Maciej Piegdoń
Uniwersytet Jagielloński w Krakowie

*Est enim ille flos Italiae.*
Northern Italy in the Legal and Administrative Structures of the Roman Republic in the 3rd-1st centuries B.C.

The Roman Republic established contacts, including diplomatic relations, with political bodies in Cisalpine Gaul even before its conquest. Rome was tied by *foedus* to the tribes of the Celtic Cenomani and Veneti, while Polybius described the Republic's relationship with the latter as *symmachia*1. The Romans had probably established these ties before the Celtic invasion of 225. In any case, the tribes were listed in the Roman *formula togatorum* of 225 as *socii* that were to raise, and perhaps supply to Rome, 20,000 troops each just before the Celtic invasion2. The Republic also most likely accepted certain obligations towards the Veneti and the Cenomani.


Moreover, the Republic had contacts and alliances with settlements in Cisalpine Gaul which, due to their strategic location and position on important trade routes, played an important role in Roman politics. The Republic’s interest in Adriatic matters (starting in the late 3rd century) and the Ligurian and Tyrrhenian Seas, as well as contacts with Massilia allied with Rome, persuaded the Romans to search for footholds in this area. It is likely that already in the second half of the 3rd century there were contacts and perhaps also some agreements between the Republic and Genoa and Pisa\(^3\), Ravenna on the Adriatic coast\(^4\) and maybe settlements of Etruscan provenance.

The victorious war against the Celtic tribes in 224–222 changed the geopolitical situation in Cisalpine Gaul. From then on, Rome became the most important political partner in the region. As a result of heavy defeats against Roman legions, the defeated Celtic Boii and Insubres were forced to accept the terms of treaties imposed by the Republic, according to which they relinquished some parts of their territories (the colonies of Placentia and Cremona were established), they agreed to allow Roman garrisons in some settlements (Milan, Mutina, Bononia, Clastidium and Tannetum) and they pledged to provide military assistance to the Republic when requested\(^5\). The terms of treaties concluded with the defeated Boii and Insubres were more burdensome than the earlier foedus tying Rome to the Cenomani and the Veneti.

The defeat of Carthage (which was the only guarantor of the sovereignty of Celtic and Ligurian tribes in the face of the Roman Republic’s expansionism) in the Second Punic War brought about very significant changes in the balance of power in Cisalpine Gaul. Having defeated Celtic tribes in Cisalpine Gaul, Rome formed alliances with them. The foedus was to include the two main Celtic tribes that survived the Roman invasion, i.e. the Cenomani and the Insubres. It did not mention the Boii, who had been one of the most powerful tribes (next to the Insubres) prior to the Roman invasion, but as a result of Roman military operations became largely extinct and their lands taken over by the Romans\(^6\).

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\(^3\) For the foedus with Genoa see: Liv. XXVII 46.7; XXX I.10; XXXII 29.5-8; M. Pieńko, *Galia Przedalpejska. Studia nad rzymską obecnością w północnej Italii w III–I w. p.n.e.*, Kraków 2009, p. 96–98.


\(^5\) For the capture of Milan, Bononia, Mutina, Parma, Clastidium see: Polyb. II 34–35; Liv. *Per.* 20; Plut. *Marcell.* 6–7; Sil. Ital. VIII 595. The terms of treaties with Celtic tribes appear in the sources, although sometimes they are mentioned indirectly when discussing various other matters – see: Polyb. III 67; IX fragm. 3, 19; Liv. XXI 48.

