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Firmarent velut foedus* (Tac. Ann. 6.30): Prolegomenon to the Language of Compromise in Rome

Noam Rytwo

Abstract: Compromise, a consensual settlement of differences achieved by mutual concessions, is a fundamental concept in politics. Underlining primarily the legal aspects of compromise, Latin vocabulary lacks an appropriate term to denote political compromises in the sense outlined above. Nevertheless, in Roman politics, compromises were negotiated and reached in domestic and foreign affairs to resolve social and political conflicts, end wars, and forge alliances. If compromises were not depicted as such, how were they presented? What circumstances determined the terminology used to discuss such political arrangements? By addressing the historical tradition of the Early Republic, followed by an analysis of key case studies from Caesar's civil war to the last years of the emperor Tiberius, specifically in the context of armed conflicts between Romans, this article explores the language used in depicting different instances of Roman compromise. Accordingly, this article shows that despite the lack of a specific term analogous to the modern "compromise", and as much as Roman politics was characterised by high-octane, often violent conflicts, compromises served as expedient and dynamic tools affording reasonable alternatives to violence.

Keywords: Compromise, Roman politics, Peace, Reconciliation, *concordia*

1. INTRODUCTION

The idea for this article was conceived during the recent controversy in Israel over a judicial overhaul. This fierce dispute has deepened the rifts between numerous sectors of Israeli society, leading many Israeli politicians to stress the need for consensus and unity, notions that *mutatis mutandis* might echo the Roman ideal of *concordia* or its Greek counterpart ὁμόνοια. Although consensus and compromise are two distinct concepts, they often tend to be confused. Thus, perhaps naturally, the word "compromise"—a consensual settlement of differences reached by mutual concessions—has been uttered repeatedly in this context.¹ Consensus can indeed be reached through compromises, and consensus

* The subject of this article was first presented at the 51st Annual Conference of the ISPCS. I am thankful to Jonathan Price and Rachel Zelnick-Abramovitz for encouraging me to pursue this project and submit it as an article to *Scripta Classica Israelica*. I also thank the organisers and participants of the aforementioned conference for their insightful comments, as well as the two anonymous reviewers whose remarks and criticism improved this article considerably. Lastly, I thank Valentina Arena and Samuel Zeitlin for reading my earlier drafts and Lior Hadar for polishing my English. All remaining errors are my own.

¹ Despite the apparent centrality of the concept of compromise in politics and growing attention to it in recent years, it remains relatively peripheral in political science scholarship. For the basic notions of compromise and its strategies in politics and conflict resolutions, as well as the tendency to reject compromises, see Rintala (1969); Benditt (1979); Golding (1979);

democracies may offer a framework for compromises; however, consensus is based on avoiding conflicts, and therefore, it essentially excludes compromise—a notion that presupposes conflict.²

Compromise seems to be an ambivalent concept due to the tension between its good and bad connotations.³ On the one hand, a compromise agreement provides an alternative to violence and is meant to be mutually beneficial. On the other hand, it will not be the optimal outcome for either of the contending parties because it will inevitably involve mutual concessions. In fact, more often than not, compromises are hardly our second-best choices. Nevertheless, as a political method, compromise can be particularly valuable in providing paths between extremes and, hence, peaceful resolutions to various political and social disputes. As such, compromises can also launch complex processes and lead to unexpected cooperative arrangements and coalitions. In Israel, the short-lived Benet-Lapid government is a good example of such a coalition: an “unnatural” union between several conflicting ideological positions whose members followed one very particular agenda, putting aside any other political interest or principle that lacked general approval.

We do not have to accept the popular saying that ‘politics is the art of compromise’ to reckon that it is a fundamental political concept without which no political system can function properly.⁴ It could even be argued that political systems can be characterised according to their attitude towards compromise.⁵ The same should be true for Roman politics. In Rome, compromises were negotiated and reached in domestic and foreign affairs to resolve social and political conflicts, end wars, and form alliances. Nevertheless, Latin vocabulary seems to lack a precise term to refer to compromise in the sense outlined above. Etymologically, the English word “compromise” derives from the Latin *compromittere*. However, in Rome, this verb was principally a technical term denoting a mutual promise to abide by the decision of an arbiter.⁶ This particular meaning is evident

Luban (1985); Bellamy (1999); Gutmann and Thompson (2010); Margalit (2010); Lepora (2012); Fumurescu (2013); Wendt (2013). For comprehensive collections of articles dealing with the different theoretical, political, judicial, and historical aspects of compromise, see Pennock and Chapman (1979) and, more recently, Knight (2018) and Baume and Novak (2020). On *concordia*, see Weinstock (1960), 45–52; Lobur (2008); Akar (2013); Cornwell (2017b), esp. 19–23, 53–57.

² Golding (1979), 8–9: ‘Possibly one of the few things that can be said with certainty about compromise is that it presupposes conflict’. Livy and Dionysius of Halicarnassus convey the idea of consensus as a leading policy in the rule of the ‘First Decemvirate’, and in particular, in the formulation of the first ten tables, Livy 3.33.3–34.8; Dion. Hal. *Ant. Rom.* 10.57. Quakers are usually presented as an example of a community led by consensus. For consensus, conflict, and compromise, see Bellamy and Hollis (1998); Fumurescu (2013), 47–56; Hayward (2015); Cohen (2018), esp. 125–36; Schwartzberg (2018), esp. 176–80; Overseem (2020); Westphal (2020). For *consensus* in Rome, Lobur (2008); Flower (2014); Rich (2015).

³ Margalit (2010), 5–7.

⁴ This maxim is sometimes erroneously attributed to Otto von Bismark, whose original saying was ‘die Politik ist die Lehre vom Möglichen’ (quoted from von Poschinger (1895), 248).

⁵ Rintala (1969), 326.

⁶ *OLD*, s.v. *compromitto*.

in Cicero's words to his brother Quintus in July 54 BCE regarding the upcoming elections for the tribunate (Cic. *QFr.* 2.14.4):⁷

Tribunicii candidati compromiserunt, HS quingenis in singulos apud M. Catonem depositis, petere eius arbitrato, ut, qui contra fecisset, ab eo condemnaretur.

The candidates for the Tribunate have agreed among themselves to deposit HS 500,000 each with M. Cato and make him referee of the elections, anyone contravening his rulings to be condemned by him.

Indeed, as the lexical definition of *compromittere* suggests, this was a neutral word that mainly appeared in legal discourse, underlining its technical and juristic meaning.⁸ This meaning, however, does not fully apply to the much broader sense of the political concept of compromise. Political disputes could have been resolved by turning to a third party to act as an arbiter in a legal sense, as Cicero's example shows. Nonetheless, much like today, compromises and their negotiations were not exclusive to the legal sphere or to one specific form of arbitration.

Considering this linguistic conundrum, it is perhaps not surprising that scholarship on compromise in ancient Rome is relatively scarce. The existing literature is more concerned with the notions of peace and reconciliation without attempting to conceptualise Roman compromise.⁹ A valuable exception is the attempt by the historian and political scientist Alin Fumurescu to track the genealogy of the political concept of compromise. As part of Fumurescu's significant contribution to the discussion on the modern concept of compromise, he treats Roman *compromissum* as both an etymological and a conceptual origin of compromise.¹⁰ Nevertheless, Fumurescu fails to fully consider compromise as a concept separated from the specific word that denotes it today. Fumurescu concedes that the concept of compromise may have existed before the word *compromissum* was coined and that people in antiquity practised what we would describe as a compromise. Still, he remains relatively unconcerned by this, and throughout his otherwise meticulous research, he seems to consider the 'ancients' as a monolith, focusing his analysis of ancient possible equivalents to political compromise mainly on Aristotle's μεσότης.¹¹

The purpose of this article is to provide a preliminary survey of the language of compromise in Roman politics from Caesar's civil war to the last years of Tiberius' reign. In what follows, I will examine several case studies portraying instances of compromise agreements or their negotiations, specifically in the context of either potential or actual armed conflicts between Romans. In each case, I will address and analyse the language used by the different authors to refer to the process of negotiation as well as the compromise that was reached. It is important to note that this is by no means an exhaustive study of the Roman concept of compromise. Such a study would have to consider Greek

⁷ Translations are quoted with minor alterations from the Loeb Classical Library editions unless mentioned otherwise.

