NOTES AND DISCUSSIONS

MORE ABOUT ANTILEON, TYRANT OF CHALCIS (SOLON FRAG. 33 AND ARISTOPHANES *EQ.* 1042–44)

Aristotle, Pol. 5. 10. 3, 1316[a]29 *ἀλλὰ μεταβάλλει καὶ εἰς τυραννίδα τυραννίς, ὥσπερ . . . , καὶ εἰς ὀλιγαρχίαν, ὥσπερ ἡ ἐν Χαλκίδι ἡ Ἀντιλέοντος, καὶ εἰς δημοκρατίαν, ὥσπερ. . . .*

Alcaeus 296 (P2) a 8 (end of poem)
μᾶλλόν] κ̣' ἄξιος Ἀντιλέοντ[ος[1] ὅδ'] ἦς ἀπυδέρθην.

Oxford P. MAAS

[1] *ἀντὶ λέοντ[ος* edd.: correxi. On tyrants in Euboea cf. E. Ziebarth, *Inscr. Graec.* xii. 9, p. 147.

I have reproduced a characteristically concise note by Paul Maas ("How Antileon's Tyranny Ended," *CR*, LXX [1956], 200 = *Kl. Schr.* [Munich, 1972], p. 4). Here are two additions:

(1) Solon Frag. 33 West

οὐκ ἔφυ Σόλων βαθύφρων οὐδὲ βουλήεις ἀνήρ.
ἐσθλὰ γὰρ θεοῦ διδόντος αὐτὸς οὐκ ἐδέξατο·
περιβαλὼν δ' ἄγραν ἀγασθεὶς οὐκ ἐπέσπασεν μέγα
δίκτυον, θυμοῦ θ' ἁμαρτῇ καὶ φρενῶν ἀποσφαλείς.
ἤθελον γάρ κεν κρατήσας, πλοῦτον ἄφθονον λαβὼν
καὶ τυραννεύσας Ἀθηνέων μοῦνον ἡμέρην μίαν,
ἀσκὸς ὕστερον δεδάρθαι κἀπιτετρίφθαι γένος.

We do not know Antileon's date. But since Alcaeus took it for granted that his hearers would know the story, it would not be especially surprising if Solon did also. If Solon had a known story in mind, the speech which he puts into the mouth of his imaginary critic gains something in effectiveness.

(2) Aristophanes *Eq.* 1036–44 (the Paphlagonian is expounding an oracle to his master Demos):

ΠΑ. ὦ τᾶν, ἄκουσον, εἶτα διάκρινον, τόδε.
Ἔστι γυνή, τέξει δὲ λέοντ' ἱεραῖς ἐν Ἀθήναις,
ὃς περὶ τοῦ δήμου πολλοῖς κώνωψι μαχεῖται
ὥς τε περὶ σκύμνοισι βεβηκώς· τὸν σὺ φυλάξαι,
τεῖχος ποιήσας ξύλινον πύργους τε σιδηροῦς.
ταῦτ' οἶσθ' ὅ τι λέγει;
ΔΗ. μὰ τὸν Ἀπόλλω 'γὼ μὲν οὔ.
ΠΑ. ἔφραζεν ὁ θεός σοι σαφῶς σώζειν ἐμέ.
ἐγὼ γὰρ ἀντὶ τοῦ λέοντός εἰμί σοι.
ΔΗ. καὶ πῶς μ' ἐλελήθεις Ἀντιλέων γεγενημένος;

Σ Ἀντιλέων: *οὗτος πονηρὸς κωμωδεῖται καὶ πολυπράγμων. προειρήκει δὲ ὁ Κλέων ἀντὶ τοῦ λέοντος αὐτῷ εἶναι φύλαξ. VΕΓΘMLh* (*Scholia in Aristophanem*, Pars I, Fasc. II [Groningen, 1969]: *Scholia vetera in Equites*, ed. D. Mervyn Jones et *Scholia Tricliniana in Equites*, ed. N. G. Wilson, p. 231).

One needs no very wide acquaintance with the ancient commentaries on Aristophanes to know that the explanation in the scholia has no authority. Explanations of the identity of *κωμῳδούμενοι* are very often guesses, based solely on the text of the play itself. If the Antileon whom Demos has in mind is none other than the tyrant of Chalcis, the joke is not without point.

I regret my failure to equal Maas's matchless brevity.

