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Cities and civic life in Late Hellenistic Roman Sicily

Abstract:

This paper offers an overview and reassessment of the evidence for the cities and civic life in Sicily in the last two centuries BC, the period of the Roman Republican *prouincia*. The paper begins with a brief critique of the traditional historical narrative and the extent to which this has been bound up in questionable assessments of city status, constructed primarily on the basis of the literary evidence. This critique is underpinned by an Appendix, which contains a detailed analysis of the interpretation of a key passage of Cicero (*In Verrem* 3.12-13). This first part is followed by three sections which offer an indicative overview of evidence for institutional civic life on the island, brief consideration of the constitutional form of Sicilian cities in the period (increasingly timocratic, dominated by a narrow elite), and a survey of the current state of the evidence for urban monumentalisation on the island. These elements are then brought together in a discussion of Sicilian elite behaviour in the urban context and within the wider historical context. A theme which runs throughout the paper is the extent to which ‘Roman’ Sicily can be usefully understood by comparison with patterns in *polis* life in the Late Hellenistic eastern Mediterranean, albeit moderated in various ways by the early encroachment of Roman provincial government.

Writing the history of the island of Sicily in the last three centuries before Augustus presents a challenge: that of overcoming the narratives constructed by our Greco-Roman literary sources and firmly embedded within our Helleno- and Romano-centric traditions of historical study of the Mediterranean. Sicily is hardly unique in this respect, but presents a good case-study, situated as it is between East and West, North and South, at the crossroads of Mediterranean ‘connectivity’.¹ The traditional narrative for Sicily is that of a region on the margins of the Hellenistic world, whose at times outlandish Hellenism is gradually crushed by the conquest and incorporation of the island as a *prouincia* of the Roman Republic.² The story is well defined: the island drops out of mainstream (i.e. Roman) history following the establishment of Roman provincial government in the third century BC, and the island’s cities suffer a comprehensive loss of autonomy, worn down by the demands of Roman taxation and the effects of Roman rule; this process culminates towards the end of the Republican period with the depredations of Verres and the impact of the civil wars; and the island becomes a quiet backwater of veteran *coloniae* and the extensive *latifundia* of absentee landlords, a peaceful *suburbana* of Imperial Italy. This narrative follows easily from the literary sources, dominated as they are by Cicero on Verres and Diodorus on the Slave Wars. *Ex silentio*, the narrative was confirmed by the limited evidence of archaeology, epigraphy

¹ See Prag and Quinn 2013 for the broader themes.

² Campagna 2003 is fundamental for the modern historiography of Roman Sicily, supplemented by Prag 2009 (which prefigures elements of this paper) and Dubouloz and Pittia 2009.

and numismatics. The picture drawn from the archaeological evidence for urban settlement was one of decline from the fourth century BC onwards (even though complications could already be seen in more careful readings); the epigraphy was considered so minimal as to imply a lack of civic life (Syracuse could be described as ‘intermittently democratic and epigraphically inert’); and the coinage, poorly studied and very hard to date, was rarely used, and always tendentiously.³

That situation has changed radically in the last 30 years. Archaeology, epigraphy, and numismatics increasingly permit us to explore the vibrant civic culture that is the backdrop to Cicero’s *Verrines* - something which should, in fact, have been obvious from a close reading of the *Verrines*.⁴ All three disciplines now stand at a turning point: the current debates revolve around questions of chronological precision, which can be established internally without recourse to the literary narrative, and so open up the question of how in turn these more localised and specific accounts should lead us to rewrite the grand narrative of Sicilian history in this period. In other words, all three aspects now have the potential to determine the historical narrative, rather than to be subordinated to an existing narrative, itself derived from the literary sources. This is most visible in the archaeology of the Hellenistic city in Sicily, where there is a lively debate concerning the chronology of the transformation of the urban centres, and I shall return to that debate in more detail in the second half of this paper; but, notwithstanding the debate, perhaps the single greatest advance in the last 20 years has been the recognition that a crucial period for urban renewal and monumentalisation in Sicily was that of the two or three generations before Verres, in the period directly contemporary with the Slave Wars. Such transformation would appear directly to contradict the traditional picture outlined above, which focuses instead on the negative impact of Roman rule and Roman taxation. Nevertheless, treatment of Sicily within a wider Hellenistic framework in particular, and as part of a wider Mediterranean world (Greek, Punic, etc.), rather than merely reduced to a part of the Roman West, subordinated to the rise of Rome, continues to be rare. The challenge increasingly posed by the non-literary evidence is that of to what extent Sicily’s place should be reprioritised in the narrative of change, and of how then to conceive of local developments and how to relate them to wider patterns of change both in Italy and elsewhere, during ‘la basse époque hellénistique’ – while avoiding some of the negative connotations which that particular periodisation can also conjure up.⁵ The aim of this paper, in conjunction with that of John Ma also presented in this volume, is to consider Sicily in this period specifically from the perspective of Mediterranean civic life and the *polis* / *ciuitas*, without subordinating that to the presumptions of the grand narrative.

A brief observation on terminology may help to highlight, although not entirely resolve, some of the deeper conceptual problems. Throughout this paper I shall use the terms *polis* and *ciuitas* (and ‘city’ or ‘town’) indiscriminately. Later on, I shall present some of the evidence from Sicily for civic administration and documentation, almost entirely in Greek, under the Roman Republic, and I shall do so without explicitly confronting the question of whether any of the centres referenced may be called a *polis*. This paper’s approach may be contrasted with

³ Coarelli 1981 for an extreme view of land-use; Wilson 1985 the fundamental survey of urban settlement patterns (with considerable nuance); quotation on Syracuse, Davies 2003: 338 (but note that the cataloguing of the epigraphic collection of Syracuse museum only began in 2013); the problems with the coinage summarised in Frey-Kupper 2013: 184-193, cf. 710-711.

⁴ See in general Prag 2009; on epigraphy, see Prag 2007a, Tribulato 2012 (esp. the introduction 31-45, and papers by Mimbrera and Tribulato); on archaeology Campagna 2006, 2011, Wilson 2013; numismatics Frey-Kupper 2006 and 2013.

⁵ Understood as the second and first centuries BC, and thus directly equivalent to the main period of Sicilian life under the Roman Republic, following the Second Punic War; cf. Gauthier 2005: 1-5, after Louis Robert.

the inventory for Sicily compiled by the *Copenhagen Polis Centre*. The inventory's list for Sicily (not all persisting through the Hellenistic period) includes 47 'Greek *poleis* of various origins' and 29 'noteworthy settlements which cannot be shown to have been Greek or "Hellenised" *poleis*'. These latter settlements are so defined because the criteria for selection mean that any location that might be supposedly 'Punic' or 'Elymian' in origin, including therefore Lilybaeum, Segesta, Soluntum, Entella and Monte Iato, and others is automatically omitted from the primary list.⁶ Nevertheless all of these locations constitute excellent examples of urban centres in this period, variously producing coinage, civic decrees (in Greek), monumental cityscapes, etc. Cicero's terms in the *Verrines* for all the Sicilian cities are consistently *ciuitas*, or less frequently *oppidum*, and he applies the two quite indiscriminately (at least in relation to any notion of civic status). Any such distinctions such as the *CPC* inventory suggests serve only to perpetuate a very false idea of Hellenic specificity (and superiority?) that is patently inapplicable on the island by the fourth century, unsustainable in the face of the uneven and partial sources that we have for Sicily, and wholly misleading as a means of delineating developments on the island.

Nonetheless, some level of basic definition is required and presumed by a paper concerned with 'cities and civic life'. One possible starting point is offered by attempts to enumerate the number of cities on the island in this period, which is commonly agreed to be *c.*68 on the basis of passages in Cicero and Pliny the Elder, although a figure as high as *c.*155 has been posited for the earlier Hellenistic period.⁷ Some of those places are unidentified, and it is undeniable that some will have been at best, as Cicero describes, a *ciuitas perparua ac tenuis* (Tissa, *Verr.* 3.86, unlocated). In the mid-range, perhaps, lies a community such as Halaesa on the north coast of the island, which will form part of the discussion at several points in what follows. If a recently discovered honorific inscription with a record of the numbers voting is accepted as the basis for a hypothetical population estimate, then the free population could be *c.* 4,500.⁸ The basis for discussion in this paper, however, is the physical and institutional development, self-presentation and potential recognition by others, of an increasingly urbanised centre with associated principles of self-regulation, entailing among other things citizenship and property rights in the surrounding territory. Almost of necessity, any community discussed in what follows will be discussed by virtue of the survival of evidence in some form for just such a self-presentation or recognition as a city. The extent to which that is, above all, an elite-driven phenomenon, is something to which I shall turn at the end.

Civic status in Republican Sicily

For an understanding of the situation in Sicily, it may be best to begin with one of the traditional areas of discussion of civic life in Sicily - the extent of civic autonomy.⁹ On the basis of a very selective body of Ciceronian material, it is common to construct a picture of the very limited autonomy of the Sicilian cities in this period. The introduction and overview

⁶ Fischer-Hansen *et al.* 2004: 176 n. 17.

⁷ 68 on the basis of Cic. *Verr.* 2.133 with 137 (implies 65, to which many then add the 3 *ciuitates foederatae* – see further the Appendix to this paper for past attempts to enumerate all 68); Plin. *NH* 3.88; Wilson 2012: 245 n.5 offers 155 as a possible maximum with reference to Wilson 2000.

⁸ *SEG* 59.1100 records 825 votes. If, for the sake of argument (although this is far from certain), one were to assume that this represents all adult males between 30 and 65 and bluntly applied the Coale-Demeny Life Table Model West level 3 (female), also assuming a sex ratio of 100, then the total population would be 4,546.

⁹ As a topic this follows on from an earlier workshop, on local and Roman law in Sicily (Fournier 2010a, Kantor 2010), within this ANHIMA (Anthropologie et histoire des mondes anciens; UMR 8210 of the CNRS) programme, directed by Sylvie Pittia and Julien Dubouloz.

which follows, together with the Appendix which accompanies this paper, are necessary in order to clear the stage for reconsideration of civic life and institutions in Sicily. The principal texts are three in number and familiar: the notorious passage at the start of Cicero's speech *De frumento* (II *In Verrem* 3), delineating the tax status of Sicily in relation to the grain tithe, which forms the subject of that speech (*Verr.* 3.12-13); an important passage near the start of the *De praetura Siciliensi* (II *In Verrem* 2) in which Cicero outlines the rights to law of the Sicilians (and others) in legal disputes within the *prouincia* (*Verr.* 2.32-40); and a later sequence in the same speech in which Cicero describes the granting of *leges* to three Sicilian cities by three different Roman magistrates earlier in the period of Rome's provincial government of the island (*Verr.* 2.122-25). The first of these texts (reproduced in full in the Appendix) is frequently read as a description of the legal status of the Sicilian cities in relation to Rome, providing the following summary: 3 *ciuitates foederatae* (Messana and Tauromenium; to which Netum must be added); 5 *ciuitates immunes ac liberae* (Centuripae, Halicyae, Segesta, Halaesa, and Panormus); and then the rest of the towns (estimated at c. 60), classed as either *ciuitates decumanae* (the majority) or *ciuitates censoriae* (the minority). On such a reading, the *ciuitates foederatae* are the exceptional and autonomous states; the five *ciuitates liberae* are assumed to have some significant degree of autonomy; but all the other states are assumed to have lost their autonomy because of their status as paying tax either under the terms of the tithe system (*decumanae*) or through censorial *locatio* (*censoriae*). This negative view of their status is then reinforced by reference to other texts, such as highly rhetorical passages of Polybius and Livy, which describe the cities of Sicily and southern Italy as slaves to Rome and having their necks under the *fascēs* of Roman magistrates.¹⁰ Neither passage can be imagined to have much real value for the specific question of status. What is all too often ignored is that the only thing being described by Cicero in the *De frumento* is tax liability, and specifically the liability of *ager* within the territory of individual cities to pay the tithe on grain. No *ciuitas* is ever described as either decumanal or censorial by Cicero – these are modern, invented categories. Moreover, the 'free' status of the five *ciuitates immunes ac liberae* cannot be demonstrated to be anything more than freedom from the grain tax, a point made obvious by Cicero's complete failure to accuse Verres of unwarranted interference in their autonomy in any other respect. These are certainly not the *ciuitates liberae* known from the late Hellenistic East; but this need not in turn mean that the cities lacked any sort of autonomy.¹¹

In fact, all of the Sicilian cities are described by Cicero under the ubiquitous and generic term of *socii et amici* (with the limited and steadily weakening exception of those with treaties).¹² The cities of Sicily are discussed indiscriminately throughout the *Verrines* in relation to law, military service, and any other dealings with the praetor and Roman authority (if we leave aside Cicero's rhetorical appeals to their long-standing loyalty to Rome). On more than one occasion Cicero describes the restoration of autonomy to these states in the terms familiar

¹⁰ Polyb. 24.13.4, a possibly fictitious speech of Philopoemen, which Walbank (1979: 265) concludes reflects views 'actually put forward and debated in Achaia between 198 and 182'; Livy 31.29.6-11 (cf. 31.31.5-16), a speech of a Macedonian envoy at a meeting of the Aetolian League in 199 BC. On the latter Briscoe (1973: 129) suggests that 'Polybius, no doubt also had speeches at this point, but they will have been elaborated by L.' It is rarely remarked (neither Walbank nor Briscoe make the connection) how much overlap there is between these speeches in Livy and Polybius, especially in the common use of Syracuse and Capua as *exempla* of Roman oppression.

¹¹ See further in the Appendix, and above all Ferrary 1988: 5-23 and Pinzone 1999a; and *idem* 1999b (also for trenchant rejection of the false *ciuitas* categories, reiterated now in Pinzone 2012: 81-83).

¹² For the *foederatae*, e.g. Cic. *Verr.* 2.160 on Tauromenium; but contrast Verres' treatment of Messana (*Verr.* 5.49-50), and Pompey's before him (Plut. *Pomp.* 10.2-3); cf. Yoshimura 1992.

from the language of *deditio* under Roman law.¹³ Despite this, presumptions about a widespread loss of autonomy and blanket subordination of the cities to Rome remain standard, and have resulted in questionable interpretations of other evidence. Typical is the interpretation given to the Delphic *theoroi* itinerary of the late third or early second century BC, one section of which describes their passage through (part of) Sicily.¹⁴ Assuming that the text dates after 210 BC (itself probably over-privileged as a date in such discussions, simply because it is the moment of the completion of the Roman conquest of Sicily), it is imagined to be of considerable value for interpreting civic status in Sicily, because it is argued that a city could only appear in the Delphic list if it retained full autonomy. Therefore, any Sicilian city appearing on that list, but which is also believed to be described as a so-called *ciuitas decumana* in the *Verrines* (i.e. one in which there is territory subject to the tithe), must have lost its autonomy at some point in between c. 210 BC and 70 BC. This is in turn taken to imply that previously the city must have had a formal treaty with Rome, which it subsequently lost. A moment for such further sweeping changes in Sicily, after 210 BC, is therefore required, and the only candidate available in the grand narrative for this moment of further subjection is then assumed to be the so-called *lex prouinciae* of Publius Rupilius of 131 BC, following the conclusion of the First Slave War.

