

Session 2 booklet: (De)stabilising the Republic – Rome in the 70s

1 After the Sullan settlement

Having pushed through his reforms as dictator in 82 to 81 BC (with much bloodshed and “legalised” murder), Sulla laid down this office. His aim had been to “restore” the supposedly traditional and customary prominence of the Senate and the *nobiles* (as we have seen the historic reality was perhaps not as idealised as some liked to imagine). A temporary period of stability was in place in Rome, but opponents of the Sullan faction were still in operation elsewhere in the empire – notably Q. Sertorius in Spain and M. Marius in the East (backed by Mithridates). Other groups also had cause to be disgruntled including Italian communities who had had land confiscated from them and given to Sulla’s veterans.

2 The precedents set by Sulla

Sulla actions, while subsequently exonerated (something he was able to achieve as the victor in the civil war) set a dangerous precedent. It confirmed that marching on Rome and the use of bloodshed were potential means to achieve one’s aims. Furthermore, in order to win against the Cinna faction, Sulla had made use of unorthodox and, strictly speaking, unconstitutional support. This was in the form of private armies raised by two young men, Pompey and Crassus (our future triumvirs), both of whom had lost their fathers in the bloodshed of the early 80s BC. Not only was it unorthodox and unconstitutional for private individuals to raise armies, but Pompey was emboldened to demand a triumph from Sulla (refusing to disband his army until his demand had been met) – something which only successful Praetors or Consuls could legally be awarded.

After this, Pompey asked for a triumph, but Sulla opposed his request. The law, he said, permitted only a consul or a praetor to celebrate a triumph, but no one else. Therefore the first Scipio, after conquering the Carthaginians in Spain in far greater conflicts, did not ask for a triumph; for he was not consul, nor even praetor. And if Pompey, who had scarcely grown a beard as yet, and who was too young to be a senator, should ride into the city in a triumph, it would not only make Sulla's government altogether odious, but also Pompey's honour. This was what Sulla said to Pompey, declaring that he would not allow his request, but would oppose him and thwart his ambition if he refused to listen to him. Pompey, however, was not cowed, but bade Sulla reflect that more worshipped the rising than the setting sun, intimating that his own power was on the increase, while that of Sulla was on the wane and fading away. Sulla did not hear the words distinctly, but seeing, from their looks and gestures, that those who did hear them were amazed, he asked what it was that had been said. When he learned what it was, he was astounded at the boldness of Pompey, and cried out twice in succession: "Let him triumph!" – Plutarch *Pompey* 14.1-3 – trans. from the Loeb edition (1917).

Sulla, rather than face confrontation with Pompey and renewed bloodshed, acquiesced. Having achieved his aim, however, Pompey was willing to resume his status as a private citizen.

3 Early opposition

If Sulla had hoped that the senatorial elite (many of whose members had been handpicked by him) would, as a collective body, hold to his vision of the restored Republic, he was mistaken. The elites remained a loose collection of competing individuals and groups, with varying interests and agendas. One of the earliest manifestations of opposition to the Sullan system came in the form of the election of Marcus Lepidus to the consulship for the year 78 BC – he had been backed by Pompey (who at this point was still too young to even serve as a quaestor). This was much to Sulla's displeasure. Lepidus' colleague in the consulship was Q. Lutatius Catulus, a staunch Sullan supporter. Sulla died of natural causes soon after the two consuls took office and so missed seeing the open and violent rupture between Lepidus and Catulus. Lepidus wanted to unpick the Sulla settlement in the following ways: allowing those who had been proscribed, but had escaped into exile, to return to Rome; restoration of the land confiscated from various Italian towns to be restored (land which had in many cases been given over to Sulla's veterans); restoration of the powers of the tribunate, and new grain distribution laws.

