

CAESARS IN THE SOCIAL WAR

In this paper I should like to examine the part played by Sextus Julius Caesar (RE vol. 10, p. 476) and L. Julius Caesar (RE vol. 10, p. 465) in the events of the year 90 B.C. I hope to show in the case of the first that his command is a more important one than has, perhaps, been realized and that furthermore, it is bound up with an interesting constitutional question. In the case of the second I hope to show that it is possible to give a consistent and intelligible account of his campaigns and that the difficulties which some scholars have found in them are a result of a failure to appreciate the fact that the accounts of Livy's epitome, Orosius and Appian may be reconciled.

Sextus Caesar is a shadowy figure. Though he was probably an uncle of the future dictator and must have held a praetorship by 94 our first real knowledge of him is the fact that he held the consulship in 91¹). This was of course the stormy year of Livius Drusus' tribunate, yet our sources make practically no mention of Sextus having taken part in the events of the year. All we learn is that early in the year the Italians had planned to murder him and the other consul Marcus Philippus at the Ferae Latinae but that the plot was betrayed. After this we hear nothing more of his activities and the unmistakable conclusion is, as Badian has pointed out, that his consular provincia was outside of Italy, though where exactly we cannot say²). A further piece of evidence may be added which strengthens this conclusion of Badian's.

When next we hear of Sextus Caesar it is as a proconsul in 90

1) MRR 2.20.

2) Flor. 2.6.8. *De Vir. Illust.* 66.12 mentions only Philippus. The impression gained from these two sources is that the Ferae were held very late in the year and indeed Florus gives the impression that the plot at Asculum followed hard upon the plot at the Ferae. However neither of these are the most trustworthy of accounts and E. Badian, *Studies in Greek and Roman History*, Oxford, 1964, p. 51 [= Badian] has rightly pointed out that it was normal for the Ferae to be held early in the year and that this incident must be assigned to the early part of 91. It is true that App. B.C. 1.36 says the Etruscans and Umbrians were summoned, *πρὸς τῶν ὑπᾶτων*, thus giving the impression that Sextus was present along with Philippus but this would seem to be a kind of formulaic phrase which in the absence of more concrete evidence should not be pressed, cf. E. Gabba: *Appiani Bellorum Civilium* 1 (Florence) 1958 p. 122 [= Gabba].

and that year is already well advanced³). If he had been present in Rome in 91 we surely would have heard of him earlier than this. His proconsular imperium obviously marks him out as someone of importance and presumably of military ability. It is not unreasonable to suggest that had he been in Rome his services would have been called upon earlier⁴). The clear implication of the Appian passage (especially the words *ἐξήκοντος αὐτῷ τοῦ χρόνου τῆς ἀρχῆς*) is that only now, late in the year, had he returned from his province. However to understand his position fully we must consider some of the events of the war to date.

The war in Picenum began early in the year 90 with the defeat of the legate Pompey Strabo by the Italians. It was probably this defeat which left the way open for one of the rebel leaders Vidacilius, a native of Asculum, to make his way to Apulia where many of the towns went over to his side. Rebel strategy in this year was to break out of their home districts and link up with their fellows elsewhere although strongly fortified pro-Roman towns, like Acerrae, proved an obstacle⁵).

Soon after this the consul Rutilius was killed in battle and this

3) The sole source for this is App. B.C. 1.48. The Sextus Caesar in App. B.C. 1.40, 41, 42 and 45 is L. Julius Caesar (cos. 90). Cf. Gabba p. 130.

The fact that we are dependent on B.C. 1.48 alone for our information and the confusion of names in the other passages has caused much unnecessary difficulty. Badian's sweeping generalisation 'homonymity has produced inextricable confusion' and his questioning of whether Sextus ever returned from his province (pp. 51–52) is clearly indicative of a failure to examine our source properly. MRR 2.31 n. 11 is under the impression that the passage refers to 89. This is not so – only the death of Vidacilius may be dated then, the rest clearly refers to 90. Münzer (cited in MRR above) would date it to early 90 but Appian very clearly puts it late in the year.

4) We might, for example, have expected to find him featuring in the list in App. B.C. 1.40.