⁸ E.g., *CIL* 1.581; 9.2827; *Dig.* 4.8.1ff.

⁹ See, however, Amy Russell's (2022) recent analysis of the tribunate of the plebs as an element of both compromise and revolution. For peace in Rome, see Woolf (1993); Barton (2007); Rosenstein (2007); de Souza (2008); Cornwell (2017a); Cornwell (2017b); Lavan (2017). For a recent collection of articles on reconciliation in Rome, see Dinter and Evangelou (2024).

¹⁰ Fumurescu (2013), *passim*, esp. 64–8.

¹¹ Fumurescu (2013), 29–36.

accounts as well as Latin and involve cases under various political circumstances.¹² However, considering the limited space of this article and since its objective is to serve as an introduction to the language of compromise in Rome, the following inquiry will be limited to Latin literature and to cases where the logical alternative to compromise seemed to have been violent conflicts.¹³ It will be argued that despite the lack of a specific term to refer to compromises in the political sphere, and although Roman politics was characterised by bitter and violent conflicts, compromises were a dynamic and much-welcomed tool affording reasonable and practical alternatives to violence.

2. TRADITIONAL ROOTS

Despite the stated scope of this article, it will be impossible to adequately discuss Roman compromise without first paying attention to the historical tradition of the “Struggle of the Orders”. The importance of this tradition to the issue at question is not so much in the dubious historicity of those early struggles between the patricians and the plebeians but rather in the idea that this tradition formed part of the Romans’ shared historical narrative.¹⁴ As such, despite the anachronism evident in the historical accounts of the “Struggle of the Orders”, it reflects common beliefs that were shared by the Romans in the period treated here.¹⁵ In other words, the values promoted by this historical tradition, such as *concordia* that can be achieved through the exercise of *moderatio*, may have informed and directed the actions of political actors in the Late Republic and Early Principate, and perhaps also the terminology chosen by Roman authors to refer to these actions.

In order not to deviate too far from the current subject matter, it will suffice to consider one central instance of compromise from the “Struggle of the Orders”, the conclusion of the “first secession of the plebs” as it is told by Livy, our most detailed Latin account of the event. To concentrate on terminology in Latin, I will not treat the account of Dionysius of Halicarnassus here. However, it should be noted that Livy and Dionysius agree on most of the core issues, strengthening the idea that they used similar sources and reflected commonly held traditional beliefs.¹⁶ The “first secession,” dated to 494–3 BCE, is a pivotal moment in the Republic’s early history. In many respects, it set the tone for the

¹² This article forms part of a broader project in which I examine the concept of compromise in Roman politics during the Late Republic and Augustan Principate, extending the analysis to encompass a variety of political contexts beyond the military sphere discussed here.

¹³ Rintala (1969), 329: ‘the politics of violence is the logical alternative to the politics of compromise’.

¹⁴ Our fullest sources for the “Struggle of the Orders” are books 2–10 of Livy’s *Ab Urbe Condita* and books 5–9 of Dionysius of Halicarnassus’ *Antiquitates Romanae*. Cicero’s *De Republica* (2.31.53–37.63) deals with it in general terms. For evaluations of the struggles of the Early Republic and their historicity, see Ogilvie (1965); Brunt (1971): 42–59; Cornell (1983); Staveley (1983); Ridley (1990); Cornell (1995); Oakley (1997–2007), 365–76; Forsythe (2005); Raaflaub (2005, 1st edn. 1986); Flower (2010): 35–57; Oakley (2014); Armstrong and Richardson (2017).

¹⁵ E.g., Cic. *Leg.* 3.8.19–11.26; *Rep.* 2.31.53–39.66; Sall. *Cat.* 33.3–5; *Iug.* 31.17; *Hist.* 1.10R; 3.15R. See also Cornell (2005): 53; Flower (2010): 36.

¹⁶ Cornell (2005), 52.

rest of the “Struggle of the Orders” in terms of the plebeians’ most effective non-violent tool to protest against their mistreatment at the hands of the patricians and in terms of the peaceful resolutions reached to solve conflicts through reconciliation and moderation.¹⁷ Moreover, this case is particularly relevant to the current subject since the secession, albeit its non-violent nature, had clear military implications considering Rome’s ongoing and recurring conflicts with its neighbours and the fact that the plebs constituted the bulk of the Roman army.¹⁸

According to Livy, the Senate’s failure to improve the plebs’ economic and social conditions brought the latter to withdraw to either the *Sacer Mons* or the Aventine.¹⁹ Throughout his narrative, Livy stresses that the seceding plebs consciously avoided violence.²⁰ Considering that Livy’s account was composed near the end of the first century BCE, this emphasis can be understood as a veiled criticism against the violence of the last one hundred years of the Republic.²¹ In contrast to the violence traditionally believed to have characterised the Late Republic, the secession was an act of peaceful disobedience that did not initiate discord but did intensify it, bringing the Republic to an alarming state of paralysis—*suspensa erant omnia*.²²

Livy describes the threat of violence as mutual. Via his presentation in *oratio obliqua* of the Senate’s considerations, he conveys this sense of fear in the city, amplified by imminent foreign threats.²³ Hence, the situation had to be resolved, with compromise being its only reasonable solution (Livy 2.32.7):²⁴

Nullam profecto nisi in concordia civium spem reliquam ducere; eam per aequa per iniqua reconciliandam civitati esse.

Assuredly no hope was left save in harmony amongst the citizens, and this they concluded they must restore to the state by fair means or foul.

¹⁷ It should also be noted that the “first secession” brought about the creation of the tribunate of the plebs which had a major role to play in social and political conflicts throughout the history of the Roman Republic, e.g., Cic. *Sest.* 96; Sall. *Hist.* 1.10R. For the abuse of the tribunate’s powers, Sall. *Cat.* 37.11–38.4; Cic. *Leg.* 3.8.19–9.22. According to Forsythe (2005), 170–77, the ‘first secession’ was invented to explain the origins of the tribunate.

¹⁸ Sallust repeatedly refers to the seceding plebs as *armata*, Sall. *Cat.* 33.3; *Iug.* 31.17; *Hist.* 1.10.4R; 3.15.1R.

¹⁹ Livy 2.32.1–5; Dion. Hal. *Ant. Rom.* 6.45.1–3.

²⁰ E.g., Livy 2.32.4–6; Dion. Hal. *Ant. Rom.* 6.46.2; 6.47.2; 6.50.1. This is underlined again in the narrative of the ‘second secession’, Livy 3.54.8. For non-violent civil disobedience and compromise, see Moody-Adams (2018), 197–206.

²¹ The most obvious parallel is C. Gracchus’ armed occupation of the Aventine in 121, App. *B Civ.* 1.3.26; Cic. *Phil.* 8.4; Plut. *C. Gracch.* 15.1. Revealingly, Livy ascribes the tradition that saw the Aventine as the stronghold of the seceders to the anti-Gracchan Piso (cos. 133), Livy 2.32.3; Piso Frugi, *FRHist.* 9 F24. For other examples of violence in the Late Republic, see Cic. *Dom.* 5.11–13; *Leg.* 3.8.20–11.26; *Mil.* 2.3; Sall. *Cat.* 27.2–4; 28.4; 30.4; 37–9. For Dionysius, the insistence on non-violence may have served to contrast bloody στάσεις in some Greek cities, e.g., Dion. Hal. *Ant. Rom.* 7.66.4–5; Gabba (1991): 73.

²² Livy 2.32.5.

²³ Livy 2.32.5–7; Dion. Hal. *Ant. Rom.* 6.46.2; 6.47.1–3.

²⁴ Cf. Moody-Adams (2018), 200: ‘In the case of non-violent civil disobedience, we have a form of political protest that perfectly embodies the spirit of compromise’.

Livy emphasises here the importance of *concordia* as a protector against violence, both internal and external. It is, indeed, necessary so much that its restoration justifies all means, either *aequa* or *iniqua*. The use of the gerundive *reconciliandus* conveys the idea that such restoration must be sought peacefully in reconciliation.

