



## Article

# (Re)moving the Masses: Colonisation as Domestic Displacement in the Roman Republic

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**Abstract:** Metaphors move—and displace—people. This paper starts from this premise, focusing on how elites have deployed metaphors of water and waste to form a rhetorical consensus around the displacement of non-elite citizens in ancient Roman contexts, with reference to similar discourses in the contemporary Global North and Brazil. The notion of ‘domestic displacement’—the forced movement of citizens within their own sovereign territory—elucidates how these metaphors were used by elite citizens, such as Cicero, to mark out non-elite citizens for removal from the city of Rome through colonisation programmes. In the elite discourse of the late Republican and early Augustan periods, physical proximity to and figurative equation with the refuse of the city repeatedly signals the low social and legal status of potential colonists, while a corresponding metaphor of ‘draining’ expresses the elite desire to displace these groups to colonial sites. The material outcome of these metaphors emerges in the non-elite demographic texture of Julius Caesar’s colonists, many of whom were drawn from the *plebs urbana* and freedmen. An elite rationale, detectable in the writings of Cicero, Livy, Dionysius of Halicarnassus, and others, underpins the notion of Roman colonisation as a mechanism of displacement. On this view, the colony served to alleviate the founding city—Rome—of its surplus population, politically volatile elements, and socially marginalised citizens, and in so doing, populate the margins of its empire too. Romulus’ asylum, read anew as an Alban colony, serves as one prototype for this model of colonisation and offers a contrast to recent readings that have deployed the asylum as an ethical example for contemporary immigration and asylum seeker policy. The invocation of Romulus’ asylum in 19th century debates about the Australian penal colonies further illustrates the dangers of appropriating the asylum towards an ethics of virtue. At its core, this paper drills down into the question of Roman colonists’ volition, considering the evidence for their voluntary and involuntary movement to a colonial site and challenging the current understanding of this movement as a straightforward, series of voluntary ‘mass migrations’. In recognising the agency wielded by non-elite citizens as prospective colonists, this paper contends that Roman colonisation, when understood as a form of domestic displacement, opens up another avenue for coming to grips with the dynamics of ‘popular’ politics in the Republican period.

**Keywords:** Roman colonisation; colonists; waste; metaphors; plebeians; freedmen; elite; non-elite; Julius Caesar; Cicero; Roman oratory; displacement; domestic; migration; Romulus; asylum; penal colonies; convicts; volition; popularis; marginality; land distribution

## 1. Introduction: Moving (the) Masses, Then and Now

The mainstream media, liberals and Hollywood are pitching a super-sized hissy fit over President Trump’s decision to protect the fruited plain from blood-thirsty jihadists. They seem to think we are under some sort of moral obligation to allow *refugees to flood into the*

country without vetting and pray that nobody gets blown up . . . spare us your righteous indignation.<sup>1</sup> (Todd Starnes, 30 January 2017, *Fox News*).

Those whom disgrace or crime had driven out of their homes, *like wastewater*, these men had *flowed together* at Rome.<sup>2</sup> (Sallust, *The War of Catiline* 37.5)

And it is no wonder that this is what was said in the senate by this tribune of the plebs: that the urban plebeians are too powerful in the Republic; that *they must be drained*; indeed this is the word he used, as though he were speaking about *some wastewater* and not about a class of the best citizens.<sup>3</sup> (Cicero, *On the Agrarian Law* 2.70)

Aquatic metaphors—‘flood,’ ‘flow,’ ‘influx,’ ‘tide,’ ‘tsunami,’ ‘waves,’ among others—have predominated in the news media since the 1990s to express the ‘mass’ number of refugees, asylum seekers, and immigrants (RASIM), attempting to enter the European Union and other states of the Global North.<sup>4</sup> More recently in the USA, the negative stereotype of the ‘anchor baby’—a child born of non-citizens within USA borders—is itself predicated on the understanding of the child “as a tool to secure immigrant families so as not to be swept away by the ever-retreating waters of migrant movement.”<sup>5</sup> Still, the aquatic metaphor appears in contexts as far removed from each other on the political spectrum as the highly pejorative usage by the conservative commentator Todd Starnes, in the epigraph above, to the title of a New York Times Magazine feature, *Scenes from a Human Flood* (Anderson 2015). Even in Ai Weiwei’s (2017) controversial, if lauded, documentary, the metaphorical title, *Human Flow*, while evoking a softer image than, say, ‘human flood’ or ‘human tsunami,’ still attributes certain amorphous, inevitable, and inhuman qualities to its human subjects. In the documentary itself, the titular metaphor is frequently reinscribed by its visual corollary, as above-air drone shots offer us a bird’s eye view of displaced peoples ‘flowing’ across land and sea in long, winding and wending movements, analogous to a river.<sup>6</sup>

Some scholars have pointed out how these aquatic metaphors have not always been used in a pejorative sense, and that they do, in some cases, aim to heighten the call for action and humanitarian aid by conveying the enormity and urgency of the ‘crisis’.<sup>7</sup> Yet as Lena Kainz has persuasively shown, these metaphors are also loaded with a sense of danger, carry “calamitous connotations” akin to natural disasters, and ultimately, “metaphorically dehumanise” people.<sup>8</sup> This has had an impact on public sentiment, translated into political opinion about these displaced people, and subsequently has led to, or shored up, political policies that seek to ‘stem the flow’ or deport those who have already arrived.<sup>9</sup>

<sup>1</sup> Quoted in Bhatia and Jenks (2018, p. 11). Emphasis mine.

<sup>2</sup> Sall. Cat. 37.5: *Primum omnium, qui ubique probro atque petulantia maxime praestabant, item alii per dedecora patrimoniis amissis, postremo omnes, quos flagitium aut facinus domo expulerat, in Romam sicut in sentinam confluxerant*. Text: Kurfess (1957). All translations are my own, unless otherwise noted.

<sup>3</sup> Cic. Leg. Agr. 2.70: *Et nimirum illud est, quod ab hoc tribuno plebis dictum est in senatu, urbanam plebem nimirum in re publica posse; exhauriendam esse; hoc enim est usus, quasi de aliqua sentina ac non de optimorum civium genere loqueretur*. Text: Clark (1909).

<sup>4</sup> Böke (1997, pp. 175–83) on Germany; El Refaie (2001, pp. 359–61) on Austria; Van der Valk (2000, p. 234) on France; Resigl and Wodak (2000, pp. 26, 59) on Germany and Austria; Pickering (2001, p. 172) on Australia; Charteris-Black (2006, pp. 570–75); Gabrielatos and Baker (2008); Baker et al. (2008, p. 287); KhosraviNik (2009, pp. 486–87); Parker (2015, pp. 7–8); Kulicka (2017, p. 268); Lazović (2017, p. 204) on the UK and EU; Bhatia and Jenks (2018, p. 12) on the US media in relation to Syrian refugees.

<sup>5</sup> Lederer (2013, p. 255). See also on the instantiation of these and other negative metaphors in the USA: Santa Ana (1999) and, especially (Santa Ana 2002), on “the brown tide”; Cisneros (2008) on “immigration as pollution”.

<sup>6</sup> For the documentary as a form of ‘dark tourism’, see Tzanelli (2018, p. 528), and for critiques of his work, see Brooks (2017), including Weiwei’s response: “I am a refugee, every bit ... Those people are me. That’s my identity.”

<sup>7</sup> For the neutral or even positive aspect to these metaphors, see KhosraviNik (2009, pp. 486–87), though we should note that the metaphors he studied appeared in the somewhat (now) unique context of the 1999 NATO conflict in Kosovo and were applied to Kosovar refugees.

<sup>8</sup> See Kainz (2016) for a critique of the use of these aquatic metaphors, and Petersson and Kainz (2017, pp. 58–59) for proposals on how to reframe or entirely replace these pejorative images.

<sup>9</sup> For the impact of such metaphors on politics and policy making, see, for example, Cisneros (2008, pp. 590–93) on the US and Charteris-Black (2006) on the 2005 UK election campaign.

In the European Union (EU), where these metaphors have long proliferated, a recent shift in political opinion has led to the removal—the continued displacement—of displaced people from EU territory. On 18 March 2016, the EU entered into an agreement with Turkey, which essentially permitted the deportation, euphemistically termed a ‘return’, of displaced Syrians from various Greek islands back to Turkey, in exchange for EU funding and easier visa access for Turkish citizens, which has continued into 2018.<sup>10</sup> Metaphors, then, can play one role in larger political debates, intentional or otherwise, by moving citizens toward political positions that would effect the removal—the displacement—of ‘Othered’ people.

The view from Republican Rome is no less subtle or complex when we begin to examine how a particular variety of aquatic metaphors were applied by Roman elites to a group of people marked out for political vilification, and ultimately, as a means to effect their displacement from the city of Rome. Their targets, terms of expression, and political ends differ markedly from those found in the contemporary context of the Global North and its frequent rejection of people seeking to enter their borders, including displaced persons. At Rome, the waters were tinged by a further figurative element—waste. These metaphors, like those voiced by Sallust and Cicero in the epigraph above, were drawn from the terminology applied to the refuse of the street, the dregs at the bottom of your cup, or the bilge water at the bottom of a ship. Instead of applying these images to a perceived external ‘threat’ of incoming foreigners or non-citizens, the Roman elite used these metaphors to circumscribe a broad swath of their fellow, non-elite citizens for removal from Rome as a threat to the political status quo. Yet as this study contends, despite their clear differences, the Roman and contemporary contexts bear some resemblance in their shared method of mobilising metaphors with a view to building support for political policies and elite actions of displacement.

If we look to the Catalyst pieces from Brazil in this Special Issue (Ribeiro et al. 2017; Nobre and Nakano 2017), we can fine-tune the parallels to contemporary contexts even more usefully through the lens of displacements occurring *within* a community. Here we encounter a less obvious, but more comparable form of displacement that we might term “domestic displacement”.<sup>11</sup> Unlike the more common factors driving displacements of people beyond the borders of their (most recent) home country, such as inter-state warfare, the Dandara community in Belo Horizonte and the concrete slab constructions of São Paulo grew out of communities and individuals displaced *within* the borders of Brazil. Effected by the socio-economic and often, racial, discriminatory actions of Brazil’s elite, these same elites would seek to continue to displace these communities—pushing them into the expanding urban periphery—as the demand for prime real estate in these cities grows.<sup>12</sup> Adjacent to the sphere of liquid waste in Roman contexts, metaphors of “dirt” (*sujo*) have long been used to mark out members of these communities for removal, both in terms of their blackness and their association with manual

<sup>10</sup> See European Council (2016). In a further turn for the worse, many of these Syrians have then been deported from Turkey back to Syria: Di Bartolomeo (2016), Tunaboylu and Alpes (2017), Alpes et al. (2017), Human Rights Watch (2018).

<sup>11</sup> In using the term “domestic displacement”, I take inspiration from Barbara Arneil’s (2017, pp. 23–24) recent monograph on “domestic colonies” in the modern colonial era. The heuristic of “domestic displacement” has only been sporadically applied in other fields, referring, for example, to the influence of the displacement brought about by the British penal colonies on poets such as Wordsworth (O’Brien 2007, pp. 122–23) or the role of the arctic territory in Iceland’s economic policies (Ingimundarson 2015, pp. 83, 94). In the field of Ancient History and Classics, however, “domestic displacement” remains as yet an unconsidered heuristic category. I adopt it instead of the more common “internal displacement” (as per the UNHCR), since the designation of “domestic” allows for greater emphasis to be placed on (a) the notion of the displacement being tied specifically to a polity’s domestic politics (rather than due to outside forces causing internal displacements), and (b) less on the strict notion of displacement as something occurring within a state’s borders, which does not pertain to the Roman context. Rather, like modern colonies, Roman colonies became extensions of the polity, but because they geographically separated groups of citizens from the same polity, they differ from internal displacements where the physical ‘separateness’ imposed by geographical distance or a topographical feature (i.e., a body of water) is often less pronounced. Even so, there are problems with comparing Roman colonies to modern colonies under this model, as is discussed below in Section 4.

<sup>12</sup> On the interconnectedness of race and inequality in contemporary Brazil, especially in urban contexts, see Telles (2004); Lima (2010); and Silva and Reis (2011). I am especially grateful to Luciana de Souza Leão for suggesting relevant scholarship on this point.

labour.<sup>13</sup> So while metaphors of waste have also been applied to groups of non-citizen, displaced people seeking entry into the Global North, what Brazil and Rome share is the domestic context in which such metaphors operate—citizens configuring fellow citizens with inhuman materialities.

The particular Roman instantiation of “domestic displacement”, here treated, refers to the forced movement of one group of citizens by another, on the basis of certain criteria, to a locale outside of the *urbs*. Devoting most of its attention to the better-documented contexts of late Republican and early Augustan Rome, this study proposes to partially reinscribe the Roman phenomenon of colonisation as a domestic displacement of citizens by citizens. In this scenario, the Roman elite—understood primarily as senators and the wealthy, namely *equites*—viewed colonies (*coloniae*) as places to which they could displace their fellow citizens from the city. These citizens were marked out for ‘removal’ primarily on the basis of their socio-economic class and legal status, that is, the ‘poor’ and newly minted citizens—freedmen—all of whom often fell under the non-descript category of the ‘mass’. While Roman colonisation has received considerable scholarly attention for its impact on non-Roman populations, especially in the context of debates about the ‘Romanisation’ or mass deportation of these people, historians have shied away from asking how voluntary the decision to join a colony actually was. The seemingly benign terms of ‘migration’, ‘emigration’, or ‘resettlement’ applied by scholars to the movement of citizens caused by Rome’s colonial programmes has implicitly assumed that this movement was largely voluntary.<sup>14</sup> The lens of displacement, however, prompts us to acknowledge a situation in which some colonists may not have willingly chosen to join a colony, but were forced by various factors beyond their own control.<sup>15</sup> On this view, the terminology of ‘migration’ unnecessarily effaces the entire question of the colonists’ volition in the matter, collapsing the different types of movement arising from colonisation into a monolithic category of voluntary movement.

My recovery of the displacements masked by these ‘migrations’ moves through four distinct, yet interlocking sections that broadly correspond to the causal process of displacement in the contemporary world sketched above. The metaphors of waste that marked out certain groups for removal via colonisation (Section 2) form my starting point. Moving from this figurative means of displacement to its material implementation (Section 3), I consider the evidence for the demographic texture of some of the citizens sent out to Rome’s colonies, as attested in Julius Caesar’s colonies (59, 49–44 BCE), and whether this parallels the groups marked out by the metaphors examined in the previous section. At a more abstract, yet fundamental level, I then turn to the ancient political theory underpinning the elite rationale for colonisation as a method of domestic displacement (Section 4). Here the reception of Romulus’ asylum is considered in two instances—the political commentary on today’s asylum seeker ‘crisis’ and 19th century British justifications for the penal colonies in Australia. These case studies are then juxtaposed with my more emic reading of the asylum as a pragmatic model of Roman colonisation based on the principle of sending out marginalised people to populate

<sup>13</sup> See Degler (1971, p. 161), Vargas (2004, pp. 458, 467 n.27). Cf. Cisneros (2008) on pollution metaphors used to describe ‘immigrants’ in the USA.

<sup>14</sup> The terminology is pervasive in the scholarship, most prominently among historians of Roman demography, such as: Brunt (1971, pp. 159–65); Hopkins (1978, pp. 64–74); Scheidel (2004, pp. 10–12); De Ligt (2012, pp. 184–87); and now, Hin (2013, chp. 6).

<sup>15</sup> Thus, I have attempted to test and build on the brief suggestions of a few scholars. Most recently, Woolf (2017, p. 35) submits that: “Arguably some Republican period colonization represents a variation on this process [of forced foundations of cities in Greece and the Near East], the main difference being that decision making was not taken by a monarch, and that a large part of the settlers were apparently volunteers. This second proposition is traditional wisdom but might be questioned. The testimony on mid-Republican colonies suggests frequent failures, many manifested in colonists leaving their new settlements. The involvement of non-citizens in some foundations also raises questions about how far settlers were entirely free to choose.” Hin (2013, p. 214) also briefly considers colonisation as ‘forced migration’, though she does not delve into any details and prefers to consider a few macro push and pull factors affecting colonisation initiatives. Purcell (1994, pp. 654–55) also approaches the broad outlines of what follows, but without going so far as to see Roman colonisation as a forced movement of the *plebs* and freedmen. Harris (1979, p. 65), writing of colonies in the Middle Republic, comes closest to considering the socio-economic factors which I discuss in this paper, but still refers *a priori* to their popularity (and ergo, the voluntary participation of colonists): “There may have been some compulsion, and if the ordinary colonists were people who were previously sunk in poverty, their freedom of choice was limited; none the less the colonies could not have worked unless they met a popular need.”

the margins of empire. Finally, the historiographical accounts of early Roman colonisation in two Augustan era historians, Livy and Dionysius of Halicarnassus (Section 5), and one particular example, the foundation of Velitrae, open up opportunities to consider both how colonisation was focalised in ancient historiography as a form of displacement and the real mechanisms which could compel colonists to join a colony. From the legislative and magisterial powers used to send Latin colonists back to the colonies they had abandoned during the second century BCE to less formal ‘push’ factors, such as restrictions on the grain dole in Caesar’s Rome, this final section canvasses what we know about the volition of colonists and the forces mediating it.

Central, then, to what follows is the volition and political agency of the (potential) colonists. The deprivation of colonists’ volition implies their displacement, and in so doing, their inability to participate as citizens in the political life of the city—to join in the ‘mass’ politics of the *urbs*.<sup>16</sup> This study therefore works at the crossroads of a number of current debates in Roman studies and offers new ways forward through the avenue of domestic displacement. On the one hand, I return to older views that focused on the domestic reasons for Roman colonisation, but shift away from approaches which, for instance, take the rationalising commentary in ancient historiography as real evidence for the intentions behind the founding of colonies in the fifth and fourth centuries BCE.<sup>17</sup> Instead, my study focuses on how the discourse in oratory and historiography discussing colonisation is a product of late Republican and Augustan intra-elite consensus about the function of colonisation, that is, as a powerful tool for the maintenance of their hegemony in popular politics.

