

THE TREATY OF MISSENUM (39 BC)  
AND THE “FOURTH TYRANT”

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During several summer days of 39<sup>1</sup> on the inshore waters of the Bay of Naples workers were driving stilts into the sea on which they then put wooden planks to make a platform. Two such platforms separated from each other by a strip of water were made. One platform was linked with the land by adding a footbridge. It was on these “stages” that events essential for the future of Rome and its rulers were to unfold. When the construction was finished Mark Antony and Octavian coming from the land took their places on one platform. To the second one a warship approaching from the sea moored with Sextus Pompeius and L. Scribonius Libo (later consul in 36). When both delegations had taken their places talks began. While the leaders were discussing the content of the concord, the water flowed between the platforms still separating them, though not disturbing the conversation itself. In this unusual scenery the discussions lasted probably several days. Perhaps the wooden “stages” were repeatedly left and occupied again though it seems that the majority of the talks were conducted by mediators. In the course of the hard negotiations both sides achieved an agreement: its contents were written down, sealed and sent as a deposit to the Temple of Vesta in Rome.

It is not certain if the descriptions of the meeting of the two triumvirs with the son of Pompey the Great in the Bay of Naples by Appian and Cassius Dio are accurate.<sup>2</sup> As a matter of fact it is not of great importance. What intrigues modern historians is the reasons which led to the encounter of Octavian and Sextus Pompeius, who treated each other with outright hostility, the course and the result of the negotiations and finally the permanence of the concord called in historiography the “Treaty of Missenum”.<sup>3</sup> The sources at our disposal talk the most about the decisions which were taken in Missenum, while the rest demands from historians a certain degree of mental exercise.

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<sup>1</sup> If not stated differently all dates refer to the period BC.

<sup>2</sup> The account by Dio differs slightly from that by Appian.

<sup>3</sup> More rarely called the Treaty of Puteoli.

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The factors leading to the appointment in Missenum must have been complex. The fact that Octavian was ready to discuss with his true enemy says much about the contemporary situation. From the very beginning the attitude of Caesar's heir towards Sextus Pompeius was marked by the formula of confrontation. To tell the truth we do not know what Octavian's opinion was on the attempt undertaken by some Caesarians who endeavoured to achieve some kind of concordance with Sextus in the summer of 44. However, a year later when Sextus gained from the senate the title of *praefectus classis et orae maritimae* with the competence similar to that given earlier to his father Pompey the Great, Octavian was very reluctant to this initiative.<sup>4</sup> He revealed his intentions when the first opportunity arose i.e. after his march to Rome in August 43 and after being proclaimed consul. The *lex Pedia*, which was submitted by Q. Peditius, another consul and also Caesar's nephew, ridiculously recognized Sextus as one of the dictator's assassins. In November, already after what is called the Second Triumvirate was set up, Sextus was proscribed by power of the *lex Titia* as many other political opponents of the triumvirs were.

In these conditions practical completion of the function of the *praefectus classis* was not possible. The son of Pompey the Great, so far presenting a wait-and-see attitude (from the second half of 44 Sextus' main base was located in Massalia), decided to act. Already in December 43 or at the very beginning of 42 he landed with his forces in Sicily and occupied its towns without considerable resistance removing the current governor of the island ranked *pro praetore* Pompeius Bithynicus. Henceforth Sicily became a base from which Sextus conducted his raids to the Italian coasts and for all other marine operations.<sup>5</sup>

The triumvirs devoted the first half of 42 to the preparations for war with Marcus Brutus and Caius Cassius, the leaders of the anti-Caesar conspiracy, who had gathered a great army in the East. The battle between the triumvirs and the tyrannicides took place in October 42 in Philippi in Thessaly and it brought a decisive victory for Antony and Octavian.<sup>6</sup> However, only three months earlier Octavian had decided to declare a war on Sextus Pompeius nursing a hope that he would defeat the opponent and would occupy Sicily quickly. If that was the

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<sup>4</sup> This time the proposal of collaboration originated from Republicans. It is hard to believe that Cicero, so active in those months, was not one of the driving forces of the agreement. For more on the role of Cicero in these events see Berdowski (forthcoming). For more general discussion of the conflict of Antony with the senate and Cicero see Gotter 1996, *passim* (on Cicero see especially 107–130).

<sup>5</sup> On the conquest of Sicily and the role of the island in Sextus' policy see Hadas 1966 [1930], 71–74; Powell 2002, 109–111; Stone 2002, 135–165. See also *CAH*<sup>2</sup>, X, 434–448 (R.J.A. Wilson) (though I do not concur with his opinion that Sextus' government of Sicily was such a destructive time for the island).