This brings us to the second of the Ciceronian texts noted above and the so-called *lex prouinciae* of Rupilius in 131 BC. Traditional presumptions about the *lex Rupilia* of 131 BC, in particular the idea that it constituted a formal *lex prouinciae* for Sicily, are misplaced and substantially overstate the situation.¹⁵ The very concept of a *lex prouinciae* in this period risks anachronism.¹⁶ P. Rupilius, consul and proconsul in Sicily in 132-131 BC at the end of the First Slave War, assisted by a senatorial decemvirate, *ex senatus consulto*, established *leges in Sicilia in iudiciis et in ceteris rebus* (although we are subsequently told only about those *in iudiciis*).¹⁷ These were not statute laws of the Roman people, but *leges datae* from an individual magistrate in the field, which in turn came to be maintained and enshrined within the edicts of subsequent governors of Sicily, at their individual choice but of course at the injunction of the original *SC* and under the weight of tradition (which, locally, resulted in the name of *leges Rupiliae*).¹⁸ Cicero himself spells this out explicitly in a later passage of the

¹³ E.g. Thermae, Cic. *Verr.* 2.90 (*Sthenius postulat ut, cum secum sui ciues agant de litteris publicis corruptis, eiusque rei legibus Thermitanorum actio sit, senatusque et populus Romanus Thermitanis, quod semper in amicitia fideque mansissent, urbem agros legesque suas reddidisset...*); the same formulation is used at *Verr.* 3.13 (see Appendix) for the restoration of territory to those traditionally described as *ciuitates censoriae*.

¹⁴ *SGDI* 2580; *ed. pr.* Plassart 1921 (col. iv. 81-117); Manganaro 1964a: 419-29; 1996: 131-38.

¹⁵ Carcopino 1919: 70-75 argued that the *lex Rupilia* gave the island, and in particular its taxation regime, its definitive form. An extreme version of the common view in Serrati 2000: 113, 'The *lex Rupilia* is seen as the first provincial constitution for Sicily. The law set down a series of regulations by which the province was to be administered. These dealt with agriculture, ports, imports and exports, poverty and the law courts.' This is fiction. On the content of the *lex Rupilia*, see Mellano 1977, Maganzani 2007, Fournier 2010a, Kantor 2010, and cf. Cotton 2014; general overview (schematic) in Schulz 1997: 93-98.

¹⁶ See Hoyos 1973, Crawford 1990, Fournier 2010b: 263-76.

¹⁷ Cic. *Verr.* 2.32: *Siculi hoc iure sunt ut, quod ciuis cum ciue agat, domi certet suis legibus, quod Siculus cum Siculo non eiusdem ciuitatis, ut de eo praetor iudices ex P. Rupili decreto, quod is de decem legatorum sententia statuit, quam illi legem Rupilianam uocant, sortiatur...*; *Verr.* 2.40: *Praescriptum tibi cum esset, homo deterrime et impudentissime, quem ad modum iudices inter Siculos dares, cum imperatoris populi Romani auctoritas, legatorum decem, summorum hominum, dignitas, senatus consultum intercederet, [quo senatus] consulto P. Rupilius de decem legatorum sententia leges in Sicilia constituerat, cum omnes ante te praetorem Rupilianas leges et in ceteris rebus et in iudiciis maxime seruassent, tu ausus es pro nihilo prae tua praeda tot res sanctissimas ducere?*

¹⁸ See Yarrow 2012: 178-9 on Cicero's rhetorical purpose in his presentation, read against the broader 'constitutional' background of such decemviral commissions.

same speech.¹⁹ The open question – which we cannot answer - is what those *ceterae res* for which Rupilius provided rulings might have been, never otherwise mentioned. Nonetheless, the idea that Rupilius comprehensively reorganised the island of Sicily and instituted a formal *lex prouinciae* remains remarkably deep-rooted.

Arguments which privilege the *lex Rupilia* are often believed to be reinforced by appeal to several episodes of civic reorganisation on the island mentioned by Cicero in the third of the texts noted above (*Verr.* 2.122-25), and one of which was, coincidentally, undertaken by Rupilius. These *leges datae* for the individual cities of Agrigentum, Halaesa and Heraclea were composed by, respectively, an unidentified Scipio (some time in the second century BC?), the *praetor de repetundis* of 95 BC, C. Claudius Pulcher, and by Publius Rupilius (c. 131 BC).²⁰ It is important to recognise that these episodes are recorded by Cicero because, as he makes clear in *Verr.* 2.121, they are the principal occasions when Verres' interference in local civic arrangements could be presented as most unreasonable for the very reason that these three communities, instead of simply using their own local laws like all the other Sicilian cities, each, at different moments and for different reasons, had received specific charters from *imperium*-holding Roman magistrates, backed by the Roman Senate. Rhetorically, therefore, they serve the same purpose as many of his references to the *lex Rupilia*. The idea that any of these episodes represent a broader moment of universal reorganisation of civic life on the island has no basis in fact, other than the coincidence of Rupilius' name in one instance.²¹

In support of such hypothetical reorganisation of the Sicilian cities, the parallel most frequently cited is Cn. Pompeius' organisation of the cities of Bithynia-Pontus in the late 60s BC. This action, recorded in the letters of the Younger Pliny, offers the prime, indeed the first, example of a *lex prouinciae*. Because the *lex Pompeia* contained prescriptions about local civic censors and their role in selecting members of the local civic councils (*boule / senatus*), it is inevitably tempting to draw comparison with the existence of censors in all the Sicilian cities in Cicero's day.²² It is a short step from noting that parallel to adducing such censors as further evidence for a moment of total reorganisation and subordination of Sicily

¹⁹ Cic. *Verr.* 2.121: ... *non modo Siculorum nihil in hac re ualuisse leges, sed ne ab senatu quidem populoque Romano datas. Quas enim leges sociis amicisque dat is qui habet imperium a populo Romano, auctoritatem legum dandarum ab senatu, eae debent et populi Romani et senatus existimari.*

²⁰ See Gabba 1959 on these episodes; Prag 2007b references the various possible identifications and sources; Covino 2012 is the most recent discussion, arguing that the Scipio in question is Aemilianus (which conveniently pushes the Agrigentum episode into the same First Slave War time frame as Rupilius).

²¹ Isler (2012: 233) continues to argue that there is epigraphic evidence for direct and monumentalising intervention by Rupilius at Ietas (Monte Iato), but this is based upon an unacceptable reading of a set of tile-stamps (Isler persists in reading *PR*, when they clearly read *PIR* (Müller 1979: Taf. 35.30 and Taf. 36.31-32); he also rejects Müller's original reasoned dating of the stamps to the imperial period (Müller 1979: 64-5 and 70), on the basis that examples were recovered in the area of the west stoa and *bouleuterion* which were originally constructed in the later second century (Isler 1979: 64), but without providing any stratigraphic evidence). The whole argument depends itself upon accepting the speculative hypothesis of Rupilius' activity in the first place.

²² *Lex Pompeia* for Bithynia-Pontus: Pliny, *Ep.* 10.79-80 and 112-113; Sicilian censors: Cic. *Verr.* 2.131: *Iam uero censors quem ad modum isto praetore in Sicilia creati sint, operae pretium est cognoscere. Ille enim est magistratus apud Siculos qui diligentissime mandatur a populo propter hanc causam, quod omnes Siculi ex censu quotannis tributa conferunt, in censu habendo potestas omnis aestimationis habendae summaeque faciendae censori permittitur. Itaque et populus cui maximam fidem suarum rerum habet maxima cura deligit, et propter magnitudinem potestatis hic magistratus a populo summa ambitione contenditur;* and cf. 137. For a suitably cautious discussion of the parallelism, noting existing Greek *polis* practices elsewhere, see Le Teuff 2010: 200-204 (but, p. 203, she misconstrues *quinto quoque anno* in Cic. *Verr.* 2.139 to mean every five years, not every fifth year; the latter implies every four years in modern terms, i.e. 71 BC and then previously in 75, not 76 BC).

by Rome, notwithstanding the total absence of evidence for any Roman responsibility. It may be an argument from silence, but the very fact that Cicero, in his attack on Verres' wholesale selling off of the censorships, does not here adduce the authority of Rupilius, or any other Roman, is very striking. The only legitimate parallel to be adduced from Pompeius' actions in Bithynia is the fact that both he and the several Roman magistrates active in this way in Sicily (Scipio, Claudius, Rupilius) all seem to have shared similar ideas about qualifications for membership of the local city council.²³ The real interest of these episodes, I would suggest, lies in the explicit references to wealth qualifications for membership of the senate, or *boule* (to which we shall return below).

For the purposes of this paper, arguments of this sort are significant for two reasons. Firstly, by emphasising the supposed significance of Rupilius (and indirectly the Slave Wars), such arguments reaffirm the traditionally negative picture of a subdued and declining Sicily through the Republican period, lacking any local autonomy, and entirely organised on Roman terms. Secondly, and perhaps even more negatively, such arguments almost always result in the depreciation of any piece of evidence for the civic life of the Sicilian cities in this period. If this were any other part of the Hellenistic world, evidence for a visit by Delphic *theoroi* would hardly seem problematic. But, we are not in the Greek East, and the consequences of this in the historiography are all too clear. 'If one were to compare any "obvious" checklist of the diagnostic features [of the 'Hellenistic'] against manifestations of the same phenomena in Italy, there would perhaps be little to tick off in the Italian column';²⁴ and because Sicily is usually treated as part of the (Latin) West, and these are the expectations and presumptions of the West, any evidence of this sort for Sicily, like the *theoroi* inscription, tends to be marginalised or misused. The same applies to the evidence for elite behaviour in Sicily, which, although it has been examined in some detail, is viewed primarily through the Roman lense of *clientela* and *hospitium*, rather than in the sorts of Hellenistic civic terms or elite behaviours and reciprocity which John Ma and others have done so much to elucidate.²⁵ I am not simply arguing that Sicily should be seen as part of the Hellenistic East; rather that the evidence for Sicilian civic life should be viewed on its own terms and with as much of an eye upon wider Hellenistic practice as from within a Roman context. That is not of course to deny that Roman rule has consequences, and the development of elite civic culture in Sicily in this period must be linked in to Roman rule in some fashion. It is an interesting question as to whether the emphasis, not least in our sources, on the fiscal exploitation of Sicily, has served to consolidate a more 'western' or 'Roman' view of the island in this historiographical

²³ Bithynia-Pontus, Plin. *Ep.* 10.79.1: *Cautum est, domine, Pompeia lege, quae Bithynis data est, ne quis capiat magistratum neue sit in senatu minor annorum triginta. Eadem lege comprehensum est ut qui ceperint magistratum sint in senatu; Ep.* 10.112.1: *Lex Pompeia, domine, qua Bithyni et Pontici utuntur, eos, qui in bulen a censoribus leguntur, dare pecuniam non iubet. Sed ii quos indulgentia tua quibusdam ciuitatibus super legitimum numerum adicere permisit, et singula milia denariorum et bina intulerunt; Halaesa, Sicily, Cic. Verr.* 2.122 (Halaesa): *Decreuit senatus honorifico senatu consulto ut iis C. Claudius Appi filius Pulcher praetor de senatu cooptando leges conscriberet. C. Claudius, adhibitis omnibus Marcellis qui tum erant, de eorum sententia leges Halaesinis dedit, in quibus multa sanxit de aetate hominum, ne qui minor XXX annis natus, de quaestu, quem qui fecisset ne legeretur, de censu, de ceteris rebus; Agrigentum, Sicily, Cic. Verr.* 2.123: *Agrigentini de senatu cooptando Scipionis leges antiquas habent, in quibus et illa eadem sancta sunt et hoc amplius...* (regarding division between new and old settlers); Heraclea, Sicily, Cic. *Verr.* 2.125: *Nam eo (sc. Heraclea) quoque colonos P. Rupilius deduxit, legesque similes de cooptando senatu et de numero ueterum ac nouorum dedit.*

²⁴ Bispam 2013: 49, with specific reference to central Italy (NB the rest of that paper is concerned with subverting such an image for central Italy).

²⁵ See Ma in this volume and 2013 and 2000: ch. 4; cf. Nicols 2014; Deniaux 2007.

tradition.²⁶ Certainly Sicily is treated in most standard works simply as a pacified source of revenue within the mostly ‘barbarian’ western provinces.²⁷

Civic life in late Hellenistic Sicily

There is nonetheless a fair body of material that might be adduced in illustration of ‘Hellenistic’ civic life in Sicily: in 207/6 BC, around the same time as the *theoroi* visit from Delphi already noted above and a mere five years after the sack of the city by Marcellus, Syracuse acknowledged the *asylia* claim of Magnesia-on-the-Maeander; *theoroi* from Cos had previously elicited responses from Gela/Phintias and Camarina in 242 BC. The very fact that such *theoroi* successfully toured the island during both the First and Second Punic Wars should give some pause for thought.²⁸ Some time in the following 150 years, Centuripae and Lanuvium can be seen exchanging ambassadors and passing decrees to renew *syngeneia*, *xenia*, and *oikeiosyne*, and kinship claims formed an extensive part of Sicilian interstate relations.²⁹ Below the level of the civic collective, but emblematic of some of the associated activities, individual Sicilians from Messana, Syracuse, Catania and Tauromenium are attested during this period participating in festivals and games at Delphi, Larissa, Oropos, Cos, and Smyrna, and within the island *gymnasia* and gymnasial culture are attested at some 20 cities.³⁰ Likewise *koina*, both of *technitai* and other types, are now attested on the island in the last two centuries BC, and they can be observed granting *proxenia* and recognising euergetism in familiar fashion.³¹

Within the cities, there is clear evidence for both civic organisation and internal civic autonomy. Catalogues of civic magistrates are known from both Akrai and Tauromenium, while a wide range of eponymous priestly positions are attested across the island: most famously the *amphipolos* of Syracuse, created by Timoleon, manipulated by Verres (Cic. *Verr.* 2.126), and enduring down to the time of Diodorus Siculus (16.70.6); but such positions are attested in diverse forms in almost every city for which epigraphic evidence exists.³² The use of demotics and phratry subdivisions, some of the names of which were common to several cities, are likewise attested across much of the island.³³ In particular, the Tauromenium financial inscriptions provide detailed evidence for financial organisation and the oversight of the storage of grain and beans, of the existence of civic resources such as woods and quarries, and communal control over the sale of houses; property sales, implying a framework of civic regulation, are in turn attested through individual sales documents from

²⁶ Cf. the discussion of Dubouloz and Pittia 2009.