In view of this, the role of non-elite citizen agency in colonisation offers us a new route into examining ‘popular’ politics in the late Republic. The fact that the elite of late Republican Rome were so intent upon displacing non-elite ‘mass’ agency through colonisation initiatives demonstrates the real agency of this group and the threat it posed to the political status quo. In this sense, my conclusions, although derived from a study of primarily elite texts, draw on what is at times referred to as the ‘democratic’ school of scholarship that has emphasised the political agency of the non-elite, as well as resonating with the Marxist approach of G.E.M. De Ste. Croix (1981).<sup>18</sup> Still, when successfully enacted, colonisation as a displacement of non-elite political participation also speaks to more sceptical analyses of popular sovereignty in the Roman Republic. From this angle, colonisation can be read as one institution, alongside others, such as the *comitia centuriata*, utilised to curb the political agency of non-elite groups in the city.<sup>19</sup> In short, the lens of displacement opens up new ways of seeing how Roman colonisation—and by extension, Roman imperialism—was deeply tethered to the domestic conflicts which unfolded in the *urbs* during the last century of the Republic. In methodological terms, it underscores how the seeds of such domestic displacements ultimately can be found both in the dehumanising metaphors and political theories of the elite which marked certain groups of people out for removal from the physical and political space of the Roman community.

<sup>16</sup> Colonists could, of course, participate in the political life of their colony and Roman colonists were enrolled in voting tribes at Rome, but Roman citizens who became Latin colonists lost their right to participate in Rome’s voting assemblies. The physical distance of many colonies from the *urbs* also meant that many Roman colonists likely did not cast their votes in the assembly or participate in other key political venues, such as the *contio*.

<sup>17</sup> See, for example, the studies of Pais (1931, pp. 109–31); Bernardi (1946); Tibiletti (1950); now revived somewhat by Bradley (2006) and Patterson (2006).

<sup>18</sup> Best represented in Millar’s (1998) monograph, Wiseman’s (2009) collection, and Courier’s (2014, pp. 427–582) exhaustive study of the collective action of the *plebs*. Note, however, that all three authors approach the ‘democratic’ element in very different ways, Millar more forcefully than all others. The future direction of the field is perhaps signalled by Steel et al. (2018), who acknowledge the real role of ideology in ‘popular’ politics and its inseparableness from political institutions; see also Rosillo-López (2017). In all of these treatments, colonisation has not been taken as an instrument of elite intervention in ‘popular’ politics—as an institution which served elite ideological needs—beyond discussions of land distribution as *popularis* or ‘popular’ proposals designed to curry favour with the Roman people. See also the qualifications and overview of the debate provided by Logghe (2017), who restates the ‘democratic’ case by focusing on discrete areas of plebeian agency.

<sup>19</sup> Hence, on the other side of the debate, Mouritsen’s (2001, 2017) arguments about the restrictions on popular sovereignty would also be well served by viewing colonies as another institutional circumvention of this sovereignty.



## 2. ‘Drain the... Plebs!’: Metaphors for Moving the Masses in Late Republican Rome

Metaphors inspired by the gutters and sewers of Rome seem to have been staples of elite discourse when talking derogatively about the ‘masses’ of the city, in particular a subset of this group defined by their familial descent and spatial identity—the *plebs urbana*, or city-dwelling plebeians.<sup>20</sup> The *plebs urbana* could also include former slaves, so that freedmen and freedwomen were subsumed into the ‘masses’—in fact they may have formed a significant majority of this group. In the late Republic, this combined group of freeborn and freed citizens was highly visible in the city and likely numbered in the hundreds of thousands.<sup>21</sup> A brief tour of the semiotics of the sewer reveals a fertile source of social and political metaphor that collected a broad register of signifying terms designed to figuratively shore up these socio-economic and legal status divisions. Dan-el Padilla Peralta’s (2017, pp. 118–19) recent preface to a future study of the “semiotics of ordure” enjoins us to think similarly about its liquid cousins—wastewater, dregs, and the like; for “to do full justice to the forms of privilege and oppression that cluster around waste relief will entail pushing past the diagnostics of humor, given the range of strategies ancient and modern for plotting waste disposal and management along status, class, and gender lines.”<sup>22</sup> The prejudices of our discipline have thus far stymied such a serious consideration of how waste metaphors can perform the work of oppression; this section makes one attempt to remedy this injustice.<sup>23</sup>

For lines of class and status are clearly inscribed in the vast majority of waste metaphors that connect the *plebs* to their ‘lowly’ social position vis-à-vis an implied relation to the ‘lowly’ elements of their urban environment. While the racist connotations of *sujo* are activated when applied to a person of colour in modern Brazil, *caenum*, also meaning “dirt”, could be applied to the entirety of plebeians in a political struggle over control of the consulship at Rome in 297 BCE; the targets and underlying ideologies may differ, but the metaphorical vehicle is unsurprisingly similar.<sup>24</sup> The “dirtiness” of the

<sup>20</sup> For a philological study of some of these metaphors, see Kühnert (1989), who confines her study to Cicero and does not link these metaphors to the common theme of waste, nor, as we shall see, colonisation initiatives. By contrast, Càssola (1988, p. 9) offered an incisive, if brief, snapshot of the evidence, but not the extended analysis and framework I offer below. Gowers (1995, pp. 29–30) *tour de force*, though more concerned with the genre of satire, also lit the way for a semiotics of sewerage tied to Roman politics. Most recently, Courrier (2014, p. 495 n.253) too easily dismisses these terms as simply “moral” in character and lacking any socio-economic quality: “Les qualificatifs tels que *perditi*, *egentes*, *sentina*, *faex* et *sordes* ne relèvent pas d’une sphère socio-économique mais uniquement morale, tout comme les qualificatifs *infimi* et *inferiores* (toutefois nettement moins péjoratifs).”

<sup>21</sup> The debate over the number of freedmen and rates of manumission will likely never be resolved, in the absence of better evidence; but we can at least say that manumission was common in the period under consideration here, and that freedmen were likely numerous—perhaps numbering more than 100,000. For the latest discussion and the problems with our evidence, see Mouritsen (2011, pp. 120–41). If we can trust Suetonius, the number of citizens who received the grain dole numbered 320,000 under Julius Caesar (see Sections 3 and 4 below), which may be somewhat indicative of the magnitude of the *plebs urbana*. We do not, however, know if this number included only male citizens, or their families too. In what follows I adopt the standard parlance of “freedmen”, but in so doing it is not my intention to efface freedwomen from this history; hence, freedwomen should be assumed to be included in this grouping, though we lack the specific sources to link them to colonial foundations in the same way that we can for freedmen, for example, in the epigraphic record at Corinth.

<sup>22</sup> Compare his contribution in this volume (Padilla Peralta forthcoming) on what he terms “copropolitics” and the imaging of the foreigner as a waste product. On the use of metaphors of dirt to vilify certain individuals and social groups in Athenian (and more broadly Greek) society, see Lindenlauf’s (2004, pp. 98–99) insightful analysis, especially with regard to Aristophanes.

<sup>23</sup> Cf. De Ste. Croix’s (1981, p. 355) earlier critique of ancient historians who accepted consciously and unconsciously the Roman elite’s derogatory views of the non-elites as historical reality, especially in terms of the metaphors considered in this section. Indeed, the prejudices of the field during the twentieth century are underscored by one British school ‘Examiner’ (1943, p. 58), who anonymously advocated, in the well-respected journal *Greece and Rome*, that these Roman metaphors be used to make parallels to the British unemployed: “In the background [to Rome’s civil strife], as the raw material of this anarchic and brutal era there is the ‘mob’, *sentina urbis*, *faex Romuli* (most schoolboys can quote these two tags). A proper subject for moral judgements, as it has been from the days of Juvenal and earlier, it serves for many a neat parallel with our pre-war unemployed, with the corn dole as a counterpart to the Unemployment Assistance Board. It is this ‘mob’ which was at last won to ignoble quietude with the bread and circuses of the Caesars, the high-water mark of popular degeneracy.”

<sup>24</sup> Livy 10.15.9: *orare ut ex caeno plebeio consulatum extraheret maiestatemque pristinam cum honori tum patriciis gentibus redderet*. That Oakley (2005, p. 195) notes how “this episode probably has little basis in fact, resting almost entirely on annalistic invention” strengthens the possibility that Livy was drawing on an image common to his own day (or his sources’). Compare its use at Cic. *Vat.* 17 and 23 to describe Vatinius’ obscure origins, like the application of *conluvio* to Gabinius below at n.30.

*plebs* and their popular leaders was also marked with the adjective *sordus* or noun *sordes*, while their proximity to the ground is frequently marked with the adjectives *infinus* or *imus*, “lowest”.<sup>25</sup> As the persistence of these metaphors into the imperial period and their currency in the literary genre of satire seems to attest (Gowers 1995; Gillies 2018), such late Republican mudslinging left a thorough stain upon a large swathe of the Roman citizenry in the realm of elite discourse. In the visual sphere, it is probably not a coincidence that sculptures of beggars and other non-elites (drunken women, fishermen, hunchbacks) from the Hellenistic and Roman worlds often represent their subjects in proximity to, or sitting directly on, the ground.<sup>26</sup> Even as sculptures originally formulated in the Hellenistic period, the acts of conquest, copying, imitation, appropriation, and adaptation that brought them into distinctly Roman contexts could give visual expression to discourses already present in other forms, such as the metaphors assessed in this section. Take for instance this early first century CE Roman bronze figurine (Figure 1) depicting a girl begging that doubles as a coin bank (*thesaurus*).<sup>27</sup> A playful example of form following function, she is not ‘emaciated’ or suffering from a disease, as some other representations of non-elites seem to suggest.<sup>28</sup> Yet she is still positioned, with legs crossed, on the ground, hand outstretched, presumably adopting a pose not unfamiliar to the Roman street—amidst its dirt, dust, and liquid waste.

Moving from dirt into more aquatic territory, *conluvio* (or: *colluviēs*, *colluvium*) carries the sense of muck or filth that has washed up together—as though in a channel or gutter.<sup>29</sup> *Conluvio* labels the crowd of people who followed around the tribune of the *plebs* in 91 BCE, Marcus Livius Drusus, but it also circumscribes the alleged low social origins of Cicero’s political enemy, Gabinius; in each case, it signals the figurative substance where seditious elements gather or originate.<sup>30</sup> It is especially telling that in the generation after Cicero, the historian Livy would apply this metaphor to a group of 4000 men whom the consul of 214 BCE, Marcus Valerius Laevinus, deported from the Sicilian town of Agathyrnum across to Rhegium in Italy during the Second Punic War.<sup>31</sup> These men, a “disorderly mob”, are explicitly framed as an indeterminate, but dangerous substance—the “stuff of revolution” (*materiam novandis rebus*):

[they were] mixed from every sort of bilge (*ex omni conluvione*), exiles, debtors, those convicted of a reckless crime, for the most part, when they had lived in their own communities and

<sup>25</sup> *Plebs infima*: Cic. *Mil.* 95 (mass), *Leg.* 3.20 (leader), *Att.* 4.1.5 (mass); Livy 10.6.4 (mass), 24.23.10 (mass). For similar usage in the imperial period, see: Pliny *NH* 19.54 (mass), Sen. *Controv.* 10.3.5 (mass), Suet. *Otho* 7.1, Tac. *Hist.* 2.38, 2.91. *Infinus populus*: Varr. *Ling.* 5.7.2. *Plebs ima*: Iuv. 8.47. On the connection between this metaphor and the living conditions of Rome, see Blonski (2015, p. 62). Courier (2014, p. 347) on the *plebs summa, media*, and *infinus* as socio-economic gradations.

<sup>26</sup> See Bremmer (1991, pp. 25–26) and Trentin (2015, p. 76) on the self-degradation implied in figures seated on the ground, namely beggars. Most famously, Myron’s *anus ebria*, sometimes interpreted as a beggar woman, is seated directly on the ground. Furthermore, Trentin’s (2015, pp. 104–8) study of sculptures depicting hunchbacks includes a whole category of seated figures—all of which appear to be sitting on the ground, not on furniture.

<sup>27</sup> See Mattusch (2014, pp. 48–49, fig. 25). Compare Trentin (2015, pp. 74–75) on hunchback beggar figurines, but note that her examples do not have the explicit gesture of the outstretched arm. For a standing Ethiopian bronze ‘beggar’ figurine from the Cleveland Museum of Art, but not without the problem that its hand and begging bowl are restorations, see Stewart (2014, p. 236, fig. 141). A full study of ‘beggars’ in the visual arts of the Hellenistic and Roman periods remains to be undertaken.

<sup>28</sup> Of course, as a coin box, she could never be too ‘thin’ in size, otherwise it would render the functionality of the box redundant. That such an object was also owned by someone who was clearly not in the socio-economic position of the girl depicted further reinforces how visual representations could reinforce elite discourses about the non-elite. On emaciation, visual depictions of ‘beggars’, and the attendant problems with the ancient terminology and its visual corollaries, see Bradley (2011). Note that he does not consider issues beyond the terminology and visualization of poverty through flesh(iness), such as posture or proximity to the ground. Other approaches tend to focus on literal representation—compare Rose (2018) on these ‘emaciated’ beggar figurines as actual representations of people suffering from skeletal tuberculosis.

<sup>29</sup> See the specific figurative senses at: *TLL* s.v. *colluvio* III, 1666, 41–57; *OLD* s.v. *colluviēs* 3b: “applied to a conglomeration of worthless people.”

<sup>30</sup> See Cic. *Vat.* 23 (*in conluvione Drusi*), *Sest.* 15 (Gabinius’ origins: *ex omnium scelerum conluvione natus*), *Har.* 55 (P. Clodius imagining the “pollution and subversion of the community” [*conluvionem ... eversionem civitatis*] when speaking on the *rostra*). Cf. Cic. *Sen.* 84 on death as an escape “from this crowd and muck” (*ex hac turba et conluvione*).

<sup>31</sup> See Livy, 26.40.14–18, 27.12.4–5.

under their laws, and afterwards, due to various reasons, a similar fate had heaped them into a mass (*conglobauerat*) at Agathyrnum, eking out a life through robbery and rapine.<sup>32</sup>



**Figure 1.** Roman coin bank. Bronze with copper inlay. 25–50 CE. 12.2 × 13.5 cm (4 13/16 × 5 5/16 in.). J. Paul Getty Museum, Los Angeles, USA. Inv. 72.AC.99. Digital image courtesy of the Getty's Open Content Program.

Metaphorical putty in the hands of Livy, comparison with the Greek historian Polybius' earlier (though fragmentary) account seems to suggest that Livy rendered these men far less favourably, in the socio-political imagery of his day.<sup>33</sup> The pull of Livy's political world is especially felt in the phrase, *res novae*—revolution.<sup>34</sup>

<sup>32</sup> Livy, 26.40.17–18: *quattuor milia hominum erant, mixti ex omni conluuione exsules obaerati capitalia ausi plerique cum in ciuitatibus suis ac sub legibus uixerant, et postquam eos ex uariis causis fortuna similis conglobauerat Agathyrnam per latrocinia ac rapinam tolerantes uitam. hos neque relinquere Laeuinus in insula tum primum noua pace coalescente uelut materiam nouandis rebus satis tutum ratus est, et Reginis usui futuri erant ad populandum Bruttium agrum aduetam latrociniiis quaerentibus manum.* Text: [Conway and Johnson \(1953\)](#).

<sup>33</sup> The power of displacement ascribed to the consul by Livy's choice of verbs (*transvexit*, *locatum erat*, *traducta*) is entirely absent in Polybius' (9.27.11) treatment of the episode. His consul "persuaded" (ἐπεισεν) the men to "withdraw" (or, even, "emigrate": ἐκχωρεῖν, *LSJ* s.v. A) to Italy by offering them specific material incentives: pledges of security for their persons (this may have had real consequences in the midst of a warzone where enslavement was always an imminent threat); pay (or rations: μέτρημα) from the Rhegians and pillage from the Bruttians—all of which are tellingly absent from Livy's account and have not been acknowledged by scholars. [Walbank \(1967, p. 161\)](#) cites Livy's account without drawing any contrast or comparison; [Prag \(2007, p. 77\)](#), also citing Livy, only categorises the men in pragmatic terms as *auxilia externa*, seemingly eliding the different types of men, including the Roman deserters, whom Livy lists. Cf. [Isayev \(2017a, p. 283\)](#), who rightly places them in the broader context of coerced movement during the Second Punic War. Translators of Polybius also supply a noun for the men where none is provided in the text, ostensibly under the influence of Livy's account: [Schuckburgh \(1962, II.587\)](#): "refugees"; Walbank and Habicht's revision of [Paton's \(2011\)](#) translation: "fugitives". Compare the very faithful translation of [Drexler \(1961, I.672\)](#) who refrains from characterising the men as anything other than "<der aus Agathyrna Vertriebenen>" ("those expelled from Agathyrna": his additions are carefully indicated by the brackets) and impersonally as "sie" ("them").

<sup>34</sup> *Res novae* was a particularly potent catch-phrase in late Republican political language, for which see: [Romano \(2006a, 2006b\)](#); [McGushin \(1977, p. 173\)](#), "The phrase *res novae* may have formed part of the traditional vocabulary of historiography ... but it was particularly prevalent in the late Republic"; in Greek and Roman historiography, specifically Sallust and Tacitus: [Spielberg \(2017\)](#); more generally, as an expression of 'revolution': [Finley \(1986, pp. 49–50\)](#).



Yet in his use of such metaphors, Livy was merely following the lead of earlier Roman elites, namely Cicero and Sallust. In early June of 60 BCE Cicero famously wrote to Atticus about his senatorial colleague, Marcus Porcius Cato, opining that:

... I have as warm a regard for him as you. The fact remains that with all his patriotism and integrity he is sometimes a political liability. He speaks in the Senate as though he were living in Plato's *Republic* instead of Romulus' cesspool (*faece*).<sup>35</sup>

A potent catchphrase, the *faex Romuli* likely recalls a tradition about the asylum of Romulus, inasmuch as Livy and Plutarch, among others, describe the 'undesirable' men whom Romulus gathered together to increase the population of a still-nascent Rome.<sup>36</sup> We will consider the tradition surrounding Romulus' asylum later, below (see Section 4). For the moment, we must acknowledge that Cicero's playful critique of Cato's political naïveté turns on a powerful metaphor that exposes an elite perception and anxiety: that the *faex* of the city have outsized influence in the politics of the day.<sup>37</sup> Even though the metaphor is here applied to describe jurors who mostly hailed from the elite, its field of reference can be understood more broadly. For the political agency of the 'popular' *faex* emerges at a number of moments in Cicero's public and private political discourse and seems to speak to their staying power as a source of political anxiety for the elite, not least Cicero.<sup>38</sup> The off-hand, almost mundane application of a metaphor like *faex* to the *plebs* and its collocation with other terms for filth, such as *sordes* and *infimus*, also underscores how the semiotics of liquid waste and dirt were neither mutually exclusive nor exceptional.<sup>39</sup> Built into this metaphor and the others above, however, is the implication that such influence could be disposed of—or displaced—like refuse, washed down Rome's great sewer, the *Cloaca maxima*.