<sup>6</sup> For more on the war between the triumvirs and the tyrannicides see Syme 1939, 202–206.

actual calculation of Octavian he displayed wishful thinking. Sextus had significant forces, above all a huge fleet. On the other side Salvidienus Rufus, a general and Octavian's friend headed his fleet. Sextus defeated him in the battle of Scylleum at the entrance to the Strait of Messina in July or August 42 (as far as we know the only battle in this war). Salvidienus' failure was caused by the worse training of his mariners and the current in the strait which surprised him.<sup>7</sup> As a result of the battle of Scylleum Octavian abandoned the idea of further attacks on Sextus and joined Mark Antony, who anxiously waited for Caesar's heir to arrive in Brundisium, from where they were going to get to Macedonia with the help of their ships. Sextus Pompeius made good propaganda use of his victory in Scylleum, especially in his coinage.<sup>8</sup> On the other hand the defeat of Octavian's forces stuck firmly in his mind and he bore a grudge for a long period of time.

The reasons why Octavian proclaimed the war on Sextus in 42 were more complex than the protection and the later supplying of the landing army in Macedonia.<sup>9</sup> As I tried to demonstrate elsewhere,<sup>10</sup> Octavian was afraid of Sextus not only because of his military power on the sea but also because of the potential cooperation between him and Antony. Such an alliance would produce mortal danger for Octavian. In addition, Sextus was a significant rival of Caesar's heir in the propaganda war which both of them drew on referring to their charismatic fathers. Octavian realized pretty well that Sextus was popular enough in Rome, which is confirmed by Appian and Cassius Dio as well.<sup>11</sup>

That the alliance between Sextus and Antony was not a theoretical option Octavian was to become convinced immediately after the Perusian War which he waged with Lucius Antony, brother of Mark, and with Fulvia, his wife.<sup>12</sup> Admittedly they were defeated by Octavian, who strengthened himself considerably (particularly when he seized the legions of L. Munatius Plancus and later the legions of Q. Fufius Calenus too) but the conflict with Antony appeared on the horizon instead. The episode with Antony's siege of Brundisium could have unfolded into a regular civil war while the position of Octavian was not as good as might be suggested by the number of the legions under his command. On Antony's way

<sup>7</sup> App., *BC*, 4.85–86; Cass. Dio, 48.18.

<sup>8</sup> Cf. my forthcoming article, *Sextus Pompeius, Octavian and the Battle of Scylleum (42 B.C.)* (in Polish).

<sup>9</sup> When the triumvirs started to move their forces to Macedonia Sextus behaved cautiously and did not disturb them. The same is not true of Staius Murcus an old officer of Caesar who had his "private" fleet of 80 ships (App., *BC*, 5.25). On Murcus see *RE*, IIIA.2, 1929, col. 2136–2139 (Münzer, s.v. *Staius* 2); Welch 2002, 49–50.

<sup>10</sup> Cf. Berdowski, *Sextus Pompeius, Octavian and the Battle of Scylleum (42 B.C.)*.

<sup>11</sup> App., *BC*, 4.85; Cass. Dio, 48.31.2–5.

<sup>12</sup> On the Perusian War see Syme 1939, 207–213; Gabba 1971, 139–160. On Lucius and Fulvia see Roddaz 1988, 317–346; Bauman 1992, 83–89.

from Greece to Italy Domitius Ahenobarbus joined him.<sup>13</sup> Antony's actions were also supported by Sextus Pompeius, who apart from the fact that he conquered Sardinia driving M. Lurius from the island also effectively attacked coastal areas in south Italy. Antony together with Sextus and Domitius had 500 ships at his disposal, which meant that Octavian was defenceless on the sea. Despite the propaganda practised by Octavian and the depiction of the war with Antony as a war with Sextus Pompeius, the struggle with Antony was all the more difficult as the veterans were in no hurry to fight with the famous winner from Philippi.<sup>14</sup>

How difficult Octavian's situation was may be proved by a pretty surprising event connected with Salvidienus Rufus, a friend of Octavian from his early years and one of his most important and trusted commanders.<sup>15</sup> During Antony's siege of Brundisium Salvidienus undertook confident negotiations with him proposing that he take Antony's side.<sup>16</sup> When the spectre of civil war was prevented and the triumvirs came to an agreement, Octavian in an act of revenge did not hesitate to order Salvidienus to be murdered.<sup>17</sup> The readiness of Salvidienus to join Antony might arise from reasons which are not mentioned in our sources but the most probable explanation is that Salvidienus intended to sympathize with the stronger. As it turned out he outbid himself in his calculations not taking into account the possible concord between Octavian and Antony.

The support provided by Sextus during the Brundisian War was prized by Antony; but it was not necessarily Antony himself that asked Sextus for this help. As long as our sources are correct, the initiative was that of Sextus.<sup>18</sup> In any case *fatum* seemed to favor this alliance. After the Perusian War Lucius Antony was treated by Octavian in a friendly manner (there is no doubt that it was only a tactical move because Octavian was scared of Mark Antony), while Fulvia fled to Athens and Antony's mother Julia Antonia left Italy and went on to Sicily to Sextus Pompeius.<sup>19</sup> From there she was escorted with full gallantry to Greece by Lucius Libo and C. Sentius Saturninus, who carried at the same time the proposal from Sextus to Antony. He was to answer the emissaries that if Octavian violated the previous decisions made by the triumvirs he would join his forces with Sextus. If Octavian kept the promised word Antony would still aspire to bring Octavian closer to Sextus.<sup>20</sup> This reserve was only for show. The later events proved beyond

<sup>13</sup> App., *BC*, 5.55. On Domitius Ahenobarbus see *RE*, V.1, 1905, col. 1328–1331 (Münzer, s.v. *Domitius* 23); Welch 2002, 49–50.

