

PRINCEPS AND EQUITES *

By P. A. BRUNT

From the first Augustus employed Equites in military and civil posts (Dio LIII 15). The number of such posts multiplied in the course of time, and finally in the third century Equites supplanted senators in positions of the highest responsibility. In general ancient authors almost ignore the inception and development of the equestrian service.¹ Dio makes Maecenas advocate the use of Equites by arguing that the emperor needed numerous assistants and that it was advisable that as many persons as possible, evidently from the higher classes, should feel that they had a share in the government (LII 19; 25). Modern scholars offer various explanations. It is clear that there were too few senators to fill the army commissions that went to Equites. Some equestrian posts were also below senatorial dignity. But others equalled or surpassed in importance those still reserved to senators. On one view the emperors, aiming at greater efficiency, found among the Equites more professional expertise; on another, they could better rely on the political loyalty of the lower order. Stein combined these theories: Augustus 'called to life an admirable profession of officials (*Beamtenstand*) which performed its functions with distinction and which could at the same time unlike the senate never threaten the Princes'; it was 'an efficient and willing instrument of the autocrat'. For Hirschfeld its triumph in the third century marked the culmination of 'the three hundred years' long struggle between senate and emperor'.² Individual emperors to whom the creation of particular posts is assigned (often with little justification) are supposed to have deliberately furthered this process. I can find no deep design nor overall plan, either in the arrangements made by Augustus (some of which were suggested by practices of the previous generation), or in those of his successors, but only a series of expedients to meet varying needs and the development of precedents, which ultimately produced the appearance of a system.

It is the equestrian service with which I shall be concerned, not the role of individual Equites as imperial advisers, which is again explained by some as due to mistrust of senators; however, on this theme I may note three points. (1) Already under Augustus Maecenas and Sallustius Crispus, Equites whose social station could have raised them, had they been so minded, to the summit of a senatorial career, but who chose to hold no regular offices of any kind, must have been summoned to the imperial *consilium*; there were many precedents when Domitian acted on the advice of 'utriusque ordinis splendidis viris' (*FIRA* 1² no. 75). (2) No political significance can attach to the appointment in the second century of equestrian jurists as salaried *consilarii*; they were obviously to be consulted not on great questions of state, but on the innumerable legal problems which the emperor decided in court or on which he gave authoritative advice to petitioners.³ (3) Influence in the closet always belonged to individuals who were brought into close contact with the emperor and enjoyed his personal favour; they included not only Equites like Maecenas and many praetorian prefects from Sejanus to Timesitheus, but also freedmen under Claudius, Nero and Commodus, and senators too, such as L. Vitellius under Claudius, Mucianus under Vespasian and L. Licinius Sura under Trajan. In all this no line of development can be detected.

* This is a revised and enlarged version of my Presidential address to the Society in June 1982. For list of short articles see pp. 74-5. Citation of modern works is deliberately selective. I am indebted for amendments and useful suggestions to G. Burton and Miss J. M. Reynolds.

¹ A. Wallace-Hadrill has remarked to me that Suetonius, himself an equestrian official, despite his numerous notices of administrative measures, has nothing on Augustus' establishment of equestrian posts and little on further developments.

² Stein, 442 (cf. generally 441-8; 460 ff.) and Hirschfeld, 485 (cf. generally 466 ff.), cf. Pflaum, 14; III 1266, etc. Since I often take issue with these authors, I must emphasize that but for their researches this essay could not have been written.

³ *Consilium*: see J. M. Crook, *Consilium Principis* (1955), esp. 38 and 41; Syme, 409. Pflaum, 159 made out that Hadrian first admitted Equites. All statements in *HA* on the *consilium* seem to me suspect (*JRS* LXIV (1974), 14 n. 86). For new evidence cf. A. K. Bowman, *JRS* LXVI (1976), 154 (with bibliography); A. N. Sherwin-White, *JRS* LXIII (1973), 87 for the Tabula Banasitana. Salaried *consilarii*: Crook, chs. v and vi; Kunkel, 296 ff., who may be right that these posts (first attested instance under Marcus, Pflaum, II 1024) gave Equites an advantage in the juristic profession; in the past most eminent jurists were also senators, thenceforth Equites. Yet Hadrian also doubled the salary as quaestor of the senatorial jurist Iulianus (*ILS* 8973).

*The Republican Background*⁴

In rank and, on average, in wealth (Dio LII 25) Equites stood next to senators. They must normally have been landed proprietors, as land was the safest and most honourable investment. Very many were no more than landed gentry who controlled their home towns. If some engaged in commerce, so did some senators. The richest and most influential undertook public contracts, from which senators were formally debarred, but they had to give the treasury security in Italian land, often for immense sums. They mingled with the senators socially, and intermarried. In a common education they imbibed the same ideas. As senatorial families died out or sank into obscurity, Equites supplied their places, especially after Sulla had doubled the size of the senate. While still remaining members of their order, they performed certain public functions. They acted as *iudices* in the courts of Rome. They held commissions in the army. Though as late as 69 B.C. senators could become legionary tribunes, with 21 legions in the field on average between 70 and 50 B.C., and far more in the 70s and during civil wars, there were far too few senators to monopolize these posts.⁵ Equites are attested both as tribunes and as prefects, who performed various military and civil duties, often more important than those of tribunes, among them the *praefecti fabrum*, who (as in the Principate) served magistrates and pro-magistrates as *aides-de-camp* and were not confined to military tasks. There is some reason to think that tenure of these posts implied or conferred equestrian status; that could be the case with ex-centurions, who could attain them on occasion.⁶

Conflicts arose between the orders on occasion, when the senate upheld the interests of treasury or taxpayers against the publicans, or when the Equites contended for a share or monopoly of judicial functions; a compromise ended that particular source of discord in 70 B.C. There is no sign that the Equites were opposed to senatorial government as such, and many fought in civil wars for the senatorial cause. However, they naturally had less incentive to make sacrifices for it, and no class is more likely to have been seduced by that 'dulcedo otii', which in the view of Tacitus (*Annals* I 2) created universal support for the rule of Augustus.

The Augustan Settlement

It can be assumed that from the first the publican companies, whose activities Caesar had abridged, no longer enjoyed the political influence they could exercise in the Republic. Moreover, though the Equites retained their judicial functions, the courts at Rome were soon to cease to try political charges, and the senators were generally allowed (what they had long sought) the right to sit in judgement on their peers. On the other hand, Equites who aspired to a senatorial career, as some had done in the Republic, were able to reach not only the lower magistracies, which had always been open to them, but to ascend to the highest eminence. Moreover, they now had more and better opportunities of serving the state. There were more military commissions for them to fill, the vast and growing imperial properties to manage, the public funds at least in imperial provinces to administer. Egypt was placed under equestrian government, and so were some smaller provinces or districts. In Rome itself they were given command of the praetorian cohorts and the Vigiles and the task of ensuring the supply of grain. All this naturally meant that it was not only by entering the senate that they could satisfy ambition for power and dignity.

⁴ See Brunt, *Equites in the Late Republic* (Second Intern. Conference of Economic History (1962), I 117-49 = R. Seager, *Crisis of the Roman Republic* 83 ff.); revised version in German with additional bibliography in H. Schneider, *Zur Sozial u. Wirtschaftsgesch. der späten röm. Rep.* (1976). Nicolet furnishes full documentation. On the definition of Equites see T. P. Wiseman, *Historia* 1970, 67 ff., cf. Millar, 279 ff.; the subject need not be discussed here. In his *New Men in the Roman Senate* (1971), 53 ff. Wiseman illustrated connections between Republican Equites and senators. See also the perceptive remarks of Syme, 14; 81; 257; 357 f.

⁵ Brunt, *Italian Manpower* (1971), chs. xxiv-xxvi; at the lower figure 126 tribunes were needed. Senators as tribunes: Cic., *Verr.* I 30, cf. Suolahti, ch. II.

⁶ *St. R.* III² 487; Nicolet, 270 ff., cf. his article in J. P. Brisson, *Problèmes de la Guerre à Rome* (1969), 117 ff., esp. 146 f.; for centurions see also Dobson, 4. Suolahti, App. II, lists Republican tribunes and prefects. For *praefecti fabrum* see most recently R. P. Saller, *JRS* LXX (1980), 50, cf. *RE* VI, 1918 ff. (Kornemann).

The honour of the public horse, admission to the judicial decuries, military commissions and civil offices were all bestowed by the emperor. But equally it was the emperor who admitted newcomers to the senate, who influenced (when he did not entirely determine) ascent in the senatorial *cursus*, and who made all the most important of the appointments reserved to senators. In practice Equites and senators alike often owed their advancement to the commendations of those who enjoyed power at court. The careers of both depended on imperial favour.⁷

Development of the Equestrian Service

In the course of time more and more equestrian posts appear in our record, especially after A.D. 100. Equites are found as heads of the emperor's central bureaux at Rome, as procurators with responsibility for the collection of particular taxes or the exploitation of mines and other public property, as prefects organizing army transport and supplies, as assistants to the chief senatorial and equestrian administrators in Rome and Italy: if they have juristic knowledge, they may be given salaries as members of the imperial *consilium*, and oratorical skill may earn them the office of *advocatus fisci* (Appendix 1 23).

Few of these developments can be precisely dated. Some are ascribed by the *Historia Augusta* to Hadrian and Severus, but its assertions can be refuted or doubted (*ibid.* 9). Most offices are never mentioned in literary sources. From these we can construct an almost complete list of praetorian prefects, and papyri nearly fill the *Fasti* of the prefects of Egypt, but in general we depend on inscriptions, notably those which set out official careers. This fashion of commemoration of Equites evolved gradually, and did not reach its zenith till the second century.⁸ Fortuitous circumstances explain why a few posts appear more often than others in the epigraphic record (*ibid.* 2 and 10). At its best it rarely gives us more than a small proportion of the holders of any particular post. At least in all imperial provinces the emperor must have had procurators from the first, yet in most of them a century elapses before any epigraphic testimony is found; even after A.D. 100 there are long gaps in the *Fasti* (*ibid.* 3-7). A large number of officials are known because they were honoured by grateful dependants, but those who never reached positions of substantial influence were less likely to have a claim on such commemoration; hence in general our records of inferior posts are particularly defective; in the same way prefects of cohorts are, in proportion to their number, less often commemorated than tribunes or prefects of *alae*, and freedman officials are very scantily documented (*ibid.* 8-13). As a result posts in certain categories, which must have existed in all or nearly all provinces, are hardly or never attested in some of them (*ibid.* 14-18). Certainly we should not assume that an equestrian post was created in the reign in which it is first documented, an assumption that has sometimes been refuted by subsequent discoveries (*ibid.* 8). Moreover, some posts held by Equites had been held earlier by freedmen; the great secretarial offices are only the best known examples. This may have happened more often than we can discern, since freedmen are even less apt to leave records of themselves, especially in the first century (*ibid.*). Thus the attempt of Pflaum to list the creations of new posts almost reign by reign, and then by further inferences to ascribe to Vespasian or Hadrian or Severus significant administrative or political reforms, rests on a foundation of sand.⁹ The reforming zeal of Hadrian in particular is a modern construction, supported chiefly, if at all, by unreliable or enigmatic ancient texts (Appendix 1 9). At least the *extent* of the increase in equestrian posts during the second and third centuries may be an illusion imposed by the character of surviving records.

From the first Equites performed some functions which, we might think, could have been performed by senators; the prefects of the *Vigiles* and the *annona* took over duties that had previously fallen to magistrates at Rome or senatorial curators. On occasions building operations at Rome were entrusted to Equites; we do not know if the senatorial

⁷ Millar, ch. vi.

⁸ Brunt, III 127 f.; the argument *e silentio* in A. N. Sherwin-White, *PBSR* xv (1939), 11 ff. seems to me fallacious.

⁹ Pflaum, I 29-109, *contra* G. Burton, *JRS* Lxvii (1977), 162. In III 1261-3 Pflaum seeks to establish

the increasing cost; on his showing the extra expense of posts created between Augustus and Philip did not much exceed that of two legions with pay as fixed by Domitian. The final total is probably of the right order of magnitude.

curatores operum publicorum were ever responsible for more than repairs and maintenance.¹⁰ The equestrian prefects at Rome, and the fiscal procurators, entrenched on the jurisdiction of senators (n. 74). Hirschfeld asserted that as early as the Flavian period Equites and freedmen were the real administrators of the empire. But it was only in financial administration that they were dominant: until the third century the most important military and judicial posts remained senatorial. Stein claimed that Equites replaced senators in more and more branches of the administration; in fact there is not a single instance between A.D. 14 and the third century of a regular senatorial post becoming equestrian. Last rightly stressed the way in which they took over responsibility from freedmen.¹¹ As J. Morris briefly observed, most of the top posts remained with senators until the third century.¹²

It is true that Equites with the title of *procurator*, *subcurator* or *adiutor* were attached to the senatorial commissioners at Rome responsible for the aqueducts, public buildings, control of the Tiber and distributions of grain, and in various parts of Italy to the senatorial prefects who administered the alimentary system. But we also find similar equestrian subordinates for the prefects of the Vigiles, *annona* and fleets, for the *a rationibus* and for the procurators at Rome of the *hereditates* and the *vicesima hereditarium*.¹³ There is no better reason in the former than in the latter case for supposing that the subordinates took over the real work from their nominal superiors. It is only for the administration of the aqueducts that we have any actual information, thanks chiefly to the survival of the treatise composed by Frontinus as curator under Nerva. In his time the senatorial curator was assisted by a freedman as procurator, but he makes it plain that responsibility rested with the curator (Appendix II). Under Trajan the procuratorial post became equestrian (Appendix I 10), but that does not imply that its responsibility was increased, any more than the transference of the Palatine secretariats to Equites implies that the *a rationibus* or *ab epistulis* of the second century possessed more formal powers than Pallas or Narcissus. (Their real influence was surely less.) The substitution of Equites for freedmen in this kind of post probably occurred more often than our imperfect documentation permits us to see. It can only have been congenial to senators, whose social prejudices always made them view with detestation the power of the imperial household.¹⁴ Of course it did not mean that freedmen and slaves became less active in the administration; generally they were simply subordinated to Equites, but if the considerations to be advanced later are accepted, they were more likely to supply professional expertise than equestrian officials could.

Pflaum suggested that the equestrian assistants of the senatorial commissioners, and also of the higher equestrian officials, were to exercise some kind of control and surveillance over them.¹⁵ Boulvert argued that the freedmen who assisted various procurators with the title of *adiutores* or even procurators performed the same role. He also opined that 'diversity in social extraction made collusion harder' between Eques and freedman; but freedmen often honour their equestrian superiors as patrons and benefactors; patronage probably affected administration at every turn.¹⁶ Still, there may be some truth in these conjectures. Not indeed that the higher *civil* officials, even the senators, held positions in which they

¹⁰ Hirschfeld, 265 ff., cf. Brunt, *JRS* LXX (1980), 84 ff.; (Eck, 55 ff. on *cura viarum*).

¹¹ Hirschfeld, 475 ff.; Stein, 444 ff. (contrast the judicious remarks on 105 f.); Last, *CAH* XI 426.

¹² *Listy filologicke* LXXXVIII (1965), 22 ff.

¹³ See the lists in Pflaum, II 1019 ff. with addenda, 1104 ff. Note apparently isolated cases under Tiberius, 1018; 1034 (*cura riparum*).

¹⁴ Boulvert, II 232 f. (cf. also Tac., *Ann.* IV 6, 4, illustrating how the good emperor kept down the number and power of his household servants). Epictetus, though an ex-slave, reflects the indignation of the aristocratic circles in which he had moved at the patronage exercised over even senators by imperial freedmen and slaves (I 1, 20; 19, 17-21; 26, 11; III 7, 29-31; IV 1, 95 and 148, perhaps 10, 20 f.). Boulvert, 250-6 cites cases (which may have been far more numerous than we know) in which freedmen favourites of the emperors were raised from Claudius onwards to equestrian status (presumably by *restitutio natalium*, cf. *Dig.* XL 10 f.), and shows that upper-class writers continued to

despise them as *libertini* (e.g. Tac., *Hist.* V 9; Pliny, *ep.* VIII 6). This practice, however, perhaps eased the transition of the Palatine secretariats to equestrian dignity.

¹⁵ Pflaum, I 56; III 1262 f.

¹⁶ Boulvert, I 401 ff. For freedmen *adiutores* and (subordinate) procurators see Weaver, chs. 17; 20. Patronage: *ibid.* 232 f., cf. generally Saller, esp. ch. 5. Dio LII 25, 5 lends some support to Boulvert. The freedman official sometimes acts alone, no doubt by delegated authority, sometimes conjointly with the Eques, whence Boulvert constructs a theory that they were quasi-colleagues and even that their acts were valid only if jointly performed, but it is a single procurator who exercises jurisdiction in e.g. *Cy* VII 45, 5; X 1, 2, and whose signature by an edict of Trajan validates contracts made by imperial slaves (*de iure fisci* 6), cf. also e.g. *OGIS* 502; *SIG*³ 837. Juristic texts which refer to procurators in the plural may concern all procurators holding a particular kind of post wherever stationed.

could represent any danger to the emperor's security; we must not invoke political mistrust as an explanation. But if the creation of these subordinate posts was not simply designed to reinforce heads of departments who were overloaded with work, it may be that the intention was to minimize the incidence of extortion or corruption, endemic in an empire in which mere *abstinentia*, so far from being presumed to be the characteristic of officials as a class, could be lauded, with or without truth, as the distinguishing virtue of particular individuals. Malpractices were naturally not the preserve of senators and Equites, who were occasionally impeached for *repetundae*.¹⁷ The vast accumulation of wealth by Augustus' freedman procurator, Licinus (*PIR*² I 381), and by Claudius' secretaries had analogies on a smaller scale in the fortunes that mere slaves in the fiscal administration could amass, which cannot be attributed solely to savings from their salaries.¹⁸ The frauds of the watermen at Rome again come to mind (Appendix II). By superimposing Equites over the *familia Caesaris*, as by attaching them as assistants to higher senatorial or equestrian officials, the emperors could have hoped to establish a system of reciprocal checks on the abuse of authority. But collusion could still not be excluded (cf. n. 26).

