransom Roman aristocrats, which would logically make the senatorial class start to care far more about piracy. Second, the equestrian class had grown in power to the point where gaining equestrian support through suppressing pirates was more politically advantageous. If one accepts the framework I have just presented, either shift could result in the further-reaching commands such as those given to Antonius or Pompey. I think the second more likely, however. Beyond the pirates’ abduction of prominent senatorial figures like Antonia, Julius Caesar, or Clodius, the equestrian class would have been hit at least as hard, not to mention that this class was actually involved with maritime trade.<sup>779</sup>

Certainly, the prominence of those figures makes their stories also more prominent, and there is little reason to think that abduction and ransom by pirates was not even more widespread among the less famous but still wealthy Romans. If it could be

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<sup>779</sup> For Antonia, see Plutarch, *Pomp.* 24.6; Cicero, *Leg. Man.* 33; Appian, *Mith.* 93; and Tansey 2010; for Caesar, see Suetonius, *Iul.* 4.23; Plutarch, *Caes.* 2.1; Valerius Maximus 6.9.15; Velleius 2.42.2, and Ward 1977; for Clodius, see Appian, *B. Civ.* 2.23, Strabo 14.6.6, Dio 36.17.3.

shown that the pirates did target the aristocracy in particular, that might be an indication that the piracy formed a sort of social banditry involving the lower classes of the Roman Empire in opposition to the highest classes. In such a scenario, we should logically expect the historians, with their elite bias, to report such activity as criminal. Nevertheless such speculation has little to support it and a far readier explanation for widespread piracy can be found in the presence of at-large, stateless warriors who had either been displaced by the Mithridatic wars, various civil wars, or simply chosen the wrong side in one of these conflicts.

### Repeated Claims of Victory

To most modern and ancient historians, the plague of piracy in the Mediterranean died in 67 at Coracesium.<sup>780</sup> A significant number will further remark on the delightful irony of the son of the man who defeated piracy in the Mediterranean turning pirate himself (referring to the activities of Sextus Pompey 44-35 BC).<sup>781</sup> Nonetheless, across history, we see a marked pattern of individuals claiming credit for putting an end to piracy.<sup>782</sup> Such claims were made for Eumelus, the Rhodian state, Marius, Antonius (Orator), Pompey, and Caesar.<sup>783</sup> Even Sextus Pompey was given some credit for eliminating the threat of piracy.<sup>784</sup> At a smaller scale, such claims were touted by individual praetors and governors.<sup>785</sup> Gnaeus Pompeius Magnus is simply the most

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<sup>780</sup> So noted by Strabo (10.4.9).

<sup>781</sup> Greenhalgh 1980, 97.

<sup>782</sup> See Ziebarth 1929 and Ormerod 1924 as examples of modern historians accepting the death of piracy. See de Souza 1999, 184-185 for counter-evidence. See also de Souza 2008, *passim*, but esp 74-81 for a similar argument.

<sup>783</sup> For Eumelus, see Diodorus 20.25; for Rhodes see Diodorus 20.81. For Marius, see Plutarch, *Mar.* 6.1; for Antonius, see Harris 1985 261, Coarelli 1968, Cicero *de orat* 3.10; for Caesar, see Dio 37.52

<sup>784</sup> Sextus Pompey was briefly put in charge of the seas by Antony (Plutarch, *Ant.* 32.2, Grunewald 193n37)

<sup>785</sup> Some of the governors of Hispania claim their campaigns to be against bandits or tribes raiding. Quintus Cicero claims such success in Asia (Cicero, *Q Fr.* 1.1.25) while Cicero himself admits inability to stop it in Cilicia (*Att.* 6.4.1) For inscriptional evidence, imperial examples are more common, e.g. the cases of Bassidius Lauricus (*CIL* 3.6733 = *ILS* 740) and simply 'the army' (*CIL* 6.234 = *ILS* 2011). Both imperial inscriptions are discussed in Knapp 2011, 300-301. Other imperial examples are seen in *CIL* 9.6107, 13.5010, and 13.6211 See also Richardson 1996, 231-234 for such raids in the second century AD, and Shaw 1984, 12n.26 and Flam-Zuckerman 1970 for other commanders noting activity against bandits on their epitaphs.

famous of these.<sup>786</sup> Octavian was praised by many for eliminating illegitimate violence; the most famous expression of this perhaps being the claim of Velleius: “the Augustan peace keeps every alley of the entire world safe from fear of banditry.”<sup>787</sup> For all the rhetoric of the major figures of the Republic, the majority of attestations of banditry/piracy come from the empire.<sup>788</sup>

These claims need not be hypocritical. Piracy can return swiftly. Its rapid resurgence is noted in Cicero’s incidental defense of Pompey: essentially claiming ‘he never claimed they wouldn’t come back!’ in the *Pro Flacco*.<sup>789</sup> The sole admission of endless piracy I have seen comes from Cassius Dio (36.20), who attributes it to human nature. In this context, the anti-pirate campaign is less about stopping the activity of piracy than about restricting its scale, or possibly, its targets. The evidence, however, does suggest that the freelance warriors were convinced to take up another occupation and then fell back into piracy when events changed, such as was the case for the pirates of Dyme.<sup>790</sup> As I have argued before, piracy was, for most pirates, the backup profession. While employed in other occupations, *ipso facto*, the pirates ceased to be pirates.

Furthermore, some of the destroyers of piracy likely did so by hiring freelance warriors. I have already suggested that Pompey’s peace with the pirates involved directly hiring some of those pirates. But even without such a direct link, this is a link we should expect. Even when the hired freelancers were from another population, this would happen. By reducing the supply of unemployed warriors, the quantity of bandits and pirates would likewise be reduced. In particular, the boldest pirates, willing to sack and even to take over cities, would almost certainly be men who had already used these

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<sup>786</sup> Thus the inscription noted at Diodorus 40.4: Πομπήιος Γναίου υἱὸς Μέγας αὐτοκράτωρ τὴν παράλιον τῆς οἰκουμένης καὶ πάσας τὰς ἐντὸς Ὠκεανοῦ νήσους ἐλευθερώσας τοῦ πειρατικοῦ πολέμου  
The elder Pliny notes additional inscriptions at *HN* 3.101 and 7.93-98, cf. 7.115

<sup>787</sup> Velleius 2.126.3: *pax Augusta per omnis terrarum orbis angulos a latrociniorum metu servat immunes* (Some editions and manuscripts lack *per*—‘throughout’).

Others, some less direct, include Seneca (*Clem.* 1.4.2), Pliny (*HN.* 14.2), Plutarch (*De tranq. anim.* 9 (469E)), and Epictetus (3.13.9) See Grünewald 2004, 18; 172n.25 for a longer, (still non-exhaustive,) list of similar praises.

<sup>788</sup> So noted by both Grünewald 2004 and Shaw1984, 10ff.

<sup>789</sup> Cicero, *Flac.* 28.

<sup>790</sup> The pirates of Dyme are noted by Cicero (*Att.* 16.1). Though Cicero does not say as much, it should be noted that Dyme had supported Pompey against Caesar and also that Pompey, still earlier, had settled his Cilicians there, but their lands were confiscated by Caesar.



talents in the service of one country or another. Thus, increases in piracy are most likely to occur some time after freelancers have been discharged from service and turn to an alternate method of support.<sup>791</sup> This is true regardless of which side the freelancers had been employed upon, though such circumstances naturally affected the time before freelancers turned to ‘alternative employment’.

I argue that this logic partially accounts for *when* pirates appear in our historians. One might imagine that pirates appear in times of relative peace because their relative importance increases at the time, and because dealing with pirates was naturally put aside as a lesser priority during wars with Carthage, Macedon, Syria, or Pontus. Such a theory, though appealing and logical, I think is fundamentally flawed. Episodes of piracy and plundering appear intermixed with everything else in Livy. The pirates were freelance warriors, and that means that in times of relative peace, more of these freelancers would be ‘self-employed’, that is, practice their trade without the aegis of a legitimate state. At the end of a war, civil or external, illegitimate plundering as a means for subsistence increases. Some of these illegitimate raiders are former partisans of the losing side. Piracy is, therefore, a natural product of peace, given the normal operation of the Mediterranean military economy.

### **Conclusions**

Here I have reinforced a number of observations from earlier chapters. Piracy should be seen as illegitimate acts of violence, but of a curtailed nature: that is, committed under no recognized authority for the action. While the morality of plundering can be debated, plundering under legal authority to plunder is simply not piracy. To understand piracy, one must understand that the moral overtones attached to piracy are merely attached to piracy, not a fundamental part of the definition.

The language used for piracy shows that it was considered a bad thing. The rationale for why piracy was a bad thing, however, has been misunderstood due to

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<sup>791</sup> Besides the Dyme example, some examples (some discussed earlier) are Diodorus 17.106, 111 for the Persians’ mercenaries, Strabo 14.5.2 for the Cilicians after Roman intervention (and several civil wars) in Syria, Appian, *Mith.* 63 for the pirates’ expansion after the defeat of Mithridates, and Appian *B Civ* 5.132, Suetonius *Aug.* 32.1 for troubles following the civil wars against the younger Pompey.

modern conceptions. Simply put, the ancient and the modern person both opposed and decried piracy, but largely for different reasons. The modern person opposes piracy as criminal activity on the grounds that killing and looting are fundamentally wrong while the ancient writers opposed it on the grounds that such actions were the prerogative of the state.

Not all pirates may have been pirates. For a number of reasons, waging wars against pirates was popular and politically advantageous. Thus non-piratical foes may have been described as pirates to further the aims of the claimant. Furthermore, the impossibility of detecting and identifying pirates meant that defeats of pirates were difficult to prove false.

We can detect an internal Roman debate concerning the best method for dealing with pirates. The rhetoric around Pompey's success made much of Pompey's clemency as a method of eliminating pirates. Others touted Vatia's supposed strategy of eliminating pirate bases on the land, or the severity of a Metellus.<sup>792</sup> Pompey's solution, popular as it was to imperial-era historians, was very unpopular throughout his life. Caesar, notably, after the death of Pompey, confiscated much (though not all) of the farmland given to Pompey's Cilician supporters.<sup>793</sup> There is little evidence for what happened to them, though it seems that many of these uprooted traveled to Spain to join up with Sextus Pompey.

Ancient authors disagreed about piracy, its causes, and its solution. Piracy was rooted less in disorder or general poverty than in the issue of surplus military manpower. The historians also disagreed about how much of a place there was for the mercenary in ancient society. The divide between soldier, mercenary and pirate was fuzzy rather than distinct, and we see accusations of individuals crossing this line. These issues will be explored in the next chapter.

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<sup>792</sup> As noted above (ch. ?), I have my doubts that Vatia's strategy was his strategy.

<sup>793</sup> See Plutarch *Pomp.* 28 for the settlement; Cicero, *Att.* 16.1 for the expulsion of the new Dymaeans. Caesar also moved some of the Dymaeans to Patrae after he took Patrae (cf. Dio 42.14). Like most of the East, Pompeiopolis was subject to an exaction of funds (cf. Dio 42.49) but it is unclear if lands were also removed.

## Chapter Seven: The Author's Baggage

In this, the last chapter, I focus on uncovering preconceptions of the ancient authors that altered their descriptions of *leisteia* or *latrocinia*. When groups definitely operating under state authority are described as acting 'like bandits', this provides us with material useful to define the concept of the bandit. The mercenary freelancer acquires a more equivocal reception than the pirate or bandit, but it is still a negative one. In some ways, I argue, the negative reception was self-perpetuating. Moreover, the elite mercenary troops filled the wartime role of the aristocracy to some degree, so it is hardly surprising that aristocratic writers held strong opinions about mercenaries. It is overwhelmingly clear that whether called mercenary, pirate, or bandit, the freelancer was a little-loved figure. Why then, were these groups so resilient? Why did the Hellenistic monarchs and the Roman consuls not exert more effort to their elimination? For most of the period described in this work, freelancers simply seem to have been too useful.

Not all figures received a wholly negative treatment, and so Roman allies accused of engaging in this undeclared violence or freelance warfare (such as Cilicians or Numidians) might be given a pass on the ground that they were allies. Even though their actions might be discredited in Roman sources, the alliance was of greater importance. Like the Hellenistic monarchs' reaction to mercenaries, the Romans found their wayward allies too useful to punish meaningfully for raiding

Philosophical traditions are also partially to blame for modern misunderstandings. Different ancient authors posit different rationales for why people engage in illegitimate plundering. Essentially, these boil down to two explanations. One, principally Latin, tradition argues that such acts are committed by people who are uncivilized, greedy, or simply bad. The other, principally Greek, tradition instead argues that people are driven to it through lack of options and enduring poverty. In an examination of these accounts, it is tempting to pick a side, as others have done. Further examination of these accounts, however, reveals an additional distinction. For the Romans, such choices are often put to leaders specifically, and for the Greeks, to peoples generally. Thus the choice is intrinsically seen as coming from the top or from the bottom, and in that circumstance,

the arguments are not necessarily in conflict. In that case, the historical argument becomes not one of why the pirates pirated, but whether the piracy was instigated from above or from below.

### **The Causes of Piracy.**

The evidence of the Balearic campaign under Metellus highlights this dichotomy admirably.<sup>794</sup> Concerning the historical traditions about the Balaerics, we have in the two traditions what appear to be two philosophical schools. The Greek tradition, rooted in Strabo and Poseidonius (a tradition on which Appian appears to rely) maintains that piracy and banditry were rooted in poverty and that those in possession of a productive land were unlikely to resort to piracy. *Contra* this position (though not in all respects), we have the Roman annalistic tradition, whence come Livy and Florus, and we see some nods to this in Plutarch, as well. This position essentially holds that banditry is committed by uncivilized peoples.<sup>795</sup> For Florus the Ligurians “make banditry rather than war.”<sup>796</sup> For the one, the cause is economic, for the other, it is cultural. While I discussed the Balearic campaign in some length earlier, I would now like to address the questions of *how* and *why* ancient authors described the campaigns in this way.

