

ROME, PAMPHYLIA AND CILICIA, 133-70 B.C.

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There has been much debate about the nature and purpose of the Roman intervention in Pamphylia between 102 and 70 B.C., to which a new edge has been given by the discovery of the extensive new fragments of the 'Piracy Law' of 101-100.¹ Any solution needs a clear understanding of the strategic geography of the region and its political role within the kingdom of Pergamum that became the province of Asia. This fertile though narrow coastal plain, hemmed in by the western prolongation of the Taurus mountains, between the high massif of Cilicia Aspera in the east and the lower block of Lycia in the west, with the Pisidian chains to the north, is the coastal face of the isolated and difficult country of Pisidia. The deltas of the Pisidian rivers, notably Cestros and Eurymedon, enrich the narrow plain of Pamphylia. Practicable access to the interior for large forces dependant on wheeled transport for supplies is provided by three difficult routes leading through the Pisidian mountains from the coastal harbours: the first goes north-west from Attaleia past Termessus into and through the mountainous Milyas region that lies behind Lycia to Cibyra, and thence to Laodicea on the upper Maeander (Lycus) in Carian Asia. The second and easiest goes northwards from Attaleia to Sagalassus in the heart of Pisidia, and thence to Apamea on the Phrygian plateau—with a difficult branch north-east to Pisidian Antioch and Philomelium—and the third goes north and north-east from Side through the highest section of the Pisidian mountains, passing between the great Lake Caralis and the northern end of the High Taurus into the elevated plateau of Lycaonia: thence, from the communication centre of Iconium, there is easy access to Cappadocia by the central highway that links Apamea, Iconium and Mazaca. Pamphylia thus forms the southern gateway to Pergamene and Roman Asia, and to the Cappadocian kingdom behind the main chains of the Taurus.² Hence it was of strategic interest to the Hellenistic kingdoms, which in the past had sought to control it and to found cities in it, and most notably after the Treaty of Apamea, to the kings of Pergamum.

In 188 when the Roman commissioners executing the treaty of Apamea granted Eumenes of Pergamum the zone of western Pisidia known as Milyas, and all Lycaonia, in addition to Phrygia and Lydia, he claimed Pamphylia also to round off his kingdom. The envoys of Antiochus held that Pamphylia lay 'beyond Taurus' and hence was not forfeit under the peace terms, though their military forces were formally withdrawn.³ The final decision is not known, but since in 169 a mission from Pamphylia formally renewed its friendship with the Roman people it is likely that most of the Pamphylian cities were granted freedom in 188. Yet the successor of Eumenes was able to build the city of Attaleia and to make a settlement at adjacent Corycus.⁴ Likewise within Pisidia, which is not named among the donations of 188, though it separates Lycaonia from Attalid Lydia, Attalus II was allowed a free hand. He was influential at Termessus, controlled at least Amlada in eastern

¹ M. Hassall, M. Crawford, J. Reynolds, 'Rome and the Eastern Provinces at the End of the Second Century B.C.', *JRS* 64 (1974), 195 ff. Produced for the benefit of historians with commendable speed and acumen, cf. below, n. 21.

² For the geography of Pamphylia and the routes thence through Pisidia see B. M. Levick, *Roman Colonies in Southern Asia Minor* (Oxford, 1967), ch. 2; D. Magie, *Roman Rule in Asia Minor* (Princeton, 1950), i, 259-66 and ii, 1140, n. 18, with G. E. Bean, T. B. Mitford, *Journeys in Rough Cilicia 1964-8* (Vienna, 1970), and G. E. Bean, *Turkey's Southern Shore* (London, 1968), for local topography. Cf. also A. H. M. Jones, *Cities of the Eastern Roman Provinces* (Oxford, 1971), ch. v. The volume *Turkey I*, fig. 32 (pp. 142-3) (*B.R. 507 Geographical Handbook Series*, 1942), and the text, *ibid.* 95 f., 147 f., illustrate clearly the physical controls limiting communications. Bean, *Journeys* (1970), 23 and 71, dismisses other eastward tracks as impassable to wheeled traffic in ancient or mediaeval times, except for the route from Cilician Corocaesium across the

Taurus to Iconium. Cf. the map on p. 2, prepared by the kindness of Mr. S. Mitchell.

³ Pol. 21. 46 (48). 10-11; Livy 38. 37. 9-10; 39. 17. Livy's statement that part of Pamphylia was *cis Taurum* and part *ultra* seems based on a misunderstanding of Polybius. Cf. Th. Liebmann-Frankfort, *La frontière orientale dans la politique extérieure de la république romaine* (Brussels, 1969), 71 ff. A. H. McDonald, 'The Treaty of Apamea,' *JRS* 57 (1967), 1 ff., does not discuss the Pamphylian settlement. Strabo 13. 4. 17 (631) defines Milyas as the highlands between Isinda-Termessus in the south and Sagalassus-Apamea in the north. This fits Polybius and Livy here, and the use of Cicero, *Verr.* 11. 1. 95 (below, n. 18), and of Pliny, *NH* 5. 147. For the controversy over Ptolemy 5. 3. 4 see Magie *op. cit.* (n. 2), ii, 775, n. 79; 1133, n. 4.

⁴ Livy 44. 14. 3. For Attaleia and another foundation at Pamphylian Corycus by Attalus II Philadelphus see Strabo 14. 4. 1 (667); Magie *op. cit.* (n. 2), ii, 774, n. 77; 775, n. 79. E. V. Hansen, *The Attalids of Pergamum* (1971), 182, adds nothing.

