

*Cristina ANDREI BOGDAN\**

## THE NAVAL TERMS OF THE TREATIES BETWEEN ROME AND CARTHAGE (241 B. C. AND 201 B. C.)<sup>1</sup>

**Abstract:** After centuries in which the relations between Rome and Carthage had been regulated by mutual treaties, a war broke out between the two important cities in the Western Mediterranean Sea in 264 B. C., that ended with significant losses for both parties. The conflict ended in 241 B. C. with the victory of the Romans, who drafted the clauses of a treaty which was not so drastic and therefore was easily accepted by the Carthaginians. Naval stipulations were among the peace conditions. The Carthaginians lost important naval cities in Sicily and in the neighbouring islands and were also forbidden to sail with battleships in Italian waters. The peace did not last too long and another conflict broke out in 218 B. C., which was also concluded with the Romans' victory in 202 B. C.. The stipulations in the new treaty were harsher: the Carthaginians were forced to give up their possessions overseas, their naval force was reduced to 10 triremes and they were obliged to support the Roman fleet with ships in case of war.

**Keywords:** Caius Lutatius Catulus, Carthage, Hannibal, Publius Cornelius Scipio Africanus, Rome, Sicily.

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In the third century B. C., Rome and Carthage were the most important cities of the western Mediterranean basin. Based on a disciplined and efficient land army, Rome conquered the entire Italian Peninsula, including the Greek cities<sup>2</sup>. Carthage, a Phoenician colony in North Africa, was a prosperous republic due to the intensive trade it carried. It exerted its hegemony over the territories of Northern Africa, Hispania, Sicily and Sardinia. Carthage's power lied in its important financial resources, especially in its fleet trading in the Mediterranean and the Atlantic<sup>3</sup>.

The two major cities had established relations since late sixth century B. C., more precisely since 509/8 B. C., a date identified by modern historiography as the

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\* Ph.D. Candidate, Faculty of History, "Alexandru Ioan Cuza" University of Iași, Romania.

<sup>1</sup> This work was supported by the European Social Fund in Romania, under the responsibility of the Managing Authority for the Sectoral Operational Programme for Human Resources Development 2007–2013 [POSDRU/CPP 107/DMI 1.5/S/78342].

<sup>2</sup> C. Nicolet, *Rome et la conquête du monde méditerranéen* (Paris, 1979), p. 329-331.

<sup>3</sup> D. Hoyos, *The Carthaginians* (London, 2010), p. 33.

first treaty between the two states<sup>4</sup>. In time, the agreement was renewed twice, in 348 B. C. and 279/278 B. C.<sup>5</sup>. The latter was actually an offensive and defensive alliance against Pyrrhos, the king of Epirus, who landed with troops on Italian soil intending to free the peninsular and Sicilian Greeks<sup>6</sup>.

In spite of the fact that these relations were well established and periodically regulated, they were brutally broken soon. In 264 B. C., diplomacy was forgotten and replaced by weapons. At the beginning of the conflict, both combatants desired a fast victory that would grant the winner local advantages and greater international prestige. But the belligerents' hopes were deceived and the conflict turned into a lasting one, with heavy losses on both sides and with changing odds<sup>7</sup>. During the war, Rome was forced to learn the art of naval clashes, while the Punic people had to modernise their land warfare.

The confrontation that decided the fate of the conflict took place on March 10, 241 B. C.. It was held at sea, off the Aegates Islands, and the victory belonged to the Romans led by consul Caius Lutatius Catulus and praetor Quintus Valerius Falto<sup>8</sup>. During the combat, the Carthaginians lost 120 ships<sup>9</sup>, almost their entire fleet, which made the leaders of the city grant full powers to general Hamilcar Barcas, the commander of the ground troops in Sicily. He wanted to continue the fight, but he realised that without having a strong fleet able to secure the connection with homeland, it was impossible to maintain its strategic positions and to attack the Roman troops<sup>10</sup>. At that time, Carthage had used up its financial resources and was no longer able to build a new fleet. As early as 252 B. C., the Carthaginians tried to get a loan of 2,000 talents from Ptolemaios II Philadelphos, king of Egypt, who refused, on the ground that he was in good terms with both belligerent camps and wanted to remain neutral<sup>11</sup>.

The realistic Carthaginian leader sent one of his subordinates, general Giscon, the commander of the Lilybaeum troops, to negotiate with Lutatius Catulus. Hamilcar used an intermediary as he did not want to recognise his defeat and he hoped to obtain favourable terms<sup>12</sup>. Fortunately, Lutatius agreed to negotiate because he wanted to end the conflict, as Rome was financially and humanely exhausted<sup>13</sup>.