This reconciliation was finally brought about by Menenius Agrippa, who was sent as a mediator to the plebs (*orator ad plebem*) on behalf of the Senate to negotiate a compromise and restore *concordia*.²⁵ Agrippa is described as the ideal mediator thanks to his eloquence, moderation, and impartiality.²⁶ He finally persuaded the plebs to return to the city using the Aesopian parable of the belly and the limbs, comparing the plebs' secession to the limbs' revolt against the belly.²⁷ The moral was that the secession had weakened the Republic, inflicting self-harm upon the plebs just as it hurt the Senate.

Livy concludes this episode with the creation of the tribunate as the Senate's concession to the plebs (Livy 2.33.1):

Agi deinde de concordia coeptum concessumque in condiciones ut plebi sui magistratus essent sacrosancti, quibus auxilii latio adversus consules esset, neve cui patrum capere eum magistratum liceret.

Steps were then taken towards harmony, and a compromise was effected on these terms: the plebeians were to have magistrates of their own, who should be inviolable, and in them should lie the right to aid the people against the consuls, nor should any senator be permitted to take this magistracy.²⁸

Despite B.O. Foster's translation of this passage, the word *concessum* hardly expresses a mutual compromise but rather a concession made by one party to another, and that is precisely what Livy describes here.²⁹ The plebs' concession, on the other hand, is only implied in their willingness to return to the city, meaning that they readmitted themselves to the leadership of the patricians. Again, the emphasis is on *concordia*, which was finally reached under certain conditions corresponding to our modern understanding of a compromise achieved through mutual concessions.

Accordingly, the entire episode, and especially its climactic conclusion following Agrippa's parable, promoted a notion of *concordia* that was achieved and should be maintained by moderation and a willingness to concede in order to prevent violence.³⁰ If

²⁵ In Dionysius (6.69.3), Agrippa is sent to the plebs as part of an embassy of ten senators. Dionysius' inclusion of M'. Valerius as a prominent member of this delegation suggests that he relied on Valerius Antias for his account of the secession, as opposed to Livy's use of Licinius Macer, Ogilvie (1965), 311–13; cf. Forsythe (2005) 171.

²⁶ Livy 2.32.8; Dion. Hal. *Ant. Rom.* 6.49.2. For the role of mediators in promoting compromises, see Golding (1979), 21–23; Kuflik (1979), 52.

²⁷ Livy 2.32.8–12; Dion. Hal. *Ant. Rom.* 6.85.1–86.5. On the parable, see Ogilvie (1965), 312–13. For the body imagery in Roman political discourse, see Corbeill (2006); Walters (2020), 7–26; Mebane (2024).

²⁸ Cf. Dion. Hal. *Ant. Rom.* 6.87–90. Dionysius reveals his anti-democratic tendencies by treating the creation of the tribunate as an unexpected development, which was dishonestly insisted upon by the plebs.

²⁹ *OLD* s.v. *concedo*. This word can also carry derogatory connotations.

³⁰ Another element that maintains *concordia*, according to Livy, is the *metus hostilis* (e.g., Livy 2.39.7), but it might also be divisive (e.g., Livy 2.32.1–2; 3.10.7–16; 4.1).

we follow the prism of the body politics advanced by Agrippa's parable, an alternative violent approach would not have been just unhealthy to the citizen-body but unreasonable and irrational. Finally, in the character of Menenius Agrippa, who was given a public funeral and was eulogised by Livy as an *interpretes arbiterque concordiae civium*, this tradition set an *exemplum* of the virtues and policies Roman statesmen were supposed to aspire for when faced with similar situations, namely *moderatio* for the sake of *concordia*.³¹

Throughout the extant historiographic accounts of the "Struggle of the Orders", *concordia* and the ability to avoid armed conflicts through various forms of reconciliations, with compromise being foremost amongst them, form a fundamental component in the Republic's social and political evolution.³² This is not to say that violence was always avoided, especially considering that physical abuse of plebeians was seen as a trigger for various conflicts.³³ Andrew Lintott is probably right to argue that stories of violence in the Early Republic, such as those of the "three demagogues", Sp. Cassius, Sp. Maelius, and M. Manlius Capitolinus, would have been well-known and influential in the Late Republic.³⁴ However, the same is true regarding the underlying and much more common themes of *concordia* and reconciliation. In fact, the impact of those isolated cases of violence would have only strengthened the overall impression of *concordia* and *moderatio*. Ultimately, according to our sources, open violence between Roman citizens in the Early Republic was thought to have been relatively rare. More importantly to our subject, armed conflicts between two Roman armies had never materialised before the last hundred years of the Republic. Consequently, the violence that characterised Roman politics thereafter was a clear deviation from tradition.

3. *VELUT FOEDUS?*

Having in mind the traditional and semantic roots of compromise in Rome, it would be helpful to look more closely at the linguistic problem presented above, namely the lack of a direct Latin term to refer to compromise. The last years of the emperor Tiberius were traditionally regarded as a "reign of terror" of an irreconcilable, vindictive, and cruel tyrant.³⁵ On 18 October 31 CE, Sejanus, Tiberius' praetorian prefect and right-hand man, was denounced and executed on account of an alleged conspiracy, details of which remain

³¹ Livy 2.33.10–11; Dion. Hal. *Ant. Rom.* 6.96; cf. Val. Max. 4.4.2. For the tradition that saw M'. Valerius as *auctor concordiae*, see Cic. *Brut.* 54; Val. Max. 8.9.1; Plut. *Pomp.* 13.7; *Inscr. Ital.* 13.3.60; 13.3.70.

³² E.g., Cic. *Rep.* 2.31.54; 34.59; Sall. *Cat.* 9.1–2; 9.5; *Jug.* 41.2; 42.2–4; *Hist.* 1.10R; Dion. Hal. *Ant. Rom.* 2.11.2 (ὁμόνοια). This idea is evident in numerous passages in Livy's first decade.

³³ E.g., Livy. 2.23; 2.29.2–4; 3.11; 3.43; 3.49.1–6; 4.50.2–6; Dion. Hal. *Ant. Rom.* 6.22.2; 6.26; 6.34.2–3; 6.39.1; 6.46.1. For violence in the "Struggle of the Orders", see Lintott (1970).

³⁴ Lintott (1970), 13.

³⁵ Suet. *Tib.* 55, 61, 62; Sen. *Ep.* 55.3; Juv. 10.85–8; Plut. *Mor. De Amic. Mul.* 96C; Dio 58.14–16; 58.23.5. Tacitus presents vivid examples of "Tiberian terror", e.g., *Ann.* 5.6–8, 6.3–5, 6.7–10, 6.38. For analyses of the last years of Tiberius, see Marsh (1959), 200–29, 284–8; Wiedeman (1996), 216–21; Levick (1999), 160–80; Shotter (2004), 65–71, 79; Seager (2005), 189–208, esp. 190–202.

unclear.³⁶ The death of Sejanus marks a watershed in Tiberius' rule as it was followed by a series of persecutions resulting in many deaths and focusing primarily on Sejanus' family and former friends, including many who were only suspected of showing him sympathies.³⁷ Against this backdrop of oppressive and unforgiving tyranny, it is perhaps difficult to imagine someone less inclined to compromises, or any other kind of reconciliation for that matter, than the emperor Tiberius.³⁸

Nonetheless, as the following example shows, even an autocrat like Tiberius had to know when to compromise.³⁹ In 34 CE, Lentulus Gaetulicus, the proconsul of Germania Superior, was accused on account of his former connections with Sejanus.⁴⁰ Tacitus recounts Gaetulicus' daring when he confronted the emperor with a letter on the matter (Tac. *Ann.* 6.30):

Gaetulicus ea tempestate superioris Germaniae legiones curabat mirumque amorem adsecutus erat, effusae clementiae, modicus severitatis et proximo quoque exercitui per L. Apronium socerum non ingratus. unde fama constans ausum mittere ad Caesarem litteras [...] sibi fidem integram et, si nullis insidiis peteretur, mansuram; successorem non aliter quam indicium mortis accepturum. firmarent velut foedus, quo princeps ceterarum rerum poteretur, ipse provinciam retineret. haec, mira quamquam, fidem ex eo trahebant quod unus omnium Seiani adfinium incolumis multaue gratia mansit, reputante Tiberio publicum sibi odium, extremam aetatem magisque fama quam vi stare res suas.