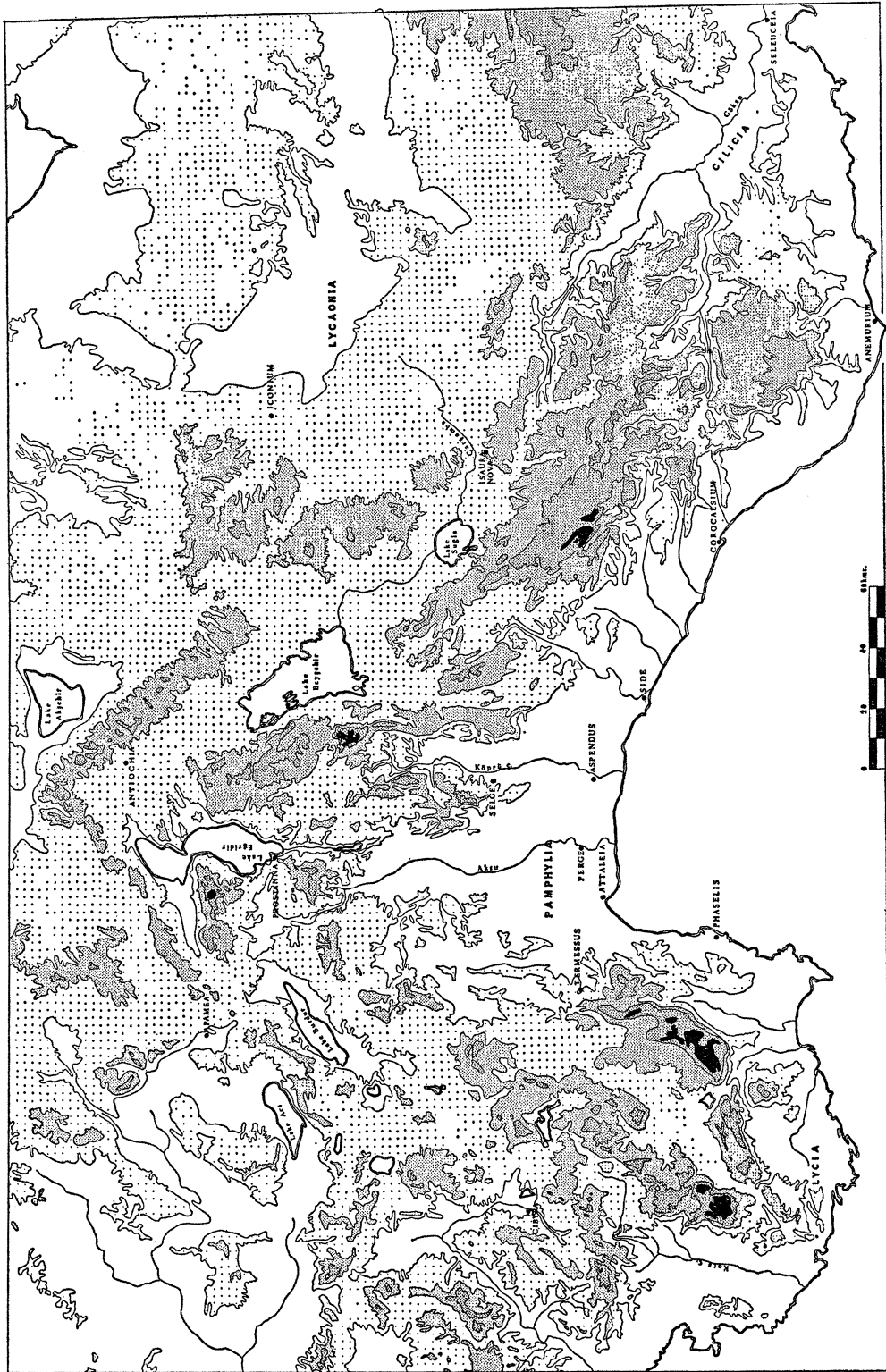


FIG. I. LYCIA, PAMPHYLIA AND CILICIA: GEOGRAPHICAL FEATURES
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Pisidia as a tributary vassal, and waged war against the Pisidian stronghold of Selge, which is accessible only from Pamphylia.⁵ So it seems that much of Pisidia and Pamphylia was in Attalid hands, and passed to Rome by the inheritance of 133, though it is not certain when they came under direct administration. They were somewhat isolated, at first, from the core of the new province of Asia by the assignment of Phrygia in the north to the king of Pontus, and by the survival of the free states of Caria and Lycia south of the Maeander, which were not part of the Attalid inheritance.⁶ But the recovery of Phrygia after the death of Mithridates Euergetes in 120 brought the direct route from Phrygian Apamea to Pisidian Sagalassus and Pamphylia back to the province, and made control of Pamphylia by the proconsuls of Asia more practicable. The similar restoration of Lycaonia to Asia at an uncertain date before 101, revealed by the new text from Cnidos, reinforces the conclusion that Pisidia, which lies between them, with the adjacent coastal zone of Pamphylia, had long been nominally part of the Roman province.⁷ Hence when Roman commanders are found active in Pamphylia at the end of the century this does not necessarily mean, as is often assumed, any extension of Roman provincial territory in Anatolia.

Towards the close of the second century Pamphylia began to attract Roman attention for a somewhat adventitious reason. It lay between the two zones of mountainous coast, well provided with small natural harbours of difficult access by land, in which the pirate adventurers were steadily building up their power in the decades after the end of the kingdom of Pergamum, to become in the eighties and seventies the greatest protection racket that the ancient world had yet known. Before the Roman ascendancy the endemic piracy of the Mediterranean was held in check by the naval power of the Seleucids, based on Syria and Cilicia, while the island state of Rhodes kept a careful eye on the pirate strongholds of adjacent Crete, and the Ptolemaic navy operated from Egypt, Cyprus and Cyrenaica. During the second century these naval controls were weakened increasingly by Roman action and internal decay. The treaty of Apamea prevented the reduced Seleucid fleet from sailing west of Cape Sarpedon at the western limit of the Cilician plain, and excluded the Syrian army from Pamphylia. Rhodes was weakened a generation later, after Pydna, by the loss of the external revenues of her mainland territories. This reduced the scale and scope of the Rhodian fleet, though it remained an effective fighting force down to the wars with Mithridates.⁸ In the second half of the second century the conflicts with Parthia in

⁵ Pisidia, omitted in the texts of the donations of 189-8 (above, n. 3) is included in the Rhodian speech (Livy 37. 54. 11). For Amlada, *OGIS* 751. For Termessus, Magie op. cit. (n. 2) ii, 1136, n. 12. For Selge, Strabo 12. 7. 3 (571); Trogus, *Procl.* 34; Pol. 31. 1 (9). 3; Magie op. cit. (n. 2) ii, 750-1. The counter-alliance of Termessus and Adada, *TAM* 3. 1. 2, suggests that not all Pisidia was Pergamene: cf. the freedom of 'Pisidian' Antioch since 189, Strabo 12. 8. 14 (577). For the topography of Selge cf. Bean op. cit. (1968) in n. 1, 138 ff., supported by Pol. 5. 72-3, where Garsyeris enters Pamphylia from Milyas to attack Selge from the south.

⁶ There is no evidence for the current belief that western Caria was included in Asia from the first, e.g. A. H. M. Jones, op. cit. (n. 2), 59. Magie op. cit. (n. 2), ii, 1044, n. 30 (following Brandis, *RE* ii, 1538 f.) argued from the Sullan *s.c.* about Tabae and Stratonicea (*OGIS* 441-2; Sherk, *Roman Documents*, nos. 17-18; M. Crawford, J. Reynolds, 'Rome and Tabae', *GRBS* 15 (1974), 289 ff.) that these cities had always been under proconsular government. But these documents, like the later *Lex Antonia* about Termessus (below, p. 11), restore the former freedom of the cities after the turmoil of the Mithridatic war at a time when the rest of Caria was doubtless under Roman rule. H. v. Gaertringen, *Inscr. Priene* (1906), n. 121, 33, implies that Alabanda had free status *c.* 100. P. Le Bas, W. H. Waddington, *Voyages archéologiques etc.*, *Inscr. grecques et latines* iii, n. 409, may indicate provincial

status for Mylasa *c.* 78-7. Further east the tetrapolis of Cibyra survived as independent to *c.* 82; below, n. 51. Not much is left for a pre-Sullan *conventus* of Caria: why should the Senate add Caria to the new province when it was abandoning so much of the Attalid inheritance to the kings?

⁷ Contra, Levick op. cit. (n. 2), 20; E. Will, *Histoire politique du monde hellénistique* (Nancy, 1967) ii, 354, without argument. But a Roman quaestor was connected with Prostanna in western Pisidia in *c.* 112, *Inscr. Délos* 4. 1. 1603; Val. Max. 3. 7. 9; and Aquilius' highway reached at least Tacina on the Pisidian border, cf. Magie, op. cit. (n. 2), ii, 1048, n. 39. For Lycaonia see Justin 37. 1. 2, and below p. 6f. Justin's garbled text couples Lycaonia with Lycia, emended to Cilicia. But Seleucid Cilicia could not be given to Ariarathes in 120. Possibly the text means that the area of the later Roman province, i.e. Pamphylia and Pisidia, was given with Lycaonia, cf. also Jones op. cit. (n. 2), 131, and restored to the Roman province before 102, if the credit of the author extends so far.

⁸ For Rhodian control of Cretan piracy *c.* 200 see H. A. Ormerod, *Piracy in the Ancient World* (Liverpool, 1924), 137 ff. For a clash *c.* 150, cf. Diod. 31. 38. 43-5; Pol. 33. 16-17. For the Rhodian fleet in 88-7 and 67, App., *Mithr.* 24-6; Diod. 37. 28; Florus 1. 41. 8, and roughly contemporary inscriptions cited by M. Segré, *Clara Rhodos* 8. 227; cf. Magie op. cit. (n. 2) ii, 1164, n. 40.

the east broke the Seleucid power, while the monarchy both in Syria and Egypt was being eroded from within by persistent dynastic feuds.

The steady expansion of the Pergamene kingdom and the vigour of the maritime free states of the Asian coast seem to have compensated for these weaknesses in the middle of the century. The Pergamene interest in the southern coast of Anatolia is shown by their foundation of maritime centres in Pamphylia. Though there is little direct evidence in this ill-documented period, there can be no doubt that the flotillas of Pergamum and the free Greek states, such as the Lycian league and Rhodes, which later formed the Roman fleet in Asia, kept the pirates of the Aegean zone under control in the middle of the second century. The scale of the naval alliance is shown by the fleet of eighty warships which operated under Attalid leadership in the war against Prusias of Bithynia in 163-2. Of these Pergamum and Cyzicus provided over half, while Rhodes, which was occupied with a Cretan war, sent only five vessels, and the remainder came from a number of lesser city-states. The alliance is last recorded at work in a reference to the naval action of the flotilla of Ephesus against the rebellion of Aristonicus in 133-2.⁹

Hence it is not surprising that the menace of piracy did not force itself upon Roman attention until three decades after their annexation of the Asian kingdom. The Roman praetors had evidently failed to maintain the active naval alliance on which the policing of the seas depended. The first phase of the great expansion of piracy is indicated only by the Roman reaction to it in 102-100, when the praetor Antonius was despatched to southern Asia, and a directive was issued to the kings and city-states of the eastern Mediterranean requiring their cooperation in the suppression of piracy.

