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BARBARA LEVICK

“CAESAR OMNIA HABET”: PROPERTY AND POLITICS UNDER THE PRINCIPATE

“The fairest day is the one that follows the fall of a bad *princeps*”, lamented Curtius Montanus.¹ One gets an idea of what most preoccupied an emperor’s peers by considering what was done immediately after his death by his successor, and what measures were proposed by senators, as by Helvidius in A.D. 70,² or praised by them in a new emperor, as by Pliny in the *Panegyricus*. On that score financial and fiscal matters rate high.

There was no shortage of issues to give birth to struggles over money and property, public and private. To start with what touched individual senators least nearly, there were encroachments on the control of revenues by the Senate and its officials. Lucan makes a point of pouring scorn on those who treated Caesar’s breaking into the Aerarium in 49 B.C. as a particular occasion for outrage.³ But Lucan is a witness for stark truth when he says that this was the moment when Rome first became poorer than

¹ Tac. *Hist.* IV 42 *in fine*.

² Tac. *Hist.* IV 4; 9; 43.

³ Lucan. III 118-121. Rome’s poverty at III 168.

Caesar (a word that embraces all Julius' political posterity). Here as elsewhere the *popularis* Caesar was of the greatest value to his heir in showing him how not to act. Far from removing public money from the Aerarium, Augustus and Nero in his 'good' period made a point of subsidizing it.⁴ The subsidies themselves, though not large when set against the entire commitments of the Aerarium, were politically important. Besides, subsidy could take another form, as Augustus also pointed out in the *Res Gestae*, that of paying out himself for things that the state might have been expected to fund, such as the opening balance of the Aerarium Militare.⁵ In that guise it was continued by Tiberius, who is not known to have offered direct subsidies, and by later emperors.⁶

But there were soon to be developments much less satisfactory from the senatorial point of view. The justification for *diverting* Aerarium revenue, to the Fiscus, that part of the state finances that was controlled by the emperor, in the first instance for a limited period of ten years,⁷ would be that the expenses of the imperial part of the financial organization were so much greater. Under Domitian the income of a quarter of a million sesterces derived from water rights, which his predecessors had let slip, was credited not to the Aerarium but to the imperial Fiscus, presumably on the same grounds: Frontinus has just mentioned that the State gang of maintenance men was 240 strong, the imperial gang 460; Nerva gained credit for restoring that income to the state.⁸ In emergencies, such as

⁴ *Res gestae Divi Augusti* cap. 17, 1; Tac. *Ann.* XIII 31, 2 (56); XV 18, 4 (62).

⁵ *Res gestae* cap. 17, 2; Dio Cass. LV 25, 2.

⁶ Tac. *Ann.* I 75, 3 f.; Tac. *Ann.* XV 18, 4, may be a reference to this.

⁷ For the meaning of the term see BRUNT 1966 *contra* MILLAR 1963 and substantially in agreement with JONES 1950. For the ten year term, see Dio Cass. LIII 13, 1.

⁸ Frontin. *Aq.* 116-118.

the fire of 64 and the civil wars of 68-69, what funds the Aerarium still possessed cannot have remained intact. This was an obvious source of resentment.

It would be good to be able to trace loss of senatorial control by tracing the vicissitudes of the officials put in charge of the Aerarium during this period: prefects, praetors, quaestors.⁹ But, alert as a consular historian would be to this possibility, Tacitus makes no political capital out of it; rather he provides sound reasons for them, for instance, that the quaestors lacked the experience and weight to resist demands made on them for disbursements. That would be demands made by their senior fellow-senators, of the kind that the *praetores aerarii* had resisted in A.D. 15, when a senator demanded compensation for a road and aqueduct being driven through his property.¹⁰ Demands from the Emperor no official was firm enough to withstand. When Tacitus wants to make his point about the helplessness of the Aerarium and its gradual decline into the undignified position of the dog being wagged by its own tail, he makes it clear: Sejanus' wealth was confiscated to the Fiscus rather than to the Aerarium—as if it mattered.¹¹

Tightening control over public revenue incidentally had the effect of diminishing opportunities for private gain. Although guilty senators had no leg to stand on, since illegitimate exploitation of the provinces had, by a series of mainly *popularis* enactments, laid a man open to legal action since 149 B.C., the theme is not irrelevant, because the

⁹ Tac. *Ann.* XIII 29, with CORBIER 1975.

¹⁰ Tac. *Ann.* I 75, 2.

¹¹ Tac. *Ann.* VI 2, 1. Interest-free loans from *bona damnatorum* were made in about 30 B.C. (Suet. *Aug.* 41; Tac. *Hist.* II 92; *SHA*, *Hadr.* 7, 7). The increasingly private status of *bona damnatorum* is shown by *Ann.* XIV 60, 5, where Nero in 62 allows the divorced Octavia the mansion of Burrus (perhaps bequeathed to him) and (the) estates of Rubellius Plautus, confiscated: 22, 5; 59, 5.

abuse was so widespread, and it has even been suggested that the taxation of the provinces was set at an unnaturally low level to take account of the profits to be allowed individuals.¹² There is no evidence for that, but there is clearly a potential source of resentment here. The saying attributed to Tiberius, that he wanted his sheep shorn not flayed, indicates his attitude, namely that the provincials were animals to be carefully husbanded; and that they were his.¹³

The Emperor's private wealth, the way it was acquired and used, and its status, were more vexatious to individual senators and remain a more complex question for scholars. Attempts to find crucial moments in its development into a state resource, such as the overturning of Tiberius' will in Caligula's favour in 37,¹⁴ are unlikely to succeed because the changes were concomitant with the whole development of the emperors' powers, and crises reflect as well as forwarding the change.

In one sense the imperial family were only the successors of Republican dynasties like the Metelli, whose wealth was one guarantee of their power. Two sources of enrichment were respectable for such dynasties: conquest, magnificently exemplified by the sons of Metellus Macedonicus, and the successful management of their estates.¹⁵ Octavian-Augustus did not conform to this model, even after the restoration of legality. Augustus and other conscientious emperors were careful to show themselves free of the

¹² HOPKINS 1980, 122; for the profitability of provincial administration, see SHATZMAN 1975, 53-63.

¹³ Dio Cass. LVII 10, 5; Suet. *Tib.* 32, 2.

¹⁴ BELLEN 1974.

¹⁵ BRUNT 1975; SHATZMAN 1975, 11-50; 63-67. For the private wealth of Augustus, see SHATZMAN 1975, 35, where the fortunes of Crassus (200m. HS), Pompey (at least 200m. HS), and Augustus (1000m. HS) are compared.

Roman vice of legacy-hunting,¹⁶ but Gaius and Nero were notable for greed, and Tacitus castigates emperors (he means Domitian) whose idea of a good father is one who neglects his children in favour of the Emperor, simply to secure what they had left to bequeath.¹⁷ Gifts from emperors might be seen as baited hooks put out to amass yet more wealth.¹⁸ The same pretext might serve when a man was due for confiscation of property on other grounds, as when C. Silius' fortune, which was in part derived from Augustus' bounty, was awarded to the Fiscus in 24, showing the public status of the imperial wealth even at that date.¹⁹ The size and status of the imperial wealth not only put the *princeps* in a political league by himself; it put state revenues at the emperor's disposal for private purposes. When Nero divorced Octavia in 62 she received estates that had belonged to the condemned Rubellius Plautus. These should have been credited safely to some state treasury, not deployed to settle Nero's matrimonial affairs.²⁰ Worse, wealth passed into the hands of imperial slaves and freedmen as well, even the cheapest of them.²¹

One concomitant of the development of official status for the imperial wealth was the grant of official status to the emperor's procurators, even in senatorial provinces. It was a merit of Tiberius' early years that if a dispute arose he took it to the public courts.²² But already in 40 Gaius was

¹⁶ Plin. *Paneg.* 43, 5. Refusals by Tiberius: Tac. *Ann.* II 48, 1; by Domitian: Suet. *Dom.* 9.