Gaetulicus at the time was in charge of the legions of Upper Germany and had gained an extraordinary hold on their affections as an officer of large clemency, chary of severity, and, thanks to his father-in-law Lucius Apronius, not unacceptable even to the next army. Hence the steady tradition that he ventured to send a letter to the Caesar, pointing out that [...] [h]is

³⁶ The ancients were divided on this point. For a conspiracy against Tiberius, see Joseph. *AJ.* 18.179ff.; Suet. *Tib.* 65; Tac. *Ann.* 6.8.6; for a conspiracy against Caligula, Tac. *Ann.* 6.3.4; for Tiberius' claim that he attacked Sejanus due to the latter's schemes against the sons of Germanicus, Suet. *Tib.* 61.1. According to Dio (58.3.9–4.4; 58.6.1ff) the only conspiracy was, in fact, against Sejanus.

³⁷ Most notably, Tac. *Ann.* 6.7; 6.19; Suet. *Tib.* 61–2; Dio 58.11.1–12.3; 58.14–16; cf. Juv. 10.81–8. Allegations of friendship or collaboration with Sejanus formed part of a catalogue of accusations used against political and personal rivals, Dio 58.4.8. Other accusations of the sort were incest (Tac. *Ann.* 6.19; Dio 58.22.3), adultery (Tac. *Ann.* 6.29, 6.40, 6.47; Dio 58.24.5), lamentation over the death of criminals (Tac. *Ann.* 6.10; Dio 58.16.6–7), and insults against either Tiberius or Caligula (Tac. *Ann.* 6.5, 6.9; Dio 58.24.3–4). For *maiestas* during those years, see e.g., Tac. *Ann.* 6.9, 6.18, 6.38, 6.39, 6.47. Tiberius is alleged to have claimed various reasons for his attacks, e.g., Tac. *Ann.* 6.3, 6.7, 6.9, 6.19.

³⁸ Tiberius' official propaganda, however, advertised his *clementia* and *moderatio*. For *clementia*, see Tac. *Ann.* 2.31; 3.68; 4.74; Suet. *Tib.* 53, 2 (cf. Tac. *Ann.* 6.25); for *moderatio*, Tac. *Ann.* 2.36; 3.12; 3.50; 3.56 Suet. *Tib.* 26–32; 57.1; Vell. Pat. 2.122, 2.124.2; *RIC I Tib.* 38, 39, 40. See also Marsh (1959), *passim*; Levick (1999), esp. 60–8 and 167; Seager (2005), 104–50, 223–5; Balmaceda (2014).

³⁹ In a recent article, I discuss several occasions in which Tiberius seemingly reconciled with former adherents of Sejanus, see Rytwo (2024).

⁴⁰ Gaetulicus and his wife's family were probably ardent supporters of Sejanus, e.g., Tac. *Ann.* 6.30; Dio 58.19.1–2. The fact that both Gaetulicus and his father-in-law, L. Apronius, received their commands during Sejanus' supremacy is yet more evidence of their support of the prefect.

loyalty was inviolate, and, if he was not treacherously attacked, would so remain: a successor he would not take otherwise than as indicative of his doom. Best would be to ratify a kind of treaty, by which the emperor would be supreme elsewhere, while he himself kept his province. The tale, though remarkable, drew credibility from the fact that, alone of all the family connections of Sejanus, Gaetulicus remained unscathed and high in favour; Tiberius reflecting that he was the object of public hatred, that his days were numbered, and that his fortunes stood more by prestige than by real strength.

Gaetulicus' letter to Tiberius uses implied threats as leverage, making it clear that any hostilities towards him would be unacceptable and would deprive the emperor of his loyalty. Tacitus emphasises Gaetulicus' popularity with the army to suggest that an attack against the general would have resulted in Tiberius losing the support of the German legions. That was a risk Tiberius could not afford. To prevent the situation from escalating, Gaetulicus offered Tiberius to seal a kind of a treaty—*firmarent velut foedus*—in other words, a compromise: the emperor can keep his rule over the empire, and Gaetulicus shall remain in charge of his province. This episode resulted in Gaetulicus keeping both his province and his life. This anecdote hints at the broader assumption that despite his reign of terror, Tiberius knew perfectly well when and how to compromise and come to terms with his rivals. Gaetulicus' *velut foedus* provided a *modus vivendi* built on a mutual promise to keep the *status quo* and avoid violence. According to Tacitus, Gaetulicus confronted Tiberius with the risk of losing control of the German legions, which may have recalled Tacitus' readers of the events of 69–70 CE. Tiberius, however, chose Gaetulicus' alternative proposal, which allowed him to retain complete control over the empire, at least ostensibly.

The unusual phrase *velut foedus*, “as if a peace-treaty”, highlights the semantic problem from which we set out.⁴¹ As much as this expression manifests Tacitus' sense of irony, it also shows that this compromise was not referred to as such.⁴² Originally, *foedera* were formal treaties between Rome and other states, establishing and regulating their friendship, peace, and alliance.⁴³ Such treaties determined future relations in terms of, among other things, the absence of hostilities, military assistance, and territorial arrangements.⁴⁴ Traditionally, the sealing of *foedera* involved the fetial priests, whose authority bestowed a binding religious formality on the treaty.⁴⁵ Evidently, by the time of the Principate, the term *foedus* had lost some of its original meaning and was increasingly

⁴¹ I have found only one other instance of this expression in a passage by Florus (2.16), which will be discussed below.

⁴² I would like to thank Denis Keyer and Jonathan Price for their comments at the 51st Annual Conference of the ISPCS, drawing my attention to the ironical aspect of Tacitus' use of this phrase.

⁴³ *OCD*, vol 1, p 582. For Roman peace treaties, see Baronowski (1988); Rich (2008); Baldus (2009); Richardson (2017).

⁴⁴ See, e.g., the *foedus Cassianum* between Rome and the Latin League, Livy 2.33; Cic. *Balb.* 53; Dion. Hal. *Ant. Rom.* 6.95. Cf. Baldus (2009), 121: ‘We do not fully know the content of *foedera* passed on to us, but typically they contained a peace settlement: the renunciation of force; future friendship; collateral agreements concerning territorial or security issues such as hostage-taking; and the payment of reparations’. Cf. Livy 34.57.7–9.

⁴⁵ Cic. *Leg.* 2.9.21; Livy 9.5.1.

applied to treaties between two or more Roman parties.⁴⁶ Tacitus himself uses this word in reference to the treaties of Brundisium and Tarentum between Octavian and Antony.⁴⁷ Consequently, it might be suggested that the term *foedus* was justified in the case of the compromise between Tiberius and Gaetulicus on account of its military and territorial aspects. However, unlike the *velut foedus* between Tiberius and Gaetulicus, the *foedera* between the triumvirs were formal treaties. Thus, it seems that by the time Tacitus wrote his *Annales* at the beginning of the second century CE, this term still retained a degree of formalism. This formalism entailed some sureties and guarantees, e.g., sacred oaths and marriage arrangements. Lacking a more suitable term, like the English “compromise”, Tacitus portrays Gaetulicus as offering Tiberius not a *foedus* but a *velut foedus*. Seemingly, using *foedus* to point out an informal agreement between the emperor and a provincial governor would have been odd and inaccurate. Therefore, it had to be preceded by the word *velut*—“as if”—not without a drop of dark irony.

4. CIRCA MISENUM PAX INITA

In the same passage where Tacitus mentions the *foedera* of Brundisium and Tarentum, he also refers to the Triumvirate in general and the pact of Misenum between the Triumvirs and Sex. Pompeius (Tac. *Ann.* 1.10):

sed Pompeium imagine pacis, sed Lepidum specie amicitiae deceptos; post Antonium, Tarentino Brundisinoque foedere et nuptiis sororis inlectum, subdoliae adfinitatis poenas morte exsolvisse.

[Y]et Pompey was betrayed by the simulacrum of a peace, Lepidus by the shadow of a friendship: then Antony, lured by the Tarentine and Brundisian treaties and a marriage with his sister, had paid with life the penalty of that delusive connexion.

