

# **Questioning Reputations**

essays on nine roman republican politicians

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First edition, first impression

**ISBN 1-86888-198-9**

Published by Unisa Press  
University of South Africa  
PO Box 392, Unisa, 0003

Printed by Paarl Print, Oosterland Street, Paarl, South Africa

Layout and cover design: André Nel  
Editor: Tim Stewart

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**For Christopher** – who brightens my day

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# ACKNOWLEDGEMENTS

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This volume was conceived and completed during the course of a year's sabbatical leave in 1998, although many of the ideas presented here were formulated, in one way or another, some considerable time beforehand. The research on the various topics contained in this work benefited immensely from a prolonged visit to Italy and Great Britain, which was financed by the University of South Africa's Research and Bursaries Committee, whose very generous allocation of funds I happily acknowledge at this point. A synopsis of the project was presented as a paper at the Biennial Conference of the South African Classical Association, University of the Western Cape, Cape Town, January 1999, where much beneficial discussion was generated. I salute my perspicacious Classics colleagues from that occasion for their helpful comments and sound advice. Two longstanding colleagues, Barry Baldwin (Calgary) and Harold Mattingly (Cambridge), whose expertise in such academic affairs far surpasses mine, both found the time in their busy schedules to read the manuscript in its entirety. I wish to place on record here my sincere thanks for their efforts, and for their kind and considerate comments, correcting many a slip which if left undetected at that stage would have been a continual source of embarrassment to this writer. The later detailed comments of two anonymous referees, and Tim Stewart and Diana Coetzee of the Unisa Press, should also be acknowledged here. Thanks are also due to André Nel, who was responsible for designing the cover and layout of this volume. Finally, it should be duly noted at the outset that what follows, whether it remains inaccurate or whether it is a matter of untenable conjecture, is mine and mine alone.

PRETORIA

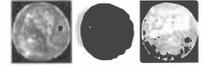
# ABBREVIATIONS

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All dates are BC unless otherwise noted. Commonly used abbreviations have been employed throughout the following pages for such standard works as (ed.) Pauly Wissowa, *Real-Encyclopädie der classischen Altertumswissenschaft* = *RE*; *The Oxford Classical Dictionary* = *OCD*<sup>2</sup>/*OCD*<sup>3</sup>; *Corpus Inscriptionum Latinarum* = *CIL*; *The Cambridge Ancient History* = *CAH*. Where modern works are cited more than once these are noted in an abbreviated form on subsequent occasions, but this practice ought not to cause offence. The following works are worth noting separately for the sake of clarity, and especially for the reader who may be less well acquainted with the subjects under discussion.

<i>FC</i>	E. Badian, <i>Foreign Clientelae (264-70 BC)</i>
<i>MRR</i>	T.R.S. Broughton, <i>The Magistrates of the Roman Republic</i> (3 volumes)
<i>FRR</i>	P.A. Brunt, <i>The Fall of the Roman Republic</i>
<i>RS</i>	C. Cichorius, <i>Römische Studien</i>
<i>RRC</i>	M.H. Crawford, <i>Roman Republican Coinage</i> (2 volumes)
<i>ILS</i>	H. Dessau (ed.), <i>Inscriptiones Latinae Selectae</i>
<i>RPCC</i>	E.S. Gruen, <i>Roman Politics and the Criminal Courts</i>
<i>LGRR</i>	E.S. Gruen, <i>The Last Generation of the Roman Republic</i>
<i>IG</i>	<i>Inscriptiones Graecae</i>
<i>ORF</i> <sup>4</sup>	H. Malcovati (ed.), <i>Oratorum Romanorum Fragmenta Liberae Rei Publicae</i>
<i>HR</i>	Th. Mommsen, <i>The History of Rome</i> (Volumes 4 & 5), trans. W.P. Dickson
<i>RAA</i>	F. Münzer, <i>Römische Adelsparteien und Adelfamilien</i>
<i>HRR</i>	H. Peter (ed.), <i>Historicorum Romanorum Reliquiae</i> (2 volumes)
<i>GTN</i>	H.H. Scullard, <i>From the Gracchi to Nero</i> (5 <sup>th</sup> edition)
<i>RR</i>	R. Syme, <i>The Roman Revolution</i>
<i>AA</i>	R. Syme, <i>The Augustan Aristocracy</i>
<i>RP</i>	R. Syme, <i>Roman Papers</i>
<i>NMRS</i>	T.P. Wiseman, <i>New Men in the Roman Senate 139 BC – AD 14</i>

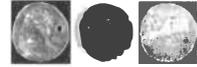


**On the front and back cover pages** are illustrations of the temple of Saturn (the *aerarium* or public treasury) in the Roman Forum: one, the existing eight Ionic columns of the portico, the other, placing the building in its topographical context against the Capitolium and alongside the *clivus Capitolinus*. The other illustration is of the tomb of Caecilia Metella on the *Via Appia*, just a short distance outside the city to the south. The three coins featured are, from right to left, a victoriatius, from the earliest age of Roman coinage, dated to between 194 and 190 BC, with a laureate head of the god Jupiter portrayed facing right, secondly, the reverse of a denarius issued in the 80s BC by C. Licinius Macer, which portrays the goddess Minerva driving a quadriga (the name of the moneyer appears in the exergue) and thirdly, left, back cover, the reverse of a serrated denarius, dated to 70 BC, issued by the moneyers Kalenus and Cordus.

**In the body of the volume** the following coins appear. At the beginning of each of the two sections is a portrait of the head of the god Apollo, seen from behind, which may be found on the obverse of the denarius of Licinius Macer. This denarius, both obverse and reverse, also appears at the beginning of each chapter. Between the denarius of Licinius Macer is the obverse of the serrated denarius, issued by C. Sulpicius, dated to about 106 BC, which portrays the *Penates Publici*, the gods of the public storeroom (granaries), essential guardians of the whole Roman community.

# INTRODUCTION

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What precisely is meant by *Questioning Reputations*? Moreover, why should questioning the reputations of certain individuals be regarded as a valid subject of inquiry? Finally, what is so exceptional about the reputations of nine Roman republican politicians that they, and not others, should be scrutinised here?

“Reputation is an idle and most false imposition; Oft got without merit, and lost without deserving.”

(Shakespeare, *Othello*, Act 2, Sc. II, ll. 264-265.)

“Reputation, reputation, reputation! O, I have lost my reputation! I have lost the immortal part of myself, and what remains is bestial.”

(Shakespeare, *Othello*, Act 2, Sc. III, ll. 264-268.)

“Every year expeditions went out holy grailing, and next year relief expeditions went out to hunt for ‘them’. There was worlds of reputation in it, but no money.”

(S. L. Clemens, *A Connecticut Yankee in King Arthur’s Court*, Ch. 9.)

Questioning a reputation means to analyse critically those things that are believed, written or thought about someone, either to a person’s credit or fame, or to a person’s detriment or infamy, with a view to vindicating or correcting the received image. This statement defines the parameters of this study, in which I shall attempt to provide realistic alternatives to current perceptions of a specific reputation or particular aspects of a subject’s fame. The aim is not to indulge in a debunking exercise, but rather to place a reputation in a more tenable historical frame of reference. Lastly, it is necessary to decide whether or not the standing of these subjects is deserved, not only as applied individually, but also in relation to the rest. Hence the comparative sections and conclusions which appear below.

To say that *homo sapiens* has a general inclination to be concerned about the way in which he or she is remembered or understood by those who come along afterwards is perhaps to understate a characteristic of social or political groups from antiquity to the present day.<sup>1</sup> Wander around any grave-

<sup>1</sup> The recent TV exposés (1998-99) about a number of modern celebrities including Maria Callas, Bertrand Russell, Jacques Cousteau, Roald Dahl and Dr Spock, may have blown great holes in their established reputations although they are unlikely to affect popular perceptions substantially. However, the seeds of doubt have been sown, which may in future lead to altered appreciations of the figures who were featured. Note now (2001) a new series featuring Florence Nightingale and Billie Holiday, amongst others.

yard in any community today to witness for yourself that, sometimes desperate, desire not to forget or not to be forgotten, in a person, whether of great or humble origins. As in contemporary history, so in antiquity, the preservation of names and achievements was evidently of profound concern to rulers and ruling elites which, in numerous instances, obviously developed beyond ordinary and normal behaviour into an obsession. Still, without that care there would be no grandiose funerary inscriptions or monuments from the Near East, and no elaborate funeral eulogies:

*Cornelius Lucius Scipio Barbatus, Gnaivod patre prognatus fortis vir sapiensque, Quoius forma virtutei parisuma fuit, consul, censor, aidilis quei fuit apud vos, Taurasia Cisauno Samnio cepit, subigit omne Loucanam opsidesque abdoucit.*

Lucius Cornelius Scipio Barbatus ... a brave and wise man whose physical appearance exactly matched his bravery, was consul, censor, and aedile among you, and took Taurisia and Cisauna in Samnium, and conquered all Lucania, and brought back hostages from these places.<sup>2</sup>

There would be no memorials on coins, such as the celebration of the murder of Caesar on a denarius minted for, and which enhanced the reputation of, Marcus Brutus in 42 BC, with its dramatic reverse where the *pilleus* and the daggers together with the date of the deed, EID(*ibus*)MAR(*tiis*) are portrayed.<sup>3</sup> Indeed, there would be an absence, or at least a marked curtailment, in literature of autobiography, biography, and much that is described as history. Ensuring that one might be recollected with affection or with awe was clearly time consuming, but had that endeavour not occurred, modern knowledge of the ancient world would be infinitely poorer. Furthermore, even if a reputation was not enjoyed during an individual's lifetime, many dividends accrued once it had been firmly established. After all, it is difficult to alter a reputation after it has been preserved in a durable substance, especially when it has passed beyond the realm of critical study. In the following pages this may be observed with relative ease! Distinguished figures from public life in republican Rome, during the period discussed here, clearly sought to be recollected in the best possible light. Human nature being the immutable phenom-

2 *CIL* 1<sup>2</sup>.377. The epitaphs eulogising members of the Cornelia Scipiones are among the earliest surviving examples of Roman inscriptions, which combine funerary and honorary elements, *CIL*. 1<sup>2</sup>. 373-382. Funerary monuments, by themselves, were evidently recognised as being insufficiently efficacious for political life since they were found outside the urban area, as the existence of *imagines* probably indicates. The owners of ancestral images clearly had a headstart on those politicians who did not possess this easily accessible form of personal advertising which recalled past reputations, as Sallust comments, *Jug.* 85.10.

3 M.H. Crawford, *Roman Republican Coinage*, Cambridge 1974, 1.514-518, issued by the quaestor or proquaestor of Brutus, L. Plaetorius Cestianus.

enon that it is, one would not expect them to do otherwise.

It is quite possible that such a potent and deathless status as popular and national hero was all that men such as Scipio, Marius or, indeed, Pompeius and Caesar, really craved. History can judge but cannot explain megalomania ...<sup>4</sup>

Those politicians who had the time and the resources made sure that, besides mention in any literary works, material remains of their fame were also bequeathed to their city. On the other hand, those individuals whose time was cut off prematurely have had their reputations preserved for them mostly in the literature, and it is not always to their benefit. Hence it will become clear why the following chapters, devoted to Roman politicians who pursued their, often controversial, careers between about 120 and 40 BC, are not arranged in a chronological order, but rather according to the status of the figures examined. The first section comprises a trilogy dealing with the so-called great men, while the second deals with a sextet of men who may have become great. However, what these men have in common is that they were, in one way or another, all closely associated with the violence and civil unrest that punctuated the last definable historical epoch of the *res publica* prior to its evolution into a principate; and just one of them died, though insane, in his bed.

In order to examine a person's reputation it would seem logical to examine, if only briefly, how a characteristic or a personal facet came to be established and in what ways, once founded, it was retained? As far as the subjects here are concerned, the avenues for the creation of a reputation and its perpetuation lay essentially in literary works, in visual art forms and in a variety of architectural constructions. In the literature, at least four sets of variables may also occur: contemporary versus late sources, nature of the genre, archival versus literary material, language. It may also be significant that, for this period of Roman history, there is heavy dependence on Greek sources of the second century AD which, because of their own preoccupations – the Second Sophistic – may also affect perceptions. In terms of architecture, the most visible way of maintaining a reputation was by the actual erection of some building such as a temple or a market-place, a monument such as a column, a celebratory device such as an arch or *fornix*, or a useful civic structure such as a road, a wall or an aqueduct. The range of possibilities was huge and a project to be taken very seriously, with examples already conspicuous at Rome and throughout Italy from the end of the fourth

4 A.J.E. Bell, "Cicero and the Spectacle of Power", *JRS* 87, 1997, 17.

century BC.<sup>5</sup> Magistrates who had been successful in war, magistrates who wished to be thought of as benefiting the lives of the *populus, privati* who wished to live in better circumstances and share their wealth, all began to adorn the city and, in the process, remained in the public eye and in the collective memory of the citizen body.<sup>6</sup>

Tenny Frank, Filippo Coarelli, and others, have shown conclusively that the building activity in Rome which can be dated from the end of the Second Punic War down to Augustus' principate, was consistent and brisk with no noticeable cyclical trends dependent on boom years followed by economic depressions.

The introduction of cement work at the beginning of the second century or earlier and its progressive improvement during the years which followed were a functional reaction to the transformation, in the sense that the pressure created by the new demands of society led to qualitative change, to the use of more economical and expeditious techniques and at the same time to the use of a larger and less skilled work-force, which in turn made necessary technical modifications in methods of building.<sup>7</sup>

Nonetheless, Coarelli might also have added that the underlying motivation for this sustained upsurge in urban development lay primarily in the ambitions of the members of the political elite who wanted to leave tangible records of their personal glories, and that the resultant edifices were simultaneously memories and achievements of the patron responsible.<sup>8</sup> In time, the city abounded with the physical reminders of personal reputations:<sup>9</sup> temples dedicated to various deities but really a constant reminder of the successful temples general who had been allowed to dedicate the structure,<sup>10</sup> a theatre ostensi-

5 The *Via Appia* reputedly built during the censorship of Ap. Claudius Caecus (321-311 BC), was certainly a visible enough monument in southern Italy, while the *Aqua Appia* of the same date was a suitably prominent construction in and near the city, *OCD*<sup>2</sup> 246.

6 Hence perhaps the semantic range: *pater, patres, patronus, patria*.

7 F. Coarelli, "Public Building in Rome between the Second Punic War and Sulla", *PBSR* 45, 1977, 18. For the source of building materials see T. Frank, "Roman Building in the Republic", *Papers and Monogr. of the Am. Acad. in Rome*, 3, 1924, 24-28.

8 E.M. Orlin, *Temples, Religion and Politics in the Roman Republic*, Leiden 1997, discusses manubial building of temples in Rome during the Republic, 116-161, as an aspect of personal ambition, noting that triumph in war produced wealth which allowed "public recognition" of accomplishment and an avenue by which individuals could "distinguish themselves".

9 Some indication of the scale of private building may be obtained from the elder Pliny's discussion of the use of marble, *NH.* 36, especially 36.110, used in the homes of the wealthy during the 1st century BC: "... let him consider the great volume of marble, the countless paintings and the royal fortunes that went into these hundred houses - houses which were later to be surpassed time and time again by others down to the present day." The senate had realised the dangers implicit in a competitive display of affluence and success, with the result that legislation was periodically passed limiting funeral and other extravagance. There was, however, much greater tolerance of competition in public works.

10 Such as the temple in the Forum Boarium dedicated by L. Mummius (cos. 146), A. Ziolkowski,

bly dedicated to enlivening citizen leisure time, but one which emphasised political supremacy,<sup>11</sup> a garden for public use; fresh water supplies through aqueducts;<sup>12</sup> and, eventually of course, the numerous civic amenities provided by a single benevolent autocrat.<sup>13</sup>

Benevolence could come in many forms, which might serve to enhance a reputation for generosity and either accelerate a flagging career or set a new one in motion. Patronage operated on many levels in Roman society and one aspect was that of making sure that the accomplishments of a great personage were not forgotten. In its most immediate context the approval of an audience and its acclamation of a single figure played a role in highlighting eminence, but the tastes and loyalties of the crowd changed quickly.<sup>14</sup> A man might be the “first, best and greatest” when he celebrated a triumph, but its effect might be transient, particularly in a political setting.<sup>15</sup> An equally ephemeral form of patronage was the delivery of entertainments for the populace. Great immediate popularity could be obtained from financing large-scale entertainment as Caesar found in 65 when, as aedile, he supervised (Suet. *Iul.* 10) lavish games,<sup>16</sup> or in ingenious, but dangerous, public spectacles such as those produced by the younger Curio in 53 (Cic. *Fam.* 2.3.1-2; Pliny, *NH.* 36.117-119), or by games in the very centre of the Roman Forum.<sup>17</sup> Such events may not have been forgotten, but it is doubtful whether they enhanced the patron’s reputation except for ostentation, as Pliny’s comments (*NH.* 36. 118-120) plainly show:

“Mummius’ Temple of Hercules Victor and the Round Temple on the Tiber”, *Phoenix* 42, 1988, 330: “...in the last decades of the first century B.C. the Romans were still conscious of the fact that the cult of Hercules Victor has been introduced into the City by Mummius.”

11 T.P. Wiseman, *Roman Drama and Roman History*, Exeter 1998, 117: “...Pompey’s theatre ... an architectural complex which included not only the great portico, with a Senate-house attached, but also Pompey’s own house in the Campus.”; F. Millar, *The Crowd in Rome in the Late Republic*, Ann Arbor 1998, 175: “The most spectacular event of the year 55 must have been Pompey’s opening of the very first permanent stone-built theater in Rome ...”.

12 For the first two of these extensive constructions, the *Aqua Marcia* and *Aqua Tepula*, see Coarelli: 1977, 17, dated to ca. 144 and 125 BC respectively. Regarding the various *monumenta* of the Minucii, including a *pons*, a *porticus*, a column, a shrine and the *Porta Minucia*, see Wiseman, *Roman Drama*, 90-105. Moreover, the Minucii were not among the forefront of political life in the post-Hannibalic period.

13 Buildings such as the *Horrea Galbana*, late second century BC, financed by Ser. Sulpicius Galba, cos. 108, exhibit utilitarian concerns as much as munificence, yet were just as useful to the patron.

14 On the power of the citizen body as an audience see Bell: 1997, 16-20. On the role of games as an avenue by which citizens could comment on political matters and on politicians, see P.J.J. Vanderbroeck, *Popular Leadership and Collective Behaviour in the Late Roman Republic (ca. 80 - 50 B.C.)*, Amsterdam 1987, 77-81, and on patronage in general, 81-86.

15 T.P. Wiseman, “Competition and Co-operation”, in *Roman Political Life, 90 BC - AD 69*, ed. T.P. Wiseman, Exeter 1985, 4, 5-10 for a further discussion of the pursuit for glory and how it might be exhibited.

16 However, the games of Caesar did not warrant a mention in the list of extravagant aedilician games described by Cicero, *de Off.* 2.55-58.

17 Gladiatorial fights staged by Metellus Pius Scipio close to the Rostra in 57, Cic. *Sest.* 58, Millar, *The Crowd in Rome*, 147-148; G. Ville, *La gladiature en Occident des origines à la mort de Domitien*, Rome 1981, 380, who also notes the *munera* of Gabinius in 59 and Caesar in 46 also in the Forum.

It is difficult to know what should amaze us more, the inventor or the invention, or the sheer audacity of the conception. And the aim of all this was merely to win favour for the speeches Curio intended to make as a tribune: he wanted to be able to continue to sway the undecided voters.

Buildings of one sort or another and *munera* or *ludi* were not the only emblems that illustrated reputations, for they were as easily founded by the stylus and just as permanently enshrined. The advent of the autobiography, the logical offspring of eulogies on funerary monuments, precisely towards the end of the second century BC, probably indicates that buildings or monuments alone were no longer regarded as sufficient insurance for ensuring the longevity of a reputation. The fabric of a reputation could easily emerge through a personalised account in formal autobiography or a work with autobiographical elements such as the published works of Cicero, the *Commentarii* of Caesar, the *Res Gestae* of Augustus, or through a second route via biographies such as those of Nepos, Plutarch, Suetonius, or the late *Viri Illustres*, or even by a third, still more indirect course, through the histories written during that period and afterwards, all of which throw up their own problems as we shall see. Every work in this last category might be considered as the most insidious way of making sure that a man's repute, good or bad, was preserved since no writer can have composed "sine ira et studio" (Tac. *Ann.* 1.1). Since the survival of the ancient literature is very much a matter of chance, the quality and intended function of each work certainly presents difficulties for which there are no easy answers, or no answers at all. For example, within the category of autobiography there are different subcategories: accounts written in retirement (Rutilius Rufus and Cornelius Sulla), while still active as a politician (Aemilius Scaurus and Lutatius Catulus), while actively campaigning abroad (Caesar), or while an omnipotent ruler (Augustus). The status of the writer needs to be considered, therefore, as much as the purpose of the compositions and their intended audience. Then there is the earliest written material for this period, mostly fragmentary, nearly all illusive, some possibly even illusory, yet all highly authoritative in guiding the sentiments of the successive, more frequently extant, sources. Within this classification, special note should be taken of the histories of Cornelius Sisenna and Licinius Macer, although not all had personal or political agendas such as Posidonius and Theophanes of Mytilene. Sisenna was adjudged in antiquity to have been sympathetic towards Sulla (Sall. *Jug.* 95.2), and hence presumably hostile towards Marius. Sulla's own *Commentarii* were certainly read by writers down to the second century AD, and so must also have affected perceptions of the years in which he was a dominating player in political life, to the detriment of Marius, his chief enemy. Licinius Macer,

on the other hand, is credited with intense political activity in the Forum in the 70s which was designed to overturn some of the *leges Corneliae* of Sulla.<sup>18</sup> It may be assumed that his history did not praise the former dictator, but may well, instead, have been supportive of subversive politicians such as Aemilius Lepidus and Sertorius who feature here in Chapter 2. Posidonius and Theophanes, whose works no longer exist, wrote in honour of Pompey, whereas Caesar wrote to extol his own military victories, and his *Commentarii* did survive. Caesar's literary career as "artful reporter" has recently attracted attention,<sup>19</sup> his political artifice is less well documented for the 50s. Sallust's *magnum opus*, a history which dealt with the 70s, is also mostly lost and, as a result, has left the extant ancient coverage of this decade rather slight, a fate that has definitely influenced modern discussion and examination of that period.<sup>20</sup> Modern interpretations of the intentions of the writer have also played a role in understanding the evidence, so that when a writer such as Sallust has been allocated to a particular political corner his writing is also presumed to reflect that ideology, although it is often with the slightest information that political sympathies in republican Rome have been assigned. Moreover, later writers such as Plutarch, Suetonius, Appian and Cassius Dio, who are all crucial for appreciating politics in this epoch, may not have fully comprehended their own sources, which further compounds the difficulty of retrieving a true reflection of a personal reputation.

Finally, the preservation of reputations is a pervasive theme in Greek and Latin literature, yet it remains a rather underrated motif in the historical studies of the Roman republic. That some reputations were well established even by the beginning of the third century AD may be deduced from a rhetorical passage found in Tertullian (*Apol.* 11.16), in which various great and famous Romans of yesteryear are raised to the level of gods but, significantly, only to the rank of those deities who had lost all influence on the affairs of mortal men.

*Quis ex illis deis vestris gravior et sapientior Catone, iustior et militarior Scipione? Quis sublimior Pompeio, felicior Sulla, copiosior Crasso, eloquentior Tullio?*

Who among those gods of yours is more revered, more wise than Cato, more just and more of a military genius than Scipio, grander than Pompeius, more fortunate than Sulla, wealthier than Crassus, more eloquent than Cicero?

18 C. Licinius Macer was a tribune of the plebs in 73, T.R.S. Broughton, *The Magistrates of the Roman Republic*, New York 1951-1952, 2.110, although the activity ascribed to him is attested only in a fragment of Sallust, *Hist.* 3.48.8-12M = 3.34 McGushin, which may actually be a summary of tribunician demands made by him and others during this decade, Millar, *The Crowd in Rome*, 58-63.

19 For example, see most recently, Welch, K., Powell, A. (eds.), *Julius Caesar as Artful Reporter: The War Commentaries as Political Instruments*, London 1998, which concentrates on the literary aspects of Caesar's writing rather than on political events.

20 Millar, *The Crowd in Rome*, 55: "ill-attested decade".

While this is, admittedly, fairly crude propaganda against the pagans, it is noteworthy that the republican politicians mentioned by Tertullian have reputations already set in concrete. They have become almost legendary characters rather than historical figures; and of less consequence as a result.

In the following pages specific characteristics of nine selected politicians will be assessed critically with a view to ascertaining the reliability and historicity of their received reputations. In the first chapter the all-embracing military persona of Marius receives some critical attention, for was he really all muscle and “a clumsy man in domestic politics?”<sup>21</sup> In the second chapter, the problem tackled is whether or not Pompey’s reputation, based on an apparently relentless rise to military and political power during the 70s, deriving from competence in military matters and ruthless ambition, is truly deserved, and that the “Senate bowed to the inevitable”?<sup>22</sup> In the third chapter, Caesar’s treatment, in his *Commentarii* of the first part of the Civil War (49-48 BC), of his natural allies, the tribunes of the plebs, in political life is examined. In the fourth chapter, the question asked is how close to acquiring supreme power did Saturninus and Glaucia come in the turbulent year of 100 BC; and to what extent has the modern treatment of them underrated their political qualities? In the fifth chapter, the accuracy of modern representations of the two tribunes, Livius Drusus and Sulpicius, so seemingly dissimilar in character, life-style and political activity, comes under scrutiny. In the final chapter, two dominating figures in Roman domestic public affairs in the 50s, and certainly two of the most controversial politicians of that daunting decade, namely Clodius and Milo, are treated together in order to assess how different they really were in origin, outlook and approach to politics?

21 Bell: 1997, 17.

22 J. Leach, *Pompey the Great*, London 1978, 59.

# section I

the great men





## The military reputation of Gaius Marius

As a paradigm of military excellence in Roman history, Gaius Marius regularly occupies a place in the various lists of *virī militares*, which includes Fabius Maximus Cunctator, Claudius Marcellus, Scipio Africanus, Aemilius Paullus, Scipio Aemilianus, Sulla, Pompey and finally Caesar.<sup>1</sup> During his lifetime Marius won a great reputation for himself based on military exploits in Numidia, southern Gaul and northern Italy and, once firmly established, it was maintained and enhanced in the years that followed. It became celebrated in literary outpourings such as in an epic poem of Archias and,<sup>2</sup> within a generation of his death, was preserved in verses composed by Cicero and Varro.<sup>3</sup> In the first decade of the fifth century AD, over five hundred years after Marius' death, the court poet Claudian could still celebrate the martial ability and achievements of the general Flavius Stilicho describing them as on a par with, or even excelling, Marius' triumphs over Jugurtha (24.30-36, 26.126-127) and the Germanic tribes (26.645-647).<sup>4</sup> But this use of Marius as a military *exemplum* does not illustrate recondite research on the part of Claudian, for it is plain that this republican politician had become entrenched among those "military men" of Roman history to be trundled out by writers when and where necessary for comparison, emulation and dissimulation.<sup>5</sup>

1 For example, Cic. *Leg. Man.* 47: Fabius Maximus, Claudius Marcellus, Scipio Africanus, Marius; 60: Scipio Aemilianus, Marius, Pompey; *Cat.* 4.21: Scipio Africanus, Scipio Aemilianus, Aemilius Paullus, Marius, Pompey; *Mur.* 17: Curius Dentatus, Porcius Cato, Q. Pompeius, Marius, T. Didius, Coelius Caldus; 31-32: Curius Dentatus, Quintus Flaminius, Fulvius Nobilior, Aemilius Paullus, Metellus Macedonicus, L. Mummius, Scipio Africanus.

2 For an epic poem celebrating Marius' victories against the Germanic tribes see *OCD*<sup>2</sup> 97-98 (Archias); cf. *OCD*<sup>3</sup> 856-857.

3 On the date of composition of Cicero's *Marius*, see H. W. Benario, "Cicero's *Marius* and Caesar", *CP* 52, 1957, 177-181, who proposes that this poem was written at the beginning of 59, and sang the praises of Marius in order to court the favour of the new consul Caesar. Cf. D. R. Shackleton Bailey, *Cicero's Letters to Atticus*, Cambridge 1966, 5.339; G. B. Lavery, "Cicero's *Philarchia* and Marius", *G&R* 18, 1971, 140 and n. 4, who are more circumspect in their dating, either a work composed in Cicero's youth, in other words, in the early 80's or much later in the 50's after the writer's return from exile. The fragments which are either quoted, or referred to, by Cicero, *Div.* 1. 59-60, 106, 2.140-142, *Leg.* 1.1; *Att.* 12.49.2 (45 BC): *...Marius quem scripsissem*; the last of which Benario believes crucial, do not appear to allow much certainty to be established about the poem's date of composition. It is perhaps surprising that the work failed to survive, seeing that Marius was related to the first imperial dynasty, but then it may not have been particularly polished, if it was an adolescent composition. However, it was known both to the biographer of the elder Gordian and to the subject himself, who is said to have composed poetry on the same subject, *HA. Gord.* 3.2. On Varro's poem, see *OCD*<sup>2</sup> 1108; cf. *OCD*<sup>3</sup> 1582.

4 For Marius in Claudian's works see A. Cameron, *Claudian: Poetry and Propaganda at the Court of Honorius*, Oxford 1970, 152-153, 187, 335, 338. On the relevant passages in Claudian, see R.J. Evans, *Gaius Marius: A Political Biography*, Pretoria 1994, 11-13. Note that Marius does not figure in Tertullian's list of great Romans, *Apol.* 11.16.

5 It is notable that this is the last occasion, in the extant literature, in which Marius is employed as an example of military excellence.

References to the military reputation of Marius are common. The *Historia Augusta* is peppered with such notices,<sup>6</sup> while Cassius Dio (76.8.1) characterises Marius as one of the celebrated military Romans along with Sulla and Augustus in an oration delivered, interestingly enough, by Septimius Severus, another ruler with a military background. It should be noted that Tacitus, while referring to Marius' role in the decline of senatorial government (*Ann.* 1.1, *Hist.* 2.38), makes nothing of military genius or stature,<sup>7</sup> however, a military reputation features highly in Plutarch's biography, especially following the description of Marius victories over the Cimbri and the Teutones (*Mar.* 27.5):

The whole success was attributed to Marius alone, because of his first victory, and because of his seniority in rank. Above all, the people proclaimed him the third founder of Rome because the danger he had repelled was not inferior to the one which had been posed by the invasion of the Gauls, and as they all celebrated at home with their wives and children, they brought ceremonial gifts of food and libations of wine to Marius as well as to the gods, and they insisted that he alone should have the honour of both triumphs.<sup>8</sup>

Velleius gives due prominence to Marius' military side, but also dwells on its negative impact on Roman history (2.11.1):

Gaius Marius ... rough and uncouth, austere in his lifestyle, as excellent a general as he was an evil influence in time of peace, of unbridled ambition, insatiable, lacking self-control, and always restless.<sup>9</sup>

6 Marius' military exploits surface clearly enough in the lives of Avidius Cassius, 3.8, and Pescennius Niger, 12.1-2, both of whom are said to have been admirers. Cf. *Tyr. trig.* 8.8, for Marius as the archetypical *vir strenuus*; R. Syme, *Historia Augusta Papers*, Oxford 1983, 14, 114; and as "a humble man rising to a position of great power", H.W. Bird, *Aurelius Victor: De Caesaribus*, Liverpool 1994, 162; cf. *Sex. Aurelius Victor: A Historiographical Study*, Liverpool 1984, 103; and as exemplar of the military "disciplinarian", see B. Baldwin, "The Vita Avidii", *Klio* 58, 1976, 117 n.70. Note that instead of military excellence it is criminal behaviour, which is found prominently in the work of Aurelius Victor (*Vir. Ill.* 67: ... *criminando eum consulatum adeptus*).

7 To be fair to Tacitus, he is not primarily concerned with military or biographical details beyond the confines of the Principate. Still, an overwhelming reputation as a *dux* ought to have intruded into the text. It did not, and so may reflect a more accurate assessment of Marius.

8 All extracts from ancient authors in the following pages are taken from the relevant Oxford or Teubner editions. Translations are loosely based on the Loeb Classical Library editions. Marius eventually celebrated a joint triumph with his colleague Lutatius Catulus, having already been awarded a triumph for his victory at Aquae Sextiae in 102. This was his second triumph, the first having been held at the conclusion of the Jugurthine campaign. Appian's descriptions of Marius' campaigns in Africa and Gaul are lost, but it is quite possible that these were portrayed in a negative light. Appian had little appreciation of Marius as a politician. Blame for the death of Saturninus is laid squarely at the door of Marius (*BC.* 1.32), while the senile ambitions of Marius for the Mithridatic command were conceived because he believed it would be easy and financially beneficial (1.55). Not much in terms of military affairs are found in the sober judgement of Florus (1.36.13: view of his political career in Lucan (2.74-75: *Consul et eversa felix moriturus in urbe / Poenas ante dabat scelerum*).

9 Note also Vell. 2.18.6, 2.22.1, 2.23.1, where nothing positive emerges and which is possibly derived from Sall. *Iug.* 85; the use of *inquietus* is especially suggestive. Cf. Prisc. 2.58.1; Sall. *Hist.* 1.8 (McGushin) = 1.7

Writers in antiquity were influenced to a greater degree by the words of Sallust,<sup>10</sup> which are scrutinised below, and to a lesser degree by Cicero's praise,<sup>11</sup> who had exalted his own background, origin and eventual political position through emphasising his connection with Marius. Modern accounts tend to view Marius more sympathetically, and hence follow the line of Cicero's appraisals rather than the overall censure of Sallust. Thus E.S. Gruen, in a recently published standard work, declared that Augustus was the heir to "Rome's hardest warriors", which included Scipio and Marius.<sup>12</sup> However, is Marius' stature as a great general truly deserved? There is no doubt that he defeated and captured Jugurtha, and annihilated the Cimbri and Teutones on the battlefields at Aquae Sextiae and Vercellae. Nonetheless, it seems at least likely that Marius' much-vaunted military skills came about because the poet Archias was encouraged or actually commissioned to write a eulogy,<sup>13</sup> and because Cicero had urgent cause, at various times in his career, to associate his name with Marius. Thus apparent fame readily became the stuff from which legends were constructed and, in the process, furnished an image, which has remained highly influential.<sup>14</sup> Yet the picture of Marius mainly as a "military type", I shall argue, is really the product of literary artistry. It is not as securely based on contemporary or ancient evidence as many might believe. Marius' political ability outweighed his capacity as a general but, because this facet was not accorded similar recognition, it became overshadowed by the illusion of military *fama*.

Marius was born about 157, and was probably in Spain in the army of Q. Pompeius, one of the consuls of 141.<sup>15</sup> If Marius did not begin his military training in that particular year, then he must certainly have been among the forces of one of Pompeius' immediate successors in this troublesome region.<sup>16</sup> The war in Spain was something of a fiasco for the Romans until, at last, Scipio Aemilianus brought the hostilities to a successful end, it must be

M. Orosius, a much later source used Livy primarily, and here again, 5.15.7-8, there is no sympathetic assessment of Marius.

10 On the influence of Sallust on writers of the second century, and the enthusiasm for his works, see R. Syme, *Roman Papers*, ed. A.R. Birley, Oxford 1991, 6.109.

11 For a possible favourable reference to Marius in Vergil, *Georg.* 2.169-170: ... *haec Decios Marios magnosque Camillos, Scipiadas duros bello et te, maxime Caesar* ..., meaning either to "father and son" or to "men like Marius". For this as a *topos*, see R.D. Williams, *Vergil's The Eclogues and Georgics*, Cambridge 1979, 164: "generalised plurals". Note also the militaristic portrayal of Marius in Propertius, 3.11.

12 E.S. Gruen, "The expansion of the empire under Augustus", in *The Cambridge Ancient History*, 2nd Edition, Volume 10: The Augustan Empire, 43 B.C. - A.D. 69, Cambridge 1995, 191 n. 231.

13 Its existence accepted by T.W. Hillard, "Plutarch's Late-Republican Lives: Between the Lines", *Antichthon* 21, 1987, 40 n. 112.

14 For example, included in the biographies of famous generals by Nepos though since lost, Hillard: 1987, 24.

15 As initially suggested, Evans, *Marius*, 27.

16 The order of the various proconsuls in Spain during the 130's may be found in *MRR* 1.477-490. The

said, rapid conclusion in 133. The Roman generals in charge of this theatre of war changed with incredible rapidity – most appear to have been of inferior quality, and few were successful. Marius would have witnessed much inefficiency and numerous bungled campaigns. It is specifically mentioned, and much has been made of the statement, that Marius, although the son of an *equus Romanus*, did not complete the sort of education normally expected of a young Roman from a good background. According to Plutarch (*Mar.* 3.1), Marius' father was no more than a farm labourer, although that claim is not supported by Sallust (*Iug.* 63.1-4), or by the uncertain text of Velleius, which allows for either a relatively poor or a comparatively wealthy origin (2.11.1: *natus agresti/equestri loco*). Still, the lack of education looms large in the sources, and there is absolutely no reason to have Marius remain on his father's estate after his sixteenth birthday. It is simply not possible to have it both ways: a lack of education but not in the army until the age of twenty-three. What could Marius have been doing in these empty years other than serving in the army if he was not being educated? Moreover, Sallust (*Iug.* 63.3) in the extant source closest in time to Marius is explicit :

*Sed is natus et omnem pueritiam Arpini altus, ubi primum aetas militiae patiens fuit, stipendiis faciundis, non Graeca facundia neque urbanis munditiis sese exercuit.*

He was born and spent his childhood in Arpinum, and when he reached the earliest age for military training he occupied himself with his military service and not with Greek eloquence or urbane niceties.

Plutarch's evidence (*Mar.* 3.2) might appear to contradict Sallust's, since it could be inferred from the text that Marius arrived in Spain with Scipio Aemilianus only in 134. At least this is the interpretation that most modern scholars have given to this particular passage:<sup>17</sup>

Numantines in *Hispania Citerior* proved to be obdurate enemies and their successes caused frequent changes in the Roman command, while *Hispania Ulterior* caused fewer problems and a more stable military presence and leadership.

*Near (Citerior) Spain*

Q. Pompeius (cos. 141)  
 M. Popillius Laenas (cos. 139)  
 C. Hostilius Mancinus (cos. 137)  
 M. Aemilius Lepidus Porcina (cos. 137)  
 L. Furius Philus (cos. 136)  
 Q. Calpurnius Piso (cos. 135)  
 P. Cornelius Scipio Aemilianus (cos. II 134)

*Far (Ulterior) Spain*

Q. Fabius Maximus Servilianus (cos. 142)  
 Q. Servilius Caepio (cos. 140)  
 D. Iunius Brutus Callaicus (cos. 138)

<sup>17</sup> Evans, *Marius*, 27-28, and n. 25.

His first military service was in a campaign against the Celtiberi when Scipio Aemilianus was besieging Numantia, and he attracted the notice of his general by surpassing all the other young men in bravery, and by his cheerful acceptance of the changed routine, which Scipio introduced into the army after it had been debilitated by luxury and extravagance.

The biographer has almost certainly telescoped Marius' service in the army, and described this episode as if it was his first under arms rather than his latest. He does not say that Marius was first in Spain only at the later date, but that his subject's first active service was against the Celtiberians. This certainly justifies the suggestion that Marius was in *Hispania Citerior* from well before 134. Moreover, in the same passage, Plutarch (*Mar.* 3.3) refers to Marius as a young man, which implies that the source the biographer employed did agree with Sallust's evidence. As Badian observed as long ago as 1961, the argument that Marius undertook his military service at an earlier date than has generally been supposed is plausible,<sup>18</sup> if not outright convincing and is considerably strengthened, especially if Plutarch's use of *μειράκιον* corresponds to *adulescens*, or a young man who had yet to hold an elective office in Rome.<sup>19</sup> Plutarch is neither necessarily misleading nor intent on misleading his audience.

The first public position available to a young Roman in his early to mid-twenties was the military tribunate. Marius could have served in Spain from 141 to 132, and returned with Scipio Aemilianus to Rome where he won immediate election as *tribunus militum*. Sallust (*Iug.* 63.4) is again quite categorical:

*Ergo ubi primum tribunatum militarem a populo petit, plerisque faciem eius ignorantibus, factis notus per omnis tribus declaratur...*

When he first campaigned for the elective office of military tribunate, his face was unfamiliar to most of the voters, but his deeds were known, and he was elected by all the tribes...

How else can the people's ignorance of Marius' face be explained other than that he was absent from Italy during the decade before his election. His valiant exploits may well have been mentioned in despatches by Scipio and previous commanders, and have been related by commercial travellers or *equites* returning from Spain to Rome. Moreover, if Plutarch is correct in

<sup>18</sup> E. Badian, 'Review of T. Robert S. Broughton, Supplement to *The Magistrates of the Roman Republic*', *Gnomon* 33, 1961, 496. Cf. T.F. Carney, *A Biography of C. Marius*, Assen 1961, 15, who places Marius in Spain only in 134/133. It is interesting to observe that Carney's view has tended, without good reason, to become an orthodoxy.

<sup>19</sup> R. J. Evans & M. Kleijwegt, 'Did the Romans like Young Men?: A Study of the *Lex Villia Annalis*: Causes and Effects', *ZPE* 92, 1992, 186-187.

stating that Marius had made such a favourable impression on his commanding officer, Scipio probably canvassed actively on his behalf. Taken altogether, these factors easily explain Marius' unanimous election; and the date of his military tribunate should be regarded without query or hesitation as belonging to 131.<sup>20</sup> Afterwards, he served in Asia under either P. Licinius Crassus Mucianus or M. Perperna in their campaigns against the Pergamene rebel Aristonicus.<sup>21</sup> Marius was elected for one year, but could have stayed on as a junior officer for a second term, a personal appointment made by his commander. His return to Italy may be dated to 129, or even rather later.

So far, Marius appears to have gained a thorough grounding in military affairs, but this was no more and no less than a majority of his peers from the equestrian order, who were to become his fellow senators. In truth, with his military service and military tribunate behind him, Marius' expertise was not that remarkable. It is quite true that numerous politicians failed to obtain as extensive a military training as Marius had already acquired by 129. The obligatory *decem stipendia* mentioned by Polybius (6.19.5) had certainly fallen into disuse by the 130s or 120s.<sup>22</sup> L. Licinius Crassus (cos. 95), Sulla and Cicero may be cited as examples of politicians who did not serve for ten years in the army. Neither Crassus nor Cicero gained, or sought to gain, reputations as military men, although the former served as proconsul in Gaul and sought unsuccessfully to obtain a triumph for fairly minor operations there (Cic. *Inven.* 2.111; *Pis.* 62; Val. Max. 3.7.6),<sup>23</sup> while the latter was saluted *imperator* by his troops during his proconsulship of Cilicia in 51 (*Att.* 5.20.3-5; *Fam.* 15.5, 15.6).<sup>24</sup> Sulla, meanwhile, clearly obtained his knowledge of army matters by serving continuously from his quaestorship in 107 to Vercellae in 101. However, Marius' reputation is built particularly on a military foundation, yet he obviously did not acquire enough experience in this sphere to make him substantially different from his peers.<sup>25</sup> Marius was in Rome again, either in 122 when he first campaigned for the tribunate and

20 Cf. E. Gabba, "Mario e Silla", *ANRW*. 1.1, 1972, 770 and Carney, *Marius*, 16-17, both of whom plumb for 123-122, without any supporting evidence.

21 Badian, 1961: 496, conjectured that Marius could have served in Asia as a military tribune under M'. Aquilius (cos. 129) since Marius was consul in 101 with this politician's son. This argument imposes an unnecessary delay on Marius' election as military tribune after his return from Spain.

22 F.W. Walbank, *A Historical Commentary on Polybius*, Oxford 1957, 1698-699, points out that Polybius' account of the republican *cursum* is "over-schematic".

23 For Crassus' proconsular command, see, for example, W.V. Harris, *War and Imperialism in Republican Rome, 327-70 BC*, Oxford 1992, 150, 252.

24 D.Stockton, *Cicero: A Political Biography*, Oxford 1971, 237-238; W.K. Lacey & B.W.J.G. Wilson, *Res Publica: Roman Politics and Society according to Cicero*, Oxford 1978, 286.

25 Gaius Gracchus is supposed to have pointed out that he had served in the army for more than the stipulated time before his quaestorship, Plut. *G.Gracch.* 2.5: ... δώδεκα ἔτη, τῶν ἄλλων δέκα στρατευομένων ἐν ἀνάγκαις ...cf. Evans, *Marius*, 184, where some misrepresentation of this total can be demonstrated.

failed (Val. Max. 6.9.14), or in 124 if he ever held a quaestorship (cf. Val. Max. 6.9.14).<sup>26</sup> In Arpinum he had lost the election for a local magistracy, according to the evidence provided by Valerius Maximus (*Arpinatibus honoribus iudicatus inferior*).<sup>27</sup> In 120 Marius was successful in his bid to become tribune, and his year in office was marked with sufficient activity to make him conspicuous, even demagogic and, therefore, well enough known for an attempt at a higher magistracy. Plutarch states (*Mar.* 5.1-2) that he was defeated twice on the same day for the curule and plebeian aedileships, a claim which is impossible.<sup>28</sup> Cicero (*Planc.* 51: ... *C. Marii, qui duabus aedilitatis acceptis repulsis septies consul est factus*) notes that Marius received two *repulsae* for the aedileship without specifying when the candidate experienced this humiliation. The matter-of-fact way in which this information is reported suggests that it was not a unique event, and that it occurred over a period of some weeks during the election season of 117.

Following this weak showing in the aedilician elections, which could have proved disastrous for his career, Marius campaigned and surprisingly won a praetorship for 115 (Plut. *Mar.* 5.2).<sup>29</sup> He must have served as *praetor peregrinus* if Plutarch is correct in stipulating that Marius spent the year in the city.<sup>30</sup> Thereafter, Plutarch (*Mar.* 6.1) has Marius sent out as governor to *Hispania Ulterior*, which would appear to be in keeping with a politician well versed in military affairs. Plutarch's evidence has generally been accepted without question.<sup>31</sup>

26 A quaestorship in 123 or 122 is suggested by Badian, 1961: 496. Carney, *Marius*, 17-18, seems to argue for 121 after a military tribunate in 123, but this chronology will not work if Marius stood for the tribunate in 121. Cf. *MRR* 3.140 where Carney's view is largely accepted, but see further discussion, *Evans, Marius*, 32-35.

27 It may be pointless to conjecture but it is, of course, possible that Marius was a *legatus* or military tribune during the 120's. There hardly seems to be time available on my reckoning but, by employing Badian's analogy (see above n. 17), Marius could have served under L. Aurelius Orestes (cos. 126) in Sardinia since he shared the consulship with this politician's son. Moreover, it may be implied that M. Aemilius Scaurus (cos. 115), who also served in Sardinia, *Vir. Ill.* 72.3; *MRR* 1. 519 n.3, had some sort of connection with Marius, *Cic. Leg.* 3.36; cf. *prov. cons.* 19; Pliny, *NH.* 36.116. The link, if it ever existed, could have been established during this period.

28 I have examined this point elsewhere, *Evans, Marius*, 44-48, and it need not be reiterated here.

29 A subsequent prosecution for *ambitus* failed though Marius was acquitted, interestingly enough, only on a tied vote of the equestrian *iudices* empowered by legislation of C. Gracchus, *Plut. Mar.* 5.2-5. Contrary to modern opinion, the division of the votes suggests that Marius stood neither in the camp of the Gracchani nor in that of their opponents.

30 Since P. Decius Subulo was *praetor urbanus* in 115, *Vir. Ill.* 72.6; *MRR* 1.532, M. Livius Drusus (cos. 112), who is usually assigned this position in the same year, must have been the urban praetor in 116; cf. *MRR* 1.532 and n. 3. Subulo's career may well have been linked with that of Marius from 121. They were tribunician candidates together in 121 and served together as praetors, and both were above the minimum ages for the offices they sought, T.P. Wiseman, *New Men Roman Senate, 139 BC - AD 14*, Oxford 1971, 166 n. 3. A possible connection between Subulo and Marius has been advanced by Badian, "P. DECIUS P. SUBULO: An Orator of the Time of the Gracchi", *JRS* 46, 1956, 91-96. On the number of praetors in the city annually at this time, see A.N. Sherwin-White, "The Date of the Lex Repetundarum and Its Consequences", *JRS* 62, 1972, 83-99, and for the argument that a regular praetor in charge of the *repetundae* court did not occur until the 90's. Thus C. Claudius Pulcher, cos. 92, pr. rep. 95.

31 A. Passerini, "C. Mario come uomo politico", *Athenaeum* 12, 1934, 17, who objects to a governorship

## QUESTIONING REPUTATIONS

For his praetorship Marius received just moderate praise. After his year in office he was allotted *Hispania Ulterior* as his province, and it is said that he cleared the area of all robbers ...

This statement is astonishingly vague for a senior magistracy held by one of the most prominent figures in Roman military history.<sup>32</sup> It may also be quite inaccurate. Plutarch was clearly unaware that Marius had a younger brother, who was praetor in about 102, and who was also a governor of *Hispania Ulterior* (App. *Ib.* 100; Obseq. 44a). M. Marius does not feature in Plutarch's life of the more famous sibling, but would have figured in histories of this period, to which the biographer had access. He was surely present in Livy's account, possibly in Book 70, as the text of Julius Obsequens implies, and in any of the earlier works, for example, of Sempronius Asellio, Valerius Antias or Posidonius.<sup>33</sup> Marius' brother evidently died fairly young, still in his forties, probably soon after his proconsulship in Spain, possibly even while governor of his *provincia*. He would have been eligible for the consulship of 99, but is not attested as a candidate in those tumultuous elections, when his elder brother was the presiding magistrate, and whose influence at that stage would have proved irresistible in the *comitia*.<sup>34</sup> His demise must have come as a heavy blow to the hopes and schemes of C. Marius for continued political prominence who, denied a further iteration in the consulship, might well have intended being the power behind that particular curule chair.<sup>35</sup> The career of

in Spain since the procedure of despatching proconsuls to provinces only after their year in office was established only by the *leges Corneliae*. Cf. Broughton, *MRR* 3.140; cf. *MRR* 1.535 n. 3, who argues that Plutarch is likely to have been accurate in his description.

32 Syme, *RP* 6.329, sounds a cautionary note here, "only for Cicero is the sort of evidence to hand that permits a genuine biographical treatment. Even for Caesar it hardly avails. The product presented looks like slices of historical narrative - which they sometimes betray by the subtitle 'a political biography'." A trifle unfair perhaps on the worth of Plutarch's *Lives* as biographies and sources for biographies, even of the political kind. Note also J.S. Richardson, *Hispaniae: Spain and the Development of Roman imperialism 218-82 BC*, Cambridge 1986, 192, sees no reason to doubt Marius' proconsulship in 114 since "it is hard to believe that Plutarch invented Marius' time in Spain ...", but the biographer's notice is so brief that he may simply have been concerned to move on with the narrative. Note also that Caesar's proconsulship of Spain is similarly glossed in the biographies of Plutarch and Suetonius.

33 Marcus Marius should have featured in the histories of Posidonius and Valerius Antias. The former knew or had seen the elder brother, Hillard: 1987, 23, but Marcus was perhaps not prominent enough in the activities of the elder brother to have warranted inclusion in the various *Commentarii* of the period or in the works of lesser historians. Plutarch, heavily reliant on the autobiographies of the late second century, may well have overlooked Marcus as a result. For Plutarch's use of the memoirs of Catulus, Rutilius Rufus and Sulla, see Hillard: 1987, 20 n. 4.

34 M. Antonius (pr. 102) was a clear favourite to win the elections, but M. Marius could easily have defeated this politician with the physical presence of his brother at the hustings, plus all the resources of this, by now, famous family at his disposal. But the fact that C. Servilius Glaucia was canvassing strongly, with the support of Saturninus, recently elected tribune *tertium*, against C. Memmius, who had to be removed by murder, and the emergence of an otherwise unattested A. Postumius Albinus (pr. 110?), as the eventual colleague of Antonius, all point to the absence of the younger Marius.

35 M. Marius was clearly much younger than his elder brother. Thus compare Gaius born ca. 157, pr. 115

M. Marius is obscure, but his propraetorship of Hispania Ulterior should be accepted without hesitation, while acknowledgement of that fact leaves an identical command and an identical *provincia*, attributed to the elder brother, in some doubt.<sup>36</sup>

In order to delete this overseas command from Marius' *cursus*, other evidence deserves full scrutiny. In support of Marius' Iberian proconsulship, a passage in Cicero's *In Verres* (II.3.209) is cited, since it mentions mundane but important administrative tasks of proconsuls.

... *Q. Catulum patrem, C. Marium, Q. Scaevolam, M. Scaurum, Q. Metellum?*  
*qui omnes provincias habuerunt et frumentum cellae nomine imperaverunt.*  
... Q. Catulus the elder, C. Marius, Q. Scaevola, M. Scaurus, Q. Metellus? all of these governed provinces and took care to ensure the supply of grain.

While it is precisely this comment which is taken as the proof of Marius' Spanish sojourn, it is hardly unambiguous,<sup>37</sup> and could just as easily refer to the command in either Numidia or against the Cimbri and Teutones.<sup>38</sup> Furthermore, Sallust's description (*Iug.* 91.1) of Marius successfully supplying his troops with grain and other essentials on the march to Capsa in 107 may be judged as information that supports the contention that what Cicero actually had in mind was the thorough planning of a campaign not in Spain but in Africa:

aged 42 (?), cos. 107 with Marcus who must have profited from the sibling's success and probably participated in it, hence a legate in the Cimbric War 104/103 just before a praetorship in 102, but probably born in the vicinity of 145, a good twelve years the junior. Gaius' mother Fulcinia is attested, *Plut. Mar.* 3.1, but she may not be the mother of Marcus, a second wife for Marius *pater* is not impossible. However lengthy intervals between successful brothers is not unknown even for this period of Roman history, witness the brothers, sons of L. Caecilius Metellus, Calvus (cos. 142), Delmaticus (cos. 119) and Numidicus (cos. 109). A Caecilia who married L. Licinius Lucullus (pr. 104) may occupy the space between. It is interesting too that Delmaticus was probably one of the early *patroni* of C. Marius, Evans, *Marius*, 42. A Marcus Gratidius, who was later known as M. Marius Gratidianus, achieved that name through testamentary adoption, ca. 101. Note that Cicero, *dom.* 35, draws attention to two examples of politicians, Cn. Aufidius Orestes and M. Pupius Piso, adopted by respective parents of extreme old age, *summa senectute*. If Gratidianus had been the beneficiary of a similar adoption he might well have been mentioned here, an argument *ex silentio*, but nonetheless significant. Gratidianus, a victim of the Sulla's victory in 82, who served as praetor *bis*, either in 85-84 or 85 & 82, *MRR* 3. 140-141, was a gifted orator and lawyer, *Cic. Brut.* 168, and would have been consul in more stable times. The father of this Gratidius was also connected with M. Antonius (cos. 99), *Orat.* 1.2, under whom he served, and also with the family of Cicero.

36 On this point see Evans, *Marius*, 54-57, 170, where mistakenly I was not nearly as unequivocal in my argument.

37 Cf. *MRR* 1.534 and n. 3, where Passerini's argument: 1934, 17, against Marius holding a proconsulship in 114 is discounted. However, at a later date, *MRR* 3.140, Broughton was more circumspect in his judgement. See above n. 29.

38 This list of proconsuls is clearly not chronological. Catulus held a command in his consulship in Transalpine Gaul, while the command attributed to a Scaevola could refer to the cos. 117 who, as praetor in about 120, governed Asia, or to the cos. 95 who was also procos. Asia, about 97. Scaurus held a command against Gallic and Ligurian tribes in his consulship in 115, and the Metellus is presumably Numidicus (cos.

*Ceterum in itinere cotidie pecus exercitui per centurias, item turmas aequaliter distribuierat et ex coriis utres uti fierent curabat, simul inopiam frumenti lenire ...*

Each day during the march Marius had cattle distributed among the centuries and cavalry troops, and took care that containers for water were made from the hides, and at the same time he made good the shortage of grain...

Moreover, elsewhere, Cicero (*Off.* 3.79) declares that Marius lived in obscurity from the time of his praetorship until he was appointed senior legate to Q. Caecilius Metellus Numidicus six years later in 109. Cicero's comment implies that Marius served out his praetorship and then, almost out of sight, retired to the senatorial benches reserved for the *praetorii*.<sup>39</sup>

*C. Marius cum a spe consulatus longe abesset et iam septimum annum post praeturam iaceret, neque petiturus umquam consulatum videretur ...*

When C. Marius had been neglected for nearly seven years and was far from any hope of the consulship, and indeed seem as if he would never canvass for that office ...

Finally, there are the contents of the Augustan *elogium* of Marius (*CIL* 1<sup>2</sup>.1 195 (XVIII), cf. 10.5782, 11.1831), erected in the new forum of the first *princeps*, and which was one of several recording the careers of illustrious figures – the *virii triumphales* – of Rome's glorious past.<sup>40</sup> The information contained on this inscription, or rather missing from this edifice, must also be considered here even if the original need not be regarded as an infallible guide to the careers of republican statesmen. The entire *elogium* was artfully reconstructed,<sup>41</sup> and it is worth noting that no propraetorship is allocated to Marius, nor does that omission draw any comment from Mommsen. The *cursus* section of the inscription has survived intact on a copy from Arpinum (*CIL* 10 5782) and, whereas the *elogia* of other notables contain quite obscure offices, which show a certain amount of research, there is no room for a proconsular command in Spain for Marius. The artist could, of course,

109), who conducted operations in Numidia. Marius is mentioned after his consular colleague Catulus, which might just indicate that Cicero was referring to the command against the Germans, but Numidia is equally possible.

<sup>39</sup> Note, however, the implication, *de leg. ag.* 2.3, that Marius had indeed campaigned for the consulship before 108. See, Evans, *Marius*, 60-61, where I suggested that his marriage to a Julia belongs to this time, and during an initial and, as it turned out, premature aspiration to a consulship. The first attempt could easily have been forgotten. Cicero might well have preferred his audience also to forget this stagnation in Marius' career.

<sup>40</sup> E. Nash, *Pictorial Dictionary of Ancient Rome*, London 1968, 1.401; M. M. Sage, "The *Elogia* of the Augustan Forum and the *de viris illustribus*", *Historia* 28, 1979, 192-210.

<sup>41</sup> The *elogia* may not have survived for very long, and were perhaps destroyed by Caligula, Suet. *Calig.* 34. Although Suetonius describes statues on the Capitolium which were to be transferred to the Campus Martius, and not statues in the forum of Augustus, his mention of "famous men" might well apply to those

have made a mistake, and simply have omitted this material. He is guilty of errors elsewhere, but the epigraphic evidence is chronologically closer to Marius than Plutarch's account and deserves due regard.

The evidence provided by Cicero and Sallust supports the Augustan epigraphy, and appears preferable here if only because the writers, both of literary and inscriptional matter, of the first century BC ought to have had a better memory of Marius' career than did Plutarch. Plutarch could not have had all the facts at his disposal or chose to ignore material that was incompatible with his scheme. Finally, granting the strength of the earlier evidence, it means that Marius, although remembered as a great military expert, did not gain experience in commanding an army from the time he won his first public office in 120 until he served with Metellus Numidicus in Africa over a decade later. It is likewise plausible to argue, therefore, that he saw no active service at all from the time he ended his military tribunate in about 129. This would also mean that when he was chosen to accompany Numidicus, probably as the senior *legatus* (the Sallustian account seems to portray him in a senior capacity), Marius had not been under arms for over twenty years. He was evidently far from being the accomplished man of war, the "military type" which characterises his portrayal or the sort of background that he was to claim for himself when he campaigned for the consulship in 108, and immediately after that successful election in early 107.

Indeed, the lack of recent military service casts a different light on the post-election oration given to him by Sallust (*Iug.* 85.1-50) where Marius claims that from the time of his childhood until the present moment he had faced every sort of hardship and danger (*Iug.* 85.7), and that he had spent his entire life engaged in *optumis artibus* (*Iug.* 85.9), presumably here standing as a euphemism for a military career. In this harangue, Marius also tells the people that they might still appoint a man from a more famous family to lead the war in Numidia, but they should also bear in mind that this senator would have yet to obtain any experience in warfare (*nullius stipendi*, *Iug.* 85.10).<sup>42</sup> Marius says that there were senators who were obliged to study the military handbooks or enlist the help of veteran soldiers when confronted with leading a campaign abroad. He, on the other hand, had learned the art of war from personal experience (*eo ego militando didici*, *Iug.* 85.13), and proof of this service might easily be observed in the honourable scars he bore on

careers celebrated on the *elogia* and could mean that this most fallible of biographers, Syme, *RP* 6.63, has misplaced the venue of the episode he describes.

<sup>42</sup> A clear indication that Sallust believed that the *decem stipendia* was no longer obligatory in the second half of the second century since any senator appointed to command the army in Numidia in 107 would have served, like Marius, in the army in the 130s.

his chest (*cicatrices advorso corpore*, *Iug.* 85.29).<sup>43</sup> Marius is made to dwell on his lack of education (*neque litteras Graecas didici*, *Iug.* 85.31-32), the time he purportedly spent under arms as a common soldier, before he won high office (*Iug.* 85.17-18), and his austere lifestyle (*sordidum me et incultis*, *Iug.* 85.39) in comparison to the luxury and inaction of other senators (*turpissumi viri ... iniustissime luxuria et ignavia pessumae artes*, *Iug.* 85.42-43). In this oration, in all respects, Marius is made out to be, said he was, or Sallust believed that he had said that he was, different to those others among the political elite.

If the sentiments expressed by Marius on this occasion are genuine and historical, and some scholars have argued that the Sallustian oration contains the essence of an original speech,<sup>44</sup> then it must have given rise to great mirth and still more indignation amongst the much-maligned senators who knew he was little better educated militarily than they were. The scars Marius bore, for instance, had dimmed from age had he seen no active combat for over twenty years. Moreover, his family background had little affinity with *agrestes* or *opifices* (*Iug.* 86.3), the audience he hoped to impress at the post-election *contio* and who were urged to take up his request for military service. In any case, this supposed speech would have been delivered to the urban plebs, who were unlikely to respond to calls to join up for military adventures. The citizen militia and the residents of the rural areas of Italy who were more likely to come forward to serve in the army voluntarily were not present, at least not in any great numbers on this occasion. His speech, if one such as this was ever delivered, was a fairly crude form of political propaganda, but it proved to be extremely effective in that particular context, as Plutarch points out (*Mar.* 9.4).

What motive could Sallust possibly have had for preserving an oration of this sort (*huiusmodi oratione habita Marius ...*, *Iug.* 86.1)? The speech has, after all, clearly been constructed in an attempt to make it appear authentic, and it is not palpably based on the sort of sentiments that might have

43 The displaying of the body to expose "honourable scars" obtained in the service of the state was evidently a common exercise, and perhaps became something of a *topos* in the literature. For example, note Livy's description of the action of M. Servilius (Geminus) before the people in 167, 45.39.17; cf. Plut. *Aem.* 31.8, and the similar behaviour of M'. Aquillius (cos. 101) at his trial for *repetundae* in about 97, Liv. *Per.* 70: *honestas cicatrices*; Cic. *Verr.* 5.1.3; *de Orat.* 2.196. However, Marius does not appear to have undressed in public, unlike Servilius or Aquillius, which may indicate that his "scars", like his previous military service, were actually rather insignificant, R.J. Evans, "Displaying Honourable Scars: A Roman Gimmick?", *AClass* 42, 1999, 91-92.

44 See, for example, E. Skard, "Marius' Speech in Sallust *Jug.* Chap. 85", *SO* 21, 1941, 98-102; T.F. Carney, "Once Again Marius' Speech after Election in 108 B.C.", *SO* 35 (1959) 63-70. Cf. R. Syme, *Sallust*, Berkeley 1964, 169 n. 37, for a more sceptical view, while Wiseman, *NMRS* 111, remains non-committal: "evidence for continuity of the "novus" propaganda."

been expressed by a politically active contemporary of Sallust. However, in places the tenor of the speech, if not the content, is highly reminiscent of the thoughts enunciated by Cicero after his own election to the consulship. Marius is made to highlight his own lack of distinguished senatorial background (*mihi spes omnes in memet sitae*, *Iug.* 85.4; cf. *Cic. de Leg. ag.* 1.1), which was regarded with contempt by those who considered themselves socially superior (*contemnunt novitatem meam*, *Iug.* 85. 14; cf. *Cic. de Leg. ag.* 1.3), and who, unlike the speaker, had all the paraphernalia of political prestige and social pedigree (*Iug.* 85.29; cf. *Cic. de Leg. ag.* 1.1). Nonetheless, Cicero would never have declared that he had accomplished deeds (*facta*) about which he had a right to speak (*Iug.* 85.24), since he had none in the military sphere.<sup>45</sup> He would certainly not have boasted about an ignorance of Greek (*Iug.* 85.32), since that would not have been socially acceptable at the time, hence a deliberate archaicism by Sallust in his text at this point. Marius' post-election speech is, therefore, not padded out with hackneyed or stock-in-trade phrases of a *novus homo* who had, almost by the way, acquired high office. *Novi homines* did not fit neatly into a category which might have allowed them to employ smart generalisations for the delectation of the populace.<sup>46</sup> Sallust must have recollected or was acquainted with the propaganda used by Marius, a possible indication of an early source, or sought out a model for this particular address. And what better earlier example could there have been than the elder Cato. The drubbing of the senatorial order had become a habitual theme in post-election orations of consular newcomers by Marius' day, or so Plutarch claims (*Mar.* 9.4). The particular emphasis on personal virtues and valour would not have been out of place in any speech Cato may have delivered during the consular elections for 195 or afterwards, or during the period just prior to his own proconsular command in Spain.<sup>47</sup> Such material may well have found its way into the *Origines*, and have been accessible to Sallust, who may also have studied sections of other political orations, copies of which abounded in the first century.<sup>48</sup> The speech

45 Cicero's military service in the Social War in the *consilium* of Cn. Pompeius Strabo (cos. 89) had been brief. In effect, like the younger Pliny, Cicero obtained high office through a non-military *cursus* in the law courts. Others like him included the jurist Ser. Sulpicius Rufus (cos. 51). Cicero was certainly not unique.

46 Cf. Sallust, *Iug.* 84.5, for a slight variation in that the actions of Marius are ascribed to his nature rather than a *topos* commonly employed by orators.

47 Livy's coverage of 196 is slight, with no mention of the consular elections in that year, other than the names of the victors, 33.42.7. This is perhaps strange considering the novelty of the election of a *novus homo*, when it was no less a figure than Cato the Elder. However, Cato is granted an oration *in extenso*, 34.2-7, when he opposed the repeal of the *lex Oppia*, an argument he lost. It is interesting that neither Cato nor Marius in the moment of their triumphs is shown in a particularly favourable light.

48 Syme, *Sallust*, 154-156. Two orations of L. Licinius Crassus (cos. 95) were certainly published in full: his speech in support of the Narbo foundation and his advocacy of the *lex Servilia Caepionis*, *Cic. Brut.* 160-161. Moreover, on a number of occasions, Cicero refers to the speeches of both earlier and contemporary politicians,

of Marius might seem to lack refinement to a modern audience, but may have been an attempt, largely successful, to reproduce an amalgam of Catonian, Ciceronian and other anonymous elements. If there was no authentic record surviving from the elections in 108, Sallust may have been content to create a synthesis of self-proclaimed Ciceronian virtues and self-advertised Catonian militarism.

