

THE DEATH OF LUCIUS EQUITIUS ON 10 DECEMBER 100 B.C.¹

The picture of L. Appuleius Saturninus' last days is usually derived from the straightforward narrative account found in Appian's *Civil Wars*, an account which modern analysis has shown to be flawed.² That narrative may be glossed as follows. At the consular elections for the year 99, Saturninus (a tribune who had that year been elected to a third tribunate) and Glaucia (a praetor and candidate for the consulship) instigated the death of a more hopeful contender. Chaos followed. On the following day, when the People (*demos*) had made its intention to do away with the 'malefactors' absolutely plain, Saturninus, Glaucia and the quaestor Saufeius seized the Capitol with followers from the country. The Senate voted for their suppression and Marius invested the hill. With hopes of a safe conduct, the besieged surrendered and Marius detained them in the curia. Those who feared that the *seditiones* might escape rough justice broke in and killed, amongst others, 'a quaestor, a tribune and a praetor, still decorated with the insignia of office. Many others also perished in the *stasis*, including another tribune, thought to be the son of Gracchus and being a tribune for the first time on that very day': ταμίαν τε καὶ δήμαρχον καὶ στρατηγόν, ἔτι περικειμένους τὰ σύμβολα τῆς ἀρχῆς. πολὺς δὲ καὶ ἄλλος ὄμιλος ἐν τῇ στάσει διέφθαρτο καὶ δήμαρχος ἑτερος, ὁ τοῦ Γράκχου παῖς εἶναι νομιζόμενος, πρώτην δημαρχῶν ἐκείνην ἡμέραν.³

Constitutional exactitude is not to be sought in Appian. He assumes that Saturninus' third tribunate began immediately after his *election* to a third term of office. His language leaves no doubt of that: τρίτον ἐδημάρχει.⁴ It is not a unique slip.⁵ Moreover, in this, he is not alone; nor is it a 'Greek' error. Florus seems to be making the same assumption when he registers Saturninus' murderous disruption of the consular elections ('cum iam tertium annum dominaretur').⁶ Appian, by this stage of his narrative, has also registered as one of Saturninus' colleagues the other victim of violence mentioned above, L. Equitius (whose name he never gives): καὶ τις αὐτῷ συνήρχε δραπέτης εἶναι νομιζόμενος, Γράκχον ἑαυτῷ τὸν πρεσβύτερον πατέρα ἐπιγράφων.⁷ Of more moment (because it is so much more specific and in

¹ The authors would like to thank T. J. Cornell, E. A. Judge, B. A. Marshall, R. Seager and the Editors for their useful criticism.

² Most recently and thoroughly, E. Badian, 'The Death of Saturninus', *Chiron* 14 (1984), 101–47, esp. 101–6.

³ *Bell. Civ.* 1.32–3.

⁴ *ibid.* 1.32.

⁵ cf. *Bell. Civ.* 1.28, where Glaucia is given as praetor in 101. E. Gabba (*Athenaeum* 33 [1955], 218) is willing to follow Niemeyer, Niccolini and Broughton in supposing that Appian was capable of rendering the qualification *designatus* which he found in his source(s) as if the magistrate was already in office. Broughton offers a parallel at Dio 40.45.2 where Q. Pompeius Rufus is given as tribune, when only *trib. desig.* (*ibid.*, n. 5). B. L. Twyman argues that Appian is ignorant of the regular interval between designation and entry into office ('The Date of Sulla's Abdication and the Chronology of the First Book of Appian's *Civil Wars*', *Athenaeum* 54 [1976], 271–95, see esp. 277ff. and 283–4). He is led to a rather convoluted hypothesis in an attempt to explain seeming contradictions in Appian's narrative simply because he is unaware (as everybody else seems to be unaware) that Appian's evidence need not point to L. Equitius (*trib. desig.* 99) having been killed on the day following the consular elections of 100 B.C. In his commentary on *Bell. Civ.* 1.33, Gabba also seems willing to believe that Appian thought the tribunician elections in 100 were held the day before the lynching of Saturninus (i.e. the same day as the consular elections!); cf. E. Badian, art. cit. above (n. 2), 103: 'Appian is indeed known to be frequently unaware of the fact that, in Rome, entry upon office did not immediately follow election'.

⁶ 2.4(16).3.

