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Before Diplomas, and the Claudian Reform

Von
Eric Birley

It is exactly seventy years since the publication of G. L. Cheesman's book, *The Auxilia of the Roman Imperial Army* (Clarendon Press, 1914), which I first made the acquaintance of as a schoolboy in 1923; and ever since then the auxilia have been one of my greatest interests. It happens that in that book Cheesman assumed, as a matter of course, that "the grant of the *civitas* with the improvement in civil status which it brought to the recipient, and the increased possibilities which it offered to his children, must have done much to popularize the service. We have seen that the idea of such a reward did not originate with the Empire, but it was probably not until the reorganisation of the army by Augustus that it was regularly conferred and the years of service required to earn it definitely fixed"¹. In a footnote he observed: "Such regulations would be covered by the general statement of Suetonius, Vit. Aug. 49 *Quidquid autem ubique militum esset, ad certam stipendiorum praemiorumque formulam adstrinxit, definitis pro gradu cuiusque et temporibus militiae et commodis missionum*"²."

In other words, Cheesman assumed that regular grants, confirmed by the issue of military diplomas, were established by Augustus himself. That view was not accepted by H. Nesselhauf in his edition of CIL XVI (1936): he suggested that it was Claudius himself who first made Roman citizenship a regular reward for the completion of good service by auxiliaries and men from the fleets. He pointed out that the passage from Suetonius, cited by G. L. Cheesman, does not mention the grant of *civitas*, adding that the complete absence of diplomas earlier than the time of Claudius can hardly be due to chance, while the innovation represented by making such grants regular would accord well with that emperor's liberal policy in granting the citizenship.

¹ Op. cit., 34.

² Relevant for our present conference is his further sentence: "The number of the diplomata seems to tell decisively against the suggestion that they were only issued to troops who had distinguished themselves by exceptional conduct in the field."

In a review and discussion of CIL XVI in the *Journal of Roman Studies* 28, 1938, 224 ff., I accepted and enlarged upon Nesselhauf's view; and, returning to the question more than forty years later, I find myself even more certain that he was right, and that Cheesman was wrong in his assumption. I made two points – to which I shall be returning – (a) that *immunitas* was the greatest privilege granted by Augustus to men in this category, and (b) that there are one or two inscriptions, dateable on internal grounds to the early Principate, on which veterans are still peregrini. Let us see what evidence can be adduced on both my points of 1938.

I. As far as Augustan policy is concerned, Nesselhauf might have cited Suetonius, *Vit. Aug.* 40,3: . . . *et Liviae pro quodam tributario Gallo roganti civitatem negavit, immunitatem optulit affirmans facilius se passurum fisco detrahi aliquid, quam civitatis Romanae vulgari honorem.* Such reluctance to confer Roman citizenship is beautifully exemplified by the inscription from the Val Trompia, CIL V 4910 = ILS 847³: *Statio Esdragass. f. Voben. principi Trumplinorum praef. [c]ohort. Trumplinorum [s]ub C. Vibio Pansa legato pro [pr. i]n Vindol., i[m]munis Caesaris . . .* If a chieftain of the Trumplini, commanding a cohort formed from them, had to remain peregrine in status, but enjoyed immunity from taxation, we could hardly wish for clearer confirmation of Augustan policy, as recorded by Suetonius.

One might, of course, counter by quoting the case of Arminius, son of another tribal chieftain, who (according to Velleius Paterculus 2,118) was *adsiduus militiae nostrae prioris comes, iure etiam civitatis Romanae decus equestris consecutus gradus.* But that was surely a very special favour, conferred upon a battle-tried commander, who had served under the eye of Tiberius himself.

II. Furthermore, we are entitled to look at the situation prevailing, as far as legionaries were concerned, at the end of Augustus's life. Tacitus, in *Annals* 1,17, quotes the men's complaints, *quod tricena aut quadragesima stipendia senes et plerique truncato ex vulneribus corpore tolerent, ne dimissis quidem finem esse militiae . . .*⁴ If that was the case with legionaries, how could one expect auxiliaries to be treated with greater

³ For knowledge of the improved reading, *legato pro [pr. i]n Vindol.*, I am grateful to G. Alföldy.