<sup>14</sup> App., *BC*, 5.57.

<sup>15</sup> On Salvidienus Rufus see *RE*, IA.2, 1920, col. 2019–2021 (Münzer, s.v. *Salvidienus* 4).

<sup>16</sup> App., *BC*, 5.66.

<sup>17</sup> App., *BC*, 5.66; Cass. Dio 48.33.1–2.

<sup>18</sup> Though Appian suggests that it was the opposite (*BC*, 5.63).

<sup>19</sup> App., *BC*, 5.52.

<sup>20</sup> App., *BC*, 5.52. A confidential agreement between Antonius and Sextus had to be an “open secret”, since Octavian speaking with Lucius Antony used this argument as an excuse for taking

a shadow of a doubt that Antony and Sextus had indeed decided to cooperate. In the spring of 40 they had already “given their word” to each other.

Despite the fact that Octavian accused Antony of a secret alliance with Sextus Pompeius,<sup>21</sup> he himself took certain steps which might help him to bring himself to the Pompeians. As Appian writes: *he wrote to Maecenas to make an engagement for him with Scribonia, the sister of Libo, the father-in-law of Pompeius, so that he might have the means of coming to an arrangement with the latter if need be.*<sup>22</sup> These actions are commonly understood as an attempt to bring Octavian closer to Sextus,<sup>23</sup> but it is more likely that Octavian wanted to win Libo’s favour. This rapprochement opened for him different possibilities: Libo more than once played a role of mediator.<sup>24</sup> In reality Octavian did not gesture towards the reconciliation with Sextus. From 43 the son of Pompey the Great was among others standing accused of the murder of Caesar. Admittedly Octavian sent Mucia, Sextus’ mother, to him with the assignment to negotiate with Sextus, but these actions were absolutely not adequate.<sup>25</sup>

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Already in July or August 40 Sextus occupied Sardinia driving M. Lurius from the island. At pretty much the same time Antony arrived in Brundisium, but he was not allowed to enter the town and he decided to start a siege.<sup>26</sup> Simultaneously Sextus attacked coastal areas of south Italy, among other things laying siege to Thurioi and Consentia. The legions of Antony occupied Sipontum (as it turned out later, only for a short period of time). It is hard to believe that those actions were not coordinated.

Octavian sent Marcus Agrippa with soldiers to hold Brundisium, where five legions stationed, but despite spurring them to fight most of them were not too keen to take up arms against the victor from Philippi (Agrippa had to lie telling the soldiers that they would fight with Sextus, not Antony<sup>27</sup>). The war really had not yet developed when both sides started negotiations. From Antony’s side they were conducted by Asinius Pollio and Lucius Cocceius, while Octavian was represented by Maecenas.<sup>28</sup>

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over the legions of Marcus Antonius’ commander Calenus (App., *BC* 5.54: *περὶ Ἀντωνίου, σαφῶς ἤδη καὶ Πομπηίῳ συνθέσθαι λεγομένου*). Cf. Cass. Dio, 48.27.5.

<sup>21</sup> App., *BC*, 5.54.

<sup>22</sup> App., *BC*, 5.53. All translations of Appian’s *Civil Wars* are by H. White in Loeb Classical Library.

<sup>23</sup> Cf. Southern 1998, 67; Barrett 2002, 19–20.

<sup>24</sup> On Libo see Welch 2002, 51–53.

<sup>25</sup> Cass. Dio, 48.16.3.

<sup>26</sup> App., *BC*, 5.56. On the Brundisian War see Syme 1939, 214–218.

<sup>27</sup> App., *BC*, 5.57.

<sup>28</sup> App., *BC*, 5.60–64.

The decision made in Brundisium again delimited the border between the triumvirs' domains:<sup>29</sup> Octavian was to control the Western part of the Empire and Antony the Eastern one – the border ran through Ilyria. Lepidus got Africa but from then his role was marginal. Both sides kept the rights to recruit soldiers in Italy. Additionally Octavian reconciled with Domitius Ahenobarbus. It was decided too that Antony would conduct war with the Parthians, and Octavian: *was to make war against Pompeius unless they should come to some agreement* (πολεμεῖν δὲ Πομπηίῳ μὲν Καίσαρα, εἰ μὴ τι συμβαίνοι). The alliance was strengthened by the marriage of Antony with Octavia, Octavian's sister who had recently become a widow. A gloomy accent of Antony and Octavian's reconciliation was the death of Salvidienus, who was sentenced after an impromptu trial.<sup>30</sup>

The agreement from Brundisium turned Antony's relations away from Sextus. Antony had (at least officially) to claim his readiness to act against Sextus. It does not seem that this was a surprise for Sextus. The years following Caesar's death saw more than one instance of turning away from alliances. It is worth mentioning that Antony never acted personally against Sextus, which is important inasmuch as, unlike Octavian, Antony had a fleet which might be used to fight with the son of Pompey the Great.

