

SEXAGENARIANS, THE BRIDGE, AND THE *CENTURIA PRAEROGATIVA*

The origin of the proverbial expression *sexagenarios de ponte*¹) has been a subject of dispute since antiquity. The most widely received explanation held that the bridge concerned was the Pons Subclivus. Members of this school generally believed that the aged and infirm – or images representing them – were thrown down from the bridge²). A second school maintained that the expression commemorated an attempt by younger men to deprive men over 60 of a vote in the *comitia*³). Varro seems to have doubted the latter explanation⁴), while Verrius Flaccus presumably favored it⁵). Frazer and Klotz rejected the comitial origin of the phrase, which Mommsen and Taylor accepted⁶). Of the three cases in which we know the identity of the *centuria praerogativa* in the *comitia centuriata*, it was a century of *iuniores* from one of the 31 rural tribes (Liv. 24.7.12, 26.22.2, 37.6.3); Taylor took the proverb as evidence that the *praerogativa* was always restricted to *iuniores*. Here I shall not attempt to lay bare the origin of the phrase, but limit

1) The form of the expression was not firmly fixed. *Deicere* is common (Cic. Rosc. Am. 100, Sinius Capito in Festus 452 L. = fr. 21 Funaioli, Macr. Sat. 1.5.10; it is supplied by Mueller and retained by Lindsay in the fragment of the *quidam* cited by Varro in Non. 842 L. = fr. 210 Funaioli = de vita p. R. fr. 71 Riposati), as is *mittere* (Ov. Fast. 5.622, 624, 628, 631, 655; Festus 450 L.; Lact. Inst. 1.21.6); *iacere* (Ov. Fast. 5.632, Festus 452 L.), *deturbare* (Varro Men. fr. 494 = Non. 122 L.), and *praecipitare* (Ov. Fast. 5.634) are also found. Cf. *depontare* (Varro Men. fr. 493), with Festus 66 L. (*depontani*). The lemma in Nonius 842 L. reads *sexagenarios per pontem mittendos*; Mueller supplied a *non* before *mittendos*, but the emendation was not retained by Lindsay. The emendation should be kept as long as the lemma itself is retained: the preposition *per* and the gerundive *mittendos* are not borrowed from the definiendum, but from the definiens of Varro. Hence I do not list the lemma among the sources which employ *mittere*.

2) Afran. in Festus 452 L. = Repud. fr. 8 = fr. 297 Ribbeck, Cic. Rosc. Am. 100, Varro Men. fr. 494 and Ling. 7.44, Epicadus in Macr. Sat. 1.11.47 = test. 6 Funaioli, Dion. Hal. Ant. Rom. 1.38.2, Ov. Fast. 621–60, Plut. Quaest. Rom. 32, Festus 452 L., Lact. Inst. 1.21.

3) *quidam* cited by Varro in Non. 842 L., Sinius Capito in Festus 452 L., Ov. Fast. 633–34.

4) Non. 842 L.; cf. L. R. Taylor, Roman Voting Assemblies, Ann Arbor 1966, 152 n. 18.

5) Festus (452 L.) deemed it the correct explanation.

6) A. Klotz, RE 2A.2 (1923) 2025–26; J. G. Frazer, The Fasti of Ovid, London 1929, IV 81–82; T. Mommsen, Römisches Staatsrecht, Leipzig³ 1887, II 408 n. 2; Taylor, op. cit. 92.

myself to offering two new arguments against the comitial origin, and an explanation of the way in which the misunderstanding could have come about.

The fact that the expression makes use of the singular *pons* does not lend itself to a connection with any of the Roman *comitia*. The ancient sources do not refer to voting platforms in the singular except when it is a question of a single individual (Suet. Iul. 80.4). All general references to the voting platforms put *pons* in the plural⁷⁾, and we should expect the same in the case of the sixty-year-olds⁸⁾.

The connection between this phrase and the *comitia centuriata* is made explicit only in Festus' epitome of Verrius Flaccus, in an entry which concerns the choice of an *imperator* and speaks of *iuniores*⁹⁾. The reports of this explanation preserved by Varro and Ovid do not mention *iuniores* or provide other information which would allow us to identify the *comitia* concerned as the *comitia centuriata*. Festus claimed that the *iuniores* invented the expression when they demanded that they alone should elect generals¹⁰⁾. We have no knowledge of a subdivision of *sexagenarii* in the centuriate assembly; the only age groups of which we hear are the *iuniores* and *seniores* of the five classes of infantry (Liv. 1.43, Dion. Hal. Ant. Rom. 4.16). Mommsen and Taylor believed that the voting rights of the sexagenarians were challenged, but that they were not disfranchised¹¹⁾. They must have voted with the *seniores*, just as men under 46 continued to vote with the *iuniores*, even if they had fulfilled their military obligations¹²⁾. The problem with the comitial explanation is obvious: if the *sexagenarii* had been disfranchised, it would still have been possible for the *seniores* to vote, so the proverb cannot constitute evidence of a reform or an attempted reform which sought to exclude *seniores* from the prerogative century¹³⁾.