⁷ *Bell. Civ.* 1.32.

apparent contradiction of the idea that Saturninus might have been already in a third tribunate and that Equitius was already a serving colleague) is the fact that Appian apparently believed Saturninus, Glaucia, Saufeius and Equitius to have been lynched on the very day upon which Equitius entered office for the first time and upon which Saturninus *would* have been entering tribunician office for the third, i.e. 10 December 100 B.C.

As Robin Seager points out in private correspondence, ἐκείνην ἡμέραν is likely to mean that Appian *thought* Equitius' death occurred on the same day as Saturninus'. But such timing is, by Appian's own telling, unlikely (even leaving aside the attendant problems if the consular elections are allowed to have taken place on 9 December, the massacre on 10 December).⁸ Appian reveals that three magistrates died at the time of the general lynching. He also understood Equitius to have died on the first day of his tribunate. If the general lynching had occurred on the day on which Appian asserts Equitius died, or if Equitius had been among the number of those killed with Saturninus (at some earlier date as many would now argue) and had been, as some wrongly conjecture,⁹ a tribune for the year 100 as well as *trib. pl. designatus* for 99,¹⁰ two tribunes, appropriately decorated, would have been listed amongst the casualties. But they were not; and neither of the above alternatives could have been the case. On the occasion of the lynching, Saturninus alone died in tribunician garb.¹¹

Yet Equitius *was* on the Capitol with Saturninus and Glaucia on the fateful day, and prominently so: 'cum Saturninus Capitolium teneret armatus, esset una C. Glaucia, C. Saufeius, etiam ille ex compedibus atque ergastulo Gracchus' (Cic. *pro Rab. perd.* 20). Clearly he was there as a *privatus*. The same source indicates that the Senate in emergency session assumed that *all* the tribunician college (with the exception of Saturninus) was 'sound': they were not disappointed.¹² 'Adhibent omnis tribunos pl. praeter Saturninum... parent omnes' (loc. cit.). Equitius was *not* a tribune at the time.

Equitius' petition in 100 for the tribunate, however, had been successful and he was tribune *designatus* (Val. Max. 3.2.18). Moreover, Appian's statement about his death

⁸ On that problem, see now the comprehensive coverage by Badian, art. cit. above (n. 2), 101–6. Those who object to Appian's apparent chronology have argued that the date of the massacre must have been earlier. December would have been unusually late for consular elections (though not impossibly). The event certainly seems to have taken place in warmer weather than one might have expected for December. Appian speaks of Saufeius' serious thirst. The author of the *de viris illustribus* (73, 10) records the events as having taken place *maximo aestu* (which may, of course, be a careless gloss on the observation of Saufeius' thirst in one or more of his sources). Moreover, Val. Max. 3.2.18 records that Equitius was tribune-designate at the time of the 'sedition' and seemingly at the time of the Capitoline siege. This could only have been before 10 December. Most objections were met by R. Seager, 'The Date of Saturninus' Murder', *CR* 17 (1967), 9–10. Badian, however, picks up a neglected observation of F. W. Robinson which seems to settle the matter. Saufeius was a quaestor at the time of his death; his quaestorship must belong to the year 100 (since the quaestorian elections for 99 would, as custom demanded, have had to have been held *subsequent* to the consular ones and, therefore, could not *yet* have taken place); his death, therefore, must have occurred before 5 December (the end of his term of office), art. cit., 106 n. 13. This will stand, of course, unless Saufeius *had been* a quaestor for 100 but was awaiting provincial assignment for 99. (Proquaestors retained, if they wished, their insignia: *de vir. ill.* 66.3, for an exception.) While such a solution is possible, it is perhaps perverse.

⁹ *MRR* iii.22, probably a slip.

¹⁰ Val. Max. (9.7.1.) records that he was a candidate in 101.

¹¹ We take the periphrasis τοὺς ἀμφὶ τὸν Ἀπουλῆιον which Appian uses to identify the victims on this occasion – amongst whom, outstandingly, were the three magistrates – to be *inclusive* of Saturninus. (The deaths of 'others', which includes Equitius', is an additional item.)