\(^6\) A mention in Ciceron’s speech *Pro Balbo* (14.32: *quorum in foederibus exceptum est, nequis eorum a nobis civis recipiatur*) says that members of these tribes would not be able to obtain *civitas optimo iure*. In the same speech, Cicero says that the foedus could also have included other smaller Celtic tribes but it is unclear whether they were from Cisalpine Gaul. Cf. G. Luraschi, op. cit., p. 23–25, 98–101, 108–110; C. Peyre, *La Cisalpine gauloise du IIIe au Ier siècle avant J.-C.*, Paris 1979, p. 64.
Thus, Rome concluded alliance treaties with Celtic tribes as the stronger partner, the victor who dictated terms to those defeated in war. We should also point out that the provisions of the treaties signed in the 190s probably differed from the terms of treaties that had been concluded earlier. However, due to a lack of specific source information we can only speculate on the subject.\footnote{For treaties with Celtic tribes from Cisalpine Gaul see: U. Ewins, op. cit., p. 74; G. Luraschi, op. cit., p. 23–24 and 40–41; L. Calderazzo, Arbitrati romani in Cisalpina (197–89 a.C): problemi e status quaestionis, Rivista di studi Liguri, Bordighera 1997, p. 26–27. For the foedus with the Marsi, who in Badian’s opinion entered into a foedus aequum in 304 but after the defeat against Rome had to agree to worse conditions see: Liv. IX 45 18; X 3; E. Badian, Foreign Clientelas 264–70, Oxford 1958, p. 27. This, however, was not a rule in Roman politics, see: Liv. VIII 25.3; IX 20 (the case of the Apulian Teates); E. Badian, op. cit., p. 28; A.N. Sherwin-White The Roman Citizenship, Oxford 1973, p. 121.}

Rome, being a city state, did not have separate administrative structures that could be used for managing new acquisitions. On the other hand, the Roman administrative system was flexible enough, and the people ruling the Republic were open to new solutions enough, so that new areas were allocated to already existing structures. During wartime Rome entrusted military and administrative operations to officials elected on a yearly basis, most commonly consuls (sometimes praetors), who due to holding imperium could command their subordinate troops in military operations. It should be mentioned that the consul’s power (imperium) extended not only to his subordinate troops but also to the territories on which he was conducting warfare. The annexed territory could be assigned by the People’s Assembly or the Senate to a consul elected for the next year or to a consul who had operated there before, under prorogatio imperii. In such a case he would command the assigned area (provincia) as proconsul. Command could also be given to a praetor (which was often the case in Cisalpine Gaul) and then prorogued by the Senate for another year as propraetor,\footnote{For the term provincia see: J. Richardson, The Administration of the Empire, CAH IX (1994), p. 564. Cf. G. Thiletti, Ticinum e la Valle Padane, „Athenaeum” 40 (1964), p. 32. For the prorogation of power of Roman officials see: J. Richardson, op. cit., p. 572–580. A private person who had not been a consul or praetor could also hold the office of proconsul or propraetor: Liv. XXXVIII 42.10.} as illustrated by the political and legal situation in Cisalpine Gaul during the Second Punic War. Although the Romans were driven out by Hannibal from almost all the territories they had conquered in 224–222, apart from the colonies in Placentia and Cremona, Roman officials in the rank of consul, praetor or proconsul and propraetor were still given Gaul or Liguria as provincia in 215–202 (apart from 209), although that did not mean that the territories were under Rome’s direct administration.\footnote{J. Richardson, op. cit., p. 567 and 568. For Roman officials in Cisalpine Gaul in the 3rd century see: M. Piegdon, op. cit., p. 186 fn. 592. For the presence of Roman officials in Cisalpine Gaul in the 2nd century see: P.A. Brunt, Italian Manpower 225 B.C. – A.D. 14, Oxford 1971,}
To generalise slightly, it could be said that until the 80s, i.e. until Rome decided to create a province in Cisalpine Gaul, it had been treated like the rest of Italy, and the consuls, praetors and promagistrates were appointed by the Senate to perform specific tasks.