We should pay attention to Tacitus’ choice of words here: *pax* is used for the pact of Misenum, or more specifically, for its presumed (*imago*) outcome; *amicitia*, or rather *species amicitiae*, is used for the Triumvirate, albeit focusing on the relationship between Octavian and Lepidus. Unlike *foedus*, the terms *pax* and *amicitia* denote broader, more flexible, and more abstract concepts. While *foedus* usually indicates the treaty or the pact itself, *pax* and *amicitia* can describe the situation following such an agreement, as they apparently do in this case.⁴⁸ This passage further showcases Tacitus’ sense of irony, especially if we assume that he alludes here to the words that Sallust ascribed to M. Lepidus (cos. 78 BCE), the father of the triumvir: *specie concordiae et pacis*.⁴⁹ At all events, it appears that we have moved forward from the *concordia civium* of Livy’s Early Republic to other forms of civil coexistence.

⁴⁶ E.g., Cic. *Fam.* 5.8.5; Flor. 2.16; 2.18; Vell. Pat. 2.77.2; Livy 3.40.3. For the process of the language of foreign relations being gradually internalised to refer to domestic affairs, concentrating on the notions of *pax* and *bellum civile*, see Cornwell 2017a and Arena 2020, respectively.

⁴⁷ Tac. *Ann.* 1.10. See discussion below.

⁴⁸ Cf. Baldus (2009), 120–2. For *pax*, see fn. 9; for *amicitia*, Syme (1939), 12–13, 157, 385; Taylor (1966), 7–9, 35–6; Brunt (1988), 351–81; Konstan (1997), 122–48; Verboven (2002); Burton (2011); Williams (2012).

⁴⁹ Sall. *Hist.* 1.49.24R.

The pact of Misenum of 39 BCE was a compromise sealed to end Pompeius' maritime blockade of Italy.⁵⁰ As such, it entailed the following concessions: Pompeius had to lift his blockade, send supplies of grain to Rome, end his piracy, and protect the Italian peninsula from the sea; in return, the Triumvirs allowed him to keep the provinces he took by force, namely Sicily, Sardinia, and Corsica, and granted him control over the Peloponnese as well. In addition, among other things, they promised him the consulship of 33 BCE, granted freedom to the runaway slaves under his command, and allowed his men a safe return to Rome. Velleius Paterculus described the treaty briefly thus (Vell. Pat. 2.77.1–2):

Tum ex postulante consensu populi, quem gravis urebat infesto mari annona, cum Pompeio quoque circa Misenum pax inita [...] In hoc pacis foedere placuit Siciliam Achaiamque Pompeio concedere [...] omnibus proscriptis aliisque, qui ad eum ex diversis causis fugerant, redditum salutemque pactus est.

Then in response to a unanimous demand on the part of the people, who were now pinched by the high price of grain because the sea was infested by pirates, a peace was arranged with Pompey also, in the neighbourhood of Misenum [...] By the terms of this treaty it was agreed that Sicily and Achaia should be conceded to Pompey, [...] all those who had been proscribed, or who for any other reason had taken refuge with him, should be granted a safe return.

According to Velleius, the *pax* with Pompeius was made *ex postulante consensu populi*. This public support was apparently well-known and significant enough to be echoed in other accounts as well. It seems that this pact was indeed popular because the compromises it entailed provided a state of peace that fulfilled the people's immediate needs, mainly the entrance of food into Italy and the welcome return of loved ones to Rome.

Close attention should be given to the terminology used by Velleius to describe the framework of this *pacis foedus*. According to Velleius, the Triumvirs conceded (*concedere*) Sicily and Achaia to Pompeius, and it was agreed (*pactus est*) to allow his men a safe return to Rome. It might be argued that this is just semantics and that Velleius could have used these words interchangeably in this context. However, semantics matters, especially regarding compromises.⁵¹ The word *concedere* here implies a “zero-sum game”. Pompeius formally received command over provinces he took by force and had no previous legal right to hold them. In other words, the Triumvirs gave up these provinces to him.⁵² This seems to further justify Velleius' use of the word *foedus* with its territorial implications. His men, however, were granted rights they either held in the past or, as in

⁵⁰ App. *B Civ.* 5.71–4; Dio 48.36–8; Flor. 2.18.4–5; Livy *Per.* 127.5; Plut. *Ant.* 32; Suet. *Aug.* 16; *Tib.* 4; Vell. Pat. 2.77.

⁵¹ For linguistic challenges within the reconciliatory process, see Cohen (2001).

⁵² This is also evident in Livy *Per.* 127.5: *Cum vicinus Italiae hostis Sex. Pompeius Siciliam teneret et commercium annonae impediret, postulatam cum eo pacem Caesar et Antonius fecerunt ita, ut Siciliam provinciam haberet* (“Since Sextus Pompeius, an enemy at the borders of Italy, held Sicily and interfered with the traffic in grain, Caesar and Antony made peace with him at his demand, the terms being that he should hold Sicily as a province”). Despite the translation of this passage, it cannot be determined with certainty from the phrase *postulatam pacem* who demanded it.

the case of the runaway slaves, were new to them, but in either case, this did not diminish the privileges and authority of the Triumvirs. In contrast to the concession of provinces, the Triumvirs did not lose these rights, hence a “non-zero-sum game”.

Florus, in his account of the pact of Misenum, uses somewhat similar terminology (Flor. 2.18):

Eo denique discriminum ventum est, ut foedus et pax cum hoste—si modo hostis Pompei filius—tamen feriretur. Quantum id, sed breve gaudium fuit, cum in Baiani litoris mole de reditu eius et bonorum restitutione convenit...

At last the danger became so great that a treaty of peace was concluded with the enemy—if a son of Pompeius can be called an enemy. How great was the joy (though it was short-lived), when an agreement was made on the embankment on the shores of Baiae permitting his return and the restitution of his property...

Florus, too, writes of concluding a peace treaty, not failing to mention the joy that had risen from it. When referring to Pompeius’ return to Rome and the restoration of his property, Florus uses the verb *convenire*. Similar to Velleius’ *pactus est*, the verb *convenire* has a more neutral connotation than *concedere*. As opposed to the concession of something that pertains by law to the Triumvirs or the Roman people, such as a province, here Florus portrays the idea of restoring rights of ownership to an individual to whom the property originally belonged. Additionally, Florus underlines the problematic view of Pompeius as an enemy (*si modo hostis Pompei filius*), thus emphasising the awkward use of the words *foedus* and *pax* to refer to a pact between Romans. Indeed, the pact was a formal one, and it contained territorial arrangements and sureties that had been given by both sides, again justifying the use of *foedus* for lack of a better word. The recurrence of *pax* in the accounts dealing with this episode suggests a common perception of the authors regarding the new situation that followed: a short secession from violence and a peaceful coexistence between the Triumvirs and Pompeius. An outcome that was publicly demanded and celebrated, stressing the dangerous alternative that was avoided, at least for a short while.

5. *SOCIETAS ET RECONCILIATIO*

Unlike the pact of Misenum, the Triumvirate of Octavian, Antony, and Lepidus was more similar to what we would consider a political coalition.⁵³ This coalition was based on a compromise necessitated by a shared interest. The Triumvirs were willing to put aside their rivalry and intrigues in favour of collaboration against their common enemies. Revenge against Caesar’s assassins and the elimination of the opposition to the Caesarian faction were necessary for both Octavian and Antony as a platform from which to rally support for their causes and advance their ambitions. Thus, they found it useful to compromise in a way that allowed them to use each other’s resources against those who would not accept either of them. The inclusion of Lepidus in this scheme seems to have

⁵³ For the ancient accounts on the formation of the Triumvirate, see mainly App. *B Civ.* 4.2–3; Dio 46.54.4–56.4; Plut. *Ant.* 20.1, as well as the discussion below.

afforded a form of mediation and a guarantee to keep the power balance between the other two.⁵⁴

In addition to the words *foedus* and *pax*, which we saw in Florus' reference to the pact of Misenum, here he also uses the word *societas*, alluding to the particular framework of this union (Flor. 2.16):

Necesse fuit [Caesari] venire in cruentissimi foederis societatem. Diversa omnium vota, ut ingenia. Lepidum divitiarum cupido, quarum spes erat ex perturbatione rei publicae, Antonium ultionis de his qui se hostem iudicassent, Caesarem inultus pater et manibus eius graves Cassius et Brutus agitabant. In hoc velut foedus pax inter tres duces conponitur. Apud confluentes inter Perusiam et Bononiam iungunt manus, et exercitus consalutabat.