¹² The ambivalence of Furius notwithstanding.

is quite explicit. He was killed entering or having just entered office. Errors can be expected but this remarkably specific observation needs to be explained before being rejected out of hand. A plausible solution is that Appian's source(s) recorded a prolonged period of strife stretching over days, weeks or perhaps even a month or two.¹³ After the deaths of Saturninus and the others, the *seditio*, retrospectively viewed, might have been said to have continued. *Quies*, according to Orosius,¹⁴ came to the city after the bloodletting, a possible explanation for Equitius' survival, but (it may be imagined) antagonisms remained, ready to surface. Appian either misread his source or (less likely perhaps) the phrase ἐκείνην ἡμέραν is simply a reference to the day of Equitius' death (the coincidence being a sufficiently remarkable one) and Appian is not in error at all. Equitius was killed on the day he took up office on 10 December.

Equitius' great popularity might also explain his earlier escape.¹⁵ Valerius Maximus records that Equitius, when incarcerated by Marius in the previous year, had been freed by the populace who carried him off 'humeris suis per summam animorum alacritatem'.¹⁶

Any impression that the *seditiones* were taken collectively into custody, confined in the *curia* and there stoned to death by an angry crowd is certainly incorrect. Appian reports that Saturninus and Glaucia surrendered first, and that Saufeius followed. The author of *de vir. ill.* (73.11) records that, subsequent to the capitulation of those

¹³ Appian's usage might favour a shorter period of time (i.e. weeks rather than months). For continued commotion of some duration, he was inclined to use the plural: e.g. 1.2 *bis* (the struggles of the orders and the troubles after the death of Ti. Gracchus); 1.3 (the cessation of commotion during Sulla's later years); 1.4 (similar quietude during Caesar's dictatorship); 1.5 (the escalation of commotion following Caesar's death); 1.10 (the disturbances surrounding the *lex Sempronia agraria*); 1.58 and 60 (the disturbances of 88, escalating to murder and thence to open war). His use of the singular with the article (as here at 1.33) refers on another occasion (1.27) to a series of disturbances associated with a particular leader and approximates *seditio* (the sedition, i.e. the revolutionary activity, of C. Gracchus). When a specific disturbance is described, the singular is used *without* the article, e.g. 1.30 (the eruption of violence in one of Saturninus' legislative assemblies) and 1.58 (where a battle is contrasted with a political brawl). In such a way the singular is perhaps to be read (i.e. rather than as a generic) at 1.2 where Ti. Gracchus is registered as the first to have been killed ἐν στάσει, and at 1.60 where *stasis* is the reason for Sulla's outlawing of Marius, Sulpicius *et al.*, but cf. 1.13.

One other problem needs to be addressed here. The tribunician activity of P. Furius is registered in Appian's account *after* Equitius' death, while it is almost certainly to be dated *before* 10 December, i.e. to the tribunician year of 100. (Orosius (improbably) places Furius' plebiscite confiscating the property of Saturninus between the deaths of Saturninus and Glaucia and that of Saturninus' *frater* Dolabella, quite obviously on the same day (see below). While that is difficult to credit, it is clear that at least the *promulgation* of the bill immediately followed the *mêlée*: cf. Badian, art. cit. (n. 2), 130–3.) We would argue that this does not necessarily indicate confusion on Appian's part, but that Furius' activity is recorded by Appian only as part of the prelude to the recall of Metellus Numidicus from exile which Furius blocked (in 100), but which would occur in 99.

¹⁴ 5.17.10.

¹⁵ On the popular appeal of Equitius, Cic. *Sest.* 101; Val. Max. 3.8.6; 9.7.2; 9.15.1; App. *Bell. Civ.* 1.32. On the intense popular feeling generated by the memory of the Gracchi (a heritage appropriated by Equitius), Plut. *CG* 18.2.

¹⁶ V. M. dates the incident to Marius' fifth consulship but the item hardly seems to suit 101 when Marius was still apparently on good terms with his *popularis* allies; cf. Badian, art. cit. (n. 2), 113. Equitius of course might have been a different matter. In the context of 9.7, V. M. clearly intended to date the incident to 101. In his sixteenth-century edition, Pighe suggested the emendation *sextum*. This should be treated as a correction rather than V. M.'s original text. For Pighe as corrector, cf. the emendation of Val. Max. 1.6.4. While V. M. was probably in error over the date, there is no reason to suppose that he erred in the circumstance: '...tribunatumque adversus leges cum L. Saturnino [Equitius] petebat'.

