

*Vix aerarium sufficeret.*  
Roman Finances and the Outbreak  
of the Second Macedonian War

*Kostas Buraselis*

Τοιαύτη τίς ἐστί καὶ τηλικαύτη παρὰ  
πάντας (sc. Ῥωμαίους) ἅμα μὲν ἀκρί-  
βεια περὶ τὸ διάφορον, ἅμα δὲ λυσι-  
τέλεια περὶ τὸν χρόνον.

Polyb. 31.27.11

THE EXPLANATION of the Roman decision to initiate the Second Macedonian War has long been a subject of interest to scholars.<sup>1</sup> In recent years such specialized efforts have not diminished in quantity or variety of approach,<sup>2</sup> and

<sup>1</sup> Useful surveys of earlier bibliography are included in discussions of the problem by É. WILL, *Histoire politique du monde hellénistique* II<sup>2</sup> (Nancy 1982: hereafter 'Will') 131–49; L. Raditsa, "Bella Macedonica I. Bellum Philippicum," *ANRW* I.1 (Berlin 1972) 564–76; J. BRISCOE, *A Commentary on Livy, Books XXXI–XXXIII*<sup>2</sup> (Oxford 1989: 'Briscoe') esp. 39–47; E. GRUEN, *The Hellenistic World and the Coming of Rome* (Berkeley 1984: 'Gruen') 382–98; N. G. L. Hammond and F. W. Walbank, *A History of Macedonia* III (Oxford 1988) esp. 419f; cf. also esp. the views of W. V. HARRIS, *War and Imperialism in Republican Rome, 327–70 B.C.* (Oxford 1979: 'Harris') 212–18, and their criticism by A. N. Sherwin-White, "Rome the Aggressor?" *JRS* 70 (1980) 180, as well as the concise presentations by M. Crawford, *The Roman Republic* (Glasgow 1978) 65ff (his views unchanged in the second edition, 1993), and R. M. ERRINGTON, "The East after the Peace of Phoenice," *CAH* VIII<sup>2</sup> (1989: 'Errington') esp. 254–61. See also the following notes and discussion.

<sup>2</sup> B. L. Twyman, "Philip V, Antiochus the Great, the Celts and Rome," in *Ancient Macedonia* IV (Thessaloniki 1986) 667–72, who sees the Roman war in the East as resulting from a fear of collaboration between eastern powers and the Celts in the West; this view rests on some insecure temporal correlations and appears rather self-contradictory as regards his remarks on the strength of Roman manpower. C. D. HAMILTON, "The Origins of the Second Macedonian War," in *Ancient Macedonia* V.1 (Thessaloniki 1993: hereafter 'Hamilton') 559–67, looks for internal Roman motives for the war in the fear of Scipio's senatorial opponents about the general's returning veterans and po-

more general aspects of Roman motives for war during the formative period of the *Imperium Romanum* never fail to attract attention.<sup>3</sup>

The long-standing occupation with Rome's reasons for declaring war on Philip V is actually quite understandable, as the Roman Republic had by then hardly experienced a year's peace

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litical influence, as well as the land distributions he would attempt; a certain number of veterans, however, must have returned and their eventual land allotments could only be postponed by the declaration of the new war, which would just increase the number of veterans. N. Mantel, "Der Bündnisvertrag Hannibals mit Philipp V. von Makedonien. Anmerkungen zur Verknüpfung des Zweiten Makedonischen Krieges mit dem Zweiten Punischen Krieg bei Livius," in C. Schubert and K. Brodersen, ed., *Rom und der griechische Osten. Festschrift für H. H. Schmitt* (Stuttgart 1995) 175–86, thinks that the immediate links between the Hannibalic and the Second Macedonian War in Livy serve to conceal the pragmatic motives of Rome's new war against a dangerous Philip.

The main thesis of a recent monograph on the Livian picture of the preliminaries to and start of the war, V. M. WARRIOR, *The Initiation of the Second Macedonian War. An Explication of Livy Book 31* (= *Historia Einzelschrift* 97 [Stuttgart 1996: 'Warrior']), seeks to prove Livy's coherence and trustworthiness (in some respects a late-twentieth-century antipode to K.-E. Petzold, *Die Eröffnung des zweiten römisch-makedonischen Krieges* [Berlin 1940]). The purely historical implications here relevant are her views that the war had been decided by the Senate (as a natural consequence of the "Philipic War") long before the envoys of Pergamon and Rhodes reached Rome, and that Rome proceeded belatedly (October 200) to actual warfare because of the new consuls' initial preoccupation with certain religious and administrative tasks (the loan settlement). Nevertheless, neither task can be proved, I think, to be a real cause of delay (even with the strategic calculations Warrior supposes) and each would be perhaps better viewed as an excuse for not immediately putting into practice a war plan of which the official and timely approbation corresponded for the time being fully to the senate's priorities (cf. below).

<sup>3</sup> Here most relevant among the latest bibliography: J. Rich, "Fear, Greed and Glory: The Causes of Roman War-Making in the Middle Republic," in J. Rich and G. Shipley, ed., *War and Society in the Roman World* (London 1993) 38–68 (trying to establish all three motives of the title collectively as explanations of the Roman expansion and rejecting monocausal interpretations for Roman wars); J. Seibert, "Invasion aus dem Osten. Trauma, Propaganda oder Erfindung der Römer?" in Schubert and Brodersen (*supra* n.2) 237–48 (concluding that at least a subjective fear of invasion did exist in Rome and that only a separate analysis of concrete cases can help discern the rôle played by invention, propaganda, and reality each time); M. Kostial, *Kriegerisches Rom? Zur Frage von Unvermeidbarkeit und Normalität militärischer Konflikte in der römischen Politik* (Stuttgart 1995), underlining in particular (109–14) the distinction between 'real' and 'neurotic' fear in Roman relations to foreign powers.

since the end of the Hannibalic War,<sup>4</sup> which lasted no less than sixteen years, devastated great parts of Italy and severely tested the physical strength of the Romans and the capacities of their state. The Hannibalic War would remain for about 900 years (*i.e.*, from the Gallic sack at the beginning of the fourth century B.C. to the barbarian invasions of the early fifth century) Rome's only life-or-death struggle with an external enemy. Subsequently, the people's morale was low and the soldiers wished only to return to their families and homes after such a long absence.<sup>5</sup>

As peace was obviously a general and strong aspiration among Romans at that time, we may better understand why the Senate's proposal for war against Macedonia, a *rogatio* of the new consul P. Sulpicius Galba before the *comitia centuriata* at the beginning of 200 B.C.,<sup>6</sup> failed to pass on the first attempt.<sup>7</sup> This extremely rare case of political disobedience to the traditional authority of the Senate in foreign affairs was even marked by the revival of almost obsolete patterns of resistance to the *patres'* will: the tribune Q. Baebius dared to brand the senators as warmongers, stepping incessantly from war to war and extinguishing any prospects for peace.<sup>8</sup> As Livy also reports, how-

<sup>4</sup> There are no more military confrontations after Zama (202), although the peace was finally ratified a year later. Cf. most recently J. Seibert, *Hannibal* (Darmstadt 1993) 471–79.

<sup>5</sup> Liv. 31.6.3: *Id cum fessi diuturnitate et gravitate belli sua sponte homines taedio periculorum laborumque fecerant*—the first reason for the initial vote against the war with Macedonia in the *comitia* of 200; cf. 32.3.4f on the war-weariness of soldiers; see also below.

<sup>6</sup> Livy (31.5.2) mentions that Galba entered office *idibus Martiis*, but this should be *ca* mid-January to early February of the Julian year 200 according to what we know of the Roman calendar in this period: see J. W. Rich, *Declaring War in the Roman Republic in the Period of Transmarine Expansion* (= *CollLatomus* 149 [Brussels 1976]) 75f n.58 with the earlier bibliography. The whole context of Livy implies further that the *rogatio* of 31.6.1 followed shortly thereafter and was not separated by a great interval from the final positive vote: so Rich, esp. 78–82 (with differing views); R. T. Ridley, *History of Rome. A Documented Analysis* (Rome 1987) 168 n.8; Errington 255, 257; Warrior, esp. 65f, 79ff (chronological reconstruction of the events). Cf. n.17 *infra* on the temporal correlation with Philip's movements.