Caesar was forced to become a party to a horrible compact. The three leaders were as different in their aims as in their characters. Lepidus was actuated by a desire for wealth, which he might expect to gain from confusion in the State; Antonius desired vengeance upon those who had declared him an enemy; Caesar was spurred on by the thought that his father's death was still unpunished and that the survival of Cassius and Brutus was an insult to his departed spirit. Under a compact for these objects peace was concluded between the three leaders. At the confluence between Perusia and Bononia they joined hands, and the armies saluted one another.

According to Florus, Octavian had to enter this *societas* with Antony and Lepidus through a *cruentissimum foedus*—a clear reference to the proscriptions. After articulating the motives of each Triumvir, Florus concludes that *pax* was made between them, this time calling the agreement a *velut foedus*. Few authors are as careful as Tacitus in their choice of words. Nonetheless, it is unclear why Florus would use the word *foedus* and immediately afterwards the phrase *velut foedus* in reference to the same agreement. The result, however, was the same: *societas*, as the framework of this three-headed union, advancing the Triumvirs' ambitions and maintaining a peaceful coexistence between them. The pact was sealed with symbolic gestures: the leaders shook hands, and their armies saluted them.⁵⁵ According to Hannah Cornwell, *societas* 'may be viewed as relational to *amicitia*, as a relationship formed in response to common interests and utility'.⁵⁶ The word *societas* could also indicate a legal partnership operating under contract for a specified term towards a specific goal.⁵⁷ Accordingly, it could be argued that the triumvirate was precisely that, with the *lex Titia* regulating its terms as well as its goal: *triumviri rei publicae constituendae*.

Another author who referred to the Triumvirate as a *societas* was Suetonius.⁵⁸ Unlike Florus, Suetonius does not use the words *foedus* and *pax* in this context. Hence, he seems to distinguish between this coalition and the Triumvirs' peace with Pompeius, which he does refer to as *pax*.⁵⁹ In his treatment of the relationship between Octavian and Antony,

⁵⁴ Lepidus probably did not see it in those terms. See also Cornwell (2020), 156–7. Cf. Badian (1991), 15: 'It appears in fact to have been a Triumvirate in name only right from the start'.

⁵⁵ E.g., *RRC* 494/10–12. For the symbol of the *dextrarum iunctio* ("clasped hands"), see Cornwell (2020), 161–3, 166–7, esp. n. 57.

⁵⁶ Cornwell (2020), 152.

⁵⁷ *BNP* s.v. *societas*.

⁵⁸ Suet. *Aug.* 13.1; 17.1.

⁵⁹ Suet. *Aug.* 16.1.

Suetonius uses the word *pax* only once when he mentions Antony offering Octavian *conditiones pacis*, in vain, after Actium.⁶⁰ To explain how the Triumvirs formed, maintained, and renewed their *societas*, Suetonius uses *reconciliatio*.⁶¹ According to the biographer, Octavian's *societas* with Antony was renewed by several such reconciliations. These reconciliations entailed compromises regarding the assignment of provinces, authority, and roles between the Triumvirs and thus reaffirmed and maintained the balance of power within the Triumvirate, admittedly only for short periods of time. This mechanism, which included the use of mediators and guarantees (e.g., marriage arrangements), prevented armed confrontations between Romans and was therefore encouraged by the soldiers themselves, as is evident, for example, in Suetonius' reference to the formation of the Triumvirate.⁶² The aforementioned treaties of Brundisium and Tarentum are two other famous examples of such *reconciliationes*, with Octavia playing the crucial part of guarantor and mediator, respectively.⁶³ The Triumvirs themselves, on the other hand, advertised their reconciliations in terms of *pax* and *concordia*.⁶⁴

The word *societas* is also used by Velleius Paterculus regarding the Triumvirate, emphasising the triumvirs' aim by calling their union *potentiae societas* (Vell. Pat. 2.65.1–2):⁶⁵

Tum inter eum [Lepidum] Caesaremque et Antonium commercia epistularum et condicionum facta mentio, cum Antonius subinde Caesarem admoneret, quam inimicae ipsi Pompeianae partes forent et in quod iam emersissent fastigium et quanto Ciceronis studio Brutus Cassiusque attollerentur, denuntiaretque se cum Bruto Cassioque, qui iam decem et septem legionum potentes erant, iuncturum vires suas, si Caesar eius aspernaretur concordiam, diceretque plus Caesarem patris quam se amici ultioni debere. (2) Tum inita potentiae societas et hortantibus orantibusque exercitibus inter Antonium etiam et Caesarem facta adfinitas, cum esset privigna Antonii desponsata Caesari.

Then began an interchange of letters between Lepidus, Caesar, and Antony, and terms of agreement were suggested. Antony reminded Caesar how hostile to him the Pompeian party was, to what a height they had now risen, and how zealously Cicero was extolling Brutus and Cassius. Antony threatened to join forces with Brutus and Cassius, who had now control of seventeen legions, if Caesar rejected this friendly overture, and said that Caesar was under greater obligations to avenge a father than he to avenge a friend. (2) Then began their partnership in political power, and, on the urgent advice and entreaty of the armies, a

⁶⁰ Suet. *Aug.* 17.4.

⁶¹ Suet. *Aug.* 17.1; 62.1. For a discussion on the Triumvirate as a framework for reconciliations, see Cornwell (2020).

⁶² Suet. *Aug.* 62.1. Cf. Plut. *Ant.* 20.1; Dio 46.56.3–4; Vell. Pat. 2.65.2. See also Flor. 2.16 discussed above, and the soldiers' involvement in the treaty of Brundisium as illustrated in App. *B Civ.* 5.59–64.

⁶³ For Brundisium, App. *B Civ.* 5.64; Plut. *Ant.* 31; Dio 48.31.3; Livy *Per.* 127; cf. Vell. Pat. 2.76.3; 2.78.1, mentioning separately the treaty of Brundisium and Antony's marriage to Octavia; for Tarentum, App. *B Civ.* 5.93–5; Plut. *Ant.* 35; Dio 48.54. Tacitus (*Ann.* 1.10) mentions the two treaties without referring to Octavia.

⁶⁴ E.g., *Inscr. Ital.* 13.1.1b; *RRC* 494/10–12; 494/41; 529/4a–b; Cornwell (2020), esp. 150–1, 162–3. For the phrase *pacem facere* in relation to the formation of the Triumvirate, see also Livy, *Per.* 120; cf. Cornwell (2020), 153.

⁶⁵ Velleius uses similar language to describe the informal coalition between Caesar, Pompey, and Crassus, Vell. Pat. 2.44.1.

marriage alliance was also made between Antony and Caesar, in which Antony's stepdaughter was betrothed to Caesar.

Velleius explains that before the parties met to seal their partnership, they exchanged letters to discuss the *condiciones*, the conditions of their coalition. In other words, mutual concessions were expected for the coalition to be formed. Velleius adds that Octavian was under considerable pressure to accept the terms and not reject the *concordia* that Antony had offered him. Thus, like Florus, Velleius presents Octavian as if he was forced into the Triumvirate and had to compromise and agree to what it entailed, particularly the proscriptions.⁶⁶ We are, however, very far removed from Livy's *concordia civium*. The *concordia* mentioned here is one between *duces*. Octavian's dilemma, according to Velleius, was whether to agree to Antony's conditions and join forces with him and Lepidus or, instead, decline the offer and confront a united army of Antony, Lepidus, and the *liberatores*. Unlikely as this threat may seem, Velleius clearly attempts to portray Octavian positively, as one who had to partially put aside his ambitions and bitterness towards the opportunistic Antony and join the latter in a common cause.

What seems crucial from all the above passages concerning the formation of the Triumvirate is the decisive role of the soldiers.⁶⁷ The fact that several sources mention the soldiers' support strengthens the historical validity of this detail. The soldiers' demand to compromise to avoid the alternative, as well as the approving reaction of the people in the accounts regarding the pact of Misenum, suggests a widespread tendency that favoured peaceful solutions to armed conflicts, at least in some cases. It is doubtful whether such popular support for a compromise agreement could have been afforded regarding a truce with Caesar's assassins. Undeniably, some party spirits are more difficult to reconcile, especially when the strife takes the form of a conflict over principles as opposed to a conflict of interests.⁶⁸ The Triumvirs were never in dispute over principles or ideals. Therefore, they were expected to restrain their personal ambitions, compromise, and reconcile to create and maintain a *modus vivendi* that ultimately allowed them to achieve mutual goals. To a certain extent, this also reflects on how we perceive compromises today. Pleasing public opinion is a strong incentive for people in power. Accordingly, compromising is not solely aimed at achieving its proclaimed ends but is also, and perhaps mainly, a means of responding to popular demands.