Little is known of the mission of Antonius. Modern discussions, though brief and superficial, have been surprisingly dogmatic. It is commonly assumed that he was given a naval force for the suppression of pirates in the Pamphylian region, and that he undertook no operations by land. The epitomator of Livy records that the praetor M. Antonius pursued the sea-pirates towards or into Cilicia. Cicero, not necessarily using the terminology of his own times, attributes to Antonius the statement that he was held up at Athens while on a voyage as *proconsul* to Cilicia, and elsewhere records that his officer Gratidianus was killed 'in Cilicia'.¹⁰ An undated local inscription from Rhodes refers to Aulus Gabinius as quaestor of M. Antonius the praetor 'to Cilicia', which in a Rhodian document must have its correct connotation.¹¹ All this suggests that Antonius operated against Cilicia proper, by land and sea. It has also been assumed that a metrical inscription from Corinth refers to the praetor of 102. The verses describe the transportation of a fleet across the isthmus of Corinth by a *proconsule* whose name has been deleted, and his voyage onward to Side in Pamphylia, while a certain Hirrus *propraetore* quickly fits out the fleet, or another fleet, at Athens.¹² The document would indicate that Antonius in 102 had Pamphylia as his territorial base. The missing name is restored as M. Antonius in the belief that it was deleted through confusion with that of the notorious Triumvir. As such it may refer either to the praetor of 102 or to the naval commander of 74-1. But the details do not fit what Cicero says about the voyage of the senior Marcus Antonius, since the deleted *proconsul* sailed direct from Corinth to Side. Besides, while the designation of praetors as *proconsule* is well documented from an early date, it is unlikely that at this time a praetor would be given an assistant holding *imperium propraetore* rather than a plain *legatus*.

⁹ Pol. 33. 13. 1-3; Strabo 14. 1. 38 (646).

¹⁰ For a summary of modern opinions see Magie op. cit. (n. 2) ii, 1161, n. 12; E. Badian, *Studies in Greek and Roman History* (Oxford, 1964), 161. Livy, *Ep.* 68: 'in Ciliciam maritimos praedones, id est piratas, persecutus est'. Obsequens 44 (104) less carefully speaks of pirates being slain in *Cilicia* (where Mss. read *in Sicilia*). Cic., *de Or.* 1. 82: 'Cum proconsule in Ciliciam proficiscens venissem Athenas complures ibi tum dies . . . commoratus'; cf. *Brutus* 168, 'in Cilicia'. Trogus, *Prol.* 39 has 'bellum mari . . . in Cilicia Romani per M. Antonium gesserunt', but the statement *ib.* 39. 5. 3 about Crete and Cilicia becoming provinces does not refer to the war of the elder Antonius.

¹¹ *IGRR* iv, 1116. The inscription was set up by

the city or a private admirer in honour of a Rhodian sea-captain. Hence Cilicia must have its proper Greek significance: it cannot at Rhodes mean Pamphylia. Reinach, *Rev. Et. Gr.* 17 (1904), 210, identified the Romans with the later Antonius and the tribune of 67, not unreasonably.

¹² *ILLRP* i, 342: 'auspicio (.)i proconsule classis Isthmum traductast missaque per pelagus. Ipse iter eire profectus Sidam, classem Hirrus Athenensis propraetore anni e tempore constituit; lucibus haec pauc(e)s parvo perfecta tumultu'. For the identification cf. *ibid.* nn., and S. Dow, *Harvard Stud. Cl. Phil.* 60 (1951), 90, who claimed that squeezes revealed traces of five or six of the missing letters, and restored: '(Ant)oni (M)-arci.'

It is also unlikely that any fleet would be despatched from Italy in 102. The Romans had let their fleet decay even before the last war with Carthage, and fifteen years after the operations of M. Antonius there was still no fleet available in Italy when Sulla set out for the first war with Mithridates.¹³ The Romans now operated with the contingents of their subjects and allies in Asia. M. Antonius had the assistance of ships from Rhodes and from Byzantium. A Lycian squadron was active in a great but unidentifiable battle within this period.¹⁴ The praetor of Asia in 88 had a local fleet of sorts, and a year later when Sulla's quaestor Lucullus was sent from Greece on a famous ship-finding mission round the eastern Mediterranean, he secured ships from Phoenicia, Pamphylia, Rhodes, Cos and Cnidos.¹⁵ When Sulla confiscated seventy men-of-war from the defeated Mithridates, he took them off to Italy and left his legate Murena to form an Asian fleet from the resources of the province.¹⁶

In 102 the obvious supply base for a proconsul whose duty it was to recruit sailors, organize a fleet and operate against the pirates of the Cilician coast, was Asia, and all the more so if Pamphylia was nominally included within the province. No formal text designates Cilicia as the basic *provincia* of Antonius. Roman technical usage is relevant. When consuls were sent to deal with the Numidian prince Jugurtha from 112 to 107, though the existing territorial province of Africa was their base of operations, their *provincia* was defined not as *Africa* but as *Numidia*: 'Calpurnio . . . Numidia . . . obvenit. deinde exercitus qui in Africam portaretur scribitur'.¹⁷ So too in 102 the praetor Antonius would be given Asia as his material base and source of supply, while Cilicia would be named as his objective and probable zone of operations, as it was later for the commanders of the seventies. This is the easy solution of the problem that has teased so many scholars about the apparent designation of the region of Pamphylia as Cilicia, and even led to the suggestion that Antonius was given a military or naval *provincia* without a regular base.¹⁸ The Romans, including Cicero, who later makes use of the designation, were well aware that Pamphylia was not Cilicia. Speaking of Cornelius Dolabella's province in c. 80 Cicero names its component parts as Pamphylia, Pisidia and the district of Milyas, but when he has its technical assignation in mind he calls it Cilicia.¹⁹ He does not mean that Dolabella 'governed Cilicia', but that his job, and that of whoever held this *provincia*, was to deal with Cilicia and Cilicians, including the pirates thence who at this time had actually occupied Phaselis and Corycus in western Pamphylia.²⁰ The lack of a single regional name like Asia or Macedonia for the area encouraged the adoption of the portmanteau term later used by historical writers such as Sallust, Plutarch and Appian.

The general purpose of the mission of Antonius has long been seen to be illuminated by the instructions contained in the fragmentary text of the Roman law about piracy and

¹³ cf. J. H. Thiel, *Studies on the History of Roman Sea Power in Republican Times* (Amsterdam, 1946), 414-5. For Sulla, cf. n. 15 below. For *praetores proconsule* see W. F. Jashemski, *Origins and History of the Proconsular and the Proprætorian Imperium to 27 B.C.* (Chicago, 1950).

¹⁴ *IGRR* iv, 1116, cf. n. 11. above. For Byzantine ships, Tac., *Ann.* 12. 62. For the Lycian squadron, possibly serving with Servilius in 78, *OGIS* 552-4. For Antonius at Rhodes cf. Cic., *de Or.* 2. 3.

¹⁵ Appian, *Mithr.* 17, 19, 33, for the fleet in Asia; Plut., *Luc.* 2. 4; 3. 2-3, where there is no mention of Pamphylia: the coastal cities are those of Syria, not yet under Tigranes' control. Appian, *Mithr.* 56 names Cyprus, Phoenicia, Rhodes, Pamphylia in non-geographical order. The absence of Lycia is striking.

¹⁶ Cic., *Verr.* II 1. 89 f. Cf. Magie, op. cit. (n. 2) ii, 1121, n. 27. Cf. Appian, *BC* 1, 79.

¹⁷ Sall., *B. J.* 27. 3-5; 35. 3; 43. 1; 62. 10; 84. 1, for the designation of the province as Numidia. Actual operations in Africa are carefully distin-

guished from those in Numidia, *ibid.* 25. 1; 28. 6-7; 36. 1; 39. 4; 44. 1 with 46. 5; 86. 4.

¹⁸ Magie op. cit. (n. 2) ii, 1161, n. 12, followed by Badian op. cit. (n. 10), 161, wrote as if Antonius could dispense with any territorial base by using the port of Rhodes. But a free state could not be assigned as a province, however much it could be expected to help. Besides, Rhodes had no large natural harbour to serve a great force.

¹⁹ Cic., *Verr.* I. 11: 'Asiae et Pamphyliae'; II. 1. 95: 'quomodo iste commune Milyadum vexarit . . . Lyciam Pamphyliam Pisidiam Phrygiamque totam'; *ibid.* 53, 'Pamphylia'; 154: 'in ultima Phrygia . . . in extremis Pamphyliae partibus'. But II. 1. 44: 'Cn. Dolabellae provincia Cilicia constituta est'. Cf. below p. 10. For earlier views cf. Levick, op. cit. (n. 2), 21.