In the Greek tradition, genuine piracy must be instigated by some economic cause or disorder. In explaining Etruscan piracy, for example, Strabo indicates that social disorder deprived large numbers of Etruscans of their livelihoods, and pushed them to engage in piracy, despite the relative fertility of northern Italy. This need not be an accurate picture of Etruscan economic history. It does clearly identify Strabo’s motive, however. Having established a generally sound, rule, he must then explain various counterexamples. For the Balearics, he does this by a twofold process. First, he establishes that the Balearic Islands were fruitful and productive, thereby removing a need for piracy. Second, he shows that they were falsely accused of piracy for dealing with or associating with the real culprits. Cilicia forms another special case, where

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<sup>794</sup> See chapter 3 above for this event.

<sup>795</sup> For a comparison to Plutarch, see Plutarch, Marius 6.1, καὶ τὸ ληστεύειν οὐπω τότε τῶν Ἰβήρων οὐχὶ κάλλιστον ἡγουμένων, “and at that time, raiding was not yet considered ignoble by the Iberians”

<sup>796</sup> Florus 2.3.4 ...*ex occasione latrocinia magis quam bella faciebant...*

Strabo tries to explain the rapid Hellenization of Cilicia through Pompey's removal of their poverty.<sup>797</sup>

Despite my criticism of Strabo's explanation, he need not be wrong. Strabo has clearly read other historians' accounts and entertained some suspicions about the events these contained. The entirety of 3.5.1 consists of oblique references to other accounts. Though there are undoubtedly others, the most likely accounts are Posidonius and Diodorus Siculus, both lost.<sup>798</sup> Florus is unlikely to be following Strabo, but both authors appear to have read Diodorus (or his sources).<sup>799</sup>

From my earlier examination of the *LdPP* and the Cilicians in chapter 4, we might conclude that the Romans considered those trading with pirates to be equally guilty as the pirates and their attack on the Balears shows a punitive policy in play. This solution accords with later legal practice, whereby the punishment was the same as for piracy if the traders knew they were trading with pirates. This solution, however, is only accurate for the surface. It is accurate insofar as it was likely the public understanding of the matter. The commanders had their own rationales for campaigns, whether it be greed, triumph-hunting, or even a need to distribute land or booty to the troops. Each of these things brought benefit to the commander.

Thus there is an accusation of piracy as a pretext. This pretext is widely understood to be rooted in the Balears' associations with undesirables, whether they be pirates, refugee Sardinians, unemployed freelance warriors, or all three simultaneously. On another level, the commanders would frequently have ulterior motives to determine whether they would launch a campaign. With such a broad definition of piracy functioning as an adequate pretext, I suspect that this third factor was often the driving one.

Most of the Roman historians record philosophical rationales for piracy after official hostility towards piracy has been clearly established in their own day, and this affects how they record the events of previous centuries. Already, I have shown a

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<sup>797</sup> Discussed below. See Desideri 1991 for Strabo's ethnography of the Cilicians.

<sup>798</sup> Though the relevant years of Diodorus are missing, he expresses intent to cover the period at 17.1.

<sup>799</sup> For the clearest suggestion of this, the two descriptions of slinging do not resemble each other, but both appear in Diodorus 5.16-18.

considerable amount of evidence indicating that the Roman hostility towards piracy most likely began at a relatively late date. In some cases, however, the historians do not appear to realize this. Strabo 14.5.2 is an important example:

[...]ἔγνωσαν δὲ κακία τῶν ἀρχόντων συμβαῖνον τοῦτο, εἰ καὶ τὴν κατὰ γένος διαδοχὴν τὴν ἀπὸ Σελεύκου τοῦ Νικάτορος αὐτοὶ κεκυρωκότες ἠδοῦντο ἀφαιρεῖσθαι. [...] εἴτ' αὐξήθεντας ἠναγκάσθησαν καταλύειν Ῥωμαῖοι πολέμῳ καὶ μετὰ στρατιᾶς οὐς αὐξομένους οὐκ ἐκόλυσαν. ὀλιγοῖαν μὲν οὖν αὐτῶν χαλεπὸν καταγνῶναι: πρὸς ἑτέροις δὲ ὄντες τοῖς ἐγγυτέρῳ καὶ κατὰ χεῖρα μᾶλλον οὐχ οἷοί τε ἦσαν τὰ ἀπωτέρῳ σκοπεῖν.

They knew that the outcomes came from the misdeeds of the rulers, still, since they themselves had determined the succession to descend through the line of Seleucus Nicator, they were ashamed to rescind it. [...] After [the Cilicians] grew in power, the Romans were compelled to destroy them in war and with an army, though they did not hinder their increase. Now it is difficult to claim contempt [by Rome], as they paid attention to all those things nearby and close at hand rather than those which were further away.

Here, Strabo effectively apologizes twice for the Roman failure to stop piracy, and earlier he allows that the Roman demand for slaves had also created a demand for pirates. But, according to Strabo, the Romans cannot be entirely faulted for letting the Syrians monitor their own possessions and for failing to pay attention so far afield. These apologies indicate that Strabo believed that the Romans had an obligation that they failed to uphold. They do not prove that second-century Romans believed they had such an obligation. Strabo clearly finds the earlier rationales unsatisfying and attempts to supplement them.

There were certain characteristics of pirates that the Romans disliked, which can emerge almost out of defensiveness regarding their own actions. Livy, for example, tells us of an unusual pirate in early Roman history: one that refrains from piracy.<sup>800</sup> When passing the Lipari Isles by the Strait of Messina on a trip to Delphi, the Roman envoys are captured by a pirate (one with the Greek name Timasitheus). Upon learning of the Romans' mission, he decides to permit them to sail on to Delphi. Following this, peaceful relations were established between the Romans and the Lipareans. Livy depicts Timasitheus in unusual terms: *Romanis uir similior quam suis*. In praising Timasitheus, however faintly, he is specifically *unlike* his countrymen. Livy's choice of words here

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<sup>800</sup> The episode described here is Livy 5.28.

does much to characterize both pirates and Romans. The Lipareans are clearly pirates with their custom of *publicum latrocinium*. The action described, however, is more Roman than pirate, and thus Romans, whatever else they may be, are somehow the opposite of pirates.

It is unusual for Livy to praise a pirate, and the way he does so here suggests a motive. Livy, in recording Roman friendly relations with pirates, must make the pirate unusual to permit such friendship. This is a careful construction of identity all the way around. The Romans are only characterized indirectly. Timasitheus exhibits mercy and piety and is thus praised as being similar to a Roman. His followers, however are the opposite. As pirates and non-Romans, they are discredited and immoral, yet out of gratitude to their leader, an arrangement is made between Romans and Lipareans. Again, this gratitude shows how the Romans repay their debts, while implying that those peoples that did fall to Rome were more similar to the pirates than to Timasitheus. Furthermore, this explanation of the story allows Livy to discuss an alliance with Lipara that avoids either Roman association with piracy or any hint that they may have made a deal to be exempt from Liparean piracy.

In some ways, Livy's story seems too good to be true. In the early books of Livy, it is apparent that the Romans are unable to easily prevent their ships from being taken by Greek pirates. That the Romans might have bought or negotiated protection of some sort from Lipari is almost expected. Such agreements between the Cretan city-states and their northern counterparts in the Aegean or on the mainland were common.<sup>801</sup> Livy's story, however, provides an honorable rationale for such a negotiation.

In the environment where the pirate was *persona non grata*, the *piratae gratae* of the past posed a particular problem to the historian. This was especially true because the historic *exempla* were understood to serve as models for future activity.<sup>802</sup> Rather than reflect a true understanding of second-, third-, or fourth-century behavior, it was easier to reflect first-century behavior and biases, importing them into the scenario of an earlier

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<sup>801</sup> See De Souza 1999, 62 for the use of treaties of *proxenia*, *asylia*, and *isopoliteia* in this regard.

<sup>802</sup> Both Livy and Polybius stress this in their introductory remarks (Livy 1.1, Polybius 1.2). Gray (2004, 66) argues this as the major motivating feature in Xenophon's *Hellenica*.

event. This historiographical practice serves to rationalize a sort of Roman *Realpolitik*, where the activities of the potential allies are ignored so long as good service and conduct towards Rome can be ensured.

**They Roam Like Bandits *latronum modo percursant***

In Livy's account of the Second Punic War, a Samnite delegation tells Hannibal that the Romans are roaming like bandits.

*iam ne manipulatim quidem sed latronum modo percursant totis finibus nostris neglegentius quam si in Romano uagarentur agro.* (Livy 23.42)

“Now they travel about carefree, not together in companies, but bandit-style, through all our lands, as if they were wandering in a Roman field.”

Though not about freelancers, this description nevertheless exemplifies the freelancer. Allegedly beholden to money rather than patriotism, the freelancer roams about to increase his gains from war. Though it might seem strange at first, the well-paid mercenary may actually engage in less plundering than his conscript or volunteer counterpart. For the latter, of course, plunder was the principal means by which economic gains could be attained. The freelancer, however, would often not go to such lengths—so long as the regular pay kept coming. Failure to pay a mercenary force, as seen before, could result in plundering of allied and enemy territory and goods alike. The function of plunder as an economic incentive for both mercenary and volunteer forces should not be minimized.

In the passage quoted above, the Samnite's purpose is clear and twofold: to tell Hannibal that he has an obligation to defend allied territory and suggest that it will take little effort to do so. What is *latronum modo*? The passage itself suggests a clear opposite: *manipulatim*. The Romans, therefore, are not in formation but scattered as irregulars. As the rest of the passage makes clear, they can do this because there is no opposing force within striking distance (which is what the delegation is requesting from Hannibal). The comparison to a Roman field makes it even clearer that the soldiers in question are entirely safe. The bandit is certainly plundering, but this sense of unchecked



disorder is more important. In this particular case, that disorder is intentional, but more often it appears to be unintentional.

Elsewhere we have various instances of *latrocinia* being used for events that are not typical acts of raiding or brigandage. For example, Cicero describes (among many others) Piso's men as *latrocini* (bandit gangs).<sup>803</sup> In each case, the men are undisciplined and, if under control at all, only barely. The fault is meant to lie on the commander either for being unable or unwilling to rein them in or even for joining in their greed.

A similar example from Caesar (*B Civ.* 3.112) says *diripere more praedonum* (to plunder in the manner of *praedones*). This, I argue, is somewhat different. In the first place, Caesar is reversing the normal order, where the townspeople on Pharos can raid the ships. Secondly, they are not clearly engaging in warfare at all. It retains, however, the sense of disorganized activity.

Likewise, this character trait can be applied to the mercenary freelancer. In each case, if we ask if the core criticism can be a disordered lack of discipline, the answer is yes.<sup>804</sup> Polybius ascribes banditry to the Aetolians under the command of an Aetolian general, though the specific campaign was not approved by the League.<sup>805</sup> More noteworthy is his comment that the Aetolians were not bound by custom to seek official sanction for their plundering. I would argue that this official sanction is the critical distinction our sources use, consciously or not, to define an act as piracy.<sup>806</sup>

As noted before, it was often difficult to tell whether a raid was committed by pirates, mercenaries, or regular troops. For example, Polyaeus tells us that Iphicrates had his men ravage and loot the Argive countryside, then he sent to the Argives, reporting that he had defeated their rebels (*phugadas*- 'fugitives') and was returning their plunder.<sup>807</sup> Thus the 'defeat' of a purely fictional band of brigands paid political

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<sup>803</sup> Cicero, *Pis.* 26. *Latrocinium* is technically banditry, but it is used metonymically here and also for Catiline's men (*Catil.* 1.31), those of Antony (*Phil.* 14.10) and those of Clodius (*Att.* 4.3).

<sup>804</sup> For a few examples, this is the case with the mercenaries of Dionysius (Diodorus 14.72) and Timoleon (Diodorus 16.82), the Carthaginian mercenaries in the Mercenary War (Polybius 1.66.8-12 *inter alia*), as well as being the case in the Roman mutiny at Sucro (Polybius, 11.25-28, Livy 28.24-29, cf. Chrissanthos 1997, 172).

<sup>805</sup> See Polybius, 4 *passim*, esp 4.3.5-10; de Souza 1999, 74.

<sup>806</sup> Polybius 18.4-5, de Souza, 76.

<sup>807</sup> Polyaeus, *Strat.* 3.9.37.

dividends. The criticism of soldiers of acting like bandits is rooted less in their activity than in what their activity signifies: that they are either disordered or not obedient to the state's authority. The freelance warrior plunders because that is what the freelance warrior does. The criticism appears chiefly when the freelance warrior acts either without orders or contrary to authority.

Not only might Roman rhetoric be used to impose the name of *latro* upon Roman enemies, it might also be used to shield Roman allies from such nomenclature. For examples of such allies, we have the Derbene Antipater and the Cilician Tarcondimotus,<sup>808</sup> both of whom Cicero spoke approvingly of in his letters.<sup>809</sup> Indeed, given the context of 13.73, Cicero actually appears to be trying to intercede on Antipater's behalf.<sup>810</sup> On the other hand, Strabo refers to Derbe as a part of Cappadocia recently ruled by Antipater the pirate (τοῦ ληστοῦ).<sup>811</sup> Tarcondimotus was one of the Cilicians pardoned and reinstalled by Pompey.

Whether other scholars are right or wrong in attributing banditry to Antipater, the use of rhetoric played a major role in the perception of these minor rulers and could even determine how long they stayed in power.

Other similar instances of mixed descriptions noted by Grünewald are those of Tarcondimotus, Cleon, Zeniketes, and Lysias.<sup>812</sup> All are local Anatolian rulers who also pursued some form of banditry or piracy according to certain sources (usually Strabo). Tarcondimotus was one of the Cilician leaders who accepted Pompey's amnesty and then proved to have unusually poor luck in picking sides in civil wars as he backed Pompey, Cassius, and Antony in turn. It was not unusual for Romans to dismiss certain 'mini-states' as led by bandit kings. But the absence of such judgments on Antipater or Tarcondimotus suggests that the principal Roman concerns were not on such rulers' activities but rather on their allegiance and usefulness. Strabo's later judgments reveal

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<sup>808</sup> See Syme 1995, 171, Ormerod 1924, 193 for some views siding with Strabo and Syme 1995, 161-165; Grünewald 2004, 78-79 for siding with Cicero. Syme 1939 is also relevant, though most observations are repeated in Syme 1995. Grünewald is clearly aware of the problems present.

<sup>809</sup> *Fam.* 15.1.2 (to the consuls and the Senate) for Tarcondimotus and *Fam.* 13.73.2 (to Quintus Marcius Phillipus, then governor in Asia) for Antipater.