²⁷ So, e.g., Badian (1968a: 7, 10) places Sicily within his cursory treatment of the ‘barbarian fringe’ (contrasted with his focus on the Greek East), as being the area to which provincial annexation was initially restricted, and within that area notes it as the only peaceful province and ‘probably the only one that regularly realised a surplus for the treasury.’

²⁸ Cf. Erskine 2013: 19-24; Camarina at Cos, c. 242 BC, *IGDS* I.117; Gela/Phintias at Cos, *IGDS* I.160; Syracuse at Magnesia-on-the-Maeander, 207/6 BC, *IGDS* I. 97.

²⁹ *IGDS* I.189 and Battistoni 2010a: 147-65; kinship diplomacy in Sicily, Prag 2011.

³⁰ Prag 2007c: 87-96 (references to agonistic participation outside the island gathered at p. 95).

³¹ Syracuse, *technitai* of Dionysus: *IG* XIV.12, 13, *SEG* 34.974 = Aneziri 2003: 400-01, F1-3. Syracuse, *technitai* of Aphrodite Hilara: Aneziri 2003: 402 F4a, F4b (on these last two texts, see Dimartino 2010). Halaesa, *koinon* of the priests of Apollo: Scibona 2009 and now *SEG* 59.1100; *IG* XIV.354 with *SEG* 59.1099. Soluntum: Calascibetta and Di Leonardo 2012.

³² Catalogues at Akrai: *IG* XIV.209-212; at Tauromenium: *IG* XIV.421-422. Eponyms, survey in Sherk 1993, supplemented by Di Veroli 1996; recent overview in Cordano 2012.

³³ Manganaro 2011; Brugnone 2005; a survey in Ghinatti 2000; overview in Cordano 1999: 152-4; and cf. Jones 1987: ch. 4, an account that antedates much of the recently discovered material.

south-eastern Sicily (Camarina).³⁴ A comprehensive catalogue of the epigraphic evidence is neither practical within the confines of this study, nor easily achieved with the current state of publication; it may however become more realistic with the realisation of a digital corpus for Sicilian epigraphy in the near future.³⁵

Perhaps even more striking, given the existence of a uniform taxation system across the island, overseen by the Roman authorities, is the persistence of local calendars and local coinages. Cicero is explicit that the cities continued to use their local calendars when he describes Verres' manipulation of that at Cephaloedium; and this impression is reinforced by the dating formulae in surviving decrees and legal documents across the island.³⁶ Once again, the evidence of the Tauromenium financial inscriptions of the second and first century BC is particularly rich: the local calendar which appears there can be shown to have very close affinities with a calendrical sequence attested across eastern Sicily and most likely originating with Syracuse;³⁷ but these texts also illustrate a later switch to the use of the Roman calendar within the existing practice of Greek accounting inscriptions, undated, but belonging prior to the end of the Republican period. A further change comes with the fragments of a Roman calendar from the subsequent Augustan *colonia* at Tauromenium, the only example so far attested outside of the Italian peninsula.³⁸ The situation with the coinage is particularly revealing: the silver coinage on the island was rapidly and entirely replaced by the *denarius* in this period; however, while in the first part of the second century BC Rome itself, under the authority of the provincial magistrates (specifically the quaestors), promoted the production of multiple bronze coinages in the western half of the island, in the second half of the second century BC these issues were replaced by the output of multiple local civic mints. Some 32 civic mints (from a nominal 68 cities) are attested in operation across the island in the period from the Punic Wars to the end of the Roman Republic. Suzanne Frey-Kupper, who has done most to elucidate these developments, suggests that this should reflect 'an increased authority in practical areas of administration, to which the issue of local bronze coins belonged'.³⁹

³⁴ For the Tauromenium inscriptions (*IG* XIV.423-30; Arangio-Ruiz and Oliveri 1925: no. 13; Manganaro 1964b: 43-46, 53-55; *SEG* 38.973A-B) see especially Fantasia 1999 and Manganaro 1988 (a comprehensive new edition is in preparation by Filippo Battistoni, with the assistance of Prag, Dimartino, and Campagna); for sales contracts from Camarina, see *IGDS* I.124-26 and II.50-60.

³⁵ For information on the *I.Sicily* project see www.isicily.wordpress.com.

³⁶ *Cic. Verr.* 2.128-130 (Cephaloedium); *IGDS* I.185, l. 8 (Agrigentum); *IGDS* I.204, l. 3 (Entella); *IGDS* I.206, l. 2 (Nakone); *SEG* 59.1100, A 7 (Halaesa); *IGDS* I.161, l. 5 (Phintias); *IGDS* I.97, l. 3 (Syracuse); *IGDS* I.124 l. 1, 126 l. 1 (Camarina, sales contracts); *IGDS* II.42 (region of Syracuse, sales contract).

³⁷ See Battistoni 2011: 182-88; Paul Iversen now argues in detail for a Syracusan origin for the calendar at Tauromenium (and restores the one missing month as Heloreios) linking it with the evidence of the *Antikythera* mechanism (with which these eastern Sicilian calendars have a significant degree of overlap, although the mechanism appears to have an Epirote orientation), in a forthcoming study ('The Antikythera Mechanism, Rhodes, Epeiros, and the Corinthian Family of Calendars', in a festschrift for James Evans). I am most grateful to him for discussion and sight of an advance copy.

³⁸ Tauromenium local calendar, e.g.: *IG* XIV.427, col. 1, line 23: Καρνείου πρ. Φρῦνις Φρύντιος Δαμ. ἱερομαμόνοις ἔσοδος... ('Month of Carneios, as *pr.* Prynys son of Phrynys Dam: paid in to the Hieromnamones...'); Roman, pre-Julian calendar, e.g. Arangio-Ruiz and Oliveri 1925: no. 13, line 12: Κοϊνκτιλίου. ταμίαις ἔσοδος... ('Month of Quinctilius: paid in to the treasurers...'); Roman calendar, Augustan period, Ruck 1996.

³⁹ For overall patterns across the island see Puglisi 2009: 88-93 and 511 figs. 13-14 (whence the figure of 32); this should be read alongside the definitive study of circulation patterns in the western half of the island by Frey-Kupper 2013, in particular the summary at p. 710-19 with further references (quotation from 719). Frey-Kupper calls into question the traditional assumptions that many of these issues belong only to the period of the Second Punic War and its immediate aftermath, and for the West at least demonstrates that many belong in the second half of the period; the idea of a direct link between a change in coinage and the *lex Rupilia* is also scouted. The

However, rather than continue with such a checklist approach, the rest of this paper will focus upon three overlapping areas that explore the broader issues of civic autonomy and the Hellenistic style of *polis* on the island (in part responding to the parallel paper of John Ma): the constitutional nature of the Sicilian *polis* in this period, the monumentalisation of the *polis*, and the place of the elite within this.

***Politeiai* in late Hellenistic Sicily**

The traditional narratives of Republican Sicily described above, which place heavy emphasis upon an idea of the Roman reconstitution of subject cities, have also led to a lack of attention to the nature of those civic constitutions. Are they best considered democracies, or oligarchies? So far as I know, the word *demokratia* does not occur epigraphically in Sicily, nor is there any literary text that speaks of democracies in Sicily after the third century. I suspect that the last explicit reference is Diodorus' statement that Agathocles, 'As he lay dying [289 BC], summoned the populace, denounced Archagathus for his impeity, aroused the masses to avenge him, and declared that he restored to the people their *demokratia*' – but Diodorus' usage can be shown to signify 'simply a republican regime, contrasting with a home-grown tyrant or a foreign monarch'.⁴⁰ Only from Livy do we get the explicit suggestion that Rome claimed to restore *libertas* to the people of Syracuse in the Second Punic War, which is preceded by a narrative in which, with the death of Hieronymus in 214, the Syracusans had *libertas restituta*, only to fall back into *seruitus* through their own failings.⁴¹ It is in any case a modern conceit (principally of numismatic catalogues) to refer to the period from 214 to 212 BC as the 'Fifth democracy'. Any explicit discourse of *autonomia* or *eleutheria* is otherwise lacking from our evidence for early Roman Sicily.⁴²

The dossier of Sicilian civic decrees from this period is increasing steadily, even if still strikingly small compared to the eastern Mediterranean, with some 14 intact decrees of cities and another half-dozen fragmentary texts.⁴³ The chronology of these texts is very uncertain, covering the third to first centuries BC. The picture of civic organisation which they present is not simple: the essential combination of βουλή and δῆμος is common (although the former is frequently referred to by the term σύγκλητος, the latter in the Doric fashion as the ἀλία); however, texts from Agrigentum, Syracuse and Kaleakte, as well as from nearby Rhegium, all appear to attest to a triple organisation of *boule*, *sunkletos*, and *halia* or *demos*.⁴⁴ The relationship between *boule* and *sunkletos* in these cases is very unclear, although it seems likely that both are more exclusive entities than the assembly or *halia*. Cicero's own interactions with the Sicilian communities as he reports them in the *Verrines* are only with the local senates, in the *curia*, at Syracuse and Entella (in the former case he is explicit that

local bronze coinage of the period was considered interchangeable with the Roman in Cicero's time (Cic. *Verr.* 3.181).

⁴⁰ Diod. Sic. 21.16.4; Rutter 2000: 144-45; cf. Robinson 2000.

⁴¹ Liv. 24.21.3, 7, 11 for *libertas restituta*; note the very Roman language of *senatus populusque* subsequently at 24.21.12, 24.22.4; and *in antiquam seruitutem reciderant* at 24.32.9; for the Roman liberation of Syracuse, Liv. 31.29.7 (cf. 25.28.7, 31.31.8); for an excellent dissection of the whole Livian construct, see Jaeger 2003.

⁴² Prag 2010 explores some of the wider Sicilian background for such a discourse down to this period.

⁴³ I survey Sicilian decrees in greater detail in my forthcoming edition of the new text from Halaesa, for which see already *SEG* 59.1100. An overview of Sicilian decrees is provided in Rhodes and Lewis 1997: 314-21, but a more up-to-date list would include: *IGDS* I.97, 117, 160-61, 185, 187, 189, 197, 204-09, 211-12, *SEG* 37.757, 59.1100, 59.1102, *IG* XIV.257, 954, 955, cf. 612 and 953; for contemporary *koinon* decrees see n. 31 above.

⁴⁴ Agrigentum, *IGDS* I.185; Syracuse *IGDS* I.97; Kaleakte *SEG* 59.1102; Rhegium, *I. Reggio Calabria* 1 (*IG* XIV.612); on the problem see Battistoni 2010b, with earlier bibliography at 114 n. 6.

they call this the βουλευτήριον).⁴⁵ Cicero never addressed a popular assembly on the island, although he describes popular reaction in almost these terms on one occasion in Syracuse (*Verr.* 4.146). On only one occasion is he explicit that a decree (of Centuripae) was in the form *Senatus decreuit populusque iussit*, and this familiar double formulation finds echoes in what he describes both at Centuripae and Syracuse.⁴⁶ The episode of Heraclius of Syracuse follows a similar pattern (*Verr.* 2.48): a debate takes place in the senate of Syracuse; the people come to see what the fuss is about; Verres summons the *Syracusani* in order to address them (although it is very unclear what this means, both in terms of place and persons); and in response Verres' son-in-law then addresses the *senatus*.

Cicero, perhaps unsurprisingly, emphasises the place of the *senatus (boule)* in his dealings with Sicilian communities. However, he does make explicit reference to the existence of criteria for membership of these councils in several cases and it is clear that whether those criteria were originally Sicilian, as they surely were in many cases, or in three cases explicitly Roman in origin, they included a *census* qualification.⁴⁷ Two of the Greek account inscriptions from Tauromenion (see above) show Roman influence in their use of the pre-Julian Roman calendar and a shift to the appointment of *duo andres*; one of these also makes reference to magistrates called λαύραρχοι, of two differing wealth categories.⁴⁸ Whether the text is pre- or post-44 BC remains very uncertain, but the arguments usually brought in support of a post-44 BC date again reflect a rigidly formalised narrative of Sicilian cities adopting certain formal institutions only when subject to specific centralised Roman institutional changes: the traditional view is to attribute the texts to the period of Sextus Pompeius, subsequent therefore to the grant of Latin rights by Caesar and citizenship by M. Antonius in 44 BC; on this basis the city is inferred to have reconstituted itself as a *municipium*, albeit one still using Greek for its public documents. However, in order to explain the continued use of the pre-Julian calendar (the month *Quinctilius*), which would normally be taken straightforwardly to constitute a *terminus ante quem* of 45 BC, the city is assumed to be adopting a consciously pro-Pompeian position in refusing to adopt the Julian calendar.⁴⁹ We should at least be open to the idea that these two partially 'romanised' account inscriptions might reflect an earlier moment in time, and a deliberate partial adaptation to Roman practices on the part of the city of Tauromenium.⁵⁰ Notwithstanding, therefore, the continued existence in some form of popular assemblies, it seems clear that at least some

⁴⁵ Cic. *Verr.* 4.137-49 (Syracuse), *Verr.* 3.200 (Entella); *Verr.* 2.51, 'in curia Syracusis, quem locum illi βουλευτήριον nomine appellant'.

⁴⁶ Cic. *Verr.* 2.161, matched by δᾶμος καὶ σύγκλητος in an inscription from Centuripae (*IGDS* I.189, l. 11); Cic. *Verr.* 3.108; 2.14, 50; cf. 2.45 for the *populus Syracusanus* more generically; and 4.138 for the Sicilian communities in general.

⁴⁷ Cic. *Verr.* 2.120-25, cf. 131.

⁴⁸ Manganaro (1964b) 53-55, lines 19-20, παρὰ λαυράρχοις τιμάματος ἐξήκοντα νόμ[ων], νόμοι ἑξάκοστοι καὶ τέσσερες τετραλίτρων; and lines 24-6, νόμοι χίλιοι ἑπτακόσιοι τριάκοντα, λίτραι δέκα παρὰ λαυράρχοις τιμάμα(τος) ὀγδοήκοντα ὀκτώ. Originally, Manganaro inferred that these were to be linked with *uici magistri*, but this now looks unnecessary on the basis of attestations of the term λαύρα ('quarter') in earlier documents from eastern Sicily such as *IGDS* I.124, II.51 and 59 (Camarina). Whether one accepts the current trend towards viewing *uici* as an essentially Roman phenomenon or not (e.g. Tarpin 2003, Stek 2009: ch. 6-7), these look to have local Sicilian antecedents and to make the immediate parallel unnecessary.