Only one metaphor, though, both aligns its target with liquid waste and proposes its explicit removal in one and the same figuration. 'Drain the dregs', the combination of *sentina* and *exhaurire*, as quoted in the Ciceronian epigraph to this paper, appears to have been deployed in the service of rhetoric advocating for the creation of new colonies (via land distribution) that would remove non-elite groups, such as the *plebs urbana*, from the city. As we will see, the metaphor's appearance in Sallust, Cicero, and later, Livy, suggests its specific role in the elite discourse of the late Republic and early Augustan period. More immediately, the political context of Cicero's utterance is crucial to our understanding of the metaphor. Speaking before a public meeting of the people (*contio*) as consul in 63 BCE, Cicero made his case against the land distribution bill spear-headed by one of the tribunes of the *plebs* for that year, Publius Servilius Rullus. One of Cicero's strategies in the speech relies on quoting Rullus' own words back at him, twisting them to undercut his ideological credibility before a popular (mostly non-elite) audience.<sup>40</sup> At one point, while asserting that Rullus' legislation would buy

<sup>35</sup> Cic. Att. 2.1.8 = SB 21 (June 3(?) 60): *Nam Catonem nostrum non tu amas plus quam ego; sed tamen ille optimo animo utens et summa fide nocet interdum rei publicae; dicit enim tamquam in Platonis πολιτεία, non tamquam in Romuli faece, sententiam.* Text and translation: Shackleton Bailey (1965).

<sup>36</sup> Following Dench (2005, pp. 15–16) and Ayer (2013, p. 86). See below, Section 4 for further analysis.

<sup>37</sup> For similar usage, see Cic. Att. 9.10.7 = SB 177 (March 18, 49 BCE), where Cicero quotes a letter of Atticus' in which he calls ruling Rome with Caesar (during the civil war) "the future sink of iniquity" (*futura colluvie*).

<sup>38</sup> See: Cic. Att. 1.16.11 = SB 16 (July, 61 BCE): Cicero wrote that his position with the "filth and dregs of the city" (*sordem urbis et faecem*) had much improved, while also describing them a few lines later as, "that public-meeting attending leach on the treasury, wretched and starving rabble" (*illa contionalis hirudo aerari, misera ac ieiuna plebecula*). Cic. Q. Fratr. 2.5.3 = SB 9 (March, 56 BCE): Pompey had become unpopular "among that most vicious and lowest swill of the people" (*apud perditissimam illam atque infimam faecem populi*); Cic. Pis. 9 (55 BCE): Cicero complains that under Piso the *collegia* had been reinstated and that innumerable new ones arose out of "all the servile dregs of the city" (*ex omni faece urbis ac servitio*). See also Cic. Fam. 7.32.2 = SB 113 (February or March 50? BCE).

<sup>39</sup> See above note for these collocations.

<sup>40</sup> See, for example: Cic. Leg. Agr. 2.13 for his derogatory characterisation of Rullus' *contio* speech; 2.19 for his explicit critique of Rullus' earlier claim (in a *contio*) to be *nobilis* with Jewell (2018, p. 270); 2.79 for his quotation of an earlier moment, likely at a senate meeting, where he questioned Rullus. Cf. Manuwald (2018, pp. 150–51, 341, 357) for Rullus' senatorial oratory; Morstein-Marx (2004, pp. 248–53) on the contional audience's reliance on the *contio* as a source of 'information' about what was said in senate meetings.

up uninhabitable land for the *plebs* to colonise, Cicero connects this to what Rullus had allegedly said in his speech to the senate on the same bill:

And it is no wonder that this is what was said in the senate by this tribune of the plebs: that the urban plebeians are too powerful in the Republic; that they must be drained (*exhauriendam*); indeed this is the word he used, as though he were speaking about some bilge water (*sentina*) and not about a class of the best citizens.<sup>41</sup>

In a move that today recalls infamous incidents of politicians caught speaking derogatively about the ‘masses’—in the USA, Mitt Romney’s “47%” remark or Hillary Clinton’s “basket of deplorables” come to mind—it is clear that Cicero thought he could undermine the popular credentials of Rullus by parting the curtain between *curia* and *contio*, acting as the ‘hot mic’ for his contional audience.<sup>42</sup> This was but one of the many rhetorical nails Cicero hammered into the coffin that eventually became Rullus’ failed land bill.<sup>43</sup> Nevertheless, voiced in the senate among his peers, Rullus’ metaphor gives expression to a broader elite desire to displace the agency of the ‘mass’; it is no outlier in the elite discourse of this time.

Beyond Cicero’s selective quotation of Rullus’ speech to the senate, the *sentina* metaphor seems to have existed as a mainstay of elite discourse about how to deal with the problem of the *plebs* and their aspiring leaders.<sup>44</sup> This discourse crystallised in the Catilinarian conspiracy of 63 BCE, the same year that Rullus proposed his land bill. In his breakdown of the groups who supported the consular aspirant, Lucius Sergius Catilina (hereafter, Catiline), Sallust asserts that the conspiracy, while led by members of the elite, drew the support of the “entirety of the plebeians” (*cuncta plebes*), who were “eager for revolution” (*novarum rerum studio*).<sup>45</sup> A sentence later, when Sallust singles out the *plebs urbana* as the principal (*praeceps*) segment of these plebeians, we encounter the metaphorical *sentina* again—“those whom disgrace or crime had driven out of their homes, like wastewater (*sentina*), these men had flowed together to Rome.”<sup>46</sup> The conspirators themselves were also branded as *sentina* in Cicero’s first Catilinarian oration, as he exhorted Catiline to leave Rome, since his followers, “the Republic’s great destructive slop (*sentina*) of your companions will be drained (*exhaurietur*) from the city.”<sup>47</sup> The next day, after Cicero’s rhetoric and threats had successfully displaced Catiline from the city, he again would exclaim before the people in a *contio*:

O fortunate Republic, if it shall have thrown out this bilge (*sentinam*) of the city! By Hercules, with Catiline’s removal (*exhausta*) alone I think the Republic has been relieved of a burden and created anew.<sup>48</sup>

<sup>41</sup> Cic. Leg. Agr. 2.70: *Et nimirum illud est, quod ab hoc tribuno plebis dictum est in senatu, urbanam plebem nimium in re publica posse; exhauriendam esse; hoc enim est usus, quasi de aliqua sentina ac non de optimorum civium genere loqueretur.*

<sup>42</sup> On this ‘revelatory’ strategy, see Morstein-Marx (2004, pp. 243–58). For analyses of the political exploitation of the perceived elitist nature of Mitt Romney’s (Landler 2012) and Hillary Clinton’s (Chozick 2016) comments to stoke ‘populist’ ire for electoral gain, see, for example, White (2016, p. 274) and Fuchsman (2017, pp. 37–38).

<sup>43</sup> For Rullus’ bill and Cicero’s speeches against it, see the essential treatments of Hardy (1913); Jonkers (1963); Drummond (2000); and now, Manuwald (2018).

<sup>44</sup> Note that I translate the term *sentina* in different ways throughout this paper, namely to demonstrate its capacious and indeterminate quality, encompassing various kinds of liquid waste, from bilge water in a ship to dregs, filth, scum, wastewater, and sewerage. Thus, I follow the figurative possibilities offered by OLD s.v. 2: “the scum or dregs of society”, rather than the more literal reading of others, such as Ramsey (2007), who referring to its use at Sall. Cat. 37.5, translates it as “bilge of a ship”. Cf. McGushin (1977), who allows for the possibility that “it is often used as an alternative to *colluvies*, to mean filth or dregs.”

<sup>45</sup> Sall. Cat. 37.1: *Neque solum illis aliena mens erat, qui consocii coniurationis fuerant, sed omnino cuncta plebes novarum rerum studio Catilinae incepta probabat.*

<sup>46</sup> Sall. Cat. 37.5: *Primum omnium, qui ubique probro atque petulantia maxime praestabant, item alii per dedecora patrimonii amissis, postremo omnes, quos flagitium aut facinus domo expulerat, in Romam sicut in sentinam confluxerant.*

<sup>47</sup> Cic. Cat. 1.12: *sin tu, quod te iam dudum hortor, exieris, exhaurietur ex urbe tuorum comitum magna et perniciose sentina rei publicae.*

<sup>48</sup> Cic. Cat. 2.7: *O fortunatam rem publicam, si quidem hanc sentinam urbis eiecerit! Uno me hercule Catilina exhausto levata mihi et recreata res publica videtur.* Cf. Morstein-Marx (2004, p. 219 n.67), “The audience must have appreciated Cicero’s application to Catiline’s fancy followers of an insulting phrase that the urban plebs rightly suspected was often used of them.”

It cannot be a mere coincidence that Rullus' choice of metaphorical language to describe the displacement of the *plebs* and their agency—*exhaurire*, with *sentina* added by Cicero<sup>49</sup>—happened in the same year as the Catilinarian conspiracy. The defeat of Rullus' colonisation programme may have contributed to support for Catiline's electoral platform and both clearly sought to address the 'problem' of the urban 'mass'—in different ways, of course. Regardless of whether the two politicians coordinated their efforts, they point in the same direction: to elite anxieties about the growing power of this non-elite group in late Republican politics.<sup>50</sup>

Even with the defeat of Rullus' land bill and Catiline's movement in 63, land legislation arose again in 60 with a bill from another tribune, Flavius; this, too, would fail.<sup>51</sup> But this time Cicero chose to support the bill. Crucial for our purposes, he reveals his intra-elite solidarity for the bill in a letter to Atticus on March 15, 60 BCE, when he himself deploys the metaphor of 'draining the dregs' to describe the potential effects of the legislation. There Cicero explains how Pompey is set on passing Flavius' bill and that he has been assured that the private land holdings "of the wealthy" (*locupletium*) will not be threatened by the land distribution. Instead, Cicero claims that he is meeting Pompey and the *populus* halfway by allowing land to be purchased (through the revenues coming from Pompey's eastern military campaigns)—precisely the method he had opposed in Rullus' land bill. For present purposes, however, what Cicero views as the upshot and undergirding purpose behind the law is of greater interest:

As for the populace and Pompey, I am meeting them (as I also want to do) by way of purchase. If that is properly organised I believe the dregs of the city can be cleared out (*sentinam urbis exhauriri*) and Italy repopled.<sup>52</sup>

To Cicero's thinking at least, then, Flavius' land programme, and the colonies that would result from it, could achieve a double objective—drain the city of the *plebs urbana* and repopulate Italy.<sup>53</sup> The revelation that what Cicero said in public (against Rullus) does not reflect what he expressed in private (to Atticus) is no great revelation at all, but it does mean that we now have a clear rationale for late Republican colonisation twice expressed through the same pejorative metaphor.<sup>54</sup> Moreover, when Cicero wrote to Atticus a few months later about the *faex Romuli*, it is not irrelevant that a discussion of Flavius' *lex agraria* immediately precedes this image of the grubby political wheeling and dealing of the day.<sup>55</sup> Evidently, Rome's 'waste problem' was on the minds of the Roman elite at this critical time.

The fact that we also encounter the metaphor in Livy's narration of the Second Punic War in Sicily suggests that 'drain the dregs' had acquired a special currency among elites when they spoke to each other about removing non-elites from the city and its politics. Like the *conluvio* at Agathyrnum, these men, a group of Roman deserters and auxiliaries, are cast as desirous of *res novae* and their departure

<sup>49</sup> Contra Purcell (1994, p. 655), "the phrase is Cicero's". Cf. Manuwald (2018, p. 341), "[Cicero] does not attribute this further word [*sentinam*] to Rullus, but the context insinuates that it too might be his."

<sup>50</sup> On the indirect causal relationship between Catiline's and Rullus' efforts, see Gruen (1974, pp. 395–96, 403).

<sup>51</sup> See Rotondi (1912, p. 386); Gruen (1974, pp. 396–97); Flach (1990, pp. 76–78). The failure of these bills also demonstrates that while colonisation served some elite aims, it could be perceived as a threat to elite, landed interests (i.e., through land distribution) and hence these initiatives were often thwarted or saw success more because of senatorial and equestrian opposition or support, than popular opposition or support. See Mouritsen (2017, pp. 113, 149) on this point.

<sup>52</sup> Cic. Att. 1.19.4 = SB 19: *populo autem Pompeioque (nam id quoque volebam) satis faciebam emptione, qua constituta diligenter et sentinam urbis exhauriri et Italiae solitudinem frequentari posse arbitrabar*. Translation modified from Shackleton Bailey's (1965). On this letter see, especially, Morstein-Marx (2004, pp. 210–12).

<sup>53</sup> See also Dio, 37.50.1 with Shackleton Bailey (1965, l.336) on the intent of Flavius' bill to grant land not only to Pompey's veterans, but the citizenry at large.

<sup>54</sup> On the disjunction between Cicero's public and private statements on this matter, see Jonkers (1963, pp. 110–11); Shackleton Bailey (1965, p. 337); and Morstein-Marx (2004, pp. 211–12, 253). Cf. De Ste. Croix (1981, p. 624 n.14), "It is interesting to see how Cicero, in a speech delivered to the populace in a *contio*, could pretend to be shocked when recalling how his opponent, Rullus, had referred to the urban plebs..."

<sup>55</sup> Cic. Att.1.21.6 = SB 21: mention of Atticus' previous correspondence about the agrarian law (*quod de agraria lege scribis*) marks the beginning of the discussion. Although the remark directly bears on the matter of jurors taking bribes, one could argue that Cicero here draws on the *faex* metaphor because of its more regular application to the *plebs urbana*.

from the city of Syracuse is described as a ‘draining’ of the ‘dregs’.<sup>56</sup> Yet this figurative language was not simply a facile catchphrase or a shorthand way of speaking about the *plebs urbana* and other marginalised groups in the city, as most scholars have supposed.<sup>57</sup> This metaphor articulated one of the elite intentions driving colonisation programmes—programmes that, as we will see, would displace tens, even hundreds of thousands of Rome’s citizens. It is to the practical outcome of these metaphors—from figurative to physical displacement—that my analysis now turns.

### 3. Displacing the *Plebs Urbana* and Freedmen from Caesar’s Rome: The Creation of a ‘Gutter Empire’?

When the biographer Suetonius described the *result* of Julius Caesar’s colonial foundations across the Roman Empire, it seems deliberate that he chose the verb that was integral to the elite metaphor for colonisation from the very period he was describing—*exhaurire*, ‘to drain off’. For according to Suetonius’ brief account, Caesar’s colonisation plans as dictator (49–44 BC) had seen some 80,000 citizens sent to overseas colonies, leaving the crowd of the *urbs* “drained” (*exhausta*). Rome was apparently so depopulated that, quite ironically, this caused Caesar to engage in further social engineering, as he passed a law with measures ostensibly aimed at stabilising the male citizen population by preventing their departure from Italy.<sup>58</sup> Caesar had apparently succeeded where other elites had failed—he had ‘drained’ Rome.

The intra-elite solidarity on display in the discourse we have examined above was therefore not simply a series of empty sentiments, voiced from time to time in the safe space of the senate or in the private correspondence of a few elite men. On the contrary, although this discourse painted a large group of Roman citizens with broad brushstrokes, leaving little room for the distinctions within the non-elite citizenry that scholars have sought to recover, it seems to have translated into real political actions directed toward removing that catch-all group.<sup>59</sup> This section traces, then, how the *intentions* embedded in the elite discourse about ‘draining’ the *plebs urbana* came to be realised as *demographic outcomes* in the contemporaneous colonial foundations of Julius Caesar in 59 and 49–44 BCE. The evidence for the early life of these colonies is not always clear or consistent. But what information we can glean from our sources about the demographic character of their colonists indicates that, to some extent, they hailed from the lower socio-economic and legal strata of Roman society.

Beginning perhaps with the failure of a land distribution bill (the *Lex Plotia*) in 70 BCE, the 60s saw a distinct uptick in the proposal of agrarian programmes, ostensibly to satisfy both Rome’s landless citizens and the veterans returning from the campaigns of its latest ‘big man’ general, Pompey the Great.<sup>60</sup> Success did not arrive on this political front, however, until Julius Caesar’s first laws (*lex Iulia*, *lex Campana*) on land distribution were passed during his consulship of 59 BCE. Writing three centuries after the fact, Cassius Dio framed Caesar’s initiatives in terms almost akin to those we have just seen Cicero use to describe Flavius’ land bill in 60:

Caesar wanted to ingratiate himself with the masses, so that he might make them his own all the more. ... The excessive multitude of the city, which was being riven by discord, would thus be turned toward labour and agriculture; and the majority of Italy, now desolate, would

<sup>56</sup> Livy 24.29.3: *nam et illis, quod iam diu cupiebant, nouandi res occasio data est, et hi sentinam quandam urbis rati exhaustam laetabantur*. Text: [Briscoe \(2016\)](#).

<sup>57</sup> To take but a few examples, compare the passing treatments of [Kühnert \(1989, pp. 439–40\)](#); [Purcell \(1994, p. 655\)](#); [Gowers \(1995, pp. 29–30\)](#); [Morstein-Marx \(2004, p. 253\)](#); and [Courrier \(2014, p. 13\)](#).

<sup>58</sup> Suet. Jul. 42: *octoginta autem ciuium milibus in transmarinas colonias distributis, ut exhaustae quoque urbis frequentia suppeteret, sanxit, ne quis ciuis maior annis uiginti minorue tdecem, qui sacramento non teneretur, plus triennio continuo Italia abesset, neu qui senatoris filius nisi contubernalis aut comes magistratus peregre proficisceretur*. Text: [Ihm \(1908\)](#). On this and earlier measures restricting movement, see [Isayev \(2017a, p. 47\)](#).

<sup>59</sup> On the problems involved with the terminology deployed by elite authors to describe the ‘poor’, see [Morley \(2009, pp. 25–27\)](#) and, especially, [Ayer \(2013\)](#); on the problems arising from the ambiguous terms used to describe the *plebs urbana*, see [Courrier \(2014, pp. 7–16, 485–86, 493–96\)](#).