<sup>810</sup> Or, more specifically, on behalf of Antipater's children.

<sup>811</sup> Strabo 12.1.4.

<sup>812</sup> See Grünewald 2004, 76-79.

some offense on these leaders having been treated so well (particularly Cleon) by the Romans.<sup>813</sup>

The Cilicians also, surprisingly, appear to have had a reputation for nigh-unshakeable loyalty, as evidenced by Seleucus standing by Mithridates, the Cilician pirate-settlers escorting Pompey after his defeat in Greece, and Tarcondimotus, the above-mentioned Cilician dynast. For Cicero, of course, this stands as a rationale to protect characters like Antipater. Octavian confirms the son of Tarcondimotus as a Cilician dynast. Given other evidence, such as the defense of Numidian auxiliaries' refusal to fight other Numidians in Appian and Livy, their loyalty persists as a sentiment to be praised even when it makes them unable to be trusted at the time.<sup>814</sup>

In particular, violent conduct that we might expect to be considered illegitimate is less important in the scheme of foreign affairs than loyalty to Rome. This is not to say that the Romans did not care about that illegitimate violence, but rather, they consistently subordinated these issues to the greater desire of preserving their alliance.

In times of civil war, the allied states what chose wrongly are sometimes punished, sometimes not. Certainly, African and Spanish former allies were chosen to justify a triumph. When no such triumph was sought, the ally was presented as trying to provide loyal service to Rome (as was the case for Deiotarus in Galatia and Tarcondimotus in Cilicia). While the desire for a triumph surely played a role, part of this decision may also have involved whether the state in question sought gain out of the civil war (as claimed for Egypt's support of Antony, Iberian support of Sertorius or Pompey, or African support of Pompey under Juba).<sup>815</sup>

Earlier, I argued that accounts of past negotiations and agreements with bandits and pirates were devised that created a satisfactory historical situation. Yet the alliances with contemporary figures described as bandits show little difference in practice. The evidence from these examples shows that this process was functional, even for

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<sup>813</sup> Strabo 12.8.8ff, Syme 1939, 310.

<sup>814</sup> Appian, *B Civ*, 1.42, 62 In this instance, the Numidians were reluctant to fight when a member of the royal family appeared on the other side. See also the representation of Muttines (Livy, 25.40-41, 26.40, 27.5).

<sup>815</sup> Appian, *B Civ*, 2.101-102, depicting the triumphs of Caesar after the defeat of Pompey may be of particular interest.

contemporary events. From the Antiates to the Derbenes and Cilicians, there were always ‘a few good bandits’. ‘Good’ in this case meant that they could be relied upon to support Roman aims. In the end, this meant that the Romans might sometimes agree that ‘yes, they are bandits, but they are *our* bandits’.

### **The Use and Abuse of Mercenaries**

Historical accounts also took part in an ongoing debate about the role of mercenaries in warfare. The historian writing in the Classical and Hellenistic period was also a political theorist, and as a political theorist, needed to venture an opinion on the use of mercenaries. Opinions ranged from wholly negative to tentatively positive, though no author was to argue for dispensing entirely with a citizen army. Later authors had a trickier balance to walk, as the empire of Rome was largely created by a conscript army and defended by a mercenary one.<sup>816</sup> Some authors also tried to differentiate at length between a foreign mercenary force and a native one.<sup>817</sup>

When a mercenary appears in a historical account, however, it is crucial to understand where the author stands on the subject of mercenary service. Not only does this indicate what terms may be employed to describe the freelancer, it also changes how that fighter is regarded. Polybius and Polyaeus, for example, both have a fairly negative view of any figure denoted as a mercenary.<sup>818</sup> Diodorus Siculus and Xenophon, however, have a much more positive view on the situational use of mercenaries generally, though Diodorus retains a low view of Cretan and Campanian freelancers.<sup>819</sup>

There was substantial debate about the effectiveness of mercenaries, and some historians asserted that a low view of mercenaries and their skill is often held by the general population. For example, Polybius relates that the Roman soldiers held Punic mercenaries in contempt, while Plutarch tells us that the Syracusans distrusted Dion’s

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<sup>816</sup> These terms, though inexact and lacking nuance, remain, I think, sufficient to denote the shift in the nature of the forces.

<sup>817</sup> See above, chapter 1, for discussion of mercenaries, but in general, see Parke 1933, Griffith 1935, and Trundle 2004; for specifically the historians’ attitudes towards mercenaries, see Trundle 2004, 27-39.

<sup>818</sup> See Eckstein 1995, 125-129 for Polybius’s opinion of mercenaries. Polybius 4.8.11 may be indicative

<sup>819</sup> See 31.45, 37.18 for two examples I have used already.

mercenaries.<sup>820</sup> The Spartans, according to Plutarch, felt more shame at being defeated by mercenary peltasts than they would if they had been defeated by citizens.<sup>821</sup> Mercenaries could also be pitiable. The comment of Isocrates that men were compelled to take up mercenary service likely reflects an understanding (perhaps an unconscious one) that fighting men were intrinsically of a class that should not have been forced to such ends.<sup>822</sup> Plato and Aristotle idealized the citizen-soldier as braver (and therefore more effective) than the dispassionate profession, despite the latter's technical expertise.<sup>823</sup> Xenophon, however, argued that the Arcadians were hired *because* of their bravery, superior to that of other Greeks.<sup>824</sup> Xenophon advocated for an expanded use of mercenaries by states and indicated that a standing force of mercenaries provided experience and examples for the relatively inexperienced citizen soldier. We see this recommendation also in Aeneas Tacticus.<sup>825</sup> Polybius also asserts mercenaries possessed superior skill.<sup>826</sup>

The ratio of mercenaries to citizen soldiers in a state's forces was a particularly prominent concern. Diodorus represents a fifth-century argument as "Let us not in our eagerness for mercenary troops (*xenikoi*) throw away our own citizen forces, and, in reaching for what is unseen, lose our mastery of that which is in sight."<sup>827</sup> Here, the objection is less to hiring mercenary troops than to letting them outweigh citizen

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<sup>820</sup> Polybius 1.33.4; Plutarch, *Dio.* 35

<sup>821</sup> Plutarch, *Ages.* 22.2, see also Trundle 2004, 29. Plutarch says ὑπό τε πελταστῶν ὀπλίτας καὶ μισθοφόρων Λακεδαιμονίουσς ([being] hoplites [defeated] by peltasts and Spartans [defeated] by mercenaries), here, peltasts and mercenaries are clearly two terms for the same group, not two different groups working together.

The peltast became associated with the Thracian, and the Thracian reputation for savagery and looting became attached to the mercenary, especially non-hoplite mercenaries. (See Best 1969, 126 ff. for the Thracian, both mercenary and non-mercenary; see also Trundle 2004, 30-31; Williams 2004.)

<sup>822</sup> Isocrates, 4.168.

<sup>823</sup> Plato, *Leg.* 697e; Aristotle, *Eth. Nic.* 3.8.9.

<sup>824</sup> Xenophon, *Hell.* 7.1.23; see also Trundle 2004, 53-54.

<sup>825</sup> Aeneas Tacticus, 10.7, 10.18-19, 12-13, 22-29. See also Austin 1994, 538-541; Garlan 1984, 678-679 for this as an aspect of fourth century mercenary employment.

<sup>826</sup> Polybius, 11.13.5

<sup>827</sup> Diodorus 10.34.9: μὴ τῶν ξενικῶν δυνάμεων ἐπιθυμοῦντες τὰς πολιτικὰς ἀποβάλλωμεν καὶ τῶν ἀδήλων ὀρεγόμενοι τῶν φανερῶν μὴ κυριεύωμεν. The excerpt appears to be an argument put either to Gelon or supporters (or, less likely, by Themistocles or supporters) in advance of the Carthaginian invasion around ~480 (or the Persian advance, in the Themistoclean identification).

contributions.<sup>828</sup> A standing mercenary force could lend experience to untried citizen volunteers, but too large a force threatened the possibility of a coup. Elsewhere. Diodorus praises the mercenary army: see, for example, 29.6, where he outlines the Carthaginian advantages—which stem from a mercenary force of specialists. As Trundle puts it: Diodorus “has reflected trends in mercenary activity in Greek history in his *Bibliothēke*, consciously or otherwise. This has distinct ramifications for the way he should be regarded.”<sup>829</sup>

The question of loyalty was one of prime concern. Repeatedly, in Diodorus, the main issue of concern is not mercenary disloyalty, but their loyalty to a tyrant rather than a state. He accuses several figures of staying in power principally through the employ of mercenaries.<sup>830</sup> To Diodorus this becomes not the state’s employ of mercenaries for its own ends, but the ends of the state being obviated by the tyrant’s use of mercenaries. Mercenaries with obviously split loyalties were avoided: during the Social War, Lucius Caesar enlisted some Numidian cavalry which he had to disband when the Italians produced a son of Jugurtha on their side.<sup>831</sup> The Libyphoenician Muttines may shine as an example of the shifting allegiances of the at-large warrior. He was the most effective Carthaginian general in Sicily, but scorned by Hanno as an African, he switched sides and delivered Agrigentum (and, effectively, Sicily) to the Romans (Livy 26.40).<sup>832</sup> His Numidians are repeatedly named treacherous both for the seizure of Agrigentum and their earlier declaration of neutrality, but such a charge relies on their having loyalty to a state rather than an individual.<sup>833</sup>

Sometimes, harsh treatment of mercenaries is praised by the historians. Philopoemen is recorded as ordering his men to spare none of the defeated mercenaries after the defeat of Machanidas.<sup>834</sup> Diodorus approves Dionysius the elder dismissing his Campanian mercenaries on account of their fickleness. Yet, at loose ends, these

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<sup>828</sup> Cf. Polybius 2.5.16 (see below) for another qualified objection to mercenaries.

<sup>829</sup> Trundle 2004, 37.

<sup>830</sup> A few examples: Diodorus, 14.65.3, 14.67.3, *inter alia* for Dionysius at Syracuse; 14.12.3 for Byzantium, 16.14 for Pherae

<sup>831</sup> Appian, *B Civ.* 1.42.

<sup>832</sup> Livy 25.40-41, 26.40, 27.5. See Polybius 9.22.4 for Hannibal’s entrusting Sicily to him.

<sup>833</sup> See Livy 26.40, 25.41.

<sup>834</sup> Polybius, 13.18.

Campanians sacked and took over the city of Entella.<sup>835</sup> Diodorus ignores the consequences of the actions when it suits him. With all these debates, it is unsurprising that the accounts of mercenary activity tend to reflect the authors' opinions. Some events are only mentioned in the first place as evidence to support the authors' statements.

The ancient authors repeatedly discuss aspects of treachery by mercenaries.<sup>836</sup> We have seen that the historians each have their own agenda in discussing them. For many, the accounts of treachery serve as a rationale for excluding mercenaries. Taken further, that very rationale leads to the fabrication of accounts of treachery as a means of justifying acts towards mercenaries.<sup>837</sup> For the most part, modern historians have largely accepted that mercenaries were unreliable, though this has some pushback recently. Presumably, this modern opinion is at least partially shaped by the reputation of the (much later) Italian *condottieri*.<sup>838</sup>

Mercenaries were attacked on grounds general and specific. In 468, the Syracusans revoked the citizenship that had been granted to Gelon's mercenaries, sparking a civil war. Diodorus offers two possibilities: that they were deemed simply unworthy or that the former mercenaries could not be trusted with the magistracies.<sup>839</sup> He finds the second more likely. Cato certainly has little good to say on mercenaries:

*Compluriens eorum milites mercennarii inter se multi alteri alteros in castris occidere, compluriens multi simul ad hostes transfugere, compluriens in imperatorem inpetum facere.*

“Often their mercenary soldiers kill each other in their camp, often they run off all together to the enemy, often they make an attack on their own general.”<sup>840</sup>

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<sup>835</sup> Diodorus, 14.9.

<sup>836</sup> Polybius 18.13-15 contains an extended discussion on treachery.

<sup>837</sup> While a number of the accounts of treacherous freelancers might be suspect, Polybius relates the account of Cleomenes as about to betray the Egyptians as an explicitly false charge by Sosibius. (5.35-39) See also the examples of the ‘letter trick’ below

<sup>838</sup> See Trundle 2004, 146-149 for some discussion and pointing out that ancient sources were somewhat less biased against mercenaries.

<sup>839</sup> Diodorus, 11.72.

<sup>840</sup> Cato, *Origines* IV. F81 (Cornell 2013 III, 206-207) = Gellius 5.21.17, Non. 87 M= 124 L. The context for the quote is the usage of *compluriens*. The original context of Cato's passage is probably concerning the Carthaginians, and the two most likely possibilities are a speech by a Roman general, or Cato's commentary on the events of the Mercenary war. See Cornell III, 129 for commentary.

This trifecta of treachery might be more artistic than historic, yet Cato's prominence indicates that this was an entirely conventional view. Polybius also has nothing good to say about Nabis's mercenaries: "and they were murderers and corpse-defilers, clothing-thieves, and burglars (οὔτοι δ' ἦσαν ἀνδροφόνου καὶ παρασχίσται, λωποδύται, τοιχωρύχοι).<sup>841</sup>

Polybius warns (2.5.12) that one should never have a mercenary force stronger than one's own, using the Epirote example (of 231 BC) as a negative *exemplum*. Here, he criticizes the Epirotes also for trusting Gauls/Galatians.<sup>842</sup> Later, Polybius criticizes the Egyptians (possibly just the Alexandrians) for always maintaining a foreign mercenary force.<sup>843</sup> The treachery of the Celtiberians is mentioned repeatedly.<sup>844</sup> All of these examples are meant to illustrate the wisdom of Polybius on mercenaries. He regards mercenaries as highly-skilled specialists whose employment should be strictly limited. This is not to say they are not useful, for he criticizes Elis for not making use of mercenaries.<sup>845</sup>

Polybius, on the beginnings of the Mercenary War, admonishes the reader to take this event as an object lesson as to "what sort of things those who make use of mercenary forces should foresee and guard against"<sup>846</sup> Even more prescriptive is his comparison of Roman and Carthaginian military systems (6.52), where he asserts that the Carthaginian reliance on mercenaries for their infantry gives the Carthaginians little staying power in war.<sup>847</sup> While the outcome in history might give this some weight, Polybius exhibits a clear bias. Furthermore, it appears to be, even for the Romans, standard practice for states to specialize in a role and acquire specialists from other states for other roles.