Paradoxically the position of Sextus Pompeius after the Treaty of Brundisium was not essentially worse than before. This was caused by two factors: first, Sextus' unquestioned military advantage on the sea; second, the ambivalent attitude of Antony towards the ruler of Sicily. Sextus also still firmly held Sardinia and Corsica and the ring of his ships around Italy considerably hindered supplies. The starvation in Rome was accompanied by riots. The plebeians endeavoured to put pressure on Octavian to start negotiations with Sextus.<sup>31</sup> The rage was directed to both triumvirs, though Antony was treated much more favourably than Octavian. As Appian explains it was caused by Antony's readiness to reach an agreement with Sextus, which was contested consistently by Octavian.<sup>32</sup> In this situation Antony pressed Octavian to speed up the war at least. This required money which the triumvirs lacked. They imposed different taxes which added fuel to the disastrous public feelings. The plebeians were brutally pacified by Antony's soldiers, which led to peace in the city but it did not solve the problem of starvation.<sup>33</sup> These events happened in the early months of 39.

In this atmosphere Octavian was getting used to thinking that the agreement with Sextus was unavoidable. As a matter of fact – as it seems – both sides endeavoured to regulate the tense relations. Antony told Libo's relatives: *that they*

<sup>29</sup> App., BC, 5.65.

<sup>30</sup> On the Treaty of Brundisium see Syme 1939, 217.

<sup>31</sup> App., BC, 5.67.

<sup>32</sup> App., BC, 5.68.

<sup>33</sup> App., BC, 5.68.

*should summon him from Sicily for the purpose of congratulating his brother-in-law, and to accomplish something more important; and he himself promised him a safe-conduct.*<sup>34</sup> This information is surprising inasmuch as it is not certain what marriage Appian had in mind. If Octavian had not yet divorced Scribonia, who was Libo's sister, we should think that Libo was to congratulate Octavian and Scribonia. Reportedly Octavian moved Scribonia away on the same day when she gave a birth to his only child Julia.<sup>35</sup> Immediately he took Livia to his house, even though the marital formality was not yet completed. If Libo was to congratulate Octavian because of Livia it would have been unusual bearing in mind that the new marriage of Octavian struck at Libo's sister. It is much more probable that in the first half of 39 Octavian still lived with Scribonia.<sup>36</sup>

The people in Rome were to support Libo's delicate mission at the same time exhorting Mucia, the mother of Sextus Pompeius, to go to Sicily and to put pressure on her son to work towards rapprochement between him and the triumvirs. As Appian says she was to be threatened with having her house in Rome set on fire.<sup>37</sup> Finally Libo succeeded in persuading Antony and Octavian that the best possible solution was to meet with Sextus personally. It happened in The Bay of Naples near Misenum and Puteoli.<sup>38</sup>

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Cassius Dio says that the leaders met each other in Misenum. Appian does not specify exactly the place where the wooden platforms were set up,<sup>39</sup> but he mentions that when Sextus was arriving at the destination place he passed Puteoli (Appian uses its Greek name *Dikaiarcheia*) *in sight of his enemies*.<sup>40</sup> Though sources are silent on this subject one can safely assume that the idea of the wooden platforms in the sea came from Sextus Pompeius and his circle. It is possible that the security factor played a role (theoretically thanks to the platforms Sextus might evacuate himself quickly to his ship).<sup>41</sup> In my opinion though it was main-

<sup>34</sup> App., *BC*, 5.69.

<sup>35</sup> Cass. Dio, 48.34.3.

<sup>36</sup> Unfortunately we do not know when Octavian dismissed Scribonia. Cf. Fantham 2006, 22; Barrett 2002, 20, writes that: "The divorce took place in the latter part of 39, immediately after the birth of their daughter Julia".

<sup>37</sup> App., *BC*, 5.69.

<sup>38</sup> Appian writes that also Sextus was under pressure of his circle to make peace with the triumvirs. Probably Libo was in this group and also Murcus encouraged him to do this. Only Menas (*Menodorus apud Appianum*) was to be against the peace. He played his own game with Murcus. Suspicious Sextus believed Menas' slur and Murcus was treacherously murdered (App., *BC*, 5.70). Thus died one of the defenders of the Republic, a man of high principles.

<sup>39</sup> Dio (48.36.1) writes not about platforms but about a causeway. According to him Sextus was to take his place on the causeway whereas Antonius and Octavian on the land.

<sup>40</sup> App., *BC*, 5.71.

<sup>41</sup> Cf. Cass. Dio, 48.36.1.

ly about the symbolic meaning. Sextus Pompeius consequently developed the idea of his sonship towards divine Neptune: a significant role in this process was played by Sextus' success in the Battle of Scylleum in 42 (Octavian's ignominious failure in this battle must have had a bitter taste for him<sup>42</sup>). The wooden platforms in the Bay of Naples underlined that not descending from his ship to land "the son of Neptune" remained in the domain of his divine father and his own. This presented Sextus in a pretty comfortable propaganda setting.