No doubt the growth of the bureaucracy permitted the government to make better provision for the collection of taxes. In the Republic tribute had in some provinces consisted of lump sum payments imposed on the cities; in others it had been farmed out. Caesar had discontinued the use of publicans for the collection of tribute from the cities of Asia at least, and by a process that we cannot trace in detail the cities were everywhere left to collect it in their own territories: ¹⁹ the state exercised supervision chiefly through the procurators in imperial provinces and through the proconsuls and quaestors in senatorial.²⁰ On any view the collection of other taxes, and of rents and dues from public and imperial domains, including mines, was still leased to contractors, at least until the second century. But in the period in which they were undoubtedly active we also find procurators, freedmen or Equites (who were once again gradually superimposed on freedmen), concerned with particular taxes or with the mines or other domains of particular regions.²¹ Hence the creation or proliferation of these posts does not in itself prove that the system of public contracting had come to an end; the officials were to supervise the tax-farmers or lessees of public property; a few texts or inscriptions illustrate this function. There is indeed evidence that in the late second or early third century the Illyrian and perhaps the Gallic and African *portoria* were directly collected by the imperial *familia*.²² However, the Severan jurists show that tax-farming and publican companies survived; indeed publicans were still used to collect *portoria* in the late empire, although the government then had a bureaucratic machinery unparalleled in the Principate. Other taxes farmed out in the first century had in this period altogether disappeared.²³ The only ground

¹⁷ Brunt, *Historia* x (1961), 206 ff., esp. 222; Pflaum, I 169. Marcus writes to a procurator: 'succede igitur Mario Pudenti tanta cum spe perpetui favoris mei quantam conscientiam retinueris innocentiae diligentiae experientiae' (*AE* 1962, 183, with parallels in Pflaum, *Bonner Jahrb.* CLXXI (1971), 349 ff., but cf. Saller, esp. ch. 3). *Innocentia* and *integritas* are synonyms of *abstinentia*.

¹⁸ e.g. *ILS* 1514; 1554; 1654; 9023; *AE* 1933, 160; Pliny, *NH* xxxii 145; Suet., *Otho* 5, 2, cf. D. Magie in Coleman-Norton, *Stud. in Roman Econ. and Soc. History* (1951), 152-4; Hirschfeld, 167 n. 1 for a slave *conductor* of mines in Egypt; cf. n. 80. I know of no collection of evidence. In my view Jones, 109 rightly held that the *fiscus libertatis et peculiorum* received the fees that imperial slaves paid for manumission (cf. Pliny, *NH* vii 129 for an extreme case) and the *peculia* which reverted to the emperors at their death; estates of freedmen no doubt went to the *procuratores hereditarium*. Thus the emperor could ultimately pocket their ill-gotten gains. Vespasian was reputed to have regarded rapacious procurators as sponges (Suet., *Vesp.* 16, 2).

¹⁹ For this paragraph see Maria Rosa Cimma, *Ricerche sulle società di publicani* (1981). I hope to reinforce her case elsewhere, with some modifications. Cities: she adduces evidence for prolonged use of

publicans in collecting tribute (115 ff.), which may perhaps relate only to taxes levied from the tenants of public domains. Cf. Brunt, iv 168. Caesar: Appian, *BC* v 4; Dio XLII 6, 3; Jos., *AJ* XIV 201.

²⁰ Dio LIII 15, 3 (cf. n. 71); his language is vague and guarded; for procuratorial intrusions in proconsular provinces see Hirschfeld, 69 ff.; perhaps *ILS* 9464; *Dig.* I 16, 9 *pr.* (Ulpian).

²¹ Evidence in Hirschfeld, 77-109, 121-80, supplemented for some revenues by de Laet, chs. xv, xvii; Eck, ch. iv.

²² De Laet, 403 ff. His case is worthless in regard to Asia, *AE* 1968, 423; A. R. Birley *ap.* A. King and M. Henig, *The Roman World in the Third Century*, 51 n. 3 casts some doubt on that for Illyricum.

²³ In *RIDA* II (1949), 215 ff. de Laet referred the texts in *Dig.* xxxix 4 to some eastern provinces; in my view most certainly concern Italian *portoria*. *Dig.* xxxix 4, 12 *pr.*: 'quantae audaciae, quantae temeritatis sint publicanorum factiones, nemo est qui nesciat'. Such 'factiones' seem to me to imply the survival of publican companies, as distinct from individual *conductores*, which are also *prima facie* attested in Severan texts, contrary to the received opinion (cf. also Gaius in III 4, 1). Illicit exactions by publicans: *Dig.* xxxix 4, 1-3; 4, 1; 6; 9, 5. Late empire: de Laet, 469 ff.

for the supposition that in the interim they had come to be collected by officials is that after the early second century publicans are no longer found as collectors in our records. This argument has little weight, since the evidence for them is scanty even within the period when they were undeniably employed; for instance, not a single inscription mentions those concerned with the *vicesima hereditatum*, who are known only from allusions in writings of the younger Pliny (*Paneg.* 37; 39; *ep.* VII 14) and from one papyrus of Pius' reign (*P. Ross-Georg.* II 26).²⁴ It seems to me improbable that the government ever created a bureaucracy for tax-collection, or that the imperial *familia* was used except in more or less isolated and temporary expedients adopted for reasons at which we can hardly guess. Certainly no ancient text states or implies that direct collection was progressively or ever introduced as the normal practice, and the administrative innovations revealed by inscriptions only warrant the inference that it sought to bring the contractors under stricter control, as much perhaps to limit frauds on the treasury as exactions from the subjects.²⁵ How far it succeeded is another matter. The jurists attest the continuance of malpractices (n. 23). African peasants complained that the procurators were in collusion with the lessees of imperial domains.²⁶ The more copious evidence of the late empire, providing ample proof of official extortions which the emperors were impotent to stop, also indicates that in Roman administration more did not mean better.

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Lack of Professionalism in the Equestrian Service

Stein's laudation of the equestrian service (n. 2) has often been echoed. Its justice seems dubious, in regard to civil administration.

(a) In the army Equites served as tribunes and prefects.²⁷ In the second century a man is often described as 'omnibus equestribus militiis perfunctus'; this implies that these commissions were equestrian in status; probably this was true from Augustus' time,²⁸ if not already in the Republic (n. 6). They were now often held by ex-centurions, most of whom had worked their way up from the ranks, and who secured equestrian dignity. It was no doubt in order to make the army a more efficient fighting force that the emperors, notwithstanding their general respect for the social hierarchy, were willing to promote professional soldiers, men who were generally of humble origins. But most tribunes and prefects were Equites by birth.²⁹ On appointment they were mere novices. They could gain experience only by length of service. What this was on average we do not know. A few, especially in the early Principate, record that they served for many years, C. Fabricius Tuscus for eighteen. Most inscriptions simply list their commissions. A man who records three *might* have held each for only one year. Eric Birley supposed three years to be the normal tenure for each. This would correspond to the probable tenure of legionary legateships and imperial governorships, but in all cases the evidence is far from conclusive. If he is right, and officers of equestrian birth commonly served for nine years, they as well as the ex-centurions will have acquired a professional competence to a degree hardly matched by the civilian officials of free birth.³⁰

²⁴ Eck, 125 ff., cf. his article in *ZPE* XVII (1977).

²⁵ Pflaum no. 204 (*ILS* 1410); J. M. Reynolds, *Aphrodisias and Rome* (1982), no. 15 (cf. nos. 8; 60); *FIRA* I² 100-3 for supervision of *conductores* of African estates. Cf. *Dig.* XXXIX 4, 16, 1. Presumably procurators would scrutinize the accounts of publicans; it must have been unusual that they were once referred to the emperor (Fronto 86 N). Subjects also had access to governors when complaining against tax-farmers (*SEG* I 329, cf. J. H. Oliver, *GRBS* VI (1965), 142 ff.) or *conductores* of estates (*IGR* IV 1651; 598, cf. Broughton, 656 ff.).

²⁶ *FIRA* I² 103, cf. Saller, 167 on *AE* 1922, 19.

²⁷ A. von Domaszewski, *Die Rangordnung des röm. Heere.* 122 ff., updated in the second edition (1967) by B. Dobson, xxxiv ff.

²⁸ The *militia equestris* of Velleius comprised a legionary tribunate followed by a prefecture of horse

(II 101, 2; 104, 3; III, 3). Tribunes under Augustus also become prefects of cohorts (Holder, 75, see *ILS* 5044, not quite clear; 9053; 9196; *CIL* X 7352): for Republican precedent, cf. Caesar, *BG* VIII 46, 1; *BC* III 60. From Nero's time the order is *pr. coh.*, *tr. mil.*, *pr. alae* (Holder, loc. cit.).

²⁹ Some centurions were also of good birth (for a Republican case see Caesar, *BC* III 53, 1; cf. perhaps Cic., *Phil.* I 20), who did not serve in the ranks; more perhaps than we know, as *primipili* seldom record service below the centurionate. See Dobson, 40-59, cf. n. 53.

³⁰ Birley, 137 f. Fabricius: *EJ*³ 368, cf. Brunt, *ZPE* XIII (1974), 161 ff. *Diz. Ep.*, s.v. *legio* 1574 (Passerini). Legionary legates on Rhine: Alföldy, *Ep. St.* III (1967), 85-7. Governors: n. 39 with text. (Curiously, Birley, 153 says that equestrian officers were technically civilians: *contra Dig.* XXIX 1, 20 f.)

(b) Of 263 procurators in Pflaum's list, of whose initial careers something is known, 224 had held military commissions (nearly 85 per cent). About 25 per cent of all these procurators were ex-centurions, a proportion that incidentally remains roughly constant from the Flavian era down to 284. Too few careers are documented for pre-Flavian times to yield meaningful figures; however, as early as Augustus and Tiberius ex-centurions could be appointed as *idiologus* (*ILS* 2690), prefect of a legion in Egypt (*CIL* IX 5748), and governor of a small district (*ILS* 2689).³¹ Claudius would bestow honorary commissions on favourites who were to hold civil offices,³² but this was in itself an acknowledgment that at least in form a military commission was requisite for civilian advancement. It was apparently not until the second century that men with no military taste or aptitude could without even nominal service in the army qualify themselves for high-ranking equestrian posts by holding subordinate civil offices, and they still seem to constitute a small minority of equestrian officials.

Now equestrian governors had troops under their command, and procurators in imperial provinces were responsible for paying and supplying the soldiers (*infra*). For these tasks prior military experience was necessary, or at least useful. Moreover, tribunes and auxiliary prefects performed certain administrative functions including the supervision of regimental accounts (Pliny, *ep.* VII 31), and could also be detailed for civilian duties.³³ None the less, their primary role was military, especially in so warlike a reign as that of Augustus, and that did not prepare them for fiscal and judicial responsibilities. Least of all can ex-centurions have been trained in finance and law. But in scores of careers civilian and military or partly military posts are interspersed. Take, for example, that of M. Bassaeus Rufus, which is unusual only in its brilliance. He was in Dio's opinion an uneducated man, who had presumably risen from the ranks to be *primipilus bis*; yet he then became in succession fiscal procurator of Asturia and Callaecia, governor of Noricum, where he would also administer the law and supervise local councils, fiscal procurator in Belgica and the Germanies, *a rationibus*, prefect of Egypt, and praetorian prefect under Marcus Aurelius.³⁴ Of course many Equites, and especially ex-centurions, had acquired far more professional competence as soldiers than senators commonly did, but for civilian duties they were perhaps often less well equipped.

It is strange that this system of promotions does not surprise modern scholars, who are apt to credit the Roman government with modern ideals of professional efficiency. No doubt it would be easy to exaggerate the expertise that was actually required in civil administration. The financial operations of a procurator were perhaps hardly much more complicated in principle than those of any *paterfamilias* with a large household. He had to check and verify as correct the sums received as revenue from the tax-collectors, whether they were *publicani*, or the liturgical officials of cities, or the emperor's slaves and freedmen, and to ensure that they did not remain in private pockets. However, knowledge of what was due in rents and taxes involved adequate familiarity with the relevant fiscal law; in the same way procurators responsible for claiming property on behalf of emperor or state had to understand the Roman law of succession and the effect on it of, for instance, the Augustan marriage legislation; here complicated questions of law could arise. A more general legal knowledge was required for a governor's civil and criminal jurisdiction; if it be objected that at Rome itself the praetors were also commonly amateurs, it must be recalled that there they could call on the advice of jurists who spent their lives in study of the law, and that in many, if not in all, provinces, experts of this kind were probably lacking.³⁵ The advancement of professional soldiers to financial and legal posts therefore suggests to me that the military ethos, which had pervaded Republican society,³⁶ was not

³¹ I include all tribunes at Rome, as their commissions were reserved to ex-centurions. Cf. n. 161.

³² Suet., *Claud.* 23, 1 (perhaps a short-lived innovation); Syme, *Tacitus*, 508. But later some procurators held only one tribunate (Pflaum nos. 52, 56, 134, 160 *bis*, 201, 204, 207) or one prefecture (82, 141, 318, notably Timesitheus, 317, who was to govern *provinciae armatae*); conceivably they held a single post abnormally long. Perhaps the *semestris tribunatus* was honorary (see Sherwin-White on Pliny, *ep.* IV 4, 2).

³³ Birley, 144 f.; Brunt, III n. 44; Zwicky, 72 ff.; R. Macmullen, *Soldier and Civilian in the Later Roman Empire* (1963), ch. III.

³⁴ *ILS* 1326, cf. Dio LXXIV 5. 'Maecenas' protests against the elevation of such men to the *senate* (LII 25, 7).

³⁵ Brunt, III 134.

³⁶ W. V. Harris, *War and Imperialism in Republican Rome* (1979), ch. 1.

extinct, and that the army was of such paramount importance that emperors thought it well to encourage Equites to hold commissions for periods that assured their military competence in the hope of greater honours and emoluments to come.

(c) In the posts above the *militiae equestres* there is no clear evidence for specialization, such as might be expected in a modern bureaucracy. Officials were moved around, often from one part of the empire to another, with disparate tasks to perform, some of them partly military. Even in Egypt there was no preference for men with knowledge of its peculiar administrative problems. Some officials were indeed employed mainly in certain kinds of office or in certain regions, but there is no statistical evidence that this was the result of deliberate policy. Admittedly men were seldom appointed to posts that included the command of troops if they had held no military commission, and no doubt this explains why a distinguished jurist, L. Volusius Maecianus, who was to become prefect of Egypt (Pflaum no. 141), had chosen in his youth to serve as prefect of a cohort, and why P. Messius Saturninus, whose skill in rhetoric (not in law) must have secured him the high office of *a declamationibus* under Severus (no. 231), and another rhetorician, who had started as *advocatus fisci* (cf. Appendix I 22-4) and was to rise to a presidial procuratorship (Pflaum no. 241), had both held two military commissions; service in the army normally opened more varied opportunities. And, as we have seen, it was treated as in itself a sufficient qualification for the performance of fiscal and legal functions. Honoré argues from changes in style in the imperial rescripts issued between 193 and 282 that in that period they were composed by jurists as *a libellis*, each with his own revealing mannerisms; I am not convinced that the drafting may not have been done by subordinates, perhaps legal *consilarii* (n. 3), but Honoré's own stylistic analysis is compatible with the conclusion that two of the secretaries (his nos. 12 and 14) were primarily rhetoricians, who would of course have had access to expert legal advice. Clearly the freedmen who had acted as *a libellis* before 96 were not jurists, nor were their earliest equestrian successors (Pflaum nos. 95, 106 *bis*); and there is no external evidence that the post was reserved for jurists, say from Hadrian's reign.³⁷ But if Honoré is right, the office of *a libellis* is an exception to the general rule.

(d) Experience derived not only from the number of previous offices but from the time for which they were held. The evidence on length of tenure is extremely meagre. At the summit of the hierarchy the praetorian prefect might be retained for a decade and more, like Sejanus (14-31), Marcus Turbo (119-35?), Gavius Maximus (138-c. 158). In Egypt we know of some 90 prefects over 276 years (30 B.C.-A.D. 236); the list must be nearly full, and the average tenure (which naturally conceals variations) is about 3 years.³⁸ The complete roll of equestrian governors of Judaea from 6 B.C. to A.D. 41 and A.D. 44 to 66 contains 15 names; the average is raised by two long tenures under Tiberius and falls to 3 years for the reigns of Claudius and Nero. The *Fasti* of senatorial governors may suggest that 2-3 years was normal, though again the evidence is generally inadequate, and modern lists are made to look complete by the hypothesis that a governor attested in one year remained in office for 3 or 4.³⁹ It would be natural if equestrian governors were generally retained for about the same period as senatorial. Perhaps fiscal and other non-presidial posts were held for about the same term. On the Rhine legionary legates apparently served for 3 years on average (n. 30). Some 50 *epistrategi* of the Heptanomia are known between 117 and c. 284, but the list is patently defective for Commodus' reign and the mid-third century; here an average term of under 3 years seems certain. No other procuratorial

³⁷ Honoré, esp. ch. 3. Drafting by subordinates (p. 42 n. 135) would explain the stylistic overlap between one tenure and the next; the *a libellis* would not at once impose his own style (cf. also 63 n. 121a); on Honoré's own view some *a libellis* did not so strongly or consistently impose their mannerisms (72, 82, 145). Pflaum recognized only 10 *a libellis* after 100, of whom only 3 are known as jurists (nos. 141, 181, 220); Honoré, 144 f. adds Ulpian (but *HA Niger* 7, 4; *Alex.* 26, 6 inspire no confidence), Arrius Menander (not attested), and Herennius Modestinus, also not attested as such, but said by the unreliable *HA (Max.)* 27, 5) to have advised Maximin on law, though Honoré places his tenure in 223-6. If we suppose that the *a libellis*

accompanied the emperor on his journeys, it is a difficulty for Honoré that the same stylist was at work from c. 1 January 238 to 12 June 241. Aelius Coeranus (*PIR*² A 161), the Egyptian *a libellis* to Caracalla in Severus' reign, was hardly a legal expert.

³⁸ Brunt, III 126 f., cf. 136 f. for equestrian posts outside Egypt.

³⁹ Britain: 11 from 43 to 86 (two 7-year tenures); Syria: 12 (?) from 32 to 69; Moesia Inferior: 26-9 from 92 to 162 (Syme, *Danubian Papers* 216-23). Most tenures proposed by W. Eck, *Senatoren von Vespasian bis Hadrian* (1970), 233 ff., are plainly conjectural; there may be many unattested gaps. 'Maecenas' recommends tenures of 3-5 years (Dio LII 23, 2).

Fasti supply comparable information, except that, if Honoré's ingenious arguments are accepted, 15 men acted as *a libellis* between 193 and 260, with an average tenure of over 4 years (n. 37). Moreover, even if we could more safely determine average tenures, we could not infer that any individual held each post for the average term; for instance, on Honoré's showing, it could vary between 8 years and a few months. Hence, if we can date posts held early and late in a man's career, we can still not be sure that he was employed without intervals. Tacitus indeed says that Seneca's brother, Mela, hoped that as an Eques he might rival consulars in power, and make money quicker in procuratorial administration (*Annals* XVI 17, 3). Since equestrian salaries were lower than senatorial,⁴⁰ we might deduce that Mela expected to be more continuously employed than a senator was likely to be, but we have to reckon with the opportunities for illicit gains open to an equestrian procurator, even more than to imperial freedmen and slaves on his staff (n. 18), and perhaps more than to proconsuls and legates. Seneca implies that his friend, Lucilius, held procuratorships without a break (*ep.* 101, 6), and this may have been common, but in general career inscriptions do not furnish clear confirmation; ⁴¹ like the elder Pliny a man might re-emerge from retirement: 'nothing enjoined that employment must be continuous'.⁴²

(e) Equestrian officials might also have experience acquired in local government. About one-third of the holders of military commissions before Hadrian were also municipal magistrates. Holder supposes that the magistracies normally antedate their military service if they appear first in an 'ascending' career, or second in a 'descending'.⁴³ This seems to me doubtful; the two kinds of post may be grouped separately, and not relatively to each other in chronological order. That is evident in a few instances, in which an ascending order for one set is combined with a descending order for the other, which shows that the man's career as a whole is not presented in chronological form.⁴⁴ This invalidates the assumption that the two sets of office *must* be listed chronologically, when there is no *apparent* deviation from that order. Many of the inscriptions were set up to honour local benefactors, and might then give pride of place to their local distinctions, because they were of most interest to their fellow-townsmen, even though they were attained after retirement from the army.⁴⁵ Alternatively, equestrian posts might be represented as the culmination of a man's career, simply because they conferred higher dignity. In the first 200 careers listed by Pflaum (excluding addenda) 10 men are recorded as having been municipal magistrates *apparently* before public service,⁴⁶ and 12 *apparently* afterwards,⁴⁷ besides one in mid-career (no. 81). The proportion is notably lower than among those who did not rise beyond the *militiae equestres*; and on any view this shows that municipal experience contributed little to advancement to higher and partly civil posts. No doubt men who had spent years in the procuratorial service were less apt to assume local magistracies thereafter. But it would be odd if these more successful Equites were also less likely than those who never went beyond the military commissions to have held local offices before embarking on a career in the imperial service; and that suggests that a much higher proportion of the latter class than Holder allows took local magistracies after and not before their entry into the army.