The lack of a well-developed administration did not mean that Rome did not influence the internal affairs of its allies in Cisalpine Gaul and only responded to external threats. In fact, after the Second Punic War ended, the Republic intensified its involvement in the internal affairs of its allies. The Romans conducted a large-scale operation of tying this region to the rest of the Republic by building large thoroughfares, carrying out hydrological work (river engineering) in Cisalpine Gaul, and renting e.g. mines to publicans who collected taxes due to the state. Roman arbiters sent by the Senate intervened in conflicts in allies’ settlements if summoned (the arbitration of consul M. Aemilius Lepidus in the argument between parties in Patavium in 175). The Republic also sent its arbiters when treaties binding Rome to its allies were violated (the arbitration of M. Aemilius Lepidus, who brought about the return of arms to the Cenomani in 187, and the intervention in Rome of envoys of the Celtic tribes of Carni, Japodes and Histri, which were attacked by the consul G. Cassius Longinus in 171)\(^{10}\). Arbiters also intervened in border disputes between allies’ settlements and colonies (between Pisa and Luna in 168, between Patavium and Ateste in 142 and between Ateste and Vicetia in 136 or 135\(^{11}\)). However, not all of the Senate’s

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interventions were successful. Occasionally, an official with a strong backing of the nobilitas was able to resist the Senate’s rulings (as was the case with the attack of the consul M. Popilius Laenas against the Ligurian Statielli in 172, or the consul App. Claudius Pulcher’s military campaigns against the Salassi in 143–140)\(^{12}\).

The variety of colonies established in the territories captured from the Celts (ager Gallicus and Cisalpine Gaul) contributed to a considerable diversity of the legal status of the people inhabiting these provinces and the status of these entities. In northern Italy, Rome established mainly Latin colonies, but also coloniae civium Romanorum\(^ {13}\).

The event which greatly influenced the population’s legal status, and perhaps even the administrative status of Cisalpine Gaul, was the Bellum Sociale in the years 90–88. Under the law which the Republic was forced to introduce during the difficult and hard war against the rebellious allies, Rome’s allies were granted civitas optimo iure. The laws such as lex Iulia, lex Plautia Papiria and lex Cornelia gave Roman citizenship to various groups of people and to individuals, regardless of their place of residence. The geographical aspect did not apply to Cisalpine Gaul, either, since all its inhabitants who had the Latin status received civitas optimo iure. This applied especially to the inhabitants of Latin colonies and virritim settlements from territories south of the Padus, i.e. Ariminum, Placentia, Bononia and Luce. The law also applied to settlements north of the Padus, i.e. the colonies of Cremona and Aquileia\(^ {14}\). However, Cisalpine Gaul was inhabited not only by people with the Latin status (mainly south of the Padus); its

\(^{12}\) For the case of the Statielli see: Liv. XLII 7-9, 21; XLII 10, 21, 22, 26.1, 28.2. For A. Claudius Pulcher’s war against the Salassi see: Cic. Fam. 11.20; Liv. Per. 53; Strab. 4.6.7.(204); App. Illir. 17 49; Dion. 49.38.3.; Oros. V 4.7.

\(^{13}\) M. Piegdon, op. cit., p. 188–194.

population was mainly native, the majority being Rome’s socii. Difficult
struggles during the War of the Allies and the Republic’s wish to protect the
northern flank forced it to undertake actions to solve the issue of the status
of non-Latin population of Cisalpine Gaul, to which the laws lex Iulia, lex
Plauta-Papiria and lex Cornelia had not applied. For legal reasons, this
was a very complicated task since the allies who inhabited Cisalpine Gaul
fell into different categories, each of which was bound to Rome by a separate
treaty. Apart from the defeated Celtic and Ligurian tribes undergoing slow
Romanisation, with which the Republic had agreed to a foedus in the first
half of the 2nd century, there were tribal ties (the Veneti) and allied settle-
ments, such as Ravenna, Genoa or Pisa.