<sup>7</sup> Liv. 31.6.3: *ab omnibus ferme centuriis antiquata*; cf. Briscoe *ad loc.*

<sup>8</sup> Liv. 31.6.4ff. I can see no reason to suspect the historicity of this episode, on which see E. Olshausen, "Untersuchungen zum Verhalten des Einfachen Mannes zwischen Krieg und Frieden auf der Grundlage von Hom., *Il* 2,211–277 (Thersites) und Liv. 31,6–8 (Q. Baebius, tr.pl.)," in E. Lefèvre and E. Olshausen, edd., *Livius. Werk und Rezeption, Festschrift für Erich Burck zum 80. Geburtstag* (Munich 1983) 225–39, esp. 234ff; cf. most recently the remarks of Kostial (*supra* n.3) 124–27.

ever, the Senate was determined to have its plan approved: Galba, one of the 'Oriental experts' and most probably personally interested in the renewal of war with Macedonia,<sup>9</sup> was encouraged to organize a special *contio* of the people where he delivered a powerful oration for war.<sup>10</sup> He aptly used therein the nightmare of a menacing Macedonia, soon to succeed Hannibal as destroyer of Italy and to deprive the people of the peaceful life they so much desired. Only thus (and probably because of a service-exemption for Scipio's veterans)<sup>11</sup> did the people finally consent to resume war on the other side of the Adriatic, just in order to secure future peace.

How much truth, illusion, or propaganda for popular consumption may be discerned in the pro-war argumentation of Roman magistrates and senators? One could perhaps epitomize the problem in this triple question. It would serve no purpose to re-examine all aspects of it here (*cf. supra* nn.1-3). I prefer to limit myself to three general observations that may also usefully introduce the special aspect discussed below:

(a) This is a decisive, central point in the history of Roman foreign policy, at which many older and new lines of development seem to have converged. Therefore one should rather look for more than one motive behind it.<sup>12</sup> A survey of the scholarly views on the background of this war can only strengthen this impression, for no single interpretation seems sufficient: not the moral obligations of Rome towards (and the care for her image among) her Greek *amici*,<sup>13</sup> not the actual

<sup>9</sup> On his Balkan experience (since the First Macedonian War) and personal motivation, *cf.* Will 143; Errington 255. On the problem of 'Oriental experts' see n.16 *infra*.

<sup>10</sup> Liv. 31.6.5ff. Galba astutely transformed the dilemma 'peace or war?' into 'war in Italy or in Macedonia?' (war being unavoidable), so that he could touch the people's feelings on a sensitive point.

<sup>11</sup> Liv. 31.8.6; *cf.* Briscoe 46, 71. In view of Liv. 32.3.2-7 (mutiny of African-war veterans, 'volunteers' in the new war, lingering on in Illyria in 199) one cannot say how far this 'compromise' was later respected.

<sup>12</sup> *Cf.* on the multiple causes of ancient wars the concluding observations of Y. Garlan, *La guerre dans l'antiquité* (Paris 1972) 197f.

<sup>13</sup> The 'philhellenic' explanation, at least as old as T. Mommsen, *Römische Geschichte* I<sup>9</sup> (Berlin 1902) 698ff (esp. 700), has actually elaborated the reason presented in the official Roman declaration of war (Liv. 31.6.1: *ob iniurias armae inflata sociis populi Romani*). It has now been, I think, carried to a refined extreme by Gruen (397f), who argues that Rome acted not from fear or true philhellenism but in order to recover its full pride—an interesting predecessor here was certainly G. De Sanctis, *Storia dei Romani* IV.1 (Torino

danger Philip V represented at the time the Romans decided upon war,<sup>14</sup> and not the personal ambitions of Roman aristocrats as generals.<sup>15</sup>

(b) A second important point concerns the social/intellectual levels at which the Romans perceived the importance of the Macedonian menace: the common people, the *plebs* of the above meetings, certainly could believe, if informed in the right way, that a new war was an imperative need of national security. But the members of the Senate, who insisted on and actually imposed this war—especially the ‘Oriental experts’<sup>16</sup>—cannot be supposed unaware of the true situation in the Aegean during

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1923) 31, who regarded “l’onore nazionale” as the essential cause of the war, especially in reaction to Greek memories of Rome as a brutal belligerent and “broken reed” from the period of the First Macedonian War. Gruen manages in this way to elevate Roman policy almost above any concrete interests and to render it rather unreasonable at the same time. A similar difficulty in locating the reason for the war, after persuasively refuting many such alternatives, once led P. Veyne, in his brilliant “Y a-t-il eu un impérialisme romain?” *MEFRA* 87 (1975) 793–855, esp. 835–42, to assume that for Rome this was its only “imperialistic” war, in so far as its real motive was to enter dynamically the arena of the Hellenistic world and to establish Roman hegemony there.

<sup>14</sup> The two main possible aspects of this danger from the Roman perspective should have been Philip’s new, strong Macedonian fleet, making an Italian invasion much easier (emphasized in a still useful article by G. T. Griffith, “An Early Motive of Roman Imperialism (201 B.C.),” *CHJ* 5 [1935] 1–14) and, of course, the notorious ‘secret pact’ of Philip V and Antiochus III (see n.19 *infra*). Fear as a motive of the Roman decision, which should rather have only an exemplary-preemptive character, has been also rejected now by K. Bringmann, *Römische Geschichte* (Munich 1995) 29. On the chronological correlation between Philip’s Aegean enterprises and deliberation in Rome up to the outbreak of the war, see n.17 *infra*.

<sup>15</sup> This line of interpretation, not unreasonable for the policy of an aristocratic state, was taken especially by J. Carcopino, *Points de vue sur l’impérialisme romain* (Paris 1934) 64–69, later revived (in ‘reaction’ to Holleaux) by Will esp. 142f. See also Harris 217 and most recently Errington esp. 256. Cf. n.22 *infra*.

<sup>16</sup> It should be noted that regional expertise was valued highly in the Roman Senate, even to the point of modifying the ‘natural’ hierarchy of possible speakers: see the cases discussed by M. Bonnefond-Coudry, *Le sénat de la République romaine* (= *BEFAR* 273 [Rome 1989]) 600ff. Gruen’s collection of material (203–49) intended to show that there were no “eastern experts” can only be accepted, I think, in regard to military and diplomatic *careers*: local experience was wisely respected, although it was not allowed to acquire professional continuity within the framework of Roman magistracies. On the realistic estimate of Philip’s power by Galba and Laevinus cf. Harris 215.

Philip's attempted expansionism: they must have known of not only the partial success but also the serious setbacks in the pursuit of the Macedonian king's eastern aims.<sup>17</sup> Their informants, mainly representatives of the Greek states attacked by Philip (like Attalus I and Rhodes), certainly offered dramatic descriptions of his expeditions and capabilities but, on the other hand, the Senate cannot have failed to notice, for example, that Philip had been eventually unable to help Hannibal in the critical years of the Carthaginian expedition in Italy<sup>18</sup> and, linked with this, that his control of the mosaic of city-states in Greece had never ceased to be at least very precarious.

(c) The Senate cannot have assessed so superficially the urgency of the Macedonian danger. Antigonid Macedonia might well be in Roman minds a long-term problem, as that Balkan offshoot of the Hannibalic War, the First Macedonian War, had shown. Nevertheless, the negative experience of the past could not be automatically interpreted as a short-term menace in the much changed situation of 201/200. Philip V and Antiochus III's alleged pact of political and military collaboration<sup>19</sup> for the

<sup>17</sup> In particular his shameful blockade in Bargylia during the winter of 201/200 (Polyb. 16.24; Polyae. *Strat.* 4.18.2; cf. concisely Hammond [*supra* n.1] 416) would have become known in Rome by the time of Galba's second *rogatio*; cf. *supra* n.6.