²⁰ cf. *Verr.* II. 4. 21: 'Phaselis illa . . . non fuerat urbs antea Cilicum atque praedonum . . . Lycii incolebant . . . sed exeuntes e Cilicia praedones . . . adsciverunt sibi illud oppidum'.

other matters found at Delphi.²¹ The new sections of this law found recently at Cnidos may cast a more precise light on the scope of his territorial province. This law, of which the final draft is firmly datable to the end of 101, when Antonius was finishing his work, in its central sections requires the consul presiding at Rome (i.e. in 100) to despatch letters to the independent city-states of the east, and to the kings reigning in Egypt, Syria, Cyrene and Cyprus—that is, to all the governments controlling the shores of the eastern Mediterranean outside Asia—requiring them to discourage all piratical activities within their territories. They and their officers are to ‘let no pirate sail from their dominions and to admit no pirate into their harbours’, and they are to see to it that ‘all Roman citizens and Italian . . . allies of Rome may go about their business and sail the seas in safety’.²² The law adds that the various Powers are to be informed that the Roman People has through this same law ‘made Cilicia a general’s province’—ἐπαρχεῖαν στρατηγικὴν—for that very purpose.²³ It is not certain exactly what is meant by this crucial phrase. From the usage of the law in other sections it seems that the phrase does not necessarily mean that Cilicia has been made a *separate* province. In an unambiguous passage dealing with the organization of recent conquests in Thrace, the region of Chersonesos Caenice, which is being incorporated into the province of Macedonia, is itself described as a province (ἐπαρχεία). So too Lycaonia is a ‘province’, that is, part of the province of Asia.²⁴ The drafter of the law also makes it clear in several paragraphs that at this time there were only two regular Roman provinces in the east—Macedonia and Asia, because in sections dealing with the duties of proconsuls and quaestors under this law these alone are listed.²⁵ It is then not axiomatic that the crucial phrase means that a new province of Cilicia is being established.

The short clause elsewhere in the text from Cnidos, enacting that Lycaonia is to continue to form part of the province of Asia, is cited as an indication that a separate province of Cilicia was being set up.²⁶ The editors suggest that the purpose of this clause was to clarify an ambiguity about the extent of the new province in the part of the law that does not survive. But the context of the clause about Lycaonia is clear, and has nothing to do with Cilicia. It comes from a section of some 25 lines that begins by applying or extending the principles of a certain Lex Porcia, which is probably identical with a law of that name known also from the Lex Antonia de Termessibus of c. 70.²⁷ The Cnidos text shows that the Lex Porcia made it illegal for proconsuls and their staff to make visitations outside their official provinces except for specified purposes, and the Lex Antonia reveals that it limited the exaction of

²¹ M. Hassall, M. Crawford, J. Reynolds, *op. cit.* (n. 1), 195 ff., publish and edit the Cnidian text with a revised text of the Delphian document (*FIRA*² i, no. 9). The two texts supplement one another, and though the Greek translations differ markedly in places they clearly form a single Roman law, passed after the consular elections of 101, i.e. after August 101, and probably before the beginning of 100. But the very hypothetical argument (*ibid.* 215, n. 16; 218) for dating the law, i.e. its final draft, before December 10, 101 is not compelling. Besides, this is based in part on the identification of the ἐπαρχοί, who with the tribunes of the current year are freed from the compulsory oath-taking, with the provincial governors in office. But Delphi C. 9–10 requires the proconsuls of Macedonia and Asia already in office to take the oath within ten days of news of its passage. The translator had no need to replace his regular term of τὰς ἐπαρχείας κοττέγοντες (n. 24, below) which recurs in e.g. the Sullan *SC. de Stratonicensibus* (*OGIS* 441 = Sherk, *Roman Documents*, no. 18, lines 75, 109, 114) by a new term. Hence the ἐπαρχοί should be other junior magistrates at Rome associated with the tribunes; cf. the usage in *Lex Repetundarum* 13 and 16 (*FIRA*² i, no. 7) and the law from Bantia, (*ibid.* no. 6. 3). So this law may still be one of the first promulgations of the tribunes of 100. For earlier bibliography see Magie *op. cit.* (n. 2), ii, 1163 n. 13.

²² Delphi B. 5–12, Cnidos II. 6–11, combined.

²³ Cnidos III. 35–37 now complete Delphi B. 7–8.

²⁴ Cnidos IV. 12–13: ταύτην τε τὴν ἐπαρχείαν (sc. Chersonesus) ἅμα με[τὰ τῆς] Μακεδονίας διακατεχέτω; III. 22–25: ὁ(ς) τὴν Ἀσίαν ἐπαρχείαν διακατέχων . . . Λυκαονίαν διακατέχη . . . τοῦτου ἡ ἐπαρχεία Λυκαονία καὶ ὡς . . . ὑπῆρχεν . . .

²⁵ Cnidos IV. 32–42. The paragraph contains general rules concerning the powers of proconsuls and quaestors who give up their provinces before the arrival of their successors. Hence all the provinces in the East, to which this law limits itself, should be named. Delphi C. 7–9 lists only Macedonia and Asia for proconsuls in office in 101–100 who were required to take the oath of allegiance. Delphi B. 20 names only the proconsul of Asia for the year 100 as required to secure the publication of the law by the cities. There is clearly no separate proconsul of ‘Cilicia’ at this time, neither in the person of Antonius, who returned to Rome in the course of 100 (*Cic., Rab. Post.* 26), nor of his successor.

²⁶ Hassall *et al.*, *op. cit.* (n. 1), 211, on Cnidos III. 22–7 and 35–7.

²⁷ Cnidos III. 1–27: Lex Porcia, 4–15. This is introduced by the words Μᾶρκος ἢ . . . Κάτων στρατηγὸς ἐκύρωσε. This verb is used elsewhere in this section in its common meaning for legislative action with or without reference to the People (C. III. 17, 26. Cf. Delphi C. 11); and the context requires a law rather than an edict. For external rights, Cnidos III. 16–21. For Lycaonia, *ibid.* 22–7. Cf. *FIRA*² i, no. 11, ii, 15–17: ‘neve . . . magis iei dunt praebeant . . . nisei quod eos lege Porcia dare praebere oportet’.

levies in cash or kind from extra-territorial states. The following clause of the Cnidos text reaffirms the rights of the kings and autonomous city-states, allied to Rome, such as Bithynia or Rhodes, though no names are cited, to collect taxes and to levy troops from their own subjects. The next clause of this section logically reaffirms Roman control of Lycaonia, evidently against the claims of the kings of Cappadocia who had received Lycaonia as a reward for the services of Ariarathes Eusebes after the war of Aristonicus. They may well have been reviving their claim at this time, at the instigation of their protector, Nicomedes or Mithridates. Rome has evidently taken Lycaonia back, probably in connection with the dynastic strife which weakened Cappadocia after 115. By 102 the puppet Ariarathes VII was under the effective control of Mithridates Eupator, who sent a mission to Rome with unknown objectives in 101.²⁸ Hence the reference to Lycaonia proves nothing about the status of Cilicia, though it is reasonable to suppose that fuller arrangements for the Cilician command, of which the effect is summarized in Cnidos III. 35-40, appeared elsewhere.

The term Cilicia is specific. The law is accurate in its use of geographical and political terms: Macedonia, Asia, Pamphylia, Lycaonia, Chersonesos Caenice. Hence Cilicia should also have its proper contemporary meaning. The crucial sentence must mean that Cilicia Aspera, the mountainous zone of Hellenistic Cilicia, was being brought within the scope of an existing Roman province. There remains the surprising adjective στρατηγικήν, appearing here for the first time in an official Roman document. The editors took it without discussion to mean 'governed by a praetor', because στρατηγός is the normal translation of *praetor*. But Roman territorial provinces do not have a fixed status of this sort in the Republican period, when the choice between praetors and consuls depends annually upon the scale of military operations. The text of this law itself leaves the rank of the governors of Asia and Macedonia as an open choice between 'praetorian' and 'consular' magistrates.²⁹ Hence the adjective should here have its primary meaning, and ἐπαρχία στρατηγική should mean something like *provincia militaris*. It was not necessary for the legislator to explain to the kings and cities to whom this part of the law was addressed that the commander in Cilicia should have a particular status. But it was good politics to explain why the Romans, who had administered the inheritance of Attalus in unbroken peace since 129, and waged no sort of war in Anatolia, were now setting up a military command that was to operate in Cilicia beyond the borders of Asia. So the text means that Cilicia is to become regularly what it had become for the first time in 102—a military zone. A qualification of the term ἐπαρχία was necessary because its primary connotation throughout this text is administrative, unlike the Latin *provincia*. Cilicia, unlike Chersonesos Caenice, about which this law is most specific, is not to be administered but policed or subdued.³⁰

The law does not reveal who is to operate in this military zone. But it is a fair inference from the data discussed above, that this military duty was given to the praetor or propraeor of Asia. That a separate province of Cilicia is not being established is also implied by the assignment of Lycaonia to Asia. The only practicable routes for a military invasion of Cilicia through the Taurus passes started from Lycaonia.³¹ A separate 'Cilician' province in the coastal zone could exercise no military action against Cilicia without Lycaonia.