The Senate had been able to prevent these measures being presented to the Assembly and voted on during Lepidus's period as consul (it is unclear if this was voluntary), and violence during this year of office (78 BC) was avoided. The situation escalated, however, after Lepidus had departed for his proconsular governorship of Transalpine Gaul. When he reached his province, with its military forces (he was also supported by M. Junius Brutus governor of Cisalpine Gaul, father of the Brutus who would later be involved in the assassination of Caesar) Lepidus decided that he would use this position of strength to demand the right to stand for immediate re-election of the consulship for the following year – strictly illegal under the new Sullan "constitution". It is likely his intention was to try and bring into force the aforementioned reform programme. When he was summoned back to Rome (ostensibly to preside over the elections for 77 BC) he refused.

These events saw the opposing consuls – Lepidus and Catulus – face off against each other in military conflict. After being condemned by the Senate as an enemy of the state, Lepidus marched on Rome with an army. Pompey, originally a supporter of Lepidus, decided to side with Catulus and the Senate – he exploited the situation to get appointed as a propraetor to defend the Republic. The young Julius Caesar, who had also returned to Rome on news of Sulla's death (and had many reasons to be opposed to the Sullan faction), also decided not to join Lepidus. The ensuing battle just north of Rome in the Campus Martius saw Catulus as the victor. Pompey was sent north to defeat M. Junius Brutus and pacify Cisalpine Gaul. After this defeat Lepidus retreated to Etruria, where his forces were again defeated by Pompey who was returning from Cisalpine Gaul. Lepidus survived and fled to Sardinia, but he was to succumb to disease. The surviving forces (led by M. Perperna) fled to Spain and joined Sertorius.

4 Breaking the constitution to "save" the constitution

The conflict of 77 BC had seen another incidence of the unconstitutional practice of allowing a young man like Pompey to lead military forces, despite not strictly being old enough. The aftermath of this would also see Pompey employ the same, far from legal, tactic that he had utilised previously against Sulla – namely refusing to disband his army until he achieved what

he wanted (despite being ordered by the consul Catulus to do so). In this case, it was command of the forces that were to be sent to Spain to fight against the anti-Sullan Sertorius.

Pompey, therefore, who kept his army under his command, tried to get himself sent out to reinforce Metellus, and although Catulus ordered him to disband his soldiers, he would not do so, but remained under arms near the city, ever making some excuse or other, until the senate gave him the command, on motion of Lucius Philippus. On this occasion, too, they say that a certain senator asked with amazement if Philippus thought it necessary to send Pompey out as pro-consul. "No indeed!" said Philippus, "but as pro-consuls," implying that both the consuls of that year were good for nothing. – Plutarch *Pompey* 17.3-4 – trans. from the Loeb edition (1917).

The Senate acquiesced rather than face further conflict. Pompey was appointed, along with Metellus Pius, to fight in Spain. Sertorius had been quite successful for a number of years and many who had been previous supporters of the earlier Cinna regime had fled to his banner, as did the supporters of Lepidus. He had even created a shadow state with its own Senate and magistrates modelled on that of Rome.

It would take Pompey and Metellus the better part of half a decade to defeat the Sertorian faction in Spain.

5 Reforms in Rome

Despite the failure of the violent attempts to undo Sulla's reforms, it was within Rome, via more peaceful means, that his programme began to be reversed. One of the prime movers behind this were the tribunes. The office of tribune of the plebs, thanks to the reforms of Sulla, had become a political dead-end for aspiring politicians (under Sulla's reforms, holding this office disbarred one from progressing on the *cursus honorum*). An aspiring member of the plebeian elite who wanted to enter into the Senate with the ultimate ambition of becoming a praetor or a consul would avoid serving as a tribune. The (possibly unforeseen) consequence of this was that those from lower down the social scale had more of a chance to be elected to this office. They were also less likely to be colleagues from senatorial families that might have attempted to restrain (by use of veto) their more populist agendas. As early as 77 BC, the tribune M. Terpolius is alleged to have attempted to start the process of reversing Sulla's reforms (though there are few details in the sources). The year 76 BC also saw lobbying by tribunes in the Assembly to restore the powers of this office. It was in 75 BC, however, that the consul C. Aurelius Cotta, seeking to court popular support, repealed the law banning the tribunes from holding further political offices. Without unified support among the senatorial elite, it was not feasible to maintain Sulla's reforms. The following years would also see further agitation from the tribunes to repeal the remaining limitations that had been placed on this office.