¹⁷ Sen. *Clem.* I 15 (Augustus); Suet. *Aug.* 101, 3 (he spent them all on the state); Suet. *Cal.* 38 (Gaius); Tac. *Ann.* XIV 31, 1; XV 59, 8; XVI 11, 1; 19, 5 (Nero); Tac. *Agr.* 43, 4; Suet. *Dom.* 12, 1; Plin. *Paneg.* 43, 1; 44, 1 f. (Domitian).

¹⁸ Plin. *Paneg.* 43, 5.

¹⁹ Tac. *Ann.* IV 20, 1 f.

²⁰ Tac. *Ann.* XIV 60, 5.

²¹ Sen. *Epist.* 47, 9.

²² Tac. *Ann.* IV 6, 7 (similarly Dio Cass. LVII 23, 5); cf. Plin. *Paneg.* 36, 4; Tac. *Ann.* IV 15, shows his *procurator* exceeding his rights.

writing to his procurators at Rome that they had control over everyone's property;²³ and thirteen years later the Senate granted domain procurators what looks like the right of hearing fiscal cases without appeal to the Emperor.²⁴ Whether that measure survived Claudius or not, Domitian's procurators were certainly judges in their own cause, and the resentment that that engendered is shown by Nerva's creation of the a praetorian post to hear such cases.²⁵

In disbursement, the emperor was equally in a class by himself, and equally subject to criticism. There are two key words in play here. One is *liberalitas*, a virtue practised even by Tiberius in his inimitably ungracious style.²⁶ The other is *largitio*, sometimes no virtue at all, but the squandering of resources for disreputable purposes such as diverting attention from misdeeds, the failing characteristic of Gaius, Nero, and Otho.²⁷ Emperors could not win, whether they saw themselves in competition with their peers or above

²³ Suet. *Cal.* 47.

²⁴ Tac. *Ann.* XII 60 shows a state of affairs that could easily lead to the situation under Domitian.

²⁵ BRUNT (*Latomus*) 1966, 481 f., cites Pliny, *Paneg.* 36, and *Dig.* I 2, 2, 32, for a tribunal dealing with fiscal suits, that of the *praetor* appointed by Nerva. In Domitian's day men had to submit disputes with the Fiscus to the procurators. Hadrian reportedly dealt with the problem by remission: *SHA, Hadr.* 7, 6.

²⁶ "Liberalitas Augusti": see his own account in *Res gestae, init.*, with Suet. *Aug.* 41, 1; 101, 3; Tac. *Ann.* II 37, 2; IV 20, 1; cf. Dio Cass. LIV 17, 3 (18 B.C.); LVI 41, 5; Plin. *Nat.* XVIII 37; Sen. *Benef.* II 27, 1 f., with R. SYME, *The Roman Revolution* (Oxford 1939), 382 und 400. Tiberius: Dio Cass. LVII 10, 3 f.; *Ann.* I 75, 6; II 37, 1; 47, 3; 48, 1; Vell. II 129, 3; Suet. *Tib.* 46; Sen. *Benef.* II 8, 1. Nero: Tac. *Ann.* XIII 34, 2 f., and see *Hist.* I 20; *Ann.* XVI 13, 5 (this was perhaps not Nero's private benefaction); Eutropius VIII 8. Trajan: Plin. *Paneg.* 25, 3 and 5; 27, 3; 28, 5; 34, 3.

²⁷ For the flexibility of the word, see Cic. *Off.* II 72-73; cf. II 55. Contrast with *liberalitas*, which is emphasized by KLOFT 1970, 41 n. 23; Cic. *Mur.* 76 f. Nero: Tac. *Ann.* XIII 18, 1; *Hist.* I 20 (*effuderat*). Otho: Tac. *Hist.* I 78, 2; further references to Otho and Vitellius in KLOFT 1970, 110 n. 124. Disreputable origin: Tac. *Hist.* I 20; Plin. *Paneg.* 27, 2 f.; 28, 1; 38, 4: it is *ambitio et iactantia, et effusio et quidvis potius quam liberalitas* without *ratio*.

them: Tiberius, Galba, Vespasian, and Domitian were charged with *parsimonia* or *avaritia*.²⁸ It is hard to avoid the conclusion that this inability to please was due to *invidia* on the part of their peers, or at least dependent on the unfavourable view taken of an emperor on other grounds. In particular, the emperor's position above his peers allowed him also to subsidize them if he chose, a highly invidious practice. Tiberius tried to avoid this by referring applicants to the Senate—thereby putting them in the position of having to plead at a bar.²⁹ The twin failings of *luxuria* and *avaritia*, which had long figured as contributory factors in the fall of the Republic,³⁰ became embodied in the person who had come out on top in the struggle for power.

Emperors were sensitive to these criticisms. In reaction to Nero's self-indulgent expenditures on the Domus Aurea, which "covered places in which private owners, rich and poor, had lived and worked", Vespasian pointedly put his money into the Colosseum, a structure in which the whole Roman people could take pleasure.³¹ Similarly Trajan renounced Domitian's private building extravagances and went in for porticoes, shrines, and the Circus Maximus,

²⁸ *Parsimonia*: Tiberius: Tac. *Ann.* III 52, 2; Suet. *Tib.* 46; Galba (= *avaritia*): Tac. *Hist.* I 5; 38; Vespasian: Tac. *Hist.* II 5; Suet. *Vesp.* 16; Dio Cass. LXVI 8, 2; Jos. *Bell. Jud.* VII 218; Dio Chrys. *Or.* XLVI 8 with C. P. JONES, *The Roman World of Dio Chrysostom* (Cambridge, Mass. 1978), 134, and passages cited by BRUNT (*Latomus*) 1966, 479 n. 3; Domitian: Plin. *Epist.* I 12, 8 (*latro*); *Paneg.* 17, 1; 29, 4; 34, 2; 36, 1; 41, 2 f.; 42 f.; 50, 2 and 5; 90, 5 (*spoliator*); Tac. *Agr.* 43, 4; Suet. *Vesp.* 1, 1; *Dom.* 3, 2; 10, 1; 12, 1 f.; 13, 1; Frontin. *Aq.* 118; Juv. 4 (fish auction); Dio Cass. LXVII 4, 5 f.; Philostr. *Vit. Ap.* VII 23 and 25; Dio Chrys. *Or.* VII 12, with P. A. BRUNT, in *Athenaeum* N.S. 55 (1977), 26 n. 36; Jordanes *Get.* 13, 76 (*avaritia*), but see LEVICK 1982, 66; *RIC* II no. 227 f. (Jewish tax); *Dig.* XLVIII 22, 1.