⁴⁹ See Feeney 2007: 196 for the Caesarian reform of the calendar and the wholesale nature of the reform, not merely a change in month-name (and with reference to Cicero on Sicilian calendars in the preceding generation).

⁵⁰ A lucid summary of the various elements in Del Monaco 2003: 39; the attempt to raise the date of the latest two inscriptions all the way back to c.178 BC on the part of Carroccio (2008) is flawed in other respects; full discussions in Manganaro 1988 (in favour still of a post-46 BC date) and Battistoni 2011: 179-82 (more neutral).

Sicilian cities in this period were increasingly oligarchic, dominated by exclusive councils, constituted in part at least on a timocratic basis. It can be seen that there are affinities, in some cases at least, to more Roman types of civic organisation; but it might equally be noted that this has much in common with what is regularly observed regarding the transformation of civic society in the eastern Mediterranean in the late Hellenistic period.⁵¹

With this in mind, it is interesting to turn to the archaeological evidence: at least six *bouleuteria* of considerable typological similarity are now known across the island, at Morgantina, Ietas, Akrai, Soluntum, Agrigentum and Segesta.⁵² In the cases of Soluntum, Ietas and Segesta in particular these form but one part of a tight urban monumental centre of broadly similar second-century date (see below). Particularly striking is the fact that at Ietas a second, larger *bouleuterion* was constructed close to the first in the second half of the second century BC (accommodating c. 200, instead of 60-70 in the earlier one).⁵³ At Agrigentum the *ekklesiasterion* (the only one known in Sicily, unless one considers the monumental stairs dividing the Morgantina *agora* as something of this sort), dated to the late fourth/early third century BC, was paved over in the later second century BC, while the adjacent *bouleuterion*, perhaps originally of the late fourth/early third century, was remodelled at approximately the same time.⁵⁴ Such evidence could be taken to encourage a reading of the increasing dominance of (increasingly) exclusive councils in this period.

Urban monumentalisation in late Hellenistic Sicily

The specific case of the *bouleuterion* brings us to the larger topic of the monumentalisation of the city and its public space. The physical development of the Sicilian *poleis* in this period is becoming clearer.⁵⁵ The picture is complicated by the absence of good evidence for the major cities, especially in this period: for Syracuse we know only the monumental area of the Hieronian theatre in Neapolis, little of the urban development of Ortygia or Achradina; for Catina (Catania), Messana (Messina), and Panormus (Palermo) we can say almost nothing; for Lilybaeum (Marsala) material is now beginning to emerge, but none of it yet relates to the monumental public space of the city in this period.⁵⁶ For several of these cities the principal evidence for this period comes instead from private residential structures, attesting to rich urban quarters with large and wealthy townhouses in the second and first centuries BC (e.g. Lilybaeum, Agrigentum, Panormus).⁵⁷ Centuripae, claimed by Cicero to be a *maxima et locupletissima ciuitas* (*Verr.* 4.50), with a citizen body of 10,000 (*Verr.* 2.163), has yielded traces of a wealthy townhouse of the late second century and only small hints of public buildings of the Hellenistic period.⁵⁸ This relative poverty of evidence should be understood to be a consequence of subsequent overbuilding, and is undoubtedly an absence of evidence,

⁵¹ Gauthier 2005: 1-5.

⁵² Surveys in De Vincenzo 2013: 178-83; Campagna 2006: 25-28; Isler 2003; Iannella 1994; see Parra 2006: 107-112 for the most recently discovered example at Segesta. On the assumption of c. 68 cities in Sicily in this period, this is a recovery/survival rate of slightly less than 10%.

⁵³ Daehn 1991: 19-64; Isler 2012: 232-34.

⁵⁴ De Miro 2012: 105-6 (overview); De Miro 1985 (*bouleuterion*); De Miro 1967 (*ekklesiasterion*).

⁵⁵ For recent discussion see especially Campagna 2011, also Wilson 2013, and De Vincenzo 2013 for western Sicily specifically.

⁵⁶ Lentini 2012: 127-29 for a substantial building partially uncovered at Messina; Giglio *et al.* 2012 for an overview of Marsala excavations. Wilson 2012 provides an overview of *agora* evidence across the island.

⁵⁷ Wilson 2013: 108 with further references.

⁵⁸ Overview in Frasca 2006; public building, Patané 2009, Wilson 2012: 258-9; housing, Patané 2002: 142, cf. Patané 2010.

not evidence of absence. This point is dramatically reinforced by the contrasting picture which is now emerging from many of the smaller *poleis* of the island.

The smaller *poleis* of the island for which we have good evidence fall, archaeologically, into three: those centres which show evidence of monumentalisation either in the fourth century, or the third, and/or the second. This simple classification is further complicated by the fact that some centres were destroyed and/or abandoned in the course of the third century and the Punic Wars; and that some were so comprehensively remodelled in the third or second century that any evidence of a presumed fourth-century phase is, at present, beyond recovery. At the same time, the very failure of those cases to produce evidence even where the archaeology is well preserved has now been taken to suggest that in some cases the original phase of settlement (many of these are late fifth- or fourth-century foundations) may have constituted significantly less than the formation of a monumental urban centre.⁵⁹

Broadly speaking, the evidence suggests a process of gradual urban monumentalisation, effectively a continuation of the efforts at monumental building and creation of public space visible already in the temples and *agorai* of the classical period: even small centres in central western Sicily show elements of monumental construction in the later fourth and third centuries: a stone theatre at Hippana and a substantial monumentalisation of a public complex of uncertain purpose at Entella in the late fourth century, a stone theatre at Ietas in the third century.⁶⁰ Much of the evidence for this phase comes at present from the interior settlements of the Carthaginian eparchy in the western half of the island, but this again may be an artefact of a greater rate of abandonment of these sites subsequently during antiquity and lack of modern reoccupation, compared to elsewhere on the island.⁶¹ This process of monumentalisation accelerates in the third century with cities such as Morgantina, Megara, Camarina, and possibly Taormina, developing or consolidating grand urban spaces on a monumental scale.⁶² Notably much of this evidence in turn comes from the region of southern and eastern Sicily, in proximity to Hieron's kingdom, and is more or less contemporary with the development of monumental Neapolis at Syracuse – although not entirely, as Camarina is earlier and was almost certainly outside the Hieronian kingdom, even if within its economic and cultural orbit.⁶³ These sites are therefore assumed to show the influence of Hieronian building programmes in the urban monumentalisation of Sicily.⁶⁴ Lorenzo Campagna observes that these fourth- and third-century instances show a lack of clear coordination between the elements, with grand spaces and occasional grand buildings (although this is an argument from silence in the case of Syracuse).⁶⁵

By contrast, in the second century BC, and principally in the second half of the second century and most visibly in the towns along the northern and eastern sides of the island, we can observe a very clear process of concentrated, coordinated monumentalisation of the civic

⁵⁹ See Campagna 2011: 165-66 with further references.

⁶⁰ Hippana, Vassallo 2012; Entella (terracing combining archaic sanctuary with public granary and other elements), Parra and Facella 2012; the date of the theatre at Ietas is much disputed, but the evidence seems to imply a date for the *cavea* in the second quarter of the third century BC, or shortly after (cf. Campagna 2006: 20-21, Isler 2011: 123-24, with earlier bibliography); see also De Vincenzo 2013: 161-177.

⁶¹ Overview of Sicilian urbanism in the Punic eparchy in De Vincenzo 2013: 51-129.

⁶² Morgantina, overview in Bell 2012; Megara Hyblaea, Vallet *et al.* 1983: 20-60, cf. Tréziny 2012; Camarina, Di Stefano 2000; Taormina, Campagna 2009

⁶³ See however the recent counter-suggestion of Walthall 2011; cf. Bell 2006.

⁶⁴ For Hieronian Syracuse, Lehmler 2005, Campagna 2004.

⁶⁵ Campagna 2011: 171-72; cf. Bell 1993: 335 for the suggestion that Morgantina's agora 'documents a stage in the move toward comprehensive planning'.

centres, with the key elements tightly moulded around a central space, reflecting in turn the processes and elements of civic life. Contemporary with this phase, in many centres, we also see clear evidence, as already noted, for very substantial residential quarters. Again, these have some visibility in the preceding century, at Morgantina, Megara Hyblaea, and Ietas, but these instances are fewer on the ground, and the chronology has in some cases been challenged.⁶⁶ Lorenzo Campagna has recently highlighted the regional concentration of this second-century pattern with the observation (supported by the growing body of field-survey data) that this is strongly suggestive of the increasing orientation of the Sicilian agrarian economy towards Campania and Rome.⁶⁷ A city such as Halaesa, on the north coast, typifies this point: Diodorus tells us that it gained significantly from its tax-privileged status under Rome; it has produced the earliest attested dedication to a magistrate by the *Italici* outside of Italy; and a new first-century bronze honorific in Greek from the city testifies to the existence of a building known locally as the *basilica*, which later Latin epigraphic evidence shows should be placed in the agora.⁶⁸ The agora itself underwent substantial monumentalisation in the later C2 BC with a major stoa building;⁶⁹ as discussed above, the city is one of those listed by Cicero that sought Roman arbitration in resolving debates about its internal organisation, in 95 BC; and it has an elite attested both in Cicero and epigraphically who gradually acquire citizenship and clearly interacted with the Roman elite in turn, and to whom I return in a moment.

Many of these second-century developments have much in common, not least the fact that they imply a strongly co-ordinated single moment of rebuilding, creating a tightly linked unit involving *agora*, *stoai*, *bouleuterion*, and sometimes the theatre also. Not only are theatres monumentalised, often with spectacular multi-storey *skenai*, but the urban space around the agora receives a theatrical monumentalisation too, readily paralleled by urban forms further east – most distinctively perhaps the two-storey, winged *stoai* that seem to be a common feature across many of the cities of the island (Segesta and Soluntum offer the best examples).⁷⁰ Such acts of urban monumentalisation, including the *stoai*, may not always map directly on to specific civic institutions, but as John Ma has recently emphasised ‘public space is essential to the *polis*’, it provides the forum for much of the inter- and intra-civic dialogue to which our evidence attests (for honorific statues in public spaces see below), and the community exercises control over such spaces.⁷¹ In both Morgantina and Ietas (Monte Iato) the *stoai* contain within them tribunals, while in the case of Halaesa, as already noted, multiple texts, one of them a Greek text of the earlier first century BC, refer to a *basilika*.⁷² The fact that the Roman praetors and quaestors travelled around the island dispensing justice in such locations is very clear from the *Verrines*, activity which is echoed in the practice that

⁶⁶ Morgantina, Tsakirgis 2009; Megara Hyblaea, Vallet *et al.* 1983: 45-48; Ietas, Dalcher 1994.

⁶⁷ Campagna 2011: 162-3, 178-180; cf. Perkins 2007; earlier analysis in this direction in e.g. Frederiksen 1981, Gabba 1986.

⁶⁸ Diod. Sic. 14.16.3, cf. Cic. *Verr.* 2.185, 3.192; *ILLRP* 320 (193 BC?); *SEG* 59.1100, A.25; *AE* 1973.269 (a further Latin epigraphic attestation of a *basilica*, also from the *agora*, will be published shortly).

⁶⁹ Tigano 2012.

⁷⁰ See in general Campagna 2011: 167-78, Wilson 2013: 100-105; for *stoai* in particular, Campagna 2006: 21-25 (survey), Campagna and La Torre 2008: 124-30 (Taormina), Abate and Cannistraci 2012 (Segesta), Wolf 2012 (Soluntum).

⁷¹ Ma 2013: 71.

⁷² Ietas, Isler 2012: 230 with figs. 243-44 (dated to the second half of the second century BC); Morgantina, Bell 1993: 332 with figs. 7a and 9 (the podium is said to belong to the original, mid-third-century BC construction of the stoa (Bell 2010: 735), although to my knowledge no evidence to support this has yet been published, and the numismatic evidence cited for abandonment of the structure before the second century appears inconclusive and seems particularly uncertain for this end of the *stoa* (Sjöqvist 1964: 138, the preliminary report)).

Cicero proudly records in Cilicia.⁷³ The extent to which local judicial or other activities took place in the same location can only be guessed at – but it is indeed striking in this context that Diodorus records the actions of a Roman governor in the 90s BC, L. Sempronius Asellius, attempting, in Scaevola-like fashion, to improve the administration of justice on the island (δικαιοδοσία) and to banish vexatious prosecutions (συκοφαντία). By contrast, Cicero presents Verres as seeking to exploit such tendencies for his personal gain. It is particularly noticeable that some of the civic trials recorded in the *Verrines* are directly bound up with the physical urban and monumental environment and its population with statues.⁷⁴ Against this backdrop, the reinstatement of autonomous local jurisdiction some forty years earlier through the ‘*lex Rupilia*’ looks to be intricately bound up with the patterns of local elite behaviour on the island, which must be no less bound up in the physical urban developments of the period.

Civic elites in late Hellenistic Roman Sicily

Consequently, the final aspect on which I wish to focus follows on from the observations above about the apparently oligarchic nature of Sicilian civic organisation, and that is the role of what, in an Italian context, one would call the *domi nobiles* in the Sicilian cities. Sicilian elites, primarily in their roles as *clientes* or *hospes* of Roman elites, have been well studied, but there is, I think, still considerable scope for drawing out the nature of elite behaviour in the Sicilian *polis* context, not least with an eye on the parallels from the later Hellenistic east, and with the seemingly oligarchic nature of Sicilian cities in mind.⁷⁵ As has been frequently emphasised, the later Hellenistic period, in the East, is distinguished as the time when civic affairs pass principally into the hands of a small elite, underpinned by the cycle of honours and euergetism.⁷⁶

In the first place, such evidence as there is, speaks to the crucial role of these elite individuals in the construction of these monumental civic centres of the third and second centuries BC.⁷⁷ The fact that Hieron II was directly responsible, in true royal hellenistic fashion, in Syracuse is obvious and straightforward, attested most directly by the inscriptions on the *diazoma* of the great theatre at Syracuse;⁷⁸ but the idea that local elite figures across the island acted similarly – following his lead? – is strongly implied by, for example, fragmentary inscriptions from the theatres of Morgantina and Ietas, and the statue bases for a husband and wife from the stage-building of the theatre of Segesta, as well as iconographic echoes such as the repeated use of *telamon* figures.⁷⁹ The evidence for individual financing and responsibility for the monumental building programmes in the public area is gradually improving: Soluntum and Segesta both offer clear examples, and in the former case further epigraphic evidence makes it very likely that the individual, Antallos Ornichas, who paved

⁷³ See esp. Cic. *Verr.* 3.77, 4.85-6; cf. David 1983: 219-28, citing these and other passages to illustrate the judicial function of the *basilica* in the Republican period; for Cicero’s judicial activity in Cilicia, e.g. Cic. *Att.* 5.20.1, 5.21.9.