<sup>4</sup> Polybius, 3.22-23; R. Beaumont, "The Date of the First Treaty between Rome and Carthage", *The Journal of Roman Studies*, 29 (1939), p. 74-86.

<sup>5</sup> Polybius, 3.24-25; F. Walbank, *A Historical Commentary on Polybius I* (Oxford, 1957), p. 346; J. Serrati, "Neptune's Altars: The Treaties between Rome and Carthage (509-226 B. C.)", *The Classical Quarterly*, 56, 1 (2006), p. 118-120.

<sup>6</sup> Th. Mommsen, *Istoria romană I* (Bucharest, 1987), p. 237.

<sup>7</sup> F. Decret, *Cartagina sau imperiul mării* (Bucharest, 2001), p. 149.

<sup>8</sup> T. Brennan, *The Praetorship in the Roman Republic I* (Oxford, 2000), p. 83; A. Goldsworthy, *The Punic Wars* (London, 2000), p. 128.

<sup>9</sup> Polybius, 1.61.

<sup>10</sup> Cornelius Nepos, *Hamilcar*, 1.

<sup>11</sup> Appian, *Sikeliké*, 1; H. Scullard, *Carthage and Rome*, in F. Walbank, A. Astin, M. Frederiksen, R. Ogilvie, A. Drummond (eds.), *The Cambridge Ancient History VII/2* (Cambridge, 1989), p. 563.

<sup>12</sup> Diodorus, 24.13; D. Hoyos, *Hannibal's Dynasty. Power and Politics in the Western Mediterranean 247-183 B. C.* (London, 2003), p. 18.

<sup>13</sup> Polybius, 1.62.

Another reason for which the consul accepted the Carthaginian offer was that his consulate period was running out and he did not want to grant to somebody else the triumph of ending the bloody war for Sicily<sup>14</sup>.

Immediately after the peace offer, the consul presented to the Carthaginian general a draft treaty that did not contain any unacceptable clauses. Caius Lutatius Catulus demanded the Carthaginians to evacuate Sicily, to return the prisoners of war without redemption, to refrain from any action against the Siracusans led by Hieron and to pay a war indemnity of 2,200 talents in 20 years<sup>15</sup>. This treaty had to be accepted by the Roman people as well, because it had no validity without the confirmation of popular assemblies<sup>16</sup>. It seems that among the clauses that Lutatius tried to impose to Hamilcar there was one that stipulated the handing over of the Carthaginian troops in Sicily, weapons and deserters included. The Carthaginian general took this stipulation as an offence, arguing that he wanted to make peace, not to surrender. Lutatius did not insist, as he did not want to make the Carthaginians continue the fight. He sent to Rome an alternative treaty that did not contain this offensive clause against Carthage<sup>17</sup>.

The assembly of people refused to ratify the treaty, an outcome also due to the incitement caused by the patriots who equipped the last fleet that brought the decisive victory<sup>18</sup>. It is not known if peace was rejected in order to obtain other advantages from the enemy or if the opponents of peace wanted the Carthaginians' submission by giving up the independence<sup>19</sup>. Following this event, the Senate decided to create a committee of ten members, all part of the senatorial order, who had to go to Sicily in order to decide the terms of the peace treaty. Head of the commission was appointed Lutatius' brother, Quintus Lutatius Cerco, who was a consul in 241/240 B. C.<sup>20</sup>.

The commission found that the terms of the treaty offered too many concessions to the state that faced Rome for 23 years, and thus the agreement was changed. The amount to be paid by the Carthaginians as war indemnity was increased from 2,200 to 3,200 talents. Of this sum, 1,000 had to be paid immediately. This clause was likely to be an attempt to repay the loan taken from Roman citizens in order to build the last fleet. Another change was to shorten the period of payment of the remaining indemnity from 20 to 10 years<sup>21</sup>. Interestingly enough is that the amount of 2,200 talents had to be paid in annual instalments, but the decrease of the payment period was an advantage for the Carthaginian rule,

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<sup>14</sup> J. Thiel, *A History of Roman Sea-Power before the Second Punic War* (Amsterdam, 1954), p. 316.

<sup>15</sup> Polybius, 1.62.3.

<sup>16</sup> Livy, 21.19.

<sup>17</sup> Diodorus, 24.13; Cornelius Nepos, *Hamilcar*, 1; J. Lazenby, *The First Punic War. A Military History* (London, 1996), p. 157.

<sup>18</sup> Polybius, 3.21.2.

<sup>19</sup> Th. Mommsen, *Istoria romană* I, p. 308.