²⁹ Tac. *Ann.* I 75, 4.

³⁰ A. LINTOTT, "Imperial Expansion and Moral Decline in the Roman Republic", in *Historia* 21 (1972), 626 ff.; B. LEVICK, "Morals, Politics, and the Fall of the Roman Republic", in *G & R* S.S. 29 (1982), 53-62.

³¹ See Suet. *Vesp.* 9, 1; *Aug.* 44; Sen. *Dial.* IV (*De ira* II) 8, 1; M. T. GRIFFIN, *Nero. The End of a Dynasty* (New Haven/London 1984), 133.

which provided seating worthy of the *populus victor gentium* and was well worth looking at because it put *plebs* and *princeps* on the same level.³²

Coming to the immediate interests of the property owner, it is no surprise that even straightforward taxation raised overt protest. As C. Nicolet has emphasized, the taxation, levies, exactions, confiscations of the Civil Wars had hit Italy hard, and one reason for Octavian's final success was his formal ending of them when he conquered Sex. Pompey in 36 B. C.³³ Italy remained subject only to a few indirect imposts such as the one per cent tax on manumissions³⁴ and to customs dues at the frontiers. But the access of capital from Egypt was not enough to carry Augustus through the difficulties of his last decade: hence the 5% on legacies taken by Roman citizens outside the immediate descent and above a certain value and the 1% on auction sales at Rome, which Augustus forced the Senate to accept in A.D. 6 as a means of financing the new *Aerarium Militare*,³⁵ along with a 2% tax on the sale of slaves in A.D. 7.³⁶ The 'conservative' new tax was necessary and mild compared with the levy on estates and houses that Augustus threatened in A.D. 13.³⁷ This, and its careful

³² Plin. *Paneg.* 51, 4.

³³ NICOLET 1984, 102, citing Appian, *BC* V 130, 540 f. and Dio Cass. XLIX 15, 3.

³⁴ Tac. *Ann.* I 78, 2; II 42, 6; cf. Dio Cass. LVIII 16, 2; LIX 9, 7, for its remission by Gaius in 38, which according to Suetonius, *Cal.* 16, 3 applied only to auctions.

³⁵ *Res gestae* cap. 17; Suet. *Aug.* 49, 4; Dio Cass. LV 25, 5; LVI 28, 4-6 on A.D. 13, with CORBIER 1977, 201, and, for its operation, NEESEN 1980, 136-9. According to Pliny, *Paneg.* 38, 1-3, Nerva's remissions were inadequate. Only Trajan's reform was enough to bring them in (39, 5).

³⁶ Dio Cass. LV 31, 1 and 4; *CIL* VI 915; remitted in 56: Tac. *Ann.* XIII 31, 3; i.e., the tax was to be paid by sellers.

³⁷ Dio Cass. LVI 28, 6.

presentation in the Senate,³⁸ did not make it acceptable. The tax was still being rigorously enforced under Domitian, and it was one of Nerva's concessions to public opinion that he widened the circle of relatives who were allowed to succeed without penalty and extended the persons eligible for exemption to newly enfranchised citizens; Trajan made further minor extensions.³⁹

Summing up his penetrating study of *tributum* Nicolet stressed both the resemblances between it and the Augustan measures (the fact that they fell most heavily on the rich) and the unacceptable dissimilarities. The *vicesima* was fixed by law for ever, not raised *ad hoc* every year; there was no redress except from the *princeps*, and that was how Rome passed from a civic to a monarchical fiscal system. The middling rich, who were ever less engaged in government after the ending of genuine elections, felt the burden more heavily now that financial outlay and personal service was no longer compensated for by political significance—or even by the outward honours that Augustus had conferred on them.⁴⁰ Senatorial politicians felt it particularly because their own means of individual advancement was now tightly restricted, precisely when Rome was committed to an unprofitable and eventually disastrous war in which only imperial salutations and triumphs were to be won.

Pecuniary penalties were as offensive as taxation. The crime of C. Silius in A.D. 24 was extortion, but it was handled as if it had been *maiestas*, says Tacitus, and the property of the accused forfeited.⁴¹ It was *maiestas*, according to Pliny, rather than the Voconian and Julian laws on

³⁸ NICOLET 1976, 97, citing Cic. *Off.* II 74 on the importance of the taxpayer's knowledge that the tax is necessary.

³⁹ Plin. *Paneg.* 38, 6 f.

⁴⁰ NICOLET 1976, 98-102.

⁴¹ Tac. *Ann.* IV 19, 5 — 20, 1.

inheritance, that was the law really responsible for soaking the Roman rich.⁴² Julia *repetundarum*, Voconia, and Papia Poppaea were non-political statutes. But perhaps Pliny in his *Panegyric* cannot be taken entirely at his word. Already in A.D. 16 swarms of *delatores* were hard at work in the Forum, when the career of imperial *maiestas* was still in its infancy.⁴³ Six years later Tiberius was forced to set up a senatorial committee to regulate the workings of Papia Poppaea, so hated had it become.⁴⁴

The resistance put up by senators to the three forms of incursion on their control of state and private monies varied with the grievance, the emperor, and the desperation of the sufferers. It is at the heart of opposition to the *principes*, because it was stimulated by an issue that tangibly embodied the question: "Whose *was* the Empire, anyway?" While in a distant and rebellious province the question might be whether or not to render unto Caesar the things which be Caesar's, for senators at Rome it was one of determining which things were indeed Caesar's.⁴⁵ On the score of public finance opposition in the senate was feasible, if senators were bold enough to introduce the subject. Consequently the plea put up there immediately after Vespasian came to power in the face of the consul designate by the *praetor* Helvidius Priscus for a curb on expenditure because of *publicam paupertatem*, the remedy to be at the Senate's discretion, should be seen in a political light. Economy commissions were not a novelty, and they had not previously been matters of controversy. This proposal was vetoed in the interest of the new Emperor. Admittedly a commission was eventually set up but its members were

⁴² Plin. *Paneg.* 42, 1.

⁴³ Tac. *Ann.* II 34, 1 f.

⁴⁴ Tac. *Ann.* III 25, 1; 28, 3.

⁴⁵ So formulated for me by Dr. D. M. Nash. What is Caesar's: *Luke* 20, 25.

chosen by lot and nothing further is heard of it.⁴⁶ The Senate was now openly shown to be no longer in control of its own Treasury and so without hope of making it solvent. The issue is highlighted by its placing in a whole series of political conflicts between champions of senatorial rights such as Helvidius Priscus and members bent on appeasing the new authority. All the other proposals of these first weeks of 70 were intended to recover prestige, *auctoritas*, for the Senate. The idea would be to regain control of Aerarium disbursements and of revenue that might have come into it if it had not been expended mainly in the provinces on projects that not all senators would have cared for. The answers that Vespasian gave his adversaries on all the other points were positive as well as firm;⁴⁷ one can be discerned for this proposal too: the creation of new *fisci*; the best interpretation of the Fiscus Asiaticus is that it held the surplus revenue of Asia until it was required elsewhere, thus definitively depriving the Aerarium of that source of revenue too.⁴⁸

The political purpose of Helvidius' proposal is indicated, as it is reflected, by the economy commission established after the death of the last Flavian emperor. This too was designed to diminish *publici sumptus*, and its few achievements included reducing the cost of horse-racing at Rome.⁴⁹ Sherwin-White is clearly right,⁵⁰ given the named purpose of the commission, to argue that its scope was restricted nominally at least to the sphere of the Aerarium

⁴⁶ Tac. *Hist.* IV 40, 3; a three man commission of consulars in A.D. 6: Dio Cass. LV 25, 6.