5) Pompey Strabo's defeat = Oros. 5.18.10. Vidacilius in Apulia = App. B.C. 1.42. Gabba p. 137 is surely wrong to date the events in Apulia later than those narrated in App. B.C. 1.47 (see below n. 11). Even less acceptable is the statement of E. T. Salmon, *Samnium and the Samnites*, Cambridge, 1967, p. 357 [= Salmon] that Vidacilius was not in Apulia but was operating against Sextus Caesar at Picentine Asculum, not against L. Julius Caesar at Apulian Ausculum and that the rebel leader was in fact a certain Trebatius.

In the first place Sextus Caesar had not yet returned to Italy. In the second there is no reason to connect L. Julius Caesar's campaign here with Vidacilius and there is no evidence that he was anywhere near Ausculum. Salmon's error is in fact a simple one. He has connected Appian's words about Apulia with the narrative of L. Julius Caesar's victory at Acerrae in the preceding sentence without realizing that two separate campaigns are being described.

On rebel strategy see Salmon p. 352; Th. Mommsen *History of Rome* vol. 3, English edition, London, 1876, p. 240 [= Mommsen].

of course raises two questions; who succeeded him in the command and under whom did his legati serve? We have definite information only in the case of Marius and Q. Caepio. App. B.C. 1.44 tells us that the senate appointed them to take command of Rutilius' forces and later, when Caepio was killed, authorised the joining of his forces to those of Marius. Liv. Ep. 73 further tells us that it was after a military success on his part that Caepio's imperium had been made equal to that of Marius.

Scholars, in the main, have shown a remarkable lack of interest in this matter and their comments are usually vague as will appear from the following extracts: Mommsen p. 224 'Marius ... by decree of the senate succeeded Lupus as commander in chief', C.A.H. 9 p. 191 '[the senate] divided the command between Marius and him [Caepio] ... thereupon Marius assumed sole command'. T. F. Carney, *A Biography of C. Marius*, (P.A.C.A. suppl. 1961) p. 52 'he took over from the consul'. Broughton (MRR. 27-28) doubtfully listed the commands of Marius and Caepio as pro-magistracies.

Willems alone, with his usual acuteness, saw⁶) that this was a situation requiring comment but unhappily he chose not to investigate the matter properly. He was content with pointing out that the events of the years 106-82 often forced the senate to take extraordinary measures and that one of these was the conferring of the command of the consular first on two and then on one legate.

However it does not seem to me that we have here a constitutional aberration. Rather we have an example of the conferring of a proconsular imperium on privati - an event for which there were well established methods and precedent.

There were two ways in which a privatus could be given the proconsular imperium. At the time of the second Punic War privati were sometimes given this imperium by the people ex senatus consulto. It is, however, unlikely that this was the method used here. It had long fallen into disuse and the Senate would hardly have welcomed the peoples' once more having a say in the choosing of promagistrates⁷). A more convenient method would be that by which a senior magistrate (probably in this case the urban praetor) would be asked by the senate 'ut mitteret cum imperio

6) P. Willems, *Le sénat de la République Romaine* vol. 2, Aalen (reprint), 1968, p. 569 [= Willems].

7) See Willems pp. 554-556; W. F. Jashmeski, *The Origins and History of the Proconsular imperium*, Chicago, 1950, pp. 13-15.

quem ipsi videretur'. Such a person would be regarded as being the delegate of the magistrate who named him or the legate of the magistrate or pro-magistrate in whose territory he found himself⁸). As there was now no magistrate in this area Marius and Caepio would be the delegates of the urban praetor.

The senate undoubtedly regarded this as the most satisfactory solution to the problem caused by the death of Rutilius. It would ensure the presence of a supreme commander on the northern front without the embarrassment of having to appoint Marius with full proconsular powers. The appointment of Caepio, later, with equal power, would serve to keep Marius even further in check.

This finally takes us back to Sextus Caesar. Some time after the death of Caepio he returned from his consular province to have his imperium prorogued and to be given a proconsular provincia⁹). What this was we are not told precisely but the very fact that we find him at Asculum as a proconsul suggests that he was the supreme commander of the northern front. When Rutilius died his successors, Marius and Caepio, had been given a lesser imperium and not one which was equal to his. But now we find Sextus with an imperium almost as great as Rutilius' and certainly far greater than that held by anyone else now on this front. Marius, by the terms under which he held his imperium, would have to serve under him as would surely the other legates of Rutilius such as Pompey Strabo. What had become of them after Rutilius' death we do not know but it seems reasonable to assume that they had served under Marius and Caepio and now would serve as legates to Sextus Caesar.