<sup>60</sup> On the agrarian initiatives in this period, see [Brunt’s \(1971, pp. 312–19\)](#) and [Gruen’s \(1974, pp. 387–404\)](#) treatments.



be colonised again, so that not only those who had endured hardship on the campaigns, but all the rest as well, would have sufficient subsistence.<sup>61</sup>

While Dio may be parroting back the rhetoric of his sources, we still gain the impression from his account and others that at least some of Caesar's colonists came from the politically problematic slice of the 'excessive' urban population we have already encountered as the 'dregs'. Indeed, Suetonius (*Iul.* 20.3) brings some clarity to this picture, reporting that Caesar settled 20,000 colonists who each had three or more children on land in Campania, as well as the Stellan plain. Later, in his *Life of Augustus*, and only in passing, Suetonius describes how the *lex Iulia* distributed land in Campania to the *plebs*; no other group is named, not even veterans.<sup>62</sup> Even closer to the actual event, the Tiberian author, Velleius Paterculus, also reports the same details, although he specifies that all 20,000 of the *plebs* were settled at Capua.<sup>63</sup> Appian's later account even provides a rationale—the land distribution was designed not just for any of the *plebs*, but more specifically “for the relief of the poor” (ὕπερ τῶν πενήτων)—and adds that Capua, a particularly fertile district, was the centrepiece of the initiative.<sup>64</sup> All of Plutarch's mentions of Caesar's land distributions explicitly link them to relief for the poorest citizens.<sup>65</sup> The sum of these later accounts therefore fills out a relatively consistent picture of the socio-economic aim of Caesar's colonies, whereby a large number of the urban poor were likely resettled in Campania.<sup>66</sup>

The person we would expect to be our best contemporary witness for Caesar's colonisation program in 59, beyond Caesar himself, Cicero, has actually left us far less in the way of general information than some of the secondary accounts. Yet in two important letters he penned to Atticus in 60 and 59, Cicero reveals some of the aims and limits of Caesar's proposal and the political calculations involved in ‘draining the dregs’ through such a plan. For in 60, as Cicero runs through his political options in the context of Caesar's land bill, he explicitly links his potential support for the bill to “peace with the mass” (Cic. *Att.* 2.3.4 = SB 23: *pax cum multitudine*) for *himself*. Even from Cicero's self-interested perspective then, we detect the power of the ‘mass’ as a driver for the political support behind Caesar's initiative. In the following year, Cicero then argued that since the land allotted in Campania cannot support more than 5000 colonists, Caesar and his backers would lose the support of “all of the leftover masses” (*reliqua omnis multitudo*).<sup>67</sup> For our purposes, Cicero's pre-emptive critique of Caesar's ambitious plans may in fact be the most significant piece of evidence that emerges from this episode. The more conventionally understood notion that colonisation was a powerful way of building bases of political and military support, or client-relationships, as Zvi Yavetz once argued, perhaps lies behind Cicero's critique, and is an idea more explicitly expressed in Cassius Dio's account—but this is only one facet.<sup>68</sup> Even more noticeably, Cicero's comment underlines the political agency of the ‘mass’

<sup>61</sup> Dio, 38.1.1, 38.1.3: ... ὁ Καῖσαρ τὸ σύμπαν θεραπεῦσαι πλῆθος ἠθέλησεν, ὅπως σφᾶς ἔτι καὶ μᾶλλον σφετερίσῃται. ... [3] τὸ τε γὰρ πλῆθος τῶν πολιτῶν ὑπερογκὸν ὄν, ἀφ' οὗπερ καὶ τὰ μάλιστα ἐστασίαζον, πρὸς τε τὰ ἔργα καὶ πρὸς γεωργίας ἐτρέπετο, καὶ τὰ πλεῖστα τῆς Ἰταλίας ῥημωμένα αὐθις συνωκίζετο, ὥστε μὴ μόνον τοὺς ἐν ταῖς στρατείαις τεταλαιπωρημένους ἀλλὰ καὶ τοὺς ἄλλους ἅπαντας διαρκῆ τὴν τροφὴν ἔχειν ... Text and trans. Cary (1914) modified.

<sup>62</sup> Suet. *Aug.* 4: ... *agrum Campanum plebi Iulia lege divisit*.

<sup>63</sup> Vell. Pat. 2.44.4: *In hoc consulatu Caesar legem tulit, ut ager Campanus plebei divideretur, suasore legis Pompeio. Ita circiter viginti milia civium eo deducta ...*

<sup>64</sup> App. *B Civ.* 2.10. On Caesar's colonists settled at Capua under a *lex Iulia*, see also Caes. *B Civ.* 1.14.4.

<sup>65</sup> Plut. *Pomp.* 47.3, Caes. 14.1, *Cat. min.* 31.4.

<sup>66</sup> So Gruen (1974, p. 399). Cf. Brunt (1971, pp. 313–19).

<sup>67</sup> Cic. *Att.* 2.16.1 = SB 36 (Formiae, 29 April or 1 May, 59 BCE). As Flach (1990, p. 81) has cogently argued, the total of 20,000 listed in other sources is the total number of colonists, their wives, and three children, while Cicero's number represents only the male colonists themselves.

<sup>68</sup> Yavetz (1983, pp. 142–43) specifically dismisses a straightforward reading of Dio's reported social reasons for Caesar's colonies: “in an age of power politics such a ‘naïve’ intention may not be acceptable.” Yet we should be cautious about the true power of these client connections. One of the first places that Pompey's forces levied troops was from among Caesar's very own colonists at Capua, as told in his own words at Caes. *B Civ.* 1.14.4. Cf. Gruen's (1974, pp. 393–404) reading of the general social purposes of agrarian legislation in this period, which I largely follow. On *clientela*, see most recently Mouritsen (2017, pp. 94–95), who seriously doubts that those from the lowest socio-economic strata of society had direct access to these networks.

in Rome, both foregrounding the elites' desire to displace this group to Campania, but also the threat which the disgruntled 'leftovers' could still pose to the political order.

The 20,000 urban poor, who were moved to Campania and the Stellan plain in 59 and the following years, have not left any of the distinctive material traces of their presence which we as historians would hope to find, nor do the literary sources take us beyond the generalities already canvassed.<sup>69</sup> Yet we do possess much better, if still patchy, evidence for the colonists who were sent out to populate Rome's growing empire overseas under the auspices of Caesar's second colonisation programme. This programme saw Rome 'drained' of some 80,000 or more people beginning in 49–44 BCE, but primarily executed in the triumviral and early Augustan periods.<sup>70</sup> We can say with confidence that some of the colonists sent out to at least three sites—Urso (Spain), Corinth (Greece), and Carthage (Tunisia)—were landless or low-status citizens, a mixture of the freeborn (*ingenui*) and freedmen (*libertini*).<sup>71</sup>

The evidence for ascribing a non-elite character to the founding colonists of these colonies mostly derives from a mixture of literary and epigraphic texts. At Urso, the name of the colony, *Colonia Genetiva Urbanorum*, as preserved by Pliny the Elder, seems to denote the origin of the founders of the colony, that is, the *Urbanorum* ("of the urbanites"), points to the *plebs urbana*.<sup>72</sup> While scholars have also underlined the presence of veterans in the early life of the colony, this does not preclude a strong plebeian contingent, or for that matter, the presence of freedmen. Two clauses from the colony's foundation charter (c. 45 BCE), the famous *Lex Ursonensis*, make important provisions for freedmen (*libertini*), allowing them to hold magistracies within the colonial government and, perhaps even more crucially, asserting that a decurion on the town council could not be impeached on the basis of his freed status.<sup>73</sup> That such provisions are present in the constitutional document of the colony strongly suggests that freedmen formed a significant part of the first party of colonists.<sup>74</sup>

Looking to two cities which had seen utter destruction at the hands of the Romans, but were now given new life as Caesarian colonies, Carthage and Corinth, here too we find a mixture of plebeians and freedmen attested at both sites. Appian (*Pun.* 136) claims that Caesar sent colonists to both of these sites, drawing them from the 'homeless' since they were demanding land (τῶν ἀπόρων αὐτὸν ... περὶ γῆς παρακαλούντων), with 3000 being sent to Carthage, combined with recruits from the surrounding area. Taken alone, we might have reason to doubt the applicability of Appian's account to Corinth, since the fates of these two cities were so often entwined in the Roman mind-set, but a bounty of evidence from other texts and the site itself suggests otherwise.<sup>75</sup> It is notable that the Augustan era geographer, Strabo (8.6.23), went to the trouble of being so specific about Corinth's colonists, reporting that Caesar restored the city due to its favourable situation, "sending colonists mostly from the class of freedmen" (ἐποίκους πέμψαντος τοῦ ἀπελευθερικοῦ γένους πλείστους).

<sup>69</sup> We do, however, hear about the pejorative character of the colonists whom Mark Antony had settled in Campania alongside Caesar's colonists under a *lex agraria* of June 44 BCE, but only in the context of severe invective and thus needs to be read with caution: see Cic. *Phil.* 2.101 (mimes) and *Phil.* 8.26 (actors, gamblers, pimps and two notorious centurions, Cafo and Saxa) with Ramsey (2003, p. 310).

<sup>70</sup> Vittinghoff (Vittinghoff 1951, pp. 1272–79). See also Yavetz (1983, pp. 144–49) more generally for an assessment of Vittinghoff's scholarship.

<sup>71</sup> Cf. Brunt's (1971, pp. 234–61) treatment. For example at pp. 256–57, *contra* Vittinghoff (1951, pp. 1301–2), he prefers to see the colonists sent to Buthrotum as the rural *plebs*, since they are described by Cicero (*Att.* 16.16c.2 = SB 407C) as *agrarii* and "one can hardly believe that many urban dwellers from Rome wished to become peasants in Epirus." Note, however, that some doubt remains, since Cicero then describes the colonists twice as "land seekers" (*agripetas*) at Cic. *Att.* 15.29.3 = SB 408 and 16.1.2 = SB 409. Cf. Strabo 7.7.5, who describes them only as "Roman colonists" (ἐποίκους ... Ῥωμαίους).

<sup>72</sup> Pliny, *NH* 3.3.12: *Urso quae Genetiva Urbanorum*.

<sup>73</sup> For the right to hold magistracies, see *lex Coloniae Genetivae Iuliae* 18 = Coles (2017) L2. For freed status as a protected category in the holding of magistracies, see *lex Coloniae Genetivae Iuliae* 105 in Crawford (1996, pp. 409–10) = Coles (2017) L3. These magistrates may have even held a limited form of *imperium*, as a new fragment of the Urso charter seems to attest: Coles (2017, p. 198).

<sup>74</sup> See Vittinghoff (Vittinghoff 1951, p. 1290); Treggiari (1969, pp. 35, 63); Brunt (1971, p. 256); Crawford (1996, p. 446); Mouritsen (2011, pp. 74–75); and now, Coles (2017, pp. 184–85, 196). For the intersection of the colony with the violence of the civil wars, see Osgood (2006, pp. 145–46).

<sup>75</sup> Wiseman (1979, pp. 492–93 with n.196) and, especially, Purcell (1995).

A likely contemporary of Strabo's, the Augustan era poet Crinagoras of Mytilene, whose epigrams survive in the *Palatine Anthology*, also singled out the servile roots of Corinth's colonists. The pejorative character of the city's new inhabitants forms the entire subject of one of his epigrams, in which he bemoans Corinth's (and Greece's) unlucky fate, since the site has been "given over wholesale to such good-for-nothing slaves" (τοίοις διὰ πᾶσα παλιμπρήτοισι δοθεῖσα).<sup>76</sup> On the ground, we do find some corroboration in the biographical traces left behind by the first colonists in the material record. Anthony Spawforth (1996) has shown through his persuasive onomastic study of the 42 names attested for the city's *duoviri* in their numismatic output and epigraphic texts that a large proportion of these magistrates—and therefore the colonial elite—hailed from servile heritage. These men were likely the freedmen of many of the leading families in Rome, including Mark Antony and Julius Caesar himself, as well as traders (*negotiatores*) who had long been operating in the region.<sup>77</sup>

The plebeian and freed character of (some of) the colonists who founded Urso, Carthage, and Corinth is uncontroversial among most scholars, and we could add several other colonies to their number, especially those which have freedmen attested as magistrates in the first few decades after their foundation.<sup>78</sup> But as P.A. Brunt (1971, p. 256) once noted, we need not divide Caesar's colonies into "veteran and proletarian settlements"; they were most likely mixed, especially in areas where no immediate military need had presented itself. Still, one other basic, yet rarely stated fact argues for viewing even Caesar's veteran colonists as possessing a socio-economic character not dissimilar to the 'proletarian' colonists. If, by this point in its history, we accept that the Roman army was increasingly recruiting from the landless poor, the *proletarii*, then we must acknowledge that this was the very same group who could be said to correspond to the metaphorical 'dregs' which Cicero and company were all so eager to dispose of.<sup>79</sup> To be sure, military service endowed these men (and their families) with another set of attributes, but we should not ignore their prior socio-economic identity and the potential for cross-association with their fellow *proletarii*—akin to a class-based intersectional identity—even as veterans who may have accumulated considerable wealth from the booty taken on campaign.<sup>80</sup> What Caesar's colonies achieved then, as the subtitle of this section suggests, was not simply the 'draining' of Rome's 'masses', but their displacement across the Mediterranean to form what we might dub—to deliberately recall the derogatory metaphors of the elite—Caesar's 'Gutter Empire'.<sup>81</sup>

#### 4. Towards an Elite Theory of Roman Colonisation: From Romulus' Asylum to the Fatal Shores of Australia's Penal Colonies

What is all the more remarkable about the elite metaphor of 'drain the dregs' and its implementation through Caesar's colonisation programmes, is that all the while the Romans were telling themselves that their city had been founded out of the archaic equivalent of these same

<sup>76</sup> Crinagoras, *Ant. Pal.* 9.284.5. Text: Gow and Page (1968, I: 220). See Gow and Page (1968, II: 247–48) for commentary. For Crinagoras' biographical details, see Dueck (2000, p. 141) with Strabo 13.2.3.

<sup>77</sup> See the work of Millis (2010, 2014) and Coles (2017, pp. 185, 192–93, 196–97), who each build upon and add nuances to Spawforth's (1996) study and other earlier scholarship.

<sup>78</sup> See Vittinghoff (Vittinghoff 1951, pp. 1279–307); Brunt (1971, pp. 234–61), and now, on freedmen magistrates at Julian and Augustan colonies such as Dion, Naron, and other sites in addition to those treated above, Coles (2017). See Hanse (2011, pp. 89–90) on freedmen at Buthrotum.

<sup>79</sup> On the 'proletarianisation' of the army, once thought to have begun in the second century BCE, see Gabba (1976), and more recently, De Ligt (2007). However, see now De Ligt (2012, pp. 175, 184–85) and Keaveney (2007, pp. 23–28) who rightly cast doubts on speaking of anything more than an increase in the number of recruits from the *proletarii* after Marius opened up recruitment from the *capite censi* in 107. On the situation just after the Second Punic War, see Erdkamp (2011, pp. 115–17). More generally on veterans as colonists, see Broadhead (2007), and specifically on Caesar's veteran colonists, Keppie (1983).

<sup>80</sup> The implications of such intersectionality are under explored in the scholarship, but for brief mentions, such as Erdkamp (2011, p. 113); Cf. Keaveney's (2007, p. 25) reservations. The evidence gathered by Phang (2008, pp. 77–78, 224, 271) for recruitment standards and the stereotypes attached to soldiers from the *plebs urbana* during the imperial period demonstrates the potential for this approach. See also De Ligt (2004, pp. 743–44) on the reasons why the 'poor' may not have started to join the army in greater numbers until land distribution became tied to service under Marius in 107 BCE, since the *stipendium* was so low, the cost of military outfitting so high, and the odds of war booty so variable from war to war.

<sup>81</sup> Thus, I follow Vittinghoff (1951) and Gelzer (1968, pp. 287–88) in seeing Caesar's colonies as part of a concerted effort to reduce the number of *proletarii* in the city.

‘dregs’—the *faex Romuli*. The blueprint for this scheme of forming colonies by displacing the urban *faex* lies at the core of Livy’s account of Romulus’ asylum, a number of whose elements correspond to the elite rationale behind colonisation in the late Republic. Most obviously, and as we have already briefly noted (in Section 2), Livy (1.8.6–7) tells us that “the entire crowd” (*turba omnis*) assembled by Romulus had fled from the neighbouring areas and that there was no discrimination on the basis of legal status—free or slave. The mob, the fugitive, the criminal—that Romulus’ asylum, and, ergo the *urbs*, grew in size because Rome’s founder took in these ‘undesirable’ people seems to have been a well-established tradition by the time of Livy’s generation (at the latest).<sup>82</sup> This is clear enough from the fact that the disreputable character of Romulus’ ‘crowd’ is repeated with some abbreviation in another Augustan author outside of the genre of historiography—the geographer Strabo (5.3.2) describes them as “a mixed up mob” (ἀνθρώπους σύγκλυδας)—but is also disputed by Livy’s historiographical contemporary, Dionysius of Halicarnassus, who instead sees the asylum seekers as a more noble group of political exiles from Greece.<sup>83</sup>

Most crucially, like the late Republican *plebs urbana*, in Livy’s version, Romulus’ asylum seekers were “eager for revolution” (*avida novarum rerum*).<sup>84</sup> It is telling that some have read this key phrase without its usual negative connotations of political upheaval, but rather, recalling the modern ‘asylum seeker’, it has been rendered positively, almost in an aspirational light. In an academic context, we encounter the translation “eager for a new start”, while in a 2015 New York Times op-ed, another author, deploying Rome as an ancient example in advocating for an open asylum seeker policy, offers an excerpt from Livy where the phrase appears as “eager for new conditions”.<sup>85</sup> Yet the pejorative tone of *res novae* cannot be ignored or effaced through some semantic sleight of hand. Before they had even put down roots in Romulus’ asylum, these marginalised and displaced people were characterised as latent revolutionaries in the political discourse of the late Republic.

It seems especially jarring, then, to invoke Romulus’ asylum as a way of thinking about Rome as “a culture with [asylum] as its founding mythology”, as Mary Beard has, in contrast to contemporary approaches (the EU’s “hostility to migrants”). This mythology actually reveals more about Rome’s domestic politics—that an unruly mass, “eager for revolution”, had always been the beating heart of the body politic—than its ‘open’ stance towards outsiders.<sup>86</sup> Emma Dench’s (2005, pp. 10–11) warning should be heeded still more now:

... readings of *aspects* of Roman society ... might at first sight make Rome appear a worthy model for aspirational European ‘multiculturalism’ at the beginning of the twenty-first century. We need, however, to be very careful. ... It is also salutary in this context to note that Rome’s ‘openness’ or ‘race-mixture’ has been idealized in distinctly non-liberal contexts within recent history.