⁴⁷ As on the rebuilding of the Capitol, the punishment or employment of *delatores*, and Vespasian's *auctoritas* (Tac. *Hist.* IV 9, with Dio Cass. LXV 10, 2; Tac. *Hist.* IV 44; *ILS* 244).

⁴⁸ JONES 1950, 27 = 1960, 110.

⁴⁹ Dio Cass. LXVIII 2, 3.

⁵⁰ *Ad Plin. Epist.* II 1, 9.

Saturni. But what was that sphere? That precisely may have been the question that the commission was to appear to raise, however abortively. Its timing and its membership (the prestigious symbol of senatorial legitimacy, Verginius Rufus, *cos.* III in 97, was intended to serve⁵¹) suggest a political purpose, the resumption of senatorial responsibility for public finance. Of course the five senators failed, if they even tried, to wrest back control of imperial finances for their governing body, but a political point had been made which served its turn for the moment. Control of the *Aerarium* and its rightful contents remained an issue throughout the first century A.D., even though it surfaces rarely and in a veiled form. We have seen senators offering opposition only in at an opportune moment in 70 and even then without openly threatening confrontation; the commission of 97 was only a ritual gesture.

Formal senatorial opposition was also a possibility, and only to be expected when the property of individual senators was concerned and the emperor needed to legitimize his proposals by securing their approval as Augustus did in A.D. 5-6 and 13. The strength of the resistance, which had been successful nearly half a century before when the tax had first been proposed, reflects the personal interest of senators. It was overcome in 6 only when Augustus threateningly claimed that he had found the proposal amongst the papers of the Deified Julius,⁵² and in A.D. 13 by the prospect of a direct tax on property, that is, *tributum* renewed.⁵³ Open senatorial opposition to taxation is not found after A.D. 13; public resistance to imperial policy became increasingly unthinkable. But the only time senators made themselves effectively felt under Claudius was in 48, to

⁵¹ Plin. *Epist.* II 1, 9; *Paneg.* 62, 2; Dio Cass. LXVIII 2, 3, with SYME 1930 and SUTHERLAND 1935.

⁵² Dio Cass. LV 25, 5; 40 B.C.: Appian. *BC* V 16, 67.

⁵³ Dio Cass. LVI 28, 5 f.

protest against the admission of Gauls, *divites illos*, who would leave no room for *pauper e Latio*.⁵⁴ Instead, a new method was developed: the difficulties of individual senators came to be paraded without shame, as by Hortalus in A.D. 16,⁵⁵ and as when a *praetor* under Nero charged with the production of horse races declared that he could not afford them and began to train dogs instead.⁵⁶ These moves are probably to be taken as an oblique criticism of government; an individual's poverty was not something to generate sympathy amongst senators, who were in competition with one another, except to generate hostility against a common enemy.

With substantive proposals in the Senate a lost cause, the only dignified method of advancing general argument for a senator was to insert comment into his speeches, as Pliny did in the *Panegyricus*, using the familiar technique of displaying what past actions must be condemned, what present conduct applauded, as a means of conveying advice for the future. Historians too, Tacitus and Cassius Dio, in the speeches he ascribes to Agrippa and Maecenas,⁵⁷ availed themselves of the same technique, oblique and ineffective as it was.

At least two extreme cases involving individuals ended in violence. One was the suicide of the impoverished consular C. Galba in 36, when Tiberius informed him that he was an unacceptable candidate for the province of Asia.⁵⁸ In the other aggression first turned openly outwards in the desperate form of political conspiracy, as it had done with Catiline and as the Pseudo-Sallust hints it might do against

⁵⁴ Tac. *Ann.* XI 23, esp. 5 f.

⁵⁵ Tac. *Ann.* II 37.

⁵⁶ Dio Cass. LXI 6, 2, on A. Didius Gallus Fabricius Veiento: *Prosopographia Imperii Romani saec. I. II. III.* III (Berlin 21943), F 91, p. 113 f.

⁵⁷ Dio Cass. LII 6; 28-30.

⁵⁸ Tac. *Ann.* VI 40, 3.

a Caesar.⁵⁹ Libo Drusus' claims to power and the high birth on which they were based demanded a correspondingly high standard of living. In A.D. 16 they led him into revolutionary ideas and even plans, though not action. Seneca's serious view of Libo Drusus is confirmed by the debate on luxury that immediately followed his trial, and by the dedication, probably in the same year, of precious metals in the Temple of Concord: the failure to enact further sumptuary legislation and to enforce what was already on the statute book arguably induced patriotic Romans ostentatiously to offer up some of their plate for the good of the State.⁶⁰ In these last manoeuvres alternative strategies may be discerned for dealing with the problems faced by senators under the early Principate. Both were conformist and aimed at defusing a potentially explosive situation.

The intensity of the response is not surprising. We are dealing with a politician permanently in office, and one who was even more at the mercy of events than his modern counterparts; nor did he hold a well-defined office, but stood awkwardly between magistrate and *privatus*. But these matters cannot be treated as simple political grievances; they have to be seen against an economic background and as responses to it, on the part of *princeps* as well as senators.

⁵⁹ Tac. *Ann.* II 27-32; luxury at 27, 2; cf. Sen. *Epist.* 70, 10. Threatening youths: Ps.-Sall. *Epist. De rep.* I 5.

⁶⁰ See TH. PEKÁRY, "Tiberius und der Tempel der Concordia in Rom", in *MDAI(R)* 73-74 (1966/67), 105 ff., followed in his dating to A.D. 31 by G. ALFÖLDY, *Fasti Hispanienses* (Wiesbaden 1969), 135 f., and by W. ORTH, *Die Provinzialpolitik des Tiberius* (München 1970), 106; for the earlier date, see B. LEVICK, "Concordia at Rome", in *Scripta Nummaria Romana. Essays presented to Humphrey Sutherland*, edd. R. A. G. CARSON and C. M. KRAAY (London 1978), 225 f.

What conceptual framework, then, will best make sense of these phenomena? Štaerman⁶¹ has dealt with the struggle for control of state resources in striking terms, as a continuation of the Republican ideological conflict between *optimates* and *populares* over the distribution of land. As heirs of the *populares*,⁶² some emperors at any rate were committed to the redistribution of land among the peasantry, a thing that could be achieved only by dividing *ager publicus*, and an expensive one, prompting Cicero to ask in 59 B.C. what *vectigal domesticum* remained;⁶³ it had always been resisted by upper class *possessores*. Furthermore, the people on Štaerman's view surrendered their political rights to the *princeps*, who thus became the owner of all *ager Romanus* and came into a relation with the state that was wholly different from that of any of his peers. Hence the agrarian question was as important under the Principate as before. The citizen body (that is, the Emperor) had supreme control over the land and its working. One line of thought, the plebeian, emphasized the old regal prerogative of distributing land, while senatorial theory, exemplified in Seneca's *De beneficiis*,⁶⁴ insisted on the property rights of those who had first accepted parts of the *ager publicus*, and tried to confirm their ownership by separating the power of the monarch as owner from his position as sovereign.