⁷⁴ Diod. Sic. 37.8.1-4, on which Badian 1968b: 2; Münzer, *RE* IIA (1923), col. 1364, s.v. Sempronius, no. 18. See esp. Cic. *Verr.* 2.36 for the first case considered by Cicero in light of Verres’ abuses of the *lex Rupilia*, where Heraclius of Syracuse is sued for failure to erect statues in the *palaestra* required under a testamentary bequest; cf. Cic. *Verr.* 2.53-4 for an explicitly parallel case involving Epicrates at Bidis, near Syracuse and Cic. *Verr.* 2.21 for another similar case, this time requiring statues in the *forum* at Halaesa. I am grateful to John Ma for pointing out this potential link to me.

⁷⁵ Sicilian elites and Rome: Nicols 2014: 163-205; Deniaux 2007; Pittia 2004; Prag 2003; Rizzo 1980.

⁷⁶ Summary in Gauthier 2005: 1-5, quoting Robert and others.

⁷⁷ See above all Campagna 2007 and 2011.

⁷⁸ Campagna 2004; Portale 2004; Wilson 2013: 80-99; theatre inscriptions, *IG* XIV.3, Dimartino 2006: 704-5.

⁷⁹ Morgantina, *IGDS* I.191; Ietas, *SEG* 50.1002; Segesta, *IG* XIV.288 = *IGDS* I.214 (on which Campagna 2007: 121-125); on *telamons*, Wilson 2013: 89 n.26 and 101-102 n.68.

the principal road leading to the agora was also the owner of the major town house from in front of which that paving began.⁸⁰ Cicero describes the position of Sthenius of Thermae within his home town as precisely another such example.⁸¹ That figures of this sort and their families came to dominate local communities in this period is all too clear, not just from the way that Cicero describes individuals such as Sthenius, but now also from the epigraphic evidence that reveals multiple generations at work within the urban landscape, such as the family of Antallos at Soluntum. Halaesa again provides a richly interconnected set of material: Cicero records that Verres' first victim was one Dio of Halaesa, whose son had received a legacy from a relative, Apollodorus Laphiro, which required that he erect statues in the forum; epigraphic evidence from the *agora* of Halaesa attests to statues erected in honour of multiple members of this family in the later Hellenistic / Republican period; the agora excavations attest to a complex of bases and inscriptions; Dio himself gained Roman citizenship and had elite Roman connections; and an unpublished inscription from the *agora* attests to the continued civic domination of the family of Lap(h)iro right through the upheavals of the Augustan period.⁸²

This small but growing body of evidence for the civic reciprocity engendered by such actions, which John Ma and others have done so much to illustrate in its familiar form in the East, is perhaps one of the most exciting developments in Sicilian archaeology and epigraphy in recent years.⁸³ Such a dynamic is most visible in the newest example of a Sicilian decree, of the first century BC, again from Halaesa. The text is admittedly atypical in a number of respects, and its precise status between public and private is far from clear, proposed by a large but otherwise unknown *koinon* of priests and honouring a private individual; but the language and honours are entirely that of the familiar world of euergetism, together with the exploitation of community space within the cycle of honours:

Since Nemenios Daphnis son of Nemenios, Hysg., is known to be well-disposed towards the priests of Apollo and since he happens to have treated well the Koinon of the priests of Apollo in every way, both saying and doing the best and most useful things for the priests of Apollo, both collectively and individually, acting worthily both of his own manliness and nobility and of the excellence of his forebears; and since it is right that the good among men, especially those displaying their goodwill, meet with honour and privilege and that an undying memory of them endures amongst their beneficiaries – for these reasons, let it seem good to the Assembly of the priests of Apollo, as also to the councillors, that Nemenios Daphnis son of Nemenios, Hysg. be a benefactor, and that they set up a bronze statue of him and dedicate it either in the sanctuary of Apollo or in the Basilica, in whichever place he should wish, having inscribed (on it): “The *koinon* of the priests of Apollo (dedicates) to all the gods Nemenios Daphnis son of Nemenios, Hysg., their benefactor, on

⁸⁰ Soluntum: Campagna 2011: 168-171, after Portale 2006: 87-98, with reference to *IG* XIV.311 and *SEG* 41.836; Segesta: material gathered in Ampolo and Parra 2012.

⁸¹ *Cic. Verr.* 2.112: *Estne Sthenius is qui, omnis honores domi suae facillime cum adeptus esset, amplissime ac magnificentissime gessit, qui oppidum non maximum maximis ex pecunia sua locis communibus monumentisque decorauit, cuius de meritis in rem publicam Thermitanorum Siculosque uniuersos fuit aenea tabula fixa Thermis in curia, in qua publice erat de huius beneficiis scriptum et incisum? quae tabula tum imperio tuo reuulsa, nunc a me tamen deportata est, ut omnes huius honores inter suos et amplitudinem possent cognoscere.* For the archaeological evidence from Thermae Himeraeae, see now Belvedere 2012.

⁸² *Cic. Verr.* 2.19-24, cf. 1.27-28; cf. *IG* XIV.353, *SEG* 59.1099, 37.759; on the episode and the family, see Facella 2006: 229-241; for the monuments and inscriptions of Halaesa's *agora*, see Burgio 2012 and Prestianni Giallombardo 2012. The new text will appear shortly in a posthumous publication by the late excavator, G. Scibona.

⁸³ See now Ma 2013; for Sicily, see especially Campagna 2007.

account of its services and goodwill towards him,” in order that it should be obvious to future men that the priests of Apollo are able to apportion favours and honours to their benefactors, in a manner appropriate to their good services.⁸⁴

The accompanying evidence for the populating of the physical monumental space with the monuments of these individuals is growing rapidly – at Halaesa, Segesta, Soluntum, Taormina, Morgantina, and Agrigentum we now have the clear evidence not just for a monumentalised *agora* but for monuments for individuals in those spaces, and in the case of Segesta at least, some of those monuments look to be part of the original monumental construction phase.⁸⁵

What is also now very clear, again echoing the familiar picture from the Greek East, is the extent to which the Roman magistrates were drawn into this practice. Cicero details at length the honorifics for Verres both in Sicily and at Rome;⁸⁶ but incidentally Cicero also paints a vivid picture of this culture of civic display and reciprocity in his accounts of the peoples of Tauromenium, Centuripae, Tyndaris, Leontini, and Syracuse, who pass decrees for the formal process of the removal or destruction of statues to Verres, deliberately leave empty pedestals in the civic space, or display decrees rendered obsolete by Verres’ actions, in order to serve as memorials for the community.⁸⁷ Inscriptions in honour of four of the Roman magistrates of the first century BC, undoubtedly to be imagined in such monumental contexts, are now known.⁸⁸

It is in turn, just as in the Greek East, these local elite individuals who mediate with the Roman authorities, often travelling to Rome on behalf of their communities: Cicero refers to in excess of twenty delegations that went to Rome for the trial of Verres, as well as naming at last 23 individual Sicilians who represented their communities either at the trial or at Rome in the same period.⁸⁹ Both Agrigentum and Malta honoured with *proxenia* and as *euergetes* a Syracusan citizen at Rome who facilitated the entry of their ambassadors into the Senate.⁹⁰ If we were to speculate on what the bronze in the *bouleuterion* of Thermae honouring Sthenius might have looked like and contained, then we might guess at something in between the new bronze tablet in honour of Nemenios from Halaesa, and the sorts of texts familiar from Claros for Polemaios and Menippos in the preceding generation but so far lacking from Sicily.⁹¹ However, it might also be noted that, as with a great many of those eastern instances, there is little if any evidence for any of these Sicilian elites undertaking these actions in any official

⁸⁴ *SEG* 59.1100, A.14-29, my translation; cf. Scibona 2009, Dubois 2013; I hope to publish a full new edition during 2016.

⁸⁵ Agora statue bases and similar monuments in context: Segesta: Angeletti 2012; Soluntum, Wolf 2012; Taormina, Campagna and La Torre 2008: 134 (with references), cf. Muscolino 2009-10; Morgantina, Bell 2007: esp. 132-4; Agrigentum, De Miro and Fiorentini 2010: 29-34, figs. 6-15, with Campagna 2007: 119; Halaesa: Burgio 2012, Prestianni 2012.

⁸⁶ See esp. Cic. *Verr.* 2.141-168; Berrendonner 2007; Prag 2013a.

⁸⁷ Cic. *Verr.* 2.160-64; cf. 4.142-146.

⁸⁸ *IG* XIV.435 (C. Claudius M. f. Marcellus, pr. 79 BC, at Taormina); Calascibetta and Di Leonardo 2012 (Sex. Peducaeus, pr. 76-75 BC, at Soluntum); *IG* XIV.356 (C. Vergilius C. f. Balbus, proquaestor early 60s, at Halaesa); *IG* XIV.282 (L. Caecilius L. f. Metellus, quaestor c. 52 BC, at Segesta / Eryx); cf. Prag 2007a: 255-56 and also Bell 2007: 132-4 for another possible instance.

⁸⁹ Most famously Sthenius of Thermae, Cic. *Verr.* 2.83-118, 3.18, cf. Deniaux 2007: 234-39; Lintott 2007: 11-12 (n.34 gathers a list of named individuals, to which add Sosippos of Agrigentum, who spoke before Pompey on a separate occasion at Rome, *Verr.* 3.204); Alexander 2002: 255-9 collects a full list of witnesses at the trial; compare the Centuripean ambassadors who not only went to Lanuvium, but also to Rome, possibly at the same period, and were commemorated epigraphically, *IGDS* I.189; cf. Canali de Rossi 1997: 657-688.

⁹⁰ *IG* XIV.952, 953, with Manganaro 1963.

⁹¹ Sicilian bronzes: Manganaro 1963, Scibona 2009; Claros: Robert and Robert 1989; see in general Eilers 2002.

capacity within the civic structure, other than, doubtless, as members of the civic council (*boule*, etc.). What is, however, attested in Sicily, both in Cicero and in later epigraphic texts, is the existence of a formalised subset of the elite, the *decemprimi*, although the precise basis or mechanism for their appointment is unknown.⁹²

There is a very great deal more that one might say, not least in exploring the possible evidence for a *koinon* of Sicilian cities in this period, which might in turn be paralleled to that for Asia Minor, but space precludes.⁹³ Despite an emphasis in much of what has preceded on the Hellenistic and eastern affinities in Sicilian civic life in this period, it is important to ask to what extent it helps to place all the emphasis in that direction. The evidence may have improved considerably in recent decades, but quantitatively it still pales by comparison with the eastern Mediterranean. At the same time it is no less striking that not dissimilar forms of urban monumentalisation and elite behaviour can be seen to be taking place in, for example, the Iberian peninsula at very much the same period. Although the exact forms of such behaviour may be less immediately comparable to the eastern Hellenistic world, this is perhaps for no other reason than that the urban state structures as a whole are newer, the elite urban cultural ‘language’ is less developed, and these are not traditionally Greek-speaking regions, with such long-established connections.⁹⁴ The crucial and unavoidable question remains that of what precisely the role of Rome might be in all these developments. If ‘la basse époque hellénistique’ in the eastern Mediterranean is understood principally as a period of transition between the world of the Hellenistic kings and that of the High Roman Empire, then it seems no less applicable to Sicily in the period between the Punic Wars and the Civil Wars (and appropriate as a possible designation for the period) – but the local dynamics are only partially comparable, not least since direct Roman rule had already arrived on the island by 200 BC.⁹⁵ The chronological coincidence of this visible flourishing of the elite Sicilian urban environment with the principal phases of Republican imperial exploitation of the island might well be taken to imply a role for Rome in these developments. The further coincidence of much of the urban monumentalisation with the ‘Slave Wars’ of the later second century suggests a much more complex set of social interactions on the island. If the Sicilian elite was, for instance, in some sense complicit with Rome in the exploitation of the island, then one challenge, among many, for the archaeology of the island is to shed further light on the patterns of land-use and the place of the non-elite in Hellenistic-Republican Sicily.⁹⁶ In any event, the challenge of writing the history of Sicily under the Roman Republic has not reduced; but that it needs to be (re)written, and that it has an important part to play in our attempts to make sense of the wider narrative of the ancient Mediterranean in this period looks increasingly apparent.

⁹² Cic. *Verr.* 2.162, cf. 3.68; *CIL* X.7236 (cf. *CIL* X.7211, 1.6), Lilybaeum, imperial period.

⁹³ On a Sicilian *koinon*, see Sartori 1981; Prag 2013b: 49-50.

⁹⁴ Cf. Prag and Quinn 2013 and the papers in that volume such as S. Keay on Iberia.

⁹⁵ Gauthier 2005: 4.

⁹⁶ Prag 2003 for elite ‘collaboration’; see now Morton 2013 and 2014 (esp. 37 n. 54) for a serious effort to begin to nuance the history of the ‘Slave Wars’ in precisely this way.

Appendix: Cicero, *In Verrem* 3.12-13 and the status of cities in Sicily after 210 BC.