The leaders were accompanied by considerable military forces:

there was present also the whole fleet of Sextus and the whole infantry of the other two; and not merely that, but the forces on the one side had been drawn up on the shore and those of the other side on the ships, both fully armed.<sup>43</sup>

The phrases *the whole fleet* and *the whole infantry* referring respectively to Sextus' fleet and the triumvirs' infantry should not be understood literally, though forces on both sides must have been significant. No one could have predicted if an attempt at negotiation would not have ended with some kind of incident.

The first meeting was probably quite official in character. One can doubt whether except for exchanging the negotiating stances anything additional was decided. Appian told us what Sextus' initial demand was: he wanted participation in the triumvirs' power by taking Lepidus' place. Antony and Octavian rejected this postulate. The negotiations were difficult and they lasted several days at least. Most of them were conducted by emissaries: *negotiations were continued on the part of friends, who advanced various proposals from one side to the other*.<sup>44</sup> Appian says that both sides acted under pressure: Antony and Octavian from the side of the citizens in Rome and Sextus from the side of those proscribed by triumvirs and who stayed in Sicily (they treated their situation as temporal and hoped to come back to Italy as soon as possible).

Finally the consent was reached. We know the details of it thanks to Appian and Dio.<sup>45</sup> They were as follows:

1. the war on the sea and on the land between Octavian and Sextus will be finished and Sextus will withdraw all his military forces from Italy and will break the blockade. From then the trade will be conducted without any obstacles and Sextus' ships will not reach Italian shores.

<sup>42</sup> In the summer of 39 no one could imagine that the scenario of the Battle of Scylleum would be repeated in the same place in 38 (Cass. Dio, 48.47–48).

<sup>43</sup> Cass. Dio, 48.36.2. All translations of Dio's *Roman History* are by E. Cary in Loeb Classical Library.

<sup>44</sup> App., *BC*, 5.71.

<sup>45</sup> App., *BC*, 5.71–72; Cass. Dio, 48.36.3–6.



2. Sicily, Sardinia and Corsica and other islands in the hands of Sextus will remain his domain as long as Antony and Octavian continue their extraordinary control over the Empire (Dio says that Sextus' authority was to be limited to five years<sup>46</sup>). However, Sextus will send duties in corn to Rome which were imposed on the island. Sextus will get Peloponnese too.
3. Sextus will not provide shelter for the slaves who escaped from their masters. Those who were in this situation at the moment of the treaty assignment should be freed. Free men being in the pay of Sextus after they finish their service will be rewarded in the same manner as veterans of Antony and Octavian.
4. The proscribers will have a choice to come back to Italy and to get back 1/4 of their estates' value (most of their estates were in the hands of new owners now). Antony and Octavian will buy land for them from their own funds. The murderers of Caesar (certainly it was confined only to those who were with Sextus) will live undisturbed in exile.
5. The estates of those who were illegally deprived of them and of those who escaped from Italy driven by fear will be given back to them in their entirety, excluding the movables.
6. Sextus will be appointed augur and consul. It was intended in advance that he would hold his function in absentia with the help of his representative and that his consulate would be held in 33 together with Octavian.<sup>47</sup>
7. Sextus will get 17.7 million Attic drachms as compensation for his father's estate which was confiscated by Caesar after the Battle of Pharsalos.

The agreement was written as an official document, sealed and sent to the Temple of Vesta in Rome. When the consent was established the leaders gave a series of feasts. The first of them was on Sextus' ship and similarly to the next ones it was accompanied by a tense atmosphere and a lack of trust since — as Appian writes — *the banqueters were girded with concealed daggers*.<sup>48</sup> Both Appian and Dio transmitted to us an anecdote connected with the banquet on Sextus' ship:<sup>49</sup> Menas (Menodorus) persuaded Sextus to kill Antony and Octavian who were defenceless on the ship. Sextus answered Menas in the way Alexander the Great once spoke with Parmenion, i.e. that such a deed would be appropriate for Menas but not for Sextus himself. The decisions from Misenum were strengthened by

<sup>46</sup> Cass. Dio, 48.36.5; cf. 48.36.6: *They limited him to this period of time because they wished it to appear that they also were holding a temporary and not a permanent authority.*

<sup>47</sup> The names of consuls for the years 34–31 were also decided: in 34 M. Antonius and L. Libo were expected to be consuls, in 33 Octavian and Sextus Pompeius, in 32 Domitius Ahenobarbus and Caius Sosius; in 31 Antonius and Octavian.

<sup>48</sup> App., *BC*, 5.73.