This construction does not satisfy.⁶⁵ The concept of a struggle between *optimates* and *populares* is too simplified, and even if politicians are seen as epiphenomena of a class

⁶¹ ŠTAERMAN 1984.

⁶² See Z. YAVETZ, *Plebs and Princeps* (Oxford 1969); B. LEVICK, in *AJPb* 99 (1978), 89, citing a view of C. E. STEVENS.

⁶³ For the expense of agrarian projects, see Cic. *Off.* II 79; 83; *Att.* II 16, 1.

⁶⁴ VII 6, 3: *Caesar omnia habet, fiscus eius privata tantum ac sua; et universa in imperio eius sunt, in patrimonio propria*. ŠTAERMAN translates (15): "Caesar hat alles in seinem fiscus, in seinem patrimonium".

⁶⁵ See review by B. LEVICK, forthcoming in *Gnomon*.

struggle with control of the land as its real object, not all *populares* concerned themselves with land distribution: even Clodius does not fit the pattern. Nor does land confiscated by emperors seem to have been given to peasants, or even to veterans, a group that Štaerman does not deal with in her paper. Most important, there was a clear distinction, despite the theoretical ownership of the land that the author claims for the state, and so for the emperor,⁶⁶ between *ager publicus* and *ager privatus*. Cicero actually maintained that a prime factor of justice was that *communia* and *privata* should be treated as such; it would be clearer to speak of control exercised by the state, and of ownership, which admittedly originated in control and was not entirely satisfactorily to be distinguished from it, by individuals.⁶⁷ This is made more explicit in another part of the same Seneca passage invoked by Štaerman: he speaks of *potestas omnium* and opposes it to *proprietates*,⁶⁸ and the same antithesis is made even more clearly by Pliny in the *Panegyricus* when he says that the time has at last arrived when the *imperium principis* is larger than his *patrimonium*.⁶⁹ The rights of property owners were ostentatiously respected by Augustus when he distorted the lines of his new forum to avoid confiscating the ground of neighbouring householders.⁷⁰ If later emperors did less well it was not for ideological reasons.

⁶⁶ The Seneca passage is not a thesis, a landowner's view of the *princeps*' claim to own everything, but uncontroversial material used to prove a philosophical point about the possibility of making gifts to a wise man who "has" everything. Dio Chrys. *Or.* I (*On kingship*) 62, speaks similarly of Heracles: αὐτοῦ πάντα εἶναι.

⁶⁷ Cic. *Off.* I 20; on the origin of ownership, see J. A. C. THOMAS, *Textbook of Roman Law* (Amsterdam, etc. 1976), 133-6. On ownership in the provinces see NEESEN 1980, 23 with n. 1.

⁶⁸ VII 4, 2.

⁶⁹ *Paneg.* 50, 2; cf. Pliny's comment at 27, 4, on Trajan's *congiaria*, and whom they impoverished.

⁷⁰ Suet. *Aug.* 56, 3; cf. *Iul.* 38, 1.

The material is complex and needs interpreting on at least two levels, which are interrelated. Help comes first from the conception of a conflict between Warfare and Welfare: strident in medieval and modern times,⁷¹ it is virtually absent from the Roman Empire until the third century, because that was a successful expansionist military state in which aristocrats and *plebs* alike, while subsisting on agriculture, thrived and grew on warfare, or had done up to a certain epoch, which happened to overlap with the beginning of the Principate. In illustration it is enough to mention the effect of the *manubiae* of Egypt on Rome in the early twenties B.C.: a fall in interest rates and a rise in the value of land.⁷² Then a double change began: the end of profitable wars of expansion (following on twenty years of intermittent civil war), and the development of the provinces at the expense of Italy.

The maintenance of the army became the chief and unrelenting burden of the state, as it had been the original reason for the raising of tribute.⁷³ In 13 B.C., when men recruited for the Actian campaign were to be discharged, land was found short and money had to be offered instead.⁷⁴ In the following year large scale campaigning in Germany began which culminated with the loss of the three legions in A.D. 9. The direct relation between financial stringency in the last decade of Augustus' Principate and the cost of supporting the army and its discharged veterans is shown by the occasion of Augustus' tussle with the Senate in A.D. 5-7. The protest of A.D. 13 coincided with

⁷¹ Cf. C. NEDERMAN, "Welfare and Warfare: Medieval Contributions", forthcoming in *Intern. Journ. Mor. and Soc. Stud.* 13 (1986).

⁷² Suet. *Aug.* 41.

⁷³ Livy IV 59, 11 — 60, 7, especially 60, 4, cited by NICOLET 1976, 74. The senators set the *plebs* (= *equites*?) a good example: *noblesse oblige*.

⁷⁴ Dio Cass. LIV 25, 5 (but does this passage really imply the end of land distributions, rather than the formal introduction of a means of supplying the soldiers' needs whenever land was not available?).

the *census* but also with the end (it was hoped) of the fighting in Germany under Tiberius, who had just triumphed. In vain: Germanicus was to continue the work; and when the tax eventually faded from view after the reign of Gordian III it was only to be supplanted by the *annona militaris*.⁷⁵

As Italy contributed fewer men to the legions the remaining profits of empire had to be channelled through the *princeps* to the *plebs* of Rome and later by alimentary schemes to the cities of Italy.⁷⁶ Imperial interest looked after the people better than they had been looked after before. Augustus worked throughout his principate for the safety and welfare of his responsibility, the *victor populus*, dealing first with the water supply and with Tiber flooding, and in his last decade finalizing the organization of the corn supply and fire brigade. It was the material welfare of senators that suffered, and they directed their resentment, correctly, at the army. Cassius Dio records Severus' advice to his sons to look after the army and ignore everyone else, and damns Caracalla's bounty to his troops, like his doubling of the *vicesima hereditatium* and his extension of the citizen to multiply the catch.⁷⁷ Pliny lauds Trajan for giving the *plebs* its full *congiarium* when the army was still without its donative complete; Domitian's open recognition, proved by his increasing their pay, that his political survival, and the survival of the Empire, depended on the army,

⁷⁵ Germanicus as *imperator* in Germany, A.D. 13: V. EHRENBURG and A. H. M. JONES, *Documents illustrating the Reigns of Augustus and Tiberius* (Oxford 21976), 168 no. 368; the *annona*: NEESEN 1980, 140.

⁷⁶ Plin. *Paneg.* 25, 2. The children maintained by Trajan were however to fill the camp as well as the city (28, 4). Alimentary schemes: DUNCAN-JONES 1982, 288-322.