Sallust might have been correct to pronounce Marius' election to the consulship the event that brought about the end of Jugurtha's protection, by certain but unspecified members of the senate (*Jug.* 85.45),<sup>49</sup> and that this election and the new proconsular command also terminated the *avaritia* and *temeritas*, which characterised the actions of previous generals in this war. However, no one today would concede that L. Calpurnius Bestia, Sp. Postumius Albinus or Q. Metellus Numidicus should be represented in such vulgar terms. Moreover, Sallust's description of Marius' conclusion of the Jugurthine War is plainly brief, truncated and distorted. Compare the coverage devoted to Metellus's campaigns in 109 and 108 (*Jug.* 44-83) which account for nearly forty sections of the entire work with just twenty-eight sections granted to Marius between 107 and 105 (*Jug.* 86-114), a substantial portion of which deals with the final arrest of Jugurtha (*Jug.* 102-114).<sup>50</sup>

This gives the misleading impression of brevity, speed and efficiency by which Marius overcame his enemy, although the campaigns themselves occurred over three years and were, hence, longer than those conducted by his former commander, who had effectively already concluded the war.<sup>51</sup> During these campaigning seasons Marius is credited with sagacity and determination (*Jug.* 88.2) but, after the destruction of Capsa also with rash behaviour (*Jug.* 92.2: *omnia non bene consulta*). Furthermore, discipline in the army seems to have been rather soft (*Jug.* 92.2: *milites modesto imperio habiti*),

*Brit.* 89 (Cato the Elder), 90-91 (Scribonius Libo and Sulpicius Galba), 94 (Laelius, L. and Sp. Mummius, Sp. Postumius Albinus, L. and C. Aurelius Orestes), 95 (Lepidus Porcina), 99 (Fannius), 163 (Crassus and Antonius), 167 (Titius), 177 (Caesar Strabo), 205-207 (Cannutius and Aelius), 261 (Caesar), 267 (Bibulus). It is at least likely that Livy, for example, employed Cato's *Origines* for his coverage of domestic events in the 180's, such as the Bacchanalian affair, R.J. Evans, "The Structure and Source of Livy, 38.44.9-39.44.9", *Klio* 75, 1993, 180-187. Cato's speech *de sumpto suo*, H. Malcovati (ed.), *Oratorum Romanorum Fragmenta*, Torino 1976<sup>4</sup>, 70-72; H.H. Scullard, *Roman Politics, 220-150 B.C.*, Oxford 1973<sup>2</sup>, 270, originally designated a consular oration but clearly belonging to 164, Gell. *NA.* 13.24.1, must have featured in his own *Origines*, one of Sallust's sources, and was a probable model for that post-election address of Marius.

49 Sallust, *Jug.* 29.1-3, claimed that L. Calpurnius Bestia (cos. 111) and his senior *legatus* M. Aemilius Scaurus (cos. 115) were heavily bribed by Jugurtha, an allegation which resulted in the *lex Mamilia*, *Jug.* 40.1-5, designed to examine those accused of complicity. Scaurus escaped, but some senior senators such as Bestia and L. Opimius (cos. 121) were victims of this notorious commission, *MRR* 1.544.

50 G.M. Paul, *A Historical Commentary on Sallust's Bellum Jugurthinum*, Liverpool 1984, 204, briefly compares Sallust's account of the two campaigns; cf. M. Holroyd, "The Jugurthine War: Was Marius or Metellus the Real Victor?", *JRS* 18, 1928, 1-20, especially 19-20 for a basic chronology of events.

51 Cf. Holroyd, 1928, 18, who credits Marius with the greater victory, namely the capture of Jugurtha.

a regime that made him popular just as it had done before when he had connived to be released from his legateship (*Iug.* 64.5: *milites ... laxiore imperio ... habere*). Finally, the very same *temeritas* that Sallust had found so offensive in his senatorial predecessors is also attributed to Marius (*Iug.* 94.6).<sup>52</sup> The entire account is inconsistent; and Sallust may simply have been in haste to complete his own task and found this section uncongenial.<sup>53</sup> Thus Marius is accorded generalship (*Iug.* 98.1, 100.4-5), but not more than Metellus Numidicus (*Iug.* 44.4, 45.1-3). Moreover, Marius clearly does not stand in stark opposition to his senatorial antecedents in Africa, but perhaps that is exactly what Sallust's message is meant to convey: Marius was simply not that exceptional.

Jugurtha's capture took place under the aegis of Marius, but without his active participation or actual presence. Marius was far away in Cirta (*Iug.* 104.1), and cast in a directorial or managerial role in the diplomatic endeavours to secure the arrest of Jugurtha who had been detained by the Mauretanian king. Sulla, senior in eloquence if not in status among Marius' legates (*Iug.* 102.4),<sup>54</sup> negotiated the handover of the Numidian king from Bocchus, and could genuinely claim to have secured the objective of a war which had, by then, lasted seven years. However, it was his commander who returned to Rome and *magna gloria ... triumphavit* (*Iug.* 114.3). But does Marius deserve great accolade for his activities in Africa? His campaigns were not more dramatic than the engagements of Metellus Numidicus, upon whose successes Marius was able to build. But even this basis was insufficient to

52 After the capture of Capsa and a few other towns, *Iug.* 92.3, the arrival of Sulla in Marius' camp, *Iug.* 96.1, coincided with the capture of a fort near the river Muluccha. If the chronology can be believed, most of the active fighting may be apportioned to 107. Sulla must also have reached the region late in the summer of 107, as Sallust implies, with a description of two battles with the Numidians and Mauretanians at the onset of winter (*Iug.* 97-102). The events may have been telescoped since no other military activity is mentioned for either 106 or 105. The second year of Marius' command is completely missing. The intrigue to arrest Jugurtha clearly belongs to 105 by which time Cn. Octavius Ruso had replaced Sulla as Marius' quaestor, *Iug.* 104.3; *MRR* 1.556. See Holroyd, 1928, 13, for the suggestion that Sulla did not arrive until 106, a full year after the arrival of his commander.

53 For further examples of Sallust's carelessness or indifference to accuracy, see Syme, *RP* 6.376-377.

54 Sulla was Marius' quaestor in 107, *Iug.* 95.1, and either proquaestor or legate in the next year. By 105 Marius had been assigned another quaestor, Octavius Ruso, *Iug.* 104.3, which indicates that Sulla's appointment by then had changed. Initially, Sulla was more senior in the military hierarchy than Marius' senior legate, A. Manlius, *Iug.* 86.1, because he was a serving magistrate. Manlius is not attested after the end of 107, or possibly early 106, *Iug.* 102.15, after he was sent with Sulla to Bocchus, *Iug.* 102.3-4. He evidently did not return with Sulla to Bocchus at the later date, *Iug.* 105.1. Manlius may have been released from duty, by which time Sulla was probably the senior legate, though still outranked by Ruso. When Sulla was Marius' quaestor he was technically the second-in-command but lacked military experience. His appointment from 106 could have been as *legatus* which lasted another two years. A commander in the field presumably enjoyed considerable freedom in choosing subordinates from among ex-magistrates. Sulla could have returned to Rome at the end of his quaestorship and returned almost immediately or waited out a whole year before returning to Africa. The lack of continuity in Sallust's text allows for nearly any supposition. Sulla appears to have been in Africa in the

fulfil the boast of completing the war expeditiously with half an army (*Iug.* 64.5).<sup>55</sup> Still, Sallust's account might well give this impression.

Marius celebrated a famous triumph on arrival back in the city (Plut. *Mar.* 12.4) and, from the evidence provided by his *elogium*, was granted the singular honour of being allowed to enter the senate still dressed in his triumphal robes.<sup>56</sup> Sulla apparently made the most of his capture of Jugurtha, but his vain claim to have ended the war is said to have been at the root of the mutual hatred between himself and Marius (Plut. *Sull.* 3.4; *Mar.* 10.5). However, it is difficult to see how the boast of a legate, even of a senior officer such as Sulla could really have detracted from the actual glory won from the victories of his commander, until he himself had achieved individual political prominence.<sup>57</sup> The distinction of the junior officer surely added another dimension to the prestige of the senior colleague. Yet Sulla, in his *Commentarii*, was no less economical with the truth than Sallust was, either in his description of Marius' speech after winning the consulship, or in his coverage of the subsequent proconsulship. Marius was immediately assigned command of the war against the Cimbri following his election *in absentia* to a second consulship (*Iug.* 104.3).

This Germanic tribe had exacted frightening defeats on Roman armies during the previous decade. In 113 the Cimbri, moving northwards after a raid on Illyricum, had defeated the consul Cn. Papirius Carbo near Noreia (middle Austria), scarcely more than a hundred miles (160 km) from Aquileia. Five years later they were to be found somewhere in central or southern Gaul, where in 109, or 108, the consul M. Iunius Silanus was soundly beaten. Since, at this stage, there is no hint in the sources that Italy was under threat, the route taken by the Cimbri lay north of the Alps, and this also suggests that

winter of 107/6 but thereafter there is a massive conflation of material before the intrigue leading to the capture of Jugurtha, belonging to 105. For a possible Celtic connection for Ruso, Syme, *RP* 6.474; cf. not mentioned by Taylor, *The Voting Districts of the Roman Republic: The Thirty-Five Urban and Rural Tribes*, Rome 1960, 23. The intricacies of the negotiations leading to Jugurtha's apprehension enlivened sufficient curiosity to account for its survival in the Byzantine compilation, *Concerning the Embassies*; it is the sole section of any substance from Appian's history about Numidian affairs, but does square with Sallust's account.

<sup>55</sup> Sallust also states, however, that Marius enrolled more soldiers than had been decreed to him by the senate, *Iug.* 86.4.

<sup>56</sup> Cf. Plutarch, *Mar.* 12.5, where a confusion arising from rustic ignorance and ingrained arrogance about senatorial procedure is highlighted. No wonder, therefore, that Pompey should have desired the aid of a guide-book to be composed for him by Varro on his return to Rome in 70. This exceptional honour may also have been granted to L. Aemilius Paullus (cos. II 168) in 167 after his Macedonian victories, *MRR* I.433-434. Metellus Numidicus was obliged to wait until the beginning of 106 before he was allowed his triumph, *MRR* I.554, which means that he was forced to stay outside the city for the whole of 107, hence debarring him from a fully active role in political life. This delaying tactic may have been employed by the tribunician allies of Marius as a punishment for his treatment of the former *legatus*.

<sup>57</sup> Sulla's grandiose claims were initially contained in his own account, written after his retirement from public life and not long before his death in 78, Plut. *Sull.* 37.1. He may have wished to attribute the root cause of the civil strife in the 80s to Marius' jealousy of his then subordinate's successes in 105. That sore may

Silanus presumably encountered them near the upper reaches of the Rhone, perhaps in the territory of the Allabroges or Helvii. The Cimbri were soon on the move again on the west bank of the Rhone (Plut. *Sert.* 3.1), where two Roman armies led by Q. Servilius Caepio and Cn. Mallius Maximus, guarding the *Via Domitia*, waited for them. The result was the terrible disaster near Arausio in 105. This battle occurred on 6<sup>th</sup> October, by which time the elections for 104 would normally have been completed, and suggests that Marius already had his hopes set on a further command precisely in Gaul, after he had returned from Africa. Jugurtha's position had been largely neutralised during the course of 105, and news must have been sent to Rome, probably as early as July/August 105, suggesting an imminent end to the war for Marius to have been considered for another consulship. The military events in Gaul obviously propelled him into a second consulship, but intrigue for this eventuality was probably well under way, with delays to the *comitia* enforced by his tribunician allies. Had the war in North Africa been expected to go into a new campaigning season, another politician would have had to be elected as consul. This poses an interesting question. Although late in the year P. Rutilius Rufus had taken the trouble to levy another army to march to the aid of his hapless colleague Mallius Maximus (Diod. 36.1; Front. *Strat.* 4.2.2); and he could have been ordered north as proconsul. However, a consul was clearly required, and C. Flavius Fimbria, who became Marius' colleague in 104, is not remembered as a military man, and so was not regarded as a likely successor to Mallius.<sup>58</sup> Indeed, the *comitia centuriata*, dominated by wealthy voters, had refused to countenance the candidacy of any politician other than Marius, and so the elections were delayed until he was available.<sup>59</sup> In the meantime, the senate obeying the terms of the *lex*

well have festered in Marius' mind, though Sulla clearly exploited his continuing connection with Bocchus for political advancement not out of a special and personal hatred for his former commander. That Bocchus gave a hundred lions for games celebrated by Sulla as praetor between 97 and 93, Sen. *Brev. Vit.* 13.6; Pliny, *NH.* 8.53, and also dedicated sculptures in Rome showing his role in the surrender of Jugurtha to Sulla, Plut. *Sull.* 6.1; *Mar.* 32.2, probably had as much to do with placing the king of Mauretania in a favourable light as of enhancing Sulla's electoral chances. If that had been the main aim it obviously backfired, since Sulla won election to the consulship only for 88.

58 L. Cassius Longinus, Marius' consular colleague, had been killed in 107, together with several senior members of his *consilium*, by the Tigurini, a Gallic tribe of Liguria, *MRR* 1.535-550. The whole of southern Gaul, from the Alps to the Pyrenees, seems to have been unstable in the two decades before Arausio. Although the *Via Domitia* and a permanent Roman presence had been installed in the Languedoc region of France soon after 120, the instability clearly continued. The Cimbri and, later, the Teutones took advantage of the chaos.

59 A second consulship for the *triumphator* Metellus Numidicus was possibly canvassed, as he may have been interested in an iteration later, Evans, *Marius*, 91-92. There was a paucity of suitable candidates since a number of senior senators had been killed in battle in 107, some of whom may have been *praetorii*. If the disgraced *legatus*, C. Popillius Laenas, was an *expraetor* in 107, he would have been a strong consular candidate for 105. His exile for *maiestas* after Longinus' defeat, *MRR* 1.552 (for the sources), in any case destroyed all hopes of a public career at the highest levels. He was probably a brother of P. Popillius P.f., no. 32, on the *senatus consultum de agro Pergameno*, a *quaestorius* by 101, though not necessarily older, Evans, *Marius*, 203.

*Sempronia de provinciis consularibus* must already have assigned southern Gaul to the first candidate elected to the consulship.<sup>60</sup> Moreover, recent tradition governing re-elections was set aside to allow Marius a second term. There was simply no alternative to granting the command to Marius!

What was the state of Gaul after the Cimbri's rout of the armies of Caepio and Mallius Maximus? Arausio, on the east bank of the Rhone, probably escaped sack, but the rest of the region previously under Roman control had become highly vulnerable and, in particular, the new colony at Narbo Martius. The epitome of Livy (*Per.* 67), as usual, is terse and laconic, but the main facts are easily discernible: the entire region between the Rhone and the Pyrenees was devastated. Nemausus and Narbo were probably destroyed, perhaps evacuated of their Roman citizens as soon as the events at Arausio became known.<sup>61</sup> Plutarch states (*Mar.* 14.1) that it was "a fortuitous event" for Marius that the Cimbri turned towards Spain and not Italy, but this is hardly surprising seeing that the main road to Iberia lay open. This was no chance wandering of lost Germanic tribes. Their leaders realised that easy plunder lay to the south, while Roman armies would gather in strength to the east. The Cimbri, numbering about 250 000, proceeded along the *Via Domitia* destroying everything in their path, and headed for the Le Perthus Pass into the Iberian peninsula which, according to Appian (*Ib* 99), was completely defenceless. It is plain to see that Marius arrived at a desperate time for southern Gaul, where the Romans had lost everything beyond the Rhone and seemed likely to be about to lose their Spanish provinces as well. His army contained many new recruits in addition to a nucleus, perhaps small in number, consisting of his veteran army out of Africa. Evidence for a land settlement in 104 depends on an interpretation of comments made by the author of the *de viris illustribus*, but this suggests that some veterans remained in Africa in settlements probably of an informal nature which had no foundation charters decreed by law.<sup>62</sup> During the course of that year, when Marius was re-elected consul a third time, again *in absentia*, and in the next when he presided over his own election to a fourth consulship, there

60 However, note the possibility for the passage of a *plebiscitum*, Cic. *prov. cos.* 19: ... *provinciam extra ordinem*, though this could as well apply to the circumstances of the assignment as to the legal or quasi-legal method by which it was obtained. On this issue, see R.T. Ridley, "The Extraordinary Commands of the Late Republic: A Matter of Definition", *Historia* 30, 1981, 292.

61 The settlements east of the Rhone delta, such as Massilia, Arelate and Aquae Sextiae, like Arausio, may not have been threatened until 102. Nemausus and Narbo could have been evacuated by sea. Narbo, founded only after 118, may, at that stage, have still lacked fortifications.

62 Any troops raised in the normal manner for the Numidian War could have been released from duty in 105/104, especially those soldiers who had served six years continuous service, and a new levy enforced. The *capite censi* who had enlisted in the army in 107 either left of their own accord, with no attested benefits or, more credible, remained as an identifiable unit alongside the forces raised in 105 by Rutilius. The *lex agraria* of L.

was no fighting.<sup>63</sup> Marius probably had more time on his hands than he knew what to do with, even after extensive and intensive training of his troops. The Romans stationed at or near Arelate built roads, bridges and a canal, the *Fossae Mariana*, since the men had nothing else to do (Plut. *Mar.* 15.2-3: τὸν στρατὸν σχολάζοντα). However, the canal probably eased the process of supplying the army, and it may also have formed part of a defensive system designed to keep the Cimbri west of the Rhone delta, though this ultimately failed. Strategic constructions may have been a usual procedure for all Roman armies by then, or an indication of a new regime in training soldiers implemented by Marius or his contemporaries. However, note Plutarch's curious reasoning for Marius' tactics during these empty years (*Mar.* 15.1):<sup>64</sup>

The tide of the barbarians ebbed away and flowed instead into Spain. This gave Marius the opportunity to exercise his men and to raise their spirits to greater confidence and, what was most important, to let them discover the sort of man he was.

And with this tailor-made comment, Plutarch fills up a vast gap in his narrative. It is perhaps surprising that he did not employ the memoirs of Rutilius Rufus and Sulla for more information about the events in 105/4, but may also have deemed them irrelevant to a biography of Marius. Still, it is noticeable that Marius made no attempt to pursue the Cimbri, allowing them the leisure to plunder Spain. No source recounts the damage inflicted on northern Spain between 105 and the return of the Cimbri in about 102, but it may be assumed that the cities along the east coast were all attacked, damaged or destroyed. Rhode, Emporiae, Barcino and Tarraco all lay in the path of the Cimbri, who then turned west into the territory of the Celtiberians. Appian

Marcus Philippus, which was withdrawn, *MRR* 1.560, may have been connected with the problem of gratuities for the Numidian War veterans. Its failure to become law suggests controversy, but without details the argument remains conjectural. The author of *Vir. Ill.* 73: ... *Saturninus, trib. plebs, seditiosus, ut gratiam Marianorum militum pararet, legem tulit, ut veteranis centena agri iugera in Africa dividerentur*, suggests only that land was to be assigned in order to court popularity. The veterans of Marius were probably in Africa already – not in Rome.

63 When Marius was recalled to Rome to act as the presiding magistrate in the consular elections for 102, he left behind his senior legate, M'. Aquilius, in charge of the army. Aquilius, consul in 101, is another figure credited with a military reputation though he saw no actual fighting against the Germanic tribes since he returned to Rome in 102, before the battle at Aquae Sextiae, to campaign for the consulship. His association with Marius may have made him a strong candidate in the year in which he was successful. However, Marius' influence may already have been waning since he was obliged to seek the aid of the tribune Saturninus for his own re-election in 103, Plut. *Mar.* 14.7-8; Liv. *Per.* 67; *MRR* 1.563. Aquilius was elected consul just before the battles at Aquae Sextiae in conjunction with Marius' own re-election. Clearly these wins did not account for Marius' electoral victory, but the electorate may well have known before the vote took place that the Cimbri and Teutones were in the vicinity of the Roman armies in southern Gaul. The same electorate may also have not regarded Aquilius with that same confidence; competent to deal with a slave uprising in Sicily but not with the Germanic tribes.

64 Compare here Marius' rapid progress in Africa after his arrival in the Spring of 107, when the military campaigning began at once and then petered out, judging from Sallust's account.

says (*Ib.* 99) that the Romans were in no position to send armies to Spain because of the threat to Italy and the slave war in Sicily and, except for some legates to help organise defences, the people of Iberia were left to fend for themselves. This statement obscures several points. The threat to Italy had now advanced into Spain and was, therefore, no longer an immediate problem. Does this mean that the Romans were happy to see Iberia in turmoil provided that the Cimbri never returned, or was the *res publica* unable to raise troops? Could this crisis have been regarded as greater than the twenty years of conflict against Hannibal? Yet, there does not seem to have been a problem raising an army for Q. Lutatius Catulus in 102, while the slave rebellion in Sicily began after Arausio, and required a consular army only in 101. Moreover, there was an army within striking distance of Spain. Why did Marius not lead that army into Spain and take charge of the Roman allies there? Roman governors were obviously still being sent out at least to *Hispania Ulterior* – Marius' younger brother was proconsul there in 102/101 – and these would have been able to provide useful information regarding the movements of the Cimbri. However, it looks as if there was great reluctance to get involved in Spanish affairs. The reason may be found in Appian's account, for he goes on to describe events after the defeat of the Germanic tribes, noting that T. Didius (cos. 98) was ordered to Spain in 97 where he decimated the Arevaci, destroyed the cities of Termes and Colenda, in the Celtiberian heartland, and killed or resettled their inhabitants.<sup>65</sup> These events suggest revenge for cooperation with the Cimbri, even if the Celtiberians and the invaders had subsequently fallen out. Even the Romans would not have rewarded loyalty with sack and destruction. The Celtiberians had also been pacified for hardly more than a generation after the subjugation of Numantia in 134 and, given the quondam record of Roman rule, may have been ready for another insurrection. Whatever it was that caused them to quarrel with, and then defeat the Cimbri, it was sufficient to push them back beyond the Pyrenees with their sights more firmly than ever set on Italy.

While these events were taking place outside a Roman presence, Marius was re-elected consul for 103 and 102 in case he was placed in a subordinate position to a consul with whom he might conceivably disagree. The lesson of the disaster at Arausio had been learned, and it was the 50 000 dead Roman and Italian citizen and allied soldiers who provided the immedi-

<sup>65</sup> For a brief synopsis of events without reference to the broader crisis, see J.S. Richardson, *Hispaniae*, 158-159; *The Romans in Spain*, Oxford 1996, 84-85. Colenda/Kolenda has not been identified. Termes, given variously as Termesos or Termantia, lay in the centre of Celtiberian lands and is assigned to the Arevaci, though R.J.A. Talbert, *Atlas of Classical History*, London 1985, 144, bases this tribe at Septimanca/Salamanca to the west of Celtiberia.

ate cause for the multiple consulships of Marius between 104 and 100.<sup>66</sup> It was only in the summer of 102, after a two-and-a-half-year wait characterised by Roman inactivity, that the Cimbri reappeared north of the Pyrenees, but not for any confrontation with Marius. Instead, we next hear of the Cimbri in the Seine valley, in the territory of the Vollocasses, where they united with the Teutones (*Liv. Per.* 67). However, the Cimbri must have first retraced their steps up the Rhone valley, and have gone past the encampment of Marius though no source reveals any information about this episode. The Cimbri cannot have tramped across the whole length of Gaul without having some contact with the Romans; and the account in Livy's epitome clearly shows that the whereabouts of the Germanic tribe were closely monitored. Moreover, it was only in 102 that the Cimbri and Teutones embarked on their ambitious plan to attack Italy by means of a pincer movement. The Teutones, with a group of the Cimbri called the Ambrones, were to move south down the Rhone valley again and cut across the Ligurian coast.



### ***The campaigns of Marius in Gallia Narbonensis and Transalpinga***

<sup>66</sup> The lack of cooperation between consul and proconsul had been the primary reason for the defeat in 105 when Caepio (cos. 106) had refused to place himself and his army under the command of the consul Mallius Maximus, *MRR* 1.555-557. Very reminiscent of Cannae, and indeed the disaster in that encounter made possible the creation of dictatorships in profusion and multiple consulships by, among others, Q. Fabius Maximus Cunctator.

The Teutones and their allies must have crossed the Rhone and attacked Marius' camp at Arelate. The attack failed as the Romans refused to be drawn into a fight. The Germanic tribes then bypassed the camp, and struck out along the *Via Domitia* towards Aquae Sextiae. Marius also broke camp and closely followed the enemy. Then in two battles, concluded within a space of forty-eight hours, the Teutones and the Ambrones were utterly destroyed. It does not take an expert in military matters to discern that even a mediocre general has a good chance of success when he has had two-and-a-half years in which to prepare his forces, his strategy and even his site of battle. When the canvass for the consulship of 107 reached its climax Sallust states that everything favoured Marius' election (*Jug.* 65.5: *ita Mario cuncta procedere*); the same may be said of the clash at Aquae Sextiae. However, Florus (1.38.8) recounts an interesting variant to the usually transmitted tradition. In it he says that it was unclear whether Marius' victory was not more the product of a mistake that was later corrected. This comment may have originally emanated from hostile propaganda or from a historian such as Posidonius, but it is interesting to observe that it has had little effect on modern opinion about Marius' capability as a general.<sup>67</sup> It certainly stands in sharp contrast to the more heroic account given by Plutarch (*Mar.* 19-22), although he also notes that the first battle with the Ambrones took place only as a result of Marius pitching camp in a waterless area, and that the Romans joined battle over the possession of a stream (*Mar.* 19.7). There does not seem to be any grand strategy involved here, after all the planning that had supposedly been done beforehand! The second battle in which the Teutones were exterminated was the high point of the campaign, and some modicum of forward planning here may have contributed to the Roman victory, though the lack of concerted action by their opponents more than helped. The Teutones, who had been joined by the surviving Ambrones, attacked uphill and were ambushed from behind by a brigade, led by M. Claudius Marcellus (*Cic. Brut.* 136), deployed in a wooded valley on Marius' orders (*Plut. Mar.* 20.4-21.1). Again this tactic does not display much ingenuity or advanced planning. The casualty figures for the Germanic dead in these two engagements are not given by Plutarch, but some idea of Marius' victory may be gauged from the information that the Ambrones numbered more than 30 000, and that many were killed (*Mar.* 19.2, 20.1), and that after the second battle it was reported that the Massiliotes used the bones as fertiliser for their vineyards and, that after heavy rains, the area subsequently produced excel-

67 For example, M. Grant, *Julius Caesar*, London 1969, 23; Ridley: 1981, 290; L. de Blois, "The Perception of Politics in Plutarch's Roman Lives", *ANRW.* 33.6, 1992, 4583: "in the field he (Marius) was an excellent commander."

lent harvests for many years (*Mar.* 21.3-4).<sup>68</sup> Even before news of the victory had reached Rome, the electors had voted Marius to a fifth consulship, for 101, once again *in absentia* (*Plut. Mar.* 22.3).

Meanwhile, in accordance with their master plan, the Cimbri had entered Italy, according to Plutarch (*Plut. Mar.* 24.1-2) via Noricum which, to most scholars, has suggested an invasion via the Brenner Pass, and that Marius' colleague, Q. Lutatius Catulus, was driven down the Adige valley as far as the Po.<sup>69</sup> However, it seems unlikely, especially seeing that the Cimbri appear to have started out later than the Teutones (*Plut. Mar.* 15.5), that the Germanic tribes could possibly have launched their assaults almost simultaneously (*Plut. Mar.* 23.1), the one group in southern Gaul, a far shorter route, the other in Noricum, a far longer route. Plutarch's evidence should probably be discounted in preference to an Alpine pass much further to the west – probably the route via Lake Geneva and the valley of the River Duria – which would indeed have brought the Cimbri to Vercellae.<sup>70</sup> The Cimbri and Teutones would therefore have been divided for a matter of weeks and not so far apart as to make communications between them impossible. It is also interesting that the survivors of the defeat at Aquae Sextiae should have reached the territory of the Sequani (*Plut. Mar.* 24.4) before they were captured, just where the Cimbri would have passed on their way into the Alps if they had gone by the route proposed here.

After Aquae Sextiae, Marius had been summoned back to Rome not only to report his success in person, but also now to deal with the Cimbri, who were poised to cross the Po. The success of the Cimbri against Catulus evidently forced Marius into deciding that the time was inappropriate for celebrating a triumph (*Plut. Mar.* 24.2), and instead he proceeded to join his colleague. Marius' own army must have marched promptly from Narbonensis (*Mar.* 24.2) to be on hand when required. The battle of Vercellae in which the Cimbri were decimated initially appears to have been an amazing triumph. Two quite different versions of this encounter arose very soon afterwards, however, and again it is interesting to note that the one that tends to

68 Plutarch suggests that the 30 000 Ambrones were fighting men, 19.2, but this figure may represent the tribe as a whole. It may be significant that the writer also refers to women fighting, 19.7, in the immediate aftermath of the battle in the river. The Ambrones may have joined the Teutones as guides or may have fallen out with the main Cimbric group.

69 For example, R.G. Lewis, "Catulus and the Cimbri, 102 B.C.", *Hermes* 102, 1974, 90-109.

70 The text of Livy's epitome would seem to support the Noricum route, with even a mention of the Athesis river, a tributary of the Adige. However, the text at this point (*Per.* 68) is uncertain, and the editors seem to have drawn on the account of Plutarch for details. It also makes little sense to have the Cimbri skirt the Alps again to travel by way of the Brenner Pass when several other options were available. The route via Geneva is attractive because it ties in well with the subsequent battle at Vercellae. The Brenner Pass route would have forced the Cimbri into yet more meaningless wandering before their final defeat. I doubt that this well-travelled tribe easily lost itself.

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prevail is the one that extols the role of Marius, the consummate general, who rescued Italy after its military defence had faltered under the leadership of Catulus. The second, diametrically opposed, account apparently denigrated Marius' efforts and instead lavishly praised Catulus and his senior officer, Sulla, both of whom were major figures in a campaign which ended in fierce fighting and staggering casualty figures for the enemy. The hostile version is supposed to emanate precisely from the memoirs or *Commentarii* of Catulus and Sulla (Plut. *Mar.* 23.5, 25.4, 26.2-3, 26.5),<sup>71</sup> whose evidence has been handled with caution or even downright contempt because they were, or became, enemies of Marius. These relative nonentities in military expertise had every reason to diminish his role as a general in an attempt to magnify their own puny efforts, or so the argument goes, but in fact the battle looks to have been a rather confused affair with scant manoeuvring by either side, although some element of attack from the rear was engineered beforehand but not that well executed by the Romans. Plutarch states that the battle occurred in August on a hot and dusty day, almost exactly a year after Aquae Sextiae, that Catulus in the centre was meant to hold the Cimbric advance while Marius personally on the right wing – the traditional spot for the commanding officer – was to try an encircling movement, but that this column of troops seems to have become detached from the fighting for some time. This error was probably the cause of the later recrimination between the commanders (*Mar.* 25.6). Once the impetus of the Cimbric frontal attack was lost, the rout began in earnest and the total of the dead was immense, with Plutarch giving the numbers: 120 000 killed and 60 000 captured. This figure surely represents the entire tribe and not just the men of fighting age. The Romans, meanwhile, had the army of Catulus, 20 300 and 32 000 under Marius' command, and casualties were extraordinarily light, with just 300 mentioned by Florus (1.38.14).<sup>72</sup>

In the following year, the colony of Eporedia was founded in the upper reaches of the Duria valley, which is again suggestive of the main path of the

71 Plutarch probably used the work of Sulla, which will have made extensive use of or even quoted from Catulus' *de consulatu suo*, possibly partly to honour this politician whose death had been ordered by Marius in 87. Plutarch does not claim to have consulted the work of Catulus himself. Marius in Plutarch's works see C.P. Jones, *Plutarch and Rome*, Oxford 1971, 125.

72 Florus also says that 65 000 Cimbri fell in battle, 1.38.14. Meanwhile Velleius states, 2.12.4, that 150 000 Ambrones and Teutones were killed in two days at Aquae Sextiae, while at Vercellae, over 100 000 were killed and taken prisoner. Orosius, using Livy's figures, 5.16.12, gives 200 000 dead and 80 000 captured, *vix tria milia fugisse*, at Aquae Sextiae and at Vercellae, 140 000 killed and 60 000 captured, 5.16.16. The numbers look either horrific or grossly exaggerated, but as P. Sabin points out, "The Mechanics of Battle in the Second Punic War", in *The Second Punic War: A Reappraisal* ed. T. Cornell et al., BICS Supplement 67, London 1996, 76 - 77, high totals of dead for the defeated and low totals for those killed among the victorious in ancient battles are easily and plausibly explicable.

invasion. The foundation was obviously closely connected with the outcome of the Vercellae campaign, and peopled with veterans from the armies of Catulus and Marius, and presumably their enslaved Cimbri. At the same time, the actual site, again so close to the battle and the focus of the whole campaign, further implies that the veterans never left the area, and certainly did not come down to Rome before setting out again after a land, or some other settlement, had been reached.<sup>73</sup> Furthermore, a colony founded in an area so recently ravaged by the Cimbri would have promoted a swift return to peaceful conditions. The victory itself was surely regarded by contemporaries as the right compensation for the debacle suffered at Arausio, four years before; and Vercellae duly became the pinnacle of Marius' military career (Plut. *Mar.* 27.5).<sup>74</sup> Why should the favourable account of Marius' generalship always be preferred to the more negative version?<sup>75</sup> The answer surely depends on a perceived and recognisable bias in the literary sources against a man who must have possessed a high calibre as a military leader. Since this overall ability has been placed under scrutiny and questioned, the extent of the bias may, therefore, also be of less significance. Q. Lutatius Catulus has been credited with little military expertise and, hence, wrote to glorify his own meagre efforts in the Cimbric War, in the course of which he would necessarily have reduced Marius' true role. What is wrong or unnatural in that? In 87 Marius ordered the death of Catulus because, it has been asserted, he had profited from the great man's patronage and then turned against him.<sup>76</sup> Catulus' memoirs would have been circulated in the 90s, and these could indeed have given Marius cause to hate him had they contained false claims about Vercellae. On the other hand, Catulus' exposé of a certain degree of human failing in Marius, who had, after all, gained sole credit and acclaim for the victory, might also have proved very offensive. Sulla was later an implacable enemy of Marius. In his autobiography it is

73 Pliny, *NH.* 3. 123; E.T. Salmon, *Roman Colonization under the Republic*, London 1969, 121-123.

74 Crawford, *RRC* 1.328, assigned 101 BC to the fairly large issue of the quaestor C. Fundanius with its explicit reference to military victory on the reverse of the denarius. It appears as if the event was worth commemorating. H.B. Mattingly, "The Management of the Roman Republican Mint", *Annali* 29, 1982, 41, suggested, on coin-hoard evidence, that this issue belongs to the 90s, which rules out a contemporary comment on Vercellae. The denarius type may, therefore, be simply a *topos* for victory in wars overseas or a commemoration of Marius' victory over the Cimbri and Teutones, or even an indication that Fundanius himself had served in that campaign. Several interpretations are possible here. A large issue may also have been associated with the foundation of Eporedia and the requirements of a new colonial enterprise.

75 See, for example, the comments of de Blois, 1992, 4583: "In Rome, Marius was a demagogue with tyrannical ambitions who allowed himself to be governed by the demos", 4589: "career soldier"; Grant, *Caesar*, 23: "the farouche and terrifying Marius, who, although politically a child and a blood-thirsty child at that, achieved immense fame as a military genius"; Ridley, 1981: 290: "the military indispensability of the man. Were the Romans expected to repeat the lessons of Arausio"; 296: "Marius baffled in politics."

76 See the argument of Badian in, for instance, *Studies in Greek and Roman History*, Oxford 1964, 38-39; cf. Evans, Marius 156-157.

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only natural that he should have celebrated his own career to the detriment of the reputation of all others. It is very likely that Sulla's role in the capture of Jugurtha and his performance at Vercellae were emphasised at the expense of Marius' prestige. But Marius too kept journals of his activities, and so it is hardly beyond the bounds of possibility, given the fact that he had been less than forthright before, that he also gave as slanted an account of his triumphs as did his political opponents. Marius was not well remembered for greater honesty than his fellow senators, as Cicero recollected (*Off.* 3.79):

But when the prizes are very great, there is a temptation to do wrong. When Gaius Marius ... accused Q. Metellus, ... that he was protracting the war ... stating that if they would make him consul, that he would in a short time deliver Jugurtha, either dead or alive, into the power of the Roman people. Upon this he was indeed made consul, but he wandered from good faith and justice, since, by a false charge, he brought hatred upon a most excellent and respectable citizen.

The truth surrounding Marius' leadership in the Numidian and Cimbric wars probably lies somewhere between the two conflicting reports and, by seeking a middle course, the stature of Marius as a general must diminish. The extent of his accomplishments in North Africa, and prior to Aquae Sextiae and Vercellae, can be shown to be less than superlative in military terms; and his supposedly dominating role as a general, therefore, also appears less distinguished.



## Pompey in the 70s

Pompey's career in the 70s is treated in a rather cursory way in the surviving literature compared to the more extensive coverage given to his career in the 80s, the 60s, the 50s and, of course, his disastrous end in the civil war against Caesar. The relative lack of ancient interest in Pompey's middle career has rubbed off on modern studies. These tend to tackle Pompey's entire career and leave relatively little space for what was a formative period, which culminated in grander political and military achievements. The common view of Pompey's political standing in the 70s mainly derives from a speech given to the tribune C. Licinius Macer by Sallust (*Hist.* 3.48M). Here, the tribune implies that Pompey, though absent in Spain, was a friend of the people in the struggle to restore full tribunician powers. This brief comment has been highly influential in assigning Pompey a place among the ranks of those opposed to the senatorial hierarchy, which had been entrenched as a result of Sulla's laws. However, when a precise chronology of events during this decade is established, and the exact nature of the powers granted by the senate in his extraordinary commands is highlighted, it is possible to show that Pompey's reputation as a "popularis", and as an extorter of quasi-legal commands, should be subject to considerable reinterpretation.<sup>1</sup> Pompey may have experienced a meteoric rise to military eminence in the 80s, but the military *gloria* he obtained during the 70s, which acted as a springboard for political supremacy, was hard earned and helped by more than just a touch of good luck and fortune. The consulship which he achieved without fulfilling the official criteria laid down by Sulla could have climaxed in disaster but, then as earlier in the decade, catastrophe was averted by a series of skilful manoeuvres among the political elite at Rome. That is not the usual view of events in the 70s, and Pompey is generally considered to have been ultimately responsible for destroying the constitutional framework underpinned by Sulla's legislation. But Pompey, though he may have been unscrupulous when it came to personal ambition,<sup>2</sup> appears on reflection to have lacked any

1 For the usual opinion see, for example, Syme, *The Roman Revolution*, Oxford 1939, 50-51: "... the great Pompeius, glorious from victories in all quarters of the world, but a spurious champion of legitimate authority when men recalled the earlier career and inordinate ambition of the Sullan partisan who had first defied and then destroyed the Senate's rule."; M. Griffin, 'The Tribune Cornelius', *JRS* 63, 1973, 196; cf. 206-207 'popularis', 208 "extorted his Spanish command". This assessment of Pompey owes much to Tacitus, *Ann.* 3.28.1; cf. Plut. *Comp. Agesilaus & Pompey*, 2.2.

2 Political acumen is less well attested in the sources than uncertainty and jealousy of others. Duplicity brought on by unease seems to be a recurring theme. but Cicero was also susceptible to Pompey's charm, for

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partisan affiliation,<sup>3</sup> and achieved the consulship by closely cooperating with, rather than operating against, the senatorial government at Rome.

The events of 78, subsequent to Sulla's death and funeral, are highly reminiscent of those of precisely a decade before, even if the outcome was not quite as horrific initially. M. Aemilius Lepidus, consul in 78, a former supporter and ally of Sulla, from the time of his consular canvass seemed to be aiming to subvert the *res publica* by threatening to overturn much of the legislation contained in the *leges Corneliae*. He gave the distinct impression during the first months in office that he was either bent on emulating the former dictator, or Marius, in attempting to obtain successive consulships. Until his consular candidacy, Lepidus had not been at the forefront of Sulla's friends, and the former dictator clearly had an early intimation about the new consul's possible future actions yet, in accordance with his own decision to retire, he did not intervene in the result of the consular elections.<sup>4</sup> Pompey,

example, *Att.* 5.6.1, 5.7, 7.2.5. Earlier in the 50s Pompey had betrayed the orator to Clodius, and this betrayal is noticeable in the tone of the various correspondence of that time, *Att.* 3.8.3-4, 3.9.2, 3.15.4. Towards the end of the 60s, Cicero, *Att.* 1.13.4, 1.16.12, had also been critical of Pompey's character and methods. For Pompey as he emerges in Cicero's letters in the late 60s, see V.L. Holliday, *Pompey in Cicero's Correspondence and Lucan's Civil War*, The Hague 1969, 18-21. While some deviousness might be gleaned in the literary evidence for events in 59 and 58, and even elsewhere, *Cic. Att.* 2.22.2, 2.24.5, on the whole, it is quite the opposite which is more evident, *Att.* 9.6.5. Later on, Tacitus, Plutarch and others were possibly influenced by hostile propaganda disseminated against Pompey.

3 Pompey's list of potential allies should not be underestimated. His father, Pompeius Strabo (cos. 89), may have been something of a maverick in political affairs, but the family, like that of any other consular, was well placed socially. Pompey himself was defended in a law suit *de peculatu* in 86 by the consul of 91 L. Marcius Philippus, with whom he retained close ties, *Cic. Brut.* 230; *Plut. Pomp.* 2.2. The "Q. Marcius L.f. Pap." on the *consilium* of Pompey's father in 89 was surely the elder son of Philippus. Pompey had also been defended by Cn. Papirius Carbo, *Val. Max.* 5.3.5, 6.2.8, nominal head of the regime, after the assassination of Cinna in 84. However, this *amicitia* proved to be embarrassing after Pompey ordered Carbo's execution in Sicily in 82. Pompey also had early connections with P. Antistius, *Plut. Pomp.* 4.2; *Cic. Brut.* 226, also killed in 82, Q. Hortensius, *Cic. Brut.* 230 and, of course, with Cicero, *Phil.* 12.27. Lepidus (cos. 78) probably also served as *trib. mil.* under Pompeius Strabo, C. Cichorius, *Römische Studie*, Berlin 1922, 168.

4 For the proposals of Lepidus including the restoration of the tribunician powers, see *MRR* 2.85. Lepidus certainly had a recent precedent to follow, not excluding L. Cornelius Cinna and Cn. Papirius Carbo, each multiple holders of the highest office, and the younger Marius consul in his twenties. Leach, *Pompey*, 39-40, also argues, following Syme, *Sallust*, 183, that Sulla's misgivings about Lepidus, *Plut. Pomp.* 15.1-2, were a later invention, and that Lepidus and Catulus were the former dictator's own choice for the consulship of 78 since no other consular candidates were available or are attested for that year. However, this assumption is incorrect since Mam. Aemilius Lepidus Livianus (cos. 77) was a candidate in this year, *Cic. Off.* 2.58, R.J. Evans, "Candidates and Competition in Consular Elections at Rome between 218 and 49 BC", *AClass* 34 1991, 120, 134. Lepidus defeated Livianus for the patrician place in 79; and it may be inferred from Sulla's irritation that he had supported the latter and not the former as the colleague of Catulus. Syme notes this as a possibility, *Sallust*, 184 n. 28, which is missed by Leach. P. Greenhalgh, *Pompey: The Roman Alexander*, London 1980, 32, is clearly unaware of the electoral events in 79, suggesting only two candidates at first, but then naming several other anonymous candidates later on the same page. R. Seager's argument, *Pompey: A Political Biography*, Oxford 1979, 14, that Pompey initially supported Lepidus in the hope that the latter would cause trouble, and that he (Pompey) would inevitably be called upon to handle a new crisis at Rome, is highly convoluted and conjectural. Livianus was elected behind D. Iunius Brutus for 77, and only, it transpires, because C. Scribonius Curio (cos. 76) was persuaded to defer his candidacy by a year, *Sall. Hist.* 1.86M; T.R.S. Broughton, *Candidates Defeated in Roman Elections: Some Ancient Roman "Also-Rans"*, *Trans. Am. Phil. Soc.* 81.4, Philadelphia 1991, 6, 29; *MRR* 2.92.

possibly simply misguided in his judgement, or perhaps more likely promised a command of some sort, had supported Lepidus, though he quickly withdrew this *amicitia* during the course of 78.<sup>5</sup> And after an altercation with his fellow consul while in Etruria in the process of suppressing an uprising in Faesulae, Lepidus marched with an army on the city where fighting took place and where he was repulsed. The remnants of his forces were routed by Pompey who, in the meantime, had been appointed by the senate as legate to the other consul Q. Lutatius Catulus.<sup>6</sup> Lepidus, who appears from the sources to have been an unstable character, fled from Italy to Sardinia with his troops totalling roughly 20 000 men,<sup>7</sup> or so it is claimed. He died on the island at some time in 77,<sup>8</sup> and afterwards his senior commander, M. Perperna, transferred an entire army via the Ligurian coast to Spain where he united

5 It is suggested that Pompey was tied by *beneficium* to Lepidus since they had both served under Pompeius Strabo in 89/88, Leach, *Pompey*, 39-40. This was not necessarily a close connection, and belongs to a decade before. It should not be regarded as of overriding importance. But Pompeius Strabo had been keen to obtain a second consulship in 87 for 86, Evans, *Marius*, 134 n. 160.

6 Broughton, *MRR* 2.90, lists Pompey under the promagistrates for 77 though he had been in command of forces in northern Italy since late in 78. Pompey's exact appointment was surely as *legatus pro praetore*, rather than an independent command in Italy itself, and he must have been answerable to Catulus first as consul and then as a proconsul. Catulus' *provincia* is not attested, *MRR* 2.90, but perhaps *Gallia Cisalpina* is to be inferred since this had been held by M. Iunius Brutus from the end of 78, *MRR* 2.91, while Lepidus had been awarded *Transalpina*. Cf. E. Badian, *Foreign Clientelae (264-70 B.C.)*, Oxford 1958, 275 who considers that Lepidus had been awarded both *Galliae*. On the question of Pompey's position in 78, see Seager, *Pompey*, 15-16, who remains cautious on the issue; cf. Leach, *Pompey*, 40; Greenhalgh, *Pompey*, 36-37, who avoid the problem entirely. In whatever capacity it may have been, Pompey was always bound to be subordinate to the consul or a proconsul unless he had achieved equal or superior magisterial status. His refusal to disband his troops after Lepidus' defeat was insubordination even if it could be, and was, technically ignored.

7 Fifty-three cohorts, according to Plutarch, *Sert.* 15.2; Leach: 43; cf. Greenhalgh, *Pompey*, 37, who considers that Lepidus "abandoned his troops and sailed for Sardinia". This is not borne out by the sources, Plut. *Pomp.* 16.6; App. *BC.* 1.107; Exup. 39-41Z; cf. Flor. 2.11.7: *fuga Etruriam, inde Sardiniam*, suggests a flight rather than an orderly withdrawal of troops. P. McGushin, *Sallust: The Histories*, Oxford 1992-1994, 1.190, points out that Exuperantius' epitome of Sallust's account contains a reference to "fierce battles" on Sardinia before Lepidus died. Sallust's own account may well have been much more extensive than any of the other extant sources, and would have shown that Lepidus was active on the island throughout much of 77. This might well explain the reluctance of the consuls of that year, especially a politician such as Livianus who possessed a military background, even if his colleague did not, to depart to *provinciae* overseas when Italy remained under the constant threat of invasion during their year in office.

8 His death from a "broken heart" looks distinctly odd as told by Plutarch, *Pomp.* 16.6, not because he had lost all hope of success, but because he had discovered his wife's infidelity. This tale has found favour with Seager, *Pompey*, 16; Greenhalgh, *Pompey*, 37; cf. Mommsen, *The History of Rome*, London 1912, 4.291: "consumption"; M. Gelzer, *Pompeius: Lebensbild eines Römers*, Stuttgart 1984, 46: "Krankheit starb"; Leach, *Pompey*, 43; Badian, *FC* 277: "died ingloriously"; L. Labruna, *Il console "sovversivo"*, Naples 1975, 125: "malaria". The ancient sources are not unanimous. Liv. *Per.* 90: *frustra bellum molitus perit*; Flor. 2.11.7: *morbo et paenitentia interiit*; App. *BC.* 1.107; Exup. 41Z; cf. Pliny, *NH.* 7.122: *M. Lepidus Appuleiae uxoris caritate post repudium obiit*: 7.186. His wife's name was Appuleia – she may have been closely related to Saturninus, the revolutionary tribune of 103/100, a dubious connection which would have made scurrilous information about Lepidus' wife believable even among a contemporary audience. But there were clearly divergent traditions about the end of Lepidus, with the less dramatic usually being the more precise. Mommsen, *HR* 4.28 l, considered him "an insignificant and indiscreet personage". Given the apparent lack of fortitude in his son (cos. 47), who lost an army and his freedom in Sicily in the course of a single day in 36, an absence of

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with the forces of the rebel Sertorius. Q. Sertorius (pr. 83), had occupied much of the Spanish interior in concert with the Lusitani since his return from Africa in 80, and Q. Caecilius Metellus Pius, Sulla's consular colleague in that same year, had been assigned *Hispania Ulterior* in order to deal with what was theoretically a military insurrection – a *bellum externum* – although, in fact, it was a hangover from the civil war in Italy. Metellus Pius had been unable to bring the situation under control.<sup>9</sup> So much for the basic outline of events.

The attempt at insurrection by Lepidus pushed the revolt in Spain firmly into the background, although the consul of 78 may have been urged to consider joining his own forces with those of Sertorius.<sup>10</sup> In a certain sense, Lepidus showed a sound appreciation of his predicament in not abandoning Italy, because possession of Rome, as Cicero recognised a generation later in January 49 (*Att.* 7.11.3-4), was the most important asset in any serious quest for power; and that is surely how Lepidus' actions should be viewed, not as an episode of mere comical proportions, but as a very serious and concerted attempt to seize power away from the senate.<sup>11</sup> As the events show, this is definitely how the senate perceived the threat at the time, and explains the requisite measures to prevent its maturation.

Lepidus must have appeared in the vicinity of Rome in the first few days of 77 since Ap. Claudius Pulcher (cos. 79) had been appointed interrex, either to supervise the consular elections himself, which had not yet taken place, or to appoint a second interrex and to preside over sessions of the se-

intelligence is not out of the question. For a discussion of Lepidus' death, see McGushin, *Histories*, 1.189-190. For the argument that the entire story about Lepidus has, in any case, been completely misapplied by modern scholars since the episode could just as easily be dated to the Augustan principate, see Syme's forceful and persuasive argument, *RP* 6.244 & 265.

<sup>9</sup> Metellus Pius was clearly appointed to take overall command against Sertorius, and was surely senior to the proconsul in next-door *Hispania Citerior*, then the ex-praetor M. Domitius Calvinus, *MRR* 2.83-84. However, Metellus Pius could also have been assigned both Spanish provinces as his *provincia*, which would mean that Calvinus was actually his senior legate, *MRR* 2.85 n. 4, which is indeed what he is styled in the epitome of Livy, *Per.* 90. Although the Livian epitomes are not necessarily sound, this evidence might be preferred to the later account of Eutropius, 6.2: *L. Domitius praetor*, while Florus, chronologically closer, also has *legatus*. The Livian account also differentiates between the title of *M. Domitius* to that of *L. Manlius proconsul*, governor of *Gallia Transalpina* at the same time, *MRR* 2.87, also defeated by Sertorian forces, and mentioned together in the same sentence; cf. *Plut. Sert.* 12.3, who has *L. Domitius* as proconsul of Near Spain. The death of Calvinus, either in 79 or 78, in battle against the rebels and the losses incurred in this defeat by the Romans precipitated the crisis which led to Pompey's crucial appointment. For external war, see *Flor.* 2.10.1 & 9; *Seager, Pompey* 23 n. 82. C. Annius T.f. T.n. had originally been appointed as proconsul in Spain by Sulla, *MRR* 3.15, and presumably had command of both provinces since he seems to have been allotted two quaestors, L. Fabius and C. Tarquinius, who issued coinage on his behalf, *Crawford, RRC* 1.381-386, no. 366; Cichorius, *RS* 167; *MRR* 2.77. Fabius and Tarquinius probably became officers of Sertorius, *Sall. Hist.* 3.83M; McGushin, *Histories* 2.127 & 129, although it remains obscure why, having served under a general allied to Sulla, they were afterwards proscribed and changed sides.

<sup>10</sup> Noted, but not developed, by Badian, *FC* 275-276.

<sup>11</sup> *Contra* Leach, *Pompey*, 41-43; called the "Lepidus Affair" by Greenhalgh, *Pompey*, 35-37.

nate in the meantime (Sall. *Hist.* 1.77.22M).<sup>12</sup> The consular elections had been severely delayed, since mid-summer 78, because Lepidus, the senior of the two consuls, and, hence the presiding magistrate over the *comitia* for the next year, had refused to return to conduct his duties. This may not appear to be of startling significance since the senate could simply have entrusted the electoral process to Catulus, but this had not occurred. Lepidus' presence for the elections was required by *mos maiorum*, and nothing could be allowed to deviate from this normal practice,<sup>13</sup> even with the consuls in dispute and Lepidus on the verge of rebellion. Until he took the fateful step of acting militarily against the state, the whole electoral process was allowed to fall into abeyance while some peaceful solution was sought. Quite clearly no member of the senate, however hostile towards Lepidus, even Catulus himself, was exempted from carrying out the collective will of the *res publica*. Lepidus had been in Etruria probably for some months, where the allotment of *Gallia Transalpina* as his province may have been the opening dispensation granted to him by senatorial negotiators, but he was balked by the senate in his ambition for an iterated consulship immediately following his first, which he evidently made known when he arrived outside the city (Plut. *Pomp.* 16.3). Lepidus, with his intimidating forces, clearly thought he stood a good chance of presiding over his own re-election. Such a demand may have taken the senate by surprise, which drew the intervention of L. Marcus Philippus (cos. 91) who spoke in favour of the *senatus consultum ultimum*, probably only after Lepidus had physically employed his troops against the city and had been repulsed (Flor. 2.11.6; Oros. 5.22.6).<sup>14</sup> This lengthy period of inactivity well illustrates the extent to which the senate was prepared to go to prevent civil unrest and strife among its members; and not, as is so frequently assumed, a hesitancy and weakness in its leadership.<sup>15</sup> Once the decision had been taken to suppress Lepidus, it was carried out without de-

12 On the identification of the cos. 79 as interrex, see *MRR* 2.89 and n. 4; P. McGushin, *Histories*, 1.147 and the timing of Lepidus' arrival at the city walls.

13 With all the irregularities that had been allowed or forced on the careers of various politicians in the previous decade, the effect of the *leges Corneliae* was surely to prevent a recurrence, which the senate was entrusted to uphold. Inevitably, existing examples acted against this reaction to, and artificial methods to prevent, future change, which indeed occurred within the next decade. Cf. Greenhalgh, *Pompey*, 36 who incorrectly considers that both consuls were required to conduct the elections.

14 Seager, *Pompey*, 16, suggests a battle around the Milvian bridge, the Campus Martius and the Janiculum, although these sites are not in close proximity to one another, before the *SCU* was promulgated by the senate; cf. Greenhalgh, *Pompey*, 37, who considers the *SCU* a prelude to the battle; cf. Leach, *Pompey*, 43, who places the consular elections for 77 before Lepidus' defeat; cf. Gelzer, *Pompeius*, 45-46; Mommsen, *HR* 4.290-291, where the order of events is substantially glossed over.

15 For a discussion of senatorial assertiveness in the 70s, see also B.A. Marshall & J.L. Beness, "Tribunician Agitation and Aristocratic Reaction", *Athenaeum* 65, 1987, 361-378, who argue that the tribunes in this decade were mostly unsuccessful and that the senate as a collective body was in control.

lay under the direction of the interrex and the proconsul Catulus, while the elections were immediately held, presumably while hostilities were actually taking place, in order that the *res publica* should have its new magisterial leadership.<sup>16</sup> The senate, far from hesitant or in fear, showed resolve and solidarity in this affair, and yet persevered in negotiating with Lepidus in the hope of some reconciliation since the consul of 78 was declared a *hostis* only after he attacked the city, and not in all the weeks that he had been under arms in Etruria. Pompey, carrying out military orders in *Gallia Cisalpina* against Brutus, Lepidus' legate, was very much on the periphery of the episode, and his influence on events in Rome was highly marginal, if not completely irrelevant.<sup>17</sup>

What of Pompey's authorised position during the entire *coniuratio* of Lepidus? His appointment to a command in 78/77 seems to hinge less on his own standing than on the exact nature of the *imperium* of the consul Catulus. Both consuls had been despatched to deal with civil unrest in Faesulae (Sall. *Hist.* 1.57-58M; Gran. Lic. 36, 36-37C). This was a purely internal problem within Italy, and the consuls presumably dealt with this problem according to the *imperium* granted through their consulships. An army, possibly consisting of just two regular legions, was levied and divided equally between Lepidus and Catulus; and the mere presence of the magistrates in Etruria seems to have quelled the current violence. These events occurred during the early summer, after Sulla's death, but still before the scheduled date for the elections. Relations between the consuls had not been harmonious from the beginning of their term in office (App. *BC.* 1.107), and mutual jealousy probably accounts for the joint command in Etruria, but once concluded, Catulus returned to Rome while Lepidus was naturally expected to follow expeditiously since he was to preside over the elections. It is perhaps surprising that Catulus departed first – his continued presence in Etruria would have been understandable – unless the latest rupture attested between the consular colleagues (Exup. 6; Gran. Lic. 36-37 C) had already prompted a timely withdrawal by the former to control the city in anticipation of trouble from the north by Lepidus. Lepidus issued a series of demands and promises: anti-Sullan rhetoric designed to stir up support in Etruria, a second consulship, a

16 The exact timing of the *SCU* can be pinpointed to the first week or so in January, providing Ap. Claudius Pulcher, referred to by Philippus in his oration, was the sole elected interrex. However, if he indeed presided over the elections, then someone preceded him (Livianus for instance?). See McGushin, *Histories*, 1.147 for "early in 77" as the timing of Philippus' speech. This would mean that the *SCU*, the defeat of Lepidus, the election of the new consuls Brutus and Lepidus Livianus all happened during either one or two interregal periods of five days each held consecutively in early January. After months of inaction and protracted negotiations there was a short burst of intense activity!

17 For the declaration making Lepidus a *hostis* and its timing, see McGushin, *Histories*, 1.143; A.W. Lintott, *Violence in Republican Rome*, Oxford 1968, 155-156.

*provincia*. The senate had no problem about the provincial command which it seems to have allocated in response to Lepidus' posturing, but the question of a consulship posed an intractable difficulty since it was illegal.<sup>18</sup> Once a *tumultus* had been declared, Catulus would have been ordered to undertake measures to ensure the safety of the *res publica* as consul with his *imperium*, but this did not occur until early in 77 by which time the consul had become a proconsul and only in charge of military affairs in Italy until his successors were inaugurated. No warfare had broken out until at least the end of the year, but the sources seem to suggest that Pompey was already active in *Gallia Cisalpina* and campaigning against Brutus, the senior legate of Lepidus. If Pompey was in the north by the end of 78 his appointment must have been as a *legatus pro praetore* under the command of Catulus, the consul at Rome., but he could not have been waging war against Brutus before Lepidus attacked the city walls since there was no *tumultus*. Therefore, Pompey may have been ordered to the north but also under instructions from the senate to make no move until the diplomatic process had broken down. When Lepidus had attacked Rome, Pompey would then have proceeded against Brutus who was at Mutina, received the surrender, executed Lepidus' legate at Regium Lepidum and, only after that, proceeded south again to unite with Catulus near Cosa in order to defeat the enemy for a second time, who immediately departed for Sardinia.<sup>19</sup> However, this order of events is rather muddled in the sources, which seem intent on creating the impression that this short-lived insurrection was a far longer affair; and this expansion in the timing has tended to prevail in modern accounts.<sup>20</sup> If the chronology is not closely heeded, and the subtlety of the political process, which confines the military action to following the passage of the *SCU* in January 77, is ignored, the result is that Catulus and Pompey are made re-

18 For Sulla's law against repetition of the consulship within ten years, see *MRR* 2.75 for the relevant sources. Broughton has no discussion about any legislation governing the allocation of provinces by the senate, which must have remained bound by the *lex Sempronia de provinciis*. Appian, *BC*. 1.107, says that Lepidus received *Gallia Tansalpina* as his province by sortition, but this process should have taken place before his election as consul, yet seems placed in the middle of 78. The timing of this allocation should illustrate whether or not new procedures had been adopted or introduced by Sulla.

19 Plutarch, *Pomp.* 16.2-6, seems to have the events in the correct order, but with Pompey engaged in a protracted siege at Mutina. Yet to make sense of the sequence of events the investment of Brutus was in fact very brief, at the most two to three days, with the legate of Lepidus murdered shortly afterwards, *Pomp.* 16.4, allowing Pompey time for a rapid march south. Brutus must have been declared a *hostis* at the same time as Lepidus, probably just as Mutina fell to Pompey's forces. A senate adhering rigidly to the rules of political etiquette could not have sanctioned Brutus' murder before the proclamation of martial law. Even so, Pompey felt the need to justify this further execution of a prisoner, who was a Roman citizen. Florus, 2.11.6, alone of the main sources, has Pompey in Rome to repulse Lepidus, which is clearly not feasible.

20 Note *MRR* 2.89, Lepidus' "insurrection ... crushed .. in this year"; Seager, *Pompey*, 15, implies warfare in Cisalpine Gaul beyond the first week in January 77; Leach, *Pompey*, 41-43, recognises that events occurred "early in 77", but also admits to a "lengthy siege of Mutina"; Greenhalgh, *Pompey*, 38: "unauthorized execution of Brutus."

sponsible for a civil war and not Lepidus. This is precisely what occurs in the transmitted tradition (Plut. *Pomp.* 16.1-6; App. *BC.* 1.107). Catulus must also have been granted a *provincia* by the senate before the end of the year so that he could oversee the operations against Lepidus. Cisalpine Gaul is probably the most appropriate location for a military command since this is where most of the trouble was in terms of the insurgents; but Illyricum is also a possibility unless Catulus was assigned some unspecified, but extraordinary command, which has escaped all notice in the literature.<sup>21</sup> Pompey's position, in *Gallia Cisalpina*, if Catulus' command was for that region would, therefore, have been reduced to senior *legatus*. This suggestion would also seem appropriate since the proconsul demanded that Pompey's troops be disbanded after the immediacy of the menace from Lepidus had been physically removed from the Italian mainland.<sup>22</sup>

Plutarch (*Pomp.* 17.3) states that Pompey was reluctant to comply with this order and was fortunate that further skilful intrigue brought him not only promotion, but also the chance of an extended command overseas.<sup>23</sup> The summons for help from Metellus Pius, which may well have lain before the senate since 78, caused immense problems of protocol until a solution acceptable to all interested parties could be found, and which was suitable for the crisis affecting the empire at this point. Again the precise definition of Pompey's appointment is of great interest here, and why he and not an established senator should have received the difficult commission against Sertorius. Modern works on Pompey have simply ignored the complicated

21 C. Cosconius is reported as the proconsul in Illyricum in 78/77, *MRR* 2.86-87, 90, cf *MRR* 2.88 n. 4, noting that the exact date is not assured. This command could easily have been terminated by the end of Catulus' consular tenure in time for its reassignment to his command. Without some sort of *provincia* Catulus could not have taken the field against Lepidus, probably not even in defence of Rome since he would have been a *privatus* after 1st January 77.

22 Denarii issued at Rome during the course of 78/77, as the crisis deepened and was overcome, may illustrate opinion about the events. A denarius of the moneyer, M. Volteius, has an illustration of the Capitoline temple, *RRC* 1.399, no. 1, the rebuilding of which had been assigned to Catulus, *MRR* 2.85. Other illustrations, *RRC* 1.399, nos. 2-5, issued by the same *monetalis*, possibly refer to the Ludi Romani, Plebeii, Cereales, Megalenses and Appollinares, all of which according to Crawford, *RRC* 1.402: "convey a promise of *largitiones* in the future", which might well be construed as a neat piece of pictorial propaganda in the face of a rebel army marching south towards the city issuing anti-Sullan sentiments. The denarius of L. Cassius Longinus, *RRC* 1.403, refers to the *lex Cassia tabellaria* of his ancestor, the tribune of 137, again a plausible propagandist reference to the delayed elections or to the possibility that elections may become redundant completely should Lepidus triumph. The denarii issued in 77/6, *RRC* 1.404, by L. Rutillius Flaccus and P. Satrienus are good examples of patriotic Roman themes – Victory in a biga, the She-Wolf, which could easily celebrate the return of peaceful conditions in Italy after Lepidus' expulsion and death.

23 Plutarch's information is not found elsewhere, but could have come from Livy's Book 90 or 91, though it does not feature in the epitomes. This episode could also have emanated from an encomium of Pompey's early career written before 61, but the nuance would have been different in that the young man perceived the danger that was still far away and recognised that he alone was ready to take up a command. Such a view is certainly plausible. Modern works make much of this mutinous behaviour, Seager, *Pompey*, 15-16; Leach, *Pompey*, 44; Greenhalgh, *Pompey*, 38-39; *MRR* 2.90, 3.162, but its absence in the other sources may mean that it is overstated, if not an invention.

process that occurred in 77, and the consensus derides an ineffectual senate for bowing to Pompey's unbridled ambitions. Furthermore, the senate leadership has been consistently mocked for totally lacking military competence and expertise since neither of the consuls in that year seem to have been prepared to set out to Spain. There were cogent reasons, however, why the consuls should remain in Italy; and these are missed by all studies which tackle the issue. Pompey's *ambitio* was certainly a factor here, but this was not the overwhelming reason for his appointment. Had there been no war in Spain calling for attention, Pompey would undoubtedly have disbanded his troops, but seeing the existence of conflict it actually made sense to maintain troops in readiness not for use against the state but against the state's enemies.

Pompey was granted a command, probably *pro consule* or *pro consulibus*, by the senate, which had been persuaded to adopt this course by L. Marcius Philippus, who again spoke in support of such a motion and for Pompey's involvement. Plutarch's rendition of this episode (*Pomp.* 17.4), which is so detrimental to the dignity of the senate, is generally adopted without too critical an eye, even though it was written two hundred years after the event, and should be regarded as much less reliable than the earlier references:

On this occasion too, it is claimed, that a certain senator asked in amazement whether Philippus believed it necessary to send Pompey out with proconsular powers. "No indeed," said Philippus, "but on behalf of the consuls", thus implying that both consuls of that year were unfit for these duties.<sup>24</sup>

Philippus, who was one of the very few senior *consulares* present in the senate at this time, might well have been forthright enough to indulge in the castigation of his more junior colleagues.<sup>25</sup> However, was this comment, which has become hailed as a famous or infamous *bon mot*, not been taken out of context, and unjustifiably employed to construct a picture of division

24 Plutarch's account is more florid than either of the accounts given by Cicero, *Leg. Man.* 62: *Quo quidem tempore cum esset non nemo in senatu, qui diceret "non oportere mitti hominem privatum pro consule," L. Philippus dixisse dicitur, "non se illum sua sententia pro consule, sed pro consulibus mittere";* cf. *Phil.* 11.18. While humour may be adduced from the text, it is not derision or contempt at the lack of military capacity of the consuls. Plutarch may have read or inferred more than was meant by Cicero or his source.

25 L. Marcius Philippus had been consul in 91, his censorial colleague M. Perperna had been consul the year before, and enjoyed a long and active career attending senatorial meetings into his nineties, *Ascon.* 28C. The *princeps senatus* L. Valerius Flaccus (cos. 100) was also the senior consular when he was appointed Sulla's *magister equitum* at the end of 82. He is not known to have been active in public life after Sulla's retirement, but may have died only after 73, *MRR* 2.137 n.13. C. Valerius Flaccus (cos. 93) may also have been alive in the 70s though unattested after his triumph in 81. Consular senators were a rarity in the immediate post-Sullan senate, R.J. Evans, "The *Consulares* and *Praetorii* in the Roman Senate at the Beginning of Sulla's Dictatorship", *Athenaeum*, 41, 1983, 522-528, and may go some way to explaining the reluctance of the senate to allow

and timidity in senatorial ranks?<sup>26</sup> The events as they had unfolded early in 77 were actually much more delicate in constitutional and political terms than the sources appear to show. Metellus Pius had summoned aid in the form of a replacement for the proconsul of, or a legate in, *Hispania Citerior*, M. Domitius Calvinus, who had recently died in battle against Hirtuleius, one of Sertorius' chief legates. But Metellus had not asked to be replaced himself, and this must surely have been the main stumbling block for an easy solution to the problem that now confronted the senate. While one of the members of the praetorian college from 78 may have been available to fill Calvinus' position, who had also been of praetorian rank, that none was proposed suggests simply that no one was available, having already been assigned their proconsulships for 77. Sulla's legislation regulating provincial commands made it difficult, even impossible, to assign *ad hoc* commands in an emergency, allowing only for the allocation of provinces at the end of every magisterial year when all senior magistrates were to be sent out on overseas duties. Military events in Spain demanded an immediate response, but there was no clear mechanism in place to deal with this kind of crisis. It was therefore not surprising that discussion should have included the despatch of one of the consuls, who might feasibly be spared from the city; but this was also contrary to the spirit if not the letter of Sulla's reforms. Philippus' outburst may even have been a sign of great irritation at the legal straitjacket in which the senate found itself when dealing with this dilemma.