Cicero, *In Verrem* 3.12-15:

Inter Siciliam ceterasque provincias, iudices, in agrorum vectigalium ratione hoc interest, quod ceteris aut impositum vectigal est certum, quod stipendiarium dicitur, ut Hispanis et plerisque Poenorum quasi victoriae praemium ac poena belli, aut censoria locatio constituta est, ut Asiae lege Sempronia: Siciliae civitates sic in amicitiam fidemque accepimus ut eodem iure essent quo fuissent, eadem condicione populo Romano parerent qua suis antea paruissent. [13] Perpaucae Siciliae civitates sunt bello⁹⁷ a maioribus nostris subactae; quarum ager cum esset publicus populi Romani factus, tamen illis est redditus; is ager a censoribus locari solet. Foederatae civitates duae sunt, quarum decumae venire non soleant, Mamertina et Tauromenitana, quinque praeterea sine foedere immunes [civitates]⁹⁸ ac liberae, Centuripina, Halaesina, Segestana, Halicyensis, Panhormitana; praeterea omnis ager Siciliae civitatum decumanus est, itemque ante imperium populi Romani ipsorum Siculorum voluntate et institutis fuit. [14] Videte nunc maiorum sapientiam, qui cum Siciliam tam opportunum subsidium belli atque pacis ad rem publicam adiunxissent, tanta cura Siculos tueri ac retinere voluerunt ut non modo eorum agris vectigal novum nullum imponerent, sed ne legem quidem venditionis decumarum neve vendundi aut tempus aut locum commutarent, ut certo tempore anni, ut ibidem in Sicilia, denique ut lege Hieronica venderent. Voluerunt eos in suis rebus ipsos interesse, eorumque animos non modo lege nova sed ne nomine quidem legis novo commoveri. [15] Itaque decumas lege Hieronica semper vendundas censuerunt, ut iis iucundior esset muneris illius functio, si eius regis qui Siculis carissimus fuit non solum instituta commutato imperio, verum etiam nomen maneret. Hoc iure ante Verrem praetorem Siculi semper usi sunt: hic primus instituta omnium, consuetudinem a maioribus traditam, condicionem amicitiae, ius societatis convellere et commutare ausus est.

(text of Peterson 1917)

⁹⁷ The majority of manuscripts contain the reading given here (*sunt bello*), but the annotated text of Largomarsinianus 42 (Peterson's O¹) reads *superiori* before *bello*, which led Müller (1880) to read *sunt superiore bello*; the inversion of the MS sigla by De la Ville de Mirmont in the Budé edition (1925) causes him to attribute the reading *sunt superiori bello* to Largomarsinianus 42 *prior manus*, which has given the reading a falsely higher status. Carcopino 1919, p. 227 n. 1 after extensive discussion rejected Müller's proposal. The reading was further discussed by Marino 1984, p. 1086, who noted that *superior + bellum* in Cicero is used to specify the earlier of two wars (e.g. *Verr.* 2.159, *de Imp.* 22, 77); Marino used this to argue that reference was here being made therefore to the First Slave War (rather than the second), and so to the outcome of the presumed settlement by P. Rupilius in 132/1 BC. There is however no good reason to accept the addition in the first place.

⁹⁸ The inclusion of *ciuitates* in this passage is not certain; it is omitted in O [= Largomarsiniensis 42, *prior manus*], and consequently by Kayser (1861) and Zumpt (1831); it is included in those manuscripts classed by Peterson (1917) as the 'vulgate' tradition, and by Orelli (1845-61), Klotz (1923), and Ville de Mirmont (1925); Peterson places in []. It is not clear that its presence or absence makes any significant difference to the terms of the debate discussed below, since it is clearly the implied subject, after the earlier phrase *foederatae ciuitates duae sunt...*

Between Sicily and the other provinces, gentlemen, there is this difference in the way in which their lands are taxed, namely that upon the rest either a fixed tax is imposed, of the type which is called stipendiary, as upon the *Hispani* and the majority of the *Poeni*, effectively the prize of victory and penalty of war, or else a censorial contract is instituted, as in Asia with the *lex Sempronia*: the Sicilian cities we received into friendship and good faith on the basis that they should have the same status as they had before, that they obey the Roman people on the same terms as previously their own rulers. [13] A few Sicilian cities were crushed in war by our ancestors; although the land of these states became *ager publicus* of the Roman people, however, it was returned to them; that land is usually leased by the censors. There are two treaty-bound cities, Messana and Tauromenium, the tithes of which do not usually come to us, and five free and immune cities besides, which have no treaty, Centuripae, Halaesa, Segesta, Halicyai and Panhormus; all the remaining land of the Sicilian cities is subject to the tithe, just as it was prior to the rule of the Roman people, according to the wish and institutions of the Sicilians themselves. [14] You see know the wisdom of our ancestors, who, when they had added Sicily to the Republic, as such a convenient support in war and peace, wanted to guard and hold onto the Sicilians with such care that they not only imposed no new taxation upon the Sicilians' land, but did not even alter the law for the sale of tithes, neither did they change the place or time of the sale, so that they sold them at a fixed time of the year, in the same place in Sicily, and last but not least according to the *lex Hieronica*. They wanted the Sicilians themselves to be involved in their own affairs, and not only did they not wish to trouble them with a new law, but not even with a new name for the law. [15] And so they resolved that the tithes should always be sold according to the *lex Hieronica*, in order that the discharge of that duty might be more pleasant for them, if not only the institutions of that king who was most beloved of the Sicilians, but even the very name, were to endure. Before Verres was praetor, the Sicilians always took advantage of this right: this man was the first who dared to alter and tear apart the traditions of all Sicilians, the practice handed down by our ancestors, the terms of friendship and the rights of alliance.

(author's translation)

The detailed discussion which follows is intended as a commentary upon the principal issues raised by paragraph 13 in the text quoted above. This passage, which it must be remembered introduces Cicero's critique of Verres' oversight of the tithe system in Sicily, has formed the basis for almost all debate about the status of the cities of Sicily in the period between the Punic Wars and time of Cicero (see Genovese 1993 for full discussion and earlier bibliography; citation in this discussion is deliberately highly selective). The modern tendency to reformulate the Ciceronian passage into the four categories of *ciuitas foederata*, *ciuitas immunis*, *ciuitas decumana*, and *ciuitas censoria*, attributes a classification to Cicero which he nowhere uses, and has underpinned the frequent misuse of this text in analysing Republican Sicily. Consequently in what follows, careful attention will be paid to assessing precisely what Cicero is describing in paragraph 13. Discussion begins with the categories of *ager decumanus* (not *ciuitates decumanae*) and *ager publicus* (not *ciuitates censoriae*), which

includes a brief survey of the evidence for the Roman incorporation of the individual cities of the island, and then examines the further categories of *ciuitas foederata* and *ciuitas immunis*.

The so-called *ciuitates decumanae* and *ensoriae*

Fundamentally, what Cicero says in this passage is that, leaving aside the other categories of *ager* already described in paragraph 13, all the other territory of the *ciuitates* in Sicily is *decumanus*, for tax purposes (for the significance of *praeterea*, cf. *Verr.* 3.163); note that *omnis* goes with *ager*, not *ciuitates*, and Cicero does not say, e.g., *ceterae ciuitates*. Cicero nowhere in the *Verrines* qualifies any city as *decumana* (Genovese 1993, p. 190 n. 34); as in this passage, it is always the *ager* which is so qualified. The very fact that *ager decumanus* can exist within the territory of *ciuitates immunes* (see below) when that *ager* is farmed by citizens of other communities, should suffice to make the point clear; a comparable situation is found at Leontini (see below), in whose territory both *ager publicus* and *ager decumanus* appear to be present.

Nonetheless, there have been many attempts to identify the full list of so-called *ciuitates decumanae*, mostly influenced by the (surely rhetorical) claim of Cicero that *per omnes ciuitates quae decumas debent percurrit oratio mea* (*Verr.* 3.100). On the basis of this statement, scholars have counted either 34 or 35 so-called *ciuitates decumanae* recorded in the *De Frumento* (the variation depending, somewhat arbitrarily, upon whether Agrigentum or Lipara should be included, whether Acesta and Segesta count as distinct cities, and uncertainty as to the status of Tyracinum; table in Carcopino 1919, p. 218-222; summary of views in Genovese 1993, p. 197 n. 48). Others, from Beloch onwards (1889, p. 78-82; cf. Carcopino 1919, p. 216-225; summary in Genovese 1993, p. 198 n. 51), on the assumption that the word *perpaucae* cannot refer to as many as c.26 cities (see next paragraph), have instead accepted that Cicero (*Verr.* 3.100 notwithstanding) need not name all the cities which paid the tithe in the course of the *De Frumento* - although they do still assume that there must be a specific formal category of *ciuitas decumana*. It is notable that several major cities do not appear in Cicero's accounts of those contributing *decumae*, most obviously Syracuse and Lilybaeum, but also, e.g., Drepanum, Eryx, Melita, Hadranum, and Abacaenum. As Beloch observed, the most plausible reason for their absence, since it is difficult to assume that at least some of the territory of these cities was not subject to the *decuma*, is that they did not provide Cicero with evidence (e.g. Syracuse originally supported Verres, *Verr.* 4.136; some cities were intimidated into silence, *Verr.* 2.14, 2.65, 3.122, 5.57; cf. *Verr.* 3.96); Carcopino (1919, p. 225) added the suggestion that Cicero simply could not reach them all in the 50 days available. A third possibility exists, namely that some cities had very little land given over to the production of *frumentum* and so contributed little if any tax under this heading.

In a parallel discussion, the identity of the *perpaucae*, the cities actively defeated in war and punished accordingly, has been much debated (bibliography in Genovese 1993, p. 196). Attempts to determine the number of cities intended by this word have tended towards a

figure of either c.26 or c.6. The divergence depends upon whether greater faith is placed upon the word *perpaucae* (in which case 26 is considered impossibly large) or upon Cicero's claim (*Verr.* 3.100) that he will name all of the so-called *ciuitates decumanae* within the *De frumento*. Acceptance of the latter claim, as noted above, identifies a total of c.35 *ciuitates decumanae*. By then adding this figure to the number of tax-exempt cities (the 2 *foederatae* and 5 *immunes*) and then subtracting this total (42) from the total number of cities in Sicily in the first century BC (which is generally agreed to be c.68, on the basis of *Cic. Verr.* 2.133 with 137, which implies 65, to which are added the 3 *ciuitates foederatae*; cf. *Plin. NH* 3.88; note however Wilson 2012, p. 245 n. 5 for the suggestion of c.155 *poleis* in Hellenistic Sicily), one ends up with a figure of 26 cities not mentioned by Cicero in his primary discussion of tithe collection and therefore presumed to constitute the *perpaucae* which in turn make up the presumed category of *ciuitas censoria* (see e.g. De Sanctis 1968, p. 347-54, and in general Genovese 1993, p. 196-97). The lower figure of 6 has been most persuasively argued for by Calderone (1960, 1964-65; see Genovese 1993, p. 198-201), who attempted to support this figure by noting two additional numerical coincidences: the *sex ui captae* mentioned in *Liv.* 26.40.14 (which, *pace* Calderone 1964-65, p. 69, can hardly be either a complete list for Sicily or an echo of a supposed *formula prouincae*, as is apparent both from the context, for which see below, and from other passages such as *Livy* 25.40.4); and the obscure *sex publica* referred to in *Verr.* 3.167.

In analysing the problem, Calderone (1964-65, p. 68-69) employed a survey of the known occasions when individual Sicilian cities were, or may have been, subject to Roman conquest and organisation. Calderone's survey (which succeeded in reducing the number of cities taken by force, conveniently, to six) is however unsatisfactory: it is incomplete and contains unsupported assertions, such as the unwarranted statement that Agrigentum was captured by a *deditio in fidem* in 262 BC (on the basis of *Polyb.* 1.19.7). Although it must be re-emphasised that there is no basis for thinking that a formal category of *ciuitas censoria* ever existed, it is nonetheless worthwhile summarising what is known of the conquest of Sicily by Rome, in order to elucidate Cicero's very summary allusion to such events in this passage.

An overview of the Roman conquest of Sicily

The First Punic War (detailed accounts e.g. De Sanctis 1916, p. 91-200 ; Lazenby 1996 ; on Sicily note also Eckstein 1987, p. 73-134): Messana was the first Sicilian city to go over to Rome (by *deditio*) in 264 BC (*Polyb.* 1.10.2), subsequently obtaining a *foedus*. Syracuse, under Hieron II, made peace, and probably a treaty, with Rome in 263 BC (*Polyb.* 1.16.9, cf. *D.S.* 23.4.1 ; Schmitt 1969, p. 137-140, De Sensi Sestito 1977, p. 101-112). In 263 BC Rome sent a double consular army to the island, which took Hadranum by force; but while besieging nearby Centuripae, 67 cities including Halaesa, and presumably Centuripae, made voluntary submission to Rome (*DS* 23.4.1, cf. *Polyb.* 1.16.2, *Zonar.* 8.9; *Eutrop.* 2.19 claims 52 cities, including Catina (cf. *Plin. NH* 7.214) and Tauromenium). In either 263 or 262 BC Segesta (cf. *Zonar.* 8.9) and Halicyai also went over to Rome; in this same campaign the otherwise unknown settlements of Ilaros, Tyrittos, and Askelos were taken by siege (*DS*

23.5). Some cities, such as Echetla (Polyb. 1.15.10) and Makella (DS 23.4.2) were besieged, but apparently not taken. Tyndaris attempted to go over to Rome, but was prevented by the Carthaginians (DS 23.5). Both Camarina and Henna may have sided with Rome at this point since subsequently they were retaken by Carthage (DS 23.9.4, Polyb. 1.24.12) ; likewise Herbessus, near Agrigentum (DS 23.8.1, Polyb. 1.18). Agrigentum was taken by siege at the end of 262 BC (Polyb. 1.19.15 (plundered), DS 23.9.1). In 260 BC, C. Duilius took Makella by force (Polyb. 1.24.2, *ILLRP* n° 319 with *CIL* 6, 8, 3, n° 1300), and in probably the same year the *phourion* of ‘Mazarin’ was also taken by force (DS 23.9.4, enslaved). In 258 BC the Romans took by force Hippana (Polyb. 1.24.10), Myttistratum (Polyb. 1.24.11, DS 23.9.4, Zonar. 8.11), Camarina and Henna (Polyb. 1.24.12 (broke down the walls), DS 23.9.5 (Henna betrayed), Zonar. 8.12), and Sittana and Kamikos (DS 23.9.5, the latter by treachery). Cossura was briefly seized by force in 255 BC (Zonar. 8.14, plundered). In 254 BC the Romans captured Cephaloedium (DS 23.18.3, by treachery), and Panhormus, taking the ‘New Town’ by force - the ‘Old Town’ surrendered (Polyb. 1.38.8-10, DS 23.18.4-5, Zonar. 8.14). In the same year Ietas, Solus, Petra, Enattaros, and Tyndaris went over to the Roman side voluntarily (DS 23.18.5). In 252 BC Thermae Himeraeae and Lipara were both taken by force (Zonar. 8.14, with Polyb. 1.39.13, and DS 23.20, noting also a failed seige against Herkte). In 248 BC Rome seized Eryx (Polyb. 1.55.7-10, taken by surprise, DS 24.1.10-11, by a night sally, Zonar. 8.15). Failed attempts to besiege both Lilybaeum and Drepana preceded the conclusion of the First Punic War in 241 BC. We have no specific information on the treatment of individual Sicilian cities at the end of the war, other than the notice that Acrae, Leontini, Megara, Helorus, Netum, and Tauromenium were under the rule of Hieron II (DS 23.4.1). A senatorial commission of ten was dispatched to assist C. Lutatius with the revision of the treaty with Carthage in 241 BC, but there is no mention of any Sicilian settlement in this (Polyb. 1.63.1 ; Scardigli 1991, p. 205-243 for full sources and discussion).