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<sup>841</sup> Polybius 13.6.4. The terms are pretty specific. Παρασχίσται were men who a) stole corpses to sell to doctors for research or b) cut up the bodies to see if any valuables were swallowed, λωποδύται were men who stole clothing while you bathed, and τοιχωρύχοι were men who dug a tunnel or broke through a wall to get into a house. The overall effect is that these were men who would stop at nothing.

<sup>842</sup> Polybius uses the same word for Gauls, Celts and Galatians. In this case it is probably the latter. For some discussion of the episode, see Wilkes 1992, 158.

<sup>843</sup> Polybius 34.14.

<sup>844</sup> Polybius 10.6.2 (a speech by Scipio), 10.7.1.

<sup>845</sup> Polybius 4.74.5.

<sup>846</sup> Polybius, 1.65.6: ...ἐπιγνοίη, τούς τε χρωμένους μισθοφορικαῖς δυνάμεσι τίνα δεῖ προορᾶσθαι καὶ φυλάττεσθαι

<sup>847</sup> As noted in Chapter 1, [Aristotle] discusses this type of affair also (*Oec.* 1347b-1353b)



Accordingly, Polybius asserts an ethnic superiority in bravery for the Italians to explain the Roman defeat of the Carthaginians at sea (their chosen specialty).

Eckstein argues that Polybius's fear of mercenaries stems from a belief that they disrupt his orderly society.<sup>848</sup> Furthermore, he argues that Polybius saw mercenaries as being innately criminal. In his 'universal' history, Polybius has explicitly described his agenda as it concerned loyalty and responsibility to the state. This notably colors his views on the matter, even though they would not have matched the views of some of his favorite statesmen.<sup>849</sup> Nevertheless, Polybius expresses a definite preference for citizen troops, but does not engage in a complete dismissal of the utility of mercenaries and frequently he is more even-handed toward them than other historians.

Livy's disdain for mercenaries may come by way of Polybius or may be his own. He is ill-disposed toward the Celtiberian mercenaries that Scipio hires, and expects Hannibal's mercenaries to turn on him.<sup>850</sup> The real disdain for these forces finds expression in his praise of Hannibal's knowledge of his limitations by putting the untrustworthy scum of seasoned mercenaries in front of the trustworthy and untried Carthaginian citizens.<sup>851</sup> Polybius (15.16) presents the same battle plan, yet the rationale for the tactic is completely different, with the mercenaries and the Italian veterans hemming the Carthaginians in to force them to fight.<sup>852</sup> Appian's account follows Polybius, while Frontinus's follows Livy.<sup>853</sup> In this way, differing accounts reveal the differing aims of the historians.

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<sup>848</sup> Eckstein 1995, 125.

<sup>849</sup> Philopoemen, most obviously. His description of the Scipios' Iberian mercenaries is perhaps uncharacteristically cagey.

<sup>850</sup> Livy 24.48, 28.24-30 for Scipio's mercenaries cf. 24.18, for Hannibal's see 22.43, 28.44, 29.3 cf. 26.43.

<sup>851</sup> Livy 30.35.6-9: *elephantos in prima fronte, quorum fortuitus impetus atque intolerabilis vis signa sequi et servare ordines, in quo plurimum spei ponerent, Romanos prohiberent; deinde auxiliares ante Carthaginiensium aciem, ne homines mixti ex conluuione omnium gentium, quos non fides teneret, sed merces, liberum receptum fugae haberent, simul primum ardorem atque impetum hostium excipientes fatigarent ac, si nihil aliud, vulneribus suis ferrum hostile hebetarent; tum, ubi omnis spes esset, milites Carthaginienses Afrosque, ut, omnibus rebus aliis pares, eo, quod integri cum fessis ac sauciis pugnarent, superiores essent; Italicos intervallo quoque diremptos, incertos, socii an hostes essent, in postremam aciem summos.*

<sup>852</sup> See also Polybius 15.13.3-5 where the battle plays out so as to make this necessary and Livy 30.34, where the battle likewise is described as to confirm Livy's treatment. The events are the same, but the soldiers' motivations are utterly different.

<sup>853</sup> Appian, *Pun.*, 40. Frontinus, *Strat.*, 2.3.16

Another example occurs in the accounts of the Mithridatic Wars. According to Plutarch, the Romans pursuing Mithridates left off pursuit to plunder the treasure carried by one of his mules, a great example of Roman avarice.<sup>854</sup> In Memnon's account, however, the 'Roman' pursuers were Galatian mercenaries employed by Lucullus.<sup>855</sup>

Many of the historians insisted that certain groups were treacherous (Aetolians, Galatians, and Cretans for Polybius) while others had definite ideas about how much power should be given to any particular individual.<sup>856</sup> Some of these peoples are 'naturally' deceitful.<sup>857</sup> So Cato names the Ligurians: *sed ipsi,...inlitterati mendacesque sunt et vera minus meminere* ("but they...are illiterate and liars and they recall the truth less").<sup>858</sup> Such an accusation is also levied against the Aetolians and most famously, the Cretans.<sup>859</sup> It can at times be difficult to pinpoint the root of the accusations against mercenaries, as ethnic stereotypes are so inextricably bound up in them.<sup>860</sup>

Rhodian freelancers were regarded as uniquely reliable. In some ways, this is an argument of omission. When mercenaries are treacherous, they never appear to have had a Rhodian at the head.<sup>861</sup> Rhodian mercenaries also appear most commonly as generals and as skirmishers, very rarely as hoplites. Is this reliability grounded in Roman opinion of Rhodes (generally favorable)? That may have helped, but this reliability also clearly

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<sup>854</sup> Plutarch, *Luc.* 17.5-6.

<sup>855</sup> Memnon, 30.

<sup>856</sup> For Aetolians, see Polybius 2.3.3, 2.4.6, 2.43-49, 4.3.1, 4.3.5, 4.7.8, 4.16.4, 4.18.11, 4.67.4, 4.65.1ff., 5.9, 5.11, 9.34, 9.35.6, 9.38.6, 18.34, 30.11 see also Livy, 34.49.5.

For Cretans, see 4.8, 4.11, 6.46-47, 8.16.4-5, 33.16.4-5, see also Livy 45.6.

For Galatians, see Polybius 2.5.16. The Galatians of 30.3ff are lacking rules rather than breaking them. Despite being accused of plundering and banditry by Attalus and Eumeles, the Romans were happy to ally with them so long as they obeyed the rules the Romans set down. It should also be noted that Polybius does not draw a distinction between the Galatians and the Gauls (for example, those serving with Hannibal).

Note also de Souza 1999, 74.

<sup>857</sup> See Livy 34.4.9.5 and 45.6

<sup>858</sup> Cato, *Origines* II. F34b (Cornell 2013 II, 176-177) = Serv. Aen. 11.715-717. See also F34 b (= Serv. Aen. 11.700-701): *Ligures autem omnes fallaces sunt*. The relevant passages of Virgil, featuring a lying Ligurian, may also be of some interest. Cornell, (III, 81) indicates that the deceitful reputation of the Ligurians in Cicero and Ausonius (Cic., *Sest.* 69; *har.resp.*5; Aus., *Technop.* 10.23) may come from Cato.

<sup>859</sup> For Aetolians, see the above-mentioned Livy 34.49.5.

<sup>860</sup> Dubuisson 1990, 82-3 provides an interesting discussion of ethnic stereotypes

<sup>861</sup> The example of Mentor in Sidon (Diodorus 16.42-45) has the Rhodians betray Sidon to the Persians, but only at the command of their employer, Tennes, who thought he could remain in power in Sidon by switching sides. Tennes was killed, but the Greeks entered the employ of Artaxerxes (Diodorus 16.47-52.

predates Roman involvement in the east. The Cretans, as mentioned before, were particularly untrustworthy. Livy (45.6) tells us the story of a Cretan by the name of Oroandas hired to transport Perseus to Cotys, but took the money and fled without Perseus. Nepos informs us that Hannibal, in fleeing the Romans, successfully deceived the Cretans who wanted to rob him.<sup>862</sup> Polybius claims Nabis was in league with the Cretans.<sup>863</sup> Polybius's hero, Philopoemen, spent at least 15 years in Crete, probably as a mercenary, but Polybius is strangely silent on this period.<sup>864</sup>

We also see hiring practices on the basis of ethnicity. The elder Dionysius relied on Italians and Italian Celts while the younger Dionysius and Dion relied on Greeks.<sup>865</sup> This sort of ethnic preference may have been rooted in availability, but more likely had other causes. The agreed-upon payment might have included land or plunder, stipulations that have definite foreign and domestic policy implications. If trust was an issue, the employer's trust was probably a bigger factor than the employees' trustworthiness. Expelling and replacing a predecessor's mercenaries was a logically cautious move. Nevertheless, the Syracusan tyrants tended to each have their own preferred group.

The historians exhibit an expectation that mercenaries would turn coat at the right time. In his account of the Hannibalic War, Livy expects Hannibal's mercenaries to desert him, especially the Iberians (*maxime Hispani generis*).<sup>866</sup> Mithridates hired pirate mercenaries to fight Rome, and in one instance, when Mithridates trusts his person to them, Plutarch displays a two-fold shock, both that he would so entrust himself, and that he arrived safely.<sup>867</sup> Thus the expectation of treachery was so great that its absence was even worthy of comment. In Memnon's account, Seleucus (the leader of the Cilician

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<sup>862</sup> Nepos 23.9-10. The story incidentally has the effect of emphasizing just how deceitful Hannibal could be.

<sup>863</sup> Polybius, 13.8.2. cf. 13.6.8.

<sup>864</sup> See Errington 1969, 27-28. The years in question are 220-210 and 200-194 BC. Errington also points out that the loss of his biography of Philopoemen may serve as a partial explanation (i.e. Polybius chose not to repeat himself).

<sup>865</sup> Westlake 1994, 699, 708.

<sup>866</sup> Livy, 22.43.

<sup>867</sup> Plutarch, *Luc.* 13.3: μετεμβάς εις ληστρικόν μυοπάριονα και τὸ σῶμα πειραταῖς ἐγχειρίσας ἀνεπίστως και παραβόλως εις τὴν Ποντικὴν Ἡράκλειαν ἐξεσώθη

mercenaries) was also portrayed as both foiling an attempted betrayal of Sinope and as trying to betray the city himself.<sup>868</sup>

The expectation of treachery also left other mercenaries bereft of any side to fight on. There are numerous examples of what I call ‘the letter trick’. Simply put, a commander writes a false message to the enemies’ mercenaries/auxiliaries ‘confirming’ the details of a treacherous plot wherein the mercenaries would change sides. Then the letter is sent in a manner that would make it sure to be intercepted. With this ‘proof’ of treachery, the force in question is dismissed, thus weakening the enemy, just as the commander had hoped. Iphicrates once sent a fake message to two thousand turncoat Athenian mercenaries, implying that they would change sides at the right time. The Lacedaimonians with whom they had joined thus sent them away.<sup>869</sup> Dionysius did the same in Sicily to get the Carthaginians to dismiss all their Greek mercenaries.<sup>870</sup> Lycus dismissed Andron after the ἀρχιπειράτης had delivered him Ephesus. When Polyaeus records this, he agrees that Lycus could not depend on them.<sup>871</sup> Overall, this stratagem may be an inverted variant on Xenophon’s ψευδαυτόμολοι.<sup>872</sup> Another variant calls for fake deserters, again, often mercenaries, to deliver false news of the general’s plans.<sup>873</sup> The effectiveness of the ploy and its variants speaks volumes as to the general perception of mercenaries.

The trick can even work in both directions. Livy (24.31) shows the letter trick being used by Hippocrates to turn the mercenaries against the Syracusan commanders, when the Cretan mercenaries intercept a false plot: to side with Rome and kill all the ‘untrustworthy’ mercenaries. Believing their employers out to murder them, the Cretans turn against them. This ploy, and the expectation that the ploy will be believed, are doubly interesting; first, the letter itself states that the mercenaries are untrustworthy and

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<sup>868</sup> Memnon, 37.

<sup>869</sup> Polyaeus, *Strat.* 3.57.

<sup>870</sup> Polyaeus *Strat.* 5.2.17.

<sup>871</sup> Polyaeus *Strat.* 5.19....τῆς πόλεως αὐθοῦς ἀπέπεμψαν τὸ ἄπιστον αὐτῶν περὶ τοὺς πρώτους φίλους οὐκ ἀσφαλῆς ὑπαρχειν ἠγούμενοι. ‘...he sent them from the city, thinking they would not be safe because the pirates were faithless to their former friends.’

<sup>872</sup> *Hipparchikos* 4.7, simply put: καὶ ψευδαυτόμολοι δ’ ἔστιν ὅτε χρήσιμον. This is the practice of having some of your own soldiers pretend to switch sides.

<sup>873</sup> One example of this is recorded at Diodorus 19.26

second, the letter suggests the leaders should execute all the mercenaries, which the mercenaries believe. Both employee and employer are thus implicated as being potentially treacherous.

### **Mercenaries, Manpower, and Toleration**

At this point, I believe that there is a clear disconnect between history as described by the historians and historic practice when it comes to the issue of contingent manpower. The historians largely advise avoidance or caution in the use of such forces. Nevertheless, mercenaries are employed in great numbers, and in several cases it appears that demand outstrips supply. The distaste, distrust, and disdain towards mercenaries had minimal effect on their employment. Perhaps the employ of freelancers was grudging or accompanied by a desire to replace them, they did not go away.<sup>874</sup>

It is rare that any ancient author comments on the general quantity of available mercenaries. The Persian king, Artaxerxes, is said to have contemplated calming the Greek wars on the mainland in the hopes that he would be able to hire more of them as mercenaries.<sup>875</sup> This supports my argument in the previous chapter that peacetime produced more mercenaries than defeats and exiles. Whether it is the belief of Diodorus or his interpretation of what Artaxerxes believed scarcely matters. The important aspect is that someone in antiquity recognized that there was a form of contingent manpower market directly affected by international conflicts.

The freelancers underwent redefinition. Functionally, what was the difference between a mercenary and a Roman auxiliary but the terms of employment? The gradual change of the role of soldier from a temporary profession to a permanent one meant that the at-large-warrior was already being gradually afforded a legitimate status within the system.