The readiness of Sinius Capito and Verrius Flaccus to place the *sexagenarii* in the *comitia centuriata* may perhaps be explained by the morphology of the word *sexagenarius* itself. Palmer has pointed out that military terms were often substan-

7) Auct. Her. 1.12.21: *Caepio ... pontes disturbat*; Cic. Att. 1.14.5: *operae Clodianae pontes occuparant*; Cic. Leg. 3.38: *pontes etiam lex Maria fecit angustos*.

8) Verrius/Festus and the *quidam* reported by Varro both use *pons* in the singular, and that this was the usual form of the expression is shown by the other sources. Ovid (Fast. 634) makes use of the plural when retailing the comitial explanation (which he rejects), although in line 622 he had used the singular. It is possible that we have here not a case of *variatio*, but a recognition by Ovid of the inappropriateness of the singular in a comitial context. Yet Ovid in the same place speaks of *iuvenes* and *senes* instead of *iuniores* and *seniores*.

9) Festus 452 L.: *quo tempore primum per pontem coeperunt comitiis suffragium ferre, iuniores conclamaverunt, ut de ponte deicerentur sexagenari, qui iam nullo publico munere fungerentur, ut ipsi potius sibi quam illi deligerent imperatorem*. Sinius Capito was then cited as a supporter of this opinion.

10) His additional information that the demand was made on the first occasion on which bridges were used for voting does not inspire confidence.

11) Mommsen, op. cit. ii. 408 n. 2; Taylor, op. cit. 152 n. 18.

12) Cf. G. W. Botsford, *The Roman Assemblies from their Origin to the End of the Republic*, New York 1909, 205.

13) Unless one maintained that *sexagenarii* was a tendentious label applied even to the forty- and fifty-year-olds among the *seniores*. But that the *sexagenarii* really were sixty-year-olds is proved by texts which give this figure in place of the substantivalized adjective: Cic. Rosc. Am. 100, Varro in Non. 842 L., Ov. Fast. 623.

tives in *-arius*¹⁴). It is possible that men over 60, from the military point of view, could be described as *sexagenarii*, though they were in no wise subject to military service, and even though they were *seniores* in comitial terminology. The mistake of Sinius and Verrius will then have been to assume that a distinct military group was an equally distinct political group in the centuriate assembly, but the *comitia centuriata* of historical times bears very little relation to the armed forces. As we do not hear of *sexagenarii* in a context other than the proverb, it is possible that it never was a military term¹⁵). Sinius and Verrius, misled by morphology, will then have made the additional mistake of assuming that *sexagenarii* was a military classification. We might still wish to maintain that the *iuniores* had the right to the *praerogativa*, at least in the election of generals, but we should do so on grounds of general probability rather than on the basis of the proverb¹⁶). Livy specified on all three occasions that the *centuria praerogativa* was drawn from the *iuniores*. But if the *praerogativa* was always given to the *iuniores*, we might expect to find the name of the tribe alone in at least one of these passages. Taylor's thesis remains possible, but it is more likely that the *praerogativa* was open to *seniores*.

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14) R. E. A. Palmer, *The Archaic Community of the Romans*, Cambridge 1970, 257 and n. 2: *ballistarii, beneficiarii, catervarii, causarii, cibarii, duplicarii, extraordinarii, ferentarii, gregarii, ordinarii, praesidiarii, rorarii, proletarii, sagittarii, subitarii, triarii, tumultuarii, vexillarii, voluntarii*.

15) This is the more probable explanation. If *sexagenarii* were a military term, it would be quite common, and we might expect it to appear in a certain passage of Varro (*Censorinus de die natali* 14.2 = *Varro ant. rer. hum.* 14 fr. 4 Mirsch). He tells us that boys under 15 were called *pueri*; men under 30, *adulescentes*; men under 45, *iuvenes*; men under 60, *seniores*; the rest were called *senes*. To the extent that men over 60 were given a common appellation, we must suppose that it was *senes*. Since 60 was considered the retirement age from all public business, civil as well as military (*FIRA I*² 7.13, 17; *Varro in Non.* 842 L.), it would not have been necessary to describe military retirees with a different term than that used for civilian retirees.

16) Since the proverb is well attested and the right of the *iuniores* to the prerogative vote is hypothetical, it would be a mistake to argue that Verrius could well have been less interested in the origin of the proverb than in an aetiology of voting procedure in the centuriate assembly.