⁴ Cf. also 1,35: *atrocissimus veteranorum clamor oriebatur, qui tricena aut supra stipendia numerantes . . .*

generosity? The upshot was, as Tacitus records (*Annals* 1,78) that Tiberius ruled that veterans could, for the future, be discharged only after twenty years' service – on financial grounds: *simul impari oneri rem publicam, nisi vicesimo militiae anno veterani dimitterentur.* Not that he adhered to that agreement; Suetonius, in his *Life of Tiberius* (48,2), makes the point, *atque etiam missione veteranorum rarissimas fecit, ex senio mortem, ex morte compendium captans.*

There is adequate evidence from inscriptions to show that, in the early Principate, there were many legionaries who were discharged after thirty or more years' service. It will be sufficient to cite half a dozen veterans of legions VII or XI, still lacking the titles *Claudia pia fidelis*, or of other legions but lacking cognomina. But first it will be enjoyable to note a lucky exception to the stinginess of Tiberius, recorded by an inscription from Nemausus, CIL XII 3179 = ILS 2267: *Ti. Caesaris divi Aug. f. Augusti miles missicius T. Iulius Festus militavit annos XXV in legione XVI . . .*

I have noted two legionaries of thirty years' service, L. Herennius L. f. *vetr. leg. VII* (CIL III 8488 = 6364), and L. Marcius L. f. *mil. a. XXX bello cecidit* (CIL VIII 23295) – in this case, still serving! With 32 years' service we have T. Sabinus T. f. *vet. leg. VII* (CIL III 2048), and P. Fuficius L. f. *veteranus leg. XV Apol.* (Pais 182, A quileia); and with 38 years' service T. Cillius T. f. *vet. leg. XI* (CIL III 2818)⁵. But it does not follow that such lengths of service did not outlast the reign of Tiberius.

III. Under the year 60 Tacitus records (*Annals* 14,27) that *veterani Tarentum et Antium adscripti non tamen infrequentiae locorum subvenere, dilapsis pluribus in provincias in quibus stipendia expleverant.* And among veterans of leg. IV Scythica at Tarentum two, attested by recently published inscriptions, had both served for thirty years: Salvius Celer (AE 1969/1970, 133) and M. Iuventius Maesius (AE 1980, 351). They, and their fellows at Tarentum, may have been fortunate, for Nero was in financial difficulties, witness Suetonius in his *Life* (32,1): *ita iam exhaustus et egens ut stipendia quoque militum et commoda veteranorum protrahi ac differri necesse esset.*

That will explain the case of long-serving legionaries at Carnuntum, when leg. X Gemina held that fortress when leg. XV Apollinaris was with Vespasian in Judaea: C. Valerius Silvinus with 34 years' ser-

⁵ Admittedly, the total is restored: *stipendioru(m) [X]XXXIX.*

vice (CIL III 4486, cf. p. 2192)⁶, and L. Antonius Magnus who had served for 36 years (CIL III 14358. 13a).

Whether it was Flavian financial straits or Flavian parsimony, there was still a liability for legionaries to serve for thirty or more years, to judge by some early colonists at Scupi in Upper Moesia, a colonia now assignable with confidence to the reign of Vespasian (though it is not mentioned, as was Deultum in Thrace, by the Elder Pliny)⁷. Witness men of 30 years' service (M'. Epidius M'. f. Pudes, Situla 19, 1978, 539 = IMS VI 60), 32 (C. Rauconius Verecundus, CIL III 8200 = IMS VI 56) and 35 (C. Iulius Velox, *vet. leg. V Alaud.*, Spomenik 98, 1941–1948, 224, no. 441 = IMS VI 41).

IV. In any case, there are sufficient inscriptions to show that legionaries might on occasion continue to be found, well into the second and even in the third century, with many more than the 25 or 26 years' service which had become the norm in Antonine times. Witness a few men extracted from my files: of 32 years' service, L. Servilius Bassilas, *mil. leg. I Miner.*, buried at Cartenna in Mauretania Caesariensis (CIL VIII 9662); of 35 years', C. Titurnius Quartio, *eques legionis III Gallicae cui imp. Aug. bello Phartico Seleucia Babylonia torques et armillas donaverun[t]* (ILS 9492 = ILAfr. 434, Thizica); and of as many as 40 years there is T. Varronius Maro, *frumentarius* of leg. III Cyrenaica (mis-spelt *Quirenarice*), who had just been made centurion when he died (CIL III 2063 = 8581 = ILS 2370).