(f) Stein and others, who wrongly treated the equestrian order in the Republic as a class of publicans and traders, conceived that the emperors turned to the Equites for fiscal administration because of their business experience: 'the Equites had acquired through their past as publicans the specialized competence and professional expertise tested over centuries that was required for the task' ('die dafür nötige Sachkenntnis und Routine in jahrhundertlanger Bewährung erworben hatten').⁴⁸ It is true that as senators were barred

⁴⁰ Alföldy, 183 ff.

⁴¹ Dessau, I 133 probably reflects a general opinion in asserting continuous employment.

⁴² Syme, *Roman Papers* (1979), 763 f., cf. 749 on Pliny. Pflaum nos. 64; 81 provide other certain examples of gaps. Cf. Millar, 101.

⁴³ Holder, 72 f. Clearly men who had held local magistracies will have entered the equestrian service when over 30, but the evidence discussed by Birley, 133 ff. is totally inadequate to determine average age on entry.

⁴⁴ Equestrian posts in descending, municipal in

ascending order: Pflaum nos. 37, 153, 183 (= *ILS* 1447, 1381, 1420). The reverse: *ILS* 5502 (with posts as *curator rei p.* forming a third set); 1397 (= Pflaum no. 55); *AE* 1941, 142. Cf. Saller, 171 f., and n. 50, for grouping.

⁴⁵ e.g. *ILS* 2720: '... aed., IIvir. quinq., flam. Aug., pontif. (equestrian posts and decoration by Nerva) ... plebs urbana'.

⁴⁶ Nos. 1, 11, 25, 55, 59, 71, 79, 87, 147, 178 bis.

⁴⁷ Nos. 3, 5, 7, 24 bis, 37, 83, 101, 118, 144, 152, 153, 183.

⁴⁸ Stein, 441-5.

from public contracts only Equites had the capital to undertake those which involved large investments. On the other hand, trade, manufacture and moneylending were activities in which senators as well as Equites could participate; and if land was for both orders the principal source of wealth, managing estates was, incidentally, another kind of business experience, highly relevant for patrimonial procurators but not peculiar to Equites. In any case, Stein may have neglected the fact that according to the biologists acquired characteristics cannot be genetically transmitted; he needed to show that equestrian officials in general were themselves individually possessed of business experience before they entered the service, or had imbibed business attitudes from their fathers. This he could not do. That they included men with commercial interests need not be contested, whether or not it can be documented; but that was also true of some senators.⁴⁹ Six procurators are known to have been publicans before or during their official careers: two Flavian and four later.⁵⁰ But at least two of these fulfilled the normal military qualifications,⁵¹ and another was an Asian magnate of the type often advanced in the second century to senatorial dignity.⁵² These few instances obviously have no bearing on the formation of the equestrian service under Augustus, and do not warrant any generalization on its later character. In fact it is beyond doubt that apart from some men who rose through the centurionate (and this class too included individuals of good status by birth),⁵³ and a few others of humble background, the equestrian order from which the officials were recruited comprised Italians, and later provincials, who ranked high in their own localities, and who, though inferior in general to senators in wealth and lineage, belonged broadly to the same social class of landowners with the same traditions and outlook;⁵⁴ new senators indeed commonly came from its ranks.

All this shows that it is an anachronism to write, with reference to equestrian officials, of an 'imperial civil service',⁵⁵ conjuring up the notion that a bureaucracy of experts remained in office, while amateurish political chiefs came and went, and veiling the military qualifications of most equestrian officials, and their duties both as commanders of troops and as judges. The only true civil servants in the Roman empire were the slaves and freedmen of Caesar: they were continuously employed, commonly perhaps performing the same or similar administrative tasks throughout their lives;⁵⁶ and they were debarred from military service. Frontinus observed that the senatorial *curator aquarum* was totally dependent on their advice, unless he took the trouble to learn his job (*de aquis, pr. 2*). Every kind of abuse had been rife under Domitian, to whom modern scholars sometimes ascribe solicitude for his subjects and zeal for efficiency.⁵⁷ Officials who held posts for only two or three years—and this was the case with many Equites as well as with senators—had initially, however diligent, little option but to follow the recommendations of their more skilled subordinates; it is not surprising that this is actually attested in Egypt, where the higher administrators were all Equites.⁵⁸ The *familia Caesaris* thus supplied professional expertise in the civil administration as did the centurions in the army.

As for the Equites, Marcus Aurelius certainly desiderated experience as a qualification for procurators (n. 17), but the experience required was not specialized. Men did not normally reach the highest posts without passing through a *cursum*, but many were not obviously well prepared for their new duties by past activities. Since the emperor could only by accident have any personal acquaintance with the merits of junior officials, early advancement must have depended largely on the influence and favour of patrons. Bribery,

⁴⁹ cf. John D'Arms, *Commerce and Social Standing in Ancient Rome* (1981), chs. 3 and 7 (though many of his conjectures may be discounted).

⁵⁰ Pflaum nos. 52, 150, 151, 174, 193 (M. Aurelius Mindius Matidianus Pollio); add *ILS* 7193–5 (C. Vibius Salutaris). Mindius' procuratorial posts, provincial distinctions, and activities as publican and *curator rei p.* are all separately grouped (cf. n. 44), and this may be true in the other cases (except no. 52), which thus do not prove any chronological relation between tax-farming and public service.

⁵¹ Vibius and Pflaum no. 174.

⁵² Pflaum no. 193.

⁵³ Dobson, 99 ff.; 115 ff., cf. his remarks *ap.*

Domaszewski xx–xxii (n. 27); n. 29 above.

⁵⁴ cf. Dio LII 19; LIX 9, 5; Suet., *Aug.* 46; *Vesp.* 9, 2. Cf. Stein, ch. III; J. M. Reynolds, *JRS* LXVI (1976), 187 citing further works. 'Maecenas' approves the elevation of ex-equestrian officials to the senate (Dio LII 25).

⁵⁵ e.g. H. Mattingly, *The Imperial Civil Service of Rome* (1910); H. H. Scullard, *From the Gracchi to Nero* (1963), 234; M. Hammond, *The Antonine Monarchy* (1959), 453.

⁵⁶ cf. G. Burton, *JRS* LXVII (1977), 163 f.

⁵⁷ B. Levick, *Latomus* XLI (1982), 50 ff. rightly discounts modern *concomia*.

⁵⁸ Brunt, III 139–41.

and under Claudius and Vespasian the sale of offices, are recorded.⁵⁹ Even a long and brilliant career is no proof of superior talent and integrity, unless we premise that emperors exercised care and discernment in choosing the right men. Marcus at least makes it clear that he found it hard to find men who matched his own standards, and had to aim at using the best he could get.⁶⁰

* * *

For consideration of the general thesis that emperors gave an ever larger role to Equites because they were politically more reliable than senators, I propose briefly to review the kind of posts in which Equites were employed, and to examine how far this thesis can explain their use in each case.

Militiae Equestres

Eric Birley estimated the number of tribunes and prefects in the mid second century at 550.⁶¹ Under Augustus there were fewer legions and far fewer auxiliary regiments; some of the latter were commanded by native chiefs, who received the citizenship and no doubt equestrian status.⁶² Let us suppose that there were only 300 posts to be filled by true Romans. Since senators were to command the great armies, Augustus wished them to acquire early military experience as tribunes; he actually encouraged them to take prefectures too,⁶³ but it would seem with little success; bent on reaching magistracies at the earliest age, they would not postpone the time by prolonged service in the army. Emperors had then no choice but to turn to men of equestrian rank (including ex-centurions promoted to the order).

Patrimonial and Fiscal Procurators

In Republican Latin, and always in the language of private law, a procurator is a free person, possibly a freedman but often of good social standing, whom a Roman empowers to administer his property and to represent him in court.⁶⁴ With his extensive domains and numerous inheritances the emperor naturally required such representatives in many parts of the empire, including senatorial provinces. There his procurators at first had such purely patrimonial responsibilities. In A.D. 23 when the procurator of Asia, Lucilius Capito, usurped public authority and gave orders to soldiers, Tiberius, a stickler for strict law, declared that he had only received authority over the imperial slaves and property, and permitted his condemnation probably on a charge of *vis publica*.⁶⁵

In imperial provinces these constraints can never have applied. In Gaul we find Augustus' procurator, Licinus, exacting tribute from the provincials in 16 B.C. (Dio LIV 21). As late as Dio's day that was the job of proconsuls and quaestors in senatorial provinces (n. 20), but legates had no quaestors, and procurators must always have supervised tax collection where legates were the governors. As Strabo tells us (III 4, 20), they also 'distributed what the soldiers needed for the maintenance of their lives'; there is good reason to think that he means that they were responsible for the commissariat as well as the pay of the troops.⁶⁶ As early as 4 B.C. the procurator of Syria had troops at his disposal in his attempt to seize the royal forts and treasures in Judaea, which he assumed would become Augustus' property on the death of Herod; ⁶⁷ the procurator of Britain under Nero behaved no differently in his sequestration of the lands of the Icenian king.⁶⁸ Within

⁵⁹ Patronage: Millar, 279 ff., cf. further Saller, chs. I and III, and *JRS* LXX (1980), 44 ff. documenting the lack of specialized experience and of rigid rules of promotion; Brunt, III. Sale of offices: Brunt, *Historia* x (1961), 209, cf. *Dig.* XIX 1, 52, 2 (Scaevola).

⁶⁰ Brunt, *JRS* LXIV (1974), 10-13.

⁶¹ *Epigr. Stud.* VIII (1969), 72.

⁶² e.g. Arminius (Vell. II 118, 2), cf. G. L. Cheesman, *Auxilia of the Roman Imperial Army* (1914), 91 f. (for Republican precedents, 24, cf. *Bell. Afr.* 56).

⁶³ Suet., *Aug.* 38; the only clear examples are

CIL x 591 (*PIR*² A 1099); *ILS* 911. In other cases, e.g. *ILS* 937, a man may like Velleius (n. 28) have been advanced to a senatorial career not at first envisaged.

⁶⁴ Nicolet, 423 ff., cf. Jones, ch. VII.

⁶⁵ Tac., *Ann.* IV 15; Dio LVII 23, 5, who makes it clear that in his day Lucilius' use of troops would not have been irregular.

⁶⁶ Jones, 123 n. 50; cf. App. I 21 on the *vehiculatio*.

⁶⁷ Jos., *AJ* XVII 221-3; 251 ff.

⁶⁸ Tac., *Ann.* XIV 31; 32, 3.

an imperial province even the domanial procurator of Jamnia, Herennius Capito, could in Tiberius' reign legitimately send soldiers to distrain on and arrest the young prince, Agrippa.⁶⁹ Galatian regulations early in his reign treat his procurators as public officials by giving them the same entitlement as senators to requisitioned transport.⁷⁰

In the course of time procurators, freedmen or Equites, are found administering public revenues such as the *quattuor publica Africae* and the *publicum portorium* in Illyricum,⁷¹ even in senatorial provinces and in Italy itself, e.g. those concerned with the *vicesima hereditarium*.⁷² Dio says that in his day they were responsible for all taxes in senatorial provinces except to some extent for the tribute (n. 20). No doubt these duties fell to the provincial procurators in so far as they were not relieved by the appointment of officials specially concerned with particular taxes or with particular domains. The domains themselves included not only those which had belonged to the Roman Republic, but also, for instance, property that strictly was forfeited to the state in the Principate (*bona caduca, damnatorum, vacantia*). For lack of any other efficient mode of management, they were committed to the same men who administered patrimonial estates, while the latter came to be regarded as Crown property which passed on the demise of an emperor not to his private heirs but to his successor in office. The term 'fiscal' can apply to all property and income administered by the emperor and his agents, some of which was indeed private in origin, but most was properly that of the state.⁷³ Claudius gave his procurators (and not merely those who were actual governors of small provinces) jurisdiction in fiscal cases; it seems to me uncertain whether they preserved this right in every successive reign, but there is no doubt that they possessed it in full in the Severan period.⁷⁴ Modestinus declares that all imperial procurators were engaged in public affairs.⁷⁵ That had long been true. The conception is implicit in the designation under Claudius of a fleet commander as 'procurator et praefectus' (n. 122), and in the new style of procurator which he gave to all the equestrian governors of provinces except Egypt; hitherto they had been designated praefects.⁷⁶ These governors of course did more than manage imperial estates; they performed public functions of jurisdiction and levying taxes; most of them commanded troops.⁷⁷

From the very first procurators in imperial provinces had certainly handled public moneys and thus acted as public officials. Why then did they bear a designation suggesting that they were only the emperor's private agents? Probably because they were also managing his personal property and for this purpose directing his freedmen and slaves. In default of sufficient clerical staff employed by the state the same personnel could be used for both public and patrimonial records and accounts. In the same way at Rome Augustus employed members of his household to oversee the accounts of the *aerarium Saturni*: here lies the origin of the department *a rationibus*, which like the other imperial secretariats was not first instituted by Claudius.⁷⁸ Curiously enough the younger Cato had similarly used his household servants to check treasury accounts, when a private individual (Plutarch, *Cato Minor* 18). There were other precedents for Augustus' use of his *familia* in the ordinary practice of Republican governors.

Governors had employed (besides personal friends in their 'cohort') their own private servants to perform duties of state. As proconsul of Asia, Q. Cicero was allegedly dominated

⁶⁹ Jos., *AJ* xviii 158.

⁷⁰ Mitchell, 107.

⁷¹ They almost certainly comprised the *portoria*, *XX libertatis*, *vicesima hereditarium*, and *XXV venalium mancipiorum* (Vittinghoff, *RE* xxii 368 f.).

⁷² Appendix I 14-17.

⁷³ Brunt, I *passim*; cf. *Liv. Class. Monthly* 9, 1 (1984), 2 ff., *contra* E. Lo Cascio, *Ann. Ist. Studi Stor.* III (1971-2), 55 ff.

⁷⁴ Brunt, II *passim*.

⁷⁵ *Dig.* IV 6, 32.

⁷⁶ Jones, ch. VII. Under Tiberius Pilate was officially prefect of Judaea (*AE* 1963, 104); in conformity with Claudian usage Philo, Josephus and Tacitus could designate the early governors of Judaea as procurators. Governors of Sardinia are

pro legato in A.D. 13/14 (n. 95), praefects under Tiberius and in 46; thereafter they are often styled both procurator and praefect (Pflaum, II 1044 f.). From Claudius' reign we have procurators as governors in Raetia (*ILS* 1348), Noricum (1349), Mauretania Tingitana (*ILM* 56), and thenceforth in all equestrian provinces except Egypt and (after Severus) Mesopotamia. Q. Octavius Sagitta, *proc.* in Noricum under Augustus, must have had merely fiscal duties, at a time when legions were there under a legate (Appendix I 3).

⁷⁷ A procurator of the Graian Alps writes: 'dum ius guberni remque fungor Caesarum' (*ILS* 1328). The combination is most fully documented in Egypt.

⁷⁸ Brunt, I 89.

by his freedman Statius.⁷⁹ In Cilicia, Lentulus Spinther left behind a freedman, Pausanias, who acted as *accensus* to M. Cicero, and no doubt in the interim to Appius Claudius (*Fam.* III 7, 4 f.). Cicero maintained that a governor's slaves should be restricted to his private affairs (*Qu. fr.* I 1, 17), and that a freedman *accensus* should be strictly controlled (*ibid.* 13), but he used his freedman, Tiro, for unspecified 'officia provincialia' (*Fam.* XVI 4, 3). Imperial legates could apparently still follow the same practice (*Tac., Agr.* 19, 2). Caesar's freedmen and slaves worked in the mint, handled *vectigalia* and the tribute money from Asia, and are said to have grown rich.⁸⁰

The meagre evidence for administration in the triumvirate shows that then the freedmen or slaves of the dynasts had obtained posts of public responsibility. This continued under Augustus and Tiberius: Licinus was a freedman, and so was Hiberus, acting prefect of Egypt as late as A.D. 31 (*Dio* LVII 19, 6); he must surely have already occupied an important office in the administration of Egypt. *Peregrini* too, or at any rate new citizens who did not follow what later came to be standard equestrian careers, could also hold posts which belonged to those careers.⁸¹ Much later, freedmen who were the chief assistants of equestrian *procuratores provinciae* bore the same title (*Appendix* I 13); this may well go back to a time when freedmen had actually themselves been the principal administrators. If in this case too Augustus began to superimpose Equites on freedmen, that will have gratified all who were attached to the social hierarchy.

Under Caesar and the triumvirs Equites were already influential advisers and important agents of the dynasts.⁸² One need only think of Balbus and Oppius, or Caesar's *praefectus fabrum* Mamurra, of Manius, Antony's powerful agent in Italy in 41,⁸³ or of Maecenas, who was at times placed 'in charge of all affairs in Rome and Italy'.⁸⁴ Proculeius too was powerful in Octavian's counsels.⁸⁵ Cornelius Gallus commanded legions (n. 142). The responsibility of C. Oppius for Caesar's building works in Rome in 54 (*Cic., Att.* IV 16, 8) foreshadows some imperial appointments (n. 10). It is very unlikely that all generals between 49 and 27 had quaestors or proquaestors to administer the public funds they controlled, or that they did not avail themselves for the purpose of trusted Equites as well as of humbler assistants.

We may, however, still ask why after 27 B.C. senators rather than Equites were not employed in these procuratorial posts. Any explanation is conjectural. Perhaps senators themselves would have deemed it unbecoming to supervise the indispensable freedmen and slaves of Augustus. From Augustus' standpoint, quaestors or ex-quaestors might have appeared too young and inexperienced to assume responsibility in provinces where there were great armies to be supplied and paid; he also transferred the *aerarium* from their

⁷⁹ *Qu. fr.* I 2, 1-3 and 8, cf. S. M. Treggiari, *Roman Freedmen during the late Republic* (1969) (with some other instances), 154-9; 181. Verres' *cohors* and *apparitores*, and their tasks, were probably not unique (*RE* VIII A 1579 ff.).