<sup>82</sup> For earlier sources, see Bruggisser (1987, pp. 166–71) and Rigsby (1996, pp. 575–79).

<sup>83</sup> Dion. Hal. *Ant. Rom.* 1.89.1: he rejects the characterisation of early Rome as a “refuge for barbarians and fugitives and homeless people” (βαρβάρων καὶ δραπέτων καὶ ἀνεστίων ἀνθρώπων καταφυγὴν). Cf. Plutarch’s (*Rom.* 9.3) characterisation, which is even more extreme and unapologetic than Livy’s.

<sup>84</sup> The same issue arises a little later in Dionysius’ narrative: in his telling (*Ant. Rom.* 2.62.3–4), Numa implemented land distribution to deal with the problem of the “the homeless and wandering poor” (τοῦτο ἀνέστιον καὶ πτωχὸν ἀλώμενον), who had not been provided for by Romulus, and were on the brink of revolution (νεωτερίζειν ἐτοιμώτατον).

<sup>85</sup> Academic context: Lee-Stecum (2008, p. 75). Opinion piece: Bazelon (2015). See also Stem (2007, p. 451), paraphrasing with “fresh start”. For the pejorative reading see: Cornell (2001, p. 51 n.42), “Most translations miss the pejorative sense of *novae res*, which is surely meant here”; Dench (2005, p. 19) “His mob is potentially revolutionary in its eagerness or hunger for ‘new things’: it reminds us of his treatment of the popular element in the work as a whole, an intrinsic part of what Rome is, but prone to disputes with the upper classes and to particular character traits”. See also Ayer (2013, pp. 88–89). On *res novae* see above n.33.

<sup>86</sup> Beard in Begley’s (2015) interview; Beard’s (2015a) op-ed in *The Wall Street Journal*. See also Beard (2015b) in *The Guardian*. Compare (Padilla Peralta’s (forthcoming) treatment of the asylum in this volume. The fact that scholars such as Van Dommelen (1997, 1998, pp. 15–33) and De Angelis (1998) have already shown how the early scholarship and archaeology of Greek and Roman colonisation was heavily influenced by the colonial project of the imperial powers in which these disciplines were formed—and vice versa by Terrenato (2005)—only further underlines the risks involved when attempting to invoke an ancient phenomenon as a model for contemporary issues.



In point of fact, Livy's account becomes all the more removed from an ideal notion of 'asylum-as-open society' if we consider the rationalisation he provides for Romulus assembling such a motley crew to fill Rome's empty space:

Then, lest the vastness of the city be vacant, for the sake of increasing the mass of people Romulus resorted to an old plan of city founders, who by assembling together a shady and abject mass to themselves, they used to falsely claim that their children had been born of the earth.<sup>87</sup>

Putting aside Livy's cutting allusion to the Athenian claim to autochthony, it is unclear precisely where Romulus' "old plan" (*vetus consilium*) comes from.<sup>88</sup> To be sure, in the Greek world, many cities, among them colonies (*apoikia*), claimed that they had been founded by exiles or refugees and this is usually understood as his source of inspiration.<sup>89</sup> Further to the point, both Livy and Dionysius of Halicarnassus understand Rome as an Alban colony of sorts. Livy reports that when Romulus and Remus first conceived of founding Rome, it was founded out of the "mass" (*multitudo*), as well as the herdsmen of Alba and Lavinium.<sup>90</sup> Unlike Livy, Dionysius does not ascribe agency to Romulus and Remus and instead explicitly frames Rome's foundation as a colonial initiative on the part of the new king of Alba, Numitor, who wanted to both displace his political enemies and the city's surplus population.<sup>91</sup> He also notes that the largely "common stock" (*δημοτικὸν γένος*) of the foundation was typical for new city foundations, even if he is careful to include some Trojan aristocrats among the founders (*Ant. Rom.* 1.85.3). If, therefore, we understand that these writers conceived of Rome's foundation as a *colonial* foundation, then Livy's rationalisation of Romulus' asylum seems to be an elaboration of this process.<sup>92</sup> In particular, it speaks to two interconnected features of Roman colonisation: (1) the challenge of establishing a colony in a far-flung, hostile, or environmentally unappealing place—that is, the risk of it being abandoned and reverting to that "vacant" (*vana*) state in which Romulus' asylum had begun; and (2) that the best solution to this problem is to rely on the marginalised in Roman society—the desperate, criminalised, and poor—to populate such an empty space and found a new city.<sup>93</sup>

Livy's brief exposition of this interlocking theory behind city—or rather, colonial—foundation brings into sharper focus similar ideas that we have already seen at work in Cicero's discourse about the colonisation proposals of his own day. When Cicero wrote to Atticus that Flavius' land distribution plan in 60 BCE was a way to simultaneously "drain the dregs" of the city and "repopulate Italy", he was giving voice to the same notion at the heart of the "old plan" guiding Romulus' asylum.<sup>94</sup> Again, in his *contio* against Rullus' land bill, Cicero explicitly connected (*et nemirum*) Rullus' rhetoric of 'draining' the *plebs urbana* to the fact that one of the two types of land available for Rullus' purchase-plan was that deemed uninhabitable:

<sup>87</sup> Livy, 1.8.5: *Deinde, ne vana urbis magnitudo esset, adiciendae multitudinis causa vetere consilio condentium urbes, qui obscuram atque humilem conciendo ad se multitudinem natam e terra sibi prolem ementiebantur ...* Text: Ogilvie (1974).

<sup>88</sup> For one connection to Athens and its intake of refugees, see Serv. ad *Aen.* 2.761 with Bruggisser (1987, pp. 163–86) and Rigsby (1996, p. 575 n.5).

<sup>89</sup> See, for example, Ogilvie (1965, pp. 62–63); Cornell (2001, p. 51); and Lee-Stecum (2008, pp. 69–70). On this method of city foundation in the Greek world, see: Dougherty (1993, pp. 16–18) on the literary record; Rigsby (1996, pp. 575–77) on *asylia* as a Greek influence on Roman articulations of what was originally called *inter duos lucos*, not *asylum*. On Greek exile (individual and collective), see more recently, Garland (2014); Gray (2015, 2018) in this volume.

<sup>90</sup> Livy, 1.6.3: *Et supererat multitudo Albanorum Latinorumque; ad id pastores quoque accesserant.*

<sup>91</sup> Dion. Hal. *Ant. Rom.* 1.85–86; note that he applies the term *apoikia* multiple times to Rome at 1.86.1–2.

<sup>92</sup> Thus, I am building on the suggestion made by Isayev (2017b, p. 89) that "The refugee story of Aeneas and that of Romulus' asylum are, equally, versions of foundation myths with similar undertones of displacement. Through them, Rome could be presented as an open city that was welcoming to refugees. At their most basic, however, these are narratives of colonization."

<sup>93</sup> Cf. Stem (2007, p. 450), "Misrepresentation is thus presented as inherent to the very process by which a city's first citizens become citizens, and Livy is not being critical of these dissimulating city-founders, but simply characterizing them as doing what city-founders do in order to establish the population of their cities. The necessity that a city survive its earliest years inherently justifies a certain amount of pretense in securing that survival."

<sup>94</sup> See n.52.

The other type of lands, uncultivated because of barrenness, vacant and deserted due to their pestilential environment, will be bought from those who, if they do not sell them, see that they must be abandoned by them. And it is no wonder (*et nimirum*) that this is what was said in the senate by this tribune of the plebs: that the urban plebeians are too powerful in the Republic; that they must be drained (*exhauriendam*).<sup>95</sup>

Cicero goes on to ask his audience whether they would prefer to stay in the *urbs* with all of its benefits (*commoda*), or leave everything behind, including the *res publica*, and with Rullus as their colonial founder (*Rullo duce*), settle “in the sands of Sipontum or the swamps of Salapia”.<sup>96</sup> Along with another colony in a far-flung place, Buxentum, Sipontum was reported as abandoned in 186 BCE and a new group of colonists had to be sent out to repopulate the two sites (Livy, 39.23.3–4). In the case of Salapia, a Daunian city in Apulia, the inhabitants asked a certain Marcus Hostilius if they could move to a better location due to the pestilential nature of the original site.<sup>97</sup> Cicero, then, appealed to extreme, but clearly well-known examples from the collective memory and knowledge of his audience, which likely did not figure in Rullus’ list of places to buy land.<sup>98</sup> Yet what emerges from his rhetorical strategy of dissuasion is that same link between the ‘emptiness’ of the land and the ‘desperate’ type of people who could be induced to live there.<sup>99</sup>

Indeed, as we have seen, some parts of the senatorial elite clearly thought that the colonists of their day truly were the lowest members of the citizenry. So, while he may have castigated Rullus for his ‘draining’ metaphor, speaking to the senate on the same land bill, Cicero had also described Rullus’ followers and prospective colonists as a band of “hobos and criminals” (*Leg. Agr. 1.12: egentium atque improborum*). We have already seen in the previous section how Caesar’s colonists were sometimes indiscriminately classified both by Cicero and later authors not only as plebeians, but also as the urban ‘mass’, freed slaves, the homeless and the destitute. Some confirmation of the perceived criminal character of some colonists also comes to us from Cicero’s *Pro Caecina* in 69 BCE. A speech disconnected from Cicero’s later, more politicised rhetoric—it concerns a property dispute—we can rely on it for a less politically laden statement of opinion. What is most illuminating for our purposes arises when Cicero explains why Roman citizens sometimes join Latin colonies—despite losing their Roman citizenship as a result: they do so either due to “their own free will” or “legal penalties, which if they had wished to suffer [the penalty], then they could have remained in the community.”<sup>100</sup> We will consider the plausibility of Cicero’s claim about the “free will” (*voluntas*) of Latin colonists in the following section, but with respect to the latter reason, in the realm of legal reasoning at least, then, this seems to have been an uncontroversial explanation for why some citizens forsook the *urbs* and joined a colony with reduced citizenship status (Latin, not Roman).

Still, we should note how this example pertains to *Latin* colonies. What of Roman colonies, or colonies more generally, regardless of their status? Livy’s contemporary, Dionysius of Halicarnassus, offers one striking answer. At a marked pause in Book 4 of his *Archaeologia*, Dionysius addresses the Roman practice of manumission and the risks of incorporating freedmen into the Roman citizen body.

<sup>95</sup> Cic. *Leg. Agr.* 2.70: *Alterum genus agrorum propter sterilitatem incultum, propter pestilentiam vastum atque desertum emetur ab iis, qui eos vident sibi esse, si non vendiderint, relinquendos. Et nimirum illud est, quod ab hoc tribuno plebis dictum est in senatu, urbanam plebem nimium in re publica posse; exhauriendam esse.*

<sup>96</sup> Cic. *Leg. Agr.* 2.71: *Vos vero, Quirites, si me audire vultis, retinete istam possessionem gratiae, libertatis, suffragiorum, dignitatis, urbis, fori, ludorum, festorum dierum, ceterorum omnium commodorum, nisi forte mavultis relictis his rebus atque hac luce rei publicae in Sipontina siccitate aut in Salpinorum pestilentiae finibus Rullo duce collocari.*

<sup>97</sup> Vitruv. 1.4.12. with Sallares (2002, pp. 264–66) on malaria in the region and the various dates proposed for the town’s change in location (second century BCE to the Augustan period).

<sup>98</sup> Cf. Morstein-Marx (2004, pp. 72–77) on ‘civic knowledge’ in these speeches, though he omits mention of Cicero’s references to Salapia and Sipontum.

<sup>99</sup> Cf. Isayev (2017a, pp. 365–66), in the context of the debate in Livy Book 5 over the potential move to Veii, on how “the construction of place is socially dependent”.

<sup>100</sup> Cic. *Caec.* 98: *Aut sua voluntate aut legis multa profecti sunt, quam multam si sufferre voluissent, tum manere in civitate potuissent.* Cf. Patterson (2006, p. 206).

It is here that we abruptly encounter what is perhaps the most explicit statement of the theory behind the elite discourse we have been tracing thus far. For Dionysius asserts that the best way to monitor the quality of the citizen body is for the censors or consuls to make a detailed census of the freedmen, and then those deemed “worthy of being citizens” (ἀξίους τῆς πόλεως ὄντας) can be enrolled in the voting tribes, while the magistrates “should cast out the rogue and foul class [of the unworthy freedmen] from the city, making up a specious name (εὐπρεπὲς ὄνομα) for the act—a colony.”<sup>101</sup> Such a bald statement about a theoretical function of the Roman colony should not be dismissed as the idle musing of Dionysius; taken seriously, his polemic makes explicit what we have already seen in the figurative discourse deployed by Livy and, in the generation prior, by Cicero, Rullus and Sallust.

Dionysius was acutely aware of being an outsider looking in—a Greek in Augustan Rome—but also clearly ran in elite Roman circles and observed Roman political life with keen interest. Dionysius may have even witnessed the implementation of the remainder of Caesar’s colonial foundations after his assassination and could offer such a statement, stripped to its most basic, literal status-based prejudice.<sup>102</sup> But it is significant that Dionysius’ statement arises in a discussion of the risks of Roman manumission practices to the Roman citizen body *in the city itself*. In part, he may have been reacting to Augustus’ policy of limiting manumissions—what Suetonius describes in familiar figurative language as an attempt “to keep the citizen body clean and unsullied by all the muck (*conluvione*) of foreigners and servile blood”.<sup>103</sup> It also recalls the special attention paid by his fellow Greeks, Strabo and Crinagoras, to the role of freedman colonists in Caesar’s re-foundation of Corinth. If we look back to the term which Crinagoras used to describe the servile nature of Corinth’s new inhabitants, that is, the type of slaves who were “sold time and again” (παλίμπρατος; *LSJ* s.v. A) due to their perceived uselessness, one can see how Caesar’s colonial recruits provided a ready-made rationale for Dionysius’ notion of sending ‘unworthy’ freedmen off to the colonies.<sup>104</sup>

In fact, the pejorative view of freedman colonists espoused by these Augustan era Greek intellectuals marks a striking shift from the view taken by another outsider, the Macedonian king, Philip V, in 214 BCE. At the time, the Larisians were attempting to rebuild and repopulate their city after the Social War of 220–217 BCE, but they had revoked the citizenship of Thessalians and other Greeks living there. In an inscribed letter to the Larisians, the king exhorted them to look to Rome’s example of freeing slaves as a positive model of civic growth, since it had allowed them to found almost 70 colonies (*apoikia*), presumably by sending out these freedmen as colonists.<sup>105</sup> Attention usually centers on issues other than the fact that this inscription represents the earliest attestation of freedmen as (Roman? Latin?) colonists.<sup>106</sup> Not only does this document call into question how exceptional

<sup>101</sup> Dion. Hal. *Ant. Rom.* 4.24.8: τὸ δὲ μισθὸν καὶ ἀκάθαρτον φύλον ἐκβαλοῦσιν ἐκ τῆς πόλεως, εὐπρεπὲς ὄνομα τῷ πράγματι τιθέντες, ἀποικίαν.

<sup>102</sup> See Gabba (1991, pp. 190–216) on Dionysius’ place as a Greek in Rome and his Augustan context. On this passage, see specifically p. 210, though he offers no comment on Dionysius’ focus on colonies. Cornell (1991, p. 62) also ignores the colonial aspect to the passage, instead pointing to the problem posed by Dionysius’ status as a non-citizen (who, in his view, wanted to be a Roman citizen) and his disparagement of freed Roman citizens as a prime example of “status dissonance”.

<sup>103</sup> Suet. *Aug.* 40.3: *Magni praeterea existimans sincerum atque ab omni colluvione peregrini ac servilis sanguinis incorruptum servare populum.*

<sup>104</sup> Cf. Yavetz (1983, p. 148), who alone seems to rightly note that Dionysius’ statement “may reflect the prevailing atmosphere [i.e. Caesar’s colonisation programme] ... We know who gained from it. Were there also victims?”. For Yavetz, however, the victims were people like Atticus, who almost lost his land in Buthrotum as a result of one of Caesar’s colonial foundations; no mention is made of the *plebs* or that Dionysius’ polemic exclusively refers to freedmen. Purcell (1994, p. 655), referring to Rullus’ plan in 63 BCE, but commenting on freedmen, views the ability for freedmen to join them in a benevolent light: “it was generous but prudent to allow freedmen to take part in them.” Yet considering statements like Dionysius’ and the long history of the practice, it is difficult to see the inclusion of freedmen as intended to be generous, when it served other elite aims.

<sup>105</sup> SIG<sup>3</sup> 543, ll.31–33: καὶ οἱ Ῥωμαῖοι εἰσιν, οἳ καὶ τοὺς οἰκέτας ὅταν ἐλευθερώσωσιν, προσδεχόμενοι εἰς τὸ πολίτευμα καὶ τῶν ἀρχαίων μετὰ ταῖς δόσεις.

<sup>106</sup> Pelgrom (2013, p. 81 n.63) appears to be the only exception. Most scholars focus on the citizenship of these freedmen, rather than their role as colonists: Masi Doria (1993, pp. 232–33); Ando (1999, p. 19); Klees (2002); Weiler (2003, pp. 172–75); Erdkamp (2011, p. 139). On the number of colonies (70) as a symbolic number designed to recall the number of cities founded by Alexander the Great: Dench (2003, pp. 294–95); as an illustration of the permeability of Roman citizenship:

Caesar's colonies were by including freedmen as part of the colonists, but it also underscores how Dionysius' line of thinking was not simply a hypothetical function of colonies—it had been observed by other outsiders since the third century BCE and posited as a key ingredient in the recipe for Rome's successful imperial expansion.

From the explicit statements of Cicero and Rullus to the resemblances we see in Livy's rationalisation of Romulus' asylum and Dionysius' own thoughts on the near-eugenic ends of colonies, it is now possible to approach the emic outlines of an elite colonial theory. This theory held that the colony functioned to displace the poor, the criminal, the freed, and more generally, the 'masses', and in so doing, their political agency as citizens from the *urbs*. Understood as an Alban colony, Romulus' Rome was not particularly exceptional in its foundational form and the asylum was simply another tool in the process of its successful foundation—a prototype for future Roman and Latin colonies. So while we today may be immediately drawn to Romulus' asylum as a quasi-model for, or remonstrance to, the modern nation state's policies about asylum seeker intake, this approach ignores the fact that the ancient reasons behind the 'openness' of Romulus' asylum were far more pragmatic—even sinister—and less 'humanitarian' than our own rendering of it.