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THE *VOLTE-FACE* OF P. SULPICIUS RUFUS IN 88 B.C.

The evidence for the political life of Sulpicius before his tribunate in 88 B.C. is consistent and uncontested. A close associate of C. Aurelius Cotta and M. Livius Drusus, he formed with them a group of talented and energetic young aristocrats who were firmly linked to the conservative *principes* of the senate and were regarded by them as the future bulwark of the *partes optimatum*. The first major event of his public life was his prosecution in 95 of C. Norbanus, the unruly tribune of 103, an

action approved by the *boni* in general and by the *princeps senatus*, M. Aemilius Scaurus, in particular. His closest political connections were all prominent leaders of the *boni*. He was the friend and disciple of M. Antonius and L. Licinius Crassus, both of them leading members of the conservative *nobilitas* in the late nineties, and was on intimate terms of friendship with Q. Pompeius Rufus, who was a committed optimate and an *adfinis* of Sulla, with whom he held the consulship in 88.[1]

That Sulpicius' many ties to the *boni* were still intact at the time he entered office as tribune is attested by Cicero and Asconius, and illustrated by his early opposition to a popular move to recall political exiles who had not received a proper legal hearing.[2] Yet a short time afterward he abruptly abandoned his former friends and political associates, sought to enact by force proposals to which they were strongly opposed, ended up as the ally of Marius, and died in Rome's first civil war, which his violent tactics had done much to precipitate.

The reasons for his dramatic *volte-face* have provoked much discussion and disagreement among modern scholars.[3] The question has considerable interest, for Sulpicius was not the first promising young optimate to turn to demagoguery with its resultant turmoil and violence, and the factors which provoked such developments are valuable testimony in the study of the workings of Roman politics and of the tensions and divisions which splintered the political society of the Late Republic. It is the purpose of the following pages to re-examine the evidence for the goals, motivations, and political conditions which led to the drastic switch in Sulpicius' political allegiance and to the bitter violence which quickly followed his sudden turnabout.

The first major controversy of his tribunate concerned the candidature of C. Julius Caesar Strabo, who, in his desire to obtain command of an impending war against Mithridates, was seeking election to the consulship without having held the praetorship. Sulpicius, in collaboration with a fellow tribune, P. Antistius, first attemped to block Caesar by arguing the legal case against acceptance of his *professio*. Later Sulpicius and Caesar clashed violently over the issue, and Sulpicius was aided in the confrontation by Marius, who was also seeking the eastern command and was eager to eliminate a formidable rival. Neither Caesar nor Marius, however, achieved his objective; the command against Mithridates went to Sulla.[4]

The incident has many obscure aspects. Most of the ancient sources for the period have ignored it entirely; as a result, the evidence is scanty and scattered, and disagreement continues about the precise date of the affair and about the aims, methods, and supporters of the protagonists Sulpicius and Caesar.[5] Nonetheless, the available

1. *De or.* 1. 25, 3. 11. For Sulpicius' friendship with Antonius, cf. *De or.* 1. 97, 1. 99, 2. 88–89. With Crassus, cf. *De or.* 1. 97, 1. 136, 2. 89, 3. 11, 3. 47; *Brut.* 203. With Pompeius, cf. *Amic.* 2. For his prosecution of Norbanus and the reaction of the *boni*, cf. *Off.* 2. 49; *De or.* 2. 89, 2. 197–98, 2. 202–203; F. Münzer, *s.v.* "Sulpicius (92)," *RE*, VIIA (1931), 844; W. Shur, *Das Zeitalter des Marius und Sulla* (Leipzig, 1942), p. 127.

2. Asconius, p. 64 Clark. *Har. resp.* 43; *De or.* 3. 11; *Amic.* 2. *Rhet. Her.* 2. 45. The identity of the exiles in question remains in doubt, but, aside from certain followers of Saturninus, there are no *exules* in our records of the nineties who could have been the subject of the proposal which Sulpicius first opposed but later sponsored. Cf. A. W. Lintott, "The Tribunate of P. Sulpicius Rufus," *CQ*, XXI (1971), 453; E. S. Gruen, "The Lex Varia," *JRS*, LV (1965), 72; E. Badian, "Quaestiones Variae," *Historia*, XVIII (1969), 487.