The role of poverty in mercenary and bandit activity is fairly unassailable. The extent of that role, however, is open to debate. Some of the historians may err in leaping to poverty immediately as a sole cause. While the role of poverty as a cause of piracy is

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<sup>874</sup> See Trundle 2004, 72-79 for demand for mercenaries in the Hellenistic Period.

<sup>875</sup> Diodorus 15.38.

repeatedly mentioned, far less often noted is the role of poverty in contributing to the numbers of mercenaries and indeed, the general enlistment of soldiers in any capacity. The importance of mercenaries to military manpower (and vice versa) is clear. Predominantly, both groups come from the same pools of people. Certain areas thus became famous for providing surplus manpower. That manpower could make itself known via state-sponsored military activity, mercenary service abroad, or piracy.

While recruitment or conscription allowed the state to make use of its own manpower, 'mercenary recruitment' seems principally reserved for the state's use of external manpower. Actions in wars often appear designed to take control of manpower pools. One of the problems with keeping such a pool of manpower, however, was maintaining its population, wealth, and experience without employing it constantly.

While some argue that Athens or the Pontic kings attempted to put an end to piracy, the Rhodian state is the only state of the Hellenistic period that can really be shown to try to combat piracy above and beyond simply protecting their native shipping. One might well ask why the much larger states like the Successor kingdoms or the other Greek leagues did not try to do this. Part of the answer is portrayal: one's own citizens are soldiers, while the other states' are pirates. The primary answer, however, is that they were too valuable as a reserve source of military manpower and experience.

As the Galatian evidence shows, the Hellenistic states were not adverse to making common cause with a recent enemy and hiring them.<sup>876</sup> The professional warrior was a valuable commodity and would not be held accountable for the sides chosen (though the commander might). That value was most noticeable in the premiums in land, cash, or citizenship offered Greek/Macedonian hoplites/phalangites by Egypt and Syracuse. The desire to cultivate a local infantry force was notable, as was the apparent lukewarm success of both states in so attracting new citizens.

Most at-large warriors found the calling of mercenary preferable to that of pirate. All other things being equal, the non-Greek freelancer was less likely to achieve

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<sup>876</sup> While I use the Galatian example here, the Galatians were not unique, and the evidence for hiring bands of Thracian, Illyrian, Cretan, Rhodian, Boeotian, Athenian, or Spartan warriors for similar activities suggests that this was a norm, not an exception.

mercenary employment and more likely to resort to self-employment, i.e. piracy. Generally, however, the illegitimate activities of freelancers in the Hellenistic world were grudgingly tolerated. Maintaining the freelancers would break the bank, chasing them off or killing them would eliminate a potential resource for the state. The best solution, though rarely achieved, was to encourage them to seek employment abroad while still maintaining a prior claim on their services should a need materialize. The second best solution was to gain individual immunity from the freelancers' activities. These two solutions explain perfectly the treaty situations we see appearing in the Aegean in the fourth-second centuries.

The Roman evidence for military manpower recruitment provides a far different picture that nevertheless makes the same point. The Roman system of requiring allies to contribute manpower meant the Romans could field armies far larger than the citizen body would allow, even if numerically, the Romans provided a larger percentage of the force. As Rome expanded, so did both their citizen manpower pool and their allied manpower pool.<sup>877</sup>

The Romans initially followed Carthaginian practice and made use of the same liminal groups as mercenaries and as a supplemental manpower pool. For example, in Spain from the beginning of the second Punic War onward, mercenary troops were a very important addition. Likewise, in Anatolia at least up to the second war with Mithridates, the majority of troops were allies or locally recruited. This practice, however, was gradually discontinued. There may have been a realization that the mercenary manpower pool was of both more use to Rome's neighbors (who did not have the internal manpower pool the Romans possessed) and was more easily accessed by Rome's neighbors, who had the financial wherewithal to win bidding wars. To control the contingent military, therefore, Rome had to conquer it. In most cases, even simply eliminating this resource was ultimately beneficial to Rome. Thus the wars against certain 'piratical peoples'

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<sup>877</sup> See Brunt 1971, *passim*, but esp. chapters 6 and 13 (which draws heavily on the Cisalpine evidence). Brunt also points out (e.g. 87) that allies and auxiliaries imported fewer slaves and were therefore more directly tied to the land than their Roman counterparts.

served to deny naval auxiliaries to states that had previously relied upon accessing these forces.

And upon becoming subjects of Rome, the freelance warriors of various tribes and cities could be provided, as part of the treaty obligations, to serve Rome. This works because many of the individual bands *did* have ties to a state and could not simply migrate elsewhere. Those less tied down or with their city destroyed might well be at loose ends and move elsewhere, a circumstance I believe I have accounted for, and one that, I believe explains some of the proliferation of campaigns in small areas.

This all works together if one accepts that controlling the manpower pool was a fundamental motive of Roman warfare (conscious or not). The modern historian thinks of controlling territory, of drawing lines on a map. The ancient Romans thought of territory second, but of controlling peoples first. Thus a campaign that seized territory but could not catch the people was less effective than one in which the people were captured and deported but the territory itself was left alone (see the Ligurian and Sardinian campaigns for evidence).

In the Hellenistic World, groups of freelance warriors on the fringe of society were tolerated because they provided a ready source of professional experienced warriors for the next inevitable round of civil wars. There was no profit in destroying these groups. If they actually posed a threat, they could be bought off. This may even have been more affordable than maintaining one's own standing armies. Initially, the Romans acted little different. They tolerated their own citizens' and subjects' raiding and were fine with accepting the proceeds. The major difference, however, was that there was no secondary motive to keeping the freelance warriors around. The Romans maintained an alternate system for the acquisition of military manpower.

In controlling military manpower, the Romans caused another problem for themselves, exemplified in a well-known comment of Polybius: that the Romans embarked on a war largely because they feared their forces had gotten out of practice.<sup>878</sup> This practice had been not only provided by the troops campaigning and then passing their skills down through the ranks, but also by individual initiative, especially that of the

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<sup>878</sup> Polybius 32.13.



allied forces. Through combatting the problems posed by freelance warriors, the manpower over which the Romans held their monopoly became more inexperienced.

As far as the activities of the petty monarchs, again, the Romans appeared perfectly willing to abide by their actions so long as they didn't cause problems. If they did cause problems, conflicts occurred. In recording earlier conflicts, the historians, being aware of the scale of the problems in the first century, naturally found the issue of piracy or banditry a more appealing rationale. To do otherwise was to lay undue criticism at Roman feet. Moreover, recording a different historical policy would fail to provide a suitable example for future generations of statesmen.

Despite a philosophical conflict in their understanding of the nature of freelancers, Roman and Hellenistic policy towards freelance warfare, that is, piracy, both appear to have been fundamentally pragmatic. Even the Rhodians might tolerate piracy against their enemies.<sup>879</sup> Immunity from piracy, not elimination of piracy, was the object sought.

### **Conclusions**

While certainly there were objections made to piracy on a moral level, on a political level, those objections were relatively unimportant. Roman and Hellenistic approaches to piracy were rooted, on average, in controlling an edge in exploitable manpower. The root defining characteristic of the *praedo* or the *leistes* was the taking of something by force, yet theft and force were not at all the most objectionable traits of the freelancer. Rather, the pirate was conceived of as a figure that refused higher authority, and, lacking that authority, lived a life of anarchy and disorder in all respects, including in military engagements. The mercenary freelancer was little better: imagined as a pirate only temporarily reined in by state authority.

Thus, losing to pirates, mercenaries or other groups of freelancers appears shameful because the freelance group, perceived of as lacking the necessary order and discipline of a state force was naturally weaker. The real band of freelancers, on the other hand, did not lack such discipline of necessity, and indeed, by dint of greater

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<sup>879</sup> See de Souza 1999, 89.

experience, was often more disciplined than their foes. This experience, after all, is what led the Hellenistic monarchs to recruit Greek mercenaries for their wars in the East.

It appears more accurate to view pirates as unemployed mercenaries rather than mercenaries as employed pirates. *Contra* Trundle's argument that a distinction *must* be made between *misthophoros* and *leistes*, such a distinction does a real disservice to the understanding of the freelancer.<sup>880</sup> This condemnation of the freelancers has had lasting effect.

The assumption that the bandit or mercenary was intrinsically stateless is a false one. Some certainly were. Others might formally lose citizenship status through becoming a freelancer. Nevertheless, it is plain that even under the Roman empire, many soldiers retained ties to a land, city or state, and those ties were used to control them, however tentatively. The role of the freelancer was deeply affected by economic and political forces, and the Roman 'elimination' of piracy was due more to constant Roman campaigning providing legitimate employment to warriors who might otherwise become freelancers.

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<sup>880</sup> Trundle 2004, 23.

## Conclusions

I set out to show that the categories of mercenary, bandit, and pirate were rather artificial constructs better understood as variants of a single category: that of the freelancer. The freelancer, in turn, held a status in society that was substantially affected by both contemporary and later representation. The nuances in portrayal meant an individual freelancer or a band of such freelancers could get differing receptions depending on how they were described. While the excesses of the freelancers' actions are often criticized, the real point of contention is that their actions are not constrained by a higher authority.

The fundamental goal in ascribing piracy to anyone is to establish their actions as lacking legitimacy. By other standards, those acts may be legitimate or illegitimate. The existence of genuinely villainous pirates should not be doubted. The goal of the rhetoric, however, is to hang this deserved reputation upon other foes. When the rhetoric was believed, the freelancer became less able to engage with legitimate powers because of the reputation gained.

In the background history (cc. 1-2), I established that freelancers were often not rejected by their contemporaries. Many of the historians recording such outright rejection misinterpret earlier history by the standards of their own day, or reshape it intentionally to fit the didactic purpose of the work. Earlier historians, such as Xenophon or Thucydides, reflect a more nuanced and pragmatic view of freelance raiding, while still expressing serious reservations about widescale employment of them. While it is clear that the historians disliked freelancers, it is also clear that kings and politicians found ample use for them.

Secondly (cc. 3-5), I detailed the representation of foreign groups and traditional enemies as bandits, the similar depiction of slave revolts, defeats by 'illegitimate' forces, the shifting Roman perception of freelance warfare, and the portrayal of foreign enemies as illegitimate for domestic political advantage. The evidence shows that 'bandit-terminology' was widely used for political attacks on both individuals and groups. Being defeated by such illegitimate forces was shameful, but defeating them could lead to high

military honors. Indeed accusations of banditry could be used as a means of provoking a campaign from which a campaign might be wrested. In regards to their interactions with freelancers, the activities of certain central figures, most notably Mithridates and Pompey the Great, hold notable similarities to the Hellenistic monarchs of the second and third centuries. Lastly, I argue that the disappearing freelancer can be detected appearing within the Roman ranks in the first century.

In the last chapters (cc. 6-7), I make arguments that are more historiographic. There I establish again that state control of warriors and plunderers is more important than actually policing their conduct. That is, the theoretical ability to rein them in stands more prominently than actually preventing any pillaging. I discuss the different purported causes of piracy to indicate that the historians followed one of two general beliefs concerning the existence of piracy: either piracy had a root economic cause or a root (im)moral cause. Upon further exploration, this same understanding could be extended to mercenaries. The historians' biases naturally led to anti-bandit invective being heaped upon their foes, while evidence that the freelancers in question were working well within the norms of their own state was set aside. The historians unconsciously uncover the historic trend to employ professional soldiers and control key areas from which soldiers could easily be recovered.

This study has focused on episodes of the second and first centuries. Certainly more could be done through a more thorough examination of Cicero's rhetoric toward his political enemies or the propaganda surrounding the struggle between Octavian and Sextus Pompey, both issues I allude to but do not bring into full detail. I suspect such detail would merely emphasize the issues I have already highlighted: political enemies were portrayed as bandits to make their activities seem illegitimate and convince others not to work with them. I would expect these conclusions to be testable for the Principate as well. Beginning with Augustus, the emperors would emphasize their role in ending banditry.<sup>881</sup> Like provincial governors in the Republic, they found suppressing banditry to be a way of establishing prestige and legitimacy through military action against an indefensible foe. No one could object to the defeat of bandits. The shift towards the

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<sup>881</sup> See Laurence 1999, ch13 for Augustus.

professional mercenary army employed by the state continued and it is perhaps telling that imperial bandits often have their beginnings of as army deserters. In a way, for most of the Mediterranean world, there became a single legitimate employer for the violence-specialist, which created an entirely new dynamic.

As far as modern implications of the research, there are certainly parallels to be drawn between ancient and modern piracy, or between piracy and terrorism. These connections have not been missed, and several recent articles have drawn parallels between ancient and modern piracy or, more recently, terrorism.<sup>882</sup> Others have examined modern takes on ‘public’ vs. ‘private’ violence in the cases of corporations such as Sandline International.<sup>883</sup> Is it worthwhile to examine these freebooting bands of individuals in search of a solution to modern counterparts? In my opinion, the answer is both yes and no. The problem with a quick examination is that it grasps at sometimes superficial similarities without regard to the social context. Thus we might see a one-line reference to Pompey’s success in the argument for a policy precisely the opposite of Pompey’s. Nevertheless there have been a number of attempts at a solution.<sup>884</sup> In some cases of comparisons, we see the state’s desire for a monopoly on violence operating in the face of a functional inability to actually acquire that monopoly.

The tactic of portraying the enemy as illegitimate, however, is fundamentally unchanging. In the early 21<sup>st</sup> century, the word ‘terrorist’ bears a knee-jerk negative meaning. In many cases, it has stopped being a functional definition in favor of becoming a broad designation of villainy. Designating someone as a ‘terrorist’ or ‘suspected terrorist’ today functionally removes the societal protections the same way a designation of ‘pirate’ did 2100 years ago. In theory, anyone could be so named, regardless of actions taken. In reality, such a designation would not usually be taken as credible without some sort of evidence or a widespread lack of support for the pirate/terrorist.

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<sup>882</sup> For (a few) such see Bolich 2006, Harris 2006.

<sup>883</sup> For a small sampling, see Owens 2008, Shearer 1998, Enion 2009.

<sup>884</sup> See for example, such works as Thomson 1994, Mabee 2009, Puchala 2005.