holding the Capitol, Glaucia's neck was broken and that Saturninus fled to the Senate House where he was stoned. Orosius' version (5.17.9–10) is that Saturninus, Saufeius and Q. Labienus were forced by Marius to take refuge in the *curia* and were killed there; that Glaucia escaped to the house of a certain Claudius from which he was dragged forth and killed; and that Cn. Dolabella and L. Giganus were overtaken in the *forum holitorium*. Orosius' evidence suggests that Livy's fuller treatment recorded various fates for the *seditiones* and clearly implies that they were not taken into custody *en bloc* or at least that they were not all killed at the same time. Given his previous experience of Marius, Equitius had no reason to trust himself to pledges of good-will. The fact that he could be labelled 'sine tribu, sine notore, sine nomine' (Florus 2.4(16).1), a reference to his alleged lack of civil status which goes beyond the usual anti-*popularis* rhetoric in its specificity, made him more vulnerable.¹⁷ Orosius' evidence might further suggest that Livy's account did not place Equitius' death on this occasion.¹⁸ Equitius' tumultuous career continued, then, in expectation of a turn of tribunician office. It was terminated on his inauguration day.

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¹⁷ cf. Cic. *Rab. Perd.* 20; *Sest.* 101; *de vir. ill.* 62.1; App. *Bell. Civ.* 1.32.

¹⁸ No source referring to Equitius mentions him as having shared Saturninus' fate on the same day.

...F AND LIQUID

It used to be thought that, just as word-initial *fl*... and *fr*... behaved like *pl*..., *pr*..., *tr*..., etc., in not producing a long syllable when following a word-final short vowel,¹ just so word-internal ...*fl*... and ...*fr*... allowed both the short and, except for the pre-classical scenic poets, the long scansion. It was implied that these clusters oscillated with the same degree of freedom which is the well-known characteristic of the stop-and-liquid clusters.² The difficulty is, of course, that evidence can be no more than minimal since in truly Latin (i.e. neither dialectal nor foreign) material *f* occurs only at the beginning of words or after a compounding seam. In fact, the argument, explicit or implicit, has turned on Horace, *Sat.* 1.2.98: *custodes lectica ciniflones parasitae*; Horace, *Sat.* 2.2.131: *illum aut nequities aut uafri inscitia iuris*; Ov. *Ars* 3.332: *cuive pater uafri luditur arte Getae*; Martial 6.64.26: *stigmata nec uafra delebit*

¹ The few exceptions have been paraded tirelessly at least since Lucian Müller: Cat. 4.9 *Propontida trucemue*, 29.4 *ultima Britannia*, and indeed 4.18 *impotentia freta* (all of these in iambs), as well as Tib. 1.6.34 *seruare frustra* (W. S. Allen, *Accent and Rhythm* [Cambridge, 1973], pp. 140–1, and H. M. Hoenigswald, 'A Note on Latin Prosody', *TAPA* 80 [1949], 271–80, 'Language, Meter, and Choice in Latin', in U. Pieper and G. Stickel (eds.), *Studia linguistica diachronica et synchronica* [Berlin, New York and Amsterdam, 1985], pp. 377–83), while the Ennian *populea frus* may well have to be struck off the list (O. Skutsch [ed.], *The Annals of Quintus Ennius* [Oxford, 1985], p. 728). In what follows, 'long' and 'short', when applied to scansion (i.e. to syllables, not just to vowels), are interchangeable with 'heavy' and 'light', respectively.

² '...Plosive...+liquid... The evidence of early Latin verse...is quite clear that a syllable containing a short vowel followed by such a sequence was regularly *light* in quantity... At a later period, and under the influence of Greek practice, it became permissible to adopt for metrical purposes the alternative of treating syllables containing a short vowel followed by plosive+liquid as being of heavy quantity' (W. S. Allen, op. cit. [n. 1], pp. 137–8). Pace S. Timpanaro, 'Alcune particolarità prosodiche nell'Anthologia Latina', *SCO* 10 (1961), 156–60, and 'Muta cum liquida in poesia latina e nel Latino volgare', *RCCM* 7 (1965), 1075–1103, the long scansion is indeed far more probably a Greek importation than a Roman inheritance. O. Skutsch, op. cit. (n. 1), pp. 55–6, on Timpanaro and on G. Bernardi Perini, *Due problemi di fonetica latina* (Rome, 1974), pp. 17–18, 70–7, 82–96, 108–9, states the case.