6 The Third Servile War

The years 73-71 BC was the unexpected outbreak of a major slave uprising (the third major such outbreak, the previous two having taken place in Sicily during the latter half of the second

century BC). Starting out as a minor slave rebellion in Capua its significance quickly escalated. The initial attempts to pacify the revolt were roundly defeated. Even more shockingly, in 72 BC the two consuls were defeated by the forces of Spartacus and his associates. This crisis, and the initial inept handling of it, presented a valuable opportunity for M. Licinius Crassus (who, as we saw earlier, had raised his own private army and aided the Sullan side in the late 80s BC) to advance his standing. He successfully lobbied for a pro-praetorian command, so as to be able to lead the forces fighting Spartacus. Without going into the details, through more careful strategic thinking, and the imposition of harsh discipline on his own soldiers, Crassus was able to annihilate the slave army in 71 BC. Although, much to his chagrin, Pompey was able to claim some of the credit when his returning forces (having been recalled from Spain) mopped up the remnants of the defeated slave army.

6 70 BC – Crassus and Pompey as Consular Colleagues

The election for the consulship in 70 BC saw further incidents of “constitutional irregularity”. Pompey, who was not technically old enough to run for the office, and had not undertaken the normal progression up the *cursus honorum*, was, nevertheless, allowed to stand for the consulship. He employed for the third time a tactic which had worked for him previously – specifically having returned to Italy with his army (ostensibly to help put down the remnants of the servile revolt), and fresh from his victories over the forces of Sertorius and Perperna (who had assassinated Sertorius) in Spain, he found excuses to delay disbanding his forces until he was granted the right to stand for the office of consul. He was elected along with Crassus.

Thankfully for the stability of the Republic, the two consuls were willing to cooperate during their year of office (they in fact stood on a “joint ticket” – Crassus being able to utilise his wealth and support from the equestrian order, Pompey his popularity with the people). Together, despite having been supporters of Sulla as young men, they worked to dismantle many elements of his reforms. They fully restored the previous powers and prerogatives of the office of tribune of the plebs as well as reviving the censorship (Cn. Cornelius Lentulus and L. Gellius Publicola being elected as colleagues to this office). The composition of the jury courts was revised and exiles were recalled. By having censors elected for the year 70 BC (a full 15 years since two colleagues last held this office), it was possible to recognise the enrolment of new citizens (an issue stretching back to the time of the social war) – Rome now registered 910,000 citizens in its census (compared to 463,000 when the census was last held in 86/85 BC). The election of the censors also saw the removal of 64 unworthy senators from the Senate. One of the praetors for the year – L. Aurelius Cotta – with the backing of the two consuls also introduced a law revising the jury courts (which under the Sullan reforms had been the sole prerogative of the senators). They were now split between the senators, equestrians and *tribuni aerarii*, the latter a somewhat obscure group, possibly a wealth class falling just below that of the equestrians). In addition, a bill put forward by the tribune Plautius restored citizenship to the followers of the consul Lepidus (see above), as well as an agrarian bill designed to provide land for Pompey’s veterans.

After a twenty year period of periodic violence and civil discord, many of the reforms of Sulla were effectively swept aside and many of the key elements of the Republican system that had existed previously were restored. Sulla’s attempt to concentrate power in the hands of the senatorial aristocracy had essentially failed. Ironically because the senatorial body did not, and

perhaps could not, conceive of acting as a homogenous block. Rather it continued to act much as it had done in earlier Roman history as an assortment of individuals and clichés/factions with particular competing interests (these factions or alliances did not remain constant) – not necessarily based on any kind of “ideological vision” but often being influenced by kinship and friendships networks, as well as a desire to promote self/family interests.