<sup>18</sup> A Macedonian contingent in Africa during the last phase of the Second Punic War is at least very suspect: Liv. 30.26.3; cf. 33.5, 42.4ff; 31.11.9. See most recently Mantel (*supra* n.2) 182. One should also consider that no sufficient measures were taken before or after the declaration of the new war with Macedonia to protect the Italian coast from an eastern attack, so that the real fear of Philip among those who governed Rome should not be overestimated. Laevinus' mission (autumn 201) with a fleet of thirty-eight ships to the Epirote coast (Liv. 31.3), even if its historicity is accepted (so most recently Warrior 52ff with bibliography), had rather a reconnoitering character and was clearly not combined with any precautionary measures in Italy then or later during the war (*contra*, Warrior). Cf. Seibert (*supra* n.3) 242f, scrutinizing the sources on Roman military activities in Italy and Sicily in these years.

<sup>19</sup> Even if many scholars (so *inter alios* Gruen 387 with bibliography) appear unwilling to share the doubts of Errington ("The Alleged Syro-Macedonian Pact and the Origins of the Second Macedonian War," *Athenaeum* 49 [1971] 336ff) and previously David Magie ("The 'Agreement' between Philip V and Antiochus III for the Partition of the Egyptian Empire," *JRS* 29 [1939] 32-44) on the existence of a relevant treaty, this collaboration must have been limited in more than one respect. Cf. now the interesting reinterpretation of Welles, *RC* no. 38 by J. T. Ma, P. S. Derow, and A. R. Meadows, "*RC* 38 (Amyzon) Reconsidered," *ZPE* 109 (1995) 71ff, suggesting that Philip V might in 203 have been interested above all in securing his zone of influence in Caria against an advancing Antiochus III.

division of outlying Ptolemaic dominions would also, if successful and enduring, have destabilized the (always fragile) "equilibrium of impotence" among the Hellenistic 'Great Powers' in the Eastern Mediterranean—but this was also neither a direct nor an immediate threat for Rome.<sup>20</sup>

In light of these remarks the Senate's insistence on dispatching exhausted Roman troops to a new front cannot be easily understood. It is, of course, reasonable to assume that the Senate was largely inclined to evade at all costs an altered balance of power with Macedonia, *i.e.*, after the latter would have probably gained new territories and resources in the East. But why could Rome not equally and reasonably hope to regenerate her whole military machine after some years of peace, availing herself of the opportunity that the crawling pace of actual Macedonian success in the Aegean area presented? She might thus have evaded at least the risk of military mutiny, which eventually occurred.<sup>21</sup>

If the possible external reasons for the urgency of the new Roman intervention in the East (resulting in a hard, relentless strain on the Roman war machine) do not seem on the whole to offer a sufficient explanation, the question arises whether Rome could also have important *internal* reasons for this succession of wars. This approach has so far been followed at some length only in tracing and underlining the probable career ambitions and the relevant group antagonisms inside the Roman aristocracy<sup>22</sup> or in the form of general (and unsubstantiated) allegations

<sup>20</sup> M. A. Levi, "Studi tolemaici," *PP* 30 (1975) 202, has very aptly resorted to the expression "equilibrio di impotenze" (first coined in a modern context by M. Toscano) to describe the eternally fragile balance between the Hellenistic 'Great Powers'. *Cf.* also Harris' justified remark (213) that there can have been "no sense of immediate danger" for the Romans in 200. One could add that the Romans' belated beginning of actual warfare on the other side of the Adriatic is also an argument against such a sense of danger. *Cf. supra* n.2 on Warrior's explanation of this aspect.

<sup>21</sup> Sherwin-White (*supra* n.1) claims that "with a magnificent military machine available there is nothing surprising in the decision of the Senate to turn it against their last great enemy." But this view seems to find little support in the obvious difficulties of mobilizing the available forces at the beginning of the war (*cf. supra* nn.5, 11; perhaps here lies one reason for Galba's late arrival in Illyria about the beginning of October 200: Liv. 31.22.4 with Briscoe *ad loc.*) or the parallel of the uncompromising line of the Senate against Pyrrhus (not a potential invader like Philip V but a danger *ante portas*), also adduced by Sherwin-White.

<sup>22</sup> *Cf. supra* n.15. Briscoe (45f) has established a connection between the pro-war tendency among senators and the opponents of Scipio, eager to acquire glory similar to his in a new war with Macedonia. *Cf.* also Hamilton's more elaborate view of these senatorial antagonisms.

of economic interest in the East:<sup>23</sup> these were thought to be the underlying reasons for the 'hard' senatorial policy. But certain techniques and shortcomings of Roman war finances, when examined in their evolution, especially from the Hannibalic War to the aftermath of that with Antiochus III, may also contribute to the proper identification and evaluation of pressing internal motives. It seems to me that a relevant thread of Ariadne lies woven into the sequence of incidents connected with the beginning of the Second Macedonian War as described in the main ancient source.

## I

Livy's description of the situation in Rome immediately after the declaration of war on Macedonia (most probably already in the first months of 200: see above) includes the following connection between Roman finances during this war and the Second Punic:<sup>24</sup> by 200 the reimbursement of many Romans'

<sup>23</sup> G. Colin, *Rome et la Grèce de 200 à 146 av. J.-C.* (Paris 1905) esp. 89-93, first spoke in detail of Roman interests (financiers and their senatorial partners) in the economic exploitation of the East during this period, but this is clearly too early. Crawford (*supra* n.1) thought that the prospect of booty offered by Macedonia was an incentive for war to a financially exhausted Rome; this is not improbable but it cannot alone explain the necessity of the war, especially as the revenues of the Roman state would seem now to be steadily growing even in peace, thanks to the Carthaginian indemnities and the exploitation of new territories. A. Piganiol, *La conquête romaine*<sup>2</sup> (Paris 1930) 214, has regarded a pre-emptive social motive as preponderant: Rome tried to postpone the difficulties of military demobilization after the Hannibalic War. One may doubt, however, whether the new war was a clever reaction to such a problem (*cf. supra* nn.5, 11), and Livy mentions (31.4.1ff, 49.5; 32.1.6) land allotments to Scipio's veterans without suggesting a continued grave social problem; *cf.* P. A. Brunt, *Italian Manpower*, 225 B.C.-A.D. 14 (Oxford 1971) 392f. A partial resumption of this motive appears in Hamilton.

<sup>24</sup> Liv. 31.13.1-3: *cum consules in provincias proficisci vellent, privati frequentes, quibus ex pecunia quam M. Valerio M. Claudio consulibus mutuam dederant, tertia pensio debebatur eo anno, adierunt senatum, quia consules, cum ad novum bellum, quod magna classe magnisque exercitibus gerendum esset, vix aerarium sufficeret, negaverant esse unde iis in praesentia solveretur.* A. Passerini, "Studi di storia ellenistico-romana," *Athenaeum* 9 (1931) 560f, has already drawn attention to this passage in connection with the outbreak of the Second Macedonian War, but simply to disprove any special interest of Roman "capitalists" in its declaration. On the meaning of *tertia pensio*, *cf.* Briscoe *ad loc.* (p.92) against the commentary of W. Weissenborn and H. J.



contributions to the state budget at a grave moment of crisis ten years before should have been completed—a third, and final, refund being due in that year. But the resumption of war in the East now postponed the final repayment of this public debt: the consuls expressed to the concerned creditors the sheer inability of the *aerarium* to bear simultaneously the predictably heavy new war costs *and* the exact fulfillment of the original refunding plan. How self-confidently the demands of these *privati* were expressed in this case and how seriously they were taken by the Senate is indicated in Livy and becomes evident in their final success and its form: the state refused to risk its solvency regarding the current war expenses, but offered the possession of public land instead of money to those entitled to the third installment, if they so preferred. If not, they would have to wait for the end of the war, when also the public land portions distributed now as an interim solution could be converted into money.<sup>25</sup> We may here briefly note that, although the land plots

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Müller, VII<sup>3</sup> (Leipzig 1883) *ad loc.*, who thought this should be the 'second'. That the Romans experienced a dire need for money in 200 is further proved by Galba's having to make the traditional vows of the new war *ex incerta pecunia* despite Roman custom: Liv. 31.9.6ff; cf. U. Schlag, *Regnum in senatu. Das Wirken römischer Staatsmänner von 200 bis 191 v.Chr.* (Stuttgart 1968) 149ff; Briscoe 79–82; Warrior 68.