The newly elected consuls were not strangers to the military environment since both parents had celebrated triumphs, and neither would conceivably have been without experience in the army.<sup>27</sup> Neither, however, appear to have showed a willingness to break with the reforms so recently undertaken by Sulla to reconstitute the *res publica*; both were presumably close

its consulars to proceed to provincial commands. The number of *consulares* in the 70's hardly improved, due to the early demise of Sulla (cos. II 80), Ap. Claudius Pulcher (cos. 79), Lepidus (cos. 78), C. Aurelius Cotta (cos. 75), until the end of the decade.

26 Seager, *Pompey*, 17: "a famous witticism"; Leach, *Pompey*, 44: "jibe at the consuls"; Greenhalgh, *Pompey*, 38: "a piece of sarcasm", with some considerable invention based on Cicero. Indeed Cicero *Leg. Man.* 62; *Phil.* 11.18, does not relate this episode as if it were comical but rather that it was unprecedented, but demanded by the unusual situation. Note that Scipio Africanus, an *aedilicius* in 213, was appointed proconsul in Spain, Liv. 26.18.6-19.9, a clear precedent for the senate to follow. Livy, *Per.* 91, also states that Pompey's *imperium* was consular; Val. Max., 8.15.8, that this *imperium* was equal to that of Metellus. McGushin, *Histories*, 1.132, believes that Philippus was *princeps senatus* at this time, though this is plainly impossible. The lack of a *princeps senatus* after about 73/72 may, however, have accelerated the decision to elect new censors in 71.

27 Brutus was the son of the consul of 138, D. Brutus Callaicus, who celebrated a triumph after a proconsulship in Spain, *MRR* 1.488 n.5, R.J. Evans, "Missing Consuls 104-100 B.C.: A Study in Prosopography", *LCM* 10, 1985, 76-77. Livianus' father (cos. 112) celebrated a triumph in 110 for victories in Thrace, *MRR* 1.544. Brutus' military career is not attested but that is hardly significant, while Livianus served in the Social War, *MRR* 2.43. As Seager says, *Pompey*, 17, there is no evidence at all that they were sympathetic towards Sertorius; cf. Badian, *FC* 277. Leach is incorrect to assign "inexperience" to these consuls, *Pompey*,

allies of the former dictator.<sup>28</sup> They evidently decided to abide by the legislation that enforced consular presence in Italy for the duration of the magistrerial year, after which one of them could no doubt be appointed as a proconsul in *Hispania Citerior*, or could indeed supercede Metellus Pius in *Hispania Ulterior*, or in both Spanish provinces. The complexity of senatorial protocol will also have figured in discussions about this command since, even if one of the consuls was persuaded to take up this command, he would at once be superior to Metellus Pius, who had more experience in the campaign by virtue of being the proconsul *in situ* and continuing to hold that position. Regard for Metellus Pius and the work he had so far accomplished may also have made the consuls reluctant to intrude in this region. Finally, there was the current situation in Sardinia. Julius Exuperantius (40-41Z), the epitomist of Sallust's *Histories*, is informative on this issue:<sup>29</sup>

... atque ibi cum Triario pro praetore variis proeliis gravibusque conflixit: nam sollertissime tutando provinciam effecit, ut Lepidi consilia vana forent. undique enim prohibitus et munitionibus a civitatum expugnatione depulsus nequivit cogitata perficere ac dum multa parat morbo gravi oppressus et mortuus est.

... and Lepidus fought with the propraeor Triarius in various serious battles, who executed in a very skilled way the protection of his province, with the result that the invader's plans were thwarted. For everywhere he was unable to achieve these plans, and was prevented from obtaining supplies, and was repulsed from storming the cities; and while he was preparing many schemes he was struck down by a grave illness and died.

From the extent of this text it is possible to argue that Sallust must have devoted considerable space to the military matters in Sardinia as they occurred during the course of 77; and it is quite plausible to suggest that the

44, while McGushin, *Histories*, 1.153, is simply not justified in dismissing the consuls as "singularly undistinguished".

28 D. Brutus was a distant relative of the M. Brutus who had loyally served the rebel Lepidus; and Livianus was the elder brother of the tribune of 91, M. Drusus, a Lepidus by adoption only and a distant cousin of the consul of 78. For a *stemma* of the Aemilii Lepidi see G.V. Sumner, *The Orators in Cicero's "Brutus": Prosopography and Chronology*, Toronto 1973, 66.

29 For a translation of the text, see McGushin, *Histories*, 1.190, who rightly notes that this epitome has far more information of events in Sardinia in 77 than any of other source. While it may be judged to be contaminated with pro-Pompey propaganda, McGushin, *Histories*, 1.150-151, (39-40Z), it is clearly also complimentary about Valerius Triarius, a Roman senator of recent elevation, but who enjoyed some success in Sardinia and later was also possibly a legate of Lucullus, Wiseman, *NMRS* 269, with the *praenomen* "C". There is clearly some confusion between this Triarius and two putative brothers active within the same decade. Broughton has L. Valerius Triarius, q. 81, pr. 78, and also a C. Triarius, leg. 73-66, *MRR* 2.91, 113, 631, who could easily be synonymous, while Wiseman again identifies two, separating the quaestor from the praetor. The proximity of the quaestorship to the praetorship is suggestive, but not impossible if Triarius was a *novus homo* who began his career late.

governor, Valerius Triarius, was involved in heavy fighting with Lepidus until the summer months of that year.<sup>30</sup> The discussion taking place in Rome about the Spanish command should, therefore, be set in the context of continuing great instability in Sardinia, which was much closer to home, and also the real possibility that Lepidus might break out of the island, as is intimated, and invade Italy. These factors must have influenced the consuls into a belief that they would have been better placed in staying in the city, which was, after all, far more immediate than a war in Spain. All these points will have come up for consideration and, each in their own way, contributed to the granting of proconsular *imperium* to Pompey as a last resort, but one that would satisfy all criteria, and, most significantly, would not breach, yet again, the constitution of the *res publica*, so recently patched together by Sulla.

Once the confusions have been eliminated, the chronology of Lepidus' insurrection in Italy may be summarised in a particularly unimpressive way. On the mainland it was confined to a matter of days in January 77, just before and after the new consulship year, but in Sardinia it persisted for several months. Because the stand-off between Lepidus and the senate had dragged on for several months, Pompey was originally despatched to Picenum to raise troops quickly to counteract any problems that might originate from Lepidus' *provincia*. That Pompey was despatched in response to Lepidus' strategy of sending his legate Brutus into *Cisalpinga* to levy troops seems certain (Plut. *Pomp* 16.2), but that also means that his departure north belongs to quite late in 78. Moreover, Pompey was under strict orders to do nothing more than impede Brutus' activities, and both must have remained essentially inactive until a *tumultus* was declared by the senate at the start of 77. The siege of Mutina was brief and was preceded, by a matter of hours, by the defeat of Lepidus outside Rome; and, although Pompey hurried to the aid of his commander, Catulus, he arrived only just in time to join the engagement at Cosa or even for mopping-up operations a little while after the rebels' departure to Sardinia.<sup>31</sup>

The fact that Pompey had also conducted a levy in northern Italy must have been a major additional factor in the decision to allow him to proceed to Spain. Catulus could have ordered his troops to disperse when the threat from Lepidus no longer appeared imminent, but it is more likely that sound sense prevailed, and that these soldiers also remained under arms near Rome. While Sardinian affairs were so disrupted by Lepidus' activities, it was vital

30 Sallust began the second book of his *Histories* with a detailed account of the Sardinian affair, which suggests a comprehensive coverage of events in 77, and that these were of some magnitude and not just minor troubles, McGushin, *Histories*, 1.45-47, 1.185-190.

31 See McGushin, *Histories*, 1.150-151, for an analysis of the sources and Pompey's possible absence from the crucial battle at Cosa.

that the consuls had forces at their disposal; and this will have held good for the remainder of 77. When the senatorial government was allowed time to turn its attention to the emergency in Spain, developments there, which mostly called for replacing lost legions, could be implemented. Pompey already had an army under his command and in readiness, so there was simply no need to conduct another levy. This could easily have taken months, even with substantial numbers of volunteers lured by a career in the army, and have forced Metellus Pius to get by without aid until the second half of 77 or even beyond.<sup>32</sup> The rapid deployment of forces would certainly have been judged attractive, and easily explains the support for Philippus' motion to send Pompey, who was evidently more than willing to undertake this venture. However, this also means that, for all Pompey's much-vaunted ambition, he was more a recipient of favours in 78 and 77 than someone who extracted them. He was not obviously active in pursuit of these commissions, or was not seen to be actively in pursuit of them, although a later audience might well have assumed that this was actually the case, due to his reputation for duplicity, and especially if memoirs written for Pompey recalled his role in these years with sufficient ambiguity. The appointment as *legatus pro consule* was made specific to his *provincia* of *Hispania Citerior*, with an *imperium* equal to that of Metellus (Val. Max. 8.15.8: *pari imperio cum Pio Metello*),<sup>33</sup> not superior as would have legally been the situation if either of the consuls had been ordered to proceed, nor inferior in the instance of a praetor being awarded the command. However, Metellus' superior *dignitas* as a senior consular was surely intended to keep Pompey precisely in such an inferior position; and this clever strategy seems to have been maintained for the duration of the joint command against the rebels.<sup>34</sup> And it is significant that it was Pompey who was recalled first at the conclusion of the war leaving, Metellus to complete the task with which he had been entrusted nearly a decade before, namely the pacification of the Iberian peninsula and its reincorporation into the Roman empire.

Like the chronology of the Lepidus *tumultus*, Pompey's arrival in Iberia is similarly obscured by a lack of interest, or survival, in the sources.<sup>35</sup> Modern opinion seems to have swung round to placing Pompey in Spain before

32 Compare the delay necessitated by taking a levy of Roman citizens in 107 for the war in Numidia, see Sall. *Iug.* 64.5; Evans, *Marius*, 75-76.

33 Note that Cicero, *Leg Man.* 62, simply says *pro consule*; cf. *Phil.* 11.18, as does Livy, *Per.* 91; *MRR* 2.90. McGushin, *Histories*, 1.190 & 193, is simply unjustified in claiming a transference of command from Metellus to Pompey at this or any stage during the Sertorian War. No source supports this contention.

34 Plut. *Pomp.* 19.5, indicates that deference to Metellus was maintained by Pompey throughout their joint command.

35 Note Greenhalgh, *Pompey*, 236-237, for the sources relevant to the Gallic campaign of Pompey and the identification of a new route from the Po Valley to Gaul, considered by Mommsen, *HR* 2.258, 4.293, to have been Mt. Genève, though other contenders still attract support.

the end of 77,<sup>36</sup> with his defeat at the hands of Sertorius in the late autumn followed by the accustomed winter break. However, it can be shown that Pompey's first disaster did not occur until the spring of the next year. This redating of Pompey's arrival in Spain is fully justified on the following grounds: although he left Rome in the middle of 77, he would then have spent considerable time in southern Gaul, dealing with a serious rebellion there.<sup>37</sup> This affair, like the concurrent instability affecting Sardinia, seems to have been extensive and to have affected, once again, the whole of the region. Pompey himself is said to have claimed that he had reconquered the area between the Alps and the Pyrenees (Sall., *Hist.* 2.98). Cicero (*Leg. Man.* 30) suggests a vicious conflict, an *internecio* or general slaughter of the population in the territories through which Pompey's army passed. Even a single campaign against a tribe such as the obdurate Salluvii (Cic. *Font.* 14; Caes. *B.C.* 1.35) required more than a week or two. Moreover, a more serious menace also presented itself.

Lepidus, it may be recalled, died on Sardinia in the mid-summer of 77 just when Pompey was in southern Gaul. This loss to the rebels on the island was followed by a speedy removal by sea of Lepidus' forces, now commanded by M. Perperna, who intended linking up with Sertorius in Spain. At least, that is the usual supposition given in explanations of Perperna's movement. Perperna did not sail immediately for Spain, however; instead, he crossed from Sardinia to the mainland, possibly touching Cisalpine Gaul to pick up any former supporters of Lepidus who remained in that area, and then went along the coast of Liguria, perhaps tempted to capitalise on the unrest there. He may have arrived too late and thought better of trying to establish himself when Pompey and his army were already present, and sailed on to join the rebels further south. Still Pompey's progress will have been considerably delayed by intelligence informing him of Perperna's possible arrival.<sup>38</sup>

This train of events, which is supported by the text of Exuperantius' reading of the source closest in time to the episode, is surely the most logical, but it would also indicate that Pompey's arrival in Iberia belongs to the spring

36 Following the evidence of Obseq. 58, which places the battle of Lauro during the consulship of Brutus and Livianus in 77, *MRR* 3.162.

37 Briefly noted by Appian, *BC.* 109; not mentioned at all by Plutarch who places his subject directly in Spain following Lepidus' uprising, *Pomp.* 18.1. Cf. *MRR* 3.162-163 for the main sources. The Salluvii or Sallyes, held territory along the Ligurian coast, and threatened Massilia, but it also possible that Narbo and other south Gallic cities were at risk from the Indigetes in the eastern Pyrenees. The Laccetani, who held lands adjacent to Tarraco, inland from the Indigetes, like their neighbours, were also subdued by Pompey at this time, Sall. *Hist.* 2.98. The instability of the entire region is highly reminiscent of the time of the Cimbric incursion.

38 Leach, *Pompey*, 45, who tackles this campaign, takes no account of the war in Sardinia and places Perperna's movements prior to Pompey's arrival in Narbonensis, which would lead to a further delay in events

76. The evidence derived exclusively from Julius Obsequens for the previous year is at fault. For Pompey to have accomplished all that needs to be accommodated in 77, including an unsuccessful campaign in Spain, taking into account that his progress was controlled by Lepidus' continued activities in Sardinia, is simply not credible. The battle of Lauro belongs to 76 after all.<sup>39</sup>

The early campaigns in the Iberian peninsula were not as glorious as Pompey might have wished them to appear, or certainly would have liked remembered. The sources betray an obvious lack of maturity in their descriptions of his leadership in the initial engagements with Sertorius (App. *BC*. 1.109), and illustrate that the Spanish wars, following on the insurrection of Lepidus, form a lengthy period of real apprenticeship in generalship for Pompey. He does not emerge as a master of the art of warfare in the mid-70's, as the debacle at Lauro should amply testify (Plut. *Sert.* 18.3-6). Probably flush from further victories in Gaul, and with memories of great triumphs only three years earlier, Pompey was guilty of overconfidence, though most of the ancient writers proclaim in Sertorius a calibre in military affairs barely surpassed in the entire history of the *res publica*.<sup>40</sup> Still, the existence of propaganda, for or against Pompey, cannot be excluded from the accounts devoted to this period of his career, and the picture of a youngster struggling against Sertorius, the brilliant fighter, should possibly be regarded as somewhat suspect. And, as in all good novels, the rebel was never fully defeated in battle,<sup>41</sup> and lost his life not on account of the military expertise of his opponents but because of treachery in his own ranks. Plutarch (*Pomp.* 18.2) stands rather apart from this apparent standard characterisation of Sertorius and Pompey. He notes a certain degree of *hubris* in Sertorius'

in Spain. Greenhalgh, *Pompey*, 43-44, concurs with this chronology arguing for a major campaign during the course of 77. The suggestion that Pompey spent the winter at Narbo, Gelzer, *Pompeius*, 48; Leach, *Pompey*, 45, rests on a fragment of Sallust, *Hist.* 2.22M, which does not specify winter quarters at all. Pompey could as easily have remained near Massilia since it was in this vicinity that the trouble with the Saluvii had taken place. For a discussion of Perperna's exodus from Sicily in 81 first to Liguria before joining Lepidus in Sardinia thence back to Liguria and on to Spain, note A. Keaveney, "Young Pompey, 106-79 B.C.", *AC* 51, 1982, 126-127.

39 *Contra MRR* 3.162-163, who accepts a chronology including the battle of Lauro in 77 "as possible, if not certain", but also recognises that Lepidus's death may have been later than spring 77 and the logistical difficulties of troops movements by sea from Sardinia via Liguria to Spain all before the end of the Autumn. It is interesting to observe that Mommsen, *HR* 4. 293, considered Pompey's arrival in the Pyrenees to have been in late 77, and placed the engagement at Lauro in 76 after Perperna had arrived in Spain from Liguria, and had formally placed himself and his forces under the command of Sertorius. Gelzer, *Pompeius*, 46-48, follows Mommsen's chronology, also placing the death of Lepidus more realistically in the summer of 77.

40 Note the overwhelmingly positive nature of modern assessments of Sertorius, Leach, *Pompey*, 37: "inspiring, some would say brilliant"; Greenhalgh, *Pompey*, 40-43: "tragic figure ... intensely patriotic ... enormous talent ... more than a great soldier." This recent accolade is strongly influenced by Mommsen, *HR* 4.281: "excellent man ... chivalrous bravery ... honourable scars ... remarkable military and statesmanly talent." See also, Flor. 2.10.2; Plut. *Sert.* 18.1.

41 Sall. *Hist.* 2.98M; Greenhalgh, *Pompey*, 52-54. Note the unexpected comparison made between

## QUESTIONING REPUTATIONS

personality, but also a fear of Pompey's abilities, and that this was a young man whom the rebel needed to watch very carefully.<sup>42</sup>

The most extensive accounts of Pompey's campaigns are those of Plutarch and Appian. Appian is the more notable because of his clear antipathy towards his subject (*BC.* 1.109-115), although he was perhaps unduly influenced by a hostile source, which had detailed Pompey's military career.<sup>43</sup> No time is wasted in recording that Pompey lost up to a fifth of his entire army as soon as he arrived in Spain:<sup>44</sup>

As soon as Pompey arrived in Spain Sertorius destroyed a whole legion of his army, which was foraging with the pack animals and servants. He also plundered and destroyed the Roman town of Lauro before Pompey's eyes.

In the next year, Pompey was defeated at a battle near Sucro (*Plut. Sert.* 19.2-5; *App. BC.* 1.110) and later in the same summer near Saguntum (*Sert.* 21.1-2), in another bruising engagement with Sertorius, he lost another 6 000 men. By the end of the campaigning season of 75, Pompey's forces were severely depleted, by as much as two legions, which were accordingly replaced while he wintered in Narbonensis in 74/3 (*Cic. Font.* 16; *Sall. Hist.* 3.46M; *Liv. Per.* 93; *App. BC.* 1.111).<sup>4</sup> The fact that the Romans were obliged to return to Gaul for the winter suggests either such serious reverses that Pompey could not secure a base anywhere in the north-east of Iberia or, seeing that Tarraco was not held by the rebels, more likely, that further trouble had flared up in *Gallia Narbonensis*. Nonetheless, Metellus Pius had proved the more successful of the Roman commanders both at Sucro and at Saguntum, although there is the suggestion (*BC.* 1.110) that Pompey helped extricate his colleague from a tricky military situation. Still, in the next campaigning season, Pompey was forced into an ignominious retreat from besieging

Pompey's exploits in the Alps with those of Hannibal, *App. BC.* 1.109, though a little later, 1.112, it is Sertorius who was named another Hannibal because of the similar tactics he employed against the Romans. This notion of the undefeated enemy of Rome introduces a distinctive romantic element into the tale.

42 The negative view of Metellus Pius is much developed in the literary sources, *Plut. Pomp.* 18.2, *Sert.* 13.1-2, noting that he succumbed to *luxuria* after many years of campaigning. There is an excuse for portraying a somewhat ineffectual leadership at this point, and opens the way for the new chapter in the Spanish campaigns to begin. It also may have some connection with the description of Numidicus waiting for the arrival of Marius in 108/107. For Sertorius' supposed fear of Pompey see also *Vell.* 2.29.5: *Pompeius timeretur validius*. But also consider the existence of *topoi* here since Sertorius was to be similarly afflicted, *App. BC.* 1.113.

43 Appian seems to have ignored what was for him the fairly recent biography of Plutarch, which must surely have been accessible, as must other encomia about Pompey available in the second century AD, whereas a negative source is not as easily traceable, though Tacitus hardly flatters. On the sheer volume of source material, see Jones, *Plutarch and Rome*, 86 n.32.

44 Pompey's army was supposedly 31 000 at full strength, 30 000 infantry and a thousand *equites*, *Oros.* 5.23.9; Gelzer, *Pompeius*, 48; Greenhalgh, *Pompey*, 46. In two defeats, Pompey lost two of his legions, about 10 000 men, but there could be some exaggeration here.

45 For further discussion, see McGushin, *Histories*, 2.85-86.

Pallantia in the Celtiberian heartland to the safety of Metellus' army (*BC*. 1.112). Indeed, it was only during the course of 73 – three years after his arrival in Spain – that the fortunes of Pompey began to change. This new state of affairs was reached not because a superior strategy had been employed by his opponents (*Flor.* 2.10.6), but mainly since Sertorius appears to have given up all hope of an outright victory (*BC*. 1.113). And it was Sertorius' successor, Perperna, who was finally defeated in battle and killed on the orders of Pompey (*BC*. 1.115) in the next summer.<sup>46</sup>

Plutarch's coverage is less concerned with a chronological sequence but is, on the whole, more sympathetic towards Pompey (*Pomp.* 18-20).<sup>47</sup> Pompey is made to instil confidence back into the forces of Metellus (*Pomp.* 18.1) since their commander had become ineffective,<sup>48</sup> and it is implied that the losses incurred at Lauro were more than compensated for by the victory at Valentia (18.3). Pompey's defeat at Sucro was caused by pride, and the desire to triumph without the aid of his colleague (19.1-4) who evidently came to his rescue (19.4). With the war in Spain all but won, Plutarch strongly suggests (20.1) that Pompey was already casting around for further employment and had set his hopes on a command against Mithridates, though it seems unlikely that such ambitions could have been entertained before the assassination of Sertorius in 73 at Osca,<sup>49</sup> by which time Lucullus had already been despatched to Asia Minor.<sup>50</sup> The defeat and death of Perperna in 72 left the rest of that year clear for Pompey's reorganisation of *Hispania*

46 Although Appian's chronology is suspect in places, here he is a surer source than Plutarch, and when measured against Livy's epitomes is obviously not profoundly in disagreement. *Liv.*, *Per.* 91, has Pompey in Spain following events in Italy in 78/77, and is not complimentary, *Per.* 92, about his performance – *dubio eventu cum Sertorio pugnavit ... Pompeius pavum prospere pugnavit* – presumably in 76/75, with no great victories, *Per.* 93, until, *Per.* 94: *praeterea res a Cn. Pompeio in Hispania contra Sertorium prospere gestas continet*, which may refer to 73, with the murder of the rebel recorded prior to Perperna's defeat and death in 72, *Per.* 96.

47 Jones, *Plutarch and Rome*, 107. Compare the account given in the biography of Sertorius, where the war occupies half the twenty-seven sections of the entire work, but much embellished rather than possessing more details.

48 Plutarch can hardly believe his own source, *Pomp.* 17.2, 18.2, that Metellus was getting on in years and had given himself over to *luxuria*. The account of the war that follows hardly supports the information given, however, and anti-Metellus propaganda is surely evident here.

49 For the date of Sertorius' death, see P.O. Spann, *Quintus Sertorius and the Legacy of Sulla*, Fayetteville 1987, 128-130 & n. 32-33; *MRR* 3.164. Had Sertorius been killed as late as 72 it is doubtful whether Pompey could have returned to Italy in time to catch and obliterate the last remaining supporters of Spartacus, since Plutarch places his subject in his *provincia*, *Pomp.* 21.1, "subduing the greatest disorders and settling affairs".

50 Even if Plutarch's supposition was correct, and it is noticeably absent in the other sources, the war in Spain was not won until the defeat of Perperna in 72. By that time Lucullus had achieved a great deal against Mithridates, and neither the senate nor the people would have countenanced a hand-over of the campaign to Pompey at that juncture. There may have been elements who would have wished a transfer of a command in the late 70s, but it is extremely unlikely that a *plebiscitum* would have been successful while Lucullus was successful. Plutarch may therefore be transposing views out of context which are more applicable to, and more understandable at, the end of Pompey's consular year, and even later. On the question of designs on a Mithridatic

*Citerior* (Plut. *Pomp.* 21.1),<sup>51</sup> and then for a return march to Italy via southern Gaul in the Spring of 71 followed by brief operations against the surviving supporters of Spartacus (*Pomp.* 21.2).

Like Marius' victories in Numidia thirty-five years earlier, Pompey's successful Spanish campaign was hardly extraordinary. However, like Marius' arrival in Rome in 105, Pompey's return was also greeted with hysterical enthusiasm. The almost unnatural fervour of the population is explicable, not necessarily because of any enthusiasm for Pompey's victories over rebels in distant Spain, but for the coincidence of his arrival and participation in terminating a menace, which was probably perceived as a dire threat to the entire fabric of the *res publica* and to Roman society as a whole. It is no wonder that Pompey was warmly welcomed as he approached Rome, just as the people had also awaited Marius as he came to the city from Africa at the end of 105. Once again, as before, the prize of a consulship could simply not be denied. A *privatus* was to be catapulted into high magisterial office, and this event had become inevitable. However, that inevitability was based more on a question of chance than on military genius. Pompey's youthful triumphs in Sicily and Africa no doubt played a part in the creation of a reputation that eventually brought him political eminence. Without the immediacy of the Spartacus rebellion, however, the cautious Roman electorate and the voting system of the *comitia centuriata* may well have not inclined so favourably towards this inexperienced politician; but it is as well to remember that a new command was not available for the new consul – that was to remain out of reach for three more years. The citizen electors could afford to be generous.

The fact that Pompey's exploits in Spain were readily available to writers two hundred years afterwards, and in a political system which would not necessarily have been that favourable towards the prime opponent of Julius Caesar,<sup>52</sup> must mean that, even if Plutarch and Appian obtained their information from an intermediary source such as Livy, the original evidence had been, unlike that for the campaigns of Marius in North Africa and, largely, for the Germanic wars, been written down, either by Pompey himself, on his

command in the mid-70s, accepted by J. Van Ooteghem, *Pompée le Grand, bâtisseur d'empire*, Brussels 1954, 122; but dismissed by Seager, *Pompey*, 19 n. 53.

51 Metellus had left the last mopping-up operations to Pompey alone, App. *BC.* 1.115. Metellus was justified in this action since the ultimate battle was clearly not a momentous occasion, Plut. *Pomp.* 20.2-3; *Sert.* 27.2; App. *BC.* 1.115, and before this final encounter the two commanders had always acted in tandem. Plutarch, *Sert.* 27.1, states clearly enough that the rebellion virtually ended with the death of Sertorius. Metellus plainly felt this to be a correct assessment of the situation, and had already begun the restoration of normal conditions in *Hispania Ulterior*, Flor. 2.10.9; Fest. *Brev.* 5.19; Eutrop. 6.1.

52 The reappearance of pre-Principate political figures during the reign of Trajan may well have produced a spurt of interest in Pompey and others. Trajan himself copying the format of Caesar's *Commentarii*, and a native of Spain may have had something to say about Pompey in his *Dacica*.

instructions by Theophanes (*Pomp.* 37.2), or by a colleague such as Varro.<sup>53</sup> Plutarch's account is much the most appreciative, especially where, plainly influenced by a positive source, he egregiously consigns the part played by Metellus Pius in the Spanish campaign to oblivion (*Pomp.* 21.2), in a passage strongly reminiscent of the encomium to Marius after his second Germanic triumph:

... as for Spain and Sertorius, there was no one who would have said, even as a joke, that the whole work in their subjugation was performed by any one other than Pompey.

Quite by contrast, both Appian's account and the one to be found in the epitomes of Livy are distinctly lacking in enthusiasm for Pompey's political role:<sup>54</sup>

*M. Crassus et Cn. Pompeius consules facti, (s.c. Pompeius, antequam quaesturam gereret, ex equite Romano), tribuniciam potestatem restituerunt. Iudicia quoque per Aurelium Cottam praetorem ad equites Romanos translata sunt. (Per. 97)*

Marcus Crassus and Gnaeus Pompeius were elected consuls, and Pompeius in accordance with a senatorial decree while still a Roman equestrian, and before he had served as a quaestor. The composition of the juries was transferred to the Roman equestrians by the praetor Lucius Aurelius Cotta.

It surely does emerge that, for all his early promise as a general, Pompey's long and hard-fought wars in Iberia brought him less *gloria* than his chance and brief participation in subduing a servile revolt. His elevation to the pinnacle of the *cursus honorum* was not a foregone conclusion until after the obliteration of the slave rebellion.<sup>55</sup>

53 Pompey is not remembered as a writer, and in the Mithridatic campaigns Theophanes of Mytilene kept a record of events for his commander written up perhaps about 63/62, *OCD*<sup>2</sup> 1058; cf. *OCD*<sup>3</sup> 1504; G.W. Bowersock, *Greek Sophists in the Roman Empire*, Oxford 1969, 43. Theophanes' relationship with Pompey may have gone back some years before the campaign with Mithridates, however, and an earlier composition about the Spanish wars may have existed by his hand if not another's. The letter to the senate demanding aid for the campaign against Sertorius, assigned to him by Sallust, *Hist.* 2.82, may have been based more than loosely on one written by the general, W. Anderson, *Pompey: His Friends and the Literature of the First Century B.C.*, Berkeley 1963, 59; McGushin, *Histories*, 1.242, or may have been obtained from memoirs written up later. Pompey was certainly not uneducated, Plut. *Pomp.* 1.3, and from an early stage in his career had connections with literary figures, such as rhetorician Voltacilius and the freedman Lenaeus, Pliny, *NH.* 25.7, while M. Terentius Varro, an *amicus*, and important literary figure in his own right, and a member of Pompey's *consilium* in Spain, may have been responsible for much of the early material about Pompey, McGushin, *Histories*, 1.224-225.

54 So much, perhaps, for Livy's supposed "Pompeian" tendencies in his history, which do not appear in the epitomes devoted to the war in Spain.

55 The oration of the tribune Licinius Macer, Sall. *Hist.* 3.48M, dated to 73, implies that, even at that stage,

Pompey's triumph took place on the last day of 71 and, hence, prior to his becoming a senator by virtue of his election to the consulship.<sup>56</sup> He had obviously not vacated his *provincia* until the spring of 71, and presumably made a dignified march to Italy, worthy of an aspiring *triumphator*. It seems quite feasible to suggest here, even if a new proconsular governor was installed in Narbonensis, that Pompey's settlement of southern Gaul in late 77 required his attention and delayed his progress; happily for Pompey. That he fully intended being a candidate for the consulship rests on the fact that the elections had probably been postponed into the autumn; and there is no other reason for this disruption to the electoral calendar unless the threat of an attack on the city by Spartacus made the convoking of *comitia* undesirable.<sup>57</sup> In the elections of the new consuls Pompey, not unexpectedly, was returned ahead of Crassus, although both must have been elected unanimously by the centuries. No other candidates are attested and none were likely to have enjoyed any popularity with the voters.<sup>58</sup> Probably within a short time of his election to the most senior office of the *cursus honorum*, Pompey as consul designate, but yet to appear in the senate for the first time, 55 The oration of the tribune Licinius Macer (Sall. *Hist.* 3.48M) dated to 73, implies that, even at that stage, as a magistrate, celebrated his triumph for

Pompey's return to Rome would inevitably lead to a consulship. However, this may well be Sallust's playing with the chronology, as he often does, with the benefit of hindsight since before Sertorius' death there was no end in sight to the war.

56 Pompey triumphed *bis* while still an *equus Romanus*. Vell. 2.30.2: *Metellus et Pompeius ex Hispaniis triumphaverunt; sed Pompeius, hoc quoque triumpho adhuc eques Romanus, ante diem quam consulatum iniret*, 40.4. Plut. *Pomp.* 22.1, 23.2, 45.5; *MRR* 2.124. This was a joint triumph with Metellus Pius, App. *BC.* 1.121; Van Ooteghem, *Pompée*, 139-140: "trionphe commun"; Leach, *Pompey*, 58-59, since they had commanded together against Sertorius; cf. A. Ward, *Marcus Crassus and the Late Roman Republic*, Columbia Miss., 1977, 44 and n. 41, for the argument that Pius returned only in 70 from Spain. Pompey's colleague Crassus celebrated an *ovatio* for his victory over Spartacus earlier in the winter. The order would have been appropriate depending on the importance of the celebrations. As Leach notes, *Pompey*, 59, no source dwells on this triumph, and Plutarch, *Pomp.* 22.1, jumps immediately into the controversies of Pompey's consulship. Details of the triumph were probably suppressed by sources sympathetic to Pompey precisely because it was not a solo celebration. For a concise discussion of events, see H.H. Scullard, *From the Gracchi to Nero*, London 1982<sup>3</sup>, 418-419.

57 An actual attack on the city in January 77 had not prevented the *comitia* being convened. The voting at Rome was affected by delays more often than it might otherwise appear. The elections had been delayed in 110, Sall. *Iug.* 37.1-2, 105 and in 78, and were probably delayed again in 71, but, P. Cornelius Lentulus Sura, though probably considered disreputable and soon to lose his senatorial status, presided over the elections of the senior magistrates. Sura's colleague, Cn. Aufidius Orestes, *MRR* 2.121, had died earlier in the year, or very soon after his consulship ended, Evans: 1987, 70; Syme, *Sallust*, 85 n. 8: "inconspicuous"; *The Augustan Aristocracy*, Oxford 1986, 22.

58 There is a chance that C. Calpurnius Piso, consul in 67, who was certainly extremely hostile towards Pompey at the time of the *lex Gabinia*, may have been a candidate in 71, and was forced to withdraw from canvassing because of the overwhelming popularity of Pompey and Crassus. Note also L. Calpurnius Piso Frugi (pr. 74) who progressed no further than the praetorship, and Q. Arrius (pr. 73) who campaigned unsuccessfully for the consulship in 59, Evans: 1991, 121. Pompey and Crassus did not deliver their *professiones* in person, which was probably not essential before the end of the 60s, but were present at their elections held in the Campus Martius, J. Linderski, "Were Pompey and Crassus Elected in Absence to their First Consulships", *Mélanges offerts à K. Michalowski*, Warsaw 1966, 523-526.

the ending of the rebellion in Spain.<sup>59</sup> At this point, the position of the consuls designate is worth considering as it has a direct bearing on Pompey's performance as a consul. Had he and Crassus been elected at the usual time, say between July and September, they would have been the designated consuls for the normal period of between four and six months before entering their year in office. This was the most effective period of a consul's year since it was only now that these successful politicians were honoured by being called upon by the presiding consul to deliver their *sententiae* first in debates in the senate. It was an ideal opportunity to openly formulate and dominate policy. Once their year in office had begun, the consuls in turn presided over the senate, but the initiative of delivering the first oration passed away from them, and after their own mid-term they became nearly lame-ducks to the new *designati*. Pompey had yet to become a member of the senate in 71 and, like his colleague Crassus, he also held *imperium* and so could not enter the city. Senate meetings could be held outside the *pomerium* and frequently were, but it is surely arguable that Pompey would not have possessed sufficient *auctoritas* to demand too many such *extra urbe* assemblies before his consulship year began. The records of this period seem to point to preparations for a triumph and for orations possibly delivered in *contiones*, but not to any gatherings of the senate. Therefore, Pompey missed his chance to learn to excel in that forum, and his feeling of insecurity supposedly prompted Varro to write a procedural guide-book. Lack of knowledge of senatorial protocol need not necessarily reflect a lack of political expertise or acumen; and Pompey, the son of an astute man of public affairs who was well remembered for his pernicious intrigues, handled his consular year without any suggestion in the ancient sources of ineptitude born out of too many years under arms.<sup>60</sup> Similar observations have, in the past, been made about Marius' lack of ability as a political figure, and have been found to be wanting in accuracy or insight.<sup>61</sup> However, Pompey's ambitious plans for combining the

59 For the order, duration and presiding officers of the elections see E.S. Staveley, *Greek and Roman Voting and Elections*, New York 1972, 209-211; Evans, *Marius*, 46;  *OCD2* 272; cf.  *OCD3* 372-373. Pompey also presided over the censorial elections which would have occurred later in the spring, but before the normal elections for 69 over which this consul also presided. The election of L. Gellius Poplicola and Cn. Cornelius Lentulus Clodianus (coss. 72), invariably identified as supporters of Pompey, as the new censors is hardly remarkable, *MRR* 2 126-127. Note that Leach's chronology for 71, *Pompey*, 57-60, is at odds with the one offered here, though no source gives details of the events in this year. Other modern works neglect the chronology of 71.

60 Varro's treatise on how to behave in the senate should be regarded for what it was, a set of rules and regulations about complicated ritual that Pompey had not witnessed as a junior senator, and does not expose supposed political naivety rather than a simple ignorance of religious and semi-religious formulae, and the proper desire to avoid the sort of *faux pas* committed by Marius in 104, who is said to have entered the senate in triumphal robes. It also had little to do with Pompey being "a military rather than political figure", Greenhalgh, *Pompey*, 65-68, but much more about wanting to be seen as a staunch upholder of the *res publica*.

61 Mommsen's rustic characterisation, *HR* 2.189, of Marius has never been fully overturned in the modern accounts; cf. Evans, *Marius*, 15 n. 56.

display of military honours and the consulship brought him few benefits. As soon as his triumph was held, Pompey's *imperium* ceased, and he would have been allowed admission to the senate on the following day, 1<sup>st</sup> January 70.<sup>62</sup> Metellus Pius had plainly been in no mood to hurry back to Rome, and his tardiness in returning must have contributed to the very late celebration of the triumph over Spain. This meant that Pompey's most effective period of political muscle, before the actual consulship year, disappeared altogether. He may even have not been especially worried by the truncation of this loss of influential time which was, in effect, halved.<sup>63</sup> This lack of concern would, however, also call into question any interest Pompey may have had in the legislation which is usually assigned solely to him. Blocking Pompey outside the city for all these months just for the sake of the honour of a second triumph,<sup>64</sup> and while he remained an *equus*, actually curtailed his political powers and the potential for real activity in domestic affairs. As a result, the consulship year, became far less momentous than it might otherwise have been.<sup>65</sup> This chronology of events certainly compares poorly with Caesar's canny recognition of the relative importance attached to, on the one hand, a triumph, and, on the other, a full term as consul with all its legislative possibilities.

After his election, and following by then an age-old practice that all newly elected senior magistrates addressed the people, Pompey delivered an oration, still outside the city, in which he set out his intentions for political reforms.<sup>66</sup> This speech, which is noted by Cicero, who probably witnessed the event at firsthand, placed popular legislation for the return of the tribunician powers on the agenda as a priority. This promise was evidently carried through

62 Modern opinion is rather fuzzy on this issue. But see the conclusions of Linderski: 1966, 523-526.

63 It becomes rather reminiscent of his six-month sole consulship in 52. This phenomenon was not unique. M. Antonius (cos. 99) triumphed between the 1st and 29th December 100, after he had been elected consul. However, as a senior *praetorius* he could have attended meetings of the senate held outside the *pomerium*.

64 Triumphs were not the ultimate honour as Caesar realised in 60 by renouncing the celebration granted in preference to canvassing for the consulship. Of course, Pompey had already won his election but he let slip away many of the advantages of his office, which again displays political immaturity.

65 The denarii issued in and around 70 again appear to refer to contemporary events. It is possibly no coincidence that a M'. Aquillius, son of the consul of 101 and subjugator of the slave rebellion in Sicily, should have been a moneyer in 71 when the Servile War was finally extinguished, Crawford, *RRC* 1.412. Nor is it remarkable that Pompey himself should have been responsible for a commemorative issue of aurei in 71 just before his triumph, *RRC* 1.412-413, but it is remarkable that no reference to Spain is made and instead an illustration of Africa appears on the obverse. The triumph was clearly regarded as being in as much poor taste as was Crassus' *ovatio* over the slaves. In the regular coinage that Crawford, *RRC* 1.413, assigns to 70, a probable reference is made by the moneyer (Q. Fufius C.f.) Kalenus and Cordus (perhaps a Mucius Scaevola) to the census undertaken in that year. On the identity of these moneyers, see H.B. Mattingly, "The Date and Significance of the *Lex Antonia de Termessibus*", *Scholalia* 6, 1997, 73.

66 Cicero's reference to this oration, *Verr.* 1.45, some six months later, shows only that it was given soon, if not immediately, after Pompey's election. A single line of Sallust, *Hist.* 4.45M, probably refers to this occasion, McGushin, *Histories*, 2.161-162; Seager, *Pompey*, 23 n. 85.

quickly either on the authority of the consuls themselves or by the tribunician college, but was it of great importance to either Pompey or the general populace?<sup>67</sup> The other measures apparently raised by Pompey on this occasion – corruption of the juries, provincial government – look like stock-in-trade propaganda suitable for a consul designate’s oration.<sup>68</sup> Pompey had no reputation as a politician either as a radical or as a conservative. A suitably popular stance, coming after the successful conclusion of an external war and internal civil unrest, would do him no harm whatsoever. It seems unlikely that Pompey was particularly passionate about the return of the remaining outstanding powers to the tribunes, but realised, or was advised, that championing this cause would and could pay dividends in the future. With his sights set in all likelihood on a new military command, tribunician and popular support could prove vital and be the just reward for services accomplished in his consulship year. Seeking popular favour again probably accounts for the scene played out before the censors, Gellius Poplicola and Lentulus Clodianus, consuls in 72, later in the year when Pompey asked for discharge from his military duties (Plut. *Pomp.* 22.3-6). During the censorial review of the equestrian order, Pompey appeared before the magistrates and, when asked if he had fulfilled his military duties as required by the law, he was able to declare that not only had he fulfilled those requirements, but that uniquely he had served “under himself as imperator”. This witty, but truthful response, won him great applause from the assembled masses, and ended with the consul being escorted home by the censors and by a great crowd of well-wishers. The episode, as recounted by Plutarch, may be largely anecdotal, but it does surely indicate that the populace liked to see their public figures sometimes indulging in comical and light-hearted stage play; it could only serve Pompey’s interests in subsequent years.<sup>69</sup> For all that popularity, however, Pompey’s consulship ended in anti-climax with scarcely concealed ill-feelings between the consuls (Plut. *Pomp.* 23.1-2); and with no overseas commands assigned, both consuls crept away to apparent early retirement.

67 Repeal of an entire *lex Cornelia* from the *corpus* of Sulla’s legislation, or even a stipulation within another law must have involved a full *senatus consultum* rather than a *plebiscitum* passed in the *concilium plebis*. Pompey and Crassus possibly opted for a joint law, a *lex Licinia Pompeia*, Leach, *Pompey*, 61, though the latter’s role tends to be ignored as Seager, *Pompey*, 24 n. 91, shows. Greenhalgh, *Pompey*, 65-66, for example, concentrates on Pompey alone. On the role of the tribunician college in the late 70s, see also Mattingly: 1997, 76-78.

68 Cf. Sallust, *Iug.* 85, and Marius’ post-election oration. The original speech attributed to Pompey by Sallust may well have been composed of familiar elements, castigating the senate as a class, and inflaming the passions of the urban mob with promises of attacks on privilege. Appian’s chronology, *BC.* 1.121, is probably wayward at this point, placing Pompey’s promise about the tribunes’ powers before his election, though this dating is followed by Gelzer, *Pompeius*, 58.

69 Compare the funny scene played out by Marius and his political ally Saturninus in the consular elections for 102, Evans, *Marius*, 116 and n. 89; and Chapter 4.

Why should this denouement have occurred since it again speaks volumes about Pompey's inexperience as a politician? Although Pompey had presided over the election of the new consuls, the results may not have been greatly to his liking, since Q. Hortensius and Q. Caecilius Metellus Creticus were elected. Pompey's political influence in 70 seems rather ephemeral and plagued with the recurrent enervation that punctuated his career.<sup>70</sup> It is also perhaps no wonder that Pompey, with so little practical time left to him, should have initially wanted to appear so robust in his consulship, but fairly quickly retreated into the background once the tribunate's powers had been fully restored, and his commitment to political allies had been fulfilled. The jury reforms that are so closely linked to Pompey by Plutarch (*Pomp.* 22.3), but not by Livy's epitomist nor by Appian (*Per.* 97; *BC.* 1.121); are possibly misattributed since this law saw its passage much later in the year, under the guidance of the praetor L. Aurelius Cotta. Cotta is not attested as a particular friend of Pompey and, more likely, was allied to the consuls *designati*, Hortensius and Metellus Creticus, without whose support this reform would in any event have failed.

When Pompey's career in the 70s is examined carefully, it is remarkable for the consolidation, which he managed to base on the earlier military successes of the decade before. This advance is, however, underscored by cooperation and respect for, and not by radical activity against, the senate, which can be seen to have maintained its control over political and military affairs even when under severe pressure. Pompey's very early brilliance will, of course, not go away, but it was probably more due to experienced officers in his forces than to his own skills; and he was not faced with formidable enemies either in Sicily or in Africa. The Spanish campaigns did not illustrate consummate generalship at first either, but in the end perseverance paid off; and Pompey reaped the dubious reward of a truncated consulship and a joint triumph, both of which were, very clearly, best forgotten.<sup>71</sup> The

70 Pompey had a predilection for illness, possibly at appropriate times only and, therefore, was also one in a long line of Roman republican *duces* who displayed all the signs of hypochondria, including Julius Caesar and Augustus. J.A. Crook, *The Cambridge Ancient History*, Volume 10: The Augustan Empire 43 B.C. - A.D. 69, 77-78. Augustus was frequently ill, Suet. *Aug.* 8.1 (46 BC), 13.1 (42 BC), 59.1, 72.2, 81.1 (23 BC), 81.2-82.2, 97.3, 98.5-99.1 (AD 14). In 50, Pompey was apparently ill at Naples, Crook, *CAH* 78, but Cicero, although he mentions Pompey in that city, *Att.* 7.2.5, does not record sickness, an episode which emerges only in Plutarch's life, *Pomp.* 57.1. Elsewhere Cicero's scepticism about Pompey's "annual grave illnesses", *Att.* 8.2.3, illustrates more a state of mind than a physical problem. Cf. D.R. Shackleton Bailey, *Cicero's Letters to Atticus*, Cambridge 1968, 4.326, who designates the occurrence of sickness as "the celebrated one in 50". Pompey was almost certainly "ill" before, which would account for fairly lengthy periods of inactivity earlier in his career. Pompey was also petrified about attempts on his life, B.A. Marshall, "Pompeius' Fear of Assassination", *Chiron* 17, 1987, 119-133, which often kept him at home, a real neurosis or a skilful political ploy, which he employed frequently, and sometimes to his advantage.

71 Note Lucan's *Civil War*, trans. S.H. Braund, Oxford 1992, 7.14: "with the west pacified, revered in his

first consulship was neither a disaster nor a glorious occasion, but Pompey's later dominance in military and political affairs was the product of more than twenty years' preparation. It is easily evident that in the ten years prior to his consulship it was the military adventures which were uppermost in his mind.

Plutarch (*Pomp.* 46.1) concludes his description of Pompey's triumph over Mithridates of Pontus with the rather pious observation that:

How happy would it have been for him if his life had ended then, because up to this time he had enjoyed the good fortune of Alexander; and because in the period that followed, his successes brought him only envy, while his reverses were beyond all hope of recovery.

Since Pompey's honours and exploits were deemed greatly exceptional: "so that it appeared in a way to have included the whole world in his three triumphs" (*Pomp.* 45.5), it was logical that the comparison would be made with the quintessentially monarchical triumphs of Alexander over Persia.<sup>72</sup> However, Plutarch's hyperbolic declaration, a comparison which even incorrectly states Pompey's age, that the writer must have known and which was, by then, considerably more than that of the Macedonian monarch at his early death,<sup>73</sup> is the sort of artistic licence that obscures the reasons why it was made in the first place: that with the benefit of hindsight, autocratic power appeared close to a reality in Rome.<sup>74</sup>

Such loose attention to detail by nearly the major source of information on the subject here, presages many a modern study, and illustrates only too

plain toga as much / as in the one that adorns the chariot, with the Senate clapping / he sat, still a Roman knight." The event is clearly glossed over.

72 Even to the extent of comparing physical likeness, *Pomp.* 2.1-2, though busts of Pompey hardly support this contention. Later, Augustus was far more successful at achieving some degree of parity in the endeavour to be regarded as the Roman Alexander. On this issue see, for example, K. Galinsky, *Augustan Culture: An Interpretative Introduction*, Princeton 1996, 48: "Coin types and early portraits of Octavian assimilated him to Alexander."

73 Plutarch recognised the popularity of this comparison, *Pomp.* 46.1, but still reiterated it for the benefit of his audience. Moreover, in the life of Caesar, *Caes.* 11.3, itself contrasting with the biography of Pompey, the same issue was broached, though at that point his subject shed tears as he was reading a history of Alexander's reign because though of similar age he had yet to accomplish anything worthy of note. Caesar was certainly not likened to Alexander physically, but for emulation of the Macedonian monarch in other respects see P. Green, "Caesar and Alexander: Aemulatio, Imitatio, Comparatio", *AJAH* 3, 1979, 1-26, who notes that though some writers drew the comparison the dictator himself did not. Note also Leach, *Pompey*, 53, that Pompey himself early on may have adopted the practice of Alexander in naming towns after himself, for instance, Pompaelo (Pamplona) in the territory of the Vasconii in northern Spain; cf. Cic. *Verr.* 2.5.153. Pompey continued with this practice later in Asia Minor at the conclusion of the Mithridatic War.

74 To contemporaries of Plutarch, especially Greeks, the comparison will have appeared apposite, but to a Roman audience of the first century BC, references to Scipio Africanus, Marius or Sulla would have been more appropriate. However, contemporary and supportive Greek writers such as Theophanes and Posidonius might well have dwelt on the comparison; and their compositions were certainly employed by later writers such as Diodorus, U. Vogel Weidemann, "The Dedicatory Inscription of Pompeius Magnus in Diodorus 40.4", *AClass* 28, 1985, 69.

## QUESTIONING REPUTATIONS

well the difficulty of placing Pompey in a military and political context in the 70s. During this decade Pompey managed, though with some very tremulous moments, to secure a place among the political elite. Thereafter, using tribunes and tribunician legislation, arguably cleverly adopted from the example provided by Marius, to his personal advantage, and by some sagacious personal management, he obtained for himself an apparent primacy at Rome.

In the 70s the depleted senior ranks of the senate faced more foreign and domestic crises than since the Second Punic War. Wars may have been a commonplace for the senatorial government, however in this particular decade there were simply too few men of sufficient rank, authority and experience to fill all the commands required. The *ad hoc* appointments made, particularly as they affected Pompey personally were a necessary action in order to maintain Roman control of external affairs. Such a policy of employing *privati* in military commands led to the inevitable result: a man who had yet to become a senator became a consul.

Pompey clearly irritated the great German historian, Mommsen, who was evidently beset by the realisation that this precursor of Augustus should have attained greater heights. That he did not do so must have lain either in the absence of aspiration or, more likely, the want of talent.<sup>75</sup>

Pompeius lacked no condition for grasping at the crown except the first of all – proper kingly courage ... with his effort to be at once loyal republican and master of Rome, with his vacillation and indecision, with his plainness that concealed itself under the boasting of independent resolution. The man altogether ordinary in every respect excepting only his pretensions, would doubtless gladly have placed himself beyond the law, if only he could have done so without forsaking legal ground. A good officer, but otherwise of mediocre gifts of intellect and of heart, fate had with superhuman constancy for thirty years allowed him to solve all brilliant and toilsome tasks; had permitted him to pluck all laurels planted and fostered by others; had brought him face to face with all the conditions requisite for obtaining the supreme power – only in order to exhibit in his person an example of spurious greatness, to which history knows no parallel.<sup>76</sup>

Mommsen's exasperation is understandable: Pompey was neither an ancient equivalent of Napoleon nor even of Bismark. But Pompey's earliest exploits

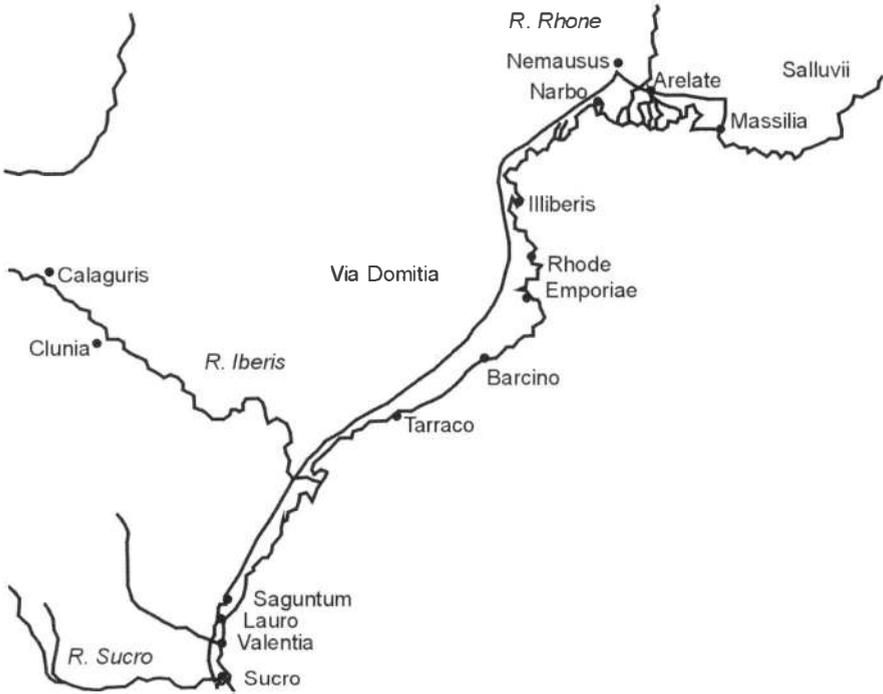
<sup>75</sup> Mommsen, *HR* 4.384 which applies to the possibility of obtaining regal power at the end of 70; cf. 4.498-499 of events in 62 and 61: "The way to the throne now lay necessarily through civil war." Clearly a pervasive theme in Mommsen's coverage of this epoch. Note also 4.500: " he was one of those men who are capable it may be of a crime, but not of insubordination; in a good as in a bad sense he was thoroughly a soldier." And finally, and perhaps most damning his eulogy, 5.273.

<sup>76</sup> Note the common use the pejorative adjective "spurious" both by Syme, *RR* 50-51, and Mommsen from which we might infer that both recognised a certain degree of craftiness in Pompey's character.

which ensured his place as friend, relation and lieutenant of Sulla are again, with the benefit of hindsight, worth comparing with the much more startling rise to power of Octavian, after Caesar's death. Both were teenage commanders of armies that became personally loyal. Both were highly successful in obtaining honours usually reserved for much older and more experienced political figures. Both acquired terrible reputations as youthful butchers: *adulescentuli carnifices*. The young Pompey and the young Octavian had almost identical adolescent careers.<sup>77</sup> It is certainly plausible to suggest, therefore, that something of Octavian's rise to power has influenced both ancient and modern perceptions of Pompey's less momentous rise to temporary eminence. Pompey's retreat into retirement at the end of his consular year reflects the uncertainty for which he was later famous. However, this action also illustrates the senatorial ascendancy in political and military matters, for during the 70s when he had been needed, Pompey had been employed, whereas after those years of crisis had passed he was no longer required. Had the Mithridatic problem and the pirate menace not persisted, Pompey may never have been given another chance. As it turned out, by 67 all things favoured Pompey's re-entry to the military scene a situation grasped with alacrity, and which was to propel him to further greatness.

77 On the similarities, see Galinsky, *Augustan Culture*, 35-36, 50-51.

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*Pompey's campaigns in southern Gaul and Spain (77-71 BC)*



## Caesar's use of *tribuni plebis*

Caesar's reputation is resiliently linked to the *popularis* tradition, epitomised by the two Gracchi, other tribunes of the plebs and Gaius Marius.<sup>1</sup> It should not come as a surprise, therefore, that, in the opening sections of his *Bellum Civile*, his own recollections of the civil war from 50 to 48 BC, Caesar gives heady prominence to the specific activities of *tribuni plebis*. However, what is remarkable about a work written by a supposedly popular politician that, having done so, Caesar hardly bothers to mention these champions of the people again. In all, there are just thirteen references to *tribuni plebis* in the entire Caesarian *corpus*.<sup>2</sup> On an initial reading, it would seem that for a brief moment at least the officers of the people took on a symbolic and highly charged function in Caesar's account of the commencement of the civil war. However, in the discussion that follows, the objective is to show that Caesar, quite contrary to his received reputation, was no more and no less exploitative in his dealings with these spokesmen of the *populus Romanus* than were other republican politicians. For this *popularis*, as for others both popular and less so, *tribuni plebis* served both a political and rhetorical purpose; and any outstanding debt owed to a particular tribune was not deemed important enough to be accorded prominence either in his own works or in the works written about him. The way in which Caesar's manipulation of events, in which tribunes featured in the 50s, and his references to tribunes at that momentous time in 50/49, were employed by other writers, who accessed

1 For example, W. Warde Fowler, *Julius Caesar and the Foundation of the Roman Imperial System*, London 1900, 340-341: "... considered one of the world's greatest men ... looked as usual to the interest of all classes ..."; Grant, *Caesar*, 15: "... was variously described as the greatest man of action .. the greatest man the earth has ever produced ... enthusiasm ... may have become somewhat muted. But it still remains impossible to think of anyone who has ever united a more spectacular and varied collection of talents"; Ch. Meier, *Julius Caesar*, trans. D. McLintock, London 1995: 20: "Caesar's brilliance and superiority, his serenity and charm, ... freedom and assurance, and the flowering of his talents ... incomparable greatness, despite every possible criticism of his deeds"; de Blois: 1992, 4611: "changed from a demagogue into a successful, charismatic military commander and ... into a lenient monarch". For Caesar as heir to Marius see E. Gabba, *Republican Rome: The Army and the Allies*, trans. P.J. Cuff, Oxford 1976, 100; U. Laffi, "Il mito di Silla", *Athenaeum* 45, 1967, 177-213, 255-277, 268: "... per presentarsi come il nuovo Mario". For Caesar as heir to Sulla see Meier, *Caesar*, 98. For the *popularis* tradition see Scullard, *GTN5* 416 n. 46, 436 n. 29; C.E. Stevens, "The *Bellum Gallicum* as a Work of Propaganda", *Latomus* 11, 1952, 5-7; B.A. Marshall, "Faustus Sulla and Political Labels in the 60's and 50's B.C.", *Historia* 33, 1984, 205-207; F. Millar, "Politics, Persuasion and the People before the Social War (150-90 B.C.)", *JRS* 76, 1986, 9; *The Crowd in Rome*, 192, quoting, *Fam.* 8.6.4-8, where Caelius refers to the tribune Curio's support for Caesar: "transfugit ad populum et pro Caesare loqui coepit", in other words, "he crossed to the popular side and began to speak in favour of Caesar."

2 There are no references to tribunes in the *BG*, two references in Hirtius' Book 8 of the *Gallic Wars* and one mention of tribunes of the plebs in the *Bellum Alexandrinum*.

the *Commentaries* as sources for their own compositions, requires some analysis. And whether or not they appear to have been affected in their judgement of those events they describe by elements in the original account, also warrants consideration.

In concentrating discussion on the material that Caesar himself composed, it would be advisable to recall that this branch of his, not inconsiderable, literary output belongs to a genre, which was well established at Rome by the time he wrote, in the late 50s and early 40s.<sup>3</sup> War journals or diaries, a closely related compositional form to autobiographies (*de sua vita*) and memoirs of the *de consulatu suo* variety, had become fashionable, and at least as much a commonplace as their literary relations, among the Roman political and military elite before the turn of the second century BC. In old age or retirement, senators evidently searched for a new and freer structure; no longer content to write general histories of Rome, in which they themselves might even feature, as did that pioneer, the elder Cato, in the later books of his *Origines*.<sup>4</sup> Instead, a literary form was perfected in which the author became the focal point of the narrative, whether in the first or third person. It is certain that numerous public figures, rather than have their real or imagined achievements immortalised on their tombstones, however attractive these might be, preferred to have their personalised accounts circulated among their peers while they were still alive. These different types of memoirs seem, for the most part, to have come in bite-sized bundles, and so would have been digestible to political contemporaries and friends. Between one and five books are attested, which could be taken as an indication of favoured length, whereas mammoth annalistic collections were not in vogue. Attractively and enticingly brief, these works were ready and lying in wait as a potential source, both of history and propaganda, for subsequent researchers.<sup>5</sup>

Few extracts from works of this conspicuously Roman genre have survived. Many items probably did not deserve to survive,<sup>6</sup> since a perception

3 On the date of composition of both works see, for example, J.H. Collins, "Caesar as Political Propagandist", *ANRW*. 1.1, 1972, 932 and n. 9, on the *Bellum Gallicum* and 944-946 and n. 18 on the *Bellum Civile*.

4 One could argue here that such a desire for innovation was responsible for the later two monographs of Sallust before he succumbed to trying to write a full-scale history, which of course never attained the popularity of the *Bellum Catilinae* or *Jugurthinum*, and largely perished.

5 Their importance both as a genre of Latin literature and in the development of Roman historical prose should not be underestimated. On the development of this genre at Rome and the debt owed to earlier Hellenistic models, G. Misch, *A History of Autobiography in Antiquity*, trans. E.W. Dickes, London 1973, 199-286; cf. A. Momigliano, *The Development of Greek Biography*, Harvard 1971, 93-95, who identifies more intrusive Greek elements and a close bond between biography and autobiography.

6 Which does not really explain, unless there was a keen interest in past and famous alcoholics, why Antony's *de sua Ebriitate* should have survived over a hundred years, E. Huzar, "The Literary Efforts of Mark Antony", *ANRW*. 30.1, 1982, 642; but then several of Antony's compositions were available in the early second century

of dubious quality has, very naturally, become attached to memoirs of any sort in any age. Still, an autobiography in three books dedicated to L. Fufidius, written by M. Aemilius Scaurus (cos. 115), was praised by Cicero (*Brut.* 112), but who added that it was already ignored by readers of his day. Composing memoirs could also be a dangerous pastime for their authors. Take Q. Lutatius Catulus (cos. 102), for example, who over-extolled his own virtues in the wars against the Germanic tribes and, as a result, infuriated Marius, his former colleague, who had been acclaimed the sole victor in that conflict (*Plut. Mar.* 27.5).<sup>7</sup> In 87 Marius demanded Catulus' death, and this autobiographer suffocated himself in a subterranean room in order to deny his enemy the satisfaction of witnessing a conviction that would have followed the inevitable and contrived trial (*Plut. Mar.* 44.5). His one volume of consular memoirs may have predeceased him. Marius himself seems to have composed war diaries recording his exploits in Numidia and in southern Gaul, and these, or a number of authentic sayings, probably survived long enough to be quoted by others.<sup>8</sup> More successful, in terms of longevity, were the memoirs of L. Cornelius Sulla and P. Rutilius Rufus. These continued to be consulted for over two centuries, and remained influential, until, finally, they too seem to have ceased to circulate.<sup>9</sup>

It is something of a paradox then that Caesar's *Commentarii*, which he declared were merely to be the raw material on which others might base their more elegant prose, have come down to us virtually intact unlike some of the earlier, supposedly more polished compositions. Cicero knew the truth, however, that what was written down could not be tampered with while Caesar still lived.<sup>10</sup>

at least, B. Baldwin, *Suetonius*, Amsterdam 1983, 126-127, 139-142, 233. It should also be noted that the younger Cato, otherwise an epitome of *virtus* and defender of non-autocratic government at Rome was reckoned an addict to his wine, *Plut. Cato Min.* 6.1-2, as were later the emperors Nerva, Dio, 68.1.3, and Trajan, Dio, 68.7.4, *de Caes.* 13.5.

<sup>7</sup> Cicero was enthusiastic about the works of Scaurus and Catulus, *Brut.* 132, but also noted their virtual disappearance. Catulus' memoirs were known to Plutarch, *Mar.* 26.5, but not necessarily at first hand. The memoirs of Scaurus may have disappeared from circulation, but Tacitus knew them or knew of them towards the end of the 90's AD, *Agric.* 1.3.

<sup>8</sup> Plutarch appears to quote from either an original work, or more likely from an intermediate source, *Mar.* 33.1-3. Any memoirs of Marius may well have been destroyed during the tumults of the 80s, though his widow must have rescued some of his trophies and honours, sufficient at least to enable Caesar to reconstruct and adorn the Capitolium during his aedileship in 65, *Suet. Jul.* 11; *Plut. Caes.* 6.1-2.

<sup>9</sup> Plutarch clearly had access to the works of both Sulla, *Mar.* 26.3; *Sull.* 4.3, and Rutilius Rufus, *Mar.* 28.5, Jones, *Plutarch and Rome*, 83. However, Appian, writing in just the next generation appears to be unaware of these works, and they may by then have ceased to circulate, Evans: 1993, 29-38. Perhaps interest in this period had declined, and copies were lost.

<sup>10</sup> *Cic. Brut.* 262. Only charlatans could have used Caesar's work as raw material: *sanos quidem homines a scribendo deterruit; nihil est enim in historia pura et illustri brevitate dulcius*. Contemporaries knew well enough what Caesar had written, though it is not often reflected in modern works. Cf. A.J. Woodman, *Rhetoric in Classical Historiography*, London 1988, 111, n. 103, "... in fact an elaborately completed work of history." P.T. Eden, "Caesar's Style: Inheritance versus Intelligence", *Glotta* 40, 1961, 76, recognises that Caesar's work

And once Caesar had been deified, no mortal could rewrite the works of a god. As a result, Caesar's raw material was saved and made safe for posterity,<sup>11</sup> while the works of lesser men vanished, though its continued existence ensured neither sycophancy nor a widespread belief in its veracity.<sup>12</sup> Still by their very nature, memoirs must be partial because, as yet, no autobiographer has been adjudged objective about the material to hand. Politicians, in particular, wish to be remembered by the masses with some affection if not awe, and Caesar was no exception to that general rule. Propaganda in the *Bellum Gallicum* and *Bellum Civile* is present in abundance and has been scrutinised,<sup>13</sup> which means that, by and large, it is harmless when that whimsy has been identified. But why, if so easily identifiable, should Caesar have desired to push the *tribuni plebis* to the forefront of his narrative at a selected point in his second *opus*, when elsewhere the activities of both allied and inimical tribunes are neglected.<sup>14</sup> Moreover, was this use of tribunes a credible creation by the writer, or was it rather run of the mill in comparison with later and more famous efforts at political propaganda?<sup>15</sup>

Just because there are no "tribuni plebis" in the *Bellum Gallicum*, does not mean that their presence is not felt in the background. They may not have been in Gaul, but they were definitely at Rome doing Caesar's bidding, as Plutarch clearly intimates (*Pomp.* 51.1). In 59, he had obtained his provincial command through the good offices of the tribune P. Vatinius, who piloted the *plebiscitum* that gave Caesar a renewable five-year term, in which to secure the *gloria* he sought. Caesar does not deign to thank Vatinius for his labours, though a comment could have been inserted close to the beginning

represents "more than a 'commentarius'", but that it could also serve as material for others. In other words a best of both worlds scenario. Furthermore, compare the exhortation to better writing of history by Ammianus probably in conscious imitation of Caesar, 31.16.9, but by then surely a *topos*.

11 Unlike, it appears, several works destroyed on the instructions of Augustus, since they might demean the new regime, Suet. *Aug.* 56.7; App. *BC.* 5.132; Huzar: 1982, 654 n.92; Baldwin, *Suetonius*, 104-105. For Caesar as literary figure and the survival of the *Caesarian Corpus* see, for instance, F.E. Adcock, *Caesar as Man of Letters*, Cambridge 1956, 101.

12 Baldwin, *Suetonius*, 240: "the status of *divus* neither precluded criticism nor automatically connoted virtue." The more contentious contents of Augustus' *Res Gestae* certainly also fooled no one.

13 For example, M. Rambaud, *L'art de la déformation historique dans les commentaires de César*, Paris 19662. Some idea of the vast bibliography on this subject and on Caesar himself may be obtained from even the truncated list given by Collins: 1972, 963-966. He acknowledges the propaganda, but is something of an apologist for its presence as if it somehow detracts from the worth and standard of the compositions. Collins also sees it as a minor feature in extent and in purpose instead of accepting it as the basis for the entire *Caesarian corpus*. Note also Grant, *Caesar*, 95: "the Commentaries are among the most potent propaganda ever written."

14 Compare the passage by the author (Hirtius?) of the *Bel. Alex.* 65.1.1., where he simply refers to anonymous *tribunicii*, presumably meaning the tribunes of the plebs. The passage also includes a reference to equally anonymous *tribuni militum*, with the full title, so possibly a difference here for the sake of variation.