The campaign was to be conducted by the ambitious and ruthless consul
of 89, Gn. Pompeius Strabo. The issue was urgent since some military
contingents from northern Italy appeared in the camps of both sides of the
conflict. Even though northern Italians did not participate in the Bellum
Sociale on a larger scale, there were fears that their participation could
increase, particularly since there was some unrest on both sides of the Padus.
That is why Pompeius Strabo, who had been successful in the
neighbouring Picenum in the first year of the war, was the right man to
carry out the campaign. As the consul of 89, he received as his provincia
the task of regulating the political and legal relations in northern Italy. The
ambitious general introduced the lex Pompeia de Transpadanis, which we
know from a brief mention by Asconius (commentator of Cicero’s speeches) in
his commentary on the speech In Pisonem.

This mention contains the essence of the consul’s legislation regarding the
inhabitants of northern Italy. It seems that the law applied mainly to the
native population settled north of the Padus (Transpadani), although on the

16 Cic. Balb. 22, Fam. 8.1.4 (Rawenna); P.A. Brun, op. cit., p. 170; T.P. Wiseman, op. cit.,
p. 19; G. Luraschi, op. cit., p. 150–156. Cf. A.N. Sherwin-White, op. cit., p. 159 fn. 2. For the
reaction of Heraclea and Neapolis to the offer of civitas optimo iure see: Cic. Balb. 8.21; Arch. 6;
A. Krawczuk, Virtutis ergo. Nadanie obywatelstwa rzymskiego przez wodzów Republiki, Kraków
1963, p. 78; L. Morawiecki, Monety miejskie Italii w II i I w. p.n.e., „Xenia Posnaniensia”
17 Gn. Pompeius Strabo: Liv. Per. 73, 74, 75, 76; Vell. II 20–21; App. BC I 63, 66; Oros.
V 19.10; U. Ewins, op. cit., p. 75.
fuit (against lex Licinia-Mucia of 95); Plut. Sert. 4; App. BC XIII 42, 50; A.N. Sherwin-White,
op. cit., p. 140.
19 Asc. Pis. 3: Neque illud dici potest, sic eam coloniam (scil. Placentiam) esse deducta
quemadmodum post plures aetates Cn. Pompeius Strabo, pater Cn. Pompei Magni, Transpadana
colonias deduxerit. Pompeius enim non novis colonis eas constituit sed veteribus incolis
manentibus ius dedit Latii, ut posset habere ius quod veterae Latinae coloniae, id est ut petendi
(rectius: petendo) magistratus citatam Romanam adipiscerentur et Strab. 5.1.1.(209); Plin.
E. Buchi, Roma e la Venetia orientale..., p. 303.
other hand the area under the consul’s command was probably larger and perhaps included Liguria as well, which may be evidenced by the settlement of Alba Pompeia, founded by him there\textsuperscript{20}. Putting the law into effect was a complicated task. Until then, the foundation of a colony had required a special \textit{senatus consultum} or a decision of the People’s Assembly and had been a complex religious and legal, as well as organisational, procedure since a special committee (\textit{tresviri coloniae deducendae}) needed to be elected, colonists needed to be gathered together, lands needed to be allotted and a settlement needed to be constructed\textsuperscript{21}. In this case, the status of Latin colonies was given to (over twenty) native settlements allied to Rome without the whole procedure. The inhabitants received the Latin status and the related rights, i.e. \textit{ius commoerctum, conubium, suffragium} and the possibility to receive \textit{civitas optimo iure} under \textit{ius adipiscendae civitatis per magistratum}\textsuperscript{22}. It is difficult to say whether all the settlements allied to the Republic were forced to accept the terms of the \textit{lex Pompeia de Transpadanis}, but it seems that some of the \textit{socii}, who likely had had a very advantageous \textit{foedus} with Rome, could have kept their old treaties or received the privileges they had enjoyed before in addition to the terms of Pompeius’s law. It cannot be excluded that regulating the internal affairs in Cisalpine Gaul, and mainly in the territories north of the Padus, had a larger extent, since the sources (Plinian the Elder) tell us about a category of population called \textit{adtributio}, which was assigned to bigger settlements of old allies, which received the status of Latin colonies under the \textit{lex Pompeia de Transpadanis}. This was not the first legislative initiative of this kind since there had been laws that „assigned” bigger settlements (e.g. Genoa) groups of people living outside their boundaries\textsuperscript{23}.