It is worth noting that these events we have just been considering may possibly explain why Marius resigned at the end of 90. When Rutilius died he had been given his command, but with a lesser title and had, soon after, to accept an equal colleague. Then when Sextus appeared on the scene with his greater imperium, Marius had been forced to relinquish the command to him. No doubt this series of snubs led Marius to resign in the belief that he had not received his just deserts¹⁰).

8) See Willems pp. 557-560.

9) App. B.C. 1.48 places Sextus' proconsulate later than the last operations of L. Julius Caesar in this year (B.C. 1.45) and the victory of Marius and Sulla (B.C. 1.46). Cf. Appendix.

10) Marius' resignation: Plut. *Mar.* 33. This looks like an official explanation put about by Marius himself. 'Ill health' has long been a favourite excuse for failed politicians.

The war in Picenum had been going on vigorously for some time. Near Mount Falernus, Vidacilius, Lafrenius and Ventidius defeated Pompey Strabo. They then split up and Lafrenius remained to put Pompey under siege in Firmum. Soon, however, news of the arrival of another army under Sextus Caesar was received and Pompey and Sulpicius attacked Lafrenius, defeating and killing him. The Romans then laid siege to Asculum¹¹).

We are also told of a great victory won by Sextus in which 8000 of the enemy were killed. It seems most likely that this refers to a battle fought on the way to Asculum though the possibility that it refers to a victory won over a relieving force during the siege should not be ruled out. We are not told whether Sextus was still in command or whether he had been succeeded by Pompey Strabo when Vidacilius burst into the town¹²).

Sextus himself died while the siege was still in progress, possibly before the end of the year. He seems to have been aware of his approaching end for Appian says (B.C. 1.48), *ἀποθνήσκων . . . ἀντιστράτηγον ἀπέφηνε Γάιον Βαίβιον*. This is a passage which has caused some difficulty. Klebs (RE vol. 2 col. 2729) argued that the passage, like App. B.C. 1.40, 41, 42 and 45 refers to L. Julius Caesar and that, as the latter was nowhere near Asculum the

11) App. B.C. 1.47; Oros. 5.18.17; Liv. Ep. 74. Gabba p. 143 is surely right to take Livy's epitome as referring to the same incident as our other two sources. Furthermore his conjecture that Appian's words *προσελθόντος δὲ ἐτέρου στρατοῦ* must refer to the proconsular army of Sextus Caesar seems plausible.

Less happy, however, is his suggestion that Vidacilius' successes in Apulia (App. B.C. 1.42) should be placed after this battle. Appian's placing of Vidacilius in Apulia early in the year is perfectly plausible. Vidacilius would have had ample time to operate in Apulia and still return in time to defeat Pompey Strabo. Cf. Appendix.

12) App. B.C. 1.48. Gabba p. 145 is mistaken in believing that Pompey Strabo was his commander. Vidacilius did not die until late 89 (Oros. 5.18.2). Gabba loc. cit. rightly remarks of Appian's account of his death here *'essa è qui anticipata per dare un quadro unico degli eventi piceni'*. Cf. App. B.C. 1.41 for another example of this kind of thing.

It has been suggested (e. g. by Salmon p. 354 n. 5) that Liv. Ep. 74 (emended) may refer to a victory won by Sextus over the Paeligni before coming to Pompey's aid but this seems unlikely (cf. MRR 2.27).

This seems a good place to consider Salmon's odd statement (p. 354) that early in the year Valerius Messala with Legio XV was defeated by Vettius Scato. As a result Rutilius Lupus handed over Messala's command to Sextus Caesar. I can find no evidence for this story and neither, it seems, can Salmon since he quotes no sources. This, in fact, looks like a garbled version of App. B.C. 1.41 where Perpenna, after being defeated by Presentaeus is relieved of his command by Rutilius and his army is given to Marius.

whole passage must be a mistake on Appian's part – a view which has rightly received little acceptance. The Loeb translation reads (p. 91) 'The Senate appointed Gaius Baebius his successor'. This, of course, is not a literal translation but an expression of the editor's view which would seem to be that Sextus recommended Baebius and the Senate then gave him the proconsular imperium. The objections to this are that the senate, as we have seen, would be loath to do this, and that the passage itself will not bear such a meaning.