15 The most famous autobiographical work in Roman history is, of course, the *Res Gestae* of Augustus, part inscription part memoirs. Its propaganda content fooled no one who came along to write about Augustus later, and it was used with surprising discrimination by the writer of the *de vita Caesarum*, Baldwin, *Suetonius*, 239.

of the work and was surely deserved.<sup>16</sup> The focus of the work probably precluded its author from mentioning minor elected officials back in the city. Yet these lesser lights were kept busy during the course of the next nine years, and some surely paid court to Caesar in his winter quarters, but never once do they warrant the smallest or most oblique note.<sup>17</sup> In truth, Caesar's first notable work almost denies altogether the existence of domestic political life as if the Gallic campaigns had been conducted in a vacuum.

Nonetheless, in 58 Clodius was established as the Caesarian and Triumviral agent in Rome.<sup>18</sup> In 57 either Sex. Atilius Serranus Gavianus or, more likely, Q. Numerius Rufus, later a legate in Gaul, were ready to represent Caesar when necessary. These two worked unsuccessfully to prevent Cicero's recall from exile, which had been promulgated by Clodius in the previous year, and hence there seems to have been some continuity in tribunician policy.<sup>19</sup> In 56 C. Porcius Cato was a supporter of Caesar, while in 55 the passage of the extraordinarily named *lex Mamilia Roscia Alliena Peducaea Fabia*, is illustrative of the support among the tribunes for recent Caesarian legislation.<sup>20</sup>

In 54 just four tribunes are recorded, but D. Laelius is named as a follower of Pompey which, at this stage, means that he also stood for Caesar.<sup>21</sup> No evidence remains in 53 for Caesarian adherents,<sup>22</sup> but in 52 the entire tribunician college united to pass a law allowing Caesar to stand for

16 Vatinius, like so many other Caesarian adherents, did get his reward when he was elected praetor for 55, and made consul in 47, *MRR* 2.216, 2.286. Hirtius also notes, *B.G.* 8.46.4, that he was one of Caesar's legates, *MRR* 2.245.

17 Candidates for public office certainly visited Caesar in his winter quarters. Plut. *Caes.* 21.2, refers to one instance, but this must have been a regular event. Cicero visited Caesar at Ravenna in the winter of 53/52, *Att.* 7.1.4, Millar, *The Crowd in Rome*, 187 n. 43, while Scribonius Curio went there on the termination of his tribunate in 50, Dio, 40.66.5. Caesar's regular winter quarters must have been deliberately chosen to be as close to Rome as was legally possible.

18 For Clodius' many activities as tribune see *MRR* 2.195-196; M. Gelzer, *Caesar: Politician and Statesman*, trans. P. Needham, Oxford 1968, 101, 112-113. Clodius gets only a brief mention after his murder in 52, *B.G.* 7.1.1. Considering Clodius's erratic or subversive behaviour in the Mithridatic War, when serving under Lucullus, it is understandable that Caesar should not have contemplated employing him on his staff. See also E.S. Gruen, "P. Clodius: Instrument or Independent Agent", *Phoenix* 20, 1966, 120-130, discussed below, Chapter 6.

19 *MRR* 2.201-202, 219; Wiseman, *NMRS* 246, with *Gallia Cisalpina* postulated as *patria*.

20 *MRR* 2.209. This Cato seems to have won election to a praetorship in early 55, *MRR* 3.169-170. *MRR* 217 for the law dealing with the *lex Iulia agraria* of 59, *MRR* 2.198. L. Roscius Fabatus served with Caesar either as a *legatus*, or as quaestor, *MRR* 2.226, 3.182, Wiseman, *NMRS* 256. Roscius and Allienus won praetorships for 49, and both remained in Rome after Pompey's departure, Cic. *Ad Att.* 8.12.2, 10.15.3; *MRR* 2.257-258. C. Fabius was probably a legate of Caesar from 54-49 and not the pr. of 58, C. Fabius Hadrianus, *MRR* 2.194, 3.86.

21 *MRR* 2.223, 3.116-117. Laelius, probably the son of a legate of the same name who served under Pompey in Spain, 77/6, continued to act as an agent for Pompey after the civil war began, Cic. *Ad Att.* 8.11D.1.

22 *MRR* 2.228-229. However, M. Coelius Vinicianus, pr. ca. 48 (?) or 46, *MRR* 2.288, 3.60, could be identified as a relative, possibly even a brother, of the Caesarian tribune of 51, L. Vinicius (cos. suff. 33). The cos. 19, M. Vinicius, is described as a *novus homo* by Syme, *RR* 362, "a knight's son", but he must be related

the consulship at some future date *in absentia*.<sup>23</sup> This show of unanimity evidently made a great impression on Caesar, even if that tribunician solidarity was not equally heartfelt by all members of the college. In 51 Caesar had at least four tribunes in place, namely C. Caelius, P. Cornelius, C. Vibius Pansa and L. Vinicius.<sup>24</sup> Finally, as the crisis loomed, Caesar suborned the suffect tribune C. Scribonius Curio to act for him at Rome,<sup>25</sup> as Hirtius (*B.G.* 8.52.4) notes, giving no hint, naturally enough, of the money which must assuredly have passed hands, but which must also indicate that Caesarian strength in 50 was, interestingly, not what it had been earlier in the decade.<sup>26</sup> Indeed, Hirtius, outstanding in his loyalty to Caesar,<sup>27</sup> was guilty of considerable misrepresentation in his account, in a work he certainly intended should be used as a basis for other writers.<sup>28</sup> Curio took up the cause of Caesar only because he was in possession of a bribe and, to judge from the number and variety of ancient sources that attest to this situation, it must have become common knowledge almost from the day the transaction took place.<sup>29</sup>

to the earlier Vinicii, since all are given a *patria* at Cales, *RR* 194 and n. 5; Wiseman, *NMRS* 274. Indeed the consul of 19 may be a son of the praetor for although "P.f.", the father's name may be accounted for by testamentary adoption. The cos. 33 is "M.f." hence cousin or uncle.

23 *MRR* 2.235-236. Five tribunes are known for this year. M. Caelius Rufus, Wiseman, *NMRS* 218, and Manilius Cumanus, Wiseman, *NMRS* 239, were supporters of Milo, while T. Munatius Plancus Byrsa, *NMRS* 243, Q. Pompeius Rufus and C. Sallustius Crispus, *NMRS* 258, were supporters of Clodius. That these came together willingly to support Caesar seems highly doubtful, but the exuberance of some, driven by the bribery of others, may well have propelled the law forward, and none could be seen to be left behind, as Cicero says, *Att.* 7.3.4. Plancus Byrsa, despised by Cicero, was possibly a cousin rather than brother, of the cos. 42, *MRR* 3.146; cf. *NMRS* 243, though both Munatii are "L.f. L.n."

24 *MRR* 2.241. The identity of this Caelius/Coelius is uncertain, but there was a possible later career, *MRR* 3.44, 63; cf. Wiseman, *NMRS* 218, for C. Caelius C.f. Rufus. Vibius Pansa was a close supporter of Caesar and consul in 43, *MRR* 3.220-221. Vinicius' career was long if not entirely illustrious, *MRR* 2.414, 3.221, *NMRS* 274; Syme, *RR* 200, 242.

25 F.-H. Mutschler, *Erzählstil und Propaganda in Caesar's Kommentarien*, Heidelberg 1975, 17; *MRR* 2.249. Curio was elected in the place of a certain Servaeus who had been convicted of *ambitus*. This unknown may have been the single supporter of Caesar elected for 50 if Curio had later to be bribed out of his earlier hostility, Gelzer, *Caesar* 178-179; Millar, *The Crowd in Rome*, 192. Q. Servaeus, praetor under Tiberius, is a probable descendant, Tac. *Ann.* 2.56, 3.13, 3.19.

26 Cf. Syme, *RR* 41: "Caesar could always count on tribunes."

27 Rewarded with a consulship in 43 but died under mysterious circumstances at the second battle of Mutina, so some claimed, Suet. *Aug.* 11; Syme, *RR* 71, 99-100.

28 Hirtius proclaims his intention in the preface to book 8 of the *Bellum Gallicum*. L. Raditsa, "Julius Caesar and his Writings", *ANRW*. 1.3 (1973) 434-435, assesses Hirtius' performance as continuator of Caesar, but does not assess the propaganda in Book 8.

29 There are eleven instances, *MRR* 2.249, in which ancient writers note the bribing of Curio. The earliest are Valerius Maximus and Velleius, and not Cicero or one of his correspondents, which is possibly significant. However, Tacitus, Suetonius, Plutarch (3 times), Appian and Dio were all aware of this scandal. E.S. Gruen, *The Last Generation of the Roman Republic*, Berkeley 1974, 473-474, is sceptical of the bribery charge, which he argues "derives from anti-Caesarian sources", and suggests that Curio, like Clodius, was a far more independent figure. This fails to explain why Curio had to hotfoot it to Caesar's camp in mid-December 50, however, and particularly why he returned to Rome at very short notice. Moreover, Curio was visibly and amply rewarded for his services with a command, *legatus pro praetore*, in Africa in 49 where he was killed, Mutschler, *Propaganda* 227-228; *MRR* 3.186. Note also Caesar's own lengthy description, which he may have felt obliged to include, of Curio's disastrous African campaigns after 49, *B.C.* 2.23-2.44.

Hirtius need have wasted neither effort nor stylus in attempting to influence the direction taken by the pens of later practitioners of his art. Still, Curio was true to his obligations and soon after the end of his term in office, he personally delivered to the senate the latest in a series of famous despatches from Caesar, this one, in which the author swore to disband his army providing Pompey did likewise (*B.C.* 1.1.1). On 10<sup>th</sup> December 50 Curio had fulfilled his part of the bargain. He left Rome for Caesar's strategically placed winter quarters (*App. BC.* 2.31-32; *Dio*, 40.66.5), and returned again with the "most lenient demands" (*B.C.* 1.5.5), which therefore lay before the senate. So much for the shades and echoes of the tribunes of the plebs, who really should have been honoured in the *Bellum Gallicum*.

On the other hand, there are tribunes of the plebs in the *Bellum Civile* and, as Caesar's narrative begins,<sup>30</sup> he already has two tribunician allies, M. Antonius and Q. Cassius Longinus ensconced for 49.<sup>31</sup> Antony had already benefited from Caesar's influence in his successful election to the augural college (*B.G.* 8.50.1).<sup>32</sup> He was heavily committed to Caesar's cause, was evidently prepared and was quite obviously commissioned to undertake great risks on behalf of his *patronus*. The action opens dramatically as if a curtain has risen on the first act of a play or an opera. There Caesar states (*B.C.* 1.1.1) that "the tribunes of the plebs" were again experiencing difficulty in having his requests debated in the senate. A heated discussion regarding the condition of the *res publica* began instead, and this concluded with the counter-demand that Caesar should immediately relinquish his province or be proclaimed a *hostis*. Instead (*B.C.* 1.2.7):

*Intercedit M. Antonius, Q. Cassius, tribuni plebis. Refertur confestim de intercessione tribunorum. Dicuntur sententiae graves; ut quisque acerbissime crudelissimeque dixit, ita quam maxime ab inimicis Caesaris collaudatur.*

The tribunes M. Antonius and Q. Cassius interposed their vetoes. At once the principle of the intercession of the tribunes was thrown open for discussion. Harsh proposals were made, and as the opinion became more bitter and abusive, so it was increasingly applauded by Caesar's enemies.

In such a tense atmosphere (*raptim atque turbate*) the matter at hand was

30 Collins: 1972, 945: 'The 'Bellum Civile', like a good epic poem, plunges in medias res .', though of course Caesar's account actually begins at the beginning and not mid-way or even in the ninth year of the civil war. However, the text like a piece of poetry or the libretto to an opera is patently constructed to the writer's scheme. Witness also the shrewd comment of George Bernard Shaw, "neither true nor interesting, but at least intelligible" (thanks to Barry Baldwin for this one!), which is perhaps more than can be said about most operas if not epic poems.

31 *MRR* 2.258-259; Gelzer, *Caesar*, 192, sources on the tribunes and their flight in January 49.

32 Caesar had actively campaigned on behalf of Antonius for the augurate, in Gallia Cisalpina, and presumably did the same in the canvass for the tribunate, Millar, *The Crowd in Rome*, 190-195.

forgotten in the confusion and, with tempers fraying badly on all sides, the tribunes of the plebs (*B.C.* 1.5.1) were given no time to respond, and more importantly no time was allowed for them to inform Caesar. It was long time (*superioribus temporibus*), if indeed it was ever more than a figment of Roman imagination, since the “tribuni plebis” could comfortably contemplate the greater part of their year in office as sacrosanct (*octavo denique mense*), and needed to fear prosecution, or physical intimidation, only after their tenure was completed. Now, within less than a month into their term, they were faced with threats from their opponents, while they were still magistrates of the people (*B.C.* 1.5.2).<sup>33</sup> The senate, guided by the consul L. Cornelius Lentulus Crus, was prevailed upon to pass the *senatus consultum ultimum* against Caesar, specifically his proconsulship, on the 7<sup>th</sup> January 49 (*B.C.* 1.5.3) and against his tribunician allies (*de imperio Caesaris et de amplissimis viris*). The tribunes in danger of their lives (*B.C.* 1.5.4: *profugiunt statim ex urbe tribuni plebis seseque ad Caesarem conferunt*), went with their ally the *tribunicus* Curio to the camp of Caesar which was, as usual, at Ravenna.<sup>34</sup>

Shortly afterwards, further talks were convened, this time outside the city (*B.C.* 1.6.1), in which preparations for the coming conflict were on the agenda. Included among the emergency proposals were: that troops be levied throughout Italy, that Faustus Cornelius Sulla should be sent to Mauretania, and that funds should be syphoned off from the *aerarium* for Pompey and for his cause (*B.C.* 1.6.3).<sup>35</sup> A suggestion that Juba, king of Numidia, be granted the title “friend and ally” was deferred by the consul C. Claudius Marcellus (*B.C.* 1.6.4), and immediately afterwards Philippus a “tribunus plebis” vetoed the measure of sending Faustus Sulla abroad to recruit additional forces for Pompey.<sup>36</sup> It might prove fruitful to pause awhile over the identity of the tribune Philippus and his action in January 49. He was certainly a son of the consul of 56, L. Marcus Philippus,<sup>37</sup> who appears in the

33 The murder of Ti Gracchus terminated that sublime era, but even before then the activities of *tribuni plebis* could produce civil unrest and political instability.

34 Cicero, *ad fam.* 16.11.2, claims that the tribunes were not in any physical danger, but experience of events from previous passages of the *SCU* made flight a matter of expediency, as recognised by Collins: 1972, 948. Cassius later fought in Spain under Caesar, *MRR* 3.52.

35 A name to conjure with here. Sulla had been a quaestor in 54, yet appears to have been appointed or employed the title “proquaestor pro praetore”, *IG* 9.1.143 – *ILS* 8778; *Cic. Att.* 9.1.4; *MRR* 2.261, rather than *legatus*. Other more senior figures were surely available to Pompey and the consuls, but it is possible that the heir of Sulla was deliberately chosen for the lustre of the *cognomen*.

36 L. Marcus Philippus, pr. 44?, cos. suff. 38, rather than the Q. (Marcus) Philippus, pr. 48?, *MRR* 2.259, 273. A son of the cos. 56, stepfather of Caesar’s heir and hence reasonably closely related, which accounts for the sympathetic moves, though officially neutral. Caesar could, even at this late stage, call on the services of *amici*, though the Marcii Philippi would not have seen themselves as in the “Caesarian” camp against the supporters of Pompey.

37 L. Marcus L.f. Q.n. Philippus, cos. 56, *MRR* 2.207, must be the son of the consul of 91, but the next generation is slightly less certain. L. Marcus L.f. L.n. Philippus, cos. suff. 38 should be the son of the cos. 56,

same passage without differentiation in the *nomina*. The tribune Philippus is clearly seen here trying to disrupt the possible strategies being examined by Pompey and his closest allies, but he does not seem to have gone quite far enough to be labelled a staunch supporter of Caesar himself. His veto was accepted. Philippus' sympathies may well not have lain with Pompey since his half-brother was that same Octavius who was later to become Caesar's heir. Philippus' attempt at restraining the rapid descent into civil war was presumably urged on him by his father, and both maintained a strict neutrality during the fateful years ahead. And this tribune eventually reached high office as a supporter of Octavian.<sup>38</sup> Caesar's inclusion of Philippus here is possibly meant to emphasise again the extent of his support among even the waverers in the tribunician college; it is also a positive portrayal.

After Antony and Cassius left the city (*B.C.* 1.5.5) they met up with Caesar at Ariminum (*B.C.* 1.8.1). Just before they did so, and prior to the invasion of Italy, Caesar addressed his troops (*B.C.* 1.7). This speech is full of complaints against his enemies who are said to have led Pompey astray (*deductum et depravatam Pompeium*). These were jealous of Caesar's many achievements, and had crushed the rights of the tribunes (*tribunicia intercessio armis notaretur atque opprimeretur*). Caesar complained about the passage of the *SCU* which he considered undeserved and which he said had been passed only to counter instances of sedition, for example against the Gracchi or Saturninus. Caesar claimed that nothing of the sort had been contemplated, and that he was, therefore, justified in defending himself and protesting the injuries his enemies had heaped on him and the tribunes. It is remarkable that, in citing former tribunician agitation and armed insurrection as rightful causes for the proclamation of martial law, Caesar shows how close his own situation was to other examples of rebellion against the senate.<sup>39</sup> The *SCU* was also fully explicable if senatorial intelligence was aware that Caesar's whole army of eleven legions (*Att.* 7.4.2, 7.6) was within striking distance of the Rubicon.<sup>40</sup> Caesar has quite clearly indulged in sophistic argument here, which is not convincing, except for the soldiers of the 13<sup>th</sup>

but with a tribunate in 49 and praetorship in about 44 he would have to have been the eldest son of a very young father. The father was born ca. 100, unless he was delayed to the consulship, his son about 80. The Q. (Marcus) Philippus pr. ca. 48, *MRR* 2.273, 289, could be from another branch of the family, or was a brother of the cos. 56, but considerably younger. The *cognomen* is distinctive. The cos. 56 remained at Rome throughout the civil war. Syme, *RR* 128, credits this consular with a 'fair measure of guile', 'discretion' and his 'caution' 'congenital'.

38 On the younger Philippus' consulship and allegiances see Syme, *RR* 229. The elder Philippus evidently courted Antony after the murder of Caesar in the hope of an early consulship for his son. Cic. *Ad fam.* 12.2.2.

39 However, Caesar avoids mentioning Sulpicius and Marius in 87, Lepidus in 78 and Catiline in 63.

40 C.T.H.R. Ehrhardt, "Crossing the Rubicon", *Antichthon* 29, 1995, 37-41, argues that Caesar could not possibly have brought the 8th Legion and 22 other cohorts to Corfinium, *B.C.* 1.18.1, within a matter of days, unless these troops had already been on the march long before 7th January 49.

legion, in order to prepare the way for his invasion. Tribunes in this passage are used both for and against his own position.

Within a few weeks Caesar occupied Rome (*B.C.* 1.32.1) and, ignoring the *mos maiorum*, crossed the *pomerium* into the city where he addressed a meeting of a depleted senate.<sup>41</sup> He explained his actions and contended that he had not been in the wrong to invade Italy, but had been driven to extreme measures by the uncompromising attitude of his enemies. Caesar pointed out that he would have been quite happy to wait for the legitimate time for his next consulship for which he had been given a special dispensation to canvass *in absentia* (*B.C.* 1.32.3: *latum ab x tribunis plebis*). It is worth dwelling on this point! There is a glaring omission of any recognition by Caesar of electoral competition; and this may be taken as a sign that, as far as the writer was concerned, the usually free and fair elections of the past, an institution which characterised and even denoted the “Republic” from its constitutional predecessor and successor, had finally come to an end. Equally clear is Caesar’s indifference to the fate of the *res publica*. His enemies, such as M. Porcius Cato, Caesar claimed, had spoken against the measure to grant him another consulship, but Pompey had allowed its passage, yet later turned against him. Still, Caesar claimed he was willing to compromise, and even offered to send a legation to negotiate with Pompey, though it quickly transpired that no senator was demented enough to be prepared to serve on this risky mission.

The proposal, pursued in a dilatory fashion, finally came to nothing according to the writer (1.33):

*Subicitur etiam L. Metellus, tribunus plebis, ab inimicis Caesaris, qui hanc rem distrahat reliquasque res, quascumque agere instituerit, impedit. Cuius cognito consilio Caesar frustra diebus aliquot consumptis, ne reliquum tempus amittat, infectis eis, quae agere destinaverat, ab urbe proficiscitur atque in ulteriorem Galliam pervenit.*

Since the tribune L. Metellus was suborned by Caesar’s enemies to prevent this proposal and hinder everything else that he proposed to do. When this tactic was appreciated, and when several days had been wasted, and to avoid frittering away any more time, having failed to accomplish what he had proposed, Caesar set out from the city for southern Gaul.

Caesar’s tussle with L. Caecilius Metellus is, however, highly obfuscated, and was undoubtedly an affair the author tried to conceal as far as possible for it did nothing for his dignity or good character. It was probably a strategy that badly misfired since Caesar was surely in a position to finance eleven

41 Cf. Plutarch, *Caes.* 35.2, who claims that Rome was still peopled with numerous (συχνοῦς) senators.

legions in a war against Pompeian forces aided even by eastern potentates. So why the scene in front of the *aerarium* following an illegal entry into the city? Was it to judge public opinion, if so this proved hostile, a new sensation for Caesar, or was it to illustrate his mastery of Rome? If it was the latter, then it was not a particularly *popularis* action. Caesar might have hoped that the whole affair would be forgotten, but fortunately it is described elsewhere, with a much less positive impression. Plutarch, in his biography of Caesar, for example, gives an elaborate version in which his subject's actions are not whitewashed (*Caes.* 35.3-4):<sup>42</sup>

When the tribune L. Metellus tried to prevent Caesar from taking money from the state's reserves and cited certain laws, Caesar replied that arms and laws did not have the same season. 'But if you are displeased with what is happening, for the present get out of the way, since war has no use of free speech. However, when I have come to terms and laid down my arms then you will speak before the people. And in saying this I waive my own rights, for you are mine, you and all of the group hostile to me whom I have caught.'

Following this stinging attack on the tribune, Caesar stalked to the *aerarium* and when the keys to gain entry were not produced, he ordered that the doors be broken down. Metellus again raised verbal objection to Caesar's actions, to which the menacing response was the implicit threat to his life if he did not cease his troublesome interference (Plut. *Caes.* 35.4). Metellus, who was treated with as little respect as Antony and Q. Cassius, barely two months before, gave up the unequal contest, and retired from the city now in fear for his life. In the meantime, Caesar was very quickly equipped with the wherewithal, though it was almost certainly not a crucial issue, for waging his war against Pompey.

Plutarch's material may emanate from an anti-Caesarian source, but it could still be a more truthful version of the events than that which Caesar himself provided. Yet had he wished to, Caesar could have made much more out of this episode than he did by using it in conjunction with the previous altercation in which a tribune had featured.<sup>43</sup> Caesar could easily have written that Philippus, on that occasion, had not prevented funds from being voted to Pompey, and had acted as a gentleman as any good Roman aristocrat should. Metellus, in the same boat, had used all his might, however, in a

42 A less detailed account also appears in Plutarch's life of Pompey, 62.1, with essentially the same information. For other sources, see *MRR* 2.259; Gelzer, *Caesar*, 209-210.

43 Elsewhere, Caesar does not allow his artifice to go unnoticed, so it is surprising that he let this particular opportunity slip past, possibly because Metellus was relative small fry and inconsequential, although a relative of Metellus Pius Scipio, one of his chief opponents. Cf. *B.C.* 1.32.3, where Caesar suggested that Cato was the politician who had most vigorously contested the proposal to allow a candidacy for the consulship *in absentia*

much more aggressive fashion, to be ungenerous to Caesar. Moreover, he had sought to make Caesar appear ungracious. Oddly enough, Metellus was successful in his aim and it was to be recalled that Caesar openly showed contempt for the tribunate.<sup>44</sup> In contrast, Caesar claimed that he had dealt moderately with Metellus and, finally, simply ignored him. Yet the reading that was bound to have more exposure was the one in which Caesar lost his temper, and gave a glimpse of the tyranny that was still to come. Pompey had not bypassed the tribunician veto of Philippus in the matter of sending Faustus Sulla to Mauretania, but Caesar ran roughshod over the ancient rights of the tribunes. It was an ill omen for the future. In four episodes involving tribunes of the plebs, Caesar's sympathies show a significant dichotomy depending on the allegiance of these magistrates: supportive of Antony and Cassius, and to a lesser extent Philippus, hostility implied towards the Gracchi and Saturninus, and impatience towards Metellus, with disguised a greater and more deepseated hostility if later accounts are a more reliable guide.

L. Caecilius Metellus, whose collection of magistracies terminated with his tribunate in 49, deserves at least some admiration for his dogged stand.<sup>45</sup> Caesar says that his enemies prompted Metellus into his stubborn opposition, which is undoubtedly correct, but this tribune had few friends in Rome in 49 and certainly fewer than Curio in 50, or Antony and Cassius in January 49 could rely on. His course was hazardous, but well worth the effort. He could not stop Caesar from doing anything he had set his mind on, but if the tribune could force him into further unconstitutional actions it would, at least, hand Pompey a useful propaganda victory.<sup>46</sup>

Caesar got his own way as far as the treasury funds were concerned, but Metellus had exposed his ingrained arrogance and had also proved, as if it needed proving, the lack of support for further talks. Caesar left Rome under a cloud; unpopular with the urban plebs. If he had not gone already,

in 52 against universal opposition. Caesar also referred a little obliquely, *B.C.* 1.4.1, to Cato's 'ancient enmity' and that his opposition in 50/49 arose from his disappointment in not winning the consular elections for 51. The invective very neatly and very skillfully turns Caesar's hatred on his head, but again the truth emerges from other accounts. For Caesar's enmity with Cato see, for example, Meier, *Caesar*, 454-455.

44 Could this have been the reason why Pontius Aquila refused to stand for Caesar in 45? See below, a late instance of tribunician independence, but by then futile.

45 The tribune of 49 was probably a son of the cos. 68, Wiseman, *Cinna the Poet and other Roman Essays*, Leicester 1974, 180. He survived Pharsalus but, unlike other formerly hostile members of the senate, he was not allowed to return to Italy, Cic. *Att.* 11.7.2; Gelzer, *Caesar*, 210 n.3, in case his arrival at Rome caused anti-Caesarian disturbances. Cicero's evidence suggests that Metellus was regarded sympathetically by the voters who had elected him in 50. Note also Grant, *Caesar*, 169: "This impertinent and courageous action ... had the effect of bringing Caesar himself into the city – Metellus was brushed aside – the incident was particularly uncomfortable because one of Caesar's principal constitutional claims was his sponsorship of the freedom and sacrosanctity of the tribunes."; Meier, *Caesar*, 380-381.

46 Cicero, *Att.* 10.4.8, shows this to have been the case. The people were not impressed by Caesar's handling

Metellus will not have delayed much longer in the city, leaving for Greece at much the same time to join his senior colleagues, following the course adopted by Caesar's tribunician allies not so long before.<sup>47</sup> This annoying trouble with tribunes was evidently something of a novelty for Caesar, but was an irritating experience that was increasingly to be repeated, although mostly not until after he had destroyed the hopes of Pompey, Pompey's sons and the other leading opponents, such as Cato and Metellus Pius Scipio.

Initially, the tribunes of the plebs mentioned in the sources for 48 and 47 were ostensibly all loyal supporters of Caesar: A. Hirtius in 48 (?), C. Asinius Pollio (?), P. Cornelius Dolabella and L. Trebellius in 47, and C. Antonius (?) in 46.<sup>48</sup> Dolabella is exceptionally interesting for his tribunate is a true oddity and his career was supremely meteoric in its rise to the suffect consulship following Caesar's assassination.<sup>49</sup> Rapid advancement in the *cursus honorum* is, however, a common feature of many of the politicians treated in this study. Dolabella's personal *cursus* occasions little comment, ancient or modern and might therefore, be perceived as a product of troubled times. He may have been born a plebeian or, like Clodius before him, had transferred to the plebs.<sup>50</sup> His tribunician agitation in 47 was clearly a muscle-flexing exercise, following Clodius' example, and by promising debt cancellation took his

of the situation and he seriously misjudged the extent to which the tribunate was still held in respect by the *populus*. Hence, his own swift exit from Rome.

47 Some time in the first half of March if Cicero, *Att.* 9.6.3, is evidence for Metellus en route to Brundisium. On 11th March 49 Metellus was already at Capua.

48 Hirtius may not have served as a tribune, while the tribunes of both Pollio and Antonius are also not secure, *MRR* 2.274 n.3, 287, 296; cf. Wiseman, *NMRS* 235, Hirtius, 215, Pollio. Dolabella was clearly an erratic character (... διαβολή ... Δολοβέλλα, Plut. *Caes.* 51.2); Syme, *RR* 69: "debauched", "a sinister and disquieting figure"; P.A. Brunt, "Cicero's *Officium* in the Civil War", *JRS* 76, 186, 24: "profligate".

49 *MRR* 2.287. P. Cornelius P.f. Dolabella was consul, like Antony, well below the regular age. Antony born ca. 83, trib. 49, cos. 44. Appian, *BC.* 2.129, claims that Dolabella was consul aged twenty-five, with the result that one general volume puts his birth in 70, which seems frankly impossible, and also enlivens its text with the marvelous "one of the most notorious profligates of his age". His relationship to the consul of 81, Cn. Cornelius P.f. L.n. Dolabella, and the praetor of 81, also Cn. Cornelius Cn.f. Cn.n. Dolabella, cannot have been that close. L. Cornelius P.f. Dolabella, praetor about 100, is likely to have been the grandfather, while his father was P. Cornelius Dolabella, praetor 69/68, *MRR* 3.65. The Cn. Cornelius Dolabella, a supporter of Saturninus, was another relative. But a tribunate at the age of twenty-three and a consulship soon after looks wildly improbable, and note the reservations by Wiseman, *NMRS* 99 n. 2, even for the unsettled situation in the 40's. Cicero would certainly have had something to say about it. He is silent, not always a sure argument, but better than what must be an error in Appian's account. And also better to see this Dolabella as the son of the praetor, born ca. 80, thus Antony's coeval.

50 Dio, 42.29.1, states that a transfer to the plebs took place but the wording is a little ambiguous. Shackleton-Bailey, *Letters to Atticus*, 7.267, suggests that Dolabella was adopted by a plebeian Cornelius Lentulus (Marcellinus?) about 48, again like the adoption process of Clodius, just before his tribunician canvass. Hence, Dolabella, by birth, was the son of the pr. 69/68, born about 80, adopted by a Lentulus whose name he does not use and, thence, securing the tribunate at roughly the appropriate age, and through Caesarian favour the consulship at thirty-five. Clodius was unconventional in his nomenclature, so why not Dolabella? There is just a chance that Dolabella was a plebeian Cornelius, Plut. *Ant.* 9.1-2; and note the existence of a tribunician P. Cornelius in 51 and a Cn. Cornelius (Lentulus Marcellinus?) trib. 68 (cos. 56), *MRR* 3.62; Sumner, *Orators*, 133, adopted by the praetor of 69/68. Note also Mattingly: 1997, 69, 72-75, following Shackleton-Bailey,

cue from Caelius Rufus' actions in the previous year (*Liv. Per.* 113).<sup>51</sup>

However, were things quite what they appeared? Dolabella caused so much friction with his colleagues, especially Trebellius (Dio, 42.29.1),<sup>52</sup> that in the end drastic armed intervention by Antony, Caesar's *magister equitum*, was needed to restore order, probably without Caesar's prior approval. Trebellius was probably no friend of Caesar and, by causing havoc, Dolabella and Antony – whether separately or in cahoots – ensured that Caesar's position came under no pressure from the tribunician college. This turbulence failed to backfire on Dolabella, who served as a legate with Caesar in Spain during the campaign before Munda, thus maintaining and strengthening his Caesarian credentials. Moreover, it is as well to remember that Caesar and Clodius had also been close in similar circumstances in 58, and afterwards. On the other hand, Antony and Dolabella were never reconciled; they were both too close to the centre of power and both may already have seen themselves as possible heirs. Finally, it is worth bearing in mind that Appian picked up something unusual here (*BC.* 2.122) and employed a particularly rare word, “far-famed” or *περιώνυμος*, to describe Dolabella, a politician who may have acquired a disreputable reputation, but who was clearly very close to Caesar and in 47, who knows, acting on his instructions.<sup>53</sup>

When Caesar returned to Rome in 45 to triumph at the conclusion of the civil war, the re-established peace brought with it its fair share of problems with tribunes. This was surely unexpected and is really quite remarkable seeing that, for the most part and certainly in the senior places, the magistracies of the *cursus honorum* were packed with Caesar's loyal supporters.<sup>54</sup> Confrontation manifested itself at once on the very day of Caesar's entry into the city when one of the tribunes, L. Pontius Aquila, refused to stand as the procession of the *triumphator* passed by the benches reserved

identifies Dolabella's father as Cn. Cornelius Vatia, nephew of the cos. 79, and not a Cornelius Marcellinus.

51 Cf. Plutarch, *Ant.* 9.1-2, who claims that Dolabella, a newcomer (*νέος ἀνήρ*) to politics, sought the creation of a new order (*νέων πραγμάτων*) that he was defeated by Antony, but subsequently pardoned by Caesar, not because he had been an innocent party, but because of widespread distaste for Antony's general behaviour and demeanour. Note also Dio, 42.32.2, on the cancellation of rentals in the *insulae*, which is possible or just an error for the general remission of debt.

52 Trebellius was probably the son of the tribune of 67 who had opposed the *lex Gabinia* when Caesar had been a prominent supporter of Pompey. Hence, another independent-minded tribune.

53 It looks as if Caesar considered Dolabella a suitably congenial ally, Plut. *Ant.* 10.1, along with Lepidus, noticeably both with patrician names. After Caesar's death Antony opposed the appointment of a suffect, *MRR* 2.317; Syme, *RR* 150-151, because he did not wish to share power. In Dolabella's case, adverse propaganda is abundant since Cicero, contemporary and the prime source, *Phil.* 11.6-10, had cause to hate this, for a brief spell, very unsuitable son-in-law.

54 Caesar's intervention in the choice of candidates may not have extended down to the tribunate; and so elections to this college may well have been freer than for the higher magistracies. If so, it would conclusively indicate the feelings of the electorate; and with elected tribunes such as Pontius Aquila pointing to disquiet about Caesar's current position and future plans. All was not well in Rome in 45. A Caecilius, relative of L. Metellus

for the tribunician college (Suet. *Iul.* 78.2).<sup>55</sup> It was said that the dictator was furious with this display of independence and sulked for the rest of the day, although with the exception of a few caustic remarks, he took no further action against the tribune himself.<sup>56</sup> Caesar obviously found such a display of indifference or independence offensive, but again such behaviour on his part was hardly conducive to the construction of a monarchy ruled over by a monarch loved and honoured by all his subjects (Plut. *Caes.* 58.1).

A more serious challenge to Caesar's prestige came in early 44. The entire tribunician college is known for this momentous year. Seven of the tribunes were supporters of Caesar, one became a conspirator in the plot against him, and two others were forthright, and perhaps more honest, in their antipathy towards his dictatorship and the excesses that might arise from it: primarily, the threat of a monarchy.<sup>57</sup> Indeed, as a result of their actions, which undermined Caesar's *dignitas*, the two tribunes L. Caesetius Flavus and C. Epidius Marullus were thrown out of office and imprisoned.<sup>58</sup> Caesar had been offered a diadem by Antony at the *Lupercalia*, but had refused. Soon afterwards (Plut. *Caes.* 61.4):

... his statues were seen to have been decorated with royal diadems. Two of the tribunes, Flavus and Marullus, therefore, went up to the statues and removed them, and led off to prison those they discovered who had first saluted Caesar as king.

Caesar had Flavus and Marullus deprived of their office for daring to oppose the dictator's increasing predilection for *regnum*, though this action was in flagrant breach of customary political behaviour.<sup>59</sup>

trib. 49 (?), or a Pomponius is also attested as a tribune in this year, and possibly P. Ventidius Bassus, cos. suff. 43, *MRR* 2.307-308: Wiseman, *NMRS* 271.

<sup>55</sup> Aquila's action may have had something to do with the celebration of a triumph over opponents in a civil war, Z. Yavetz, *Julius Caesar and his Public Image*, London 1983, 194.

<sup>56</sup> Pontius Aquila joined the conspiracy against Caesar, Cic. *Att.* 14.21.3; *MRR* 2.308, and was killed at the battle of Mutina, *MRR* 2.354, 3.168. For the episode in 45, see also Gelzer, *Caesar*, 308, without comment and simply a paraphrase of Suetonius; Meier, *Caesar*, 461-462. For Sutrium as *patria* of this tribune, Taylor, *Voting Districts*, 247; Wiseman, *NMRS* 253. But Aquila possibly also had Samnite connections, which might also explain a certain amount of antipathy towards anyone who emulated Sulla's example by holding the dictatorship. For Pontius Telesinus, Samnite leader in the Social War, see Syme, *RR* 87.

<sup>57</sup> The committed supporters heavily outnumbered the rest. They were: L. Antonius, L. Cassius Longinus, D. Carfulenus, Ti. Cannutius, L. Decidius Saxa, C. Helvius Cinna, C./P./L.? (Hostilius) Saserna, Nonius Asprenas, L. Flaminius Chilo. Several of these went over to Octavian after March 44. C. (Servilius) Casca was one of the conspirators, while Marullus and Flavus, Wiseman, *NMRS* 219, 229, were replaced with others more congenial to Caesar, *MRR* 2.323-325.

<sup>58</sup> On a Campanian connection for Caesetius Flavus, note Wiseman, *NMRS* 219.

<sup>59</sup> Flavus and Marullus seem to have been reinstated after the Ides of March, *MRR* 2.323, but after a brief spell in the limelight neither tribune figures again in public life. But for a possible descendant, see P.A. Gallivan, 'Some Comments on the *Fasti* for the Reign of Nero' *CQ* 68, 1974, 292, 310: one of the suffect consuls in AD

Deposition of a fellow tribune may have been a strategy employed by Ti. Sempronius Gracchus ninety years before,<sup>60</sup> and had been threatened since, but in 44 as in 133 it was a dangerous ploy, and one which was not necessarily going to win over the affections of the people.<sup>61</sup> Caesar's action showed vividly enough how the *res publica* had drifted towards autocracy following the battle of Pharsalus, and the defeat of his opponents. This provided further impetus to those around him who wished him dead and spurred on the planning of conspiracies. He would have been a wiser man had he simply shrugged off tribunician gestures from lesser men such as Flavus and Marullus. Had the opportunity arisen to write about these incidents, Caesar would have ensured that his audience believed he had done just that. And memoirs of this period were doubtless intended, but were never to be written.

Caesar concealed much of the truth at the beginning of the *Civil Wars*. He evidently chose to give the impression that the entire tribunician college was united in support of his proposals in the senate,<sup>62</sup> and that his opponents were acting against a united front of elected representatives of the *populus Romanus*. A contemporary or near-contemporary audience would easily have recognised Caesar's design, even if it appeared a trifle, and ignored the implications. However, this misrepresentation, like the corrupting of Curio, was surely not a pointless exercise. A reader some time removed from the events might well have been misled, and have supposed that the people through their tribunes in 49 turned out *en masse*, as they had done in 52, to show solidarity for their champion. The repetition of the full title "trib. plebs" is also interesting. It may simply be that Caesar wished to avoid confusion with the "tribuni militum" or wanted it to be inferred that he wished to avoid that confusion, or even that he wished to be completely precise about the various titles of office-holders in the *res publica*. Still, it is also possible that the full title is purposely presented in order to add a certain aura to the representatives of the people, which less precision might fail to conjure up. Moreover, military tribunes do not feature in Caesar's narrative at this point, except following the episode in which Antony and Cassius were severely brow-beaten by their senatorial opponents when the city and the *comitium* were

62 was a Q. Iunius Marullus, and the *cognomen* appears to be rare, perhaps inherited through the maternal line. Note also Maecius Marullus, father of Gordian I, and the mimographer Marullus in *HA. MA.* 8.1.

60 The deposition of M. Octavius, *MRR* 1.493.

61 Some of Caesar's other laws were probably also very unpopular with the urban crowds, including sumptuary legislation, though not until he had dispensed largesse on an impressive scale, *Plut. Caes.* 55.3; *Suet. Jul.* 43.1-2. More spectacular was the reduction in the number qualifying for the corn-dole, *Suet. Jul.* 41.3; *MRR* 2.294. How effective any of these laws actually were is another matter, especially with a return to the civil wars. But these laws were passed after 46, and by early 44 could have resulted in widespread disaffection with the dictator. Caesar's declining popularity has drawn comment, for example, from an apologetic Grant, *Caesar*, 257-258: "it is doubtful if he realised just how greatly his growing autocracy had given offence."

62 See Collins:1972, 948 on this issue.

filled with tribunes, centurions and conscripts or veterans (*B.C.* 1.3.3). No chance of ambiguity here. Tribunes of the plebs are mentioned eight times in the section leading up to the escape from Rome of Antony and Cassius; one of these references falls within the formula of the *SCU*, and military tribunes appear on just the one occasion. It is certainly plausible to suggest that Caesar, while relaying the historical events, employs the full title of the tribunes to emphasise his support for and from the Roman people, with whom he was immensely popular at the start of that year.

Caesar began the *Bellum Civile* by accentuating the rights of his “tribuni plebis”, who had been his advocates at Rome. He also alluded critically to Sulla (*B.C.* 1.5.1) who, for a short spell, had succeeded in emasculating the office of the tribune of the plebs. Elsewhere, Caesar accused Sulla of political ineptitude for relinquishing power (Suet. *Iul.* 77),<sup>63</sup> but he may have had cause to regret making snide asides at the expense of the former dictator as his own relationship with the tribunes became increasingly more antagonistic. Eventually, he may well have come to share his predecessor’s low opinion of the tribunate, and become deeply concerned about its future role in public affairs. They were no longer his “amplissimi viri” (*B.C.* 1.5.3) and, indeed, it is likely that Caesar, in common with most senators and perhaps all patricians, had a deep-seated aversion towards the plebeian tribunate and its presence in political life. He concealed this distaste in his memoirs, but it emerges clearly enough from other sources.

The provenance of a personal animus may be linked to a time earlier in Caesar’s career and exactly to the celebrated senatorial debate regarding the fate of Catiline’s fellow conspirators in which he was defeated by M. Porcius Cato. Caesar’s loathing for the younger Cato who, in 63, had been merely a tribune-elect, has become almost legendary in the way it features in both ancient and modern works. The verbal debacle suffered at the hands of a man, who was not only several years younger, but who was also at a more junior stage in the public career, may well lie at the root of this animosity. Yet, it is still a modern curiosity that invariably it is written that Cato disliked Caesar and not that Caesar disliked Cato, nor even that there was mutual *inimicitia*.<sup>64</sup> Hence, we observe again the power of Caesarian propaganda. When Caesar was once more a “victim” at the hands of L. Metellus, Pontius Aquila, to a lesser degree and only indirectly, of Dolabella, Caesetius Flavus and Epidius Marullus, his revulsion for tribunes and the tribunate resurfaced with a vengeance. Nonetheless, his vulnerability on that count, and

63 Of course, Sulla, unlike Caesar, at least died in his bed, though the manner of his death may have been equally unpleasant, Plut. *Sull.* 36.1-3.

64 Caesar himself refers to an ancient enmity implying that it was on Cato’s side alone, *B.C.* 1.32.

the absence of the famous *clementia Caesaris*, could not be allowed to intrude into the personal recollections of the author.<sup>65</sup>

Sallust's account of the Catilinarian debate (*Cat.* 50.3-53.2) might have thrown up a different version as there was ample opportunity to expose a weakness in Caesar. Instead the character of a man whom the writer describes as being blessed with *ingens virtus*, and who was one of the most outstanding Romans who ever lived is simply enhanced further (*Cat.* 53.6). The historian could have shown that Caesar's argument in the debate rested on solid legal foundations (*Cat.* 51.22, 51.40),<sup>66</sup> while the proposal of other senators for the immediate execution of the Catilinarian conspirators betrayed a frenzied panic to rid themselves of the embarrassment of traitors within their own ranks. At first, Caesar's brilliant oratory, of which there was no question (*Cic. Brut.* 248, 251), fell on fertile ground until Cato spoke and swayed senatorial sentiment back to the death penalty on the grounds that the circumstances were truly exceptional (*Cat.* 52.4, 52.17-18, 52.35-36). Caesar is portrayed as the epitome of *humanitas* and overflowing with *clementia* (*Cat.* 54.3), which were precisely those characteristics he himself would have wished other writers sympathetic towards him to advertise, and which, naturally enough, he liberally scattered throughout his own *Commentaries*. The *clementia* at Corfinium (*B.C.* 1.23.1-4) is the best remembered, for instance. Caesar would and should have been gratified by the Sallustian portrayal. He was not betrayed by this former supporter. In Sallust's opinion (*Cat.* 54.3), the younger Cato was on a par with Caesar as far as *virtus* was concerned; and while the writer was obviously at pains to grant them equal space and time, through his victory in debate, Cato's *virtus* is accorded a greater vitality through his forcefulness and determination to save the *res publica* from peril. Cato's insistent rhetoric proved decisive and his immunity to bribery is a lofty pinnacle to which Caesar might never aspire. Caesar probably never forgave the injury he received at the hands of this tribune-elect; and this chapter seems to have developed into an almost pathological hatred for the person, coupled with a distaste also for the *of fice*.<sup>67</sup> Although this bias does not easily emerge from a reading of the initial parts of the *Bellum Civile*, it is established from the other sources that

65 See, for example, L. Wickert, "Zu Caesar's Reichspolitik", *Klio* 30, 1937, 234-244, for a discussion of *clementia Caesaris*, which was highly selective in its application.

66 The existence of various laws such as the *lex Porcia* forbade the execution of citizens who, even if found guilty of some capital offence, were allowed the choice of exile as a punishment.

67 Caesar had probably been involved in the legislative programme of P. Servilius Rullus earlier in 63, which also failed to bring about any worthwhile reward following the determined opposition of Cicero the consul. Caesar had also been behind the unsuccessful prosecution of Rabirius, brought by the tribune Labienus, *Suet. Jul.* 12.1. In the year of his praetorship, Caesar had also supported the pro-Pompey propositions of the tribune.

mention Caesar's precoccupation with Cato, his personal enemy.<sup>68</sup>

A further factor influencing Caesar's handling of the "tribuni plebis" may well lie in his family connection with Gaius Marius. Caesar had been very keen to have his name linked with that of his uncle during his aedileship in 65, and in the decade before and later still (Suet. *Iul.* 11; Plut. *Caes.* 6.1-4).<sup>69</sup> Once he had established his political credentials as a second Marius (*B.G.* 1.45), Caesar appears to have taken some trouble to model his subsequent career on his great relative. Had any journals of Marius survived it is doubtful whether "tribuni plebis" would have featured any more on their pages than they do in Caesar's *Commentaries*. Nevertheless, there are some parallels in the actual use of the tribunes of the plebs by both of these politicians to suggest that there is more than just a random connection between the two. After all, Marius (Sall. *Iug.* 73.7) had gained his command in Numidia through the passage of a *plebiscitum* introduced by the tribune T. Manlius Mancinus at the start of 107;<sup>70</sup> and Caesar obtained his Gallic command through the same political device. Marius was almost certainly the first beneficiary of a plebiscite pertaining to a military command, while Pompey's great *imperia* in the 60s were also the result of this mechanism. By the time Caesar won his proconsulship in Gaul, plebiscites had become a regular tool in political life. Marius' successful election to the consulship in 108 was preceded by agitation organised by tribunician allies, described by Sallust (*Iug.*

Q. Caecilius Metellus Nepos, described very loosely as *turbulentissimas leges* by Suetonius, *Iul.* 16.1. Caesar had very little success with tribunes, which must have influenced his later actions.

68 Caesar's hatred of Cato continued after the latter's suicide in 47. For Gelzer, *Caesar*, 332, Caesar's *AntiCato* was his "most disastrous mistake". Syme, *RR* 71: "Hirtius ... produced less unobtrusive works of propaganda ... attacking the memory of Cato." Eulogies of Cato abounded after his suicide, and were widely circulated prompting Caesar's response which, however, seems to have had no effect, Gelzer, *Caesar*, 301-302. Plutarch probably had access to written accounts, both in praise of Cato and directed against him, perhaps even the original documents. And *Cato's* and *AntiCato's* became regular literary forms frequently reappearing during the first century AD. Cato's heroic death remain unscathed, though parodied in a cartoon in Caesar's triumph, which had prompted the initial compositions, R. MacMullen, *Enemies of the Roman Order*, Harvard 1967, 5. Later on such works usually cloaked protests against the principate. One of the last of the *Cato* series to be circulated was the work by Curiatius Maternus about AD 74. The Maternus who was condemned to death by Domitian in the early 90s may have been one and the same, Syme, *Tacitus*, Oxford 1958, 799; MacMullen, *Enemies*, 18-19, 21,27; R.J. Goar, *The Legend of Cato Uticensis from the First Century B.C. to the Fifth Century A.D.*, Brussels 1987, 60, and for later references to Cato, 62-100. It is interesting to observe that the reputation of Brutus, now much more famous as a result of Shakespeare and Hollywood, was not as prominent as that of Cato in antiquity. Perhaps here lies the difference between a suicide and a tyrannicide? For the portrayal of Brutus in later literature, see M.L. Clarke, *The Noblest Roman: Marcus Brutus and his Reception*, London 1981, 79-111.

69 For Caesar's exploitation of the relationship with Marius see *MRR* 2.158; Wiseman, *NMRS* 121 n.1; Evans, *Marius*, 10-11.

70 A. Manlius, probably a relative if not a brother of Mancinus, seems to have been appointed Marius' senior legate possibly as a result of the tribunician gesture, Evans, *Marius*, 76, 110. Scipio Aemilianus may have been granted the command against Numantia in 134 by *plebiscitum* but, prior to the *lex Sempronia*, provincial commands could be reassigned more quickly. However, as a *privatus*, Aemilianus failed to win the command

73.5) as *seditionis magistratus*.<sup>71</sup> During Marius' absence in North Africa,<sup>72</sup> and again later in southern Gaul, the task of seeing that his interests, business or political, were not jeopardised were entrusted to friendly or bribable tribunes. Sadly, for the most part these tribunes remain anonymous, but it was these magistrates who were surely responsible for the delay in the election process in order that Marius could be made consul again, this time *in absentia*. The intriguing possibility exists that C. Servilius Glaucia, whose tribunate remains of an uncertain date, may have been Marius' man in 105, and persuaded the voters in the *comitia centuriata* not to allow any other consular candidate than the victor over Jugurtha.<sup>73</sup> Elected just before Marius for 104 and recorded, unlike Glaucia, were quite a gaggle of tribunes including L. Cassius Longinus, Cn. Domitius Ahenobarbus (cos. 96), L. Marcius Philippus (cos. 91) and Cn. Pompeius Strabo (cos. 89), anyone of whom could also have been amicable to Marius in that year.<sup>74</sup> For 103 Marius had L. Appuleius Saturninus in place and probably took active steps to have that same talented politician (discussed further below) elected to a second tribunate for 100 as he was so effective with the people (Plut. *Mar.* 14.6-8).<sup>75</sup> Saturninus' election to a second term was legal though irregular, but then Marius was no stickler for orthodoxy; and he really needed a tried and tested junior official available in the forum for the year, which was supposed to be the peak of his already magnificent career.<sup>76</sup>

against Aristonicus in 131, Cic. *Phil.* 11.18, which would have been unprecedented, and which occurred for the first time only when Marius was assigned the Mithridatic command through the law of Sulpicius in 88.

71 Sallust could be indulging in empty rhetoric here although his usual brevity precludes digressions, which he might have deemed irrelevant to his topic. No tribunes are known for 108, *MRR* 1. 548-550; Evans, *Marius*, 211. The radical tribune C. Mamilius Limetanus held office in 109, and someone of his calibre must have been employed to aid Marius' electoral chances in 108.

72 Besides Manlius Mancinus, C. Coelius Caldus (cos. 94) was tribune in either 107 or 106. Wiseman, *NMRS* 225, while L. Licinius Crassus (cos. 95) held a tribunate in 107, Cic. *Brut.* 161; *MRR* 1.551; Evans, *Marius*, 211. Marius was in Africa from 107 to the end of 105. In 106 Q. Mucius Scaevola (cos. 95) is known to have been a tribune, *MRR* 1.553. M'. Aquilius (cos. 101) may have been a tribune about 108/7, pr. 104, and there were certainly others, such as M. Claudius Marcellus, legate of Marius at Aquae Sextiae, whose later position may have come as a reward for services as tribune. No tribunes are attested for 105.

73 For the date of Glaucia's tribunate, see Chapter 4; cf. *MRR* 1.572 and n. 2 under 101, 3.196, which cannot be correct. Appian's evidence, *BC* 1.28, for Glaucia presiding over the tribunician elections for 100 should simply be discounted as an error. Glaucia was a candidate for the praetorship. For an earlier date, see Evans, *Marius*, 211-212.

74 For the tribunes, see *MRR* 1. 559-560; Evans, *Marius*, 212.

75 On the connection, *MRR* 1.563; Evans, *Marius*, 116-117, 212.

76 On Saturninus' re-election, see *MRR* 1.575-576; Evans, *Marius*, 120-122. There is no evidence for Marius' tribunes in either 102 or 101. A. Pompeius, *MRR* 1.568, trib. 102, who vilified the priest of the *Magna Mater*, who had brought a message of encouragement for the Romans fighting the Germanic tribes, was presumably hostile to Marius. I have argued, *Marius*, 123-124, that in 100 Saturninus and Glaucia tried and very nearly outwitted Marius on the question of constitutional reforms. This may have been too simple an explanation and the truth may have been that Marius was actually in the driving seat until very much later in the day, up to disallowing Glaucia's consular candidacy, representing the public fracture in their alliance.

The events of 100 are analysed in a later chapter, and it is sufficient at this point to note that Saturninus exhibited the sort of independent action that was to be a common trait of a tribune such as Clodius in 58, Milo in 57, Curio in 50 and Dolabella in 47. A tribune as wilful and headstrong as Saturninus was exceptional and his activities eventually became dangerous. After 100 Marius did not have the same dependency on tribunician allies, but in 88 that desideratum arose again. Unluckily for Marius, his chosen tribune for that year, P. Sulpicius, was just too much like Saturninus and proved to be an even greater disaster. The designs of Sulpicius brought chaos in their wake and internecine strife on a scale hitherto inconceivable. There are clear similarities between the activities of Marius' tribunes and with those of Caesar, especially of Curio and, to a lesser extent, Antony in 50 and 49, in which the intrigue and political posturing spun out of control into full-scale civil unrest. However, Curio and Antony fared rather better than Saturninus and Sulpicius, so perhaps something had been learned from the past. Antony reaped a bumper harvest from his employment as a Caesarian tribune; Saturninus and Sulpicius, on the other hand, paid with their lives for committing themselves to Marius. After the drastic experiences of those two, the tribunate actually became a safer office for politicians, and was definitely a less obtrusive position until the 60s, when the legislation granting Pompey his overseas commands and then in the 50s when Marius' heir achieved real prominence brought political affairs almost *cercle refermé*.<sup>77</sup>

Once a politician of the prominence of a Marius, a Pompey or a Caesar had departed to take up his provincial command, it may be assumed that at least one tribune, for the duration of that command, was elected each year to look after the interests of his leader, if it could possibly be arranged. The tribune, a younger man, who might look for future favours, was obviously preferable to a senior politician's colleagues in the senate. Marius had no great faction in the senate,<sup>78</sup> and Caesar would not have trusted his fellow *triumviri*, Pompey and Crassus, nor they him. Not all the years mentioned here can show a versatile tribune obedient to senior but absent senators. However, where a crucial issue was at stake a supportive tribune does have a tendency to step briskly forward. In matters such as standing for consulships *in absentia*, the assent of the Roman people was required through the passage of *plebiscita*. Moves in this quarter called for tribunes; and sometimes these were of exceptional calibre. On a scale of one to ten, their tasks

77 The tribunes in the 70s, for example, Sicinius, Quinctius, Licinius Macer, were of modest standard, some loud and some effective in their campaigns to have tribunician powers restored. They were not in the same league as Saturninus, Sulpicius, the younger Cato and Clodius.

78 On Marius' closest supporters in the last decade of the second century, see Evans, *Marius*, 146-168.

were relatively menial, yet their presence was absolutely crucial. There cannot have been much trouble in finding tribunes to undertake these duties since there would always have been the eager anticipation of some form of suitable remuneration. The tribunes needed senior politicians to assist their advancement, but attachment was rarely close and, therefore, these great men, however “popular” their later reputations have become, would not have found room to mention their minions of the political stage in their subsequent literary compositions.

Tribunes may not have been allowed to intrude much into the autobiographical works of the great men of the Roman republic, but these junior politicians were not entirely forgotten actors (though their names have been mislaid all too often in the records of magistrates) and are represented in the later sources. Sallust’s account of the Catilinarian conspiracy was really quite fair to both Caesar and to the younger Cato, but he did not venture to write a history of Caesar’s entire career, probably because a man so recently deified could not be examined too closely (Suet. *Iul.* 56.3). Sallust certainly chose not to try, though his contemporary, C. Asinius Pollio, recently of consular *dignitas*, seems not to have had such reasonable qualms.<sup>79</sup> But Pollio’s history has not survived to tell its tale and neither have the fourteen books of Livy’s work in which Caesar figured; both historians appear to have been faint in their praise of Caesar.<sup>80</sup> So it is in sources further removed than even the next generation, who were well detached from an environment in which partisanship might have caused offence or placed the writer in jeopardy – remember Lutatius Catulus – that Caesar’s use of tribunes reappears for scrutiny.

Plutarch has already been noted for his version of Caesar’s confrontation with the tribune Metellus (*Caes.* 35.2-4), but he also notes the debate about Catiline’s friends and allies (7.4-8.4), Clodius’ tribunate (14.6-9), the activities of Curio and Antony (29.2, 30-31), and of Flavus and Marullus (61.4-5).<sup>81</sup> In general, his attitude towards Caesar inclines more towards the hostile than to the favourable, but this is a common denominator in his biographical studies of the republican statesmen of the first century BC. Plutarch’s *Caesar* is not his sole contribution as source material for “tribuni plebis”, and it is in the biography of Pompey (*Pomp.* 52.3) that the tribune

79 For Pollio and his history see Syme, *RR* 4-6: “... a pessimistic Republican and an honest man”; 484-486: “... crisp, hard, unsentimental ...”.

80 On Livy’s apparent lack of enthusiasm for Caesar see Tac. *Ann.* 3.28; Syme, *RR* 317, 464; cf. P. White, “Julius Caesar in Augustan Rome”, *Phoenix* 42, 1988, 343-345, if not enthusiastic then extremely detailed: “Caesar’s career took up the bulk of fourteen books (103-116).”

81 Flavus and Marullus are anonymous tribunes in the *Antony*, 12.4, but their deposition from office is cited as the spur for the conspiracy against Caesar, 13.1.

C. Trebonius is found being employed in 55 to pass the measure extending Caesar's term in Gaul.<sup>82</sup> The bribery of Curio and his consequent actions has a greater prominence (*Pomp.* 58.1-5) in Pompey's *Life* than in Caesar's (*Caes.* 29.2, 30.2), or in that of Antony's (*Ant.* 5.1). Antony's election to the tribunate through Caesar's visible sanction and financial aid (*Ant.* 5.1-2) is suppressed, by linking him indirectly via Curio, and the connection, at this point, is passed over entirely in the *life* of the dictator himself (*Caes.* 30.2). In Pompey's *Life*, Antony's political standpoint in 49 is made out to be the result of *amicitia* with Curio; no word of Caesar at all (*Pomp.* 58.1), though he was soon fully committed to Caesar's cause (*Ant.* 5.2).<sup>83</sup>

There are certain nuances in the evidence presented by Plutarch, some of which may result from slips or additions during the period of composition, but there are some hints here and there that Hirtius' version of the events leading up to the crisis in 49, in book 8 of the *Bellum Gallicum*, did not have prime place as a source. The volumes of Livy and especially of Pollio may have been influential here. The attempt at distancing Antony from Caesar and from a Caesarian slush fund is a curiosity since it suggests that the former was "an honourable man" before the corrupting influence of power took its hold, possibly following Pollio's view. It is not obviously relayed as a piece of blatant propaganda, hence may have been known to Plutarch from a source not unsympathetic to Antony, possibly a rare publication at any stage.<sup>84</sup> Antony's subsequent services for Caesar are related in detail (*Ant.* 5.2-4) with his dramatic ejection from the senate and his departure with Cassius, Curio and Caelius Rufus, from the city in a mean wagon and in a slave's clothes. On the arrival of the tribunes in Caesar's camp, Antony and Cassius were able to use their plight to illustrate contemptuous behaviour against elected officials, and thereby bolster their leader in front of his army.

In the *Life* of Caesar, Plutarch states that the expulsion of the tribunes (a *tribunicus* and an *ex-aedile*) provided Caesar with the pretext for his invasion of Italy (*Caes.* 31.2).<sup>85</sup> This claim does not appear in the biography of Pompey, but in the life of Antony, Plutarch goes rather further (*Ant.* 6.1) and quotes from Cicero's *Philippics* (2.55: *Ut Helena Troianis, sic iste*

82 *MRR* 2.217. Crassus was granted Syria as a province, and Pompey the two provinces in Iberia. Plutarch, *Pomp.* 52.3, includes Africa in Pompey's *provincia*. He also mentions, *Caes.* 21.3, the new arrangements that emerged after Luca, but not the services of Trebonius who was rewarded with a legateship in Gaul in 54, *MRR* 2.226, which he held until 49, a praetorship in 48, *MRR* 2.273-4, and consulship in 45, *MRR* 2.305. For all the rewards, Trebonius still joined the plot against Caesar and was killed in Asia in 43, *MRR* 2.349-350.

83 According to Plutarch, *Ant.* 5.1, it was Curio not Caesar who obtained Antony's election to the augural college, which is presumably his mistake.

84 However, see, Huzar: 1982, 634-657, especially 640 on the loss of records.

85 Also given by Cicero, *Phil.* 2.53. Plutarch had clearly read and remembered this section well for he employs it in more than one of the *Lives*.

*huic rei publicae belli causa, causa pestis atque exitii fuit*), an example of Ciceronian invective at its most bitter. It would look strangely out of place transferred into Plutarch's biography as fact, but the writer cannily dismisses the accusation that it was Antony who caused the civil war, out of hand, and consigns Cicero's personal abuse of Antony to the dustbin. On the whole, Plutarch is again rather unsympathetic towards this subject, although at the earlier stages of his career Antony clearly possessed some, if only a few, redeeming features. This episode is included as anecdotal material to liven up the narrative, but more significant is the claim that Caesar had already made up his mind in favour of war, irrespective of the treatment or maltreatment of his tribunes. They were, or had lately become, irrelevant to Caesar's ambitions and strategies, which betrays his real attitude to the "tribuni plebis". For this information alone Plutarch proves, once more, to be a very useful repository of information.

Suetonius' biography of Caesar is more unsympathetic still. The dictator was, after all, *iure caesus*.<sup>86</sup> The war in Gaul receives notable and scathing criticism (*Iul.* 24.2-3).<sup>87</sup> He relates that L. Antistius, tribune in 58,<sup>88</sup> tried to prosecute the new proconsul for malpractice during his year in office, but failed because of the combined opposition of the rest of the tribunician college (*Iul.* 23.1). Suetonius also mentions that the tribunes of 52 originally wanted to make Caesar the consular colleague of Pompey (*Iul.* 26.1), but that the proconsul preferred to hold this office only after his command had legally expired. Curio is described as the most violent of tribunes (*Iul.* 29.1), which shows how the unsavoury reputation of this politician had persisted down to the second century AD, although Suetonius adds nothing more than that the tribune had been handsomely bribed. Suetonius has Caesar waiting at Ravenna intent on war if his tribunes, Antony and Cassius, are subject to any harassment (*Iul.* 30.1). This clearly became the acceptable or official interpretation of events, while those real or partly concealed are given less prominence by both Suetonius and Plutarch, and indeed by Caesar in his *Commentaries*. When Caesar heard that the tribunes had left Rome (*Iul.* 31.1), he duly invaded Italy without delay and welcomed his supporters while

86 The same phrase is attributed to Scipio Aemilianus commenting on the murder of Tiberius Gracchus, A.E. Astin, *Scipio Aemilianus*, Oxford 1967, 240 n. 3, 266. Note again the connection linking Caesar to the Gracchi in that great *popularis* tradition.

87 Baldwin, *Suetonius*, 325, notes "with the influence of Cicero paramount", but, 110-111, that Pollio provides a neutral corrective. Pliny, *NH* .7.92, asserts that the 1 192 000 Gauls killed by Caesar were omitted from the *Bellum Gallicum* from shame, but this may be incorrect considering the amount of statistical information otherwise included in the work.

88 See *MRR* 2.195 under 58; cf. *MRR* 3.17 under 56, 2.209 n.2. The identity of this Antistius is obviously open to some doubt.

he was already on the march after taking Ariminum. Caesar deliberately obfuscated his precise position, placing himself at Ravenna waiting for his tribunician allies when everything had been thrown into confusion (*B.C.* 1.5.5: *is eo tempore erat Ravennae*). In case he was to be caught out, however, he slips in the information that he met up with them a little while afterwards in Italy (*B.C.* 1.8.1). The meeting place was left more than a little ambiguous to confuse later writers, which is presumably what Caesar intended, and which is what happened. No mention of Metellus at all as Suetonius hurries through the *clementia* at Corfinium and, after addressing the senate, has Caesar hurrying off to Spain (*Iul.* 34.1-2). Much later in the *vita*, Suetonius recounts how the tribune Pontius Aquila refused to stand before Caesar's triumphal procession, and relates in full Caesar's angry response (*Iul.* 78.2). The affair which had as its climax the deposition from office of Flavus and Marullus is also noted by Suetonius (*Iul.* 79.1). Caesar's fury is attributed to the lack of enthusiasm with which the populace had received the prospect of regal power,<sup>89</sup> or because the tribunes had managed to hijack the chance of his winning more glory by refusing the royal powers.<sup>90</sup>

Appian's coverage includes the extra negative assertion that the *plebiscitum*, which granted Caesar his province in 59, was bought with a lavish distribution of largesse (*BC.* 2.13). The tribunes Vatinius and Clodius were chosen to represent the proconsul (*BC.* 2.17), with some slight confusion in the chronology. The tribunician law allowing Caesar's candidacy for the consulship *in absentia* warrants a brief mention (*BC.* 2.25), but the bribing of Curio and his subsequent pro-Caesarian intrigues (*BC.* 2.26-27, 30-31) are thoroughly treated. Appian has a more detailed account of Curio's visit to Caesar at the end of 50 (*BC.* 2.31) and his return to deliver the written demands (*BC.* 2.32). The escape of Antony and the other supporters of Caesar are noted (*BC.* 2.33) and so is Caesar's confrontation with Metellus later in the same year (*BC.* 2.41). Dolabella does not feature in this account until after Caesar's assassination (*BC.* 2.122). However, there is an extensive account of the Flavus and Marullus affair (*BC.* 2.108) in which the tribunes acted both against a troublemaker who had set a garland on Caesar's statue and against Caesar by daring to reveal his partiality for monarchy. The plot here is positively Machiavellian. Caesar finally took revenge on Marullus, and on Flavus too by association, though Appian forgets to mention him again. Caesar accused Marullus of disloyalty in the senate and stressed

89 Cf. Plut. *Ant.* 12.4, where this aspect also has some exposure.

90 Suetonius' comments are interesting for they are almost Tacitean in reverse, in that the more favourable option is the more conspicuous. His lack of enthusiasm for the war in Gaul probably stems either from indifference to military affairs or because he recognised the propaganda present in Caesar's *Bellum Gallicum*, which he avoided as a source. For the sources of Suetonius see Baldwin, *Suetonius*, 101-123.

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that, in his opinion, he deserved to be executed, but that it would be sufficient if he were ousted from office. This carried out, it:

... confirmed the suspicion that he desired the title, and that he was aware of the attempts to confer it upon him, and that his tyranny was already complete; for the cause of their punishment was their passion against the title of king.