\textsuperscript{21} M. Piegdoń, op. cit., p. 125–174.


In contemporary research, the *lex Pompeia de Transpadanis* also appears as the law that established the province in Cisalpine Gaul – *lex provinciā*. The determination of the precise date when the province in northern Italy was created has been and still is contentious and the matter seems to remain unresolved. Historical sources offer only one mention confirming the creation of the province of Cisalpine Gaul; a fragment of the Late Antiquity work of the rhetor Licinius says that the province was established by Sulla, which would mean that it was not created under the 89 law of Gn. Pompeius Strabo. A piece of information provided by Sallustius about the first governor of the province in turn tells us that it was G. Aurelius Cotta in 75, which again confirms that the province of Cisalpine Gaul existed in a period later than the law of Pompeius Strabo, and at the same time supports Licinius’s account about Sulla creating the province. However, there are several fragments of ancient works which seem to imply that the province of *Gallia Cisalpina* was created in the period between the introduction of the *lex Pompeia de Transpadanis* in 89 and Sulla overtaking power in 81. Appian mentions the province in several fragments of his work, as well as Livius, Velleius Paterculus and Valerius Maximus. Relating the murder of the consul Q. Pompeius Rufus, who was supposed to take over command of Strabo’s troops, by Pompeius Strabo’s soldiers, the historians mention that Gn. Pompeius Strabo was a proconsul. Appian’s mention is similar. The information provided by Velleius Paterculus may even indicate that there was a continuity of power. To the belief of many historians, Cicero, in one of his speeches against Gaius Verres, who was the *quaestor* of the northern Italian consul Gn. Papirius Carbo, seems to imply that Verres was the *quaestor* of the province governor. If we take a closer look at the accounts suggesting the existence of the province of Cisalpine Gaul before Sulla took...


28 *Liv. Per.* 76 and 77; Vell. II 20 1; Val. Max. IX 7 m.R. 2; G. Luraschi, op. cit., p. 183–184.

over power, it is possible to question their credibility. According to some researchers, Appian’s, Livius’s and Velleius Paterculus’s accounts implied that the proconsul of 87 Q. Pompeius Rufus arrived in Cisalpine Gaul as his own province, where he was to take command of his predecessor’s troops\(^{30}\). The former consul was probably to take over the troops of his predecessor, the consul of 89 and proconsul of 88 (the Senate could prorogue Pompeius Strabo’s office in Cisalpine Gaul or in Picenum for the year 88 in connection with the ongoing *Bellum Sociale*). The scenario of proroguing *imperium* had occurred before, when the Senate assigned an area as *provincia* to a consul for the next year, both in the 2nd and 1st century. It is impossible to tell whether Q. Pompeius Rufus tried to take command of Strabo’s troops in Cisalpine Gaul or in Picenum, since the author does not mention where the consul went, although he implies that the Senate entrusted Pompeius Rufus with the second army in Italy, which was under the command of Gn. Pompeius Strabo\(^{31}\). Another fragment by Appian does not explain much either; on the contrary, it makes the situation even less clear as it suggests that Gn. Pompeius Strabo, who had illegally taken control of the army, was nevertheless summoned for help by the serving consuls, Gn. Octavius and L. Cornelius Merula, in order to drive away the troops of L. Cornelius Cinna and G. Marius in 87; he was also allegedly stationed in Gaul on Mare Ionicum, which could not be the case\(^ {32}\). It is more difficult to disprove Appian’s account in which he writes that during the preparations for the power struggle against Sulla in 83, the *populares* recruited soldiers in Italy and separately in *Gallia Transpadana*\(^ {33}\). For supporters of the theory that the province was created earlier, before Sulla took over power, this is proof that the province had already existed in 83. By mentioning Italy and *Gallia Transpadana* separately, Appian supposedly implied that Cisalpine Gaul was the province in which the *populares* regime recruited soldiers. It seems, however, that the fragment only tells us which regions the *populares* could count on for help when organising their resistance against Sulla. As mentioned above, the *populares* had support in northern Italy, mainly among the inhabitants of eastern Cisalpine Gaul, in *ager Gallicus*, Ariminum, Ravenna, but also probably among the colonists in Como\(^ {34}\). It could be said that Appian, telling us about the recruitment of soldiers in *Gallia Transpadana*, was juxtaposing it not with Italy but with Liguria, where Q. Caecilius Metellus Pius, a follower of Sulla, found support and shelter, as the author reported earlier\(^ {35}\).