<sup>25</sup> Liv. 31.13.4–9: *Senatus querentes eos non sustinuit: si in Punicum bellum pecunia data in Macedonicum quoque bellum uti res publica vellet, aliis ex aliis orientibus bellis, quid aliud quam publicatum pro beneficio tamquam noxia suam pecuniam fore? Cum et privati aequum postularent, nec tamen solvendo aere alieno res publica esset, quod medium inter aequum et utile erat decreverunt, ut, quoniam magna pars eorum agros volgo venales esse diceret et sibimet emptis opus esse, agri publici qui intra quinquagesimum lapidem esset, copia iis fieret: consules agrum aestimaturos et in iugera asses vectigal testandi causa publicum agrum esse imposituros, ut si quis, cum solvere posset populus, pecuniam habere quam agrum mallet, restitueret agrum populo. Laeti eam condicionem privati accipere; trientabulumque is ager, quia pro tertia parte pecuniae datus erat, appellatus.* On the impression given in Livy of a powerful and rather limited group of citizens protesting and extracting this settlement, cf. C. Nicolet, *Le métier de citoyen dans la Rome républicaine* (Paris 1976) 227. In view of the further argumentation here, it should be perhaps underlined that the Senate obviously accepted as valid the statement of the *privati* that only *noxia pecunia* could be lawfully confiscated and not be reclaimed by its owners.

*Ager in trientabulis* reappears in the *lex agraria* 11.31ff of 111 B.C.: see the latest edition with commentary in M. H. Crawford *et al.*, *Roman Statutes* (London 1996) I no. 2 *ad loc.* On any interpretation of this passage it becomes clear that *trientabulum* remained an important land category about a century after its creation. Could the plural in the inscription (*trientabula, -is*) mean

actually distributed were extensive enough to remain in Roman memory with a collective name (*trientabulum*), at least some of the eventualities foreseen in the regulation of this third installment did later occur (after 197; see below). It will now be necessary to trace the origin and later history of these public obligations still current in 200 and, further, to examine their place and significance within the entire nexus of Roman public expenditure during the Hannibalic War.

The year 210 may be called the apex of Roman financial stress in that war: the need of supplying the Roman navy with oarsmen and provisions reappeared, and the consuls had to resort to extraordinary sources as the state treasury was no longer up to it.<sup>26</sup> They tried first to reapply a system successfully used in 214, announcing the division of these extra outlays for the fleet among Roman citizens according to their census and political-social position (*ex censu ordinibusque*). Although this solution should have affected only the properties of the wealthier Romans (as in 214; see below), the result was fierce protest, nearly a revolt: a large part of the prospective contributors declared openly their impoverishment and inability to aid the state. The consuls allowed them three days to think it over, a time that they needed themselves to convene the Senate and discuss further action. The reasonableness of the protests was acknowledged, but the dire necessity left no alternative until the consul M. Valerius Laevinus proposed a subtler expedient:<sup>27</sup> instead of a formal decision of the Senate imposing certain contributions on respective groups of Romans (as before), the senators should informally lead the way and set the good example of financial patriotism to overcome the crisis. Thus the *patres* should oblige themselves to deliver to a state committee

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that there was a wider geographical dispersion of such land than Livy's singular (*trientabulum*) would lead us to assume?

<sup>26</sup> Liv. 26.35.1ff; cf. n.51 *infra* on some later sources; see also Florus 1.22.24f; Oros. 4.17.14. On Roman financial development during the Hannibalic War, cf. esp. FRANK, *Econ. Survey* I (Baltimore 1933: hereafter 'Frank') 76ff; C. NICOLET, "A Rome pendant la Seconde Guerre Punique: techniques financières et manipulations monétaires," *AnnEconSocCiv* 18 (1963) 417-36, and *Tributum. Recherches sur la fiscalité directe sous la République romaine* (= *Antiquitas* 1.24 [Bonn 1976: 'Nicolet']) esp. 69ff; P. Marchetti, *Histoire économique et monétaire de la Deuxième Guerre Punique* (= *MemAcBelgique* 14.4 [Brussels 1978]).

<sup>27</sup> Liv. 26.36.1ff. Laevinus (cf. H. Volkmann, "Valerius [211]," *RE* VIII<sup>1</sup> [1955] 45ff) was, of course, directly interested in overcoming this crisis as his prospective expedition to Sicily depended on the fleet.

responsible for the war expenses (*triumviri mensarii*)<sup>28</sup> all their gold, silver, and coined bronze except for meticulously defined emblematic and ceremonial articles or minimum reserve funds (e.g. the golden rings distinctive of senatorial status, the silverware necessary for some sacrifices, the sum of 5,000 asses for each *paterfamilias*). The purpose of this action was to stimulate all other Romans to similar gestures towards the state, something that actually happened: the secretaries of the committee could hardly manage to keep pace with the offers to enter their registers (*tabulae publicae*). Laevinus' plan proved a success.

A major factor for this success lay very probably in a mere hint in Laevinus' oration before the Senate: *res publica incolumis et privatas res facile salvas praestat*,<sup>29</sup> i.e., the suggested idea of a future reimbursement for these private contributions. The whole must have been so represented (and understood) as an emergency loan to the state. The same concept must underlie Laevinus' description of this extraordinary collection as *voluntaria conlatio*, i.e., a freewill offer, not something prescribed. Such voluntary contributions to keep the ship of state afloat in those difficult years of Hannibal's invasion had been always and unmistakably accompanied by the conviction they would be returned as soon as the state of the *aerarium* permitted or, at the latest, after the end of the war. So already in 215 the praetor Q. Fulvius Flaccus directed a (successful) appeal to the circle of the usual food suppliers for the Roman army to offer their services to the Republic in the form of a loan to be repaid as a first priority when there was money in the treasury again (Liv. 23.48.10ff). Just a year later (214) a series of similar agreements (Liv. 24.18.10f) resulted from spontaneous private offers: the contractors for the upkeep of temples and various provisions for the state volunteered to continue their services and to be paid only *bello confecto*. As further simultaneous expressions of the same spirit, owners of slaves recently liberated by Ti. Sempronius Gracchus near Beneventum deferred their reimbursement by the state to the period after the war (Liv. 24.14.3ff), and the monies of orphans and widows were made available to the *aerarium* under the form of a deposit for the

<sup>28</sup> On this committee cf. Liv. 23.21.5f, and Frank 84.

<sup>29</sup> Liv. 26.36.9 with Weissenborn-Müller *ad loc.* for the relationship of these ideas to Thuc. 2.60.

same period.<sup>30</sup> The culmination of this generous trust in the financial future of the Republic also came in the same year with the refusal of horsemen and centurions (probably officers and propertied soldiers as well) to accept their rightful *stipendia*: otherwise they would have risked being called mercenaries (Liv. 24.18.15).

Private offers to alleviate public straits on condition of reimbursement in better times had appeared in Rome already during the First Punic War, and thus seems to have been a relatively familiar practice by the beginning of the Hannibalic War. Polybius mentions that the last, and successful, Roman fleet during that war had to be prepared (242) in a similar manner: single citizens or groups of two or three each undertook to supply a fully equipped quinquereme.<sup>31</sup> Mommsen's<sup>32</sup> rapturous praise of the patriotic Roman spirit corresponded (as De Sanctis and others have already seen)<sup>33</sup> only to a part of the picture drawn by Polybius, who notes: ἐφ' ᾧ τὴν δαπάνην κομιοῦνται κατὰ λόγον τῶν πραγμάτων προχωρησάντων ("under the condition they would be reimbursed when the situation developed in the way expected"). So the idea of repayment seems to be

<sup>30</sup> Liv. 24.18.12ff. The quaestor responsible for these monies still had to meet the current expenses of widows and orphans with part of these funds.