6. *ERAT INIQUA CONDICO*

The last case study I will discuss does not deal with a compromise but with a propagandistic account of an unsuccessful attempt to reach one between Julius Caesar and the Senate just before the outbreak of the civil war. Here, unlike the other case studies in this article, we have the benefit of first-hand testimony, namely Caesar's account of the war. Unquestionably biased, Caesar apologetically portrays himself as if he had been

⁶⁶ See also Vell. Pat. 2.66.1; Vell. Pat. 2.66.2.

⁶⁷ See also Cornwell (2020), 160: 'All accounts of the conference of Bononia stress that the marriage alliance between Antony and young Caesar was at the urging of both armies or just Antony's according to Dio's narrative'.

⁶⁸ On the distinction between compromise of interests and compromise of principles, see Benditt (1979). Cf. Gutmann and Thompson (2010), 1130–1.

driven towards a war he did not wish for, emphasising his purported sadness that he was prevented from extending his *clementia* to Pompey. With this in mind, paying attention to how he describes his stated efforts to reach a compromise with his adversaries would be helpful. Whether these efforts were genuine or not, the fact that Caesar elaborates on them supports the argument that compromise could have been seen positively, especially as an alternative to the loss of Roman lives.⁶⁹

The first chapters of Caesar's *Bellum Civile* deal with the deliberations in the Senate regarding the various compromise proposals aimed at preventing bloodshed.⁷⁰ Caesar also elaborates on the current position of Pompey, his former friend and now his main adversary (Caes. *BCiv.* 1.4.4):

Ipse Pompeius, ab inimicis Caesaris incitatus, et quod neminem dignitate secum exaequari volebat, totum se ab eius amicitia averterat et cum communibus inimicis in gratiam redierat, quorum ipse maximam partem illo affinitatis tempore iniunxerat Caesari.

As for Pompey, spurred on by Caesar's enemies—and because he did not want anyone to match him in status—he had entirely turned away from Caesar's friendship and become reconciled with their common enemies, the majority of whom he himself had saddled Caesar with when they were related by marriage.

It will be helpful to dwell on how Caesar refers to his former partnership with Pompey. This partnership was a long-term coalition based on ongoing compromises serving as a platform for personal advancement, which was strengthened through the marriage of Pompey and Julia.⁷¹ Caesar speaks of an *amicitia* between Pompey and himself. Of course, what Caesar wished to present as *amicitia* was described by other sources in quite different terms that perhaps better illustrate the political nature of this union for the modern reader.⁷² Pompey is portrayed by Caesar as if he had turned his back on their friendship and had aligned himself with their common enemies through reconciliation (*in gratiam redierat*). This reconciliation was, in fact, the forming of Pompey's coalition with

⁶⁹ See also Cornwell (2020), 161: 'Caesar's account demonstrates the importance of the perception and reception of negotiation by an audience, and particularly the immediate audience of the troops'. For the view that Caesar was sincere in his attempts to avoid the war, see Siriani (1993), esp. 225–7, 237.

⁷⁰ Caes. *BCiv.* 1.1–3; esp. 1.2.

⁷¹ For the views of the ancient authors on the nature of this partnership, see Vell. Pat. 2.44.1–3; 2.47.2–3; Suet. *Iul.* 19.2, 24.1; Dio 37.56–8; Plut. *Caes.* 13.1–14.12; App. *B Civ.* 2.9 (Τρικέφαλον, "the Three-Headed Monster"). See also Gruen (1995), 90–1: 'the union of political cliques in 59 was an informal *amicitia*. That betokened no novelty in Roman politics and simply underlined the mobility of groupings that had been characteristic of previous decades. The three men sought mutual advantage by combining *clientelae* and influence. In traditional fashion the pact was sealed by marriage alliance'. Against this view, see von Ungern-Sternberg (2014), 91: 'Their friendship (*amicitia*) could have been a traditional alliance within the framework of what was usual in Roman political life. Yet their agreement that nothing should be done in Rome that was displeasing to any of the three [...] changed the rules of the game'. I deliberately avoid the term "first Triumvirate" here since it implies a legally founded institution. On this, see Ridley (1999).

⁷² *Societas*, Suet. *Iul.* 19.2; Flor. 2.13.12; *potentiae societas*, Vell. Pat. 2.44.1; *cohaerens concordia*, Vell. Pat. 2.47.2; *coniuratio*, Flor. 2.13.15; *invidiosa coniunctio*, Cic. *Fam.* 8.14.2.

the *optimates* sealed, at least partly, by Pompey's marriage with Cornelia Metella, daughter of Metellus Scipio.⁷³

Meanwhile, Caesar awaited in Ravenna for a response to his compromise proposal, namely that both he and Pompey lay down their arms and disband their armies, to which he refers to as *lenissimis postulatis*, "the lightest requests".⁷⁴ Caesar also highlights his expectation from his adversaries to act in moderation to bring the matter to a peaceful end—*si qua hominum aequitate res ad otium deduci posset*. The negotiations proceeded as Pompey sent envoys to Caesar requesting him to place the benefit of the Republic before his own, as Pompey himself had presumably done.⁷⁵ In response, Caesar asked the envoys that just as they delivered him Pompey's *mandata*, they should pass his *postulata* to Pompey (Caes. *BCiv.* 1.9.1):

petit [Caesar] ab utroque, quoniam Pompei mandata ad se detulerint, ne graventur sua quoque ad eum postulata deferre, si parvo labore magnas controversias tollere atque omnem Italiam metu liberare possint.

Caesar appealed to each: "Since you carried Pompey's message to me, you should not object to carrying my demands to him. Perhaps with this small effort you will be able to remove serious disputes and free all Italy from fear".

We should pay attention to nuances, especially when examining what is partly a propagandistic document. The verbs *mandare* and *postulare* may have a similar meaning, and indeed they can be used interchangeably, however each carries a different tone, especially when articulated so close to each other: unlike Pompey, who issues demands and orders, Caesar has only requests. Caesar presumably added encouragement to the envoys, saying that they would be able to settle a great dispute with little effort. Considering the tradition we encountered above regarding Menenius Agrippa, it is tempting to read this as an invitation to follow Agrippa's *exemplum* and achieve glory by acting as agents of *concordia*. This suggestion is even more attractive if we assume that Cicero was right in alleging that Caesar had initially wanted his defying actions to be seen as a secession.⁷⁶

At all events, in his response, Caesar repeated his initial proposal regarding the mutual disbandment of the armies and articulated his current terms: (1) Pompey shall return to his provinces; (2) both armies shall be dismissed; (3) all arms in Italy shall be laid down; and (4) after the threat of war is relieved, free elections shall take place.⁷⁷ In addition,

⁷³ Plut. *Pomp.* 54–55.1, Dio 40.51.2–3. See, however, Gruen (1995), 152–5 and Drogula (2019), 211–12. For the gradual consolidation of Pompey's union with the *optimates*, see Drogula (2019), 190–274. For the (now-disputed) view that Julia's death made Caesar's clash with Pompey inevitable, see Vell. Pat. 2.47.2–3; Val. Max. 4.6.4; Luc. *Phars.* 1.111–20; Flor. 2.13.13; Plut. *Pomp.* 53.4–7; Dio 40.44.2–3; cf. Gruen (1995), 450.

⁷⁴ Caes. *BCiv.* 1.5.5. The proposal itself is mentioned by Aulus Hirtius towards the end of the Gallic Wars, Caes. (Hirtius), *BGall.* 8.52.4. The last chapter of Hirtius' *addendum* to the Gallic Wars supports the Caesarian propaganda that presented Caesar as hoping for a compromise even when he no longer had any doubt regarding the Senate's intention to fight him, Caes. (Hirtius), *BGall.* 8.55.2.

⁷⁵ Caes. *BCiv.* 1.8.3.

⁷⁶ Cic. *Lig.* 19.

⁷⁷ Caes. *BCiv.* 1.9.3–6.