Such cases need not surprise us. They have been explained very neatly by Passerini (art. *Legio*, *Diz. Epigr.* 1949–1950, 612): "Tuttavia sempre uomini di particolare valore o prestanza devono aver potuto rimanere in servizio dopo lo spirare della ferma..." Such a case is evidently in question on an inscription from Cologne (CIL XIII 8292): *C. Iulio Firmino victimario mil. leg. XXX U. V., Agrip., stip. XXVIII, et M. Aurelio Antiocho mil. leg. XXX U. V., h.f.c.* A victimarius had special skills and experience, and might well be willing to serve for more than the standard term.

V. If we turn (at last, you might say) to the auxiliaries, there are several peregrini who died, still in service, with stipendia far in excess

⁶ The legion is not specified, but the use of *aer(a)*, rather than of *stip(endia)*, is characteristic of epitaphs of X Gemina at Carnuntum.

⁷ For the colonia at Scupi, and its inscriptions, reference can now be made to *Inscriptions de la Mésie Supérieure*, vol. VI (Beograd 1982), here abbreviated as IMS VI.

of what was to become the norm. Perhaps the most striking case is that of the Antiochus Antiochi f., *eques ala Parthorum et Araborum evocatus triplicarius stip. X* (Ber. RGK 58, 1977, 507 f., no. 99, Mainz), for, as has been pointed out by U. Schillinger-Häfele, the ten years must, in this text, represent the man's stipendia evocativa, served after many years' normal service before his discharge.

I note the following instances – premising only that, as with the legionaries whom I have been dealing with above, some cases might be of later date than others. 29 years, Burrius Betuloni f. (CIL III 9760); 30 years, Iovincatus Velagini f. (AE 1974, 454) and Maris Casiti f. (AE 1959, 188); 31 years, Ubasus Chilonis f. (CIL X 7884); 33 years, Iomatius Velsonis f. (Carinthia I 151, 1961, 469 ff. = P. S. Leber, *Die in Kärnten seit 1902 gefundenen röm. Steininschriften*, Klagenfurt 1972, 67); 35 years, M. Pytha Segni f. (CIL III 14934 = ILS 9164) and Cilo Terenti f. (AE 1980, 533). Most of these men may well have served before the reign of Claudius.

Next, I take non-citizens, already veterans: 29 years, Oplus Laepocus Volsetis f. (CIL III 3322); 36 years, Nertus Dumnotali f. (CIL III 10514 = ILS 2529); and, the length of his service not specified, Capito Auguri f., who died aged 52 (CIL XIII 7246)⁸.

In the case of missicii not Roman citizens, some people might argue that they had been discharged without completing the normal term of service (whatever that may have been in the period in question). Be that as it may, I note the following three cases: Virdomarus Thartontis f. *missicius alae Claudiae novae* (CIL III 2065 = ILS 2506); Leubius Claupi f. *missicius ala Sebosiana*, who died aged 81 (CIL XIII 11709); and *Atil[us] Di(vi)xti f. m[issicius] ala [V]oconit(orum)* (CIL XIII 8671, cf. G. Alföldy, *Epigr. Studien* 6, Düsseldorf 1968, 191).

VI. More striking, however, is the list of Ti. Iulii still in service when they died, notably the men of coh. Montanorum prima on the Magdalensberg or in the area of Virunum in Noricum: 30 years, Ti. Iulii Capatius (CIL III 4846) and Fronto (Carinthia I 143, 1953, 928 f. [= Leber, op. cit. 148], where *XX/X* should clearly be read); 36 years, Ti. Iulius Taulus (CIL III 4847); 40 years, Ti. Iulii Buccio and

⁸ Dr. P. A. Holder prefers to assign this text to the Flavian period, in view of the typology of the relief on the stone. But, warned by a study of Gerster's findings, nearly half a century ago, I am not inclined to accept that method of dating.

Sextus (CIL III 4844 = 11509 and 11554). One of the heirs of Capatius was Ti. Iulius Crigalo, while by contrast a fellow-soldier of 25 years' service, Marius Rusticni f., was still peregrine (CIL III 4849).

In other units, I have noted Ti. Iulii with the following totals of stipendia: 28 years, Pancuius (Ber. RGK 40, 1959, no. 244); 36 years, Acutus (AE 1960, 127); 40 years, Abdes Pantera (CIL XIII 7514 = ILS 2571); and even 50 years, Rufus who died at the age of 85 (ILS 9157) – in this case, we need not assume that he had left the service many years before his death, if we bear in mind the case of Hyperanor Hyperanoris f. of *cho. I sag.*, aged 60 when he died, after only 18 stipendia, enlisted therefore at the age of 42 (CIL XIII 7513 = ILS 2570), and evidently with too short service to receive the citizenship that his fellow-member of that cohort, Abdes Pantera, has been granted.