<sup>31</sup> Polyb. 1.59.1–8; Cf. F. W. Walbank, *A Historical Commentary on Polybius* I<sup>2</sup> (Oxford 1970) *ad loc.* We should understand that the expression πεντήρη κατηρτισμένην includes the manning of the ships: cf. Polyb.1.47.6.

<sup>32</sup> (*Supra* n.13) 533: "Durch Privatunterzeichnung, wie sie auch wohl in Athen, aber nie in so grossartiger Weise vorgekommen ist, stellten die vermögenden und patriotisch gesinnten Römer eine Kriegsflotte her.... Diese Tatsache, dass eine Anzahl Bürger im dreiuinzwanzigsten Jahre eines schweren Krieges zweihundert Linienschiffe mit einer Besatzung von 600 000 Matrosen freiwillig dem Staate darboten, steht vielleicht ohne Beispiel da in den Annalen der Geschichte."

<sup>33</sup> De Sanctis (*supra* n.13) III.1 184 with n.87 (cf. 228), citing W. Ihne, *Römische Geschichte* II (Leipzig 1870) 91f, who was already more pragmatic than Mommsen: "Es war aber in Wirklichkeit nur ein Zwangsanleihen, welches der Staat bei denjenigen machte, die am wenigsten durch die Noth des Krieges gelitten und gewiss zum grossen Theile viel gewonnen hatten." Of course the idea of a 'compulsory loan' (in the sense of a direct imposition by the state) or that of an interest-bearing loan (*sic* J. H. Thiel, *A History of Roman Sea-Power before the Second Punic War* [Amsterdam 1954] 303f) go beyond the evidence, and are rather improbable: cf. most recently J. F. Lazenby, *The First Punic War* (London 1996) 150 (though bordering on pro-Roman *apologia*). One may conclude that Roman financial patriotism seems to have been selfless in so far as it demanded no interest.

inherent in any form of private generosity to the Republic. As Arnold Toynbee once put it, "A Roman's life was at Rome's disposal, but his money, if he had any, was his own, and it was sacrosanct."<sup>34</sup>

Moreover, free will as the basis of this generosity should, very probably, be perceived in a more relative sense: already the case of the private financing of the fleet in the last phase of the First Punic War may have had such a significance, for the Romans involved could only have been members of the higher social classes, in which the sense of duty to the state went hand in hand with a real *esprit de corps* and its corollary of competition in patriotic behavior. So a chain of 'social compulsion' could begin even if *e.g.* just a few senators were initially ready to help the state in an outstanding way. Of course, the same collective psychology (socially enlarged) may also be recognized in the real emulation of offers to the Republic both in 214 and 210. Even some form of incitement or fundamental planning by the state officials seems quite probable as a method: *e.g.* the idea that the costs of one ship's equipment could be undertaken not only by single 'donors' but also by groups of two or three citizens together may have been an official suggestion. And the direct exhortation of the state contractors by the praetor in 215 may be just a case more transparent than usual.

It seems quite clear that the Republic had every reason to keep such exercises in public spirit (with or without some compulsion/planning) an exception. This is quite intelligible, and the choice of an alternative way (in early 214) to finance another naval program underlines it.<sup>35</sup> To which type of financing did that plan belong? As briefly mentioned above, the concept of that plan was to impose proportionally the costs for manning

<sup>34</sup> A. J. Toynbee, *Hannibal's Legacy* (Oxford 1965) II 346. Toynbee here further elaborated his views on the *tributum* and the reimbursement of 187, on which see below. Nicolet (26) judged Toynbee's aphorism extreme, although it actually seems to be simply an unadorned expression of the truth.

<sup>35</sup> Liv. 24.11.7ff. The end of 24.11.9, *tum primum est factum, ut classis Romana sociis navalibus privata impensa paratis compleretur*, seems to conflict with Polybius (*supra* n.31) on the preparation of the fleet in 242. Weissenborn-Müller (*ad loc.*) tried to explain the difference by pointing out that "ein Privatunternehmen und ein Akt persönlicher Opferwilligkeit" met the financial emergency at the end of the First Punic War. The main weight, however, lies obviously on 'private expense', which could find its natural interpretation, I think, if the private monies given for state use were in 242 expressly a loan and those in 214 at first just another form of *tributum*, which only later exposed its latent character as a loan. See below.

the Roman ships in a new Sicilian expedition (pay, armament, and provisions included) on Roman citizens according to categories of wealth and status: the highest of these comprised citizens with personal or paternal property of 50,000–100,000 asses, each of whom should supply the fleet with one man paid for half a year, and senators, the top of the scale, each meeting the expenses of eight men with a year's pay. Livy does not mention a promise or hint of reimbursement here.

The character of this special levy can be more closely defined in two further points: (a) as long observed, the range of properties that had to bear the burden of this naval preparation coincided with the higher Servian *classes* (from the third *classis* on up);<sup>36</sup> thus the basic organizational framework of this tax was the Roman census, also the basis of the typical Republican extraordinary war tax on citizens, the *tributum*; (b) Livy (29.16.2) mentions that when Laevinus raised in 204 (see below) the question of repaying the *voluntaria conlatio* of 210 to its contributors, he recalled the situation in which his plan had been conceived: *inopi aerario nec plebe ad tributum sufficiente*—a concise reference to the initial attempt at repeating in 210 the scheme of 214 (see above). The designation *plebs* for the persons on whom the levy was originally planned is, of course, at least inexact (and probably tendentious), but the term *tributum* for the method of financing, applied in 214 and failed in 210, is wholly appropriate. The exemption of the lower *classes* underlined, of course, that this was a special tax without altering its basic character as a form of *tributum*.<sup>37</sup>

Thus the general impression of the methods of naval financing at Rome 214–210 is that there was first a step towards extending in this sphere, too, the usual procedure of an exact levy on individuals, a procedure ordained and arranged by the state, which was the essence of *tributum*, and then a distinct reaction and shift to forms of at least overtly voluntary contributions

<sup>36</sup> Weissenborn-Müller *ad loc.* (*supra* n.35). On census and *tributum* cf. Marquardt, *Staatsverw.* II<sup>2</sup> 163; Nicolet 27ff.

<sup>37</sup> One could also adduce: Liv. 26.35.6, where the people claim to have been exhausted *stipendio remigum et tributis annuis*, the two kinds of imposition apparently viewed as a unity; Cic. *De virtutibus* fr. 12 Atzert, where the initial financing plan of the consuls of 210 is described as *nimum tributum imponere vellent*. The tax scheme of 214 (and, abortively, that of 210), which aimed to secure the rowers' pay (a form of *stipendium*), assimilated its levy with *tributum*. Cf. above on the connection of *tributum* and *stipendium*, interchangeable terms, e.g. Liv. 39.7.5.

(paralleled by other contemporary incidents). Roman society and the state obviously regarded these contributions as temporary trust funds (*in publica obligata fide*, as Laevinus put it)<sup>38</sup> to support the Republic and to be returned to the patriotic lenders as soon as the public finances were sufficiently better.

## II

The questions that naturally arise here are whether and to what extent the two methods were clearly distinguished, and what consequences the answers would have not only on the picture of how the Roman state financed wars, but also how it was (or, possibly at times, was not) able to face the obligations accumulated in the period considered here.

We have so far examined the nature, structure, and conditions of the private 'freewill offers' to the state and contrasted them in certain respects to the usual Roman war levy, the *tributum*. But the differences are historically much less than one might think, and the development around 210 seems, as we shall see, to have been rather a fusion or at least a combination of *tributum* with the various forms of *conlatio*.

*Tributum* is perhaps the most interesting financial practice of the Republic, now clarified in many respects by Claude Nicolet's monograph.<sup>39</sup> Above all, its geminal relation to the military *stipendium* and its character as a tax levied only in war and, at least principally, repayable from war booty have emerged with clarity. The old pseudo-dilemma (of mainly juristic relevance and elaboration), whether *tributum* was a real tax or an obligatory loan of citizens to the state, has been, I think, suc-

<sup>38</sup> Liv. 29.16.21; cf. *pecunia ... quam mutuam dederant* for the same funds at Liv. 31.13.2 (*supra* n.24).

