

THE QUAESTORSHIP AND AEDILESHIP OF C. OCTAVIUS

Better known, already in ancient times, as *pater Augusti*, an attitude responsible for a certain neglect in the study of his career. His quaestorship is now dated “ca. 73”¹). Broughton’s note on C. Octavius *sub anno* reads: “See below, on his colleague Toranius.” One source (Sall. Hist. 3.96 M) does call C. Toranius *quaestor* in an account of events in 73, but neither here nor in the other passage (Flor. 2.8.5) which recounts the activities of Toranius in this year is there any mention of Octavius. The quaestorship of Octavius is mentioned in just one place, his elogium (ILS 47): C. Octavius C. f. C. n. C. pr[on.] | *pater Augusti* | *tr. mil. bis, q., aed. pl. cum* | C. Toranio | *iudex quaestionum* | *pr., pro cos., imperator appellatus* | *ex provincia Macedonia*. We could not hope for a stronger argument from silence: since the inscription names Toranius as the aedilician colleague of Octavius, we can be quite certain that Toranius would be named as the quaestorian colleague of Octavius if the two men held the office together²). As long as

1) T. R. S. Broughton listed him under the year 73 with a query, and indexed him as “Q. ca. 73” (MRR 2.110, 595); Broughton’s date was accepted by T. P. Wiseman, *New Men in the Roman Senate 139 B.C.–A.D. 14*, Oxford 1971, 246. P. Willems, *Le Sénat de la République romaine*, Louvain 1878–85, 1.467 n. 5, noted but did not attempt to date the quaestorship; Octavius was dead by 55, for which year Willems compiled a roster of senators. Since the quaestorian province of Octavius is not known, he was not included in the fasti of M. Büzl, *De provincialium Romanarum quaestoribus, qui fuerunt ab a. u. c. DCLXXII usque ad a. u. c. DCCX*, Chemnitii 1893. In the belief that his aedileship fell in 64 or 63, and in the further belief that a *biennium* was necessary between quaestorship and aedileship, Sobeck dated his quaestorship “spätestens 67 oder 66”; cf. F. Sobeck, *Die Quästoren der Römischen Republik*, Trebnitz 1909, 47, 90. F. Münzer, *Octavius 15*, RE 17 (1937) 1806, maintained that 63 was the latest possible date for his aedileship and 66 the latest date for his quaestorship, but remarked: “man kann sogar eher ein wenig höher hinaufgehen, da O(ctavius) als der erste aus ... [seiner] Familie in den Senat gelangte.”

2) Other arguments against a quaestorship as colleague of Toranius are not lacking. Toranius was bested by Spartacus; if the father of Octavian had suffered defeat at the hands of slaves, this fact would have found its way into the invective of Octavian’s opponents (cf. Suet. Aug. 3.1). And Suetonius (Aug. 27.1) tells us that Octavian proscribed C. Toranium *tutorem suum, eundem collegam patris sui Octavi in aedilitate*; if they had understood Octavius and Toranius to be quaestorian

we date the quaestorship of Toranius to 73, it is impossible to date the quaestorship of Octavius to that year. Once we divorce the quaestorships of the two men, the only guide to dating the quaestorship of Octavius is his later *cursus*; since he was praetor in 61, we should hold that he was quaestor ca. 70³).

Broughton classified Octavius as "Aed. Pl. 64?," and explained: "The date . . . is not securely attested, but since Octavius held the praetorship in 61, this is a probable year"⁴). Long before Münzer made 63 the terminus non post quem of the aedileship, Seidel had already identified Octavius as a plebeian aedile of "64 oder 63"⁵). Since a *biennium* between the plebeian aedileship and the praetorship was never required, it would seem at first that Octavius might have been aedile in 63. But this late date is actually excluded by a simple fact, always overlooked: the genitive plural *quaestionum* in the elogium of Octavius⁶). It is all but impossible to believe that Octavius was aedile in 63: we would then have to place his service in two different *quaestiones* in 62, a year in which he was also occupied with a campaign for the praetorship. We can remove Broughton's query, and state the date as a terminus non post quem: Aed. Pl. by 64.