Other early Ti. Iulii include Sdebdas of the coh. Silaucensium, *missicius*, who died at 55, it seems (CIL XIII 8593 = ILS 2567, cf. G. Alföldy, Epigr. Studien 6, Düsseldorf 1968, 212, no. 150); Selvanus ex *chor. Sur(ororum)* (Ber. RGK 27, 1938, no. 113); Reitugenus, heir of a peregrine *dec. ala Augusta Ituraeorum* (CIL III 4368); Diviciacus *de(curio) ala Sebosiana* (Ber. RGK 17, 1927, no. 216); Firmus *duplic. coh. naut.* (CIL V 7887); Capito, heir of an *equus ala I Hisp.*, peregrine of 26 years' service (CIL XIII 6234) and another Capito, *mis(s)icius ex chor. Aq. III* in Sardinia (AE 1980, 532); Clutacus, a serving soldier of *co[fb.] naut.* (CIL V 7888 add.); and one or two more.

VII. By contrast, early C. Iulii are very rare. In one case, it seems best to suppose that the man in question was the son of a Gaul who had received Roman citizenship from Julius Caesar (CIL XIII 1041 = ILS 2531 add.): *C. Iulio Agedil[li] f. Fabi]a Macro, Sant(ono), duplicario alae Ateorigiana[e], stipendis emeritis XXXII aere incisso, evocat[og(a)esatorum DC Raetorum castello Ircavio . . .* Filiation by father's cognomen, as P. A. Holder has observed⁹, is fairly common in Gaul, and in any case the career is manifestly early, of the period before evocatio became a privilege confined to time-expired soldiers of the praetorian guard, and later of the urban cohorts. This inscription, of course, falls for further discussion under the topic of awards *ob virtutem*.

⁹ The Auxilia from Augustus to Trajan, BAR International Series 70, Oxford 1980, 46 f.

Apart from C. Iulius Macer, I have only noted two clearly early C. Iulii: Hastaius *chor. sagi. mis(s)icius* (CIL XIII 7515, in the same unit as Ti. Iulius Abdes Pantera and Hyperanor Hyperanoris f., above); and Dapnus *chorte Surorum* at Caesarea in Mauretania, who died aged 60 after 30 years' service (CIL VIII 21038 = ILS 2568): in this last case, Dessau suggested that the man was connected with the numerus *Suorum* which was stationed on the frontier of Caesariensis in the third century, but the inscription is surely too early for that, though the man's unit cannot yet be identified elsewhere. I agree with Dr. Holder that Hastaius and Dapnus presumably owed their Roman citizenship to Caligula¹⁰.

It is for consideration whether the veteran from Narona (Situla 19, Ljubljana 1978, no. 653), whose nomen is missing, may not have been another early C. Iulius, in view of his 43 stipendia, bearing in mind that A. and J. Šašel point out that "Nomen gentile breve esse debuit, fortasse Iulius vel Flavius": *[?C. Iulio? Ma]rcello vet. coh. III [Alpinorum] ann. LXX stip. XLIII . . .*

VIII. When we turn to examine Ti. Claudii of high stipendia, whether now veterans or dying while still in service, we cannot of course exclude the possibility that some of them belong to a later period, but several of them may well date from the reign of Claudius himself, whether or not they had acquired their Roman citizenship by what (if I am right) had been established by that emperor as a routine grant.

The following years of service are attested: 29, Victor *vet. alae I [I] Ara[va]cor.* (CIL III 12359); 30, Valerius *decurio alae II Aravacorum* (CIL III 3271); upwards of 30, Ligomarus *eq. coh. III Alpinae* (ILS 9166), and Tirintius *eq. coh. [I] Thracum* (RIBrit. 291); 32, Congoneticus *eq. alae II Thracum* (CIL VIII 21024 = ILS 2514), Saturninus *duplic. vet. alae Astur.* (Arch. Anz. 1914, 438), and Valerius *vet. coh. I Cretum* (Situla 19, Ljubljana 1978, no. 582); and 36, Crescens *[vet.] ala Gal[lorum]* who died at Madauros aged 85 (Gsell, ILAlg. I 2197).