⁷⁷ Dio Cass. LXXVII 9, 5; 13, 2; LXXVIII 9, 1-7; 12, 2. For the army as the object of *tributum* see Liv. IV 59, 11 — 60, 7. For the cost of the army see Dio Cass. LII 6; 28, 1 and 5; HOPKINS 1980, 124 f. For Caracalla's future attitudes see the anecdote in *SHA, Sept. Sev.* 4, 6.

led him to neglect the *plebs* as well as to trample on the Senate, and contributed to his downfall.⁷⁸

It was the presence of the army, placed after Augustus with relative stability and increasingly at the perimeter of the Empire, that gave the provinces not only peace but in some measure the market that was their economic spring-board, making it possible for them to outstrip Italy. Even the discharged veterans spent their bounties in the provinces. Senators were right in 48 to connect Gallic wealth and senatorial poverty, and Trajan was politically wise to make senators from the provinces invest in Italian land.⁷⁹

The fact that the conspiracy of Libo Drusus, like Hortalus' shameful exhibition, came in 16 may be significant.⁸⁰ The war in Germany was still going on, *delatores* were already hard at work in the struggle for social and monetary success. This was all ambitious senators could do except get into debt, grumble, moot schemes for economy, such as sumptuary restrictions, cut each other down in the courts, and struggle ruthlessly for profitable provinces such as Asia. *Annals* II and III illustrate it all.⁸¹

The economy of the Empire settled down into an essentially steady state for a century and a half, but Italy never recovered economic primacy, nor did emperors do anything to help her do so, except in the negative sense of exempting her from *aurum coronarium*; Domitian exempted

⁷⁸ See R. SYME, "Domitian: The Last Years", in *Chiron* 13 (1983), 126, citing Juv. 4, 153 f.: *sed periit postquam Cerdonibus esse timendus | coeperat. hoc nocuit Lamiarum caede madenti*; the *plebs* at his death *indifferenter . . . tulit* (Suet. *Dom.* 23, 1).

⁷⁹ Plin. *Epist.* VI 19, 4, with SHERWIN-WHITE 1966 *ad loc.*

⁸⁰ See NEWBOLD 1974, 110-115.

⁸¹ Libo: II 27-31; cf. 39 f. (Clemens impersonates Agrippa Postumus); debate on luxury, 33; struggles in the courts, 34; proposal for advancement of legionary legates, 36; Hortalus, 37 f.; struggle for a praetorship suffect, 51; complaints against *Papia-Poppaea*, III 25; struggles for Asia: 32, 58, 69, and 71; discussion of sumptuary legislation: 52-55.

her from the active destruction of vines that the provinces were to suffer.⁸² Set against this background, the activities of individual emperors look small. In particular, the question whether Domitian was only *inopia rapax* or bent on crushing the senate politically, fades into insignificance: if his aim was to maintain himself in supreme power over a sound Empire the confiscation of property served a double purpose; in Claudian's words, the greedy man is always *inops*.⁸³ And however minute a proportion of the annual turnover of Empire (perhaps one hundredth⁸⁴) would be formed by confiscating the entire wealth of an average senator emperors short of ready cash to spend in Italy and especially Rome would find it tempting. What is worth noticing is that Domitian was finding out where to look for money: a number of his victims were rich provincials.⁸⁵ Tiberius had begun to learn this lesson when he confiscated the Sierra Morena mines in 33,⁸⁶ and so had Gaius when he auctioned palace furniture in Lugdunum,⁸⁷ and Nero after the great fire of 64.⁸⁸ The revolt of Vindex is instructive in that respect. As a Roman senator of Gallic origin outraged by Nero's rapacity he succeeded in persuading large numbers of Gauls to follow him in rebellion under their natural

⁸² *Aurum coronarium*: NEESEN 1980, 142-5, with nn.; vine edict: Suet. *Dom.* 7, 2; 14, 2; for other references and discussion, see LEVICK 1982, 66-73.

⁸³ Claud. *Carm.* 3 (*In Ruf.* I), 200.

⁸⁴ DUNCAN-JONES 1982, 18 f., with HOPKINS 1980, 119.

⁸⁵ B. LEVICK, in *Latomus* 41 (1982), 58-60, citing Philostr. *Vit. Soph.* II 1, 547 for Hipparchus and Plin. *Paneg.* 17, 1; note also the rich Cilician and the man from the Achelous, Philostr. *Vit. Ap.* VII 23 and 25. There was also the *Fiscus Iudaicus*: T. FRANK, *An Economic Survey of Ancient Rome* V 46 n. 31; D. MAGIE, *Roman Rule in Asia Minor* (Princeton 1950), I 568 and II 1425 n. 5; B. KREILER, *Die Statthalter Kleinasiens unter den Flaviern* (Diss. München 1975), 9 n. 9; *RIC* II no. 227 f.

⁸⁶ Tac. *Ann.* VI 19, 1.

⁸⁷ Suet. *Cal.* 39, 1.

⁸⁸ Tac. *Ann.* XV 46, with M.T. GRIFFIN, *Nero*, 197-200.

leaders, the tribal dynasts, themselves potential senators: he had the support of Aedui, Sequani, and Arverni, and of the city of Vienna, capital of the Allobroges. The aim of the revolt was to replace Nero by a man free of his failings and so of his needs. It is a plausible scenario for this suicidal revolt that Vindex committed himself to it because his defence of his fellow-countrymen against Nero's procurators and their approving master had already damned him. The Gallic senator and the other *primores Galliae* united in defence of their property against the Emperor.⁸⁹

Both individuals and 'government', then, found themselves in need, with the latter a much more powerful contender for the limited resources available. But there were significant ways in which Roman conceptions of the Principate itself necessarily damaged financial health. In particular the dogma that the emperors were *primi inter pares* intensified their care for and expenditure on the army, and it meant that they behaved like private senators as regards the money they controlled. They hoarded it as ore in mines, as plate in temples, and as bullion and coin in coffers, and when they disbursed it or refrained from augmenting it that remained an act of generosity (*liberalitas*) rather than of statecraft until as late as the reign of Julian.⁹⁰ On the other side senators might hold the view described by Agrippa in Cassius Dio: that if they *were* living under a monarchy the monarch should pay for everything.⁹¹

Accepting the dogma that he was *primus inter pares* (but with heavy responsibilities), Tiberius adopted the posture of a good housekeeper.⁹² His successor, again for political reasons connected with the inchoate nature of the Princi-

⁸⁹ See B. LEVICK, in *RbM* N.F. 128 (1985), 321.

⁹⁰ *Amm.* XXV 4, 15.

⁹¹ *Dio Cass.* LII 6, 3.

⁹² *Tac. Ann.* III 53, 4; 54, 8.

pate, experimented with autocracy. He was notoriously extravagant and so may have injected some life into the economy of the Empire.⁹³ But if he did it was incidentally, and it did not lessen the enormity of the sums that had to be found annually by the state. Claudius had to tighten up the financial administration, introducing procurators as governors of the smaller provinces (showing that their purpose was largely to add to revenue), and inserting them into the administration of the corn supply at Rome; and the *Aerarium* was entrusted to men appointed by the Emperor.⁹⁴ Nero, under pressure to recover the cost of rebuilding Rome, could be conned into believing that he would have Dido's gold as an African treasure trove.⁹⁵ Stringency comparable with that felt under Tiberius obtained during and after the civil wars of 68-70, when one of Galba's first acts was to try to recover enormous sums disbursed by Nero and when Vespasian claimed that he needed forty thousand million sesterces to keep the state going.⁹⁶ It was a quarter of a century under the astute management of Vespasian and the ruthless acquisitiveness of Domitian and his conscious emulation of the parsimonious Tiberius that made Trajan's conscious moderation possible.⁹⁷ Even Pliny wondered before Trajan's conquest of Dacia how Trajan was able to meet all the expenses of empire.⁹⁸ Trajan's solution was the old-fashioned one of conquest, eventually

⁹³ Suet. *Cal.* 37, 3. For Nero, see Suet. *Nero* 31, 4; Tac. *Ann.* XVI 3, 1 f.; and see n. 96.