3. Cf. Gruen, *op. cit.* (n. 2); Badian, *op. cit.* (n. 2); *idem*, *Foreign Clientelae* (Oxford, 1958), p. 230; Lintott, *op. cit.* (n. 2). Also C. Meier, *Res publica amissa* (Weiesbaden, 1966), p. 216; G. Bloch and J. Carcopino, *Histoire romaine*[3], II.1 (Paris, 1952), 405; E. Valgiglio, *Silla e la crisi repubblicana* (Florence, 1956), p. 7; L. Pareti, *Storia di Roma*, III (Turin, 1953), 556; T. F. Carney, "Cicero's Picture of Marius," *WS*, LXXIII (1960), 109; T. J. Luce, "Marius and the Mithridatic Command," *Historia*, XIX (1970), 161.

4. *Phil.* 11. 11; *Brut.* 227; *Har. resp.* 43; Asconius, p. 25 Clark; Quint. *Inst.* 6. 3. 75; Diod. 37. 2. 12.

5. Cf. Badian, *Foreign Clientelae*, p. 230; *idem*, *Historia*, XVIII (1969), 487; *idem*, *Studies in Greek and Roman History* (New York, 1964), p. 51; Luce, *op. cit.* (n. 3); Lintott, *op. cit.* (n. 2). I find myself in substantial agreement with much of what Lintott has to say about Caesar, but he has neglected the crucial testimony in Cicero which clearly indicates that there was a senatorial hearing on Caesar's candidacy and that it resulted in an exemption for Caesar from the *leges annales*. He has also neglected the evidence which shows that it was Sulpicius, not Caesar, who instigated the violence in this controversy. In general, he says little about the reasons for Sulpicius' opposition or for the drastic change which the affair effected on the tribune's political loyalties and methods.

evidence deserves the most careful scrutiny, for in this controversy would seem to lie the key to an understanding of Sulpicius' subsequent behavior in 88.

A central question concerns Caesar's legal position in seeking the consulship *ex aedilitate* contrary to the provisions of the *leges annales*, and the legality of the procedures and methods by which he sought to achieve his goal. His action in launching a *petitio extraordinaria* was not unprecedented; there are several examples in the Later Republic of politicians seeking offices for which they were ineligible under the law. In such instances, the normal procedure was for the individual in making his *professio* to request exemption from the laws. Such a request required adjudication, a function discharged by the senate, which, by the Late Republic, had usurped the right to grant personal exemption from particular laws and freely bestowed this favor. An application for such an exemption obviously did not involve any violation of law. The ultimate end being sought might be described as *contra leges*, but the method of its pursuit did not constitute illegality, since there was no attempt to defy or override the law but merely to secure a dispensation from it.[6] Only if an exemption were denied and the applicant persisted in pursuing the illegal end could illegal conduct be charged.

From the evidence of Cicero, it is clear that Caesar's quest for the consulship began with an application for exemption from the requirement of having held the praetorship. At the subsequent adjudication of his request, Sulpicius and Antistius argued the case against Caesar's candidature. They had a good case and made it well, but apparently failed to persuade their audience. In the Eleventh Philippic, in reference to an exactly analogous case in which Calpurnius Bestia was seeking the consulship without having been praetor, Cicero says: "alter Caesar Vopiscus ille summo ingenio, summa potentia, qui ex aedilitate consulatum petit, solvatur legibus." Cicero sarcastically calls Bestia a second Caesar and mockingly recommends that he be exempted from the laws. There is a clear implication that the original Caesar was so exempted.[7]

Cicero provides a still more definite indication that the senate ignored the arguments of Sulpicius and Antistius and ruled in Caesar's favor in a crucial passage in the *De haruspicum responsis* in which he discusses Sulpicius' actions and reactions with respect to Caesar's candidature. He clearly indicates that Sulpicius quarreled with the senate over the issue, and that the dispute was the cause and the occasion of the sudden and radical transformation in the tribune's political loyalties and methods. Cicero explicitly presents the incident as the turning point in Sulpicius' career, analogous to the senate's refusal to ratify the Numantine treaty in the career of Tiberius Gracchus, to the killing of the latter in the career of his brother Gaius, and to the transfer of administration of the corn supply to Scaurus in the career of Saturninus. Sulpicius, who had similarly started out as an optimate, was similarly led by proud resentment at the behavior of the oligarchy in regard to Caesar's candidature into demagogic behavior in opposition to his former associates and to their methods of government. This testimony is unambiguous and can only mean that Sulpicius failed to carry the day at the hearing on Caesar's candidature. Otherwise, the senate and he would have been allies in the controversy, and Cicero's record of their estrangement over the affair and of Sulpicius' conversion to demagoguery during it would be inexplicable.[8]

6. On this question of exemption from the laws, cf. Asconius, p. 58 Clark. Also A. H. J. Greenidge, *Roman Public Life* (London, 1901), pp. 185, 276; A. E. Douglas (ed.), *M. Tullii Ciceronis Brutus* (Oxford, 1966), pp. 166–167.