\(^{31}\) App. BC XIII 63 283.

\(^{32}\) Ibidem 66 303.

\(^{33}\) Ibidem 86 393.

\(^{34}\) M. Piegḍoń, op. cit., p. 107; 168–169.

\(^{35}\) App. BC XIII 80 363; ibidem, p. 107–108.
With regard to the relevant fragment of Cicero’s speech, it should be emphasised that in the quoted part of the second Verrine Cicero states that the **quaestor** received the province by lot under **senates consultum**, with his duties (**provincia**) including supplying the consul of 82 in northern Italy, Gn. Papirius Carbo, with money for military operations against Sulla’s supporters.\(^{36}\) His task was to pay the soldiers and purchase food for the legions operating there. However, Verres embezzled some of the money and, wanting to avoid a trial, abandoned the **populares** and defected to Sulla.\(^{37}\) The fragments of the speech rather suggest that Gn. Papirius Carbo was given, as consul, the task (**provincia**) of conducting activities against Sulla’s supporters in Cisalpine Gaul\(^{38}\) and probably of protecting the territories sympathetic towards the **populares**. At the same time, he was to keep Ariminum, an important fortress which cut off the easiest access to Italy from the northeast. In turn Verres, as **quaestor**, was given by the Senate as **provincia** the **quaestorship** on the staff of the consul Carbo, rather than the governor, proconsul.\(^{39}\) This statement is significantly different from the information provided by Cicero when he mentions the course of Verres’s career, where he states that Verres performed functions in other lands and lists their names.\(^{40}\)

It seems, therefore, that not all the fragments referred to by some researchers are the best proof to support the theory about the existence of Cisalpine Gaul. However, the matter of the province’s existence in a strict sense cannot be completely rejected, since there are grounds that perhaps imply that it was created at the beginning of the 90s. It seems that the reason for its creation could have been, at least to some extent, the threat posed by inhabitants of the subalpine regions and the Alps, although it must be remembered that Rome had dealt with these threats since the beginning of its presence in Cisalpine Gaul. However, in the second half of the 2nd century, historical sources increasingly more frequently include information about interventions of Roman generals against Alpine tribes.\(^{41}\) Indeed, Pompeius Strabo’s initiative, which led to the creation (?) of the colony in Como, may be a confirmation of this.\(^{42}\) Perhaps, then, the legal groundwork for the future province was indeed laid by the *lex Pompeia de Transpadanis* in 89. In the political and administrative sense the province may have been created later due to the chaos brought about by the outbreak of the civil war in