The view adumbrated by Broughton (MRR 2.28) is surely the correct one. Caesar was a proconsul about to leave his province and he, in accordance with standard practice, only left it in the hands of one of his subordinates Baebius pro praetore. When Pompey Strabo, as consul, took over this front we may be sure that Baebius then served under him.

The consul of 90, L. Julius Caesar, is a less elusive character than Sextus. Brother of the famous Caesar Strabo, he was praetor in 95 and it was probably in the following year that he held the governorship of Macedonia¹³).

As consul in the year 90 he had command of the southern front. His actions which at first glance appear to be both confused and confusing will appear far more coherent if we bear in mind that all his operations were directed towards relieving the sieges of the towns of Aesernia (Samnium) and Acerrae (Campania), and towards preventing the further advance of the rebels conducting those sieges.

We first hear of Caesar in an attempt to relieve the siege of Aesernia which had been going on since 91. This attempt failed however when Caesar suffered a severe defeat at the hands of the rebels and was forced to retreat to Teanum Sidicinum¹⁴).

We next hear of Caesar as he advances on Acerrae. The rebel leader Gaius Papius attacked him but Caesar succeeded in inflicting a severe defeat on him. This was greeted with great enthusiasm at Rome even though Caesar withdrew from Acerrae¹⁵).

13) MRR 2.11, 13. Badian p. 73, n. 2.

14) Liv. Ep. 72–73; App. B.C. 1.41; Oros. 5.18.11 (cf. 14 also). Salmon p. 354 is probably right in saying that Caesar fell back towards Teanum, though his location of the battle near Atina is only a guess.

15) App. B.C. 1.42; Liv. Ep. 73; Oros. 5.18.14. It is difficult to see how Gabba (p. 137) can get the impression from the last two sources above that this victory must be placed after Caesar's second attempt to relieve Aesernia. See further n. 16.

Salmon (p. 359, n. 1) erroneously gives App. B.C. 1.45 as a source for this

Caesar presumably made his way back to Teanum Sidicinum after his victory. We next hear of him in an enigmatic passage of Appian which tells how he was ambushed in a defile by Marius Egnatius. The result was that he lost the greater part of his army and was forced to retire once more to Teanum. Although our source does not say where the battle took place and what Caesar was doing, it seems reasonable to suggest that this was yet another attempt to relieve Aesernia¹⁶).

At Teanum Caesar received reinforcements and set off once more to relieve Acerrae which was still being besieged by Papius. Here he remained for some time before returning to Rome to pass the *lex Julia de civitate* and presumably also to hold the comitia for the consular elections which he had been unable to do earlier because of his military commitments¹⁷).

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battle. Gabba (p. 137) thought that Caesar went to Rome, after the battle, to hold the comitia but this is contradicted by App. B.C. 1.44

16) App. B.C. 1.45. Gabba p. 140 would place this incident before the events of App. B.C. 1.42 while Salmon p. 358 would see it as a further defeat suffered by Caesar as he retreated after his defeat in App. B.C. 1.41. These wholesale transportations of parts of Appian's narrative from one spot to another in order to make them fit in with a priori hypotheses are unacceptable.

Gardner (C.A.H. 9. p. 192) and Mommsen pp. 242–243 were surely correct to see in B.C. 1.45 a separate campaign posterior to the battle with Papius.

Gabba's thesis (p. 137) rests on his assertion that Liv. Ep. 73 and Oros. 5.18.14 'prove' that B.C. 1.42 is posterior to B.C. 1.45. However a glance at the sources shows otherwise. Livy mentions Caesar twice, once in regard to his defeat at Aesernia (= B.C. 1.41) and once in regard to his victory at Acerrae (= B.C. 1.42). In both cases his chronology agrees with that of Appian.

Even more valuable is the evidence of Orosius. He notes Caesar's defeat at Aesernia (5.18.11 = B.C. 1.41, Ep. 73) and next mentions Caesar's great victory at Acerrae (5.18.14 = B.C. 1.42) prefacing it with the words 'postquam apud Aeserniam victus', thus clearly pointing out that Caesar's victory at Acerrae followed on almost immediately from his defeat at Aesernia with no intermediate battle – exactly as Appian has narrated it. (cf. also Appendix n. 2).