7. *Phil.* 11. 11. The remark seems pointless if Caesar's request for a dispensation was refused. Cf. A. E. Astin, "The Lex Annalis before Sulla," *Latomus*, XVI (1957), 603.

8. *Har. resp.* 41–44. The key sentence is: "Sulpicium ab optima causa profectum Gaioque Iulio consulatum contra leges petenti resistentem longius quam voluit popularis aura provexit." The present participle *resistentem* indicates that it was in the course of his resistance to Caesar that the *popularis aura*, here clearly meaning demagoguery aimed against the senate, took hold of Sulpicius. This was the incident which turned him, in high-spirited anger at the course of events (*animi virilis dolor*), from the *optima causa* in whose service he had begun his political career and tribunate. Cf. Lintott, *op. cit.* (n. 2). For a different interpretation of the passage, cf.

Finally, Caesar clearly continued to be a candidate, and that he did so in defiance of a senatorial prohibition and in flagrant violation of law seems an untenable conclusion. The one recorded instance of such a course is the attempt of Glaucia to secure by force his election to the consulship in 100, after his candidature had been adjudged illegal. The effort resulted in passage of the *consultum ultimum* and in the demagogue's swift destruction.

Caesar could not hope to travel successfully the lawless route so vainly attempted by Glaucia and to compel acceptance of his candidature and bestowal of a military command over the senate's opposition without massive and aggressive popular support or the massive use of force.[9] His political life and political associations provide no basis on which to suppose that he enjoyed such support among the people, or that he had the will or the *opes* to assemble a powerful, armed following.

Caesar's political affiliations in the years preceding his bid for the consulship are well attested. Like his brother L. Caesar, consul in 90, and his half-brother the elder Catulus, he was firmly allied with the champions of traditional republicanism led by the *consulares*, Licinius Crassus, Aemilius Scaurus, the Mucii Scaevolae, and M. Antonius.[10] If Caesar had broken with this circle and had attempted to undermine senatorial prerogatives and to overturn by force a senatorial ruling, Cicero would not have failed to mention it in his many allusions to Caesar throughout his writings. The *argumentum ex silentio* has particular validity in this instance, since Cicero had a fondness for parading optimate renegades and exposing their folly.[11] Nowhere does he criticize Caesar's statesmanship, and, in allusions to his death in 87 in the bloody aftermath of the victory of Marius and Cinna, he describes him as *vir clarissimus* and repeatedly links him to Antonius and Catulus, presenting all three as undeserving victims of cruelty and a disintegrating *respublica*.[12] Caesar was not the stuff of a violent revolutionary.

Violence did attend his candidature, but the ancient evidence puts the blame for it squarely on the shoulders of Sulpicius. Quintilian describes the troubles between Caesar and Sulpicius as *seditio Sulpiciana*, a clear assertion that the violence was Sulpicius' creation. Cicero and Asconius similarly assign to the tribune sole responsibility for the resort to arms.[13]

In brief, Caesar's *petitio extraordinaria* won the approval and support of the *boni*, and he was granted an exemption from the *leges annales*. His bid for the consulship, therefore, did not bring him into conflict with his aristocratic friends, nor did it involve him in illegal or unprecedented behavior. It was Sulpicius who was ranged against the aristocracy in this controversy; it was Sulpicius who scorned the established

Badian, *Historia*, XVIII (1969), 481–87. Badian's account of the affair is totally at variance with the view presented here. He contends that Caesar was guilty of illegality in his bid for the consulship, that he was acting contrary to the wishes of the *boni* and was opposed by Sulpicius acting in their behalf, and that he resorted to armed gangs to overcome that opposition and moved Sulpicius to match force with force.