<sup>20</sup> T. Broughton, *The Magistrates of the Roman Republic* I (New York, 1951), p. 219.

<sup>21</sup> Polybius, 1.63; A. Goldsworthy, *The Punic Wars*, p. 129.

which, once freed from the burden of compensation, could completely retrieve its freedom of action<sup>22</sup>.

Another clause settled by the commission of Quintus Lutatius Cerco stipulated the obligation that, apart from Sicily, the Carthaginians had to free the small islands between Sicily and Italy<sup>23</sup>. These were the Aegates and Lipare islands, and their inclusion in the treaty was a formality, since they were already under Roman control. In other words, this clause recognised the already existing *status quo*<sup>24</sup>.

The Commission that re-evaluated the treaty stipulations brought into question the allies of the two powers for which the status and the security were guaranteed. It also prohibited the recruitment of mercenaries from among the allies of both sides<sup>25</sup>. The stipulation of Carthage's allies in the peace treaty was, undoubtedly, a diplomatic success of the African city<sup>26</sup>.

Regarding the naval clauses, they do not depict a favourable image of Carthage. Besides the fact that the Africans lost important cities by abandoning Sicily and several small Italian islands, they were forbidden to enter with battleships within the territorial sea of Sicily and of the Rome's allies<sup>27</sup>.

It is interesting to state that the treaty did not force the Carthaginian state to surrender or to destroy its remaining fleet. As a rule, Romans imposed such stipulations to defeated enemies, as it was the case of Antium in 338 B. C. and of Macedonia led by Philip V in 196 B. C.<sup>28</sup>. The same constraint was later applied to Antiochos the Great, by the Treaty of Apamea, in 188 B. C.. An identical clause was included in the draft of the peace treaty submitted to the Carthaginians by consul Atilius Regulus after the victories across Africa in 256 B. C.. In addition to abandoning the islands of Sicily and Sardinia, the consul also demanded a drastic decrease of the fleet. More precisely, the Carthaginians were not allowed to have more than one quinquereme and 50 triremes. They also had to commit themselves to take part to the Roman war by using their triremes<sup>29</sup>.

The absence of any allusion to the fleet decrease or destruction can be explained in two ways. The first would be that the Romans were aware that all the Carthaginians' quinqueremes were either destroyed or captured during the last naval battle and then the famous Punic fleet was reduced to a few triremes and penteconteres and 1–2 quinqueremes, and, therefore, they considered unnecessary such a clause, because, at that time, Rome had a strong navy which had no less than

<sup>22</sup> Appian, *Sikeliké*, 2; G. de Sanctis, *Storia dei romani* III/1 (Torino, 1916), p. 188; A. Tejera, "En torno al tratado de paz de Lutacio entre Roma y Cartago", *Habis*, 2 (1971), p. 114; D. Hoyos, *Hannibal's Dynasty*, p. 19.

<sup>23</sup> Polybius, 1.63; Th. Mommsen, *Istoria romană* I, p. 309.

<sup>24</sup> G. de Sanctis, *Storia dei romani* III/1, p. 188; J. Thiel, *A History of Roman Sea-Power*, p. 318.

<sup>25</sup> Polybius, 1.63.

<sup>26</sup> H. Scullard, *Carthage and Rome*, p. 565.

<sup>27</sup> Zonaras, 8.17; J. Thiel, *A History of Roman Sea-Power*, p. 318.

<sup>28</sup> Livy, 8.14, 33.30; E. Salmon, *Roman Colonization under the Republic* (New York, 1970), p. 71-81; Plutarch, *Flaminius* 9.

<sup>29</sup> Cassius Dio, 11.43.22-23; Th. Mommsen, *Istoria romană* I, p. 302.

200 quinqueremes<sup>30</sup>. However, if this is the reason why the Romans did not ask for the destruction of the African ships, it would have been reasonable to mention a clause prohibiting the building of some others, which did not happen. The most plausible explanation for the absence of any stipulation regarding the number of ships would be that Rome feared a refusal of the Carthaginians to end the conflict, if such a clause would have been introduced.

The peace established by the treaty signed in 241 B. C. only lasted for 23 years, because there was room for only one great power within the western Mediterranean basin. In March 218 B. C., a Roman senatorial deputation crossed the sea and declared war to the Carthaginians<sup>31</sup>. If the first conflict took place mostly at sea, the second Punic war presented another peculiarity: it was fought almost entirely on land. The fiercest battles took place in the Italian Peninsula and in Hispania, where Hannibal proved his military genius. However, the battle that decided the fate of the war took place on African soil. At Zama, Publius Cornelius Scipio defeated Hannibal, making the Carthaginians ask for peace<sup>32</sup>.