The history of Dio was meant to be comprehensive, but it is perceptible that the works of Caesar were not consulted as sources. The tribune Vatinius is noted for 59 (38.6.6), but not in connection with the *plebiscitum*, which is left to others who are unnamed (38.8.3-5). Trebonius is recorded as fulfilling the useful role of extending Caesar's command in 55 (39.33.3-4), though Dio gives the impression that this was almost a codicil to the allocation of the provincial commands to Pompey and Crassus. Caesar's link with Curio was obviously of interest to the historian who devotes some detail to it here (40.60.2-64.3), and to the tribune's tactics leading up to the beginning of the armed conflict. Curio's delivery of Caesar's demands and the support from Antony and Cassius are recorded (41.1.2), as is the flight of the Caesarian group, who met up with their leader at Ariminum (41.4.1). Dio also makes the useful observation (41.1.3) that Antony gained a great deal from his allegiance to Caesar. However, following Suetonius, the forceful opposition of Metellus is deemed barely worth noting (41.17.2) and Caesar is not even mentioned in this context. Dio also recounts that, late in 49, following his appointment as dictator by M. Aemilius Lepidus, the urban praetor, Caesar returned to Rome and found that the tribunes were in charge of the administration of the city in the absence of any other elected magistrates (41.36.1-3). Dio does not elucidate here, but those tribunes must either have been those of the college for 49 or, more likely, those who had just been elected for 48. Dio shows that all electoral functions, except for the tribunes, were in abeyance pending Caesar's return. Of the tribunician college of 49, Metellus had fled to Pompey, Cassius was with Caesar, leaving just Philippus of the attested "tribuni plebis" of that year in the city, while Antony had been left in charge of Italy. Antony already possessed enormous power in that year and worked closely with Lepidus, so it is possible that Dio sidestepped giving recognition to the enemy of the first *princeps*. The *stasis* between Dolabella and Trebellius is keenly reported (42.29.1-4) and Dio suggests that the unrest, far from being solved by Antony, descended into chaos. The deposition from office of Flavius and Marullus receives rather more coverage (44.9-10), and is perhaps an indication that this event was regarded afterwards as one of the more sure signs of Caesar's desire to be made a king.

Caesar was neither more nor less cynical in his employment of “tribuni plebis” than other major Roman republican politicians of the first century BC, and his treatment of them, both literary and political, reflects a norm that may also be identified in Pompey’s and Marius’ activities in the same field. For Caesar, young men like Curio, Antony and the rest were placed in the tribunate to fulfil a task which, once completed satisfactorily, could be abundantly rewarded. Tribunes who served Caesar in the 50s were well repaid with legateships in Gaul – Vatinius, Trebonius, Numerius Rufus; indeed, his staff must have had their fair share of *tribunicii* by 50. Caesar was not unusual, however, and by comparing his actions with those of Marius, who was in part his model, the exploitation of tribunes can be traced. Marius too indulged in an age-old process, but I would suggest that he escalated the use of tribunes who, as a result, became overused and overpaid by the end of the Republic. The tribunes in 49 fled the city, but they were not the first to do so. I am sure that Saturninus would happily have gone abroad in 100 had he made it beyond the *clivus Capitolinus*, and Sulpicius made it as far as Latium where he was killed in 88 (Liv. *Per.* 77: *in quadam villa lateret*).<sup>91</sup> Antony, Cassius and their party were far more fortunate than these earlier examples and obtained the bonuses they had rightly earned. Generosity on the part of the *patronus* may not have been universal, but ties in well with Caesar’s reputation in antiquity. Generosity is not always repaid in kind, however, as Caesar discovered on the Ides of March.

In terms of literary use of *tribuni plebis*, Caesar was also not that exceptional; he was inventive but not excessively so. The propaganda in his work is too easily exposed. Moreover, memoirs, whether they are political or military, have a simplistic goal in mind; and Caesar’s aim was not radically different, if it was different at all, from that of other exponents of this genre. That his *Commentarii* have been more readily accepted than most has depended on chance survival, probably because Caesar became a god, and the fact that he greatly facilitated the foundation of the Principate.<sup>92</sup> Caesar certainly told lies about his various allies and enemies among the “tribuni plebis”,<sup>93</sup> but the accumulation of untruths was not sufficient to render his

91 H.B. Mattingly, “The *Consilium* of Cn. Pompeius Strabo in 89 B.C.”, *Athenaeum* 53, 1975, 265 n. 14, postulates Lavinium as a possible *patria*.

92 On Caesar’s public image after 27 see, for example, White: 1988, 334-356, arguing that Augustus paid due respect to his adoptive father, and that he was neither a forgotten nor an embarrassing element in the propaganda of the Principate, a sentiment echoed by Galinsky, *Augustan Culture*, 53,82,208-209, 318-319.

93 Grant, *Caesar*, 238: “So much for the battle-cry of tribunician inviolability and democratic rights with which he had launched the civil war.”; Yavetz, *Julius Caesar*, 199-200: “The man who had begun his career by the *via popularis* and had crossed the Rubicon to protect the rights of the tribunes had come a long way.”; Ehrhardt: 1995, 36: “rights of the tribunes ... too obvious a sham.”

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works useless, nor were they *ex tempore* to the extent that they required rewriting, either in antiquity or in modern times. We do not seem to mind being deceived by Caesar's literary talents any more than than we mind or find repugnant his dictatorial or regnal aspirations; but in the treatment of tribunes, like Marius, he moved the political process on and in doing so he terminated for all time the role of the leaders of the people's assembly. Great statesmen after Caesar did not need to use the tribunes of the plebs since they had become virtually obsolete, or as Syme says, "a name and a shadow".<sup>94</sup>



**Caesar's position at the start of the Civil War (Jan-Mar 49 BC)**

<sup>94</sup> Syme, *Tacitus* 76. There are occasional glimpses of *tribuni plebis* featuring in semi-independent guises after Caesar's death. Also worth citing is the plebeian aedile, C. Calpurnius Bibulus, a descendant of Caesar's consular colleague in 59, who was prominent in calling for sumptuary legislation in AD 22, Tac. *Ann.* 3.52; Syme, *RP* 6.203. Overall, however, the advent of autocracy ended truly free activities of tribunes, and careers mostly designated by an autocrat relieved senators, who aspired to high office, the necessity of employing these officers to carry out tasks for them in *contiones* or *comitia*. The tribunate was absorbed into the person and powers of the *princeps*, who became a perpetual tribunc precisely to avoid any show of old-time independence. However, the office of the tribunate could still produce debate even at the end of the first century AD, Pliny, *Ep.* 1.23.



### Marius, Pompey and Caesar

All politicians, including those discussed in Chapters 1 to 3, seek to be remembered as great and popular figures. Marius, Pompey and Caesar are not exceptional in this respect and, in one sense, they succeeded in their ambitions for they are universally acknowledged as being among the political and military giants of the Roman republic. However, it has also been shown that some aspects of their reputations were not deserved, and that these were created and perpetuated through literature containing bias and propaganda. This problem has not been tackled with sufficient detachment in modern studies, themselves often affected by their sociopolitical environments, personal inclinations and beliefs. Furthermore, a particular characteristic has often been attached to the three Roman republican politicians dealt with here, which has then been exploited beyond a realistic proportion. Hence the lavish portrayal of Marius as the uncultured soldier who rose through the ranks, Pompey as the dashing but unscrupulous young man, a veritable “Roman Alexander”, Caesar as a “popularis” figure who was the Roman fore-runner of a politician in modern democracies.

Marius’ military career was not entirely fraudulent, but the extent of his successes in campaigns in North Africa – the war against Jugurtha was more notable for Marius’ absences than participation – and in southern Gaul, where defence was more crucial than intervention, can be seen to have been disproportionately enhanced in antiquity at the expense of his political expertise. This distortion has been left mostly untouched and uncorrected by scholars intent on retaining Marius, following Mommsen, almost romantically among an uneducated military corps. Moreover, the difficulty of studying Marius’ career is compounded by bias supposedly evident in the ancient literature which, although dismissed without scrutiny, if treated fairly reveals a more historical figure. By the very process of a critical reappraisal for the basis of Marius’ military reputation, between 107 and 101, and exposing its less than lofty pinnacle, his stature as a general must diminish but, at the same time, his capability as a politician must rise. Marius was a true product of his age, not a leader from outside the elite thrown up by adverse circumstances; and as such he fits more neatly into the fabric of second century BC Roman political and military affairs.

Pompey’s portrayal as naive and gauche in public affairs has much in common with the bluff military type used to account for the apparent blunders, although not well attested, made by Marius in domestic controversies.

Both were out of their depth. Both characterisations derive from Mommsen. Therefore, Pompey needed a guide-book to teach him senatorial procedure; Marius simply bungled once too often and fell from grace. Both portraits are cartoons of far more wily individuals. In the case of Pompey, the reputation for immaturity had disappeared by the end of his successful campaigns against Mithridates of Pontus in the 60s. He had grown up. But this is a cliché. It is hardly surprising that Pompey had achieved a maturity for it has been illustrated that his career in the 70s was, like that of Marius and most other senators, a long and difficult passage, each stage of which was obtained through blood, sweat and tears. Pompey's career from the death of Sulla to his elevation to the consulship at the age of thirty-five was not a triumphant gallop to political stardom. The Spanish campaigns were not the springboard for political dominance; rather, it was the brief participation in the suppression of a slave rebellion. There was no easy or charmed route to pre-eminence in Roman republican politics. Perhaps once he had obtained the consulship, Pompey displayed a greater indifference to success than either Marius or Caesar, but it is a sure indication that the consulship so much sought and so rarely achieved, often turned out to be an anticlimax in a Roman's career. For Pompey it was sharing the consulship with Crassus with whom he was not close, while Marius was obliged to share one of his years in office with Q. Lutatius Catulus, also no friend.

Sharing his consular year with M. Calpurnius Bibulus hardly made this office the icing on the cake for Caesar either, frustrated as he undoubtedly was by senatorial colleagues and intrigues. Yet, through the use of the plebiscite, like Marius, he achieved what he coveted most, the far greater and more lucrative reward of the proconsular command in Gaul. Allies among the tribunician college who obtained this governorship for Caesar had done a similar good turn for Marius in 107 and 104, and for Pompey in 67 and 66. The tribunes were crucial figures in public life in the first century BC, and it is plain that each of these *seniores* had cause to employ tribunes usually to good effect in a way that thrust their careers along. However, Caesar was neither exceptional nor especially caring about the many tribunes who took up his cause in the assemblies or in the senate. They had a propaganda purpose.

Finally, the careers of all three have much in common, and it is worthwhile pointing out that the methods and precedents established by Marius in, for example, the use of the *plebiscitum*, the activities of tribunician allies, the extraordinary commands, multiple consulships, and *clientelae* within and beyond senatorial ranks, were each copied by Pompey and Caesar, and extended until finally the republican system could no longer function. It hardly

needs to be stated that the years 107, 70 and 59 can, with retrospect, be seen as vital for the fortunes of the *res publica*. In one sense, the continued expansion of the Roman empire was guaranteed by the presence in high office of men like Marius, Pompey and Caesar. In another sense, however, the needs and aspirations of these great men also ensured an increasingly feeble central and collective government in Rome itself. The first consulships of all three, therefore, deserve to be portrayed as the three fetters that manacled and ultimately enslaved the senatorial government of Rome.

# section II

the lesser figures





## Saturninus and Glaucia: a quest for power

It is appropriate at this stage to herald the palpable difference between the three chapters forming the first trilogy and the three which comprise the second. The change in the nature, if not the origin, of the source material is obvious: there is no single dominating influence in the form of a major biographical work – in Caesar’s instance two *Lives*, not to mention his own large and largely surviving autobiographical output. It is very doubtful indeed whether Lucius Appuleius Saturninus or Gaius Servilius Glaucia were ever the subjects of full-scale biographies,<sup>1</sup> or the central characters of any work unless it was scurrilous propaganda in pamphlet form of the sort circulated on the occasion of one of their canvasses for public office. That deficiency, however, may well be a blessing in disguise for them both, and for the other politicians who feature in this section. After all, biographies by Plutarch and Suetonius may well be vital sources of information, but their very existence is sometimes a mixed blessing for their towering presence may also lead to an undue reliance on material not necessarily of the best quality.

It is quite clear that the subjects of this chapter, and indeed of this second trilogy, were never regarded in antiquity as being worthy of special attention, subjects of *Lives*, yet their collective careers and achievements were, in many respects, as significant as those of the “great generals”; the careers of politicians such as Saturninus and Glaucia were not necessarily more disastrous, or more catastrophic for Rome than those of Marius, Pompey and Caesar. They were certainly not so insignificant as to be deemed worthy of no notice at all.<sup>2</sup> However, their reputations as power-hungry madmen, coupled with the irresponsibility of adolescents, deserves to be treated

1 However, though relatively minor figures such as Saturninus and Glaucia may have been passed over, there was apparently sufficient interest in a person such as Catiline for him to receive special treatment as the central character in Sallust’s monograph the *Bellum Catilinae*, which is essentially the biography of a criminal. It says something of Roman society, at least during the early Principate, that whores and literati were considered more valid as subjects for biographical treatment by, for example, Suetonius, Baldwin, *Suetonius*, 85, 346, than individual emperors or the likes of tribunes such as Sulpicius, Clodius or Milo, who feature below, even if they appear in other works. It is of course possible that works devoted to these politicians, perhaps *exempla* in rhetorical exercises, once existed but are now lost.

2 In the modern era, of course, Saturninus, his laws and brief prominence in political life have received due attention by, among others, M.H. Crawford, “Saturninus and the Italians”, *CPh* 64, 1969, 37-38; E. Badian, “The Death of Saturninus: Studies in Chronology and Prosopography”, *Chiron* 14, 1984, 101-147; J.L. Beness, “The Urban Unpopularity of Lucius Appuleius Saturninus”, *Antichthon* 25, 1991, 33-62. Glaucia’s tribunician laws, in particular, have also attracted a good deal of scrutiny: B. Levick, “Acerbissima Lex Servilia”, *CR* 17, 1967, 256-258; H.B. Mattingly, “The Extortion Law of Servilius Glabrio”, *CQ* 25, 1975, 255-263; “The Character of the Lex Acilia Glabronis”, *Hermes* 107, 1979, 478-488; “Acerbissima Lex Servilia”, *Hermes* 111,

with considerable caution. At the same time, their public careers are also open to reappraisal, and this will result in a more realistic assessment of their place in the politics of the Roman republic.

For a study of Saturninus and Glaucia, there may be no ancient or modern *Life*, but there is also no shortage of literary, not forgetting non-literary, material. It is perhaps useful, at this stage, to discuss some of the references to hand, before proceeding to an analysis of their careers and, particularly, of their objectives. Most important here is specifically an examination of the evidence to see whether or not their characters and careers were developed by successive generations of historians and other writers. Were Saturninus and Glaucia always viewed in a totally negative light, or can some shifts in perceptions about their methods, intentions and goals be identified? Saturninus and his colleague are mostly cast in a darkly subversive role, yet there must surely have been sources, that were more positive or, at the very least, ambivalent about a pair who were very talented politicians. Even the most hostile sources accede to this claim.

In terms of chronological order, the earliest literary material in which we might expect mention of these two is lost. It may be assumed, however, that the autobiographical works of contemporary political figures such as Aemilius Scaurus, Lutatius Catulus, Rutilius Rufus and Sulla will all have been antagonistic in their portrayals of figures whom they opposed almost from the time that they appeared on the political stage.<sup>3</sup> Moreover, in all these memoirs Saturninus and Glaucia will have featured only as minor characters, lesser elected officials – though Glaucia aspired to the consulship – ephemeral personages, though the effects of their legislative programmes were felt long after their departure from the scene. The *Histories* written by Posidonius will have covered the period of Saturninus' *tumultus* but, seeing that the tribune was an ally of Marius, he and Glaucia will not have been viewed favourably. Posidonius' views were influential in the later develop-

1983, 300-310. For a discussion of them both, see, Gabba: 1972, 764-805; Ferrary, J-L, "Recherches sur la législation de Saturninus et de Glaucia (d'après les inscriptions de Delphes et de Cnide)", *MEFR* 89, 1977, 619-1983, 300-310. For a discussion of them both, see, Gabba: 1972, 764-805; Ferrary, J-L, "Recherches sur la législation de Saturninus et de Glaucia (d'après les inscriptions de Delphes et de Cnide)", *MEFR* 89, 1977, 619-660; "Recherches sur la législation de Saturninus et de Glaucia II", *MEFR* 91, 1979, 85-134; H. Schneider, "Die politische Rolle der *plebs urbana* während der tribunate des L. Appuleius Saturninus", *Anc.Soc.* 12/13, 1982-83, 193-221.

3 It is also a debatable point whether any journals kept by Marius would have more than briefly mentioned a tribune like Saturninus or a more junior senator such as Glaucia. They were involved in his military campaigns only at a distance, and later became estranged from the writer, although not until after those wars had been concluded. Caesar scrupulously avoided detailed discussion of domestic affairs in his coverage of the Gallic campaign as if the war was conducted in a vacuum. It is observable that when items such as *supplicationes*, 2.35, 4.38, 7.90, the levy of troops by Pompey, 6.1, the death of Clodius, 7.1, are mentioned they are not intrusive, and usually add lustre to Caesar's own image.

ment of Latin historiography and enshrined, as it were, the dominance of the negative. Positive or sympathetic accounts will have stood little chance of gaining an ascendancy against a work soon regarded by other historians as definitive on this period. If C. Licinius Macer wrote about this period, neither has any trace nor even any memory of his opinion remained.<sup>4</sup> Little, too, is recoverable of the sentiments of Sempronius Asellio, probably another senator, who lived through the turbulent times (146-91 BC) he covered in his work, which was probably used in many later compositions. On the other hand, a little more survives of the history of Fenestella, written at the other end of the first century, the scattered fragments of which are suggestive of a deep antipathy towards radical politics. His thoughts may also be discernible in later histories.<sup>5</sup> Valerius Antias and Claudius Quadrigarius were both influential as models for later writers of histories, and were closer to the events they described, although they appear to have lacked insider knowledge of political life, with the result that when they were used by someone like Livy, another non-participatory historian in public affairs, non-credible material manifests itself. There was also L. Cornelius Sisenna, the elegant stylist but staunchly pro-Sulla (Sall. *Iug.* 95.2). Not much could be expected from that quarter, even if anything of substance were to have survived.<sup>6</sup>

The Ciceronian *corpus*, therefore, represents the earliest extant material in which Saturninus and Galucia figure. To take Saturninus first, Cicero was too young himself to recall this politician, but he knew those who had been acquainted with him, or who had competed against him, or who had participated in his murder. Nonetheless, Cicero is a little disappointing as a source for,<sup>7</sup> by comparison with other demagogues, including the Gracchi (*Brut.* 104, 125-126), Saturninus is, in the briefest of terms, generally dismissed without a second glance as an orator of the second rank (*Brut.* 224; cf. *Acad.* 2.75). Mediocrity is certainly implied (*Acad.* 2.14), *audacia* is asserted (*Vat.* 23) and insanity or dementia is also suggested (*Har. resp.* 41:

4 Macer may not have completed his history of Rome as far as the end of the second century but, if he had, he, at least, should have been positive about Saturninus, considering his own political inclinations, see Chapter 2, above.

5 Fenestella recorded the controversy including the cost of the construction of the *Aqua Marcia* in 144, fr. 10; covered the trial of the Vestals in 114, fr. 11; evidently dealt with the Jugurthine war in depth, fr. 12; increasing *luxuria* in Rome, fr. 13 (elephant fights), fr. 14 (Alexandrian pearls); the civil war in the 80s, fr. 15-16; political events in the 70s, fr. 19; and the 50s, fr. 21, in Book 22 of his *Annales*, H. Peter, *Historicorum Romanorum Reliquiae*, Stuttgart 1967, 2.81-86. Fenestella's reference to C. Cato, trib. 57 as: *turbulentus adulescens et audax nec imparatus ad dicendum* implies a certain distaste for aggressive political behaviour.

6 For Sisenna see, for example, E. Badian, "The Treaty between Rome and the Achaean League", *JRS* 52, 1962, 76-80; "Where was Sisenna?", *Athenaeum* 42, 1964, 422-431. The ponderous Tanusius Geminus, Sen. *Ep.* 93.11, may not have retraced his history as far back as 100, but still may have recalled Saturninus though since hostile to Caesar, Plut. *Caes.* 22.2-3; Suet. *Iul.* 9.2, Marius' heir, not with much sympathy.

7 Beness, 1991: 34: "historically careless" and "nothing of substance to offer".

*effrenatus et paene demens*), but was Cicero being entirely fair?<sup>8</sup> Compared to the Gracchi and P. Sulpicius, Saturninus comes off worst, and in a poor fourth place. He is noted (*Sest.* 37-39, 101, 130; *Leg.* 3.26) as the one who, in 100, engineered for Marius the exile of Q. Caecilius Metellus Numidicus (cos. 109), a politician much admired by Cicero (*Sest.* 37). Elsewhere, Saturninus is duly mentioned in that list of unfortunates who perished as a result of the passage of the *senatus consultum ultimum* (*Pis.* 4; *Cat.* 1.4 & 29; *Phil.* 8.15; *Leg.* 3.20); as the author, or at least prime mover, of the *lex Appuleia de maiestate* (*Orat.* 2.107 & 201), which became so fundamental an element in the political life of the pre-imperial *res publica* and of the early Principate; as the culprit in the assassination of C. Memmius, consular candidate in 100, and competitor of Glaucia (*Cat.* 4.4); as promulgator of a law establishing colonies, probably never fully executed (*Balb.* 48; cf. *Leg.* 2.14; *Ascon.* 67-68C); or a name which in later times might excite the public imagination or ignite tensions in the city (*Verr.* 2.1.151).<sup>9</sup> In a more extensive fashion, Saturninus is the natural focus of attention in the *oratio pro Rabirio perduellionis reo*, since it was with participation in his murder that the defendant was charged. The charge was candidly admitted by the speaker (*Rab. perd.* 19),<sup>10</sup> who argued that there was sufficient justification since a *tumultus* had been instigated, and that emergency measures had been decreed by the senate in the face of the *improbitas et furor* of the tribune in question (*Rab. perd.* 22). To have joined with Saturninus as Q. Labienus, uncle of the accuser, the tribune T. Labienus, had done was equally a madness and a crime (*Rab. perd.* 24: *furoris et sceleris*).<sup>11</sup>

Glaucia features much less in Cicero's works. He did not die as a tribune of the plebs and was, therefore, not in the tradition of the infamous four – the Gracchi, Saturninus and Sulpicius – to be called upon as a ready-made *exemplum*. Therefore, he is a much more difficult character to grasp

8 *Dolor* is also the consistently proffered cause of action which spurred on Saturninus, *Har. resp.* 43; *Sest.* 39. His activities as a tribune were the result of his loss of *dignitas* when quaestor, or so it is claimed, partly perhaps to reduce his legislation to a trivial level, even if the specific laws were not.

9 Cf. Beness, 1991: 56-57, who sees this as a later development and not a reputation Saturninus possessed in his life-time: "only became a "popularis" martyr some time after 100 ... Cicero makes explicit reference to that posthumous reputation."

10 The actual murderer was reputedly a slave called Scaeva, owned by a certain Q. Croton, *Rab. perd.* 31, and, if fact, suggests that it was not simply the senatorial or equestrian contingents who took to the streets in response to the *SCU*, *Rab. perd.* 20-21, or who were responsible for the ultimate deed at all. Bear in mind, however, that the naming of a semi-anonymous slave, even one granted his freedom and hence in an attestable situation, might well conceal more illustrious murderers.

11 It is hardly remarkable that Saturninus, that *exemplum* of radicalism, should appear just once, and obliquely at that, in Cicero's letters. In mid-55, P. Clodius is described in vulgar terms as a latter-day Appuleius, *Att.* 4.11.2, Bailey, *Letters*, 4.197; A. Richlin, *The Garden of Priapus: Sexuality and Aggression in Roman Humour*, Ann Arbor 1983, 85: Clodius called "Appuleia" as a double joke implying that he was effeminate but also a copy of "proverbially seditious" Saturninus. See also Chapter 6.

and to categorise. Still, it is worth noting that Cicero (*Brut.* 224) comments more extensively on his oratorical skills than on those of Saturninus even though he regarded Glaucia as: *improbissimus ... sed peracutus et callidus cum primisque ridiculus* and elsewhere as: *homo impurus, sed tamen acutus* (*Rab. post.* 14).<sup>12</sup> Extraordinary skills are attested, and indeed authentic sayings are preserved, in itself remarkable for this period of Roman history, which show something of this politician's more formed and well-rounded character, than his rather bland colleague Saturninus, which is quite at odds with most modern treatments. Saturninus usually gets the more prominent role and Glaucia recedes into the background, but Cicero evidently thought the contrary. Thus particularly, there is an attractive ability to raise a laugh (*Orat.* 2.249), though it was not necessarily a facet used in a kindly manner (*Orat.* 2.263: ... *Glaucia Metello*, "*villam in Tiburte habes, cortem in Palatio.*" Glaucia to Metellus, "You have your palace in Tibur, your pigsty on the Palatine."). Glaucia obviously also got as good as he gave, for Cicero puts into the mouth of L. Licinius Crassus (cos. 95) an apparent dislike for the saying, but not a complete distaste for enunciating, obviously still commonplace in Cicero's day: *nolo dici morte Africani "castratum" esse rem publicam, nolo "stercus curiae" dici Glauciam* (*Orat.* 3.164: "I don't much care for the expression that the death of Africanus left the state "emasculated" or that Glaucia was the "excrement of the senate house"). Some of these details might imply an origin closer to the gutter than to the Roman forum but, like Saturninus, Glaucia was not even a *novus homo*.<sup>13</sup> Glaucia's authorship of the tribunician measure, a *lex repetundae* with a *quaestio* composed of equestrian juries, which became law probably in 105/4, warrants independent notice (*Balb.* 54; *Verr.* 2.1.26).<sup>14</sup> Elsewhere, Glaucia usually appears next to his colleague in intrigue whenever they are noted as casualties of urban unrest (*Phil.* 8.15; *Rab. perd.* 20; *Cat.* 1.4). On one noteworthy occasion, however, Cicero makes the interesting remark (*Cat.* 3.15) that Glaucia was not an intended victim of the *SCU*, which had apparently named only Saturninus and perhaps his fellow tribune Equitius as the instigator of the *tumultus*, but that his death was arranged by Marius and

<sup>12</sup> Beness, 1991: 34, sees Cicero's comments as suggesting a difference between performance (Saturninus) and following (Glaucia).

<sup>13</sup> Wiseman, *NMRS* 206, and n. 5. A relative had served on an embassy with Ti. Sempronius Gracchus (cos. 177) and L. Cornelius Lentulus Lupus (aed. 163, cos. 156) in Asia in 162, *Pol.* 31.15.9; *MRR* 1.443. Although listed third, behind a recent ex-aedile, this would not preclude praetorian status for Glaucia, though *aedilicium* may be preferred. A praetorship in the years between 165 and 163 or later would go unnoticed due to the loss of Livy's history after 166.

<sup>14</sup> E. Badian, "*Lex Servilia*", *CR* 4, 1954, 101-102, argued, however, that this was the consular law of Q. Servilius Caepio dated to 106.

was afterwards hushed up.<sup>15</sup> Does this allow for some conjecture that either Glaucia was perceived as the greater menace in 100 and had to be done away with in surreptitious circumstances, or that he was not as dangerous as Saturninus and was merely caught up in a lawless situation? His connection with Marius is likened to that relationship between Clodius and Pompey in the early 50s, well attested, but again curiously unbeneficial for the senior politician (*Har. resp.* 51). Cicero's contemporary Clodius was a clear heir to the freedom, some might argue bad manners, displayed by Glaucia. Coincidentally they achieved a similar rank in the senatorial hierarchy. Glaucia's concern for the populace, if Cicero's evidence is reliable (*Rab. Post.* 14), is also quite astonishing for one so reviled:

*Glaucia solebat, homo impurus, sed tamen acutus, populum monere, ut, cum lex aliqua recitaretur, primum versum attenderet: si esset dictator, consul, praetor, magister equitum, ne laboraret; sciret nihil ad se pertinere: sin esset quicumque post hanc legem, videret ne qua nova quaestione adligaretur.*

Glaucia, that shrewd but unscrupulous man, always used to warn the people that, when some law was being read, to take good note of the first phrase: If it started with "Dictator, Consul, Praetor, Master of the Horse" they should be unconcerned, for they would know that it did not apply to them; but if the law began with "Whosoever after the passage of this law ...", they were to ensure that they were not about to become liable to some new form of inquiry.

A more comprehensive assessment of Glaucia's character and attributes is no longer fully feasible, perhaps, but it is intriguing to delve, since his contribution to Roman political history has been waylaid, to some extent, by a greater modern interest in the tribunes and laws of Saturninus.

Next in chronological sequence are the remains of the history of Diodorus. Glaucia has no place here at all, and Saturninus dominates the tattered fragments. Of course, Glaucia might have been dealt with fulsomely, but there is no chance that this conjecture can be borne out. Diodorus flourished during the pre-Principate period and, therefore, ought to have had a good understanding of the events leading to 100 and of the personalities involved. Saturninus was ὁ δῆμαρχος ζηλώσας βίον (36.12), but otherwise a most sympathetic picture emerges; he lost his job as quaestor, but corrected his image and went on to greater things. This material was surely not extracted from the history of Posidonius and is also not the portrayal that emerges from Cicero's numerous references. And if not from Posidonius

<sup>15</sup> However, note *Rab. perd.* 20, which places Glaucia along with Saturninus, Saufeius and Equitius on the Capitol during the height of the insurrection and, therefore, contradicts his own evidence in the *oratio in Catilinam*, and also other chronologically later evidence, of which see further below.

then who could have been the source of information for Diodorus' work at this juncture?<sup>16</sup> It is doubtful whether Posidonius would have had a soft spot for Saturninus (perhaps someone else had), though it is just conceivable that the blame for Saturninus's later activities was transferred to Glaucia; words which are now lost. Moreover, Marius is certainly not the recipient of negative material either (34/35.38.2):

And so it was that, as a rule, the Romans were defeated when under the command of others, but were always victorious when Marius was the commander.

This is not what we usually expect from an ancient source on Marius and especially on Saturninus, who is generally given no redeeming features. Diodorus notes his subject's insolence (36.15.1: *μεγάλην ὕβριν*) when he attacked an embassy sent from Mithridates VI to Rome; seeing that the Pontic king was to be such an enduring enemy perhaps this showed some foresight by Saturninus, though at that stage, with the Cimbri marauding and the Sicilian slaves in revolt, Rome could not afford a war on another front. Saturninus also wore expensive clothes, a sign of consuming *luxuria* (36.15.2), but like his *lubido*, once placed under constraint, brought him sufficient support to secure his acquittal on the charge of *hubris*. After both episodes, Diodorus relates that the people responded by rewarding Saturninus with the tribunate. Fluctuating fortunes, a highly respectable *topos* is readily apparent here.

The *Rhetorica ad Herennium* comes next, and is placed here because of the uncertainty about its date: an early work or a forgery. Either way, the interesting point is that this text follows Diodorus' favourable outlook and again no sign whatsoever of Glaucia, which is bound to suggest the possibility, if not the likelihood, of a common source, if not the ultimate source for a positive view of Saturninus.<sup>17</sup> Neutral references are to Saturninus' *lex frumentaria* (1.21, 2.17) and to the *lex de maiestate* (1.25); but most interesting (4.31) is a record of the *coniuratio* in 100:

An unworthy and violent death prevented Ti. Gracchus from remaining in the state, which he was guiding, for a longer time. C. Gracchus experienced a similar fate, which suddenly ripped this exceptionally popular and patriotic man from the heart of the state. A treacherous crime deprived Saturninus, too trusting of wicked men, of his life.

16 See Beness, 1991: 61-62, for Diodorus' sources possibly including Rutilius and for modern discussion on this theme. The extract at 36.12 is clearly hostile initially, but perhaps Diodorus changed sources before the more positive 36.15.

17 The consensus seems to favour an early publication in the mid-80s, which would make this text the earliest surviving account of the period 105-100, *OCD*<sup>2</sup> 922; cf. *OCD*<sup>3</sup> 1314-1315; *LCL* xxv-xxvi.

This is not only an apologia for the tribune of 100, but the blame for his death and deeds is clearly made to reside with others. Does the author infer that Marius should be blamed for the breaking of *fides* with former allies, or is fate and fortune again to be invoked as the cause of ruination?<sup>18</sup>

There was manifestly a divergent tradition, not that unexpected at the outset, before one of the two achieved a primacy. On the one hand, a sympathetic view of Saturninus, if not of Glaucia, and on the other, vigorous and virulent in its antipathy to both. The autobiographical works of the late second century down to Sulla's *Commentarii* ought to be identified as partly, if not wholly, responsible for the negative reflections on both Saturninus and Glaucia – none of these writers had cause to be sparing in their vitriol. In the *ad Herennium* and in the history of Diodorus, a quite discrete version has emerged which omits all mention of Glaucia and seems to have the intention of rehabilitating Saturninus.<sup>19</sup> However, the common source remains obscure. And if the *ad Herennium* does belong to the mid-80s then its source can only have been a work written in the 90s immediately after the events of 100.

Even by the 40s, Caesar (*B.C.* 1.7) in his justification of crossing the Rubicon and his response to the passage of the *SCU* against him, could determine a difference between his actions and those of Saturninus and Glaucia, which drew rightful and legal use of military force in their suppression. Caesar had a considerable problem here for his audience must surely have writhed inwardly at such a literary contortion, for it would appear to have been absolutely permissible for the senate to destroy tribunes such as the Gracchi and Saturninus, if they caused urban unrest or organised armed rebellion, but it was not permitted for that same senate either to intimidate Caesar's tribunes in the senate or pass the *SCU* against him, even if he was in armed revolt against the *res publica*. In the *Civil Wars*, Caesar might have been better advised to burn his bridges, which he did physically speaking when he crossed the Rubicon, by penning support for the Gracchi and Saturninus and by proclaiming a general antipathy towards the senate. That he did not do so suggests that support of the senate as much as the Roman populace, its members or just its name, remained of paramount importance to Caesar.

18 Notably a single brief allusion to Marius in the entire work, and also in a neutral context, 4.68. Some positive image might have been expected unless the author of this treatise regarded Saturninus as an innocent party compared with Glaucia and Marius. If an early source, surprisingly remote from the politics of the decade, suggesting perhaps a later composition, see also below, Chapter 5.

19 This would support the main thesis of Beness about Saturninus' earlier reputation and what appears in Cicero's works.

A simpler message is to be found in Sallust's single reference to Saturninus (*Hist.* 1.77.7M): only worthless rabble had joined the cause of the rebellious M. Aemilius Lepidus in 78 just as it had followed Saturninus, Sulpicius, the younger Marius and the praetor L. Iunius Brutus Damasippus. As to be expected, such sentiments are expressed by the orator L. Marcius Philippus (cos. 91), no friend of these demagogues.<sup>20</sup> This is much the same image as that presumably wrought by Livy, based on the history of Valerius Antias (*Per.* 67) for this period,<sup>21</sup> and which is highly visible even in the brief epitome (*Per.* 69) for the year 100. This is the first appearance of Saturninus who must have featured in the original text before this year but whose activities were, astoundingly, not of sufficient interest to the epitomist. The picture is one of unmitigated hostility. Elected tribune for 100 with the help of Marius (*adiuvante C. Mario et per milites occiso A. Nunnio competitori*),<sup>22</sup> but through the use of violence (*violenter tribunatum*). The agrarian law was passed by violence (*per vim*), Metellus Numidicus, whose exile was engineered, was defended by good citizens (*bonis civibus*), while Saturninus killed C. Memmius, a consular candidate (*candidatum consulatus*) and, finally the tribune died with Glaucia and other allies in an armed uprising (*oppressus armis cum Glaucia praetore et aliis eiusdem furoris sociis bello quodam interfectus est*). Velleius (2.12.6) is briefer still, dismissive of Saturninus and Glaucia, but surprisingly sympathetic towards Marius:

A sixth consulship was given to Marius as a reward for his services. However, he should not be defrauded of the glory of this consulship for, during this term, as consul he suppressed the mad acts of Servilius Glaucia and Saturninus who were breaking up the state by continuing to hold public office, and who were disrupting the elections with violence and murders, and arrested these deadly individuals, and saw to it that they were killed in the Senate House.

Like Livy, Velleius makes no reference to any relevant event before the crisis of 100 and, as a postscript, mentions that Saturninus was the architect of the exile of Metellus Numidicus (2.15.3-4) in that same year.

From then on the negative and the hostile tend to prevail. Valerius Maximus notes the *seditio* of Saturninus several times in his work (6.3.1c: *seditiosissimorum civium*, 8.5.2, 9.7.1), especially with regard to *fortuna* (3.2.18, with a single mention of the praetor Glaucia) and *infamia* (8.1.2-3),

<sup>20</sup> See also McGushin, *Histories* 1.35, 138-139.

<sup>21</sup> Too little remains of Antias' work for an accurate sounding of his attitude towards popular tribunes, Peter, *HRR* 282-283.

<sup>22</sup> For considerable scepticism regarding the historicity of this episode, see R.J. Evans, "Quis erat Nunnius?", *AHB* 2, 1988, 42-48.

and the exile of Metellus Numidicus engineered by the tribune (3.8.4). Quintilian mentions Saturninus four times, all neutral without a trace of rancour: in connection with similes: *iure occisus est Saturninus sicut Gracchi* (5.11.6), commenting on a dignified attack by Cicero (*Rab. perd.* 25) on the display of a portrait of Saturninus by Labienus the prosecutor in the trial of C. Rabirius (6.1.49, 7.1.9: *occidit Saturninum Rabirius*). Portraits of individuals, rather than *imagines*, were clearly not uncommon, but one of a slain demagogue was evidently regarded as illegal. Quintilian also notes that as a magistrate Saturninus had employed his rhetorical training to the detriment of peace in the state. It is curious that Quintilian has just a sole reference to Glaucia (2.16.5), neutral at that and alongside Saturninus, for all that politician's supposed *bon mots*. Meanwhile, for Tacitus, Saturninus was among that habitual list of rabble rousers (*turbatores*) in his sole mention of the tribune (*Ann.* 3.27). Glaucia once more fails to feature.

Writing his biography of Marius at about the same time, Plutarch has Saturninus appearing for the first time during the consular elections for 102 (*Mar.* 14.7). Marius was in trouble, with no tangible results against the Germanic tribes. The electorate was losing interest in this general who had failed to provide the Romans with a recent triumph. He had been recalled from Gaul, luckily it turned out, following the death of his colleague L. Aurelius Orestes, to supervise the elections.<sup>23</sup> Plutarch tells us that Marius courted the support of the tribune Saturninus because of the intensity of the competition in the elections, and because this tribune had more influence among the people than any other.<sup>24</sup> Through some play-acting by Saturninus and false modesty on Marius' part, the electors' doubts were overcome and they returned this candidate for a further term. So far nothing particularly negative in this narrative. Since the tribune's aid would have to be repaid in due course, a subsequent alliance should not cause surprise. However, Marius is cast as the rather reluctant ally in the year following Vercellae. This is mainly because, at odds with the senate and especially Metellus Numidicus, who may have made clear an intention to canvass for a second consulship in 101, Marius found he again needed the assistance of Saturninus and also Glaucia. Glaucia named by Plutarch here for the first time (*Mar.* 28.5). A change in

23 This either means that Marius was elected behind Orestes for 103, perhaps purposely so in order that he would not have to preside over elections had warfare broken out in Gaul, or possibly showing the strength of feeling against this politician, even supposedly at the height of his power. However, the *fasti* places Marius first, *MRR* 1.562, so he would have had to return regardless of the health of his colleague; and Plutarch clearly misinterpreted his source here making it appear as if it was the death of Orestes which was the cause of his subject's recall.

24 Rutilius Rufus is the source named by Plutarch a little later in the text, *Mar.* 28.5, but he was probably not the source for information about the elections since the material has become much more hostile towards Saturninus and to Marius. Still, Beness, 1991: 60, sees this evidence as "an attempt ... to degrade the general".

the description of Saturninus and his close ally has evidently occurred at this point, for they have now become:

ἀνθρώπους θρασυτάτους καὶ πλΖθος ἄπορον καὶ θορυβοποιὸν  
ὑπ' αὐτοῖς ἔχοντας.

...men of the greatest arrogance who had, at their beck and call, a rabble of the needy and the noisy.

The nature of the πλΖθος has undergone a noticeable transformation here from being simply a crowd influenced by Saturninus in 103 to, in 100, a worthless and troublesome entity, presumably as Plutarch was influenced by the change in his source.<sup>25</sup> It is now a dynamic, but ruthless Saturninus, guilty of many crimes (*Mar.* 29.1) who steers through the agrarian legislation, containing its oath of allegiance, which will also be the method and cause of Metellus' exile (29.4-8). Following this victory, Saturninus' ambitions knew no bounds (*Mar.* 30.1):

In return for his aid, Marius was forced to look on mute while Saturninus reached new heights in audacity and power.

The inevitable outcome was perceived as an attempt at tyranny and the overthrow of the government, which finally prompted Marius to restore order (30.3). Marius besieged the conspirators who had taken refuge on the Capitolium and when he surrendered Saturninus and his accomplices were brought down into the Forum (εἰς ἀγοράν) where they were murdered. The character of Glaucia was never developed by Plutarch – admittedly in an account devoted to Marius – and disappears entirely from the text, again pointing to Livy as the dominant source. The notice of their demise is brief and partly sympathetic to Marius, who is said to have tried, or said that he tried, to save his former allies (30.3-4). Altogether, Plutarch appears to be aware of problems in the tradition and has attempted to give as fair a picture as he could in his narrative.<sup>26</sup>

The other detailed account which includes the saga of Saturninus and Glaucia belongs to Appian's section devoted to the *sedition* in his coverage of

<sup>25</sup> Plutarch moved over from one source to another in these sections of the biography with the result that the second half of the work is much less sympathetic towards Marius. The campaign before Vercellae marks the extensive use of Sulla's memoirs, probably for the first time in this *Life*. It is therefore not a surprise to see the perception of *demoi* also changing from positive to negative, if this indeed was Sulla's view of the "people" as a whole.

<sup>26</sup> Saturninus is referred to once more in connection with P. Sulpicius, *Mar.* 35.1, see Chapter 5. The only other mention of Glaucia and Saturninus comes in the *Comp. Lysander & Sulla* (2) where Plutarch comments that it was not surprising that men like Sulla came to power when others such as Glaucia and Saturninus could expel nobility like Metellus Numidicus from the city. Was this an authentic Plutarchan opinion or did Sulla actually write this in his memoirs?

Roman civil wars (*BC*. 1.28-32). He is much more hostile than Plutarch, but is the one writer to mention that the reason for the attempt to exclude Saturninus and Glaucia from the senate was on account of their *turpitude* (1.28: αἰσχρῶς βιοῦντας). Note that Diodorus (36.12) had also touched upon this point. As a result, it was these politicians who sought to have Metellus exiled, with the help of their secret ally Marius (1.29). The relative importance of the parts played by the three allies is therefore a mirror image of that provided by Plutarch. Saturninus had his land law passed and the exile of Metellus was accomplished as revenge, which seems to be the overriding theme. In the consular elections for 99, Saturninus and Glaucia had Memmius assassinated (1.32) since they regarded him as a threat; and this caused the *SCU* to be decreed against them. Appian has Saturninus and Glaucia and their allies on the Capitol before surrendering to Marius and being pelted to death in the *curia*. The episode is described without any authorial comment about Saturninus and Glaucia, who at least feature prominently, and there is a faint suggestion (1.32) that Marius was very relieved to be rid of these unruly former allies. Becoming ever more chronologically remote from the actual disturbances caused by Saturninus and Glaucia,<sup>27</sup> Florus, Appian's contemporary, but in a much more perfunctory manner, in a work that is almost an epitome, interestingly portrays Saturninus as a symptom of the degradation of the *res publica* and its people, whose incessant demands were for land and food (1.47.8). Glaucia features only as an appendage – a *satelles* – of Saturninus, and both are encouraged in their designs by Marius who remains in the background (2.4.16). The political situation is described as becoming more reckless (*vesania*) as Saturninus' ambitions broadened. Finally, the tribune was torn to pieces by the very people he had sought to champion. No notice is made to Glaucia at the denouement here. However, Livy as a source is probably to be inferred from the text.

The author of the *de viris illustribus* has an inordinate interest in Saturninus. Florus is claimed as a likely source for this late work, or that one common to both was the guide, and it is certainly likely that the Livian tradition is the ultimate origin for the material in this text.<sup>28</sup> This is supposedly devoted to *virii illustres*, but actually to prominent figures in Roman history and, by no means, all illustrious. Surprisingly, included, among the subjects, are C. Flavius Fimbria (*vir. Ill. 70: saevissimus*), legate of L. Valerius Flaccus

27 Dio presumably covered these events, but the sole surviving pertinent fragment, 28.95.3, suggests hostility but no detail. The lesser lights: Asconius, Dionysius of Halicarnassus, and Exuperantius are useful elsewhere, but here have nothing to report.

28 J. Linderski, "A Witticism of Appuleius Saturninus", *RFIC* 111, 1983, 455 and n. 5 for earlier discussions.

(cos. suff. 86), and the Lusitanian chieftain Viriathus (*vir. Ill.* 71). Saturninus (*vir. Ill.* 73) follows M. Aemilius Scaurus (cos. 115), a logical juxtaposition that is not difficult to ascertain, and the product of some lateral thinking.<sup>29</sup> Saturninus was *tribunus plebis seditiosus*. Glaucia also features here in a muddled way and not entirely on friendly terms with Saturninus. Or was this simply another display, a theatrical sham, for the benefit of the populace (73.2)?<sup>30</sup> Saturninus was responsible for the exile of Metellus Numidicus (73.8; cf. 62.2 ),<sup>31</sup> and the murder of Memmius is related as having taken place in the Campus Martius. Following this deed, and the proclamation of the SCU, Saturninus and Glaucia were pursued to the Capitoline Hill, where they surrendered. On the way down to the forum fresh chaos seems to have broken out, Glaucia suffered a broken neck (*fracta cervix*), while Saturninus fled into the Senate House where he was killed with stones and tiles hurled from above by the mob (*cum in curiam fugisset, lapidibus et tegulis desuper interfectus est*, 73.11). Finally, with a startling show of ghoulish humour, it is related that C. Rabirius carried the head of Saturninus around at dinner parties, which may well have been recalled even more than three decades later, to be viewed as an object of derision (*per convivia in ludibrium circumtulit*). Livy was fond of retelling anecdotes in his history, but this information looks suspiciously anti-Rabirius, distinctly un-Livian, antipathetic to the senate and could have been extracted from another source.<sup>32</sup> Florus does not retell this particular tale, but he does describe Glaucia as a *satelles* of Saturninus, which again points to a common source.

The account of Orosius (5.17.3-10) – late but not at all lacking in use – is not much more than a generation later and the latest of the sources under discussion here. Orosius provides a detailed description once again largely extracted from Livy. He relates that Saturninus was *tumultus auctor*, his first appearance in the text, as a result of armed conflict between himself

29 Scaurus is wedged between Viriathus and Saturninus, a very curious placement for one apparently so distinguished. He may have been better placed with the Metelli, 61-63, or his censorial colleague M. Livius Drusus, 66, or even Marius, 67.

30 So argued by Beness, 1991: 43-44. But is the *auctor* reducing the notoriety of Saturninus here by diluting the partnership, and so transferring to Glaucia some of the odium of what was to follow? *Glauciae praetori quod is eo die* is simply confusion which presumably arose when a conflated account was employed as the source. Glaucia *consulem fecerit* makes historical sense but, as an emendation, is unnecessary since there is no uncertainty about the text at this juncture. Glaucia presided over the tribunician elections as a tribune, and might not yet have established a connection with Saturninus.

31 Not only is Metellus denied the usual epithets, but the account of his life, indeed of many of the upright Romans, is far shorter than the lengthy coverage of Saturninus, who was clearly of greater interest to the author and to his audience.

32 If there is an element of truth in this story, it would prove beyond doubt that there cannot have been an *imago* of Saturninus of traditional design since the head was not given a burial. The same would also apply to the Gracchi, Sulpicius and Glaucia.

and the censor Metellus Numidicus (5.17.3), which looks like confusion with the eventual armed insurrection of 100. Saturninus and Glaucia, with Marius, secretly (*fraude*), conspired to kill a tribunician competitor (5.17.4), then to have Metellus Numidicus exiled even though the whole city was in mourning (*cum totius urbis dolore discessit*), and then to have Memmius killed in the consular elections by a *satelles*, P. Mettius (5.17.5).<sup>33</sup> Thereafter, the disturbances are said to have grown and, with no mention of the *SCU*, Marius is said to have called upon the citizens to restore order while, at the same time, Saturninus was hailed *rex* or *imperator*. A battle in the forum resulted in Saturninus and his supporters being scattered and pursued up to the Capitol where many were killed before surrendering. For the survivors incarceration in the *curia* followed, where they were pelted to death from above by *equites*, who employed the roof tiles of the building for their purpose (*per equites Romanos effractis foribus occisi sunt*, 5.17.9). Glaucia, by now as usual an appendage to Saturninus, has, however, an independent end. He was dragged from the house of a certain Claudius and extinguished (*trucidatus est*, 5.17.10) – not a pleasant death for the praetor.<sup>34</sup> Still, this is an autonomous exit, which was completely missed by the Livian epitomist while the *actor* (*Vir. Ill. 73.11*) relates another variant. This certainly suggests that there was a definite mystery regarding the exact circumstances of the deaths of Saturninus and Glaucia because the situation on the ground was so chaotic. At least Orosius provides information not available in other texts; and his narrative also shows the extent of the details contained in Livy's lost account, derived from Valerius, where a number of alternative versions were probably related. The very complexity of the events in late 100 would then also account for their being overlooked by many of the later writers, particularly by the epitomists.

A perceptive nuance may be gleaned from even this cursory survey of the relevant texts, which often seems to depend on the role assigned to Marius. Either he was a more active participant, controlling the conspiracy against the *res publica*, or he was a more passive participant dragged along by his more headstrong allies. Glaucia figures markedly less than Saturninus every

33 This is good Livian material especially the *dolor* in the city accompanying the exile of Numidicus. Moreover, it seems probable that the designation *satelles* applied to Mettius, an obvious lesser figure, has been transferred by Florus and Aurelius Victor to Glaucia in some inept copying or synthesis.

34 Orosius must have followed Livy closely here for, of all the sources, he alone paints a picture of total confusion as the insurrection failed. He also has Saturninus, Saufeius and Labienus trapped in the killing place of the *curia*. Glaucia struck down outside the home of presumably another senator, and Cn. Cornelius Dolabella, *Saturnini frater* (the same mother?), and L. Giganius killed *per forum holitorum fugiens*. This looks, on the face of it, a more realistic and fitting end to a major rebellion than the tidy climax given by other writers. Indeed could the house in which Glaucia sought refuge have been the house of Dolabella, another patrician name, the writer confusing Claudius for Cornelius?

where and it is frequently the tribune's *seditio* alone, but this should be regarded as a *topos*. The more senior of the pair is consigned to a subsidiary role when he is allowed to appear at all. Yet Orosius' more detailed text strongly suggests that the closest work chronologically, namely that of Livy's based on the near contemporary material, portrayed the praetor as a much more vigorous and dynamic individual, as Cicero was to assess his character in the *Brutus*. Sadly, for us, Cicero failed to devote sufficient attention to elucidating Glaucia's strengths and weaknesses. Cast in that not overly long line of seditious tribunes, Saturninus started to monopolise the limelight at the expense of Glaucia in the minds of writers. In much the same way, this is what happened in the accounts of the activities of C. Gracchus, which were coupled with the romantic notions that came to surround his fame. Consequently, the involvement of his equally talented colleague M. Fulvius Flaccus (cos. 125), also the more senior politician, was largely eclipsed.<sup>35</sup>

Saturninus' truncated political career is surprisingly well attested, perhaps precisely for the reason of its conspicuous brevity: a quaestorship, moneyer, and three-times-elected tribune of the plebs. However, the exact order in which Saturninus obtained his five junior offices, which are all usually allotted to the years 104 to the end of 100, is not entirely satisfactory and needs to be reappraised. Amazingly, just two writers, Cicero (*Sest.* 39; *Har. resp.* 43) and Diodorus (36.12), provide the evidence for Saturninus' quaestorship, and for the dramatic events that are supposed to have clouded his year in office. The date usually assigned is 104 but without, it seems, any particular reason other than that he was soon afterwards elected a tribune of the plebs.<sup>36</sup> The fragmentary nature of Diodorus' text at this point, consisting of epitomes by Photius and the *Constantinian Excerpts*, means that the exact chronological order of Book 36 of Diodorus (in the *LCL* edition) cannot be established. The information is not specific and certainly cannot be employed to secure a precise date, though an earlier date may be inferred even if the *LCL* narrative of Saturninus' disastrous quaestorship is preceded by an account of the Sicilian war from start to finish (36.32-10.3).<sup>37</sup>

The year 104 remains favoured, because Saturninus seems to have been relieved of his duties as quaestor in Ostia on account of a severe short-

35 Another interesting comparable pairing here of senior figures with their youthful tribunes: Flaccus and C. Gracchus, Glaucia and Saturninus; Marius and Sulpicius; Caesar and Curio or Antony.

36 *MRR* 1.560; Badian, *FC* 199. Already characterised as "sinister" by E.S. Gruen, *Roman Politics and the Criminal Courts 149-78 B.C.*, Harvard 1968, 163, and n. 35, where we find that the "date is not secure and one cannot rule out 105."

37 F.R. Walton, *Diodorus of Sicily*, Harvard 1967, Vol. 12. 175 n.1, notes that Diod. 36.12, one of the *Constantinian excerpts*, belongs chronologically with 36.11 from the same source, which is inserted immediately after 36.6, the first year of the slave revolt in Sicily, 104. But Saturninus' quaestorship is mentioned here in retrospect which allows for the earlier date.

age of rain in the city and since it was his primary function to prevent anything of the kind occurring. The shortage, it has been argued, was caused by the slave uprising in Sicily, which began in 104. This argument is also seriously flawed, however, for an interruption in the supply of grain would not have taken place in the first year of the rebellion, especially since that insurrection probably began only in the second half of the year, and since the commodity in question would have been stored in sufficient amounts to see out a brief shortfall. The shortage, if indeed there was a crisis of exceptional magnitude, would surely have made itself felt in 103 or 102 when Saturninus was not a quaestor and not in 104 when he is assumed to have held that office.<sup>38</sup> When in 103 or 102, the effects of the revolt should have been pressing, there is absolutely no record of a shortage. If the scarcity in grain was not, therefore, connected with conditions in Sicily it is most likely that events in southern Gaul had a more direct effect, while instability on Sardinia may also have had an impact and exacerbated the situation.<sup>39</sup> The result of the battle of Arausio in October 105 caused tremendous panic in Italy and could easily have made wholesalers, apprehensive of an invasion of Italy, stockpile grain. This would certainly have caused an artificial shortfall, a sudden increase in prices, which fomented the panic and anger of which Saturninus was the victim, though he escaped relatively unscathed. In such a serious situation the selection of the *princeps senatus* M. Aemilius Scaurus, rather than a more junior official, is a logical and understandable outcome. It could even be suggested that the panic in 105 was already in the wind in 106 when the consul Q. Servilius Caepio was despatched to deal with the Cimbri in Gaul.<sup>40</sup> Hoarding of essential goods could well have begun as early as 106 to become a severe problem by the middle of the next year in which Saturninus' quaestorship should be relocated. A birth date in the mid-130s causes no problem to this change in the date of his first senatorial office.<sup>41</sup> Although it is specifically said that Saturninus was relieved of his duties, it is not reported that he was expelled from his quaestorship as well (Cic. *Har. resp.* 43).

38 Cf. G. Rickman, *The Corn Supply of Ancient Rome*, Oxford 1980, 47, 162, has no problem with an interruption in the supply of corn in 104, the year in which he dates the quaestorship of Saturninus. Indeed, 258, he also sees the quaestorian denarius issue of Piso and Caepio in 100 as directly related to this continuing shortage.

39 The proconsulship in Sardinia of T. Albucius is dated to 104, *MRR* 1.580, but 105 could also apply. Events in that year tie in well with the disaster in Gaul and the general panic in Italy.

40 It is interesting that Diodorus perhaps connected the two events. In 36.2 he refers to omens in advance of the slave uprising as if this episode was on a par with the war in Gaul. Diodorus' coverage of events in 100 have also surprisingly not survived.

41 The year 106 is also possible as a date for Saturninus' quaestorship. His date of birth must belong to ca. 135, Sumner, *Orators*, 119.

Cicero would surely have enjoyed recounting that saga! Nor is such an action – removal of a magistrate during his year in office – attested, other than for the tribunate, or should it be expected. After all, a magistrate could very easily be prosecuted for any hint of malpractice in office after his term had ended; and Diodorus (36.12) shows that Saturninus was mindful of this threat, but that he took good steps to avoid the eventuality of a law suit and that he also won the tribunate. This factor would have implications for a canvass for the tribunate in 104 since, although the quaestorship and tribunate do not overlap – the quaestorship year running from 5<sup>th</sup> December, the tribunate from 10<sup>th</sup> December – it was unusual, if not illegal, for a politician to run for public offices in consecutive years not least because, by doing so, he could avoid prosecution precisely for any criminal activities.<sup>42</sup> The slave rebellion probably did not commence before the spring of 104, if not later, for P. Licinius Nerva, the praetorian governor of Sicily, was already present in his province (Dio, 27.93.1). The grain harvested in 105 would have been shipped to Rome in the early autumn of that year, and the surplus stored in the great warehouses near the the Tiber and the Forum to see out the winter months. The harvest of 104 was no doubt seriously disrupted, but perhaps less so than those harvests in 103 and 102 as the central government grappled to regain control of the province. The impact of a grain shortage would therefore have been felt only in the autumn probably early to mid-winter 104/3, as the warehouses or *horrea* emptied. Saturninus would have had to have been in office until late in 104 and, therefore, relieved of his duties only following the tribunician elections. His quaestorship cannot belong to 104, since the events abroad and the chronology of his *cursus* do not mesh together. A quaestorship in 105 allows Saturninus an unfettered year in which to mount his electoral campaign for the tribunate. After all, he had seemingly incurred much wrath for failing in his quaestorian duties and would have needed more than a few days or weeks in which to rebuild his reputation, as would be the case if the orthodox date is allowed to stand. Moreover, what better way to reconstruct a reputation than to indulge in promises to prosecute the commanders of recently defeated armies, namely the ex-consul Q. Servilius Caepio and the current consul Cn. Mallius Maximus. Memories, then as now, were short and Saturninus, even if motivated by *dolor*, would have been quickly accepted by a badly frightened populace, which was also in mourning and ready to cast about for new scapegoats. A passing shortage in grain was simply not in the same league as the leaders in two battles who had lost 50 000 citizens

42 Mommsen, *Römisches Staatsrecht*, Leipzig 1887, 1.531-535; *MRR*. 3.20-21.

and allies, but who had escaped themselves.<sup>43</sup> He certainly encountered no problem in being elected tribune of the plebs for 103, and had paved the way. Other than his quaestorship and tribunates, Saturninus was only ever a *triumvir monetalis*. Sydenham dated Saturninus' moneyership to 105, a year in which his quaestorship should, by my argument, now be allocated, while Crawford's suggestion for 104 now becomes available.<sup>44</sup> It may be very attractive and even compelling to see this as a year well spent, not only proclaiming his indignation at the disaster at Arausio, and deflecting criticism from his previous duties at Ostia, but using the office of moneyer to good effect in self-advertisement and propaganda prior to the tribunician elections.<sup>45</sup> However, would Saturninus have been elected moneyer during the year of his quaestorship, surrounded by odium and setting his sights, consumed with *dolor*, on a more junior office?<sup>46</sup> Again moving from one public office to another in consecutive years causes problems, although there may not have been an official impediment to moving from the quaestorship to moneyership, or vice versa, in consecutive years. Furthermore, Saturninus' coinage is quite unremarkable amidst an innovative series of denarii belonging to the last thirty years of the second century.<sup>47</sup> It is possibly, therefore, the product of a younger man belonging to some years prior to 105; even 106 makes better sense than 104. Thus a moneyership in 107/6, followed by the quaestorship in 105 looks, on balance, a more probable *cursus* for a republi-

43 Mallius Maximus had, however, lost two sons in the battle and his name seems to have died with this disgraced *novus homo* for this electoral triumph in 104, a year in which he did not hold an elected office.

44 E.A. Sydenham, *The Coinage of the Roman Republic*, London 1952, 80; cf. Crawford, *RRC* 1.324, 1.75: "his quaestorship may then immediately precede it." Broughton, *MRR* 3.20-21, recognises the two dates, but still sees the events in 104 as the greater of the two crises, while Mattingly, 1982: 45, has suggested 102 instead, as being the only feasible date between the two tribunates in 103 and 100. Note also *MRR* 1.563, 575-576.

45 Beness, 1991: 58-59, has suggested that Saturninus issued denarii as quaestor. This is not possible since there is no indication that this was a quaestorian issue which does regularly appear within this period: M. Sergius Silus Q., Crawford, *RRC* 1.302; Q. Lutatius Cerco Q., *RRC* 1.315; L. Manlius Torquatus Q., *RRC* 1.308; C. Fundanius Q., *RRC* 1.328; Piso/Caepio Q., *RRC* 1.330; P. Sabinus Q., *RRC* 1.331, T. Cloulius Q., *RRC* 1.331; C. Egnatius Q., *RRC* 1.332. Saturninus' denarii belong to the normal annual issue of the moneyers.

46 The quaestors were the immediate superiors of the moneyers and their years in office ran in tandem. Mattingly, 1982: 16: "Responsibility for the annual coinage surely rested for the most part on the moneyers, closely working with the urban quaestors."

47 The denarius issue of Saturninus, Crawford, *RRC* 1.323-124, is a large one with between 370 obverse dies and 462 reverse dies for denarius 3a-b, which is a variation on denarius 1 with 10 ob. dies and 12 rev. dies. All of these dies have an illustration of the goddess Roma. Denarius 2 with its portrayal of Saturn in a quadriga, perhaps a play on the moneyer's name, has just 10 obv. dies and 12 rev. dies and is, therefore, a completely minor feature of this issue. It could be a commemorative issue, but could not have been influential compared with the issue with which it is coupled in 104 by Crawford; that of C. Coelius Calvus (cos. 94), a smaller issue with 167 identified obverse dies and 209 identified reverse dies. Calvus had been tribune in 107/6 and responsible for the passage of a *lex tabellaria* referred to on a denarius by this politician's son in ca. 51, *RRC* 1.457. Except for the legend "C.COIL; in exergue CALD" there is no indication that he himself refers back to a famous tribunate; and the possibility remains that he was actually advertising his "new" name prior to an election, either tribunician or aedilician.

can politician like Saturninus than any which has been advanced to date. The bunching of all Saturninus' offices to within five years just does not look right, but spread over nearly a decade they make a more appropriate sequence. It would also mean that Saturninus as a *quaestorius* already in 104 qualified for entry to the senate in the next censorship, which was due in 102 when, as Appian states (*BC*. 1.28), there was an attempt to debar him as he was still not in possession of full senatorial status, although he had held the tribunate by that date.<sup>48</sup> The attack failed because of the lack of enthusiasm for controversy by C. Caecilius Metellus Caprarius, colleague of his cousin Metellus Numidicus.<sup>49</sup> For Saturninus a further two elections to the tribunate followed: as a suffect in 100, if he was indeed responsible for the murder of a successful opponent,<sup>50</sup> and the controversial election to a third tribunate for 99 for which he was never inaugurated. However, there is no argument about the dates as far as these offices are concerned.

By contrast, Glaucia acquired a dazzling array of magistracies at quite a dizzy pace in the last decade of the second century BC, including an abortive but outrageous attempt at the consulship in 100. Again the dates and accepted order of his magistracies also leave much room for debate and reassessment. For example, Glaucia's earliest public office, which must have been the quaestorship,<sup>51</sup> clearly belongs to the years between 116 and 109. He was clearly born well before 140 and was perhaps as much as ten years older than Saturninus, his companion in intrigue.<sup>52</sup> A quaestorship close to 110 with admission to the senate in 108 is feasible even probable.<sup>53</sup> Glaucia's next public office was the tribunate, the exact timing of which has enjoyed much speculation.<sup>54</sup> It must post-date the consular *lex Servilia* of 106, which

48 Appian clearly states that Glaucia was already a senator, and so had been admitted as a holder of a magistracy presumably in the censorship of 108. In 102, Saturninus as a *tribunicus*, if nothing else, was *de facto* if not *de iure* a senator, needing the formal admission of the censors of 102. In any event, the attempt by Metellus Numidicus failed.

49 For the censorship in 102, see *MRR* 1.567. Coin hoard evidence is sometimes problematic, but in the case of Saturninus the consensus among numismatists is that C. Coelius Caldus was his colleague in the moneyership. Caldus was tribune either in 107, which rules out 106 for the moneyership or 106, which excludes both 107 and 105. This would leave either 104 or 109 as possible dates for the moneyership of Caldus and Saturninus, with the later date being most favoured on the evidence, although the earlier date would seem more natural in the context of their careers in the *cursus honorum*.

50 Largely accepted but an episode that seems suspiciously propagandistic, see my discussion of precisely this issue in *AHB*, 2, 1988, 42-48.

51 Although an argument *ex silentio* Glaucia is not among those mentioned by Cicero as never having been a quaestor, an office that could be avoided before 81. However, this would mean that he held an early tribunate, before 108, which is probably unacceptable.

52 Sumner, *Orators* 121, notes a birth-date between 142 and 137.

53 E. Gabba, "Note Appianee", *Athenaeum* 33, 1955, 224; *Appiani Bellorum Civiliun Liber Primus*, Florence 1958, 98; Sumner, *Orators* 121; *MRR* 3.196.

54 See, for example, Badian: 1954, 101; "Forschungsbericht. From the Gracchi to Sulla (1940-1959)", *Historia* 11, 1962, 204; Ferrary: 1979, 101-106 and n. 53.

be mentioned first is one of the consuls of 111, P. Cornelius Scipio Nasica, who ordered the demolition of a theatre in the city because it encouraged “Greek luxuries” (Ἑλληνικαῖς ἡδυπαθείαις). Next a jump via the connecting clause “Greek luxuries” down to the censorship of 102 when Glaucia and Saturninus were to be purged by the censor Metellus Numidicus on account of their “disgraceful manner of living”. Can this pair have been devoted philhellenes! This move was foiled and *dolor* (ὡς ἀμυνούμενος – or was it self-defence?), the resentment or revenge formula that attends the subsequent actions of Saturninus is mentioned, and also that he became a candidate for the tribunate expressly for attacking Metellus Numidicus. However, this excuse was not, it seems, applicable to Glaucia. There is surely a synthesis here caused by an imperfect recollection of a source for, although Appian was entirely correct in his description of the status of Glaucia and Saturninus in 102, for 101 he made a simple slip. Saturninus took advantage of the fact that Glaucia presided over the elections as praetor, so says Appian. In 101, Glaucia could have been a tribune and a praetor-elect at the same time, though it would again have been highly unorthodox and probably illegal. Nor does any source say how it was that he could have held three magistracies in successive years and not cause a supreme uproar. Therefore, it seems plausible to suggest that Appian was mistaken here, but it was not necessarily a facile error, and possibly reveals that Glaucia had presided over Saturninus’ successful election in 104, and that Glaucia had been elected praetor shortly after his colleague’s triumphant re-election in 101. This makes far more sense of Glaucia’s *cursus* and again avoids this peculiar bunching together of offices which modern scholarship has surprisingly found quite acceptable for these two, admittedly, highly unusual politicians. Furthermore, the *lex Servilia* of Glaucia does appear better placed in 104, closely following the Roman defeat at Arausio, passed in conjunction with Saturninus making loud noises about prosecuting Servilius Caepio and Mallius Maximus, once he had been elected a tribune. It seems to me that the law and the tribunician activities cry out to stand together and are closely connected in more ways than one, the first belonging to 104 and the second to 103. They are not distinct political gestures, but part and parcel of a concerted move against those senior republican politicians who were by then in disgrace.