9. *Brut.* 224: "is ex summis et fortunae et vitae sordibus in praetura consul factus esset si rationem eius haberi licere iudicatum esset." This statement of Cicero unequivocally asserts that Glaucia's candidature for the consulship was rejected as illegal after official adjudication, a fact ignored by both ancient and modern writers in their accounts of the consular elections of 100. Caesar might, of course, have attempted to push through a *lex* exempting him from the *leges annales*, but such an effort would have faced senatorial opposition and veto by Sulpicius, and would not have been a realistic option unless Caesar had indeed been willing and able to ride roughshod over the constitution and force his way into office.

10. *De or.* 2, 12, 2. 15, 3. 11; *Off.* 1. 133; Asconius, p. 25 Clark. Caesar had also, it would appear, vigorously opposed Varius: Val. Max. 9. 2. 2. Cf. Badian, *Studies in Greek and Roman History*, pp. 51 ff.

11. The Gracchi, Fulvius Flaccus (*cos.* 125), Saturninus, Servilius Caepio the Younger, and Sulpicius are examples: *Har. resp.* 41–43; *Brut.* 103–104, 223; *Dom.* 102; *De or.* 3. 11.

12. Asconius, p. 21 Clark; *Brut.* 307; *De or.* 3. 9–11.

13. Quint. *Inst.* 6. 3. 75; *Har. resp.* 43; Asconius, p. 25 Clark. In the Asconius passage, "nam et sperabat et id agebat Caesar ut omissa praetura consul fieret; cui cum primis temporibus iure Sulpicius resisteret, postea nimia contentione ad ferrum et ad arma processit," there is some ambiguity with regard to the subject of *processit*, but it seems necessary to accept that the subordinate and main clauses have the same subject, i.e., Sulpicius. Cicero's remark that the *popularis aura* carried Sulpicius farther than he wished during the course of the affair must be referring to the tribune's use of force, and Cicero is obviously blaming Sulpicius for the violence.

procedures of Late Republican politics and refused to be governed by the senatorial ruling on Caesar's candidature; it was Sulpicius who provoked violence and sought to achieve by force what he had failed to win from his senatorial friends by appeal to the law. In the course of this unyielding opposition to Caesar, he found himself in bitter conflict with former allies and collaborating with Marius, who, for totally different reasons, was also intent on foiling Caesar's ambitions.

The reasons for Sulpicius' dogged resistance to Caesar are not related in any of the ancient sources, but his behavior is readily explicable if it is viewed in terms of the tribune's personality and private concerns, and not in terms of factional loyalties and maneuverings. The course of events attests the personal and independent nature of his involvement, and there is no warrant for assuming that, when he first stood in opposition to Caesar, he was acting in the interests of any group or individual, or indeed that he had any motivation other than a personal objection on principle to opportunism and excessive ambition which sought to bypass laws specifically designed to curb the impatient reach for unusual distinction and influence. The objection was deeply rooted in the oligarchic mentality, which was inalterably opposed to individual preeminence, and ordinarily would have been shared by the *nobilitas* as a whole; but on this occasion, anxious no doubt to pit a strong optimate candidate against Marius, the *principes civitatis* were willing to bend a principle and allow Caesar to stand. That decision, however, involved handing a political defeat to a proud and idealistic young aristocrat, and Sulpicius, stung by the refusal of a body whose leadership contained his closest political associates and whose chairman was probably his intimate friend, Pompeius Rufus, to take his side and the side of the law, turned to demagoguery and violence to vindicate his cause and his *dignitas*.[14]

The evidence discussed above suggests that the consulship of 87 was the stake involved in the controversy surrounding Caesar's candidature. This traditional view has been challenged by Badian, who argues that the affair concerned the consulship of 88 and must be dated to December 89, the first weeks of Sulpicius' tribunate.[15] But, if Caesar was contending for the consulship of 88, it is difficult to see how he could have secured a dispensation from the senate, with its implied expression of strong senatorial backing, in a year when Sulla and Pompeius Rufus, two particular favorites of the *boni*, were running. It is equally difficult to see how Sulpicius' resistance would have generated such bitterness between him and the *boni* as a whole as is described by Cicero, or how Pompeius, who stood to benefit greatly from Sulpicius' efforts to block Caesar, ended up as the tribune's particular enemy.