⁸⁰ *Suet., Caes.* 76 says that he put slaves (which in this pejorative context can include freedmen, cf. e.g. *Cic., Acad.* II 144) in charge of the mint and *vectigalia*, Appian, *BC* III 11 that his freedmen and slaves, apparently escorted by soldiers, were bringing back to Italy Asian tribute money in 44, and that Octavian was thus able to seize it (cf. *Nic. Dam., FHG* no. 90 F 130, 55; *Dio* XLV 3, 2 for the seizure). Riches, Appian III 94.

⁸¹ *Dio* XLVIII 40, 6 (Demetrius, a freedman of Caesar appointed to Cyprus by Antony arrests Q. Labienus); *Plut., Ant.* 67 (freedman of Antony *dioiketes*, i.e. procurator, at Corinth; he was father of another freedman, Hipparchus, influential with Antony, cf. *PIR*² A 838); J. M. Reynolds, *Aphrodisias and Rome* (1982), pp. 96-101 for Stephanus, perhaps a freedman of Antony with some authority in Asia, like Octavian's freedman agent, Zoilus; note also the lyre-player, Anaxenor, charged by Antony with tax-collection and military command (*Strabo* XIV 1, 41). *Plutarch* 207 B mentions Eros, clearly a freedman or slave of Octavian, as τὰ ἐν Αἰγύπτῳ διέπων, perhaps *idiologus* (that may have been

Hiberus' post). Theodoros (cf. G. L. Bowersock, *Aug. and the Greek World* (1965), 40) named in the same context as *dioiketes* of Sicily was presumably of the same stamp. His successor was the philosopher Areus of Alexandria (*PIR*² A 1035). The earliest known *epistrategos* (17 B.C.) was Ptolemaeus son of Heraclides; all others are Romans, but only four of them pre-date Claudius (Pflaum, II pp. 1090-2). Wilcken thought that Augustus' freedman named in *Chr.* 443 was *proc. Neaspoleos*, a post equestrian perhaps from A.D. 77 on his view; Pflaum, p. 1089 misses the possible procurator of that year. I agree with F. Millar, *JRS* LIII (1963), 186 that we cannot distinguish the library post held by the freedman Hyginus (*Suet., Gramm.* 20) from that of M. Pompeius Macer (Pflaum, pp. 11 f.; 957).

⁸² Syme, 71-3; 133; 201; 355 ff. Josephus ascribes procuratorial functions in Syria to Herod (*B \ddot{y}* I 399; *A \ddot{y}* XV 360; the matter is obscure, cf. Otto, *RE* Suppl. VII 74).

⁸³ Thielscher, *RE* IX A 427 ff. conjecturally identified Mamurra with the architect, Vitruvius. Manius: *RE* XIV 1147 (Münzer).

⁸⁴ *Tac., Ann.* VI 11, 2, cf. *Dio* LI 3, 5; LIV 6, 5; *St. R.* II³ 729.

⁸⁵ His role is largely unknown (Hanslik, *RE* XXIII 72 ff.).

charge to that of praetors or ex-praetors. But in that case why not use men of praetorian status in the imperial provinces too as financial controllers? We must remember that in the early years of his reign there were only eight or ten praetors each year,⁸⁶ and that there were many other posts to be held by those who had attained this rank; it would probably have been hard to find sufficient *praetorii* competent for the tasks. Moreover, at first even great armies were sometimes commanded by *praetorii*;⁸⁷ seniority and precedence could have caused embarrassment. Augustus could also have been reluctant to dispense with the services of Equites he had already been using in fiscal affairs. Possibly it was most important that he could promote Equites for talents displayed in the army, and thereby encourage entry into the *militia equestris*. Thus the use of Equites as fiscal procurators could well have developed gradually, almost unnoticed and unplanned, out of arrangements already common before 27 B.C.

Prefects and Presidial Procurators

Prefects had already been appointed in the Republic to govern towns and districts. Appius Claudius as proconsul of Cilicia made the infamous Scaptius prefect in Cyprus with command of cavalry, and probably with jurisdiction, like another Eques, Q. Volusius, whom Cicero sent there to administer justice to resident Romans. The prefects whom the Pompeians sent with *imperium* to levy men, money and supplies in almost every town and village of Asia surely included Equites.⁸⁸ Now under Augustus and Tiberius we find Equites by birth or ex-centurions as prefects of one or more *civitates* or *gentes* in, for instance, the Alpine districts (Strabo IV 6, 4), Sardinia (*ILS* 2684), Raetia and Vindelicia (2689), Dalmatia (2673), perhaps Asturia (6948); later also in Pannonia and Moesia (e.g. 1349, 2737, 9199), Corsica (*CIL* XII 2455) and the Balearic isles (XI 1331); the prefects of Mount Berenice in Egypt and of the mines and troops guarding them (e.g. *ILS* 2600, 2698; *OGIS* 674) were presumably of the same type, and in North Africa *praefecti gentium* or *nationum* are long attested (e.g. *ILS* 2721, 9198, 1418, 1435, 1409, 2750), even as late as the fourth century (Ammianus XXIX 5, 21 and 35; *C. Th.* XI 30, 63). In Tiberius' reign a *primipilaris* governed the Frisians and levied tribute from them (Tac., *Annals* IV 72). Rather curiously, as late as Pius a prefect of cavalry, M. Sulpicius Felix, performed at the *municipium* of Sala many of the functions which properly belonged to a city's magistrates and council.⁸⁹ Just as native *principes* could be given command of auxiliary regiments recruited among their own people, so in Alpine districts they were sometimes made governing prefects.⁹⁰ It seems obvious that in the north all such prefects were at first subordinate to the senatorial commanders of the nearest armies, no less in Raetia and the Alpine districts which were to become small equestrian provinces than in Dalmatia or Moesia where this development did not occur; unified control must have been necessary in Augustus' wars of expansion. Strabo actually calls the northern prefects hyparchs (IV 6, 4), whereas he uses the term eparch to designate the prefect of Egypt.

On annexing Judaea in A.D. 6 Augustus again appointed an Eques as governor with the title of prefect, attested by an inscription for Pontius Pilate (n. 76). Josephus says that he had complete authority, with capital jurisdiction, which many of his successors are known to have exercised.⁹¹ However, Josephus also calls Judaea an appendage of Syria, and Tacitus uses a similar expression when writing of its re-annexation under Claudius. Under Tiberius and Claudius legates of Syria actually removed governors of Judaea without reference to Rome. I see no proof that they acted under a special authority, which

⁸⁶ *St. R.*² II 202 f.

⁸⁷ Syme, 329 f.

⁸⁸ Jones, ch. VII; Zwicky, 12 ff. Republic: esp. Cic., *Verr.* II 3, 75; *Fam.* V 20, 7; *Att.* V 21, 6; VI 1, 6; 3, 6; Caesar, *BC* III 32. Suolahti, who lists instances in Appendix II, oddly writes of 'offices of small importance' (214). Cf. Nicolet, *Mél. Carcopino* (1966), 691 ff.

⁸⁹ *Mél. d'Arch. et d'Hist., École fr. de Rome* XLVIII (1931), 1 ff. (= *Inscr. Ant. du Maroc*, II 307). More evidence in Ensslin, 1290 ff.

⁹⁰ *ILS* 94; *CIL* XII 80; *NS* 1899, 210 ff.

⁹¹ Schürer-Vermes-Millar, *Hist. of Jewish People in the Age of Jesus Christ* I (1973), 368 (overlooking *ILS* 9200); Jones, 58-63. I think it clear that Josephus had in mind jurisdiction over *peregrini*, not Roman citizens; he is not concerned to differentiate the prefect of Judaea from other equestrian governors, and I do not see why all should not have had the same power.

legates of Syria did not always possess, since other legates of Syria intervened on different occasions in Judaea.⁹² The equestrian governor of Cappadocia, first appointed by Tiberius, was probably also subject to the governor of Syria; under Claudius, that governor despatched a legionary legate to overrule him (*Annals* XII 49). This subordination of equestrian governors in the east to the nearest commander of a great army supports the view that in the north too they had not been entirely independent.

Not indeed that all equestrian governors can ever have been subordinated to senators. Obviously the prefect of Egypt was not. About A.D. 1 a praetorian tribune was commissioned to defend the cities of Cyrenaica against the nomads, and for some time no proconsuls were charged with their government (Dio LV 10a, 1); no legate was near enough to exercise supervision. This also applies to Sardinia, where in A.D. 6 Augustus substituted an Eques for the proconsul.⁹³ Dio (LV 28) calls him a general (*stratarches*), but his official title was presumably prefect (n. 76) or *pro legato* (*infra*). Dio explains the change by the prevalence of brigandage, which was endemic among the mountain tribes (Strabo v 2, 7). But one cannot see why either in Cyrenaica or in Sardinia the danger to security required the despatch of an equestrian governor rather than the appointment of a proconsul *extra sortem*, or transfer to an imperial legate. I can only conjecture that the men first selected were thought particularly suitable for their tasks because of prior experience; the Sardinian *stratarches* might have held or been holding some such post as that *evocatus* who in the early Principate was 'praefectus [I] cohortis Corsorum et civitatum Barbariae' (*ILS* 2684). Tiberius, as so often, taking an Augustan 'exemplum' to be a 'praeceptum' (cf. Tac., *Agr.* 13, 2), will then have converted a temporary expedient into established practice.

Here an excursus on titlature has some relevance. The governors of Sardinia are usually designated as both prefect and procurator (n. 76). Here, too, and in some other equestrian provinces, the governor is from Severus' time styled on occasion *praeses* as well as procurator;⁹⁴ that distinguishes him from procurators with merely fiscal functions, but of course it does not imply that procurators who were governors possessed any special powers when they paraded the title of *praeses*. These variations of titlature seem to have no significance. Now an equestrian governor of Sardinia in A.D. 13/14 is styled simply *pro legato*, and this appellation is added to the title of procurator by seven or eight procurators in Mauretania Tingitana including the first known under Claudius (n. 76), one in Raetia, in Dacia Inferior and in Mauretania Caesariensis,⁹⁵ a small minority of all presidial procurators, and to that of a prefect in the Balearic islands under Nero, though on only one of the two inscriptions which give his titlature.⁹⁶ Obviously it was not only the equestrian governors so designated who held military commands, since all regularly commanded the auxiliary regiments stationed in their provinces, as numerous *diplomata* prove. The addendum is not even attached to the style of a procurator of Mauretania Tingitana, now known to have been in office in 177 from the Tabula Banasitana (n. 3), who conducted an expedition into Baetica (*ILS* 1354). The style *pro legato* is also borne by military tribunes and cavalry prefects,⁹⁷ who presumably deputized for legionary legates,⁹⁸ and it has often been supposed that when it is applied to a procurator or prefect, it implies that he had some legionary troops under his command; of this there is no proof. Such troops could only have consisted of *vexillationes*, and their attested commanders are called *duces* or *praepositi*.⁹⁹ I incline, therefore, to the view that equestrian governors sometimes wished to make it clear that their functions, both military and jurisdictional, were similar

⁹² *Contra* Schürer (n. 91), 360 ff. (with full evidence and discussion).

⁹³ It reverted at times to proconsuls (Eck, *Historia* XX (1971), 510 ff.).

⁹⁴ See Pflaum's lists, II 1044 f. (*praeses* in Sardinia first in c. 210); 1046 f. (first in Alpine districts c. 202); 1070 (Epirus, c. 230); 1096 f. (Mauretania Caesariensis, 197/8); 1098 f. (Mauretania Tingitana, *praeses pro legato* under Severus Alexander); *procurator* still appears by itself or with *praeses* in subsequent titlatures.

⁹⁵ *ILS* 105; Pflaum, II 1096 f., cf. *ILS* 1348; Pflaum no. 157 *bis*.

⁹⁶ *ILS* 233, contrast 8902. A *praefectus pro legato* in Cyprus between 27 and 22 B.C. (Pflaum, II 7) is given only by conjectural supplementation in *CIL* X 7351. J. Sašel, *Chiron* IV (1974), 467 ff. tabulates holders of the title: I do not find his theory persuasive.

⁹⁷ *ILS* 2677 f.; *CIL* V 7320; X 4749; *EJ*³ 233.

⁹⁸ cf. Tac., *Ann.* XV 28, 3.

⁹⁹ Saxer, *Untersuchungen zu den Vexillationen*, *Epigr. St.* I (1967), 120 ff.

to those of *legati Augusti pro praetore*, and arbitrarily added *pro legato* to their title: we must not infer that they had been given greater powers than those who held the same post and did not choose to make the same claim. All presidial procurators must have possessed, like those in Judaea, capital jurisdiction at least over *peregrini* (n. 91), save in so far as the *honestiores* eventually obtained privileges in this respect against all governors; yet two procurators, to differentiate presidial from purely fiscal posts, choose to boast that they were vested with the *ius gladii*;¹⁰⁰ the same right is also attributed, more pertinently, to fiscal procurators because they were acting as governors,¹⁰¹ and to officials who were not holders of regular presidial posts, and who had evidently received presidial powers *extra ordinem*.¹⁰² There is nothing to show that the *ius gladii* is evidence for 'un état de siège'.¹⁰³

After Augustus more provinces were committed to Equites. They governed, continuously or for certain periods, various Alpine districts, Raetia, Noricum, Sardinia, Corsica, Epirus, Thrace, parts of Dacia, Cappadocia, Judaea, the two Mauretaniae and, of course, Egypt. It was only in Egypt that they also commanded legions, until Severus annexed Mesopotamia and appointed equestrian prefects with an army of two legions.¹⁰⁴ Of other areas conquered after A.D. 14 Britain and Dacia, or that part of it in which there was a legionary garrison, were placed under legates.¹⁰⁵ As soon as legions were stationed in Cappadocia,¹⁰⁶ Judaea,¹⁰⁷ Raetia and Noricum,¹⁰⁸ those provinces were transferred to legates. Some but not all equestrian governors commanded a substantial auxiliary force, but the tradition that legions must be under the orders of senators was normally observed until Severus (n. 104); indeed, they normally commanded all *vexillationes* composed of legionaries as late as Caracalla's reign, though three exceptions occur in Marcus Aurelius' Marcomannic wars.¹⁰⁹ It was quite exceptional that an army including legions was entrusted to the praetorian prefect Fuscus (*PIR*² C 1365) by Domitian and to Marcius Turbo by Hadrian.¹¹⁰ In no more exceptional cases senatorial legates could bring legionary forces into equestrian provinces and take charge of operations, not only in Judaea (n. 92) but in Mauretania in 74/5 and probably in 144, and in Egypt under Marcus Aurelius.¹¹¹

How can we explain the reservation to Equites of the particular provinces listed? They seem to have no common characteristics. Mommsen held that they were treated by the emperor as his inherited domains to be managed by private agents.¹¹² But Sardinia and Raetia had never been kingdoms that he could claim to have inherited. Galatia, a former kingdom, was always governed by legates. Even if we suppose that Hellenistic kings regarded their territory as their estates, which passed to the emperor, that is hardly likely to have been true of the kings in Noricum or the Alpine princelets. Moreover, in Egypt itself the royal land became 'public' land, and Augustus boasted that he had subdued it to the Roman people.¹¹³ This theory must be rejected.

Alternatively, it is said that the inhabitants of the equestrian provinces were exceptionally barbarous or refractory; at least initially there was no chance of creating the normal provincial institutions (by which a *koinon* or *concilium* is probably meant), or the normal municipal organization, or of applying Roman law.¹¹⁴ In fact it is true that whereas

¹⁰⁰ *ILS* 1368; 9200.

¹⁰¹ Pflaum no. 330, cf. *Passio Perpetuae* 6; *Passio Montani* 6.

¹⁰² *ILS* 1111; Pflaum nos. 165; 196; 316; 320.

¹⁰³ *Contra* Pflaum, II p. 406 and elsewhere. It will be seen that I also disagree with part of his exposition of the military powers of presidial procurators in I 125 ff.

¹⁰⁴ The first prefect is now known to be Ti. Claudius Subatianus Aquila before his prefecture of Egypt c. 206-11 (D. L. Kennedy, *ZPE* xxxvi (1979), 255 ff.). Severus' three legions, one stationed in Italy, also had equestrian prefects (Pflaum no. 229; Dio LXXVIII 13, 4 for earliest evidence).

¹⁰⁵ R. Syme, op. cit. (n. 39), 168 f., amended on 175. The procuratorial provinces were brought by Marcus under a consular, as soon as two legions were required to protect 'the three Dacias'.

¹⁰⁶ So already in Nero's eastern war, and permanently from Vespasian.

¹⁰⁷ From the time of the revolt of 66.

¹⁰⁸ G. Alföldy, *Noricum* (1974), 152-8. In Raetia we find an equestrian governor still in 166 (*ILS* 1364), a legate in 179/80 (*PIR*² H 70).

¹⁰⁹ Saxer (n. 99), 120 ff.

¹¹⁰ R. Syme conjecturally connects Marcius Turbo's appointment with the internal crisis that followed Hadrian's accession (*Roman Papers*, 541-3). If this is right, it would imply not that Hadrian trusted Equites more than senators, but that he placed special trust in this individual.

¹¹¹ *AE* 1941, 79, cf. *ILS* 8979; *AE* 1931, 38 (cf. B. Thomasson, *Die Statthalter der röm. Provinzen Nordafrikas* II 244; 297 ff.).

¹¹² *St. R.* II³ 859, cf. Hirschfeld, 371 f.

¹¹³ Brunt, I 90 f.; III n. 1.

¹¹⁴ e.g. Marquardt, *Röm. Staatsverwaltung* I² (1881), 554, cf. *St. R.*, loc. cit.

newly annexed regions were placed under Equites, unless they had legionary garrisons, Hellenized Lycia and Thrace, after Trajan had divided most of that province between *poleis*,¹¹⁵ had senatorial governors. But this explanation, too, involves misconceptions. There were no *concordia* in the Romanized provinces of Narbonensis, Africa and probably Baetica before Vespasian.¹¹⁶ If urbanized *municipia* or *poleis* of the Graeco-Roman type were lacking in the equestrian provinces, that was also true in e.g. Gallia Comata, yet the *civitates* there could be given the same role in provincial organization. Moreover, Noricum, to take one instance, was surely as civilized and docile as parts of Gaul and Spain, and Epirus was a peaceful area, which had long been governed by proconsuls. Nor is it attested or likely that the Romans went further in applying their own law to *peregrini* in Gaul or Asia than in Raetia or Egypt.¹¹⁷ And in any event there is no apparent reason why Equites should have been judged more competent to govern a wild population than senators who performed the same task in provinces with legions.