Caesar declared his wish to ratify the agreement by oath, for which he asked to meet Pompey in person to settle all of their disputes—*per colloquia omnes controversiae componantur*. Pompey and the consuls responded with their own conditions: (1) Caesar shall return to Gaul, (2) leave Arminium, and (3) dismiss his army. Only then would Pompey go to Spain. Antagonistically, they assured Caesar that they would not stop recruiting men until they were given guarantees that he would comply.⁷⁸

Caesar tells us his opinion regarding his adversaries' conditions (Caes. *BCiv.* 1.11.1–3):

Erat iniqua condicio postulare, ut Caesar Arimino excederet atque in provinciam reverteretur, ipsum et provincias et legiones alienas tenere; exercitum Caesaris velle dimitti, delectus habere; polliceri se in provinciam iturum neque, ante quem diem iturus sit, definire, ut, si peracto consulatu Caesar profectus esset, nulla tamen mendacii religione obstrictus videretur; tempus vero colloquio non dare neque accessurum polliceri magnam pacis desperationem afferebat.

The terms were unfair: to demand that Caesar leave Ariminum and return to his province while Pompey controlled provinces and legions he had no right to, to want Caesar's army to be disbanded while Pompey recruited troops, to promise that he would go to his province without specifying a date by which he would go, so that if after Caesar's consulship Pompey had not yet left he would nevertheless not be thought to be bound by the sanctity of a lie. The fact that Pompey was not making time for negotiation and not promising to meet made peace seem quite hopeless.

Caesar presents these demands as *iniquae*, contrasting them with his own presumably *aequae condiciones*. The implication is that Caesar considered himself equal to his adversaries and, therefore, suggested a compromise based on what he wanted his readers to regard as equal terms, as if the two parties were in fact on the same level. However, the compromise offered by Pompey and the Senate made it clear that they did not see Caesar as their equal, and indeed, this inequality would have been reaffirmed if Caesar were to accept their terms. This was an insult to Caesar's *dignitas*, which, he knew, would make a strong case for his refusal to accept such a compromise. We should also note that Caesar's structuring of this episode resonates strongly with Roman foreign relations regarding the traditional sealing of *foedera* between either equal or unequal political entities. In other words, this showcases again the application of the language of interstate relations in the context of armed conflicts between Romans.

According to Caesar, Pompey's reluctance to meet him in person and engage in unmediated negotiations was the last straw. Thus, Caesar not only portrays the other party as arrogant and scornful but questions their sincerity and readiness to avoid civil war by coming to terms with him. Caesar describes himself in his account as if he would have been willing to make considerable concessions as part of a potential compromise if only the other side had agreed to similar terms. Caesar argues that even after the war had already begun, he still tried to reach Pompey and negotiate with him.⁷⁹ These attempts failed, and there is no need to recount the final outcome of this conflict.

Indeed, Caesar's account should be taken with a grain of salt, as it is unquestionably biased. Nonetheless, in a society that celebrated *gravitas* and *constantia*, such rhetoric of

⁷⁸ Caes. *BCiv.* 1.10.3–4.

⁷⁹ Caes. *BCiv.* 1.24; 1.26.

willingness to engage in compromise negotiations to avoid bloodshed is revealing of other values expected from a good Roman statesman, e.g., *moderatio* and *facilitas*. Accordingly, these parts of Caesar's account of the civil war promote the value of compromise, especially as an alternative to violence. However, the views of Caesar's contemporaries reveal that the chances of ending this dispute peacefully were meagre at best.⁸⁰ In a letter to Atticus, Cicero stressed a near-consensual view that a compromise should be reached and that Caesar's terms, however shameless, should be accepted (Cic. *Att.* 7.6.2):

De re publica valde timeo, nec adhuc fere inveni qui non concedendum putaret Caesari quod postularet potius quam depugnandum. est illa quidem impudens postulatio, opinione valentior. cur autem nunc primum ei resistamus? [...] dices 'quid tu igitur sensurus es?' non idem quod dicturus. sentiam enim omnia facienda ne armis decertetur, dicam idem quod Pompeius, neque id faciam humili animo.

The political situation alarms me deeply, and so far I have found scarcely anybody who is not for giving Caesar what he demands rather than fighting it out. The demand is impudent no doubt, but more moderate than was expected. And why should we start standing up to him now? [...] You will ask me what line I shall take in the House. Not the same as in my own mind. There I shall vote for peace at any price, but in the House I shall echo Pompey, and I shall not do it in a spirit of subservience either.

The gerundive *concedendum* implies an unfortunate necessity to concede and compromise with Caesar, considering the alternative. Aware of the imminent danger, Cicero would rather yield to Caesar's *impudens postulatio* than fight him. The *coda*, however, is most revealing of the stark contrast between recognising the need for compromise to avoid violence at all costs and the political considerations that sometimes hinder one from acting according to what they deem right. In Cicero's case, it was his relationship with Pompey. In this respect, Cicero does not seem so different from politicians today or at any other period in history.

7. CONCLUSION

Roman politics, especially in the Late Republic but in the Early Principate as well, is usually read as a history of violence and personal struggles for prestige, honours, and power. The descendants of Mars formed a society that nurtured strictness and honesty. Compromise and pragmatism could have been perceived as weakness or hypocrisy. This may have rendered compromise something that should be avoided or at least concealed. The lack of a word for this concept may indeed suggest just that. Yet, as the case studies above show, there existed a certain tendency to promote compromises when the alternative was violence. The last case study also shows that self-proclaimed willingness to compromise to avoid bloodshed could serve as useful propaganda, at least when done in retrospect. This strengthens another conclusion that these examples showcase. That, at times, compromise solutions to armed conflict between Romans were reached in response to public demands, and as such, they were also celebrated, albeit using words that did not carry distasteful connotations as the modern compromise sometimes does. Nevertheless,

⁸⁰ E.g., Cic. *Att.* 7.6.2; *Fam.* 8.14.2–3.

it should also be noted that even when reached, some compromises only postponed an armed conflict without preventing it altogether.

The absence of a specific term for “compromise” in Latin vocabulary, the fact that compromises are an elemental human experience, and perhaps also the unpleasant connotations sometimes attached to compromise have led both ancient and modern scholars to disregard this concept in Roman politics. This should not distract us from recognising that, just like in other political systems, compromises in Rome served as a practical, dynamic, and often desirable tool, especially considering the alternatives. The ideal of *concordia*, effectively advertised in the traditional accounts of the “Struggle of the Orders”, provided an ideological and conceptual framework for political compromises as peaceful resolutions to conflicts within the civic body. This is not to say that a Roman concept of compromise was embedded in the ideology of *concordia*, nor that the Romans believed that what they were doing was to compromise in the modern sense. Nevertheless, the virtue of *moderatio*, used to preserve and restore *concordia*, seems to favour reconciliation by means of compromise, as highlighted in the *exemplum* of Menenius Agrippa.

However, the cases above imply that *concordia ordinum* or *civium* lost its unifying and pacifying force in the Late Republic and Early Principate. Instead, *amicitia*, sometimes seen in terms of *concordia* between *duces*, its more utilitarian counterpart *societas*, and especially *pax*, take precedence as reasons to engage in compromises to either prevent bloodshed or advance individual causes. As such, this corresponds to the shift of the Republic towards autocracy, where unity and peace, rather than being the responsibility of the community, were preserved by one man. Accordingly, as political conflicts in Rome became increasingly personal and Roman legions transferred their loyalty from their *civitas* to their respective *imperatores*, so did the language of foreign relations become more appropriate to describe compromise agreements between those generals. The absence of a word for compromise and the narrow legalistic meaning of *compromissum* added to the relevance of words such as *foedus* to refer to the compromises struck in those cases.

At this point, it would still be impossible to suggest a conceptualisation of compromise in Roman politics, and this paper was indeed limited to only one single sphere: armed conflicts between Romans. What can be articulated is that political concepts can exist in a society without a specific term to signify them. The cases studied here suggest that this lack of a concrete word containing the entire range of meanings of our modern “compromise” allowed the Romans a certain flexibility in their approaches towards cases of compromise and their ways of illustrating them. Thus, different authors could present various compromises differently, according to the specific circumstances of each case and the connotations the authors wished to convey. Moreover, this requires us to be cautious and attentive when tackling the various instances of compromises in Roman politics and to consider adequately the reasons that led a particular author to his choice of words.

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