There are other objections to the early dating. There is no evidence to justify the assumption that the consular elections for 88 were postponed to the final weeks of 89. Pompeius Strabo, sole consul after the death of his colleague, Porcius Cato, in the earlier part of 89, was engaged in military operations, notably the siege of Asculum, until late November, but there is no reason to believe that he was unable to come to Rome to hold elections before that date. An unfinished war in Campania and the siege of Nola did not keep Sulla from departing relatively early to seek the consulship. Pompeius' military operations do not seem to have been so intensive or so critical as to require his constant presence, nor would they have necessitated postponement to so late a date of the consular elections, which were of vital importance, particularly in troubled times. Besides, it is wholly improbable that

14. If, as seems most likely, Sulla was absent in Campania when the controversy about Caesar first erupted, the task of presiding over the adjudication of Caesar's request for exemption from the *leges annales* would have fallen to Pompeius. This would also help to explain why Sulpicius' anger at his former political associates was directed particularly at Pompeius: *Amic.* 2; cf. *De or.* 3. 11.

15. Badian, *Historia*, XVIII (1969), 487; *idem*, *Foreign Clientelae*, p. 230. Cf. Luce, *op. cit.* (n. 3), p. 190. Lintott, *op. cit.* (n. 2), pp. 446 ff., argues for 88, though for reasons different from mine; some of the conclusions which he largely bases on that dating are untenable. See n. 17.

Pompeius Strabo, who was himself most likely angling for the consulship of 88, who had no special regard for the *boni*, and who had connections with Marius, was the man who presided over the decision to accept the *petitio extraordinaria* of a staunch optimate.[16] Further, if Marius had sought and lost the consulship of 88 to Sulla, a corollary of the view which places his confrontation with Caesar in 89, it would not have escaped mention in the memoirs of Sulla and of Marius' other enemies and would have been known to Plutarch.

It also seems unlikely that war with Mithridates was an accepted fact even by late 89, or that the senate had by that time decided to commit a consular expedition to Asia in 88. The political machinations of Mithridates in Asia in 90 and 89 were similar to his expansionist schemes earlier in the nineties and drew a similar response from the Roman senate. An embassy was dispatched in 89 headed by the *consularis*, Manius Aquillius, to co-operate with the governor of Asia in restoring the pro-Roman kings to Bithynia and Cappadocia. Such embassies were a standard and generally successful tool of the senate's foreign diplomacy in the Late Republic, and it is unlikely that any additional action against Mithridates was contemplated or expected to be necessary. It is certainly inconceivable that the senate, in view of its traditional aversion to major military involvements abroad, its continuing preoccupation with the Social War, and its failure to take any steps to strengthen its meager forces in Asia, planned, sought, or expected in 89 a full-scale war with the Pontic king. Nor can the inevitability of such a war have become evident at Rome before the spring of 88, when Mithridates repulsed an attack from Nicomedes, king of Bithynia, and, goaded by numerous provocations from Aquillius, swept through Asia Minor, slaughtering the Roman population.

Conferral of the Asian command on a consul of 88 does not invalidate this reasoning, nor does it mark 89 as the year of the senate's decision to make war on Mithridates, for the indications are that Asia was not allotted to Sulla until long after he had entered office and that it was not, therefore, one of the consular *provinciae* designated by the senate before the elections in the preceding year. Several of the ancient sources reveal that Sulla left home early in his consulship—not, however, to prepare for an expedition to the East, but to conduct military operations in Campania, particularly the siege of Nola.[17] It is therefore apparent that his original *provincia* for 88 was not Asia but once again the southern theater of the Social War, where fighting with the Samnites and Lucanians continued. In fact, Sulla's activities at the beginning of 88 substantiate the view that a major war with Mithridates was not yet envisioned at that date and confirm the conclusion that Caesar's bid for the consulship, which all agree was inspired by a desire to direct such a war, must be placed in 88, after the full dimensions of the Mithridatic crisis had unfolded. When war and a consular expedition did become certain and led to a rowdy contest for the consulship of 87, the senate, perhaps alarmed at the violence of Sulpicius and Marius and fearful that the latter might regain a position of leadership, or concerned to confront Mithridates with a trusted general of proven ability as soon as possible, revised its alloca-

16. Cf. App. *BC* 1. 52. On the political connections of Pompeius Strabo and his plans in 89, cf. Velleius 2. 21; Badian, *Studies in Greek and Roman History*, p. 55; M. Gelzer, "Cn. Pompeius Strabo and der Aufstieg seines Sohnes Magnus," *Kleine Schriften*, II (Wiesbaden, 1963), 126; N. Criniti, *L'epigrafe di Asculum di Cn. Pompeo Strabone* (Milan, 1970); E. S. Gruen, *Roman Politics and the Criminal Courts* (Cambridge, Mass., 1968), p. 242.