⁹⁴ Tac. *Ann.* XIII 29, 2; *ILS* 8848.

⁹⁵ Suet. *Nero* 31, 4.

⁹⁶ Tac. *Hist.* I 20; Suet. *Galba* 15, 1; Plut. *Galba* 16, 2; Vespasian: Suet. *Vesp.* 16, 3.

⁹⁷ Suet. *Vesp.* 16, 1 and 3; 23, 1-3; Dio Cass. LXVI 8, 2-5; Aur. Vict. *Caes.* 9, 6. See NICOLET 1976, 102. Domitian: LEVICK 1982, 60. Tiberius: Suet. *Dom.* 20.

⁹⁸ Has Trajan correctly computed the state receipts; is his frugality enough to meet the expenses? (*Paneg.* 41, 1).

successful in Dacia (after a reduction in the standard of the *denarius*), but only temporarily so against the Parthians. But even Dacia then had to be administered and defended, a new Lydia for Trajan's Cyrus.⁹⁹

Controversy and opposition died down under Trajan, who benefited from his own conquests, but it was equally dormant in the Antonine age, which had no profitable conquests to finance Empire, *plebs*, and Senators. Peace under Hadrian and Pius is part of the answer as far as state finances were concerned; more important for individual senators was the fact that the provinces were beginning to bring their wealth to Rome, as Claudius suggested they would, in a new way.¹⁰⁰ The beneficiaries of Roman rule came from Asia, Spain, Gaul, and Africa, to marry into Italian families, sit in the Senate House, pay for the privilege, and think themselves lucky.¹⁰¹ But a significant contributory factor was the political defeat of the Senate under Domitian; until the usurpation of the Severi and renewed emphasis on the demands of the army, *principes* could afford, *fisci ratione posthabita*, as the *SC* on gladiatorial shows of 177 has it,¹⁰² to consider the interests of the wealthy as compatible with their own.

⁹⁹ Reduction of the fineness of the *denarius* by 0.75% in 98, to the standard of Vespasian between 104 and 107: D. R. WALKER, *The Metrology of the Roman Silver Coinage* II, B. A. R. Suppl. Series 22 (Oxford 1977), 55. Lydia: Hdt. I 88 f. (kindly drawn to my attention by Dr. D. M. Nash).

¹⁰⁰ Tac. *Ann.* XI 24: *aurum et opes suas inferant potius quam separati habeant*. There is nothing so explicit in the Lyons tablet (*ILS* 212), but see M. T. GRIFFIN, in *CQ* N.S. 32 (1982), 411 n. 25.

¹⁰¹ See H. HALFMANN, *Die Senatoren aus dem östlichen Teil des Imperium Romanum bis zum Ende des 2. Jh. n. Chr.*, Hypomnemata 58 (Göttingen 1979); K. HOPKINS, *Death and Renewal: Sociological Studies in Roman History* II (Cambridge 1983), 184-198.

¹⁰² *ILS* 5163 § 23. For Septimius Severus and the army, see *SHA*, *Sept. Sev.* 12, 1-4, and n. 77 above.

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DISCUSSION

M. Giovannini: M^{me} Levick a tout à fait raison d'insister sur la *vicesima* et sur la *Lex Papia Poppaea*. Comme elle le dit, ces deux institutions augustéennes étaient haïes de la classe dirigeante, qui y voyait une atteinte intolérable à sa liberté et à ses biens. Mais ce qui est frappant, c'est qu'après le conflit de l'an 13, il ne fut plus jamais question de supprimer la *vicesima* ou la *Lex Papia Poppaea*; on se contenta d'en atténuer les effets. Cette constatation nous ramène à ce qui a déjà été dit plusieurs fois ici, à savoir que la classe dirigeante n'avait pas d'alternative à proposer: si elle était incapable de soumettre à Auguste un autre moyen de financement que la *vicesima* pour les troupes, à plus forte raison était-elle impuissante à imaginer un autre système politique.

M. Raaflaub: Was zuletzt gesagt wurde, nämlich dass die Senatoren die ihnen auferlegten Steuern hassten, ohne doch mit einer Alternative aufwarten zu können, scheint mir wichtig und symptomatisch. Auch hierin besteht eine Kontinuität seit der späten Republik. Der Senat hatte sich mehrfach, ja zuletzt fast regelmässig, unfähig gezeigt, die drängenden Probleme mit adäquaten Massnahmen zu lösen — Probleme, die ja zum grossen Teil Konsequenzen senatorischer Politik waren. Umgekehrt aber hasste man diejenigen, die dann im Alleingang und gegen alle Widerstände das Notwendige zu tun wagten. Man denke an die Agrarreform, die Einbürgerung der Bundesgenossen, die Veteranenversorgung; die Gracchen, Marius und Catos sturen und sterilen Widerstand gegen Caesars Ackergesetz im Jahre 59. Einzigartig ist eben bloss, dass dieser nicht mehr führungsfähige Senat wegen der *res publica restituta* sozusagen 'im Amte belassen' wurde, so dass sich die gleiche Spannung zwischen Mangel an besseren Lösungen und Ressentiments immer wieder zeigte.

Zu beachten ist ein weiteres: die wirtschaftliche Situation der Oberschichten war das Resultat einer jahrhundertelangen Herrschaft dieser

Oberschichten über ein Weltreich. Zu ihrer Erhaltung war das freie Spiel der Kräfte unabdingbar. Wie in anderer Beziehung auch erwies es sich hier als verhängnisvoll, dass das System beibehalten, die Voraussetzungen seines Funktionierens *de facto* jedoch grundlegend geändert wurden. Deshalb funktionierte es nicht mehr, und die daraus entstehenden Resentiments wurden durch die — wie immer berechtigten — Eingriffe des Kaisers noch verstärkt — ob dies die Besteuerung der Senatoren oder die Sanierung verarmter Familien betraf.

Mme Levick: Professor Giovannini's observation that the Senate was quite unable to devise any alternative to the *vicesima hereditatium* is very just, and fits very well with what Professor Raaflaub has said about continuity between Republic and Empire. Under the Republic there were problems to solve that were acknowledged to exist on all sides: for instance, those that Ti. Gracchus tried to solve. The Senate resisted the attempt not so much for material reasons as because of the political credit (*fama, clientela*) that would go to the solver whoever he was.

Even if one cannot accept the thesis of Štaerman's *Die Agrarfrage*, she is surely right to see *popularis* activity carried forward from the Republic into the Principate by the Emperors; not in that they distributed land, but in their care for resources: cf. the whole series of *popularis* measures designed to prevent the diversion for private purposes of money that belonged to taxable provincials: Calpurnia of 149 B.C., Acilia of 123, Glaucia of 104, and above all Julia of 59.