As a counterpoint, it is even more telling that Romulus' asylum served as a fertile source of colonial discourse for articulating another colonial project in our own not-too-distant past—the penal colonies of Australia.<sup>107</sup> As early as the late 17th century, Roman colonisation had been idealised as a model for British colonialism, particularly colonial plantations, whereby they could serve, among other purposes, as a home for dissident citizens, religious non-conformists, and anyone who could not make a livelihood in England.<sup>108</sup> A century later, England had undergone profound socio-economic change and London in particular was thought of as an overcrowded and crime-ridden city. In response, the Georgian elite embarked upon a campaign to criminalise the poor and displace them to the colonies as convicts.<sup>109</sup> As Robert Hughes (1986, p. 25) so sharply summed up the longer historical process at work, "Georgian fear of the 'mob' led to the Victorian belief in a 'criminal class'. Against both, the approved weapon [*sc.* the colonies] was a form of legal terrorism."

It is perhaps not too surprising then that comparisons between Romulus' asylum and the convict colonies of Australia transpired and, eventually, abounded in the 19th century as commentators sought to predict the promising future of the colony through the example of Rome's successful past, born of its 'criminal' origins. We encounter one of the earliest analogies in 1803, when the British Lieutenant Tuckey, as a participant of the expedition to Port Phillip, wrote of the founding of the (ultimately failed) first convict settlement there—what would eventually become the city of Melbourne. After explicitly contrasting the "civilised man" (that is, the white British man) with "the savage[s] he came to dispossess", Tuckey proclaimed of the foundation at Port Phillip: "I beheld a second Rome rising from a collection of banditti."<sup>110</sup> Towards the late 19th century, founders of colonial cities, such as John Batman and John Fawkner at Melbourne, were even directly compared to Romulus and Remus, while the first governor of New South Wales, Arthur Phillip, was hailed by the Reverend Sydney Smith

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Dench (2005, pp. 94–95). All scholars appear to dismiss Philip V's claim in the same inscription that freedmen also became magistrates, most recently Mouritsen (2011, p. 66 n.5), and the inscription is not cited in Coles (2017) recent analysis. To be sure, the proposed reading of με[ταδο]ντες is not certain. Still, if the reading is correct, it is significant that such an idea could be circulating at this time and that Philip would or could even make such a claim in 214. Even if it was not actually happening in practice, he deemed it credible enough to use as an admonitory example for the Larisians.

<sup>107</sup> For broader context and an adjacent analysis of the comparisons drawn between the Roman and British empires in the historiography produced during the Victorian period, see Vasunia (2005).

<sup>108</sup> See Robbins (1969) on these views, particularly those of the English intellectual and whig, Walter Moyle (1672–1721), and especially pp. 621–25 for his invocation of Roman colonisation as a model.

<sup>109</sup> On the historical context, legal and penal developments, and living conditions of the time, see the invaluable chapter in Hughes (1986, pp. 19–40), and for proto-penal colonies in the 16th and 17th century England as a failed 'solution' to vagrancy, see Beier (1985, pp. 146–70).

<sup>110</sup> Quoted in Haskell (1943, p. 80).



in 1803 as “the Romulus of the Southern Pole ... a superintendent of pick-pockets”.<sup>111</sup> Nineteenth century authors in journals and newspapers particularly capitalised on the comparative potential offered by the ‘criminal’ aspect of the men who gathered at Romulus’ asylum, as the following three excerpts loudly attest:

Rome was founded by a band of outlaws. English outlaws are every whit as good material for founding an empire as were the followers of Romulus.<sup>112</sup> (October 1872)

The primitive history of Australia, like the foundation of Rome, is a tale of intrepid and adventurous buccaneering. Its Romulus and Remus were nurtured at the dugs of Convictism, a fiercer wolf than the *alma mater* of the Tiber.<sup>113</sup> (January 1888)

Would he not class the whole thing [*sc.* Australia] as a fable, a latter-day imitation perhaps of the tale of Romulus’ Asylum? We ourselves are inclined to believe that Romulus must have been a kind of primordial Captain Arthur Phillip, and his Asylum as much a reality as the landing at Sydney Cove, just one hundred and sixty years ago.<sup>114</sup> (January 1894)

Not all commentators on the Australian colonies were necessarily sold on the validity of this comparison, however. In 1848 an advocate for the role of the railways in colonisation responded in *The Railway Record* to an editorial in the *Times* which had cited Livy’s account of Romulus’ asylum in support of Lord Ashley’s proposal that year to send 1000 “ragged” boys and girls to Australia.<sup>115</sup> The author of the rebuttal acknowledged that “the Greeks and Romans set us the example of forming colonies by the systematic expatriation of crime” and, that “the foundation of Rome *may have been* laid by a horde of robbers”, but that these models should be entirely abjured in future colonies; the railroads and other industrial advances would, in his view, usher in a more dignified type of colony free of convict labour.<sup>116</sup> Almost contemporary with this debate, another raged in the pages of the *Colonial Gazette* between a David Burn and the Editor, the former seeking to defend the honour of the colonies of New South Wales and Van Dieman’s Land (today, Tasmania), which he felt had been stigmatised for their convict origins in a recent speech by Archbishop Whatey of Dublin, and that they would therefore suffer from a lack of fresh emigration from Ireland.<sup>117</sup> One of the key sticking points in this exchange was whether the fact that Rome was founded by “robber-shepherds” really offered a precedent whereby a penal colony could become “respectable”; in the Editor’s eyes it did not, since “in those days all men were robbers, more or less, ... consequently, the first inhabitants of Rome were not degraded in their own esteem, or in that of their neighbours.”<sup>118</sup> Nevertheless, the fact that Romulus’ asylum featured in such public debates only further underscores the currency of the Roman model for those seeking to make the Australian penal colonies not only legible, but also justifiable in terms of the classical past.

The comparison even seeped into a more popular strain of literature of the time. A regular serial of *The Monthly Mirror*, entitled “History of Rome” by the pseudonymous “Punch a la Romaine” (sic),

<sup>111</sup> See, for example, comparisons between Romulus/Remus and Batman/Fawknor in early histories of Melbourne and the colony of Victoria McCombie (1858, p. 18) and Westgarth (1864, p. 27). For further discussion, see Davison (1978, p. 241); Davison (1990, p. 99); Carter (2003, p. 17) and Ferguson (2004). For Governor Arthur Phillip as the “Romulus of the Southern Pole”, see Smith (1845, p. 23), originally published in the *Edinburgh Review* of 1803.

<sup>112</sup> Bledsoe (1872, p. 307), in the context of a discussion of the settlement of Tasmania.

<sup>113</sup> Duffy (1888, p. 4).

<sup>114</sup> Birch (1894, p. 219).

<sup>115</sup> See Delane (1848, p. 4). The *Times* editorial does not name Romulus, but in yet another striking passage, the editor refers specifically to Livy: “Honest labourers, industrious mechanics, helpless orphans, desolate foundlings, ragged ragamuffins, all to the same capacious receptacle [*sc.* the colonies]! It must, however, be said, that colonies and new states, since the beginning of the world, have been composed of much the same doubtful materials. If Livy tells true, the original material of Rome was not purely heroic; and the Mediterranean colonies were founded by pirates, by outcasts, by starved-out populations, or by the offspring of adultery and concubinage. The best will generally stay at home.”

<sup>116</sup> Robertson (1848, p. 570).

<sup>117</sup> Burn (1840).

<sup>118</sup> Burn (1840, p. 33) for quote; see also pp. 32, 39 for further references.

retold the story of Romulus' asylum, followed by didactic comprehension questions, in its issue for 6 July 1844. The serial's chosen word for Romulus' followers? "Convicts".<sup>119</sup> Even more striking, in the same year, 41 years after Lieutenant Tuckey had set foot on the shores of Port Phillip, another Tuckey, this time the convict John Tuckey, penned a novel which followed the life of its eponymous convict character, *Ralph Rashleigh*. Uncannily, Tuckey echoed the Lieutenant's prophecy in an epigraph to the chapter which heralds Rashleigh's arrival in Australia as a convict:

The band of Romulus, it is most certain,  
Were ruffian stabbers and vile cutpurse knaves;  
Yet did this outcast scum of all the earth  
Lay the foundations of the Eternal City.<sup>120</sup>

At least one convict, then, re-appropriated the elite discourse on Romulus' asylum, originally deployed to justify his own displacement, and turned it to his own aspirational ends. His language—"it is most certain"—even echoes the language of certainty invoked in the contemporary debates about the suitability of ancient Rome as a model for the British penal colony.<sup>121</sup>

In some ways, the exercise of comparing nascent Rome and the Australian penal colonies, as well as the discourse that arose from it, may have had more merits to it than the tendency to invoke Romulus' asylum in entirely different political commentary today. It certainly coincided with other discourses which drew on Rome's foundational story to chart their own emerging narratives as new nations, such as post-revolutionary Haiti.<sup>122</sup> To be sure, we have seen how both the Roman and British elite shared the same desire to displace the non-elites of their respective cities and characterised these people with a similar set of pejorative terms; and Cicero's *Pro Caecina* does speak to the 'criminal' colonist in a Roman context. Yet the latter example throws into sharp relief a stark point of contrast between the Roman criminal-cum-colonist and the Australian convict: the convicted Roman criminal could *choose* to leave Rome and his citizenship behind for a new start in a Latin colony, whereas the Australian convict had no such choice.<sup>123</sup> If anything, the British elite took the Roman example to a new extreme with the invention of the penal colony—the wholesale displacement of a class of people through their systematic criminalisation.

The exercise of moving from the ancient theory of colonisation to its reception in the more recent colonial project thus aptly demonstrates the limits and dangers of comparison. It prompts us to return to the anchor of the ancient context; the contrasts offered by contemporary asylum policies and 19th century penal colonies only further force us to recognise what was particularly Roman about Romulus' asylum and Roman colonisation more generally. In line with this approach, in the final section we now turn to the ancient historiographical accounts of Roman colonisation and the window this opens onto both the issue of colonists' volition in the colonial endeavour and its ramifications for their political agency in the community.

<sup>119</sup> *Punch a la Romaine* (1844, p. 29).

<sup>120</sup> Tucker (1952, p. 68). See Argyle (1972, pp. 60–83) for further discussion of the novel.

<sup>121</sup> Cf. nn.112–114 for the discourse which engaged with the *probable* certainty about the nature of Romulus' asylum ("We ourselves are inclined to believe", "if Livy tells true..."; "Romulus' asylum may have been...").

<sup>122</sup> Compare a former slave's re-appropriation of Romulus and Remus in Emeric Bergeaud's ([1859] 2015) novel, *Stella*, which narrates the history of the Haitian slave revolution. Note, however, Bergeaud's ([1859] 2015, p. 17) acute—and prescient—awareness of the problems of drawing any direct analogy: "The sons of the African woman—whom we introduce in this chapter under the names of *Romulus* and *Remus*, less with the thought of establishing an analogy with these men and the historic twins and more because they were brothers ...". On the use of the Roman brothers as models and sources of metadiscourse in this novel, see Ndiaye (2009, p. 8) and Daut (2015)—although the novel remains to be analysed in the field of Classics. On the other end of the spectrum, compare Finaldi (2009, pp. 262–72) for the problematic role of classicism in Italian colonialism, as well as Dench (2005, pp. 10–11) for Italian and South African imperialist and racist appropriations of the 'open' or 'unifying' example of Rome.

<sup>123</sup> Pace Arneil (2017, pp. 23–24), whose study problematically takes the "domestic dimension" of Greek and Roman colonisation as a direct precedent for modern external colonies with domestic aims without corroborating her claim to continuity between the ancient and modern colony; nor does her study grasp how the 19th century invocations of Greek and Roman colonisation served as justifications for their establishment of European penal colonies.

## 5. Displacing Plebeian Agency: Volition in the Historiography of Roman Colonisation

Colonisation as the physical removal of Roman citizens to land that they may not want to live upon—due to environmental, geographic, or security reasons—appears as an aspect of the historiographical commentary on many of the earliest colonial foundations. Reading Livy and Dionysius of Halicarnassus we can catalogue the early history of Roman colonisation down to the early third century BCE as a series of attempted and successful displacements of plebeians and their political agency (see Table 1). This catalogue can be broken down into categories reflecting the focalisation of political struggles connected to colonial foundations from either elite (senatorial) or non-elite (plebeian) perspectives. From the perspective of the elite, early colonial foundations are rationalised in one of two ways: either as a means of ‘unburdening’ the city of its idle (and ergo, restless) masses, or, closely linked to this, by acting as a safety valve for defusing (potential) plebeian agitation (*seditio*, *στάσις*). When focalised through plebeian eyes, just as Cicero spoke to the sentiments of a popular audience in his *contio* against Rullus’ land bill, colonisation emerges as a form of “banishment” (*relegare*, *ἀπελαύνειν*)—due to the detrimental environment, military threats, or distance from Rome—either explicitly or implicitly through their resistance to the colonial proposal.

**Table 1.** Plebeian displacement as a historiographical rationale for early Roman colonization.

Colony	Date (BCE)	Characterisation of Displacement	Focaliser	Source
Circeii and Signia	Regal period	Unburdening ( <i>oneri</i> )	Elite (King Tarquinius Superbus)	Livy, 1.56.3.
Velitrae	494	Safety valve (against <i>στασιάζων</i> )	Elite (Senate)	Dion. Hal. <i>Ant. Rom.</i> 6.43.1
Antium	467	Banishment ( <i>πᾶσι τοῖς πολλοῖς καὶ πένησι ... ἀπελανυόμενοις τῆς πατρίδος</i> )	Non-elite (Plebeian)	Dion. Hal. <i>Ant. Rom.</i> 9.59.2.
Unnamed (proposed site in Volscian territory)	395	Safety valve ( <i>multiplex seditio cuius leniendae causa coloniam</i> ) Banishment ( <i>relegari plebem; ἐκβολήν</i> )	Elite (Senate) Non-elite (Plebeian)	Livy, 5.24.4 Livy, 5.24.4; Dion. Hal. <i>Ant. Rom.</i> 7.14.4.
Satricum	385	Safety valve ( <i>haud procul seditione res erat ... leniendae causa</i> )	Elite (Senate)	Livy, 6.16.6
Cales	334	Safety valve ( <i>ut beneficio praevenirent desiderium plebis</i> )	Elite (Senate)	Livy, 8.16.13.
Luceria	314	Banishment ( <i>relegandis tam procul ab domo civibus</i> )	Non-elite (Plebeian)	Livy, 9.26.4.
Sora and Alba Fucens	300	Unburdening ( <i>exonerata</i> ) Safety valve ( <i>plebs quieta</i> )	Elite (Senate)	Livy, 10.6.2.
Sinuessa	296	Banishment ( <i>in stationem se prope perpetuam infestae regionis, non in agros mitti rebantur</i> )	Non-elite (Plebeian)	Livy, 10.21.10

A number of scholars have noted a negative correlation between the absence of colonial foundations in the mid-fourth century BCE and the increase in reports of plebeian exploitation (debt, usury) during the same period.<sup>124</sup> While this correlation may point to a historical pattern, Livy and Dionysius wrote their accounts not only in the language of the late Republic, but the rationalisations they provide for colonial foundations have been doubted frequently as later inventions.<sup>125</sup> Comparison between Livy's first and third to fourth decades, particularly their notices of colonisation, at least demonstrates how differently Livy himself treated the phenomenon as his work progressed; in the latter, the rationalising commentary, centering on domestic strife driving colonisation, is absent.<sup>126</sup> We could simply put this down to the nature of Livy's sources, in that, as scholars have argued for other aspects of his first decade, the more distant past allowed for greater historiographical license and anachronism than more recent and better documented history.<sup>127</sup> Regardless of its historicity, as the following analysis of the fifth century BCE colonial foundation of Velitrae reveals, the rationalising commentary of these authors may reflect on-going debates—otherwise not present in our sources—about colonial recruitment down into the late Republic. Ultimately, the debate over Velitrae's foundation in Dionysius' narrative prompts us to consider the other, scattered, yet contemporary evidence for colonists' volition and to focus on two moments of colonisation during the Republic where forces beyond the prospective colonists' control may have deprived them of their volition.

*"Specious Compulsion": Velitrae and Other Forms of Forced Colonisation*

Dionysius' account (*Ant. Rom.* 7.13–14.) of the various reasons proposed for the (second) foundation of Velitrae<sup>128</sup>—likely in 494 according to Livy's (2.34) comparatively quiet report—brings several of the 'rationalising' justifications catalogued above together. But it also quite uniquely forces us to tackle the problem of whether colonists were recruited willingly or not. For according to Dionysius the Volscian city of Velitrae fell into Roman hands due to a severe plague that the Volscians were experiencing, which compelled them to offer the city up to the Romans. In light of this offer, the Romans decided to found a colony there for a number of reasons (*Ant. Rom.* 7.13.2–4): (1) to "remove" (μετασταίν) part of the citizenry to alleviate the effects of a famine at Rome; (2) and in so doing, head off the "sedition rekindling" (ἡ στάσις ἀναρχιπιζομένη) again; and (3) from the plebeian point of view, the colony promised them relief from the famine and fertile lands. Nevertheless, according to Dionysius (*Ant. Rom.* 7.13.4), the plebeians changed their minds once they realised that they were going to settle in a city which had been ravaged by a plague—that they might become its next victims. As a result, far fewer citizens than the required (unspecified) number signed up to found the colony, and even those who had already volunteered now wanted to back out of the venture. In response, the senate decreed that all Romans had to draw lots for enrolment in the colony and imposed harsh (unstated) penalties on those who refused to leave (*Ant. Rom.* 7.13.5), a detail

<sup>124</sup> Oakley (1993, pp. 18–22); Cornell (1995, pp. 330–33, 393–94); reiterated in Patterson (2006, p. 197); Bradley (2006, p. 170); Pelgrom and Stek (2014, p. 29).