17. Diod. 37. 2. 13; Plut. *Sulla* 7. 2; Velleius 2. 18. 4. Appian indicates (*BC* 1. 55, *Mith.* 22) that the allotment of Asia to Sulla only took place after news reached Rome of Mithridates' invasion of that province. I find Lintott's suggestion (*op. cit.* [n. 2], p. 450), that Sulla had been allotted Asia as his consular province for 88 (though he clearly undertook a totally different military commission at the beginning of that year) and that the senate had decided, even before he departed Italy, to supersede him in the Mithridatic command with one of the consuls of 87, totally unacceptable. I find equally implausible Lintott's suggestion that, after the riots in which Pompeius' son was killed, Marius abandoned hope of the consulship and believed it would be easier to challenge Sulla and force through a bill transferring the latter's consular command to himself with proconsular *imperium* than to compel acceptance of his candidature for the consulship by Pompeius. Could not Marius then be superseded by one of the consuls of 87?

tion of consular provinces for 88, thus enabling Sulla to secure the eastern command.[18]

The senate's action ended the interest of both Caesar and Marius in the consulship. No more is heard of Caesar's candidature, and Marius was soon to seek other means of securing the eastern command. The one abiding result of the incident was the change it wrought in Sulpicius' political stance. It was a souring experience for this talented and willful aristocrat: it brought thorough disillusionment with his former political allies and with the workings of oligarchic politics; and it provoked an extreme reaction as his blend of idealism, pride, and obstinacy moved him to abandon the *boni* and the *via optimas*, to reject traditional political procedures, and to seek by any means available to enforce acceptance of his political objectives.

Sulpicius' repudiation of the senatorial cause in the affair of Caesar's candidature and his subsequent resort to extremism to defy the senate's champions set the stage for the catastrophic violence which was to mark his next confrontation with the *boni*. When his principal political objective, a liberal proposal to give full equality of political rights to the Italians and to another category of second-class citizens, the freedmen, by enrolling them in all the tribes, drew strong opposition from the conservative *nobilitas*, his disenchantment with senatorial government was rendered complete and his decision to reproduce the earlier pattern of his resistance to its dictates was swift and extreme.[19] He immediately proceeded to mobilize, by resort to whatever demagogic trimming and trafficking were demanded, the extra-senatorial and anti-senatorial elements of Roman society, bent on neutralizing, by force if necessary, the *potentia* of the oligarchy and the constitutional restraints on magistrates with which oligarchic supremacy was hedged. Reversing a previous stand, he proposed the recall of exiles who had allegedly been condemned without due process of law, a transparent ploy to boost his popular following. But his principal move was a compact with Marius, who still had considerable influence with the people, and who could deliver the support of powerful elements of the *ordo equester*, a class whose relations with the senate had been steadily deteriorating since 100. Marius' price was the command against Mithridates, and Sulpicius was willing to pay it.[20]

The events which followed may be recounted briefly. When Sulpicius' proposal provoked familiar scenes of disorder and violence, the consuls responded with one of the oligarchy's more drastic obstructionist devices, the *iustitium*. Sulpicius refused to observe it, and in a resulting clash, in which both consuls almost lost their lives, he compelled Sulla to lift the ban on public business and pushed through his proposals. Sulla managed, however, to get to the army in Campania, and persuaded it to march on Rome. He quickly overcame the feeble resistance of Marius and Sulpicius, and had them and their leading supporters declared *hostes*. Soon afterward Sulpicius was killed and his legislation annulled.[21]

Sulpicius belonged to that rare but recurring breed of optimate politician, the resolute and rebellious idealist, ready, if thwarted in righteous causes by his noble associates, to subvert the status quo to achieve his ends. Pride and willful determination drove him to resurrect the power struggle initiated by Tiberius Gracchus, a struggle which pitted the ruling oligarchy against the powers of the tribunate, powers wielded to bypass the traditional policy-

18. There is no reason to believe that the senate was not entitled to re-allocate consular provinces in emergencies after the consuls had been elected or had entered office. Cf. Badian, "Q. Mucius Scaevola and the Province of Asia," *Athenaeum*, XXXIV (1956), 115, n. 4.