²⁸ For these events see Magie *op. cit.* (n. 2), i, 201 ff.; ii, 1097-8, nn. 10-12. The chronology of the narrative derived from Pompeius Trogus and Appian depends upon the regnal dates given by the coinage of the Ariarathids. Mithridates and Nicomedes in turn controlled the rulers of Cappadocia between c. 110 and 100. For the mission to Rome, Diod. 36. 15.

²⁹ e.g. Cnidos II. 13-15: τὸν στρατηγὸν [ἢ ἀντι]στράτηγον ἢ ἀνθύπατον τὸν τῆν Μ[ακε]δονίας ἐπαρχείαν διακατέχοντα. Cf. *ibid.* III. 22; IV. 6-8, 26. Delphi B. 20, 27; C. 8. For example, Macedonia, *praetorian* in 119 and 102, is *consular* from 114 to 112; Africa, normally praetorian, becomes consular for the Numidian war, 111-5; cf. *MRR*² i, *sub annis*. *Provinciae praetoriae* in Ciceronian and Livian usage refers to the annual designation of provinces (Forcellini, *TLL* s.v.). Strabo 14. 6. 6

(685), speaking of the annexation of Cyprus in 58, says ἐξ ἐκείνου δ' ἐγένετο ἐπαρχία ἡ νῆσος καθάπερ καὶ νῦν ἐστὶ στρατηγική. He writes correctly from his contemporary knowledge of the imperial system of consular and praetorian provinces which emerged during the principate of Augustus, by which army commands were reserved for legates of consular status, while all the proconsulships except Asia and Africa were allotted to praetorian senators, as he explains very clearly, using the terms in question, in the last page of his last book, 16. 3. 25 (840).

³⁰ Cnidos IV. 12-28. The proconsul of Macedonia is instructed to organize the taxation, boundaries, and internal security, as well as the defence, of the annexed district of Chersonesos Caenice and to spend at least two months of his time there.

³¹ cf. H. A. Ormerod, *JRS* 12 (1922), 44 ff.; Magie *op. cit.* (n. 2) i, 270.

Besides, Cilicia is not a subcontinent like Spain requiring two army commanders in its neighbourhood, at a time when the threat of Mithridates had not yet been appreciated. The analogy is with Macedonia, where at this time a single proconsul was responsible for the defence of the northern frontier against Illyrian and Thracian tribes, and also for the supervision of the civil government of Achaëa. This very law adds to the military responsibilities of the proconsul of Macedonia.³² It would be no harder task for the governor of Asia, who hitherto had no employment beyond the light task of supervising the civil administration of the Greek cities, and providing jurisdiction for Roman businessmen, to undertake the policing of the Cilician zone, than for the proconsul of Macedonia to deal with the northern barbarians: it is noteworthy that the authors of this law, who interfere with such detailed concern in the management and foreign policy of the governors of Asia and Macedonia, totally disregard the possibility of preoccupations with Bithynia and Pontus.

The effect of the new document is to confirm the notion that Antonius in 102-1 had conducted military operations by land as well as by sea against Cilicia itself, as the sources say, probably as proconsul of Asia. The law reveals the intention of continuing the military establishment in the Pamphylian-Cilician zone that had been set on foot in 102. But whether the law had any effect after the debacle of its apparent authors, the radical tribunes of 101-100, and the collapse of their other legislation, cannot be determined. That the law was publicly engraved in Greek cities proves nothing: this was due to the precise and minatory requirement for immediate publication laid down in the law itself. In so far as the law reflects the interests of the influential *negotiatores* who in the past had supported Marius, it is likely that it remained in force. But no great military effort was intended. In the next decade the proconsuls active in Asia or Cilicia relied on local levies with very few Italian troops to support them, on the only occasions when anything is known about them.³³ The full text of the Piracy Law proves that the Roman government was not so indifferent or so incompetent when the menace of piracy first became serious as is commonly alleged. It also reveals that in the Roman view the control of piracy east of Asia was still largely the job of the local maritime powers and the independent kingdoms: there were after all enough of them. The special role assigned to Rhodes in this document is significant. Priority is to be given by the Senate to the discussions of the piratical problem with a mission from Rhodes, and the Rhodians are apparently to serve as intermediaries with the other independent states.³⁴ The Rhodians are still filling the maritime role of a proconsul of Cilicia.

In the following decade the terms Pamphylia and Cilicia recur in connection with two praetorian commanders. Three late sources, of which two are interdependent, refer briefly to Cornelius Sulla as the 'governor' of Cilicia when in the year after his praetorship (be it 97-6 or 93-2) he was sent to establish Ariobarzanes as king of Cappadocia.³⁵ As Magie rightly insists, in Plutarch's fuller narrative, and in the epitomator of Livy, only Cappadocia is named as his zone of operations.³⁶ He has been commonly taken to be a naval commander continuing the role of Antonius, when he was commissioned unexpectedly as the man on the spot to deal with Ariobarzanes.³⁷ But what spot? Sulla used mainly provincial levies in this affair. Few scholars have asked whence they came and how they reached Cappadocia. They could only have come in any numbers from Asia or from the friendly kingdom of Bithynia

³² Cnidus IV. 21-25.

³³ Sulla 'had few troops of his own but had eager allies', Plut., *Sulla* 5. 7. Likewise in 89-8 the proprætors Cassius and Oppius levy large numbers of Asian, Bithynian, Galatian and Cappadocian troops, Appian, *Mithr.* 17, 19, 20; Memnon, *FGrH* 434 F. 22. Cassius has a 'force of his own' and a 'few Romans', but Oppius has only 'mercenaries'. There is no distinct reference to a single Roman legion, the minimal army for a prætor in a military province. (I have taken for granted that no sane man can believe that Delphi B. 20-2 or any other section of this law is concerned with the setting up of a grand military command for Marius.)

³⁴ Delphi B. 12-19.

³⁵ Appian, *B.C.* 1. 77, in two words; *Mithr.* 57 in a passage containing notable inaccuracies; neither is historical narrative. *Auctor de Vir.* III. 75 is the most explicit: 'praetor Ciliciam provinciam habuit'.

³⁶ Plut., *Sulla* 5. 6; εἰς τὴν Καππαδοκίαν ἀποστέλλεται. Cf. Livy, *Ep.* 70: 'Ariobarzanes in regnum Cappadociae . . . reductus est'. Velleius 2. 24. 3 names no region.

³⁷ So Badian *op. cit.* (n. 10), 161 and n. 26, improving on Magie *op. cit.* (n. 2) ii, 1163 ff., who doubted the combination of Cappadocia and Cilicia.

or from Galatia at this time. In each case Asia would be the necessary collecting zone. Since Sulla did not come into conflict with the king of Pontus, who was at odds with Rome over the Cappadocian succession, Sulla must have reached Cappadocia and its capital at Mazaca through Lycaonia and by Iconium. This was accessible either from Apamea in Phrygia north of Pisidia, or from a Pamphylian port by the north-eastern route through the Pisidian mountains. The infiltration of the term Cilicia into the story suggests that Sulla started from Pamphylia. But the marshalling of a considerable local levy, and the fact revealed by the Cnidian text that Lycaonia was part of the Asian province, suggest that Sulla was the regular proconsul of Asia when the task in Cappadocia was assigned to him. The later claim of Servilius Isauricus that he was the first Roman to cross the Taurus with an army, in 78–7, from Pamphylia into Lycaonia, might be pressed to suggest that Sulla's route for the Cappadocian operation started from Apamea rather than from Pamphylia.³⁸ In any case the proconsul of Asia was the man for the job, in a period when there were hardly enough annual magistrates to fill the assignments overseas even with the system of annual prorogations of commands.³⁹ That two praetors or propraeors should have been sent to the Asiatic zone in Sulla's year would have been unnecessarily wasteful. It would also be very odd that the praetor of Pamphylia should be commissioned to operate through the provincial zone of his colleague in Asia.