<sup>125</sup> For sceptical, yet judicious views, see MacKendrick (1954); Ogilvie (1965, pp. 392, 683); Brunt (1971); Cassola (1988). Oakley specifically finds the rationalisations for two colonies in Table 1 problematic, if not implausible. On Cales: Oakley (1998, p. 583), "One should not imagine that L. had any good evidence for the Roman motivation which he reports in this section." On Luceria: Oakley (2005, p. 317) again rightly rejects readings that would take this "as an authentic record of the feeling of the fourth-century Romans". For more positive views, that take these accounts as possessing some relation to the real historical period they purport to describe, see Cornell (1991, pp. 58–59); Patterson (2006, p. 197); and Bradley (2006, pp. 163–64, 169–71), who revive and refine an older approach represented in continental scholarship by Pais (1931, pp. 109–30); Bernardi (1946); and Tibiletti (1950). For an overview of this broader tradition, especially in the Italian scholarship of the twentieth century, see Pelgrom and Stek (2014, pp. 26–29).

<sup>126</sup> As noted by Oakley (1998, pp. 586–87), who also accepts the few notices of this basic information in the first decade as largely accurate, so too in terms of the *triumviri* (Oakley 1997, pp. 52–53) and the colonial foundations themselves (Oakley 1997, p. 62).

<sup>127</sup> Cassola (1988). Cf. Cornell (1991, pp. 58–59) and Bradley (2006, pp. 163–64, 170).

<sup>128</sup> Note that his account is confused, since he already records Velitrae's foundation at *Ant. Rom.* 6.43, so too Livy 2.31. However, Livy (2.34) brings some clarity, whereby the Romans sent out more colonists to Velitrae and founded a new colony at Norba at the same time that the plague was affecting the Volscians.



which appears again in Plutarch's later account (*Coriol.* 13.3). Recalling his own opinion about ridding Rome of its 'unworthy' freedman citizens through a "specious" (εὐπρεπεῖ) colony (*Ant. Rom.* 4.24.8), Dionysius closes off the story of Velitrae's colonial foundation by rather matter-of-factly stating that "this expedition, then, was dispatched to Velitrae, having been recruited by some specious force (εὐπρεπεῖ ἀνάγκῃ)." <sup>129</sup>

Dionysius clearly had no qualms about highlighting the dark side to Velitrae's foundation and his account stands out as the only detailed evidence for the forced recruitment of colonists. Yet modern scholars have often ignored the question of volition in recruitment or made claims for which evidence simply does not exist. <sup>130</sup> In one of the earliest attempts to explain colonial recruitment, Ernst Kornemann claimed that if volunteers were lacking, then the requisite number was "formally levied, and indeed, as for military service, by lot and according to the series of tribes, separated into *equites* and *pedites*." <sup>131</sup> However, Kornemann's seemingly clear understanding of forced colonial recruitment soon falls apart upon closer inspection of his evidence, since it relies entirely on the example of Velitrae for the notion of a quasi-form of colonial conscription. <sup>132</sup> So too, E.T. Salmon (1969, p. 24) supposed that colonisation functioned much like the military draft, but offered no evidence to support such a crucial claim. While Claude Moatti follows this general notion of colonial recruitment resembling military conscription, he ultimately admits that, on the point of compulsion, "we do not know". <sup>133</sup> Daniel Gargola, on the other hand, tentatively posits that prospective colonists were volunteers, since Cicero, Livy, and later sources describe the process by which a list of potential colonists was drawn up with reference to a formulaic phrase—"to give a name" (*nomen dare*). In his view, the formula implies that citizens usually had a choice as to whether they wanted to "give their name" and join a colony, though only Cicero in the *Pro Caecina* and Seneca qualify the act as one undertaken willingly. <sup>134</sup> Still, Gargola concedes that since the *nomen dare* phrase is also used of military conscription, the voluntary nature of the recruitment "may not have always been the case". <sup>135</sup> On one reading then, the senate's decision to compel by *senatus consultum* enrolment in a colony at Velitrae may be the exception that proves the rule.

We do have evidence, however, for forced colonisation that is not shrouded in the uncertainties of the fifth century BCE, but rather arises in the comparatively more reliable annalistic narrative for the first quarter of the second century BCE. For over a period of some 30 years in the late third to early second century, colonists were abandoning Roman and Latin colonies in droves. As we have seen, abandonment was reported at the Roman colonies of Buxentum and Sipontum in 186 BCE. <sup>136</sup> From 206

<sup>129</sup> Dion. Hal. *Ant. Rom.* 7.13.5: οὗτός τε δὴ ὁ στόλος εἰς Οὐελίτρας εὐπρεπεῖ ἀνάγκῃ καταληφθεὶς ἀπεστάλη. Text: Jacoby (1885).

<sup>130</sup> In addition to those noted at n.14, scholars such as Smith (1954, p. 19 n.15) and Piper (1987, pp. 48–49) specifically examine the terminology of recruitment (*adscripti*, *nomina dare*: considered below), but not the issue of volition.

<sup>131</sup> Kornemann (1900, p. 571): "... so wurde förmlich ausgehoben und zwar, wie zum Kriegsdienst, losweise und nach der Reihe der Tribus (Dionys. VII 13. 28. Plut. Coriol. 13. Liv. XXXVII 46. Cic. de lege agr. II 29), getrennt in equites und pedites (Ascon. in Pison. p. 3 K.-S.)."

<sup>132</sup> So too, Moatti (1993, pp. 11–14) repeats this argument to some extent, despite acknowledging how little we know.

<sup>133</sup> Moatti (1993, p. 13), "Y eut-il des cas où l'enrôlement se fit sans ce consentement, quel contrôle les autorités exerçaient-elles sur les volontaires, à quelles vérifications soumettaient-ils leurs listes? Nous n'en savons rien."

<sup>134</sup> Gargola (1995, pp. 64–67, 213 nn.69–70) with citations of *nomen dare* at Livy 1.11.4, 10.21.10, 34.42.6; Cic. *Dom.* 78 (for Latin colonies); Festus p.13L (those who had given their names for the colonies were called *adscripti*). Along with Cic. *Caec.* 98 (cited at n.100), Sen. *Helv.* 7.7 (*libentes nomina dabant*) particularly suggests the "willing" disposition of colonists—and refers specifically to overseas colonies (*trans maria*); that Seneca had to qualify the colonists' act of "giving their names" as "willing", may actually suggest that this was not the norm. On the other hand, note that Gargola omits a key reference at Livy 3.1.6, in which the shortfall of colonists "giving their names" (*nomina dare*) did not result in compulsion by lot, but rather the addition of local non-citizens to the colony—perhaps suggesting that compulsion was not the norm.

<sup>135</sup> Gargola (1995, p. 213 n.70). On the equivalence between colonists and soldiers, from the language used to describe them to their manner of marching out, see Salmon (1969, p. 166 n.9) and Erdkamp (2011, p. 113).

<sup>136</sup> We might also view the numerous reports of requests for supplementary colonists to join pre-existing Latin colonies, beginning in 206, as similarly indicative of high rates of attrition in the colonies. So too the controversy over the Ferentinates claiming Roman citizenship in 195 may have arisen because they were included in a Roman citizen colony due to a shortfall of Roman citizen recruits, as cogently argued by Piper (1987).

to 177 BCE at least four Latin colonies reported depopulation and requested supplementary colonists from Rome (Broadhead 2008, p. 461); the problem of land lying uncultivated and returning to a ‘vacant’ state became a clear concern.<sup>137</sup> Most notably, in 187, the Latins sent a joint deputation to Rome to complain that too many of their Latin citizens had emigrated (*commigrasse*) to Rome and enrolled in the census there (Livy 39.3.4–6). Twelve thousand were subsequently compelled to return (*ut redire eo cogeret*) to their Latin homes and Livy (39.3.6) specifically comments that “the city was weighed down by the mass of immigrants” (*multitudine alienigenarum urbem onerante*)—the same language he uses to describe the ‘burden’ imposed by the *plebs* in the context of proposing early colonies.<sup>138</sup> Ten years later, another Latin delegation made the same complaint, and Rome responded with yet another edict of return, but even by 173, another such edict indicates that Latins were still residing in the city.<sup>139</sup> We are even reminded of Dionysius’ fears about freedmen becoming citizens and the role of colonies in displacing the ‘unworthy’, since Livy (41.8) reports that some Latins even resorted to selling their own sons into slavery on the condition that they be manumitted and thus made Roman citizens.<sup>140</sup> Perhaps it is in this context that we should read the jurist Gaius who, although much later than most of our sources, refers to an older time (*olim*) when colonies were set up in Latin territory (*in latinas regiones*) and seems to imply that parents could order (*iussu*) their *in potestate* children to join a colony.<sup>141</sup> While these issues of colonial retention primarily concern Latin colonies, it should be borne in mind that a good number of colonists who joined these foundations probably had been Roman citizens when they signed up.

In these cases, then, clearly thousands of Latin colonists—perhaps many originally Roman citizens—were the victims of colonial displacement effected through magisterial *edicta*, *senatus consulta*, and *leges*.<sup>142</sup> Thus when Cicero claimed in the *Pro Caecina* that Roman citizens joined a Latin colony either to escape a criminal punishment or did so “of their own free will” (*sua voluntate*), this and other statements about ‘willing’ colonists mask the possibility that many may not have felt displaced until they arrived at the colonial site and experienced its disadvantages first-hand. Colonists may have been ‘willing’ in Rome at the time of enrolment, but their perception of being displaced might not have occurred until well after they had settled at the colonial site. Like Velitrae, Salapia, or Cicero’s rhetorical portrait of Rullus’ proposed colonial sites, one of the reasons why Placentia and Cremona claimed in 190 that their number of colonists had been severely depleted was partly due to an unforeseen factor—disease (Livy 37.46.10: *aliis morbo absumptis*). We may also wonder, however, whether Dionysius’ account of a fifth century colonial foundation draws on his (or his sources’) contemporary understanding of the legislative avenues and magisterial prerogatives available to the senatorial elite when recruitment for a colony fell short.

<sup>137</sup> In 206 BCE the fear of ‘vacancy’ is expressed by Placentia and Cremona at Livy 28.11.11 (*infrequentes se urbes, agrum vastum ac desertum habere*). In 177 BCE, the ‘vacancy’ of the towns and fields is linked to their inability to furnish soldiers for Rome at Livy 41.8.7 (*ut deserta oppida, deserti agri nullum militem dare possint*).

<sup>138</sup> See Table 1.

<sup>139</sup> See Livy 41.8.6–12, 41.9.9–12 with Broadhead (2008, pp. 460–62), and more generally on these issues Broadhead (2001, pp. 88–89) and Broadhead (2004), but without reference to the compulsion at work here as a form of forced colonisation.

<sup>140</sup> This therefore seems to speak against Purcell’s (1994, p. 651) assertion that the Latins were not “turning their backs on their home towns, but rather just shifting the centre of their activities to Rome as they forged chains of family and professional ties right across the region.”

<sup>141</sup> Gaius, *Inst.* 1.131: *Olim quoque, quo tempore populus Romanus in latinas regiones colonias deducebat, qui iussu parentis in coloniam latinam nomen dedissent, desinebant in potestate parentis esse, quia efficerentur alterius civitatis cives*. The passage presents several problems which cannot be dealt with here, but here at least we should note the clear potential for (parental) coercion in the service of colonial foundation.

<sup>142</sup> For the legislative and magisterial measures, Livy’s language is fairly clear. Two instances involving colonists from Placentia and Cremona saw *senatus consulta* leading to consular *edicta*: first in 206 BCE at Livy 28.11.11 (*consules ex senatus consulto edixerunt*), and again in 198, when consular coercion continued to be used: 32.26.3 (*cogendis redire in colonias*). Later, in 187, a praetorian edict, prompted by a *senatus consultum* is implied at Livy 39.3.5. Then in 177 again we encounter a *senatus consultum* leading to a consular edict and *lex*, as well as a further *senatus consultum* regulating manumission for the purposes of citizenship at Livy 41.9.9–11: *legem dein de sociis C. Claudius tulit <ex> senatus consulto et edixit. ... [11] ad legem et edictum consulis senatus consultum adiectum est, ...*

At least in the near contemporary case of Caesar's colonies, it seems that less direct mechanisms may have been sufficient to force Rome's non-elite 'masses' to join his colonies. Whatever the precise number of colonists, the order of magnitude for Caesar's colonial programme suggested by Suetonius' number of 80,000 colonists implies an enormous feat of political persuasion on Caesar's and his supporters' part. A key question about Caesar's colonies therefore remains: Were all of Caesar's colonists truly willing participants? Or was their *voluntas* influenced or coerced? What factors could induce so many citizens to join in the first major transmarine, Roman colonial project? Unlike the vague proxy afforded by a failure, such as Rullus' land bill and what we can deduce from Cicero's oratory about it, we cannot as easily point to the probable reasons or means behind Caesar's success. That Caesar had to prevent further departures from Italy with legal restrictions on the movement of males aged 20–40 years might actually speak to a certain overenthusiasm among Roman citizens for his overseas colonies and, most obviously, the allure of land.<sup>143</sup> Freedmen, for their part, may have been enticed by the access afforded to magistracies in the colonies.<sup>144</sup> Caesar was also fairly popular among the *plebs* and soldiery and thus, combined with his dictatorial powers, convincing so many citizens to leave Rome might seem more achievable in light of these more idiosyncratic factors.<sup>145</sup> Unlike the situation at Velitrae or the Latin colonies, we certainly do not possess any reports of resistance to the colonisation programme or the forced enrolment of colonists through legislative or magisterial powers. Yet nor do we hear much about the colonists' acquiescence to or zeal for their new transmarine fate.<sup>146</sup>

The success of Caesar's project may have depended upon economic desperation, rather than any formal compulsion, pushing many of the poorest citizens to abandon Rome by removing one of their main sources of subsistence. For Caesar had reduced the number of citizens eligible for the grain dole down from 320,000 to 150,000 and the resulting 170,000-person deficit may in fact be the true crux of the matter.<sup>147</sup> Furthermore, freedmen were apparently entirely excluded from *congiaria* (handouts, often monetary) under Augustus, and perhaps even under Caesar.<sup>148</sup> The deprivation of a source of food that these policies imply could have become a real push factor for the permanently 'poor' ('structural poverty') to join Caesar's colonies—the tipping point between 'poverty' and 'destitution'. Even for those who could, usually, but not always make ends meet ('conjunctural poverty'), the pull of a land grant may have loomed large in their decision making process.<sup>149</sup> Hence, in considering

<sup>143</sup> See above n.58.

<sup>144</sup> As well suggested by Jehne (1987, p. 296). However, he struggles to rationalise the lack of any opposition to the colonies from the *plebs urbana*, since they had expressed such antipathy for Rullus' proposal, only suggesting that the mere lack of compulsion was sufficient for Caesar's initiative to go unopposed. This ignores, of course, a whole host of factors that might play into plebeian enthusiasm.

<sup>145</sup> On Caesar and the *plebs*, see: Yavetz (1969, pp. 38–82); Jehne (1987, pp. 286–331).

<sup>146</sup> For example, in Cicero's extended correspondence (*Att.* 16.16a–d = SB 407a–d, 15.29 = SB 408, 16.1 = SB 409) detailing his advocacy on Atticus' behalf against Caesar's foundation of a colony at Buthrotum (Butrint, Albania), there is no hint about the process of volunteering or conscripting colonists. Yet the fact that they are twice described as *agripetas* may indicate some volition. See also, Sen. *Helv.* 7.7, cited above at n.134 for his characterisation of transmarine colonists as "willing" (*libentes*). Yet Seneca, along with Cicero's testimony, only constitute the opinions of elite non-colonists and they might be expected to express only a positive account of the colonists' volition. So, while Moatti (1993, p. 13) may call this a legal fiction ("Le volontariat n'était parfois qu'une fiction juridique."), I would rather call it an 'elite fiction'.

<sup>147</sup> Suet. *Caes.* 43.1. Building on an implied point made by Brunt (1971, p. 257) that "by fixing a maximum number of corn-recipients Caesar was obviously doing something to prevent its future increase" and Garnsey's (1988, p. 217) passing, but adroit, reference to "Caesar's draconian solutions (a drastic reduction of the list of recipients coupled with the dispatch of colonies abroad)". For further discussion, though again not concerned with the direct causal connection between Caesar's grain reforms and colonial programme, see Prell (1997, pp. 281–84), who only characterises Caesar's plan (p. 252) as state sponsored "mass migration" ("Massenabwanderung").

<sup>148</sup> See Suet. *Aug.* 42.2 with Mouritsen's (2011, pp. 121–22) judicious discussion. Slave owners had apparently begun to manumit their slaves after Clodius' introduction of the free grain dole to citizens in 58 BCE such that their freedmen could give their share to their former masters: Dion. Hal. *Ant. Rom.* 4.24.5; Dio, 39.24.1.

<sup>149</sup> See Garnsey (1991, pp. 67–68) for the distinction between 'structural' and 'conjunctural' poverty; Morley (2009, p. 29) on the difference between 'poverty' and 'destitution'. See Prell (1997), and now, Scheidel (2009), for questions of economic stratification and quality of life.

the relation of one Caesarian policy to another, we need to be open to an inverse scenario of causality, whereby cutting the grain dole made the colonisation programme possible, rather than vice versa.<sup>150</sup>

While we must also acknowledge that Caesar's colonies from 49–44 BCE were of necessity transmarine colonies, since so little land remained in Italy for distribution or sale (Roselaar 2010, p. 288; De Ligt 2012, p. 187), they still placed a body of water between the colonists and Rome. Even though the Mediterranean was a highly connected space and its inhabitants' mobility was facilitated by its well-developed sea routes, the distance, risks, and costs of sea travel may have discouraged (but not precluded) some colonists from returning to the *urbs* and cemented their displacement all the more.<sup>151</sup> This assumption seems to be at play in a letter from July of 44 BCE that Cicero penned to his friend Lucius Munatius Plancus, who was charged with leading colonists from Rome to Caesar's new colony at Buthrotum in Epirus. Caesar, he says, did not want to upset the pre-existing landholders at Buthrotum, including Cicero's close friend, Atticus, and so he promised them "that once they [sc. the colonists] had gone overseas he would see to it that they were settled on some other land."<sup>152</sup> The *cum*-clause here betrays Caesar's not-so-benevolent intentions. Across the sea—this, it would seem, was a critical goal of Caesar's colonies.