19. In introducing his Italian bill, Sulpicius was following in the footsteps of his close friend Livius Drusus, whose liberal attitude toward the allies both he and Aurelius Cotta had very likely fully supported. Cotta had been exiled by the Varian commission in 90; Sulpicius had been a target of the same *invidia*, and had probably escaped prosecution and conviction only because he was a *legatus* in the Social War: *De or.* 3. 11; *Brut.* 304.

20. The exact point at which Sulpicius made his compact with Marius is difficult to determine, but that he resorted to such drastic trafficking before the need for it became apparent seems unlikely. Cf. Badian, *Foreign Clientelae*, p. 232.

21. Sources in Broughton, *MRR*, II, 41.

making prerogatives of the senate and to enact in its despite, by a coalition of dissentient elements and a measure of forceful intimidation, significant political change.

The course of Sulpicius' confrontations with the conservative *nobilitas* exemplified the many serious threats to internal stability endemic in the Late Republic. It dramatized the anomalous character of the republican system, which tolerated a wide gap between the letter and spirit of the constitution, and which made possible anarchic conflicts between the well-established, long-accepted conventional power of the senate and the latent legal power of magistrates and people. It dramatized the class tensions and social unrest which had emerged in the latter half of the second century and had destroyed the cohesiveness on which the working of senatorial *auctoritas* was founded, making possible the assemblage of powerful coalitions of the disenchanted. It dramatized the disastrous consequences of the tradition of political violence which had been fostered by the *nobilitas* itself and which was inevitably growing in intensity as divisions sharpened.

But above all it dramatized the dangerous tendency of idealistic and self-willed *nobiles*, however firmly attached to the traditionalists, to resort, when affronted or impeded by their fellow oligarchs, to the explosive weapons of demagoguery and to an extremism characteristic of embittered defectors. This tendency was partly the result of the individualism of Roman politicians, who were seldom willing to subordinate personal goals and *dignitas* to the interests and objectives of any group, but it was also a product of angry impatience with the unrelenting and myopic conservatism of the great bulk of the *nobilitas* and with the pragmatic, utilitarian mentality which directed its efforts to preserve the status quo. The oligarchy of the Late Republic failed to make room for the aristocratic idealists and reformists "qui veram gloriam iniustae potentiae anteponerent"; it ignored both their ideals and their sensibilities, and it thereby encouraged repeated outbreaks of the most bitter and divisive form of political confrontation—a trial of strength between former friends and political allies.

These various political ills, long untended and aggravated by successive domestic crises, combined in 88 through the agency of Sulpicius, who was intent on exploiting to extreme limits every weakness of the republican system, to drag the state into calamitous civil war and to set a pattern of unrestricted force which finally resulted in the collapse of the *respublica*.

THOMAS N. MITCHELL
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A NOTE ON LUCAN 8. 860–61

As it now stands in current editions of Lucan, the sentence contained in 8. 860–61 makes little or no sense. In dealing with it editors have resorted to emendation and various manipulations of punctuation, while commentators and translators have unsuccessfully attempted to wrench some meaning out of it.[1] Two versions of these lines have gained overwhelming acceptance by editors of Lucan. The first reads *es* of manuscript U and takes *Fortuna* as vocative. Thus Hosius and Bourgery: "nunc es pro numine summo / hoc tumulo, Fortuna, iacens." The other version—and indeed the more popular of the two—reads *est* with manuscripts ZMPGV and understands *Fortuna* as the nominative subject of the verb: "nunc est pro numine summo / hoc tumulo Fortuna iacens." So Weber, Haskins, Postgate, Housman, and Duff—except that Weber inserts a comma after *summo* and Postgate one after *iacens*.

Whether one reads *es* or *est*, however, the meaning of both texts is practically the same:

1. Editions and translations cited are: A. Bourgery and M. Ponchont, Tome II, Livres 6–10 (Paris, 1929). J. D. Duff (London, 1928). C. M. Francken (Leyden, 1896). R. Graves (Harmondsworth, 1957). C. E. Haskins (London, 1887). C. Hosius (Leipzig, 1892). A. E. Housman (Oxford, 1926). F. Oudendorp (Leyden, 1728). J. P. Postgate, Book 8 (Cambridge, 1917). C. F. Weber (Leipzig, 1821).