It is only in the crisis of 89–8, when Mithridates was directly intervening, or threatening to intervene, both in Cappadocia and in Bithynia, that two praetors are found operating at the same time in Asia.⁴⁰ Cassius, who was the praetorian proconsul of Asia, assisted by the special envoy Aquillius, concerned himself with Bithynia. Q. Oppius, designated by a fragment of Posidonius as 'the commander in Pamphylia' is first found 'on the marches of Cappadocia', perhaps poised like Sulla to secure the restoration of the peripatetic Ariobarzanes. Later he appears at Laodicea-on-Lycus in Caria trying to check the advance of the columns of Mithridates towards Lycia and Pamphylia. The epitomator of Livy terms him *proconsul*—i.e. praetorian *proconsule*—correctly, since he is attended by lictors in the narrative of Appian.⁴¹ This may well be the first time that the southern districts of Asia received a separate commander, because it was the first time that it became necessary. A contemporary analogy is relevant. As long as the warfare with Jugurtha in Numidia was close to the borders of the province of Africa, and the army was retiring to the province for winter quarters, the consuls or proconsuls retained the general responsibility for Africa. But when the war moved into western Numidia, and began to involve distant Mauretania, the affairs of Africa were taken over by a separate praetor, while the proconsul Marius devoted himself to the war.⁴² Until there is positive evidence to the contrary, economy suggests that both Antonius and Sulla—and other proconsuls of the period—combined the praetorship of Asia with their special assignments. After all, in 102–1, to which year the operation of Antonius is dated, Rome was in the throes of the Cimbric invasion and the servile rebellion in Sicily, which monopolized the attention of a succession of consuls and praetors.

The conclusion of all this is that in the obscure years from c. 102 to 90 the proconsuls of Asia were given the new tasks that began to arise in connection with the pirates of Cilicia and the intrigues of Mithridates in Cappadocia. Finally, when it became apparent that the interventions of Mithridates were extending to the northern zone of Bithynia and Paphlagonia, it became necessary to establish a second command in southern Asia.

Pamphylia and Cilicia reappear in Cicero's account of the government of Cornelius Dolabella in 80–79. He was *propraetore*, with Verres as his *legatus proquaestore*, of a territorial province that nominally included the Milyas district, Pisidia, Pamphylia and certain districts of Lycia and Phrygia, though the course of events from 78 to 75 shows that not all

³⁸ Eutropius 6. 3; Orosius, *Hist. adv. Pag.* 5. 23. 22.

³⁹ By the nineties the six annual praetors and two consuls serviced at least nine territorial provinces and three or more spheres of urban jurisdiction. The judicial praetors might, but need not, serve both at Rome and *propraetore* in a province, but consuls proceeded straight to their provinces; hence only five or six annual magistrates were certainly available in each year.

⁴⁰ Appian, *Mithr.* 17.

⁴¹ *ibid.*: ἕτερος στρατηγὸς ἐπὶ τῶν ὁρίων [ἢ ὁρίων] τῶν Καππαδοκίας; and 20, at Laodicea. Livy, *Ep.* 78: 'Q. Oppium proconsulem, item Aquillum legatum'. For Posidonius στρατηγὸς Παμφυλίας (Jacoby, *FGrH* 87 F. 36 (50) = Edelstein and Kidd F. 253) clearly means *praetor*, since it is linked with a mention of Aquillius as a consular and triumphator. An unpublished inscription from Aphrodisias, as Miss J. Reynolds informs me, proves that he was *propraetore*.

⁴² Sall., *B. J.* 104. 1.

of this was yet under effective Roman control.⁴³ Cicero's evidence has been dismissed as the indiscriminate agglomeration of the exactions of Verres throughout Asia and 'Cilicia'.⁴⁴ But Cicero in the second Verrine carefully distinguishes between the exactions of Verres within his province as proquaestor exploiting the system of levies in kind, and his other exactions in Achaea and Asia, and as special envoy (to Nicomedes of Bithynia) at Lampsacus, and also his thefts of artistic treasure within his province.⁴⁵ Cicero is emphatic that Lycia, Milyas, Pamphylia, Pisidia and Phrygia form districts of the official province of Dolabella.⁴⁶ The reference to Lycia and Phrygia is clearly exaggerated, since at this time Phrygia proper, a very large area, certainly belonged to Asia, and the bulk of the Lycian cities formed a free League.⁴⁷ But Phrygia, described by Cicero in another passage of the speech as *ultima*, may well mean the border district of Pisidian Phrygia, or Phrygia-by-the-Mountains, between Pisidian Antioch and Philomelium. This is adjacent to Lycaonia, which Dolabella's successor Servilius certainly held. Likewise the province certainly included the east-Lycian coastal zone around Phaselis and Olympus.⁴⁸ Otherwise no doubts arise. That the Pisidian zone was 'Cilician' at this time is shown by the fact that the proconsul of Asia held the trial of Philodamos, Verres' victim from Lampsacus, at Laodicea, as the nearest Asian assize city to the province of Verres and Dolabella.⁴⁹

When and why was this division made permanent? The strategic convenience of Pamphylia and the south-eastern quadrant had become known through its occasional use in operations concerning Cappadocia and the Cilician pirates in the decade before the Social War, though it did not then become a major military province. After the expulsion of Mithridates from Asia, Sulla in person reorganized the core of the old province, though his activities are not testified south of Phrygia and east of Lycia.⁵⁰ Caria and Lycia south of the Maeander had not yet been provincialized, while much of the south-east had fallen into the hands of local dynasts and buccaneers, and was outside Roman control for the next seven years. The legate Licinius Murena, left in control of the whole area to watch Mithridates after the Peace of Dardanus, took the first step in the recovery of the south-east by deposing Moagetes, hereditary ruler of the free Carian principality of Cibyratis, comprising four city territories west of the Milyas district.⁵¹ Murena annexed the greater part to Asia, but added the two southern cities of Balbura and Bubon to the free league of Lycia. Any further reassertion of Roman power in the south-east at this time was prevented by Murena's involvement with Mithridates. Finally in 81 or 80 a new arrangement was made. Murena was replaced by two propraeors in Asia and 'Cilicia'. This arrangement has been loosely attributed to Sulla, but Cicero's wording, to which no attention has been paid, is precise: 'postquam Cn. Dolabellae provincia Cilicia constituta est . . . quanta iste (sc. Verres) cupiditate illam sibi legationem expugnavit'.⁵² The verb should mean that the province was not merely attributed as an existing province to Dolabella, *decreta*, but created or set up at this time in a new form for him. Hence the special eagerness of Verres to share in the first pickings of the restoration. Cilicia now became a regular assignment, and its importance was such that for the next dozen years it was a consular province with a consular army allocated

⁴³ Above, n. 19.

⁴⁴ Magie op. cit. (n. 2) ii, 1165, n. 15, followed indirectly by Hassall *et al.*, op. cit. (n. 1), 209, on Cnidus A. 6, against S. Jameson, *RE* Suppl. xiii, 277.

⁴⁵ *Verr.* II. 1. 44, 51, *legatus* en route; 53, thefts at Aspendus; 63, 69, special envoy. Then in 95: 'proquaestore vero . . . commune Milyadum . . . Lyciam Pamphyliam Pisidiam Phrygiam totam frumento imperando aestimando . . . adflixerit'. It is absurd to suggest with Magie loc. cit. that Verres took grain as quaestor from another man's province.

⁴⁶ *ibid.* 96, 'per omnis partis provinciae,' takes up the list in 95. Note that the offending *totam* in 95 is not limited to the last member of the phrase.

⁴⁷ Magie op. cit. (n. 2) ii, 1165, n. 15. For the confirmation of the freedom of Lycia by Sulla, cf. Appian, *Mithr.* 61.

⁴⁸ *Verr.* II. 1. 154. Strabo 12. 8. 13-14 (576-7). For Servilius cf. below n. 54. For Phaselis, cf. n. 20.

⁴⁹ *Cic. Verr.* II. 1. 76.

⁵⁰ Cf. Magie op. cit. (n. 2) ii, 1111-15, nn. 3-14.

⁵¹ Strabo 13. 4. 17 (631). There is no reason to

doubt either the identification of Strabo's Murena with the famous legate of Sulla, or the survival of the dynasty of Cibyra from 190 down to this period, despite the lack of mention of 'tyrants' in the text of the treaty of the *populus Cibyratis* with Rome (*OGIS* 762, c. 160-50), since Strabo asserts its continuity, and the dossier from Araxa, *JHS* 68 (1948), 46 ff. = *SEG* 18, no. 570, now proves occasional interruptions. For the earlier tyrants see Livy 38. 14. 3; 45. 25. 13; Pol. 21. 34. 1; 30. 5. 14.