Accuracy in this section is noticeably variable, since Appian is most absorbed, like others, in the fate of Metellus Numidicus to the detriment of all other topics.<sup>55</sup> His attention to detail is obviously suspect since his theme is

55 Cf. Badian, *FC* 207, who regards Appian as less concerned about Metellus Numidicus than other writers, though his product is still “sketchy summarizing”.

not so much a historical one as one concerned with a decline in morality. Strict precision cannot be expected here, and this is a point that has been overlooked.<sup>56</sup> Appian appears to have been correct in assigning the true senatorial status of Glaucia and Saturninus in 102 during the *lectio senatus*, but appears to have blundered inadvertently over the identity of the presiding magistrate of Saturninus' second tribunate by giving the name of the politician who presided over his election to the first. He blunders even further in his description of the elections in 100 where confusion abounds. An unknown Νώνιος (ἔπιφανῆς ἀνήρ) was elected whereas Saturninus failed to win a place in the tribunician college, hence the assassination of this competitor and the presentation at a *contio* of the suffect candidate by his friends, including Glaucia (presiding as the senior politician?). There followed the hasty election in order to avoid criminal charges which could not be brought since Saturninus was now a tribune. Once again, here, Appian displays an ignorance of correct procedure for, had Saturninus' guilt as murderer of this Nonius been widely perceived as true, he could still have been tried in the courts while he remained tribune-elect. Unless this episode happened on 10<sup>th</sup> December 101, concomitant with the start of the tribunician term of office. No source offers this possibility,<sup>57</sup> and the text of Appian must therefore remain very uncertain. In the next year Glaucia was a praetor when Saturninus canvassed for a third tribunate, a fact that goes unnoticed by Appian. It is worth bearing in mind, moreover, that the historian is as confused as many of the other sources about the whereabouts of Glaucia in the final act of this rebellion (*BC*. 1.32). Appian places him alongside Saturninus on the Capitoline, while Orosius clearly has him in the suburbs trying to escape, and other writers, such as Plutarch, forgot about his existence altogether. In terms of specific details, the uncertainties allow Glaucia's tribunate easily to be re-assigned from 101 to 104 where it surely belongs. Appian's probable use of a source from memory (*BC*. 1.28) has resulted in an imperfect order of events, though these are not entirely beyond the reach of some clarification.

Glaucia, contrary to Cicero's vilification of his background, was clearly an immensely popular politician with the electorate; and that must mean that he held the allegiance of the wealthier voters in the *comitia centuriata* whose support he needed for election to senior magisterial office. Cicero explicitly states (*Brut.* 224):

<sup>56</sup> Cf. Gabba: 1958, 105-110.

<sup>57</sup> Indeed, the elections of officials for 100 will have taken place very soon after the battle of Vercellae, with Marius presiding over his own election to a sixth consulship while his colleague in 101, M. Aquillius, remained in Sicily. Even if the election of senior magistrates occurred only in September/October these will have been preceded by the election of tribunes and plebeian aediles some weeks beforehand. At that stage, Glaucia would have been merely a praetorian candidate.

## QUESTIONING REPUTATIONS

*Is ex summis et fortunae et vitae sordibus in praetura consul factus esset, si rationem eius haberi licere iudicatum esset; nam et plebem tenebat et equestrem ordinem beneficio legis devinxerat.*

From the very meanest condition of fortune or life, Glaucia would have been elected consul during his praetorship, had it been adjudged that his candidacy could have been allowed, for he controlled the people, and had bound the equestrian order to him through the benefits of his law.

To have been recognised almost as *patronus* of the plebs – presumably Cicero means the city populace – and the *equites*, was no mean achievement. For it to be admitted that the terms of the *lex Villia annalis*, specifically the question of a compulsory *biennium* between the praetorship and consulship, could be overlooked in his favour is quite extraordinary. Glaucia obviously fulfilled the age requirement – forty-two years of age – for the consulship, and he appears to have had powerful supporters such as Marius, who had also broken the terms of the *lex Villia* for years with the blessing of the people, and a tribune of Saturninus' talents. Yet there must have been more to this politician than meets the eye. Cicero, for all his loathing of Glaucia could shrewdly have omitted notice of his popularity from his account:

*Homo simillimus Atheniensis Hyperboli, cuius improbitatem veteres Atticorum comoediae notaverunt*

A man very like Hyperbolus of Athens, whose wickedness the old writers of attic comedies wrote about.

That Glaucia was to fail in his consular candidacy was obviously due to other factors,<sup>58</sup> and the point of interest here is, how was it that he, together with Saturninus, had obtained such a strong political position in which to offer a candidacy for the highest public office by the middle of 100?

Assuming that the pair's popularity was heavily dependent on their joint legislation, their tribunician activities therefore need to be highlighted in order to see exactly who benefited and how, particularly seeing that Cicero is explicit in claiming a widespread and committed clientela for Glaucia (no men-

<sup>58</sup> The presiding magistrate was once again Marius, elected *in absentia* for 104, 103 and 101, but who had presided over his own re-election for 102 and 100, not to mention the consular elections for 106. In fact, Marius was a veteran returning officer, if not an expert in such affairs. He refused, either on his volition or was persuaded by others, to recognise Glaucia's competence to canvass. The civil disturbances that led to Glaucia's death *eodem die quo Saturninus*, must have begun almost immediately after this fateful decision was reached. As R. Seager, "The Date of Saturninus' Murder", *CR* 17, 1967, 9-10, notes, plans for a *plebiscitum* to overturn Marius' ruling in the elections had probably already been contemplated and set in motion by Saturninus as the crisis deepened. A.H.M. Jones, "De Tribunis Plebis Reficiendis", *PCPS* 186, 1960, 36, shows that the will of the people was paramount in the elections. The electorate could actually vote for whomsoever it wished and could excuse a candidate from any of the laws governing elections if it so chose, as both Velleius (2.92) and Dio (54.6.10) illustrate.

tion of Saturninus interestingly enough), from the poorest citizens to the *equites Romani*; and that by implication only the senatorial order eluded his control. This was to change or was intended to change. The *lex Servilia Glaucia* should be located in 104, since this is the one year in which the passage of such a controversial law truly makes any sense. Down to this date, the *equites* may not have been all that politically active after their acquisition of the *quaestio de repetundis* and possibly *de ambitu*; and cases of *repetundae* and *ambitus*, as Gruen has shown in the period between 122 and 106, were remarkably lacking in dramatic denouement.<sup>59</sup> The loss of this exclusive fifteen-year honour in 106, which some no doubt regarded as both onerous and risky, may not have been a cause for collective *dolor* on the part of the entire equestrian order.<sup>60</sup> However, the catastrophe at Arausio,<sup>61</sup> following hard on the heels of the defeat of M. Iunius Silanus in 109 and the death in battle of L. Cassius Longinus in 107,<sup>62</sup> and the obvious culpability of the consul Caepio (Liv. *Per.* 67), whose primary domestic achievement had been to deprive the *equites* of their judicial role, all combined to provide support for Glaucia's tribunician law in the next year. At the same time, a dolorous Saturninus was making hostile noises against senior senators – Caepio and Mallius Maximus especially but not exclusively – and provided the basis for a useful alliance as he campaigned for the tribunate, while Glaucia had his

59 Gruen, *RPCC* 158-159. Political battles were not fought out in the *repetundae* or in the *ambitus* (if this had yet been established) courts after 121, but rather in the forum provided by extraordinary *quaestiones* such as that established by the *lex Manilia*. It was this law that is linked causally with the two *leges Serviliae* of 106 and 104. Attested acquittals outnumber attested convictions 7:4 in these *quaestiones*, Gruen, *RPCC* 305-307. As Gruen also notes, 158-159, the *lex iudiciaria* of Caepio enforced a joint panel of senatorial and equestrian juries in all conceivable future courts to remove the threat of equestrian-only juries in extraordinary *quaestiones* such as that established by the *lex Manilia*. Although not a particularly reactionary measure it did not survive for long. Cic. *Verr.* 1.38; Ascon. 79C, so why prolong its existence down to 101? Appian's text is an obvious compression of events, Badian, *FC* 207: "over-compression", yet is deemed sufficiently reliable to secure Glaucia's tribunate to 101. Note also the discussion of J.P.V.D. Balsdon, "History of the Extortion Court at Rome, 123-70 B.C.", *PBSR* 14, 1938, 98-114; B.P. Seleckij, "Zum Gerichtsgesetz des Quintus Servilius Caepio, Konsul des Jahres 106 v.u.Z.", *Klio* 62, 1980, 369-377.

60 The judicial measure promoted by C. Gracchus but named after his fellow tribune M'. Acilius Glabrio; hence the *lex Acilia repetundarum* assigned to late 123 or more likely in 122, *MRR* 1.517-518, 3.2. Note Gruen's comments, *RPCC* 86-90: 293-296, that the sole *quaestio perpetua* at this time was the extortion court and was, therefore, the single judicial function of the *equites*. The *ambitus* court may have come into existence soon afterwards, all other political trials being held before the populace.

61 In this campaign the suffect consul of 108, M. Aurelius Scaurus, was also captured and killed by the Cimbri, Liv. *Per.* 68, not to mention numerous younger members of senatorial families: two sons of Mallius Maximus, a son of the the *princeps senatus* M. Aemilius Scaurus. The death toll among the ruling elite in this battle or in the immediate aftermath was spectacular, and deserves greater recognition for the catastrophe it undoubtedly was.

62 The defeat of Longinus was almost as serious as that at Arausio in 105 for, although some remnants of the army were saved by the legate C. Popilius Laenas who was later exiled for *maiestas* or *perduellio*, other senior senators such as L. Calpurnius Piso Caesoninus (cos. 112) were also killed in this engagement. No record exists of the consul's quaestor who ought to have taken command of the survivors and who was presumably also killed.

legislation passed.<sup>63</sup> A treason law must be seen as the inevitable result of the unprecedented accumulation of military setbacks.<sup>64</sup> Caepio already seems to have been targeted during the course of 104 and this again looks strongly connected with the aim of further reducing his *dignitas* through a repeal of his law but, as yet, he remained immune from immediate downfall.<sup>65</sup> Still that outcome could not be delayed for long, simply because of the continuing outrage of the people, as Cicero reports, when in 103 Caepio was arraigned perhaps before the new *maiestas* court by the tribune C. Norbanus (*Orat.* 2.124). It is made plain that the action arose *ex luctu civium et ex Caepionis odio* (cf. Dio, 27.91: “Caepio the cause of many evils”).<sup>66</sup> Caepio stood no chance in the end, though the trial was accompanied by violence between his supporters and his opponents (*Orat.* 2.197: *gravi miserabilique casu*). It is curious, however, that Saturninus, whose law had founded both the court and the law under which Caepio was prosecuted, did not take an obvious hand in the proceedings, leaving this to Norbanus instead, who may, of course, have had some personal motive behind the move to exile the former general.<sup>67</sup> On the other hand, it was Saturninus who promulgated the plebiscite that drove Mallius Maximus, the far lesser celebrity, into exile. This event may have preceded the *lex Appuleia de maiestate* since that law was not invoked in this affair. It may have been recognised that while a Mallius Maximus could be exiled through a *plebiscitum*, a more formidable politician such as Caepio, who had escaped prosecution once already, needed to be tried under a more specific law, with a smaller more manageable jury so that the

63 Note, for example, C. Popillius Laenas, but the judicial process, as a whole, seems to have accelerated into a higher gear in the years immediately after Arausio. See Gruen’s record of the possible trials and their targets, *RCC* 307.

64 The consuls of 109 and 107 had been defeated to be followed in similar manner by the consuls of 106 and 105, in battles in which the cream of the senatorial order including magistrates and senior ex-officials were killed and which resulted in a weakened state of the senate not witnessed since the Second Punic War. No wonder at the panic and the move to elect any successful general to a consulship for 104. Marius was indeed lucky and the spate of misfortunes affecting the empire were certainly to his benefit.

65 The tribune L. Cassius Longinus, perhaps a distant cousin of the cos. 107, clearly made a personal attack on Caepio, even if it was couched in less personal terminology, Cic. *dom.* 83; Ascon. 78C; *MRR* 1.559; Ferrary:1979, 92-101. Asconius considered that several laws were passed decreasing the powers of senior senators by Longinus, and his text possibly glosses over authors including Glaucia and his law: *L. Cassius ... plures leges ad minuendam nobilitatis potentiam tulit, in quibus hanc etiam ut quem populus damnasset cuive imperium abrogasset in senatu ne esset*. And it is interesting that a fellow tribune Cn. Domitius Ahenobarbus also attacked the former consul of 109, Silanus, equally unsuccessfully but, nonetheless, the precedent had been established. Senior senatorial figures had become more vulnerable now than probably any time in the past.

66 Roman laws were not usually retro-operative so the *lex Appuleia* could not be applied to charges of criminal behaviour committed by Caepio in 105, but he might have been prosecuted for misconduct linked to the events at Arausio as Mallius Maximus was attacked by Saturninus.

67 Saturninus clearly intended to emulate C. Gracchus in this respect by not involving himself in all aspects of his programme and leaving important aspects to fellow tribunes who may plausibly be identified as allies. Norbanus, a *novus homo*, had much to gain from a successful prosecution. On the likely date of his tribunate, see *MRR* 1.563 and n. 7, and on Norbanus’ career, see H.B. Mattingly, *Hermes*, forthcoming.

result could be ensured in advance and therefore be less affected by chance occurrences, delays or the changeable mood of the crowd.

Saturninus' *lex agraria* or *lex de coloniis deducendis*, or both, if they were discrete pieces of legislation (Cic. *Leg.* 2.14), variously attributed to 103 or 100, certainly belong to the later date, although there may have been a sequence of two *leges agrariae* (*Vir. Ill.* 73.1). Such are the misconceptions about the beneficiaries of this or these measures that further examination is also warranted.<sup>68</sup> In the first place, too much has been amplified about the role and significance of Marius' veterans from the Numidian War, who are either considered to have been in a position to demand compensation for time served in the army prior to 100, or were the object of Marius' philanthropy. Neither scenario is really credible. We happen to know that Marius enrolled *capite censi* in the army at the beginning of 107 (Sall. *Iug.* 86.2: Plut. *Mar.* 9.1). By this time, troops could often be expected to serve for several years before coming home, yet Marius' army completed its major campaigning spell within three years. Could such a short war have resulted in such lucrative gains for the *proletarii* in this force? Would such a demand, if it had been made, been regarded as unfair by those who stood to benefit nothing from a tribunician measure making land available? A tribunician law proposed by L. Marcius Philippus in 104 was regarded as potentially ruinous and withdrawn (Cic. *Off.* 2.73). If this measure was aimed at placating recent veterans, it shows that the time was not yet ripe for such legislation. Furthermore, it may have been at the root of the violent reaction referred to (*Vir. Ill.* 73.1) when the tribune Baebius is said to have tried unsuccessfully to interpose his veto on agrarian measures proposed by Saturninus, who was then helping Marius win election to another consulship. Something novel was taking place in 103, yet the sources are not categorical in stating that the principle of colonial foundations for army veterans was accepted by the citizen body in that year. Saturninus may have tried and indeed have succeeded in establishing a law where others before him had failed, and this law may have established some sort of foundation process in Africa, for example.

68 Saturninus could have passed two laws establishing colonies, one in 103 and again in 100, though most commentators do not appear to have regarded this as feasible. Still, A.H.J. Greenidge & A.M. Clay, *Sources for Roman History 133-70 B.C.*, Oxford 19602, ed. E.W. Gray, 90-91, 105-107, would seem to subscribe to that view. Cf. Broughton, *MRR* 1. 563, 575 and n. 4, where he expresses a degree of uncertainty and, 3.21, remains very cautious about the whole issue. The *leges frumentariae* dated to 103 or 100 or both, should be allocated to 100 since in that year a measure best responds to a continuing crisis in the supply of corn which would surely have not been acute as early as 103. For both 103 and 100, see Greenidge & Clay, *Sources for Roman History*, 91 and 107, query for 103; for 100 see *MRR* 3.21: "more probably be dated to his first tribunate"; but compare 1.563, not mentioned for 103, 1.575: "probably to be dated in 100." Broughton has been unduly influenced by the arguments of Badian and Gabba on this issue; and this probably accounts for the hesitancy.

However, given the uncertainty of the source material, it should also be recognised that the so-called “Marian” settlements in Africa, while they may indeed be connected to a *lex Appuleia* of 103 rather than 100, could also be the consequence of a less formal settlement pattern.<sup>69</sup>

Statements by Diodorus and Frontinus have been taken to mean that the date 103 is almost concrete, but neither writer conclusively points to a land law for veterans of Marius’ army ex-Numidia. These writers simply point out that Marius used troops already raised by Rutilius Rufus in 105, and that he left behind some or all of his veterans in Rome or in the neighbourhood. Frontinus (*Str.* 4.1.12, 4.2.2), a latish source comparatively speaking, merely says that Marius used troops already assembled in Italy in preference to his own, surely ignoring the fact that of the soldiers returning at the end of 105, many will have been entitled to a discharge. It is probably also incorrect to assume that the entire army was shipped home then, since any remaining forces would have been withdrawn over a period of time as peaceful conditions returned to Africa. Hence, such forces that were left behind would have become the settlers for those towns which later claimed a “Marian” foundation. The need for a new levy for the Germanic War was clearly anticipated by the sensible action of Rutilius Rufus who had already conducted a conscription in preparation for Marius’ return. Was this patriotic fervour on the consul’s part, or had he wanted the command against the Cimbri for himself? Rutilius Rufus was, it should be remembered, an experienced military man as well. He had certainly assumed command of the new levy and organised the initial intensive training (*Val. Max.* 2.3.2). However, he cannot have gone very far in this venture since, Marius continued this aspect of military duty during a much longer spell in southern Gaul. Marius probably did not have vast numbers of troops to hand in 105, but that he had no further use of an army enrolled only in 107, and preferred to employ newly called-up legionaries because they were better trained, looks highly suspicious. This is more than likely propaganda from the pen of none other than Rutilius Rufus! The evidence of Rutilius is generally regarded sceptically by modern commentators in other matters, but not in this instance. Would Marius have disbanded a successful army in preference for raw recruits, however well trained, unless, by law, he was obliged to do so? Roman citizens and *socii* who had served in Numidia in the army of Sp. Postumius Albinus from 110 and with Metellus Numidicus since 109 could expect to be released in 105/104, following six years of continuous service, even if there

<sup>69</sup> Note the land assignments in Africa, *Bell. Afr.* 56; *ILS* 1334: *coloniae Marianae Augustae Alexandrianae Uchitanorum maiorum*, cf. 9405; 6790 (AD 287-9); *muni(ci)pi Mariani Thibaritanorum*; *AE* 1951.81 (Thuburnica); *C. Mario C.f. cos. vii conditori coloniae*.

was a grave military crisis facing the *res publica*. These citizens certainly could have been left behind when Marius marched north, but they were not *capite censi*. Moreover, if any citizen enrolled in the army returned with Marius in 105 he could legally have been reassigned to the German War, and so too could the *capite censi* whether they wanted to serve or not. These veterans of a single three-year campaign in Africa would not have been entitled to be beneficiaries of a *lex agraria* so soon; the state would have found more work for them to do. On this reasoning there were no, or very few, “Marian veterans” in Rome during 103 when Saturninus was hard at work on his *maiestas* law; they did not yet figure in the equation of clients of any political group, and they were therefore not available to cause civil disturbances in 103. The *lex Appuleia agraria* looks as if it belongs securely to 100.<sup>70</sup>

There was a lull after 103, surprising perhaps considering the energy of Saturninus and Glaucia. It was possibly a time for reflection and for evaluating their future prospects which, after successful tribuneships, looked rosy. But there were years to wait for senior offices, at least in the case of Saturninus. The boundless energy of this pair is partly to blame for assigning the moneyership to Saturninus in 102 and the tribunate to Glaucia in 101, maintaining, it would seem, their momentum through a physical presence. Yet, in Rome, politicians spent more time out of office than in office than, for example, in the Athenian political system where prominent individuals could dominate an office such as the board of *strategoi* for many years at a time. To hold public offices for any length of time or a multitude of offices was abnormal, but at this very juncture Marius was consul and seemed about to remain so for a number of years. It may have been his example, or at his prompting, that the hitherto quite orthodox careers of Saturninus and Glaucia underwent a radical change in 101. They were both popular but not exceptionally so through their connection with Marius, some of whose popularity had rubbed off onto them; still their legislation had not provided them at this stage with the power base described by Cicero. It was still to come and must belong to 100.<sup>71</sup> Nor can the activities of Metellus Numidicus as censor

70 If a colonial bill can be assigned to 103 there remains the possibility that Saturninus could have passed a law in anticipation of Marius returning to the city late in 103 for the consular elections, accompanied by veterans who were by then entitled to disbandment. However, their numbers cannot have been high, and why choose sites in Africa for these men who had just arrived from that region and would have to be returned at the state's expense when such land could more logically have been assigned to former soldiers who had remained in the area in 105 rather than to new colonists who would have had to sail out to their new allotments. Such a law also presupposes an early alliance between Saturninus and Marius which is not attested before the elections. Opinions on the date of the colonial law remain confused. For example, Gabba, *Republican Rome*, 41-42, considers legislation in 103 likely, but at 199 n. 167, recognises its improbability in that year.

71 Glaucia's sole law was his reform of the jury in 104. I have argued that Saturninus did not pass either a

alone explain why this pair branched out. *Dolor* at their mauling at his hands is reckoned sufficient to explain why Saturninus and Glaucia sought office again, but it should be remembered that the censor failed in his attempt to expel Glaucia from senatorial ranks and from formally admitting Saturninus. If anyone was humiliated by this episode, it was Metellus Numidicus, whose impotence in the face of the power of his opponents was fully exposed.<sup>72</sup>

It should be assumed that Marius supported the election of Saturninus to a second tribunate in 101, which took place before Vercellae,<sup>73</sup> and after that famous victory as presiding magistrate for 100, supervised the praetorian elections in which Glaucia was returned. Marius' consular colleague in 101 had been posted to Sicily still in the throes of a slave rebellion, which was not suppressed until 99. The unrest in Sicily and the interruption to vital food supplies perhaps provided the motivation for public office, at least for Saturninus, but only after Marius' triumph over the Cimbri, was a new avenue of legislation seen as an opportunity. This was a land bill reassigning veterans to new colonies and revitalising the empire after severe disruption to its public and economic life. The rewards in the period immediately after the establishment of peaceful conditions could have been immense – this is surely why Saturninus and Glaucia wanted magistracies for 100, and especially for 99. Marius' great victory at Vercellae became an additional bonus which was not to be wasted. Only after Vercellae was that power base fully constructed and fully in place to satisfy the, by then, greater ambitions of this pair.

During the early part of 100 the laws came thick and fast. Opposition

corn bill or a land law in 103, but did pass his treason law and had engineered the exile of Mallius Maximus, while presumably another ally in Norbanus had delivered the *coup de grace* on Servilius Caepio. These measures alone do not explain their popularity nor that it should have been undiminished down to 101.

72 The ancient sources are obsessed with the fate of Metellus Numidicus yet, at the same time, expose his mean-spiritedness in his attempted treatment of Saturninus and Glaucia. He brought about his own downfall even if his actions were spurred on by former support of Caepio and Mallius Maximus. Even if he had thrown Saturninus and Glaucia out of the senatorial order they would not have been politically silenced, and he failed even to accomplish that - it was political ineptitude on a grand scale. He will surely have realised that his political position was insecure after 102, even if Saturninus and Glaucia did not personally become involved. They could easily encourage an ally to attack Numidicus; that they did not do so suggests that they were less concerned about his fate than about their legislative programme. And finally, if Glaucia had been tribune in 101, why on earth had he held his peace with regard to Numidicus when he could so easily have attacked him in the second half of that year. Why wait for Saturninus to be tribune in the next year? And why could they be sure that Saturninus would become tribune in 100? With all Marius' popularity Saturninus still experienced great difficulty in getting himself elected.

73 If the story about the murder of Nonius/Nunnius contains a grain of truth then it must indicate that Saturninus was elected in the anxious days before Vercellae when public opinion was still not entirely behind Marius, and that he encountered severe opposition to his election possibly because it was still perceived as unorthodox to seek a second term as tribune. The murder of Nonius/Nunnius allowed Saturninus election as suffect tribune. However the whole episode leading to a suffect, in other words an extremely weak last place may also be adverse propaganda. See also n. 50.

within the senate needed to be silenced permanently, and senatorial allies, of whom there were clearly some, excluding Marius, even in more senior places, needed to be encouraged.<sup>74</sup> Measures were to be introduced by Saturninus before the people, while Glaucia occupied a senior position in the senate, where Marius, in L. Valerius Flaccus, had obtained a compliant colleague in the consulship. The partnership had been cleverly constructed. A *lex frumentaria* and the *lex Appuleia agraria* were the main features of the early part of 100. A law regulating the price of grain and perhaps stabilising its supply would obviously have been welcomed in the city by rich and poor alike. The sole reference to the law is to be found in the *Rhetorica ad Herennium* (1.12.21), and mention of the younger Caepio as a quaestor should clinch 100 as the date since that is the year in which the joint quaestorian issue of denarii by Caepio and his colleague Caesoninus is now dated.<sup>75</sup> With the situation in Sicily still not under control, measures to alleviate a, by then, severe shortfall in the supply of foodstuffs will not have been remarkable. Most commentators suggest that such a law was likely to enhance the popularity of its proposer, even if only for a brief spell.<sup>76</sup>

The *lex agraria*, which contained an extensive programme for the foundation of colonies outside Italy, was evidently perceived as a revolutionary measure, including its clause allowing Marius to grant Roman citizenship to three founding members of each new town, according to Cicero (*Balb.* 48).<sup>77</sup> The potential for the acquisition of clientele abroad was clearly immense, but it was overseas and not in Italy,<sup>78</sup> hence not immediate. In itself it provided Saturninus and Glaucia with no exceptional personal powers beyond

74 L. Cornelius Dolabella is a possible example from a well-established family, a praetorian colleague of Glaucia's in 100. A relative, Cn. Dolabella, died with the rebels in that year, *Oros.* 5.17.10.

75 On the date of the denarius of the urban quaestor Caepio and his colleague L. Calpurnius Piso Caesoninus, quaestor in Ostia, see Crawford, *RRC* 1.330-331; Mattingly: 1969, 267; Schneider: 1982-83, 210; cf. *MRR* 3.47, where Broughton is more equivocal on this issue, and sees the date of these quaestors dependent on the date of the *lex Appuleia agraria*, which he now considers more likely to have been in 103.

76 Badian, *FC* 199: "Saturninus ... achieved popular support by means of a *lex frumentaria*", however, he maintains that the law belongs to 103.

77 For analysis of the law see Badian, *FC* 203-206, and on Marius' right to confer citizenship 206 and n.1, though he considers the number of new citizens to each colony to be three hundred rather than three though that seems rather excessive; Gabba: 1958, 102-103. A colony consisting of *socii* established with 300 citizens would result in a lack of hierarchical status and a diminished control by the patron, while a much narrower élite actually contributed to the power and prestige of the person under whose guidance the new foundation functioned. In any case it is highly unlikely that an initial colonial or municipal foundation would have comprised many more than 300 adult males; and Badian has no reasonable cause to suggest emending Cicero's text. Note also the comments of Scullard, *FGN*<sup>5</sup> 400 n. 31.

78 After Vercellae Marius and Catulus (cos. 102) could have disbanded their entire armies numbering altogether 52 000 men, about half of whom were *socii* who may, or may not, have been included in the proposals for land grants, *App. BC.* 1.29-30, 129-140; Millar: 1986, 9. A good half of the remainder would have been the usual conscript citizen troops who would have returned to their former occupations. The number of *capite censi* would, therefore, have been in the region 12 000 men, even less. Badian, *FC* 204-205, makes the point that this

patronage of veterans of other generals' armies, unless they came to be regarded favourably by the citizen body for removing excess manpower from the city, or if they intended eventually to set up colonies on Italian soil as well. It would be as well to see this measure as part and parcel of a grander design: obtaining patronage at home and abroad across a broad sweep of the community over a longer period.

The truly remarkable and innovative idea of an oath of loyalty to a law, which characterised the legalism of Saturninus and Glaucia was not only designed to ensure survival, but also to silence critics forever and to humble the senatorial order to the will of the populace. Indeed the senate was humiliated for no one dared oppose this codicil except for Metellus Numidicus, who could probably not afford to lose yet more face or *dignitas*, in his dealings with Saturninus and Glaucia. Exile had become the better alternative to being seen again as totally ineffectual against this formidable duo.<sup>79</sup> The drubbing of Metellus Numidicus was probably drawn out to include the threat of a trial for *maiestas*, even a trial conducted without the defendant's presence, and a law excluding him from the *civitas* or *polis*.<sup>80</sup> Although this effective removal of an enemy may be attributed merely to Saturninus' *dolor*, again there is a plausible cause for this intricate and perhaps excruciating process, not forgetting the fact that it was Metellus Numidicus who had the most cause to be dolorous. First of all, it was legal and enshrined for all to witness: that no one, however exalted, could in future oppose measures introduced by the tribunes as representatives of the people's will. Second, this very legalistic approach replaced the equally effective but more vague *plebiscitum*, and suggests that Saturninus and Glaucia were moving away from the less-defined laws based on precedent towards a formalisation of constitutional principles or framework which would actually strengthen and consolidate their recently acquired supremacy in the *res publica*.

This would certainly appear to be the way in which the minds of these Roman republican politicians were moving, particularly if they were, as seems probable, the movers of the *lex de provinciis praetoriis*, which may well

bill was not designed simply for Marius' and Catulus' veterans, some of whom may not have been disbanded in 101, cf. Passerini: 1934, 126, but for the veterans in other armies around the empire. If that was so, and we simply do not know, then this proposition would indeed have caused a great deal of alarm in political circles, especially had the allies also been included. On this issue see further, Gabba: 1956, 75-79; 1972, 780-805; Schneider: 1982-83, 193-204.

<sup>79</sup> Numidicus was the second censor to be exiled in this decade since Q. Fabius Maximus Eburnus (cos. 116) had been convicted of murder soon after 108, Val. Max. 6.1.5-6. Prestigious office was clearly not a safe refuge in this period.

<sup>80</sup> For a possible sequence of events, see Linderski: 1983, 453; E.S. Gruen, "The Exile of Metellus Numidicus", *Latomus* 24, 1965, 576-580; E. Gabba, "Ricerche su alcuni punti di storia mariana", *Athenaeum* 29, 1951, 21-23.

belong to the second half of 100.<sup>81</sup> Saturninus and Glaucia would appear to be the obvious authors of such a measure which became law through the avenue of the *plebiscitum* rather than a *senatus consultum*. This again points to a move to make the populace supreme in matters relating to foreign affairs, which had remained a traditional preserve of the senate. The absence of a senatorial decree in this case is certainly suggestive of further innovation and would be in line with a concerted effort during the course of 100 to alter the constitutional balance at Rome away from the senate into the hands of the people and their representatives.<sup>82</sup> Matters relating to land and colonial foundations, foreign affairs and the question of the basic food supply to the city had all fallen to the control of the people. Financial affairs could well have been on the agenda and the focus for new projects to be undertaken in 99 when Saturninus would retain the tribunate and Glaucia was intended for the consulship.<sup>83</sup> From just average popularity at the end of 101, these two had been propelled along and upwards by a surge of enthusiasm for Marius and his military victories, by the removal of the threat of invasion, the re-establishment of peace in many parts of the empire, and an end in sight to the Sicilian slave war. By the second half of 100, Saturninus and Glaucia had scaled new heights of power not observed before at Rome. Indeed, what could possibly go wrong for them in the future?

It may no longer be fashionable to expound theories of grand conspiracies but, in this instance, the events that took place between 104 and 103 and later between 101 and 100 look remarkably as if they were planned with a single aim in mind. If a comparison can be drawn between the state of the Roman empire in the last decade of the second century and that of Athens in the last stages of the Peloponnesian War, some startling similarities emerge.<sup>84</sup> After 413, and especially after 407, a series of military defeats denuded the Athenian ruling elite, committed to a conservative form of democracy, leaving the way open, first, for oligarchic revolution and, second, for a more extreme form of democracy to emerge. Neither in 412/11 nor in 404/3 were

81 For discussion of this measure and its date, see Evans, 1994: 111-115; For the most recent discussion of the law and its contents, see *Roman Statutes*, ed. M. H. Crawford, London 1996, Vol. 1.12, 231-270.

82 The important *senatus consultum de agro Pergameno*, which probably belongs to 101, shows that matters of finance remained firmly in the hands of the senate, but this predates the extraordinary political campaign of Saturninus and Glaucia in 100.

83 Glaucia might not have been the senior of the two consuls and so would have had less influence on the next year's election results, since M. Antonius is noted by Cicero as the favourite in these elections, but his opposition could have been overcome with the promise of a further provincial command. Saturninus and Glaucia certainly appear to have been adept in removing awkward opponents, and the result of elections would henceforth have been subject to regulatory provisions managed by the people, not the senate or the presiding officers.

84 Ancient writers during this period were evidently interested in drawing just this comparison, for example Sall. *Cat.* 2.2: *lubidinem dominandi*; 8.2-3: *Atheniensium res gestae ... satis amplae magnificaeque fuere*; 51.28.

the coups long-lasting in Athens, but the Periclean form of democracy was never re-embraced. At Rome a series of horrendous disasters in the field depleted the senate of its senior membership in particular, and several other senior senators fell foul of the law courts, which were now overtly politicised.<sup>85</sup> A panicky and outraged citizen body, alienated from its traditional leaders by the incredible carnage in various battles amid rumours of great corruption,<sup>86</sup> made the opportunity for change in the system of government a real possibility. Saturninus and Glaucia, with the experience of the Gracchi on which to base their programmes saw themselves either as leaders of a new oligarchy,<sup>87</sup> or the potential leadership of a more democratised *res publica* in which the populace would play a more prominent and influential role. In which direction these politicians would have taken Rome after 100 is, of course, not known, but one can be fairly sure that, had Glaucia's application to canvass for the consulship succeeded in 100 and had he been elected, as Cicero says would have happened, then the Roman state would never have been the same again. Glaucia's election itself would have caused a great change in the mechanics of the electoral process by overturning the main provisions of the *lex Villia*, and passing accountability for electoral candidacies more into the hands and whims of the people as a whole. Moreover, Glaucia's consulship would surely not have been a dormant affair, nor would he have been content with a single term. Following Marius' example, Glaucia could have claimed iterations for himself and brought about Saturninus' election as his consular colleague. With the full support of all sections of the community, the senate could easily have been reduced to insignificance and sidelined to a role similar to that of an ornamental areopagus. Meanwhile, real power would have been invested in the hands of the people's favourites. The ambitions of Saturninus and Glaucia knew no bounds in 100. The groundwork had been successfully laid. Whether these ambitions were towards the personal goal of political supremacy cloaked by legislation designed to secure greater stability in the city both economically and politically, as seems likely, is not disclosed by the sources. Marius' ruling against Glaucia's can

85 Of the consuls between 110 and 101, one had died in office (L. Aurelius Orestes, cos. 103), two had been killed on active service (M. Aurelius Scaurus, cos. 108, L. Cassius Longinus, cos. 107), three had been exiled (Sp. Postumius Albinus, cos. 110, Q. Servilius Caepio, cos. 106, Cn. Mallius Maximus, cos. 105), and C. Marius had held six consulships. There was a great scarcity of *consulares* by 100. Moreover, the mortality and exclusion rate of senior political figures in the preceding decade, 120-111, was equally traumatic which contributed to this crisis both in the quality of government and its *auctoritas*.

86 Not only bribery from Jugurtha, Sall. *Jug.* 28.4-29.3, 29.6-730.1-2, 40.1-2, but also the treasure of Tolosa, which was reputedly stolen by Servilius Caepio, *SRH* 80; J. Lengle, "Die Verurteilung der römischen Feldherrn von Arausio", *Hermes* 66, 1931, 302-316.

87 An oligarchic coup without a sufficiently strong or committed leader is Badian's assessment, *FC* 203, who naturally wishes to place all laws and political posturing in this period in the context of possession and expansion of personal clientela.

didacy and the murder of C. Memmius, his sole competitor for the consulship, led directly to an armed insurrection, the alternative route to power. However, the people were not yet ready for civil unrest on a major scale in the streets of the city and the rebellion was overcome. Probably a good deal less promptly than the sources say, it could have gone either way for a day or two. Nonetheless, the ruling establishment was able to scramble back into power; and the quest of Saturninus and Glaucia so carefully prepared came to nought.



## The characters of Drusus and Sulpicius

The link between M. Livius Drusus (trib. plebs 91) and P. Sulpicius (trib. plebs 88) may not be as distinctive as the bond, obviously a political alliance, between Saturninus and Glaucia.<sup>1</sup> In the case of Drusus and Sulpicius, friendship is an attested early feature and great tragedy cutting off both men's careers prematurely is the common finale. The association between these two is also sequential for had the one not charted a deliberate course in political life, later thwarted, the other would probably never have been the catalyst for unprecedented civil disturbance in Rome. Sulpicius' legislation, which included the recall of Marius to a military command, ensured him a notoriety – even infamy in antiquity – and from then ever since. He is said to have been an *amicus*, and he may originally have been a *cliens*, of the aristocratic Drusus in the 90s (*Orat.* 1.97) and, hence, attached to a politician who was said to have been almost the patron of the Roman senate (*Cic. Mil.* 16: *nobilissimus vir senatus propugnator ... paene patronus*). In the way in which he is best remembered, Drusus attained the apogee of Roman nobility defined through the possession of *auctoritas* but, like the younger Cato after him and to whom he was also related, without ever having to hold the highest political offices of the *res publica*.<sup>2</sup> Drusus championed the

1 Or indeed between Sulpicius and C. Cotta with whom he was clearly more closely connected, *Cic. Brut.* 182, *Orat.* 3.31, 1.25; *Ascon.* 14C; Sumner, *Orators* 109-110. Cotta and Sulpicius were both born ca. 124/3, while Drusus was born between 124 and 122, Sumner, 110-111. Cotta is a much less controversial figure, but also pursued a public career that was notable for its sequence of triumphs and disasters. Sulpicius is also made to say, *Orat.* 1.97, that he was closely connected with Crassus, and the latter also confirms this link: *cum apud me viderem homines mihi carissimos et amicissimos*, *Orat.* 2.15; *familiaris meus*, *Orat.* 2.16.

2 It is interesting that Valerius Maximus, 6.9.13, should describe Q. Servilius Caepio (cos. 106), another close relative of Drusus, in much the same way: *Q. Caepio ... praeturae splendore, triumphis claritate, consulatus decore, maximi pontificis sacerdotio ut senatus patronus diceretur ...* However, Caepio is also credited with the chief pontificate, an intriguing error since, besides Cn. Servilius Caepio, pontifex between 213-174, no other Caepio is attested as a member of this priestly college. If there was a clerical slip in the transmission of the *MSS* it occurred very early since no doubts are expressed in the Teubner edition of Valerius Maximus (1888). Confusion may have occurred between the cos. 106 and his ancestor cos. 203 in the mind either of Valerius Maximus or of his source, though this seems a trifle unlikely given their different *praenomina*. Cn. Caepio cos. 141, cens. 125 may have been a pontifex as might his brother Q. Caepio (cos. 140) and account for the transference to the cos. 106. The *pontifices maximi* at the end of the second century were: L. Caecilius Metellus Delmaticus (cos. 119) who had replaced P. Mucius Scaevola (cos. 133) in ca. 114, Cn. Domitius Ahenobarbus (cos. 96), from ca. 103-89, who was succeeded by the cos. 95, Q. Mucius Scaevola. None of whose names lend themselves to easy transmutation to Caepio. And no simple answer to this problem is available here. It is just possible, in the context of the discussion of Caepio's career, that Valerius Maximus confused "Q. Scaevola" with "Q. Caepio" since he referred to L. Crassus (cos. 95), noted as a close friend of the former, who had passionately defended the latter. Drusus was son-in-law of the cos. 106, while his sister was also married to Caepio, son of the consul. A famous breach between them occurred in the mid-90's when both men divorced their wives, Gruen, *RPCC* 195. For a *stemma* of these families see Münzer, *Römische Adelsparteien und Adelsfamilien*, Stuttgart 1961<sup>2</sup> 328-329; Syme, *RR foll.* 568.

oned the cause of senatorial ascendancy and came to epitomise, and still remains perceived as the reformer from within the ranks of the establishment. By contrast Sulpicius became his very antithesis. Their fame consists, on the one hand, of the concerned politician seeking to find a middle road by satisfying all demands yet maintaining the entrenched order, and on the other, a madcap revolutionary who sought personal power by attempting to bring the whole edifice crashing down.<sup>3</sup> Neither succeeded in their aims, but their reputations, which became enshrined from very soon after their deaths, deserve rigorous reassessment. Do Drusus and Sulpicius deserve these reputations? Or were they created for them by writers, especially Cicero and Plutarch, who represent particular viewpoints? Moreover, how accurate are such reputations when measured against the supposed motives, well attested methods and legislative programmes?

First of all, is the really remarkable dullness of Drusus, whose personality is almost transparent. Yet, he was an orator of weight, at least when he spoke in public (*Brut.* 222: *gravem oratorem ita dumtaxat cum de re publica diceret.*), although that is about the same amount of information Cicero bestows on the despised contemporary Q. Varius (*Brut.* 221: *rebus inveniendis nec minus verbis expeditus*). In fact, Cicero seems to have been at a bit of a loss about what to say about Drusus, and what one finds is very much like his earlier description of the elder Drusus (*Brut.* 109: *M. Drusus C.f., qui in tribunatu C. Gracchum collegam iterum tribunum fregit, vir et oratione gravis et auctoritate ...*). Something is wrong here. Praise should have been lavished on Drusus, that champion of the senatorial order according to the later sources, who was among that circle, almost fabled, of public figures so admired by Cicero: Crassus (cos. 95), Scaevola (cos. 95), Catulus (cos. 102) and Cotta (cos. 75). Instead there is hardly a helpful word, certainly no elucidation of this elusive figure of singularly sombre tendencies (*Off.* 1.108: *M. Druso adulescente singularis severitas*). Even censorial remarks would have set the scene for an exploration, while silence is simply baffling. A lack of enthusiasm for Drusus' later reckless pursuit of political goals in 91 or of his petty private quarrels with Q. Servilius Caepio (Pliny, *NH.* 28.148; Dio, 28.96.3) could be appreciated, especially if Cicero was to have possessed some connection with the latter, which quite clearly he did not (*Brut.* 222-223). Therefore, there must be some personal reason for Drusus not figuring prominently in Cicero's *opera* when he really should have been there holding a key position, especially in works composed

3 For example, Gruen, *RPCC* 207 Drusus: "profited from the exemplum of his father ... how to manipulate popular legislation and a reform program in the interests of the aristocracy. Sources are virtually unanimous that the younger Drusus' efforts in 91 were designed to enhance the prestige and influence of the senatorial order."

in the 50s. For after all, this former tribune of the plebs could have been called upon as a worthy *exemplum*, since he had been the first to promote the idea of a *concordia ordinem*, a theme that became so dear to Cicero.<sup>4</sup> Drusus' absence is in every respect puzzling. Was his personality so uninteresting that Cicero considered it of no merit to mention, or is there just that faint suggestion (*Brut.* 222) that he was actually not at all an attractive character? In fact, he was so unsavoury that he was best forgotten? Do the other references to Drusus bear this hypothesis out?

In the *de Oratore*, Drusus is mentioned just three times, twice as a mere dating mechanism (1.24, 3.2), while his friends and associates provide the characters in the scene of the discussion (cf. *Arch.* 6).<sup>5</sup> Some clues, however, do begin to emerge. In the *pro Plancio* (33) Cicero describes Drusus as *potentissimus*, but also over-much concerned about intrigues in public life. Was this love of intrigue cause enough to be frowned at? There is no doubt some inconsistency here (*dom.* 120: *M. Drusus, ille clarissimus vir, tribunus plebis, pontifex fuit*;<sup>6</sup> 50: *nobilissimus vir*; cf. *Mil.* 16), but Cicero's comments are altogether too brief when the opportunity for effusive praise was available. Most frequently it is the legislation of Drusus that is remembered, not for its content, rather for the fact that it was annulled as contrary to the stipulations of the *lex Caecilia Didia*, which forbade measures containing discrete items (*dom.* 41, 50; *Leg.* 2.14, 31), the turbulence created by his proposals (*Vat.* 23: *in colluvione Drusi*) and the apparent support for the *ordo equester* which he sought to bring under greater senatorial control (*Cluent.* 153). This was perhaps a further quandary for Cicero: how to be impartial in an affair, long since gone, but still possibly a bone of contention between the two senior orders of the community and the one from which the writer had recently emerged to join the other. This could well be among the reasons that, as far as Drusus was concerned, this was one episode which was best left alone.<sup>7</sup> It would appear that, whereas Cicero was in a position to provide insightful material about Drusus, there are, after all,

4 On the younger Drusus see, for example, H.C. Boren, "Livius Drusus, t.p. 122, and his Anti-Gracchan Program", *CJ* 52, 1956-57, 33-34: "Drusus was an enlightened man of broad interests, his son of the same name ... was really following his father's footsteps ..." However, compare Plutarch's comments, *C.Gracch.* 9.1: "Ἐπιδοῦς οὖν ὁ Λίβιος εἰς ταῦτα τῆ βουλῆ τὴν αὐτοῦ δημαρχίαν νόμους ἔγραψεν οὔτε τῶν καλῶν τινοῦς οὔτε τῶν λυσιτελῶν ἔχομένους..."

5 A brief note in the *Orator*, 213-214: *me stante C. Carbo Cf. tr. pl. in contione dixit his verbis: "O M. Druse, patrem appello ... tu dicere solebas sacram esse rem publicam ... quicumque eam violavissent, ab omnibus esse ei poenas persolutas ... patris dictum sapiens temeritas filii comprobavit"*... is here to illustrate rhythm in rhetorical prose and not about the tribune himself. The quotation drew applause presumably for its ingenuity not its content, *Orat.* 214: *hoc dichoreo tantus clamor contionis excitatus est*. Still, it is noticeable that the younger Drusus is compared unfavourably with his father.

6 Drusus is compared with Clodius, against whom almost anyone would be *clarissimus* to Cicero, but there again it is not Drusus who is the subject.

7 Note the occasional neutral reference, *Rab. perd.* 21, to Drusus among the *boni* who took action against

twenty references to the tribune in the existing *corpus*, he is profoundly reticent. It is left to other and later writers to pick up material not always to his credit.

Cicero may be stubbornly and deliberately obtuse about Drusus' character and career, but it is exactly the opposite when it comes to Sulpicius. There, there was obviously great admiration, little short of adoration, and a positive over-abundance of information, that has impinged upon, but not necessarily in a positive fashion, the historical tradition.<sup>8</sup> It was Sulpicius, not Drusus, whom Cicero chose, along with Cotta, Crassus and Antonius, to be one of the interlocutors in the *de Oratore*,<sup>9</sup> arguably one of his greatest literary compositions. Cicero clearly considered Sulpicius to have been one of the outstanding orators of his day, but even more than that, that he possessed a genius almost unsurpassed,<sup>10</sup> and that this had been evident from his first appearance in public life and in the law courts (*Cat.* 3.24). Yet at the same time he could claim that, at that stage, Antonius felt that Sulpicius' juvenile style lacked moderation (*Orator*, 106: *nihil leniter*), and had yet to acquire maturity. Elsewhere, it is easily noticeable that Sulpicius features among that group (Gracchi and Saturninus) which forms the *exemplum* of death in civil strife (*Cat.* 3.24; *Leg.* 3.20; *Ascon.* 80C), but there is little or no authorial comment about his activities. There is definitely no outright condemnation.

In the *Brutus*, Sulpicius and Cotta are banded together as the supreme practitioners in their art of that particular generation (*Brut.* 207).<sup>11</sup> Cicero obviously knew Sulpicius' style thoroughly – maybe the man himself – for he says that he heard the tribune speak to the citizen body almost daily over a lengthy period of time in 88 (*Brut.* 304). During the decade between 99 and 89 there was clearly an exceptionally large crop of talented orators (*Brut.* 183) and of these Cotta and Sulpicius are clearly described as being the *crème de la crème* (cf. *Brut.* 201). A little further into the text Cicero gives his reader a description of Sulpicius, which shows explicitly where his evidence stands in relation to the subject (*Brut.* 203):

Saturninus in 100; *Nat. Deor.* 3.80, a reference to Drusus' murder in his house (*domi suae*) put into the mouth of his friend Cotta.

8 Assessment of Cicero's works as historical evidence is much affected by modern disdain for the writer's conceit, so to be warmly regarded by this writer is not always to the subject's advantage. Sadly, like the great Antonius, nothing remains from the hand of Sulpicius himself though some material was obviously still circulated after his death, *Orat.* 1.32; *Brut.* 205: *Sulpici orationes*.

9 Cicero claims, *Orat.* 1.26-28, that the scenario and contents of the discussion are based on fact as he heard it from C. Aurelius Cotta (cos. 75) one of those present on that celebrated occasion.

10 Cf. W. Miller, *Cicero de Officiis*, Harvard 1921, *LCL*, 423: "an eminent orator of little character."

11 *Ascon.* 66C. Between the time of Crassus and Antonius, and Hortensius, Cicero in fact was evidently too modest to declare himself a supreme master of rhetoric, *Brut.* 333. Note also the talent of Caesar, *Brut.* 252.

*Fuit enim Sulpicius omnium vel maxime, quos quidem ego audiverim, grandis et, ut ita dicam, tragicus orator. Vox cum magna tum suavis et splendida; gestus et motus corporis ita venustus ut tamen ad forum, non ad scaenam institutus videretur; incitata et volubilis nec ea redundans tamen nec circumfluens oratio.*

Of all the orators whom I have ever heard, the most elevated in style, and so to speak, the most theatrical was Sulpicius. His voice was strong and simultaneously pleasing with a brilliant texture. His gestures and body movements were particularly graceful, but more suited for the forum than the stage. His language was swift and easy flowing without being either redundant or verbose.<sup>12</sup>

Whatever Sulpicius' political inclinations may have been in the 90s or, more importantly, were to become in the 80s, as an orator he was a special influence on Cicero whose respect is fully stamped on this text for all to see and appreciate (*Brut.* 297). It is quite plain that had Sulpicius died before he entered into his fateful tribunate, he would have been ranked among the greatest of Romans. A grand conditional clause, nonetheless true, certainly as far as Cicero was concerned.

In the *de Oratore*, still more intimate details about Sulpicius are divulged: that he and Cotta were *maxime familiares* of Drusus (*Orat.* 1.25), and that he was to follow his friend Cotta into the tribunate in 89.<sup>13</sup> Sulpicius was evidently phenomenally quick at learning the most detailed points of law in whichever case he happened to be involved, and examples are produced by Cicero (*Orat.* 1.66-68). He was, according to Crassus, a natural virtuoso at public speaking (*Orat.* 1.99, cf. 1.30-31), and Antonius was alert to this gift from Sulpicius' very first appearance as a pleader in the courts (*Orat.* 2.88-89):

I first heard Sulpicius when he was almost a boy, in an unimportant case, and as for intonation, presence, bearing and the other essentials he was well suited for the role ..., but his delivery was rapid and impetuous, being the result of his genius, his pronunciation agitated and a little too exuberant, which went with his age. I did not underrate him, and was pleased that luxuriance should exalt itself in youth, since, as with vines it is easier to trim the branches which have shot out in a riot than to produce new growth by cultivating feeble stock ... I instantly recognised his quality and did not miss the opportunity, but encouraged him to consider the law-courts as his university choosing whichever

<sup>12</sup> Note also the phrase: *in Sulpici aetate*, *Brut.* 230, a further indication that Sulpicius stood head and shoulders above the rest. Cicero was clearly able to get quite close to Sulpicius.

<sup>13</sup> The war with the *socii* intervened, and Sulpicius won a tribunate only a year later after he had served as a legate in the army, and after Cotta had been exiled under the terms of the *lex Varia*. Sulpicius' move to pass

master he pleased, but Crassus if he would take my advice. He responded to this suggestion and assured me that he would follow it, adding out of courtesy that I too should be his teacher. Scarcely a year had gone by after this little talk with me when our friend was prosecuting Norbanus ...

Sulpicius was aged about twenty-eight when he prosecuted C. Norbanus,<sup>14</sup> who was successfully defended by Antonius. However impressive Sulpicius' performance was on that occasion, he was still nearly ten years older than Crassus had been in his courtroom debut in 119, but much on a par with Cicero's first appearance in the courts.<sup>15</sup> Still, his presentation was characterised by enormous versatility (*Orat.* 2.107-109, 2.124-125); yet at the same time he conducted himself *summa cum dignitate* (2.198). And then we have Sulpicius' own assessment of the execution of his brief, that his initial confidence of a conviction had been completely undermined by the absolute mastery of Antonius' defence (2.202-204), for whom and whose victory he clearly felt no envy or irritation. His words here are probably not authentic, but represent a Ciceronian recreation based perhaps on Cotta's reminiscences; still, in this one section alone, there is more about Sulpicius and the sort of sentiments he might have expressed than in all the references to Drusus by the same writer and every other literary source.<sup>16</sup> Sulpicius was naturally talented, and those talents with which he was endowed were developed and toned by Crassus. That was as far as it went, for this orator

a law recalling exiles must surely have been prompted by a desire to see his *amicus* Cotta take his rightful place in the senate, *ad Herenn.* 2.28.45; *Liv. Per.* 77.

14 For the age of Sulpicius, see *Cic. Brut.* 182: *aequales propemodum fuerunt C. Cotta, P. Sulpicius, Q. Varius, Cn. Pomponius, C. Curio, L. Fufius, M. Drusus, P. Antistius ...*; Sumner, *Orators*, 109; for the date of Norbanus's trial ca. 95, see Gruen, *RPCC* 196, who deems it an example of "aristocratic squabbles", and in which trial Sulpicius was "sharpening his oratorical powers in conscious imitation of the style of Crassus"; Badian, *FC* 210, 213-214.

15 This surely points to a plebeian or equestrian origin for Sulpicius. Concerning the plebeian origins of Sulpicius, see in particular Mattingly: 1975, 264-266; Seager, *Pompey*, 91 n. 36: "never a patrician".

16 In the *de Oratore* alone there are more detailed references to, and discussion of, Sulpicius than in all the twenty or so mentions of Drusus elsewhere. And that excludes the *Brutus*. But there is a noticeable absence of Sulpicius in the rest of the Ciceronian *corpus*, with a mere three references. Cicero did not want to spoil the image he had wrought. It is worth noting that Sulpicius' words are obviously not as extensive as those given to the other interlocutors: Crassus, Antonius, even Cotta, while Catulus and, in particular, Caesar Strabo (2.216-227, 234-290 on humour), who feature in only Book 2 are also handsomely "quoted". However, Strabo, like Sulpicius, also lost his way, though Cicero evidently thought less of him, for the tribune of 88 was correct to prosecute his old *amicus* who had hoped to become a candidate for the consulship without having first held the praetorship, *Brut.* 226; *Ascon.* 25C. Cicero indicates clearly enough that the date of the *petitio* against Caesar Strabo occurred when Sulpicius and his colleague P. Antistius were tribunes, in other words between 10th December 89 and 10th December 88. Unless the consular elections for 88 were severely delayed, which is not attested, it means that Caesar Strabo intended canvassing for the consulship of 87. For discussions of the date of this prosecution and its political implications see, for example, B.R. Katz, "Caesar's Strabo's Struggle for the Consulship – and More", *RhM* 120, 1977, 45-63, and 45 n.1 for earlier scholarly interest; A. Keaveney, "Sulla, Sulpicius and Caesar Strabo", *Latomus* 38, 1979, 451-460, and 451 n. 1, similarly for earlier analyses of the same problem.

was no aspiring philosopher with hopes of joining the ranks of the *literati* (3.147).<sup>17</sup> Sulpicius knew what he was good at and was happy at the level he had attained:

At this point Sulpicius declared, “On the contrary Crassus, I have no use for your Aristotle or Carneades or any other philosopher. You are welcome to assume either that I have no hope of being able to master those doctrines of yours or that I despise them, as indeed I do. As far as I am concerned an ordinary acquaintance with legal and public matters is more than enough for the eloquence I have in mind, although even then it contains a great deal that I do not know, and this I only consult when it is vital for some case or other that I have undertaken.”<sup>18</sup>

Cicero was obviously not concerned about the political activities of Sulpicius in either of these two major works, but had he disapproved vehemently of the tribune’s later actions and legislative programme this would surely have intruded into his thoughts. However, a negative display of sentiment is simply invisible. Sulpicius’ reception into modern literature, as in scholarly works, is remarkably variable, but what is most clear is that Cicero’s evidence is generally discounted as unconvincing. This is partly due, no doubt, to the fact that Cicero’s friend Atticus was closely connected to the family of Sulpicius, hence possibly a perception that such a friendship might compromise an objective assessment.<sup>19</sup> Such an assumption may be acknowledged as reasonable, but it is certainly not necessarily correct not the sole interpretation on this issue. Atticus was famous for easily maintaining good relations with many warring figures; and simply to have cast a slight on a relative of forty years before is unlikely to have caused a rupture in the *amicitia* between him and Cicero.

There are much shorter, nonetheless fascinating, references to Drusus and Sulpicius in the relatively early work of Diodorus and in the treatise on rhetoric addressed to Herennius. First the extremely disjointed surviving material belonging to Book 37 of Diodorus’ work preserved in epitomes and extracts, where it is quickly apparent, whatever the shortcomings of the text, that the portrayal of the younger Drusus was not obtained from Cicero. Initially, Diodorus treated the younger and elder Drusus together (37.10.1=*Const. Exc.* 2(1)) as a background to events in 91, possibly repeating early

<sup>17</sup> *Ex silentio* Drusus had no literary talents or aspirations either. Sulpicius, a man of the people, it seems, was disdainful of philosophy.

<sup>18</sup> However excellent Cotta and Sulpicius were in their endeavours, they are both advised by Crassus to keep a watchful eye out for the next generation of orators, with Hortensius especially in mind, who will outshine them (3.230); an amusing conclusion to this great work.

<sup>19</sup> For the relationship between Atticus and Sulpicius, see Nepos, *Att.* 2.1-2; N. Horsfall, *Cornelius Nepos: A Selection Including the Lives of Cato and Atticus*, Cambridge 1989, 15 & 60.

material he had used in his coverage of the civil discord presided over by C. Gracchus (another “younger” by the way). The reputation of the elder Drusus was clearly spotless and, possibly as a result of that, so too was that of the son. The tribune of 91 is described, astonishingly, as the best orator of his generation, clearly at loggerheads with the opinion expressed in Cicero’s *Brutus*, and the wealthiest man in Rome, which is surely more applicable to one of his contemporaries such as Crassus or Q. Caepio. Moreover, he was trustworthy, generous and faithful and, therefore, a veritable paragon of Roman aristocratic virtues. Yet none of these characteristics had been considered worth mentioning by Cicero. The single overlap between Diodorus and Cicero occurs when the former describes Drusus as the defender of the senate (προστάτης τῆς συγκλήτου) which mirrors the passage in the *oratio pro Milone*. Although the orator may be reflecting his own memories of the tribune, Diodorus could as easily have employed an intermediate source. Was Cicero deliberately suppressing information about Drusus, or was Diodorus aware of a more sympathetic account of this tribune? The history of Posidonius, a work we have come across several times already,<sup>20</sup> would solve that problem, or material from the histories written by Sisenna or another early author.<sup>21</sup> However, it looks as though Diodorus has, in some confusion, transposed Cicero’s description of Sulpicius to Drusus. Diodorus’ account also contains a notice, almost a eulogy, to the Livii Drusi as a family, their nobility, kindness and generous spirit to fellow citizens (37.10.2), although this aspect does not feature elsewhere, and is perhaps an extension of the previous thoughts about Drusus’ patronage. This philanthropy was apparently appreciated if the anecdote concerning a law that was passed and that was binding on all citizens, except the two Livii Drusi, is historical. The measure presumably dates to between 120 and 109. There is a detailed coverage of Drusus’ response to the invalidation of his legislation and what appears to be a verbatim extract of an oath supposedly sworn to Drusus by the *socii* as their patron, but which was probably propaganda put about by his opponents, and the appearance at Rome of allies summoned by Drusus to save his laws. After that, Drusus disappears from the extant material, though he was presumably originally cast as the central figure in the political crisis

20 Mention could be made of Sulla’s memoirs here but was he really that close to Drusus and would he have showered praise on this tribune who was after all also connected to the dictator’s great enemy Sulpicius? He is unlikely on that account to have been Diodorus’ source in this instance. No reference to the tribune remains in the few fragments of Sulla’s *Commentarii*, Peter, *HRR* 196-199.

21 A fragment of Sisenna’s history mentions a certain L. Mummius, who was perhaps a son or grandson of the consul of 147, evidently an adviser rather than a friend of Drusus, who was exiled under the *lex Varia*, 3.44, Peter, *HRR* 1.282-283; cf. Appian, *BC*. 1.37, who thought that this Mummius and Archaicus (cos. 147) were one and the same; Gabba: 1958, 125-126. Sisenna’s work was possibly supportive of Drusus, though too little remains for an informed opinion.

which culminated in the outbreak of the “Marsic” war, so called by Diodorus who considered these hostilities the greatest conflict in his history (38.1).

Concerning Sulpicius, nothing at all has survived in Diodorus, which is frustrating, for it would have been interesting to observe whether or not Drusus’ more unfavourable quirks had indeed been transferred to his contemporary. The author of the treatise on rhetoric (*ad Herem.*) is disappointing too, for if he wrote this work in the 80s then he will have well recalled the recent activities of Drusus and Sulpicius. It is another possible sign that the work actually does not belong to this decade. Five neutral comments altogether, none illuminating about characters nor specific about the legislation in 91 or 88, yet not openly hostile either. The death of Sulpicius is recounted (1.25), as well as a particular clause in his legislation which proposed receiving back politicians exiled under the terms of the *lex Varia* (2.45). In a discussion of *paronomasia* Drusus is featured along with other demagogues including Sulpicius (4.31), and he reappears again in the context of allegories (4.46), which just might be construed as being unenthusiastic about the tribune of 91.<sup>22</sup> So much for this problematic composition.

In the existing Sallustian *corpus* there is a single mention (*Hist.* 1.77.7M) of Sulpicius in association with other troublesome tribunes.<sup>23</sup> There is just one to Drusus of dubious provenance (*Ep. ad Caes.* 6.3-4), in a work that may be rather later than Sallust’s time and offers little insight into the subject’s persona. There is the suggestion, nevertheless, of a stronger subservience to the wishes of others but not necessarily of the entire senate. This is at variance with the usual blanket designation as “defender of the senate”, so either more acute or less knowledgeable. Less independent or aggressive action is asserted than some of the other sources acknowledge, but ultimately his success proved his undoing since his enemies, afraid of his supreme position in public affairs, ruined his and their own aims (*sua et ipseius consilia disturbaverunt*).

The epitomes of Livy’s books 70, 71 and 77 ought to reflect the original author’s awe for senatorial authority following the career of Drusus more systematically than that of Sulpicius. However, not much sympathy for either is greatly in evidence.<sup>24</sup> The tribunate of Drusus, obviously cast as the central episode in Book 71, is announced at the end of Book 70 in an ungen-

22 The elder Drusus also noted as praetor, 2.19, and possibly a fragment of a speech by Gracchus against this opponent, 4.49.

23 Noted above with regard to Saturninus. It is clear that Sallust’s *Histories* would have covered the year 88 in some detail, as is shown by the fragments 1.21-26M, McGushin, *Histories*, 92-93.

24 The epitomes, moreover, yield absolutely nothing about the elder Drusus’ tribunate in 122, which is an altogether interesting omission considering his role in defeating the Gracchani. Only his successes against the Scordisci in Thrace as consul were worth noting, *Per.* 63. The original text must surely have figured this

erous spirit. The tribune went beyond what was regarded as satisfactory behaviour (*Per.* 70). Although he was committed to the senate (*senatus causam susceptam*) his legislative programme, because of the violence needed for its promulgation, made him generally detested (*invisus etiam senatui factus velut socialis belli auctor*, *Per.* 71). He was killed at home by an unknown hand (*incertum a quo domi occisus est*). Reckless or ruinous best describe Sulpicius' laws (*perniciosas leges promulgasset*, *Per.* 77), but his character remains well concealed; and Marius is portrayed as the controlling agent (*auctore C. Mario*), but the tribune was the organiser of the violence (*vim intulisset*), which led to Sulla's march on the city and the expulsion of the faction opposed to the consul. The manner of Sulpicius' death was plainly of some interest:

*P. Sulpicius cum in quadam villa lateret, indicio servi sui retractus et occisus est. Servus, ut praemium promissum indici haberet, manumissus et ob scelus proditionis domini de saxo deiectus est.*

While Sulpicius was concealed in a certain house in the country, he was exposed by a slave, dragged out and killed. The slave was granted his freedom in order to give him the reward promised to an informer, then he was thrown from the Tarpeian Rock because of the crime of betraying his master.

In neither case does the epitomist have any curiosity about the personality of the subject, though this aspect was presumably covered in the original text. However, a signal lack of personal detail about Drusus and Sulpicius may well have influenced the extent of coverage devoted to them by later writers. Orosius, for example (5.18.1, 5.19.6), notably devotes a single line to each of these tribunes: Drusus as one of the causes for the war with the *socii*, and the noteworthy death of Sulpicius, and the fate of the slave who informed against his master.<sup>25</sup> Nothing more. Was Livy's text little better in terms of personal details? It would be surprising if it were not!<sup>26</sup>

Velleius (2.13-14) paints an altogether more developed and sympathetic account of Drusus who is said to have possessed good motives for his controversial activities, intent as he was on reforming the *res publica* for the benefit of the senate and to counteract excesses, which had become alarm-

politician prominently, but again the similarity with the son may have caused the epitomist to cut what he may have considered non-essential and repetitive material.

25 The villa mentioned in the epitome was presumably one of Sulpicius' own, near Lavinium an extra detail provided by Velleius, 2.19.1.

26 If it could be said that Orosius reflects the general tendency or thrust of Livy's account then that might be so, although it does seem rather unlikely that the earlier historian would have been so dismissive of such a central figure. Furthermore, the issue at hand in 91 and 88 may simply have been beyond the comprehension of Orosius who by avoiding the difficulties also omitted the personal details attached to the protagonists.

ingly apparent in the equestrian order as a result of its control of the courts. His actions were provoked by the illegal conviction of his uncle P. Rutilius Rufus (cos. 105). However, the senate was shortsighted and threw away any chance of greater dignity by viewing Drusus' aims as an attempt to further his personal ambitions and sided with his inferior opponents to defeat his proposals. Drusus died while championing the cause of citizenship rights to the *socii* (*hunc finem clarissimus iuvenis vitae habuit*). The details of this portrayal were not obtained from Cicero, instead to be highlighted again is the power of early, influential, but lost works, in this instance, possibly Posidonius, whose views are likely to have coincided with Velleius. Hence the blame for Drusus' death is placed squarely on the *equites* and on other elements in the senate, presumably such as the younger Caepio and the consul Marcius Philippus, who were able to persuade the people that the tribune's plans amounted to nothing more than self-aggrandisement. As far as Sulpicius is concerned, Velleius is less detailed (2.18-19), and more Ciceronian in outlook, although he takes his account of the episode to its logical conclusion:

*P. Sulpicius tribunus plebis, disertus, acer, opibus gratia amicitiiis vigore ingenii atque animi celeberrimus, cum antea rectissima voluntate apud populum maximam quaesisset dignitatem, quasi pigeret eum virtutum suarum et bene consulta ei male cederent ...*

P. Sulpicius tribune of the plebs, an eloquent and vigorous man, who had won distinction through his wealth, influence and friendships, and through the energy of his natural ability and his courage, and had previously won the greatest influence among the people by honourable means, now as if he regretted his past virtues and discovered that an honourable course of action brought only disappointment, suddenly plunged into evil ways ....

Once again, Sulpicius emerges by far the more attractive character, who unfortunately went through a personality transformation when he thought he recognised that *virtus* and *bene consulta* brought him scant reward, and instead adopted an opposite approach (*subito pravus et praeceps*) and attached himself to Marius who was then seeking a new provincial command. Sulpicius' turnabout was a descent into madness. After he had promulgated his unacceptable legislation – *leges perniciosas et exitiabiles*, and removed Sulla from his command against Mithridates and brought civil war into the streets of the city, he was exiled and killed while on the run in Latium. Rather more in the way of detail is revealed by Velleius than by the Livian epitome about this affair.

Seneca (*Brev. Vit.* 6.1-2), with his vignette of the tribune of 91, contains

an exposé of some unpleasant personal characteristics. Furthermore, this writer is not sparing in his criticisms. But what was his source? Drusus was *vir acer et vehemens*, which is regular and somewhat mild invective. However, what is one to make of the contention that he was another Gracchus (*cum leges novas et mala Gracchana movisset*), “when he had passed new and evil Gracchan laws”. This sentiment echoes the comments of the author of the *Rhetorica ad Herennium* (4.71). Drusus was a poor imitator of the Gracchi, moreover, he did not have the stomach to carry through his machinations. Instead, foiled everywhere in his endeavours, he went about complaining that he had not had a vacation from birth (*a primordiis*). As a young man he was already in possession of great *auctoritas* in the law courts,<sup>27</sup> and there is the hint that this influence was misused. Seneca states: “how far would such immature ambition go?” (*quo non erumperet tam immatura ambitio*), hardly a sympathetic comment about one long cherished as the guardian of the senatorial order. With the benefit of hindsight, Seneca was also able to declare: “You could have known that such incredible audacity would result in great personal and private misfortune.” What followed was to be expected, a premature death. Was it murder or was it timely suicide by a man who aspired to too great a height, and was unable to sustain the momentum that he had initiated?