Everyone in the modern day wants to be anti-terrorist. In the same way, I argue, all Romans wanted to be anti-pirate. This is simultaneously excluding a group and fostering unity within the non-excluded. This is the most convenient type of enemy. Furthermore, once so designated, the normal terms of engagement and legal action do not apply. Cicero's opinion makes that fairly clear: 'no oath to a pirate need be kept'<sup>885</sup> For the modern period, suspicion of planning to provide material support to a terrorist is a jailable offense.

In light of all this, we might well argue that Demetrius, Mithridates and Pompey had discovered a simple and effective way of removing piracy: through employment (to put it nicely) or bribery (to be less nice). This is a functional realization of the economic causes and motivations of piracy, and so long as the underlying cause has economic roots, this will work. It may remain to be seen whether this is the case for modern counterparts. Motivations are difficult to disentangle. Cultural and religious motivations may mingle with the economic.

The rhetoric about illegitimate warfare shaped both the freelancer and society. As far as imposing societal rules, it encouraged freelancers to work within the system—though that did not necessarily remove the freelancer's stigma. The portrayal of the freelancer or the enemy combatant as 'bad' also allowed more easily the portrayal of one's own state as 'good'. As Clark recently pointed out, Roman society "required an exquisitely careful rhetoric of war" to flourish, and indeed, to function in the way it did.<sup>886</sup> That rhetoric was applied concerning allied and enemy combatants alike. Nevertheless, amid the flurry of accusations and stereotypes in the sources, it can be possible to lose sight of the 'real' freelancers and the 'purported' freelancers. Real freelancers certainly existed. Sometimes a pirate is simply a pirate.

Overall, I have argued that, in the Ancient Mediterranean, those in charge largely ignored bandits and pirates unless they were directly affected. And they did this because they knew that the 'at-large warrior' was both the mercenary in wartime and the pirate in peacetime. Ignoring their piratic actions was a tradeoff for not having to support them in

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<sup>885</sup> Cicero, *Off.*, 3.107.

<sup>886</sup> Clark 2014, 213.

times of peace. They thus formed a backup pool of manpower to be drawn upon when necessary. The freelancers' impact on Mediterranean warfare became undeniable by the fourth century, though it had been growing for years. The reaction of the powers-that-be in the Mediterranean World was to establish some control over the supply of freelancers, often by limiting access to these freelancers. There were also increasing efforts to enroll them as non-freelancers, often through land-grants.

For the Romans, it became more complicated. The Roman system took a different approach to acquiring manpower. Allies were obliged to contribute sizable contingents to Roman forces. Thus existence of a flexible pool of manpower, regardless of employment, was of lesser use to the Romans and could be eliminated. There was initially, however, no attempts to stop piracy or to stop allies from hiring pirates. The Roman decision to eliminate piracy was founded upon strategic goals, not moral ones.

This combination partially explains, the prevalence of piracy in the Mediterranean as well as the incongruities evident for the praise of the Romans ending it in the first century. The multiple roles of the people who performed piracy meant that pirates could change jobs, so that the elimination of piracy was never a main concern. The Roman efforts of the first century were partly determined by rhetoric bent on proclaiming lofty goals; they were also a more forceful attempt to control piracy than had been tried before. If we consider pirates to be illegitimate violence-professionals, the quickest way to eliminate them was simply to put them under the command of someone with legitimate authority. This does not change their organization, methods, or morality, but for ancient purposes, 'legitimate' leadership was of the greatest importance. Simply put, for the Roman perspective, it does not matter how well the dog is trained as much as whether the dog is leashed.

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## Appendix 1. The Boundaries of Cilicia

Cilicia, most famous as homeland of the pirates, is a land that appears with regularity in this work. Since the province changed so frequently and had such ambiguous boundaries, it behooves me to go into some further detail here. First off, Cilicia was a province with a very limited lifespan. First designated as a command in 102 BC, for the praetor *pro consule* Marcus Antonius Orator, it was eliminated by the late forties or early thirties BC, with its territory thence divided and distributed to several provinces. Between its annexation from Egypt and return, the island of Cyprus was attached to this province. At points the Pamphylian territory was given to the Galatians and various parts of Lycaonia, Isauria or Cilicia Tracheia to Cappadocia, while during the empire at different points Cilicia reemerged as a province or was established as a client-kingdom.

Defining Cilicia is difficult, and often almost tautological. Roman Cilicia was the area the Romans controlled and called Cilicia. The reasons for this lie partially in lack of evidence, partially in inconsistent nomenclature, but more importantly, in frequently shifting boundaries and the use of the term Cilicia for territory not under Roman control as well. The borders have never been well-defined, and it takes considerable guesswork to surmise with any degree of accuracy.<sup>887</sup> The Roman province rarely corresponded to the same boundaries as the Persian satrapy (which did largely comprise the territory ‘normally’ thought of as Cilicia. The terms Cilicia Pedia and Cilicia Tracheia (‘Plains’ and ‘Rough’) are frequently used by archaeologists to talk about the area, but frequently did not correspond to political boundaries.<sup>888</sup>

Cilicia was a land of Hellenized Anatolians more than a land of Greeks. The Greeks had settled in Cilicia much later than in other parts of Anatolia.<sup>889</sup> This can serve as something of a negative definition. The first references to Cilician territory are not references to Cilicia. Vulso, in prosecuting the war against Antiochus, led troops east of Caria and Lycia and towns such as Cibyra and Aspendus were plundered. After Apamea, Rome entered treaties with the city of Cibyra (in the 180s),<sup>890</sup> marking an expansion of Roman influence, if not necessarily Roman control. Despite what influence Rome may have had in southern Anatolia, it had little interest in it. Strabo’s assertion of Roman disinterest in Cilicia is only strengthened by the near-absence of second-century Latin inscriptions or references to Rome in the Bay of Pamphylia and eastwards. The first evidence of Roman involvement is the campaign of Antonius Orator beginning in 102.<sup>891</sup>

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<sup>887</sup> See Freeman 1986, 257, summarizing the work of others, most notably Syme 1939. Syme calls Cilicia ‘the most ambiguous of terms’ (299).

<sup>888</sup> *Contra* Bing 1998, 50-51, who attempts to clarify Nepos (*Datames*) by arguing for Roman Cilicia being split along these lines. While Bing is correct in saying that Nepos intends no diminishment of the satrapy in question, the clarification of Nepos is almost certainly because his first-century readership were well aware of the rapid changes to Cilicia. (The *Datames* was probably written after Cilicia’s dismantling in the 30s)

<sup>889</sup> For Greek settlement in Cilicia, see Graham 1982, 92-93 for the Archaic Period (in which there was next to none) and Mellink 1988 for later periods.

<sup>890</sup> For Cibyra, see OGI, 762, Magie 1939, 178-179

<sup>891</sup> For details of this campaign, see chapter 4.

The earliest reference to Cilician territory as a Roman possession is in the *lex de provinciis praetoriis*, passed around 101 or 100. Therein, it is mentioned that Lycaonia and Cilicia were Roman possessions. It does not necessarily follow that they were provinces. Indeed, Lycaonia was attached (at this time) to Asia.<sup>892</sup> By omission, it appears as though Cilicia was not attached to another province though and was a province itself.<sup>893</sup> Here, Roman Cilicia is naturally assumed to be the territory conquered by Antonius Orator 102-100, but should also include some of the Pamphylian territory annexed by Pergamum and then inherited by Rome. At this point Cilicia probably included none of Cilicia Pedia, and perhaps none of Cilicia Tracheia either. The initial territory probably included a swath of territory south and west of Iconium down to the region around Side and Aspendus, enclosing principally area normally thought of as Pamphylian.<sup>894</sup> Antonius does not appear to have successfully linked the two (if he even tried to do so), as Vatia claims this honor twenty years later. Attestations of Pamphylia in Roman sources must also be scrutinized, as they may refer to this province.<sup>895</sup>

Between 100 and 78, we know very little about developments in Cilicia. Sulla reorganized the two provinces of Asia and Cilicia, and at this time, more territory inland from the Bay of Pamphylia appears to have been held by Rome. If Sulla's 92 (or 96) command was chiefly in Cappadocia and Commagene, then the question of how he accessed it is an interesting one.<sup>896</sup> The average reader probably assumes a straightforward northward march out of Cilicia Pedia and through the famous Cilician Gates, but there is no evidence that this was Roman-controlled at the time. Far more likely is an arrival in either Asia or eastern Lycia, and a march through Pamphylia or Lycaonia. Similarly, we know little of Quintus Oppius, who held Cilicia in 88, but Appian reports him with 40,000 men in the mountains of Cappadocia at the outbreak of the First Mithridatic War.<sup>897</sup> How he proceeded to Cappadocia remains a mystery, but he was captured at Laodicea, perhaps suggesting that Cappadocia was conceived of as ending much further west.<sup>898</sup> Alternatively, one might suppose that Cappadocia extended to the sea and that eastern Cilicia was actually considered Cappadocia. Such is suggested

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<sup>892</sup> Lycaonia, while itself possessed of flexible borders, invariably appears to comprise the city of Iconium and the surrounding territory.

<sup>893</sup> See Sherwin-White 1976, 6 ff. for arguments against Cilicia being separate from Asia.

<sup>894</sup> From the few cities we know to be included in this territory, Cilicia appears to be principally the Melas and Eurymedon river valleys, with Aspendus and Side serving as the major settlements. Ormerod 1924 also asserts that the initial province of Cilicia was principally the former Attalid possessions in Pamphylia, not new conquests.

As recently as 112, Aspendus was the residence of Antiochus Grypus, though this may well have been a place of exile, not under his rule. (Eusebius, *Chron.* p. 122-123)

<sup>895</sup> For example, Cicero, in *Verr.* 2.1.93, is probably referring to the province of Cilicia, but chooses Pamphylia to avoid the negative reputation of the other term. See Syme 1939, 299-300, for this general point. Sherwin-White 1976, 3 also notes a close association between Pamphylia and Cilicia.

<sup>896</sup> This is so suggested in Tomaschitz 2013, 57.

<sup>897</sup> App. *Mith.* 17: Ὀππιος δὲ ἕτερος στρατηγὸς ἐπὶ τῶν ὀρῶν τῶν Καππαδοκίας, ἰπέας ἔχων ἕκαστος αὐτῶν καὶ πεζοὺς ἄμφι τοὺς τετρακισμυριοῦς. Note that all three armies have the same numbers, and Appian may thus be generalizing in addition to his tendency to round to the nearest myriad.

<sup>898</sup> Appian, *Mith.* 20 for Laodicea. Laodicea is perhaps 100 miles inland from the Aegean.

by Diodorus's reference to Cappadocian ships.<sup>899</sup> I do not, however, find that argument particularly convincing, as Diodorus also stresses their inexperience with fighting aboard ships. It makes the most sense not to see Oppius as marching through Cilicia Tracheia, but northward out of Pamphylia.

In the 80s, Cilicia and Asia may have been held by the same governor, as appears to have been the case for Murena and Lentulus. On the western border of Cilicia, in 81, Murena took territory from Cibyra and distributed it between Asia and the Lycian league. In this period, Cilicia was surely seen as a province or staging grounds to check Mithridates rather than to govern. The Pamphylian cities of Aspendus and Side appear to have been the principal cities of pre-78 Roman Cilicia. At least under Dolabella and Verres (80-79), these cities were in Cilicia rather than Asia, which was governed by Minucius Thermus and Claudius Nero.<sup>900</sup>

For five years, Publius Servilius Vatia held command in Cilicia and Isauria. Florus informs us that he took Phaselis, Olympus and Isauri. We cannot, however, argue that the entirety of Cilicia was brought under control by Isauricus.<sup>901</sup> Capturing does not necessitate keeping, and Phaselis, at least had been, in theory, already part of allied territory.<sup>902</sup> Some portions were still seen as Seleucid, to be later absorbed by Tigranes. Appian (*Mith.* 118) notes that after having fought Mithridates for forty-two years, numerous provinces of Asia were added including 'parts of Cilicia not subject to Rome' which now paid tribute. These parts of Cilicia are undoubtedly the Seleucid possessions that passed briefly through the hands of Tigranes. Which cities, precisely, were encompassed by this is rather unclear. Tomaschitz suggested that no part of Cilicia east of the Melas river was explicitly under Roman control before 67.<sup>903</sup> Given that the Melas river is traditionally the border between Pamphylia and Cilicia, this is rather uninformative. The campaigns of Isauricus seem centered in Western Cilicia (Cilicia Tracheia), or, more probably, southern Lycaonia, and it is probable that Eastern Cilicia (Cilicia Pedia) remained outside of Roman hands until Pompey's campaigns. It would seem difficult, however, for proconsuls in Cilicia Tracheia to undertake campaigns against Mithridates in Cappadocia, without either control of Tarsus and the Cilician Gates or Adana and the Sarus river valley.

Alternatively, of course, the parts of Asia we now term Pamphylia and Pisidia may well have been grouped into a larger conception of Cilicia. Indeed, when the province was more officially organized in the 50s, Pamphylia and Pisidia, along with Cyprus, each had their own *conventus* within the larger province of Cilicia. This too would allow the proconsuls of Cilicia to bypass the mountains, by marching around the north side on the southern edge of Galatia.

Furthermore, if we presume that this was the line of advance, then the campaigns of Isauricus become far different. They cease to be an expansion north and east from

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<sup>899</sup> Diodorus 37.28.

<sup>900</sup> See Broughton 1951 (MRR II), 80-85 for sources, of which Cicero (e.g. *Verr.* 1.11, 2.1.41-104) serves as the main one.

<sup>901</sup> Cicero (*Leg. Agr.* 1.5, 2.50) lists territories acquired by Isauricus.

<sup>902</sup> Cicero (*Verr.* 2.4.10) indicates that it had been Lycian but that the pirates had informally taken over. He then indicates that it served as a major trading port for the pirates.

<sup>903</sup> Tomaschitz 2013, 57.

bases in Pamphylia, but instead they become a southward thrust into the mountains from friendly territory that would, incidentally, secure lines of march and supply through Lycaonia and into Cappadocia. Vatia also connected Lycaonia and Pamphylia, perhaps for the first time. Syme asserts that Isauricus approached Isauria overland from the east. Cicero too, when travelling to Cilicia, traveled overland from Asia, rather than sailing to a port on the southern coast. Marcius Rex traveled similarly. While Side appears to be referenced as a/the main port of Cilicia, it does not appear to be treated that way. Much of Lycaonia was probably transferred to the Cilicia province from Asia at this time, if not earlier.