The Roman Senate authorised the victorious commander to draw up the provisions that ended the Second Punic War. According to Polybios, who, unfortunately, did not totally reproduce the treaty stipulations, it included two parts. The first part presented the clauses that favoured the Carthaginians, while the second one included the burdening stipulations. The clauses guaranteed the form of government and the Romans had to put an end to any aggression. Also, the Carthaginians were not compelled to receive Roman garrisons in their cities, but the most important stipulation was that the Africans' pre-war borders were recognised.

The clauses of the second section were drastic. The defeated part had to return the goods stolen from the Romans during the standstill of early 202 B. C. or to pay their equivalent in money. The Carthaginians were forced to hand over the Roman prisoners, deserters and elephants. They were forbidden the right to declare war in Africa or outside it without Rome's consent. Moreover, they had to surrender the territories that belonged to Masinissa's predecessors and to pay the amount of 10,000 talents in annual instalments for 50 years. Rome tried to ensure the fulfilment of these stipulations by requiring 100 hostages of noble rank aged 14 to 30<sup>33</sup>.

By banning the right to initiate an armed conflict without the consent of Rome, Carthage lost any international initiative. Its dependence on Rome was also increased by the long period of payment, which could be easily regarded as a tribute<sup>34</sup>. A proof of this is the fact that, in 191 B. C., the Romans refused the Carthaginians the offer to pay up the remaining debt<sup>35</sup>. The dependence on the victorious power also emerges from the fact that the Africans were treated as friends and allies of the Roman people, the same stipulation regarding the condition of

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<sup>30</sup> J. Thiel, *A History of Roman Sea-Power*, p. 319.

<sup>31</sup> D. Hoyos, *The Carthaginians*, p. 199.

<sup>32</sup> J. Lazenby, *Hannibal's War. A Military History of the Second Punic War* (Warmister, 1978), p. 219-225.

<sup>33</sup> Polybios, 15.18; Livy, 30.37.

<sup>34</sup> F. Walbank, *A Historical Commentary*, p. 470.

<sup>35</sup> Livy, 36.4.

several cities from the Italian Peninsula<sup>36</sup>. In addition to these clauses, it seems that the peace treaty also included two stipulations that prohibited Carthaginians to hire mercenaries and to tame elephants in order to use them in combat<sup>37</sup>.

The peace treaty also included naval clauses. The Carthaginians had to give up their territories in Hispania and the Mediterranean islands, thus recognising Rome's supremacy over the Western Mediterranean basin<sup>38</sup>. The most important stipulation reduced the Carthaginian fleet to only 10 triremes, without any right to build others<sup>39</sup>. The other Punic ships were handed over to Scipio, who did not add them to the Roman fleet, but drove them in offshore and burned them. On this occasion, it seems that 500 different types of ships were burnt. The destruction of these vessels signified Carthage's ruin as an important maritime power, and the Africans compared the loss of the fleet to the destruction of the city itself<sup>40</sup>.

Further the treaty also stipulated that, although the Africans did not have many battleships left, they had to put them under Rome's command in case of an armed conflict. Within the context of the war against Antiochus III, Titus Livius mentioned that the Punic citizens were willing to equip a fleet at their expense, but the Romans retained only the ships that they had to surrender<sup>41</sup>. Among the ships supplied by the allies according to their respective agreements, the fleet under the command of Caius Livius Salinator in 191 B. C. also included 6 Carthaginian ships<sup>42</sup>.

The Roman–Carthaginian peace treaties, concluded after two long lasting conflicts, confirmed the disappearance of Carthage from among the great Western Mediterranean powers and the rise of an empire which was destined to dominate, in the following centuries, not only the Mediterranean area, but the civilized world in its entirety.

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<sup>36</sup> Appian, *Libyké*, 54, 79; A. Goldsworthy, *The Punic Wars*, p. 308.

<sup>37</sup> Livy, 30.37; Cassius Dio, 17.82; Appian, *Libyké*, 54.

<sup>38</sup> Livy, 30.30; Th. Mommsen, *Istoria romană* I, p. 378.

<sup>39</sup> Polybius, 15.18; Livy, 30.37; Appian, *Libyké*, 54; Cassius Dio, 17.82.

<sup>40</sup> Livy, 30.48.

<sup>41</sup> Livy, 36.4; Th. Mommsen, *Istoria romană* I, p. 381.

<sup>42</sup> Livy, 36.42; Appian, *Syriaké*, 22.