<sup>39</sup> Nicolet 1f, citing older literature, and summarizing his views at (*supra* n.25) 206ff and, more recently, *Rendre à César. Économie et société dans la Rome antique* (Paris 1988) 196f, where he clearly states that the nature of *tributum* was "plus proche de la 'mise de fonds' dans une entreprise que d'un droit régalien"; cf. *Tributum* 22. This is not the place to examine the further problem of whether *tributum* had, at least in its first period of development, a fixed rate per citizen (of a certain *classis*) or resulted in a different individual levy each time on the basis of the total needed by the state. Nicolet was inclined to accept the second alternative, but P. Marchetti, "A propos du *tributum* romain: impôt de quotité ou de répartition?" in A. Chastagnol *et al.*, *Armées et fiscalité dans le monde antique* (Paris 1977) 107-31 (with discussion at 132f), was right, in my view, to defend the first; cf. also M. Crawford, rev. Nicolet, *Tributum* and Chastagnol *et al.*, *Armées*, *JRS* 68 (1978) 189.

cessfully and definitively left behind.<sup>40</sup> Sufficient evidence<sup>41</sup> proves that at least in the early history of the Republic not only the idea but also the practice of reimbursing tribute was alive. Of course, already for these early periods one encounters cases in which the relevant practice is suspended for reasons that are not less interesting: e.g. L. Papirius Cursor (*filius*, cos. 293) refrained, after his Samnite victory, from using the war booty for this purpose and actually refrained from granting presents to the soldiers.<sup>42</sup> Cursor (according to Livy) had not “scorned the glory” of depositing his booty in the *aerarium*. His probable

<sup>40</sup> Nicolet esp. 19ff, 26, where the bibliographical development is delineated. Cf. *supra* n.39.

<sup>41</sup> Cf., besides Livy's reference (39.7.5) to the final reimbursement of 187 (see below), Dion. Hal. *Ant. Rom.* 5.47.1 (Roman campaign of 503: ἄνδρας τ' αἰχμαλώτους ἄγοντες, οὓς ἔλαβον οὐκ ὀλίγους καὶ χρήματα, χωρὶς ὧν οἱ στρατιῶται διήρπασαν· τούτων δὲ διαπραθέντων δημοσίᾳ τὰς κατ' ἄνδρα γενομένας εἰσφοράς, αἷς ἔστειλαν τοὺς στρατιώτας, ἅπαντες ἐκομίσαντο), 19.16.3 (Fabricius speaking to Pyrrhus: πολλὰς δὲ καὶ εὐδαιμονας πόλεις κατὰ κράτος ἐλὼν ἐξεπόρθησα, καὶ τὰς εἰσφοράς τοῖς ιδιώταις ἄς εἰς τὸν πόλεμον προεισήνεγκαν ἀπέδωκα, καὶ τετρακόσια τάλαντα μετὰ τὸν θρίαμβον εἰς τὸ ταμεῖον εἰσήνεγκα). Nicolet (22–26) concentrates his discussion of the *tributum*'s character on the first of these passages from Dionysius (which he suspects because of its early context), examining the second actually only as regards the possibility of certain wealthy citizens advancing the whole *tributum*. Nevertheless, despite the early periods to which they refer, these examples in Dionysius and the passage in Livy are cumulatively sufficient proof of a natural but not always necessary practice. Cf. below on Cursor's case. It is futher noteworthy that *tributum* represents in this respect a wholly different concept from the Athenian (and, more generally, Greek) *eisphora*, with which it is usually compared (*sic e.g.* Nicolet 19; cf., however, his very apt remarks on the difference between Greek and Roman euergetism [*supra* n.25: 221]), for there is no evidence, so far as I know, that the proceeds of an *eisphora* would have been returned to its contributors. We may rather here put the finger on a crucial difference between Greek and Roman sociopolitical behavior—a point not recognized by Nicolet (7).

One should perhaps also consider: (a) that the above elements of actual difference in Dionysius, who was otherwise the programmatic *interpres Graecus* of Roman institutions (cf. most recently E. Gabba, *Dionysius and the History of Archaic Rome* [Berkeley 1991]), indirectly strengthen faith in the value of his relevant information; (b) Polyb. 31.26.9: ἀπλῶς γάρ οὐδεὶς οὐδενὶ δίδωσι τῶν ἰδίων ὑπαρχόντων ἐκὼν οὐδέν (*sc. ἐν Ρώμῃ*), in contrast to the spontaneous practice of benefaction as a method to win friends, an Athenian characteristic in the Periclean Epitaphios (Thuc. 2.40.4).

<sup>42</sup> Liv. 10.46.5f: *omne aes argentumque in aerarium conditum, militibus nihil datum ex praeda est. Auctaque ea invidia est ad plebem, quod tributum etiam in stipendium militum conlatum est, cum, si spreta gloria fuisset captivae pecuniae in aerarium inlatae, et militi donum dari ex praeda et stipendium militare praestari potuisset.*



motive was simply the wish to add to the state reserves instead of gaining temporary popularity. A higher *raison d'état* and the ambition to secure a corresponding renown seem to have prevailed and suit the traditional picture of Cursor as a responsible general.<sup>43</sup>

After Cursor no evidence for such reimbursements occurs until the aftermath of the Roman victory over Antiochus III:<sup>44</sup> precisely in 187 Cn. Manlius Vulso was able to use the booty of his Galatian campaign in Asia Minor to reimburse the Roman citizens for the rest of their rightful and unsatisfied *tributum*-claims going back to the preceding long period of wars (almost certainly including the Second Punic; see below).<sup>45</sup> The next step will be then the abolition of *tributum* after Pydna (except for a brief revival in the triumviral period) and the massive enrichment of the Roman *aerarium* from the Macedonian royal treasuries, a success that had especially contributed to Aemilius Paulus' glory.<sup>46</sup>

So not everyone in Rome seems to have forgotten the state's duty to refund *tributum* even after long periods of other pressing public priorities, and especially the Roman generals/statesmen apparently could never fail to see the partial or total satisfaction of such long-latent but valid demands as an instrument to win popular sympathies. In this respect Vulso's friends in the Senate had to exert all their influence to obtain the final reimbursement:<sup>47</sup> for Livy (and probably most traditionally minded senators) this was merely an act "to win the people's favor, too" on the part of the victorious general and his circle. It becomes equally clear that the existence of an at least moral

<sup>43</sup> Cursor *filius* was often confounded in the Roman historiographical tradition with his father, credited with *vis imperii ingens pariter in socios civesque* (Liv. 9.16.16). Cf. on Cursor *filius*, F. Münzer, "Papirius (53)," *RE* 18.3 (1949) 1051ff.

<sup>44</sup> Note, however, that the evidence about the levy of the *tributum* is equally rare apart from the great wars of the third century B.C. Cf. Nicolet 66–69.

<sup>45</sup> Liv. 39.7.1–5. On the interpretation of this reimbursement see below.

<sup>46</sup> Cic. *Off.* 2.76; Val. Max. 4.3.8; Plin. *H.N.* 33.56; Plut. *Aem.* 38; cf. Nicolet 1.

<sup>47</sup> Liv. 39.7.4f: *Sed ad populi quoque gratiam conciliandam amici Manlii valuerunt; quibus adnitentibus senatus consultum factum est....* The first part of Vulso's generosity in Livy (39.7.2) concerned the army, where his popularity was better founded. It is perhaps noteworthy that the people apparently did not cherish any special favor towards Vulso for this act: he failed in his candidacy for censor three years later (Liv. 39.40.2). On the personal structure and intensity of the senatorial opposition against him: F. Münzer, "Manlius (91)," *RE* 14.1 (1928) 1221f; Bonnefond-Coudry (*supra* n.16) 611ff.

right (based on a not negligible *mos*) was in this case practically less important than the willingness (and the interest) of some influential Romans to implement what many others in Rome should also have regarded as correct and overdue.