In addition to changing boundaries, Cilicia had generally increasing territory, as well. Cilicia's greatest extent probably was in the late fifties. At this point, the conquests of Lucullus, Marcius, and Pompey were added, Cyprus had been annexed in 58, and part of eastern Asia had been added in 56 (mainly territory that had been attached to Asia by Pompey). The additions from Asia removed all Asia's borders with foreign states, and while the Cilician border was long, it was also mainly with allied Galatia and Cappadocia. By Cicero's gubernatorial turn, the province contained eight *conventus*. This included Cilicia and Cyprus, but apparently also parts of Pamphylia, Pisidia, Lycia, and possibly Cappadocia.<sup>904</sup> Thus, the Ciceronian province stretched from outside Iconium to the Amanus mountains and included Cyprus. This would overstate Roman control, however, as some cities were allied and autonomous, and some larger states within these borders were nominally independent, such as the territories of the Cilician Tarcondimotus and presumably Antipater (though our information about Antipater comes mainly from the following decade). Appian notes that Tigranes was forced to cede a portion of Cilicia and that some Cilician cities were attached to Cappadocia.<sup>905</sup> Like Cilicia, Cappadocia varied in boundaries as well, sometimes stretching through Lycaonia, but was usually landlocked.

The 40s and 30s saw Cilicia shrink into nonexistence. Following Cicero's command, the territory taken from Asia was returned and some of the northern territory with it. After Caesar's defeat of Pompey, he probably returned Cyprus to Cleopatra. Side and Pamphylia were attached to Asia by 43, but probably earlier, for in a letter of that year from Spinther to Cicero, we read Side forms the furthest border of his province. In 45, L. Volcatius Tullus held a Cilicia restricted to Cilicia Pedia, part of Lycaonia, and what little of Cilicia Tracheia was not held by Tarcondimotus, Antipater, or the Olban queen Aba. This province may also have been held by Antony in 41, though he spent little time in Cilicia. In Antony's reorganization, Galatia gained Pamphylian and Pisidian territory, probably including the port of Side; Lycaonia, with the city of Iconium, was given to a certain Polemo, Cilicia Pedia divided between Tarcondimotus and the province of Syria, and the remaining part of Cilicia Tracheia granted to Cleopatra.<sup>906</sup>

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<sup>904</sup> Cicero refers to travelling through Cappadocia into his province but also asserts that he is already in his province (*Fam.* 3.6.6) and refers to the mountain of Amanus as his border with Bibulus (*Fam.* 2.10.2). He repeatedly refers to Laodicea as the westernmost part of his province (*Fam.* 3.5-7)

<sup>905</sup> Appian, *Mith.* 105 εἶχε γὰρ δὴ καὶ τήνδε καὶ Κιλικίας τινὰ ὁ Τιγράνης... ἔδωκε δὲ καὶ τῆς Κιλικίας πόλιν Καστάβαλα καὶ ἄλλας "For Tigranes held both this [Syria] and a certain part of Cilicia...and he (Pompey) gave (Ariobarzanes) the city Castabala and others of Cilicia."

<sup>906</sup> See Appian, *B Civ.* 5.75, see also Syme 1939, 324-326. Antony acted similarly in northern Anatolia

While the rapid shifts in boundaries may be interesting as a curiosity in and of themselves, I argue that these shifts reveal the different ideas of Roman leaders as to what a province should be and how it should be administered. Initially, it was probably nothing more than a military command designed for an expansion eastward. According to Syme, Sulla had clear plans to make Cilicia the principal *provincia* of Asia Minor with Asia as the secondary.<sup>907</sup> Following Sulla, the commanders in Cilicia kept expanding (or trying to expand eastward). Accordingly, territory was added and removed to the province as was necessary to support the force in the field but not overburden the governor with administrative tasks. Following Pompey, the province became more of an administrative one, but after Pompey's death the territories were divided up. Ultimately, when Antony gave away the land-route to Syria, this reflects several new changes in Rome's situation. First, with the possession of new ports at Tarsus and Antioch, the land route was less important. Second, a second land route to the east, along the northern coast of Asia Minor was now in hands friendly to Antony. Thirdly, the abandoned regions of central Anatolia were difficult for Rome to control directly, and easier to put in the hands of a vassal.

I argue that the solution of the borders of Cilicia is likely to lie in a realization of overthinking. Rather than possessing set boundaries, I argue that the Romans conceived of Cilicia and Asia as *the* two provinces of Anatolia, and with Cilicia being the principal one until Pompey's annexation of Syria. Thus Anatolia consisted of allied Greek cities states, unallied Greek states (chiefly Pontus), and territory subject to Rome which was divided between Asia and Cilicia. As Cilicia expanded east, the western *conventus* were handed over to Asia or to allies. And as the locations of the major towns where the levies and courts were held show, the military significance of Cilicia was a secure land route to the east. Reducing city-states, conquering hill tribes and even eliminating piracy had to fall second to the security of the road that gave the Romans access to the east. This too had been the priority of Persians and Seleucids who held Cilicia. Until the defeat of Mithridates in the third war, Cilicia was a military command far more than an administrative one. The province's role in policing the sea has been overstated. The conquests of Vatia were within previously controlled territory or far from the sea. After Vatia, reinforcements and troop movements came through Asia, not by sea. No fleet of any capacity appears to have been stationed there, and if one was required, it was assembled from nearby Greek allied cities, particularly Rhodes.

The Asia/Cilicia division also divided the magistrates into military and administrative roles: Cilicia was designed to support military operations in Anatolia, while by reducing Asia's border length, more cohorts could be shifted to Cilicia. This may have been part of Sulla's plan as well, or simply according to how the province developed. Furthermore, the magistrates in Cilicia show that governing Cilicia required significant and regular armed conflict. While no doubt exaggerated for triumphal bids, this also supports the moving of boundaries to enclose new territory. The role of allied states should not be downplayed. The Romans frequently tried to purchase the goodwill of various states through the gifts of territory unimportant to their overall aims.

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<sup>907</sup> Syme, 1939, 304-305.



## **Appendix 2: A Sallustian Topos?**

### **Character Portraits of ‘Noble Brigands’ in History**

As remarked upon several times in this dissertation, a number of the character portraits bear clear similarities in their construction. The oldest of these portraits are most likely those found in Sallust, and I argue that the later historians have taken this characterization as a framework to describe other figures. Nevertheless, for the purposes of the dissertation, this appendix features more as a place to place these eight descriptions side by side without detracting from the overall narrative than as an argument important to the dissertation.

Sallust may be attempting to copy the style of his favorite model, Thucydides, in his depiction of Alcibiades (e.g. 5.43.2), though the relation is not particularly strong.<sup>908</sup> Character portraits in Greek historiography tended to be either overwhelmingly positive or negative, such as the descriptions of Scipio in Polybius or of Philip in Theopompus or Polybius.<sup>909</sup> As I discuss later, however, there is a possible earlier parallel in Diodorus. Sallust’s descriptions of Catiline and Jugurtha are echoed in later writers such as Dio, Plutarch, and Florus, each time for characters of questionable legitimacy. Of the biographies of Nepos, the closest parallel is probably the life of Dion, and even that one is not particularly notable (though Dion’s legitimacy is questioned in the biography).<sup>910</sup>

These descriptions, I would argue, form a thematic style akin to the pair in Sallust’s works. This is not a similarity entirely drawn from their dubious legitimacy: Polybius relates a description of the pirate Dikaiarchus that bears little similarity to the following passages.<sup>911</sup> Moreover, Catiline and Jugurtha do not fit the paradigm of freelancer particularly well. Nevertheless, these portraits are chosen as the model by which to describe these later figures.

The passages I elected to examine below are portrayals of Viriathus, Jugurtha, Spartacus, Sertorius, and Catiline. They are ordered by chronology of setting (rather than author). The accounts of Spartacus are very short and I will be focusing on the others.

#### **A. Viriathus<sup>912</sup>**

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<sup>908</sup> Generally speaking, for Sallust’s use of Thucydides, see Scanlon 1980.

<sup>909</sup> Polybius 10.2 ff for Scipio, Polybius 8.9 (quoting Theopompus) for Philip. See also Walbank’s commentary (1957-1979) for these passages

For the utilization of character portraits in Greek historiography (beginning with Croesus in Herodotus), see Pomeroy 1986 *passim*.

<sup>910</sup> Nepos 10.1

<sup>911</sup> That description is found at Polybius 18.54. See also Diodorus 28.1, see above, ch 4.

<sup>912</sup> Besides these three portraits, Velleius mentions him only in passing, but names him *dux latronum*. (2.1.3)

#### Orosius 5.4:

*Viriatus in Hispania genere Lusitanus, homo pastoralis et latro, primum infestando vias deinde uastando prouincias postremo exercitus praetorum et consulum Romanorum uincendo fugando subigendo maximo terrori Romanis omnibus fuit. siquidem Hiberum et Tagum, maxima et diuersissimorum locorum flumina, late transgredienti et peruaganti C. Vecilius praetor occurrit: qui continuo caeso usque ad internecionem paene omni exercitu suo uix ipse praetor cum paucis fuga lapsus euasit.*

“In Spain, Viriathus, a Lusitanian by birth but a shepherd and bandit by calling, infested the roads and devastated the provinces. He also defeated, routed, and subdued armies commanded by Roman praetors and consuls. As a result he was the greatest terror to all Romans. Then Viriathus encountered the praetor Gaius Vetilius as the latter was passing through and roaming over the broad territories of the Ebro and Tagus, rivers that were very large and widely separated from each other. He defeated the army of Vetilius and slaughtered its soldiers almost to the point of extermination; the praetor himself barely managed to slip away and escape with a few followers.”

#### Dio, 22 fr. 73.1-4

ὅτι Οὐρίαθος ἀνὴρ Λυσιτανός, ἀφανέστατος μὲν γένος ὡς γέ τισι δοκεῖ ὄν, περιβοητότατα δὲ ταῖς πράξεσι χρησάμενος, ληστής τε γέγονεν ἐκ ποιμένος, καὶ μετὰ τοῦτο καὶ στρατηγός. ἐπεφύκει γὰρ καὶ ἥσκητο τάχιστος μὲν διῶξαι τε καὶ φυγεῖν, ἰσχυρότατος δὲ ἐν σταδία μάχῃ εἶναι: καὶ τὴν τε τροφήν τὴν αἰεὶ παροῦσαν καὶ τὸ ποτὸν τὸ προστυχὸν ἥδιστα ἐλάμβανεν, ὑπαίθριός τε τὸν πλείω τοῦ βίου χρόνον διητάτο, καὶ ταῖς αὐτοφύεσι στρωμαῖς ἤρκεϊτο. καὶ διὰ ταῦτα παντὸς μὲν καύματος, παντὸς δὲ ψύχους κρείσσω ἦν, καὶ οὐθ' ὑπὸ λιμοῦ ποτε ἐπόνησεν οὐθ' ὑπὸ ἄλλης τινὸς ἀκηδίας ἐταλαιπώρησεν, ἅτε καὶ πάντων τῶν ἀναγκαίων ἐκ τῶν αἰεὶ παρόντων ὡς καὶ ἀρίστην ἀπολαύων ἰκανώτατα. τοιοῦτου δ' αὐτῷ τοῦ σώματος καὶ ἐκ τῆς φύσεως καὶ ἐκ τῆς ἀσκήσεως ὄντος, πολὺ ταῖς τῆς ψυχῆς ἀρεταῖς ὑπερέφερε. ταχὺς μὲν γὰρ πᾶν τὸ δεῖον ἐπινοῆσαι καὶ ποιῆσαι ἦν· τό τε γὰρ πρακτέον ἅμα ἐγίνωσκε, καὶ τὸν καιρὸν αὐτοῦ ἠπίστατό, δεινὸς δὲ τά τε ἐμφανέστατα ἀγνοεῖν καὶ τὰ ἀφανέστατα εἰδέναι προσποιήσασθαι. πρὸς δ' ἔτι καὶ στρατηγός καὶ ὑπηρετὴς αὐτὸς ἑαυτοῦ ἐς πάντα ὁμοίως γιγνόμενος, οὔτε ταπεινὸς οὔτε ἐπαχθὴς ἑωρᾶτο, ἀλλ' οὕτω πρὸς τε τὴν τοῦ γένους ἀσθένειαν καὶ πρὸς τὴν τῆς ἰσχύος ἀξίωσιν ἐκέκρατο ὥστε μήτε χείρων τινὸς μήτε κρείσσω δοκεῖν εἶναι. τό τε σύμπαν εἰπεῖν, οὔτε πλεονεξίας οὔτε δυναστείας ἢ καὶ ὀργῆς ἔνεκα τὸν πόλεμον, ἀλλὰ δι' αὐτὰ τὰ ἔργα αὐτοῦ ἐποιεῖτο, κάκ τούτου τὰ μάλιστα καὶ φιλοπόλεμος καὶ εὐπόλεμος ἐλογίσθη.

Viriathus was a Lusitanian man. He was of an unknown family, as it seems to some, but became quite famous on account of his deeds. From a shepherd he became a *leistes*, and after that, a general also. He was (both from nature and from training) very swift, both in pursuit and in flight and very tough in close combat.<sup>913</sup> He was always prepared to eat whatever was at hand and drink easily whatever water he came upon. He lived most of his life out in the open and was satisfied with the bed that grew from the ground. Because of this life, he was superior to any heat or cold and he never suffered from hunger nor afflicted by any other lack. He fully enjoyed the necessities of life always from the things present, just as if they were of the best quality. But even though he had such a body from nature and from exercise, he bore a mind of still greater worth. For he was swift both to think of what needed to be done and to do it, and he perceived the thing

<sup>913</sup> An error resulting in ἐν σταδία μάχῃ could have obscured something like ‘enduring in a race or in a fight’, which might preserve the parallelism better

to be done and he knew the right time for it. He was clever at seeming to ignore things that were obvious and know those that were hidden. He was both general and his own servant in all things, He appeared neither excessively arrogant nor excessively humble. In this way, weakness in his lineage and worthiness in his toughness mingled so that he appeared to be neither greater nor lesser to anyone. In short, he pursued the war not on account of gain or of power or of passion, but because of the deeds themselves. And from this, he was deemed both a lover of warfare and a master of warfare.