The preceding survey of the issue of colonists' volition has thus revealed a complex, multi-layered historical problem. At one level, the ancient historiography portrays the issue as a very old one and articulates colonisation as a form of displacement from both elite and non-elite perspectives. Whether this resembled historical reality is less of a concern here than that this historiographical discourse overlaps with themes encountered in Cicero's rhetoric against Rullus' proposed colonies, but also in the more reliable annalistic narrative describing the problems facing colonies in the second century BCE. At another level, the contrasting examples of the Latin colonies and Caesar's colonies present two different ways to assess the question of compelled colonisation: directly, through legislative and magisterial powers (*senatus consulta, edicta, leges*), or indirectly, through socio-economic policy.

## 6. Conclusions: Towards a More Complex View of Colonisation in the Roman Republic

The foregoing discussion has sought to articulate the domestic phenomenon of displacement—citizens displacing citizens—within a Roman context, but place it in conversation with the mechanics of displacement observed in contemporary contexts. Distinct differences do separate the Roman and contemporary phenomena, not least that potential Roman colonists had different factors mediating their agency, especially in comparison to, say, contemporary Syrians who have been deported from the EU to Turkey. Still, the causal chain of an elite metaphor, political theory, and programme of Roman colonisation is not so alien to the links between metaphor, political opinion, and the policy decision to remove a group of people to alleviate pressure on domestic politics or serve the certain socio-economic agendas, as represented in the EU–Turkey deal or the struggle for real estate in contemporary Brazil. As a result, this paper has taken a decidedly domestic turn in its analysis of Roman colonisation with a view to shifting the way we think about one of its overlooked historical agents—the colonists themselves. Placed within this revised understanding of colonial recruitment qua displacement, Walter Scheidel's (2004, p. 12) benignly termed "four migrations", corresponding to four periods of intensive Roman colonisation, likely conceal many episodes of displacement driven by an elite with less than benign intentions. According to his tally, the numbers involved in these four

<sup>150</sup> Pace Billows (2009, p. 242), "He did this [sc. cut the grain dole] in part by removing from the list men who had no real need for free grain from the state, but above all thanks to his colonization programme." We do not know precisely when these two policies were enacted during Caesar's dictatorship, but the fact that most of Caesar's colonies were not yet founded at the time of his death (e.g., Buthrotum) favours my argument for his grain policy preceding his colonisation programme.

<sup>151</sup> For the mobility facilitated by the Mediterranean in relation to colonies, see Horden and Purcell (2000, pp. 395–400), especially at p. 396: "The Mediterranean colony is a direct manifestation of the maritime *koine*: it is always part of a seaborne network, a bridgehead of the easily navigable world in a different social medium ...". See also now on sea routes, Isayev (2017a, pp. 74–78, 214).

<sup>152</sup> Cic. Att. 16.16a.3 = SB 407A (July 4 or 5): *cum autem mare transissent, curaturum se ut in alium agrum deducerentur*. Emphasis mine.



periods of colonisation “may well have exceeded one million migrants”, highlighting how the terms we impose on the complex ‘mass’ movement of people and its causes have the potential to efface a history of colonists’ agency and its deprivation.<sup>153</sup> This is not to say that all colonists were ‘displaced’, or that none were ‘migrants’; just as such categories are fraught today, many probably fell into other categories, or, beyond clear-cut taxonomies, fell somewhere on a spectrum between varying degrees of ‘forced’ and ‘voluntary’ movement (cf. Gettel 2018, pp. 4–5, 7 in this volume). While this study has aimed to propose ‘displacement’ as a viable lens for thinking about colonisation, it only represents a starting point for this endeavour. A number of critical questions still remain.

Since the ostensible beginning of this story of domestic displacement—entrenched economic inequality, class warfare, and status-based discrimination in Roman society—has been told frequently, I have refrained from rehearsing it again here. Still, we should underscore that Roman elites, such as Cicero, created, or at the very least, perpetuated the existence of the very ‘*sentina*’ they sought to displace. Writing to his friend Atticus, Cicero could be just as nonchalant about ‘draining the dregs’ as he could about his own exploitative activities that contributed to the precariousness of life in the city for its more humble inhabitants. Thus in 44 BCE, Cicero claimed to be unfazed by the sudden collapse of two of his poorly constructed *tabernae*, such that “not only the tenants, but even the mice have moved away (*migraverunt*)”.<sup>154</sup> It was once thought that the wealthy elite separated themselves from those ‘below’ by living on the hills of Rome, much like the Palestinian elite at Rawabi highlighted by Mufreh (2017) in this volume, or that certain neighbourhoods became ‘plebeian’ strongholds, similar to the Dandara community in Brazil. More recent work on the archaeological record of mixed housing at Rome in the Subura and on the Aventine Hill has begun to dispel these commonplace views as oversimplifications and ideological constructions.<sup>155</sup> In the probable reality, the elite could not always avoid the various segments of the ‘poor’, whether they chose to self-segregate by living apart in ostentatious *domus* or escape to their secluded suburban *Horti* and countryside *villae*. From this perspective, we begin to realise how the elite metaphors of ‘draining’ liquid waste applied to the non-elite ‘mass’ that inhabited the city not only reflected a profound disgust for and discomfort about their fellow citizens, but that the very living conditions of these citizens likely inspired the metaphors used to dehumanise them.<sup>156</sup>

Beyond discourse, the precarious realities of non-elite life also have a critical role to play in our understanding of the extent to which Roman colonisation can be characterised as a domestic ‘displacement’ of citizens, rather than a ‘migration’. Cicero’s tenants “moved away” (*migraverunt*) after the collapse of their rented homes, presumably to a similarly exploitative situation in the city. Yet, considering that this happened in 44 BCE, they also might have decided to forsake the city and its hazards for a new life and land in the Caesarian colonies. Hence, at different points in this paper, I have repeatedly returned to the question of volition—*voluntas*: Did Roman citizens willingly join a colony? We can and should take this further to solicit a materialist reading: If Cicero’s tenants had a choice, what material factors might have influenced their decision to leave Rome for the colonies?

<sup>153</sup> Granted, many had described Roman colonisation as a form of ‘migration’ before Scheidel, most prominently, Brunt (1971) and Hopkins (1978), who frequently call movements of Roman citizens due to colonisation either “mass migration” or “mass emigration”; but none had done so in Scheidel’s systematic fashion and with his focus on mobility.

<sup>154</sup> Cic. Att. 14.9.1 = SB 363 (Puteoli, April 17, 44 BCE): ... *non solum inquilini sed mures etiam migraverunt*. Translation my own.

<sup>155</sup> On the Subura, see Andrews (2014, pp. 76–77); on the Aventine, see Mignone (2016) and more generally on urban space, neighbourhoods, and the poor in Rome: Mignone (2017).

<sup>156</sup> For these conditions, see Scobie (1986), but note that he often takes the rhetoric of the elite sources at face value about the filthy conditions of Rome—and in some cases we should; however, see the objections of Laurence (1997, pp. 10–14) and Courier (2014, pp. 104–15) who also draw attention to Rome’s important public works as a counterbalance. For followers of Scobie’s bleak ‘dystopian’ portrait, see Scheidel (2003) and, specifically on the Republican period, Davies (2012), whose study shows that the majority of the major improvements in sewerage works only came with the breakdown of the Republic, and therefore, for our purposes, only then would Rome have been a cleaner place with less *sentina*, *faex*, and *conluvio* from which to draw analogies to her citizens. For a stimulating analysis of the intersection of living conditions, occupations connected to dirt or other pollution, and discourses about this in ancient Greek contexts, see Lindenlauf (2004).

Future studies would do well to consider this question and here I can but sketch a few of the factors at hand in what could be a comprehensive checklist.<sup>157</sup> While we do not (currently) possess the evidence to speak beyond a few individual instances with any great authority, what has emerged from the patchwork of evidence is that a combination of push and pull factors were probably in play during the decision making process for any prospective colonist—at least when that decision was nominally available to them.<sup>158</sup> On the balance, the push factors appear to outweigh, or to inform, the pull factors (e.g., a desire for land could be tied to the calculated desire for a livelihood perceived as *better* than existing conditions in the city). In specific cases, such as Caesar's colonies, the sudden disappearance of a key source of daily subsistence (e.g., the grain dole) may have given prospective colonists no other choice but “to give [their] names” (*dare nomina*).

The hidden costs to different colonists and their personal circumstances should also be considered. Were the citizen ‘dregs’ who joined a colony ever given any start-up capital, or logistical support for their sometimes long and dangerous journey? How much capital did they need to make a new colonial life viable? At least one group of people was given money and transportation by the state to facilitate their own deportation. The 40,000–100,000 non-citizen Apuani who in 180 BCE were explicitly deported from their homes in Liguria, 450 miles away to the *Ager Taurasinus* in southern central Italy, stand out for the detail Livy offers about the money and transportation they received.<sup>159</sup> Livy also notably frames the Apuanian resettlement in terms akin to a colonial foundation or *virthane* land assignment.<sup>160</sup> By contrast, we are in the dark as to whether such state support existed for the colonists at Luna and Lucca who would colonise the land that the Apuani had been displaced from.<sup>161</sup> Perhaps we only know of the Apuanian example because it was just so exceptional for non-citizen groups. But any sustained practice of the state supporting colonists beyond military means is currently unattested.<sup>162</sup>

Nothing in our literary sources suggests how well- or ill-equipped non-veteran colonists were to make the journey to a colonial site and construct their new home. We know that even as late as the colonial foundation at Buthrotum in 44 BCE the colonists encountered local resistance and engaged in some sort of skirmish; yet, again, we hear nothing of their material means or access to the capital

<sup>157</sup> Beyond the material factors considered below, one might also consider: the colonists' ancestral connection to the city and family tombs (How many generations had lived and died in the city?); the number of dependents in a prospective colonist's *familia* (Would the amount of land offered support the size of the *familia*?); the issue of capital, debts, or credit tied up with one's physical presence in the city; gender (Did *sui iuris* women and their *familiae* join colonies?); occupation (Could their business find a market in the colony and its surrounding trade networks?); health and age (Were they able to travel and withstand the challenges of colonial foundation?).

<sup>158</sup> Thus I build on Hin's (2013, p. 214) brief observations about push and pull factors, but refrain from the terminology of ‘migration’ that she uses.

<sup>159</sup> Livy 40.37–38: 150,000 denarii and the (unspecified) costs of travel were covered. On this, Briscoe (2008, p. 507) rightly underscores how this was a “paltry sum” for such a large population and Walsh (1996, p. 159) concedes that “the relatively small sum indicates that it covered mere short-term subsistence rather than materials for building.” Cf. Barzanò (1995, pp. 187–88). See also Livy, 40.41.3–5: for the deportation of an additional 7000 in the summer of that year by boat and land. On this episode more generally, see Salmon (1967, pp. 310–11); Barzanò (1995); Luisi (1995); Patterson (1988, pp. 125–27) and (2013, pp. 16–28); Torelli (2002, pp. 70–71, 130–32); Pina Polo (2004, pp. 219–23) and Pina Polo (2006, pp. 185–88); Boatwright (2015, p. 127); Scopacasa (2015, pp. 156–57); Isayev (2017a, pp. 20, 181). The number of Apuani is debated. 100,000, including women and children: Briscoe (2008, p. 507); 40,000 including women and children: Roselaar (2010, p. 314 n.71). Cf. Patterson (2013, pp. 24–25).

<sup>160</sup> Walsh (1996, p. 159) notes in light of the absence of any mention of captives and booty that “the deportation takes on the complexion of the foundation of a colony”. But as Briscoe (2008, p. 507) points out, colonies always had three commissioners, such that this may rather resemble a *virthane* allotment of land. In any case, the language chosen by Livy also recalls colonial foundations: 40.38.2 (*deducere*); 40.38.7 (*agro dividendo dandoque iidem*). Hence Barigazzi (1991, p. 66) calls the Apuanian example “a middle way between deportation and colonisation” (“una via di mezzo fra la deportazione e la colonizzazione”).

<sup>161</sup> See Patterson (1988, pp. 126–27) and Patterson (2013, pp. 18–21) on the foundation of colonies at Luna and Lucca in relation to the deportation of the Apuani.

<sup>162</sup> Thus *pace* Gardner (2009, p. 64), “Among the overseas colonists there were, in addition to veterans, civilians (including freedmen, who were allowed to hold office in some colonies), not only urban proletarians but probably also Italian peasants, people for whom, without such *state-organized assistance*, emigration would hitherto have been unattractive or impractical.” My emphasis.

required to just up-and-leave from one's home in Rome.<sup>163</sup> No doubt some of Cicero's rhetoric in his *contio* against Rullus' colonial proposal relied precisely on this sticking point. Certainly, not all colonists were created equal upon signing up: Livy's fourth decade reveals that, at least by the end of the Second Punic War, in Latin colonies the size of an individual land grant was relative to the military class of the colonist.<sup>164</sup> In this regard, taking into account differences in the capital, liquidity, and credit available to colonists, as well as their pre-existing skillset, some of the structural inequalities of the *urbs* were likely replicated in her colonies. Did some colonists face financial ruin, give up, and return to Rome—displaced again by the adversity of their circumstances? As we have seen, at least in the second century BCE, many colonists were clearly unsatisfied with their lives outside of Rome and attempted to return.

Yet other colonists also displayed resilience and found new agency in their displacement. This story should be given equal ink, too. We can point to the example of one freedman, Marcus Caelius Phileros, who was likely a colonist at Caesarian Carthage, where he became aedile (c. 30/29 BCE) and tax prefect, then went on to become *duovir* at Clupea (also in Africa), and finally, *Augustalis* at Formiae in Italy; he may have even brokered an agreement between the colonists and citizens of the Marian colony of Uchi.<sup>165</sup> Evidently, the transmarine strategy of Caesar's colonies did not inhibit his mobility—he, at least, made it back to Italy. His career, and not least his physical and political mobility across the Mediterranean, thus speak to his resourcefulness, despite the challenges of forging a new life in a colony that we have considered above. Other freedmen at Corinth, for instance, came from some of the leading households of Rome, and hence they may have been better equipped for the colonial venture—in terms of skills, sources of capital, financial and social networks—than some members of the *plebs urbana*. The archaeological remains of early colonial foundations also tell another story about the prosperity, hardships, and dynamism of such colonists.<sup>166</sup> Colonists therefore likely had the potential either to remain displaced or to emerge from their displacement and find a new sense of 'place' in their colony—a new emplacement. Along with the local, non-Roman people whom colonial foundations frequently displaced, the lives of colonists, post-arrival, when understood as displaced persons with their own agency, thus represent another part of this story that remains to be told in future histories.<sup>167</sup>

Within its deliberately constrained scope, this paper has trained its focus on the earliest stages of the colonisation process—at the interstices of prospective colonists' agency and the forces influencing, coercing, and negating it—to foreground the opportunities for domestic displacement to occur through this process. Aside from legislative measures, magisterial powers, and socio-economic factors, the best

<sup>163</sup> Cic. Att. 15.29.3 = SB 408: *agripetas eiectos a Buthrotiis*; Att. 16.1.2 = SB 409: *agripetas Buthroti concisos*.

<sup>164</sup> After Tibiletti (1950, p. 222): Thurii Copia (193 BCE): Livy 35.9.8 (20 iugera: *pedites*; 40: *equites*); Vibo Valentia (192 BCE): 35.40.6 (15 iugera: *pedites*; 30 iugera: *equites*); Bononia (189 BCE): 37.57.8 (70 iugera: *equites*; 50: *ceteri*); Aquileia (181 BCE): 40.34.2 (50 iugera: *pedites*; 100 iugera: *centuriones*; 140 iugera: *equites*). On this issue (but without the data), see Pelgrom (2008, pp. 360–61). The shift in Livy's reporting may reflect either a real change in land distribution practices or simply a change in his sources; Pelgrom prefers the former option, seemingly because it aligns with the archaeological survey evidence. Cf. Tibiletti (1950, pp. 221–25). See also Walbank (1997, p. 105) on these inequalities at Corinth; Hillard and Beness (2015, pp. 138–40) on plot sizes at Aquileia.

<sup>165</sup> See CIL 10.6104 (M. Caelius Phileros' career) and 8.26274 (M. Caelius Phileros mediates between the colonists and local Uchi) with Luisi (1975); Gascou (1984); Le Glay (1990, pp. 623–25), but especially Osgood (2006, pp. 149–51) and Coles (2017, p. 190).

<sup>166</sup> The archaeology of the Caesarian colonies is too extensive to detail here and much work remains to be done on the archaeology of the non-elite, rather than public buildings, especially material indicators of wealth (e.g., pottery and other domestic finds). Some starting points: Keppie (1983, pp. 114–22, 127–33) on colonial structures from Caesarian and Augustan foundations; Bergemann (1998, pp. 16–73) and Hanse (2011) on Buthrotum; Walbank (1997) emphasises the difficulties of early colonial life at Corinth. The papers collected by Friesen et al. (2014) on Corinth also offer some insights, especially Sanders (2014, pp. 116–20), who specifically tackles the issue of non-elites, their invisibility, and subsistence in the early colony; and also James (2014, pp. 33–36) on the continuous use of humble cooking wares between the pre-Roman and Roman periods. Osgood (2006, p. 160) interestingly suggests that Strabo's (8.6.23) story about the freedmen digging up treasure from the old tombs of Corinth might be "perhaps literally true". But even if this is an invention created out of anti-freedman bias, it suggests the lengths that contemporaries believed these freedmen would go to in order to flourish at the colony.

<sup>167</sup> On the agency of the displaced, see Isayev (2017b).

way to assess non-elites' awareness of their own displacement is, perhaps, through the proxy of the elite discourse itself—the metaphors with which this paper began. That Cicero could report Rullus' use of the 'draining' metaphor in the senate to rile up the contional crowd and invoke memories of failed colonies, while Livy and Dionysius could report plebeian resistance to early colonial initiatives with noticeable regularity, all suggests that in the late Republican and Augustan periods colonisation held the potential to be construed as a form of elites displacing non-elites. At the same time, the very same elite texts attest to the fact that an elite desire to remove the 'masses' and their political agency from the *urbs* appears to have been a pillar of intra-elite solidarity. This is the flipside to the more familiar elite discourse about the tyrannical dangers of land distribution. As we continue to recalibrate our understanding of 'popular' politics and sovereignty in the Roman Republic, the history of colonisation as a practice of displacement, and not simply 'migration', has much to teach us. The consensus of elite fears about popular sovereignty that ultimately translated into colonial proposals and foundations should be taken as another, and hardly insignificant, proxy for the perceived, if not real, latent power of the 'masses' at Rome.

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