And it was too late for him to complain that he had never had a holiday, when from childhood he had been a trouble-maker and a nuisance in the forum. It is disputed whether he killed himself, for he collapsed from a sudden blow received in the stomach, some indeed are doubtful whether his death was voluntary, none that it was well-timed.<sup>28</sup>

Seneca’s account is fascinating since it is perceptive and original; and fills in the unsavoury images that were excluded by Cicero.<sup>29</sup>

Senatorial champion Drusus may have been for a writer such as Tacitus (*Ann.* 3.27), but the differentiation between him and other tribunes was evidently slight. Otherwise Drusus was of little interest. Also falling into the

27 Seneca says *pupillus adhuc et praetextatus*, which may point to a date soon after the sudden demise of his father in 109; cf. Diod. 37.10.2 for a similar suggestion.

28 Elsewhere, Seneca is equally unkind, *de Benef.* 6.34.2: *apud nos primi omnium C. Gracchus et mox Livius Drusus instituerunt segregare turbam suam et alios in secretum recipere, alios cum pluribus, alios universos. Habuerunt itaque isti amicos primos, habuerunt secundos, numquam veros.* The use of *mox* makes it likely that the younger Drusus is meant here.

29 As a natural postscript here, Lucan’s *Pharsalia* (6.795-796) has an equally unfriendly notice: *Drusus legibus immodicos ausosque ingentia Gracchos.* Another indication that the activities of Drusus were viewed, not very long afterwards, in a negative light, little better, perhaps even worse, than those of the Gracchi. The Gracchi had, after all, been true leaders of the people, but Drusus was something of a fraud, however decent his original intentions may have been.

category of one-liners should be added Suetonius (*Tib.* 3.2), who obviously considered that the elder Drusus was more worthy of note than his son:

[The elder Drusus] called “the patron of the senate” because of his distinguished service against the Gracchi, left a son who was treacherously killed by the faction of his enemies while busy agitating many plans during a similar conflict.

This statement probably indicates that the reputation of the elder Drusus was more distinguished, but then he did have a longer and more illustrious career than that of his less interesting son, culminating in a consulship, triumph and censorship

Plutarch and Appian are judged to be inestimable among the later sources for this period of Roman history. Their close chronological proximity also allows for discussion together. Plutarch was decidedly curious about the character of his subjects; Appian, appears mostly not to have cared less. Without, on the one hand, the biographies of prominent Roman republican politicians and, on the other, a history of civil strife in Rome, an unravelling of the problems that are confronted in these times would be well-nigh impossible. There is no Plutarchan *Life* of Drusus or Sulpicius, though they both feature in the biographies of other notables, particularly in the lives of Marius and Sulla. Sulpicius is much more visible than Drusus of course, since he was either instrumental in bringing out of retirement in 88 an elder statesman in order that the consul Sulla could be humbled to the will of the people with a plebiscite taking away his Mithridatic command, or was the willing instrument of Marius in obtaining a further avenue for *gloria militaris*.<sup>30</sup> In his biography, Marius is cast as the one who used Sulpicius, though the tribune of 88 was not reluctant either to join in this venture (*Mar.* 34.1),<sup>31</sup> and the tribune’s character (ἄνῆρ θρασύτατος) is made to appear cool, calculating and devious (35.1-2):

30 Plutarch had no room for Drusus in the biography of Marius who was not an active figure in the events leading to the outbreak of war in 90. There have been suggestions, however, that Marius was involved one way or another in the prosecution of P. Rutilius Rufus who was related to Drusus, and whose conviction for *repetundae* between 94 and 92 may have spurred him on to undertake an ambitious legislative tribunician programme. On this issue see, for example, Badian: 1957, 328-343; *FC* 215-220; Gabba: 1958, 118; *Republican Rome*, 131-134; Gruen, *RPCC* 205-207. Without specific historical evidence to confirm such a causal link it remains possible that no such connection existed at all, Evans, *Marius* 129-130. In both the *Life* of Marius and Sulla, conflict between these two great figures was avoided only by the timely beginning of the war with the Italian allies, no mention of Drusus, *Sull.* 6.2; *Mar.* 32.3. Again a very formulaic composition by Plutarch, avoiding unnecessary detail about a topic not central to his theme. That he was fully aware of Drusus may be seen from references elsewhere.

31 For the opposite view, that Sulpicius manipulated Marius, see A. Keaveney, “What happened in 88?”, *Eirene*, 20, 1983, 53.

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... Marius found a very suitable instrument for the destruction of the state in the audacity of Sulpicius, who in all things was an admirer and an imitator of Saturninus, except that he charged him (Saturninus) with timidity and hesitation in his political programme.

It is claimed that Sulpicius, compared with Saturninus, was much better informed and, therefore, much better prepared to put his plans into effect. He was, moreover, an admirer of Saturninus, but believed that the tribune of 100 had been too timid and hesitant. He also kept a bodyguard of six hundred *equites*, which says something of his *hubris* in that he evidently considered himself above the law. This information, however, looks highly suspect and may not be historical,<sup>32</sup> and one should always be on the look-out for adverse propaganda. It is never very far away from these texts. None of Plutarch's material emanates from Cicero, and so instead must come from a writer who was antagonistic, but who used familiar elements: Sulpicius was a bolder imitator of Saturninus, associated with the still unquenched ambitions of Marius, and employed a bodyguard only tyrants possessed or needed. Again this is possibly Posidonius at work. If Sulpicius was initially the junior partner in the coalition that sprang the coup d'état of 88, he soon took full control of the situation as it developed, according to Plutarch (*Mar.* 35.4), and then oddly disappears out of sight when the affair got out of hand and Sulla restored order in the city (*Mar.* 35.5). Sulpicius' murder is recorded in the biography of Sulla, where his character has undergone some radical and elaborate development on the negative side.<sup>33</sup> Marius in his scheming for further glory made an alliance with Sulpicius, already a tribune, whose notoriety, unscrupulousness, downright infamy, the biographer (*Sull.* 8.1-2) seems happy to emphasise:

Marius now made an alliance with Sulpicius who was a tribune of the plebs, a man second to none in his crimes, so that the question was not whom else he surpassed in wickedness, but in what he surpassed his own wickedness. For

32 It is surprising that Sulpicius is portrayed accompanied by a bodyguard of *equites* seeing that in the next generation bodyguards were invariably ex-gladiators or armed slaves (see below), and were presumably also employed as such in the 80s. A peculiarity again and explicable if Plutarch chose to upgrade the origin of Sulpicius' supporters. And interesting that again it could be taken as proof positive of Sulpicius' natural link with the *ordo equester* rather than with the highest aristocracy. However, nobody except Plutarch writes about this bodyguard, so its existence may be doubtful, looking as if it belongs to an episode in Greek history. It is extraordinary that modern scholars have unquestionably accepted this episode as historical, when it has all the hallmarks of the *topos* of the aspiring *tyrannos*. Pisistratus' tyranny at Athens was characterised by precisely the possession of a personal guard, Plut. *Sol.* 30.

33 A literary progression surely, but not one born from the accepted chronology of the composition of the parallel lives which places the *Sulla* before the *Marius*, C.P. Jones, "Towards a Chronology of Plutarch's Works", *JRS* 56, 1966, 61-74.

the combination of cruelty, effrontery, and rapacity in him was regardless of shame and of all evil, since he sold the citizenship to freedmen and aliens at public sales, and counted out the price on a money-table which was set up in the forum. Moreover, he kept a bodyguard of three thousand swordsmen and surrounded himself with young members of the *equites* who were ready for anything and whom he called his “anti-senate”.

Plutarch clearly has nothing good to say about Sulpicius here, but it is notable that his supporters among the *equites Romani*, who can hardly be regarded as a revolutionary section of the community, have been supplemented by three thousand armed men, who tended to be ex-gladiators or slaves (*Sull.* 8.2). We are not told – and one wonders why not – given the cramped space, how all these men could possibly have been accommodated in the Forum? Plutarch goes on to give a vigorously inimical account of Sulpicius’ activities in support of his own plans and those of Marius, and like a wild beast the tribune was “let loose” on the people. Retribution came in the shape of the vengeful Sulla and his army, however, preceded by omens and portents.<sup>34</sup> The supporters of Marius and Sulpicius were duly put to flight, and both leaders were condemned. Sulpicius was betrayed by a slave (*Sull.* 10.1) and murdered, but the slave gained nothing by this deceit; he was first awarded his freedom then hurled down from the Tarpeian Rock on Sulla’s orders.<sup>35</sup> It is possible that Sulla, with the same political connections as Sulpicius, would have spared his life after capture.<sup>36</sup> Sulla was not utterly merciless,<sup>37</sup> as the young Caesar discovered a decade later, and the friends of Sulpicius like those of Caesar may well have been able to intercede for him. So a slight inconsistency can be seen creeping into Plutarch’s text at the end of his account of Sulpicius’ sedition. There is also the possibility in that this tale may have been contained in Sulla’s memoirs, with its lofty message implicit. However badly he, Sulla, had been treated by Sulpicius, he would not have stooped as low as the tribune. The tale remains as intriguing as it is unresolvable.

34 Plutarch was clearly using Sulla’s own *Commentarii* since this biography has a number of references to omens, more so than in other biographies. Sulla was apparently attracted to this supernatural aspect, *Sull.* 6.7. There are details of omens prior to this first of civil wars, *Sull.* 7.2-6, and while Sulla was marching on the city, *Sull.* 9.3-4.

35 Cf. Val. Max. 6.5.7 under a section entitled *De Iustitia*; Oros. 5.19.6. Note that the Tarpeian Rock also occurs in connection with Drusus, *Vir. Ill.* 66.8: *Caepionem inimicum actionibus suis resistentem ait se de saxo Tarpeio praecipitaturum.*

36 However, some of the sources explicitly state that Marius, Sulpicius and their chief supporters were declared *hostes* with their lives and property forfeit, App. *BC.* 1.60. For discussion of the ejection of Sulla’s enemies in 88, see R.A. Bauman, “The *Hostis* Declarations of 88 and 87 B.C.”, *Athenaeum* 51, 1973, 270-293; B.R. Katz, “The First Fruits of Sulla’s March”, *AC* 44, 1975, 100-125; Keaveney: 1983, 70.

37 Keaveney, 1983: 59.

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Drusus does put in a brief appearance in the biography of the younger Cato (*Cat. Min.* 1.1). Cato spent some time as a child in the home of his uncle Drusus following the death of his father (cf. *Val. Max.* 3.1.2) and where he received early tuition. It may be that Cato copied some of his guardian's habits in later life, although the tribune died when he was just four years old. Drusus is here depicted as a leader in political affairs, a powerful orator and a man of great discretion:

Livius Drusus ... at that time was a leader in domestic affairs; for he was a most powerful speaker, in general a man of the utmost discretion, who yielded to no Roman in dignity of purpose.

Now compare Plutarch's glowing and elaborate description of the elder Drusus in the biography of Gaius Gracchus (*C. Gracch.* 8.4):

Livius Drusus, a man not inferior to any Roman either in birth or background, while in character, eloquence, and wealth he equalled those who were the most honoured and influential as a result of these advantages.

To all intents and purposes, the elder Drusus was that defender and champion of the senate who took on the Gracchani who were then dominant at Rome (*C. Gracch.* 8.4, 9.3), and he undermined their popularity by outbidding their popular measures with his own more attractive programmes, which also had the safeguard of majority senatorial approval. His honesty was never in doubt (10.1), but the same could not be said about Gracchus and many of his followers, and so Drusus was able to "steal" the goodwill of the populace (ὑπελάμβανε) and alienate them from Gracchus who began to be viewed as no better than many of his unscrupulous allies, with M. Fulvius Flaccus (cos. 125) singled out for spectacular condemnation (10.3-4). Drusus possessed great political acumen and had the ability to put into effect those plans and strategies needed to topple the, by then, ineffectual Gracchus. He was without doubt a great politician. Change the date to thirty years or a generation afterwards and transform the main characters of the drama, and what we find is that the younger Drusus is a photofit copy of his parent, whose opponents the Gracchani are now the clique that congregated around the person of his former relative Q. Servilius Caepio (who was, it must be said, an unsatisfactory facsimile of Gracchus). The composition is not highly creative, but probably the best available to Plutarch who must have been faced with a dearth of decent material about the younger Drusus. The best he could come up with, and that applies to other writers with the exception of

Seneca, was to make him another version of his father. In claiming the attention of posterity Cicero had a fierce competitor in Plutarch when it came to descriptions of Sulpicius and Drusus. And Plutarch's *Lives* were to become at least as influential in forming the characters of political figures in this period of Roman history, as the often nearly contemporary works of Cicero.

Appian's account of the tumultuous events of 91 and 88 is one of the most extensive and detailed, ostensibly factual though often inaccurate, and focuses on the issues at hand, and rather less on the participants. Drusus (1.35) is briefly sketched as: ἀνὴρ ἐπιφανέστατος ἐκ γένους (“a man of the most illustrious birth”), but it was the problem of Roman citizenship for the Italians that most interested the writer and not the personality of the tribune who tried to introduce remedial measures. However, he is credited with artifice (1.35: τεχνάζων) but even that was insufficient to prevent him eventually from becoming an object of hatred in all quarters of Roman society (1.36). Appian is the sole source for the detail that the instrument of death was a cobbler's knife (σκυτοτόμου μαχαίριον) and we must assume that there was physical evidence, or that it was reported by one or more sources no longer available.<sup>38</sup> In 88 the guiding hand behind Sulpicius was Marius (*BC*. 1.55), while the tribune is depicted as headstrong and impetuous since he introduced violence into the Forum as a response to the delaying tactics employed by his opponents (1.56: δὲ τὴν ἀργίαν οὐκ ἀναμένων). Appian sticks closely to his historical narrative leaving no time for personalities to intrude as Sulla was, at first, outsmarted by Marius and Sulpicius, then called up his armed forces, presumably stocked with citizen soldiers unhappy at both the excesses of the tribune and his enrollment of new citizens, and marched to Rome. Fighting in the streets around a district Appian describes as “the Esquiline forum” (τὴν Αἰσκύλειον ἀγορὰν) ended with Sulla's enemies exiled and their lives forfeit (1.60).<sup>39</sup> Agents who were hard on the heels of Sulpicius eventually killed him. So much for Appian's evidence, such as it is, betraying a partiality for the senate's man with no authorial comment about the tribune of 88, his worth as a politician, his background and whether or not his aspirations were short-term clientela or long-term domination of political affairs. Unlike Plutarch, he does not draw attention to Sulpicius as a disciple of Saturninan methodology or ideology, or that he consciously sought goals similar to those attempted in 100.

Florus' *Seditio Drusiana* (2.5.17) is a distinctly pejorative title, and not really appropriate, but forms part of a larger work imitating Sallust's concerns for declining morality both in public life and among the Roman people as a whole.<sup>40</sup> Amid some confusion in the text (2.17.4-5), not only textual but

38 Cf. Vell. 2.14.1: *in area domus suae cultello (small knife) percussus, qui adfixus lateri eius relictus est, intra paucas horas decessit.*

39 There was no Esquiline forum but there was probably an open market area at the Porta Esquilina through which Sulla's legions poured during their assault on the city.

40 See above my comments on Saturninus, Chapter 4. The violence motif is found in Florus, who was

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also in historical details, Drusus emerges as another in the line of turbulent tribunes, but one having the benefits of birth, wealth and influence, but unscrupulous in his intrigues, and with laws passed *per vim*. The Gracchi, of course, were as well bred as the Livii Drusi, but Drusus is often credited with high birth and aristocracy, as if there were little else to say. Here Drusus' background is placed on a par with Caepio who was a patrician (2.17.5). Severe competition between Drusus and his equal Caepio dominates Florus' version of events, until the former's laws were carried by violence. Then follows a sudden death, almost an undignified one for a man from such a background, but who was clearly in some personal difficulties by that stage:

... but death carried off Drusus who was unequal to the occasion and tired of the conflict which he had rashly set in motion, a death opportune in such a crisis.

The possibility of suicide raised by Seneca, and here again implied in Florus' account, suggests that there may have been rumours about Drusus' death and that it was not murder. It is also possible that Livy, for example, gave more than one version of this politician's demise. Suicide would have been a shameful and un-Roman way out for the embattled Drusus, death by an anonymous assassin's hand did at least leave him a glimmer of honour.<sup>41</sup> Sulpicius puts in a brief appearance (2.21.6-8), with an opportunity missed for comments about this tribune's character or early ability. He simply features as the promulgator of the law granting Marius command against Mithridates, though Florus was under the misapprehension that he was a consul in that crisis, but is presumably the anonymous tribune who was the object of severe measures meted out by Sulla:

concerned with four *seditiones* from the Gracchi to Drusus (2.2.14-5.17), but this categorisation may not have been originally his. He follows seditions with wars from 91 through to the 20s. The conspiracy of Catiline is classed as a *bellum* rather than a *seditio* as, in his view, the *res publica* went from bad to worse until retrieved by Augustus.

41 It was only the younger Cato who made suicide an entirely honourable end. Prior to his demise following soon after the suicide of Metellus Pius Scipio at Thapsus, this means of death was rather uncommon among the Roman elite, if one discounts certain death in battle, such as Aemilius Paullus at Cannae, which is not quite the same thing. Unsuccessful generals such as Terentius Varro, Hostilius Mancinus, Mallius Maximus, Servilius Caepio, did not commit suicide until Norbanus at Rhodes in 82, one of the earliest examples, Liv. *Per.* 89. Noble suicides occurred in the 80's, Lutatius Catulus, P. Crassus and Cornelius Merula, the younger Marius, but times were exceptional. By 42 in the aftermath of Philippi, suicide had become the chosen way out for honourable men like Cassius and Brutus and their followers, Vell. 2.70.2-71.2. For a discussion of Roman suicides, see B. Baldwin, *Roman and Byzantine Papers*, Amsterdam 1989, 524-531, who picks up the dishonourable suicide by hanging in 173 of Q. Fulvius Flaccus (cens. 174), Liv. 42.28.10-13, whose death was the result of an unhinged mind.

When the consuls Sulpicius and Albinovanus had thrown their soldiers in Sulla's path, and stones and weapons were being despatched in all directions, he forced his way through by launching burning torches, and occupied the Capitoline, which had escaped capture by the Carthaginians and Gallic Senones, like a victorious general in a vanquished city. Then after his opponents had been declared enemies of the state by decree of the senate, he took violent steps, in the guise of the law, against the tribune who was close at hand and other members of the opposite faction.

Dio's account of Drusus' tribunate (28.96.1-2) looks to be closely based on that of Florus or extracted from a common source such as Livy.<sup>42</sup> The account is startlingly hostile, as Dio is also to that tribune's main senatorial opponent the younger Caepio. It seems as if these two politicians were equal in influence, and had a similar aim in mind, namely power, and were prepared to use any means to fulfil their ambitions:

There were other leaders of factions, but Marcus (Drusus) possessed the most influence in the one group while Quintus (Caepio) was the most influential in the other. These men were avid for power, never satisfied in their ambitions, and as a result prone to promoting civil strife. These qualities they had in common, but Drusus had the advantage of birth and wealth, which he also spent lavishly on those who at any time demanded anything from him, while Caepio surpassed him greatly in audacity and daring, and in the timing of his intrigues as well as his malevolence in carrying them out. It was not strange, therefore, since they were equal to each other partly by their similarity and partly by their differences, that they brought the discord to such a level that it continued even after both were dead.

Unlike Florus, however, Dio believed that Drusus had the advantage of wealth, which he spent lavishly, and birth over Caepio, an indication of a late writer's misunderstanding not only of his source, which was itself somewhat muddled, but also of the social prestige of the Roman republican patriciate. Caepio was certainly not poor, and his father, it will be remembered, had acquired an unpleasant reputation for acquisitiveness. On the other hand, Caepio was, according to Dio, the more daring of the two and lacking in integrity.<sup>43</sup> Between the two they brought the *res publica* into such *discordia* that it continued after both had died – a reference to the war with the Italian allies. If contemporaries thought that Drusus was no better than Caepio, then it is not remarkable that his character and actions should have been purposely sup-

42 For the sources possibly available see Linderski: 1983, 452-459.

43 Although it was never proved, it was commonly believed that the elder Caepio had spirited away the fabulous treasure of Tolosa while proconsul in southern Gaul. No early source comments on this episode, Dio, 27.90-91; Justin, 32.3.10; Orsos. 5.15. The younger Caepio may not have been that financially secure after the exile of his father, and the exceptional disgrace the consul had incurred.

pressed by Cicero.<sup>44</sup> Moving on to the history of Eutropius, who illustrates a complete ignorance of Drusus, although there is a brief mention of the war with the *socii* (5.3). The origin of the first civil war at Rome clearly generated a greater interest, however, and in this episode the name of the tribune Sulpicius features (5.4), but nothing further. In the still more concise *opusculum* of Exuperantius, a seditious Sulpicius (3.13-21) is associated with Marius, “a man ambitious for infinite glory” (3.10: *homo infinitae cupidus gloriae*), and through whose law Sulla was deprived of his province, with the result that there was the infamous march on Rome, with dire results. The more inquisitive mind of the author of the *de viris illustribus* did not omit Drusus (*ambitiosus et superbus*), placing him logically enough after his coverage of C. Gracchus, with *seditiones* again the theme, following Florus. But note that the younger Drusus is tackled before Marius (*Vir. Ill.* 67) and Saturninus (*Vir. Ill.* 73) and, although these biographical studies are not in any strict sequential order, this particular placement, and the association between the younger Gracchus and the elder Drusus, indicates confusion on the part of the writer. And that ambiguous phrase “Drusus distinguished in birth and eloquence” reappears (*Vir. Ill.* 66.1: *M. Livius Drusus, genere et eloquentia magnus*). Such a description is probably more applicable to the more successful elder Drusus when pointedly nothing of the sort is said about the son by Cicero. Drusus was also *ambitiosus et superbus*, characteristics that are repeated elsewhere about the tribune of 91, but not that he had given magnificent games as aedile, something that surely belongs to the career of the father. A trace of dry humour may be inferred on the question of bribery,<sup>45</sup> and *hubris* in Drusus’ dealings with the consul Philippus and the senate (66.8-11). However, it is the adjective *anxius* that catches the eye in the description of the tribune’s state of mind as the crisis at Rome unfolded. It is used in no other extant source, but contributes to the overall picture of a lack of determination or belief in his intentions. And in relating this aspect of the tribune’s character the *auctor* is following Dio and Florus, ultimately Livy, or a source earlier still. Sulpicius is conspicuous by his absence in this work, which is a striking omission when so many lesser mortals are represented among this haphazard collection. An unfamiliarity with Cicero’s two treatises on rhetoric may be implied by Sulpicius’ non-appearance. For how could a writer pass up the chance to moralise on the fate of Sulpicius if the writer had been aware of his existence and Cicero’s high opinion of him, while

44 Nothing remains of Dio’s account of Sulpicius’ tribunate in 88, but seeing his hostility towards Marius, 28.97.3, 30-35.102.8-11, a favourable opinion seems highly unlikely.

45 Cf. Val. Max. 9.5.2, with much the same anecdotal material, originating with Livy and before; cf. Vell. 2.13.1.

dwelling on Drusus' panic attacks as his legislative programme collapsed about him?

With all their real or imagined strengths, why then did Drusus and Sulpicius fail in such dramatic circumstances? Both are accused of being reckless, both seem to have become impatient in reaching their objectives; a common feature attributed to all previous tribunician programmes of the Gracchi and of Saturninus. There is probably a *topos* here. Appian has some compassion for Drusus (*BC*. 1.35) whom he shows caught between the senate and the *equites* pleasing neither with his proposals, and losing the allegiance of both in the complicated manoeuvres to bring the *res publica* back onto an even keel, with a new citizenship role and regulated law courts (cf. *Liv. Per.* 71). However, to be perfectly realistic about his legislative programme in 91, Drusus was doomed to fail from the start simply because of the complexities of the issues he tried to tackle. Sulpicius was similarly fated to taste the bitter cup of failure, but that was because he opposed the traditional leadership of the state and, worst of all, was an enemy of Sulla, whose response to being relieved of the Mithridatic command was plainly unexpected.<sup>46</sup> Plutarch relates the manner of Sulpicius' death (*Sull.* 10.1) but noticeably offers no vigorous post-mortem assessment of his character. He merely states that the tribune should have killed Sulla when he had the chance earlier in the year. The betrayal of Sulpicius into the hands of his pursuers (*Liv. Per.* 77; cf. *Vell.* 2.14) is related by a number of authorities, and also the execution of the slave who informed against his master, and such is the interest of ancient writers on this issue that there must be some moral theme here, which is perhaps lost on a modern readership. That it is related that Saturninus was killed by a slave, who was later given his freedom at the culmination of his uprising (*Cic. Rab.perd.* 31: ... *si Scaevae, servo Q. Crotonis, qui occidit L. Saturninum, libertas data est* ...), and that C. Gracchus was also finished off by his faithful slave Philocrates (*Plut. C. Gracch.* 17.2), looks suspiciously as if popular tribunes, whatever their origins, finished up in the gutter, literally and euphemistically, with the servile members of Roman society. However, the death scenes of these tribunes may not necessarily be either historical or recalled faithfully.

<sup>46</sup> Sulla was surely expected to stand aside as Metellus Numidicus had done in Africa in 107 following the *plebiscitum* promulgated by T. Manlius Mancinus, *Sall. Jug* 73.7, a great error of judgement by Sulpicius and Marius. Times had changed since then, but not so much in the composition of the army but the way in which it responded to political crises. Sulla's army, for example, was surely more supportive of its general not so much because it sympathised with his loss of *dignitas* or was worried that Marius might levy new forces and so deprive it of anticipated spoils of war, but because it was not composed of *capite censi*; rather the opposite, the soldiers were still the wealthier citizens who were extremely unhappy with Sulpicius' reforms. Similarly, the army of Cn. Pompeius Strabo later in the same year really indulged in copycat tactics by failing to give its loyalty to its new commander, Q.Pompeius Rufus, and conniving at, if not participating in, his murder.

Anecdotal material abounds in this study of the characters of Drusus and Sulpicius. Of hostile material there is plenty but, as far as Drusus is concerned, it is the barely perceptive sympathetic accounts, which evidently survived long enough, that dominate modern thinking. For example, Velleius (2.14.2-4) relates that when Drusus was having a house built on the Palatine (repairs to an existing structure in Plutarch, *Mor.* 800F), the architect offered to construct it in such a way that it would ensure all privacy, but that the tribune declared that his house must be accessible to all citizens, who could then see how he conducted his affairs. This is a tale which suggests that the politician was aware that his every action should be scrutinised by the populace and, hence, expose him as one who courted such *popularitas*. It must emanate from an early source, which has failed to survive. Moreover, the information failed to interest later writers such as the elder Pliny or Gellius. Plutarch says that this story enhanced Drusus' reputation (εὐδοκίμησεν), because when this architect offered to make his house more private for five talents, the tribune is said to have declared that for ten talents his house should be made more exposed to view so that his fellow citizens could be under no delusion about the way he lived. The reason for this remark, says Plutarch, was because Drusus was wise and moderate (ἀνὴρ σώφρων καὶ κόσμιος), which certainly says something since it does not contradict his same opinion voiced in the *Life* of the younger Cato. There is a sting in the tail, however, since Plutarch also notes, in more general terms, that Drusus probably had nothing to hide, while those in the public eye who had secrets could not long escape their discovery. This tale looks like an item of positive propaganda put about on behalf of Drusus; it also underlines his very ordinariness, about which even Cicero found so little to say.<sup>47</sup> The charge of *regnum*, which was laid against Drusus while he was yet a tribune, may well have been associated with this story, or rather with its antidote. No aspiring monarch lives in full sight of his subjects.

There is another very puzzling anecdote, which was clearly well remembered and related, that Drusus went overseas in order to find a cure for a disease which may well have been epilepsy. Pliny states quite unequivocally that it was the tribune of 91, while Gellius is less specific but tells much the same story:

It is well known that Carneades, when preparing to reply to the works of Zeno, <purged himself with hellebore> and that Drusus, among us most illustrious of our tribunes of the plebs, who was applauded by the entire populace standing

<sup>47</sup> For a discussion of this tale, see Edwards: 1993, 150-151, who is inclined to accept the evidence as a true reflection of Drusus' political and personal sentiments.

before him, but accused by the optimates of causing the war with the allies, was on the island of Anticyra cured of epilepsy by means of this medicine. (NH. 25.52)

*Propterea Livium Drusum, qui tribunus plebi fuit, cum morbum qui "comitialis" dicitur pateretur, Anticyram navigasse et in ea insula elleborum bibisse ait, atque ita morbo liberatum.*

For that very reason (that hellebore could be taken with safety on Anticyra) Livius Drusus who was, tribune of the plebs, when suffering from the so-called "election" disease sailed to Anticyra, drank hellebore on that island and was cured. (NA. 17.15.6)<sup>48</sup>

That the younger Drusus was a sufferer of this disease is, interestingly, confirmed by a later writer (*Vir. Ill. 66.11: morbo comitali*), but it is not mentioned in any other source. Yet one should note the unstable temper, the complaints about his situation, the panic attacks to which the tribune was prone, all while he despaired of the passage of his laws. The condition that may have afflicted him was incurable and remains so in modern times, and could easily have forced a man into retirement from public life if he was prone to frequent fits, as Gellius also indicates in connection with military service (NA. 16.4.4):

*Militibus autem scriptis, dies praefinibatur quo die adessent et citanti consuli responderent; deinde concipiebantur iusiurandum, ut adessent, his additis exceptionibus: "nisi harunce quae causa erit, ..., morbus sonticus ..."*

... when soldiers are enlisted, a day was appointed on which they should appear and should respond to the consul's summons; then an oath was sworn, binding them to appear, with the addition of the following exceptions, "unless there is one of the following excuses ... a dangerous disease ..." <sup>49</sup>

It is possible that Caesar suffered from the same or a similar disorder. Something of this sort is noted by Suetonius (*Iul. 45.1-2: comitali quoque morbo bis inter res agendas correptus est*). If the condition was severe, it inevitably resulted in a man being debarred from political life and the *cursus*. Moreover, if such a disease was recognised as preventing a citizen from serving the *res publica* in the army – Drusus is not known to have acquired much or any military service – then it could have influenced contemporary perceptions about him, especially seeing that the Romans were not kind to

<sup>48</sup> It is possible that this journey was recollected as part of a provincial command, *Vir. Ill. 66.3: quaestor in Asia nullis insignibus uti voluit ...*

<sup>49</sup> Epilepsy or *morbus comitalis* was regarded as a debilitating disease, although the Romans clearly thought that it could also be cured, according to Gell. NA. 20.1.27. Further attacks could therefore be assigned to ill fortune, or to divine displeasure.

individuals who were not completely whole in mind and body.<sup>50</sup> These two tales may well be linked; rumours of a serious illness that may have been viewed as an insanity or at least a handicap, and this could have been countered by illustrating that there was nothing to hide, and that rumours of a disability were simply just that and nothing more.

From Valerius Maximus, in the section entitled *de superbia et inpotentia* (9.5.2), a still further disquieting tale about Drusus' personality deserves some attention. It also relates to his state of health. In the process of passing his legislation Drusus was opposed by the consul L. Marcus Philippus. The proceedings became so heated that in a public gathering Drusus became so incensed that he ordered his attendant to grab the consul by the neck with such force that Philippus started to bleed from the nose. Thus the laws were passed *per vim*. The story is also related by Florus (2.5.8) and may be found in the *de viris illustribus* (66.9).<sup>51</sup> It is enlightening to see that these accounts reflect poorly on Drusus, and came presumably from a source quite close chronologically to his tribunate, and essentially point to personal pride, brittle temper and, worse, an attachment to *luxuria*, not to mention ordering a servant to inflict bodily harm on a political opponent such as Philippus. It should also be borne in mind that the consul of 91 later acquired a good reputation in the sources, especially whenever he is mentioned by Cicero and Sallust. Combine all this with a weakness of the mind, and Drusus did not stand much chance of being remembered in a positive way. Furthermore, although Sulpicius chose the wrong road in his tribunate, at least he had an earlier career worthy of commendation, while Drusus had none to speak of.<sup>52</sup>

To conclude, first of all, there is a great deal of confusion in the sources when it comes to the characterisation of the elder and the younger Drusus, and this was to be reinforced when myths were intentionally constructed about them. The elder Drusus appears to have been the more energetic, the more ambitious and the more astute politician. He died suddenly and unexpectedly, early in his censorship in 109 (Plut. *RQ* 50), and it is certainly possible that, with a known history of epilepsy in the family, it was this disease

<sup>50</sup> See Evans, "Displaying Honourable Scars: A Roman Gimmick", *Aclass.* 42, 1999, 77-94.

<sup>51</sup> This side of Drusus must surely have been contained in Livy's account, obtained from an account less deferential to the senate such as Valerius'.

<sup>52</sup> He is credited with a quaestorship and an aedileship, *Vir. Ill.* 66.1-3, the sole source to allow for such a possibility. However, he cannot have been an aedile, so there is something wrong with this evidence. Perhaps the *actor* thought he should have pursued an illustrious *cursus* prior to the tribunate, but the evidence of the *elogium* ought to be preferred. The tribune was born about 123, therefore age alone would prevent his holding an aedileship before he was in his mid-thirties at least. However, that particular office could easily have been held by his father sometime between his tribunate in 122 and a praetorship in ca. 116. This aedileship seems also to have been transferred to his son, Wiseman, *NMRS* 160 n. 1. Note also a certain Remmius, a colleague of a Drusus, but as likely the elder than the younger, *NMRS* 256.

that carried him off.<sup>53</sup> His son certainly suffered from the condition. The younger Drusus was in any case, in all respects, including physiological make-up, an inferior breed to his father. Moreover, there is little foundation to assume that the dynamism of the elder Drusus, so readily apparent in the literature, was inherited, but that even in antiquity this characteristic was transferred, unwittingly or not, to the persona of the son. A character to match great achievements would surely have emerged in the works of Cicero had this been warranted. However, the fact that the most detailed references to Drusus are denoted by a lack of enthusiasm, at best, plainly points to an attempt to cloak a character deficiency that was not to his credit and not amenable to public scrutiny. The positive image had to be fabricated. It is quite conceivable that there was a large chink in the armour of the younger Drusus; that he was ill-suited to the task which he either took upon himself or which others forced upon him. Although Cicero (*Brut.* 222) states that Drusus, along with L. Licinius Lucullus, M. Octavius, Cn. Octavius, M. Porcius Cato and Q. Lutatius Catulus (cos. 78), was adequate in his skill in the defence of the state (*Rab. perd.* 21), this is far from the sort of sentiment he expresses when describing a political giant such as M. Aemilius Scaurus (*custos ille rei publicae*, *Scaur.* 1.3; *Ascon.* 21C). The epithet “champion” or “defender of the senate” when it has been applied to the younger Drusus is therefore of doubtful historicity, and it really belongs to his father and that politician’s famous tribunate in 122. Unattractive and unappealing he may have been, and Cicero concealed such details as being of no particular interest nor relevant, but the crucial lack of information betrays the existence of something out of the ordinary: that Drusus was badly flawed in both mind and body, and this contributed greatly to his failure in public life. Sulpicius, on the other hand, was, in Cicero’s eyes, undoubtedly a person and politician of the highest calibre whose early promise was diverted and destroyed; and this too is highly reminiscent of views held about the two Gracchi. If his tribunate was a personal disaster and a real tragedy for himself and equally disastrous for the *res publica*, that need not detract from his flair and accomplishments which might still be celebrated by Cicero. This Ciceronian portrayal is unique, and is not to be found in the works of other ancient writers, whose *opera* mostly condemn this politician, while conversely being more, though not uniquely, supportive of Drusus. Sulpicius truly deserves recognition – more than any other tribune of the period – as a third Gracchus. He was an able orator, a politician who should have reached the pinnacle of the *cursum*

53 Early in the year because the *lectio senatus* one of the first major tasks of the censors was not completed, hence the election of new censors for 108. Had the *lectio* been concluded his fellow censor, M. Aemilius Scaurus, may not have been forced to resign, *MRR* 1.545.

## QUESTIONING REPUTATIONS

*honorum* but who was led astray by grandiose ambitions, defeated by a politician more devious or more brilliant, depending on one's viewpoint, than he was himself.

In most accounts, Sulpicius fades away to a horrid end, sordid and lacking in real drama. There was no death scene or authentic last words which either survived or were concocted, because Sulpicius was also, for different reasons, an embarrassment. Sulpicius brought down a great evil on the *res publica*, since the instability of the next fifty years could be attributed to his intrigues. Drusus too could be forgotten, but he was, at least, accorded a deathbed scene with final utterances transmitted and recorded (Vell. 2.14.2):

*Sed cum ultimum redderet spiritum, intuens circumstantium maerentiumque frequentiam effudit vocem convenientissimam conscientiae suae: ecquandone, inquit, propinqui amicique, similem mei civem habebit res publica?*

As he was breathing his last and gazing around at the crowd which stood around in mourning, he brought forth the most suitable words for his conscience: "Oh, my relatives and friends, will the Roman state ever possess another citizen like me?"

Such sentiments as those expressed by Drusus are not likely to provoke a sympathetic reaction among a modern readership, although where they occasion comment they are mostly excused and overlooked. That any specific failing is left unmentioned in the ancient literature could be construed as concealment of some disease, which could have excluded Drusus from public life, and have made him as much an outcast as if he was disfigured. His personality too, as the later sources reveal, was not well balanced and this side of Drusus was also best consigned to obscurity. A lack of charisma as a result of ill health, anxiety, a high-minded or myopic refusal to indulge in the antics of his fellow senators, rather like the younger Cato in the next generation, all added up to a person who may have had good intentions, but who was afflicted with a madness which may finally have caused his death.<sup>54</sup> There was no inherent madness in Sulpicius. Indeed, it was quite the reverse for there was the brilliance of the supreme exponent of his art, but there was soon to be a dementia of sorts brought on by excessive haste to achieve

<sup>54</sup> Drusus was apparently murdered but the circumstances are rather confused: an epileptic fit in which he was injured with a wound that caused death is not altogether impossible. Cicero says nothing of this, and it is later writers who suggest murder in his home or near his house on the Palatine. Always there are the suggestions of crowds and that Drusus lived some hours after the wound he received which may have been caused variously by a cobbler's knife or stiletto. In the course of an epileptic fit, Drusus could have been accidentally or even deliberately stabbed by someone standing closeby. It could also have been self-inflicted, as more than one of the later sources suggest. It is interesting to note that no attempt was made to find the murderer, perhaps because there was none. Bear in mind that the murderers of the Gracchi, Saturninus and even Sulpicius were well remembered from equally chaotic crises.

achieve his objectives. *Hubris* too can be attributed, if pride can become rampant when it is released from the constraints of strong competition and worthy competitors. Finally, Sulpicius obtained the political victory he sought, but this success proved to be a sham. The opposition appeared scattered and the ultimate aims seemed attainable but then, within a few short days *nemesis*, in the shape of Sulla, sought him out.<sup>55</sup>

55 Non-literary source material would have immense value for this study, but there is almost nothing worth considering. The *leges Liviae* and *leges Sulpiciae*, if ever inscribed, were lost soon after their annulments. The career of Drusus graced an *elogium* created for the great forum of Augustus, while the short-lived commission established by his *lex agraria* was recorded on stone, and has also partially survived, *CIL* 12.199; *ILS* 49; *CIL* 10.44, 1003; Cichorius, *RS* 116-125; *MRR* 2.23-24, n. 10. For Sulpicius there is nothing of an epigraphic nature. The coinage of the 90s and 80s, following the extraordinary burst of artistic excellence in the last four decades of the second century, is noticeably dull and dreary; and until 91 there is not a great deal to speak of. The argument that this relatively peaceful decade had less need of mass production of coins could also more simply mean that some of the issues, especially of the last decade of the second century, need to be redated. Neither the elder nor younger Drusus were ever moneyers, nor did Sulpicius try to ape Saturninus by holding this post before his tribunate. The large denarius issue of D. Iunius Silanus, dated by Crawford to 91, *RRC* 1.76-77, 337-339, coincides, therefore, with Drusus' programme, but whether or not the moneyer was an ally of the tribune is unknown. The outbreak of the war with the *socii* obviously resulted in massive coin productions, witness the issue of L. Calpurnius Piso Frugi, dated to 90, with nearly eleven hundred reverse dies for the denarius, *RRC* 1.340. In 88, however, a notable name does feature among the *tresviri monetales*, and he was C. Marcius Censorinus, an ally of Marius in 87. He presumably supported Sulpicius in 88, and was one of those forced into exile after Sulla took the city, and who returned with Marius and Cinna, *App. BC.* 1.71. A slight indication here, therefore, that the political crisis of 88 did extend into the coinage, but the issue itself is primarily concerned with family propaganda, and neither with the *leges Sulpiciae* nor with their promoter.



## Clodius and Milo: more equals than opposites

It is no longer in vogue, some would argue historical, to regard Publius Clodius or even T. Annius Milo as the tools of other and greater politicians.<sup>1</sup> However, it is certainly not the case that the careers of these two highly individualistic figures are yet free from either controversy or ancient literary invention. In the matter of characterisation, Clodius has long been identified as a free agent in Roman politics during the 50s, but was he actually the mastermind capable of producing the instability that affected the state in this decade? Some authorities even attribute the collapse of the entire republican system to the actions of this one man, but he was simply another one of those destabilising elements in the lengthy process of evolution towards *principatus*.<sup>2</sup> Has Clodius become a stock figure of a society caught in the grip of convulsive change? Thus had it not been Clodius, it would have been someone else? Milo's usual portrayal is as a mere figurehead around whom various oppositions to Clodius grouped at times during these same years. But does such an identification rob him of his own personal political agenda? Did he have equal freedom in which to pursue certain personal goals and was he, therefore, as independent as Clodius? And if Clodius and Milo were both free spirits, then a political difference between them tends to evaporate; and might there not be further similarities about this pair that make them more equals than opposites?

Clodius is credited with an unsavoury and rather murky past, much dwelt upon by Cicero – presumably to the delight of his audience or readership, and with a hostility so obvious an element as to render the contents of his work unreliable.<sup>3</sup> This is certainly how modern scholarship has tended to

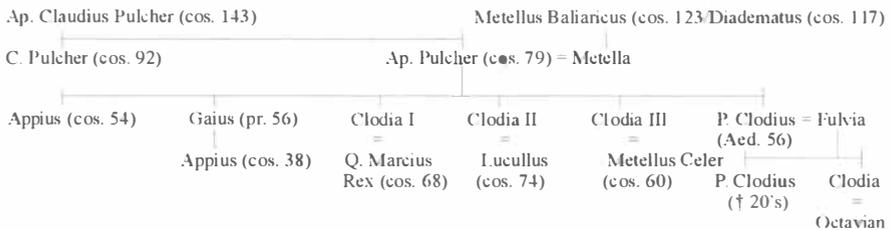
<sup>1</sup> Forcefully argued by Gruen: 1966, 120-130, though only until the recall of Cicero in 57; cf. *LGRR* 297, a thesis similarly advanced by A.W. Lintott, "P. Clodius Pulcher – *Felix Catilina*", *G&R* 14, 1967, 157-169. That Clodius' independence is now so acceptable that anything else seems impossible to contemplate, see P.A. Brunt, *The Fall of the Roman Republic and Related Essays*, Oxford 1988, 479; cf. Syme, *RR* 36.

<sup>2</sup> For Clodius as author of Rome's decline into civil war in the 50s, see W. Nippel, in a chapter entitled "The Collapse of the Republican Order", *Public Order in Ancient Rome*, Cambridge 1995, 70-84. For Clodius as an organiser of public disorder, see also Vanderbroeck, *Popular Leadership* . 30-33.

<sup>3</sup> The family had an excellent pedigree, if not quite of the most ancient patriciate. Clodius' mother, Caecilia Metella, either a daughter of Balaricus (cos. 123), granddaughter of Macedonicus (cos. 143) and sister of Nepos (cos. 98), Syme, *RR* following 568, or a daughter of Diadematus (cos. 117), had also inherited the fecundity of her family with six children who survived into adulthood although her husband died soon after his consulship in 76, though born around 130. His father the cos. 143 died at about the time of his son's birth. The male Claudii Pulchri do not appear to have enjoyed longevity. The younger Clodius (Val. Max. 3.4.3), born by the mid-50s, seems to have survived the triumviral period and to have attained high magisterial and priestly office, though not the consulship, and he died in the 20s, *MRR* 2.425: "Praetor after Actium. Probably an Antonian favorite raised early to an augurate." Broughton fails to note that this Clodius via his mother Fulvia was Antony's stepson.

regard the Ciceronian evidence.<sup>4</sup> Milo, meanwhile, seems to have possessed no past at all, with the result that he is an altogether less-colourful personality than the exotic Clodius, though no less compelling for all that. It is perhaps rather like comparing the dour M. Livius Drusus with the dashing L. Appuleius Saturninus! Had Milo done good deeds in his youth or even as a mature politician in the 50s, it would have been fully exploited by Cicero in the *oratio pro Milone*, if nowhere else. Except for the gallant and successful campaign for Cicero's recall from exile in 57, nothing seems to feature, which produces a fascinating contrast between the two subjects of this chapter. Here the issue, therefore, focuses on the characterisation of one politician who appears to possess substance and another who appears to have none at all. Was Milo's career just too tedious to mention, or was it yet more unsavoury than that of Clodius? Bearing in mind that Clodius' antics in the 60s, from one end of the empire to the other, are well documented, it seems highly unlikely that these could be matched or bettered by anyone, including Milo, without some comment having found its way into the sources.<sup>5</sup>

Milo's date of birth clearly coincides, or very nearly, with that of the younger Cato, 96 or 95, if he had high hopes to be a consul in 52.<sup>6</sup> Milo's political career, or at least any activity recorded for us, is surprisingly late and compressed: a phenomenon which has been noted with regard to other politicians already in this study. He was fairly close to forty years of age at his election to a tribunate; thence a meteoric rise in half a decade. He was obviously recognised as dynamic, promising, and within a short time very powerful.<sup>7</sup> Clodius was three years younger, born in 92 and a candidate for



4 For example, T.N. Mitchell, "The *Leges Clodiae* and *Obnuntiatio*", *CQ* 36, 1986, 176: "Cicero's relentless defamation ...."

5 From organising a mutiny in Asia Minor while on Lucullus' *consilium*, Plut. *Luc* 34.1 Πόπλιος Κλώδιος, ἀνὴρ ὑβριστῆς καὶ μεσοῦς ὀλιγωρίας ἀπάσης καὶ θρασύτητος, to gaining illegal admission to the rites of the *Bona Dea*. Clodius had acquired a reputation similar to that of Catiline by the time he won his first public office in 61.

6 Cato was born in 95, and was four years old at the death of his uncle Drusus, praetor in 54 having failed in his first canvass for this magistracy in 56 when he was defeated by P. Vatinius, Plut. *Pomp.* 52.2. In 52 Cato also failed to win the consulship for 51, when he was defeated by Ser. Sulpicius Rufus, Plut. *Cat. Min.* 49-50. He was hence, a year behind Milo in his offices, who was praetor probably *suo anno* in 55.

7 It seems, on the whole, rather unlikely, however, that Milo could have been promised a consulship by

the praetorship in 53; he was certainly not a schoolboy in the 60s; tribune at thirty-five, and from there also a swift rise in the *cursus*.<sup>8</sup> These figures had much in common in the 50s, but not only in their public personae either. Both Milo and Clodius were adopted, not an uncommon feature of Roman high society in the last century BC. Other prominent political figures who had been adopted included Caepio Brutus, Metellus Pius Scipio (cos. 52), and Decimus Brutus Albinus.<sup>9</sup> Still, at this point, it is worth mentioning, since it provides further common ground between these two hitherto apparently irreconcilable opposites. We happen to know the exact timing of P. Claudius Pulcher's adoption by a certain Fonteius (*Har. resp. 57: gentem Fonteiano nomine obruit*), who was considerably younger than his prospective son, in order to undergo the *transitio ad plebem* or *tractio in plebem*; a ceremony that opened the way for this patrician to win election to the plebeian tribunate.<sup>10</sup> Caesar and Pompey connived to facilitate the procedure that had been denied to Clodius in the previous year (*Att. 1.18.4, 2.1.4-5*), proposed before the populace by a tribune C. Herennius, but vetoed by his colleagues. The tribunate now lay open, so too was the prospect of legislation making it a criminal offence to order the execution of citizens without a formal trial first. Cicero's days in Rome were numbered and he knew it. His hopes of protection from Pompey (*Att. 2.20.2*) were unrealistic and he recognised this even before Clodius took office. And so it turned out (*Att. 3.1.1*).

*Clodius inimicus est nobis. Pompeius confirmat eum nihil esse facturum contra me, mihi periculosum est credere. Ad resistendum me paro.*

Clodius is being unfriendly. Pompey continues to reassure me about his future plans and that he will do nothing against me. It would be dangerous to put much store by that. I prepare to defend myself. (*Att. 2.21.6*)

The literature mostly relates Clodius' iniquitous activities in 62 at the *Bona Dea* festival (see, for example, Val. Max. 4.2.5, 8.4.59.1.7.) but, although

Pompey if he successfully recalled Cicero from exile, or that any politician at Rome would have been naive enough to have taken such a promise seriously; cf. App. *BC* 2.16; Vanderbroeck, *Popular Leadership*, 47. Politicians quickly forgot such private pacts. Take for example Pompey's agreement to help Metellus Celer reach the consulship in 60 only to have the new consul turn against him by the beginning of that year, Dio, 37.49.1; Syme, *RR* 33.

<sup>8</sup> Clodius was also curule aedile in 56 in order to enhance his prospects in future polls by financing elaborate games, Cic. *Har. resp.* 22-26; *MRR* 2.208, 3.58.

<sup>9</sup> See Wiseman, *NMRS* 154-156, for other examples from this period.

<sup>10</sup> His political opponents, notably Cicero on his return from exile, tried mostly unsuccessfully to invalidate the tribunician legislation by arguing that the *transitio* had been illegal, Dio, 39.11.2. Cf. Cic. *dom.* 37. The ceremony took place just prior to the tribunician elections for 58, early in June 59, Dio, 38.12.2, but not mentioned by Cicero until after the proceedings had been completed, and Clodius was already issuing threats against the ex-consul (*Att. 2.7.2: ad plebem transisti . . .*). The Fonteius in question was either P. Fonteius P. Capito, *monetalis* in about 55, *RRC* 1.453; *MRR* 3.93, or C. Fonteius C. Capito, suffect consul in 33, *MRR*

there is evident concern about sacriligious activity (Cic. *dom.* 104), this is not a paramount feature, especially in the later material. The earlier evidence appears to go for the sensational aspect in order to enliven narrative accounts, yet is less specific and lacks clarity. In theory, Caesar should be useful. Who could have been closer to Clodius? But Caesar mentions this politician just once in the body of his works, and then merely to note his demise (*B.G.* 7.1). There was correspondence between them (*dom.* 22), but this was evidently not always maintained.<sup>11</sup> In Sallust's major work one early possible reference to Clodius may be identified (*Hist.* 1.10M). It is assumed to belong to the preface, and, if the context is correct, it suggests a great deal of antipathy for a tribune probably cited as another example of the declining political morality in Rome.<sup>12</sup> In his coverage of Lucullus' eastern campaigns in Book 5, Clodius evidently featured prominently as the author dwelt on the mutiny inflamed "by the brother of his wife" (*uxori eius frater erat*), whose appointment was terminated by mutual agreement (*pactione amisso Publio legato*).<sup>13</sup> The coverage of the *Bona Dea* affair by Livy's epitomator is peculiar to say the least. He evidently scanned the original text and wrote from memory a poorly composed precis (*Per.* 103) conflating details of the supposed sacrilege with those from the subsequent trial, with the result that there is no mention at all of Pompeia, and the adultery becomes incest with his sister Clodia, wife of Q. Caecilius Metellus Celer (cos. 60):

Clodius was accused because he had secretly entered, in the clothes of a woman, a shrine, which was forbidden by law to men, and had committed adultery with the wife of Metellus the pontifex, but he was acquitted.<sup>14</sup>

3.93. Both would have been in their early twenties in 58, and the *adulescentulus*, addressed with contempt, of *dom.* 37. The Fonteius, Cic. *Att.* 4.15.6; *RRC* 1.453, may have been the future consul of 33. However, this Fonteius is clearly described as an *amicus*, and he is accredited with a praetorship in 54, *MRR* 2.221, but still not old enough to be Clodius' "father".

11 On perhaps more than one occasion, Clodius wrote to Caesar, but apparently did not always receive replies, Cic. *Att.* 4.15.6; Q.fr. 2.15.2, 3.1.11, 3.1.13, *Fam.* 7.5.3.; A.W. Lintott, "Cicero and Milo", *JRS* 64, 1974, 65. It is possibly an indication of Caesar's sentiment that, in his notice of Clodius' death, he wrote *de Clodii caede*, which was stronger language than was absolutely necessary. Implicit, therefore, is the message that Milo was guilty, as far as Caesar was concerned. Cicero, *Sest.* 39, may not have wished it to appear that Clodius had Caesar's backing in 58, but it probably was the case.

12 Cf. Sallust's comment, again attributed to Clodius: *ex insolentia avidus male faciendi*, *Hist.* 5.12M. Regarding the position of the first fragment placed earlier, 1.6, *contra* Maurenbrecher, see McGushin, *Histories*, 1.72-73. Florus, who elsewhere is also concerned with the decline of the *res publica*, surprisingly omits Clodius altogether in this context, with just a mention of his role in the annexation of Cyprus, 1.44.3, a neutral reference. It is possible that he did not consider Clodius' role in political life in the 50s to be that significant.

13 Sall. *Hist.* 5.11-12M; *incert.* 5M; note also the discussion by McGushin, *Histories*, 2.58, 2.229, 2.53, 2.211-213.

14 Metellus Celer was an augur while, Caesar, of course, was the *pontifex maximus*, hence a clear case of conflation of information here.

Velleius (2.45.1) was either equally careless in his use of Livy or used a different source for he too fails to mention Pompeia, and again concentrates on incest with a sister at the rights of the *Bona Dea*:

*Per idem tempus P. Clodius, homo nobilis, disertus, audax, quique neque dicendi neque faciendi ullum nisi quem vellet nosset modum, malorum propositorum executor acerrimus, infamis etiam sororis stupro et actus incesti reus ob initum inter religiosissima populi Romani sacra adulterium ...*

About the same time P. Clodius, a man of noble birth, eloquent and reckless, who considered no limitation in speech or action except his own whim, energetic in executing his own evil projects, infamous for adultery with his sister, and accused of an adulterous incest because of his entry to a most sacred ritual of the Roman people ....

This is a highly tasteless interpretation of the events than that related in the more sober accounts of Suetonius (not recognised for his sobriety in such matters) and Plutarch. The details in their entirety, though not the episode itself, should possibly be regarded with some suspicion.<sup>15</sup> Suetonius states that Caesar divorced his wife Pompeia on suspicion of adultery with Clodius, who it was said had desecrated the sacred rights of the *Bona Dea* festival, though, for this writer, the accusation was not proved (*Iul.* 6.2):

*In Corneliae autem locum Pompeiam duxit Quinti Pompei filiam, L. Sullae neptem; cum qua deinde divortium fecit adulteratam opinatus a P. Clodio, quem inter publicas caerimonias penetrasse ad eam muliebri veste tam constans fama erat, ut senatus quaestionem de pollutis sacris decreverit.*

In the place of Cornelia Caesar married Pompeia, daughter of Q. Pompeius and granddaughter of Sulla. Later he divorced her on suspicion of adultery with Clodius, who gained such a persistent reputation for having a liaison with her dressed in women's clothes during a public ceremony that the senate decreed an investigation for sacrilege.

The account of this infamous affair receives a clinical manner, with no moralising outrage and the sacrilege element is reduced to secondary importance. Suetonius often dwells on titillating details, and surely could have made

<sup>15</sup> Baldwin, *Suetonius*, 225, notes that neither Suetonius, *Iul.* 6.2, 74.2, nor Plutarch make much of this affair in their biographies of Caesar, 10, and Cicero, 28-29: "An episode such as Clodius' violation of the *Bona Dea* rites might have been expected to repel Plutarch and evoke some scabrous flights of style from Suetonius Tranquillus. Not at all. Two cryptic references in the latter, a pair of detailed discussions from the pen of Plutarch. It is not altogether frivolous to subjoin that both men, technically at least, were priests." One imagines that priests should have been more concerned not less about sacrilege unless they believed Clodius was innocent of that crime, or that the crime was not of a grave nature.

much more about gate-crashing an all female religious ceremony. Plutarch (*Caes.* 9-10; cf. *Cic.* 28-30), however, who is usually averse to unseemly matters, is here not at all. In fact, he retells a tale of forbidden love, the lovers Clodius and Pompeia, whose only opportunity to meet occurred while the rites of the *Bona Dea* were taking place and, due to an unfortunate mistake, the young man intruded where he was not welcome. Although Plutarch says of Clodius:

In his capacity for behaving outrageously, he surpassed all the most notorious evil livers of his time. This man was in love with Pompeia the wife of Caesar, and she was not averse to his attentions.

This information does not square with the sympathetic description that follows. When Clodius was charged with sacrilege influential members of the senate ganged up against him, but the support of the people brought about his acquittal. Either he was considered to be innocent or that he was perceived to be an intended victim of more powerful men. There is little here about outrageous behaviour, and Plutarch's source was quite clearly not derived from Cicero's account.<sup>16</sup>

Appian's account (*BC.* 2.14) of this episode is also subdued and fairly tactful, appearing in a reference to Clodius' election as tribune with Caesar's help. It was said at the time that, some years beforehand, the younger politician had had an affair with the consul's wife:

δημάρχους δὲ ἤρειτο Οὐατίνιον τε καὶ Κλώδιον τὸν Καλὸν ἐπίκλην, ὃν τινα αἰσχρὰν ἐν ἱερουργίᾳ γυναικῶν ποτε λαβόντα ὑπόνοιαν ἐπὶ Ἰουλίᾳ τῇ Καίσαρος αὐτοῦ γυναικὶ ὃ μὲν Καίσαρ οὐκ ἔκρινεν, ὑπεραρέσκοντα τῷ δήμῳ, καίπερ ἀποπεμψάμενος τῆν γυναῖκα ...

As tribunes Caesar chose Vatinius and Clodius surnamed Pulcher, although the latter had been suspected of disgracing Iulia (Pompeia) at a religious ceremony of women. However, Caesar did not bring charges against Clodius on account of his popularity with the people, but divorced his wife.

Appian evidently believed the story of adultery, but suggests that Clodius was too useful – others said too powerful – an agent for Caesar to maintain a personal quarrel when his sights were firmly set on the consulship for 59 and a command abroad afterwards.<sup>17</sup> As with Suetonius and Plutarch, sacrilege

<sup>16</sup> Note, however, Plutarch's comment about Clodius, *Pomp.* 46.4: βδελυρώτατος καὶ θρασυτάτος, with whom Pompey was obliged to form an alliance after the Mithridatic campaign. In the *Moralia* Plutarch mentions Clodius on three occasions, 605F, as the politician responsible for Cicero's exile; 206, in connection with Pompeia; and 511D-E, an amusing tale. Neither Lucan, a missed opportunity, nor Pliny, *NH*, have a mention of Clodius, while Gellius, *NA*, 1.16.15, 2.7.20, 10.20.3, offers nothing of substance.

<sup>17</sup> Note that Appian, too, introduces some confusion into his narrative here by naming Caesar's wife as Iulia and not Pompeia. Dio, 37.45.2, states that Caesar realised that Clodius would be acquitted, Gruen: 1966, 121.

does not feature here explicitly; moreover, Appian displays some ignorance about the *Bona Dea* affair, or deliberately chooses to cloud the issue by suggesting an anonymous female gathering. Indeed his real feelings may be revealed in an uncharacteristically romantic description of the affair (*Si.* 7), where he says that Clodius really was in love with Pompeia and, to fulfil an assignation with her, entered Caesar's house dressed as a woman, but lost his guide, was discovered and bundled out.

The patrician Clodius surnamed Pulcher, which means handsome, was in love with Caesar's wife. He dressed himself up in women's clothes, and being still without a beard, gained admission to Caesar's house as a woman in the night during the celebration of the mysteries of the *Bona Dea*, from which all males are excluded. However, he lost his guide and was discovered by others when he opened his mouth and was hurried out of the ceremony.

In all probability, the charge of sacrilege, with a dubious chance of success from the outset, especially since the senate, Vestals and pontifical college were plainly unsure about how to react to this unique situation, was probably seized upon as an avenue by which Caesar, the recently elected *pontifex maximus*, might be severely embarrassed. And Clodius was merely regarded as the means by which this outcome could be achieved. No one at that stage could have foreseen how formidable Clodius was to become, but Caesar was already a politician of some considerable stature with the consulship firmly in his sights. To show that Clodius was guilty of sacrilege with Caesar's wife would have destroyed or, at the very least, caused a major delay to his canvass for the consulship, which everyone knew must be in 60. Caesar skilfully avoided the issue by divorcing Pompeia immediately the story began to do the rounds, and a full three months before the trial took place. Furthermore, by refusing to name Clodius as the cause of the divorce he thereby distanced himself from both the sacrilege charge and the hints of adultery, and made Clodius his thankful ally (Dio, 37.45.2, 38.12.1). It is clear from Pompey's reluctance to support a prosecution that he believed a bruised and battered Caesar outside the consulship would impose an entirely unwelcome extra suspension to a land law for the Mithridatic veterans.<sup>18</sup> The chronology

<sup>18</sup> Which makes Cicero's motives for appearing as a witness for the prosecution even more unfathomable. He had supported Pompey prior to 61, yet this move would have damaged Caesar and indirectly his former patron, besides incurring the hatred of Clodius. Politicians such as Metellus Celer (cos. 60) were opposed to Pompey but were also not that well disposed to Cicero either, whatever he may have believed, *Att.* 1.18.5, 1.19.4, Shackleton Bailey, *Letters to Atticus* 1.329-330. His misguided belief in his own importance backfired badly, and contributed mightily to his own exile. For Pompey's reluctance to become involved in this scandal, *Cic. Har. resp.* 45; Hillard: 1982, 41 and n. 42.

of these events also throws up some interesting details not usually considered of much importance. Clodius was elected as quaestor for 61, taking office on 10<sup>th</sup> December of 62, more or less exactly when he was discovered in Caesar's house (*Att.* 1.12.3). Towards the end of January 61 the senate ordered a *quaestio extraordinaria* for sacrilege (*Att.* 1.13.3), at which point Caesar presumably divorced Pompeia (Suet. *Iul.* 6.2; Plut. *Caes.* 10), and soon afterwards, by mid-February at the latest (*Att.* 1.14.5), had left for *Hispania Ulterior*, allocated as his province.<sup>19</sup> His debts, which were a pressing problem, had been partly settled by Crassus (Plut. *Caes.* 11) so that his creditors would not prevent his departure (Suet. *Iul.* 18). Clodius was acquitted in early May 61 (*Att.* 1.16.9), and went immediately to Sicily, his *provincia*. Furthermore, Caesar cannot have been present at the trial as Plutarch implies (*Caes.* 10.3-4). And Caesar's evidence denying that Clodius was the other party in the divorce, and the statement that the wife of the *pontifex maximus* should be entirely free from even a suspicion of adultery was, therefore, either delivered by letter or is, as seems possible, an anecdote, largely the creation of Plutarch or his source. It features nowhere else (cf. Dio, 37.45.2 for a different more likely tale).

Among later writers, Dio (37.45-46), possibly dependent on Livy as a source, is certainly more cautious in his interpretation, and is more inclined to believe the story of adultery with Pompeia during this festival. Earlier in his history Dio had certainly not been impressed with Clodius (36.14.4) and his ability to raise mutiny ἐμφύτου νεωτεροποιίας. In 61 Clodius may have been guilty (Cic. *Att.* 1.12.1). However, Dio suggests that Caesar may not have believed the veracity of the story, which is significant, and goes some way to supporting the conspiracy theory against Clodius, disclosed by Plutarch (*Caes.* 10.3). Here we find the assertion that members of the senate endeavoured to ensure a conviction that was prevented only by the bribery of the jury. The *auctor* of illustrious Romans barely mentions Clodius (81.4: *mox invidia P. Clodii instinctuque Caesaris et Pompei* ...) only in passing in the *vita* of Cicero. This is surprising, considering the author's earlier

19 *MRR* 2.180. It is also worth noting that Clodius did not serve overseas under a prestigious proconsul but under C. Vergilius Balbus, *MRR* 2.181. This was Clodius' third posting abroad in less than a decade; and it surely indicates a desire to uphold traditional Roman aristocratic practices achieving both a military and civil experience in equal measure. Also, of note here is that Clodius followed in Cicero's footsteps to Sicily. Moreover, in all Cicero's speeches there is no reference to scandal attached to Clodius' quaestorship in this province. His time there must have passed quietly. And of further interest here is that Vergilius Balbus (pr. 62) was also a close friend of Cicero, *Planc.* 95-96. Not only this, but Vergilius turns up again serving with Cicero's enemy Piso Caesoninus (cos. 58) in Macedonia, *prov. cos. 7: legatus vir fortis et innocens*. Although doubts have been expressed, *MRR* 3.218; Gundel, *RE* no. 2, about identifying the proconsul of Sicily and Piso's, probably senior, legate as one and the same Vergilius, Cicero's testimony does appear to be conclusive. The Vergilius at Thapsus with Metellus Pius Scipio in 46 was surely the former praetor of 62, *Bel. Afr.* 28.2, 44.1, 79, 86, 93.3. The extent of his contacts once more shows that friends were not mutually exclusive. Vergilius evidently had much in common with Atticus.

interest in other demagogues such as the Gracchi and Saturninus, the last, it seems, with whom Clodius was compared. He may have been influenced by Velleius who says much the same thing (2.45.1).

The evidence provided by Cicero consists of correspondence down to 57, with gaps and no less than nine extant orations delivered over a period of two years following those months in exile.<sup>20</sup> These speeches represent the most violent and comprehensive denunciation of a single politician to be found anywhere in the ancient literature. Indeed, they exceed in quantity and virulence Cicero's later attacks on Antony, the speeches against Philip II by Demosthenes, and those recorded by Thucydides against Cleon.<sup>21</sup> From the first mention of Clodius as early as 66, Cicero exhibits stern antipathy (*Att.* 1.2.1); and, therefore, from the beginning one is obliged to look at this subject through jealous or envious eyes. Hence, the overall tendency to treat this evidence as slanted and devoid of objectivity, with the result that Clodius is made the focus of attention instead of the individual episodes in which the material occurs. Cicero had many reasons for his dislike of Clodius: birth, political clout, connections, character, all of which might account for a singular and unforgettable portrayal.<sup>22</sup> But nowhere, because of his own many and manifest personal and political failings, is Cicero allowed to be a fully credible source.

First, a work in which Clodius fails to put in an appearance, even when he should have been present. He was presumably an able orator,<sup>23</sup> but was not considered suitable for discussion in the *Brutus* and, although by the date

20 These are the orations *post reditum in senatu* and its companion *ad quirites*, the *de domo suo*, *de Haruspicum responso*, all belonging to the last three months of 57, the orations *pro Sestio* and *in Vatinius*, belonging to March 56, *pro Caelio*, April 56, the oration *de provinciis consularibus*, May/June 56, the *oratio in Pisonem*, probably early in 55, and the *pro Plancio* delivered in 54, where Cicero recalled his exile in Thessalonica. Cn. Plancius, the defendant as quaestor had been his host in that city, but no direct mention of Clodius is made in this work. Clodius naturally also features in the *pro Milone* discussed below and features in the *Philippics*, 2.21-22, 6.10 and 8.16.

21 Clodius also features in Cicero's *Philippics*, 2.21-22, 6.10, 8.16: *ego P. Clodium arbitrabar perniciosum civem, sceleratum, libidinosum, impium, audacem, facinosum ...*; Catiline is also mentioned, 4.15, 8.15, 14.14.

22 But not in terms of wealth. Cicero was not among the more affluent of senators, but Clodius and his family had lived in straitened circumstances in the 80s and much of the 70s. Clodius' father (cos. 79) had lived in exile for much of the 80s and died soon after his consulship before a provincial command could reap its financial rewards. Clodius' brother (cos. 54) acquired a reputation for restoring the family's fortunes, Varro, *RR* 3.16.1-2; Syme, *RR* 20; Gruen, *LGRR* 59.