My own view is that in general Augustus' arrangements, which he had made for particular reasons in each case, reasons which we can at best merely conjecture, were simply left undisturbed, and that later emperors thought it expedient to follow the precedent he had set of increasing the opportunities for Equites to win promotion by creating for them new presidial posts, when there were no specific reasons to the contrary. Pflaum remarks that the practice also saved money, as Equites were paid less than senators,¹¹⁸ but the economy cannot have been very significant in proportion to total expenditure. However, one other explanation must now be considered, which is deployed to support the general theory that emperors were inspired by mistrust of the senatorial order.

We are told that the emperors did not dare to give senators commands in Italy or its vicinity: they ringed Italy round with equestrian provinces in Sardinia, the Alpine districts, Raetia and Noricum, just as they placed Equites in control of armed forces in Rome and Italy, and of the vital province of Egypt.¹¹⁹ But it is at once clear that this hypothesis does not explain the allocation to Equites of some remoter provinces, Epirus (without any garrison at all), Thrace, Dacia, Judaea, Cappadocia and the Mauretaniae. Moreover, the policy attributed to the emperors is in the highest degree unrealistic. The greatest danger of revolt came from the armies under consulars. The weak forces under equestrian command could give the emperor no protection. Events in 69–70 made this plain. Tacitus remarks that 'the two Mauretaniae, Raetia, Noricum, Thrace and the other provinces controlled by procurators, according to their proximity to the several armies, were drawn in to support or hostility by contact with superior strength. Provinces without armies, and Italy above all, were at the mercy of any master and destined to be the prize of war' (*Hist.* I 11). The militia of Raetia, whose procurator in early 69 is not so much as named, could offer only feeble resistance to the Vitellian legions (I 67 f.). Later in the year Vitellius had a loyal partisan there as procurator, but neither his forces nor those of Noricum, which espoused the Flavian cause, could affect the fortunes of the struggle (III 5, cf. 53, 1). Petronius Urbicus, procurator of Noricum, had opposed the Vitellians, but they simply bypassed his small army in the certainty that Noricum would fall to the victors in Italy (I 70). In the Maritime Alps the procurator went over to Vitellius but could not defend his territory against Othonian forays (II 12 f.); after the Vitellian defeat at Cremona he had no option but to swear allegiance to Vespasian (III 42 f.). It would have been absurd for an emperor to rely on the defences that such equestrian governors could provide, and the theory that they cherished such illusions derives only dubious support from the arrangements made in Egypt, and in Italy itself, to which I turn first.

¹¹⁵ A. H. M. Jones, *Cities of Eastern Roman Provinces*² (1971), 18 ff.

¹¹⁶ J. Deininger, *Die Provinziallandtage der röm. Kaiserzeit* (1965), 27 ff.

¹¹⁷ The theory of P. Horowitz, *Rév. Phil.* XLIII (1939), 47 ff. and 218 ff., which anyhow explains nothing, that only frontier provinces not garrisoned by legions were equestrian, breaks down over Epirus, Sardinia and Corsica and barely fits Thrace. L. Mitteis, *Reichsrecht u. Volksrecht* (1891), 8 thought

that the less civilized the subjects, the less resistance there was to the reception of Roman law. His book of course documents the persistence of Greek legal institutions into the late empire: Egypt provides most evidence, but the Syro-Roman lawbook (29 ff.) proves that what is true of Egypt also holds for a province governed for centuries by senators.

¹¹⁸ Pflaum, III 1244.

¹¹⁹ Hirschfeld, 445; Stein, 445; Zwicky, 27; Pflaum, I 42; 46.

Prefects of Fleets

Consider first the command of the Ravenna and Misenum fleets. From the Flavian period at latest it was exercised by prefects who had previously held many equestrian posts; the elder Pliny is the first attested case. In the second century a few were promoted to the highest equestrian dignities.¹²⁰ (The prefects of fleets elsewhere ranked far below those at Ravenna and Misenum.) In the early Principate, by contrast, the commanders were Equites of no higher standing than prefects of auxiliary units, and included ex-centurions who had presumably been given equestrian status.¹²¹ Claudius and Nero even put freedmen in command.¹²² Sextus Pompey had done the same, but in the Republic and civil wars (as at the battle of Actium) admirals were normally magistrates, pro-magistrates and, latterly, senatorial prefects.¹²³ Are we then to infer that Augustus made the commands equestrian because he thought it imprudent to entrust them to senators, and for that matter that Claudius and Nero preferred freedmen because they were still more reliable than Equites? Surely not. Although in 69 the seamen could be organized in two legions, it could hardly have been expected that they could either adequately protect the emperor or furnish enough backing for revolt. In fact they never did. Dio remarks that in 193 the men at Misenum did not even know how to drill (LXXIII 16, 3). In general fleets cannot overturn governments which retain the loyalty of trained soldiers such as the cohorts stationed in and near Rome. Now in the past fleets had been fitted out *ad hoc* to fight wars: Augustus created permanent naval forces, merely to police the seas and ensure the safe transport of troops and government supplies. The crews were *peregrini* and freedmen; the latter could rise to be ship-captains in the first century.¹²⁴ That could have made it seem less strange when Claudius and Nero actually promoted favourite freedmen to prefectures. We also know of a freedman sub-prefect of the Alexandrine fleet (ILS 2816), and there is no reason to think that the appointments of freedmen to the commands at Ravenna and Misenum were any more motivated by considerations of security. The routine functions of naval command over such personnel were at first, as we have seen, regarded as appropriate for Equites of the rank who commanded *peregrini* in the *auxilia*. Initially they probably appeared below senatorial dignity. Why the prefectures were eventually upgraded can only be a matter of speculation: perhaps to offer posts of higher emoluments to deserving equestrian military officers.

The Prefects at Rome

The praetorian and urban cohorts were each commanded by a tribune, who was naturally an Eques, though it became the practice that they should be ex-centurions (n. 31). At first the praetorian tribunes, and those of the urban cohorts, if there was no prefect of the city holding office continuously from the time of their establishment, must have taken their orders direct from Augustus.¹²⁵ The prefect of the city, once this post had been created, was a senator of eminence. The ancient title of the office, and the quasi-magisterial character of its novel functions (Tac., *Annals* VI 11), no doubt dictated this. On the other hand, in 2 B.C. Augustus at last appointed two prefects of the praetorian guard, and both were Equites (Dio LV 10, 10). Thereafter the office remained equestrian, except that under Vespasian it was held first by a kinsman of the emperor and then by his son, and that

¹²⁰ e.g. Pflaum nos. 94, 126, 139. The post was then ducenarian, other fleet commands centenarian or sexagenarian.

¹²¹ e.g. ILS 2702 (Ravenna, A.D. 56, cf. Tac., *Ann.* xv 30); Tac., *Hist.* II 100: 'Lucilius Bassus post praefecturam alae Ravennati simul ac Misenensi classibus a Vitellio praepositus'. In ILS 2702 and 2815 (n. 122) the fleet commanded is not specified; hence other 'praefecti classis' of this time (Pflaum, II 1041 f.) may also have commanded at Ravenna or Misenum; their careers do not mark them out (as Pflaum thinks) as inferior in rank to Palpellius or Lucilius; see ILS 2676; 2693; 2688 (Forum Iulium?).

¹²² ILS 2815 ('procuratori et praefecto classis',

sc. at Misenum, cf. 1986); Tac., *Ann.* XIV 3; 62; *Hist.* I 87.

¹²³ Ensslin, 1294 f. The title of senatorial admirals is not often recorded.

¹²⁴ Chester G. Starr, *The Roman Imperial Navy* (1941), ch. v; D. Kienast, *Untersuch. zu den Kriegsflotten der röm. Kaiserzeit* (1966), 9 ff.

¹²⁵ The existence of the urban cohorts under Augustus is implied in Suet., *Aug.* 49, 1, cf. Dio LV 24, 6 (not reliable): they were perhaps first formed when T. Statilius Taurus was made *pr. urbi* in 16 (Dio LIV 19), and he may have remained in office till succeeded c. A.D. 12 by L. Calpurnius Piso (cf. Tac., *Ann.* VI 11; *PIR*² C 289 at pp. 64 f.). See *RE Suppl.* X 1126 ff. (Freis).

Sejanus, Plautianus and one or two later prefects retained it after elevation to the senate.¹²⁶ No doubt at the start it was purely military; it was close proximity to the emperor that gave some prefects from Sejanus onwards the opportunity to influence general policy, and this influence no doubt generated the development of juridical and (in the late empire) financial functions through a process we can hardly trace. Until the Flavian period the office ranked below the prefecture of Egypt.¹²⁷ Initially the prefects had no share in the general government of the empire to balance that enjoyed by senators. One must also doubt if there was not a single senator who could have been trusted with Augustus' security. But it might have been rather invidious for him to choose any particular senators for a commission so closely linked with his own person. It is curious that he at first appointed not one prefect but two, a practice that most of his successors followed, or abandoned at some peril to themselves. Did this mean, as Dio suggests (LII 24, 1), that he thought it imprudent to put implicit confidence in any one man? There is a possible alternative. Though it would seem that on Augustus' death Seius Strabo was sole prefect (*Annals* I 7), in September 14 his son, Sejanus, became his colleague, and could be sent with some of the cohorts to assist the young prince, Drusus, in restoring discipline in Pannonia (*ibid.* 24). Duality meant that one prefect could remain at Rome, while another was deployed elsewhere.¹²⁸ One may also wonder if the establishment of a permanent prefecture was not the culmination of a process in which Augustus had from time to time delegated supreme command to one or more of the tribunes.

Once this post had been established, it was the more natural that the force of Vigiles constituted in A.D. 6 should also be placed under an equestrian prefect, all the more as so many of the men under his command were freedmen. The jurisdiction that this prefect possessed in the Severan epoch was presumably the result of later development. Augustus' arrangements were indeed avowedly experimental and provisional at the start. It must be noted that in this case the prefect took over responsibility from senatorial magistrates.¹²⁹

That was hardly true of the *praefectus annonae*. The government had not normally sought to regulate the Roman grain trade except in emergencies, like those of 57 and 22 B.C., when Pompey and Augustus himself temporarily assumed the *cura annonae*. When famine again threatened in A.D. 6 and 7 the procurement of grain was entrusted to consulars (Dio LV 26, 2; 31, 4). (The task of distributing the free corn doles, which had been performed by senatorial curators since 22 B.C., was quite distinct.)¹³⁰ They may have been appointed merely for a year. Between 7 and 14 an Eques, C. Turranius, took over the job as *praefectus annonae* (cf. Tac., *Ann.* I 7). Augustus may have seen that there was a need for permanent regulation; on the other hand, the shortage may have persisted, and he may have urged that as an ex-prefect of Egypt Turranius had special expertise to solve problems still regarded as temporary; once again, the post may have been created provisionally and experimentally, nor did its establishment deprive senators of a function which had been theirs by tradition, since it was one which had seldom been performed at all. In his usual manner Tiberius did not disturb Augustus' arrangement, and Turranius actually remained in office till retired by Gaius at an advanced age (Seneca, *de brev. vitae* 20, 3), only to be reinstalled by Claudius (*Ann.* XI 31). After the lapse of forty years it was no doubt taken for granted that the office should be equestrian, even though Turranius' successors would seldom have had any special qualifications. The jurisdiction the prefect possessed in the Severan epoch no doubt evolved gradually.¹³¹

The creation of these prefectures at Rome may be paradigms of Augustus' policy. There was no general design of committing to Equites the administration of the capital or of Italy, so far as the central government sought to control local affairs at all. Although

¹²⁶ Lists in Passerini, 266 ff. and Ensslin, 2423 f.

¹²⁷ Passerini, 221 f. Seius Strabo, Macro and Lusius Geta were all promoted to Egypt; Ti. Iulius Alexander was the first ex-prefect of Egypt to be promoted to be *pr. pr.* (E. G. Turner, *JRS* XLIV (1954), 54 f., perhaps nominally). Functions of prefects: Passerini, 225-65; Millar, 122 ff.; cf. for jurisdiction Brunt, II 462 n. 1; O. Behrends, *Die röm. Geschworenengerichtsverfassung* (1970), 211-24; H. Galsterer, *GGA* 1973, 37 n. 1; Juvenal xvi.

¹²⁸ Passerini, 214 ff. offers other speculations.

¹²⁹ Dio LV 26, 4, cf. for Augustus' earlier expedients LII 24, 6; LIV 2, 4; LV 8, 6 f. Jurisdiction: *Dig.* I 15, cf. A. A. Schiller, *RIDA* III (1949), 318 ff.

¹³⁰ G. E. F. Chilver, *AJP* LXX (1949), 7 ff.

¹³¹ See e.g. Ensslin, 1265 f.; H. Pavis d'Escurac, *Préfecture de l'Annone* (1976), 270 ff. It is not necessarily implied in Sen., *de brev. vitae* 18 f.

Augustus and Tiberius relieved the annual magistrates of their chief responsibilities except in jurisdiction, they were mostly transferred to senatorial curators, some nominated by the emperor, others chosen by lot. So, too, in the second century the new *praefecti alimentorum* and regional *iuridici* were senators. But in particular cases it seemed best to appoint Equites to new posts, and expedients adapted to special circumstances or represented as provisional turned out to have permanent effect.

The Praefects of Egypt

I come finally to Egypt. The singular provisions made by Augustus for its government and the comments on them in our sources have done most to fortify the theory that emperors relied on Equites because they distrusted senators.¹³² From the first Egypt was governed by an equestrian praefect; as senators could not be subordinated to him, all the other chief administrators and the commanders of the legions were also Equites. Senators could not reside in the province, nor even visit it except by leave of the emperor. Tacitus and Dio offer the following explanation. The population was large, turbulent, and might readily rebel. A revolt would be hard to suppress, since it was not easy to invade the country. It would also be particularly dangerous, since Rome depended on Egypt for grain. The emperors therefore treated Egypt, though formally it was a province (n. 113), as a sort of personal domain. In fact, it may be added, they inherited the position of the Pharaohs and Ptolemies; Strabo (xvii 1, 12) and Tacitus rightly say that the praefects ruled it as viceroys ('*loco regum*').¹³³ Tacitus insinuates and Dio asserts that they feared to entrust it to senators.

For Tacitus these arrangements were '*inter arcana dominationis*', one of the secrets of despotism. This means of course that his and Dio's explanation is conjectural. Hirschfeld inferred (p. 344) that Augustus gave no official explanation; it is sufficient to suppose that Tacitus did not know it, or did not accept it. It is patent that Augustus, who could not have carried on the government of the empire without the co-operation of senators, cannot have publicly declared that he was unable to find a single senator sufficiently loyal to govern Egypt. Yet he must have given some reasons for his choice of at least the first praefect, if only when he promoted a *lex* by which the praefect was endowed with *imperium* like that of a proconsul.¹³⁴ What he professed these reasons to be, and what they were, we simply do not know.

However, the motives that Tacitus and Dio impute to him are not plausible. Egyptian turbulence may be allowed; that was why no less than three legions (n. 143) were originally stationed in Egypt to hold the population down. But a combination between an anti-Roman native population and a Roman governor of either order with his legions was an improbable contingency. Again it is true that Egypt is easily defensible (cf. Strabo xvii 1, 53), yet Augustus had penetrated the defences with little fighting; and so had Gabinius in 55 and Mithridates of Pergamum in 47. The danger of revolt by a people untrained to arms was incomparably less than in, for instance, Gaul. Moreover, the disloyal general of a large army in the north had a far better chance than the governor of Egypt of overthrowing an emperor; he could march on Rome. On Tacitus' showing, the latter could indeed threaten Rome with famine. But Egypt had seldom shipped grain to Rome in the late Republic, when Sicily, Sardinia and Africa were the chief sources of external supply:

¹³² Tac., *Ann.* II 59, 1, *Hist.* I 11; Dio LI 17, cf. Arrian, *Anab.* III 5, 7. Suet., *Caesar* 35, 1 suggests that Caesar granted Egypt to Cleopatra, '*ne quandoque violentiorem praesidem nacta novarum rerum materia esset*', probably another conjectural ascription of motive. In fact Caesar left three legions there, which he too placed under command of a non-senator (Rufio, or Rufinus, the son of one of his freedmen, perhaps an Eques), if we believe Suet. 76, 3; however, in 43 the legions in Egypt were under A. Allienus (*pr.* 49), cf. *MRR* II 352. Hirschfeld, 346 suggested that the Egyptian legions, composed of Orientals, were not '*ebenbürtig*' with the rest, but Mommsen whom he cites (*GS* VI 40)

was writing of all legions in the east, and denied any formal distinction; moreover, the legions stationed in Egypt in 30 must have been recruited in the west; and we cannot explain Gallus' appointment in this way.

¹³³ A. Stein, *Untersuch. zur Gesch. u. Verwaltung Ägyptens* (1915), 39 ff.; 80 ff.; of course the monarchical role of the Princeps, as seen by the Egyptians, must have been patent to senators in Octavian's entourage in 30, and was not concealed from e.g. Tacitus.

¹³⁴ Ulpian, *Dig.* I 17, 1, on which see Jones, 121 f.; de Martino, IV² 764 f.

'tria frumentaria subsidia rei publicae'.¹³⁵ No doubt Augustus hoped to divert Egyptian surpluses to Rome, and better administration of the country in his reign increased output.¹³⁶ But in 30 the capital was not yet dependent on the harvests of the Nile valley, as in 69, when Vespasian conceived the strategy of starving it out by his control of Egypt.¹³⁷ At that time Egypt and Africa furnished most of Rome's grain imports in the ratio of one to two, if we may so interpret a passage of Josephus (n. 135) in which he ignores the other sources that certainly existed. Tacitus and Dio are retrojecting the conditions of their own times. The same is of course true of Dio's statement that Augustus would not allow Egyptians to enter the senate; in 30 B.C. there can have been no thought of the necessity of any such rule.¹³⁸ The anachronism perhaps suggests that all Dio's remarks on the arrangements for Egypt represent his own reflections, and are not derived from any historian contemporary with Augustus.

What of the prohibition on senators visiting Egypt? Can this be ascribed to imperial suspicion? In the first place, it applied also to 'equites illustres'; whatever the precise connotation of Tacitus' phrase,¹³⁹ it must at least embrace Equites of the very type from which the prefect and other high administrators of Egypt were drawn.¹⁴⁰ And secondly, Tiberius complained in the senate of Germanicus' infraction of the rule; this must imply that it had some justification other than distrust of senators, and one which could be avowed in the senate itself. I offer a conjecture. A papyrus of 112 B.C. shows that even then elaborate preparations were made for the reception of a senatorial tourist; Germanicus' visit also occasioned oppressive requisitioning.¹⁴¹ The emperor may then have deemed it best for public order and productive output that eminent persons of either order, who might have undue influence (*gratia*) with the prefect and officials, should not be permitted except by special leave to disturb the ordinary routine and provoke native turbulence.