M. Eck: 1) Es wurde deutlich auf den heftigen Widerstand hingewiesen, der sich in der Senatorenschaft gegen die *vicesima hereditatium* erhob. Die Frage dabei ist jedoch, was diesen heftigen Widerstand auslöste. Feststeht, dass direkte Erben nicht betroffen wurden, ferner, dass erst für Erbschaften von einer bestimmten Höhe an die Steuer zu bezahlen war. D.h., bei der Vererbung vom Vater auf den Sohn bestand das Problem gar nicht. Wohl aber waren die Legate an Freunde und Verwandte betroffen. Ich frage mich deshalb, ob wirklich die ökonomischen Folgen der Erbschaftssteuer das eigentliche Motiv war, oder ob nicht vielmehr der psychologische Effekt das Entscheidende war. Vor

allem auch die führenden Familien der römischen *res publica* wurden in ihrer 'Dispositionsfreiheit' eingeschränkt, und zwar in einem Bereich, der seit beinahe zweihundert Jahren unberührt war von einem staatlichen Eingriff. Bürgersein und Steuerfreiheit: was beinahe zu einem Synonym geworden war, wurde durch die *lex* des Jahres 6 n.Chr. im Kern getroffen.

2) Frau Levick wies auf die neue Titulatur ritterlicher Provinzstatthalter unter Claudius hin: *procurator* statt *praefectus* oder zumindest kombiniert mit *praefectus*. Darf oder muss man dies sehen in Verbindung mit einer verstärkten oder veränderten Handlungsweise auf dem Finanzsektor? Woran ich sehr zweifeln möchte.

Mme Levick: In saying that Claudius 'showed' that the purpose of provinces was largely to add to revenue when he changed the title of equestrian governors from *praefecti* to *procuratores* I did not imply any change of function or organization, rather that one of their main duties (of securing revenues) was now exposed. The change was possible because the 'friendship' with the Emperor that procuratorships were held to imply (it was a threat to Pontius Pilate that the Jews considered him as potentially no 'friend' of Caesar) by A.D. 41 was so important, because Claudius was no longer in any sense *privatus cum imperio* but an emperor *tout court*, that it made the title *procurator Augusti* even more desirable and honourable than that of *praefectus*.

As to the reasons for opposition to the *vicesima hereditatium* (psychological or economic), it was a gross infringement on the *power* of testators both theoretical and (in view of the low birth-rate, see J. Goody, *Marriage and the Family in Europe* [Cambridge 1983], on paucity of sons and inheritance by the Church) practical.

M. Momigliano: You have given a most valuable analysis of the economic and financial problems of the Roman government as seen from the point of view of the upper class of Italy. It would perhaps be interesting to compare the points of view of the upper class—or of the intellectuals—of the latinized Western provinces and of the Greek Eastern provinces. The two Senecas, Martial, Favorinus, Fronto stand for

the former; Strabo, Philo, Flavius Josephus, Dio Chrysostom, Plutarch and, in so far as they reflect the opinions and events of previous times, Lucian and Philostratus stand for the latter. One fact is immediately obvious: the Eastern writers reflect the preoccupations of the *milieus* from which they come more directly than the latinized provincials who are often *émigrés*.

M^{me} Levick: The difference between Eastern and Western, Greek and Latin authors, to which Professor Momigliano has drawn attention, is very real, and one might draw a further distinction among the Greek authors between those of Greece proper and those from Asia Minor, between say Plutarch and Dio Chrysostom. There is a modesty of aim and expectation in Plutarch not quite to be found in Dio or Aristides. And Hadrian's gifts to Greece might be seen in part as a rescue operation (was there any city that he was unable to help?). The Latin authors, the Senecas, Martial, and Fronto, like the Anatolian Greeks, come from the richest and most successful provinces: taxation might be burdensome but was not important enough to surface in their writings. It was only in addressing Gauls of the left bank of the Rhine in 70 that Cerialis had to justify *tributum*.

M. Zehnacker: A la lumière de vos analyses, on a l'impression que l'empereur est souvent perçu comme le garant de la stabilité du corps social et d'un étagement acceptable des fortunes. L'appauvrissement de certains membres de la vieille *nobilitas* est péniblement ressenti; la fortune colossale des affranchis de l'époque claudienne provoque la jalousie ou du moins le sentiment que les mécanismes de l'enrichissement normal et légitime ne fonctionnent plus bien. Juvénal (*Sat.* 7) exprime l'idée, peut-être nouvelle, que c'est à l'empereur d'assurer un statut matériel décent aux professions intellectuelles. Il appartient au *princeps* de veiller à ce que les riches ne doivent leur fortune qu'à la naissance ou au mérite, et en fassent un bon usage. Ce sentiment était-il universellement partagé, ou au contraire y avait-il à cet égard des différences entre les sénateurs (par exemple), selon leur origine géographique, leur entrée plus ou moins récente dans l'*ordo* et leur niveau — très variable — de fortune?

M^{me} Levick: M. Zehnacker's remarks on the rôle of the *princeps* as a moderator of the source and use of wealth are illustrated by the admission of Tiberius on declining an inheritance so that the scion of aristocratic family could take it, *nobilitatem . . . iuvandam praefatus*. Use of wealth may have been less important than family: Nero helped a senator who had 'dissipated' his wealth. For new men a combination of wealth and soundness was acknowledged by Claudius to have been the criterion adopted by Augustus and Tiberius, and so, by implication, by himself. Later, under Vespasian, Tacitus admits that some new senators had more money than merit (*quibusdam fortuna pro virtutibus fuit*).

M. Timpe: Eine generelle Frage zum zweiten Teil Ihres Vortrags: Hat es im Hinblick auf die erhebliche Veränderung und Extension der finanziellen Möglichkeiten der *principes* seit Augustus (bei grossen Unterschieden im Einzelnen) wirklich primär finanzielle Gründe, dass die Zahl der Legionen im wesentlichen konstant blieb und die Grenzpolitik überwiegend stationär?

M^{me} Levick: In the interests of producing a intelligible *schema*, the paper minimized or ignored phases in the activities and positions of the army. But the relative quietude of the period Tiberius-Claudius (the operations in Britain were well-defined) must have saved some expenditure on men and materials. How far financial stringency determined the deployment of troops is another matter: military need and personal ambition were weighty and perhaps the prime factors. But the clearest case seems to be Tiberius. He had seen the cost of the German war on the spot and its results at home; he had sufficient *gloria*, and he often refers to expenditure. Here if anywhere financial considerations were paramount.

M. Momigliano: It may be out of place to introduce into this discussion Apuleius and his *De magia* which reflects a second-century situation. But what the trial of Apuleius shows is that citizens of a small town would turn to Roman tribunals to defend what they would consider their interests against the intrusion of a person like Apuleius.

M. Bowersock: One can see a similar recourse to the Roman government (in local quarrels over finance and property) in the papyri of Babatha from the Judaean Desert. Here, as with Apuleius, one observes the Roman governor at work in holding provincial assizes.

Mme Levick: The attack on Apuleius through a charge of magic vividly illustrates the keenness of land- and property-owners to defend their own, as Professor Momigliano has said, by appealing to the Roman governor and his tribunal. Perhaps the prime role of the governor was to defend *tranquillitas* rather than property. Magic, like *maiestas*, was a dangerous charge, involving security at Rome and in the provinces; the governor would have to take it very seriously.

The thesis I am suggesting is that, confronted by great and growing demands on resources, the senators found themselves personally financially, and politically weakened in the face of the Emperor's ability to stake a prior claim on what was available. And with the 'constitution' of the Principate still developing and a matter of controversy, they were unwilling to let the *princeps* act any more than they would act themselves. But the 'opposition' they offered must be taken to be specific resistance to, or resentment of, specific courses of action.