23 Clodius certainly had an ability almost equal to that of the younger Cato when it came to attempting to filibuster discussion in the senate. Cicero, *Att.* 4.2.4, refers to a speech of Clodius lasting nearly three hours: *cum ad Clodium ventum est, cupiit diem consumere, neque ei finis est factus, sed tamen, cum horas tres fere dixisset, odio et strepitu senatus coactus est aliquando perorare*. Elsewhere, *dom.* 3, Cicero was not as complimentary about his ability: *respondebo hominis furiosi non orationi, qua ille uti non potest, sed convitio*; cf. Dio, 39.8.2-3.

of composition no longer alive, was excluded because of personal *inimicitia*.<sup>24</sup> Hardly by contrast, in the *de Officiis* (2.58), there is a passing reference to the *furores* of Clodius which were suppressed by Milo and his gang of gladiators. As far as the *Bona Dea* escapade is concerned, Cicero initially regarded it as a fabulous joke (*Att.* 1.12.3; cf. 1.13.3, for a more elaborate version).<sup>25</sup> And this is probably how subsequent writers tackling this affair also thought of it. Indeed, it was manufactured into a terrific scandal in which Cicero happily joined (*Att.* 1.16.1, 16.8-10), showing the culprit to be scheming for an acquittal in the event of a criminal charge. Yet, having enjoyed much of this spectacle, finally, he is tantalisingly circumspect about the identity of the person who secured Clodius' not unexpected acquittal through bribery of the *iudices* (*Att.* 1.16.5).<sup>26</sup> Clodius' triumph meant that Cicero's future looked bleak; a star performer for the failed prosecution could expect no mercy, though for most of 59 he remained hopeful as his correspondence indicates (*Att.* 2.24.4). The knowledge that Clodius had suddenly acquired more power than nearly any other politician in the city – with the possible exception of Pompey, Crassus and Caesar, none of whom were prepared to risk their positions to help him – and that he could not possibly win a battle either in the streets or in the law courts, given the prevailing political climate, is evident long before he set out into exile (*Att.* 3.1, March 58).

However, Cicero's own triumphal homecoming at the end of August 57 brought a fine opportunity for revenge, not in the form of further physical destruction, but in a far more enduring avenue: character assassination.<sup>27</sup> Thus was constructed a monolith which many have sought to discredit, but which, nonetheless, remains essentially intact, as a literary edifice if nothing else. At the beginning of September, Cicero launched his attack in the senate with some restraint for it included niceties such as thanks to stalwart supporters such as L. Ninnius Quadratus, who had been a tribunician colleague

24 Milo is also excluded from the text, which was most probably composed in 46, two years after his death, five years after that of Clodius. Brutus, one of the interlocutors, expressly requests, *Brut.* 248, that Cicero discuss orators active at that time, but in response to that desire Cicero would not budge, 251. The exclusion of Milo and Clodius could also have been politically motivated if the author considered Caesar a likely reader of this treatise. Passions about Clodius and Milo had possibly not yet cooled. Yet M. Caelius Rufus receives due praise, *Brut.* 273.

25 Would Atticus have been "put out" to hear about Clodius' jaunt or was Cicero actually implying the opposite here? That this news came as no surprise. Atticus was notoriously adept at being friends with one's enemies, *Att.* 2.9.1, 2.22.1; Brunt, *FRR* 371.

26 Crassus is favoured as the paymaster on this occasion though he appears to have had no close connection with Clodius in 61. The date itself should point to Pompey as the one who organised Clodius' escape in which case Cicero was deliberately being very obtuse to anyone other than Atticus. For discussion of this issue, see T.W. Hillard, "Crassus in 61", *LCM* 6, 1981, 127-130.

27 It hardly warrants a comment that Cicero fully intended that Clodius' memory would be forever coloured by the invective contained in his published works.

of Clodius (*in Sen.* 3; *dom.* 125; *Sest.* 68); the eight tribunes who had supported his recall (*Sest.* 69) earlier in 57; seven of the praetors (*in Sen.* 21-23), excluding Clodius' eldest brother Appius; and senior senatorial figures, including Pompey. The former consuls of 58, A. Gabinius and Piso Caesoninus, who were absent in their respective *provinciae*, were the subjects of vitriolic abuse. There are relatively few references to Clodius, all oblique, mainly directed against a nameless tribune who had prevented the speaker's early recall (*in Sen.* 3, 11, 19). This fudging of the name of the main adversary was patently in keeping with the venue of the speech, though that does not seem to have prevented a vigorous assault on the ex-consuls (*in Sen.* 10-18), who could not, of course, reply to the charges made against them. Similarly, when Cicero addressed the people in a *contio*, thanks is again high on the agenda, and Clodius receives only an indirect reference through mention is made of his tribunician ally Sex. Atilius Serranus Gavianus (*in Sen.* 8; cf. *ad Quir.* 12; *Sest.* 74, 87). It was probably judged unsafe tactics to assail Clodius too soon in public when he still retained much popularity with the urban plebs. Cicero had to wait for his chance, which was not long delayed.

During his enforced sojourn in Macedonia, Cicero's property in and outside Rome had been destroyed, according to the terms of Clodius' legislation. The levelled site on the Palatine (*dom.* 62) was duly consecrated as a shrine to *Libertas* (*dom.* 100, 110).<sup>28</sup> Within days of his reappearance in Rome, the former exile reclaimed his estates from the *res publica* together with rebuilding costs. Cicero really got into his stride in two speeches in which his anger and frustration bubbled out in a tirade against Clodius. The *oratio de domo suo* resulted in the restoration of his Palatine property, the *de Haruspicum responso* was itself in reply, again successful, to a counter-attack instigated by Clodius to regain this piece of land. Any restraint noticeable in the previous orations *post reditu* are hurled aside; the gloves came off and the abuse became an avalanche. Cicero (*dom.* 2) wasted no time in coming directly to the point with a dose of strong language. Clodius is described as *labes* or a "disgrace" or "stain of infamy" (cf. *dom.* 133: ... *o nefanda et pernicioza labes civitatis*), *flamma* "devouring flame", and his tribunate as *pestifer* "pestilential" and *funestum* "defiled or deadly" (cf. *dom.* 5). And so it continued: Clodius not at first directly named, but obviously in vision and listening: *homo vaesus, furiosus* (*dom.* 3, 55), then named as *homo facinorosus* (*dom.* 12) and *archipirata* (*dom.* 24).<sup>29</sup> Cicero pro-

28 The officiating *pontifex* on that occasion had been Clodius' brother-in-law, L. Pinarius Natta, *dom.* 118-119: *adfuisset, si modo adfuisset, quem tu impulisti, soror rogavit, mater coegit*, 134, 139. Not named by Cicero on that occasion, but referred to in his defence of Murena, *Mur.* 73: *summo loco adolescens*.

29 Two associates of Clodius are named, *dom.* 13-14, 21, a L. Sergius, possibly a senator, *MRR* 3.192, but

ceeded to argue against the validity of the law under which he had been exiled (*dom.* 37-71) and that:

*Hoc tu scriptore, hoc consiliario, hoc ministro omnium non bipedum solum, sed etiam quadrupedum impurissimo rem publicam perdidisti ... (dom. 48).*

This was the man, more foul than all two-footed even four-footed creatures, whom you employed as secretary, adviser, and your right-hand man, for the destruction of the state.

This same politician was the cause of murders, stonings, and exiles (*dom.* 67); had excluded even Pompey from the Forum, the Senate House, and had besieged him in his own home. The senate recognised the unconstitutional nature of the *leges Clodiae* as applied to Cicero, who obviously won his suit for restoration of his property because the dedication of an altar had been unauthorised, and the property acquired illegally by a thief (139-140).

Close on the heels of this speech came Cicero's response to a ruling by the *haruspices*, which had dealt with an unidentified noise heard in the *ager Latiniensis* that suggested divine disapproval of certain ceremonies and activities, and which Clodius, in a clear riposte to his recent reversal before the pontifical college, claimed concerned Cicero's property on the Palatine. Cicero again launched rapidly into vituperation of his *inimicus* (*Har. resp.* 1), and within a short interval had plumbed the depths of the anti-Clodius propaganda, with some tellingly false material about his enemy (*Har. resp.* 4). Cicero states categorically:

*In Clodium vero non est hodie meum maius odium quam illo die fuit, cum illum ambustum religiosissimis ignibus cognovi muliebri ornatu ex incesto stupro atque ex domo pontificis maximi emissum (cf. 8: Bonaе deae stuprum; 37: sacrificium ... violavit; 38: tui stupri).*

In fact, my hatred of Clodius is no greater today than it was on that day when I learned that he had been scorched by the fires of the most religious of rituals, and had been thrown out in his women's clothes from the house of the *pontifex maximus* which he had intended as his adulterous rendezvous.

However, his letters to Atticus may reveal a high degree of disquiet about Clodius from earlier on, but there is not the terrible anger that is to be found in the orations *post reditum*, where Cicero is intent on misleading his audi-

not a patrician, and a M. Lollius, perhaps the quaestor of 64, *MRR* 2.162. With regard to Lollius, compare *quis est iste Lollius?* with *Verr* 3.63, *quid est Lolli?* In the earlier oration this M. Lollius is addressed as *adulescens*, hence coeval of Clodius. A Titius is also named, as are a Lentidius and a Plaguleius, *dom.* 89.

ence and readers.<sup>30</sup> Cicero claims that, at this early stage, he could already predict the *tempestas* and *procella* that was about to burst forth on the Roman state; his letters clearly show this to be untrue. The invective, however, continues in a rather delightful vein (*Har. resp.* 5):

*Quid enim hunc persequar, pecudem ac beluam, pabulo inimicorum meorum et glande corruptum?*

To what end need I pursue such monstrous cattle such as Clodius, who has been corrupted by grazing on the acorns of my enemies?

In this speech too we see the additional accusation of sacrilege or profanity at the Megalesian Games (22-26), significant probably that it was these and no others, directed at Clodius, though he was aedile at the time. Thus there was a steady accumulation of crimes: sacrilege and adultery, more sacrilege, besides his various illegal actions as a tribune of the plebs which were themselves felonious, and discord in the *res publica* caused solely by this individual (40). Added to this, at the climactic stage in the speech, the attention of the audience is made to dwell, if not exactly wallow, on moral turpitude in its almost infinite varieties:

*Qui post patris mortem primam illam aetatulam suam ad scurrarum locupletium libidines detulit, quorum intemperantia expleta in domesticis est germanitatis stupris volutatus* (*Har. resp.* 42).

After the death of his father he gave up those first years of adolescence to the debauched lust of certain wealthy persons, and when he had satisfied their lack of temperance, he rolled about in domestic stupor with his sister.

From this point onwards the speech becomes little more than a torrent of abuse against Clodius' whole life and career, including finally (59) the accusation of incest with his sisters, a theme developed in a lively fashion elsewhere. Cicero evidently won his case, but few of his listeners can have obtained great enjoyment from this harangue (42-63), or that much satisfaction from this display of lowbrow rhetoric.

In almost his first foray into the courts after his return, Cicero's de-

<sup>30</sup> Doubts have been expressed about the authenticity of this second speech, *LCL* 313; cf. W.E. Heitland, *The Roman Republic*, Cambridge 1909, 3.187 n.1, who notes the inferior quality of the oration, but is still inclined to accept its provenance since Cicero himself says nothing of the alleged affair in 56, nor is there any corroborative material. The account of the *Bona Dea* scandal in this speech looks more like that to be found in the accounts of Livy's epitome and in Velleius, and is more defamatory than Cicero's earlier references. Note also the encomium of Milo, 6-7, which may presume Clodius' death. The context in which the speech was delivered could account for its heightened tenor, but it was surely written down for publication some time after the dramatic event. This, too, could point to a later non-Ciceronian author. There may, after all, be a case for questioning the authorship of this work.

fence of P. Sestius – one of his chief supporters (*in Sen.* 20; *Sest.* 6-8, 71, 119: *dignitas*, 124: *cum ageret nihil aliud in eo magistratu nisi meam causam*, 144), colleague of Milo in 57 – and the cross-examination (*Interrogatio*) of P. Vatinius, the main prosecution witness in the trial *de ambitu*, are liberally peppered with belligerent remarks about Clodius.<sup>31</sup> Cicero gets off the mark with a reference to the former tribune as a hideous and monstrous beast (*Sest.* 16: *hanc taetram immanemque beluam vincam auspiciis ...*), who had broken solemn vows to Pompey (15). Introduced for novelty's sake, probably, is the accusation not only of incest with his sisters, but with all his siblings, and all forms of unnatural vice (16: *qui enim in eius modi vita nervi esse potuerunt hominis fraternis flagitiis, sororis stupris, omni inaudita libidine exsanguis?*).<sup>32</sup> Later, Clodius is addressed as *amentissimus tribunus* (43 cf. 117: *furibundus*), and was responsible for sedition and discord (46), the cause of death and destruction in the forum when the Tiber was filled with dead bodies, when the blood had to be mopped away with sponges (77: *spongiis*), and the attempted murder of Sestius (79-80). Clodius was no better than a gladiator (88), while his allies are marvelously “the trash of Clodius’ sedition” (94). Cicero’s invective becomes mountainous as every avenue of vilification is fully explored and exploited (95), in this last appeal to the jury before the suit closed. Since Vatinius was closely connected with Clodius, though he had been a tribune in the year before, the verbal onslaught on this *novus homo* was also directed against the man who, in Cicero’s opinion, was his comptroller (*Vat.* 33), to whom he had appealed to save him from being brought to trial. That was avoided only through the use of violence (... *vim et furorem suum*) by the same gangs in the employ of Clodius who oppressed the state (*Vat.* 40).

Almost simultaneously, Cicero was involved in the defence of Caelius Rufus, his former protégé, on trial for *vis*; the initiator of which is generally considered to have been Caelius’ former mistress Clodia Metelli, sister of Clodius.<sup>33</sup> The trial must have been welcomed by Cicero who was able not only to help secure Caelius’ acquittal, but also to pour further odium on Clodius and his entire family through allegations of loose living (*Cael.* 36, 38, 49, 53, 55: *procax, irata mulier*; 69), and in particular raising to the forefront the accusation of incest against his enemy. A spiteful Clodia spurned by Caelius may have been the force behind the prosecution, but Clodius became Cicero’s

31 Cicero had defended L. Calpurnius Bestia, a candidate for the praetorship in 57, on a charge of *ambitus* in February 56, *Q.Fr.* 2.3.5; the speech is, however, lost.

32 The consuls of 58, Gabinius and Piso Caesoninus, are also strongly attacked in these two speeches, for example, *Sest.* 18-20 (Gabinius), 21-24, 32-33 (Piso), 53-54, 93 (both).

33 T.P. Wiseman, *Catullan Questions*, Leicester 1969, 56; 1985, 51-53, 67-69, 74, 89-90.

real target. First of all, the main accuser, Atratinus,<sup>34</sup> is gently scolded and sent off for making a false statement (*Cael.* 17), which involved Clodius' property. Nothing sensational here, but then a classic slip-of -the-tongue (32):

*Sin ista muliere remota nec crimen ullum nec opes ad oppugnandum Caelium illis relinquuntur; quid est aliud quod nos patroni facere debeamus, nisi ut eos, qui insectantur, repellamus? Quod quidem facerem vehementius, nisi intercederent mihi inimicitiae cum istius mulieris viro – fratre volui dicere; semper hic erro* (cf. 78-79).

If, with this woman removed from the case, our enemies have no accusation left nor the means to attack Caelius, what other course is open to us, who are his counsel, other than to counter those who attack him? And that I should do with all the more vigour, if I was hampered by my personal hatred of that woman's husband – brother I meant to say – I always make that slip.

And again, supreme sarcasm (36): ... *est in isto genere urbanissimus, quite amat plurimum*. Would this tone have been best deployed against Clodius himself than against an unknown go-between acting as prosecutor?<sup>35</sup> There can hardly have been any doubt that the route to Caelius' acquittal lay in demolishing the virtue of the accuser and her family, already badly blemished; and Cicero's tone, perhaps because he was dealing with a woman, was seemingly frivolous and played for laughs. It worked.

Cicero's contribution to the senate debate in 56 concerning the allocation of *provinciae* for the following year resulted in the ignominious recall of his particular enemy the former consul Piso Caesoninus who had, in the orator's opinion, not only failed to bring Clodius to heel in 58, but had benefited from the connection (*Vat.* 36). In the course of the *de provinciis consularibus*, Cicero was not going to allow the opportunity to pass without some swipes at that most abominable of tribunes (7: *foedissimo tribuno*), whom the speaker had cause to hate because he had brought ruin on the state (24; cf. 43: *illa tempestas* – the events of 58; 45, Clodius' transfer to the plebs and tribunate). In the next year Piso had his chance of revenge, but it is Cicero's reply to the hostile address of Piso Caesoninus which has survived and in which the speaker again chooses the moment to underline this former consul's support and subservience to Clodius (*Pis.* 15, 23, 65). Hence the momentum of this feud was maintained. So what had seemed like a joke

34 L. Sempronius Atratinus, natural son of L. Calpurnius Bestia (trib. 62), born 73, hence *adulescentulus* in Caelius' trial had, unlike the defendant, a long and illustrious career, cos. 34, celebrated a triumph in 21, died in AD 7. He may have lost the case but it certainly ensured that his name was remembered.

35 Clodius himself is not usually considered one of the prosecutors; a freedman or client called P. Clodius is preferred, T.P. Wiseman, *Catullus and his World: A Reappraisal*, Cambridge: 1985, 68, 72.

## QUESTIONING REPUTATIONS

in 61, had now, through rhetorical embellishment, become the single act that caused colossal damage to the entire *res publica*. It is as well to note that this view is the consensus of Clodius' role in the 50s.

As a consequence of this body of evidence, for Clodius a reputation for adulterous liaisons automatically springs to mind though, as far as can be ascertained, only the affair with Pompeia can be conclusively proved. The rest, particularly the charges of incest so wittily employed by Cicero, was invective. However, where a man acquired a name as a rake in antiquity, deserved or not, he also appears to have drawn onto himself the stigma of effeminacy; and this charge certainly dogged Clodius' career from 61 down until his death. A male who over-indulged in sex became, not famous for his conquests like Cassanova or Don Juan but, paradoxically, a sexual object for women, in other words a male prostitute. Such gossip was known against Caesar for his numerous affairs among the Roman aristocracy and long before the first century BC, Aegisthus, the lover of Clytemnestra, had been accused of effeminacy after the slaying of Agamemnon by the chorus in Aeschylus' *Agamemnon* (ll. 1625-1635):

Woman! While he went away to fight you stayed at home.  
In the meantime, you seduced his wife; and then, against a man  
Who led an army, you could scheme this murder!  
Are we to see you king of Argos – you  
Who, after conspiring to murder the king, did not dare  
To lift the sword yourself.<sup>36</sup>

It should also be duly observed that, for Clodius, the act of adultery was much the lesser problem than where the encounter actually took place – in the house of Caesar. Furthermore, for all the tales of unfulfilled passion, Clodius does not appear to have attempted to marry Pompeia after she was divorced, and perhaps her freedom made her a less attractive proposition. Divorce from his own wife Fulvia appears never to have been contemplated.<sup>37</sup> Moreover, by some quirk of fate, Clodius expired near a shrine to the *Bona Dea* near Bovillae. While this was surely coincidental, it could well have

<sup>36</sup> And numerous examples of this “gigolo” *topos* may be cited from the ancient literature. There was plenty of gossip about Augustus, Suet. *Aug.* 69, not to mention his immediate successors. Caelius may even have had this play in mind when, in the course of the speech in his own defence, he declared that Clodia was “a Clytemnestra on sale for a quadrans, a Coan in the dining-room and a Nolan in the bedroom,” Quint. 8.6.53. The comparison may also have occurred to Lucan, 1.327, whose imitation of the Agamemnon/Aegisthus theme follows hard on the heels of his first mention of Milo.

<sup>37</sup> Theirs was a long union by Roman standards. Clodius was certainly married to Fulvia by 62 since their daughter was engaged to Octavian, Suet. *Aug.* 62.1, in 43, and their son was a praetor in the 20s. Both of these will have been born in the early 50s. Fulvia died in 42, born mid-80s. Pompeia is not attested after 62, and an early death is not impossible.

given rise to an idea of divine retribution delivered through Milo's hired gladiators. It is unfortunate that Clodius is completely silent on an issue, which complicated his life and must have plagued him, and about which he no doubt responded at length.<sup>38</sup> The incidence of effeminacy coupled with sacrilege which dominates the accusations levelled in the 50s should, however, at least give pause for thought that a personal *topos* was in the process of being created. The combination of the female and the sacrilegous is much better recalled than all of Clodius' radical legislation and ambitions for high public office. Clodius' profanation of the Megalesian Games in 56 exemplifies this combination of two evils (Cic. *Att.* 2.4.2; *Har. resp.* 22-26), as does the attempted destruction of a shrine of Nymphs in the Campus Martius (*Mil.* 73: *aedem Nympharum incendit*).<sup>39</sup> Bearing in mind the origin of the evidence, when Clodius is called "Appuleia" by Cicero (*Att.* 4.112), it was not only meant as an insult to the subject's masculinity, but was also a sly intimation that he was but a pale reflection of a truly seditious tribune like Saturninus.<sup>40</sup> Clodius' effeminacy was also enhanced because of the company he kept, usually escorted by a bodyguard consisting of Greek companions (Cic. *Mil.* 55: *comites Graeculi*). The implication was that this was not at all a Roman habit, and was again both unmanly and unseemly.<sup>41</sup> This attack on Clodius' virility was constant throughout the 50s long after the *Bona Dea* affair. Inevitably, the two become ever more closely linked; but, unlike Caesar (Suet. *Iul.* 50-52), whose adultery with women was notorious, Clodius was only allowed to have incestuous relationships with his sisters.<sup>42</sup> The assignation with Pompeia, which also proved his normality in sexual matters, was strenuously suppressed. Was this for the sake of Caesar or was it more damaging to Clodius if the charges of deviancy were continually highlighted, yet were clearly false?

In terms of political aims, it has been argued that Clodius was the heir to Catiline, though in what he achieved he looks rather more like a second

38 Some few fragments ostensibly authentic Clodius, Malcovati, *ORF*<sup>3</sup> 429-430, are all extracted from Cicero presumably to the detriment of the former's ability. A statement such as: *de me, quem tyrannum atque ereptorem libertatis esse dicebat illa ruina rei publicae, dicit se legem tulisse*, *Sest.* 109, may preserve some authentic words of the speaker.

39 On Clodius' behaviour in 56 see Wiseman, *Cinna the Poet*, 1974, 167. The stereotyping is so strong that it is almost impossible to see Clodius setting out to destroy a shrine to Hercules or Mars, but that is precisely what Cicero's propaganda was intended to perpetuate.

40 Richlin *The Garden of Priapus*, 85, compares Clodius to the "proverbially seditious L. Appuleius Saturninus", but effeminacy or weakness in Clodius. Cf. Edwards, *The Politics of Immorality*, 47, who argues that adultery was an indication of male sexual/political power.

41 N. Petrochilos, *Roman Attitudes to the Greeks*, Athens 1974, 52, arguing that this is an example of Roman disdain for the Greeks.

42 Supposedly proved, at least to the satisfaction of Lucullus, husband of Clodia II. says Cicero. *Mil.* 73.

Saturninus, with whom he was also compared (*Att.* 4.11.2).<sup>43</sup> Milo, however, never seems to have been likened to the elder or younger Drusus, both of whom he surely emulated in his support of the senate, and the *dignitas* of its senior figures such as Cicero. Syme called Milo “the favourite of the *Optimates*”, which may not be the same as *patronus senatus*, used to describe Drusus, but does to some extent denote the subject’s political affiliation.<sup>44</sup> Milo certainly became as powerful. However, since Milo spent most of his tribunate advocating Cicero’s recall and responding to the legislation undertaken principally by Clodius – whom he attempted to bring before the law courts and to prevent his election as curule aedile – his own initiatives, had he possessed any, went unrecorded.<sup>45</sup>

Milo’s early history is more than murky, it is simply impenetrable, and there is absolutely nothing that can be verified about him before the year of his tribunate in 57.<sup>46</sup> That does not mean, however, that all reasonable speculation is precluded; and indeed some ideas may be advanced about his whereabouts in the 60s, at least. He was adopted by a notable from Lanuvium, and it should be noted that this Latin town figures prominently in both the careers of Milo and Clodius and, indeed, in Clodius’ murder. A further connection between the two can probably be established. It is not known whether or not T. Annius, Milo’s adopted father, was a senator, but Annii are attested in the 60s though then not necessarily *boni cives*, while a Papius is also attested as active in public life in the mid-60s.<sup>47</sup> Milo was therefore not extracted from the ether to provide the senate with a counter-balance to Clodius in the

43 Clodius’ corn dole was obviously a popular item as it was of any legislative programme since the tribunes of the Gracchi whom Saturninus certainly copied. Engineering Cicero’s exile is a further reminiscence of Saturninus’ treatment of another *novus homo*, Mallius Maximus. On the whole Clodius’ programme lacked the originality of Saturninus and Glaucia, and was itself mostly a response to the political actions of opponents in the previous year. Still, his new laws on the use of *obnuntiatio* and the veto, and censorial *nota*, *MRR* 2.196, were all designed to reduce senatorial powers which was fully in line with Saturninus’ strategies.

44 Syme, *RR* 39.

45 Milo did not work in isolation but mostly closely with P. Sestius, one of eight like-minded colleagues in the tribunician college, *MRR* 2.201-202. The other six were: C. Cestilius, C. Messius, M. Cispus, M’. Curtius Peducaeanus, Q. Fabricius, T. Fadius. Opposed were Gavianus and Q. Numerius Rufus, *Sen.* 20-22. All but one of the praetorian college also supported Milo, *in Sen.* 23.

46 Lintott: 1974, 62.

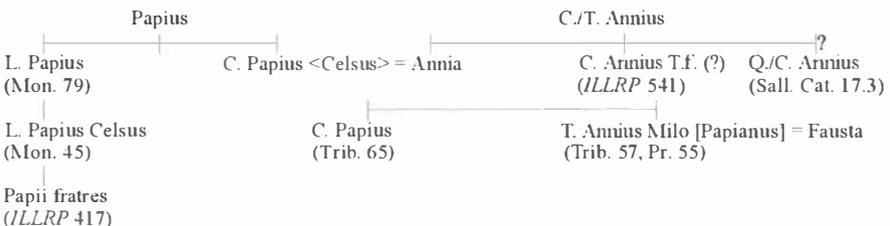
47 Milo was originally a Papius, a name suggesting an equestrian background, but Papii are also attested among the lesser magistracies in the post-Sullan senate, *MRR* 2.599, 3.155. The T. Annius who adopted Milo was his mother’s father, prominent in Lanuvium, *Ascon.* 47C; Syme *RR* 39 n. 2. Several senatorial Annii are attested in the late second century and early first century BC, *MRR* 2. 529-530, and any could have been relatives of this personage, but the *nomen* is common enough, *MRR* 3.16-17. A T. Annius Rufus was “praetor in 131” (?), another T. Annius, *RE* no. 21, could be the adopted father, though not a senator, D.R. Shackleton-Bailey, *Two Studies in Roman Nomenclature*, American Classical Studies 3, University Park, Pa. 1976, 9-10. L.R. Taylor, *The Voting Districts of the Roman Republic*, Rome 1960, 190-191, has shown that there were several quite separate Annii attested in the voting tribes, *Arvensis, Camilia, Pollia, Oufentina, Velina*, and *Maecia*, to the last of which T. Annius Milo Papianus, as a native of Lanuvium, belonged. She also notes that the *praenomen* of the Annius who adopted Milo, cited by *Asconius*, 53C, is given as C. in the *MS* and that T. is a generally accepted emendation “perhaps erroneously”.

course of 58. On two occasions, Sallust mentions a Q. Annius who was among Catiline's allies (*Cat.* 17.3, 50.4). The first time is in connection with an attempted coup in 65, usually regarded as a creation either of Sallust or his source. This Annius was not executed alongside the ringleaders but, like so many of those adumbrated by Sallust, his fate goes unrecorded. Annius might have died in battle with his chief, could also have been pardoned or overlooked by the senate since he remained on the fringes, or committed suicide before arrest. Milo was adopted by a T. Annius, possibly about the same date, at the dramatic close of Cicero's consulship in 63. Concerning Milo's *praenomen* there can be no doubt, but the Sallustian naming of a minor figure in the Catilinarian conspiracy may be open to question. Or even a clerical error – Q. for C. – cannot be excluded. Testamentary adoption by a man linked to Catiline, but who escaped the odium of condemnation, is not impossible. More likely is that Milo was adopted by T. Annius following the premature demise of his own heir, even one who had involved himself in the intrigues of Catiline and had paid the ultimate penalty.<sup>48</sup>

Milo's father was a C. Papius <Celsus> of Lanuvium, but a C. Papius was also a tribune in 65 (*Dio*, 37.9.5), and this could have been an elder brother, born about 97. However, there were other Papii as well.<sup>49</sup> Sons adopted by relatives were not necessarily younger sons as the case of Mam.

48 Note another possible relative in C. Annius T.f. of Interamna, *ILLRP* 541, which was not far from an estate owned by Milo at Oriculum, *Cic. Mil.* 64; Wiseman, *NMRS* 50 n. 1. This may perhaps have been a cousin rather than a brother if the MS reading of Asconius is preferred. Moreover, it is well worth noting that Clodius claimed that he was at Interamna on the night of the *Bona Dea* episode, *Quint.* 4.2.88, an alibi provided by one of his closest friends, C. Causinius Schola, of this town, which Cicero was able to disprove, *Mil.* 46. That this unremarkable town should be cited again and again is interesting.

49 Malcovati, *ORF*<sup>4</sup> 431, gives the *cognomen* Celsus, but on what basis is unclear; *MRR* 2.158. A L. Papius was moneyer, dated 79, *RRC* 1.398-399; *MRR* 3.155, probably an uncle of Milo seeing that he proclaims, with Juno Sospita on the obverse of his denarii, Lanuvium as his town of origin. A L. Papius Celsus was also *monetalis* in 45, Crawford, *RRC* 1.481; *MRR* 3.155, presumably a son of the earlier moneyer, or possibly the tribune. He also illustrates Juno Sospita on one of his denarii, and the use of the distinctive *cognomen* should clinch the matter. A *lex Papia de iure patroni et de bonis libertorum*, Gaius, 3.42; *MRR* 2.472, of uncertain date, given the preponderance of Papii in the first century, ought to be a piece of legislation introduced either by the tribune of 65 or one of the two L. Papii, who may, therefore, have also progressed in the *cursus* to a tribunate or even the praetorship, *MRR* 2.599. Thus a highly plausible *stemma* may easily be constructed: On Milo's evident disinclination to ever use his original family *nomen*, see Shackleton Bailey, *Studies* 103; *MRR* 3.17.



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Aemilius Lepidus Livianus (cos. 77) clearly shows,<sup>50</sup> but C. Papius would have been a tribune in his early thirties making him older than his more famous sibling by a year or two. The ancient Latin community of Lanuvium was also the birthplace of L. Licinius Murena (cos. 62),<sup>51</sup> in whose *consilium* Clodius served as a *legatus* in *Gallia Transalpina* between 64 and 63;<sup>52</sup> Milo could well have also served on the staff of this influential neighbour, either as military tribune or as quaestor, both offices apply to a man in his early thirties.<sup>53</sup> And Murena was the urban praetor in 65 precisely when C. Papius was a tribune of the plebs, perhaps passing legislation expelling resident aliens from the city; a problem that could easily have involved the most senior legal officer of the *res publica*.<sup>54</sup> Moreover, this same Licinius Murena was connected to Clodius, not his stepfather (*dom.* 134: *vitricus*), but stepfather of Clodius' wife Fulvia.<sup>55</sup> This certainly goes some way towards illustrating the possibility of an early connection between Clodius and Milo, even if concrete evidence is completely absent. They could certainly have served together on Murena's staff, which means they would have been familiar to one another; an early *amicitia* could be postulated. Lanuvium and its promi-

50 Mam. Lepidus Livianus was older than his more famous brother, the tribune of 91, Sumner, *Orators* 111.

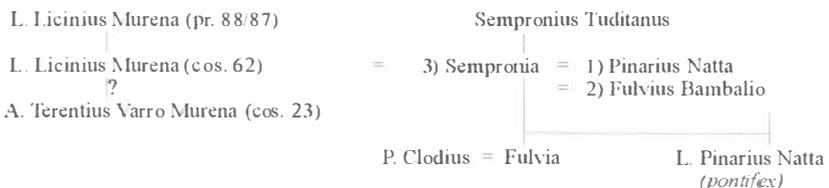
51 Murena was the first consul from this town. Cic. *Mur.* 86: *primus in municipium antiquissimum consulatum attulisse*; Syme. *RR* 94. Was Milo meant to be the second representative of Lanuvium in the consulship and, hence, may even have been a protégé of Murena? Lanuvium had been granted Roman citizenship in 338, Liv. 8.14.2-8, and waited nearly three hundred years for its first consul in the city. For its peculiar form of local government which devolved upon an elected dictator aided by aediles, see Cic. *Mil.* 45-46, A.N. Sherwin White, *The Roman Citizenship*, Oxford 19732, 63-64. This office was probably held by the most prominent men of the town and must have carried with it much prestige, a position perhaps also held by Licinius Murena some time during in his career. Milo was dictator in 52, so this was clearly not an office held at a junior stage in the more prestigious *cursus honorum* in the city, nor was it one which he took lightly. Cic. *Mil.* 27, 46; Ascon. 31C.

52 Cic. *Har. resp.* 42: ... *cum Murena se in Galliam contulit. As tribunus militum* perhaps, *MRR* 2.164 and n. 6, equally plausibly as a legate since he already had considerable military experience and the military tribunate was not a prerequisite for the *cursus honorum*.

53 Milo was tribune with M. Curtius/Curius and T. Fadius, in *Sen*21; *Q. Fr.* 1.4.3, *MRR* 2.202. who had been quaestors in 61 and 63 respectively. It is not inconceivable that Milo was quaestor in one of those years.

54 For Murena's praetorship in 65 see Cic. *Mur.* 41: *iris dicundi*; *MRR* 2.158, and 2.163, for his proconsulship.

55 L.R. Taylor, "Caesar's Colleagues in the Pontifical College", *AJP* 52, 1942, 396-397 and n. 34; C.L. Babcock, "The Early Career of Fulvia", *AJP* 86, 1963, 1-32; Hillard: 1982, 42 and n. 51. This relationship would moreover account for Clodius' time in Asia, a region known to Murena, whose own father had been proconsul there in the late 80's, and for the marriage link with Lucullus who had also served on Sulla's staff at that time.



ment *domi nobiles*, like the *Bona Dea* affair, feature prominently in the lives of both of these extraordinary politicians.

The literary sources are naturally less inclined to linger over Milo, perceived as the more establishment figure, than over Clodius. The exception to that generalisation is, of course, Cicero, forever to be in Milo's debt. In instances where he appears, he is usually portrayed as an organiser of violence, but violence to counter violence. Caesar's antipathy is clear though he makes no mention of Milo's actions in the 50s, but later obviously regarded him as a murderer (*B.G.* 7.1; *B.C.* 3.22), who stirred up unrest in Italy in 48 ostensibly on behalf of Pompey (*B.C.* 3.22: *iussu atque imperio facere Pompei*). Milo had always stood closer to Pompey, and to those politicians who gradually turned this former ally against Caesar in the late 50s. Caesar's standpoint is understandable.<sup>56</sup> Livy's epitomator (*Per.* 104) records Milo's stirring aid of Cicero in 57, and nothing more until Clodius was killed and his murderer exiled (*Per.* 107: *P. Clodii a T. Annio Milone, candidato consulatus, Appia via ad Bovillas occisi ... P. Clodii Milo iudicio damnatus in exilium actus est*). This is fairly neutral stuff, but possibly a hint of hostility towards Milo whose death (*Per.* 111) is blandly coupled with that of Caelius Rufus (*uterque, cum bellum molirentur, interfecti sunt*). However, some, like Velleius (2.47.4-5) even a supporter of the new regime, believed Milo to have been a patriot who exerted himself for the concord of the state. This material may derive from Cicero and is worth noting. Nonetheless, this characterisation was not to become popular, and the sentiments expressed by Cicero were submerged in literature more supportive of Caesar and his successor.

*Quo tempore P. Clodius a Milone candidato consulatus exemplo inutili, facto salutari rei publicae circa Bovillas contracta ex occurso rixa iugulatus est. Milonem reum non magis invidia facti quam Pompei damnavit voluntas. Quem quidem M. Cato palam lata absolvit sententia. Qui si maturius tulisset, non defuissent qui sequerentur exemplum probarentque eum civem occisum, quo nemo perniciosior rei publicae neque bonis inimicior vixerat.*

At this time P. Clodius was killed by Milo, a candidate for the consulship, in a scuffle which occurred by chance near Bovillae, a poor precedent, but a saving for the state. Milo was tried and convicted as much through the influence of

<sup>56</sup> Though Clodius was hardly true in his allegiances. On the very day of his death, on his way back to Rome from Aricia, he had stopped off at his villa at Alba and then visited his neighbour Pompey then also at home in the neighbourhood, *Cic. Mil.* 51, 54; Lintott: 1974, 68-69. Pompey was, therefore, very close indeed to the actual murder scene, probably less than a mile or two. And from this affair *cui bono?* Pompey, of course, yet he was never suspected of complicity in this episode, which brought him massive political advantages! It was said that Pompey took no action, staying well outside the city in his Alban villa, offering no remedy for the chaos in 53 in the hopes of obtaining the dictatorship. The death of Clodius caused such instability that the senate was finally obliged to give him special powers to restore order in Rome. Pompey certainly exploited this most opportune of murders even if he was not actively involved in the deed.

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Pompey as by hatred for the deed. It is true that M. Cato openly expressed his opinion for an acquittal. If his vote had been cast earlier, others would not have been found lacking to follow his example, and to give approval to the killing of a citizen so deadly to the state and so hostile to all good men as any man who had ever lived.<sup>57</sup>

Moreover, after Velleius' account, reports of Milo's career become evermore scarce. Lucan mentions Milo twice (1.323, 2.480) and both times, when hemmed in by Pompey's *signa* in his trial and in a notice of his death, is strangely sympathetic, possibly in recognition of his role as an opponent of tyranny. Quintilian expresses some slight curiosity, but really only as an *exemplum* when discussing points of advocacy (4.2.25-26, 4.2.57-59, 5.10.41, 5.14.20).<sup>58</sup> Even a major source of information such as Plutarch possesses relatively little additional material of value. In the *Life* of Cicero, the conflict between the subject and Clodius is recounted at length (*Cic.* 30-34). Here it is stated that Cicero's period in exile was brought to an end when the tribune Annius Milo (*Cic.* 33.3) first took steps to prosecute Clodius as the instrument and source of violence.<sup>59</sup> Plutarch's account is, therefore, favourable throughout and the influence of Cicero as a source is manifest. As a result of Milo's example, Pompey also began to work hard on Cicero's behalf – from a sense of shame (*Cic.* 31.3) – to secure the vote recalling the former consul. Plutarch then makes a jump to the murder of Clodius and the trial of Milo (*Cic.* 35.1) in whose defence Cicero faltered, and the defendant was condemned (35.4). Is this failure on the part of Cicero to repay the debt he owed Milo the reason why Plutarch is curiously hostile towards his subject and positive towards Milo? In his biography of the younger Cato, Plutarch also says (*Cat. Min.* 47.1) that, in his canvass for the consulship in 53, Milo indulged in gross bribery and other illegal activities, but in common with the other candidates. Milo is not singled out as being a worse culprit than the others in this instance. His eventual fate was sufficiently marginal to the lives of his central characters to be overlooked. Appian (*BC.* 2.16-24) adds a number of interesting details about Milo, not least that Pompey promised Milo the consulship if he worked for Cicero's recall (*BC.* 2.16). Although Milo may have been a fool to take such a promise seriously – and this information could be dismissed as Appian's own invention – he is not usually

57 The language looks similar to the Livian epitome, but may also owe something to Cicero's *Cato* which may well have been accessible to Velleius, since it is this figure who emerges with the greatest credit.

58 Surprisingly perhaps nothing in Valerius Maximus, but a note of the *lex Papia*, 3.4.5, though probably wrongly dated.

59 Milo makes no appearance in the biographies of Pompey, Crassus, Caesar or any other late republican political figures such as Brutus or Antonius.

given to flights of fancy, and his own source may have provided this material.<sup>60</sup> It does point to a close connection between Pompey and Milo in 57 which survived if not down to Milo's condemnation in 52 at least as far as the initial canvassing for the consulship of 52. Indeed, there are reasons to suggest that it may have survived longer.<sup>61</sup> Appian evidently believed that Milo was Pompey's chosen candidate for the consulship, but that he did not hold to the bargain (*BC*. 2.20), and indeed all the evidence shows a cooling of relations between the two.<sup>62</sup> After Pompey's election as sole consul and the restoration of calm, several prominent politicians were exiled as a consequence of new laws. Milo was among the first to be condemned, and soon after him another of Pompey's former friends, Gabinius, the consul of 58 (*BC*. 2.24).<sup>63</sup> Moreover, after the battle of Pharsalus in 48 when Caesar expressly made a show of his *clementia* by pardoning many of Pompey's most prominent supporters, Milo alone was excluded (*BC*. 2.48: ... καὶ τοὺς φυγάδας δεομένῳ καταγαγεῖν συνεχώρησε, χωρὶς Μίλωνος). This certainly suggests a great personal dislike of Milo and a past affection for Clodius. His enemies on the battlefield had surely committed as many hostile deeds against Caesar and his supporters, while Milo had not even been solely responsible for the death of Clodius.<sup>64</sup> It could even be argued that Milo thought killing Clodius would open the route to renewing amicable relations with Pompey. Pompey, who obviously benefited from the episode, would then have rewarded Milo with the consulship he so desperately desired. Pompey would be required to show his support for Milo in court in order to secure an acquittal. Once again, however, the senior politician could not be relied upon.

After Appian, writers lost any interest there might have been in Milo, a minor figure in an increasingly irrelevant or incomprehensible political situation. Gellius (*NA*. 1.16.15) refers to Cicero's *pro Milone oratio*, and in a discussion of *disciplina dialectica*, mentions Milo's conviction (16.8.7: *Milo caedis damnatus est*) and, on the authority of Varro, that the historian Sallust had been caught *in flagrante delicto* with Fausta by Milo himself (17.18.1).<sup>65</sup> Florus, who might have dwelt on a further collapse in morality exemplified

60 On a par with this tale is one to be found in Plutarch, *Cic.* 29, that Cicero had acted against Clodius in 61 at the request of his wife Terentia who detested Clodia, wife of Metellus Celer. The story may appear fanciful, but the biographer must have found it somewhere – it is unlikely to have been simply his invention.

61 Pompey could be said to have surrendered this ally for the peace of the *res publica*, and Milo was not the sole casualty.

62 What Appian omits here is the belief, common at the time, that, amid the chaos of incompleting elections and near anarchy in the streets, Pompey hoped to be named dictator to restore order.

63 Appian also names Plautius Hypsaesus, C. Memmius and M. Aemilius Scaurus, all either current or past contenders for the consulship, and also a certain Sextius, probably P. Sextius.

64 Appian is however not quite correct in this statement for the tribune of 49, L. Caecilius Metellus, who had opposed Caesar's occupation of the *aerarium* when he took possession of Rome was also not forgiven or allowed to return to Italy. See Chapter 3.

by the antics of Milo and his enemy, excludes all discussion. So does the author of the *de viris illustribus*, perhaps by that stage from sheer boredom. Orosius has a single, almost inexplicable, reference to Milo as an ally of Caelius Rufus (6.15.10) in their attempt to stir up opposition to Caesar in Italy in 48. Explicable to a modern audience, but a 5<sup>th</sup> century reader of this section would surely have been baffled, without the explanation that this was the terminus of Milo's brief, if exacting, political career.<sup>66</sup>

This leaves one with Cicero, whose praise of Milo is mainly confined to the *oratio* which was not delivered on behalf of the defendant in his trial.<sup>67</sup> However, before this trial Milo had been generously thanked for his efforts on Cicero's behalf in 57. In the *de Officiis* (2.58), discussing generosity, Cicero states that it was for the good of Rome that Milo purchased gladiators with whom to suppress Clodius. Composed after Milo's death, this praise shows that Cicero had not forgotten what he owed to this man.<sup>68</sup> Much earlier, at his homcoming, his gratitude was effusive – and possibly a modern audience, indeed a modern scholarship finds this disquieting, even phoney – and that is consistently maintained right down to the last of the *Philippics*:

*Quid ego de praestantissimo viro, T. Annio, dicam? aut quis de tali cive satis digne umquam loquetur? (in Sen. 19)*

What can I say about that splendid man, T. Annius? Who could ever describe so admirable a citizen adequately?

So said Cicero who declared that, shackled by legal constraints preventing his recall, this tribune was fully justified, in the end, by fighting fire with fire (cf. *Sest.* 87). An unjust and violent action by one party could be overcome in certain circumstances by as forceful a reaction. Clearly, a majority of the senate felt the same way soon after mid-57, since Cicero was recalled after a vote in which there was just a single dissenting voice (*in Sen.* 26: *dissentis*

65 Fausta's affairs were apparently notorious, yet Milo was never branded a cuckold by his enemies, as far as the extant evidence shows. For Fausta's amour with a Pompeius Macula of Pompeii, probably a freedman, see *Cic. Fam.* 6.19; *Macr. Sat.* 2.2.9; Wiseman, *NMRS* 49 and n.5.

66 However, a century before a discussion of the sexes of the mules of Clodius and Milo could be included in the *HA*, Firmus, 6.4.

67 No need to reiterate details of the trial for Clodius' murder since it is covered in most of the works already cited above with the invariable inclusion of the anecdote about Milo's Massilian mullets, *Dio*, 40.54.3-4; *Ascon.* 48C.

68 The contents of his letter to Quintus, *♣Fr.* 1.4.3, written in Thessalonica, August 58, some five months into his exile, reveal no long-standing association between Milo and Cicero by then, but that he was among that group of recently elected tribunes, especially Sestius, who might be expected to help his cause: *de novis autem tribunis plebis est ille quidem in me officiosissimus Sestius, et spero, Curius, Milo, Fadius, Fabricius*. This is interesting because it implies that Milo was either motivated by family or some other personal commitment to help Cicero, such as through the common link of Murena, who had been defended by the exile in 63 – Milo had still to marry Fausta – or that he was tempted by a handsome reward to move against Clodius.

*unus* ..; Plut. *Cic.* 33.5; Dio, 39.8.3).<sup>69</sup> Milo is singled out as the first of many friends, such as Sestius, who were to resist Clodius' armed tactics replying with the greatest courage and supreme ability and force (*summa virtute ac maximis opibus et copiis*). However close their friendship, it was to Milo that Cicero owed more than just gratitude but also favours in kind, a point neatly stressed (*in Sen.* 30):

*Quibus autem officiis T. Anni beneficia remunerabor? cuius omnis ratio, cogitatio, totus denique tribunatus nihil aliud fuit nisi constans, perpetua, fortis, invicta defensio salutis meae?*

And by what services shall I repay T. Annius for his kindness, whose conduct, plans, and counsel, in sum his entire tribunate, was nothing but a constant, perpetual, brave and unbowed defense of my salvation?

Indeed, in the next year, Cicero was in action defending Milo on charges of *vis* brought by Clodius in retaliation for similar court action brought the year before (*Mil.* 35-40).<sup>70</sup>

In his address to fellow citizens, Milo is more strongly coupled with Sestius when it came to praise for the speaker's restoration (*ad Quir.* 15), possibly since Clodius was better liked by the urban crowd than by fellow senators. Hence, it was more politic to indulge in relatively harmless euphemisms. Only in the reponse to the *haruspices* does Cicero do real justice to Milo (*Har. resp.* 6-7). Milo becomes the bravest and the most distinguished, destined from birth to fill the role of conquering Clodius and his ambitions, for which Cicero offered firm support. It was natural that when Sestius should have been assailed in the courts, in his defence Cicero praised the immortal virtue of Milo his former tribunician colleague (*Sest.* 86-87). Milo had taken up Cicero's cause without expecting a reward (*nullo praemio proposito* ...), and he was supported in his aim by all (*plena consensionis omnium*). Considering the recent vote in the speaker's favour, this point could hardly be denied.<sup>71</sup> Finally, at the climax of the oration Milo is reintroduced (*Sest.* 144):

69 Seager, *Pompey*, 110: "one senator voted against: whatever else he was, Clodius was no coward"; Greenhalgh, *Pompey*, 21, the vote for Cicero's return was 416:1. Clodius' isolation may have been in conscious imitation of Catiline, *Cic. Cat.* 1.1; cf. *dom.* 3, 55, while Cicero may also have adopted the same rhetorical stance for this oration.

70 After Clodius' tribunate ended, it was to be expected that he would be prosecuted for organising violence by Milo, then just elected to his own tribunate. The move was also designed to delay Clodius' campaign for the aedileship. Ultimately, both strategies failed, and Milo, once his own tribunate ended in December 57, was bound to face a counter-blow in the courts from Clodius. Two charges followed but both failed. Milo, however, was not expected to continue protecting Cicero once he was back in Rome. Lintott: 1974, 63.

71 Appian of course believed otherwise, or was more cynical of the situation, *BC.* 2.16.

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*Video T. Milonem, vindicem vestrae libertatis, custodem salutis meae, subsidium adflictae rei publicae, exstinctorem domestici latrocinii, repressorum caedis cotidianae, defensorem templorum atque tectorum, praesidium curiae, sordidatum et reum.*

I see Milo sitting in mourning and under accusation, the restorer of your liberty, guardian of my safety, bastion of our oppressed state, who has extinguished our domestic crime, repressed the daily slaughter, defended the temples and homes, and been the protector of the senate.

This last comment forms a bridge to the time when Milo really was on the defensive at his own trial for Clodius' murder.<sup>72</sup> Cicero's speech on this occasion was written up afterwards. In this respect, it is not different to his other orations, other than we happen to know that it was not delivered in court. The contents are supposed to have pleased Milo when he read them in exile; and here again we see Cicero living up to his obligations with unstinting praise for the man who had brought him back from a living death. The speech in court would probably have failed anyway; that it is propaganda is obvious, but it contains true sentiments expressed by a man who believed himself to be honourable. From the beginning, Cicero proclaimed his loyalty to Milo, a man endowed with a greatness of spirit, who cared more about the safety of the state than his own (*Mil.* 1), his every concern was for good against evil (*Mil.* 5). It was, therefore, ironic that Milo was tried under legislation passed by Pompey his *familiaris* to curb the sort of violence in which Clodius, described as *illum sibi inimicum*, had excelled (*Mil.* 19-20). Clodius had threatened Milo's life since he feared a formidable consul who could obstruct the tyrannical activities he might aspire to if he won a praetorship (*Mil.* 24-25, 34, 41-43, 44). But Clodius was not an obstacle to Milo's consular ambitions. Cicero reminded the audience of Milo's previous good services to himself and to the *res publica* (*Mil.* 34, 68). It had been claimed, stated Cicero (36), that Clodius had never indulged in violence, but Milo always, yet how then had the speaker himself been forced into exile if not because of the threat of brute force engineered by the man recently killed; any violence attributed to Milo was, in fact, retaliation. And it must be said that, for all his apparent manipulation of the evidence throughout the oration, at this juncture in the proceedings Cicero stated nothing but the truth (*Mil.* 38):

*Quid simile Milonis? cuius vis omnis haec semper fuit, ne P. Clodius, cum in iudicium detrahi non posset, vi oppressam civitatem teneret ...*

<sup>72</sup> A formal accusation of *ambitus* was brought by two nephews of Clodius, sons of his two elder brothers, and by C. Ateius and L. Cornificius (cos. 35?), and a charge *de sodaliciis* was laid by a P. Fulvius Neratus, Ascon. 38-39C. The presence of the two Appii Claudii is understandable; Fulvius Neratus was presumably related to Clodius' widow.

What has Milo to show of a similar kind? All the force he used was always to prevent Clodius from holding the state oppressed by violence, since he could not drag him into the courts ...

This was certainly true for the six months prior to Cicero's return from Greece, and even later, depending on one's allegiances, this point of view still held true. As for the episode on the *Via Appia*, very much like the *Bona Dea* affair of a decade before, it was clearly more by mistake than by design, and became a *cause célèbre* because of the persons involved. Yet bribery of the jury, if Milo countenanced that approach, would have saved the defendant. Adultery, sacrilege and murder were themselves less significant than the passions and expectations they invoked in political circles, and the advantages from them which were to be gained or lost. A cynic's view of public life possibly, but clearly one shared by the Roman elite. At the same time, Milo had not crept into Rome like a man who had committed a murder (*Mil.* 61) or behaved as a murderer might behave under such circumstances. He had been accused of being in possession of a dagger at a meeting of the senate, and had proved the charge falacious (*Mil.* 66). Had he raised a bloody sword and sworn that he had killed Clodius (*Mil.* 77), he would be no more a focus of patriotic good feeling and pride than he already was, for he alone had stood up to that scourge of the state (*Mil.* 87-88: *Milo unus urgebat*). In this speech Cicero repaid his personal obligation to Milo (*Mil.* 100-102), yet:

*O me miserum, o me infelicem! revocare tu me in patriam, Milo, potuisti per hos, ego te in patria per eosdem retinere non potero?*

Oh the misery and the ill-luck! Milo, you could with the help of these men recall me to my country, but shall I, in spite of their aid, be able to keep you here?

Written soon after the departure of Milo, there was truth and probably some considerable bitterness here too, that Cicero, as good an advocate as he was, could not ensure an acquittal in the face of opposition from Pompey for a man who, within the very flexible parameters of Roman republican political life, had become a friend and an associate united in a shared goal against Clodius.<sup>73</sup>

Milo himself, like Crassus, appears to have had very few personal failings. The jibe about good food, a reference to a supposed partiality for Massi-

<sup>73</sup> Cicero's nerve faltered in the face of the armed men ostensibly posted to prevent disruption of the trial. These soldiers ought to have ensured that Cicero had the freedom to deliver a defence of Milo, unless the orator knew that it was Pompey and not the Clodiani he had most to fear. Again all this points to Pompey as the key player in the events that led to Bovillae and afterwards.

lian mullets, when gourmandism is simply not attested in the sources, is a trifle too tendentious a swipe at this politician. So too was Mommsen's charge of an addiction to debt, seeing that financing a public career at Rome became hugely expensive, and was a common problem for most politicians, and became ever more of a burden in the first century BC. The accumulation of debts was not restricted to the likes of Milo.<sup>74</sup> Crassus became renowned for the modesty of his own life style and his long and successful marriage to Tertulla, while Milo also seems to have conducted himself in an exemplary fashion when it came to family matters, even if his wife was supposed to have been wayward.<sup>75</sup> Again we may observe another of those common factors between Milo and Clodius; neither were philanderers on a scale surmounted by Caesar and his numerous amorous conquests. Clodius is not known to have been unfaithful to his wife Fulvia,<sup>76</sup> with the exception of his infatuation with Pompeia, just as Milo was the devoted husband of Fausta.<sup>77</sup> So much for the ancient myth!

Once Milo had survived the law suits against him in 56, his candidacy for the praetorship went forward. He may well have received support from a grateful, though less influential Cicero, while his own family connections were probably used to his advantage. However, Milo must also have been well liked by the electorate in the *comitia centuriata* for he encountered no problem in the elections for 55, and certainly attracted no charge of *ambitus*, *vis* or any other crime on that occasion.<sup>78</sup> On the other hand, it was well

74 Note that P. Sulpicius is supposed to have introduced a law, Plut. *Sull.* 8.2, to limit the debts of senators. If Plutarch is accurate then it would suggest that debt accumulation by senators was already identified as a serious problem. On Milo's debts, see Cic. *Qf.* 3.6.6; Wiseman, *Catullus and his World*, 33.

75 Probably a lot less wayward than the sources might suggest, though note Hor. *Sat.* 1.2.64-67. Women in antiquity tend to be characterised either as morally loose or pristine, the extremes are clearly evident, and to be accounted for in the usual *topoi* of the literary material. Edwards, *The Politics of Immorality*, 35, notes the depiction of "sexual licence" in ancient and modern accounts and that it focuses on women rather than men.

76 Cicero actually gives this point away, *Mil.* 28, 55, when he claimed that Clodius must have been up to no good since he was unaccompanied by his usual companions including Fulvia: *sine uxore, quod numquam fere*, not the habit of an habitual womaniser. Yet he also claimed that Clodius was also habitually accompanied by prostitutes and eunuchs; a case of trying to have it both ways!

77 During the course of the legal proceedings Milo was also aided by Fausta's brother, Ascon. 34C, who was himself no mean force in political life though still a *quaestorius* in 52. The connection with the family of Sulla, from November 55, *Att.* 4.13.1, and through Faustus to many of the most illustrious of the Roman elite shows the extent of Milo's influence. Had the marriage been simply a matter of convenience, he would have been deserted by all except Cicero in 52; and this is plainly not the case at all. Like Clodius with Fulvia, Cicero implies that Fausta was Milo's constant companion, *Mil.* 54, although that was also one way of keeping her attentions from wandering off course. Among those named as prominent in Milo's defence, besides Cicero, were M. Claudius Marcellus (cos. 51), Ascon. 39C; M. Cato, Ascon. 53C; Caepio Brutus, Ascon. 41C; M. Favonius (pr. 49), Ascon. 54C; Q. Hortensius, M. Calidius (pr. 57), Ascon. 34C. His supporters were no less aristocratic than those of Clodius, suggesting the possibility of a bigger split among the senate than is usually perceived. For an account of the trial see, among others, Gruen, *LGRR* 339-342.

78 There is no internal evidence for Milo's praetorship, but it may be deduced since he could not have been a praetor in the year of Sestius' trial in 56, but was a candidate for the consulship in 53, Ascon. 30C, while

known that P. Vatinius, who defeated Cato, another of Milo's allies, was returned to the praetorian college only as a result of much bribery and violence.<sup>79</sup> Milo's popularity, not violence, won him the praetorship just two years following his tribunate. Moreover, as praetor he evidently commanded sufficient respect in the community – although no details of his time in office remains – to proceed with high expectations for the consulship at the earliest opportunity. It is, therefore, highly simplistic to portray this politician as a purveyor of gang warfare while Clodius is allowed almost beatification in modern studies.<sup>80</sup> Both employed violent methods, but so did most others. It is not altogether unlikely that in the present secular age the profanities of Clodius – several appear attested in secure enough sources – would be found to be less offensive than the bullyboy tactics which are attributed particularly to Milo. Clodius also indulged in brutal and anarchic activities, but in the end he was a victim while his equal and opposite escaped to luxurious exile, at least for a time. By comparison, Milo's death, killed in action, was reasonably heroic (Caes. *B.C.* 3.22: ... *lapide ictus ex muro periit*),<sup>81</sup> yet that has not saved his reputation which has never been rehabilitated. In fact, it has continued to suffer because of the existence of the positive propaganda generated by Cicero in his orations. Modern scholars in their dealings with Clodius and Milo consistently betray their twentieth-century perspective, and their own versions of enlightened opinion. Today, that opinion is most often encompassed by “political correctness”, which partly explains why less emphasis accrues to Clodius' sacrilege. It is, after all, not a widespread crime these days, and is an issue not liable to arouse strong passions; it is Milo's gangsterism – very much a commonplace of this epoch's culture – which is found both repellent and repugnant. Quite remarkable has been the power of ancient persuasion, which has modified Clodius' role in the late 50s from an

Cicero refers to his canvass, *Mil.* 68; *MRR* 2.215.

<sup>79</sup> *MRR* 2.216 for numerous references to this event. Vatinius had been sent home by Caesar from Gaul, and for his tribunician services, had clearly been promised a praetorship which Pompey and Crassus had to work overtime to fulfil. Pompey's loyalties may have been divided since Cicero states unequivocally that he also lent aid to Milo's candidacy, *Mil.* 68: *adiutum in petitione praeturae*.

<sup>80</sup> Clodius certainly inspired love and loyalty, as testified to by the existence of statues privately owned in his honour by, for example, P. Cornelius Dolabella, *cos. suff.* 44, *Cic. At.* 11.23.3; Wiseman, *NMRS* 107, n. 4. Actually a common enough practice: T. Labienus' *imago* of Saturninus, *Cic. Rab. perd.* 24; L. Sestius' pictures of Brutus, *Dio*, 53.32.4.

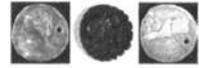
<sup>81</sup> The epitome of Livy, *Per.* 111, has Milo killed along with his friend Caelius Rufus in a mutiny, but that is probably a conflation of the original. Caesar, whose evidence should be preferred, would have been more aware of the fate of Milo, an individual he evidently disliked. However, there is rare lacuna in the text of the *MS* at this point which makes the sense a little uncertain. Cf. Velleius, 2.68.3: ... *ictus lapide cum P. Clodio, tum patriae, quam armis petebat, poenas dedit, vir iniquus et ultra fortem temerarius*, which is certainly Sallustian in sentiment again, cf. Chapter 1 n. 5, but possibly derived rather from a writer such as Pollio. Moreover, *Dio*, 42.22.1-25.3, offers still another version, *MRR* 2.273, which indicates that there was some uncertainty about Milo's ultimate fate. See *Cic. Fam.* 8.17, for Caelius' breach with Caesar.

active participant in violence into a defensive one against Milo, who originally employed the same tactics in a good cause which then became offensive in all respects. This paradox ensured a negative reputation for Milo when the converse was meant to occur. It is also the reverse of what was intended by the Ciceronian propaganda, and may have something to do with contemporary opinion about the orator, and that he proclaimed his own importance too often (Plut. *Cic.* 24.1). As a result of broadcasting Milo's victories over Clodius in an attempt to diminish the stature of his enemy he actually caused an uneven record to emerge and remain. And who but Clodius has benefited from a distaste of Cicero's ego, in the changing environment in tastes and habits? Note how little impact Cicero's comments to Atticus (*Att.* 4.3.5) have had on modern opinion, particularly the observation that Milo was his own man and kowtowed to none (*numquam enim cuiusquam invidi et perfidi consilio est us<ur>us nec inerti nobili<tati> crediturus*). It is definitely a paradox that Clodius has become a champion of the common man, and modern historians feel compelled to praise this aspect of his legend. He has received a better press than he deserves, and Milo much less to his credit. But Clodius and Milo were far more alike than is conceded; and they were more equals than opposites, their ambition coupled with boldness and audacity must have irked the milder and more hesitant Cicero.

There was a serious purpose in the *Bona Dea* affair. Why should one disbelieve the most disinterested of the source material that claims a simple love affair between Clodius and Pompeia, but the consequences of this *liaison dangereuse* could have been far-reaching for Caesar had he not acted quickly to distance himself from both parties. Pompeia, the object of Clodius' desires, was soon forgotten, but the affair then became blown out of all proportion by the survival of Cicero's rhetoric. Cicero obviously despised Clodius, but the feeling presumably became mutual. However, because of the shifting political situation in the mid-50s, Cicero had to be careful how he vented his spleen on his return from exile. Clodius could be attacked but not his political friends or even enemies. Hence, it is the defamation of character that dominates while all other aspects are excluded. Cicero could not mention Caesar, the one person who might have become the real victim of the *Bona Dea* scandal, nor could he attack Pompey, who had allowed Clodius to become a plebeian. Such strict parameters of action left him with little else but Clodius' morality, and the lesser figures such as Piso Caesoninus and Gabinius. What remains in the literature is an untrue reflection from self-imposed censorship. Had Cicero been able to say what he really would have liked to say about Clodius, the image might not have been as dramatic; and modern scholarship would have felt no need to exonerate this politician quite

so frequently nor denigrate Milo quite so often. The result would have been a better and more realistic picture of that turbulent decade in Roman republican history.<sup>82</sup>

<sup>82</sup> For Clodius' career, see, most recently, W.J. Tatum, *The Patrician Tribune: Publius Clodius Pulcher*, Chapel Hill 1999. For comments on this volume which arrived too late for inclusion here, see *Mnemosyne* 2002, forthcoming.



### Saturninus and Glaucia, Drusus and Sulpicius, Clodius and Milo

There are a number of discrete threads in this discussion of six lesser figures of late Roman republican history which can usefully be drawn together at this point. It is also not beyond the bounds of possibility to advance a number of general or common themes which are applicable to most or all of the subjects dealt with on the preceding pages. Following again the example of Plutarch in his parallel biographies, but expanding the number of persons compared, it is quite evident that these politicians make an interesting sextet.

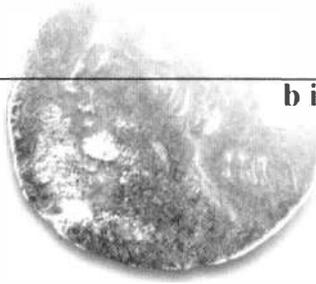
Each is remembered for his activities as a tribunes of the plebs, although three of the six subsequently pursued political careers, which included the office of praetor; and two of the six came close to possessing the consulship. Hence only Saturninus, Drusus and Sulpicius feature among the literary *topos* of the seditious tribunes. Each of the six politicians died through violence, yet all, with the possible exception of Drusus, had the potential and the support to have reached the highest elected magistracies of the *res publica*. Their deaths should be taken as an indication of a malaise in the state of public life in this period of Roman history, but it should also be duly noted that the six politicians covered here were exceptional. It is precisely because of that fact that they were chosen. Therefore, the experiences faced by the subjects under discussion, and the situations they created, cannot be used as a basis for generalising either about the dangers of participating in Roman politics or the functioning of public life in this era. Indeed, it is a paradox that the example provided by the untimely deaths of, particularly, Saturninus and Sulpicius, made political life safer, at least for tribunes of the plebs in the last fifty years of the republican period.

The legislation of all, with the exception of Milo, looms larger in modern discussions about these figures than in the ancient coverage, which dwells more closely and consistently on their characters and personalities. While the laws intended by these politicians have also been examined here, it is rather the focus of the ancient literature which has guided the thrust of the argument, namely that what we feel about Saturninus, Glaucia, Drusus, Sulpicius, Clodius and Milo is heavily influenced by the bias and propaganda in the source material. This colouring of the portrayals has not always been revealed to its fullest extent in modern treatment, allowing ancient misconceptions even deliberate designs to remain unquestioned and dominant. It is natural not to want to refute too much of the often meagre material from this

epoch, but some realistic sense of proportion is required as some of these figures have become, for a modern audience, little more than caricatures or cartoons of their actual selves.

Violence too, often associated with their deaths, dominates the treatment of these figures, though it can be seen as a minor feature of their careers. None of these politicians were gangsters in the modern meaning of the word; and certainly none were criminals though, in common with the times in which they lived, breaking or bending the law was part and parcel of politics. Violence may have contributed to their demise, yet most were essentially non-violent individuals. Glaucia and Sulpicius were clearly highly educated and talented politicians whose knowledge of law and rhetoric is acknowledged by even the most hostile of the sources. Moreover, some like Saturninus and Clodius seem to have been noted philhellenes in an age when the governing class had already absorbed a high degree of Greek culture. All were members of the strata of Roman society which regularly participated in public life. None were outsiders and, although it is evident that less is known about Glaucia, Sulpicius and Milo, respectability rather than its opposite is the appropriate description of their backgrounds. Indeed, in characterising these politicians for a modern audience it is uniformity that should be stressed and not diversity.

Lesser figures these six may have been in terms of their overall careers and their acquisition of public offices or commands overseas, but they were certainly not young men nor inexperienced in the art of politics. The portrayal of headstrong novices is a modern misconception. Saturninus, Drusus and Sulpicius were all in their thirties when they were killed, while Glaucia, Clodius and Milo were in their forties. Although they are not as much remembered for the sort of impact they had on Roman military, constitutional or legal affairs as the great men of the first section, their example and their impact on the whole course of Roman politics in the first century BC – and hence the decline of senatorial government – should not be underestimated. Their role was not that of unruly or immature young men, far from it, these politicians were under no misapprehension about the dangers and the rewards of public life. Finally, by and large, these lesser figures have brought a little extra colour to the political scene of this seminal epoch. It does not mean that the great men are colourless, but that the activities of the six politicians dealt with here lend an additional hue and define more precisely the broader picture. Without Saturninus and Glaucia, Drusus and Sulpicius, and Clodius and Milo the politics of the last decades of the Roman republic would be more gloomy and a great deal less provocative.



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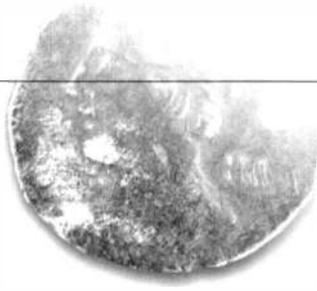
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