<sup>49</sup> App., *BC*, 5.73; Cass. Dio, 48.38.2; Plut., *Ant.*, 32.

the symbolic act of the engagement of Sextus' daughter Pompeia to M. Claudius Marcellus, a nephew of Octavian.<sup>50</sup>

The question is open whether Appian and Dio transmitted all the decisions taken in Missenum. We cannot be certain about this. However, it seems that the list is not necessarily complete. Accepting the chronology of Sicilian emissions of Sextus' *denarii* and *aurei* proposed by Sylvaine Estiot, it would mean that after 39 Sextus ceased using the function *praefectus classis et orae maritimae* and the title *imperator iterum*.<sup>51</sup> If this is correct, this might be the object of the decision in Missenum. For Octavian the title "imperator for the second time" must have been particularly irritating because Sextus was acclaimed *imperator iterum* after the Battle of Scylleum in 42 which was lost by Octavian's general Salvidienus Rufus. Estiot thinks that Sextus abandoned previous titles, which is to be proven by the inscription found in 1893 in Lilybeum:

Mag(no) Pompeio Mag(ni) f. Pio imp(eratore), augure, | co(n)s(ule) des(ignato),  
| por[ta]m et turre[s] | L. Plinius L. f. Rufus leg(atu)s pro pr(aetorae), pr(aetor)  
des(ignatus), f(aciendum) c(uravit).<sup>52</sup>

The inscription was erected by Sextus' *legatus* L. Plinius Rufus probably not long after the Treaty of Missenum and before Octavian and Sextus became enemies again. In the text Sextus appears as *consul designatus* which was established in Missenum. Also he has the title of *imperator* but this refers to his first emperor acclamation, which probably took place after Sextus' victory over Asinius Pollio in Spain in 43.<sup>53</sup> Using by Sextus the title of *consul designatus* when the war with Octavian started might have been pretty inappropriate. However, one cannot exclude that the inscription is later and Sextus considered his future consulate as an obligation to be fulfilled regardless of the conflict with Octavian. If yes, it had a purely propaganda meaning.

The response to decisions in Missenum was enthusiastic both among soldiers who were in Missenum and the people in Rome when the news reached the capital. Dio describes the cheerful reaction of soldiers and others who were in Missenum and who shortly before were on the opposite sides of "the barricade".<sup>54</sup> Their behaviour verged on hysteria since during the reconciliation many persons were trampled or strangled. Rome and Italy were overcome with the same joy:

When the Romans and Italians learned the news there was universal rejoicing at the return of peace and at their deliverance from intestine war, from the conscription of

<sup>50</sup> Cass. Dio, 48.38.3.

<sup>51</sup> Estiot 2006, 145–146.

<sup>52</sup> *ILLRP*, 426 = *ILS*, 8891.

<sup>53</sup> Cf. Hadas 1966 [1930], 54–55.

<sup>54</sup> Cass. Dio, 48.37.2–9.

their sons, from the arrogance of guards, from the running away of slaves, from the pillage of fields, from the ruin of agriculture, and, above all, from the famine that had pressed upon them with the greatest severity.<sup>55</sup>

It is plausible that the euphoria was common, although there were also people who were not satisfied; among them new owners of the estates which were confiscated during the proscriptions. It would be naive to think that because of the peace between the triumvirs and Sextus Pompeius all the negative phenomena were – as Appian writes – removed. Opening of the trade routes certainly helped to supply food to Rome and Italy, but the problems generated by the colonization of the veterans, the wreaking havoc on fields, the crisis of agriculture were still current.

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Despite the gestures shown directly after the agreement, the practical realization of the decisions from Missenum was hard going. Sextus removed the blockade of Italy and stopped his raids but these decisions might have been changed in one day. As it seems the only permanent and fully accomplished postulate was returning of the exiles to Rome and the restitution of their civil rights and properties. Undoubtedly it was a great success of Sextus. He did not take control over Peloponnese, as it was planned, and he did not exact payment for his father's property, not to mention the prospect of holding the consulate, which was completely unrealistic in those conditions. Even if Sextus assumed the function of augur (certainly *in absentia*) in fact it was not much.

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The treaty of Missenum turned out to be extraordinarily impermanent. It seems that just after a few months the relations between Octavian and Sextus deteriorated to such a degree that conflict was unavoidable. Antony did not take part in those games, though among the reasons which led to the conflict sources mention that Antony caused difficulties for Sextus in taking control over Peloponnese.<sup>56</sup> However, the main pivot of the conflict was between Octavian and Sextus Pompeius. Probably we will never learn with whom responsibility lay in breaking the Treaty of Missenum. The preserved evidence presents in principle the Augustan point of view. Appian does not hide this view: *the treaty existing between Octavian and Pompeius was broken for other reasons, as was suspected, than*

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<sup>55</sup> App., BC, 5.74.

<sup>56</sup> App., BC, 5.77; Cass. Dio, 48.39.1.

those avowed by Octavian, which were the following.<sup>57</sup> Appian mentions a disagreement between Sextus and Antony about whether the contribution which Peloponnesians owed to Rome should be collected by Antony or Sextus. The historian adds that Octavian claimed that Sextus was driven by his general faithlessness and his jealousy of the triumvirs, who had large armies, and that he succumbed to Menas' instigation, who was to convince the ruler of Sicily that the Treaty of Misenum was in fact not a permanent agreement but only a suspension of military action and if so it was necessary to get ready for the confrontation. According to Menas it was to initiate the expansion of Sextus' fleet and the new recruitment of mariners. The pirates appeared in the littorals of Italy again and they invaded the coastal areas. As Appian writes: *there was little or no relief from the famine among the Romans, who cried out that the treaty had brought no deliverance from their sufferings, but only a fourth partner to the tyranny.*<sup>58</sup> Despite Sextus cutting himself off from the pirates' activity some of them were captured by Octavian and after they were tortured they gave evidence against Sextus admitting that they cooperated with him.