⁵² *Cic. Verr.* II. 1. 44. The meaning is shown by *Bell. Alex.* 65. 1: 'provincias . . . ita constitutas ut . . . iura legesque acciperent'. The basic meaning of *constituere* as to 'set up' or to 'establish' is not in doubt, as a careful study of the material in *Thes. L. L.* s.v. makes clear, though the use with *provincia* is naturally rare. It can hardly mean *allot* in the strict sense (as *Oxford Latin Dictionary*, s.v., without convincing instances), and is not a synonym for *attribuere*. Cicero here has good reason to prefer *constituta* to the normal technical *decreta*, which has no nuance of *arrangement*.

in turn to Servilius Vatia (79-5), L. Octavius (75-4), L. Lucullus (74-67), and finally Q. Marcius Rex (67-6).

The first requirement was to dislodge the pirates from their strongholds within Pamphylia. Dolabella took some action of which no details survive.⁵³ It was left to his successor Servilius to purge the province of its pirates, and to restore Roman control of Lycaonia by subduing the Isaurian tribesmen who controlled the passage from Pisidia to Iconium.⁵⁴ His Isaurian campaigns indicate that Lycaonia was attached to the new Cilician province from its beginning, though Dolabella and Verres, not surprisingly, were unable to extend their nefarious activities beyond its Phrygian fringe.

But the primary role of Cilicia was no longer to cope with pirates: 'armies are being maintained in Asia and Cilicia on account of the excessive power of Mithridates'. So speaks the consul C. Cotta in 75, after Servilius had completed his work.⁵⁵ Next year L. Lucullus sought the special assignment of Cilicia in place of the routine allocation of Cisalpine Gaul, 'because being close to Cappadocia its commander was bound to be appointed to the war against Mithridates'.⁵⁶ Cilicia was close to Cappadocia because it included Lycaonia. It is noteworthy that Lucullus did not aim at Cilicia just because it happened to be vacant. The recently annexed Bithynia was available, to which his colleague was sent, and also Asia, which significantly was assigned to Lucullus with Cilicia.⁵⁷ The pre-Sullan province was reunited to be the power base of a major war, and Lucullus not surprisingly concentrated his legions in Phrygia, probably at Apamea. The contemporary evidence of Cicero indicates that while Cotta was intended to stand on guard in Bithynia, Lucullus was commissioned to wage offensive war against Mithridates.⁵⁸ The original plan clearly was that Lucullus was to strike through Lycaonia and Cappadocia at the southern flank of Pontus. The rapid movement of Mithridates through Paphlagonia into Bithynia put an end to that, and the campaigns of Lucullus were necessarily waged along the northern route. But the southern highway from Cappadocia through Lycaonia by Iconium to Pisidia continued to influence the war. In 74-3 Mithridates placed a second army in Cappadocia to prevent a Roman invasion from the south, and later one of his generals used the Lycaonian route to invade 'Isauria, Pisidia and Cilicia'.⁵⁹ After the flight of Mithridates to Armenia Lucullus alleged that he was expecting a move by Mithridates and Tigranes 'through Lycaonia into Cilicia'.⁶⁰ Finally when, after the defeat of his lieutenants at Zama, Lucullus retired from Armenia to restore the position in the west, he stationed his forces in Cappadocia, and sought help from his successor Marcius Rex, who had taken over Cilicia. It is no surprise to learn that Marcius Rex and his army were in Lycaonia.⁶¹

The purpose of the new Sullan province and its consular army is now clear. From Pamphylia or Pisidia the Roman legions could strike at the soft underbelly of the Pontic empire, once the route through the Isaurian Taurus into Lycaonia had been cleared by the campaigns of Servilius.

The Lex Antonia and the status of Pamphylia-Pisidia

Some traces of the gradual establishment of Roman control in Pamphylia and Pisidia are revealed by the text of a Roman law of c. 71-68 concerning Termessus Maior, a city that

⁵³ Cic., *Verr.* II. 1. 73 and 154.

⁵⁴ For the campaigns of Servilius Isauricus the researches of H. A. Ormerod, *JRS* 12 (1912), 44 ff., and the comments of Magie op. cit. (n. 2) ii, 1169-76, nn. 21-6 are basic. It is clear from the consensus of Florus i. 41. 5-6, Oros. 5. 23, 21 ff., and Eutropius 6. 3, that the naval campaign comes first and the Isaurian campaign last, though the briefer Livy, *Ep.* 93, reverses the order.

⁵⁵ Sall., *Hist.* ii fr. 47. 7. R. Syme, 'Observations on the Province of Cilicia,' *Anatolian Studies Presented to W. H. Buckler* (1939), 299 ff., discussing the strategic function of the post-Sullan province, manages to ignore completely its role against Mithridates, and limits it to the control of the routes into Cilicia and Syria. But it was only after 63 that Roman Cilicia 'covers Asia completely from the

eastern side . . . and spares the need of a garrison in Asia'.

⁵⁶ Plut., *Luc.* 6. 1.

⁵⁷ Memnon, *FGH* 434 F. 27 (37); Vell. Pat. 2. 33. 1.

⁵⁸ Cic., *Mur.* 33: 'ad quod bellum duobus consulibus ita missis ut alter Mithridatem persequeretur alter Bithyniam tueretur'; cf. Plut., *Luc.* 8.

⁵⁹ Memnon loc. cit. (n. 57); Appian, *Mithr.* 75.

⁶⁰ Plut., *Luc.* 23. 7.

⁶¹ Dio 36. 14. 2; 15. 3; 17. 1, for the movements of Lucullus in 67. Plut., *Luc.* 35. 3-6 tells the same story, of which Appian, *Mithr.* 90-1 has a garbled version. For Marcius in Lycaonia, Sall., *Hist.* v, fr. 14; he may have been invading Cilicia proper, cf. Magie op. cit. (n. 2), ii, 1179, n. 40.

stands guard over the route from Asia through the Milyas district to Pamphylia just before it descends to the coastal plain.⁶² The law restores the status of a free state within the Roman system to Termessus after the defeat of Mithridates by Lucullus. It defines the legal and judicial rights of this status with certain limitations that take account of recent interferences with the previous freedom of Termessus, and it imposes certain restrictions for the future. The extant part of this text contains lacunas of no great length for which the supplementation is generally straightforward. The longest gap occurs in two lines where the alleged readings of a Renaissance scholar are regarded with suspicion.⁶³ The main clauses however are sufficiently clear without invoking those lines, which are concerned with a subordinate qualification.

The first section of the law restores the status of the citizens of Termessus as free friends and allies of Rome as from the Kalends of April 72, and the second and third sections restore the property rights which the citizens enjoyed in the consular year 91 and 'before the first war with Mithridates', which began in 88, or late in 89.⁶⁴ A fourth section makes provision for the assistance of Roman magistrates in the recovery of free men and slaves lost in 'the war with Mithridates', which should here refer to the whole period of warfare from 89-8 to 72-1 since it is not defined as 'the first war'.⁶⁵ From all this it is clear that Termessus received no benefits after the first war. Instead there is an indication that Termessus was then brought under direct Roman control, and that some part of its lands was confiscated and farmed out as Roman *ager publicus*. The evidence for this is brief but clear, despite the lacuna mentioned above. The second section, which is about the restoration of previous rights over landed property, is limited by the condition: 'quae de eis rebus locata non s[unt]'.⁶⁶ The Termessians are to recover all real estate held in 91 with this exception. The exception is itself modified by the doubtful clause, which seems to cancel certain *locata*, but the main statement is not ambiguous, and the general trend of the modifying clause is also clear.⁶⁷ But the reference to *locata* is of extraordinary brevity, and contrasts with lengthy definitions in analogous passages in the Lex Agraria of 111, about the leasing of Roman *ager publicus*, which help to clarify the Lex Antonia.⁶⁸ The phrase is shorthand for some technical condition that was familiar to the parties concerned. It can only refer to real estate that the people and city of Termessus have lost by the action of a third party, which is now exploiting those lands or buildings by a system of leases. The third party, with power to confiscate land, can at this date only be Rome. The text should mean that at some time since 91, and since the beginning of the first Mithridatic war, Termessus was reduced to provincial status and suffered some confiscation of lands. From this condition the city is now being restored to a measure of its former independence, but without recovering its confiscated lands, apart from the category covered by the modifying clause.

⁶² *FIRA*² i, no. 11. Whether the date is 71-70 or 68 is here unimportant; for that cf. *MRR*², 130 n. 4. For the site cf. Magie op. cit. (n. 2) i, 263-4; G. E. Bean, *Turkey's Southern Shore*, 119 f., and plates 55, 64; for a sketch-map, *RE* Suppl. Va, 735.