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38 Ibidem II 14, but also App. BC XIII 67 308.  
40 Ibidem.  
41 Liv. *Per.* 73; Strab. 5.1.6.(213); J. Zając, *Od Wenetów...,* p. 25–26; M. Piegdoń, op. cit., p. 102.  
42 M. Piegdoń, op. cit., p. 103, 167–168.
Rome shortly after the Bellum Sociale ended. The populares, who ruled Rome with L. Cornelius Cinna from 87 to 82, had many other difficult issues to worry about (the threat posed by L. Cornelius Sulla, who was fighting against the king of Pontus, the demands of the so-called „new” citizens to be assigned to all the 35 tribus, the economic situation after the Bellum Sociale and the civil war between Sulla and the populares)\(^4^3\). This does not mean that the populares had no interest whatsoever in what was happening in the north. Many representatives of the populares families had ties of clientela to the natives and citizens with the Latin status as well as Roman citizens from Cisalpine Gaul. In connection to the approaching confrontation with Sulla, the populares took actions in Cisalpine Gaul to strengthen the footholds in the region (Ariminum, Como). It seems, however, that the matter of the province of Cisalpine Gaul did not appear in their legislation. On the other hand Sulla, who came out victorious from the fight against the populares in 83-81, could afford to handle and regulate all the outstanding issues, one of which, it seems, was the matter of the province of Cisalpine Gaul\(^4^4\). Most likely, Sulla was able to busy himself if not with establishing then certainly with continuing work on creating Cisalpine Gaul. The legal basis for his activity was the dictatorial power given to him under the lex Valeria de legibus scribundis et rei publicae constituen\(\grave{d}\)ae. His task was also made easier by the fact that he had no political opponents, since he had got rid of them, and he did not have to worry about the socii revolting, since most of them were satisfied with improving their status to Roman citizens after the Bellum Sociale ended. His reforms, which covered many spheres of political and system changes, seem to have been the appropriate basis for creating a new province in northern Italy. After increasing the number of officials, including praetors, to eight, the rules of the cursus honorum (leges Corneliae annalis) meant that every year ten highest officials (also including the two consuls), having held their offices, remained at least partly without an appropriate income or an opportunity to pursue their career. They were forced to wait for the next office for a long period of time. Sulla’s law on provinces gave former praetors and consuls the opportunity to govern provinces and at the same time enabled them to pursue their ambitions, shortening the waiting period for the next office. At the time, Rome had nine provinces which needed to be allotted promagistrates; there was also Italy but it remained in

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\(^4^3\) The populares reverted to the law of the tribune of the people P. Sulpicius Rufus, the lex Sulpicia de novorum civium libertinorumque suffragiis of 88: Liv. Per. 77; Exuperantius 4; App. BC XIII 55.242-244, 56.245-249, 59.268; A. Krawczuk, op. cit., p. 80; A.N. Sherwin-White, op. cit., p. 155–157; G. Luraschi, op. cit., p. 143; E. Buchi, Roma e la Venetia orientale..., p. 304; F.R. Rossi, op. cit., p. 161.

the hands of ordinary magistrates – consuls and praetors\textsuperscript{45}. Creating a new province or completing the process of its creation by Sulla could have given the dictator and the system he established an additional province for the next proconsuls and propraetors. Security issues could have been just as important in connection with the threat posed by Alpine tribes attacking Roman domains and with the fear of a repeat of an invasion on Italy by peoples from beyond the Alps, similar to the Cimbrian one\textsuperscript{46}. When the dictator expanded the pomoerium, he stretched Rome’s boundary – urbs (domicilium Romae) but also probably expanded the boundary beyond it (ager), which could have influenced the emergence of the border between Italy and Cisalpine Gaul (the Rubicon and Magra rivers)\textsuperscript{47}.

The next changes in the legal status of the inhabitants of the province of Gallia Cisalpina were connected with the activity of Julius Caesar, who had earlier, in the 60s, begun campaigning for changing the Latin status of the inhabitants of Cisalpine Gaul (Transpadani) and making them legally equal to the rest of the province and Italy. Indeed, numerous politicians of the Roman establishment showed active interest in changing the legal situation of the Transpadani at the time of political struggles in Rome but their interest in this problem was most often instrumental and very quickly waned once they achieved their own political agenda.