We must read with care these sources which shift the guilt of breaking the Treaty of Misenum on to Sextus Pompeius. Appian states clearly that the real reasons were numerous and complex. Dio says plainly that both Sextus and Octavian were looking for the pretext for inciting the war, because neither side wanted to keep the agreement: *for since they had made their agreement, not of their own free will or by choice, but under compulsion, they did not abide by it for any time to speak of, but broke the truce at once and quarrelled.*<sup>59</sup> Apart from the mention about the Peloponnese affair one can find in Dio that Sextus bore grudges against Octavian because the heir of Caesar did not want to turn in Menas, who betrayed Sextus and joined Octavian giving him Sardinia and the garrisons which stationed on the island. As a response to this Sextus was to attack the Italian coast. One of his commanders plundered Volturnum and the other parts of Campania.<sup>60</sup>

Unfortunately the exact course of events in 38 is not known to us and we are not sure if the betrayal of Menas and occupying Sardinia by Octavian were *casus belli* or rather an effect of the earlier offensive military operations. If we accept the first version it is not a surprise for us that Sextus' reactions were the coastal raids and the new blockade of Italy.

<sup>57</sup> App., BC, 5.77: Καίσαρι δὲ καὶ Πομπηίῳ διελύθησαν αἱ γενόμεναι σπονδαί, κατὰ μὲν αἰτίαν, ὥς ὑπενόειτο, ἐτέρως, αἱ δὲ ἐς τὸ φανερόν ὑπὸ τοῦ Καίσαρος ἐκφερόμεναι αἶδε ἦσαν.

<sup>58</sup> App., BC, 5.77: μικρὸν ἢ οὐδὲν ἄκος τοῦ λιμοῦ γεγένητο Ῥωμαίοις, ὥστε ἐβίων οὐκ ἀπαλλαγὴν τῶν κακῶν, ἀλλ' ἐπίληψιν τεταρτοῦ τυράννου κατὰ σπονδὰς γεγονέναι.

<sup>59</sup> Cass. Dio, 48.45.4–5: οἷα γὰρ οὐκ ἐβέλονται οὐδ' ἐκ προαιρέσεως ἀλλὰ ἀναγκαστοὶ τὴν ὁμολογίαν πεποιημένοι, χρόνον οὐδένα αὐτῇ ὥς εἰπεῖν ἐνέμειναν, ἀλλ' εὐθύς τὰς σπονδὰς λύσαντες διηνέχθησαν.

<sup>60</sup> Cass. Dio, 48.46.1.

Mark Antony clearly did not share Octavian's conduct. When Octavian asked him for consultation about the war with Sextus, Antony came to Brundisium to discuss the issue, but not finding Octavian there he returned to Greece. However, he sent a letter in which he had written to him: *not to violate the treaty, and he threatened Menodorus with punishment as his own fugitive slave; for he had been the slave of Pompey the Great, whose property Antony had bought when it was sold under the law of war.*<sup>61</sup>

The war between Octavian and Sextus must have started not later than in the middle of the year 38. Probably at the same time or not much earlier Octavian dismissed Scribonia. It seems that both sides treated the Treaty of Missenum as a temporary one. It is possible that Octavian was more aggressive than Sextus. When he took Sardinia there was no place for the negotiations: the real intentions of Caesar's heir were clear enough for Sextus. Unfortunately for Octavian the war with the son of Pompey the Great turned out to be very hard and it brought Octavian a number of defeats.

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The treaty of Missenum already at the moment when it was signed bore a temporariness and a provisionality of the solutions. It did not progress the political transformation of the Republic and did not even organize the competences of the signatories. In this field it was only an annex to the Treaty of Brundisium between Antony and Octavian. Missenum sanctioned a territorial division of the Roman world into the areas of influence of the particular leaders, which has to be interpreted as a lack of distinct advantage for each of them. Octavian agreed to admit Sextus the rights to Sicily and Sardinia but he did not do it of his own free will. It was quite the opposite: he did it under the pressure of the public opinion in Rome and the common dissatisfaction because of the shortage of the food supply. Probably Antony himself put pressure on Octavian too.

The feuding sides sat at the negotiation table because they needed a contract. However, there was no symmetry between the three signatories. The relations between Octavian and Sextus were clearly polarized, while Antony acted as a mediator, open for both sides of the conflict. Thanks to this open attitude his position was distinctly the strongest one. This sensible attitude was confirmed by his deeds after Missenum. When the war between Octavian and Sextus seemed to hang by a thread Antony was warning Octavian against it. When the war became a fact he was not willing to participate in the affair.

<sup>61</sup> App., BC, 5.9.79: μὴ λύειν τὰ συγκείμενα καὶ ἡπείλει Μηνόδωρον ἀπάξειν ὡς ἑαυτοῦ δραπετὴν· γεγένητο γὰρ Πομπηίου Μάγνου, τὴν δὲ τοῦ Μάγνου περιουσίαν ὁ Ἀντώνιος ἐώνητο νόμῳ πιπρασκομένην ὡς πολεμίου.