⁶³ cf. *FIRA*² i, p. 135, and for the unrestored text *CIL* i. 2³, 589. The doubtful restorations are due to M. Accursio (s. xv-xvi) who claimed to read them on the tablet on which they no longer appear, and on which other Renaissance scholars failed to find them, though the only discrepancy is between his *ac* in col. I. 21 and the *hac* which now appears on the bronze: E. Bormann, *Festschrift zu Otto Hirschfeld* (1903), 434 ff.

⁶⁴ col. I. 2-35.

⁶⁵ col. II. 1-5.

⁶⁶ col. I. 12-27, omitting the disputed clause, and some uncontentious phrases, reads: 'Quei agrei quae loca . . . Thermensium . . . sunt fueruntve L. Marcio Sex. Iulio cos . . . quae de eis rebus locata non s[unt] . . . [e]a omnia Ther[meses] . . . habean[t] possideant iisque . . . [fr]uantur ita uti ant[e] Mitridatis bellum quod p[re]imum fuit habueru[n]t possederunt usei fruct[us]eque sunt'.

⁶⁷ Mommsen's version of the modifying clause, based on Accursio, is: 'quaeque de eis rebu[s] agreis locis aedificiis locata su[n]t ac ne locentur [sancitum est sanctione] quae facta est e[x] [lege rogata L. Gellio Cn. Lentulo cos. e]a omnia Ther[meses] . . . habean[t] possideant'. Bormann rejects all the supplements down to the consular names. But he tentatively offers an alternative which has much the same effect, substituting with probability a *lex locationis* for a statute law: 'quaeque de eis rebu[s] . . . post[hac] ne locentur [cautum est in locatione] quae facta est e[x] [lege] . . . e]a omnia Ther[meses] . . . habean[t] possideant'. The *lex* might well be a consular *lex dicta*, as in Lex Agraria 89. Apart from this clause there is little room for manoeuvre in the restoration of this document; but cf. n. 71.

⁶⁸ *FIRA*² i, no. 8, ll. 85-9; note *ibid* 85: '[quei ager] locus populorum leiberorum, perfugarum non fuerit, pro eo agro aedificio locoque ex [lege] dicta qu[uam] L. Caecilium Cn. Domitius cen[s]ores agri aedificii loci vectigalibusve publice fruendis locandis vendendis legem dixerunt'.

This interpretation is confirmed by the third section of the law, which restores the property rights of the Termessians over *publica* and *privata* except for property which they have alienated by their own act: *sua voluntate*.⁶⁹ The two sections together reserve the rights acquired against the Termessians by public action of Rome and by private contract of undefined persons, who, as later sections hint, are probably Roman *negotiatores*.⁷⁰ It has been assumed that the third section refers only to property other than real estate, because in fact the opening definition *quae . . . publica preivatave sunt* includes the words *praeter loca agros aedificia*. But this would leave those who acquired Termessian real estate by transactions *sua voluntate* without protection.⁷¹ The ingenious emendation of Mommsen, who read *praeter locata* for *praeter loca*, removes a serious difficulty and provides complete intelligibility both here and in the sixth section, where an even greater obscurity arises through the same words, though this refinement is not vital for the present argument.⁷²

The restoration of rights is thrice defined with reference to the consular year 91.⁷³ The second instance concerns the restoration to the city courts of jurisdiction in suits between Termessians and Roman citizens that had existed in 91. This indicates that Termessus was not then under a provincial regime—since it is most unlikely that an unprivileged city under proconsular control would have any such jurisdiction over Roman citizens—and this is confirmed by the third instance, which concerns the restoration of internal civil law between Termessians as it had been in 91.⁷⁴ The three citations imply that the year 91 had some special relevance to the history of the Termessus district before the beginning of the 'first war with Mithridates' in 89–8. The distinction makes sense if 91 was the year in which a separate provincial establishment was first set up in Pisidia and Pamphylia, within which Termessus enjoyed unrestricted freedom as a *civitas libera* in the old style.⁷⁵ This freedom was then lost in the Sullan settlement after the Peace of Dardanus, and recovered in a mutilated form after the victories of Lucullus, as a reward for unrecorded services. These implications would fit neatly with the appearance of Q. Oppius in about 89 as the first clearly attested territorial governor of the southern zone of Asia.⁷⁶ Later, the definitive establishment of provincial

⁶⁹ col. I. 28–36.

⁷⁰ col. II. 18–31, while restoring local jurisdiction, including that between Romans and Termessians, excludes the same categories of alienated property, while the following section, col. II. 32–6, grants extraterritorial privileges to Roman *publicani*; cf. n. 72 below.

⁷¹ The suggestion of Bormann op. cit. (n. 63), 439 that the purpose of the third section was to give the Termessians complete 'ownership' of *mobilia*, while the second section grants only 'possession' of real estate, is not valid—apart from ignoring the issue of alienation—because in both sections the right of property is defined in the same terms: *habere, possidere, uti, frui*, cf. col. I, ll. 18, 24, 27, with 31–2, 35, 36. The only noun appearing in the third section, *res*, is used in the second section col. I. 19, 20, as a collective noun for *agri, loca, aedificia*. Cf. *FIRA*² I, no. 35, 15–20; 38, 15, for these terms.

⁷² The sixth clause, col. II. 18–32, is bipartite. Lines 18–22 restore judicial usages between Romans and Termessians under local law. This is linked by *quodque . . . iuris* to lines 22–31, which restore the civil law of Termessus for Termessians with the same exceptions as in the third section. With Mommsen's emendation this makes sense as meaning that local law is not to apply to the two forms of alienated land. Roman *publicani* and others—who are likely to be other Roman financiers—gain a privileged position over the lands which they control or have acquired. As it stands, the text with *praeter loca* involves strange obscurities and contradictions, which need not be discussed here.

⁷³ col. I. 28–31, above n. 66; col. II. 23–8.

⁷⁴ cf. the similar arrangements made in this decade for Romans at Chios, also a free state, *SIG*³ 785, ll. 15–20; on which see A. J. Marshall, *GRBS* 10 (1969), 255 ff.

⁷⁵ cf. A. N. Sherwin-White, *The Roman Citizenship*² (1973), 175 ff.

⁷⁶ The *Fasti* of the proconsuls operating in Asia between 100 and 90 are too incomplete and too imprecise to settle the issue by producing two proconsuls in a single year before 89–8. Even the lists presented by Magie op. cit. (n. 2), ii, 1579 and in *MRR* under each year are speculative. Only five proconsuls are known, and for none is his year definitive. Even Q. Mucius Scaevola alternates between c. 97, as *propraetore*, and 94, as *proconsule* (*MRR*, Suppl. s.v.). L. Cornelius Sulla is attributed on indirect evidence to 96 by Badian, op. cit. (n. 10), 157–78 rather than to the traditional 92, supported ambiguously by Vell. Pat. 2. 15. 3; 17. 3. L. Valerius Flaccus, aedile in 99, may have been praetor of Asia in any year from 96 to 90, (Cic., *pro Flacco* 55–61, 77). C. Iulius Caesar and L. Lucilius, known from *Inscr. Priene*, 111 (ll. 14, 21, 136, 147) as successive proconsuls, can be attributed only approximately to c. 92–90, although Caesar is also documented in *Inscr. Délos*, 1712, 1847, and in his *elogium* (*Inscr. It.* xiii. 3, 75). There is no evidence at all for the date or province of Cn. Octavius, honoured as *praetor* in *Inscr. Délos*, 4. 1, 1782 (*MRR* Suppl. s.v.). L. Gellius Poplicola, who visited Greece and Athens after his praetorship in 94 (Cic., *Leg.* 1. 53, *SIG*³, 732) is connected with no other province, though he may like Antonius (above n. 10) have been en route elsewhere. Of the known proconsuls, four are associated variously with Sardis, Ephesus, Tralles, Priene, and possibly Magnesia-on-Maeander, all within the old province. Even if Scaevola and Sulla are both dated after 95, there are at most five known proconsuls for the Asian region from 94 to 90 inclusive. See further *MRR*, pp. 7, 15, 18, 22, 27; Magie op. cit. (n. 2) ii, 1064, 1242; Badian, *Athenaeum* 34 (1956), 120 ff.

government *c.* 80 is illustrated by the clauses of the Lex Antonia that exempt Termessus conditionally from the imposition of corvées and billeting, require the city to give customs-free passage to Roman *publicani* and their convoys, and refer the Termessians to proconsular courts for the recovery of their stolen slaves.⁷⁷

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⁷⁷ col. II. 5-17; 31-5.