The Second Punic War (see e.g. De Sanctis 1968, p. 263-270, 278-286, 296-299, 305-316 ; Eckstein 1987, p. 135-184): At the start of the war, the consul Ti. Sempronius Longus seized Melita, which was surrendered to him without a fight (Liv. 21.51.1-2). After the brief switch to Carthage on the part of Hieronymus in 215 BC, the Roman treaty with Syracuse was provisionally renewed in 214 BC (Liv. 24.28.9). Leontini was subsequently taken by force in 214 by M. Claudius Marcellus (Liv. 24.30.1-8, Plut. *Marc.* 14.1), and the siege of Syracuse began shortly afterwards (Liv. 24.33.3, 9). In 214/3 BC, Helorus and Herbessus made a *deditio* to Marcellus, while Megara was sacked and destroyed (Liv. 24.35.2, Plut. *Marc.* 18.1). Henna was kept in Roman control by the massacre of many of its inhabitants by the Roman garrison (Liv. 24.37.1-39.10). Syracuse itself surrendered during the final assault in 212 BC (Liv. 25.23.1-31.11, 25.40.1-3). An unknown number (*legationes omnium ferme ciuitatum Siciliae*) of Sicilian communities approached Marcellus during this period: those which had not rebelled or which had returned to the Roman side before the fall of Syracuse were accepted *in amicitiam, ut socii fideles accepti cultique*; those who surrendered after the fall of Syracuse instead were treated *ut uicti a uictore leges acceperunt* (Liv. 25.40.4). The city of Engyium fell under Roman control in unknown fashion and was restored by Marcellus (Plut. *Marc.* 20). The settlement of Marcellus was subsequently debated and ratified by the Senate (Liv. 26.26.5-32.8). After Marcellus’ departure in 211 BC, Morgantina, Ergetium,

Hybla and Makella, and *ignobiliores quaedam aliae* revolted (Liv. 26.21.14), and were subsequently recaptured by M. Cornelius (*in dicionem redegit*, Liv. 26.21.17). In 210 BC M. Valerius Laevinus captured Agrigentum (still under Carthaginian control) by betrayal (Liv. 26.40.2-13), following which twenty towns were taken by betrayal, and six by force, while approximately forty made *deditio* (Liv. 26.40.14, cf. Eutrop. 3.14.4, Oros. 4.18.2-3, Zonar 9.6).

The Slave Wars: In the first Slave War, P. Rupilius (cos. 132 BC) recovered Tauromenium from the slaves by siege (DS 34/5.2.20) and likewise Henna (DS 34/5.2.21, but cf. Florus 2.7.8). Rupilius subsequently made arrangements for Sicily with the advice of a senatorial commission of ten (Cic. *Verr.* 2.32, cf. Val. Max. 6.9.8). In the second Slave War there is no explicit reference to the (re)capture of a city by the Romans, only the besieging of individual strongholds (DS 36.10.1).

82 BC: Cn. Pompeius Magnus is reported to have ‘recovered the cities which had been exhausted (by M. Perpenna), and to have treated them all kindly except the Mamertines of Messana’, who quoted an ‘ancient law’ in the face of his interference (presumably the treaty is meant; Plut. *Pomp.* 10.2).

From this summary it can be stated that at diverse moments in the Roman conquest and occupation of Sicily we learn of approximately 36 instances of forcible capture of Sicilian settlements of various sizes (which figure is, however, very approximate - it includes the repeated seizure of several cities, such as Agrigentum, and instances of capture through betrayal - and in any case can hardly be complete given the fragmentary nature of our sources). At the same time it is true to say that a significantly greater number of instances of voluntary surrender are attested (well over 100, again probably involving the same cities on more than one occasion). This diverges substantially from the results of Calderone’s survey, even if one accepts his strictures concerning the necessity of distinguishing capture through force (*ui capta*) from capture through betrayal (*proditio*). In any case, Genovese (1993, p. 190 n. 35, p. 212 n. 75, p. 231 n. 107) makes the important point that treatment by Rome in the Punic Wars is not necessarily the best guide to later tax status, citing the case of Morgantina, which was one of the most heavily punished cities, having been sacked by Rome in 211 BC and handed over to the Hispani under Moericus (Liv. 26.21.12-13, 17), but the territory of which subsequently appears in the *Verrines* as liable to the *decuma* (e.g. Cic. *Verr.* 3.103). This only serves to reinforce the point that Cicero is not in this passage in fact describing the overall juridical status of individual cities (i.e. the notional categories of *ciuitas decumana / censoria*), but rather outlining the status of *ager* within the territory of individual Sicilian cities, some (small) proportion of which overall was seized by Rome, restored, and subsequently subject to *locatio censoria*. The point of Cicero’s rhetoric at this point in the *Verrines* is Roman generosity (Genovese 1993, p. 232; cf. Cic. *leg. agr.* 1.19, 2.57). Cicero repeatedly emphasises elsewhere the loyalty of the Sicilian states to Rome (e.g. Sicilians as *fidelissimi*: *Div. Caec.* 12, *Verr.* 13, *Verr.* 2.14, 122 (Halaesa), 163 (Centuripae), *Verr.* 3.24, 64, 127, 228, *Ver.* 5.115, 137; and cf. *Verr.* 5.124 for the 17 constantly loyal states). It remains a justifiable conclusion on the basis of the survey above that only a relatively small

proportion of the Sicilian cities, throughout the history of the wars on the island, were ever subject to direct capture by force on the part of Rome.

***Ager publicus* in Republican Sicily**

Irrespective of the precise identity of the *perpaucae*, the remainder of the same sentence regarding the creation, restoration and then censorial leasing of *ager publicus* in the territory of these cities has appeared to many to be self-contradictory and as such has itself caused extensive debate amongst commentators (see Genovese 1993, p. 207-21 for full discussion and bibliography, and the lucid exposition of Caliri 1989; Genovese is largely followed here). The *crux* is how to resolve the statement that land which was made *ager publicus*, but which was then restored to its original occupants, is however still subject to *locatio censoria* (on restoration and categories of land see, e.g., Hyginus (Campbell 2000, p. 84.3-6) and Siculus Flaccus (Campbell 2000, p. 120.33-122.10)). Attempts either to amend the passage (e.g. Calderone 1960, suggesting *iam non* for *tamen*), or to dismiss the final clause (*is ager... solet*) as a gloss (e.g. Carcopino 1919, p. 239-240) are best rejected (cf. Genovese 1993, p. 211 n. 74). Caliri (1989, p. 20) speculates that the specific choice by Cicero of the verb *solet* is intended to refer to the absence of *censores* in the period 82-70 BC, and so to allude to a temporary and recent absence of censorial letting of contracts. Acceptance of the passage as it stands has generated considerable debate regarding the nature and application of the *locatio censoria*, and regarding which land or cities are referred to; however, these debates have frequently been based upon false assumptions (see further below). If one accepts the passage as it stands, then it must be considered in the context of the chapter as a whole. This entails that this particular category of land (restored *ager publicus*), together with that which belongs to the two *foederatae ciuitates* and the five *immunes ciuitates*, is treated distinctly in terms of taxation from the rest of the Sicilian territory, which is *ager decumanus* (emphasised by Ferrary 1988, p. 6 n. 3). It has rightly been pointed out (e.g. Genovese 1993, p. 190 n. 34) that the supposed categories of *ciuitas decumana* and *censoria* are modern creations; Cicero applies the term *decumanus* only to *ager*, and the term *censoria* only to *locatio*. This paragraph does not therefore formally instruct us on the political/juridical status of *ciuitates*, and direct equivalence between political status of a city and tax status of *ager* within the territory of that city should not necessarily be sought (cf. Genovese 1993, p. 190 n. 35). At the same time, it is true that Cicero himself sometimes implies an approximate equivalence between *ager* and *ciuitas* (as here and in *Verr.* 5.53) and the equivalence is commonly assumed in modern discussion even when the fundamental distinction is accepted.

It is clear from elsewhere in the *Verrines* that *ager publicus* did exist in Sicily in Cicero's day (*Verr.* 5.53: *Quae tandem ciuitas fuit quae deberet? Qui publicos agros arant, certum est quid e lege censoria debeant: cur his quicquam praeterea ex alio genere imperauisti? Quid? decumani num quid praeter singulas decumas ex lege Hieronica debent? cur his quoque statuisti quantum ex hoc genere frumenti empti darent? Quid immunes? hi certe nihil debent*), and this passage makes clear that it was subject to a fixed payment of some sort (*certum*) under censorial contract (*e lege censoria*). It should also be noted that such land is, in that

same passage, juxtaposed with the categories of *decumana* and *immunis*, as it is here in *Verr.* 3.13; it is therefore reasonable to assume that it is the same category of *ager publicus* to which Cicero also makes reference here in *Ver.* 3.13. In addition, the existence of *ager publicus* in Sicily is attested for 63 BC by passages of the *De lege agraria* (1.4, 1.10, 2.48-9, 2.57, 3.12, 3.15); further evidence of *ager publicus* in Sicily in 44/43 BC is provided by passages of the *Philippics* (2.43, 2.101, 3.22, 8.26, cf. Dio 45.30.3). Formally, it cannot be demonstrated that the *ager publicus* attested in these passages is the exactly the same as that referred to in *Verr.* 3.13, which Cicero says was restored to the Sicilians. The Sicilian *ager Recentoricus* recorded in the *De lege agraria* is not otherwise attested (and even the reading of the text has been questioned; e.g. Pais (1888, p. 148 n. 2) suggested *ager censorius*). Pinzone (2003) has suggested that the name implies recent acquisition, and suggests attributing it to the expedition of Cn. Pompeius Magnus in 82/1 BC; however, the crucial phrase on which he bases this suggestion, at *leg. agr.* 2.48-9 referring to *ager publicus partus recenti uictoria*, must surely refer to Pompeius' recent conquests in the East, rather than referring still to the specific example of Sicily cited earlier in the speech. More significant is Cicero's description of the reaction to potential sale under Rullus's bill of the *possessores* of the *ager Recentoricus*: *Qui agrum Recentoricum possident, uetustate possessionis se, non iure, misericordia senatus, non agri condicione defendunt. Nam illum agrum publicum esse fatentur* (*leg. agr.* 2.57, cf. 1.19). This fits strikingly well with the situation implied in *Verr.* 3.13 (cf. Genovese 1993, p. 216 n. 85).

The simplest interpretation is that of Genovese (1993, p. 212-221), namely that in the case of a small (*perpaucae*) number of cities, the land (i.e. the rights to possess and enjoy) was restored to its previous occupants, but with a (fixed) tax now levied by Rome through censorial contract (on the actual nature of the tax, see Genovese 1993, p. 221-232), and that this stands in contrast to most areas of Sicily, including some land in the territory of these same cities, where the tax system was the *lex Hieronica*. Formally, as conceded in *Cic. leg. agr.* 2.57, such land remains *ager publicus* under the dominion of the Roman people. As noted by Genovese (1993, p. 234 n. 113), it is tempting to draw a link to *Cic. Balb.* 24, where Sicily appears alongside Africa and Sardinia as containing *stipendiarii*, although the term may here have no more significance than the generic sense of 'subject people liable to make contributions to Rome' (cf. Naco del Hoyo 2003); the passage cited by Genovese (1993, p. 234-235) from the *Verrines* in support of the view that there were formally *stipendiarii* in Sicily (*Verr.* 4.134) cannot however support this reading, since it is clear that that passage extends well beyond Sicily in its reference.

In general, overly precise attempts to fit this particular arrangement into a rigid legal framework, especially when we are concerned with potentially innovative third-century BC decisions, should be resisted, not least because they commonly involve presumptions about the overall legal status of a *ciuitas*, which, as noted above, seem to be unwarranted on the basis of this passage alone. In attempting to obtain certainty, debate has developed over four main topics: (1) the legal status and length of such a restoration, with the suggestion that it constituted a form of *emphyteusis* (references in Genovese 1993, p. 210 n. 73); this however seems incompatible with regular censorial *locatio*; (2) whether the *locatio censoria* pertains

to the *ager* or to the *uectigalia ex agris*; this however ignores the Latin which specifies *is ager...*; (3) whether the territory in question was subject to both *locatio censoria* and the Hieronian *decumae* (references in Genovese 1993, p. 217 n. 86); this would seem to be excluded by *Verr.* 5.53 quoted above and is precisely not what is implied by 3.13; (4) whether the *locatio censoria* in fact consisted simply of the leasing of the *decumae* for this *ager* at Rome instead of at Syracuse (references in Genovese 1993, p. 208 n. 70); again, this is not the implication of *Verr.* 5.53.

In particular, there is no direct evidence for either of hypotheses (3) or (4), but many scholars have placed considerable emphasis in this discussion upon the case of the *ager Leontinus*, since, in the *Philippics* passages cited above Cicero refers to a grant by Antonius of *ager publicus* in the *campus Leontinus* to an individual (*Phil.* 3.22: *possideat in agro publico campi Leontini duo milia iugerum immunia*; cf. 2.43, 2.101, 8.26), which has led scholars to infer that Leontini's territory was entirely made up of *ager publicus* and that Leontini was therefore an example of a *ciuitas censoria* (since, however, this legal category is not formally attested, the argument is already flawed). However, in the *Verrines*, the *ager Leontinus* is only ever described by Cicero in the context of the *uenditio* of *decumae*, and in exactly the same fashion as elsewhere in Sicily; and Cicero's statement (*Verr.* 3.109-110) that only one *ciuis Leontinus* actually farmed land in the *ager Leontinus* proves nothing about the status of the *ager*, but rather is adduced to explain Cicero's difficulties in collecting his evidence (since there was no native resident farmer of Leontini from whom he could collect evidence). Indeed, Cicero states (*Verr.* 3.114) that most of the tenants in this region were from Centuripae, which can hardly be used to infer that it was *ager publicus populi Romani*! Nonetheless, in a desire to impose a rigid scheme of *ciuitas censoria* or *ciuitas decumana*, each with only one category of land, scholars have either suggested that Leontini's status changed at some point between 70 and 44 BC (although there is no reason why it should have done so), or that the *decumae* from Leontini were leased at Rome (directly contradicted by *Verr.* 3.117), or that the *locatio censoria* was separate and supplementary to the tithe (which would seem to be contradicted by *Verr.* 5.53 and is wholly hypothetical). It is much simpler, and in line with the position adopted above, to infer from Livy's narrative of the Second Punic War (26.21.11-13, cf. 25.28.3) that a significant part of the *ager Leontinus* was *ager regius* (i.e. formerly belonged to Hieron II) and that it was this that became *ager publicus populi Romani* in the wake of the city's capture in 214 BC (see above), and so became subject to *locatio censoria* rather than the tithe, and is therefore part of the *ager* referred to here by Cicero as *ager decumanus*; at the same time, the rest of the territory of Leontini that was not originally *ager regius* became subject to the *decuma* in the normal fashion under the *lex Hieronica*, as the rest of the *De frumento* strongly implies; and in turn the city itself could be listed by Cicero among those *quae decumas debent* (*Verr.* 3.100; see further Genovese 1993, p. 202 n. 60).