#### Florus 2.17.15-17

*Ceterum Lusitanos Viriatus erexit, vir calliditatis acerrimae. Qui ex venatore latro, ex latrone subito dux atque imperator. et, si fortuna cessisset, Hispaniae Romulus, non contentus libertatem suorum defendere, per quattuordecim annos omnia citra ultraque Hiberum et Tagum igni ferroque populatus, castra etiam praetorum et praesidia adgressus, Claudium Unimanum paene ad internicionem exercitus cecidit et insignia trabeis et fascibus nostris quae ceperat in montibus suis tropaea fixit. Tandem et eum Fabius Maximus consul oppresserat; sed a successore Popilio violata victoria est. Quippe qui conficiendae rei cupidus, fractum ducem et extrema deditionis agitantem per fraudem et insidias et domesticos percussores adgressus, hanc hosti gloriam dedit, ut videretur aliter vinci non posse.*<sup>914</sup>

And Viriathus, a man of harshest cunning, raised the remaining Lusitanians. Viriathus who, from a hunter became a latro, and from a latro, suddenly a leader and commander, and if fortune had allowed, the Romulus of Spain. Not content to defend the freedom of his people, for 14 years, he devastated, with fire and sword, every land both on this side and the other side of the Ebro and the Tagus, he attacked the camps of the praetors and the garrisons, he defeated Claudius Unimanus, and his army almost to the point of extermination, and he set up the robes and fasces which he had captured as trophies in his own mountains. Finally, the consul Fabius Maximus defeated him also, but victory was corrupted by his successor Popilius, who, desiring to complete the war, attacked the defeated leader and through treachery and traps and domestic assassination, gave this glory to the enemy: that it seemed impossible for him to be defeated otherwise.

## B. Jugurtha

#### Sallust, *Iug.* 6

*Qui ubi primum adolevit, pollens viribus, decora facie, sed multo maxime ingenio validus, non se luxu neque inertiae corrumpendum dedit, sed, uti mos gentis illius est, equitare, iaculari, cursu cum aequalibus certare, et cum omnis gloria anteiret, omnibus tamen carus esse; ad hoc pleraque tempora in venando agere, leonem atque alias feras primus aut in primis ferire, plurimum facere, et minimum ipse de se loqui.*

Jugurtha, who was, when he first grew up, strong, handsome, but most of all, intelligent, did not give himself to be corrupted by luxury and laziness, but instead, as was the custom of his people, to ride, to throw the javelin, and to compete in races with his peers, and while he surpassed all in glory, he was nevertheless dear to everyone. He gave over much time to riding in the hunt, he was first or among the first to strike the lion and other savage beasts, he did much and spoke about himself the least.

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<sup>914</sup> Some editions have *cecidisset* for *cecidit*, *fixisset* instead of *fixit*, *potuisse* instead of *posse*.

## C. Spartacus

Plutarch, *Cras*. 8:

ὢν πρῶτος ἦν Σπάρτακος, ἀνὴρ Θρακῆ τοῦ Νομαδικοῦ γένους, οὐ μόνον φρόνημα μέγα καὶ ῥώμην ἔχων, ἀλλὰ καὶ συνέσει καὶ πραότητι τῆς τύχης ἀμείνων καὶ τοῦ γένους Ἑλληνικώτερος,

Of these, the first was Spartacus, a Thracian man of Nomad stock, who had not only great strength of body, but also in foresight and in temperance, he was better than his fortune, and more Greek-like than his race.

Florus, 3.20.8-9:

*Nec abnuitt ille de stipendiario Thrace miles, de milite desertor, inde latro, deinde in honorem virium gladiator. Quin defunctorum quoque proelio ducum funera imperatoriis celebravit exsequiis, captivosque circa rogam iussit armis depugnare, quasi plane expiaturus omne praeteritum dedecus, si de gladiatore munerarius fuisset. Inde iam consulares quoque adgressus in Appenino Lentuli exercitum cecidit, apud Mutinam Publi Crassi castra deleuit. Quibus elatus victoriis de invadenda urbe Romana — quod satis est turpitudini nostrae — deliberavit.*

Nor did he refuse, that man, who from a Thracian mercenary became a soldier, from a soldier, a deserter, then a bandit, then, due to his strength, a gladiator. He also celebrated the funerals of his leaders fallen in battle with rites akin to those for generals, and ordered captives to fight with weapons around the pyre, as if all his past dishonor would be expiated, if from a gladiator he had become a games-master. Thence, he attacked consular forces, he defeated the army of Lentulus in the Apennines, and he leveled the camp of Publius Crassus near Mutina. Elated by these victories, he determined the city of Rome itself needed to be invaded, a thought which is enough of a disgrace to us in itself.

## D. Sertorius

Plutarch, *Sertorius* 13.1-2

τῷ δὲ Σερτωρίῳ συνειστήκει πνεύματος ἀκμαίου γέμοντι καὶ κατεσκευασμένον ἔχοντι θαυμασίως τὸ σῶμα ῥώμη καὶ τάχει καὶ λιτότητι. μέθης μὲν γὰρ οὐδὲ ῥαθυμῶν ἤπτετο, πόνους δὲ μεγάλους καὶ μακρὰς ὁδοιπορίας καὶ συνεχεῖς ἀγρυπνίας ὀλίγοις εἶθιστο καὶ φαύλοις ἀρκοῦμενος σιτίοις διαφέρειν, πλάνοις δὲ χρώμενος ἀεὶ καὶ κνηγεσίοις ὅποτε σχολάζοι, πάσης διεκδύσεως φεύγοντι καὶ διώκοντι κυκλώσεως ἀβάτων τε καὶ βασιμῶν τόπων ἐμπειρίαν προσειλήφει. διὸ τῷ μὲν εἰργομένῳ μάχης ὅσα νικώμενοι πάσχουσιν ἄνθρωποι βλέπτεσθαι συνέβαιεν, ὁ δὲ τῷ φεύγειν εἶχε τὰ τῶν διωκόντων.

But Sertorius, filled with the breath of vigor and having a body amazingly equipped with strength, speed, and hardiness. For he would not partake of strong drink even in leisure, and he was accustomed to great toils and long marches and little sleep altogether and he was satisfied to carry on with cheap bread. Since he was always wandering around or hunting when he had time, he received experience in every method of escape in flight or of encircling in pursuit, and of places both traveled and untraveled. Thus, he (Metellus), shut off from the fight, suffered as defeated men suffered, while he (Sertorius) had, in his flight, the role of men pursuing.

## E. Catiline

## Sallust, *BC* 5. 1-8

*L. Catilina, nobili genere natus, fuit magna vi et animi et corporis, sed ingenio malo pravoque. 2 Huic ab adulescentia bella intestina, caedes, rapinae, discordia civilis grata fuere ibique iuventutem suam exercuit. 3 Corpus patiens inediae, algoris, vigiliae supra quam quoiquam credibile est. 4 Animus audax, subdolos, varius, quoius rei lubet simulator ac dissimulator, alieni adpetens, sui profusus, ardens in cupiditatibus; satis eloquentiae, sapientiae parum. 5 Vastus animus inmoderata, incredibilia, nimis alta semper cupiebat. 6 Hunc post dominationem L. Sullae libido maxuma invaserat rei publicae capiundae; neque id quibus modis adsequeretur, dum sibi regnum pararet, quicquam pensi habebat. 7 Agitabatur magis magisque in dies animus ferox inopia rei familiaris et conscientia scelerum, quae utraque iis artibus auxerat, quas supra memoravi. 8 Incitabant praeterea corrupti civitatis mores, quos pessuma ac divorsa inter se mala, luxuria atque avaritia, vexabant.*

Lucius Catiline, born of a noble family, had great power both of mind and of body, but was wicked and depraved. From adolescence, civil war, slaughter, rapine and public disorder were pleasing to him, and in these pursuits he spent his youth. He had a body capable of enduring hunger, cold, sleeplessness, more than can be believed by anyone. His mind was bold, tricky, changeable, able to pretend to be or not to be any thing it pleased, he was desirous of others' possessions, generous of his own, he was burning in his desires. He had enough of eloquence; too little of wisdom. His devastated spirit was always desiring excessive things, unbelievable things, too many things. After the regime of Sulla, the greatest desire of capturing the state possessed him, nor did he consider in what manner anything happened to be of any value, so long as it prepared the kingdom for himself, His savage spirit was agitated more and more every day by the lack of his patrimony and his awareness of evils committed, both which had increased by these arts which I have recounted above. Furthermore, the customs of the corrupt state were urging him on, which two evils threatened, opposite and terrible between them—avarice and luxury.

These eight passages have a number of traits in common. These common traits are perhaps the model for the noble brigand. Repeatedly the figure has a physique of almost unbelievable quality, yet that physique is put to shame by the character's mind. Beyond intelligent, they have a knack (whether divinely inspired or innate or both).<sup>915</sup> They are capable of deceit and skilled at it. They are energetic and spend little time sleeping. Not only are they skilled at warfare, but they actively enjoy it. This gives rise to a largely positive picture, and one of a figure more uncultured than wicked.

The formulation of progression in the depictions of Viriathus is similar to that of Spartacus (shepherd/hunter—bandit—leader/general vs. mercenary—soldier—bandit—gladiator—general).<sup>916</sup> The progression is arguably reversed, but nonetheless present. The sources all bear some sympathy for the character described (with the possible exception of Catiline, who is at least more positive than his Ciceronian portrayal).

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<sup>915</sup> Beyond the above portrait, Sertorius also claimed that he could read the future via a white fawn gifted to him by Diana (Plutarch, *Ser.* 11.2). Spartacus was married to a Thracian prophetess, (*Cras.* 8) and the leaders of the earlier servile wars also have prophetic powers.

<sup>916</sup> Noted above, ch. 4, see Grünewald 2004, 64-68.

The ‘noble brigand’ is also a villain, however. These figures have great moral *potential* which often gives way to wickedness. Thus Catiline’s depravity is echoed in the savagery of Spartacus, a savagery that only increases as Plutarch continues. The continuation of the Jugurtha passage reveals a lack of trust in Jugurtha by the Numidian king and proceeds into a struggle for power from which Jugurtha hardly appears as normal as he does in BJ 6.<sup>917</sup> Whether intentional or not, the noble brigand always overreaches. In some cases, like Spartacus or Sertorius, the overreach is imposed by the troops, but in others, like Catiline, it is an internal motive. Each of these also bears a desire to establish a state, whether a new state or in becoming ruler of their existing state.

The chief unifying feature of these portraits, however, is that they have mixed depictions, while in earlier historians, character portraits tended to be wholly positive or wholly negative, and Sallust, in writing of characters with a mix of attributes, provides an example for a later portrayal of characters with mixed receptions. We could also, however, see these characters as violations of the Aristotelian mean—whether their acts are good or bad, they are *extreme*.

Strangely, a fragment of Diodorus contains a depiction of Pompey that roughly fits the mold.<sup>918</sup> In this description, the youthful Pompey is possessed of similar endurance and intellect. Though we should probably not assess Pompey as a ‘noble brigand’, we can use this passage as evidence for the ‘noble’ side of the portrait. Moreover, Diodorus, as a slightly earlier contemporary of Sallust, might perhaps serve as model for the character portrait. But for Diodorus, the historical model was Polybius, not Thucydides.<sup>919</sup>

In the end, I would argue that the framework of the character portrait becomes so internalized that the presence of merely some of the trappings carries the air of the others. Thus the usage of such a framework carries an indelible air of illegitimacy in the description of the leader.

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<sup>917</sup> Appian, 1.113 also depicts a wicked and corrupt Sertorius (*B.Civ* 1.113) but Appian does not appear to use this framework I describe in this appendix

<sup>918</sup> Diodorus 38/39.9

Ὅτι Γνάιος Πομπήιος στρατιωτικὸν βίον ἐλόμενος ἐνεκαρτέρει ταῖς καθ' ἡμέραν κακοπαθείαις καὶ ταχὺ τὸ πρωτεῖον ἀπηνέγκατο τῆς ἐν τοῖς πολεμικοῖς ἔργοις ἀσκήσεως. πᾶσαν δὲ ῥαστώνην καὶ σχολὴν ἀποτριψάμενος διετέλει καὶ μεθ' ἡμέραν καὶ νύκτωρ ἀεὶ τι πράττων τῶν εἰς τὸν πόλεμον χρησίμων. διαίτη μὲν γὰρ ἐχρήτο λιτῆ, λουτρῶν δὲ καὶ συμπεριφορᾶς τρυφὴν ἐχούσης ἀπείχετο. καὶ τὴν μὲν τροφὴν καθήμενος προσεφέρετο, πρὸς δὲ τὸν ὕπνον ἀπεμέριζε χρόνον ἐλάττονα τῆς ἐκ τῆς φύσεως ἀνάγκης· τὸν δὲ ἐν νυκτὶ πόνον παρεδίδου τῇ μεθ' ἡμέραν ἐπιμελείᾳ, ἐπαγρυπνῶν τοῖς τῆς στρατηγίας ἐντεύγμασι· διὰ δὲ τῆς συνήθους τῶν ἀπίστων μελέτης ἀθλητῆς ἐγένετο τῶν κατὰ πόλεμον ἀγώνων. τοιγαροῦν ὅσῳ χρόνῳ τις ἔτοιμον οὐκ ἂν παρέλαβε στράτευμα, πολὺ τάχιον οὗτος συνελέξατο καὶ διατάξας καθώπλισε. προσαγγελθειῶν δὲ τῶν περὶ αὐτὸν πράξεων εἰς τὴν Ῥώμην, ἅπαντες οὐ τὴν ἀρετὴν ἀλλὰ τὴν ἡλικίαν αὐτοῦ λογιζόμενοι κατ' ἀρχὰς κατεφρόνησαν, ὡς τῶν προσαγγελλόντων κενῶς τὰ περὶ αὐτὸν τραγωδοῦντων· ὡς δ' ἡ προσηγγελεμένη φήμη διὰ τῶν ἀποτελεσμάτων ἀληθῆς ἐφάνη, ἡ σύγκλητος ἐξέπεμψεν Ἰούνιον, ὃν τρεψάμενος ἐνίκησεν.

<sup>919</sup> For more on the probable models of Diodorus, see Sacks 1990.