There are opinions that the balance of the Treaty of Missenum was for Sextus unprofitable. As Kathryn Welch writes:

Sextus personally lost much. Soon to be under attack again, he found it far harder to keep any cause to the forefront and suffered the indignity of being called a fourth Triumvir. A camp which until 39 had been characterized by remarkable harmony between Romans and Greek collaborators was torn apart by factional strife, not now among the Romans and Greeks, but among the Greek naval experts who had contributed so much. Less and less could Sextus picture himself as legitimate opposition; fewer and fewer wanted to see him as legitimate because it would disturb consciences that were growing ever more dull.<sup>62</sup>

This is true. However, we should have in mind that Sextus acted in specific conditions, which were favourable for him only on the surface. The heir of Pompey the Great dominated the sea, he blocked and attacked Italy, but it was all that he was capable of. Without a regular land invasion on Italy the defeat of Octavian seemed impossible to achieve. Though Sextus had the greatest fleet, he was defenceless towards Octavian on the land. Indeed most of the sources underline that the son of Pompey the Great was popular in Rome, especially among the wealthy class, but also among the plebeians (though this popularity cannot be measured). In contrast Sextus did not have a strong card among soldiers, both the veterans and the serving ones. It meant that he did not have a solid base to trigger the revolt in Italy which could be a danger for Octavian, no less. Harassment activities did not have enough persuasive potential to do this. In such a situation the attitude of Antony was crucial. Several months before, during the Brundisian War, Sextus supported Antony, probably nurturing a hope for the alliance with him. Antony did not reject the proposal but treated Sextus with reserve. He was constant in his attitude to Sextus. He never openly acted against him.

There is no point in accusing Sextus of indecisiveness, delaying tactics or having no program of defence of the Republic from Octavian. Such a thesis was among others propagated by Moses Hadas, who expressed his opinion that Sextus' indecisiveness was as it were inherited from his father.<sup>63</sup> But it was not the original concept. The critical tradition towards Sextus derives from Appian, who accused Sextus of lack of strategic concept, neglecting of military opportunity and even cowardice.<sup>64</sup> With a few exceptions scholars commonly accepted Appian's view.<sup>65</sup> Anton Powell thinks that the cautious attitude of Sextus (for example not invading Italy on a full-scale) was a part of his strategy. Powell underlines the

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<sup>62</sup> Welch 2002, 53.

<sup>63</sup> Hadas 1966 [1930], 61.

<sup>64</sup> Cf. App., *BC*, 5.25. See Powell 2002, 104–105, who analyses Appian's statements.

<sup>65</sup> Ronald Syme (1939, 228) himself followed Appian's path naming Sextus an adventurer.

ideological dimension of Sextus' policy, which is true, but in my opinion what should be stressed are the military conditions and the balance of power between the son of Pompey the Great and the triumvirs. In the particular conditions Sextus did what he could. Only the alliance with Antony might change the balance of power and open new possibilities for Sextus. However, Antony did not take the decision to destroy Octavian, neither during the wars in 40 nor in the following years. He was more and more absorbed with the East and was losing his valuable political instinct. In this context the tactic of Sextus to decide the conflict with Octavian on the sea was reasonable. If Sextus had had the luck to kill Octavian in battle it would have changed his position dramatically. Sextus was very close indeed to achieving this goal in Tauromenium.<sup>66</sup>

In the case of Sextus Pompeius his successes in Misenum went hand in hand with his failures. One has to ascribe to him as an important propaganda success the decision about the amnesty for the proscribers and the refugees and the repayment to them of 1/4 value of their confiscated estates. As Welch rightly observes, this move deprived Sextus of those people who stayed with him from 43 and who supported him not only orally. Within their coming back to Italy Sextus' legitimization to act as a defender of the Republic was weaker.<sup>67</sup> Appian and Dio underline that the exiles impatiently awaited the chance for coming back to the homeland. One can doubt whether they could have been stopped if the triumvirs had decided unilaterally to proclaim an amnesty. Among the people around Sextus the situation had been getting worse and worse for some time. The death of Murcus, the betrayal of Menas, quarrels among Greek commanders, all those things weakened Sextus. Maybe he was overconfident of his possibilities and he believed that his divine father's care would help him to overcome all the adversities. We can see both sides of the coin when we look at honours obtained by Sextus in Misenum. Without doubts the consulate and the augurate were the source of prestige and they strengthened the legal position of Sextus. However, there was a price to be paid for being a "fourth tyrant", and this was a fall in popularity in Rome.

If for someone the Treaty of Misenum was advantageous that person was Antony. For Octavian and Sextus Misenum was only a certain stage in the future conflicts: it gave them a breath and allowed for reorganizing of their forces before further activities. The symbolic gestures as the marriage of Octavian to Scribonia or the engagement of Pompeia to Marcellus did not change the situation at all. Both Octavian and Sextus already leaving Misenum started to ponder new strategies of confrontation.

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<sup>66</sup> App., *BC*, 5.109–111.

<sup>67</sup> Welch 2002, 53.

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