If an explanation for the appointment of an equestrian prefect must have been given, what could it have been? Again we can only indulge in guesswork. The man chosen in 30 was Cornelius Gallus. It was no novelty that he should dispose of legions: he had commanded an army which successfully invaded Egypt from the west,¹⁴² and perhaps some of his legions were left there in garrison.¹⁴³ It may be that Augustus was convinced that Gallus not only had the skill for the conduct of the further operations which were necessary in Upper Egypt but that he was specially adept in the country's complex administration. This was certainly a case that he could have made in public for placing an individual Eques for the first time in charge of a province.¹⁴⁴ He could also have represented the

¹³⁵ Cic., *de imp. Cn. Pomp.* 34. See G. Rickman, *Corn Supply of Ancient Rome*, ch. v and Appendix 4, discussing *inter alia* Jos., *BJ* II 383-6. Appian, *BC* v 67 refers vaguely to Italy being cut off in 40 from eastern supplies, more specifically to Sicily, Sardinia and Africa.

¹³⁶ H. I. Bell, *CAH* x 289 f.

¹³⁷ Tac., *Hist.* II 82, 3; III 8, 2; 48, 3.

¹³⁸ Severus 'enrolled the first Egyptian senator, Dio LXXVI 5, 5.

¹³⁹ Tacitus sometimes applies the epithet to men or women of senatorial family (*Ann.* I 11, 1; 72, 3; III 75, 1; VI 4, 4; 9, 3; XIV 11, 1; XVI 34, 1; *Hist.* III 70, 1), sometimes to both senators and Equites (*Ann.* XI 36, 2 with 33, 3; XVI 16, 2 with 17), but also to individual Equites, friends of the emperor or of members of his house (*Ann.* IV 58, 1; 68, 1; XI 35, 3), the father of a praetor (VI 18) and those who had risen high in imperial service (xv 28, 3; xvi 17, 'senatoria dignitate', cf. 16, 2), cf. *Agr.* 4, 1: 'avum procuratorem Caesarum habuit, quae equestris nobilitas est'. I cannot classify the illustrious Equites in *Ann.* XI 4, 1; 5, 2. There is an express or implied contrast with 'tenuiores' or 'modici' in I 7, 3; xvi 5, 3, cf. Cic., *Verr.* II 3, 60: 'equitibus R. non obscuris neque ignotis, sed honestis et illustribus' (for parallels cf. Kübler, *RE* VI 307 f.); why should Tacitus any more than Cicero have in mind a category legally defined, e.g. by census (so Koestermann on *Ann.* II 59)? 'Primores

equitum' in *Hist.* I 4, 3, cf. IV 53, 1 presumably has the same connotation.

¹⁴⁰ The mechanism of the prohibition is not clear as regards 'equites illustres', especially if they were not a legally defined category. (Senators needed exit permits to leave Italy, cf. *Ann.* XII 23, 1). The *Gnomon Idiologi* 64-9 (with the commentary of W. Graf Uxkull-Gyllenband) shows that passports were required to leave Egypt by sea, cf. perhaps *OGIS* 674; and it would perhaps have been practicable to require entry permits (access by land too could have been policed), and withhold them from Equites who had been in imperial service or from others by name.

¹⁴¹ Wilcken, *Chr.* 3 (cf. perhaps Diod. I 83, 8); *Ey³* 320(a) = *SB Berl.*, 1911, 791.

¹⁴² Dio LI 9; Oros. VI 19, 15, cf. Plut., *Ant.* 74. Gallus won over Antony's four legions in Cyrenaica, but obviously he had an army of his own to make this possible.

¹⁴³ Initially there were three legions in Egypt (Strabo XVII 1, 12), under Tiberius only two (Tac., *Ann.* IV 5), viz. III Cyrenaica and XXII Deiotariana, the latter first constituted in 25 B.C.; the identity of the original three is unknown, but it would have been unsafe to leave in Egypt ex-Antonian legions.

¹⁴⁴ Gallus boasted that he was 'praefectus... primus' (*ILS* 8995), and may then have foreseen that later governors would be prefects.

decision as merely provisional. But when Gallus misbehaved, no obvious recommendation for preferring an Eques in principle, and had to be replaced, there was inevitably no senator available with any experience of Egyptian government. We know nothing of the previous careers of Gallus' immediate successors, but their credentials might have been that they were already serving, or had served, in Egypt in a military or civilian post. Few later prefects had had any prior service in the country, but there are several exceptions in the Julio-Claudian period,¹⁴⁵ and it may have seemed an indispensable qualification in the earliest decades, when there were no other great posts in which Equites could acquire more general administrative experience. A succession of *ad hoc* appointments of Equites who had served or were serving in Egypt could gradually have established the custom that Equites alone were eligible.

The Loyalty of Equites and Senators Compared

The thesis that emperors preferred Equites for certain key posts to senators because they mistrusted the loyalty of senators as such, either to the regime or to themselves as individual rulers, and supposed that they could count on the unconditional fidelity of Equites, is founded in my view on a false diagnosis of the attitudes of both orders to imperial rule. It is also incompatible with the fact that until the time of Severus all the great army commands normally remained with senators even in the reigns of emperors who had incurred the hostility of the senate. The garrison in Egypt, reduced by A.D. 23 to two legions and after Hadrian to one, was not comparable to the armies under the command of senatorial legates. Of course it can be argued that they were kept under surveillance by Equites serving as procurators or as army officers.¹⁴⁶ The procurators were independent officials, answering directly to the emperors. No doubt they could report on the governors, as for that matter governors could report on them, like Pliny in Bithynia (*ep.* x 85; 86A). Surveillance was reciprocal. Human nature being what it is, bickering might occur between governor and procurator, though it is rash to infer that it was normal, because Tacitus commends Agricola for keeping on good terms with the procurators, or because a procurator of Britain could ultimately secure the recall of the legate he disliked, Suetonius Paullinus, for probably well-justified criticisms, not of his loyalty but of his failure to pacify the country.¹⁴⁷ In A.D. 54 procurators of Asia were used to procure a governor's murder, an incident that permits no general conclusion (Tac., *Annals* XIII 1). In 69 the procurator of Belgica gave Galba early warning of Vitellius' revolt, and paid for it with his life (*Hist.* I 12; 58); another procurator in 69 killed the rebel legate of Numidia, but only when his cause was already lost (I 7). By contrast, as procurator of Dalmatia, Cornelius Fuscus pushed a torpid legate into joining the Flavian insurrection (II 86). In revolts, the master of the purse was surely at the mercy of the master of the sword. As for equestrian military officers, they apparently acquiesced in, or enthusiastically espoused, such rebellions as occurred. Galba, who mustered a personal guard from young Equites in Spain (Suetonius, *Galba* 10, 3), had no trouble that we hear of with equestrian officers, when he revolted. Tacitus writes that in January 69 none of the legates or tribunes in Lower Germany made any effort on his behalf against Vitellius, and some promoted disaffection (*Hist.* I 56, 4). Vitellius found it necessary, so it seems, to remove only one equestrian officer, the prefect of the German fleet (I 58, 1). In Judaea and Syria tribunes as well as centurions and common soldiers were easily won over to the Flavian cause, by hope of enrichment or real solicitude for the public good (II 5, 2; 7, 2); once Vespasian had been proclaimed emperor, he gratified some 'egregios viros', evidently Equites, with posts as prefects and procurators. That implies that he removed some officials, not necessarily as suspects, but perhaps only to make room for his more active partisans; among whom others, presumably equestrian, were elevated to the senate (II 82, 2). In 69 and 176 prefects of Egypt also joined in the rebellions of legates, and A. Avillius Flaccus, M. Mettius Rufus, and probably

¹⁴⁵ Brunt, III 124 ff.

¹⁴⁶ Pflaum, I 6. Dessau, 194 supposed that procurators sent in more frequent reports than legates: no evidence.

¹⁴⁷ Tac., *Agr.* 9, 4; 15, 2; *Ann.* XIV 38, 3. *Proconsuls* were advised by Ulpian to leave fiscal jurisdiction to procurators (*Dig.* I 16, 9).

Aurelius Septimius Heraclitus perished at the hands of Gaius, Domitian and Caracalla respectively for imputed treason; in about 258 L. Mussius Aemilianus usurped the purple.¹⁴⁸

Their record pales, however, besides that of the praetorian prefects. Of 23 known prefects between 2 B.C. and A.D. 98, omitting those of Galba, Otho and Vitellius, 12 either perished for real or alleged treason or conspired successfully against their masters. By way of precaution most emperors divided the command, but both prefects assisted in the assassination of Gaius and Domitian. Commodus put to death his first two prefects, Tarrutienus Paternus and Tigidius Perennis, who had in turn been his chief ministers, and thereafter, according to his biographer, changed his prefects 'hourly and daily', often terminating their lives with their offices (6, 6-8; 7, 4; 9, 4), until he himself was removed by his last nominee. Macrinus and Philip not only eliminated emperors but usurped their place.¹⁴⁹

Nor were the prefects alone among the Equites in deserving or at least incurring the suspicions of emperors. We have numerous references to the cruelty and rapacity that Gaius vented on them.¹⁵⁰ Equites attempted the life of Claudius on more than one occasion, and he is said to have executed two or three hundred of them.¹⁵¹ Under Nero the accomplices of Piso included five senators and eleven Equites (*Annals* xv 48 ff.), one of them a crony of the emperor, while three were tribunes of the guard (50, 2 f.); four more out of the sixteen tribunes were discharged as unreliable after discovery of the plot (71, 2). Domitian, we are told, became an object of terror and hatred to all alike, and was ultimately destroyed by his closest friends and freedmen (Suetonius, *Dom.* 14, 1). His equestrian *ab epistulis*, C. Octavius Titinius Capito, who retained the post under Nerva and Trajan (*ILS* 1448), was on the tyrant's death to place busts of Brutus, Cassius and Cato in his house. Pliny would hardly have recorded his action with admiration (*ep.* 1 17) had his readers been likely to conclude that Capito was a mere time-server. Probably they took the view that he had not dared to resign from the service of a master who suspected all alike (Dio LXVII 14, 4), and who might well have taken premature retirement as evidence of disaffection (cf. Tac., *Hist.* 1 2, 3), and that on the restoration of freedom Capito could at last disclose his true sentiments.

When we read that Gaius on returning to Rome from the north publicly proclaimed that he was coming to those who desired his presence, the Equites and the plebs (Suet., *Gaius* 49, 1), or that Nero hinted towards the end of his reign that he would massacre the senate and hand over provinces and armies to Equites and freedmen (*Nero* 37, 3)—in fact the soldiers would hardly have stomached generals of servile stock¹⁵²—we should conclude not that emperors could rely on the Equites, but that Gaius and Nero had lost touch with reality. Yet these are the only texts, along with the ancient explanation of the arrangements made in Egypt, that can be quoted by modern writers who believe that the emperors could count on and use the loyal Equites to balance or counteract the persistent opposition of the senate. Admittedly Tacitus' and Dio's statements about Egypt show that they could impute some such hopes to emperors. However, Tacitus attributes to the Equites, or to most of them, or to those of greatest eminence, the same sentiments as those of senators regarding Nero's fall and various vicissitudes in 69 (*Hist.* 1 4, 3; 35, 1; III 58, 4;

¹⁴⁸ A. Stein, *Die Präfecten von Ägypten der röm. Zeit* (1950), 26 f.; 44 f.; 117 ff.; 143 ff.

¹⁴⁹ Passerini, 266 ff. gives evidence.

¹⁵⁰ Suet., *Gaius* 26, 4 f.; 27, 4; 30, 2; 41, 2; Jos., *Ant.* XIX 3; Dio LIX 10, 2 and 4. Suet. 16, 2 (cf. Dio LIX 9, 5) relates to the honeymoon period of the reign.

¹⁵¹ Dio LX 18, 4; Tac., *Ann.* XI 22; Suet., *Claud.* 13; Otho 1. Executions: Seneca, *Apoc.* 14; Suet., *Claud.* 29, cf. Tac., *Ann.* XIII 43.

¹⁵² cf. the legionaries' attitude to Narcissus (Dio LX 19, 3). Tacitus reports military adulation of Vitellius' freedman, Asiaticus, and ascribes some military authority to Vespasian's, Hormus (*Hist.* II 57; III 12; 28). Stein, 110 ff., lists other freedmen (as well as sons of freedmen) who attained equestrian dignity, perhaps with *restitutio natalium* by imperial

favour (n. 14). Of these Felix as governor of Judaea undoubtedly commanded troops, but Oriental *auxilia*, and Cleander, Commodus' *a pugione* (*AE* 1961, 280), who was surely not also styled *pr. pr.* (so *HA Comm.* 6, 13), did command the praetorians, and secured the obedience of some of the troops at Rome (it is not clear which from Dio LXXII 13; Hdn. 1 12 f.). Under Caracalla and Elagabalus, Theocritus (Dio LXXVII 21) and Gannys (not Comazon, cf. Boissvain, ed. of Dio III p. 438), though former slaves, held military commands. These instances, few and chiefly late, do not subvert the opinion expressed in the text. (I do not think that Juvenal IV 13 ff. implies that the Egyptian Crispinus, perhaps *pr. pr.* of Domitian, was ever a slave, or that Juvenal's malevolent rhetoric could in any event be relied on; Egyptians, as such, were natural slaves!)

69, 1); in particular, he links the senate with Equites who had some share in responsibility for the state (I 50, 1). Pliny represents Trajan as the good emperor publicly escorted by senators and Equites alike (*Paneg.* 23, 2).

In Maecenas' speech Dio makes no fundamental distinction between senators and Equites: the former should be recruited from both Italians and provincials of highest birth, virtue and property, and the Equites from those who are second to them in the same qualifications (LII 19). He does indeed propose, among other measures to reform the system of government existing in his own day, that military command and jurisdiction should be committed to senators in all provinces, implicitly excluding the appointment of Equites as governors (22), but he allows that Equites should retain the great prefectures at Rome and monopolize all fiscal duties (24 f.), since it is not practical or expedient to the emperor that the power of the sword and the purse should be in the same hands (25, 3). While he recommends that the senate should be consulted on, and enjoy *ostensible* control of, foreign affairs, legislation and all important public business, and that senators should only be tried by their peers (31 f.), he also urges that Equites should at least have the right of appeal to the emperor (33), and that in his own jurisdiction, handling of correspondence and petitions, and generally in his conduct of affairs he should use equestrian advisers and assistants (33, 5). Both senators and Equites ought to receive the same education organized by the state to inculcate the qualities required for efficient and faithful service (26), and the emperor ought to advance men, even ex-centurions, in proportion to their ability, subject of course to their loyalty; promotion to the senate is treated as a proper reward for Equites if they had not risen from the common soldiery (25; 37). Social prejudice emerges in his respect for birth and wealth, in his contempt for common soldiers (cf. 27), and in his insistence that imperial freedmen, though they too may be rewarded for merit, must be kept under strict discipline (37, 5); no place is found for them in the higher administration, even though he holds that as many persons as possible should share in the experience and profits of public service (25, 4).

There is incidentally no hint here of rivalry between the orders. Nor do I find it elsewhere. Tacitus, for instance, remarks that L. Vestinus, ex-prefect of Egypt, whom Vespasian put in charge of the rebuilding of the Capitol, ranked among the chief men in influence and reputation (*Hist.* IV 53). He plainly regarded the power of Burrus under Nero as beneficial to the state (*Annals* XIII 2; XIV 51). No text suggests that senators were mortified by the eminence of some Equites. The latter were often fathers or brothers of senators, or connected with them by marriage or friendship. Some accepted elevation to the senate at the end of their official careers or in mid-course.¹⁵³ Their connections might entangle them in plots or expose them to the suspicions of a tyrant, and their wealth might incite his rapacity. Conspiracies occurred in every reign, no matter how benevolent the ruler, since there were always some who aspired to his power. Until the third century Equites were admittedly unlikely to entertain this ambition for their own account: they could still be involved in the designs of senatorial kinsmen, friends or patrons. And they were just as apt to resent an autocrat's oppression. It was such oppression that in certain reigns destroyed any understanding between the emperor and the senate.

The continuous opposition of the senate to the Principate as such is a modern myth, often repeated. Imperial autocracy, revealed by Tiberius and formalized in the *lex de imperio*,¹⁵⁴ had to be accepted as irresistible. What was condemned, and not by senators alone, was not absolutism, but its abuse, and as Boissier showed long ago, opposition, when widespread, was moral in its basis.¹⁵⁵ It is then no paradox, as often suggested, that though Trajan was as autocratic as Domitian, the latter ranked as a tyrant, while Trajan was not only hailed as 'optimus Princeps' in his lifetime but remained a paragon for posterity.

The emperors themselves professed devotion to certain moral standards, and it was by their observance of these standards that they were judged. All ancient writers, Equites like the elder Pliny and Suetonius, no less than senators, Seneca, Tacitus, the younger Pliny and Dio, adopt the same criteria in assessing individual rulers. Their assessments

¹⁵³ Stein, ch. IV *passim*. Promotions, e.g. Pflaum nos. 42, 56, 84, 106 *bis*, 136, 141, 156, 178, 179, 181 *bis*, 188, 203, 242, 247, 258, 287, 290, 347, 355. The most remarkable case is the future emperor,

Pertinax, an ex-centurion and allegedly son of a freedman.

¹⁵⁴ Brunt, *JRS* LXVII (1977), 95 ff.

¹⁵⁵ *L'Opposition sous les Césars*, 1875.

may differ in detail, but the extent to which a ruler relied on Equites rather than on senators is never occasion for praise or blame. Emperors were condemned when they suppressed freedom,¹⁵⁶ set justice aside in punishing men for mere disrespect, or on unproved suspicions of treason, or for the purpose of filling their coffers, violated the code of personal morality, and indulged tastes unbecoming to a Roman and a ruler, exuberantly and ostentatiously. And, however tyrannical, they too could not govern without the aid of men from the higher orders, and had to appoint senators and Equites to great positions. Some were men prepared to curry imperial favour by any means, without scruple; that did not make them devoted partisans of their master. It is significant that Gaius, Domitian, Commodus and Caracalla were removed by persons in the highest trust; Nero was abandoned by most of his generals and his last hope was ended by the desertion of his favourite and praetorian prefect, Nymphidius Sabinus. The majority of high officials in both orders were doubtless men like Agricola who saw no option but to serve Rome and earn what distinction they could under a ruler whom they might privately abhor. No doubt, as the senate was a corporate body, its members could more easily become conscious of a community of feeling, although it could not be overtly expressed. Senators who held military commands had more chance than any Equites except the praetorian prefects of attempting to dethrone a tyrant by force. To this extent senators presented greater danger than Equites to an emperor who ignored the need to rule by consent. But it was an Eques, and incidentally a former centurion, who told Nero that he had begun to hate him, once he had appeared as murderer of his mother and wife, as a charioteer, an actor and an incendiary (Tac., *Ann.* xv 67). Sentiments of this kind were diffused in antiquity among decent men of all ranks, and it is only modern apologists who have condoned practices that then earned general opprobrium, and, disregarding the evidence, invented as motives for opposition to tyrants arcane policies that supposedly caused conflict with the senate alone.