17) App. B.C. 1.45. Gabba (p. 141) would have this notice refer to the events in App. B.C. 1.42. In this he has ignored Appian's explicit statement in B.C. 1.42 that Caesar has already retreated once from Acerrae and his equally explicit statement in B.C. 1.45 that Caesar returned to the town because Papius was still laying siege to it.

The citizenship law was passed late in the year (cf. G and C. p. 142). For the delay in holding elections see App. B.C. 1.44.

Appendix

Southern Front	Northern Front
<p>(1) Caesar, in an attempt to relieve Aesernia, is defeated by a force of Samnites and Marsians who then tighten the siege of the town. (App. B.C. 1.41; Oros. 5.18.11; Liv. Ep. 73. cf. Cic. Philip. 12.27)¹. Samnites, under Marius Egnatius, capture Venafrum (App. B.C. 1.41).</p>	<p>Defeat of Pompey Strabo near Asculum (Oros. 5.18.10). Defeat of Perpenna – his army given to Marius (App. B.C. 1.41).</p>
<p>(2) Crassus driven into Grumentum by Lamponius (App. B.C. 1.41). Papius captures Nola and other towns. Plunders territory around Nuceria. (App. B.C. 1.41; Liv. Ep. 73). He then lays siege to Acerrae. Caesar comes to town's aid and defeats Papius. (App. B.C. 1.42; Liv. Ep. 73; Oros. 5.18.11)². Vidacilius' successes in Apulia (App. B.C. 1.42).</p>	<p>Rutilius' defeat and death. Marius retrieves the situation and, along with Caepio, is given imperium. Defeat and death of Caepio. (App. B.C. 1.43–44; Liv. Ep. 73; Oros. 5.18.11–14). Ser. Sulpicius defeats the Paeligni (Liv. Ep. 73).</p>
<p>(3) Caesar defeated in a defile while trying to make a second attempt to relieve Aesernia. When he receives reinforcements he goes a second time</p>	<p>Marius and Sulla defeat the Marsi (App. B.C. 1.46; Oros. 5.18.15; Liv. Ep. 73 [third mention of Marius]; Plut. <i>Mar.</i> 33).</p>

1) For this junction of Samnites and Marsians see Salmon p. 354.

2) On a first reading it would appear that Appian puts this victory of Caesar comparatively early in the year while the Livian writers put it later. In fact, what seems to have happened is that Appian, on this occasion, narrated these roughly contemporaneous events by describing the southern front first and then the northern. The Livians, on the other hand, do it in reverse order i.e. northern first, then southern. There is no difference therefore in the chronology as given by the two traditions. Further, as we have seen (text n. 16), Orosius is valuable evidence as to the agreement between the narratives.

<p>to Acerrae. (App. B.C. 1.45). Sulla attempts to save Aesernia (Oros 5.18.16)³).</p>	<p>A rebellion in Transalpine Gaul is crushed (Liv. <i>Ep.</i> 73). The battles near Asculum and the siege of the town in both of which the proconsul Sextus Caesar plays a part. (App. B.C. 1.47–48; Oros. 5.18.17; Liv. <i>Ep.</i> 74). Revolt of Etruria and Umbria (App. B.C. 1.49; Oros. 5.18. 17; Liv. <i>Ep.</i> 74).</p>
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This table shows the sequence of events on both fronts in the year 90. It also shows, by grouping them under the same number, which events on both fronts were roughly contemporaneous.

3) Orosius clearly puts this attempt of Sulla's after the latter's joint victory with Marius. Despite Sulla's success the town fell (Liv. *Ep.* 73) and this is surely because, with the approach of winter and the consequent difficulty of obtaining provisions in the hill country, the Roman commander was forced to retreat.

Salmon p. 359 would place this attempt just after Caesar's victory over Papius and further adds that Sulla extricated the garrison of Aesernia. There is nothing in our sources to support either of these contentions.

Liv. *Ep.* 73 seems to suggest that Aesernia fell before the victory of Marius and Sulla. But again this is simply due to the fact that he has narrated southern events before northern possibly because by grouping those events of the southern front together he could make a rhetorical balance. 'Ut varia belli fortuna esset' – the fall of Aesernia to the Italians would balance the great victory of Caesar.