What Vulso did was simply to complete the procedure of refunding *tributum*, which had weighed on the obligations of the Roman state since the Second Punic War and was already being repaid, apparently, in the years of peace—apart from problems in northern Italy and Iberia—immediately preceding the Antiochene War and in the short period between Magnesia and Vulso's victory. It is impossible to extract from Livy's relevant passage unequivocal data on what percentage of the preceding war *tributa* had already been repaid (and when), or the actual amount still to be returned.<sup>48</sup> Nevertheless, the moment of the final settlement is not less revealing: the Roman Republic had obviously managed to evade this final bill of private claims until all their great opponents had been humiliated and the contents of the *aerarium* as well as the prospects of Roman domination in peace seemed really prosperous: for on any interpretation of Livy's testimony (n.48), the sum now restored to private hands cannot have been a modest one—nor, of course, one of short-term accumulation.<sup>49</sup>

<sup>48</sup> Liv. 39.7.5: *senatus consultum factum est ut ex pecunia quae in triumpho translata esset stipendium collatum a populo in publicum, quod eius solum antea non esset, solveretur. Vicenos quinos et semisses in milia aeris quaestores urbani cum fide et cura solverunt.* On *stipendium* meaning *tributum*, cf. *supra* n.37. It seems very probable that the percentage mentioned (25.5%) corresponds to 25.5 actual single levies of the *tributum* since the beginning of the Second Punic War. Thus we may safely abandon Nicolet's (24ff) carefully pondered hypothesis that the sums of 187 could be understood not as actual reimbursements but as lapsed state claims for overdue *tributum* payments of the preceding wars—a view clearly contradicting Livy's *collatum* but unnecessarily elaborated further by D. Nony, rev. Nicolet, *Tributum*, *REA* 85 (1983) 326f. Also unconvincing are the efforts of Toynbee (*supra* n.34) and Marchetti (*supra* n.39: 122–31) to establish, respectively, how many yearly levies of *tributum simplex* and *duplex* or just of *tributum duplex* are here meant. As we lack crucial evidence to interpret these almost solitary data, Crawford's ardent disbelief (*supra* n.39; cf. his *Coinage and Money under the Roman Republic* [London 1985] 62 n.24) in such imaginatively reconstructed balance-sheets is justified. Cf. also Frank 76; Nicolet, in Chastagnol *et al.* (*supra* n.39) 132.f

<sup>49</sup> Frank's estimate (125, 127) of 22,500,000 denarii rests on dubious presuppositions (e.g. that only "supertaxes" were concerned). Already, however, the trustworthiness and diligence of the urban quaestors in repaying the money, stressed by Livy, indicates a very considerable sum. Cf. Harris 70.

If we keep in mind these essentials about the development of *tributum*, we may be able to grasp the peculiarity of Rome's situation from 210 to the beginning of the Second Macedonian War. The *conlatio* of 210 was, as we have seen, an emergency measure. But it was also original: it was another 'freewill offering' to the warring state but only as far as non-senators were concerned. On themselves the senators imposed contributions of specific amounts, albeit negatively defined (*i.e.*, they laid down how much each might keep, not what he should give).

The solution to the state's difficulties strongly recalled (and cannot have failed to remind many Romans, fond of *exempla*) the historical—or at least the historiographically transmitted—situation from which the institution of *tributum* arose: the introduction of *stipendium* based on *tributum* during the long war against Veii (Liv. 4.60). At that time, too, the senators were recorded as having set the example for the people in contributing first what corresponded to their census position and thus effecting a real *certamen conferendi* among the previously unwilling Romans—a result all the more noteworthy and memorable as the tribunes had previously tried to strengthen the common citizens' indifference through promises of protection.<sup>50</sup>

So despite Laevinus' dexterous effort to veil these extraordinary contributions as just another *conlatio*, there were strong similarities both practical and historical (or simply traditional) with the *tributa*.<sup>51</sup> What made things more delicate then was obviously that the senators must have been especially burdened by this self-imposed and self-defined extraordinary tax, even if

<sup>50</sup> Liv. 4.60.5. On this Livian tradition about the introduction of *stipendium* and *tributum* cf. Nicolet 18f, 29, who also notes the similarity between the scenes of 406 and 210.

<sup>51</sup> The essential similarity also emerges from some later sources: (a) at Festus *s.v.* *tributorum conlationem* Lindsay, the *conlatio* of 210 (*cum et senatus et populus in aerarium quod habuit detulit*) is classified as a case of *tributum temerarium*, where the only difference from the usual *tributum* suggested is the latter's calculation solely on the basis of the census (*cf.* Laevinus' remark n.52 *infra*); any further differentiation is modern invention (so e.g. W. Schwahn, "Tributum," *RE* 7A1 [1939] 3); (b) Valerius Maximus (5.6.8) mentions an offer of the Senate to the many voluntary contributors during the Second Punic War that they be exempted from further obligations of *tributum*, obviously thought superfluous in their cases; although they are said to have patriotically (and characteristic of their reserve) declined the privilege, any theoretical difference between a reimbursable, loan-like contribution and a mere war-tax does not seem to fit into the senate's reasoning.

one accepts at face value Livy's picture of the *conlatio* as a complete success on all social levels.<sup>52</sup>

If the *conlatio* had only a limited distinction from *tributa*, the interest of the senators in their special refund was correspondingly greater. Thus, it is no surprise that Laevinus did not await the end of the Second Punic War, but seized the opportunity of the first distinctly favorable turn in its later course to bring forth the question of refunding the contributions of 210: this was in 204,<sup>53</sup> shortly after Scipio's transference of the main theater of the war to Africa and the removal of Roman fear of defeat (*dempto metu*).<sup>54</sup> The refreshing change of the whole situation and the recent desperate state of the *aerarium* is shown by the following: in 209, one year after Laevinus' *conlatio*, the Roman state had used its last reserves, *i.e.*, the monies of the *vicesima manumissionum* saved over one and a half centuries for such extreme difficulties (Liv. 27.10.11; *cf.* Frank 92); about the end of the same year, when Rome took Tarentum, the financial situation did not change essentially or the state treasurers did not yet wish to risk disbursements, for Scipio in 205 had to prepare his African army through voluntary contributions of the Italian allies,<sup>55</sup> and in the same year the state had to raise money by selling part of the *ager publicus* north of

<sup>52</sup> Laevinus (Liv. 26.36.3) had predisposed his fellow *patres* to contribute *plus quam pro virili parte*, if they wished to set a good example for the rest of the people.

<sup>53</sup> Liv. 29.16.1ff. It should be noted that Laevinus 'reminded' the Senate of the *conlatio* of 210 and its obligatory reimbursement at the same time as the Senate decided to settle another long-standing issue, necessarily tolerated during the critical years of the war: punishment of the refusal of twelve Latin colonies to contribute their conventional contingents to the army during the war by imposing on them both a severely increased (more than doubled) military participation in the Roman forces and a Roman-like *tributum* ("stipendium") of 1/1000 (Liv. 29.15). An underlying and specific care for financial balance seems to have characterized senatorial planning here, too. *Cf.* below on the situation in 196.

<sup>54</sup> Liv. 29.15.1. The previous situation is also characterized as *dubii in rebus*.

<sup>55</sup> Liv. 28.45.13-21; *cf.* Frank 93f. The fall of Tarentum has been stressed as a (positive) turning point in the financial history of Rome during the Second Punic War by Marchetti (*supra* n.26: 352, 507). Nevertheless, I think that the general improvement of the situation did not mean that no problems remained (*cf.* the evidence in the text). Crawford (*supra* n.48: 61f) would even place this favorable turn a little earlier (212), but one should rather set there just the beginning of a longer and still arduous development, as becomes evident in his own reconstruction of it.

Cumae—a typically extraordinary measure (Liv. 28.46.4f; cf. Frank 94f).

Nevertheless, just a year later (204) Laevinus raised in the Senate the question of refunding the monies of 210: he felt doubly responsible for the fate of those monies lent to the state, as he was not only one of that year's consuls but also the inventor of the system used to collect those sums (Liv. 29.16.1ff). Clearly this way of reopening the issue of the public debt of 210 must have been agreed upon between Laevinus and many senators as the best tactic possible in that situation: it drew the veil of one aristocrat's personal problem/pretext of honor and responsibility over the lively interests of them all. There would be no exaggeration, I think, in seeing this verified in Livy's *grata ea patribus admonitio fuit* (29.16.3), whereupon the Senate entrusted the consuls to pay back the sums of 210 in three installments (one the same year, one in 202, and the last in 200; cf. *supra* n.24).