We may presume that Broughton queried the year 64 for two reasons: the possibility that Octavius was aedile in 63, since his aedileship was plebeian; the possibility that Octavius was old enough to be aedile in ca. 67, in view of the high date for the quaestorship. We have removed both these reasons. It might therefore seem possible to date the aedileship precisely to 64. Seidel ruled out an earlier date on the ground that the plebeian aediles of

colleagues, Octavian's opponents (the presumed source of this information) would not have failed to mention this fact, since it would make the proscription seem even more cruel. Thus the proof is (unnecessarily) redoubled and trebled.

3) If he was praetor *suo anno*, 70 is the earliest possible date for his quaestorship; even if he was not praetor *suo anno*, 70 remains a likely date for the quaestorship: as a new man he might not have been able to hold the quaestorship *suo anno* (if indeed he was actuated by that desire). Since I shall presently argue that his aedileship could well be earlier than has been believed, I find it better to attempt an inexact approximate dating for the quaestorship than to date it (as Sobeck and Münzer) with a terminus non post quem.

4) MRR 2.162, 164 n. 3, 595.

5) J. Seidel, *Fasti aedilicii von der Einrichtung der plebejischen Ädilität bis zum Tode Caesars*, Breslau 1908, 59–60, 96. Octavius is missing from the catalogue of F. P. Garofalo, *I fasti degli edili plebei della romana repubblica: appendice ai fasti dei tribuni plebei*, Catania 1889.

6) Broughton denominated him "Iudex Quaestionis", with the date "63?"; cf. MRR 2.167 and 595.

65 are known; he thought that Octavius could not have been aedile as early as 66, since this would mean an interval of four years between aedileship and praetorship, yet Octavius was elected praetor at the head of the poll (Vell. 2.59.2)⁷). But once we realize that Octavius served as *iudex* on at least two occasions, the possibility of a four-year interval between aedileship and praetorship no longer seems incredible. Octavius' brilliant success at the praetorian comitia does not require a short interval between aedileship and praetorship: the electoral triumph may be a direct result of his conspicuous service as *iudex*. A letter of Cicero (Q. fr. 1.1.21) in fact states that the *lenitas* Octavius showed in administering justice made him *iucundissimus*⁸). Although Cicero in this passage names neither the office held by Octavius nor the court over which he presided, it is almost always taken as a reference to the praetorship of Octavius⁹). But a neglected sentence in this passage causes grave doubts: we are told that Octavius showed *severitas* in forcing *Sullani homines* to give back what they had stolen. The phrase *Sullani homines* suggests the year 64, when Caesar as *iudex* and Cato as quaestor were both busy calling *Sullani* to account. It is not certain that the letter refers to the service of Octavius as *iudex* rather than as praetor, and it is still less certain that the trials mentioned by Cicero belong to 64, but the letter increases our suspicion that Octavius might have been aedile already in 66¹⁰).

Quaestor ca. 70, aedile by 64: a lower date for the quaestorship, and a firmer date for the aedileship. And, at least two terms as *iudex quaestionis*. Most of this, and possibly all of it, before he was so much as *pater Octavii*.

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7) Seidel, op. cit. 60.

8) Seidel, op. cit. 60 n.3, must have understood this passage to refer to Octavius' service as *iudex*, since he cites it as proof of the "Beliebtheit" which brought about his election as praetor at the head of the poll.

9) So already by P. Wehrmann, *Fasti Praetorii ab a. u. DLXXXVIII ad a. u. DCCCX*, Berlin 1875, 58; so, more recently, by Münzer, op. cit. 1807; and Broughton, *MRR* 2.179.

10) Since his aedilician colleague was Toranius and since Q. Tullius Cicero was plebeian aedile in 65, Octavius would have had to be aedile by 66 in order to be a *iudex* in 64. (It is theoretically possible that Octavius held the presidency of a court while aedile; yet, given the a priori likelihood that the trials mentioned by Cicero occurred in 64, the assumption that Octavius presided over this court as aedile does not weaken the case for regarding 64 as the firm terminus non post quem of his aedileship.)