Ciuitates foederatae

Having discussed the specific category of *ager publicus*, Cicero then proceeds to detail individual cities which received specific privileges, beginning with those in receipt of a *foedus*, of which he mentions two. Messana received its treaty with Rome subsequent to the *deditio* which it made in 264 BC at the start of the First Punic War (sources in Schmitt 1969, p. 135-137, no. 478). The treaty is usually dated to c. 263 BC, although the statement of Cicero at *Verr.* 5.51 regarding the circumstances of the treaty (*recentibus suis officiis, integra re, nullis populi Romani difficultatibus*) has encouraged some to place it at the end of the war in 241 BC (e.g. Pinzone 1999c, p. 82-86). Tauromenium is generally believed to have received its treaty c. 212 BC, in the context of the siege of Syracuse by Marcellus; previously the city constituted part of the kingdom of Hieron II of Syracuse (cf. D. S. 23.4 and the discussion of Pinzone 1999c, p. 76-80). Negotiations with Marcellus, normally understood to be associated with the treaty, are reported in *App. Sik.* 5. The treaty is also mentioned at *Verr.* 2.160 and 5.49-50, 56 (Schmitt 1969, p. 256-257, no. 534).

However, a third city, Netum, is recorded elsewhere in the *Verrines* as a *ciuitas foederata* (*Verr.* 5.56 and 133; Schmitt 1969, p. 257-258, no. 535). Netum is generally believed to have received its treaty at approximately the same moment as Tauromenium, c. 212 BC; although, on the basis of Netum's absence from the Delphic *theoroi* list of the 190s BC, it has been argued that the treaty dates to the end of the First Slave War, 132/1 BC (so Manganaro 1964, p. 424; *contra* Pinzone 1999c, p. 74-75, Ferrary 1988, p. 23 n. 73).

The problem which confronts us therefore is whether the omission of Netum by Cicero in this passage is deliberate or accidental. Two solutions have been offered: either an omission by Cicero (whether accidental or rhetorically deliberate), or else that Netum, in contrast to Tauromenium and Messana, usually contributed the *decuma* (for earlier bibliography on the problem, see Pinzone 1999c, p. 60-65, Genovese 1993, p. 193 nn. 41-42). The extreme position of Mattingly (1985, p. 149 et 151, n. 2), not merely to assert an omission on the part of Cicero, but to emend the text to read *foederatae ciuitates <tres> sunt... Mamertina, Tauromenitana, <Netina>* has no manuscript support and nothing to recommend it.

Since there is little basis to assume an error (Cicero's knowledge of Netum's status is clear in *Verr.* 5.56 and 133), and it is difficult to see the rhetorical advantage to be gained from omission, the second solution is to be preferred (already, e.g., in Zumpt 1831, p. 438). Carcopino proposed a compromise, suggesting that only the citizens of Netum were exempt from the tithe, but not the territory of the city when farmed by non-citizens (in the same fashion as is attested for the *ciuitates immunes*, see below), but this move was motivated solely by his discomfort at the idea of a *ciuitas foederata* of seemingly lower status than a *ciuitas immunis ac libera* (Carcopino 1919, p. 213-216, Pinzone 1999c, p. 61-63). As has been emphasised more recently (e.g. Ferrary 1988, p. 6, Pinzone 1999a, p. 464), this passage concerns the status of the Sicilian cities in relation to taxation for grain alone, and so broader inferences about overall status are not justified. Debate focuses therefore around the significance of the phrase *quarum decumae uenire non soleant*, with the suggestions either that it indicates that exemption from the tithe in the case of Messana and Tauromenium was not a condition of the treaties, but only a privilege that had evolved in the past, a *consuetudo* (Sartori 1974, p. 233); or, conversely, that Netum paid the *decuma* on the basis of

consuetudo, notwithstanding the existence of a *foedus* which granted exemption (Pinzone 1999c, p. 71-73). The latter hypothesis may be preferable given the indications that Netum's treaty did formally contain an exemption from supplying grain to Rome (*Verr.* 5.56, in which Verres acknowledges the claim of the Netini that, according to their *foedus*, *Netinos frumentum dare non debere*).

From the *De Suppliciis* (*Verr.* 5), we gain further information about the terms of the *foedera* of the three cities. Messina was required by treaty to provide a ship (a *biremis*), armed and equipped; the Mamertini also regularly supplied soldiers and sailors to Rome, although whether by treaty or custom we do not know (*Verr.* 5.49-51, 4.21); and they were not required to give grain (*frumentum dare non debere*; *Verr.* 5.52-56). Tauromenium was specifically exempted in its treaty from providing a ship to Rome (*Verr.* 5.50), as well as from providing soldiers (*App. Sik.* 5); although it is strongly implied that the Tauromenitani were not required to give grain (*Verr.* 5.56), this is not formally explicit in our surviving evidence. The only clause of Netum's treaty about which we are explicitly told is that they were not required to give grain (*Verr.* 5.56); but the Netini did provide soldiers and rowers (*Verr.* 5.133; but whether as a condition of the treaty we do not know), and it is likely, if uncertain, that they provided a ship also (so Prag 2007c, p. 80, on the basis of *Verr.* 5.63, 86, and 133). In general, provision of ships, sailors, and soldiers was a regular *consuetudo* applied to the Sicilian towns whatever their status (*Verr.* 5.43), and indeed Cicero states that this was a universal practice across the provinces (*Verr.* 5.60); it therefore seems more likely that treaties would in general contain exemptions in this area, as in the case of Tauromenium, rather than requirements (as in the case of Messina; although cf. e.g. Polyb. 12.5.1-2 for similar arrangement with Locri). It is apparent from *Verr.* 5.52-56 that all three *ciuitates foederatae* were normally required to sell grain to Rome under the category of *frumentum emptum* (cf. *Verr.* 3.163); the statement that all previous governors had done this (*superiores omnes*, *Verr.* 5.53) indicates that this had occurred by *SC* prior to the *lex Terentia Cassia* of 73 BC which regularised the process under statute. Plutarch (*Pomp.* 10.2) reports the refusal of the Mamertines to accept Pompeius' jurisdiction in 82 BC, on the basis of a νόμος παλαιός of the Romans, which perhaps should be understood as the *foedus*.

The Sicilian *ciuitates foederatae* are of more general interest because they are seen to mark a significant development in the nature of Roman organisation of foreign relations. This focus takes as its starting point the fact that there are only three *foedera* attested for Sicily (not including the treaty with Hieron II of Syracuse), in apparent contrast to the regular Roman practice during the earlier conquest of Italy, and instead more in line with the relatively infrequent use of treaties in the second century BC. The treaty with Messina is therefore seen as a continuation of Roman practice in Italy (including the requirement to provide a ship, which parallels treaties with Greek cities of southern Italy), motivated either by a sense of Italic kinship (see Polyb. 1.10) and/or by the view that Sicily was merely a continuation of the peninsula – a view which was subsequently abandoned in recognition of a need to treat Sicily in an alternative fashion (this idea goes back at least to Mommsen; a strong statement in Badian 1958, p. 35-39; cf. more generally Crawford 1990). The later treaties with Netum and Tauromenium, and in particular the privileges granted to Tauromenium and enshrined in

its treaty, instead reflect the later, less frequent use of treaties by Rome outside of Italy (see especially Ferrary 1990). A more recent, heterodox discussion suggests that the use of *foedera* was actually much less common in Italy also, so that the practice visible in Sicily is not, in this regard at least, so unusual (Rich 2008). Such a view would render less awkward the otherwise rather precocious nature of the Tauromenium treaty in granting specific privileges (note Ferrary 1990, p. 235 n. 59). Yoshimura (1992) emphasises Messana as an example of what he sees as an increasing lack of respect for treaty obligations on the part of Rome by the first century BC, which finds a striking parallel in relations with *civitates liberae* in the East (Ferrary 1991).

Civitates immunes ac liberae

After naming the exempt *ciuitates foederatae*, Cicero goes on to name five further cities with immunity from the *decuma*. The formula *immunis ac libera* is repeated, specifically with reference to *ager*, at *Verr.* 2.166 (*qui agros immunis liberosque arant*), although Panormus is there omitted from the list of cities. The exemption was limited: it applied to citizens of the five cities alone, and only when they were farming land within the territory of their own city (*Verr.* 3.91-93 for tithes on lands of Halicyae and Segesta farmed by non-residents; *Verr.* 3.54-57 and 115 for citizens of Centuripae paying tithes on land which they farmed outside Centuripae; Carcopino 1919, p. 212-213). These cities were however still subject to the *frumentum imperatum (emptum)* (e.g. Halaesa, *Verr.* 3.170-172; Carcopino 1919, p. 250-254); and they likewise provided sailors, crew, ships, and soldiers to the praetor for the defence of the island (*Verr.* 4.76, *Ver.* 5.63, 84-89, 104-105, 111, 116-117, 120, 124-125; *SEG* 37.760; *IG* XIV.282 and 355; Prag 2007c, p. 80-83).

There has been extensive debate as to the significance of the word *libera* within this phrase, and whether it should be understood to signify *ciuitas libera* in the full sense of the word familiar from the later second century BC onwards in the Greek East (for which see Ferrary 1991, 1999). Badian (1958, p. 33-43) argued that Sicily was, within the sphere of Roman practice, 'where the *ciuitas libera* was born' (in contrast to the more general view that 196 BC and the Isthmian declaration of T. Quinctius Flaminius marks the beginning of such a category within the Roman *imperium*); and that these five cities were all that remained, by Cicero's day, of what may have been a much wider grant of such status during the First Punic War (a similar view in Lintott 1993, p. 20, 36-39). It has, however, been pointed out that there is no other evidence for this particular category in Sicily, and that the only two instances of the word *libera* (*Verr.* 3.13 and 2.166) occur in conjunction with *immunitas* and in the context of taxation (principally Ferrary, 1988, p. 5-23; Pinzone 1999a, p. 471-487; early objections to Badian in Calderone 1964-65, p. 93-98). On other occasions and in juridical contexts no distinction is made between any one of these five cities and the other Sicilian cities (e.g. *Verr.* 2.120, 2.160-164); indeed Cicero appeals to the just treatment which Segesta warrants, but did not receive from Verres (alongside another city from outside these five, Tyndaris) on the grounds that the city's loyalty was originally recognised in the grant of *immunis ager* - but significantly there is no mention of the word *libera* (*Verr.* 5.124-25; see

Ferrary 1988, p. 8-10). On the contrary, there is good evidence for a general level of internal civic autonomy across the island, which extends equally to cities whose territory was subject to the *decuma* (e.g. *Verr.* 2.90 Roman treatment of Thermae, or the recognition of *asylia* for the Asclepion on Cos by Camarina and Phintias in 242 BC (Herzog and Klaffenbach, 1952, no. 12-13), or the reception of the Delphic *theoroi* in the 190s BC (Plassart 1921, Manganaro 1964); see Ferrary 1988, p. 11-12, 20-24). This leads to the suggestion of a general status across the island of what might be described as *socii sine foedere* (cf. Pinzone 1999a, p. 482-83), and the existence of general autonomy from the third century onwards, which never evolved into the formalised status of the *ciuitas libera* of the later Republic (Ferrary 1988, p. 12, 22, esp. n.70, more generally Ferrary 1991), but instead became increasingly constrained under Roman dominion (Pinzone 1999a, p. 487-95, Ferrary 1988, p. 22-23). One aspect of this autonomy, the juridical autonomy of the Sicilians when going to law with other Sicilians, was however subsequently formalised by the *lex Rupilia* in 132/1 BC (*Verr.* 2.32; cf. Ferrary 1999, p. 73-74). Whether the term *libera* reflects a use by Rome, in Sicily, during the Punic Wars of the more general concept of the ‘freedom of the Greeks’ is also disputed (in favour Calderone 1964-5, p. 98, and Prag 2010; *contra* Ferrary 1988, p. 12); it is however undoubtedly true that there is little evidence to suggest that any claim of ‘freedom’ in Sicily entailed the sort of specific content familiar in the Greek east and underlying the declaration of 196 BC (for which see Ferrary 1988, p. 83-88).

There seems little reason to doubt that the exemption from taxation for these five cities dates back to the period of the First Punic War and the settlement which followed: Halaesa, Centuripae, Segesta and Halicyae all made voluntary submission as early as 263/2 BC (see above for details); only Panhormus (part captured / part surrendered in 254: Polyb. 1.38.8-10, DS 23.18.4-5, Zonar. 8.14) appears harder to explain, but by no means impossible, given its strategic importance as port and centre on the north coast. It is highly likely that kinship claims played a role in the privileges obtained by at least Centuripae and Segesta (see Prag 2011). All five fall within the *uetus prouincia*, the area ceded by Carthage in 241 BC, and it is clear that some form of taxation was in place in western Sicily prior to the Second Punic War, from which an exemption would already have value (*App. Sik.* 2.6 ; *Liv.* 23.48.7 ; Crawford 1985, p. 104 ; Ferrary 1988, p. 18-19 ; Prag 2012). The exemption specifically from the tithe presumably dates to the extension of the *lex Hieronica* across the island, most plausibly to be dated c. 210 BC. In the upheavals of the civil wars in the 40s and 30s BC, and the probable switch to *stipendium* (see Pinzone 1999c, p. 173-206), the cities seem to have lost this particular privilege: in the lists of Pliny (*NH* 3.88-91) Segesta and Centuripae are Latin *municipia*, Halaesa and Halicyae *stipendiarii*, and Panhormus an *oppidum* (presumably also subject to *stipendium*). Strabo (6.2.5), however, describes Panhormus as a *colonia*, and epigraphic evidence suggests that Panhormus was a *colonia* (*CIL* X.7279) and Halaesa a Latin *municipium* (*CIL* X.7458) by AD 14 (see in general Vera 1996).

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