* * *

Severus and After

I may add a brief epilogue on Severus and his successors. Severus organized the newly annexed province of Mesopotamia on the Egyptian pattern with an equestrian governor and equestrian prefects for its two legions; similarly an Eques commanded another new legion, normally quartered in Italy (n. 104). His hand fell heavy on senators whose fidelity he suspected, but also on opponents of other orders; and once again, it is hard to believe that it was from distrust of senators as such that he created the new equestrian posts, seeing that he left them with all the other great commands; thus P. Cornelius Anullinus, a consul of Marcus' reign (*PIR*² C 1322), was commander-in-chief of his forces in the civil war against Niger. I conjecture once more that he either had some personal reasons for preferring individual Equites or wished further to expand the chances of advancement open to those who rendered good service. It was in the third century that military commands were transferred to Equites.

According to Victor, Gallienus issued an edict barring senators from the army, 'ne imperium ad optimos nobilium transferretur', and Tacitus and Florianus, though they wished to repeal his measure, were prevented by the senators' own preference for voluptuous ease; military commands and political power consequently passed to almost barbarous soldiers (33, 33 f.; 37, 6). We must accept the tradition that Gallienus was on bad terms with the senate; so little is known of his character and policy that all explanations are speculative. How much further can we rely on Victor?

In default of other literary evidence we can only turn to inscriptions, and from the

¹⁵⁶ Lucan vii 444 f.: 'ex populis qui regna ferunt sors ultima nostra est, quos servire pudet', cf. Gibbon, ed. Bury, I 80. Traditional education, common to senators and Equites (cf. Hor., *Sat.* I 6, 77), imbued Romans with an ideal of freedom, which the better emperors like Marcus (*Med.* I 14) wished

to respect: though emptied of political content in the Principate, it still embraced freedom of speech and personal freedom under the law, which tyrants violated. See Ch. Wirszubski, *Libertas as a Political Idea* (1950), ch. 5, esp. 167 ff.

latter part of the third century few survive.¹⁵⁷ We find that (a) no senatorial tribunes or legionary legates are attested after Gallienus; (b) in some provinces once governed by proconsuls or legates, Equites take their place; (c) mobile forces are under the command of equestrian *duces* or *praepositi*. Before Gallienus procurators had sometimes been appointed to act as governors, designated as *agens vice praesidis*,¹⁵⁸ but this title implies that government by a legate or proconsul was still regarded as normal; from Gallienus' time Equites appear as governors in their own right. Yet senators too are attested after his reign as governors in Numidia, Tarracoenensis, Moesia Inferior, Syria and Arabia,¹⁵⁹ all provinces in which there must still have been armed forces, while Equites even before Diocletian are found in formerly 'unarmed' provinces, Pontus, Macedon and Cilicia, to say nothing of an *agens vice praesidis* in Baetica and in Macedon. *Prima facie* this meagre evidence suggests that Equites did not displace senators in all military posts, but that they also supplanted them in purely civil offices. But the conclusion may be false or misleading. (a) It may have become necessary to station substantial forces in what had once been 'provinciae inermes'. (b) Where senators were still governors, military command may have been transferred to equestrian *duces*. (c) Senators who retained military commands (if any did) may in fact have been promoted from equestrian status.

Suppose that Victor was basically right in asserting that Gallienus excluded senators from the army. Can we also credit the motive he assigns? If it is correct, Gallienus was blind to realities. Already not only the praetorian prefects, Macrinus and Philip, but a low-born general, Maximin, had usurped the purple. Gallienus himself, and several of his successors, were confronted with pretenders or dethroned by generals, all of whom belonged to the new military class. The experience of the third century provides the most ample confirmation that disloyalty was not peculiar to the senate, and that emperors had most to fear from the power of the sword, whoever bore it, more indeed from generals of the new type.

Victor's allusion to the senators' love of ease may be a better pointer to the truth. In his great northern wars Marcus had already had to rely on generals of equestrian origin, though he chose to promote them to high senatorial rank.¹⁶⁰ It had long been common for men born to such rank to opt out of the perils and hardships of military service. At best they probably had less military experience when appointed as consular legates than Equites who had held the *militiae equestres*, not to speak of ex-centurions. When the empire was in danger of collapse, it was more than ever necessary that Rome's forces should be entrusted to professional soldiers. The old rules of advancement within the army were abandoned, in order that men promoted from the ranks for tried ability might at once be given the commands that they were thought most competent to exercise.¹⁶¹ If they were now seldom advanced to the senate,¹⁶² that might have been a token of respect for old hierarchical prejudices, such as Dio had voiced (n. 34). Obviously, once senators ceased to acquire military experience as tribunes or legionary legates, they were still less fitted to command whole armies.

Gallienus' measure, or the process that he perhaps did no more than accelerate, completed, it is said, the triumph of the equestrian order. That is a misleading half-truth. As we have seen, some equestrian officials had always risen from the centurionate and of these most were probably men who had served in the ranks. Still, they formed a minority, and few of them went as far as a Bassaeus Rufus. Epigraphically attested careers of the late third century are not numerous, and it is therefore not significant that they do not confirm that such spectacular success now became usual. The literary evidence, scanty as it is, shows that the 'Illyrian' emperors and their chief generals were of obscure and

¹⁵⁷ For what follows see bibliography and review of evidence and modern theories in L. de Blois, *Policy of the Emperor Gallienus* (1976), ch. II, cf. H. Thylander, *Opuscula Romana* (1973), 67 ff.; Pflaum, *Historia* xxv (1976), 109 ff. See *Fasti of provincial governors in PLRE I* 1072 ff. and of military commanders A.D. 260-84, *ibid.* 1116 (all non-senators when proof of status exists).

¹⁵⁸ Pflaum nos. 254, 257, 297, 317, 324, 328, 329(?), 330, 331 *bis*; *ILS* 593. The Domitianic precedent

(*ILS* 1374) is as isolated as another case in Asia in 276 (*AE* 1924, 70). Pflaum 150 *bis* must be eliminated, cf. *AE* 1968, 406.

¹⁵⁹ The record for Arabia is uniquely copious and gives one senator and many Equites.

¹⁶⁰ Pflaum nos. 179 (cf. *AE* 1963, 52), 181 *bis*, 188, cf. 203 (under Severus).

¹⁶¹ e.g. Traianus Mucianus (*IG Bulg.* III 1570, cf. Dobson, 139 ff.).

¹⁶² Instances still occur (Pflaum nos. 347, 355).

therefore humble origin, like Maximin the Thracian, Victor's 'paene barbari'.¹⁶³ This was a change of a quite different nature from the advancement of Equites in the first two centuries of the Principate. There is no true line of descent between a Maecenas with his boasted royal lineage or a Sejanus with his aristocratic connections and the peasants who rose in the army to control and save the empire.

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¹⁶³ R. Syme, *Emperors and Biography* (1971), 194–220.

APPENDIX I. REMARKS ON 'PROSOPOGRAPHIC' EVIDENCE FOR THE BUREAUCRACY

1. What follows is designed to show the inadequacy of 'prosopographic' evidence (chiefly epigraphic) for the bureaucracy, and the fragility of some conclusions based on it. Data are derived from Pflaum's *Fasti* (II 1018 ff.), supplemented by his own addenda, but not systematically by the few subsequent discoveries, which cannot substantially alter the picture, and from the works of Boulvert and Weaver.

2. Extant inscriptions may in some categories represent a fair sample of all that were ever set up, and it is doubtless no accident of survival that in the first century we have far more career inscriptions (and others) of senators than of Equites who rose beyond the *militiae equestres*. However, the sample is often very small, and by accident holders of any particular post may be over or under represented or not attested at all. Many were commemorated where they held office, or in their home towns; hence, in those regions where the practice of setting up inscriptions was less prevalent, there would have been fewer in the first place, and where they were engraved on bronze rather than on stone, and liable to be melted down, they would have less chance of surviving. The extent to which excavations have taken place obviously affects the survival rate. Far more inscriptions have been found in Italy, Africa and Asia than in most areas. Of 19 Equites in Pflaum's lists who operated in Britain all but 4 are recorded in inscriptions outside the island, and of 92 in Gaul and the Germanies (a few recurring in more than one post) only 27 are epigraphically attested within those areas. (As so many inscriptions come from men's home towns, it follows that data on the origins of officials generally have only illustrative and not statistical value.) There are sometimes special reasons why the holders of certain posts proliferate in the epigraphic record (cf. §§ 7; 10; 17), while holders of others appear with unusual frequency in detailed historical works, above all those of Tacitus and Josephus. It appears to me that the fashion of recording careers only gradually spread down from senators to Equites and then to freedmen (n. 8). Finally, men of higher degree were more likely to be commemorated *honoris causa* than their inferiors (§§ 10–18). As a result of the last two factors there was no uniform relation between posts ever occupied and posts ever recorded on inscriptions.

3. According to Dio, Augustus sent out Equites and freedmen to collect public revenues and make public disbursements in every province (LIII 15, 3). His statement comes from a systematic description of organization in the Principate (LIII 12–19), which takes account of some post-Augustan developments, and is therefore not unimpeachable evidence for Augustus' time. In fact under Augustus and Tiberius fiscal procurators are actually attested in the imperial provinces of Lusitania, Tarraconensis, Gallia Comata, Raetia (cf. U. Laffi, *Athenaeum* LV (1977), 369 ff. on Octavius Sagitta) and Syria, and patrimonial in the senatorial provinces of Narbonensis, Africa, Achaëa and Asia. Strictly these data in themselves show only that these types of provincial procurator existed, not that they were exemplified in every part of the empire. But where procurators were indispensable, *sc.* for fiscal purposes, they must from the first have been appointed in each imperial province, or at any rate (e.g. Gallia Comata) in each group.

4. Not perhaps in all senatorial provinces, where they were at first restricted to management of imperial domains (n. 65). Conceivably the emperor did not at first possess such domains everywhere, or was content to appoint a manager for a particular estate or group of estates, as for the Chersonese (Hirschfeld, 18 n. 2; 19 n. 4), and not for a province or group of provinces. However, the patrimonial procurators in senatorial provinces ultimately acquired public functions (p. 53), and we can assume that they were then to be found everywhere. In fact no province is unrepresented in Pflaum's lists except Cyrenaica (if distinct from Crete); there subsequent finds (*AE* 1969/70, 636 f.) have filled the gap.

5. Now many procuratorial posts or types of post are known only from inscriptions. Pflaum tended to assume that they were instituted not long before the first attestation; his conclusions have been widely accepted, and Boulvert followed suit in reconstructing the growth of freedmen posts. The fallacious nature of this hypothesis is exposed by the tabulation in § 6 of the earliest

instances Pflaum could cite of provincial (non-presidial) procuratorships. Pflaum indeed excludes freedmen (except for Licinus in Gaul), but with one probable exception in Pannonia Superior (*ILS* 1484, cf. Weaver, 276 f.), no freedman is epigraphically recorded as procurator of a province (nor as the *adiutor* of an equestrian procurator, cf. Weaver, 233) earlier than any Eques listed by Pflaum. He does of course include provincial procurators named in literary sources, but these sources seldom mention procurators holding other types of post, for which we are usually dependent on inscriptions or papyri alone. For assessing the completeness of the epigraphic record, the table refers to literary documentation only in brackets. We then find that for instance in Gaul and the Balkans no procurator is epigraphically recorded for a century or more after the posts must have been created.

6.

PROVINCIAL (NON-PRESIDIAL) PROCURATORS	EARLIEST INSTANCE RECORDED BY PFLAUM (Earliest literary allusion in parentheses)
<i>Imperial Provinces</i>	
Asturia-Callaecia	A.D. 79
Tarraconensis	Augustus
Lusitania	Augustus
Britain (from 43)	c. 80 (Nero: <i>Ann.</i> XIV 32 and 38)
Gallia Comata	— (Augustus: Dio LIV 21)
Lugdunensis and Aquitania	Domitian
Belgica and Germanies	Domitian (Nero: Pliny, <i>NH</i> VII 76; Tac., <i>Hist.</i> I 12; 58)
Raetia (under Augustus)	Augustus (cf. § 3 on Octavius Sagitta)
(from Marcus)	—
Noricum (from Marcus)	Early third century
Dalmatia/Pannonia	Domitian (A.D. 69: Tac., <i>Hist.</i> II 86)
Dalmatia alone	Trajan
Pannonia Superior	Marcus
Pannonia Inferior	Hadrian or Pius
Dacia Superior (from Hadrian)	Pius
Moesia Superior	c. 97
Moesia Inferior	115 (?)
Thrace (from Trajan)	Marcus
Galatia	Nero
Lycia-Pamphylia	Vespasian
Cappadocia (from 70)	Late first century
Syria	Augustus
Judaea (from 66)	Domitian (Vespasian: Jos., <i>B\ddot{y}</i> VI 238; VII 216)
Arabia (from Trajan)	Trajan
<i>Senatorial Provinces</i>	
Sicily	Trajan (Augustus: Plut. 207 B)
Baetica	Vespasian
Narbonensis	Tiberius
Macedon	Marcus
Achaea	Augustus
Asia	Claudius (Tiberius, n. 65)
Lycia/Pamphylia	Claudius
Bithynia	Vespasian (Claudius: Tac., <i>Ann.</i> XII 21)
Cyprus	Trajan
Crete (and Cyrenaica ?)	Nero. Cf. § 4. <i>Contra</i> Pflaum Q. Lucanius was <i>proconsul</i> under Augustus, <i>PIR</i> ² L 348
Africa	Augustus

7. This is not all. If we assume (pp. 49–50) that a procurator held office on average for three years, then in each province that already formed part of the empire in 27 B.C., there were about 100 between Augustus and Diocletian, but for e.g. Baetica and Lusitania we have only 9 and 12 respectively. In Tarraconensis Pflaum listed none between c. 78 and c. 145 or between c. 166 and c. 230, in Britain none between c. 98 and c. 145 and none certainly later than c. 213, in Belgica and the Germanies none after Severus, in Syria none between Hadrian and Severus. Except for Asia with its wealth of inscriptions (37 cases) the *Fasti* of senatorial provinces tend to be less complete than those of imperial. The lists of presidial procurators are also variably defective. Only for Judaea before 66

have we a complete list of 14 governors, thanks to the survival of Josephus' works, but of these only one is epigraphically attested (*AE* 1963, 104). Pflaum lists 30 for Sardinia; 44 for Mauretania Caesariensis (each list is unexpectedly fullest after Commodus), but 31 for Mauretania Tingitana; only 5 for Epirus; 12 for the Maritime Alps; 9 for the Graian; and 7 for the Cottian. Noricum and Raetia were both governed by Equites for about the same period, ending under Marcus, but there are 24 for Noricum and only 13 for Raetia (excluding Octavius Sagitta). Of the former 15 happen to be attested in dedications by their *beneficiarii* (in all but two cases the only evidence for them). Only 5 of the procurators of Raetia are known from local documents, and these are all military *diplomata*. The fortuitous character of their survival is illustrated by the fact that we have 8 *diplomata* from Mauretania Tingitana and only 1 from Mauretania Caesariensis; otherwise the disproportion between known governors of these two provinces would be far greater. In Egypt the location of papyrological finds preserves a far longer list of *epistrategi* for the Heptanomia than for Pelusium or the Thebaid, or indeed of officials stationed at Alexandria, for all of whom we depend chiefly on inscriptions; very many prefects are known only from papyri.

8. These deficiencies in the provincial Fasti illustrate the fallacy of arguing that other posts did not exist in periods in which they are not attested. For example, there is no certain post-Severan *procurator patrimonii* of equestrian rank at Rome (Pflaum, II 1025), since the date of Ti. Claudius Marcellinus is debatable (cf. M. Corbier, *ZPE* XLIII (1981), 75 ff.), but this loses its significance, when we see that after Caracalla Pflaum could list at most (some dates are uncertain) only 5 *ab epistulis*, 1 *a libellis*, 2 *a censibus*, 2 procurators of the *vicesima hereditatum* at Rome, 1 of the *aquae*, 2 of the *moneta*, and 1 prefect of the Ravenna fleet: in each case the total might well have been over 20. (Lo Cascio, see n. 73, was simply wrong in suggesting that the patrimonial office disappeared after Hadrian, or lost its importance; at least 7 subsequent holders are known, and Pflaum no. 193 was explicitly ducenarian.) In general documentation for the third, as for the first, century is miserably poor. Now a post may be exemplified very sparsely and in only a few regions, and yet it may be of a type that enables us to infer that it existed everywhere or more generally. Thus it is at least improbable that the 3 third-century procurators of a *tractus* or *regio* or of *saltus* in S. Italy (Pflaum, II 1041) had no counterparts in the rest of the peninsula; similarly there are 6 regional procurators of the *ratio privata* in Italy and 7 or 8 in a few provinces, and at most 5 provincial procurators of the *patrimonium* in the same period; it is impossible to believe that there were not similar posts where they are not documented. Other examples of the same kind will be given later. On the other hand, some posts are *sui generis*. In the absence of documentation we cannot then be sure of their existence, but we must not assume that they did not exist both before and after they are recorded. That assumption has been the source of error; for an instance see R. Meiggs, *Roman Ostia*² (1973), 299. Hirschfeld inferred that Hadrian first appointed a *praefectus vehiculorum* from *ILS* 1434 (now redated to Nero); later discoveries pushed this back to Trajan, Vespasian, Claudius; the office may be Augustan (Eck, 89 ff.).

9. The Hadrianic dating had been supported by illusory combinations of epigraphic evidence with vague and unreliable statements in *HA Hadr.* 7, 5 and Victor 13, 5. On administrative history the *Historia Augusta* is undependable at its best. It avers that Hadrian first appointed Equites as *ab epistulis* and *a libellis*. But an Eques held the former office as early as Domitian (*ILS* 1448), and though that emperor still had a freedman as *a libellis* in 96 (Dio LXVII 15, 1), it may be accident that the first in the equestrian series (we may ignore the holder under Vitellius, *ILS* 1447) is Hadrianic (Pflaum no. 106 *bis*). The first datable Eques as *a ratiombus* is Trajanic (*ibid.* no. 66), but I would conjecture that no. 89 held the post under Domitian, which would explain why he does not name the emperor he served. Cf. perhaps Suet., *Dom.* 7, 3: 'quaedam ex maximis officiis inter libertinos equitesque R. communicavit.' *HA Sev.* 12 ascribed the institution of the *ratio privata* to Severus; this was commonly accepted, but it went back to Marcus (Pflaum, II 1002 ff.), Pius (*CIL* VIII 8810) if not beyond (cf. H. Nesselhauf, *Bonner Historia-Augusta Colloquium* 1963, 76 ff., and my remarks in *Liv. Class. Monthly* 9, 1 (1984), 2 ff.).

10. A rare case in which we can be sure when a post became equestrian is that of the *procurator aquarum*. When Frontinus wrote, it was held by freedmen, but an Eques appears under Trajan. He is one of 12 out of 16 listed by Pflaum known only from stamps on *fistulae*; the earliest documentation of another kind would be of Marcus' reign (Pflaum no. 206). These centenarian officials do not seem to have often risen far; that also appears to be true of the procurators of the *annona* at Ostia, to judge from their career inscriptions; and it is dedications by the Ostian guilds that preserve most of the 17 listed by Pflaum. Sub-prefects of the Vigiles did better; still it is the abundance of inscriptions of the Vigiles that give us most of our 18 examples. In all these cases we have unusual kinds of documentation. In their absence the Fasti of centenarian and sexagenarian offices are meagre, e.g. for those administering taxes or domains in regions of Italy and the provinces, or governors of small imperial provinces like Epirus and the Alpine districts, and procurators of small senatorial provinces like Cyprus, or Crete and Cyrenaica. I suggest that a high proportion of these men did not secure advancement and the consequential influence and dignity that generally warranted

honorific dedications. Those attested are most likely to be men who, exceptionally, did rise further. To take a random instance, the two known procurators of the *vicesima hereditarium* in Baetica and Lusitania, both dated between 180 and 209, must have had many predecessors and successors; but they both became provincial procurators, and probably are attested on that account.