In other words, the Senate, with Laevinus fittingly undertaking the rôle to raise officially an issue nagging the entire body, preferred not to await the end of the war to satisfy the demands to refund the monies of 210. This meant, however, that all similar contributions to the state during the war became, theoretically, instantly reclaimable also. Furthermore, the practically and decisively blurred distinction between traditional *tributa* and the extraordinary tribute-like *conlationes* (see above) cannot have failed to revive thoughts about similar claims for the usual *tributa* exacted from Roman citizens during the whole course of the Hannibalic War. Livy does not systematically mention raising them, but he notes that the protesters against the extraordinary tribute plan finally abandoned in 210 (as we have seen) claimed to have run out of money through *tributa annua* (Liv. 26.35.6; cf. 26.35.5: *per tot annos tributo exhaustos*). It should also be indicative that a *tributum duplex* had been exacted three years after the beginning of the war.<sup>56</sup> The *aerarium* must have demanded many more extraordinary *tributa* in the following years.

Despite the special treatment of the claims on the monies of 210, no doubt similar claims would find their real chance for

<sup>56</sup> Liv. 23.31.1; cf. Frank (79) on the probability of further supertaxes during the war, although his "exact" calculations and tables rest on a series of hypotheses (cf. Harris 68). On Marchetti's similar assumptions (*supra* n.39: 123ff), cf. Nicolet's wise skepticism in his discussion of Marchetti's paper (Chastagnol *et al.* [*supra* n.39] 133): "rien ne confirme la durée exact du *tributum duplex* pendant juste 16 ans" (from 215 to 200).

repayment no earlier than at the end of the war. Peace as an objective terminus for refunds becomes evident not only in the explicit reference to this at the realization of some *conlationes* (see above) but also through the fate of the third installment of 210: even the refund of Laevinus' *conlatio* was not completely allowed to weaken the solvency of the *aerarium*. The compromise, to satisfy the claimants with the use of public land instead of money, cannot have disappointed them (it was, after all, partly their own suggestion), but it underlined again how many similar claims were not treated equitably. The problem also remains of why some demands of 210/200 were later (196) still in effect (Liv. 33.42.2ff): was it simply that some holders of public land wanted to exchange this land for cash (to buy other land then available cheaply?), or should we perhaps think that the area of the *trientabulum* (see above) had sufficed to meet only part of the claims?<sup>57</sup> The second alternative cannot be excluded and would enhance the impression of something like an iceberg of financial claims, partially visible and opportunely evaded (and evadable) in the stormy sea of Roman war troubles.

How the experiences of the Hannibalic War had sharpened the Roman magistrates' care for reserves is not less instructive: for we have seen that when the (remaining?) claimants of 200 demanded their final reimbursement after the end of the Second Macedonian War, the quaestors of the *aerarium* preferred to exact retrospectively all payments of the *tributum* due from the pontifices and augurs since the beginning of the war in order to meet those demands.<sup>58</sup> This measure might also have a symbolic and admonitory character: the state magistrates made clear to everyone that the time for the ultimate satisfaction of all private claims dating from the prolonged war-period had not

<sup>57</sup> Toynbee (*supra* n.34: 346 n.5) thought that no such claims existed by 196, as all contributors to the *conlatio* of 210 should have availed themselves of the land settlement of 200, which is not proved. Briscoe (329) could only think of the exchange alternative (money for temporarily conceded land). A partial satisfaction of the rightful claims in 200 is preferred by Nicolet (77).

<sup>58</sup> Liv. 33.42.2ff. Although the augurs and pontifices appealed to the tribunes, they finally had to pay the sums exacted. So we should rather conclude a case of evading tribute (also a tolerated issue during the war) and not any form of real priestly privilege. Cf. Schlag's analysis (*supra* n.24: 156f). It is exactly this belated collection of *tributum* owed since the Hannibalic War that renders improbable an earlier date for the reimbursement of the tribute, as suggested e.g. by Frank (79). But this could certainly have begun by the Antiochene War (see above).

yet come. As we have seen, even after the Peace of Apamea and Vulso's victory, the conclusion of the whole question of refund did not win unanimous support in senatorial circles.

### III

In any case, the difference from the situation just before the outbreak of the Second Macedonian War is obvious. We may now see that if the short-lived peace after the Hannibalic War had been extended, the Roman Republic would probably have been exposed to a long series of private demands and the *aerarium* further exhausted. The reimbursement of the regular (and sometimes multiple) *tributum* would have required, of course, some senatorial voices advocating the renewal of the ancient practice. A warless period, however, would have probably created better conditions for alternative ambitions in some senators.<sup>59</sup>

Thus it is very doubtful, when both the temporal extent and the variety of the potential claims are taken into account, whether the Carthaginian indemnities and the other sums now flowing into the *aerarium* from the new Roman territories (still to be organized properly) could have redressed this unfavorable balance in the short term.<sup>60</sup> From a financial and military viewpoint, the Roman state at this time resembles a runner who strives on, panting and sweating, because he knows that once he stops he will not be able to start again.<sup>61</sup>

<sup>59</sup> One should not forget Scipio's presence and popularity at Rome in 200 and his at least not overt pro-war attitude (against Macedonia). On his position and policy during this period, cf. H. H. Scullard, *Scipio Africanus, Soldier and Politician* (London 1970) esp. 177–81. On the respective fears and possible precautions of his senatorial adversaries, cf. also recently Hamilton.

<sup>60</sup> The evidence for indemnities and booty flowing into the Roman treasury in the first years after the end of the Hannibalic War have been collected by Frank (127f), although his attempt (145) at a "treasury account" of Rome for the period 200–157 is, of course, "decidedly conjectural," as he admitted. It may be characteristic that Scipio's booty from Africa—133,000 pounds of silver—did not alter the situation in 200, and each of the annual installments of Carthaginian indemnity to follow over the next fifty years did not exceed about 1/8 of this sum. We should also remember that Roman activities in the West (Spain, Gaul) went on, which meant booty but also expenses.

<sup>61</sup> The simile of ψυχομαχοῦντες ὄρνιθες used by Polybius (1.58.7–59.3) for Rome and Carthage in the final stage of the First Punic War may be appropriately cited here in more than one respect: Rome was able to finish that war victoriously due to the private preparation of another Roman fleet

If the second round with Macedonia had begun some years after 200, Rome might have replenished its military strength but would also have had to fight with weaker finances.<sup>62</sup> Furthermore, the vivid memory of Laevinus' *conlatio* and its refund and vicissitudes, might have filled the common people with some bitterness and some of the senators with uneasiness concerning further patriotic feats of this sort, as they certainly needed at least six years to recover what they had contributed (*cf. supra* n.61).

Given the circumstances in 200, it would be an exaggeration to see here *the* reason for the outbreak of the second war with Philip V (*cf. above* against a monocausal explanation). On the other hand, the consuls of that year and the whole Senate could hardly have failed to bear in mind—while the refund of Laevinus' critical *conlatio* was reaching completion—the financial straits, past and future, that a 'premature' peace could have only rendered more acute at an unfavorable junction of foreign affairs. Would it thus be far-fetched to think that the *rationes aerarum* also played some special rôle in the decision for war at that time?<sup>63</sup>

UNIVERSITY OF ATHENS  
INSTITUTE FOR ADVANCED STUDY, PRINCETON  
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(Polyb. 1.59.6f; *cf. above*). But a renewed policy of patriotic loans to the state would seem rather difficult in Rome for some period after the experiences of the war with Hannibal.

<sup>62</sup> *Cf.* the realistic picture of Roman expenditure in the first half of the second century B.C. drawn by M. Cary and H. H. Scullard, *A History of Rome*<sup>3</sup> (London 1975) 183.

<sup>63</sup> I wish to thank the anonymous reader for useful suggestions and Francis X. Ryan for help with my English. All remaining faults are mine.