IX. But we must bear in mind the point which has been made already about the long service of legionaries: the fact that diplomas, when we come to deal with them, begin by specifying grants made to

¹⁰ Op. cit. (note 9 above), 47.

men of 25 or more years' service, does not mean that the more (*aut plura*) necessarily involved only a brief period of years' 'overtime'; and longer service, without the grant of Roman citizenship, could well outlast the reign of Claudius.

That is a point nicely illustrated by an inscription from Hedderheim (CIL XIII 7382): *d. m. Piladelpus Pilandri, Ca[p]padox, [m]i[l. c]o[h.] XXXII vo[l.], 1 Ianuari, an. [L] st. [X]XX*. This is surely a case of a peregrine recruit accepted, in a time of crisis, for service in a cohort normally reserved for citizen recruits – and that not necessarily as late as in 69 or 70. And in the Flavian period we have a certain case of a peregrine dying when of 27 years' service, namely the tombstone from Ardoch in Scotland, RIBrit. 2213: *dis manibus Ammonius Damionis (f.) 1 coh. I Hispanorum stipendiorum XXVII, heredes f. c.*

Another case of long service lasting into the Flavian period is provided by the inscription on a fine mausoleum at Kasserine (Cillium), CIL VIII 211: *T. Flavius Secundus filius fecit T. Flavio Secundo patri pio, mil. an. XXXIII, vix. an. CX, h. s. e. . . .* The man here commemorated was presumably a veteran auxiliary, who received his Roman citizenship on discharge by one of the Flavians.

But auxiliaries, like legionaries, may well have continued to serve for many more years than that, and in a far later period: witness, for example, an inscription from Intercisa in Lower Pannonia, surely not earlier than the third century (AE 1971, 343): *d. m. Aurel. Salamati vet. ex tu(bi)cen(e), civi Aedes(sitano), qui vix. annis LXX, in his militavit ann. XL . . .* Passerini's explanation, cited above, evidently applies equally well in this case: the trumpeter had special skills, and might well be given the opportunity for continuing to serve much longer than most of his contemporaries.

X. Finally, I come to consider the question to which my paper, at least by its title, has been expected to be devoted. Did the practice of granting military diplomas begin under Claudius, as Nesselhauf argued in CIL XVI, and as I supported his view, back in 1938, and what was its significance?

What can be offered, by way of explanation of the Claudian reform, from the ancient sources that survive? At first sight, it might seem, little or nothing. But if we bear in mind that the grant, which they record, included conubium, every bit as important as civitas – as indeed I pointed out in JRS 28, 1938, 227 –, it seems justifiable to cite

the epitome of Cassius Dio 60, 24, which relates that Claudius granted to serving soldiers the rights of married persons, as they were not legally permitted to be married: τοῖς τε στρατευομένοις, ἐπειδὴ γυναικῶν οὐκ ἐδύναντο ἐκ γὰρ τῶν νόμων ἔχειν, τὰ τῶν γεγαμηκότων δικαιώματα ἔδωκε. Such a concession would at least apply to men still serving, to whom diplomas were issued.

I added, "it may be suggested that Dio's original text was concerned with the reform to which the issue of diplomas bears witness."

It might even be that there is at least a hint of the innovation in Suetonius's Life of Claudius, 22: *quaedam circa caerimonias civilemque et militarem morem ita circa omnium ordinum statum domi forisque aut correxit aut exoleta revocavit aut etiam nova instituit.*

Suetonius himself is perhaps hardly likely to have had his close attention, as the emperor's secretary ab epistulis, drawn to that particular innovation. For him it was more noteworthy that Claudius made the change in the sequence of equestrian militiae which he recorded in chapter 25 of the same Life: *equestris militiae ita ordinavit, ut post cohortem alam, post alam tribunatum legionis daret, stipendiaque instituit et imaginariae militiae genus, quod vocatur supra numerum, quo absentes et titulo tenus fungerentur.*

After all, the principal duties of ab epistulis included oversight of the commissions granted to Roman knights and to centurions, but hardly the by now routine (or, occasionally, special) grants of citizenship and conubium to soldiers in the auxilia.

HEER UND INTEGRATIONSPOLITIK

Die römischen Militärdiplome als
historische Quelle

herausgegeben
von

WERNER ECK und HARTMUT WOLFF



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