Only when the governance of Cisalpine Gaul as well as Illyria and Narbonese Gaul was taken over (under the lex Vatiniā de provincia (de imperio) Caesāris of 59), was it possible to regulate the legal status of the Transpadani. Caesar, occupied with war on the vast territories of Gaul, could not be very actively involved in the issue of changing the status of the Transpadani. On the one hand he was conducting a war to which he allocated all the income and resources procured in his provinces, and on the other hand he was aware of the fragility of the agreement with Gn. Pompeius and M. Licinius Crassus, called the First Triumvirate, and of the strength of the optimates’ opposition. The latter wanted to question at any cost the legality of his laws introduced during his consulship of 59 but also, in a longer term, to deprive him of governorship in provinces. Therefore, he was forced to be cautious in his activity in favour of the Transpadani\textsuperscript{48}, although at the beginning of his activity Caesar had settled 5,000 colonists in Novum Co-


mum, which he probably granted the status of *colonia civium Romanorum* by virtue of his power. This initiative was later questioned by the optimates, as illustrated by the flogging of one of the citizens of Novum Comum with *civitas optimo iure*, on the orders of the consul of 51, M. Claudius Marcellus. However, it was only after the collapse of the Triumvirate and Pompeius taking the Senate’s side that Caesar started to be more actively involved in the Transpadani’s aspirations and even encouraged them to create in their settlements institutions modelled on Roman *municipia* in Italy and in the southern part of Cisalpine Gaul, e.g. the offices of *quattuorvires*. The most important changes were brought about only in 49 when a civil war between Caesar and Pompeius broke out. During one of his brief visits to Italy in 49, Caesar initiated the introduction of a law granting the Transpadani full Roman citizenship. Since the historical sources are confusing, it is difficult to determine when exactly the law was introduced and who its author was. The fragments of inscriptions accessible to us imply that the law was introduced by a Roscius, tribune of the people, at the People’s Assembly in the spring of 49 (on March 11). However, researchers attribute the *lex Roscia* to the praetor of 49, also by the cognomen of Roscius, i.e. L. Roscius Fabatus, and they believe that the law was passed in the autumn of 49, since the account of Cassius Dio mentions this event. However, historians have doubts even about the year 49 being the correct date of this law. According to them, such activity is reasonable in light of another inscription fragment, which also talks about the legal regulation of the status of various settlements in Cisalpine Gaul – the *lex Rubria*. Leaving aside speculations about the authorship and date of introduction of the *lex Roscia* it must be said that although the two fragments are parts of two different tablets, they both refer mainly to internal relations in Cisalpine settlements. Their likeness allows us to suppose that both fragments refer to one law, on which either they were modelled or of which they were part. They did not, however, refer to granting full Roman citizenship to the citizens with *Latinitas*.

49 M. Piegdoń, op. cit., p. 171–172.
51 Cic. *Att.* 5.2.3; Fam. 8.1.2; Hirtius *BG* VIII 50–52; T.P. Wiseman, op. cit., p. 19; E. Buchi, *Roma e la Venetia orientale...*, p. 307.
The dictator's death marked the beginning of another civil war, which ended in Octavian Augustus's victory. For the province of Cisalpine Gaul the time of civil wars after Caesar's death meant destruction, plunder and settlement of the triumvirs' veterans. In terms of law, the period meant a change in the administrative status. The triumvirs ended Cisalpine Gaul's provincial status and incorporated it in Italy’s administrative structures in 42. It seems that there were political reasons behind this decision. The presence, in Rome’s close proximity, of a governor who had access to significant military potential (in the form of several legions) and a rich base, was dangerous for the powers in Rome. After Cisalpine Gaul was incorporated in Italian structures, the borders of Italy were changed and shifted north. They followed two rivers: the Varus in the west and the Formio in the east.

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55 M. Piegdoń, op. cit., p. 118–121 and 174–175.