11. A parallel can be found in the *militia equestris*. According to E. R. Birley, *Epigr. St.* VIII 72, there were in the mid-second century 270 prefects of auxiliary cohorts, 180 equestrian tribunes of legions and auxiliary cohorts and 99 prefects of *alae*. We may assume that the proportions were not widely different at other times. It could only have been the rule for Equites to hold all three posts if the average tenure of the junior post was as long as the tenure of the other posts taken together, and the average tenure of a tribunate nearly twice as long as command of a cavalry regiment. In fact career inscriptions show not only that many held only one or two posts but that some were never prefects of a cohort. So far as I know, there is no evidence that average duration of tenure varied between the posts; hence a large number of prefects of cohorts cannot have risen any higher. Now if epigraphic records preserve a fair sample of all who ever held all these commissions, we should have at least 27 prefects of cohorts for every 18 tribunes of legions or cohorts and 10 prefects of *alae*; i.e. in the ratio 100 : 67 : 37. But that is not what we find. I went through 300 successive names in H. Devijver, *Prosopographia Militarium Equestrium* L 1–S 12, omitting instances of dubious supplementation, and 10 in which the men are simply said to have performed the equestrian military offices or to have been *a militiis* without further specification (cf. § 12), not counting more than once as tribune or prefect anyone who held those commissions more than once, and excluding (i) *tribuni a populo*, in case that office was sometimes purely honorary, (ii) certain future senators conjecturally regarded as *tribuni angusticlavii*, and (iii) tribunes of the cohorts at Rome (n. 31), but not confining the count to *cursus* inscriptions, and I found that the ratio was 100 : 160 (tribunes) : 80 (cavalry prefects). The most junior post is thus notably under represented, and the 'praestantior ordo tribuni' (Statius, *Silv.* VI 97) over represented.

12. I have also examined the military careers of procurators, where they are preserved intact, given by Pflaum, excluding tribunes in the cohorts at Rome. The first 8 cases (nos. 1, 4, 5, 9, 12 bis, 13, 24, 25) exhibit no prefecture of a cohort. Eventually most future procurators held some posts of all three types, the first instance on Pflaum's dating being no. 44 (a procurator under Vespasian), though in reality no. 121 (*ILS* 1434) is now redated to Nero's time (§ 8). From the late second century some are content to state that they performed all the *militiae equestres*. Since, however, some held more than one post in the same category, they might have claimed to have fulfilled this qualification even if they had not held a post in each category, and I therefore neglect the 12 instances in which no further information is provided. In all we then have 69 men who were prefects of cohorts, 92 who were tribunes and 65 who were prefects of *alae* in the ratio 100 : 133 : 94; 36 men, chiefly in the first century, omitted the first post, 8 the second, and 38 the third. The careers of those who attained procuratorial rank were in my view more likely to be commemorated than those of men who did not, but very few rose to be procurators after holding *only* the most junior military commission; this obviously contributes to the disproportionately small representation of prefects of cohorts in the epigraphic record.

13. On the same basis it is imprudent to suppose that we are at all fully informed about the administrative posts held by freedmen. At one time they directed the Palatine secretariats; of those notorious for their power not one is attested epigraphically. They also appear as provincial procurators, though, despite the title, they must have been subordinates of the equestrian procurators (p. 45). Weaver gives a list (276 f.) which contains only 20 epigraphic instances; the first (*AE* 1930, 86) is dated to A.D. 80 (he is wrong to assume that here 'proc. provinciarum Asiae et Lyciae' does not refer to two successive appointments; for the force of 'et' cf. *ILS* 1484; 8856 cited on the same page). Two (*CIL* XIV 51; *ILS* 1484) are certainly or probably Hadrianic. Although most instances may, or must, be of Marcus' reign or later, the title is clearly earlier, and there is no reason to doubt that it was borne by the freedmen engaged in the administration of Asia under Nero (*Tac., Ann.* XIII 1) and of Bithynia under Trajan (*Pliny, ep.* x 27 f.; 84 f.); Weaver, 281 adduces other possible cases, and one can see no reason why there should not have been similar freedmen procurators elsewhere in the same period. Though only 3 freedmen are attested epigraphically as provincial procurators before the mid-second century, we must surely infer not with Weaver that they seldom bore this title before, but that at an earlier date they were still less apt to leave full records of their offices. Weaver (*Historia* XIV (1965), 461 ff.) counted 203 freedmen procurators of whom 77 held domestic or unspecified appointments and 126 administrative; of these at most 33 (even if we illegitimately include all Flavii) could belong to the first century, and 59 at least are later than 161; but as so many of the posts are domestic, it is quite implausible that the figures reveal an increase in the actual numbers in service; the household under Pius and Marcus (cf. *Med.* I 17, 3) will not have been more lavishly manned than a century earlier. Even in the late second century and thereafter few freedmen left records. The 20 'provincial procurators' operated in 14 provinces or smaller districts; Arabia is represented 4 times, Cilicia 3 times, Asia, Lycia, Pannonia Superior,

and the *regio* Theventina of Africa and Phrygia twice; one is found in Belgica, Britain, Crete, Lugdunensis (and another in Lugdunensis and Aquitania), Mauretania, Narbonensis, Syria Palaestina. The distribution suggests that there were such procurators everywhere; in that case only a minute proportion are attested. Boulvert, II 121 ff. listed 48 career inscriptions of freedmen; almost all are of Marcus' time or later; and again I conclude that such inscriptions were then erected, still not commonly, but with greater frequency than in the past. Of the freedmen who served as *proc. aquarum* for half a century only one is known (Hirschfeld, 278). Hence it is clearly possible that other posts, which were eventually equestrian, were held at an earlier time by freedmen of whom we have little or no record.

14. A very few freedmen procurators for particular taxes are in fact known from the period ending with Trajan's death; viz. a procurator of the *vicesima hereditatium* in Achaea, who cannot be post-Flavian (*ILS* 1546), a procurator of the *quattuor publica Africae* and of the *quadragesima Galliarum*, who was married to a Iulia Demetria and presumably belongs to the first century (1549), and three other holders of the former post alone, two of them Cocceii (1550, cf. de Laet, 373). The first of these examples is isolated, yet it is hardly conceivable that there were not similar procurators in all provinces in which Roman citizens liable to the *vicesima* were no less numerous than in Achaea.

15. It is only from Hadrian's time or later that we have epigraphic records of equestrian procurators with similar specialized tasks. Again the evidence is scattered and not abundant for any single bureau outside Rome, for which Pflaum lists 20 ducentarian procurators of the *vicesima*, to whom we can now add 2 more (*AE* 1962, 312; 1973, 485, the second Vespasianic), and 4 *promagistri*, all the latter belonging to the second century; whether the former directed the regional procurators, who were of lower rank, or were simply concerned with the tax-liabilities of persons (including all senators) technically domiciled in the city (or its environs) is not certain. Except for 3 first- and second-century procurators of the *vicesima libertatis* (Eck, 166), no officials at Rome are recorded for other taxes; and in so far as there was any central supervision of *portoria*, mining revenues, etc., it must have fallen to the *a rationibus* (cf. perhaps Statius, *Silv.* III 3, 89 ff.).

16. For the *vicesima* outside Rome Pflaum gives 13 equestrian procurators in various Italian regions, 4 in Spain, 4 in Gaul, 5 in Asia and adjoining areas, 1 in Bithynia, 2 in Syria (cf. now *AE* 1979, 506), 2 in Egypt, 1 in Mauretania Caesariensis. The fact that there is none in Africa fits the hypothesis that the *vicesima* was among the *quattuor publica Africae* (n. 71), and it may be that the provincial procurator was responsible for the tax in provinces where there were few citizens before Caracalla, though subordinate personnel are also found in Dalmatia and Pannonia (Hirschfeld, 103 n. 1). Even so we might expect procurators in Achaea and Macedonia, and it is clear that in the provinces where they are attested, the sample is extremely low.

17. For the *portoria* Pflaum lists 5 procurators in Gaul (not counting the special case of no. 204), 13 or 14 for the Illyrian circumscription or parts of it, 3 for Asia, 2 for Bithynia, and none elsewhere, not even in Spain and Syria. There are also 4 or 5 for the *quattuor publica Africae* (add *AE* 1979, 77). If these included the taxes on sale by auction and manumission of slaves (n. 71), it may be noted that procurators concerned with these taxes in other provinces are never mentioned.

18. The imperial domains in Africa were parcelled out in *regiones* or *tractus* with equestrian procurators, the earliest known Trajanic (31 in Pflaum), and freedmen procurators as assistants (Weaver, 280). Our records provide no parallel elsewhere, not even in Asia Minor, where imperial property was extensive, cf. Broughton, 648 ff. Some of the 9 Equites vaguely classified by Pflaum, II 1072 f. as 'procurator in provincia Asia' may have performed similar functions, but some were perhaps provincial procurators. Broughton, however, refers to a score of freedmen procurators; two are designated 'proc. Phrygiae' (*ILS* 1477; 8856; cf. also W. H. C. Frend, *JRS* XLVI (1956), 46 ff.), and they may well correspond to the equestrian regional procurators in Africa. Perhaps it was deemed appropriate that while these domanial posts were equestrian in Africa because there many of the cultivators were Roman citizens, elsewhere they should remain generally libertine. It is, however, clear again that only an infinitesimal proportion of freedmen procurators of imperial estates have left any memorial. For the rest, there are a few scattered Equites whose posts were or may have been of the same kind: the 4 procurators 'Kalendarii Vegetiani' (D. Manacorda, *MEFR* LXXXIX (1977), 313 ff.) and 1 other (Pflaum, II 60 ff.) in Spain, 1 in Germany (Pflaum no. 85), 1 for the Hellespont (*ILS* 1374), 3 in the Chersonese (Pflaum, II 1069), 1 in Asia (*ibid.* 1073), 1 at Jamnia in Judaea (*PIR*² H 103); here we also have a freedman (*AE* 1948, 141). Freedmen are again found administering Pandateria and Melita which were presumably owned by the emperors (Weaver, 278). Cf. also § 8.

19. The imperial domains included mines and quarries; here, too, our evidence is extraordinarily patchy. Pflaum gives 6 equestrian procurators for the Gallic iron mines; 2 for the Dalmatian; 15 for the Pannonian and Dalmatian silver mines; and 6 for the gold mines in Dacia, none before 212, though they were certainly worked from the time of Trajan's conquest. Not one name is recorded from Spain despite the importance of its mineral resources. Hirschfeld (145-80) indeed cites examples of freedmen procurators of mines and quarries in Spain, Dacia, Sardinia (?),

Egypt (where the *praefectus montis Berenicidis*, an equestrian military officer, also had a role), Phrygia, and Africa; at Carystus one at least is an Eques; the status of those in Cyprus mentioned by Galen (xii 234; xiv 7 Kühn) is not clear, any more than that of the Vipasca procurator (*FIRA* 1² 104 f.). Hirschfeld's examples are not numerous, and many are preserved only by stamps on blocks of marble.

20. All this evidence surely justifies us in concluding that whether or not we have documentation, it became the practice to entrust the administration of (a) the *vicesima* in provinces where many citizens lived, (b) the *portoria*, (c) imperial mines and quarries to specialized procurators, either freedmen or Equites, but it is not sufficient to date the institution of any post, or where this occurred, its elevation to equestrian dignity; and the sparseness of documentation shows that rather few of the holders of these posts were ever commemorated as such *honoris causa*, and these normally, only if they went on to higher offices. (The known transfer of the Palatine secretariats and the procuratorship of the water-supply to Equites c. A.D. 100 may suggest that it was about this time that other posts too became equestrian.)

21. Thus posts in certain categories, however sparsely attested, must have been regularly filled, where there was a need for them, even in regions in which they do not happen to be documented, and we can explain the scantiness of the evidence by the hypothesis that the holders were seldom honoured with commemorative inscriptions. (This may also help to account for the rarity of officials recorded to have assisted in census operations, cf. Brunt, iv 165 f.). But we cannot always safely generalize from a few instances. Some posts may never have formed part of the permanent establishment. Take the case of the *vehiculatio*, later called *cursus publicus*, which is misleadingly rendered 'imperial post' or the like: it involved the transport of government servants and supplies (Mitchell, *passim*). Domitian's directions to the procurator of Syria on the abuses of the system (*SEG* xvii 755; Pflaum, ii 964) strongly suggest that in imperial provinces the provincial procurators might be at least in part responsible (along with governors). Only in Rome was a special prefect required in their place (cf. § 8), working in Italy through local magistrates or contractors, and ultimately perhaps through the regional prefects in Italy who are not attested till the end of the second century (Eck, ch. iii). However, he could hardly have directed public transportation throughout the empire; close local supervision was necessary. In the Gallic and Danubian provinces *praefecti vehiculorum* occasionally appear from Severus' time (Pflaum, ii 1054, 1060), but they may have been appointed only in special emergencies, like the officials (mostly listed by Pflaum, ii 483 ff., see also no. 350; Millar, *JRS* LIII (1963), 199), charged with the commissariat of expeditions, two of whom are also designated as *praefecti vehiculorum* (nos. 163, 181). For the rest the provincial governors and procurators may well have remained responsible.

22. We may also doubt if there were *advocati fisci* as permanent officials in every province or department of the administration, even in those in which they are (sparsely) attested; it may be that the dearth of documentation only illustrates once more that men of no great dignity were little commemorated, but the government could also retain barristers for the *fiscus* when the need arose (*fr. de iure fisci* 17).

23. Since misconceptions of this office flourish, a few more words on the subject will be apposite. Pflaum (i 64) and others treat the *advocati* as jurists, but Appian, who was probably *a. f.* at Rome (*pr.* 15) was linked with his patron Fronto by 'studiorum usus prope cotidianus' (Fronto 170 N), i.e. by common interest in rhetoric, and the Greek sophists Quirinus of Nicomedia and perhaps Heliodorus owed their appointments to forensic eloquence and cannot be credited with expertise in Roman law (Philostratus, *v. soph.* ii 521, 526). Rhetorical skill, not legal knowledge, was prescribed as a qualification by Constantine (*C. Th.* x 15, 2). The title in itself shows that *advocati* were orators, and though some jurists would appear in court, and orators could pick up some knowledge of the law, especially of a branch of it such as fiscal law in which they specialized, the distinction drawn by Schulz (*Hist. of Roman Legal Science* (1946), 55 ff.) between the disciplines of rhetoric and jurisprudence still stands, despite the qualifications made by Kunkel (326 ff.).

24. The *Historia Augusta* (*Hadr.* 20) ascribes creation of the post to Hadrian, and it is first attested in his time (*AE* 1975, 408, cf. *Dig.* XLIX 14, 3, 9; Brunt, *JRS* LVI (1966), 84 n. 58). We now know that Sex. Cornelius Repentinus, praetorian prefect under Pius, rose from this post without military service (*ZPE* XLIII (1981), 43). However, most *advocati* in Pflaum's lists at Rome itself, in Italy and in various provinces were Severan or later. They are both few and scattered: some 50 posts in all, several held by the same man, notably by one who was *a. f.* in 11 provinces, and who ultimately became praetorian prefect in the third century (Pflaum no. 327). Some had very narrowly defined functions; thus one man was successively 'at vehicula' in two districts of Italy and part of Noricum (Pflaum no. 353), another *fisci advocatus XL Galliarum* (no. 282), and a third operated successively in three *regiones* of the imperial domains in Africa (*CIL* VIII 2757); we have one example both for a single province so small as the Maritime Alps (*AE* 1888, 132), and for Phrygia, a mere part of the province of Asia (Pflaum no. 205; *AE* 1940, 205), but also one for all three Spanish provinces (*AE* 1930, 148). Juristic statements prove that as early as Marcus' reign a valid decision in fiscal suits could be given only if the *fiscus* was represented by an *advocatus* (*Dig.* XLIX 14, 3, 9;

14, 7), but of course this does not show that he was more than a barrister receiving a fee; indeed we may guess that the institution of salaried posts developed out of the practice of engaging barristers in this way. An *a. f.* need not be a career official at all.

APPENDIX II. THE *CURA AQUARUM*

The evidence of Frontinus *de aquis* is confirmed and amplified by epigraphic material, cf. Hirschfeld, 273 ff. My interpretation conflicts with the views of Boulvert, I 143 ff.; 263, cf. Pflaum, I 42; 55.

The powers and duties of the curators were defined by senatorial decrees and a *lex* of Augustus' reign (Frontinus 100–29), which were apparently still valid and therefore unaffected by the appointment since Claudius of an imperial freedman as procurator (105). Frontinus himself systematically investigated the capacity and distribution of the various sources, and devised methods of checking frauds by the watermen. In courtly fashion he gives the credit to Nerva's *providentia* (64; 87–9); whether or not this tribute was deserved, he does not imply that Nerva had armed him with special powers, greater than those of his immediate predecessors, or that Nerva had reduced in any way the functions of the freedman procurator; he complains indeed that curators had ceased to appear in public with the *apparitores* to whom they were entitled (and he himself chose not to do so), but explains this merely by the indolence of men who failed in their duties (101). Obviously such indolence placed real responsibility in other hands. But it remained properly the curator's task to provide for the upkeep of the structures in accordance with Augustus' regulations (17, 99 ff.; 119) and to show continuing vigilance in preventing frauds (114). It is true that private persons, if they were to draw on the public water supply, needed a grant from the emperor certified in an imperial letter; that had been the rule since Augustus (99; 103). But it was on Frontinus' advice that Nerva agreed to overlook the offences of those who had drawn water without leave (130); probably, before making grants, an efficient emperor would normally consult a curator who took his duties seriously. The curator had to execute the grants, giving the necessary instructions to the procurator (105). Frontinus mentions the procurators only in this context as the curator's chief subordinates. No doubt they also enrolled and paid the gang of imperial slaves, which had been financed since Claudius from the *fiscus* (116), and presumably carried out the testing and installation of the pipes on which their names are stamped. But it does not follow that they were responsible for the Claudian works and the operations of the fiscal *familia*, and the curators only for the earlier aqueducts and the work of the *familia* of state slaves maintained by the *aerarium*; Frontinus controlled everything, and himself prescribed the work schedules for both gangs alike (116). By dilating on their frauds and lack of care and skill (9 ff.; 65–77; 87; 112–17), he lets his readers infer that the previous administrators, not only the curators but the procurators, had been negligent or corrupt; he does not suggest that the former could have pleaded that they were bound to leave supervision to the procurators.

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